

From: Cathy Halka
To: Brel Froebe
Cc: Holly O'Neil; mardi@crossroads.pro; Barry Buchanan; SAC; Dana Brown-Davis
Subject: RE: THURSDAY: SAC Meeting 7 - Justice Project - Nov 17th at 10am
Date: Friday, December 16, 2022 2:18:50 PM
Attachments: image001.png
12 15 22 Brel questions and Corrections Responses.pdf

Hello, Brel,
Please see attached responses from corrections staff. Sorry for the delay in providing these to you. I will also post it on the Comments on Justice Project webpage.

Thanks,
Cathy

Cathy B. Halka, AICP *(she/her)*
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This email is subject to disclosure through the Public Records Act.



From: Brel Froebe <brel.alexandre@gmail.com>
Sent: Wednesday, November 16, 2022 8:06 PM
To: Cathy Halka <CHalka@co.whatcom.wa.us>; SAC <SAC@co.whatcom.wa.us>; Barry Buchanan <BBuchana@co.whatcom.wa.us>; Holly O'Neil <holly@crossroads.pro>
Subject: Re: THURSDAY: SAC Meeting 7 - Justice Project - Nov 17th at 10am

Hello,

Thank you so much to the folks who were involved in making the jail video. It really helped me get a better understanding of the current state of the jail. It also brought up a number of questions. I know there is no way all of these can be answered during tomorrow's meeting, but I'm hoping that sometime soon the answers can be shared with all SAC members and the public.

With gratitude,
Brel

HOUSING CAPACITY QUESTIONS:

At one point Lt Erickson says that the jail was designed for 148 inmates, but that it often incarcerates 185-200 inmates. Were the dormitories part of the original design? Have the capacity of dormitories been expanded to accommodate more people? Of those 37-52 extra people, what percentage end up being a third body in a cell?

What is the capacity of the jail if only 2 people were in the cell (as opposed to fitting 3)? What is the capacity of the dorms in the jail?

Is there data on how often the jail has 3 people per cell? Was that occurring during covid regulations? Is that currently happening? If so how frequently? and on average how long are there 3 people per cell? In other words, is this something that people experience for a couple of days and are then moved to an opening, or are there prolonged periods where 3 people share a cell more long term?

The video mentions that a room that has a shower is often used for housing? How many rooms does this apply to? how much would it reduce the overall capacity to have these rooms to be used for showers instead of housing?

How is it determined who is in a cell and who is in a dormitory in the jail?

What is the living situation for people who have been charged with violent felonies? If someone has a history of violence when incarcerated, what is that person's living experience like in the jail?

how many trustees are there? What's the capacity for the trustee dorm?

MAINTENANCE QUESTIONS:

How frequently is the mold cleaned? Who is responsible for cleaning the mold?

There is a common theme of bad ventilation, in the kitchen, shower, housing, etc. Was ventilation not properly constructed initially, or is it a problem that has gotten worse to some sort of malfunction/deterioration?

Why hasn't the laundry machines been fixed? This doesn't seem to be a facilities issue, but a decision or lack thereof to maintain/repair/replace machines that would be the issue in any facility. It seems odd that this hasn't been dealt with by jail admin. I hear that there is an issue that machines need to be disassembled in order to be repaired/replace. Is this challenge somehow prohibitive in having adequate machines?

Why are the elevators unreliable? Are these elevators any less reliable than any other elevator that's in operation? Why aren't they repaired under normal maintenance protocols? This seems like something that any building maintenance budget needs to account for, for example the Bellingham Towers building. This question might sound a little snarky which is not my intention, but I'm genuinely trying to understand why this isn't something covered by routine maintenance since the building was designed to have elevators.

The video says that the cracks in the rec area are being monitored. What is the status of the cracks as far as structural integrity?

SAFETY QUESTIONS:

In regards to the placement of the control panel, and line of sight challenges more generally, Erickson mentions that it's a dangerous situation for officers and inmates because in certain areas the officers can't see what's going on with fellow officers or inmates. What kinds of dangerous situations have occurred? How frequently have there been dangerous situations due to this challenge?

