

**DRAFT**

(6/9/23)

**JUSTICE PROJECT  
NEEDS ASSESSMENT  
IMPLEMENTATION PLAN**

**June 2023**

This Plan is currently under final revision, including public comment and feedback from the Whatcom County Council of the Whole work session on 5/13/23.

## Acknowledgements

- **Incarceration Prevention & Reduction Task Force / Law & Justice Council**
- **Additional Workshop Participants – Subject Matter Experts**
- **Whatcom County Council Committee of the Whole**
- **Justice Project Leadership Team**
- **Justice Project Planning Team**
- **Project Support Team**

**The many people who participated in focus groups, surveys, interviews, and listening sessions. Your support has been invaluable to this work.**

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## Executive Summary

In 2022, a diverse group of Whatcom County residents, people working in public agencies and non-profit organizations, and elected officials came together as the [Stakeholder Advisory Committee](#) (SAC) to conduct a community-driven Needs Assessment. Their task was to understand the problems with our behavioral health and criminal legal systems. The SAC determined priority needs and gaps and made recommendations for change.

After a year of learning about the system, the SAC came to agreement on a final [Justice Project Needs Assessment Report](#).

The Needs Assessment reflects an analysis of data, and input from communities of color, people incarcerated or working in the Whatcom County Jail, and a community survey of 1,704 respondents. The SAC openly discussed differences to find common ground, and ultimately created a shared statement of Vision, Values, and long-term Goals (see **Appendix A**). Through that process, it became clear that to create a safer, healthier community, **Whatcom County needs to make significant investments in systems, services, and facilities**. Most importantly, the SAC concluded that we need a balanced approach – **moving away from “either-or” thinking to working together towards “both-and” solutions**.

The Justice Project Needs Assessment provides important information about our behavioral health and criminal legal systems. It reflects the Stakeholder Advisory Committee’s work to find common ground around community values, goals, and a vision for the future (see Appendix A) and includes 16 priority needs and 32 recommendations. (See Appendix B)

On February 21, 2023, the Whatcom County Council approved [Resolution 2023-006](#), accepting the SAC’s Justice Project Needs Assessment Report and identifying the next steps to create a [Justice Project Implementation Plan](#) which would include:

- Analysis of potential facilities concepts, including location options and planning level costs;
- Identification of a site and concept for the main jail and service facilities in the community;
- Proposed services and systems efforts and their costs;
- Identification of county departments, community leaders and organizations to lead implementation of the recommendations; and
- A funding approach including, but not limited to, elements to be funded through a proposed ballot measure.

The Implementation Plan was created in early 2023 through a series of workshops hosted by the Incarceration Prevention & Reduction Task Force. Additional community engagement included: focus groups, surveys and interviews of people with lived experience and BIPOC communities, and a Town Hall Listening Session.

The Justice Project Needs Assessment Implementation Plan provides a road map for meaningful action, articulating steps to take in the next 1-3 years. It identifies 15 projects in five categories to make changes in systems, services, and facilities. Many of the projects will require significant investments of local, state, and federal funding, including grants and a proposed sales and use tax. In addition to strengthening and expanding support services and programs, the Implementation Plan proposes new facilities to enable this expansion. These include facilities for crisis intervention, mental health and substance use disorder treatment, and supportive housing. The largest facility would be a new jail and

behavioral health treatment center, which would replace the failing jail, and have integrated medical, dental, and behavioral health services for the restoration and rehabilitation of incarcerated people.

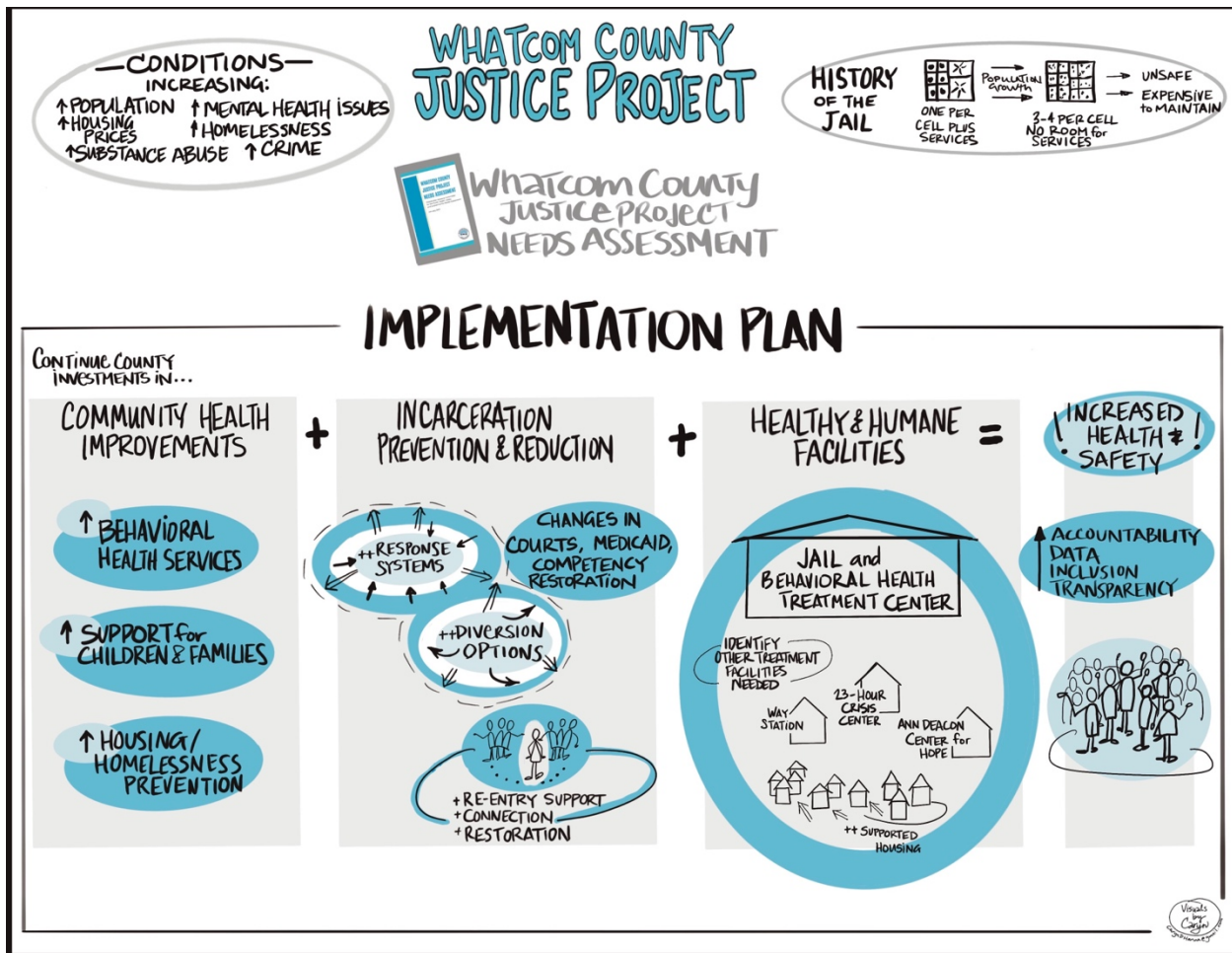
**Key Decisions to be made by Whatcom County Council regarding a new jail and behavioral health treatment center:**

As described in the Facilities Alternatives section of this Implementation Plan, questions remain for the Whatcom County Council to address including:

**Facility Size:** The initial size of facilities (number of beds), and ways to establish the appropriate responses and controls to growth.

**Facility Location** – Choosing between two alternatives presented in this Implementation Plan – a horizontal facility at LaBounty, or a vertical facility at Irongate. Conceptual cost estimates and pros/cons are provided for consideration.

The section below provides a snapshot of the Implementation Plan Strategies and Projects prioritized for action, to begin work in the next 1-3 years. It is anticipated that the Plan will be reviewed annually and updated often by both a committee and advisory board charged with oversight. A full update of the Plan will be done in 3-4 years. Community engagement in these projects, and in the planning, will be critical to success.






## SUMMARY OF IMPLEMENTATION PLAN STRATEGIES & PROJECTS

### STRATEGIES




- I. **Ensure Oversight, Accountability, and Transparency**
- II. **Increase Access to Behavioral Health Services**
- III. **Build the Array of Facilities Needed to Promote Public Health, Safety, and Justice**
- IV. **Expand the Capacity of Programs to Reduce Incarceration/Re-incarceration**
- V. **Make Systems Changes with Local, Regional, State, & Federal Partners**

### PROJECTS




#### I. **Ensure Oversight, Accountability, and Transparency**

1.  **Establish a Justice Project Oversight & Planning (JPOP) Committee** including members of BIPOC communities and people with lived experience, to monitor progress and recommend updates on this Implementation Plan.
2.  **Establish a Finance and Operations Justice Project Advisory Board** with leaders from various jurisdictions in Whatcom County, to provide oversight of the funds collected for the construction and operations of the jail, behavioral health treatment center, and associated services.
3.  **Collect data to measure progress toward desired outcomes and develop a data dashboard** for criminal legal system organizations to share data with one another and the public.




#### II. **Increase Access to Behavioral Health Services** for people involved, or at risk of involvement, with the criminal legal system

4.  **Address workforce shortages in behavioral health services**, including recruitment and retention strategies to ensure an inclusive, well-trained, and supported workforce that can provide services designed to minimize interactions with the criminal legal and crisis systems (e.g., intensive case management, mental health and substance use disorder treatment, housing, and re-entry support).
5.  **Build systems to facilitate communication and coordination between organizations** providing services for a seamless continuum of care.
6.  **Increase the capacity of effective existing programs to divert people from incarceration** in tandem with community-based treatment and support services to enable people with behavioral health issues to successfully complete diversion programs.




### III. Build the Array of Facilities Needed to Promote Public Health, Safety, and Justice

7.  **Build a 23-hour Crisis Relief Center** (Behavioral Health Urgent Care open all hours, seven days per week) to enable prompt and appropriate intervention when a person is having a behavioral health crisis to reduce use of the hospital Emergency Department and prevent incarceration.
8.  **Build a new jail and behavioral health treatment center** to provide secure detention and an array of rehabilitation services and diversion options, including facilities for people who pose a significant threat to public safety, and alternatives for lower-risk offenders (e.g., work release). Additional facility space will be dedicated to a behavioral health treatment center that offers inpatient mental health and substance use disorder treatment as an alternative to incarceration.
9.  **Identify what additional facilities are needed to support people with behavioral health issues at risk of incarceration** and bring people with lived experience and experts together to design solutions and propose new and expanded facilities.

### IV. Expand the Capacity of Programs to Reduce Incarceration/Re-incarceration

10.  **Ensure people leaving detention and treatment facilities have transportation to a safe destination** to avoid relapse and re-incarceration.
11.  **Bolster re-entry support services**, including establishing locations where people can receive coordinated re-entry support services such as case management, peer support, and assistance with housing, employment, healthcare, etc.
12.  **Maintain and expand supportive housing programs for people with behavioral health issues and a history of incarceration** (e.g., additional housing facilities, well-trained on-site clinical support, and housing case management services).

