

***Incarceration Prevention and Reduction Task Force
Meeting Summary for August 15, 2016***

1. Call to Order

Task Force Co-Chair Jack Hovenier called the meeting to order at 9:00 a.m.

Present: Angela Anderson, Anne Deacon, Bill Elfo, Leslie Finch (Proxy for Chris Phillips), Stephen Gockley, Susan Gribbin, Daniel Hammill, Jack Hovenier, Betsy Kruse, Irene Morgan, Darlene Peterson, Randy Polidan, Tyler Schroeder, Greg Winter

Absent: Jill Bernstein, Jeff Brubaker, Julie Finkbonner, Fred Heydrich, Mike Knapp, Kelli Linville, Byron Manering, Ken Mann, Dave McEachran, Moonwater, Chris Phillips

Review July 11, 2016 Meeting Summary

There were no changes.

2. Committee Updates

Steering Committee

Schroeder gave an update on the request for proposals (RFPs) for the criminal justice consultant and facilitator. Staff have decided none of the facilitator proposals meet the Task Force requirements. Staff have also decided to move forward with VERA Institute for the criminal justice consultant contract, to be scheduled for approval on the County Council's September 13 meeting. Initially, the consultant will work on the following tasks:

- Data collection and analysis
- System mapping
- Task Force resource information

The Task Force members discussed the necessity of data collection:

- The contractor is familiar with the need for data collection and applicable best practices across jurisdictions
- VERA Institute has helped other jurisdictions streamline their data collection processes
- The Law and Justice Council identified and recommended the need for a better, unified data collection system in the early 2000's.
- The County administration has some budget authority already for an integrated records system

Triage Facility Committee

Schroeder gave an update on the \$2 million grant application to the Department of Commerce. They hope to know by September if the grant is awarded. The committee's next meeting will continue to refine location and design. The Committee did not meet in July.

Legal & Justice Systems Committee

***Incarceration Prevention and Reduction Task Force
Meeting Summary for August 15, 2016***

Hammill and Anderson gave an update to the most recent meetings of the Committee, including recent presentations on Mental Health Court, whether an independent assessment of Drug Court is necessary, and the Yakima pre-trial risk assessment and supervision program.

Elfo stated it seemed that Yakima officials got around concerns about liability of pre-trial releases by having the court do the supervision. The officials seem unconcerned about liability issues. Whatcom County is already implementing some of the program components of the Yakima program, such as having a prosecutor and public defender attend each first appearance.

The Task Force members discussed different risk assessment tools, program administration by Superior and District Court, including additional home monitoring capabilities in the upcoming budget process, the District Court's new monthly pre-trial check-in reporting program (handout on file).

(Discussion of the Behavioral Health Committee report occurred later in the meeting.)

3. Discussion and decision regarding recommendations from Behavioral Health Committee and Legal & Justice Systems Committee

Legal & Justice Systems Committee

Hovenier moved to approve the recommendation of the Legal & Justice Systems Committee to ensure adequate funding for the Sheriff to effectively manage and supervise an expanded electronic home monitoring (EHM) program.

Elfo reported on the background of the recommendation. He supports the motion. He doesn't know yet what the specific funding structure will look like.

Hammill reported on the City's experience with using the EHM contractor and stated he also supports the motion.

Motion carried unanimously.

Hovenier moved to approve the recommendation of the Legal & Justice Systems Committee to support the additional hardware to supervise and monitor individuals when they are not in jail both pre-trial, and post-conviction, including additional EHM/D, SCRAM, and portable breath test devices. Costs shall be apportioned among all courts using District Court Probation.

Hammill reported on the background of the recommendation. The technology enhances the program. He supports the motion.

The motion carried unanimously.

Hovenier moved to approve the recommendation of the Legal & Justice Systems Committee to allow the Sheriff's Office to deviate from the County Unified Fee Schedule (UFS) to include a program to subsidize the cost of EHM for those who can't pay the full amount, and to lift the requirement that the program be self-supporting.

***Incarceration Prevention and Reduction Task Force
Meeting Summary for August 15, 2016***

Peterson reported on the City of Bellingham's EHM cost and user statistics. The City has experienced significant cost savings.

The Task Force member discussed cost differences and savings from EHM, the County's requirement to recoup all its costs from the program, and the number of defendants who would become eligible for the program.

The motion carried unanimously.

Hovenier moved to approve the recommendation of the Legal and Justice Systems Committee to support the Health Department recommendation to the County Council for a Behavioral Health Organization (BHO)-contracted individual to provide alcohol and drug evaluations to jail inmates.

