

**WHATCOM COUNTY
SHERIFF'S OFFICE**
DONNELL "TANK" TANKSLEY
Sheriff



PUBLIC SAFETY BUILDING
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MEMORANDUM

TO: Whatcom County Council

FROM: Sheriff Donnell "Tank" Tanksley

DATE: February 13, 2025

RE: Proposed amendment of WCC Chapter 1.28

The purpose of this letter is to support the proposed ordinance to amend Chapter 1.28 of the Whatcom County Code (WCC).

In 1987 (original year of adoption), WCC 1.28 reflected the most recent standards, laws and best practices. Over the last 38 years, correctional standards and laws have been changed, amended and/or repealed. For example, the old standards provide for "choke holds" as a method of restraint. Today, this practice is considered unlawful in Washington State. New standards, not provided for in our code, include items such as regulating the types of restraints used on pregnant women, criteria used for strip searches, the prevention of prison rape, the level of medical care to be provided to offenders, and the use of digital records. WCC 1.28 has never been amended or revised, and is no longer compliant with new legislation, case law or modern correctional standards.

In 2018, the Sheriff's Office raised serious concerns with WCC 1.28, which had been adopted from Title 289 WAC (decodified without replacement in 2006). To allow time to address those concerns, Council enacted a twelve-month temporary suspension of Chapter 1.28 on July 8, 2019. Since then, the suspension has been extended on three other occasions (eighteen months in July 2021, eleven months in March 2023, and twelve months in February 2024).

The proposed amendments to Chapter 1.28 address the aforementioned concerns.

A blue ink handwritten signature, appearing to be "DT", with a long horizontal line extending to the right.