



JAIL SITING PUBLIC MEETING MINUTES

**FEBRUARY 3, 2011 – 6:00 p.m.
Whatcom County Council Chambers**

Panel Members: Pete Kremen, County Executive, Dewey Desler, Deputy Administrator, Bill Elfo, Sheriff, Wendy Jones, Chief Corrections Officer, Judge Snyder, Judge Grant, and Tyler Schroeder, Planning & Development Services.

Executive Kremen welcomed everyone and made brief introductory comments regarding the purpose of the meeting. The County is in the process of trying to site and build a long term correctional facility for Whatcom County, having started when voters voted almost 62% in favor of generating revenue to build and operate first an interim facility to take the load off the county jail (built in 1984, capacity for 148 inmates). Whatcom County is housing considerably more than that now: 250-300. Tonight's meeting is an attempt to work with the community to provide information, to answer questions, receive suggestions and have a meaningful dialogue on the development of a long-term county jail.

This won't be the only public meeting – there will be several more meetings. This meeting is slated to go from 6 to 8 pm. If all are willing, we can go over time this evening. We will allow at least an hour for audience participation. The agenda was reviewed: introductions, presentation by the County administration as well as Sheriff's office regarding new jail proposal, audience participation for comments, dialogue, then closing comments.

Introductions (left to right)

Tyler Schroeder, designated SEPA official for Whatcom County (oversaw the preparation of scoping of the draft EIS);

Dave McEachran, County Prosecutor

Bill Elfo, County Sheriff

Wendy Jones, Chief of Corrections

Pete Kremen, County Executive

Dewey Desler, Deputy Administrator and Director of Department of Admin. Services

Dave Grant, District Court Judge

Charles Snyder, Superior Court Judge

Presentation from the Administration and Sheriff's Office

Dewey Desler: This is the first of several more discussions that will take place on this issue. Our jail is a critical part of the public infrastructure that is necessary to maintain a civil society and an important part of the criminal justice system. We've had the support from voters (from 2004 election) to go ahead and build a new jail through a plan, which included a plan to build an interim facility (Division Street facility, 148 people) and then over time to site, plan, design, construct and operate a new main jail in this community. The current jail was built in 1982 and was designed to hold 148 inmates. Within a few years, the census was doubled and most days we hold over 300 inmates. The result is a facility that is failing because of the inmate load: serious recurring failures with electrical, plumbing, appliances, as well

as a physical layout requiring more staff to be present, etc. Our two jails are regularly overloaded with the requirements and needs of the courts, Prosecutor's office, the police, the Sheriff's department and the State Patrol. Since voters approved 1/10th sales tax measure in 2004, County has been working on the siting of a new jail. New jail siting has been done 6 times over the course of the county's 155 year history, and this new jail will be the 7th time. We're trying to follow all the laws that exist to govern this process at both state and federal level as well as requirements/priorities of the County Council. We've prepared thus far a draft Environmental Impact Statement. The State Environmental Policy Act requires that all major development projects prepare an EIS. We want to consider all environmental information before committing to any action. No decision has been made on location or sizing or other relevant factors around the jail. The draft EIS is a comprehensive analysis of environmental factors of a possible jail facility and sheriff support facility – it looks at soils, noise, wetlands, land use, transportation and many other factors as well. The draft EIS has been issued to agencies, organizations and the public as part of a public comment and review process. Based on all the comments we receive from all agencies and public, a final EIS will be prepared in the future.

Because of the demands with the existing jail, we built the interim work center – opened in December 2006. Our efforts now are devoted to siting and planning the new jail which will consolidate all of the populations in the existing jails. Following completion, we intend to convert the Division Street facility into a light industrial facility and sell it to a private party.

Wendy Jones: Few points about current jail conditions: a linear design jail – cells along one side of corridor, don't have direct line of sight which affects supervision. No cameras in housing units. The 2nd floor of main jail is the main general population floor, originally built for 64 offenders; most days it holds about 128; all cells on that floor are double-bunked (frequently there are 3 people stuffed into one cell), with one deputy assigned to the entire floor (supervision, meal service, transporting inmates to court, to medical clinics, site clinics, attorney visits, etc.) Numbers of assaults, fights, property destruction, etc. goes up with increased population. Need increased staffing for supervision or for areas where there are problems. The original design of this jail was predicated on the assumption that we'd have majority of misdemeanor offenders with small numbers of felony offenders. Unfortunately, this isn't the case, as we currently have a population of 50% or more felony offenders, and it continues to increase. The design capacity of both facilities combined is 298. Today the average daily in-custody population for both facilities is 434; not a good situation for offenders and staff. Our jail population has grown 268% since 1986 (first year statistics were available).