If there is a concern around inmates accessing the power/water hookups, is there some reason why lock boxes haven't been installed around power/water connections? Again this seems like something that would be needed in any facility, is there some reason why this facility isn't capable of this kind of installation?

CAPACITY FOR SERVICES QUESTIONS:

The video says that there isn't the ability to do "good" mental health or behavioral health screening because of space limitations. Could this be elaborated upon? How do the space limitations prevent this from happening?

How much of a space expansion would be needed in order to serve current jail population numbers?

What kinds of services and treatment (medical or other) are provided off site, for example the hospital? Are there restrictions on who can and can't access those services?

Original kitchen capacity was for 148, around 500 meals per day. it serves 1200-1500 meals per day. Why aren't Juvenile and work center providing their own meals? Why was it decided to not include kitchen capacity for those 2 facilities?

At the time of the jail construction (in 1986 or whenever), was there a juvenile facility? If there was one, where were they getting their food from? Was the intention always to provide food for the juvenile facility?

What was the dry goods food supply room used for beforehand if it wasn't used for a women's outdoor rec area?

Why would a courtroom be put inside a jail? Are there no other options nearby to have a courtroom? This is concerning for a number of reasons, least of which is the impact of having a courtroom inside a jail has on the presumption of innocence until being proven guilty. Is there not a lower security room elsewhere that can be used?

In jails in general (not just this one), is it standard that visiting areas have a barrier between people? In some prisons there are visiting areas where families can visit without barriers. Is there some statute that prohibits that in jails, or is that just how this jail is designed?

Why was the basketball hoop taken out?

PERSISTENT QUESTIONS (questions I had before the tour, but are still unanswered):

What is the rationale for having inmates on a 23-1 schedule? Is this a staffing issue? Are there any building design issues that contribute to the 23-1 protocol? Or some combination of staffing and building design? Is this just part of the reality of being in jail, because jail is a consequence for one's actions? Or are there some other reasons why the administration thinks having a significant portion of the jail population on a 23-1 schedule is beneficial and appropriate?

Does the Jail have data on what percentage of the population are incarcerated for violent crimes?

Does the jail have any data on the efficacy of incarceration to change behavior? Does the jail have recidivism rates of inmates? Does the Whatcom legal system have data on recidivism rates for alternatives to incarceration?

Does the jail have data on how many inmates are incarcerated because of inability to pay bail?

On Wed, Nov 16, 2022 at 3:23 PM Cathy Halka <CHalka@co.whatcom.wa.us> wrote:

Dear Stakeholder Advisory Committee Members,

The Stakeholder Advisory Committee's next meeting is **TOMORROW** on **Thursday, November 17, 10:00 am to 12:00pm**.

SAC Member join link (do not share): <https://us06web.zoom.us/j/86094119077?k=HL-cFwgeR7gftxFtPhX6ASUwhPS4dsiecSWd5Zx6Ow.DQMAAAUC5wApRzkM0IC53Jfa1NoQ2w1MFdHQ2IGUllRAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA&pwd=aDBCyzFOYzB0dGcyZ3pCRy9BMGYvZz09>

Attached is a meeting agenda and the following materials:

- Vision, Values, & Goals Poll Results
- Jail Location Poll Results
- Needs & Recommendations Poll Results
- Proposed Revisions to the Needs & Recommendations

This meeting will be very interactive so please come prepared, having read these materials.

The **Town Hall Listening Session** held yesterday was well-attended in person and online. Thank you to those SAC members who took the time to join the meeting and hear feedback from the public. If you missed it, please consider watching the video, which is available online on the [SAC Meetings & Additional Information](#) page.

And finally, if you haven't already, please watch the [Jail Tour Video](#) before we meet on Thursday.

Thank you!

