

Incarceration Prevention and Reduction Task Force
Justice Systems Ad Hoc Committee
Meeting Summary, March 28, 2016
 Bellingham Municipal Court, Fireplace Room, 2014 C Street,
 Bellingham WA
 9:15 – 11:15am

Attendance

Present	Representing
Anderson, Angela	Whatcom County Public Defender's Office
Bernstein, Jill	Citizen Representative
Elfo, Bill	Whatcom County Sheriff
Garrett, Deborra	Whatcom County Superior Court
Gockley, Stephen	WAHA
Heydrich, Fred - Chair	Whatcom County Superior Court
Knapp, Michael	Ferndale PD
Lilliquist, Michael (proxy for Daniel Hammill)	City of Bellingham, City Council
Moonwater	Whatcom Dispute Resolution Center
Morgan, Irene	Restorative Community Coalition
Peterson, Darlene	City of Bellingham, Municipal Court
Ruffatto, Peter (proxy for Kelli Linville)	City of Bellingham, Mayor's office
Walker, Kathy (proxy for Dave McEachran)	Whatcom County Prosecutor's Office
Guests	
Van Glubt, Bruce	Whatcom County District Court & Probation
Miller, Peggy	Whatcom County District Court Probation
Staff	
Wight, Dean	WAHA Lead Facilitator

Meeting Summary

1. Welcome and Introductions

February 8, 2016 Meeting Summary was not reviewed by the Committee.

2. Review Steering Committee Discussion

Fred informed the Committee that Whatcom County is going to find a new facilitator for the IPR Task Force. WAHA has agreed to stay on until a new facilitator is hired.

3. Justice Committee Mission Statement

Fred noted that there are varying views as to the nature and scope of this Ad Hoc Committee, with the group divided into two "camps", one believing that the focus is narrow – with a goal of practical immediate solutions, and the other view that believes greater societal issues (poverty, housing, etc.) should be addressed.

This will be an agenda item on the April 4, 2016 Task Force meeting, with Stephen presenting thoughts on the more broadly scoped viewpoint, and Fred on the more narrowly focused view point.

Moonwater reminded the Committee that she has circulated a draft with some thoughts on scope, with goals and objectives.

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Dean will include Judge Garrett's edited statement of work and Moonwater's version in the meeting packets for the April 4th Task Force Meeting.

Moonwater took an opportunity to address the Committee and share her perspective on the scope of work for this Committee, as she believes that her perspective is not fully understood.

1. It is essential to have clarity and a defined, doable scope of work for this committee
 - a. Benchmarks of what currently works and its efficacy
 - b. Ability to call out new programs, recognize best practices
 - c. Have a tool for measurement in place so you can say it is actually working
 - d. Scope of what is within and adjacent to the legal system makes sense
 - e. Larger issue of prevention is viewed through several different lenses
 - i. Practical need to address upstream issues
 - ii. Community expectation
 - iii. Momentum and expertise to think "bigger picture"
2. Community expectation that there will be identification, mapping and recommendations on bigger picture programs and services that will create long term change
 - a. Need to understand/map the scope of services currently available, identify gaps
 - b. Produce a written report of efforts underway to affect long-term positive change

Kathy expressed concern that the Task Force is not getting a sense of what is happening in the Ad Hoc Committees.

Jill indicated that the bulk of Task Force meetings will be reports from Ad Hoc Committee's during Phase II.

Stephen expressed his concern that Phase I had presentations at the TF, but not deliberation. He also called out the need to address re-entry programs.

4. Review Phase II Goals/Strategy & Process

This Committee will be developing specific recommendations for the Council as a part of the Phase II work. This agenda item will carry forward and is tabled at this time.

5. Presentation by Bruce Van Glubt

Probation is the suspension of a jail sentence that allows a person accused or convicted of a crime a chance to remain in the community instead of going to jail. The court requires that the offender follow certain specific court-ordered rules and conditions under the supervision of a probation officer.

Probation is an alternative to jail where the primary focus is behavior change; not punishment. It requires accountability, and no one likes being told what they have to do or what they can't do.

