



MEMORANDUM

TO: Whatcom County Council
Incarceration Prevention and Reduction Task Force (IPRTF)

FROM: Kayla Schott-Bresler, Deputy Executive

THROUGH: Satpal S. Sidhu, County Executive

RE: Q3 2024 Report - Justice Project Implementation Plan

DATE: October 21, 2024

Nearly one year ago, in July 2023, the Whatcom County Council adopted [Ordinance 2023-039](#) and the [Whatcom County Justice Project Needs Assessment Implementation Plan](#). The Plan includes fifteen interrelated projects, as well as nineteen “Year 1” strategies. This memo updates the County Council and IPRTF on the County Administration and Departments’ progress toward the commitments outlined in the plan and builds on the work highlighted in the [Q2 2024 Report](#).

Major accomplishments over the last quarter include news that the County has been recommended for a major funding award from Disability Rights Washington (\$7-\$8M) to provide housing services to *Trueblood* class members. This is a credit to the work of staff at Whatcom County Health & Community Services (WCHCS) who worked tirelessly to prepare the program design and grant application. Additionally, the Whatcom County Sheriff’s Office and Whatcom County Superior & Juvenile Court each signed \$2.5M capacity-building contracts to for implementation of the Medicaid jail health and re-entry waiver.

You will find our detailed progress report below. Year 1 strategies are highlighted, and we are pleased to share that we continue to make substantial progress. Please contact Kayla Schott-Bresler at kschottb@co.whatcom.wa.us with any questions.

Justice Project Implementation Plan

Ensure Oversight, Accountability, and Transparency

#1-Establish a Justice Project Oversight Committee (JPOP)

This is a subcommittee of the IPRTF and held its first meeting October 17th. The Council Office organizes these meetings with the help of a hired facilitator.

Year 1 Commitment

<p>#2 – Establish a Finance Advisory Board (FAB)</p> <p>The Executive convened the first meeting of the Finance and Facility Advisory Board on September 26th. This board will provide financial oversight of the funds collected from the justice sales and use tax and make recommendations related to the finance, construction, and operations of the Justice Facility and Behavioral Health Treatment Center. The initial workplan of the Board will be focused on policy and budget recommendations related to the construction of the new jail and behavioral care center, including the question of jail size, configuration, and operational model. The Board will meet quarterly, with meetings coordinated by the Executive’s Office in consultation with the Whatcom County Sheriff.</p> <p>Year 1 Commitment</p>
<p>#3 - Collect data to measure progress and develop data dashboard</p> <p>Whatcom County solicited proposals for the development of evaluation metrics for the Justice Project. VillageReach’s proposal for a Justice Project Performance Measurement Plan was accepted August 20th (contract not yet executed). VillageReach will convene stakeholders to develop a performance measurement plan which will include metrics related to the 15 projects within the Justice Project Implementation Plan. This work will entail solidifying a community engagement process, identifying Justice Project goals and outcomes, establishing performance metrics, conducting an inventory and gap analysis of available data, and laying out an evaluation implementation plan.</p> <p>While we are waiting to begin work with VillageReach, WCHCS is working with IPRTF facilitator, Mardi Solomon, to update the Sequential Intercept Model (SIM). SIM maps out real-time processes of intercepting and referring people to alternative services to the traditional criminal justice system. These intercept points will likely align with key data points to be collected and measured through the Justice Project. Regional partners such as Snohomish and San Juan have recently implemented a new SIM process.</p> <p>The Senior Application Administrator and others in County Information Technology (IT) continued to support and advance key county criminal justice software systems while also seeking new reporting and integration opportunities.</p> <p>Significant effort has gone towards automating the flow of WHAT-COMM 911 data to the Julota case management system to support the work of the WCHCS Response Systems Division. This effort also includes exporting incident data to Julota from the Sheriff’s Office Motorola Spillman system.</p> <p>IT also supported the Chief of Corrections in re-engineering the annual jail usage report, worked with Health and Sheriff Corrections on a draft jail population report, and continued to support the recent implementations of modern case management systems in both the Public Defender and Prosecutor’s offices</p> <p>Year 1 Commitment</p>
<p>Increase access to Behavioral Health Services</p>
<p>#4 Address workforce shortages in behavioral health services</p> <p>In partnership with Skagit County, WCHCS hosted its third Community Services Training on Brain Science Addiction and Recovery. In December, WCHCS plans to host the fourth training of the year on Harm Reduction. The Community Services Learning Series offers training opportunities to non-profit and community organizations providing housing and behavioral health services. These trainings are free to local providers and include continuing education units at no cost. The 2025 Learning Series line-up is already being worked on including: Supports for front-line staff and avoiding burnout, domestic violence/sexual assault awareness, Trauma-informed leadership and more.</p> <p>Year 1 Commitment</p>
<p>#5 – Build systems to facilitate communication and coordination between organizations</p> <p>The Opioid Response Multi-Agency Coordination (MAC) Group has several workgroups that are focused on areas related to Justice Project topics:</p> <p><u>Medication for Opioid Use Disorder (MOUD) Workgroup</u>- The MOUD workgroup is facilitated by the County’s new Opioid Response Medical Advisor, Dr. Shannon Boustead. This group supports the coordination of local opioid treatment providers with ScalaNW (a technical assistance organization) so that people who are started on MOUD in the emergency room can more easily continue with treatment once they are released. In addition to the workgroup, Whatcom EMS has partnered with Washington State Department of Health to launch a pilot</p>