### V. Make Systems Changes with Local, Regional, State, and Federal Partners

13.  **Continue to make changes in court systems** to reduce the number of people who are incarcerated and the length of time they are detained before trial, and to explore options in lieu of bail.
14.  **Expedite access to competency restoration services** through advocacy at the state level and exploration and development of outpatient alternatives (e.g., Prosecutorial Diversion Program, Assisted Outpatient Treatment).
15.  **Advocate for a state waiver to allow use of Medicaid funds to pay for medical and behavioral health services for incarcerated individuals.** Obtaining a waiver would ensure greater access to care for individuals while incarcerated, and continuity of care upon re-entry to the community.



Some of the implementation projects are already in process or well-along in planning, while others are dependent on the will of voters and successful applications for state and federal funding. Project descriptions presented in the Implementation Plan include cost estimates and appropriate funding sources that are currently available or that will be pursued. The Whatcom County Executive will update funding estimates over time, consistent with policy direction from the Whatcom County Council. With an Implementation Plan in hand, Whatcom County is well-positioned to respond quickly when new state and federal requests for proposals are released.

**Given existing funding sources, anticipated actions starting year one are:**

- Put a sales tax initiative before voters in November 2023 to pay for major projects
- Establish a Justice Project Oversight & Planning (JPOP) Committee (Project 1)
- Establish a Finance and Operations Justice Project Advisory Board (Project 2)
- Hire Criminal Justice Informatics Specialist and Application Administrator for data collection and dashboard (Project 3)
- Address workforce shortages in behavioral health services (Project 4)
- Build systems to facilitate communication and coordination between organizations (Project 5)
- Provide staff support for Mental Health Sentencing Alternative and expanded mental health court (Project 6)
- Increase capacity of existing diversion programs (Project 6)
- Design Crisis Relief Center (2023-24) (Project 7)
- Hire a construction project manager. Start construction of Crisis Relief Center (2024) (Project 7)
- Identify additional behavioral health facilities that are needed (Project 9)
- Increase transportation services for people leaving jail/treatment (Project 10)
- Bolster re-entry services by hiring additional Re-entry Specialists (Project 11)
- Assess supportive housing needs, gaps, and necessary funding supports, including outreach to Nooksack and Lummi (Project 12)
- Release Request for Proposals for small recovery/supportive housing capital projects (Project 12)
- Continue to make changes in court systems (Project 13)
- Advocate for state funding and policy for diversion and pathways for competency restoration (Project 14)
- Advocate for submission and funding of a state Medicaid waiver (Project 15)

Some of the Implementation Plan projects are already underway, and some will take many years to accomplish. Some are relatively straightforward, and some will be more difficult. Altogether, the projects represent our community's desired approach to change. This Implementation Plan will continue to evolve as it is used, but it reflects the best thinking to date for how to address critical problems facing our community.

**—CONDITIONS—  
INCREASING:**  
 ↑ POPULATION    ↑ MENTAL HEALTH ISSUES  
 ↑ HOUSING PRICES    ↑ HOMELESSNESS  
 ↑ SUBSTANCE ABUSE    ↑ CRIME

# WHATCOM COUNTY JUSTICE PROJECT

**HISTORY OF THE JAIL**

ONE PER CELL PLUS SERVICES → POPULATION GROWTH → 3-4 PER CELL NO ROOM FOR SERVICES → UNSAFE EXPENSIVE TO MAINTAIN

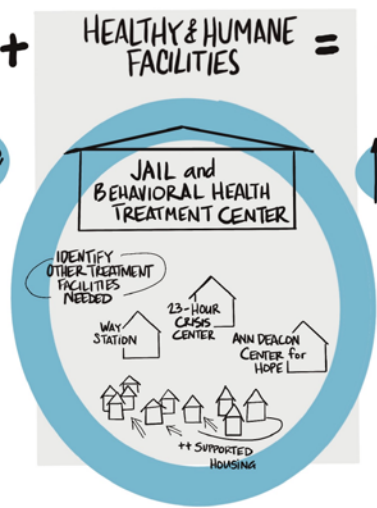
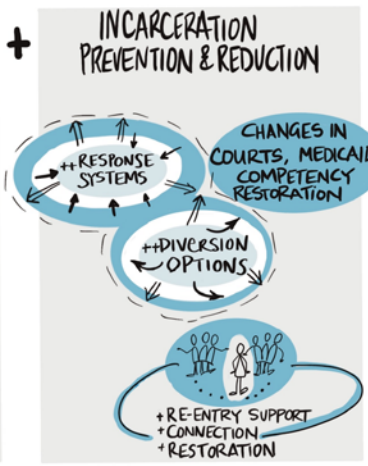


## IMPLEMENTATION PLAN

CONTINUE COUNTY INVESTMENTS IN...

**COMMUNITY HEALTH IMPROVEMENTS**

- ↑ BEHAVIORAL HEALTH SERVICES
- ↑ SUPPORT FOR CHILDREN & FAMILIES
- ↑ HOUSING / HOMELESSNESS PREVENTION



**INCREASED HEALTH & SAFETY**

↑ ACCOUNTABILITY DATA INCLUSION TRANSPARENCY



## Introduction

This Justice Project Needs Assessment Implementation Plan is designed to provide guidance to public agencies, organizations, and individuals working to address issues in the criminal legal system and behavioral health services, as described in the Whatcom County [Justice Project Needs Assessment Report](#).

The Implementation Plan describes **action steps towards priority projects that have been vetted by the community**. It identifies the responsible parties and offers initial estimates of costs and potential funding sources. It is anticipated that the Plan will be reviewed annually by both a committee of the IPRTF and advisory board to the County Executive, charged with oversight (see Implementation Projects 1 & 2 below). It will continue to be refined as new information and opportunities become available, and a full review and **update of the Implementation Plan will occur within 3-4 years**.

## Background

For decades, Whatcom County has struggled to strike a balance between prevention and incarceration in its approach to public safety, including reducing the number of people with behavioral health and/or substance use disorders who are incarcerated. On August 7, 2019, the Whatcom County Council approved [Resolution 2019-036](#), adopting a statement of public health, safety, and justice facility planning principles for Whatcom County. The resolution established a commitment to community-based preventative services, successful re-entry, reducing incarceration and re-incarceration, and investing in behavioral health services. The resolution also expressed the Council's intent to develop a potential ballot initiative to replace the aging Whatcom County jail with a facility that would provide a safer and healthier environment for those who are incarcerated and staff who work there.

With the support of the [Incarceration Prevention and Reduction Task Force \(IPRTF\)](#), a diverse 38-member [Stakeholder Advisory Committee](#) (SAC) convened in 2022 to create a needs assessment to identify the path forward. The SAC met 10 times over the course of the year with professional facilitation and subject matter experts. All the materials and meetings of the SAC are posted on the [County's website](#). Input on the Needs Assessment was gathered through:

- An online public survey with a total of 1,704 valid responses from individuals across Whatcom County.
- A survey of 109 incarcerated individuals and 28 Whatcom County Jail staff.
- Six (6) listening sessions, involving 29 participants from immigrant, tribal, and previously incarcerated (or their family members) communities.
- Eight (8) informal interviews with five (5) immigrant community leaders and three (3) Lummi Nation Elders.
- A Town Hall Listening Session (hybrid meeting) with about 120 people in attendance.
- [Public comments](#) submitted throughout the needs assessment process.

In early 2023, a [Justice Project Needs Assessment Report](#) was completed. This report:

- Establishes a vision, values, and goals, for the criminal legal system in Whatcom County (see **Appendix A**),
- Examines data related to incarceration rates,

- Identifies gaps in the current community response to health and public safety needs, both inside and outside Whatcom County’s jail facilities,
- Considers what it would take to fill those gaps in order to improve health and public safety, and
- Makes recommendations to address the community’s public health, safety, and justice concerns. (See **Appendix B: Needs & Recommendations**)

On February 21, 2023, the Whatcom County Council approved [Resolution 2023-006](#), accepting the SAC’s Justice Project Needs Assessment Report and identifying the next steps to create a [Justice Project Implementation Plan](#) which would include:

- Analysis of potential facilities concepts, including location options and planning level costs,
- Identification of a site and concept for the main jail and service facilities in the community,
- Proposed services and systems efforts and their costs,
- Identification of county departments, community leaders and organizations to lead implementation of the recommendations, and
- A funding approach including, but not limited to, elements to be funded through a proposed ballot measure.

### The Process to Develop the Implementation Plan

The [Incarceration Prevention and Reduction Task Force](#) acting as the Law and Justice Council (IPRTF/LJC) for Whatcom County was asked to guide the development of the Implementation Plan being led by the County Executive. The process was coordinated by a Planning Team consisting of County Councilmember Barry Buchanan, IPRTF/LJC Co-chairs Stephen Gockley and Jack Hovenier, and Whatcom County Deputy Executive Tyler Schroeder, with support from County staff and a local facilitation team, Crossroads Consulting.

To identify priority projects, five workshops were held virtually via Zoom in the Spring of 2023 as special meetings of the IPRTF/LJC, with additional key stakeholder participants. (All workshop presentations and summaries available on the [IPRTF webpage](#), see [March 9, 17, 23, 30](#) and [April 12 meeting dates](#).) Workshops focused on the core elements of the Needs Assessment (systems, services, and facilities), plus funding. Participants also contributed information about existing programs, perceived priorities for action, and needed resources.

A list of priority projects, focusing on what should be initiated in the next 1-3 years was drafted and then tested with an on-line poll. Workshop participants and members of the SAC who responded to the poll gave their feedback on how important and how feasible they believed the proposed projects were and offered additional suggestions. The project list was revised based on the feedback from IPRTF workshop participants and the SAC.

<b>Implementation Plan Focus Groups</b>	<b># Participants</b>
Lived experience in criminal legal system (personal or friend/family)	26 (in 2 groups)
Lummi Nation	9
BIPOC (Black, Indigenous, People of Color)	8 (met twice)
Latinx/Hispanic	9
Other – Mostly service providers	8
<b>Key Informant Interview</b>	<b># Participants</b>
Nooksack Tribal Police Chief & Deputy	2
<b>Surveys</b>	<b># Participants</b>
Focus group participants	60
Survey-only participants	14

In April, seven focus groups and a survey were conducted with people who had been incarcerated previously, friends or family members of people who had been incarcerated, and BIPOC communities to gather input on their priorities. Participants in the focus groups and the accompanying survey were self-selected (not randomly selected). Focus groups lasted 90 minutes, and people were compensated for their time. Sixty people completed both the survey and participated in a focus group, and an additional 14 people did only the survey because the focus groups were full. Additionally, a key informant interview was conducted with the Nooksack Chief of Police and a Deputy. The implementation project list was revised yet again based on the feedback from these focus groups, surveys, and interview. ([See Findings from Focus Groups & Survey.](#))

On May 24<sup>th</sup>, a [Town Hall Listening Session](#) provided another opportunity to gather input on strategies to implement improvements to Whatcom County's criminal legal system. This hybrid event was widely publicized and open to anyone who wanted to participate in-person in the Council Chambers (in the Courthouse in downtown Bellingham), or virtually. Approximately 200 people attended the Town Hall, half online and half in-person. They included members of the public, IPRTF/LJC, the Stakeholder Advisory Committee, and the County Council. The session began with a 40-minute [presentation](#) to provide background information and review the proposed implementation projects and discuss three county-owned properties for proposed facilities. The remainder of the time was open for public comment. Time for comments was extended to 95 minutes to accommodate all who wanted to speak. Following the Town Hall, additional changes were made to the implementation project list. The Planning Team, Executive's Office, and consultants then gathered information on project costs and potential funding sources.

