

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, June 10, 2025

11:45 AM

Hybrid Meeting - Council Chambers

**HYBRID MEETING - MAY BEGIN EARLY - ADJOURNS BY 12:00 P.M.
(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

Cathy Halka, AICP, CMC

Call To Order

Committee Chair Barry Buchanan called the meeting to order at 11:45 a.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. [AB2025-009](#) Report from the Public Defender's Office

Stark Follis, Public Defender, updated councilmembers on the Public Defender's Office and new caseload standards adopted by the Supreme Court. He gave the history leading up to the new rules and described what the Supreme Court adopted. The applicability for the standards starts on January 1, 2026 but the court allowed for an annual minimum reduction/progression towards full compliance by January 2036.

Clerk's note: Follis clarified later in an email that "the annual minimum reduction/progression towards compliance in caseload required by the Court is ten percent (10%) of the **difference** between the current standard and the new standard going into effect on January 1, 2026."

He answered what makes it possible to meet the 10 percent standard by 2026 but not in 2027, and stated the primary problem with compliance with standards is at the felony level. He answered whether there is anything the Courts and Prosecuting Attorney's Office can do (policy- or procedurally-wise) to be more efficient to help meet these standards instead of adding more positions or spending more tax dollars, and stated resolving cases more efficiently or quickly has virtually nothing to do the caseload standards issue that they have because it is measured only by assignment. The only thing that is going to prevent an increase of lawyers with the implementation of the standards is a reduction of the crime rate or an increase in the use of diversion or other alternatives that keep people out of the criminal justice system. He answered how it affects the mid-biennium review and the budget cuts requested of the departments, and he spoke about a slight increase of passthrough funds through the Office of Public Defense (OPD). They have been getting about \$200,000 but this year they will be getting about \$442,000.

Aly Pennucci, Executive's Office, clarified that departments were not asked to make cuts, but were asked to model reduction scenarios. The Administration may need to reduce a little more in one department to account for requirements in another.

Follis answered what the status is for office space and stated they fit but have some substandard space, but more problematic than that is the fact that they still have cubicles which are problematic for trying to have confidential conversations. He answered a question about a report a few years ago that we had a number of people in our county jail who were there without representation and how that stands now, and stated though it could change, it is a lot better. He answered what the future looks like as they have to reduce caseloads over the next ten years, how the State can help, and whether the 10 percent applies to all the people in his office. He stated it applies to every single one of them.

This agenda item was REPORTED.

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 12:09 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Barry Buchanan, Committee Chair

Meeting Minutes prepared by Kristi Felbinger