

EXCERPTS FROM THE JUSTICE PROJECT NEEDS ASSESSMENT REPORT

- Vision, Values, Goals
- Needs, Recommendations, & Desired Outcomes
 - Systems
 - Services
 - Facilities

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Vision, Values, and Goals

The primary responsibility of the SAC was to identify needs and recommendations for incarceration facilities and behavioral health services. Through the course of learning about the criminal legal system, however, it became clear that areas of common agreement needed to be articulated at a more fundamental level about the vision, values, and goals for Whatcom County's criminal legal system.

Guided by the public health, safety, and justice facility planning principles identified in the 2019 Whatcom County Council resolution and taking into consideration feedback generated through the public engagement process, a SAC subcommittee worked over several sessions to develop the following Vision, Values, and Goals statements for Whatcom County's criminal legal system now and into the future.

VISION

The vision presents the big picture of what we envision for our community. The vision is not limited by what is currently true but describes the ideal state towards which we aspire.

Whatcom County will uphold and promote community safety, health, and justice. To accomplish this, we will reduce crime and reduce incarceration through early interventions and long-term investments in people and programs that support prevention, restoration, and accountability in the community and within the criminal legal system.

Prevention: We will invest in children and families and address social, educational, economic, and racial disparities that are known risk factors for involvement with the criminal legal system and can lead to incarceration and re-incarceration.

Restoration: We will devote sufficient resources to a variety of evidence-based behavioral health, housing, and re-entry support services that will reduce crime and minimize future interactions with the criminal legal and crisis systems.

Accountability: To protect public safety and hold people accountable for their crimes, it is necessary for Whatcom County to operate a well-equipped, well-maintained, humane, and adequately staffed jail. For lower-risk offenders, we will utilize a range of alternatives to incarceration that also require personal accountability.

VALUES

Values are the core principles that guide decision-making and investments of time and resources.

1. Protect and promote the public health, safety, and rights of all people within Whatcom County.
2. Prioritize timely and early interventions.
3. Practice wise stewardship of public resources by using evidence-based decision-making, and evaluating if current programs, interventions, and processes are working as intended.
4. Facilitate public engagement in transparent decision-making processes that reflect community priorities.
5. Ensure systems, services, and facilities are adaptable to changing circumstances and needs.
6. Openly and actively address inequities and discrimination.
7. Respect the dignity, human rights, and civil rights of all parties involved in the criminal legal system.

GOALS

The goals statements describe what we hope to accomplish. They are divided into three categories:



SYSTEMS GOALS

1. Policies are identified and changed to strategically address system gaps and achieve intended outcomes, such as reducing the jail population.
2. Low-risk offenders are safely and effectively diverted from a Whatcom County Jail sentence and provided with support to help them succeed.
3. People are assured speedy and fair resolution of legal issues to reduce unnecessarily long jail stays and hasten restoration.
4. Racial disparities in incarceration are assessed and addressed.
5. Reliable data are consistently gathered from across the criminal legal system and monitored to evaluate system performance.

SERVICES GOALS

1. Coordinated services and programs effectively close the gaps between community, legal, and jail-based services at all points of contact in the criminal legal system.
2. Sufficient funding, staffing, and resources ensure adequate service capacity at all points of contact in the criminal legal system.
3. People working within and alongside our criminal legal system (e.g., legal counsel, jail staff, providers, advocates, navigators) are valued, fairly paid, and representative of the members of our community.
4. Planning for community re-entry begins upon booking into the jail to lay the foundation for a successful transition from jail to community.
5. People released from jail have timely access to behavioral health and medical care, housing, employment, and support systems, according to their re-entry plan and prioritized in accordance with evidence-based approaches to reduce re-incarceration.
6. Community and jail-based services (e.g., treatment and peer support for mental health and substance use disorders, affordable supportive housing) support healing, and make measurable differences in reducing crimes of poverty and repeat offenses.