County has obligation to plan for today and the future. This current facility was over the rate of capacity two years after it opened. Dealing with overpopulated jail has been an impossible situation for some time: staff doesn't have the capacity to separate inmates, house them adequately, and to be able to respond when there is a problem. Ms. Jones pointed out slides that show cell overcrowding. We have tried to manage jail population through jail alternatives: home monitoring (electronic bracelets); work release program, etc. Work release numbers have decreased due to economic conditions, but it's an important and worthwhile program. On average 55% of offenders are able to complete their sentences using one of these jail alternative programs. Many offenders don't qualify due to nature of their crime or a history of non-compliance with the rules. Jail space has been modified to accommodate increased inmate population: additional beds added, storage space converted to housing, etc. Other population management programs being worked on, to increase the likelihood that offenders don't come back, are mental health services, chemical dependency services, basic education programs, housing programs, veteran's affairs, and other social services. Some service providers have wanted to bring their programs to the jail, but there isn't sufficient room to allow them to run their program on site. There is one multipurpose room with maximum capacity of 10 people.

The jail is experiencing serious physical plant issues. One of the largest currently is the electronic alarm and monitoring system, with system failure having occurred (on one occasion for 36 hours); necessitating

emergency repairs. A Jail Repair company recently said of all justice facilities they've seen on the west coast, the Whatcom County jail is in the worst condition. Electrical components in many cases are no longer available – facility won't pass electrical inspection. Central control panels now are jury-rigged to allow them to continue to operate, with assistance from Facilities staff. We will need to spend approximately \$1.5-million over the next year and a half just to keep it running until it can be replaced. The fire safety system hasn't been working for 8 years; deputies do frequent "walk-bys" in the jail because they ARE the fire safety system. Other issues where there are problems: plumbing, HVAC system, structural integrity issues, security systems, and substandard original construction. Slides were shown that revealed many of these problems.

Dewey Desler: We're planning the construction of a new horizontally-designed jail. Current estimate for construction discussions is a building that will house roughly 600 inmates. We want the potential new site to be designed for future growth so that future generations can add jail space without going through a new jail siting process.

Wendy Jones: We are advocating for a horizontal design (lateral construction), not vertical (such as the downtown jail in King County). A horizontal design will allow for future expansion and flexibility. Build for current housing needs, and allow for additional housing space 20 years from now if needed. National Institute of Corrections training was done about 10 years ago ("Planning New Institutions" program), and one of the strongest messages that they repeated was that if you can build the infrastructure (food services areas, library, medical areas, etc.) to fit what you think the maximum number you think might be on the site, that's good because those are difficult to remodel and expand. Then you put only the number of housing units on site that you need. If it turns out that community needs change and you don't ever require more beds, then there's no need to build any more housing. The horizontal design aspect has one disadvantage in that the footprint is larger and therefore requires more land. It needs to be farther away from the courthouse, but this can work as we've already experienced it to some degree with the interim jail site, and we have some ideas about how to coordinate that. Horizontal design has generally lower operating costs, and lower construction costs. If we were to opt for a vertical design jail, it uses less land, but because of engineering/construction, you'd have to physically shell out what we think we're going to require of the facility. Current needs versus long range estimates, we'd have to shell out that building to take care of those new offenders and then moth-ball the floors we didn't use. If the population didn't grow as we anticipated, we just wasted a huge amount of money, time and effort. Necessary duplicate services on multiple floors, and other disadvantages were discussed. The new jail design will include a central control area with web-shaped units coming off of the central control. Staff can be utilized to keep line of sight from all angles off the central control, versus having to stack them by putting floor officers on each of the separate floors. There's also no need to move offenders up and down and you can provide all your services off the central unit. We believe the horizontal design model provides the best, most economical and flexible choice. An example of this design, showing phased construction comes from HDR, who are the consultants hired to assist with the EIS and planning process. Due to some mathematical formulas they were using, they projected that in 50 years from now, we'll need a jail to house 2400 inmates. We don't believe that we'll need that much. Slides with different design options were shown, and pros and cons of design differences were outlined.

