

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: December 3, 2021
Re: Whatcom Public Health, Safety, and Justice Initiative

The Whatcom County Council has recently taken steps towards re-establishing the Whatcom County Public Health, Safety and Justice Initiative. On September 28, 2021, the Council approved a motion to re-engage the Stakeholder Advisory Committee (SAC) members and to re-affirm the principles in the [Resolution 2019-036](#). This resolution adopts a statement of Public Health, Safety and Justice Facility Planning Principles for Whatcom County. This is 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.

The SAC was established in late 2019 to guide the development of an assessment of public health, safety and justice facility needs. Thirty-six (36) members were appointed to the committee in early 2020. The Council also approved a contract with a consultant to carry out the assessment (Contract #202001020). However, the SAC never had the opportunity to meet, as pandemic-related restrictions were enacted in March, 2020. Due to the inability to convene the SAC and the ongoing public health emergency, the Justice Project was postponed and the consultant contract was suspended.

Current efforts are underway to reconfirm the SAC membership. Existing members of the SAC have been contacted and their willingness to continue to participate has been confirmed. To date, 31 members have decided to continue to be members on the SAC and there are 5 vacancies. The Council will be filling one of those vacant positions at the Dec. 7th council meeting. For a list of positions and members please see, <https://www.whatcomcounty.us/3198/Stakeholder-Advisory-Comm-for-the-Justic>.

Next Steps:

Stakeholder Advisory Committee Meetings:

Starting the first of the year in 2022 the SAC will meet to re-engage on the process. It is anticipated that the SAC will hold approximate 5-6 meetings to start the process. These meetings will be held to re-orientate the SAC on the principles re-affirmed by Council, outline the history of the project, and determine next steps to develop a Needs Assessment and recommendations for the Public Health, Safety and Justice Initiatives. This effort is anticipated to be a local driven effort utilizing the community input from the SAC and the expertise and background of the Incarceration Prevention and Reduction Task Force (IPRTF).

Facilitation and Communication Services:

It is anticipated that there will be a need to have a professional facilitator to provide support and facilitation for the SAC. The County Executive has been working with Crossroads Consulting to help with those services. This contract will be less than \$10,000 and will be in place to,

- Prepare agendas and facilitate five Zoom meetings of the SAC lasting two hours each (additional meetings can be contracted later if needed)

- Coordinate with a Planning Team to refine and oversee the process, confirm agendas, informational packets, and presenters
- Support SAC members in outreach to their diverse communities
- Support experts to provide clear info. and presentations to the SAC

In addition, the Council passed a budget supplemental for the IPRTF to provide communications consultant in 2022. It is anticipated that this communication effort will also be able provide support to the SAC.

Anticipated Process for Reference (From 2019):

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: 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.