program that allows EMS responders to administer buprenorphine (MOUD) in the field. Other counties participating in this pilot include Clark, Snohomish, and San Juan.

Enhance Supported Employment Services Workgroup- This workgroup is focused on expanding employment opportunities and support for those walking through recovery or for those that are justice involved. The first meeting focused on identifying common barriers people are experiencing when looking for second chance employment. The next meeting will focus on barriers that employers are facing and how we can bring more collaboration between businesses already offering opportunities for second chance employment.

WCHCS continues its role in organizing regular convenings to support communication and coordination across agencies:

The Monthly Crisis Systems Oversight Committee meets to discuss the ongoing coordination of crisis services in Whatcom County, including the Crisis Stabilization Center. Partners include BPD, WCSO, BFD, MCOT, DCRs, Crisis Triage, Detox, Peace Health, BHASO, Whatcom EMS.

The Bi-monthly Response Systems Leadership and Policy Team meeting is an ongoing effort to support the programs of RSD. The Leadership and Policy Team is made up of stakeholder leadership and provides guidance on RSD programs (LEAD, GRACE, MH Court, ART, Street Medicine, Co-Response).

The Bi-monthly Whatcom County Outreach Teams meeting is an opportunity for all outreach teams in Whatcom County to gather and discuss challenges, best practices and way to collaborate while providing support to the unhoused community.

The Monthly Hospital and Community Provider meeting allows a chance for partners and hospital staff to discuss specific cases and brainstorm ways to improve coordination at the hospital. This meeting includes law enforcement, EMS, RSD, MCOT/DCR, Crisis Triage.

Finally, the Bi-monthly Behavioral Health and Crisis Services Meeting is a chance for all behavioral health providers to gather and hear about program changes, upcoming events, coordination efforts, workforce challenges and priority areas for this large group of providers and First Responders.

Year 1 Commitment

#6 - Increase the capacity of effective existing programs to divert people from incarceration

Whatcom County received a LEAD expansion grant through the Health Care Authority to expand LEAD services. LEAD will be hiring two additional FTEs in the 4th quarter of 2024 with this additional state funding.

With additional funding provided by the BHASO, WCHCS will hire a temporary full-time Overdose Prevention and Response position to support individuals post overdose to connect to ongoing services. This new position will work closely with the RSD Transportation BH Aide and the new embedded Substance Use Disorder Professional (SUDP) at the hospital, which was also funded through a contract with WCHCS.

Lastly, WCHCS has funded two new SUDP positions to help with judicially involved minors and adults. This is a pilot project. The results will help dictate our next steps and needs for staffing in the community.