From April through June additional input on elements of the implementation plan was gathered in biweekly workshops with the County Council ([AB2023-304](#)) and monthly meetings with the IPRTF/LJC.

This Justice Project Implementation Plan is the compilation of all this information and the input of hundreds of people who contributed to planning the most important next steps to increase public health, safety, and justice in Whatcom County.

## Implementation Projects

To advance the changes recommended in the Needs Assessment Report, five strategies and 15 implementation projects were developed by the IPRTF/LJC with subject matter experts and informed by public input. The strategies and projects are described below with assigned responsibilities and an estimated budget and funding source. The Needs Assessment values and goals that are reflected in each of the five strategies are noted at the top of each section, and **Appendix C** presents the Needs Assessment Recommendations addressed by each of the Implementation Projects.

### The five Implementation Strategies are:

- I. Ensure Oversight, Accountability, and Transparency
- II. Increase Access to Behavioral Health Services
- III. Build the Array of Facilities Needed to Promote Public Health, Safety, and Justice
- IV. Expand the Capacity of Programs to Reduce Incarceration/Re-incarceration
- V. Make Systems Changes with Local, Regional, State, and Federal Partners

**Funding estimates** used in this document focus on local funding needed to accomplish projects, with the assumption that state and federal funding may also be necessary for many projects. The financial projections are based on current data and understanding and are subject to ongoing refinement and adjustment as circumstances change. Many costs are dependent on the availability of state and/or federal funding and the needs of facility and program operators. The investments into the projects are in addition to what the County is already spending on the services in our community. The Whatcom County Executive will update funding estimates over time, consistent with policy direction from the Whatcom County Council.

As mentioned above, this Implementation Plan will be a living document and will continue to be updated to respond to what is learned and emerging needs and opportunities.

## Strategy I: Ensure Oversight, Accountability, and Transparency

The success of this Implementation Plan will be dependent upon the cooperation of leaders from many organizations, agencies, and communities. There is a need for better data and reporting to monitor progress toward the desired outcomes. Ongoing communication between partners and the community will be essential, along with inclusive participation to ensure that issues of racial inequity and discrimination are openly and actively addressed.

### Alignment with the Needs Assessment

#### Values:

1. Practice wise stewardship of public resources by using evidence-based decision-making, and evaluating if current programs, intervention, and processes are working as intended.
2. Facilitate public engagement in transparent decision-making processes that reflect community priorities.
3. Ensure systems, services, and facilities are adaptable to changing circumstances and needs.
4. Openly and actively address inequities and discrimination.

<b>Project 1: Establish a Justice Project Oversight &amp; Planning (JPOP) Committee</b> , including members of BIPOC communities and people with lived experience, to monitor progress and recommend updates on this Implementation Plan.		
<b>Description</b>	Establish a new standing committee of the Incarceration Prevention and Reduction Task Force serving as the Law and Justice Council (IPRTF/LJC), to help track progress on the Implementation Plan. The committee will help ensure the Plan is updated as needed, and that public engagement and communications are robust. Participants will include members of BIPOC communities and people with lived experience.	
<b>Lead Organization</b>	IPRTF/LJC	
<b>Essential Collaborators</b>	Members of BIPOC communities and people with lived experience Whatcom County Staff Finance and Operations Justice Project Advisory Board	
<b>Key Next Steps (1-3 years)</b>	<ul style="list-style-type: none"> <li>• IPRTF/LJC to create a new Justice Project Oversight &amp; Planning (JPOP) Committee, to assist with oversight and make recommendations for updating the strategies and projects outlined in this Implementation Plan.</li> <li>• Recruit committee members, starting with outreach to those people who participated in the Implementation Plan Focus Groups and expressed interest in ongoing involvement.</li> <li>• Launch the committee with strong administration and coordination to support success.</li> <li>• Meet regularly to monitor progress and advise on Plan updates.</li> <li>• Preparation of an annual report to be included as part of the IPRTF/LJC annual report. Make report accessible to the public.</li> </ul>	
<b>Cost Estimate / Sources of Funding</b>	<b>Total:</b> \$24,000/yr.	Stipends for community volunteer members, and facilitation – General Fund

<b>Project 2: Establish a Finance and Operations Justice Project Advisory Board</b>		
<b>Description</b>	The Whatcom County Executive will develop a long-term agreement with elected leaders from various jurisdictions in Whatcom County, to provide oversight of the funds collected for the construction and operations of the jail, behavioral health treatment center, and associated services. An Advisory Board will be established to ensure fair cost sharing and public transparency. Reporting to the County Council and the public shall be done in cooperation with the IPRTF/LJC and informed by the JPOP Committee.	
<b>Lead Organization</b>	County Executive’s Office	
<b>Essential Collaborators</b>	IPRTF/LJC, with support of the JPOP Committee Agencies/Jurisdictions with representatives on the Advisory Board (see below)	
<b>Key Next Steps (1-3 years)</b>	<ul style="list-style-type: none"> <li>• Draft charter for a new Finance and Operations Justice Project Advisory Board.</li> <li>• Select and recruit Advisory Board members, to include representatives from: <ul style="list-style-type: none"> <li>○ Whatcom County Sheriff</li> <li>○ Mayor of Bellingham</li> <li>○ Bellingham City Council</li> <li>○ Elected representatives from the small cities</li> <li>○ Tribal leaders</li> <li>○ Whatcom County Health and Community Services</li> <li>○ Police chiefs from cities and tribes</li> <li>○ Co-chairs of the IPRTF/LJC</li> <li>○ Community members/People with lived experience</li> </ul> </li> <li>• Convene and facilitate the Advisory Board with strong administration and coordination to support success.</li> <li>• Report annually to the County Council and essential collaborators. Make report accessible to the public.</li> </ul>	
<b>Cost Estimate / Sources of Funding</b>	<b>Total:</b> In-kind	General Fund



<b>Project 3: Collect data to measure progress toward desired outcomes and develop a data dashboard</b>		
<b>Rationale/Description</b>	Data are essential to measuring progress, improving coordination, and ensuring that systems, services, and facilities can adapt to changing circumstances and needs. To make the data accessible, an on-line “data dashboard” will help providers and the public be well-informed.	
<b>Lead Organizations</b>	County Executive’s Office	
<b>Essential Collaborators</b>	Administrative Office of the Courts Sheriff’s Records Medical Records Whatcom County Health and Community Services (GRACE/LEAD/ART/Mental Health Court) Prosecuting Attorney’s Office Public Defender’s Office County Information Technology IPRTF/LJC JPOP Committee Finance & Operations Justice Project Advisory Board	
<b>Key Next Steps (1-3 years)</b>	<ul style="list-style-type: none"> <li>• Hire a Criminal Justice Informatics Specialist and a Senior Applications Administrator.</li> <li>• Identify resources, existing systems, and expertise (e.g. universities and regional associations).</li> <li>• Determine which data are most important to collect and monitor.</li> <li>• Ensure data are regularly reviewed by an independent evaluator to ensure quality, accuracy, and efficacy in measuring progress toward desired outcomes.</li> </ul>	
<b>Cost Estimate / Sources of Funding</b>	<b>Total:</b> \$290,000/yr.	General Fund (in process)

## Strategy II: Increase Access to Behavioral Health Services

Individuals with mental illness and/or substance use disorders are at a higher risk for involvement with the criminal legal system for many reasons. The [Sequential Intercept Model Update 2022](#) created for the Needs Assessment presented a detailed analysis of existing services for people with behavioral health disorders, looking at each intercept, or point in the system, where individuals may interact with the criminal legal system. While Whatcom County has a substantial number of organizations and programs at each intercept, most are small, and the Needs Assessment identified the need to increase the capacity of many types of behavioral health services in order to prevent incarceration and re-incarceration. Stable housing with onsite support and case management is in short supply and is essential to preventing incarceration/re-incarceration. In addition, communication and coordination between organizations can be a challenge, as individuals may use many services simultaneously or sequentially. The following projects are intended to address these issues.

### Alignment with the Needs Assessment:

#### Systems Goals:

2. Low-risk offenders are safely and effectively diverted from a Whatcom County Jail sentence and provided with support to help them succeed.
4. Sufficient funding, staffing, and resources ensure adequate service capacity at all points of contact in the criminal legal system.

#### Services Goals:

6. Coordinated services and programs effectively close the gaps between community, legal, and jail-based services at all points of contact in the criminal legal system.
7. People released from jail have immediate access to behavioral health and medical care, housing, employment, and support systems to avoid re-incarceration.
8. Community and jail-based services (e.g., treatment for mental health and substance use disorders, affordable supported housing) support healing, and make measurable differences in reducing crimes of poverty and repeat offenses.

