

**Incarceration Prevention and Reduction Task Force  
Steering Committee**

**DRAFT Meeting Summary for June 30, 2016**

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**1. Call To Order**

Committee Chair Ken Mann called the meeting to order at 10:30 a.m. in the Health Department Lower Level Conference Room, 509 Girard Street, Bellingham.

Members Present: Jill Bernstein, Anne Deacon, Alfred Heydrich, Ken Mann, Tyler Schroeder

Members Absent: Jack Hovenier and Chris Phillips

**2. Update on Request for Qualifications (RFQ) for Task Force Facilitator and Criminal Justice Expert**

Schroeder stated the County has received the submittals to the two RFQs. The next step is to score and rank the submittals. He will notify the Steering Committee members who are chosen to do the scoring.

The committee discussed whether it's too late in the process to begin using a new facilitator, whether the scoring process is subject to the Open Public Meetings Act and Open Public Records Act, the timeline for contract review and approval, the remaining budget available to fund the contracts, and whether the agencies who have responded have a particular political agenda.

**3. July 11 Task Force Agenda**

Regarding the Task Force agenda:

- Updates by jurisdictions on jail diversion programs as a recurring agenda item
- The committee discussed and agreed on the July 11 Task Force meeting agenda items
- Medicaid rules changing for jail inmates
- Appointing a Task Force member to the new Jail Stakeholder Workgroup
- How to continue the discussion regarding the Criminal Justice/Behavioral Health Intersection case study

Schroeder moved that the Steering Committee to recommend that Jack Hovenier be appointed as the Task Force representative on the new Jail Stakeholder Workgroup. The motion was seconded.

The motion carried unanimously.

**4. Steering Committee Role in Setting Task Force Agenda**

Mann stated his original intent for the steering committee was to monitor the broader progress of the Task Force to make sure it is moving forward efficiently and to oversee the staff and contractors, not to set agendas.

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The committee discussed:

- Whether the Steering Committee should have a monthly role in setting the Task Force agenda
- Updates from the committee chairs on the progress of their committees
- Whether the new contractors will have enough time to get caught up on the work of the Task Force and subcommittees
- Task Force work continuing beyond the March 2017 Phase 3 Report deadline
- The value of funding a Task Force criminal justice expert contractor instead of behavioral health services
- The County Council expectations for the Phase 2 Report due in November
- Keeping the Task Force and its recommendations neutral in terms of the discussion regarding a potential new jail
- Keeping the work of the Task Force separate from the new Jail Stakeholder Workgroup

Mann stated the Task Force is an ongoing effort to reduce incarceration and prevention to improve outcomes for the community as a whole, not just to reduce jail population. The size of the jail is a separate conversation for a separate group.

Schroeder stated the contracts will help set the framework for future ongoing Task Force work.

**5. Next Steps: Ideas & Further Information**

Bernstein stated she would like the Steering Committee to have a future discussion about the committee membership rules in terms of the members and their proxies.

**6. Public Comment**

There was no public comment.

**7. Adjourn**

The meeting adjourned at 11:50 a.m.

SPONSORED BY: \_\_\_\_\_  
PROPOSED BY: \_\_\_\_\_  
INTRODUCTION DATE: July 21, 2015

ORDINANCE 2015-\_\_\_\_\_

**ORDINANCE AMENDING ORD2015-025, WHICH CREATED A WHATCOM COUNTY INCARCERATION PREVENTION AND REDUCTION TASK FORCE INTENDED TO PROVIDE RECOMMENDATIONS, OVERSIGHT, AND SPECIFIC TIMEFRAMES ON THE DEVELOPMENT OF NEW, OR ENHANCEMENT OF EXISTING, PROGRAMS DESIGNED ALONG A CONTINUUM THAT EFFECTIVELY REDUCES INCARCERATION OF INDIVIDUALS STRUGGLING WITH MENTAL ILLNESS AND CHEMICAL DEPENDENCY, AND MINIMIZES JAIL UTILIZATION BY PRETRIAL DEFENDANTS WHO CAN SAFELY BE RELEASED**