The SAC Planning Team

Cathy B. Halka, AICP (she/her)

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Questions submitted by a SAC member

HOUSING CAPACITY QUESTIONS:

At one point Lt Erickson says that the jail was designed for 148 inmates, but that it often incarcerates 185-200 inmates. Were the dormitories part of the original design? Have the capacity of dormitories been expanded to accommodate more people? Of those 37-52 extra people, what percentage end up being a third body in a cell?

A: Yes, all but 1 of the dorms were part of the original design. There were three, 8-person dorms on 3rd floor and one, 20-person dorm on the 1st floor. Two of the dorms were modified to allow more beds; the dorm on the first floor went from 20 to 30 by purchasing some additional bunk beds. One of the dorms on 3rd floor went from 8 beds to 18 beds by breaking through an interior wall that had separated the dorm room from the indoor recreation area. Additional bunks were bought and installed. However, in neither of the expanded dorms were additional showers, toilets, or sinks installed. On third floor, this left 1 toilet and 1 shower and 1 sink for up to 18 women. There was a dorm room created on the 2nd floor in the area that was originally designated for indoor recreation. It now houses up to 16 offenders who work as Inmate workers (in the kitchen, laundry and cleaning). The additional offenders were mainly placed in the expanded dorms. A second bunk was installed in all but one single cell room, and just prior to opening the work center, many of the rooms on 2nd floor had a third roommate. That practice has basically stopped on the 2nd and 3rd floor, due to the increasing behavioral issues we are experiencing, but is used fairly frequently on the 1st floor for offenders who need closer observation for short periods of time.

What is the capacity of the jail if only 2 people were in the cell (as opposed to fitting 3)? What is the capacity of the dorms in the jail? We have set the capacity of the downtown jail at 212. This is primarily driven by the number of people housed in general population, 2 bunk, housing. As of today (11/21/22) we have 29 double cells that are restricted to single occupancy due to the offenders who are being housed in them. This effectively reduces our capacity by 29.

Is there data on how often the jail has 3 people per cell? Was that occurring during COVID regulations? Is that currently happening? If so how frequently? and on average how long are there 3 people per cell? In other words, is this something that people experience for a couple of days and are then moved to an opening, or are there prolonged periods where 3 people share a cell more long term? Since the opening of the Work Center in 2006, triple bunking has become something that is used for a few days, then the person is either moved or released (bail or PR). We have never kept stats on this status, so I have no way of going back into old records for hard numbers. Prior to that, it was not unusual to have triple bunking for weeks at a time.

The video mentions that a room that has a shower is often used for housing? How many rooms does this apply to? how much would it reduce the overall capacity to have these rooms to be used for showers instead of housing? On the 3rd floor there is a room that was designed to allow a larger space to exercise. This space, about the size of an average living room, also has a shower and toilet/sink unit. Some years ago, four sets of bunk beds were placed in the larger portion of the room, giving us space for up to eight individuals. It frequently will fill up over the weekend, prior to people being bailed out or the Court releasing them on a promise to appear in court.

How is it determined who is in a cell and who is in a dormitory in the jail? :There are a multitude of factors: prior incarceration, institutional behavior, health issues, behavioral health issues, naïve or 1st

time offenders, being under the influence (alcohol, Opioids, Meth, etc.) and a risk for withdrawal, individuals who have a mobility issue and may need assistance (canes, wheelchairs) or hearing or sight issues, people with cognitive concerns (Traumatic head injuries, Dementia, Downs, Autism spectrum), elders who may need some additional care, etc. Depending on both a physical assessment and classification assessment, we will work to place them in housing that will best fit their needs. Unfortunately, the number of people who need additional accommodations exceeds our spaces, and none of the cells are ADA compliant.