Dewey Desler: HDR is a nationally known firm that has built a number of jail facilities and helped communities like ours through the planning and environmental review processes. We used a series of criteria that came either out of state law or out of county code for how we would narrow the candidate sites for identifying where to place the jail. Representatives from the Sheriff's office, county Facilities Department, and the consultant team went through and looked at various properties across the county. Using the site screening criteria (as shown in the PowerPoint), they narrowed it down initially to about 8 different sites; which then came down to two final candidate sites. One is on Slater Road: 71-acre site near the Slater Road exit. It's in a light industrial, urban growth area of the City of Bellingham; adjacent to city limits of Ferndale. The other site, owned by Department of Natural Resources is 154 acres (more

than needed, but what was available). The EIS is available online on the County's website so it can be reviewed there, and physical copies are available in our Facilities Department. For further questions about the EIS document, call Facilities Management.

One slide showed the 30 criteria used to evaluate the final sites. Some examples are drainage issues, current easements, proximity to utilities, gas lines, transportation issues, airport safety zone issues, as well as a series of other environmental factors. HDR has two identified sites, and this meeting is part of the process for review of those sites. This material will be going before the County Council, and we hope they can make a final decision regarding the site selection. Ultimately, once that's decided upon, we would seek to purchase the property, begin the pre-design and architectural/engineering work associated with the project, along with the financial planning that will need to occur, and finally we'd end up with construction and operation of a new jail.

Audience member asked for clarification: is the site on Slater Road or Kope Road? Mr. Desler stated that it is referred to as the "Slater Road site" but it is actually on the Kope Road.

Slide presentation concluded and Mr. Desler invited additional comments from the panel.

Bill Elfo: Briefly mentioning where we were 8 years ago: we were on booking restrictions. This means that law enforcement officers out in the county and the cities who confronted people who were dangerous/violent, but who had not committed a felony offense, could not book the person in jail; only issue a citation. For drunk drivers, the only option was to issue a citation and somehow find a way for that person to get home. It got to the point where we had people with multiple drunken driving arrests that were just ignoring the law. No bookings for non-domestic violence-related assaults or theft. We created artificial boundaries and endangered the safety of our community. When officers issued citations requiring people to appear in court, they often did not do so; when that occurred, warrants were issued for their arrest. It got to the point where they weren't booking people, even on warrants. One fellow had 42 warrants, and some people openly taunted police ("you're on booking restrictions, so there's nothing you can do"). So this is a critical situation. The interim jail (work center) was built to buy some time: it opened on time, on budget and it allowed us to expand our jail alternative programs. But we're reaching critical mass again. What I hear often from folks is "what is driving the jail population?" It's not proportional to the crime rates, which are going down. For the last 5 years in Whatcom County, the index crime (measured by FBI) is down close to 35-37%. What we're seeing is a shift from the State legislature to the local government: when the State gets a tight budget, there's a tendency for the legislature to change sentencing for crimes under the Sentencing Reform Act. For example, for an offence that called for 23 months in the State prison, now results in 8 months in the county jail. Sometimes the legislature mandates jail time in the county jail for certain offences, but hasn't provided the corresponding resources to implement that. There have been dramatic reductions in mental health services, and that is one of the biggest driving factors that affect jail population. The criminal justice system is not the most effective place to treat these people, and the draconian cuts we've seen in the State budget for mental health is going to result in the problem worsening. We can't build our way out of crime, which will continue. Property crime is down, violent crime is remaining stable but it's becoming more intense. We need a facility that can house these people in a safe and constitutional manner. Jails are a dangerous place to be and a dangerous place to work.

Executive Kremen asked for further comments from panel members.

Judge Snyder: He and Judge Grant are present on behalf of the courts, and they do not, as Judges, advocate either for or against any particular jail proposal or any particular arrangement. They're here to answer any questions the audience may have about sentencing and how the cases they see impact the jail and the population.

Public Comment Period

1. Marvin Wolfe, live in County, formerly on WA State Jail Industries Board. Some basics: jails exist for many different reasons: to separate offenders from general population, to punish offenders, and to provide a place for rehabilitation. The Jail Industries Board used Whatcom County as an example for the rest of the State on how to divert people from a life in crime to lowering recidivism rates as a result of teaching them work ethic, work skills and the means to become productive citizens. It's important that a jail provide for these alternative programs. Jails have multiple purposes, and the design and location is critically important. Regarding the transport of prisoners, a Jail must be centrally located. Take into account all these factors and not just consider a jail as simply a building.

