

Incarceration Prevention and Reduction Task Force: Legal and Justice Systems Committee

Meeting Summary for October 11, 2022

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1. Call to Order

Committee Chair Raylene King called the meeting to order at 11:31 A.M. The meeting was held via remote-only Zoom Webinar.

Members Present: Arlene Feld, Stephen Gockley, Raylene King, Jackie Mitchell, Darlene Peterson, Donnell Tanksley, Bruce Van Glubt, Maia Vanyo

Members Absent: Bill Elfo, David Freeman, Deborah Hawley, Eric Richey,

2. [Update on Domestic Violence Offender Treatment Programming \(01:04\)](#)

Van Glubt and Jake Wiebusch, Probation Manager for District Court, gave an overview of the status of the Domestic Violence (DV) Offender Treatment program. Main points included:

- The program is down to one provider, Phoenix Counseling, in addition to a Lummi Nation provider.
- The Domestic Violence Perpetrator Opportunity for Treatment Services (DVPOTS) program monitors reimbursement for treatment services for indigent defendants.
 - There are 17 individuals currently receiving funds through DVPOTS and 47 people to date have come through the program.
 - Treatment provider availability has been a challenge for DVPOTS.
- Family Justice Court has been established by Judge Anderson to address barriers to success.
 - This is a review calendar held every three weeks for those receiving funding through DVPOTS and is an opportunity for the judicial officer to hold the individual accountable.
- They also offer a Domestic Violence Moral Reconciliation Therapy (DV MRT) program, which is a 24-step program utilized when the standard module isn't successful or if an individual is above the threshold for indigency. This program attempts to change individuals' beliefs.
- Non-intimate partner assault defendants may participate in an eight-week anger management program, which is also offered under the MRT umbrella.
- In response to a question about outcomes, Van Glubt said that the MRT program has been shown through evidence-based research to reduce recidivism. Locally, they have not been running the program long enough and do not have a big enough sample size to identify trends. Members discussed different ways to measure the effectiveness of a program.
- Five probation officers are trained in DV MRT, four are trained in standard MRT and two are trained in anger MRT.
- DV MRT is currently held via Zoom in the afternoons and the timing does not seem to be a barrier. Zoom seems to facilitate participants opening up in a different way.

3. [Status of Jury Trials in District Court \(25:35\)](#)

Van Glubt gave a presentation on the status of jury trials and jury coordination services provided by District Court.

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- Jury coordination is housed with District Court and provides coordination services for District Court, Superior Court, and the City of Bellingham. They often have very little lead time for putting together a jury, which means their team has to be ready at all times.
- During the pandemic, this service took more staff time and resources because trials would be canceled with little to no notice and they had to put extra precautions in place for those trials that were run.
- Jury summons mailings have increased from 600 per week pre-pandemic to 800 currently.
- So far this year, District Court has run about 12 trials and Superior Court has run about 13.
- District Court currently has enough resources to run more trials and they did not see the big influx of jury trials that they were expecting. District Court does not have a backlog of trials.
- Peterson gave statistics on the City of Bellingham's status with regards to trials. She stated that they have 23 trials pending, which is not unusual. She said that a backlog has not materialized for trials, but there is one for warrants. They have 466 warrants authorized but not ordered.
- In regards to remote hearings, Van Glubt said that they do provide the opportunity for remote appearance. Both defendants and attorneys can appear remotely. They have not done remote jury trials. Members discussed why remote jury trials are not a viable option.

Gockley asked why there is a backlog in Superior Court and why the jail is full with pre-trial defendants. Vanyo described some of the barriers, including complicated cases, wait time for competency restoration, and the inability of investigators to do work during the pandemic. She said the entire system is the bottle neck and that they are chipping away. She went on to describe some of their strategies to reduce the backlog.

Peterson added that when misdemeanor defendants are released before having an in-custody hearing, they often don't appear for court hearings. This causes the number of cases each defendant holds to increase and the number of warrants to stack up. She emphasized the need to have defendants heard before they are released.

Gockley asked about implications for civil litigation. Vanyo said that there are judges available to do the trials but they are reluctant to schedule them to trail criminal trials. Van Glubt said that civil jury trials are rare in District Court and they do not see the same dynamic as Vanyo described for Superior Court.

4. [Other Business \(57:30\)](#)

King stated that Mardi Solomon may send a request for feedback on items the subcommittee may be able to assist with.

5. **Public Comment**

There were no public comments.

6. **Adjourn**

The meeting adjourned at 12:20 PM.