

From: [Cathy Halka](#)
To: [SAC](#)
Subject: FW: JAIL BOOKING RESTRICTION CHANGES - Effective June 13, 2022
Date: Tuesday, June 14, 2022 8:26:26 AM
Attachments: [2022 Jail Booking Rest 6 13.pdf](#)
[2022 Jail Letter to CJ partners June7.pdf](#)
[image001.png](#)

From: Council
Sent: Friday, June 10, 2022 2:14 PM
To: Dana Brown-Davis <DBrown@co.whatcom.wa.us>; Lisa Bruner <LBruner@co.whatcom.wa.us>; Cathy Halka <CHalka@co.whatcom.wa.us>
Subject: FW: JAIL BOOKING RESTRICTION CHANGES - Effective June 13, 2022

From: Bill Elfo <BElfo@co.whatcom.wa.us>
Sent: Friday, June 10, 2022 2:13:51 PM (UTC-08:00) Pacific Time (US & Canada)
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Due to current jail conditions, it has become necessary to again incrementally increase the scope of jail booking restrictions. The attached memorandum from June 7th explains the reasons for this most recent incremental change; steps being taken to allow existing staff to better focus on institutional safety and security and action being taken to try and mitigate the current situation. **Please see the attached memorandum: "Booking Restrictions Whatcom County Jail Update as of 6/13/22."** These most recent changes apply primarily to certain felony warrants, certain out of county warrants and local failure to appear warrants on people contacted outside of Whatcom County. There are also some changes as they relate to Drug and Mental Health court sanctions; and DOC Swift and Certain commitments. We have also requested that the Superior Court extend the same "book and release" authority for pre-October 2021 warrants as is currently the practice for post October 2021 warrants and we will update if and when such authority is received. I understand everyone's anticipated frustration and it is very unfortunate that the existing facilities are not adequate to meet all of the growing needs relative to public safety and the effective administration of justice.

Sheriff Bill Elfo



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BOOKING RESTRICTIONS WHATCOM COUNTY JAIL



UPDATE AS OF 06/13/22

Due to a combination of the ongoing COVID pandemic and growing populations in both the Downtown Jail and the Work Center, we are updating booking restrictions in order to allow us to manage the offender population.

Effective 06/13/2022, the following booking restrictions will be operational:

All agencies confirming Misdemeanor and Gross Misdemeanor warrants should confirm only those warrants that meet the criteria outlined below;

Misdemeanor Offenses:

The jail will not be booking offenders arrested on either Probable Cause or warrants for Misdemeanor offenses. For those offenders who are cited and released, the County Judicial Officers have requested that Law Enforcement personnel mark the portion of the citation that states that they served the notice to the violator.

Gross Misdemeanor Offenses:

It is strongly suggested that Law Enforcement Officers use the option to Cite and Release offenders rather than bring them to the jail unless they represent a serious and immediate threat to public safety.

Offenders who are arrested for Gross Misdemeanor offenses, either on Probable Cause or Warrants, will be booked and released with the following exceptions:

Individuals arrested on the following charges will be held until they see a Judge:

- Any Domestic Violence Offense
- Harassment
- Stalking
- Violation of no contact or protection orders

Individuals who are arrested on DUI will be booked and held until sober.

Felony Offenses:

It is strongly suggested that whenever possible Law Enforcement Officers take a report on the incident and refer it to the Prosecutor's office for review and filing, unless the incident represents a serious and immediate threat to public safety

Offenders arrested on Probable Cause Felony offenses will be booked and released pursuant to the direction of the Superior Court, with the following exceptions:

- Crimes Against Persons
- Any Sex Offense
- Any Domestic Violence Offense
- Residential Burglary
- Burglary 2nd (except those cases related to shoplifting)
- Unlawful Possession of a Firearm
- Felony DUI
- Escape
- Theft 1st
- Possession of Stolen Property 1st
- Possession of a Stolen Vehicle/Theft of a Motor Vehicle

Offenders booked on the above charges will be held until they see a Judge.

Offenders will continue to be booked on all felony warrants. Please make sure and check the bottom of the warrant; if the Judge has signed in the space marked "Book and release", the Offender may be released after completing the booking.

Fugitive Warrants: Individuals presented for booking on Fugitive warrants will only be accepted if a) the warrant and extradition have been confirmed with the originating agency and b) if the underlying charge fits our current booking restrictions.

Out of County Warrants: Warrants will be confirmed only if the underlying charges conform to current local booking restrictions OR the requesting agency confirms they can come and pick up the subject within 8 hours.

Local FTA/FTC warrants for offenders contacted outside of Whatcom County: Confirm warrants *only if* the underlying charge meets current booking restrictions.

DOC: Swift and Certain: DOC offenders sanctioned administratively for up to 48 hours under this program may be accepted for booking at the Work Center, depending on the current jail population as determined by the Corrections Shift Sergeant.

Drug/Mental Health Court Sanctions: Offenders participating in these specialty courts who are sentenced to 24-48-hour sanctions for program violations will be accepted at the Work Center, depending on the current jail population as determined by the Corrections Shift Sergeant. Depending on the status of the offenders, a medical clearance may be required prior to booking. We will be unable to take open ended commitments for program violations.

Commitments-ALL COURTS: All courts may continue to utilize the Jail Alternative programs, including the Work Crew, Work Release and Electronic Monitoring programs. This system allows for flexible scheduling that can take into consideration jail population

trends and can move offenders between programs that may have less of an impact on overall population counts.

If a Law Enforcement Officer has contact with an individual that they believe has broken the law and presents an immediate dangerous to the community, the Corrections Shift Sergeant has the ability to make an exception to these restrictions. Requests to book offenders will also be considered under unique circumstances that are in the interest of public safety. The direct line to the Downtown Shift Sergeant is: 360-778-6516 –there will be times where the Sergeant may be involved in another issue and not be immediately available.

We appreciate the understanding and support as we work to achieve a balance between community safety, the health of our employees and individuals housed in the Downtown Jail and Work Center, and our constitutional mandates.