

Whatcom County Council Criminal Justice and Public Safety Committee

**COUNTY COURTHOUSE
311 Grand Avenue, Ste #105
Bellingham, WA 98225-4038
(360) 778-5010**



Committee Minutes - Draft Minutes

**Tuesday, April 9, 2024
1:30 PM
Hybrid Meeting**

**HYBRID MEETING - ADJOURNS BY 2 P.M.; MAY BEGIN EARLY
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010)**

COUNCILMEMBERS

Barry Buchanan
Tyler Byrd
Jon Scanlon

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Committee Chair Barry Buchanan called the meeting to order at 1:47 p.m. in a hybrid meeting.

Roll Call

Present: 3 - Barry Buchanan, Tyler Byrd, and Jon Scanlon

Also Present: Todd Donovan, Ben Elenbaas, Kaylee Galloway, and Mark Stremmler

Announcements

Special Presentation

1. [AB2024-196](#) Report from District Court

Bruce Van Glubt, District Court Administrator, introduced Jake Wiebusch as the new District Court Administrator when he retires in June.

Jake Wiebusch, District Court, reported.

Van Glubt answered whether they are still dealing with COVID-19 backlogs in the number of cases since they are sending out a large number of summons, and how they are doing as far as staffing to meet the demand. He stated more people are receiving a summons because some of those people are still concerned with health and safety, so they are needing to summon about 800 people a week in order to actually get the minimum required for District and Superior Courts. He does not think District Court is necessarily backlogged; they are just very busy. He answered whether people who are incarcerated and waiting for trial are mostly Superior Court cases and whether people are spending less time in jail as a result of more trials going on. He stated most of those waiting in jail are for Superior Court. They are not seeing a lot of District Court defendants spending much time in jail. He answered how much bail reform impacts their court and their work, and whether they should be asking more of the Legislature on that front. He stated that is a really big question and he may not be the best person to answer it. Bail decisions are made by judicial officers in the courtroom. It would be a discussion to have with the District Court judges and probably the legislators.

Wiebusch stated in District Court they have had a long-established pre-trial unit as well to handle some of the adjustments and alternatives there are to incarceration.

Buchanan thanked Van Glubt and congratulated Wiebusch in his new position.

This agenda item was REPORTED.

Committee Discussion

1. [AB2024-240](#) Discussion of appointing members to the Justice Project Oversight and Planning (JPOP) Committee for the Justice Project Implementation Plan

Buchanan stated the ordinance (Ord 2023-039) that the Council put forward to put this on the ballot was a little unclear on the appointment process for the Justice Project Oversight and Planning (JPOP) Committee. It says in the ordinance that the Incarceration Prevention and Reduction Task Force (IPRTF) shall *establish* a JPOP but does not say anything about “*appoint*.” On the other hand, the ordinance specifically says for the Finance Advisory Board that the County Council will appoint its members. They made some assumptions that the Council would appoint the JPOP, but then discussions came up in the IPRTF meetings about whether the Council should be doing that work or the Task Force. So, they want to bring it to the Council today to get clarification.

Jill Nixon, Council Office Staff, stated the IPRTF and the Justice Project Planning Team both agreed that if there was going to be any kind of an application collection, vetting, and decision process, that should be done by the Council rather than the Task Force. There are a couple situations, though, where some of the Task Force members could fill some of the JPOP positions given their qualifications. The first question today is whether it is OK with the Council if a Task Force member, who meets the qualifications and wants to, is allowed to fill one of the JPOP seats. The IPRTF committees are also empowered to invite additional community members as they see fit to conduct their business so, the second question is whether they will be empowered to the same with the JPOP.

Byrd stated if the Council appointed the IPRTF members, then he would leave it to them to fill the positions. For the second question, anyone can be invited to the discussion but there is a difference between participating in a conversation and being a voting member and he would assume that only members appointed by the Council are voting members.

Donovan stated the way the Task Force has worked in the past is when a new subcommittee has been set up, it has been the Task Force that has staffed that. If this is analogous to that, he would see it as something the Task Force would populate.

Buchanan stated his question is whether it is analogous because of the role the JPOP has.

Councilmembers discussed which other committee might be analogous to the JPOP, the fact that both of the co-chairs of the IPRTF were assigned by Council in the ordinance as members of the JPOP, who should be the appointing body, the fact that the Council has already appointed some people to the JPOP, and the question of whether the JPOP has a higher profile than the subcommittees of the IPRTF for which the IPRTF can appoint members.

Byrd moved that the Council is the entity responsible for appointing members of the Task Force to the specified JPOP positions. There was not a second and Buchanan stated that would limit the appointments to the Task Force.

Buchanan moved that the Council appoint the members of the JPOP. The motion was seconded by Donovan.

Councilmembers discussed the motion.

The motion carried by the following vote:

Aye: 3 - Buchanan, Byrd, and Scanlon

Nay: 0

This agenda item was DISCUSSED AND MOTION(S) APPROVED.

Motion approved that the Council appoint the members of the JPOP.

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 2:15 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Barry Buchanan, Committee Chair

Kristi Felbinger, Minutes Transcription