2. Pastor Bob Friske, Chaplain, North Shore Church, and volunteer law enforcement officer for the Sheriff's officer. Visit both current jail facilities often and concern is for safety and human rights. Conditions are deplorable, both for inmates and for the deputies working there – something needs to be done, and soon. The jail is falling apart.

3. Bruce Diley – homeless in Bellingham. Use the term “jail cell,” not the term “housing.” Comments regarding homelessness, which he believes people have accepted as commonplace. More housing must be built; question why there is such a great need for jail being the largest building in the community? Crack down on drunken driving with more severe penalties. As person with mental health issues, he's constantly afraid of ending up in jail due to inability to afford proper medication.

4. Katherine Chambers – Bellingham. Three items of concern: 1) community accountability – how can a \$150-million project be accounted for over time? If we can't afford to maintain the current facility as it is, how are we going to afford to maintain a future facility? Need better oversight than what we've had in the past. 2) location – must be near transportation options and have ability for family members to visit easily. 3) basic vision of type of community we want and type of rehabilitation we want to create for offenders. Use a fraction of the money to create programs that will create jobs and reduce rate of incarceration.

Wendy Jones: response to a couple of questions. Cost issue is still unresolved – we don't know the final cost because the facility hasn't been designed yet. The \$150-million figure was arrived at because the consultants had to consider the worst-case scenario. When we come back to the public with a plan, then we'll have a budget figure to consider. Secondly, why is this jail falling apart? Because we found out after the fact they used substandard “everything.” On transportation question, when interim jail center was built, there was no transportation option available, but it soon was added; we expect the same for the new facility. Regarding mental health programs, Ms. Jones agrees with the need for those programs and for their potential to reduce the population of the jail, but she is responsible for dealing with the current reality. That is, 18-24% of the jail population is seriously mentally ill and federal/state funding for those types of programs are being eviscerated.

5. Barbara Sternberger – with the Right Size Jail Coalition. Took tour of the jail and have realized that conditions are awful and it needs to be replaced. The draft EIS is moving forward and it needs to be stopped – need a new plan. Even if numbers are reduced to 600, price is still too high – don't have the funds, so it won't get built. Also opposed to the two locations in the EIS – no infrastructure; wetland issues, etc.

Wendy Jones: Infrastructure issues are addressed to a certain extent in the EIS. This draft EIS is a “plan for the worst, hope for the best” situation. It demands that county look at environmental mitigation and other issues if we needed to house 2400 people on that site. As we've considered growth factors for the jail, we understand that 2400 is probably not what we're going to get, but we're going to have to mitigate and provide infrastructure and do all the things that SEPA requires and build the infrastructure to that level even if we're not going to end up housing that many people. The high price was determined with a

much larger jail construction using traditional jail construction methods. What we are now considering is going more towards the South King County facility that is being built in Des Moines (844 offenders, cost \$54-million), because they're using modern techniques and different ways in jail construction.

6. Name not stated – member of the Right Size Jail Coalition. Also visited the jails. Main concern is the reductions in some of the jail diversion programs: teen court, drug court, law advocacy, family court, housing first, literacy, drug rehab, etc. Remove mentally ill folks from the jail. Divert more funding to these and other similar programs.

Wendy Jones: attempted to respond, with audience opposition to constant interruptions.

Executive Kremen called for a longer meeting to allow audience members adequate time to respond, and it was agreed the Ms. Jones would keep her comments brief.

Wendy Jones: Yes, programs will help, however there are limits on those programs. She gave example of Drug Court program and the number of successful cases over an 11-year period. The programs will have an impact on jail overcrowding, but they aren't the cure for it.

7. Abe Jacobson – pro law enforcement perspective. Would like to see more Sheriff staffing in the community. Build this jail as presently planned and it will have detrimental effect on Sheriff staffing. Voters cannot afford this jail.

8. Karen Wile – live in county (near one of the sites). What is vision for the county? And what is the vision for this gorgeous place? Mental health treatment takes years and we have an opportunity to create a community that supports that segment of population.

9. Marian Henderson – Right Size Jail Coalition. No question that the county needs a new jail. Consultant has been paid for many years for this planning. When last discussed, it was to be 600 beds and 41 to 46 million dollars. Since the recession hit, the plans have ballooned to \$150 million and 844 beds. Also objects to lack of transparency around the process. Wants elected officials to be accountable to the people and inclusive in the planning process.