<b>Project 4: Address workforce shortages in behavioral health services</b>	
<b>Description</b>	Workforce shortages in the behavioral health field are a problem across the United States. The work can be extremely stressful, and the pay is often inadequate to retain quality staff. Training and support are essential. Linking more behavioral health services to peer support and mentorship networks can help create a larger network of care.
<b>Lead Organization</b>	Whatcom County Health and Community Services (WCHCS)
<b>Essential Collaborators</b>	Community-based provider organizations Local higher education partners (e.g., BTC, WCC, WWU) Whatcom Racial Equity Commission Whatcom Dispute Resolution Center (resource for training) Washington State Health Care Authority North Sound BH-ASO
<b>Key Next Steps (1-3 years)</b>	<ul style="list-style-type: none"> <li>• Engage with provider organizations to identify and prioritize strategies to fill existing workforce shortages.</li> <li>• Work with state legislators and relevant agency staff to determine state budget and policy priorities to address the barriers and challenges resulting in workforce shortages.</li> </ul>

	<ul style="list-style-type: none"> <li>• Work with local governments to remedy inadequate pay scales for behavioral health care providers in contracts and funding awards.</li> <li>• Identify opportunities for expanding and deepening the network of peer support, coaching, and mentoring within the community.</li> <li>• Determine priorities for training that can be offered as soon as possible to providers, volunteers, and organizational partners.</li> <li>• Partner with local education &amp; training programs to align curricula with workforce needs.</li> </ul>	
<b>Cost Estimate / Sources of Funding</b>	<b>Total:</b> \$150,000/yr.	State funding through North Sound BH-ASO Behavioral Health Fund Washington State Health Care Authority

<b>Project 5: Build systems to facilitate communication and coordination between organizations</b>		
<b>Description</b>	Whatcom County has numerous organizations providing behavioral health services and interfacing with the criminal legal system. Methods are needed to work across agencies to more closely track individuals' utilization of various services and their movement into and out of treatment facilities, housing, and incarceration to create a more seamless continuum of care. Methods include increased inter-personal communication and sharing information electronically through improved online communication/coordination systems.	
<b>Lead Organization</b>	Whatcom County Health and Community Services	
<b>Essential Collaborators</b>	Community-based provider organizations Re-entry specialists People with lived experience in the criminal legal system Criminal legal system departments	
<b>Key Next Steps (1-3 years)</b>	<ul style="list-style-type: none"> <li>• Create or participate in a forum with relevant partners (e.g., providers serving people involved with the criminal legal system, people with lived experience) to facilitate improved coordination of client-focused service delivery.</li> <li>• Establish no-wrong-door practices so individuals can be referred into community programs at any intercept point in their interaction with the criminal legal system (e.g., by law enforcement, a prosecutor, a provider).</li> <li>• Identify and implement software that allows for improved information sharing and coordination.</li> <li>• Explore forming a Mental Health (MH) Cooperative (like in Nashville).</li> </ul>	
<b>Cost Estimate / Sources of Funding</b>	\$50,000 start-up + \$105,000/yr.	BH Fund

<b>Project 6: Increase the capacity of effective existing programs to divert people from incarceration</b>	
<b>Description</b>	Increase participation in programs that divert eligible individuals from incarceration to behavioral health services (e.g., GRACE, LEAD, ART, Police Co-responders, MCOT, therapeutic courts, Anne Deacon Center for Hope). It is important to clarify that many of these diversion programs are designed to link people with appropriate treatment services. Therefore, it is essential to increase the capacity of treatment services and community infrastructure (e.g., housing, in-patient treatment capacity, out-patient treatment capacity, clinical wrap-around services like PACT) <i>in tandem with</i> efforts to expand diversion program capacity (see Implementation Projects 4, 5, 9, 10, 11, 12).
<b>Lead Organization</b>	Whatcom County Health and Community Services
<b>Essential Collaborators</b>	Organizations providing community-based treatment Whatcom County and Bellingham courts Prosecutor’s & Public Defender’s offices Cities’ Police Departments Sheriff’s Office County Executive’s Office PeaceHealth What-comm (911 Dispatch) Emergency Medical Services (EMS)
<b>Key Next Steps (1-3 years)</b>	<ul style="list-style-type: none"> <li>• Provide staff support for Mental Health Sentencing Alternative (MHSA) and expanded mental health court.</li> <li>• Expand capacity of therapeutic courts (e.g., Mental Health &amp; Recovery Courts).</li> <li>• Expand GRACE and Community Paramedics programs throughout the county.</li> <li>• Given adequate funding from local sales tax measures (Behavioral Health Fund, proposed new sales tax), state, and federal sources, additional expansion of diversion programs would include: <ul style="list-style-type: none"> <li>○ Embedding an SUD Professional in the Response Division at WCHCS.</li> <li>○ Add BH officers to city police departments and Whatcom County Sheriff’s Office to respond to people in crisis.</li> <li>○ Work with PeaceHealth to refer individuals in need of intensive case management to GRACE services to avoid behaviors that result in charges and bookings.</li> <li>○ Expand Co-responder Program to provide social workers to support small cities’ law enforcement response to people in crisis.</li> <li>○ Expand the Alternative Response Team (ART) to divert people from the small cities who are in crisis from the Emergency Dept. or potentially incarceration.</li> <li>○ Expand LEAD (pending assessment of current gaps) to divert high utilizers of the criminal legal system.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ Increase access to re-entry, diversion, and recovery housing for people involved, or at risk of involvement with the criminal legal system.</li> </ul>	
<b>Cost Estimate / Sources of Funding</b>	<b>Total:</b> \$1,900,000/yr.	BH Fund Proposed new sales tax State & federal grants PeaceHealth

## Strategy III: Build the Array of Facilities Needed to Promote Public Health, Safety, and Justice

When increasing the capacity of services and filling gaps in the continuum of care, appropriate facilities to house those services are needed as well. This strategy focuses on capital projects and includes the largest of the Implementation Plan projects, a jail and behavioral health treatment center. These facilities are envisioned to have secure detention of those who are a danger to public safety in a facility that promotes health and rehabilitation, coordinated with a treatment center that offers a diversion option for eligible individuals who can benefit from inpatient behavioral health services.

### Alignment with the Needs Assessment:

**Value 1:** Protect and promote public health and safety.

**Systems Goal 2:** Low-risk offenders are safely and effectively diverted from a Whatcom County Jail sentence and provided with support to help them succeed.

**Services Goal 6:** Coordinated services and programs effectively close the gaps between community, legal, and jail-based services at all points of contact in the criminal legal system.

### Facilities Goals:

9. Facilities are designed and operated to meet the health, safety, and welfare needs of those incarcerated and the people who work and visit there.
10. Facilities are designed to be versatile to adapt to changing needs.
11. Incarceration facilities balance compassion with accountability to promote safety, health, rehabilitation, and recovery.
12. Facilities adequately serve the whole county, including cities and tribal jurisdictions.

<b>Project 7: Build a 23-hour Crisis Relief Center</b>		
<b>Description</b>	Build a 23-hour Crisis Relief Center (a Behavioral Health Urgent Care open all hours, seven days per week) to enable prompt and appropriate intervention when a person is having a behavioral health crisis. This Center will divert people from the Emergency Dept. and prevent unnecessary incarceration. <ul style="list-style-type: none"> <li>• \$9M in State funding has been secured toward capital expenses.</li> <li>• A Special Projects Manager has been hired.</li> </ul>	
<b>Lead Organization</b>	Whatcom County Health and Community Services	
<b>Essential Collaborators</b>	County Executive's Office Contracted service provider agency	
<b>Key Next Steps (1-3 years)</b>	<ul style="list-style-type: none"> <li>• Site selection.</li> <li>• Design facility. Ensure diverse community engagement in facility design.</li> <li>• Build facility.</li> <li>• Secure operating funding and provider.</li> <li>• Work with state legislature to ensure adequate Medicaid reimbursement for operations of Crisis Relief Center.</li> </ul>	
<b>Cost Estimate / Sources of Funding</b>	<b>Total:</b> \$12M capital expense + \$500,000 - \$1M/yr. estimated local share of operating costs	State (\$9M received) BH Fund Proposed new sales tax

<b>Project 8: Build a new jail and behavioral health treatment center</b>		
<b>Description</b>	Build a right-sized new jail and behavioral health treatment center to provide secure detention and an array of rehabilitation services and diversion options, including facilities for people who pose a significant threat to public safety, and alternatives for lower-risk offenders (e.g., work release). A co-located facility will be dedicated to behavioral health treatment that offers inpatient mental health and substance use disorder treatment as an alternative to incarceration.	
<b>Lead Organization</b>	Whatcom County Executive’s Office	
<b>Essential Collaborators</b>	County Facilities Dept. Sheriff’s Office – Corrections Whatcom County Health and Community Services Whatcom County Courts Local jurisdictions Tribal nations Behavioral healthcare partner agencies	
<b>Key Next Steps (1-3 years)</b>	<ul style="list-style-type: none"> <li>• Conduct additional research and analysis in partnership with essential collaborators to determine the best model for a behavioral health treatment center coordinated with the courts, Corrections, WCHCS, and behavioral health partner agencies. Establish conditions under which someone could be admitted to the behavioral health treatment center and have charges dropped.</li> <li>• Select site and confirm size for facilities.</li> <li>• Design facilities which promote a culture of dignity and respect.</li> <li>• Ensure diverse community engagement in facility design.</li> <li>• Build Facilities.</li> </ul>	
<b>Cost Estimate / Sources of Funding</b>	<b>Total:</b> TBD depending on size and location.	Proposed new sales tax



<b>Project 9: Identify what additional facilities are needed to support people with behavioral health issues at risk of incarceration</b>		
<b>Description</b>	<p>People with mental health and/or substance use disorders (SUD) are at risk of criminal legal system involvement. In the midst of a behavioral health crisis, an individual may present a risk to themselves and public safety. Our region lacks adequate facilities for voluntary and involuntary treatment of mental health and/or SUD. There is one facility in the state used for involuntary treatment of SUD, and there are long delays for a bed at the state inpatient psychiatric hospitals.</p> <p>Work with local and regional partners to assess the desirability and feasibility of building facilities for voluntary and involuntary treatment of people with serious mental illness and/or SUD, and develop proposals for new and expanded facilities.</p>	
<b>Lead Organization</b>	Whatcom County Health and Community Services	
<b>Essential Collaborators</b>	County Executive’s Office North Sound BH-ASO Washington State Dept. of Commerce Washington State Health Care Authority State legislature Local and Regional partners Whatcom Racial Equity Commission	
<b>Key Next Steps (1-3 years)</b>	<ul style="list-style-type: none"> <li>• Discuss with North Sound BH-ASO.</li> <li>• Identify individuals/organizations to be involved in regional conversations, including local BIPOC communities and people with lived experience and their families.</li> <li>• Participate in conversations and planning of next steps.</li> <li>• Develop proposals for new and expanded facilities.</li> <li>• Respond to appropriate requests for proposals for state and federal funding.</li> <li>• Update the Implementation Plan and funding priorities accordingly.</li> </ul>	
<b>Cost Estimate / Sources of Funding</b>	<b>Total:</b> In-kind	In process

## Strategy IV: Expand the Capacity of Programs to Reduce Incarceration/Re-incarceration

Most people in the current Whatcom County Jail have been there before, some too many times to count. Disrupting the cycle of re-incarceration is the challenge that many of the projects in this Implementation Plan are designed to address. The goal is to ensure people leaving detention facilities are provided resources they need for a “soft landing” in the community, and ongoing supports that can lead to greater health and lower likelihood of criminal behavior in the future. For many, housing is the key ingredient, and for those with behavioral health issues, supportive housing with on-site clinical and case management providers is needed to help them live successfully in the community.

### Alignment with the Needs Assessment:

#### Services Goals:

6. Coordinated services and programs effectively close the gaps between community, legal, and jail-based services at all points of contact in the criminal legal system.
7. People released from jail have immediate access to behavioral health and medical care, housing, employment, and support systems to avoid re-incarceration.
8. Community and jail-based services (e.g., treatment for mental health and substance use disorders, affordable supported housing) support healing, and make measurable differences in reducing crimes of poverty and repeat offenses.

