

# SUMMARY OF TOWN HALL LISTENING SESSION FOR THE JUSTICE PROJECT

November 15, 2022 6:00 pm – 8:00 pm

## Introduction

The [Whatcom Justice Project](#) has many efforts underway to gather public input for the Public Health, Safety, and Justice Needs Assessment. In addition to a survey of the general public, focus groups, and individual interviews being conducted by [The Vida Agency](#), the Justice Project's [Stakeholder Advisory Committee](#) (SAC) hosted a Town Hall on November 15, 2022, 6:00-8:00 pm. This hybrid event was widely publicized and open to anyone who wanted to participate in-person in the Council Chambers (in the Courthouse in downtown Bellingham), or virtually. The focus of the Town Hall was to hear people's impressions of the vision, values, goals, and priority needs the SAC has identified, and listen to the public's opinions about incarceration and need for a new jail.

A [recording](#) of the full event and [presentation slides](#) are on the SAC webpage.

## Outreach Efforts

The Town Hall and the survey were publicized via Facebook, the County website, and the [Whatcom Justice Project website](#) in hopes of attracting a diverse group of participants from throughout Whatcom County. Also, emails were sent to approximately 100 contacts at organizations throughout the county with a request that they forward the invitation to their constituents. In addition, fliers were distributed to 53 county locations (e.g., libraries, post offices, senior centers) and posted on many bulletin boards around Bellingham.

## Event Format

People who participated in-person were given a packet of information that included the [agenda](#), a [description of the Justice Project Needs Assessment](#), the [draft vision, values, and goals statements](#), and [draft needs](#).

The two-hour Town Hall was facilitated by Holly O'Neil of Crossroads Consulting. The session began with [short presentations](#) to orient participants to the topic, and the remainder of the time (80 minutes) was open for public comment.

## Listening Session Summary

- Approximately 35 people attended the Town Hall in-person, and about 70 participated online. Seventeen SAC members were in attendance (in-person or online) to listen.
- The facilitator began the session with a land acknowledgment and review of the agenda.
- The stated purpose of the Town Hall was to ask the community for input on incarceration change in Whatcom County, and gather feedback on the Vision, Values, Goals, Needs and Gaps that have been developed so far by the SAC.

**A summary of key points from the presentations and public comments follows. To view the video recording, click the links in the section headings.**

**Presentations**

**Satpal Sidhu, County Executive**

- Our community needs a justice & safety facility to replace the current inhumane and inadequate, crumbling jail.
- Community members and county government have been working for 15 years to come to consensus on a plan to replace the jail.
- The cost has increased from \$50M to an estimated \$150M, to build a new jail, due to increased costs of materials, labor, etc.
- The key is to prioritize the needs and then decide on sequencing and funding. There is a delicate balance between the needs and wants, and the resources we have at this time.

**Tyler Schroeder, Deputy Executive** – Review of Recent History

2011	2012	2013	2014 - 15
Jail Planning Task Force is developed to address overcrowding and increased need for behavioral health and other services.	Task Force recommends building a new, expanded jail facility.	Whatcom County purchases land in Ferndale for \$6.1 million for a new jail facility.	Voters reject proposition No. 2015-1 to fund a new, expanded jail with a 0.2% sales tax increase. Incarceration Prevention and Reduction Task Force (IPRTF) is established 2015
2017	2018	2020	Early 2023
Voters reject proposition No. 2017-6 to fund a new, expanded jail with a 0.2% sales and use tax.	County conducts a Listening Tour and an online survey.  Participants ask the County to prioritize rehabilitation over punishment and address the root causes of incarceration.	County forms a committee to develop a Justice Project Needs Assessment and engages diverse communities to provide feedback and help guide recommendations.  SAC convenes Jan. 2022	Justice Project Needs Assessment available for public viewing.

**Stephen Gockley, Co-Chair, Incarceration Prevention & Reduction Task Force (IPRTF)**

- The IPRTF was created by Council Ordinance in 2015 after the first ballot initiative was defeated. There is consensus that a new jail needs to be built.
- Recommend everyone view the [video jail tour](#) to get a sense of current conditions.
- IPRTF members have provided considerable expertise, background information, and data to support the SAC’s work, and many IPRTF members serve on the SAC. The IPRTF hopes to endorse the SAC’s recommendations.
- There will be issues identified that are critical to reforming the criminal legal system, but are outside the scope of the SAC, and this long-range work will likely fall to the IPRTF.
- The IPRTF is a diverse group of governmental representatives and community stakeholders (service providers and people with lived experience).