10. Lisa McShane – Right Size Jail Coalition. Regarding jail tour, before and after the tour we all supported a new jail. Angry that we've not moved forward on this for the last ten years. Now with a draft EIS that requires a jail that's too large and that we can't afford, it puts us farther behind. Facts regarding the master plan (new jail and Sheriff's office) that was released last July 2010 – 3 phases – first phase included 844 beds, additional 144 staff to be hired by year 2015 at a total cost of \$150-million to build, with no estimate of cost to run it. There is no mention of 600 beds (where is it in the draft EIS?) Eventually it would go to 2,450 beds – doubling the rate at which we lock people up, and then eventually tripling the incarceration rate. Trends across State and the U.S. are to reduce the number of people in jail. Also angry that in 2008 the consultants met with county administrators and at that time there were nine sites on the table, and then it was reduced to two- no public notice, not transparent. Problems with both sites, but Slater Road site has wetland mitigation requirements. Among some of the rejected sites were some with infrastructure, where we could have saved some money. Right Size Jail Coalition calls on county to look again at other sites and find the right location at the right price for the jail.

11. Owen Lamenschmidt – live two blocks from courthouse. Opposed to cost and the overall plan. Wants to see dollars invested in building up the community in better, more positive ways.

12. Michael Knapp – Chief of Police in Ferndale and Chair of Whatcom County Chiefs and Sheriff's Association. Small agency police chiefs believe a central location for new facility would greatly benefit

our cities – travel time is crucial and has a public safety effect for our citizens. Accessibility to I-5 would be beneficial.

13. Elizabeth Pernato – Bellingham. Recognizes the current jail is an unsafe place for inmates and staff. Supports responsible bidder language: only hire contractors who will do a responsible job, living wage jobs; not a private jail; use of union workers.

14. Charles White – “Race to Incarcerate” book was quoted – explains prison industrial complex is the most profitable business in this country. Consider the restorative justice system as an alternative to jails and destroying families.

15. Larry Hildes, P.O. Box 5405, Bellingham (Civil Rights Attorney) – concerns about the EIS and the costs that are being discussed. County is required to give the public real, hard, numbers for consideration. The current EIS is a boondoggle, and the price is too high. Referred to a gentleman who owns one of the parcels of land under consideration, and who happens to be on the committee to set up the sales tax to pay for the jail. Don’t build too large a jail.

Bill Elfo: for the record, last speaker referring to one of the property owners, Ralph Black. Mr. Black was not on the “Jail Yes Committee” in 2004.

16. Jessica Friedman, Whatcom County – we need a more realistic plan. Don’t have a single good facility to deal with mental health facility in our community – need to allocate more of our funding for that purpose, and for drug programs.

17. Rob Boston Murphy – Whatcom County – irresponsible for county not to know the cost of the jail at by this time. Design perspective: 60 acres and horizontal jail design has skewed the process – subjective criteria, not necessary. Is opposed to both sites: believes the two chosen sites will result in sprawl. Transportation issues are of concern; services not available, fire services, etc. Wetlands issue is a problem: cost of re-working and mitigating the site will be same as land cost – why would we do that? Outraged that we have not talked about this as a community – impact to residents in the rural area.

18. Vanessa Blackburn – Right Size Jail Coalition - lives 3 blocks away. Agrees a jail is needed. Public process issue – the community petitioned the county with emails and phone calls just to get a public meeting on the EIS – is this an official public meeting that will go into the record for the EIS? Please build the public trust – this is an opportunity to start meaningful dialogue with your community. Location issue: regarding criteria, one requirement was that site be more than a mile away from a school and on a property of at least 60 acres. This current jail is about ½ mile from two schools, and this rule eliminates most of property within Bellingham and most urban areas of the county. 60 acres criteria – where does this come from and why is this a criteria item? Is in favor of jail being built in her neighborhood – urges county to please consider alternative areas.

Pete Kremen: Twice, a request was made to extend the time period for the EIS. Staff was instructed to provide an extension. The first time a request arrived regarding a public meeting, consent was given. Believes in open government and the community having a say. This meeting tonight is part of the record for the EIS.

Tyler Schroeder: State law allows public meetings to be used for the public hearing requirements for the EIS process. This evening’s meeting qualifies and meets the requirements for a public hearing for the EIS.

Pete Kremen: Reiterated that the county is committed to continuing to hold public meetings. We are sincere and genuine in trying to work with the community – won’t get a jail if community doesn’t have

buy-in. This meeting tonight is part of the process that will hopefully generate the needed support that is ultimately going to have to be achieved in order to get any jail. We're listening this evening and using the dialogue as part of the record. We will continue to do this.