<b>Project 10: Ensure people leaving detention and treatment facilities have transportation to a safe destination</b>			
<b>Description</b>	<p>During a period of incarceration, or time in a crisis stabilization or treatment facility, people may achieve sobriety and/or become open to pursuing longer-term recovery services. However, if people leaving these facilities lack transportation directly to a safe place to stay, or are picked up from detention or treatment facilities by people who are still using drugs/alcohol, they often quickly fall back into using substances. Those who live outside of Bellingham in rural Whatcom County have the added challenge of limited public transportation options, especially at certain times of the day/week.</p> <p>A relatively simple but essential factor in successful re-entry to the community is ensuring that there is sufficient access to transportation so everyone released from detention or treatment facilities has a ride directly to a safe place to stay, or perhaps a longer-term treatment program, supportive housing, or a Resource Center with re-entry support where they can be linked with needed services.</p>		
<b>Lead Organization</b>	Sheriff’s Office – Corrections		
<b>Essential Collaborators</b>	Whatcom Transportation Authority Whatcom County Health and Community Services		
<b>Key Next Steps (1-3 years)</b>	<ul style="list-style-type: none"> <li>• Add drivers and vehicles to existing transportation services, as needed, to ensure reliable transportation is available for those being released from detention or treatment facilities.</li> <li>• Collaborate with Whatcom Transportation Authority (WTA) to ensure that public transportation is available to key facilities in the continuum of care, and to help people move between these facilities.</li> </ul>		
<b>Cost Estimate / Sources of Funding</b>	\$140,000/yr.	Transportation services	Proposed new sales tax
	<b>Total: \$140,000/yr.</b>		

<b>Project 11: Bolster Re-entry Support Services</b>		
<b>Description</b>	Individuals leaving detention, and especially those who are unhoused upon leaving an involuntary detention, need many resources to ensure a soft landing in the community, and to prevent a return to behaviors that increase risk of re-incarceration. Ensuring support services are available to help people begin making re-entry plans as soon as they are detained, with seamless continuity to re-entry services throughout the community, has been identified as a critical need.	
<b>Lead Organization</b>	Sheriff's Office – Corrections Whatcom County Health and Community Services	
<b>Essential Collaborators</b>	Re-entry specialists Community-based provider organizations County Executive's Office (for capital project)	
<b>Key Next Steps (1-3 years)</b>	<ul style="list-style-type: none"> <li>• Add three BH/re-entry specialists to coordinate re-entry services and link people with a community of support.</li> <li>• Clarify the locations, services, staff, and peer support systems within various communities where people can link seamlessly with re-entry support services, such as case management, peer support, and assistance with housing, employment, healthcare, etc.</li> <li>• Work with partners to develop the concept and budget for one or more Re-entry and Resource Center(s), possibly co-located with supportive housing.</li> </ul>	
<b>Cost Estimate / Sources of Funding</b>	<b>Total:</b> \$6M one-time capital expense + \$300,000/yr. Re-entry Specialists \$500,000/yr. Resource Center operations	Proposed new sales tax State funds BH Fund

<b>Project 12: Maintain and expand supportive housing programs for people with behavioral health issues and a history of incarceration</b>		
<b>Description</b>	A lack of adequate housing for people with behavioral health issues, is a serious problem in our community. There is a need for more supportive housing programs that have on-site clinical support and intensive case management services, which has been shown to increase housing stability, reduce involvement with the criminal legal system, and decrease use of emergency medical services. The priority is to maintain and expand supportive housing programs - including voluntary and involuntary facilities - for people with behavioral health issues and a history of incarceration.	
<b>Lead Organization</b>	Whatcom County Health and Community Services	
<b>Essential Collaborators</b>	County Executive's Office (for capital projects) Supportive housing providers Community-based BH providers	
<b>Key Next Steps (1-3 years)</b>	<ul style="list-style-type: none"> <li>• Assess supportive housing needs, gaps, and necessary funding supports.</li> <li>• Assess County-owned properties for suitability for housing projects.</li> <li>• Learn more about how the Nooksack and Lummi communities are providing supportive housing and services. Replicate and add support to the Lummi and Nooksack efforts as appropriate.</li> <li>• Ensure existing supportive housing facilities throughout Whatcom County are fully staffed and equipped.</li> <li>• Identify opportunities to integrate Program for Assertive Community Treatment (PACT) services into existing supportive housing.</li> <li>• Provide capital and operating funding for small recovery/supportive housing and shelters through a Request for Proposals process.</li> <li>• Provide capital and operating funding for large re-entry supportive housing through a Request for Proposals process.</li> </ul>	
<b>Cost Estimate / Sources of Funding</b>	<b>Total:</b> \$4,050,000 one-time costs + \$2,250,000/yr. estimated local share of operating costs	Local housing funds BH Fund American Rescue Plan Act funds Federal HOME funds LEAD grant State funds

## Strategy V: Make Systems Changes with Local, Regional, State, and Federal Partners

Some of the changes that are needed to improve the criminal legal system are systemic and involve addressing ways individuals can become stuck in legal and governmental systems that are difficult to understand and navigate. The following projects aim to remove some of the obstacles that prolong time in the criminal legal system, or hamper access to services. These projects involve trying to affect change in systems that are mostly outside of local control and will require acting in partnership with our regional and state allies.

### Alignment with the Needs Assessment:

#### Systems Goals:

1. Policies are identified and changed to strategically address system gaps and achieve intended outcomes, such as reducing the jail population.
2. Low-risk offenders are safely and effectively diverted from a Whatcom County Jail sentence and provided with support to help them succeed.
3. People are assured speedy and fair resolution of legal issues to reduce unnecessarily long jail stays and hasten restoration.
4. Sufficient funding, staffing, and resources ensure adequate service capacity at all points of contact in the criminal legal system.

<b>Project 13: Continue to make changes in court systems</b>	
<b>Description</b>	<p>Continue to make changes in court systems to reduce the number of people who are incarcerated and the length of time they are detained before trial.</p> <p>Another change that has been requested by the public is to evaluate the bail system, which is seen as unfair for lower-income people who cannot afford bail. Although the bail system is established in the state constitution, we can still evaluate options to reduce or replace elements of the bail system.</p>
<b>Lead Organization</b>	Courts
<b>Essential Collaborators</b>	<p>Prosecutor’s Office                      Public Defender’s Office                      Courts of:                      Whatcom County (District, Superior)                      City of Bellingham                      Nooksack Tribe                      Lummi Nation                      IPRTF Pretrial Processes Workgroup                      Whatcom County Information Technology</p>
<b>Key Next Steps (1-3 years)</b>	<ul style="list-style-type: none"> <li>• Ongoing implementation of strategies to promote timely resolution of cases to reduce the number of people held in detention pretrial and the length of time they are held.</li> <li>• Assess local, state, and federal actions that can be taken to reduce and expedite cases through the criminal legal and court systems.</li> <li>• Regularly monitor relevant performance measures and make data available to stakeholders and the public (see Implementation Project 3).</li> <li>• The IPRTF Pretrial Processes Workgroup will continue regular tracking of data and consider adjustments to the Pretrial Risk Assessment scoring and</li> </ul>

	<p>consequences imposed by the judicial officers using the assessment, if needed.</p> <ul style="list-style-type: none"> <li>• If the Pretrial Risk Assessment is used effectively, and applied in a race-neutral manner in determining which individuals can be monitored safely outside of detention while awaiting trial/case resolution, then encourage lower-level courts to adopt the assessment and monitoring approach.</li> <li>• Increase use of diversion programs when appropriate, as capacity of these programs increases (see implementation Project 6).</li> </ul>	
<b>Cost Estimate / Sources of Funding</b>	<b>Total:</b> In-kind	In process

<b>Project 14: Expedite access to competency restoration services</b>		
<b>Description</b>	When people charged with a crime are struggling with severe mental health issues, they may not be competent to stand trial. They may be incarcerated for months before there is space at Western State Hospital to provide competency restoration services. Expediting access to competency restoration services involves advocacy at the state level and exploration and development of outpatient alternatives locally (e.g., Prosecutorial Diversion Program, Assisted Outpatient Treatment).	
<b>Lead Organization</b>	Whatcom County Health and Community Services County Executive's Office	
<b>Essential Collaborators</b>	Competency Restoration Workgroup Prosecutor's Office Public Defender's Office Corrections State and regional partners	
<b>Key Next Steps (1-3 years)</b>	<ul style="list-style-type: none"> <li>• Continue to convene the Competency Restoration Workgroup to discuss options for expediting access to inpatient and outpatient competency restoration.</li> <li>• Hire a contractor to develop a prosecutorial diversion and/or competency restoration pilot project.</li> <li>• Advocate for state funding and policy that supports prosecutorial diversion and alternative pathways for competency restoration.</li> </ul>	
<b>Cost Estimate / Sources of Funding</b>	<b>Total:</b> \$50,000	General Fund
	In-Kind	In process – Competency Restoration Workgroup and Advocacy for state funding & policy

<b>Project 15: Advocate for a state waiver to allow use of Medicaid funds to pay for medical and behavioral health services for incarcerated individuals</b>		
<b>Description</b>	Current federal rules prohibit Medicaid from paying for services provided during incarceration. Behavioral health services provided in the jail for those who are eligible for Medicaid currently are funded with Behavioral Health Funds, General Funds, and sales tax revenue. The State is currently applying for a waiver for the Medicaid inmate exclusion policy, which would ensure greater access to care for individuals while incarcerated, and continuity of care upon re-entry to the community. It is estimated this waiver would save the County approximately \$3 million per year.	
<b>Lead Organization</b>	County Executive's Office	
<b>Essential Collaborators</b>	Whatcom County Health and Community Services IPRTF Washington State Association of Counties (WSAC) Healthcare Authority Advocacy groups State congressional members and staff	
<b>Key Next Steps (1-3 years)</b>	<ul style="list-style-type: none"> <li>• Announcement of Medicaid waiver application status by June 30, 2023.</li> <li>• Determine next steps based on outcome.</li> <li>• Continue to track the Health Care Authority's application to renew and expand an existing 30-day waiver to 90 days.</li> <li>• Maintain contact with state partners regarding state advocacy efforts needed.</li> </ul>	
<b>Cost Estimate / Sources of Funding</b>	<b>Total:</b> In-kind	In process



## Projects That Can Start in Year One

Some of the implementation projects are already in process or well-along in planning, while others are dependent on the will of voters and successful applications for state and federal funding. Progress can be made on many of the projects starting year one using existing funding sources.