- The functions of the IPRTF: To identify issues, prioritize issues, make recommendations to advise County Council and the County Exec., catalyze change, initiate reforms, share information and promote collaboration across multiple systems.
- The IPRTF is designated to serve as the County's Law & Justice Council. The IPRTF's focus is on incarceration prevention & reduction, but as the L&J Council, the charge is to advise the County on all criminal legal system issues including the jail.
- The structure of the IPRTF is a number of committees (Steering committee, Legal & Justice Systems, Data, and Behavioral Health) and work groups (e.g., pretrial issues).
- The IPRTF is a model effort for promoting positive change in the criminal legal system and has collaborated with many well-respected entities (e.g., Vera Institute, UW).
- The IPRTF adopted a commitment to reduce racial disparities in the criminal legal system.
- IPRTF Accomplishments: Helping to conceptualize, promote, and develop the Anne Deacon Center for Hope (Crisis Stabilization Center); GRACE & LEAD diversion programs, Pretrial Services Unit, promotion of the Co-responder program and Alternative Response Team, and Recovery House.
- Ongoing work: Using best practices, evidence-based approaches, relying on expert advice, advocating for better data systems and data transparency, and continuing to advance racial equity. Currently focused on expanding capacity for behavioral health services, diversion programs, and support services for people re-entering the community after incarceration.

#### **Barry Buchanan, Councilmember and SAC Chair** – About the SAC

- After the 2018 listening sessions, the Council passed resolution 2019-036 that included principles for how to approach planning a new facility.
- Formed the SAC to conduct a needs assessment. The first meeting was scheduled for March 2020, but then COVID hit and the project was put on hold. Restarted the project in Jan. 2022 with a 38-member committee.
- The SAC has met 6 times so far.
- The SAC structure is based on the same model as IPRTF with governmental & nonprofit representatives, and community members, including people with lived experience in the criminal legal system.
- Purpose of the SAC: Guide the development of the Justice Project Needs Assessment.
- Formed the Behavioral Health Gap Analysis Team (BHGAT) to do gap analysis. Needs and recommendations came out of the BHGAT's work.
- In Sept. the SAC started talking about facilities.
- In Oct. the SAC started working on the Needs Assessment Report.
- At the meeting this Thurs. the SAC will work on the draft Needs Assessment.
- The SAC will incorporate tonight's input and that gathered by The Vida Agency.
- Plan to approve the final report at the Jan. 19 mtg. and then the IPRTF will discuss it.
- The report will be presented to Council Feb. 7.

#### **Introduction to the Listening Session**

- Review of process: Each person was given two minutes to speak. The facilitator alternated between calling on people in the Chambers and the online audience. People were encouraged to email any additional comments in writing to [sac@co.whatcom.wa.us](mailto:sac@co.whatcom.wa.us) to be posted on the [SAC webpage](#), and to complete the Justice Project survey.

- While participants could express whatever they wanted, they were encouraged to address two key questions:
  1. What do you think is important for our community to help improve public safety, and prevent and avoid incarceration?
  2. What do you think is important to consider for a new jail facility?

### Comments from Listening Session Participants

Thirty-six people made public comments. Everyone who raised their hand to speak had a chance to do so before the session ended. Key points made by speakers are summarized below. The factual accuracy of people’s statements has not been confirmed for this analysis. Many people’s comments fell into more than one category so they are counted more than once in the tallies, but the full comments are only presented in one category below.

### **Results**

**14 people spoke to the need for a new jail.** Many acknowledged previous failed efforts to pass a tax for a jail and rising costs to build a new jail. Some wanted to build on the previous work, noting that the LaBounty property is already purchased and there are models for a jail design. They expressed concern about crime, and the opinion that, while services are important, a new jail is a top priority.

Examples:

- We need a jail. Everybody agrees... We have the land zoned for a jail, and we have a plan from the Snohomish Jail. We were going to build pods for jail out there. We need to bring that forth to the public and make a decision. Safety is a prime responsibility.
- To improve public safety, we need to understand we’re not talking just about homelessness, mental health (MH), substance use disorders (SUD), we’re talking about the criminal element that makes us feel unsafe. We need services, we know that’s an issue, but we need a new jail. We have a 97-page report from 2013 with info about the facility, and the Snohomish model to pull from. We need trained staff and good infrastructure. That needs to be our first focus.

**9 people stated that they feel like Bellingham is less safe than it used to be because we don’t have enough law enforcement.** They blame the COVID vaccine mandate for all city employees that was enforced by the mayor and resulted in some officers being let go. These speakers argued that the city needs more police to address increasing crime, and that they should rehire these experienced officers (with back pay). Many also stated that a new jail is needed but they believe this will take five years to complete, so while the jail is a high priority, they are focused on the near-term action to increase law enforcement by hiring back the officers who left.