19. Irene Morgan – Whatcom County – with Re-Entry Coalition – help prisoners return to society. Proud to be a member of this community. Right sized – jail at right cost. 64% of county budget goes towards law enforcement and justice system. In favor of directing more resources to programs offering alternatives to jail. Also in favor of restorative justice as a model for diminishing jail population. For example, jail diversion program for teenagers works very well. We need to improve our efforts.

20. Jody Bierman – Right Size Jail Coalition. Difficult to dismiss the information in the EIS since this is a hearing on the EIS. The price is too high for these sites – costs to bring land into compliance too high. We must look at other sites. And EIS bed number estimates way too high, but this is all we currently have to work with. Hopes for better oversight on building of next jail. Regarding transportation at interim jail, services are insufficient to allow work release to work.

21. Joy Gillfellen – Whatcom County – Re-Entry Coalition. We need visionary collaboration. This situation is a mess and the timing couldn't be worse to try to solve the problem. As an entrepreneur, what is the opportunity for us to create a better community, using alternative therapies, treatments, etc. Prison industry is out of balance – need to get private enterprise together with legislators and other leaders in the community to solve this problem.

22. Wes Withrow – Need new facility. Lives in the neighborhood that would be impacted by this potential jail site. Shocked that so much work has already been done with no public discourse. Difficult to get information on this topic.

23. Mike Kent – Birch Bay. Was involved in the “Jail Yes Campaign” – Voted for tax measure to support a safer neighborhood and community. As a realtor, recognizes that finding the right location is a tremendous challenge. Infrastructure issue has a catch-22: where it is in place is where the population exists (and most folks don't want to buy homes near a jail). Find a site that impacts the fewest amount of people (homes). If jail is built downtown (vertical instead of horizontal – this needs more discussion), it will mean loss of tremendous tax source on prime downtown property. Opposes use of downtown property. Commends law enforcement officers for the difficult and thankless job they do every day. Requests a public meeting to address the size of the new jail, and the issue of vertical versus horizontal design.

Wendy Jones: Offered to stay on after public comment period to further address the horizontal versus vertical design option.

24. Ray Barriboe – Whatcom County. Volunteered in local jail for nine years (over 1,000 hours). We need a new jail. Costs are up – should have addressed it 9-10 years ago. Washington tends to undersize things – minimize things. In favor of right size jail that is designed to be expandable. Corrections department employees are high quality employees. Must move quickly to build a safe facility or risk losing some of these quality employees. Jail alternative programs are significant. Is part of a “Financial Skills” class at the work center – ensure new building has adequate space to continue alternative programs. Don't allow anything to delay this process.

25. Diane Conda – Right Size Jail Coalition – Wynne Road. Concern about the site selection process. Many people have worked hard to get County's attention to have meetings. Appreciates the hard work that has been done; implores county leaders to work quickly and get a new jail built.

26. Marianne Caldwell – resident of neighborhood impacted by two sites. If one of two sites is chosen, requests a covenant with the land that there are no prisoners released in that neighborhood. There are no services in that neighborhood.

27. Ryan Riley – Ferndale. The vote taken in 2004 was at a different time, no recession. Now budgets are slashed everywhere, unemployment is up. Spend money where it is needed: we need jobs, not jails.

28. Matt Paskas – Old Marine Drive. Were Site 4 and 5 selected because it was near the airport? We shouldn't put a lot of stress on surrounding neighborhoods. Addressed the EIS decibel contour maps that show noise levels and impacts on the area. The airport area has seen a tremendous increase in noise pollution and air pollution due to increase in aircraft activity. Hopes that if either of those sites are selected, that the nearby residents are compensated and that jailed citizens are protected from the health risks associated with a ballooning airport.

29. Gregory Jilik – if this EIS is not reflective of the proposed jail, why has over ¼ of a million dollars been spent on it already? Agrees with Sheriff – we cannot build our way out of its overcrowding woes. Instead of taking bricks/mortar approach, the county must step back and review offender processes. How do we intend to pay for this jail? Not in favor of any new taxes.

30. David Camp – Proprietor in Bellingham (Accountant). Writing an article on the jail process – requested the power point presentation. Have any cost comparisons been made regarding increased gas costs in the future? Will need to change the way we live and not build facilities that are far out in the county. Supports building the jail facility downtown near services. The laws regarding incarceration for drug addicted citizens are completely backward – the days of prohibition will soon end.