Year 1 Commitment

Build Facilitates Needed to Promote Public Health, Safety, and Justice

#7 - Build a 23-hour Crisis Relief Center

The 23-Hour Crisis Relief Center planning continues to progress nicely. Facilities has completed and routed a draft Request for Qualifications (RFQ) to secure an architectural and engineering firm to complete the design of the facility. Facilities anticipates that they will have completed the procurement and selected a firm by the end of December.

The Project Team has had preliminary conversations with the City of Bellingham to address needed wetland mitigation and has developed a preliminary plan to relocate the existing wetland to a more southern portion of the property. The Project Team is also working with the City of Bellingham to address parking minimums based on anticipated use.

WCHCS is in the process of completing a Request for Proposal (RFP) or Request for Qualification (RFQ) for a licensed or licensable behavioral health provider to assist in the planning, including developing policies and procedures, negotiating favorable rates with managed Care Organizations (MCOs), creating Memorandums of Understandings (MOUs) with community partners including law enforcement, Emergency Medical Services (EMS), the hospital and other medical providers, the tribes, and others, and to operate the facility once the construction is complete. WCHCS anticipates that the RFP/RFQ will be published in early January with a provider selected in early March.

The City of Bellingham has signaled its intent to contribute \$1M in opioid settlement funding toward the capital construction, and the administrations are working on an interlocal agreement. The Executive's Office is also collaborating with the Mayor's Office on further fundraising efforts for the capital project.

#8 – Build a new jail and behavioral health treatment center

Several months ago, County Facilities engaged a consultant to re-evaluate the wetlands on the Labounty property. The recent assessment indicates a substantial increase in the amount of wetland area compared to the initial delineation conducted in 2015. As a result, the consultant has developed Rough Order of Magnitude (ROM) cost estimates for several mitigation scenarios to address the expanded wetland area. Based on these findings, Facilities is drafting an addendum to investigate potential off-site wetland creation areas to support the most feasible and cost-effective scenario. In good news, the most recent information suggests mitigation costs are not as severe as presented to the Council and Finance Advisory Board previously.

To enhance project oversight and ensure successful delivery, the County has decided to hire an Owner's Representative. This professional will bring jail construction expertise and leverage a network of specialized consultants to support project planning, execution, and quality assurance. Their primary role will be to advocate for the County's interests, provide strategic guidance, and help coordinate the various aspects of the project, from design through construction. We anticipate releasing the RFQ for an owner's representative toward the end of October. Additionally, the Executive has proposed an additional FTE project planner in the 2025-2026 budget; this hire will focus largely on the permitting process and stakeholder collaboration.

Our internal team is currently assessing space needs for the new facility by incorporating best practices from the National Institute of Corrections (NIC). This programming phase includes a comprehensive step-by-step review to optimize building flow and functionality. By aligning with NIC guidelines, we aim to create a facility that not only meets operational requirements but also supports the safety and well-being of staff and inmates. We anticipate to convene design tables with key stakeholders (Prosecutor, Public Defender, Courts, WCHCS) in early 2025 and to engage the IPRTF and Finance Advisory Board for formal comment at key-decision points related to size, budget, operational model, and service delivery.

We have conducted preliminary consultations with the Associated General Contractors (AGC) and other industry professionals to determine the most suitable project delivery method. The preferred approach at this time is Progressive Design-Build. This method appears to offer benefits for the local workforce, project quality, and budget management. However, additional evaluation is required to confirm compliance with the requirements specific to this alternative delivery model. We will continue to gather input and refine our strategy to ensure the selected delivery method aligns with County objectives and regulatory guidelines.

The Executive's Office met with Prosecutor Richey to discuss the behavioral care center and expects to convene an internal stakeholder meeting to begin program conceptual design in early 2025.

#9 – Identify what additional facilitates are needed to support people with behavioral health and substance use disorder issues at risk of incarceration

Our community continues to emphasize the need for a co-occurring youth inpatient treatment center. Washington State has very few resources available to youth experiencing behavioral health related disorders. The North Sound region, in particular, is in desperate need of services. We have been partnering closely with the NSBHASO to express this need. The model would benefit from including beds dedicated to youth being held on involuntary holds as our local hospital is not licensed to provide those services. We anticipate working with NSBHASO and other counties to make a funding request for a youth inpatient facility in an upcoming legislative session.