FACILITIES GOALS

1. Facilities are designed and operated to meet the health, safety, and welfare needs of those incarcerated and the people who work and visit there.
2. Facilities are designed to be versatile to adapt to changing needs.
3. Incarceration facilities balance compassion with accountability to promote safety, health, rehabilitation, and recovery.
4. Facilities for community-based services are well-located, accessible, and adequately supported to prevent and reduce crime.
5. Facilities adequately serve the whole county, including cities and tribal jurisdictions.

RECOMMENDATIONS

With the Vision, Values, and Goals in mind, the SAC developed specific recommendations focused on three interrelated elements of the public health, safety, and justice system:

- 1. Systems**
- 2. Services**
- 3. Facilities**

In the following three chapters, context is provided for the issues, followed by a chart presenting:

- 1. Priority Needs**
- 2. Recommendations to Address the Needs**
- 3. Desired Outcomes**

These priority needs and recommendations are offered by the SAC to the Whatcom County Council as critical and time sensitive. The longer-range Vision, Values, and Goals are intended to serve as guidance for the County Council and other community decision-makers for many years to come.

SYSTEMS NEEDS, RECOMMENDATIONS, & DESIRED OUTCOMES

The SAC identified high priority needs for systems changes and recommendations to address those needs, as presented in the chart below:

A. SYSTEMS NEEDS, RECOMMENDATIONS, & DESIRED OUTCOMES			
#	NEEDS	RECOMMENDATIONS	DESIRED OUTCOMES
A1.	<p>Need: Increase access to inpatient and outpatient competency restoration services for people evaluated as needing these services.</p>	<p>Rec 1: Work with regional partners to identify needed systems changes (policies, funding, and programs) to increase access to <u>inpatient</u> competency restoration.</p>	<p>↑ Access to inpatient competency restoration services.</p> <p>↓ Pretrial time in jail for individuals needing competency restoration services.</p>
		<p>Rec 2: Explore and develop <u>outpatient</u> competency restoration services.</p>	<p>↑ Access to competency restoration services.</p> <p>↓ Pretrial time in jail for individuals needing competency restoration services.</p>
A2.	<p>Need: Reduce the <u>amount of time</u> people spend in jail before trial or other case resolution.</p>	<p>Recommendation: Whatcom County courts should promote the timely resolution of cases with a goal of matching average case resolution times in other counties and/or the state. To accomplish this, our courts should:</p> <ul style="list-style-type: none"> • Screen cases for their level of complexity and allocate time, provide court resources, and schedule proceedings accordingly. • Limit continuances as much as feasible. • Regularly monitor relevant performance measures and make data available to stakeholders and the public. 	<p>↓ Pretrial time in jail.</p> <p>↓ Case resolution time.</p>

A. SYSTEMS NEEDS, RECOMMENDATIONS, & DESIRED OUTCOMES

#	NEEDS	RECOMMENDATIONS	DESIRED OUTCOMES
A3.	<p>Need: Reduce the <u>number of people</u> detained in jail before trial or other case resolution.</p>	<p>Rec 1: Provide a range of pretrial release and monitoring options in lieu of bail (adhering to Court Rule CrR 3.2). ⁴⁵</p>	<p>↓ # of people held in jail because they can't afford bail.</p> <p>↓ Pretrial time in jail for people who can safely be monitored in the community as they await trial.</p> <p>↓ Racial disparities and disproportionalities in incarceration.</p>
		<p>Rec 2: Analyze as quickly as possible the Superior Court's current use of an evidence-based, statistically valid, pretrial risk assessment in making pretrial release decisions, with the goal of determining whether its use is effective in lessening pretrial incarceration and reducing or eliminating racial disparities while still protecting public safety.</p>	<p>↓ # of people held in jail because they can't afford bail.</p> <p>↓ Pretrial time in jail for people who can safely be monitored in the community as they await trial.</p> <p>↓ Racial disparities and disproportionalities in incarceration.</p>
A4.	<p>Need: Address the disproportionate incarceration of BIPOC individuals.</p>	<p>Rec 1: Conduct analysis of root causes where disproportionality and disparities arise and develop targeted strategies to measurably improve proportionality of incarcerated BIPOC individuals.</p>	<p>↓ Racial disparities and disproportionalities in incarceration.</p>
		<p>Rec 2: Ensure that all county law enforcement employees, jail staff, and staff in all court systems maintain data systems adequate to identify where potential bias and racial disparities may be occurring.</p>	<p>↓ Racial disparities and disproportionalities in incarceration.</p>

