

TO: Whatcom County Council

FROM: Peter Frazier, Co-Chair IPRTF

DATE: November 4, 2025

RE: Framework for Behavioral Care Center – Model & Location Decision

Background

The Whatcom County Justice Project Implementation Plan calls for the development of a Behavioral Care Center (BCC) to serve as an alternative to jail for individuals eligible for prosecutorial diversion. The BCC is a key complement to the new jail and the broader behavioral-health and criminal-legal system reforms envisioned under Ordinance 2023-039.

The BCC's policy goal is straightforward:

Provide a clinically effective, community-based alternative to incarceration for people whose legal involvement is driven by behavioral-health needs—reducing jail strain while protecting public safety and enabling recovery.

At the September FFAB meeting, members requested additional analysis and coordination with the Incarceration Prevention and Reduction Task Force (IPRTF) to determine (1) whether the facility should be in-custody or out-of-custody, and (2) whether it should be located at LaBounty (co-located with the jail) or at Division Street (co-located with behavioral-health services).

IPRTF Behavioral Care Center Workgroup Process

- **March 31** – Workgroup formed under the IPRTF.
- **May 19 – Sept 5** – Met regularly with legal, clinical, and operational partners to examine models, including Nashville's Behavioral Care Center.
- **Aug 25** – Legal subgroup agreed on framework for four prosecutorial diversion entry points.
- **Sept 5** – Final recommendation adopted unanimously.
- **Oct 9 & Oct 27** – FFAB and IPRTF each advanced motions endorsing an *out-of-custody* model, with *location to be further reviewed*.

Participants included representatives from the Sheriff's Office, Prosecutor's Office, Superior Court, Public Defense, Health & Community Services, and community members.

Workgroup Recommendation

Adopt an out-of-custody Behavioral Care Center integrated within an off-site behavioral-health campus.

Model Elements

- Serves as an alternative to incarceration through true prosecutorial diversion.
- Provides inpatient, therapeutic, and community-based treatment.
- Includes four legal entry points (pre-charging through post-disposition).
- Ensures capacity for diversion referrals across court systems.
- Integrates with crisis response and in-custody behavioral-health programs to form a hybrid continuum.
- Structured for Medicaid reimbursement eligibility and long-term financial sustainability.

The Workgroup further recommends advancing this model for inclusion in Justice Project implementation planning and cost analysis.

Policy and Fiscal Overview

1. Model: In-Custody vs Out-of-Custody

- **Out-of-custody benefits:**
 - Eligible for Medicaid/Medicare/private-insurance reimbursement.
 - Enables upstream and mid-stream intervention (pre-booking to sentencing).
 - Aligns with community-based continuum and reduces jail utilization.
- **In-custody limitations:**
 - No insurance reimbursement; full local cost burden.
 - Restricted to post-booking population.

Consensus: Out-of-custody facility, with in-custody behavioral-health services continuing at the jail to serve ineligible individuals (*a hybrid continuum*).

2. Location: LaBounty vs Division Street

- **Division Street Campus** – Proximity to crisis stabilization, detox, and inpatient services; builds a full continuum of care.
- **LaBounty Site** – Simplifies custody transfer and security logistics; distant from core behavioral-health services.

Status: Ongoing review. STV is conducting comparative construction cost and operational capacity analyses for both sites. *Transportation and staffing considerations remain under discussion.*

Next Steps

- **Cost & Operational Analysis:** STV will deliver comparative cost models for both potential sites.
- **Crisis-Service Integration:** Coordination with North Sound BH-ASO and state partners on co-locating crisis stabilization, 23-hour, or BH urgent-care components.

- **Council Presentation:** November 6, 2025 — Presentation of the BCC model and process outcomes for Council information and feedback.

Requested Action

The Whatcom County Council is asked to affirm the IPRTF Workgroup's recommendation to proceed with an out-of-custody Behavioral Care Center and to provide guidance on location preference once cost and operational analyses are complete.