Example:

- Our community isn’t safe. Through decisions of leaders by unconstitutional vaccination mandates we lost officers. We need a fix now. #1 thing you can do is contact officers you fired. Make it right. They are who we need to get community on the right track. Have to pay them back pay. It will be wonderful if they will come back. We do need the jail. There are consequences to choices. We don’t need more parks. It doesn’t matter if we have that good stuff because the good people are moving out of the area. Tired of being accosted, and not feeling safe at night. We can’t wait 5 yrs. We need it now. Find the money, use the money, do it!

**8 people spoke explicitly about the importance of accountability and the threat of punishment to decrease crime.** They stated that changes in laws have made challenging for law enforcement to do their job, public safety has been compromised, and criminals are out of control. Deterrence through tougher penalties and putting people in jail is the proposed solution to reducing crime.

Example:

- The police are handcuffed so there isn't anything being done to stop a crime that is taking place. There is no deterrent. If you arrest someone they will go back on the street because there isn't jail space. Laws have gotten too soft. When you have no deterrence, you're going to have crime. There is a lack of regulations and enforcement. We need to do something more quickly than 5 years from now so the police, courts, and jail have the resources they need to make sure people know that if they commit a crime, there will be consequences.

**8 people prioritized the need for community-based services to prevent incarceration (e.g., mental health, substance use treatment, housing).** These respondents prioritized increasing community-based services over putting people in jail as the way to increase public safety. They cited homelessness, mental health, and substance use disorders as major underlying issues that need to be addressed to reduce incarceration.

Examples:

- To improve public health and safety, we need more people to be involved, and need our leadership to encourage and nourish involvement. I watched the jail tour video. The mold falling down on people is making people unsafe. Our government agencies and community agencies do things that make people unsafe. We need to provide services people need inside the jail, but mostly provide services outside the jail to keep people out of it.
- I commute to work on foot/bus through downtown every day. I feel very safe. I do see homeless folks. There aren't adequate services for them. We need to do more. We can't understand the need for a jail if we're using old, biased frameworks for understanding that. In an environment where we're not providing adequate housing and services, we're still contributing to that ingress for new incarcerated people. We can't use data from that and say we understand the need for a jail. We need to first focus on services and housing, then we can look at jail needs. Do this in the right order. Get rid of punishment mentality and focus on people as human beings.

**Three additional comments** were made that did not clearly fall into the above categories:

- Substance use is a disease not a moral failing. Mental health too. Incarcerating people who are ill in a jail is reprehensible. The fact we are doing it in the current jail is horrifying. Nobody should be living or working in that. Question is about "increasing capacity of diversion programs." (e.g., Mental Health & Drug Court). My understanding is that neither of those programs is ever full. We have some community pieces that aren't being implemented. Why? There is discussion about it being dangerous in the community. It's not unsafe here. It's uncomfortable because there are a lot of homeless, mentally ill. Seeing them on the street is uncomfortable. Why is the jail giving people Subutex rather than Suboxone in jail. Suboxone is far better. I think that's about money and that's a disservice.
- There is an exhaustive list the county needs to improve for public safety, and improve the lot of these folks that are screaming for help. I want to encourage there to be funds toward public facing data interface for what's going on.

- Reiterate about assistive living not having enough people due to mandates. I do in-home healthcare through COPEs program. I lost one because we couldn't go in and see them. I'm a single mom with 2 boys. Had to move from Bellingham to Blaine because they raised rent \$250. I can't afford that. I live in the Birchwood neighborhood. When the Salvation Army changed things, my kids couldn't go to the 7-11 without being asked to buy drugs. People/businesses are getting pushed out of Bellingham because of the crime. What's left? Criminals. Do something or Bellingham won't be what it was.

**Several people spoke from their unique role and perspective within the criminal legal system** (they were commenting as a citizen and not as a representative of a particular organization). Most of these comments are a call for more services for people involved in the criminal legal system:

