

<b>CLEARANCES</b>	<b>Initial</b>	<b>Date</b>	<b>Date Received in Council Office</b>	<b>Agenda Date</b>	<b>Assigned to:</b>
Originator:		2/21/2018		2/27/2018	Justice & Safety
Division Head:					
Dept. Head:	<i>[Signature]</i>	2.21.18			
Prosecutor:					
Purchasing/Budget:					
Executive:					

**TITLE OF DOCUMENT:**  
 Discussion of the Criminal Justice & Public Safety Committee work plan for 2018

**ATTACHMENTS:**

SEPA review required?    (    ) Yes    (    ) NO SEPA review completed?    (    ) Yes    (    ) NO	Should Clerk schedule a hearing?    (    ) Yes    (    ) NO Requested Date:
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**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** *(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*  
 Discussion of the Criminal Justice and Public Safety Committee's work plan for 2018

**COMMITTEE ACTION:**  
  
 2/27/18: Discussed in Criminal Justice and Public Safety Committee

**COUNCIL ACTION:**

<b>Related County Contract #:</b>	<b>Related File Numbers:</b>	<b>Ordinance or Resolution Number:</b>
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# Whatcom County Council Criminal Justice and Public Safety Committee 2018 Draft Work Plan: Improving Criminal Justice in Whatcom County

The Whatcom County Council Criminal Justice and Public Safety Committee formed in January, 2018. \$100,000 has been budgeted in 2018 for this committee's work. One of our first orders of business is to hear from the public regarding their opinions on our criminal justice system, how to make improvements and what ideas they may have. We will anchor our work in the 2016 Whatcom County Statement of Principles (Resolution 2016-008) and in the ongoing work of the Incarceration Prevention and Reduction Task Force.

## Goals:

- A well-integrated, effective and affordable criminal justice system that keeps our community safe.
- Hear from the public about their thoughts, concerns and ideas for improved criminal justice in Whatcom County. It should be noted that this is an iterative process: the Whatcom County Council wants to hear from the public and what we hear will inform our work moving forward.
- Compile those ideas.
- Share what we've heard on our website.
- Then, incorporating the Statement of Principles on Incarceration Prevention, Criminal Justice, and Jail Planning (2016-008), we will consider a range of programs and new or renovated capital facilities that will meet our needs into the future.
- Continue to support and integrate the work of the Incarceration Prevention and Reduction Task Force.
- A comprehensive needs assessment to determine who can be successfully diverted from jail, who can be treated for behavioral health and/or substance abuse health problems and who should be in jail.
- Develop an overall capital plan for criminal justice. This may include a new sheriff's office, a renovated or new jail, the triage center, a sobering center and other evidence-based alternatives that reduce costs while making our community safer.
- As part of that plan, analyze three or more reasonable alternatives for a renovated or new jail, including long-range operational costs associated with any new or existing facility.
- Determine our overall budget.
- Move forward.

**Primary phases of work:**

- Countywide outreach and community input from Whatcom county citizens
- Analysis of provider capacity and needs assessment
- Capital and operational planning for our criminal justice system with guidance and input from the community and integrated with the work and recommendations of the Incarceration Prevention and Reduction Task Force.

**1. Phase 1 Community input and outreach from Whatcom County citizens**

Phase one of the workplan involves hosting a facilitated listening tour with the goal of Whatcom County officials hearing from citizens in every corner of Whatcom County. We will hold public meetings in all five county council districts.

Schedule for Listening Sessions	
Date	Location
<b>To Be Determined</b>	

**Draft Survey**

Survey will be drafted to receive community feedback about criminal justice reform and the jail. This survey will be used as an online tool on the county’s website and at the listening sessions.

**Outreach plan**

To be successful, we need to get the word out to citizens to attend the public meetings. Marketing and outreach efforts will include:

- Whatcom County Website
- Email lists the county uses for announcing public events
- Posters
- Newspaper announcements
- Public Service Announcements on local radio

**DRAFT Agenda for Public Meetings and Listening Sessions**

1. Brief updates on where the county is at and the state of criminal justice reform.
2. Public input.

3. Information and prompts for the public at the meetings. Here are a few draft questions to prompt participants in the listening sessions:

- What did you hear from people about why they voted yes or no?
- What were your concerns about the previous jail ballot measures?