**WHEREAS**, in 2012 the Jail Planning Task Force recommended that space be found for a behavioral health triage facility with sufficient capacity and capability to offer pre-booking diversion from jail; and

**WHEREAS**, the proposed countywide jail is currently designed to include needed space for expanded medical and mental health program space in that facility; and

**WHEREAS**, the Whatcom County Health Department has been planning toward an expanded and new crisis triage facility to provide an alternative to the jail or the hospital emergency room; and

**WHEREAS**, the Whatcom County Council and Whatcom County Executive are committed to these facilities and programs related to behavioral health issues and share the commitment to reduce jail populations and reduce recidivism through jail alternative programs and the County has the financial capacity and is committed to providing the capital and operating funds necessary for a new or expanded crisis triage center; and

**WHEREAS**, the County currently provides behavioral health programs funded through the Behavioral Health Tax, at approximately \$4.1 million annually, which include a continuum of behavioral health services designed to reduce criminal justice involvement of people struggling with mental illness and chemical dependency and has earmarked \$3 million in Behavioral Health Tax revenue reserves for the expansion and/or relocation of a new triage center; and

**WHEREAS**, the County currently owns and operates a behavioral health crisis triage center and Interim Work Center on Division Street in Bellingham, which property the County may sell or transfer or repurpose for behavioral health uses, when the new countywide jail is completed and the County has agreed and ordained that if that property is sold or transferred, the resulting ~~net~~ value and proceeds from the transaction will be applied by the County to facilities and programs that support the goals of treating and diverting individuals with behavioral health problems from the criminal justice system, such as a new or expanded multi-purpose triage center; and

**WHEREAS**, these behavioral health facilities and programs are designed to achieve the following policy goals, 1) a reduction of the number of mentally ill and chemically dependent people using costly interventions like jail, emergency rooms, and hospitals; 2) a reduction of the number of people who recycle through the jail, returning repeatedly as a result of their mental illness or chemical dependency; 3) a reduction of the incidence and severity of chemical dependency and mental and emotional disorders in youth and adults; and 4) diversion of mentally ill and chemically dependent youth and adults from initial or further justice system involvement; and

**WHEREAS**, the County's costs for current criminal justice and incarceration programs continue to rise every year; mental illness and chemical dependency problems have a significant impact on the utilization of these very expensive services; and successful diversion programs should result in substantial long term savings to the criminal justice system; and

**WHEREAS**, the County intends to construct and operate a new or expanded multi-purpose diversion crisis triage center, ~~in parallel with the construction of the new county wide jail facility~~ and intends to reduce long-term jail populations and reduce recidivism, by providing safe and effective medical, mental health and substance abuse services to individuals in need of such services.

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that the recently established County Code Chapter 2.46 is hereby amended as outlined in **Exhibit A** to this ordinance and as reflected in redline throughout this document.

**BE IT FURTHER ORDAINED** that the initial tasks to be accomplished by the Task Force are as follows:

A. Develop plans for a new or expanded crisis triage center for individuals struggling with mental illness and chemical dependency, including:

1. Substantive programming to be included and auxiliary services that would increase efficiency and effectiveness
2. Location and space needs criteria
3. Funding sources and recommendations for both construction and operations
4. Specific timeframes for decision-making and completion
5. Documentation of assumptions used to project the effectiveness and costs
6. Provide recommendations to the County for enhancements of alternative services in the existing facility prior to the expansion or relocation of the facility.

B. Development recommendations for new, or enhancement of existing, programs designed along a continuum that effectively reduces incarceration of individuals struggling with mental illness and chemical dependency.

**BE IT FURTHER ORDAINED** that the initial work of the Task Force for the above tasks shall be accomplished and reported to the County Council in the following phases:

**PHASE I** - Review current practices and assigned resources, (facilities, programs, funding sources), and develop goals for new or modified programs, and projected operational objectives. Determine licensing requirements and program components. Provide general information on expenditures and sustainable revenue projections. Deliver the initial Phase 1 report by January 10, 2016.