What is the living situation for people who have been charged with violent felonies? If someone has a history of violence when incarcerated, what is that person's living experience like in the jail? If they are an individual who is known to use and has a history of acting out violently they will be placed in more secure housing (an isolation or 23/1 cell) until classification get the chance to talk with them. People can and are moved out of the most restrictive housing as soon as we can do so. They may be moved to a "half-rack" unit (half the people are out of their cells for eight hours, then they lock down and the other ½ are out) or units that open at 0600 and lock down at about 10:00 PM. We are working out a "quarter rack" where 1/4th of the offenders can be out for four hours, then the next quarter, etc. The additional out-of-cell time gives people the chance to use the phone, exercise, shower, sit and talk with the other people in the unit.

how many trustees are there? What's the capacity for the trustee dorm? There are two types of Inmate workers: kitchen/laundry and tank. The kitchen/laundry work in the jail kitchen, laundry room and clean common areas of the jail. They live in a dorm unit on the 2nd floor, in the space that used to be used for indoor recreation. It will hold 16 people. Currently we have nine of this category of Inmate worker. Tank "trustees" are assigned to each of the housing units. For the smaller units, it is usually one person, for the large dorms and larger 2nd floor housing units, or the large dorms at the Work Center, there are usually two or three people who do the general cleaning, help with meal trays, etc. All of the Inmate workers get the same time off of their sentences, 1/3rd.

MAINTENANCE QUESTIONS:

How frequently is the mold cleaned? Who is responsible for cleaning the mold? In general, cleaning is done on a daily basis. Regarding the mold/mildew seen in the video, that needs to be cleaned by Whatcom County Facilities Management. The HVAC system has been insufficient almost since our opening. As the population continued to rise, the demands on the system also increased and problems became worse. Due to the limits in the system and building design, the mildew/mold grows back very quickly due to the poor air circulation in the kitchen and dorm 156. Facilities is reaching out to companies that have expertise in these types of issues.

There is a common theme of bad ventilation, in the kitchen, shower, housing, etc. Was ventilation not properly constructed initially, or is it a problem that has gotten worse to some sort of malfunction/deterioration? The ventilation system was barely adequate when the jail was opened. It was designed for air exchanges for 148 offenders. When the population began to grow, it was unable to keep up. It was basically underpowered for the workload.

Why hasn't the laundry machines been fixed? This doesn't seem to be a facilities issue, but a decision or lack thereof to maintain/repair/replace machines that would be the issue in any facility. It seems odd that this hasn't been dealt with by jail admin. I hear that there is an issue that machines need to be disassembled in order to be repaired/replace. Is this challenge somehow prohibitive in having adequate machines? The dryers have been repaired since the video was originally made. The issue apparently

was what everyone seems to be dealing with; supply chain problems. In order to replace the washers and/or the dryers, they would have to be torn apart. When the jail was built, the machinery was put into place before the doors were framed in and as a result, the doorways are too narrow to get the available industrial machines into the laundry room.

Why are the elevators unreliable? Are these elevators any less reliable than any other elevator that's in operation? Why aren't they repaired under normal maintenance protocols? This seems like something that any building maintenance budget needs to account for, for example the Bellingham Towers building. This question might sound a little snarky which is not my intention, but I'm genuinely trying to understand why this isn't something covered by routine maintenance since the building was designed to have elevators. Whatcom County (THE FOLLOWING ELEVATOR INFORMATION WAS PROVIDED BY COUNTY FACILITIES:

1. Why are the elevators unreliable?

Response.

The Elevators are original to the building from 1980 and parts are no longer manufactured. Specifically, they run on Solenoids that are no longer manufactured. Eltec, on behalf of the County, has all remaining Solenoids in stock that we could locate. Additionally, we are purchasing solenoids on the open market and having the renewed to have spares.

Additionally, we changed elevator service providers in 2021. Our former service provider had a technician that was well versed in maintain the older elevators in the jail. Eltec's service technicians did not have this experience in house until they brought up a service technician from their southern division to school the local techs.

It should also be noted that we are currently under contract to replace these elevators.

2. Are these elevators any less reliable than any other elevator that's in operation?

Response

No/yes. It should be noted there is a substantial difference between the Jail elevators and other elevators in our fleet. The Jail is a 24/7 facility. The County has no other 24/7 facility that has elevators. So the use in the jail is equal to double or triple the amount of hours of operation in any given year. So, the wear and tear is accelerated over other elevators in the fleet. in need of maintenance.