- What would you like to see the county do differently?
- Moving forward, what do you want the county to do or be focusing on?
- What is a reasonable amount of money to spend?
- Would you support a new property tax or a sales tax for a jail?
- What kind of information do you want to hear going forward?
- What questions do you have for the county at this point?
- What do you believe the jail should be used for in our community?
- What are the investments you would like to see the County make?

**Providing Public Feedback:**

We will compile and share the survey results. All the comments will be shared on the county website.

**2. Phase Two: Needs assessment and feasibility studies**

This should answer the question: what do we want to use the jail for? Who should be in jail? Once we answer that we can answer the question of jail size into the future. This must be informed by the work of the Incarceration Prevention and Reduction Task Force and must work closely with them.

**3. Phase Three: Jail Planning**

Jail planning with guidance and input from the community and with the work and reports of the Incarceration Prevention and Reduction Task Force.

DRAFT: discussion purposes only

**Purpose - Incarceration Prevention and Reduction Task Force**

**The purpose of the Incarceration Prevention and Reduction Task Force is to continually review Whatcom County's criminal justice and behavioral health programs and make specific recommendations to safely and effectively reduce incarceration of individuals struggling with mental illness and chemical dependency, and minimize jail utilization by pretrial defendants who can safely be released.**

**PRINCIPLES OF INCARCERATION PREVENTION,  
CRIMINAL JUSTICE, AND JAIL PLANNING**

**WHATCOM COUNTY COUNCIL AGENDA BILL** NO. 2016 - 72

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:		2/2/2016		2/9/2016	Introduction
Division Head:				2/23/16	P & D / Council
Dept. Head:	<i>W.D.</i>	2.2.16		3/8/16	P&D/Council
Prosecutor:	<i>RNF</i>	2/17/16			
Purchasing/Budget:					
Executive:					

**TITLE OF DOCUMENT:**  
Res adopt. statemint of principles for Criminal Justice & Behavioral Hlth Systems

**ATTACHMENTS:**

SEPA review required? ( ) Yes ( ) NO      Should Clerk schedule a hearing? ( ) Yes ( ) NO  
 SEPA review completed? ( ) Yes ( ) NO      Requested Date:

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Resolution adopting a statement of incarceration prevention, criminal justice, and jail planning principles for Whatcom County's Criminal Justice and Behavioral Health Systems.

**COMMITTEE ACTION:**  
2/23/2016: Held in Committee  
3/8/2016: Amended and forwarded to Council for approval

**COUNCIL ACTION:**  
2/9/2016: Introduced 7-0  
2/23/2106: Held in Committee  
3/8/2016: Substitute amended and approved 7-0,  
Res. 2016-008

Related County Contract #:      Related File Numbers:      Ordinance or Resolution Number: Res. 2016-008

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PROPOSED BY: BUCHANAN, MANN, WEIMER  
INTRODUCTION DATE: FEBRUARY 9, 2016

RESOLUTION NO. 2016-008

**ADOPTING A STATEMENT OF INCARCERATION PREVENTION, CRIMINAL JUSTICE, AND JAIL PLANNING PRINCIPLES FOR WHATCOM COUNTY'S CRIMINAL JUSTICE AND BEHAVIORAL HEALTH SYSTEMS**

**WHEREAS**, Whatcom County and its municipalities and Tribes desire to coordinate, contribute, and cooperate in enhancing public safety, and in particular our communities' criminal justice and behavioral health systems; and

**WHEREAS**, the Whatcom County Executive has recently asked for input and leadership by the County Council and other legislative bodies to guide future jail planning, and has sought constructive engagement with other elected officials throughout the county; and

**WHEREAS**, all parties believe there is a need for an improved County jail, and that voters will approve a proposal that addresses the communities' full range of needs and values.


**NOW THEREFORE BE IT RESOLVED**, that the Whatcom County Council adopts the attached Statement of Incarceration Prevention, Criminal Justice, Jail Planning Principles.

**BE IT FURTHER RESOLVED**, that due to a large number of other infrastructure investments that the County needs to make, and the ever escalating costs of such investments, time is of the essence for getting another proposal to the voters as soon as possible.

**BE IT FINALLY RESOLVED**, that the Whatcom County Council asks the other legislative authorities that have a stake in our shared criminal justice system to, as soon as possible, also adopt this Statement of Incarceration Prevention, Criminal Justice, Jail Planning Principles, or similar statements that make clear how incarceration prevention, criminal justice, and jail planning needs to proceed.