A. SYSTEMS NEEDS, RECOMMENDATIONS, & DESIRED OUTCOMES

#	NEEDS	RECOMMENDATIONS	DESIRED OUTCOMES
		<p>Rec 3: Include detailed data and analysis regarding racial makeup of incarcerated individuals in a standing system information report that is reviewed no less than quarterly by senior management, and made publicly available (without identifying information).</p>	<p>↓ Racial disparities and disproportionalities in incarceration.</p>
		<p>Rec. 4: Take prompt effective actions to correct disparities when they are identified.</p>	<p>↓ Racial disparities and disproportionalities in incarceration.</p>
A5.	<p>Need: More direct involvement of BIPOC communities, victims of crime, and people with lived experience with incarceration (personal or family member) in decision-making about policies and practices in the criminal legal system.</p>	<p>Recommendation: Implement strategies to meaningfully include BIPOC communities, victims of crime, and people with lived experience in the development of plans and monitoring of progress.</p>	<p>↑ Confidence that decisions about criminal legal system policies and practices are informed by those who are most affected.</p>
A6.	<p>Need: System for collecting consistent data from all intercept points in the criminal, legal, and behavioral health systems.</p>	<p>Recommendation: Build a data system for collecting consistent data from all intercept points.</p>	<p>↑ Ability to track and coordinate service utilization and outcomes for individuals interacting with the criminal legal system and behavioral health services.</p> <p>↑ Availability of data needed for policy work and funding requests.</p>

A. SYSTEMS NEEDS, RECOMMENDATIONS, & DESIRED OUTCOMES

#	NEEDS	RECOMMENDATIONS	DESIRED OUTCOMES
A7.	<p>Need: Data dashboard to track trends in criminal legal system, racial disparities in the system, and incarceration prevention & reduction efforts.</p>	<p>Recommendation: Build a data dashboard to track and publicly present trends and outcomes of criminal legal system changes, efforts to address racial disparities in the system, and efficacy of incarceration prevention and reduction work.</p>	<p>↑ Public access to data for transparency and accountability.</p>

SERVICES NEEDS, RECOMMENDATIONS, & DESIRED OUTCOMES

The specific needs and recommendations related to services are in the following chart.

B. SERVICES NEEDS, RECOMMENDATIONS, & DESIRED OUTCOMES			
#	NEEDS	RECOMMENDATIONS	DESIRED OUTCOMES
B1.	<p>Need: Increased community mental health (MH) and substance use disorder (SUD) treatment capacity (in-patient & out-patient) to prevent and reduce incarceration and re-incarceration.</p>	<p>Rec 1: Support additional positions for MH and SUD professionals within certified community behavioral health agencies to provide:</p> <ul style="list-style-type: none"> • Community-based assessment on demand. • Jail-based assessment for individuals that are completing their incarceration and needing MH and/or SUD treatment (inpatient or outpatient) as they re-enter the community. 	<p>↑ # of incarcerated individuals admitted to MH &/or SUD treatment immediately following release.</p> <p>↓ # of individuals involved with the criminal legal system/ re-incarcerated primarily due to untreated mental health &/or SUD.</p>
		<p>Rec 2: Utilize SUD professionals contracted with community agencies to provide evidence-based SUD services in the jail setting and ensure continuity of care to community-based treatment upon release.</p>	<p>↑ # of incarcerated individuals who receive SUD treatment.</p> <p>↓ # of individuals re-incarcerated primarily due to untreated SUD.</p>
		<p>Rec 3: Create additional positions for jail re-entry specialists and navigators to facilitate care coordination and ensure a warm handoff to community service providers, healthcare/behavioral healthcare, peer support, housing, and vocational support.</p>	<p>↑ # of incarcerated individuals nearing release who receive care coordination planning & support.</p> <p>↓ # of individuals re-incarcerated.</p>