31. Dan McShane – 1451 Grant Street, Bellingham. Has worked with everyone on panel and knows they're all smart people. This jail will require the support of the public. When making a decision to vote for and support a jail, it requires a document to back it up, and with this EIS, I would choose to not support it. Slow down how you get good information to people so that the right decision is made. Consider withdrawing this EIS and consider other alternatives.

32. Emily Weiner – Bellingham. Consensus on need for jail is good and urgent. Most important step is for planners to put forward a realistic assessment of how many beds need to be in the first phase. In considering large price tag, have any other agencies been considered for partnership (ICE, Homeland Security, etc.)? Reveal to community other options that may be considered.

Bill Elfo: Sheriff's office doesn't advocate holding federal prisoners except overnight until they can be transported by federal agents. Has never had a discussion on that, but will let the community know if it becomes part of the dialogue.

Dewey Desler (responding to McShane's comments): McShane had some good points. Siting criteria is affected by County Comp Plan. In effect, our efforts to rethink this process means we'll need to go back and review the criteria contained in the county comp plan as well.

Executive Kremen: Was intending to cut off the public comment portion of this meeting at 8:45 p.m. Will allow remaining speakers to come forward.

33. Bob Custavitz – Bellingham. Opposed to what he believes is more “development creep.” We need more land, less development. What will happen to the facilities in downtown Bellingham – possibly retrofit the existing jail for re-use so that a smaller new jail can be built.

34. Michael Ryan – questioned slide that showed planning followed purchase. Further clarification – what is the schedule for putting the purchase before the county council? Will there be further meetings like this before that happens?

Executive Kremen: Answer to last question is yes, there will be another hearing before a plan goes before the County Council.

35. Hugh Beatty – Bellingham. Keep new jail in downtown area. Parking lot space? Home Base lot (G.I. Joes) location – near I-5 corridor -consider as possible location for new jail. When current jail was built, were there any lawsuits brought against the builders? Any fines?

Dave McEachran: Was there at the time. There was a lawsuit related to the builders – can't recall the exact nature of it. The jail was funded by the State. It did not have all that the county wanted, but the State paid the bill.

Beatty: Please review the process that was undertaken in the past and don't repeat the mistakes made then. Supports the current jail site continuing in some use for corrections, after repairs are made.

36. Michael Haslip – Police Chief Blaine. 35th year as a police officer. While citizens are fighting for procedural change and fighting for a different path, remember people are in danger and they get injured in the current facility. Jail staff does amazing job, working with infrastructure that is beyond repair. This is an issue that county has been working on for many years now. If we don't put this jail in somebody's back yard, crime is going to remain in everybody's yard. As time passes, it will get more expensive. Blaine supports having the facility closer to centralized location within the county.

37. Dean Tuckerman – Bellingham. Need to have a hearing on the “EIR.” Opposed to jail holding federal prisoners. When big jail ends up half empty, we may look for ways to fill it – may look for federal prisoners.

38. Richard Maneval – Chair of Law & Justice Council. Have attended meeting since 2003. Great deal of effort and heart in the law and justice community. Many hundreds of hours have been spent evaluating what needs to be done with our law and justice system. References the Law & Justice Plan (from 2008), a State requirement. 39 high priorities in the plan, including the jail. Must build the jail as soon as possible.

39. Dick Vandenberg – 983 Van Dyk Road, Lynden. Please consider an alternative site: one site in West Lynden, fully developed with infrastructure. Have provided some paperwork to staff already. Would love to discuss it further.

40. Ted Mats – Bellingham. Has been watching the process for years, and watched the money spent to date. EIS prices don't include price of land, wetland mitigation. Questions the breakdown of costs in the EIS, as well as the estimated additional employees (175 people by 2015). His contractor friends tell him it's cheaper to build up, not out, so he questions logic for the horizontal design model. Would like more information available for public view on the website. Why is 60 acres required? Delay the EIS to review the numbers and have further public input.

41. Paul Harris – Lynden. Thanks all those who are here serving the public. Was on a master plan committee for a church building – traveled and met other churches - common complaint was not enough land for expansion. Believes that the 2004 vote shows the buy-in from the public. However, most people now are dismayed that the money is gone; where is it and why has the county dragged their feet? Encourages county to move forward quickly.

42. Ted Standard – Whatcom County resident for 41 years. In favor of replacing this jail. Never fill it again. Never imagined our country would become the world’s largest jailor. Awake to reality and replace this dysfunctional facility, but at this decade’s demand level – don’t plan growth beyond that. Plan instead to shrink the need.

