

**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, May 12, 2026

11:15 AM

Hybrid Meeting - Council Chambers

**HYBRID MEETING - MAY BEGIN EARLY/LATE - ADJOURNS BY 12:30 P.M.
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010)**

COUNCILMEMBERS

Elizabeth Boyle
Barry Buchanan
Ben Elenbaas
Kaylee Galloway
Jessica Rienstra
Jon Scanlon
Mark Stremler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

Call To Order

Committee Chair Barry Buchanan called the meeting to order at 11:12 a.m. in a hybrid meeting.

Roll Call

Present: 7 - Elizabeth Boyle, Barry Buchanan, Ben Elenbaas, Kaylee Galloway, Jessica Rienstra, Jon Scanlon, and Mark Stremler

Announcements

Special Presentation

1. [AB2026-254](#) Report from District Court

Jake Wiebusch, District Court Administrator, read from a presentation (on file) on department organization, an increase in filings from 2024 to 2025, District Court processes and trials and how those compare to pre-COVID-19 years, District Court accomplishments, judicial capacity and that very soon they are going to need help for processing cases, safety and security concerns in the courts, and a desire to see a greater presence of law enforcement in the courthouse.

Judge Angela Anderson stated they are not here to ask for anything today but she pointed out a comparison between the County and the City of Bellingham. The County has a civil department which the City does not have, and yet it is doing its work with the same number of judicial officers as the City. County judges carry very full caseloads and really pride themselves on giving everybody the time they need in court. They realize the financial circumstances are really tight with the County, but they want to put it out there that District Court is bursting at the seams. She also spoke about security concerns and stated most courthouses have bailiffs and we do not.

Judge Jonathan Rands spoke about the security considerations, and that the fourth floor is the best floor to work at because it has maintained institutional knowledge and tremendous leadership.

Councilmembers and the speakers discussed the process if they were to potentially add a second court commissioner and how that would be different than adding a judge when it comes to criminal justice reform, that a commissioner can do everything a judge can do except for a jury trial (unless the parties agree) and would be more cost-efficient for the County, what could be done to help with average length of stay in the jail and

processing times so that they do not have to fill the new jail on day one or a few years down the road, that District Court numbers for length of stay are not significant compared to Superior Court right now, what District Court programs they would like to expand, and that having another judicial officer could free up judges' court time for creativity to have more therapeutic calendars.

This agenda item was REPORTED.

Committee Discussion and Recommendation to Council

1. [AB2026-340](#) Resolution establishing a preliminary planning budget cap, affirming governing commitments, and providing recommendations to the administration from the Whatcom County Council on the capital construction of the Whatcom County Jail and Behavioral Care Center

Buchanan and Scanlon introduced the discussion and the newest proposed amendments as represented in the "Revised Substitute Resolution for 5.12.26," and the comments on the resolution from the cities which are shown in the "Cities' Comments 5.7.2026."

The following city mayors spoke:

- City of Bellingham Mayor Kim Lund
- City of Lynden Mayor Scott Korthuis

Mayor Lund spoke about an email she sent this morning and investments in services that are currently in the City of Bellingham's budget and already underway. She stated they believe that the City is directing resources towards alternatives in incarceration and behavioral health programs, from the sales tax and other city funds, and that over the next five years, the city will invest at least \$10.5 million on programs for jail diversion and behavioral health services that directly align with the Justice Project implementation plan projects. She spoke about specific investments from the City and summarized that they are balancing building the facilities and the commitment to the facilities that meet people where they are today, and that is a jail that minimizes booking restrictions and an out-of-custody care center. And, alongside in parallel, they are making the investments in the services that are going to change trajectories over time. Bellingham is deeply committed to both of those things.

Mayor Korthuis thanked the councilmembers for listening and for reviewing and accepting most of the comments that the mayors put forth in the document. He stated as far as he can tell, the only major change that

they did not accept was about the LaBounty property money going towards Behavioral health. He stated that site was bought for a jail and he assumed that the money should go to the next jail site. He stated he wants to emphasize that the mayors still want a right sized jail that does not have booking restrictions in the not-too-distant future. He does think they have made major moves ahead here. He spoke about continuing to collaborate on behavioral health services and that hopefully they can get the best of both, with the finances available, if they work together.

Elenbaas moved to table the resolution. The motion was seconded by Stremmler.

Tom Seguire, Prosecuting Attorney's Office, answered if Elenbaas could withdraw the motion.

Elenbaas withdrew his motion and spoke about why he would like to table the resolution. He stated his concern is that they are going to do more harm than good than if they just set it aside and let their actions and votes do the talking moving forward.

Scanlon moved to recommend to the full council the "Revised Substitute Resolution for 5.12.26."

The motion was seconded by Rienstra.

Councilmembers discussed the motion and the amendment regarding requesting recommendations for the use of potential proceeds from a sale of the LaBounty property as a means to fund the Justice Project Implementation Plan services,

Kayla Schott-Bresler, Executive's Office, answered if the proceeds from a sale of surplus property, in the absence of a jail project, would go to the General Fund, and stated it depends on the source of the original money.

Satpal Sidhu, County Executive, stated as a principle, the money goes back to whatever funded it, but that does not mean the Council cannot change that principle. In principle, one property should fill back the cost of the new property, but it is up to the Council.

Councilmembers discussed that the resolution seems to read that if they sell LaBounty they would try to prioritize reimbursing the fund, what happens if they do not sell the LaBounty property, a feeling that the

resolution should be tabled as it might create confusion in the future, that the inclusion of the LaBounty option further solidifies their commitment to the services, that they are just asking the IPRTF and all of us to look for opportunities that can provide funding for the much-needed services, and a desire that the resolution acknowledge the therapeutic effect of building a new and improved jail and that it be counted in the behavioral health category as well.

Councilmembers voted on the motion to recommend approval and then continued discussion (see vote below).

Elenbaas asked about potentially proposing amendments tonight regarding the therapeutic effect of a new jail, and Rienstra spoke about the differentiation of the other investments being upstream and preventing increased rates of crime, thus preventing people from entering into jail.

Scanlon's motion that the Revised Substitute Resolution for 5.12.26 be RECOMMENDED FOR APPROVAL carried by the following vote:

Aye: 5 - Boyle, Buchanan, Galloway, Rienstra, and Scanlon

Nay: 2 - Elenbaas, and Stremmler

Recommended the "Revised Substitute Resolution for 5.12.26."

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 12:08 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Barry Buchanan, Committee Chair

Meeting Minutes prepared by Kristi Felbinger