

Incarceration Prevention and Reduction Task Force

Legal Systems Ad Hoc Committee

DRAFT Statement of Work

Statement of Purpose

The purpose of the Incarceration Prevention and Reduction Task Force is “to continually review Whatcom County’s criminal justice and behavioral health programs and make specific recommendations to safely and effectively reduce incarceration of individuals struggling with mental illness and chemical dependency, and minimize jail utilization by pretrial defendants who can safely be released.” (Ord. 2015-037; Ord. 2015-025; County Code 2.46.020).

Comment [1]: (I wonder if changing “legal” to “justice” would better allow for the incorporation of restorative practices and alternative dispute resolution processes that fall outside of the traditional legal system? ~ Moonwater)

The purpose of the Legal (Justice) Systems Ad Hoc Committee is to ~~recommend~~ make recommendations to the Task Force specific, achievable regarding programs and services that would prevent or reduce incarceration, if implemented within the legal and law enforcement systems. ~~Current, enhanced, and new programs and services are under consideration. Treatment for addiction and mental health, and other B~~ behavioral health programs and services are the purview of a different Ad Hoc Committee.

Recommendations will be based on local needs, recognized best practices, and the work of the other two Ad Hoc Committees.

Goals

- Evaluate the alternatives to incarceration which currently exist in Whatcom County, comparing those alternatives to recognized best practices and recommending improvements as appropriate
- Identify new or underutilized programs and services that are effective alternatives to incarceration, recommending implementation or expansion as appropriate
- Identify and develop alternatives to jail that will promote a pretrial defendant’s responsibility to appear in court and will not jeopardize community safety;
- Identify and recommend measures the courts and law enforcement should implement to reduce incarceration of all defendants, consistent with the requirements of our state’s laws.
- Recommend a process which will enable law enforcement and the courts, working with community health resources, to identify those defendants who would benefit from treatment for mental illness or drug/alcohol dependency
- Recommend discharge planning procedures which will help people who are leaving incarceration connect with and engage in community and behavioral health services available in the community
- ~~Reduce incarceration of defendants who need treatment for mental illness or substance or alcohol dependency~~
- ~~For pretrial defendants, identify and develop alternatives to jail that will promote the defendant’s responsibility to appear in court and will not jeopardize community safety;~~
- ~~Evaluate and improve the alternatives to incarceration which currently exist in Whatcom County, comparing those alternatives to recognized best practices as appropriate~~
- ~~Identify and implement programs and services that are effective alternatives to incarceration~~
- ~~Benchmark Whatcom County programs and services against nationally recognized best practices~~

Comment [2]: Is it the responsibility of the committee to develop the alternatives or simply name them and recommend that they be developed?

- ~~Provide comprehensive release planning to ensure citizens are connected to and engaged in available programs and services upon their return to the community (warm hand-offs)~~

Scope (Project Tasks)

- Assemble information about ~~existing~~ program and services currently in existence (including services offered; financial resources; budgets and expenses; numbers of people served, with demographics; and other pertinent information).
 - ~~Assess the effectiveness of these programs and services in reducing incarceration while protecting community safety and causing defendants to appear in court as required.~~
 - Using the Sequential Intercept Model and other tools, identify gaps in existing programs and services
 - Recommend improvements and how they could be implemented.
 - ~~Services offered~~
 - ~~Financial resources~~
 - ~~Budgets and expenses~~
 - ~~Number of people served~~
 - ~~Demographics of people served~~
 - ~~Effectiveness in reducing or preventing incarceration~~
- Consider measures which would connect people in crisis to appropriate behavioral health services before any criminal conduct has occurred
- Identify recognized best practices known to reduce incarceration without compromise to the goals of our state's criminal law and procedure
 - For pretrial defendants: incarceration only as necessary to assure community safety and the defendant's appearance for hearings and trial
 - For convicted defendants: incarceration alternatives which are consistent with the law's goals of punishment, deterrence and rehabilitation
- Recommend additional or modified programs and services and describe how they could be implemented
- ~~Map existing programs and services in the Sequential Intercept Model~~
- ~~Identify gaps in existing programs and services~~
- ~~Consider pre-intercept One programs and services that may reduce incarceration~~
- ~~Identify nationally recognized best practices for programs and services that are known to reduce incarceration~~
- ~~Create comparison with Whatcom County based programs~~
- ~~Recommend improvements to existing programs and services and describe possible implementation~~
- ~~Recommend additional or modified programs and services and describe possible implementation~~

Deliverables

- Progress report for Phase One deliverable date
- Recommendations for improvements to existing programs and services
- Recommendations for additional or modified programs and services

Schedule of Work

- Workgroup meeting schedule
 - December 7, 2015



- January 04, 2016
- Sequential Intercept Model mapping completed by: TBD
- Benchmarking completed by: TBD ([Whatcom County as compared to others? shouldn't this be on-going?](#))
- Recommendations to the Task Force regarding available alternatives to incarceration

Measures of Success

- [Timely delivery of clear and specific recommendations for programs and services that:](#)
 - [can be implemented in Whatcom County;](#)
 - [will be effective in reducing incarceration of pretrial and convicted defendants;](#)
- [are consistent with the law's goals for pretrial release and postconviction sentencing Consistent with established deadlines, deliver to the Task Force a body of clear and specific recommendations for programs and services that can be implemented in Whatcom County and that will be effective in reducing incarceration of pretrial and post-trial defendants and consistent with the goals of pretrial release \(without jeopardizing community safety, assuring that defendants appear in court for trial\) or post-conviction punishment and rehabilitation \(as defined in our state's criminal code\).](#)

Identified Best Practices

- [Incorporate for our work appropriate best practices that meet nationally recognized standards for effectiveness and achievability. Institutions that promote best practices include SAMHSA's Gains Center \(State name fully\); the VERA Institute of Justice ; the National Association of Counties; and the Council of State Governments Justice Center.](#)

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[Institutions that promote best practices include:](#)

- [Substance Abuse and Mental Health Services Administration, Gains Center](#)
- [The VERA Institute of Justice](#)
- [National Association of Counties, the Stepping Up Initiative](#)
- [Council of State Governments Justice Center](#)
- [Other national standards](#)

Other Ad Hoc Committees

The purpose of the Triage Facility and Facility Programming Ad Hoc Committee is to make recommendations to Task Force regarding the construction and operation of a new or expanded multi-purpose crisis triage facility to assist with jail and hospital diversion of individuals struggling with mental illness and/or chemical dependency.

The purpose of the Behavioral Health Ad Hoc Committee is to make recommendations to the Task Force regarding behavioral health programs and services that will have the potential to prevent or reduce incarceration. Current, enhanced and new programs and services are under consideration.

The work of the Ad Hoc Committees is interrelated and interdependent.