43. John Geehan – Sudden Valley. Agrees that we need a new jail. Answer questions of where to put it, and how big it should be, and then you’ll have an idea of the cost. There are two types of jails: horizontal and vertical. Has copies of a letter that addresses the two different types and will be happy to distribute them to those that are interested.

Conclusion of Public Comment Period.

Executive Kremen – Closing Comments: Thanks to everyone for courteous and productive behavior. We heard a lot of valid and well-stated facts and statements. Some facts were not all that accurate, but a lot of them were. This endeavor is a major undertaking, and we’ll continue to have a dialogue and discussion and exchange of the ideas of what this community ultimately wants. This will benefit us today, and for future generations.

The comment we’ve heard more than once is about how this society (this country) has a mentality of “let’s lock ‘em up” and that’s the way we deal with crime. It’s my opinion that our country has been on the wrong track for 200 years or so. We are 5% of the world’s population and yet we incarcerate 25% of those incarcerated in the entire world. If it worked, it would be one thing, in spite of the expense. But the statistics show that it doesn’t work as well as it should. There has to be a better way, as has been stated tonight. The fact remains that Whatcom County does need not just a new facility, but we need a larger facility. How large is debatable. But as one gentleman recently said that in 2004, the people of Whatcom County voted 62% in favor of the Jail Yes proposal (for a 600 bed facility, nothing larger). That’s not to say that in the future we’re not going to need more than 600 beds, but I believe that at least in the near term, 600 beds would suffice, and what the future brings will be determined by what the rest of government does at the federal and state and local level. And so whatever jail we build, in my opinion, should be approximately 600 beds with the potential for expansion as needed.

Discussions will be ongoing on this issue. On February 19th, the League of Women Voters is sponsoring a discussion on the jail, along with some other issues. It will take place in the Bellingham City Council Chambers. It will be videotaped and shown on Channel 10, and it’s slated for two hours. Ultimately the County Council is going to be making the decision, and it will be based on what they hear from experts in the law and justice field, the Law & Justice Council, and ultimately from the people that they serve and represent: the public. I encourage you to participate and to be engaged and contribute to the culmination of this quest for a much-needed jail in Whatcom County.

Bill Elfo: We need to get a jail built – happy to hear consensus on that fact. The current facility presents huge liabilities. Needs to happen quickly. Doesn’t know how we can afford some of the price tags that were projected in the report. Look at Des Moines, Washington – in process of constructing an 800 bed facility for \$50-million. If designed correctly, we can operate it with very little increases in staffing. The EIS numbers regarding staffing are skewed – we wouldn’t need that many people to operate it if we build it correctly.

Dewey Desler: We’ve heard a lot of good information tonight, and it’s been a very positive exchange of views. Please note that local government is composed of three branches: executive, legislative (Council) and the judicial branch and all three have to work together on this very complicated and highly vexing issue. Building and siting a new jail does not occur other than maybe every 2 or 3 generations. Today, there are many more laws and rules to comply with than in the past. We want to complete this process and comply with all those laws and rules.

I would like to engage our colleagues right now on a couple of points, and invite their comments. It is appropriate to rebuild some reasonable projections for the size of our future jail – use the best info available. We've had two different jail population projections thus far, and they've come up with some very dramatic differences. I would propose that we take some concerned, interested people here tonight, and engage them as a working group. Please come and work with us. We are trying to be an efficient government, and we should try to do this quickly. We can hold more public meetings with dialogue about the options, problems, and the status of how we're progressing with this jail. The question about vertical and horizontal is a good one to review with the public. We started years ago with the view that horizontal was the best way to go for lots of reasons. It's not only about construction, but about operations, because the operations costs of a jail are really one of the most expensive things to cope with. Jail staff requirements are quite extensive. It's very expensive to build a jail: it's a complicated building, similar in cost to a tertiary care hospital and different from all other buildings in a community. But it's also very expensive to manage, operate and stay secure.

Finally, this administration has not been raising taxes. Our objective has always been to build this facility without raising taxes. Our challenge is how to do it in a time when we have a great recession. It remains our objective to build the jail within the existing resources and capacity of our county government.

Wendy Jones: If anyone wants more information following the conclusion of the meeting, I am willing to talk to folks and provide further resources.

Executive Kremen: Meeting adjourned (9:12 p.m.).