B. SERVICES NEEDS, RECOMMENDATIONS, & DESIRED OUTCOMES

#	NEEDS	RECOMMENDATIONS	DESIRED OUTCOMES
		<p>Rec 4: Increase the number of Mental Health Professionals and Intensive Case Managers contracted through community agencies to provide services in the jail and support re-entry staff in facilitating continuity of care when incarcerated individuals are released.</p>	<p>↑ # of individuals engaged in community behavioral health services upon release from jail.</p> <p>↓ # of individuals re-incarcerated.</p>
		<p>Rec 5: Maximize coordination among Behavioral Health Specialists in the Public Defender's Office, the jail, and the community, and provide adequate funding to ensure seamless services for individuals involved in the criminal legal system.</p>	<p>↑ # of individuals engaged in community behavioral health services upon release from jail.</p> <p>↓ # of individuals re-incarcerated.</p>
B2.	<p>Need: Increased capacity of effective existing programs to divert more people from incarceration (e.g., GRACE, LEAD, Mental Health Court, Drug Court).</p>	<p>Recommendation: Ensure stable funding to enable expansion of programs that have proven to be effective in diverting people from incarceration.</p>	<p>↑ # of people engaged in incarceration prevention programs.</p> <p>↓ Incarceration of people with MH &/or SUD.</p>

B. SERVICES NEEDS, RECOMMENDATIONS, & DESIRED OUTCOMES

#	NEEDS	RECOMMENDATIONS	DESIRED OUTCOMES
B3.	<p>Need: Increased capacity of Program for Assertive Community Treatment (PACT), an evidence-based program for people with severe and persistent mental illness who require intensive support services (e.g., medication, case management) to function in the community.</p>	<p>Rec 1: Expand access to PACT services in the community for people with severe and persistent mental illness and other mental disorders (e.g., PTSD, traumatic brain injuries) to prevent involvement with the criminal legal system.</p>	<p>↑ # of individuals with serious mental illness and other mental disorders receiving PACT services.</p> <p>↓ # of individuals experiencing serious mental illness and other mental disorders who are incarcerated/ re-incarcerated.</p>
		<p>Rec 2: Increase PACT services dedicated to incarcerated individuals. Conduct evaluation for services prior to release and facilitate immediate entry into PACT services upon release.</p>	<p>↑ # of incarcerated individuals with serious mental illness and other mental disorders receiving PACT services upon release from jail.</p> <p>↓ # of individuals experiencing serious mental illness and other mental disorders who are re-incarcerated.</p>
B4.	<p>Need: Additional qualified, & racially/ethnically diverse jail staff.</p>	<p>Rec 1: Ensure that recruitment and employment practices in the jail advance diversity, equity, and inclusion.</p>	<p>↑ # of racially/ethnically diverse jail staff.</p> <p>↑ # of jail staff.</p>
		<p>Rec 2: Offer wages and benefits that will attract qualified staff, representative of the community's diversity.</p>	<p>↑ # of racially/ethnically diverse jail staff.</p> <p>↑ # of jail staff.</p>
B5.	<p>Need: Additional corrections officers to escort incarcerated individuals to services within and outside the jail.</p>	<p>Recommendation: Add jail staff to increase incarcerated individuals' access to needed services within and outside the jail (e.g., MH/SUD services, medical care, lawyers, court, education, vocational training, peer support).</p>	<p>↑ # of jail staff.</p> <p>↑ # of incarcerated individuals who receive needed services.</p>

FACILITIES NEEDS, RECOMMENDATIONS, & DESIRED OUTCOMES

The following chart draws from the work of the SAC, IPRTF, and the Whatcom County Health Department to suggest the types of facilities needed to fully respond to Services Needs and Recommendations listed above.

