

***Incarceration Prevention and Reduction Task Force***  
***Legal & Justice Systems Subcommittee***  
**Meeting Summary for March 12, 2019**

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**1. Call To Order**

Committee Chair Stephen Gockley called the meeting to order at 11:30 a.m. in the Whatcom County Courthouse Conference Room 514, 311 Grand Avenue, Bellingham.

Members Present: Angela Anderson, Bill Elfo, Arlene Feld, Heather Flaherty, Deborra Garrett, Stephen Gockley, Raylene King, Moonwater, Darlene Peterson, Eric Richey

Also Present: Caryl Dunavan (proxy for Raylene King), Kristin Hannah (proxy for Deborah Hawley), Dan Hammill

Members Absent: Deborah Hawley

Review December 11, 2018 Meeting Summary

There were no changes.

**2. Discussion with Mark Gardner on content of the INDEX Committee submission to Incarceration Prevention & Reduction Task Force 2019 annual plan**

Mark Gardner submitted the annual plan timeline and an updated section of the 2018 annual plan. Committee members discussed sections and content of the draft 2019 plan and the schedule for completing the plan by June.

**3. Discussion with Prosecutor Eric Richey**

Richey submitted and presented his platform for prosecutorial change.

- Victim Bill of Rights
  - Provide as much support as possible
  - VR 7.69.030 is a priority
  - Follow best practices
- Drug use as a health problem,
  - Treatment instead of incarceration
  - Changes and expansions to Drug Court, and reduced delays
- Mental Health Court
- Bail and Pretrial Incarceration
  - Lower bail recommendations
  - Reduced bail jump charges
  - Allow people to reschedule missed court within six weeks
- Sentencing alternatives and reduced sentences
- Law Enforcement Assisted Diversion (LEAD)
- Reentry

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- Vacating and sealing records
- Relicensing
- Data and transparency
- Diversity, equity, and inclusion in hiring and operational practices
- Training
- Ongoing review and adjustments as needed
- Policy group and young adult offenders

Committee members discussed:

- Dropping felonies to misdemeanors in District Court and municipal courts
- Who decides on offering less punitive charges
- Prosecutor staff trained on mental health issues
- Prosecutor's Office integrating with public health on drug issues
- The need for mental health, substance use, and other social services
- Assault 3 from the hospital and competency challenges; the option of local competency evaluations and restorations
- Prosecutor involvement in the Incarceration Prevention and Reduction Task Force and Legal and Justice Committee
- Efforts to reduce fines, fees, and judgment amounts in Superior Court
- Collaborating with the Dispute Resolution Center and other stakeholders
- Drug Court review by the National Association of Drug Court Professionals (NADCP)
- Restructuring and implementing the LEAD program in Whatcom County
- How the Prosecutor's Office will use the Ground-level Response and Coordinated Engagement (GRACE) Program
- Conflicts between the Fast Track and Drug Court programs
- Potential for racial disparity in a pretrial risk assessment tool
- Efforts to reduce young adult incarceration and diverting people away from the criminal justice system at an early age

Public comments:

- Myra Ramos spoke on bail, personal recognizance, and jail
- Irene Morgan spoke on encouraging changes and more ideas

#### **4. 2019 Work Plan**

Committee members discussed focusing on the legal and justice system, not other systems or social issues. Focus on efficient administration of justice within the court system, the court timeline, and State caseload targets. This item was held to the April meeting to incorporate information from the Prosecutor and other suggestions.

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**5. Update on National Association of Drug Court Professionals (NADCP) review of Whatcom County drug court practices**

Shoshana Paige, Public Defender's Office, reported on the NADCP review, recommendations, and approval from the Prosecutor's Office. A full report is expected in April.

Committee members discussed staff training at a national training event.

**6. Review State legislation concerning driver's license suspensions and revocations: SB 5328 and HB 1282**

Elfo moved to approve the draft letter. The motion was seconded.

Committee members discussed the lack of support from small cities due to reduced incentive for people to drive responsibly and about the differences among poverty crime, justice, accountability, consequence, and punishment.

Elfo amended his motion and moved to approve the letter without the sentence referencing the Vera Report's number of admissions for driving without a license 3<sup>rd</sup> (DWLS3).

Motion carried 7-1 with Anderson, Elfo, Feld, Gockley, Hannah, Moonwater, and Peterson in favor. Dunavan opposed on behalf of the Small Cities. Garrett abstained due to judicial restrictions.

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

This item was not discussed.

**8. Other Business**

There was no other business.

**9. Public Comment**

Andronetta Douglas spoke on game theory for motivation.

Lynn Skinner spoke on the importance of making connections.

Irene Morgan spoke on problems in court with ongoing continuances and ineffective treatment programs and the need for court navigation training.

**10. Adjourn**

The meeting adjourned at 1:35 p.m.