Anderson and Jackie Mitchell, Health Department, reported on the background of the recommendation.

- Reinstate the County's ability to contract with someone who can do evaluations in the jail at the County's request.

Anderson moved to amend the motion, "...a Behavioral Health Organization (BHO)-contracted individual **organization** to provide...."

Hovenier accepted the motion to amend as a friendly amendment and restated the motion to approve the recommendation of the Legal and Justice Systems Committee to support the Health Department recommendation to the County Council for a Behavioral Health Organization (BHO)-contracted organization to provide alcohol and drug evaluations to jail inmates.

The motion carried unanimously.

Hovenier moved to approve the recommendation of the Legal and Justice Systems Committee to send a letter to the Whatcom Transportation Authority (WTA) supporting an increase in the number and frequency of bus routes to the County jail alternative facility on Division Street and between the Courthouse and Division Street facility.

Hammill reported on the background of the recommendation.

The motion carried unanimously.

(Jackie Mitchell, Proxy for Anne Deacon, voted on the Legal & Justice System Committee recommendations on behalf of Ms. Deacon until her arrival later in the meeting. The Task Force held discussion of the Behavioral Health Committee recommendations later in the meeting.)

4. Whatcom County Behavioral Health Facility Planning Report

Final Report

Incarceration Prevention and Reduction Task Force Meeting Summary for August 15, 2016

Jackie Mitchell, Health Department, reported on the updated final report, beginning on packet page 21:

- The purpose is to focus on substance use disorder services and the loss of the Pioneer Center North beds, of which about 50 are used by the entire North Sound region.
- The County's plan includes a full triage facility and recovery services along the full substance use disorder and mental health continuum of care.
- They focused on determining how much capacity is necessary.
- They are limited by funding to two 16-bed triage facilities, but that's more than they've ever had before.
- The facility can be built with:
 - \$3 million in the behavioral health fund
 - \$2.5 million from North Sound BHO for capital costs, and;
 - If awarded, a \$2 million grant from the State Department of Commerce

The Task Force members discussed:

- The Triage Facility Committee and Task Force recommendation to locate the new triage facility at the existing Division Street location
- Funding a recovery house at the same location as the triage facility
- All the regional BHOs statewide that are planning their own facilities to replace the Pioneer Center beds
- Integrating medical care by 2020, when private managed care organizations will take over all the behavioral health services in communities throughout the state
 - There will still be a population with highly specialized care needs that will require specialized behavioral health services, not just a primary care physician
 - The County will need to make sure it advocates for those who need specialized care to the managed care companies and the State
 - A triage facility should ideally include an urgent care facility that incorporates medical care with behavioral health services, so it is a one-stop shop for first responders and people in the community
 - Whether the State and BHOs are considering the fact that private managed care organizations aren't as transparent as public agencies
- The necessity for an urgent care facility is identified in the Phase I Report
- The North Sound regional BHO is:
 - Hiring a project manager for all the projects and initiatives of the different counties in the region
 - Has unofficially approved Whatcom County's proposal for the triage facility
 - Producing its own final regional report, due in September, for the legislature

Grant and funding updates

Schroeder gave an update on funding:

- They expect to hear an answer on the State Department of Commerce grant application by the end of the month.
- Local behavioral health funds are available

***Incarceration Prevention and Reduction Task Force
Meeting Summary for August 15, 2016***

- If the County doesn't get the Department of Commerce grant, they will ask for capital funds from the State legislature in the upcoming biennium.

2. Committee Updates

Behavioral Health Committee

Deacon reported for the Committee and stated they have identified additional front-door programs to look at, including the City of Everett CHART program and the expansion of a City of Bellingham program to hire a police officer and provide specialized behavioral health training.

The Task Force members discussed

- The differences between the crisis prevention and intervention team (CPIT) and the Program for Assertive Community Treatment (PACT):
 - The PACT team works with people daily, is available 24/7, and enrolls people with a significant history of mental health in-patient hospitalization
 - The CPIT is not 24/7 and not as comprehensive as the PACT team and is a voluntary crisis response team for people who are not enrolled in services

3. Discussion and decision regarding recommendations from Behavioral Health Committee and Legal & Justice Systems Committee

Behavioral Health Committee

Hovenier moved to approve the recommendation of the Behavioral Health Committee to have support for more mental health professionals for the CPIT program, as opposed to the 40-hour schedule they have now.

Deacon reported on the Committee's recommendation, which was made because they recognize the need for more outreach. It's difficult to engage the people they come in contact now. Hopefully they will expand the service.

