

Incarceration Prevention and Reduction Task Force
DRAFT Meeting Summary for October 23, 2017

1. Call to Order

Task Force Co-Chair Jack Hovenier called the meeting to order at 8:30 a.m. in the Civic Center Garden Room, 322 N. Commercial, Bellingham.

Present: Angela Anderson, Jill Bernstein, John Billester, Jeff Brubaker, Anne Deacon, Stephen Gockley, Susan Gribbin, Daniel Hammill, Fred Heydrich, Jack Hovenier, Nick Lewis, Kelli Linville, Byron Manering, Ken Mann, Dave McEachran, Moonwater, Irene Morgan, Jeff Parks (Proxy for Bill Elfo), Darlene Peterson, Chris Phillips, Tyler Schroeder, Greg Winter

Absent: Bill Elfo, Betsy Kruse

2. Presentation of Final Report by VERA Institute of Justice Consultants

Bernstein thanked everyone who participated in the process and stated these recommendations will be a starting part for the Task Force. The report simply points out opportunities for change in the short-term and long-term. The Task Force must now discuss how to move these opportunities forward.

The following representatives from the Vera Center on Sentencing + Corrections submitted and read from a presentation (on file).

- Liz Swavola, Senior Program Associate
- Stephen Roberts, Senior Research Associate
- Kristi Riley, Program Associate
- Vedan Anthony-North, Program Associate, Substance Use & Mental Health

Throughout the presentation, the consultants answered questions and the Task Force members discussed:

- Helping defendants and inmates avoid probation violations and the length of stay for people with technical violations and without new charges
- Making clear the differences among people who self-refer for behavioral health services and who and how many are better-served in community behavioral health programs
- Helping defendants and inmates avoid technical violations
- Bellingham's efforts to decriminalize low-level crimes
- Whether a sobering center would be cost-effective
- Current efforts to reduce the number of warrants
- Drug court participants, impacts, and practices
- Bellingham's success with Friendship Diversion Services
- Bail and pretrial release services
- The need to link jail and court data
- How long it takes to resolve cases
- Which data was excluded from the analysis

Following the presentation, the Task Force members and consultants discussed:

- Making sure the report is understood by the lay person reading it as a single source of information.
- The report does not make any false promises to the public about what could and should be done
- The County is currently doing some of the things listed as recommendations in the report.
- The Task Force should find ways to create user-friendly talking points and information for the public.
- Going forward, the Task Force must work on data that can be used as benchmarks for program efficacy.

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- The VERA Report is to the Task Force, and the Task Force will incorporate the VERA Report, along with all the other work that has been done, into its final Phase III Report.
- The Task Force Co-Chairs, Anne Deacon, and Steering Committee should draft an executive report to give the VERA Report context.
- The VERA Report has provided a set of recommendations. The Task Force will look at each recommendation to determine:
 - a. Whether that recommendation is already underway
 - b. If they want to even consider the recommendation
 - c. The extent to which a recommendation will or will not be acted upon
- The Task Force will not adopt every VERA Report recommendation wholesale.
- The interim report was not fully understood by the community, so the Task Force must put the final report in context
- This context would allow some of the provocative recommendations to remain without being watered-down.
- The Task Force needs to include feedback from a focus group of the criminal justice consumers

The purpose and content of the executive summary of the VERA Report:

- The Task Force must do an analysis of what the recommendations mean.
- The report is being delivered to the Task Force, which will review each recommendation by a certain date to be specified to determine whether it fits the community and how they would proceed in terms of recommendations to the County Council and administration.

3. Other Business

Gockley reported for the Legal and Justice Subcommittee on

- The Task Force approve work beginning under the auspices of the Superior Court judges to explore the development and adoption of a pretrial risk assessment for use in as many courts as would choose to adopt it.
- The Superior Court judges and the committee feel strongly that a pretrial risk assessment must be used with a pretrial services unit to monitor and oversee those people who are released with conditions.

Gockley moved that the Task Force approve the development and adoption of a pretrial risk assessment instrument under the auspices of the Superior Court Judges and that the Task Force approve the recommendation to establish a pretrial services unit. The motion was seconded.

The Task Force members discussed:

- Whether the judges can create a pretrial risk assessment tool
- If approved, the Task Force will make this recommendation to the County Council in the Phase III Report
- The full Task Force should have a fuller discussion about the pros and cons of the motion, beyond the committee discussion
- The specific motions approved by the Legal and Justice Systems Committee
- A meeting of the Superior Court judges, who support going forward with a pretrial assessment tool and pretrial services unit
- Submitting recommendations to the County that require funding by June 2018, to be considered for the 2019-2020 biennium budget.
- It may be possible to budget for a pretrial risk assessment tool validation study in 2018 through the mid-biennium budget process.
- A pretrial risk assessment tool should be used by all jurisdictions, including the municipalities, District Court, and Superior Court.
- Whether they can move forward with a pretrial risk assessment tool and a pretrial services unit separately.

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- The cost of a risk assessment tool isn't justified without alternatives to bail, which would be some sort of monitoring that requires staffing
- They can begin creating a pretrial services unit without a risk assessment tool in place yet

Phillips suggested a friendly amendment to bifurcate the motion:

- Approve the development and adoption of a pretrial risk assessment instrument under the auspices of the Superior Court Judges
- Approve the recommendation to establish a pretrial services unit

Hovenier stated the Legal and Justice Systems Committee can write its Phase III Committee Report with the approval of a pretrial risk assessment tool and pretrial services unit. The motion will be tabled until November. The Committee will lead a discussion of the full Task Force at its meeting on November 27.

4. Public Comment

Bob Johnston stated he supports the work of the Task Force and VERA Institute Report. He a mechanism for supports citizen input and oversight of the criminal justice system in Bellingham and Whatcom County.

Joy Gilfilen stated the justice system is asking how it can do better, and the VERA Report gives them a baseline to transform to something better. She supports the work of the Task Force.

5. Adjourn

The meeting adjourned at 12:50 p.m.