### **Given existing funding sources, anticipated actions starting year one are:**

- Put a sales tax initiative before voters in November 2023 to pay for major projects
- Establish a Justice Project Oversight & Planning (JPOP) Committee (Project 1)
- Establish a Finance and Operations Justice Project Advisory Board (Project 2)
- Hire Criminal Justice Informatics Specialist and Application Administrator for data collection and dashboard (Project 3)
- Address workforce shortages in behavioral health services (Project 4)
- Build systems to facilitate communication and coordination between organizations (Project 5)
- Provide staff support for Mental Health Sentencing Alternative and expanded mental health court (Project 6)
- Increase capacity of existing diversion programs (Project 6)
- Design Crisis Relief Center (2023-24) (Project 7)
- Hire a construction project manager. Start construction of CRC (2024) (Project 7)
- Identify additional behavioral health facilities that are needed (Project 9)
- Increase transportation services for people leaving jail/treatment (Project 10)
- Bolster re-entry services by hiring additional Re-entry Specialists (Project 11)
- Assess supportive housing needs, gaps, and necessary funding supports, including outreach to Nooksack and Lummi (Project 12)
- Release Request for Proposals for small recovery/supportive housing capital projects (Project 12)
- Continue to make changes in court systems (Project 13)
- Advocate for state funding and policy for diversion and pathways for competency restoration (Project 14)
- Advocate for submission and funding of a state Medicaid waiver (Project 15)

The following sections present material to inform decisions about new facilities and funding the other Implementation Plan projects that require additional sources of revenue to accomplish.

## Facilities Alternatives

The County is in the fortunate position of already owning three properties within 10-15 minutes' drive from each other and the County Courthouse. The three properties are known as Civic Center, Irongate, and LaBounty. The facilities recommended in this plan include:

• 23-hr. Crisis Relief Center	Project 7
• Jail and behavioral health treatment center with secure detention facilities and an array of rehabilitation services and diversion options	Project 8
• Re-entry & Resource Center(s)	Project 11
• Supportive housing	Project 12
• Additional facilities for voluntary and involuntary behavioral health treatment	Project 9

These facilities' size, design, proximity to other services, and cost to build all factor into decisions about location. Since the jail and behavioral health treatment center are the largest of the proposed facilities, choosing their location first is prudent, as the other facilities can be more flexibly located on remaining County properties.

### Desired Features in a Facility

The Needs Assessment report and the Implementation Planning process helped identify the desired features of a new jail and behavioral health treatment center. These include:

- Correctly sized, based on a fair analysis of population growth, along with strategic investments to avoid unnecessary incarcerations.
- Sized and operated to ensure booking restrictions in the county and its cities will not occur.
- Designed to reflect best practices for safety, efficiency, and technology.
- Safe for incarcerated individuals and those who work and visit there.
- Designed with spaces & equipment integrated throughout facilities to provide incarcerated individuals with dignity and needed services (e.g., dedicated, confidential behavioral health treatment space; visitation spaces; medical and dental care treatment space; provider/staff workspace; education & vocational training; outside spaces for recreation, gardens, natural light, and fresh air).
- Versatile to accommodate changes in the population.
- Built to last.
- Easy to maintain.
- Feasible to fund and build.
- Located near adjacent land to purchase/develop if needed.
- Located in proximity to resources incarcerated individuals need (e.g., criminal legal resources, public transportation).
- Easily accessible by all jurisdictions served.
- Convenient, accessible transportation for all who use or visit the facility.
- A physical environment that contributes to improved mental health (e.g., natural light, use of color, natural beauty, spatial layout).

- A centralized booking area from which one can resolve cases and gain access to a range of incarceration and diversion options.
- Co-location of a jail and behavioral health treatment center.
- Space for individuals to call their own (e.g., separate rooms, dividers).

## Estimating Facility Size

The main jail was originally built in 1984 for 148 people. It became terribly overcrowded in the 1990’s with populations over 260. The Interim Work Center, which opened in 2006, has capacity for 150 low-risk individuals, which increased the total number of available beds to 359 and helped take some pressure off the jail. The average daily population between the two facilities hit highs of over 400 between 2007-2014, prior to many diversion programs being implemented. As of May 2023, with booking restrictions in place, the average daily population of the two facilities was 325.

In calculating the size for detention facilities, the National Institute of Corrections recommends approximately 20% of additional capacity to allow for operational factors such as “peaking” (a cushion of additional beds for days with above average needs) and “classification” (additional beds to enable accommodation of individuals with different security classifications). Adding the 20% peaking/classification factors to the 359 current available beds results in a total of 430 beds.

This estimate of 430 beds was used specifically for the purposes of estimating the costs of building a facility using either a vertical or horizontal design at each of the three properties owned by the County. The estimate did not, however, account for population growth, the end of booking restrictions, or the commitment to building a behavioral health treatment center with 60-75 beds as a core strategy to reduce incarceration of people with behavioral health disorders.

Preliminary conceptual calculations of square footage used a “design block format” which is a simple schematic of functions and approximate square footages.

The estimated costs for building at different locations is described in the section below. Before further design work can be done, the County will decide upon the **location**, and the **number of beds** to address current needs, and the needs of the future.

<b>Conceptual Estimate of Total Sq. Ft.</b> these calculations were developed solely for the purpose of estimating the costs of construction at three different locations, in either a vertical or horizontal design	<b>157,180 Sq. Ft.</b>
<b>Housing Pod</b> (include medical/BH, recreation, classrooms, visitation, etc.)	93,500 (9,350 sq. ft./pod X 10)
<b>Medical, Dental, Behavioral Care</b>	12,000
<b>Booking</b>	6,867
<b>Kitchen Area</b>	4,451
<b>Facilities/Laundry</b>	5,400
<b>Sheriff’s Office Area/Lockers</b>	10,227
<b>Circulation/Chase</b>	24,735

The number of beds needed should include an estimate of the impact of removing booking restrictions.

## Facility Design

The type of design determines the size of the property needed to accommodate the facilities. The jail and behavioral health treatment center could be built as vertical or horizontal structures.

### Advantages of a horizontal design are:

- Versatile to accommodate changing needs, programs, and populations.
- Less expensive to build, operate, and maintain.
- Safer and more efficient for staff to manage.
- Horizontal design allows for more natural light.

### Disadvantages of a horizontal design are:

- Requires more developable land, so the LaBounty property is the only one of the three County properties with enough space.

### Advantages of a vertical design are:

- Less land required; a 5-7 multi-story building could be built on one of the properties in Bellingham.

### Disadvantages of a vertical design are:

- Facility dimensions are permanently set, making future building expansions infeasible.
- Less versatility, harder to repurpose spaces.
- More expensive to build, operate, and maintain.
- More challenging for staff to monitor and maintain safety.

## Cost Estimates

The Needs Assessment recommended that comparative cost estimates should be calculated for possible facility locations before a specific site is chosen. Preliminary conceptual cost estimates for the type of facilities which had the desired qualities built at different locations were completed just in time for the May 23<sup>rd</sup> County Council Committee of the Whole workshop ([AB2023-304](#)) and the May 24<sup>th</sup> [Town Hall Listening Session](#). The primary purpose of these preliminary cost estimates is to identify the magnitude of difference between horizontal and vertical facility designs. Again, these calculations did not include the anticipated changes in population, an end to booking restrictions, or the co-located behavioral health treatment center.

JAIL & BEHAVIORAL HEALTH TREATMENT CENTER LOCATION	CIVIC CENTER (near Courthouse, parking lot across from current jail)	IRONGATE (Division St.)	LABOUNTY (off Slater Rd. & I-5)
SIZE	1.3 acres developable	10.6+ acres, 5 acres developable	39+ acres, 16+ acres developable
DESIGN	Vertical (~7 stories)	Vertical (~5 stories)	Horizontal (1-2 stories)
DISTANCE FROM COURTHOUSE	Adjacent	9-12 minutes	12-15 minutes

<b>CONCEPTUAL COST ESTIMATE (for jail only)</b>	\$207 million	\$170 million	\$137 million
-------------------------------------------------------------	---------------	---------------	---------------

The conceptual cost estimates show that a horizontal design is 66% of the cost estimate for a 7-story vertical design, and 80% of the cost of a 5-story vertical design.

### Location, Location, Location

By the end of the Needs Assessment process, the Civic Center site was the least favored by the SAC, and this sentiment continued throughout the implementation planning process, even without the cost estimates. Once cost estimates were available, the cost to build at Civic Center, combined with the limitations imposed by the small size of the available property to build upon, suggested that Civic Center was not ideal, despite the desire for proximity to the Courthouse.

Thus, the Irongate and LaBounty locations are the two preferred locations of the three properties available. However, there was no consensus about which of these two properties is best, as both have desired qualities and drawbacks.

**Key reasons for preferring the Irongate location:**

- Closer to downtown Bellingham services and the Courthouse.
- Co-location with the Anne Deacon Center for Hope (Crisis Stabilization Center).
- Addresses concerns expressed about previous ballot measures that building a facility on a larger property will lead to building a larger jail, and that will lead to incarcerating more people.

**Key reasons for preferring the LaBounty location:**

- Lower construction and operating costs.
- Ability to co-locate other facilities on the property to create a campus (e.g., behavioral health services, human services, housing).
- Large buildable acreage is adaptable to changing needs and best practices over time.

### Making Decisions

Many people involved in the Needs Assessment and Implementation Planning process had strong feelings about jails and incarceration, and strong opinions about locations for facilities. There are some people who participated in the SAC, focus groups, surveys, and Town Halls who were opposed to incarceration on principle. They encouraged the County to invest in services, housing, and systems changes instead.

Most people involved in the SAC, Implementation Planning Workshops, focus groups, and Town Halls expressed dismay about the condition of the current jail and supported an investment in replacing the facility, with the understanding that it would be very different than the current facility. More preference was expressed for a small detention facility and greater investment in behavioral health services, housing, and diversion programs, though many expressed concern that facilities be built large enough to accommodate inevitable population growth into the future.

Size estimates for a new jail and behavioral health treatment center ultimately need to strike a balance between two stated criteria:

- Correctly sized, based on a fair analysis of population growth, along with strategic investments to avoid unnecessary incarcerations, and
- Sized and operated to ensure booking restrictions in the county and its cities will not occur.

**The key decisions to be made by Whatcom County Council regarding a new jail and behavioral health treatment center are:**

1. **Size:** What should the initial size of this facility be (how many beds)?
2. **Location:** Where should the facility be located?

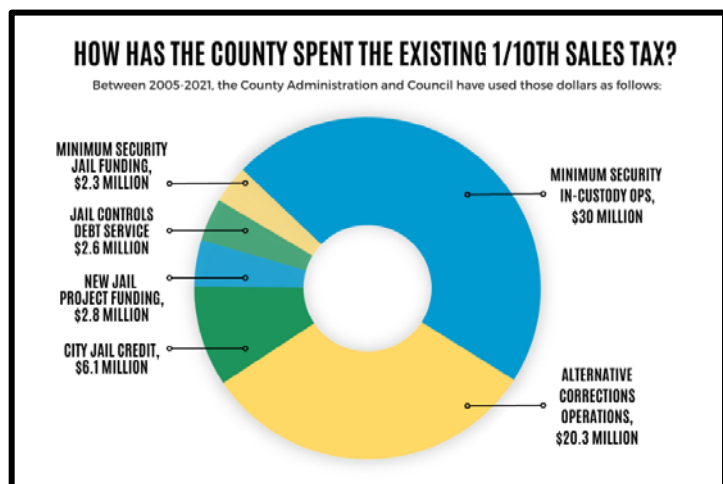
In essence, the location of the facility will dictate whether the facility can be expanded if necessary over time. A horizontal facility, which is possible at the larger LaBounty property, would allow for such expansion. A vertical facility at the Irongate property (which is the only option due to the smaller size of that property) would not allow for expansion. Thus, if Irongate is chosen, a larger facility may be advisable, to accommodate future expansion if needed.