Year 1 Commitment

Expand the Capacity of Programs to Reduce Incarceration/Re-Incarceration
#10 – Ensure people leaving detention and treatment facilities have access to a safe destination
<p>WCHCS, in partnership with the Sheriff’s Office, has contracted dedicated hours for SUDP’s to complete assessments in an expedited manner so individuals who are incarcerated can exit into treatment. This service provides assessments to over 200 individuals a year.</p> <p>The Response Systems Transportation BH Aide continues to provide transportation support to community providers including the jail, Crisis Stabilization Center, housing and shelter, Mobile Crisis Outreach Team and more. This service is provided Monday-Friday, 8 to 5.</p> <p>WCHCS funds a contract with a local cab company to provide transportation needed when individuals are leaving the Crisis Stabilization Center and there are no other transportation options. This service is mostly utilized after hours and on the weekend.</p> <p>Lastly, the County neared completion on the Way Station project toward the end of Q3. This new facility will be operated in partnership with PeaceHealth, Unity Care NW, and Opportunity Council, providing medical respite shelter services, a hygiene center, and a home for WCHCS response division services staff.</p>
Year 1 Commitment
#11 – Bolster re-entry support services
<p>Many MAC group and county staff participated in a Re-Entry Simulation to deepen their understanding of the significant obstacles faced by individuals navigating release from jail. The event was hosted in partnership with Whatcom County, City of Bellingham, Washington State Department of Corrections, Whatcom County Public Defender’s Office, Whatcom County Prosecutor’s Office, Whatcom County Sheriff’s Office, Up from Slavery Initiative, & Kitsap Strong.</p>
Year 1 Commitment
#12 – Maintain and expand supportive housing programs for people with behavioral health issues and a history of incarceration
<p>In May of this year, the County applied for a grant through Disability Rights Washington to fund housing for <i>Trueblood</i> Class Members. A Class Member is one who experienced an unconstitutional delay in a competency evaluation and restoration services. The funding source for this grant is <i>Trueblood v DSHS</i> settlement funds. The County applied for nearly \$8,000,000 in funding to support housing to be used for motel stays, transitional housing, rental assistance, and the development of 10 units of permanent supported housing (PSH).</p> <p>In September, the County was notified that Disability Rights Washington is recommending the County’s proposal for funding with a slight reduction in the County’s request. Specifically they reduced the County’s request for motel stays by 80%, bringing the final ask just under \$7,000,000.</p> <p>Next steps include a final review and authorization from the Federal Court responsible for the class action lawsuit. The County anticipates receiving a final award letter in October.</p>
Year 1 Commitment
Make Systems Changes with Local, Regional, State, and Federal Partners
#13 – Continue to make changes in court systems
<p>The Executive is committed to supporting these efforts with funding, program development, data resources, and policy support as we move forward. We look to the criminal justice departments and IPRTF for policy recommendations on strategies that would have the highest impact.</p>
Year 1 Commitment
#14 – Expedite access to competency restoration services
<p>Competency wait times have decreased significantly in 2024, and we recommend continuing to work with the State to resolve competency restoration access and facilities. Please also see above information (#12) related to housing for <i>Trueblood</i> class members.</p>
#15 – Advocate for a state waiver to allow use of Medicaid funds to pay for medical and behavioral health services for incarcerated individuals
<p>The Sheriff’s Office and Whatcom County Juvenile Court have each signed approximately \$2.5M contracts in capacity building funding toward implementation of the Medicaid waiver. Further, WCHCS is in the process of</p>

doing a Medicaid feasibility study for health services provided in the jail. This will allow the County to better understand the potential revenue possibilities plus the infrastructure needed to bill Medicaid. Implementation for go-live on the Medicaid waiver will be a major institutional priority and work item in the coming year, affecting the Sheriff's Office, Superior & Juvenile Court, WCHCS, the Executive's Office, and Administrative Services (IT and Finance in particular).

Year 1 Commitment