- An advocate for people in the criminal legal system:
  - The Restorative Community Coalition has been studying the problem of mass incarceration in the world and the US outpaces everyone. Why is our county so determined to build another incarceration facility in the county? Over the past three years, we have been in lockdown. I had conversations with people in the community who are not part of the system, and have submitted a document. We have a choice to build a large facility and put services inside it, or build a small jail and put massive services in the community. It's a better return for taxpayers to build a small facility and put services in the community.
- People with lived experience in the criminal legal system:
  - The most important thing to prevent crime (violent or economic), as well as to heal from having committed a crime, is to find safe places to cry. All crime/unhealthy behavior comes from past trauma, which means unshed tears. A safe place to cry, whether in jail, in rehab, homes, businesses. Human beings need to express pain through tears. It's not a bad thing to cry, it's necessary to retain our sanity.
  - When you threw me in jail you hadn't done any work on that jail. The ceiling was falling down on my head. I was denied medication for my mental health while having a mental health crisis and couldn't go to the hospital. The jail is filled with people needing mental health services. Until you address their mental health issues and get places to put people when they get out of jail, a bigger jail is not the solution. What's going to happen when people get out of jail and nobody will rent to them or give them a job because they have a record and you've spent all the money on a fancy new jail and nothing for the services we need more than anything else? There are so many people who need detox services and can't get them. You need to work on mental health. Jail is not a mental health hospital. You don't have officers qualified to deal with them. You need a mental health facility and services. There are hundreds of women who are locked up in jail instead of their perpetrators. Until you fix issues none will be solved.
- Provider of services for people who are homeless:
  - I'm with Community Outreach Services. I do a lot with homelessness. This is a call for services before the jail. We need to bring it under control in a calm, rational fashion. We have had a homelessness emergency since 2017. Engage that group where we find an inordinate amount of mental health/substance use disorder issues. We still have five years to wait for a jail to come on line. We need to help these people right away. If you do a jail in

a remote location, we know people who use the remote court system are more likely to be found guilty than if you are in person. Must provide services before jails.

- Re-entry Specialist in the jail:
  - I am the re-entry specialist at Whatcom County Jail. There was no re-entry specialist from 2020-2022. For this year there was one mental health specialist until she went on maternity leave in Sept., then we got a couple more. We don't have enough room for more re-entry or mental health specialists. I'm trying to set inmates up with mental health and substance use disorder (SUD) services and housing when they get out, but there are no services or available housing for them. We have one individual who does SUD assessments in the jail. It's really difficult. Hope that, as a community, we can work together to get these services.
- Corrections Deputy with the Whatcom County Sheriff's Office.
  - I've not been asked to participate in this. I'm here to give the perspective of a corrections officer in jail. I've been there 21 yrs. Recovering from a traumatic brain injury from dealing with a person in jail. There's a whole different perspective inside the building. The video tour doesn't do it justice. You don't hear the banging and kicking. Smell the feces people are smearing on the windows. You don't see the inmates who are deteriorating waiting for services in Western State Hospital. Civil flips: After waiting for 4-6 months for no bed dates, their crimes are dismissed and they are civilly committed for two months or so and then released into the community. There are a lot of global things that need to be done to correct what is going on.
- Former deputy in the Sheriff's Office:
  - I worked for the Whatcom County Sheriff's Dept. in the jail for 27 years. I was on the Jail Yes Committee in 2004 when citizens voted for 0.1% tax to finance a new jail. In 2008, Pete Kremin proposed we take the money from that into taking care of the jail and stop financing from the general fund at the 2006 level. Why did the vote go wrong in 2015? It's because people didn't trust the Council to do what they said they would do. In 2017, local attorneys said they didn't want to move to LaBounty. They made a campaign against it. We need to correct that history. If we start working on the LaBounty property now, it will take time to do the ground preparation before we can do construction. How many millions of dollars have been spent fixing the jail when it should have gone to a new jail?
- Former Bellingham Police Officer:
  - I worked downtown as bicycle officer for two years working mostly with transient population. As a bike officer, I held everybody accountable. At the end of the day, they said thank you because I always treated them as a human. What is happening is not humane. We've tried housing people without treating their issues in 22 North and have seen what a disaster that was. More harm than good. Have learned from that. I'm a proponent of a new jail. In response to why Drug Court & Mental Health Court aren't being used. It's because we can't arrest them on drugs anymore so we can't force them into Drug Court. I fully support having a jail, and after, legislation to not have to have it on their record after they have done their time. That is more humane.

### Wrap Up and Next steps:

Holly O'Neil, facilitator, thanked everyone for their participation and offered her appreciation to the members of the SAC for being here to listen. Notes from this session, taken by Mardi Solomon, also of Crossroads Consulting, will be summarized into a report and provided to the SAC for consideration at their next meeting on December 15.

Attendees were encouraged again to watch and share the [Jail Tour Video](#) and take the online survey (closes Nov 18). If attendees had any additional comments, they were asked to send them via email to: [SAC@co.whatcom.wa.us](mailto:SAC@co.whatcom.wa.us). Councilmember Barry Buchanan thanked everyone for attending.