

CLERK OF THE COUNCIL
Dana Brown-Davis, C.M.C.

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



COUNCILMEMBERS
Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

WHATCOM COUNTY COUNCIL

MEMO: Whatcom Public Health, Safety, and Justice Initiative

To: Whatcom County Council Members
From: Barry Buchanan, Whatcom County Council Criminal Justice and Safety Committee Chair
CC: Whatcom Community Members
Date: August 7, 2019
Re: Whatcom Public Health, Safety, and Justice Initiative

Whatcom County has an opportunity to plan for a criminal justice system that is built to address the root causes of incarceration and designed with rehabilitation as the goal.

With much focus, energy, collaboration, and innovation, Whatcom County has been able to reduce incarceration by 15% over the last 12 months (Sheriff's report). Incarceration reduction, diversion, and prevention have remained priorities in the community's conversation and agenda. With the failure of two jail ballot measures (2015 and 2017), the County conducted a listening tour in 2018, holding 7 sessions across the county and asking voters and community members what they'd like to see happen and why they did or did not support the jail ballot measures.

Rich and diverse input was received. The following themes emerged as consistent feedback:

- Prioritization of diversion and treatment for addiction and mental health is essential. The community wants to move away from criminalization of addiction and behavioral health issues as much as possible.
- There is a desire for a smaller jail than previously proposed, preferably located downtown.

While nationally and locally we are seeing innovations in our criminal justice system and realizing returns on diversion and alternatives with reduced recidivism, reduced cost to the criminal justice system, and improved rehabilitation, there remains a need to address the downtown Whatcom County jail facility. It is no secret that the jail designed in the 80's is not set up for the treatments and services available in the 2010's and 2020's. It is also no secret that the current facility poses safety concerns for both those who are incarcerated and those who work inside the jail, including our officers, our treatment providers, and our jail staff. Based on the realities of the facility, the responsibilities the county has for public safety, and honoring the values of the community, this memo is humbly and respectfully submitted to Whatcom County Council with the following outline as a workplan for council moving forward on these issues:

THROUGHOUT ALL PHASES

Community Engagement

Community engagement will be a major priority throughout the planning for this initiative. We will host focused forums, listening sessions, and create mechanisms for community input and feedback on the

needs-assessments, location options, and facility designs. Significant community outreach will be conducted to ensure voices and values from across Whatcom County are represented, heard, and incorporated into the planning for the future of public health, public safety, and criminal justice in our community.

This workplan builds on feedback from the Jail Listening Tour and incorporates the Incarceration Planning Principles. The work also supports and builds on principles from Resolutions 2015-047 regarding the Stepping Up Initiative; Resolution 2019-030 regarding reducing incarceration of young adults; Resolution 2016-072 regarding Incarceration Planning Principles; Resolution 2015-310 regarding a Healthy Planning approach; and Resolution 2019-197 regarding commitment to Whatcom County's Young Children and their families.

PHASE ONE

Needs Assessments: Proceed with a Request for Proposal (RFP) to hire a planner to conduct a comprehensive analysis of local criminal justice policy; public safety needs; behavioral health needs; and facility needs.

Behavioral Health + Public Safety

This needs assessment should evaluate our behavioral health system and current criminal justice and jail needs; including considerations of any additional behavioral health facility needs; financial commitments; jail location and size; diversion programs; and bail and prosecution reforms; and legal requirements and obligations. An established, impartial expert is essential to this analysis. The needs assessment should address the following:

- Asset Mapping: where our current resources are and outcomes of investments of Criminal Justice Fund, Behavioral Health Fund, and other relevant county funds.
- Gap analysis of services and needs in the community and an understanding of how the community is utilizing the services that already exist. This analysis should start with our behavioral health services.
- Answering the question, based on community input, policy, and diversion, alternatives, treatment options, and requirements of law, who should be in jail?
- Projections for possible and probable population of divertible offenders.
- What services would be needed to further reduce incarceration, including Pre-Arrest, Post-Arrest, Re-Entry, Housing, and service delivery capacity for providers and community-based treatments?

Facility Needs

- Based on the behavioral health and public safety needs assessment and taking into account future growth projections, what behavioral health facilities beyond the construction and operation of the recently approved 32 bed crisis stabilization facility are needed to further our investment in prevention, treatment, rehabilitation and alternatives to jail?
- Based on the behavioral health and public safety needs assessment, what size jail facility do we need as we plan for future growth in Whatcom County while considering investments in prevention and diversion?
- What design elements within a jail facility would be needed, based on the local incarcerated population and their needs?
- How many beds and cells within a new facility will need to be minimal security and how many will need to be hardened for higher risk offenders?

PHASE TWO

Facility Design and Alternative Analysis: Provide the community with analysis of at least two serious options for location, size, and design.

This should include analysis of potential reuse of the current downtown jail property/facility; construction of a new building downtown; construction of a new building at Irongate; and other feasible locations that are discovered through the assessment. Along with location, the analysis should outline both construction capital and ongoing operational costs including transportation costs; and should illustrate the pros and cons of each option as they relate to ongoing expenses, design capabilities, and environmental impact.

PHASE THREE

Whatcom Public Health, Safety, and Justice Initiative

Based on the needs assessments and community feedback, the last phase will be working toward the creation of a Whatcom Public Health, Safety, and Justice Initiative and will examine feasible financing strategies, including but not limited to philanthropic and grant support; social impact bonds; current county budget operational support; a ballot measure for a sales tax or a property tax; and/or other means of financing the services and facilities identified within this process.