

Incarceration Prevention and Reduction Task Force
DRAFT Meeting Summary for March 27, 2017

1. Call to Order

Task Force Chair Jill Bernstein called the meeting to order at 9:00 a.m in the County Courthouse Fifth Floor Conference Rooms 513/514, 311 Grand Avenue, Bellingham.

Present: Angela Anderson, Jill Bernstein, Anne Deacon, Bill Elfo, Stephen Gockley, Susan Gribbin, Daniel Hammill, Jack Hovenier, Mike Knapp, Betsy Kruse, Kelli Linville, Dave McEachran, Moonwater, Chris Phillips, Randy Polidan, Tyler Schroeder, Greg Winter

Absent: Jeff Brubaker, Fred Heydrich, Nick Lewis, Byron Manering, Ken Mann, Irene Morgan, Darlene Peterson,

Also Present: Deborah Garrett (proxy for Fred Heydrich), Joy Gilfilen (proxy for Irene Morgan)

Review of Upcoming Meetings and Events

Hovenier reviewed the list of upcoming meetings and events as shown in the meeting packet.

Review February 27, 2017 Meeting Summary

Gilfilen asked to include a comment from Darlene Peterson about the number of Bellingham inmates sent to the Yakima jail facility.

The Task Force made no other changes.

2. Committee Updates

Steering Committee

Bernstein reported for the Steering Committee and referred to the Committee summary in the Task Force packet. She stated the Steering Committee had a discussion about Task Force members being allowed to speak to the public, given a restriction in the ordinance of members speaking on behalf of the Task Force. The Chairs should be able to speak about the Task Force to the public when asked.

The Task Force members discussed the parameters for discussing the Task Force with the public:

- They may educate people about the Task Force, but may not speak about decisions or positions the Task Force has not officially made.
- Several members indicated they have spoken to the public, citizen groups, or written op-ed articles in the newspaper about activities of the Task Force.
- The Task Force could hold a public information session to educate the public.

Hovenier also reported for the Steering Committee on a discussion to confirm that the Steering Committee does not make decisions on behalf of the Task Force.

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Behavioral Health Committee

Deacon an article in the March 27, 2017 edition of the Bellingham Herald about the success of the mental health court. She described the history and success of mental health court.

Deacon reported for the Behavioral Health Committee on its recent meeting at the Lummi Nation and tour of their medication assisted treatment services:

- The Lummi serve 250 members of the Lummi and other tribes per day.
- The capacity of the Lummi program is 500 people per day.
- At this time, they only serve registered members of a tribe.
- The Tribe's program uses suboxone and vivitrol, not methadone.

Deacon reported for the committee on the treatment efforts in the rest of the community:

- A small medication assisted treatment clinic will be locating in Bellingham soon.
- The certification difference between a treatment facility and treatment clinic, including the type of medication prescribed.

Deacon updated the Task Force on the Ground-level Response and Coordinated Engagement (GRACE) project:

- Two work sessions are planned in April.
- The first work session will present a framework and gather feedback.
- The second work session is for system administrators to bring back a proposal that was developed in the first work session and get their commitment on a final product.
- They must be clear about the target population, which includes people who are disruptive to the community, but it doesn't include people who are violent.

The Task Force members discussed:

- An upcoming domestic violence prevention training course.
- Whether the Lummi program could be modeled in the later community in Whatcom County.
- The Lummi Program requires clients to participate in their treatment program.
- The need in the community is much greater than the service capacity of two new treatment programs.
- There is data on need that is based on first-time admissions for treatment for opioid use from the Medicaid database.
- The needs assessment from the North Sound Behavioral Health Organization (BHO) is related to the triage facility and addresses questions about the need.
- The North Sound BHO will work with communities on services in addition to facilities.
- Possibly creating a frequently asked questions (FAQ) webpage for the Task Force.

Legal & Justice Systems Committee

Gockley reported for the Legal and Justice Systems Committee:

- The April 11 meeting will begin an hour late, at 12:30 p.m.

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- The Committee completed its review of the Fast Track and Drug Court programs. Both are functioning optimally at this time.
- The certain amount of tension between the two programs is natural and unavoidable.
- A needs assessment of Drug Court isn't necessary at this time.
- The committee is working on a pretrial risk assessment and pretrial supervision unit:
 - Judge Garrett and Commissioner Heydrich will lead a review of other risk assessments and develop a rough first draft for committee review.
 - VERA Institute consultants will provide direction on pretrial supervision units

The Task Force members discussed:

- A need for resources to make sure the risk assessment is locally validated.
- The purpose of local statistical validation, to ensure accurate assessment of public safety and reliability to show up at trial.
- The need for input from someone with an expertise in risk assessment, demographics, and statistics.