The Task Force members discussed:

- The goal is to find a way to be more proactive with the regular user who aren't easy to engage
- The motion is a generic show of support, and does not recommend a specific schedule or number of hours
- Professionals who do this type of work are available
- In addition to adding capacity, it's necessary for first responders and police to be able to coordinate with the available community services
- Expressing support to the regional Behavioral Health Organization (BHO)

Schroeder suggested a friendly amendment that the motion be more specific about who the support goes to.

Hovenier restated the motion with a friendly amendment to express support to the North Sound Behavioral Health Organization (BHO) for more mental health professionals for the CPIT program, as opposed to the 40-hour schedule they have now.

***Incarceration Prevention and Reduction Task Force
Meeting Summary for August 15, 2016***

The motion carried unanimously.

Hovenier moved to approve the recommendation of the Behavioral Health Committee to support the Bellingham Police Department and encourage the Chief to move forward with their LEAD-like program, which will require an additional full-time police officer trained in behavioral health issues.

Deacon reported on the Committee's recommendation to encourage Bellingham Police Chief to assign one police officer to a program to receive special behavioral health training and to work with a mental health professional. This program is designed for the City of Bellingham and should not be the model for the entire county or prioritized as the best program for the entire community.

The Task Force discussed:

- The Mayor indicated she included two new officers in the proposed budget, and it's up to the Chief to decide how those officers are assigned.
- Whether a behavioral health officer in one jurisdiction will have an overall positive impact on clients, without a more comprehensive, multi-jurisdictional approach.
- The behavioral health officer providing early intervention and connection to the mental health system and having relationships with people who need to be in a facility rather than in the criminal justice system
- Making sure an agency, not the officer, acts as the case manager for individuals

Hammill suggested an amendment to not specify the LEAD-like program. This program is very different from a law enforcement assisted diversion (LEAD) program, which typically focuses on low-level drug and prostitution offenders that they typically don't have here. Don't define the parameters of a pre-arrest diversion program.

Hovenier restated and amended his motion, "~~Express support the Bellingham Police Department and~~ Encourage the Bellingham Chief of Police to move forward with their LEAD-like pre-arrest diversion programs, which will may require an additional full-time police officer trained in behavioral health issues."

The motion carried unanimously.

Deacon reported on an incentive and data collection pilot program that Byron Manering presented to the Committee, which will his agency will operate in conjunction with the University of Washington. Mr. Manering presented the program to the Committee for the Committee's endorsement. The Committee endorsed the program.

Anderson moved to endorse the Brigid Collins pilot program that serves women with addiction issues and who are pregnant or have children up to the age of three.

The motion carried unanimously.

Other Business

***Incarceration Prevention and Reduction Task Force
Meeting Summary for August 15, 2016***

Anderson and Schroeder asked that discussion of a recommendation for a social worker in the Public Defender's Office or Health Department be added to the Legal & Justice Systems Committee. A social worker in the Public Defender's Office would:

- Connect clients to services
- Alleviate pressure on the public defenders
- Help the public defenders do background evaluations on certain clients to help create certain structured plea negotiations and not guilty by insanity (NGI) pleas

The Task Force members discussed funding for a social worker in the Public Defender's Office should be done from the County's general fund, not the behavioral health fund or other Health Department funds.

Forrest Longman, County Council Legislative Analyst, described the deadline for recommendations going into the Phase 2 report.

Deacon stated the Task Force needs to consider the duplicated efforts from different Task Force committees that are having the same conversations.

5. Update by Jurisdictions on Jail Diversion Programs

Elfo reported on the jail's failing infrastructure and capacity issues:

- The County population is prioritized first
- Cities are provided service, but must transfer their inmates out to a facility elsewhere
- Inmates are physically destroying the aging jail structure
- Corrections deputies have received injuries when the jail operated above capacity
- The City of Bellingham is changing its jail services contract with the County
- Legal changes now require the Sheriff to transport competency cases to Chehalis with only eight hours of notice
- The County's minimum security facility doesn't have the architecture, staff, or design to handle anyone with a severe medical or mental health issue or who doesn't meet the security classifications

Peterson referenced the City's most recent report on packet page 43 (on file).

6. Public Comment

Ray Baribeau stated the minimum security facility has a dorm design, but needs safe places to put people for their own protection, especially if they have a mental illness or substance use disorder. Also, speakers at this meeting should address the entire group when answering questions.

7. Adjourn

The meeting adjourned at 10:56 a.m.