C. FACILITIES NEEDS, RECOMMENDATIONS, & DESIRED OUTCOMES			
#	NEEDS	RECOMMENDATIONS	DESIRED OUTCOMES
C1.	<p>Need: A new jail that is:</p> <ul style="list-style-type: none"> • Correctly sized, based on a fair analysis of population growth, along with strategic investments to avoid unnecessary incarcerations. • Sized and operated to assure booking restrictions in the county and its cities will not occur. • Designed to reflect best practices for safety, efficiency, and technology. • Safe for incarcerated individuals and those who work and visit there. • Designed with spaces & equipment to provide incarcerated individuals with dignity and needed services (e.g., dedicated, confidential behavioral health treatment space; visitation spaces; medical care, provider/staff workspace; education & 	<p>Rec 1: Build a new jail that meets as many of the specified criteria as possible.</p>	A new jail that meets as many of the specified criteria as possible.
		<p>Rec 2: Calculate comparative cost estimates for possible facility locations before a specific site is chosen.</p>	Fiscally responsible decision about jail site.
		<p>Rec. 3: Select a location for the jail with due consideration of the comparative importance assigned to proximity to various resources and services.</p>	A new jail located in proximity to key resources and services.

C. FACILITIES NEEDS, RECOMMENDATIONS, & DESIRED OUTCOMES

#	NEEDS	RECOMMENDATIONS	DESIRED OUTCOMES
	<p>vocational training; outside spaces).</p> <ul style="list-style-type: none"> • Versatile to accommodate changes in the population. • Built to last. • Easy to maintain. • Feasible to fund and build. • Located near adjacent land to purchase/develop if needed. • Located in proximity to resources incarcerated individuals need (e.g., criminal legal resources, public transportation). • Easily accessible by all jurisdictions served. 		
C2.	<p>Need: Facilities to enable increased community mental health and substance use disorder treatment capacity (in-patient & out-patient) to prevent and reduce incarceration and re-incarceration.</p>	<p>Rec 1: Explore development of 24/7 Behavioral Health Urgent Care capacity to provide short-term (23 hours or less) MH and SUD services.</p>	<p>↑ # of people who receive short-term behavioral health services rather than incarceration.</p>
		<p>Rec 2: Research feasibility and desirability of building a secure detox facility in the region for people with SUD who are considered a risk to public safety.</p>	<p>↑ Appropriate facilities for incarcerated individuals who need SUD treatment.</p>
		<p>Rec 3: Establish a location in close proximity to the jail from which re-entry specialists, behavioral health staff, system navigators, and peer support providers can offer re-entry support.</p>	<p>↑ # of individuals engaged in community behavioral health services upon release from jail.</p> <p>↓ # of individuals re-incarcerated.</p>

C. FACILITIES NEEDS, RECOMMENDATIONS, & DESIRED OUTCOMES

#	NEEDS	RECOMMENDATIONS	DESIRED OUTCOMES
		Rec 4: Work closely with criminal legal system stakeholders to select locations for facilities that will work for employees, incarcerated individuals, service providers, and families.	Well-located facilities, accessible to service providers, those who use services, and their families.
C3.	Need: Additional permanent supportive housing with on-site clinical support and intensive case management for people with severe and persistent mental illness who are involved, or at risk of involvement, with the criminal legal system.	Recommendation: Advocate for state, federal, and private funding to expand and improve permanent supportive housing with on-site clinical support and intensive case management for people with serious mental illness who are involved, or at risk of involvement with the criminal legal system.	<p>↑ Available permanent supportive housing.</p> <p>↑ Clinical support and quality of life for currently/previously incarcerated individuals and residents of permanent supportive housing who have serious mental illness.</p> <p>↓ Homelessness for people with serious mental illness.</p> <p>↓ Risk of incarceration/re-incarceration.</p>
C4.	Need: Safe, supportive housing for people engaged in diversion and therapeutic court programs (e.g., GRACE and LEAD, Drug Court, Mental Health Court).	Recommendation: Prevent unstable housing from being a barrier to successful engagement with diversion and therapeutic court programs.	<p>↑ Successful completion of diversion and therapeutic court programs.</p> <p>↓ Homelessness for people with MH &/or SUD.</p> <p>↓ Risk of incarceration/re-incarceration.</p>