Triage Committee

Phillips reported on an upcoming Triage Committee meeting on April 20 to prepare for the initial Phase 3 report, including financing, location, and programming.

- Operational funding from the BHO is secure for now.
- The County administration will host a neighborhood meeting about the triage facility location, hopefully in April.
- There is not a lot to say about programming at this time.

The Task Force members discussed:

- Whether information and data on the triage facility will be ready in time for a neighborhood meeting in April.
- A recent visit to Olympia by Mayor Linville and Tyler Schroeder to discuss capital funding for a triage facility with State representatives. The outlook is hopeful.
- The local request for capital funding is \$7 million
- Why not knowing specific design plans and contingency funding would cause a delay in neighborhood public outreach.
- It's necessary to have a level of detail that they don't have yet, in order to answer questions and to receive feedback from the community that is valuable.
- The County contracting with architect Ron White to provide an updated design and cost estimate.

Jail Stakeholder Work Group

Hovenier reported on the Work Group which meets this Friday.

3. Can the Task Force can function as the Law and Justice Council?

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Elfo described the Revised Code of Washington (RCW) requirement for a Law and Justice Council, which has a larger scope than the Task Force. He prefers that they recreate the Law and Justice Council.

McEachran described the creation and demise of the Law and Justice Council.

- Whatcom County created a Law and Justice Council, with a few members, to coordinate the local criminal justice agencies.
- The State approved the structure of the local group as a model for other counties
- The County Council expanded the Council to more than 40 members, which was too large.
- The demise was a result of the group being too big and funding for administration and staffing was cut.

The Task Force members discussed:

- The need for people with certain expertise on the Law and Justice Council that the Task Force doesn't have.
- The discussion about criminal justice has changed over the years.
- A Law and Justice Council would need staffing.
- The Task Force could provide input to the Law and Justice Council regarding funding, via a liaison between the two groups.
- The Task Force can review its role at the end of the year, after the reporting requirements are complete.
- The need for a new data collection system should be discussed by either the Task Force or the Law and Justice Council.
- The County's compliance with the RCW without a functioning Law and Justice Council.
- They still need a voice for other agencies in the community to interact with the law and justice community.
- Keep the diversity of the Task Force and the Law and Justice Council.
- Define the role that each group will play and do more in-depth review of whether the two groups can be consolidated.
- The County's civil deputies can review the RCW to see if there are functions not filled and suggest language to the Task Force Co-Chairs.
- There is a possible conflict between the Law and Justice Council and judges, due to a separation of powers issue.

The Task Force concurred to encourage the County Council to create a functioning Law and Justice Council.

4. Update by Jurisdictions on Jail Diversion Programs

Whatcom County Sheriff's Office

Elfo stated he plans to give a full report on jail diversion at the Task Force meeting on April 13. They will talk about:

- Removing fiscal barriers to participation
- A wider array of jail alternative programs
- Enhanced opportunities for people to work off fines and keep their driver's license

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- The difference between electronic home monitoring and jail alternatives that focus on people that are in custody of the Sheriff compared with those programs operating under the court.
- Fees for jail alternatives, specifically the subsidized cost to offenders versus the unsubsidized cost to other jurisdictions
- The City costs may not reflect the cost of City warrant officers, evaluation, or supervision, and the County costs are for the entire program.

Small Cities

Billester stated he reached out to small Cities police chiefs regarding the possibility of using Friendship Diversion Service, if there could be a mobile unit that goes to the small Cities on various schedules.

- People who are now ordered to report to Bellingham for jail time have a difficult time getting to Bellingham due to cost and transportation problems.
- A mobile unit to the small Cities would alleviate some warrants for failure to appear or for violations of probation for setting up jail time.
- The small Cities chiefs will talk to their judges and prosecutors to determine data on how many violations and warrants occur as a result of this problem.

The Task Force members discussed:

- Court clerks also have much information on data.
- The Cities will need to provide data to Friendship Diversion Services.
- The Sheriff's Office is expanding work crews to Saturdays and Sundays and creating a kiosk in the courthouse for people to report immediately.
- The minimum sentence time required by Friendship Diversion Services is short.
- The City of Bellingham subsidizes the \$50 hook up fee for electronic home monitors in addition to the daily fee, and uses a sliding fee scale based on 150 percent of the federal poverty guidelines.
- The County needs to allow some people with minimum crimes to have the option of private electronic home monitoring, because the cost of using Friendship Diversion Services is much lower than the County.

