

***Incarceration Prevention and Reduction Task Force  
Steering Committee***  
**DRAFT Meeting Summary for January 19, 2017**

---

**1. Call To Order**

Committee Chair Ken Mann called the meeting to order at 9:30 a.m. in the Health Department Lower Level Conference Room, 509 Girard Street, Bellingham.

Members Present: Jill Bernstein, Ken Mann, Tyler Schroeder, Stephen Gockley, Chris Phillips

Also Present: Jackie Mitchell (for Anne Deacon)

Members Absent: Jack Hovenier, Anne Deacon,

Review December 7, 2016 Meeting Summary

This item was not discussed.

**2. Task Force Role with the Jail Stakeholder Workgroup**

Bernstein stated she has served as Jack Hovenier's proxy on the Workgroup a few times. It's useful to have a liaison between the Task Force and the Workgroup. Many on the Workgroup aren't aware of the work of the Task Force. However, she is concerned about whether it's appropriate for her as a Task Force representative to vote on the Workgroup's issues, such as a tax and funding structure, which the Task Force doesn't address.

The Committee discussed where the scopes of the Task Force and Workgroup do and don't overlap, and determined it is appropriate for the Task Force representative to either vote or abstain at the Workgroup, at their discretion.

**3. Status of the Small Cities Caucus Representative position on the Task Force: Retirement of Chief Knapp**

The Committee discussed the vacancy on the Task Force representing the Small Cities and the best way to fill the vacancy:

- Chief Knapp has retired and the new Ferndale Police Chief is Kevin Turner.
- Jill Bernstein will contact Blaine Court Clerk Raylene King to gauge her interest in filling the vacancy.
- The Task Force should ask the Small Cities Caucus to designate a new representative.
- The Task Force staff will contact the Small Cities Caucus through Dodd Snodgrass and Caucus Chair Bob Bromley to schedule the question on their next agenda.

**4. Law Review article and the other case law related to risk assessment and a pretrial supervision unit: Information for County Council decision-making**

***Incarceration Prevention and Reduction Task Force***  
***Steering Committee***  
**DRAFT Meeting Summary for January 19, 2017**

---

Bernstein described the work of the Legal and Justice Systems Subcommittee on creating a pretrial supervision unit, which includes a risk assessment tool component, and concerns expressed by Prosecutor McEachran about increased liability to the County.

The Committee discussed:

- Washington State law on liability is different from the laws in other states.
- VERA Institute consultants will present information and have a preliminary discussion about liability at the Task Force meeting on January 23.
- There are question that need answers:
  - How they want the information on the law review article and case law to come forward for those people who aren't attorneys.
  - The best process to get presentations and recommendations regarding liability from the Prosecutor and other legal representatives outside of an executive session.
- There should be multiple voices during a presentation on risk management questions.
- The Law and Justice Subcommittee could:
  - Have presentations from communities in Washington State that have instituted similar programs and analyzed similar questions, such as Yakima and Spokane.
  - Bring to the Task Force a recommendation that includes different viewpoints and supporting documentation on all sides of the issues, if necessary.
- The concern of other jurisdictions about the need to start emptying their jails to avoid lawsuits.
- Contact folks who presented information to the State about these issues.

**5. Bellingham, County, and Hospital program on ground level response and coordinated engagement**

Mann stated there seems to be mission creep into the Task Force's Behavioral Health Subcommittee and asked the exact scope of the project.

Phillips referenced the brief in the Committee packet and described the intent:

- The project is meant to inform, not eclipse, the work of the Behavioral Health Subcommittee.
- The intent is to learn how the system works and engage the stakeholders on how to work more effectively.
- It addresses issues broader than incarceration.
- It is similar to the Familiar Faces Intensive Care Management Team in King County, to help the few people in the community who they see in the emergency care system very often.

***Incarceration Prevention and Reduction Task Force  
Steering Committee***  
**DRAFT Meeting Summary for January 19, 2017**

---

- They are planning for a meaningful event, and the deliverable will inform the Behavioral Health Subcommittee.

The Committee discussed:

- Communication between the Subcommittee and the project team.
- The progress of the project team so far.
- The deliverable for this project will be presented to and inform the Subcommittee.
- The Subcommittee's mission according to the County ordinance and overlap with other similar behavioral health committees.
- The Subcommittee's need to have a program to focus on, as have the other subcommittees.
- Next steps include:
  - The request is for the project team to work with the Task Force Behavioral Health Subcommittee as it relates to implementing the project.
  - Consider when and how integration of the project fits within the Task Force.
  - On implementation in the next few months, make sure Subcommittee members are informed and invited.
  - The project deliverable, which is to make recommendations on next steps for policy- and decision-makers, should go to the Subcommittee.
- Emergency medical services (EMS) levy has funding that could be applied to this effort.
- The EMS Executive Oversight Board and EMS Technical Board will invite a St. Joseph/Peace Health representative to participate.

**6. Other Business**

There was no other business.

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

The Committee discussed the agenda for the next Task Force meeting.

- Include:
  - An update from Anne Deacon on events in Olympia
  - An update from Chris Phillips on the Triage Committee
  - The financial future of programs in light of federal changes
- The Governor's budget for triage facilities is only for involuntary triage, but the Behavioral Health Organization still plans on asking the legislature for funds.
- The Triage Committee will hold a meeting on February 23 at 9:00 a.m. to discuss:
  - An update on the Triage Facility architectural plans
  - An update on plans for neighborhood outreach
  - A requirement to engage providers to finalize the architectural design
  - An update on the legislative request for funding

***Incarceration Prevention and Reduction Task Force  
Steering Committee***  
**DRAFT Meeting Summary for January 19, 2017**

---

The Committee discussed the VERA consultant's work on the mapping project, scheduling a Steering Committee on March 23 at 1:00 p.m. to discuss the Phase 3 report and VERA update.

**8. Public Comment**

There was no public comment.

**9. Adjourn**

The meeting adjourned at 10:37 a.m.

DRAFT

**WHEREAS**, the County intends to construct and operate a new or expanded multi-purpose diversion crisis triage center 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.