


WHATCOM COUNTY
SHERIFF'S OFFICE

BILL ELFO
SHERIFF



PUBLIC SAFETY BUILDING
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MEMORANDUM

TO: Whatcom County Council
FROM: Sheriff Bill Elfo 
DATE: May 6, 2020
RE: Replacement of Ordinance 2019-047 to extend temporary

On June 18, 2019, the Whatcom County Council passed Ordinance 2019-047 which:

- 1) Suspended Whatcom County Code 1.28 for up to 12 months
- 2) Directed that the Whatcom County Sheriff's Office Correctional Standards instead be temporarily collectively established through a number of different documents, including, but not limited to written general policies, Corrections bureau operational policies and procedures, the Sheriff's Office Rules and Regulation Manual and the Uniform Building Code.

As part of the discussions that took place on this proposal, the following actions were agreed to:

- The Sheriff's Office would review and update Corrections Policies.
- Corrections Policies would be placed on the County web site for easy access by the public and a system put into place so that policies would be updated regularly.
- Upon completion of these steps, the County Council would revisit this matter for final resolution, including input from the Whatcom County Law and Justice Council.

After a careful evaluation of options available to update the Corrections policies, it was determined that the Sheriff's office would contract with Lexipol, a nationally recognized company that specializes in policy manual development and risk management. Lexipol offers a comprehensive set of legally defensible policies that are continually reviewed and updated by public safety professionals, attorneys and subject matter experts based on best practices and legislative changes. Due to the emphasis on risk management, the WA Counties Risk Pool will reimburse the County for a portion of the annual cost once new policies are instituted. The Sheriff's Office obtained funding approval to begin in January 2020. Shortly after, the Corrections and Law Enforcement teams began the review/rewrite policies. Teams were meeting twice weekly and making progress on the project.

The COVID pandemic became a reality for Whatcom County and Washington State beginning in late February of this year. As Council is aware, Emergency Management is one of the responsibilities of the Sheriff's Office. As the COVID crisis rapidly evolved and with the activation of the Emergency Coordination Center, the focus shifted to staffing the Whatcom Unified Command and supporting efforts to minimize the impacts of COVID in

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the community. The staff member tasked with management of the project was reassigned to Whatcom Unified Command for the past two months. This has resulted in policy development and updates being put on hold. The timeline for demobilization of the response to COVID-19 is unknown.

In addition, as part of the process outlined by the Ordinance, the Law and Justice Council and the County Council will have the opportunity to provide feedback to the Sheriff's Office, once the revisions/development are completed. While the Council is meeting remotely, the Law and Justice Council is on hiatus for an as yet unknown period of time while our community works through the issues related to the COVID pandemic.

Due to the delay in progress caused by the COVID pandemic and the rapidly approaching Biennial Budget process, we are requesting that the Whatcom County Council extend the temporary suspension of WCC (Whatcom County Code) 1.28 for up to twelve (12) months beginning July 8, 2020. The extension would allow for the necessary time and resources to complete an in-depth review/revision/development process for the Corrections policies. It also provides adequate time to work with the Law and Justice Committee and County Council to review and address any comments or concerns prior to the updated manual being posted and available for online access.