3. Why aren't they repaired under normal maintenance protocols?

Response

All Whatcom County Elevators are under a "Platinum" repair and maintenance program with our service provider. Again it is not the fact that they are not well maintained, it is the fact that they are at the end of their useful life.

4. This seems like something that any building maintenance budget needs to account for, for example the Bellingham Towers building. This question might sound a little snarky which is

not my intention, but I'm genuinely trying to understand why this isn't something covered by routine maintenance since the building was designed to have elevators.

Response.

As previously stated, all elevators are under contract for repair and maintenance by our certified vendor. The simple fact is they are outdated and have lived their lifespan.

On these particular models they no longer make the solenoids required to run the elevator's, and parts are becoming extremely difficult to source. Currently Whatcom County has elevator vendors

notifying us when one of these models go out of service or are replaced so we can obtain the older solenoids that are in working condition to add to our back stock.

The video says that the cracks in the rec area are being monitored. What is the status of the cracks as far as structural integrity? Per Facilities, they are continuing to monitor the cracks. At this point, there are no indications that there are any structural issues related to the surface cracking.

SAFETY QUESTIONS:

In regards to the placement of the control panel, and line of sight challenges more generally, Erickson mentions that it's a dangerous situation for officers and inmates because in certain areas the officers can't see what's going on with fellow officers or inmates. What kinds of dangerous situations have occurred? How frequently have there been dangerous situations due to this challenge? The most frequent issue we face with lack of line of sight is spotting issues when they are first starting. All an offender has to do in most of the housing units is step into a cell and we are unable to see what is going on. We have assaults and fights on a regular basis. We discovered during a shakedown of a unit that the residents had been able to remove the mortar between the cinder blocks in the interior wall with a pencil. We have constant issues with offenders arcing light switches to create an ignition source. There is always a risk when Deputies are responding to an emergency situation that it could be a ruse to jump Deputies entering the housing unit. In a quick query of the Jail's Record Management System of incidents that had occurred between 01/01/22 and 12/01/22, the following incidents were reported:

- 43 incidents of Offender on Offender Assault with injuries
- 28 incidents of fighting between 2 or more Offenders
- 13 incidents when a Deputy was assaulted by an Offender
- 41 Instances of self-harm
- 15 suicide attempts

I am unable to narrow this down just to the issue with the unit control panels; we can report that the general line of site issues makes it much more difficult for the Deputies to do their job.

If there is a concern around inmates accessing the power/water hookups, is there some reason why lock boxes haven't been installed around power/water connections? Again, this seems like something that would be needed in any facility, is there some reason why this facility isn't capable of this kind of installation? The lint traps are located at the back of the dryers and need to be cleaned out with each use. Additionally, the space is so narrow that there is insufficient space for any type of lock box and the venting/water lines needed to operate the machines.

CAPACITY FOR SERVICES QUESTIONS:

The video says that there isn't the ability to do "good" mental health or behavioral health screening because of space limitations. Could this be elaborated upon? How do the space limitations prevent this from happening? The medical area has very limited space: There are only two treatment rooms and they are shared between all of the practitioners. In addition to behavioral health issues, clinics for the Physician, ARNP, Dentist, Nurses (assessment, follow-up care, physical examinations) all use those private spaces. Behavioral Health issues carry a significant stigma and privacy to discuss the symptoms someone may be experiencing is critical. Space isn't available in the current facility. In addition to medication to help with symptoms or in the case of MOUD (Medication-assisted treatment for Opioid Addiction) to function as a substitution to Opioids, there are a number of EBP (Evidence-based Practices) that have been shown to be effective with offenders. These include approaches such as MRT (Moral Reconciliation Therapy), CBT (Cognitive Behavioral Therapy), DBT (Dialectical Behavioral Therapy), MET (Motivational Enhancement Therapy), 12-Step programs, and CM (Contingency Management). They require space for group meetings. There is a single space in the jail, off of the Courtroom, that will hold a maximum of eight people, which is used for all small group meetings including education, faith-based, Domestic Violence victim's groups, etc. Monday through Friday, during normal business hours, the in-house Courtroom is being used for Court; this prevents using the small group room.