**PHASE II** – As service facilities are identified in Phase I- develop facility specifications, identify possible facility options (either new or existing locations), analyze and recommend 1 or 2 options with projected short and medium term costs. Deliver the initial Phase 2 reports as completed, but no later than November 1, 2016.

**PHASE III** - Develop specific operational plans and budgets leading to implementation of appropriate crisis intervention, triage services and incarceration prevention and reduction programs. Include details on schedules, assignment of responsibilities, projected outcomes anticipated, possible cost allocations between the County and the cities, and a basic business plan for each selected initiative. Deliver the initial Phase 3 report with sufficient details to proceed with construction and programming of a new or expanded crisis triage center no later than March 2017.

**BE IT FURTHER ORDAINED** that the County Council, with the full support of the County Administration, will implement a continuum of alternatives to incarceration and jail diversion programs with the following expectations and commitments of assistance for the Incarceration Prevention and Reduction Task Force, which will be provided without cost to the Signator Cities of the Jail Facility Use Agreement authorized by the Whatcom County Council on July 7<sup>th</sup>, 2015:

- Complete a preliminary plan for the new or expanded crisis triage center and alternatives to incarceration and diversion programs and provide quarterly reports to the Council and Administration on Task Force progress.
- Review national best practices for the before mentioned objectives and establish benchmarking of the County's performance against same.

- Complete detailed planning sufficient to proceed with construction and programming of a new or expanded crisis triage center to start no later than March 2017.
- Fund the support activities of the Task Force, including a robust and detailed planning process for the new or expanded crisis triage center and other recommended diversion programs. Initial funding for 2015 will be \$75,000.
- Identify opportunities to acquire governmental and non-governmental funding to support financing for the construction and operation of the new crisis triage center.
- Commit to opening the new crisis triage center no later than the scheduled opening of the new countywide jail.
- Expand, as soon as reasonably possible, available alternatives to incarceration such as probation services, subsidized home monitoring, crisis intervention teams, intensive case management, and other available programs as recommended by the Task Force and approved by the County Council by November 2016, using existing funds and potential new funds as determined available by the County Council after passage of a sales tax ballot measure.
- Negotiate interlocal agreements to provide services to the cities consistent with this ordinance if necessary.
- Include, as part of the 2016-2017 budget, funds to focus on incarceration prevention and reduction programs, and work with the Task Force.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015

**ATTEST:**

**WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON**

\_\_\_\_\_  
Dana Brown-Davis,  
Clerk of the Council

\_\_\_\_\_  
Carl Weimer,  
Council Chair

**APPROVED AS TO FORM:**

**WHATCOM COUNTY EXECUTIVE  
WHATCOM COUNTY, WASHINGTON**

\_\_\_\_\_  
Civil Deputy Prosecutor

\_\_\_\_\_  
Jack Louws, County Executive

(    ) Approved      (    ) Denied

Date Signed: \_\_\_\_\_

<b>TRIAGE</b>	<b>BEHAVIORAL HEALTH</b>	<b>JUSTICE &amp; LEGAL</b>	<b>STEERING</b>
<b>MEMBERS</b>	<b>MEMBERS</b>	<b>MEMBERS</b>	<b>MEMBERS</b>
Jeff Brubaker Jack Hovenier Ken Mann Jeff Parks Chris Phillips, Chair Tyler Schroeder Kathy Walker Sandy Whitcutt Dean Wight	Anne Deacon, Chair Julie Finkbonner Susan Gribbin Kelli Linville Byron Manering Randy Polidan Greg Winter	Angela Anderson Jill Bernstein Bill Elfo Deborra Garrett Stephen Gockley Daniel Hammill Michael Knapp Alfred Heydrich, Chair Dave McEachran Moonwater Irene Morgan Darlene Peterson Peter Ruffatto	Jill Bernstein Anne Deacon Alfred Heydrich Jack Hovenier Ken Mann, Chair Chris Phillips Tyler Schroeder