## Funding Implementation Plan Projects Now and Into the Future

### Existing Funding Sources

Funding the services, facilities, and oversight projects in the Implementation Plan will require matching each project with the applicable types of funding. For example, the Behavioral Health Fund (BH Fund) is an excellent fit for many of the proposed services as it is explicitly intended to support diversion programs to prevent incarceration. This includes therapeutic court programs (e.g., Mental Health Court, Recovery Court), housing support services, re-entry support services, and the Response Systems Division which, in 2023, has added 25 behavioral health positions for GRACE, LEAD, ART, and Co-responder Programs. While services to prevent incarceration or re-incarceration are a component of the BH Fund, it is important to note that the fund also supports programs for youth behavioral health in schools and other settings as well as other prevention programs. Providing services along the continuum is an important value of the fund, especially for prevention in areas that no other funding source can support.

Another source of funding is the 0.1% sales tax passed in 2004. This graphic illustrates how the 2004 tax dollars have been spent between 2005-2021, with most funds going toward to the operations of the Work Center and other alternatives to incarceration (e.g., Electronic Home Detention). In 2023, \$6.6 million will go to support operating costs for the jail and Work Center, and in 2024 the amount for operations will be \$6.9 million.



In addition to these local funds, and pursuing state and federal funding opportunities, it is recommended that a new 0.2% sales tax be put before voters to pay for a 30-year bond to build a new jail and behavioral health treatment center. While identified available resources can be used for funding services, the sales tax and bond is the only feasible funding vehicle available to pay for a capital project the size of the jail and behavioral health treatment center. (See following section for details.)

Funding Source	How It Can Be Spent
Proposed new sales tax	1/3 must go to Criminal Justice, 2/3 for anything, including the proposed implementation plan
State funds	Behavioral Health and Housing facility capital costs (crisis relief and stabilization centers)
County Behavioral Health Fund	Any BH purpose, including Therapeutic Courts, school prevention, community behavioral health services, psychiatric services in the jail, GRACE program.
Medicaid	Healthcare, including BH services, outside the jail (reimbursement rates and limited)
North Sound Behavioral Health ASO	State and Federal funding for Regional behavioral health facilities and services, crisis services, involuntary commitment, co-responder program
Local housing funds	Affordable Housing, Rental Assistance, Shelter and related services
General Fund and existing sales tax	Supports operating costs for existing jail and Work Center

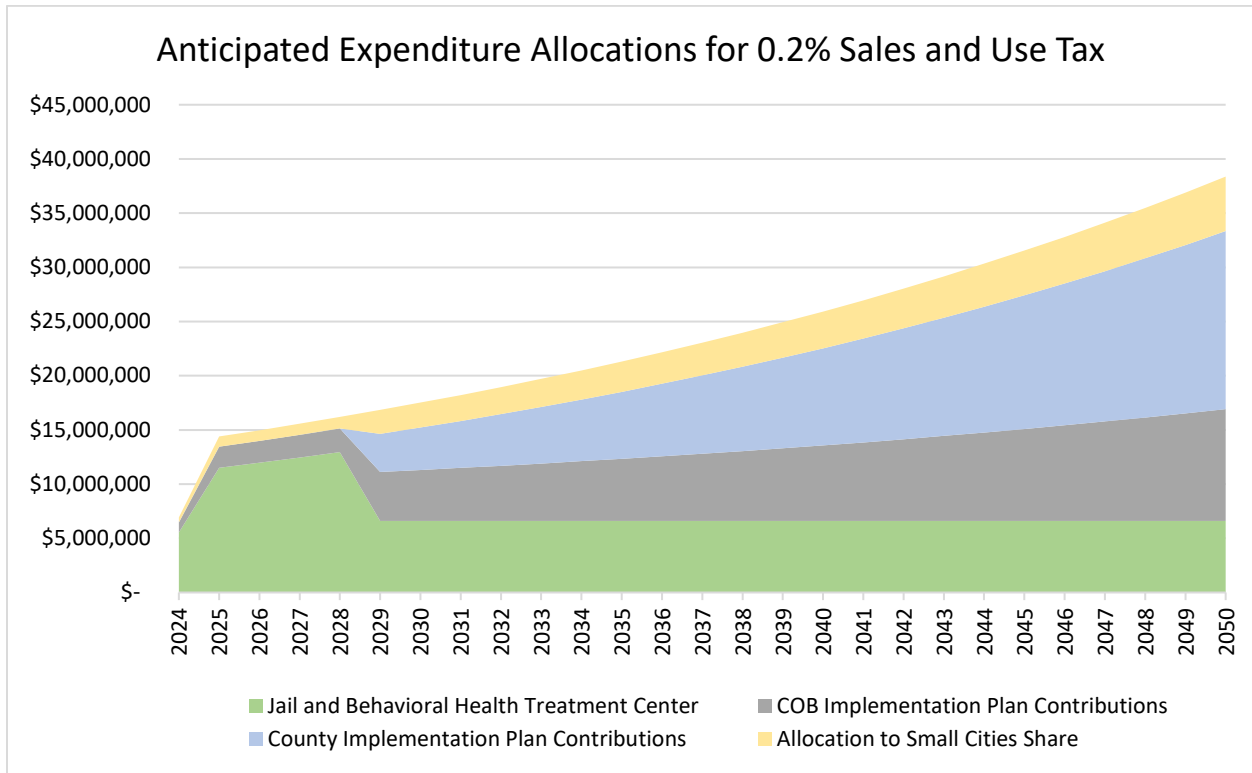
In the recent state legislative session, \$957 million in behavioral health investments were made, including improvements to crisis prevention, funding to establish short-term crisis relief centers, and actions to address the behavioral health workforce shortage. Federal and state funding flow to the counties through the Washington State Health Care Authority and North Sound BH-ASO. With an Implementation Plan in hand, Whatcom County is well-positioned to respond quickly when new requests for proposals are released.

### Potential Use of Proposed New Sales Tax

The proposed new sales tax is anticipated to provide the funds needed for the Implementation Plan projects. There are other sources of local, state and federal funding which have been secured and more will be sought. If a ballot measure is placed on the November 2023 ballot, and is approved by a majority of voters, it will generate approximately \$13.5 million in the first full year of collected revenue. As indicated above, there are existing and potential resources that can be used for funding services, but the proposed sales tax and bond is the only feasible funding mechanism to generate the revenue needed to pay for a capital project the size of the jail and behavioral health treatment center.

It is recommended that the County and cities work towards a fair and equitable distribution of the proposed new sales tax to accomplish the construction of a new jail and behavioral health treatment center, and to maximize utilization of the remainder of the revenue that is generated. The remainder can be invested in behavioral health, housing, re-entry, and diversion facilities and services consistent with this Implementation Plan. Ideally, an agreement between the County and cities would apply the first 4-6 years of the proposed new sales tax revenue to pay down the bond so that in subsequent years no more than 50% of the ongoing county-wide sales tax revenue will be used to service the debt on the bond.

This funding model recognizes the need for flexibility in spending from year to year, so the emphasis can shift as programs and projects are developed and implemented over time, and as local and state funds can be leveraged. The following graph of the funding model illustrates the proportional allocation of the proposed new sales tax.



### Summary Charts: Funding for Implementation Projects

The following charts present a summary of the Implementation Plan projects that require funding, sources of funding, and status at this time. Funding estimates focus on local funding needed to accomplish projects, with the assumption that state and federal funding may also be necessary for many projects. The financial projections included here are based on current data and understanding and are subject to ongoing refinement and adjustment as circumstances change. Many costs are dependent on the availability of state and/or federal funding and the needs of facility and program operators. The funding estimates will be updated over time, consistent with policy direction from the Whatcom County Council.



Chart: Funding Available and Needed by Project Expense

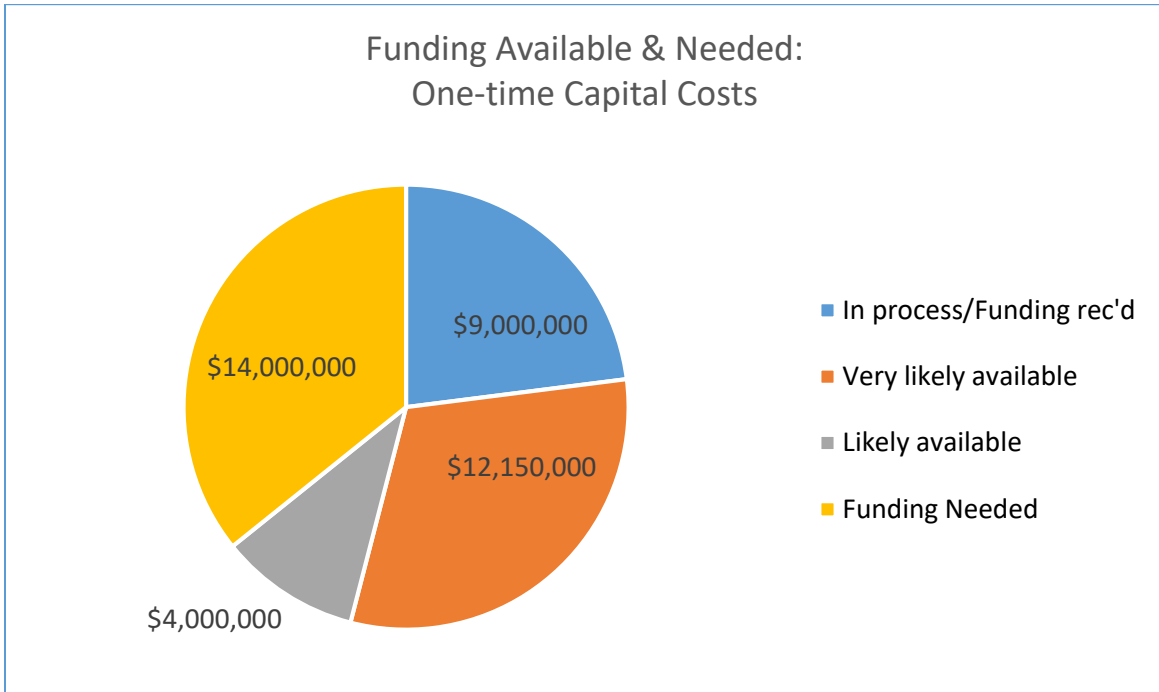
Implementation Plan Projects	Expense	Amount	Sources of Funding	Status of Funding
1. Establish IPRTF/LJC Justice Project Oversight & Planning Committee	Stipends for community volunteer members	\$4,000/yr.	General Fund	Likely
	JPOP meeting facilitation, training, reporting	\$20,000/yr.	General Fund	Likely
3. Collect data to measure progress toward desired outcomes and develop a data dashboard	Data Informatics Specialist and a Senior Applications Administrator positions	\$290,000/yr.	General Fund	In process
4. Address workforce shortages in behavioral health services	Paid internship program for mental health students in participating partner settings	\$20,000/yr.	State funding through North Sound BH-ASO BH Fund	Very likely
	Free continuing education & training for BH staff	\$20,000/yr.	North Sound BH-ASO BH Fund HCA	Very likely
	Expanding peer support, coaching, and mentoring	\$20,000/yr.	North Sound BH-ASO BH Fund	Very likely
	Low/no-cost clinical supervision for students pursuing licensure	\$50,000/yr.	North Sound BH-ASO BH Fund	Likely
	Additional strategies for addressing workforce shortages and	\$40,000/yr.	North Sound BH-ASO BH Fund	Likely
5. Build systems to facilitate communication and coordination between organizations	Software and system management	\$50,000 + \$5,000/yr.	BH Fund	Very likely
	Community provider referral networks and pathways	\$100,000/yr.	BH Fund	Very likely`
6. Increase the capacity of effective existing programs to divert	Staff support for MHSA and expanded Mental Health Court	\$100,000/yr.	BH Fund	In process
	Expand therapeutic courts	\$300,000/yr.	BH Fund	Very likely