5. City of Bellingham partnership with the Lighthouse Mission for emergency homeless shelter capacity in Bellingham.

Linville reported on plans for a low-barrier homeless shelter in partnership with the Lighthouse Mission.

- Benefits including getting people off the street and connected to services and promoting self-sufficiency and economic independence as much as possible.
- The Lighthouse Mission has opened its own low-barrier shelter to see how it work.
- The Mission provides an impressive level of service.
- Criteria for the location includes a requirement that it not be located in a residential or commercial retail zone and that it be near the existing Lighthouse Mission.
- The City evaluated several locations over 18 months, and determined the only option is a property it owns on Roeder Avenue, for which the Port of Bellingham has the right of first refusal to purchase.

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- Port of Bellingham businesses support a homeless shelter, but not at that location.
- The Port can buy the property if it can find an alternative location for a shelter in a light industrial area that meets all the requirements of the City and the Lighthouse Mission.
- The City pays \$180,000 per year for a nighttime shelter, and the Lighthouse Mission will pay for operation of the shelter during the day.
- There is no religious requirement, and one cannot use drugs or alcohol on site, although people can use the shelter if they are intoxicated as long as their behavior is acceptable.
- Homelessness is a problem all along the west coast.
- The possibility of losing State and federal funding is a concern. Local resources cannot pay for it all.
- It will take 18 months for a shelter to begin operating.
- Of the homeless in Whatcom County, 30 percent have a last known address outside of Whatcom County, which is common in all urban areas.
- People who have shelter are more likely to agree to substance abuse or mental health treatment.
- Task Force members should encourage Port staff about the benefits of a shelter.

The Task Force members discussed:

- The size of the shelter to accommodate 200 people, with day programs and cots on the floor at night.
- Ancillary services for health and social services. Community agencies are invited in or given dedicated space at the shelter.
- Services include an Opportunity Council outreach team vulnerability assessment, Law Advocates, behavioral health treatment services or referrals to outside treatment providers, sign up for health insurance, connection to potential employers, and other old and new partners.
- The reason for the increasing trend in homelessness, includes a lack of affordable housing options, which is a nationwide problem.
- It is important to locate near the Lighthouse Mission because they will operate the new shelter.
- Last year, the Opportunity Council outreach team encountered 1,200 people who were living unsheltered for at least one night in the city of Bellingham.
- The Prosecutor's Office is experiencing many homeless people who are from outside the area.
- The notion that there are homeless people who travel to Bellingham for its services has been debunked.
- Urban areas in general are a magnet for all people, regardless of their economic status.
- The 70/30 statistic is common to many urban areas, including Seattle.
- Many of the 30 percent with a last known address outside Whatcom County are people who grew up in this area.
- A certain amount of out-of-county homeless are here because of border bounce-back.

6. VERA Update

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Forrest Longman, County Council Legislative Analyst, reported on the upcoming visit from VERA Institute consultants on April 11 through 13, which include individual and group meetings, a presentation of the system map, and attendance of the special Task Force meeting. The memorandum of understanding is signed, and data transfer will occur next week. Once received, the contractors will take six weeks to analyze the data.

The Task Force members discussed each member sending their proxy to attend the meetings whenever they can't, if possible, and giving the Task Force members a month's notice before a visit.

7. Phase 3 Report

Longman reported on the timeline for completing the initial Phase 3 report, due to the County Council by July 11. This report is focused on the Triage Center, with brief updates from each subcommittee.

8. Next Steps: Ideas & Further Information

This item was not discussed.

9. Other Business

Bernstein reported on an upcoming League of Women Voters event regarding behavioral health services, therapeutic courts, and jail alternatives from 9:00 a.m. to noon on April 15 at Heiner Auditorium.

10. Public Comment

Amy Malone, Puget Neighborhood Association, stated she appreciates the interdisciplinary work of the Task Force and its work to find solutions that help individuals in the community.

Ray Baribeau stated he has witnessed all the debris from homeless camps in the community. Get the community to organize and clean up these camps. He thanked Mayor Linville for partnering with the Lighthouse Mission.

11. Adjourn

The meeting adjourned at 11:00 a.m.