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There are specific court ordered rules and conditions

- Can only require what they are ordered to do
- Authority is limited to what the Court orders
- Probation can't be everywhere
- Tries to work with each clients and help them be successful with what the court ordered them to do

Probation is staffed by 9.5 FTE's in Whatcom County, there are two types of probation (Active and Inactive).

- Inactive is limited to monitoring the lawful behavior of an individual through record checks of state databases.
- Active probation is everything else (court ordered requirements, group attendance, vehicle devices, etc).
- Probation includes pre-trial, post-conviction and deferred prosecution.
- Department supervises approximately 2,000 (500 inactive) at any given time.
- Breakdown by charge type:
 - 59% alcohol/driving offenses
 - 14% domestic violence
 - 4% disorderly conduct
 - 3% non-DV assault
 - 20% miscellaneous
- Cost of \$100/month for individuals on active probation, \$25/month – inactive
 - Actual cost to the county or jurisdiction discussed, there is a reconciliation process, by jurisdiction, that happens annually.
 - People are allowed to go on payment plans that exceed the length of their probationary period
- 3 specialized units within the probation department
 - Intake unit – focus on placement as early as possible
 - Risk assessment
 - Demographic information gathered
 - Risk/referral/case load assignment/ policies/history will have an impact on frequency of visits with clients
 - Case load is based on a number of factors
 - DV
 - BH
 - Court of origin
 - Case load sizes of each probation officer
 - DV unit
 - Only case load where the defendant is supervised based on the offense

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- Factors: repeat DV, failed private treatment, history of order violation, seriousness of offense, availability of weapons, felony drop down.
- Also attend DV accountability group (check-in group, post-conviction) divided by gender
 - Positive feedback about this group
- Some pre-trial, some post.
- Trying to get most serious offenders in this unit and want to give them the highest level of resources
- BH unit
 - Based on offender characteristics
 - Factors: SMI, medications, diagnosis, feedback from MH providers
 - 2 probation officer positions
 - About 200 defendants assigned to this unit
 - Includes MH court clients (23 at this time)
- Other Cases – general case load probation officers
 - Factors: referring court – to increase the likelihood that the defendants will know the probation officers that will be in the courtroom, relationship built between the two, consistency for judicial officers.
 - Case workload sizes are rebalanced; to try to make it equivalent among probation officers (factors for travel time, etc)

Services provided by the probation department

- Meet individually with active defendants (some exceptions, out of state/area, uses phone appointments)
 - Most 90% have local addresses
 - F2F (for the most part)
 - Make sure that they understand what is expected of them
 - What they need to do to be successful
 - Workgroups
 - Treatment obligations
 - Information about resources that aren't court ordered (veteran's, homeless, food resources)
 - Weapons surrender
 - Document court ordered evaluations and programs
 - Document attendance and support groups
 - Review progress reports
 - Communicate with treatment providers
 - Wide variety of programs and training services can be ordered and monitored
 - Collect and distribute restitution
 - UA, breathalyzer testing

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- Record checks on inactive defendants
- Performs internal auditing noncompliance and proper case closure

Key points made during the presentation:

- Importance of benchmarking and being able to measure the impact of changes
- Need to address re-entry services and supports
- Impact of judicial officer's discretion and decisions
- Need for literature that will help the Committee understand and measure efficacy of jail sanctions, probation
- Need to identify nationally recognized best practices
- Complexity in correlating what different treatment agencies are doing in our community

Pending committee questions:

- Billing, cost to supervise probation (Dean to assist Bruce)
- Best practices, what resources are out there
- Best practices for treatment (WCHD as a resource)
- Literature on how best to evaluate this
- Efficacy of probation
- Specific actions Bruce would recommend to reduce incarceration
- What additional resources does the probation department need
- What would the "dream" probation department be like
- What resources are needed to manage the pre-trial population if released into the community
- The problem of data, measurement and tools (broader than just probation)
- Does probation impact recidivism
- Could probation be bigger or different to make it more effective

6. Meeting Schedule

Next meeting is April 11, 2016 from 9:15 – 11:15am (same location)

Meeting schedule to be distributed electronically

7. Public Comment

Speaker not identified on the audio file, recommended Department of Corrections involvement in re-entry conversations.

8. Adjourned at 11:15am