APPROVED this 8th day of March, 2016.


ATTEST:

  
Dana Brown Davis, Clerk of the Council

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY,  
WASHINGTON

  
Barry Buchanan, Council Chair

APPROVED AS TO FORM:

  
Civil Deputy Prosecutor

## **Statement of Principles on Incarceration Prevention, Criminal Justice, and Jail Planning**

The Whatcom County Council would like to establish guiding principles for incarceration prevention, criminal justice, and jail planning, and requests the participation of the Lummi Nation, Nooksack Tribe, and all the Cities of Whatcom County.

We believe our communities are united in our commitment to public safety, justice, fiscal responsibility, harm reduction, healing, and prevention as public priorities.

While there is a national discussion on incarceration and behavioral health, we see an opportunity to improve our criminal justice system and rebuild our jail. We should strive for conditions where the cycle of incarceration is broken rather than perpetuated.

We are fortunate that the process of thorough analysis is underway, with the creation of the Incarceration Prevention and Reduction Task Force. Subcommittees of the Task Force are focusing their efforts on creation of a Crisis Triage Facility, Behavioral Health Programs, and Criminal Justice System procedure and process reforms.

Therefore, in order to guide the public process and County administrative plans and actions, we do hereby put forward the following set of Incarceration Prevention, Criminal Justice, and Jail Planning Principles for our communities:

1. The people of unincorporated Whatcom County, the Lummi Nation, the Nooksack Tribe, and the Cities are best served by a shared jail facility or a combination of shared facilities, and by a coordinated and integrated response to behavioral health issues that can help alleviate the use of the criminal justice system.
2. The following are inextricably linked: responsible stewardship of public funds, ensuring public safety, and providing adequate countywide behavioral health services.
3. In recognition of the importance of prevention, treatment, re-entry and jail alternatives, the Council established the Incarceration Prevention and Reduction Task Force (IPRTF). The IPRTF's specific recommendations should influence the direction of our future crisis triage facility, our jail facility, pre-booking and pre-trial diversions, jail alternatives, and behavioral health programming.
4. We will commit funding towards community-based preventive services. We need post-release support to maximize successful re-entry and minimize recidivism. These actions now can hold down recurring criminal justice costs in the future.
5. We will pursue construction and operation of an enlarged triage facility, implementation of criminal justice process reforms, and creation of relevant behavioral health programs regardless of the outcome of jail proposals.
6. Departments will provide data to decision-makers and the public, including relevant demographic, statistical, and jail usage information. As described in Whatcom County Resolution 2015-042, spreadsheet models for jail utilization, jail financing, and jail size should be made available to the public for examination and incorporated into decision-making.
7. The size of jail facilities should be based on a comprehensive analysis of local criminal justice policy. While accurate measures of current incarceration rates adjusted for future population growth are important, we also must consider national, state, and local trends towards improvements in prevention, alternatives, behavioral health, and re-entry support.



8. We will locate any new jail facility where it can work best for all of our partners, the public, and related businesses (attorneys, bail bonds, etc.). We need to try to obtain consensus on the Ferndale location and whether alternatives, such as a downtown Bellingham option, should be pursued.
9. We consider the Irongate minimum security facility as a valuable piece of the criminal justice continuum. This facility could be retained for certain existing jail populations and programs, or expanded to include a crisis triage facility, a re-entry support facility, a behavioral health facility, or medical facility.
10. We will apportion construction and operating costs separately and fairly among jail users based on actual use or best estimates of actual future use.
11. We will work with the County Prosecutor's Office, the District Court, Superior Court, and Lummi Tribal Court leadership on bail setting practices and probation procedures, as well as broader criminal justice issues that effect the size of the jail population but which are not under County legislative control.
12. We will issue an RFP for a Criminal Justice Planner. While the work of our IPRTF and community groups remains valid and vital, it is essential to hire a professional Criminal Justice Planner to evaluate the additional aspects of our system and our jail needs. Considerations such as financial commitments, jail location and size, diversion programs, and bail and prosecution reforms must be examined and reported on by an established, impartial expert.
13. We recognize the need to provide a safer, more secure and healthier environment for those who work, visit, and are incarcerated within the jail; therefore, we will work to have a funding proposal on the ballot with a goal of no later than November 2017.