

PROPOSED BY: Sheriff's Office____
INTRODUCTION DATE: _____

ORDINANCE NO. _____

SUSPENDING WHATCOM COUNTY CODE 1.28 TO UPDATE THE CORRECTIONAL FACILITIES OPERATIONAL STANDARDS

WHEREAS, in 1977, chapter 70.48 RCW, the City and County Jails Act, was initially adopted; and

WHEREAS, in 1979, the Washington State Correctional Facilities Standards were developed by the Corrections Standards Board and codified in Title 289 of the Washington Administrative Code (WAC) as a guide to counties and cities to satisfy the mandates under the Act; and

WHEREAS, in 1987, a new section, RCW 70.48.071, was added to chapter 70.48 RCW that specifically mandated that “units of local government that own or operate adult correctional facilities shall, individually or collectively, adopt standards for the operation of those facilities no later than January 1, 1988...”; and

WHEREAS, to comply with RCW 70.48.071, the Whatcom County Council adopted the standards in Title 289 WAC by enacting Ordinance No. 87-85 in December 1987, later codified as Whatcom County Code (WCC) 1.28 - *Standards for Correctional Facilities*; and

WHEREAS, in 2006, Title 289 WAC was decodified without replacement as it was obsolete and the Corrections Standards Board ceased to exist; and

WHEREAS, the identical standards in WCC 1.28 are likewise obsolete; and

WHEREAS, RCW 70.48.071 authorizes the County to establish operational standards for its own correctional facilities in either its code, through the correctional facilities department policies and standards, or a combination thereof; and

WHEREAS, the Whatcom County Sheriff's Office correctional facility operational standards are collectively established through various documents, including, but not limited to, written general policies, corrections bureau operational policies and procedures, medical policies and procedures, the Sheriff's Office Rules and Regulations Manual, and the Uniform Building Code; and

WHEREAS, the Whatcom County Council temporarily suspended WCC 1.28 for up to twelve months on July 8, 2019; and

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1 **WHEREAS**, the COVID-19 pandemic has continued to cause a drastic disruption of
2 Whatcom County Sheriff’s Office operations; and

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4 **WHEREAS**, it is anticipated that an additional eighteen-month suspension of WCC 1.28
5 would allow the Whatcom County Sheriff’s Office to complete the review and revision creation
6 process for Corrections policies, and to coordinate with the Law and Justice Committee and
7 Whatcom County Council to address concerns, questions, or suggestions, and to provide
8 Whatcom County Information Technology appropriate time to publish the final standards on the
9 Whatcom County website; and

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11 **WHEREAS**, the Whatcom County Council deems it necessary to extend the suspension
12 of WCC 1.28 for up to an additional eighteen (18) months to provide adequate time for the Law
13 and Justice Committee and the County Council to review the correctional facilities operational
14 standards and proposals; and

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16 **NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that WCC
17 1.28 is hereby suspended in its entirety for up to an additional eighteen months, and that the
18 Whatcom County Sheriff’s Office correctional facility operational standards, as described above,
19 continue to be temporarily adopted in place of WCC 1.28.

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21 **BE IT FINALLY ORDAINED** that the following notation shall be included in the
22 County Code in place of WCC 1.28:

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24 *Whatcom County code Chapter 1.28 is temporarily suspended for up to eighteen months,*
25 *beginning July 8, 2021. The Whatcom County Sheriff’s Office correctional facility standards, as*
26 *collectively established through various documents, including, but not limited to, written general*
27 *policies, corrections bureau operational policies and procedures, the Sheriff’s Office Rules and*
28 *Regulations Manual, and the Uniform Building Code, are temporarily adopted in its place.*
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30 **ADOPTED** this ____ day of _____, 20__.

31
32 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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35 _____
Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

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37 WHATCOM COUNTY EXECUTIVE
38 APPROVED AS TO FORM:

WHATCOM COUNTY, WASHINGTON

39 Approved via e-mail by Brandon Waldron / JL
40 _____
Civil Deputy Prosecutor

Satpal Sidhu, County Executive

() Approved () Denied

Date Signed: _____

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