

From: [Cathy Halka SAC](#);
To: [Monica Rouse](#)
Subject: FW: Thoughts, questions, and concerns of one SAC member
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From: Peter Frazier <peter.frazier@gmail.com>
Sent: Wednesday, August 31, 2022 1:21 PM
To: Cathy Halka <CHalka@co.whatcom.wa.us>
Subject: Thoughts, questions, and concerns of one SAC member

Hello, All

[I wrote the following after our last meeting, but delayed sending it until now. I believe is still relevant. I am glad to see we will be discussing location in our next meeting, alarmed to hear that our contract with Snohomish Jail is not going to work out, and very nervous about the continuing backlog in the courts.]

I'd like to start by expressing my thankfulness for inclusion in this important process and for the leadership shown by Barry Buchanen. The SAC is an excellent committee with a large number of serious minded, community-oriented stakeholders, all wrestling with difficult issues. While I was conversant on a number of these issues previously, it's been a good learning experience for me, and have appreciated the many meetings we've had about behavioral health, criminal justice, and jail issues.

After last meeting I am very concerned about scope creep...or maybe I am simply unaware of the boundaries of our charter. I am beginning to feel an uncomfortable weightlessness from too many issues, a spinning compass, a set of seemingly intractable problems outside our control, an impending deadline, unclear goals, meanwhile witnessing a chaos in our community due to failing systems and a drug epidemic, on a scale we've never before encountered.

We've been asked to share what we are learning to other community members. Unfortunately, many of the basic questions people have for me, I cannot answer, as we have yet to discuss them. Here are a few of my questions others may have at this juncture.

What is going on the ballot? After the gap analysis and the recommendations brought forward by

the BHGAT I don't have a good idea as to where the levy would begin or end. For instance, housing for people transitioning out of jail: Are we considering putting funding for that on the ballot? Or are we, as a committee, recommending the County consider it a separate priority to get to at some point? If so, what would be the forum for that? There is a lot of gap in our community when it comes to criminal justice/jail/behavioral health. As far as selling a very expensive project to voters/taxpayers are we really going to have some big omnibus where we try to solve it all in a levy? Is that advisable?

What price tag can we sustain? I'm no cost estimator, but...The overall construction cost index in this region has gone up 60% between Q1 2017 and Q1 2022, so our \$110m jail (2017) would cost \$175m today. However, since we'd be building it in 2026 or so and inflation may not increase as it has recently, maybe we could expect 4% inflation per year average between now and 2026...so, \$221m at the very least. And that's just capital costs. Is there rubric used for what is within bounds for an ask of this sort? What factors make a given figure feasible beyond the obvious political calculations?

Are we considering putting operational costs into the levy? Our current budget for Corrections is \$16.2m (2022). What happens to our Corrections operations budget if/when we fill the gaps we so plainly see need to be filled? Are we prepared to budget for those needs, or is the levy going to have some operational monies in it to bolster the budget?

What's the right size? Where? At some point we are going to need to decide on a size and a location. Frankly, it is my hope that someone is working on this in parallel with us, but I am not aware of this committee or group of county staff. Is the SAC responsible for determining size and location or is that beyond our charter? There are many best practices, requirements, political considerations, construction realities, acreage requirements, zoning issues, cost considerations, that we have not even gotten close to addressing in this process so far. The answers will determine the success or failure of this campaign. I am concerned that at the pace we are going, we are not going to be ready for the all important campaign for next year. But again, perhaps someone IS working on these issues and I am not aware of it.

What are our commitments to diversion? Since the last campaign (2017) our community has made some great headway with jail diversion efforts, LEAD, GRACE, and ART (when it's up and going). This will be important work to show for the campaign. As I understand it, these are all things that the post-levy failure listening session participants were looking for. Does our committee feel our community is on the right track with these programs, and the levy should concentrate on funding the build out of the jail itself? Is it in our SAC charter to recommend community diversion efforts as we put the levy forward? How is this part of our campaign?

What are our commitments to behavioral health? It's pretty clear to me that we need a recovery unit in the jail and other onsite behavioral health capacity, but our gap analysis show many other behavioral health needs in our community and throughout the state system. I am concerned that we are in grave danger of spending so much time on understanding all the behavioral health issues that affect incarceration, that we are not close to making these tough decisions: What is a commitment in our community vs. what gets designed into the facility for purposes of the levy.

What design should be recommended? I would expect that the jail design will be significantly different were it for building in the civic center, at Irongate, or on LaBounty. Should we consider a phased approach to initially build at a smaller size, but allows for expansion at a later date? I should think there are design patterns for jails that would make a lot of sense for our community (and the location - rural vs urban) and some that don't...however, I have no idea...and that worries me. When are these decisions going to be made, and what is the SAC's role in doing so?

Who are we serving? Who are we serving in the future? It's been pretty difficult to understand who is in the jail currently and why, then to determine, in the best of all worlds, who should be in the jail and who shouldn't. I suspect many of us might disagree on this subject, but it ultimately goes to determining capacity and jail build out, which most definitely is something the SAC is expected to weigh in on. It's an uncomfortable subject, but I'd like to see us wrestle with this. Currently, we are in a P2P meth and fentanyl crisis. It's changing a great deal in our community and affects our jail, behavioral health, policing, and court systems. We're in territory unlike anything we've seen. It affects our jail population, design, size, and features, and we don't know how it will change the jail population in the future. We'll want to plan carefully to be resilient and flexible. For instance, just 12 of nearly 300 in jail today are actually serving their sentence. Everyone else is pre-trial. Is this something we can expect in the future? Is it an anomaly?

What is the plan for an interim solution? With such a long lead time and with our jail in such poor shape, it would be a big mistake if we were not preparing for an interim solution to get us from where we are today, to a (hopefully) successful levy campaign, and construction. If I have learned anything in this process it is that our current jail is woefully inadequate for all people involved. I really hope that Whatcom County and Bellingham City leadership have already got plans cooking, as we are way behind, and a jail is still many years out. To one degree or another the SAC needs to be informed about these plans. It is one of the most pressing questions I get from interested citizens.

How do we address large and seemingly broken systems? It is not for SAC to fix the large State systems we are subject to, but we do have to work within them, and address them locally as best we can. A few obvious ones we've encountered: the competency restoration vicious cycle, the siloization of agencies and the lack of navigation for the users of the systems, underfunded and bogged-down courts, lack of accountability for anti-social/criminal behavior and few good levers to encourage people back into community and productive lives, lack of employment opportunities and housing for people leaving jail, systemic problems with properly treating co-occurring mental health and drug addiction issues in individuals...for a start. I hope that our plan is to make recommendations for a new jail for a successful levy campaign, AND to recommend to our state partners/legislators that large systemic changes happen to ease our burden locally.

Much of our work so far has been to understand the context for issues affecting incarceration. As a member of this committee, it would be helpful for me if we could now shift to address the issues above and start shaping a plan. I'm sure there are 35 of us on this committee because this effort is going to need a lot of champions. Help me be a good champion.

Thanks,

Peter Frazier