

***Incarceration Prevention and Reduction Task Force***  
***DRAFT Meeting Summary for September 25, 2017***

**1. Call to Order**

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

**Present:** Angela Anderson, Jill Bernstein, John Billester, Jeff Brubaker, Anne Deacon, Bill Elfo, Stephen Gockley, Susan Gribbin, Daniel Hammill, Fred Heydrich, Jack Hovenier, Betsy Kruse, Byron Manering, Ken Mann, Dave McEachran, Moonwater, Irene Morgan, Darlene Peterson, Chris Phillips

**Also Present:** Peter Ruffatto (proxy for Kelli Linville)

**Absent:** Kelli Linville, Nick Lewis, Tyler Schroeder, Greg Winter

Review August 28, 2017 Meeting Summary

There were no changes.

**2. Committee Updates**

Deacon referenced the Behavioral Health Subcommittee summary in the packet and updated the Task Force on the subcommittee's work in response to the opioid crisis.

Gribbin updated the Task Force on creating a consumer focused work group.

Deacon reported for the Committee and moved to endorse the Whatcom County Opioid Abuse Prevention & Response Plan.

The motion was seconded and carried unanimously.

Gockley reported for the Legal and Justice Systems Subcommittee on the recent presentation from the Domestic Violence and Sexual Assault Services (DVSAS), the subcommittee's work on pretrial risk assessment and monitoring and the discussions regarding drug court. He moved to send a letter to the North Sound Behavioral Health Organization (BHO) regarding their concerns and expectations regarding BHO-approved providers and their services to drug court, which include:

- Working with the BHO to increase the number of providers in the community
- The BHO could give a higher priority to quality control and compliance regarding the curriculum

The motion was seconded and carried unanimously.

**3. Update by Jurisdictions on Jail Diversion Programs**

This item was not discussed.

**4. Pretrial Risk Assessment**

Bernstein referenced and reported on the background materials in the packet.

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Dr. Zachary Hamilton, Washington State Institute for Criminal Justice (WSICJ) Director, submitted and read from a presentation (on file) and answered questions from Task Force members:

- The same validation and tool can be used across all Courts
- Some tools may ask questions that the public defender wouldn't want known.
- Dr. Hamilton does not know if any pretrial assessment tool that resulted in more pretrial defendants being held. Most tools are built to identify a population that can be released with conditions.
- Tools can be built retroactively or prospectively and then updated when necessary.
- The questions in a tool collect the same information that, according to court rules, judges can use to override the presumption of innocence.
- "Recidivism" can be defined for each jurisdiction. It is the outcome they want to address.
- The risk assessment tool is applied after booking and before first appearance.
- There has been no study to show evidence that risk assessment and supervision have increased or decreased the number of lawsuits against jurisdictions that implemented pretrial release.
- In a process of pretrial monitoring, all violations are reported to the judicial branch, which has less liability than other branches of government for court decisions.
- Generally, jurisdictions use the same risk assessment tool for Superior Court and District Court.

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

This item was not discussed.

**6. Other Business**

23. Mann reported on the upcoming site visit by the VERA Institute for Justice consultants on October

**7. Public Comment**

Joy Gilfilen asked about using risk assessment and supervision in conjunction with a mentoring program to help defendants navigate the court system.

**8. Adjourn**

The meeting adjourned at 10:58 a.m.