How much of a space expansion would be needed in order to serve current jail population numbers? We don't have a definite number yet. That will be part of the discussion we will be having with the entity who would be doing the building design, with the input of our Health Care staff, Corrections Staff, and Facilities.

What kinds of services and treatment (medical or other) are provided off site, for example the hospital? Are there restrictions on who can and can't access those services? All types of health care services and treatments are provided off-site. This year, it has included, but not been limited to: management of high risk pregnancies, chemotherapy, surgery, detainment at the Mental Health Unit at St. Joe's and in other treatment facilities in the state, eye exams, orthopedics, transfer to hospice, testing down at the U of W for the presence of a genetic disease, emergency surgery due to self-harming behavior, physical therapy, medicated treatment for substance abuse, IV medication treatment for antibiotic-resistant Staph and abscesses, follow up care for individuals injured prior to booking (most commonly due to vehicle crashes and, recently, gunshot wounds), etc. Any individual who needs care will be provided it. Some of the services, such as limited Physical Therapy or IV infusions, can be brought to the jail.

Original kitchen capacity was for 148, around 500 meals per day. it serves 1200-1500 meals per day. Why aren't Juvenile and work center providing their own meals? Why was it decided to not include kitchen capacity for those 2 facilities? It is more efficient to have a central production kitchen and then ship the meals to the other facilities. Juvenile picks up the meals, which are plated in thermal trays, and the Work Center meals are sent over in carriers that will keep the food at temperature for the trip and service. This system is the same one that is used by most school districts as it reduces duplication.

At the time of the jail construction (in 1986 or whenever), was there a juvenile facility? If there was one, where were they getting their food from? Was the intention always to provide food for the juvenile facility? This jail opened in 1984. And yes, there has always been a juvenile facility. Prior to the current jail being constructed, the jail was on the North side of the 6th floor of the Courthouse and Juvenile was across a foyer on the South side. Juvenile has always had their meals made in the jail kitchen and when the area was remodeled for the new juvenile space, a kitchen was not included.

What was the dry goods food supply room used for beforehand if it wasn't used for a women's outdoor rec area? It was used for the women's outdoor rec for a very short time.

Why would a courtroom be put inside a jail? Are there no other options nearby to have a courtroom? This is concerning for a number of reasons, least of which is the impact of having a courtroom inside a jail has on the presumption of innocence until being proven guilty. Is there not a lower security room elsewhere that can be used? The in-jail courtroom was put into place after the jail was built. It was done so that 1st appearances could be more efficiently and safely conducted. It provided a space that could be used by all of the Court systems, including the municipalities such as Sumas, Blaine, etc., which means that police officers are not pulled off of their regular duties to come to the jail, pick up the individuals, transport them to the municipal court, escort them through the individual courthouses in jail uniforms and restraints, and then bring them back to the jail to be held or released. With the current system, the Courts have first appearances hearings and some other small calendars, in the jail. If the offender is released by the Court, they are escorted back to their housing to get their bedding and any personal effects they may have and taken down to 1st floor to change out and be released. The other main issue is safety; especially for 1st appearances, feelings of family and/or community members can be very raw and volatile. We have had cases where threats were articulated against the offender, where individuals affiliated with rival gangs have come to the court appearance, fights have broken out in the courtroom observations room, and threats made against the court personnel. Additionally, we have had fights break out in the in-jail courtroom where additional Deputies were needed to control the situation. The response time is measured in seconds within the jail, vs minutes if they need to respond to the Courthouse. Having a physical separation, where members of the public can see and hear, but not be in physical proximity, increases security. For all trials, pleas, sentencing or special sets, the offender is taken over to Courtroom in the Courthouse.

