

***Incarceration Prevention and Reduction Task Force***  
***Legal & Justice Systems Subcommittee***  
**Meeting Summary for February 11, 2020**

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**1. Call to Order**

Committee Co-Chair Arlene Feld / Raylene King called the meeting to order at 11:30 a.m. in the Whatcom County Courthouse Conference Room 514, 311 Grand Avenue, Bellingham.

Members Present: Bill Elfo, Arlene Feld, Stephen Gockley, Raylene King, Jackie Mitchell, Darlene Peterson, Kristin Hannah (proxy for Deborah Hawley), Bruce Van Glubt, Maia Vanyo

Members Absent: Deborra Garrett, Deborah Hawley, Moonwater

**2. Presentation on District Court District Court Behavioral Health Program**

Van Glubt introduced his staff and reported on two new units in District Court:

- Domestic Violence unit
- Behavioral Health unit, including cases for the mental health courts for the County and City of Bellingham

John Hooper, District Court, gave a presentation on the behavioral health unit and answered questions.

- Individuals are referred at intake to a specialized probation officer with mental health training and a smaller caseload.
- Individuals are seen more often and for longer durations
- If an individual begins to decompensate, the probation officers can intervene before re-arrested or hospitalized
- There has been a 28 percent increase in mentally ill offenders who complete probation.
- They don't take everyone with a mental health diagnosis
- The current caseload is 215 individuals for two probation officers
- Ideally, another 100 individuals could be included in the program, and a third probation officer is needed
- Approximately 75 percent of those in the program also have substance abuse issues

The committee and presenters discussed the ability of District Court to track the outcomes of individuals with minor behavioral health issues who are not referred to the specialized program.

Denise Richter, District Court, presented information on working with the mental health courts in the District Court and the City of Bellingham:

- The clients have serious and persistent mental health issues (SMIs) and their mental health directly correlates to their crimes and must want to participate in the mental health court program.

The committee and presenters discussed the success of the program and its participants.

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Jake Wiebusch, District Court, gave a presentation on the domestic violence unit and answered questions:

- The unit has 115 to 125 high risk individuals with more frequent contacts
- The program includes check-in groups that include approximately 10 clients per group and a District Court facilitator
- Clients work through a moral reconnection therapy workbook
- Two specialized probation officers are trained currently, and two more are in training
- Each graduate has an average of five convictions
- The program is not a replacement for domestic violence treatment
- The program is free
- Recidivism has gone down

The committee members discussed an upcoming new program for domestic violence perpetrator treatment that could serve 41 defendants in the City of Bellingham and 36 in the County, and more providers may be able to provide the service if stable funding is available.

**3. Drug Court update on its progress toward meeting the NADCP recommendations**

Chris Furman, Superior Court; Shoshana Paige, Public Defender's Office, and; Dave Graham, Prosecutor's Office, reported on the courts progress with six priority recommendations and five additional suggestions from the NADCP, and answered questions:

1. Restructure eligibility requirements: Prosecutor's Office has released legal written criteria, relaxed certain factors, don't discourage people from applying, and changed standards. There are more applicants.

2. Remove certain disqualifying criteria: Only one person with a delivery charge has been admitted. No one with a firearm charge or a dealing charge has been allowed. The amount of restitution payments is better, but it still bars people from participating. Anyone with a history of eluding is presumptively non-eligible. There is still a ban on people who have had prior failure in any other drug court, except juvenile court. People charged in another County, but living in Whatcom county, are now allowed to go through the local drug court.

3. Implement use of a validated, standardized tool to determine participant eligibility: Nothing has been done with this recommendation, partly due to a lack of staff time and resources. At this point in time, a risk assessment wouldn't change how they are providing resources. She would consider it if there were more staff resources.

The committee discussed the possibility of a needs assessment. There is a specific need for an additional staff person who could be a field officer to do home visits.

4. Select one primary treatment agency: They are in the process of training the new drug court judge. They engaged in a Request for Information (RFI) and received responses from two of the three

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local substance use treatment providers, and have preliminarily selected one. They will complete this item shortly. Using only one provider is a national best practice. Tribal participants are allowed to maintain treatment with tribal providers, for cultural reasons.

5. Discontinue use of standardized incentive and sanction grid: They have transitioned to an approved incentive and sanction index that is more individualized. They have seen positive results due to the change.

6. Participate in training on the effective use of incentives and sanctions: Ms. Paige has attended national conference training on incentives and sanctions. There is still not agreement among the local team members on how often they use jail as a sanction, for the safety of the participant. Other options are desirable, but don't exist, such as an immediate entry into a secure detox facility on order of a designated crisis responder (DCR). The only secure detox facilities are in Chehalis and Spokane. Currently, the purpose of jail sanction is as a secure hold until inpatient treatment is available. Drug court staff regularly attend the national conference.

There are five observation recommendations:

1. Set up recurring policy meetings to discuss the recommendations. They need to do that with the new judge. They have revised the policy manual.

*(2. Pursue grant funding, not discussed)*

3. Do not terminate participants with new possession charges. There is still a policy of terminating with a new felony charge, but the Prosecutor's Office will look at it on a case-by-case basis and may decide to hold off on the charge.

4. Identify alternatives to Narcotics Anonymous (NA) and Alcoholics Anonymous (AA) groups and decrease frequency of meetings during drug court. That's done. They changed the requirement for 12 step groups and require sober support activities, which include many different things. The amount required early on is less.

5. Do not regularly rotate team members. The team members try to stay consistent as much as possible.

Overall, they are serving more participants and graduation rates are rising.

#### **4. Presentation on the Teach One to Lead One Program**

Jacob Mack, Chapter Director, submitted handouts, presented information on his program, and answered questions. They engage in group mentoring of juveniles with an established curriculum that focus on soft skills and interpersonal skills, such as respect, integrity, and honor. The program lasts 12 to 16 weeks. Participants are assessed at the beginning and end of the curriculum. Last year there were over 400 participants locally. Mentors come from a variety of public organizations. Financing is primarily from fundraising, but could be collected through fees when working with juvenile courts, where additional training is required. A service project is one requirement of the program. They work in several local school districts, and are in the process of developing a program that works in the local foster care system.

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**5. Appointment to County Council's Strategic Advisory Committee for Public Health, Safety, and Justice Facility Needs Assessment**

Hanna nominated Debbie Hawley.

King nominated Darlene Peterson.

The committee appointed Darlene Peterson, 4-3, with Mitchell and Vanyo absent.

**6. Other Business**

There was no other business.

**7. Public Comment**

There was no public comment.

**7. Adjourn**

The meeting adjourned at 12:57 p.m.