In jails in general (not just this one), is it standard that visiting areas have a barrier between people? In some prisons there are visiting areas where families can visit without barriers. Is there some statute that prohibits that in jails, or is that just how this jail is designed? It is jail design. Prisons are able to run their visiting differently because the visitors are run through background checks before they are allowed to visit, along with physical searches. In jail, anyone with ID can visit any offender. Without a physical barrier, the risk of contraband, usually drugs, is very high.

Why was the basketball hoop taken out? Too many injuries resulting from very vigorous games. Primarily broken or dislocated knees or ankles, and facial injuries from the offenders throwing the basketball at another offender's face.

PERSISTENT QUESTIONS (questions I had before the tour, but are still unanswered):

What is the rationale for having inmates on a 23-1 schedule? Is this a staffing issue? Are there any building design issues that contribute to the 23-1 protocol? Or some combination of staffing and building design? Is this just part of the reality of being in jail, because jail is a consequence for one's actions? Or are there some other reasons why the administration thinks having a significant portion of the jail population on a 23-1 schedule is beneficial and appropriate? The jail was built to be flexible for the general population offenders. All of the units on the 2nd floor were unlocked at 6 AM and locked down at 11:00 PM. If someone was acting out, they were locked down in their cell as an adult form of "time out", for a few hours, then have their door unlocked. If we had a high-security offender, they were placed in the isolation areas on 3rd floor. Over the years, the percentage of offenders who acted out in a violent or dangerous manner has increased. As a result, the 10 isolation cells we have are insufficient to hold the number of people who cannot be housed with others. Currently we have three

of the 2nd floor housing units that have a capacity of 72 offenders (two people per cell), holding 43 people instead because it is unsafe to place a second person in the cell. If the jail was of a different design, and if staffing would permit direct supervision, I would anticipate we could reduce the number of people who had to be isolated.

Does the Jail have data on what percentage of the population are incarcerated for violent crimes? That is going to depend on what is considered to be “violent crimes”. If I include all offenses that would be considered “crimes against persons” vs property or drug crimes, that would be 66% of the population that was in jail between January and August of 2022 (last update to the information) had at least one charge that was a “crime against person”. This includes charges from Murder 1st to harassment.

Does the jail have any data on the efficacy of incarceration to change behavior? Does the jail have recidivism rates of inmates? Does the Whatcom legal system have data on recidivism rates for alternatives to incarceration? No, we don't. Part of this is due to the lack of the ability of the various computer systems to “talk” to each other and share information. The other part is the need to be very specific as to what we are asking. Example: what time span would we be looking at? What constitutes “recidivism” (ex. Being arrested, being sentenced on a new charge, violating parole or probation on an existing conviction?). An example of the difficulty can be found in the (BJS) Bureau of Justice Statistics reports which publishes recidivism rates for state prison offenders. They report that 62% of released state prisoners were arrested within 3 years and 71% were arrested within 5 years and 83% were arrested within 9 years. So, which time span reflects the “recidivism rate”? The arrest figures are different than the percentages of offenders who may have been re-incarcerated –BJS reports that 61% of offenders released from prison returned to prison within 10 years for either a new offense or parole/probation violation. So, another question: do we consider being reincarcerated for breaking a technical violation of Parole (no alcohol use) that would not have otherwise gotten someone sent to prison, or only count a new felony level offense for which they have been sentenced to prison. Tracking this measure is even more difficult in jails due to the rapid turnover of the population.

Does the jail have data on how many inmates are incarcerated because of inability to pay bail? Approximately 98% of the people in the Downtown jail are “pre-trial” meaning they have at least one offense that has not been adjudicated. All of these individuals would have bail set ranging from a few hundred dollars to \$1.5 million, depending on offense. To get an idea of how pre-trial offenders are released from custody, I ran a report for the Month of November for offenders who were released from custody, and then focused on the ones who were released on bail, on PR (Personal Recognizance-or promise to appear) or were being booked and released by the jail due to booking restrictions. The percentages are as follows:

PR = 42%

Bail/Bond = 36%

Book and Release = 22%.

For those individuals posting bail/bond, the total amount recorded for the month of November was \$1,781,035.00