Implementation Plan Projects	Expense	Amount	Sources of Funding	Status of Funding
people from incarceration	Expand GRACE to County	\$200,000/yr.	BH Fund Proposed new sales tax	Likely
	SUD Professional in Response Division	\$100,000/yr.	BH Fund	Funding needed
	Additional BH officers for city police departments	\$500,000/yr.	Proposed new sales tax	Funding needed
	Expand GRACE to PeaceHealth ED	\$100,000/yr.	State, federal, PeaceHealth	Funding needed
	Expand co-responder program to small cities	\$200,000/yr.	Proposed new sales tax	Funding needed
	Expand ART to small cities	\$200,000/yr.	Proposed new sales tax	Funding needed
	Expand LEAD	\$200,000/yr.	State & federal grants	Funding needed
7. Build a 23-hour Crisis Relief Center	Capital funding	\$12M	State - \$9M received Remaining \$3M - Proposed new sales tax	Very likely  Remainder dependent on passing proposed new sales tax
	Estimated local share of operational costs – Crisis Relief Center	\$500,000 - \$1M/yr.	BH Fund Proposed new sales tax	Very likely
8. Build a jail and behavioral health treatment center	Capital expenses – Detention for low-high risk + space for services	\$8 - \$10M/yr.	Proposed new sales tax	Funding needed
	Capital expenses – behavioral health treatment center	\$8M	Proposed new sales tax	Funding needed
	Operational costs – behavioral health treatment center	TBD	Proposed new sales tax	Funding needed
10. Ensure people leaving jail have transportation to a safe destination	Transportation services	\$140,000/yr.	Proposed new sales tax	Very likely
11. Bolster re-entry support services	3 BH/re-entry specialists	\$300,000/yr.	Proposed new sales tax	Very likely
	Capital funding for Resource Center	\$6M	State funds Proposed new sales tax	Funding needed

Implementation Plan Projects	Expense	Amount	Sources of Funding	Status of Funding
	Operational costs – Resource Center	\$500,000/yr.	BH Fund Proposed new sales tax	Funding needed
12. Maintain and expand supportive housing programs for people with behavioral health issues and a history of incarceration	Consultant to conduct assessment	\$50,000	Local housing funds	Very likely
	Fill gaps in funding, staffing, equipment	\$750,000/yr.	BH Fund Local housing funds	Likely
	Capital project – small recovery/supportive housing	\$2M	ARPA BH Fund Local housing funds Federal HOME funds (to match state funds when possible)	Likely
	Operational costs – small recovery/supportive housing	\$500,000/yr.	BH Fund Local housing funds LEAD grant State funds	Likely
	Capital project – large re-entry supportive housing	\$2M	BH Fund Local housing funds (to match \$20M+ in state & federal funds)	Likely
	Operating costs – large re-entry supportive housing	\$1M/yr.	State funds Federal funds	Likely
14. Expedite access to competency restoration services	Contractor to develop pilot project	\$50,000	General Fund	Very likely

## Charts: Summary of Funding Available and Funding Needed

The following graphics provide a summary of the chart above, presenting total funding available and total funding needed for one-time capital expenses and for ongoing annual operations.



## Conclusion

This Justice Project Needs Assessment Implementation Plan offers guidance for tangible steps to improve public safety and health within Whatcom County's criminal legal system in the coming years.

Important steps have already been taken in the last decade to prevent and reduce incarceration, and there is much more work to be done. The Justice Project Needs Assessment Report provided a vision, values, and goals, and excellent information about the needs and gaps we are facing. The recommendations in the Needs Assessment Report were the foundation of the implementation planning effort.

This work was benefited by the expertise of subject matter experts, Incarceration Prevention and Reduction Task Force members, and those who were part of the Stakeholder Advisory Committee. The input from the Town Hall, and interviews, focus groups, and surveys with members of the BIPOC and tribal communities, and previously incarcerated individuals and their families had a significant impact on the shape of the final plan.

This is a living document that will be reviewed and updated regularly as projects are implemented and changes occur that impact the criminal legal system at the local, state, and national levels. As the system continues to evolve, the Implementation Plan will be a useful guide for the Whatcom County Council, local officials, service providers, volunteers, and the public at large, in taking the next steps together to improve Whatcom County's criminal legal system.

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Many thanks to everyone who gave so generously  
of their time and expertise to develop this Implementation Plan

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## Appendices

## Appendix A: Needs Assessment Vision, Values & Goals

**Vision:** *Presents the big picture of what we envision for our community. The vision is not limited by the scope of our work, nor what is currently true, but describes the ideal state toward which*

Whatcom County will uphold and promote community safety, health, and justice. To accomplish this, we will reduce crime and reduce incarceration through early interventions and long-term investments in people and programs that support prevention, restoration, and accountability in the community and within the criminal legal system.

Prevention: We will invest in children and families and address social, educational, economic, and racial disparities that are known risk factors for involvement with the criminal legal system and can lead to incarceration and re-incarceration.

Restoration: We will devote sufficient resources to a variety of evidence-based behavioral health, housing, and re-entry support services that will reduce crime and minimize future interactions with the criminal legal and crisis systems.

Accountability: To protect public safety, we will utilize a range of alternatives to incarceration for low-risk offenders that require personal accountability; and when incarceration is called for, we will operate facilities that are humane, well-equipped, well-maintained, and adequately staffed to promote health and safety.

**Values:** *The core principles that guide our decision-making and investments of time and resources.*

1. Protect and promote public health and safety.
2. Prioritize timely and early interventions.
3. Practice wise stewardship of public resources by using evidence-based decision-making, and evaluating if current programs, intervention, and processes are working as intended.
4. Facilitate public engagement in transparent decision-making processes that reflect community priorities.
5. Ensure systems, services, and facilities are adaptable to changing circumstances and needs.
6. Openly and actively address inequities and discrimination.
7. Respect the dignity, human rights, and civil rights of all parties involved in the criminal legal system.

**Goals:** *The goals statements describe what we hope to achieve and how we will achieve it. They are divided into three categories: “Systems Goals,” which are policies and practices to ensure the system has sufficient capacity, is fair, and functions efficiently; “Services Goals,” which are the types of supports that need to be in place for people to prevent and reduce involvement with the criminal legal system; and “Facilities Goals,” which include a jail and a variety of residential & non-residential facilities and settings for legal and treatment services (e.g., half-way houses, facility for competency restoration, clinics).*

*There are many goals regarding prevention of people’s involvement with the criminal legal system that are outside the scope of our work. Thankfully, there are many endeavors being undertaken by community organizations and our County to address early intervention and prevention efforts with children & families.*

**Systems Goals:**

1. Policies are identified and changed to strategically address system gaps and achieve intended outcomes, such as reducing the jail population.
2. Low-risk offenders are safely and effectively diverted from a Whatcom County Jail sentence and provided with support to help them succeed.
3. People are assured speedy and fair resolution of legal issues to reduce unnecessarily long jail stays and hasten restoration.
4. Sufficient funding, staffing, and resources ensure adequate service capacity at all points of contact in the criminal legal system.
5. People working within and alongside our criminal legal system (e.g., advocates, navigators, legal counsels, jail staff, providers) are valued, fairly paid, and representative of the members of our community.

**Services Goals:**

6. Coordinated services and programs effectively close the gaps between community, legal, and jail-based services at all points of contact in the criminal legal system.
7. People released from jail have immediate access to behavioral health and medical care, housing, employment, and support systems to avoid re-incarceration.
8. Community and jail-based services (e.g., treatment for mental health and substance use disorders, affordable supported housing) support healing, and make measurable differences in reducing crimes of poverty and repeat offenses.

**Facilities Goals:**

9. Facilities are designed and operated to meet the health, safety, and welfare needs of those incarcerated and the people who work and visit there.
10. Facilities are designed to be versatile to adapt to changing needs.
11. Incarceration facilities balance compassion with accountability to promote safety, health, rehabilitation, and recovery.
12. Facilities adequately serve the whole county, including cities and tribal jurisdictions.



## Appendix B: Needs and Recommendations

A. SYSTEMS NEEDS & RECOMMENDATIONS	
A1.	<p><b>Need:</b> Increase access to inpatient and outpatient competency restoration services for people evaluated as needing these services.</p> <p><b>Rec 1:</b> Work with regional partners to identify needed systems changes (policies, funding, and programs) to increase access to <u>inpatient</u> competency restoration.</p> <p><b>Rec 2:</b> Explore and develop <u>outpatient</u> competency restoration services.</p>
A2.	<p><b>Need:</b> Reduce the <u>amount of time</u> people spend in jail before trial or other case resolution.</p> <p><b>Recommendation:</b> Whatcom County courts should promote the timely resolution of cases with a goal of matching average case resolution times in other counties and/or the state. To accomplish this, our courts should:</p> <ul style="list-style-type: none"> <li>• Screen cases for their level of complexity and allocate time, provide court resources, and schedule proceedings accordingly.</li> <li>• Limit continuances as much as feasible.</li> <li>• Regularly monitor relevant performance measures and make data available to stakeholders and the public.</li> </ul>
A3.	<p><b>Need:</b> Reduce the <u>number of people</u> detained in jail before trial or other case resolution.</p> <p><b>Rec 1:</b> Provide a range of pretrial release and monitoring options in lieu of bail (adhering to Court Rule CrR 3.2<sup>1</sup>).</p> <p><b>Rec 2:</b> Analyze as quickly as possible the Superior Court’s current use of an evidence-based, statistically valid pretrial risk assessment in making pretrial release decisions, with the goal of determining whether its use is effective in lessening pretrial incarceration and reducing or eliminating racial disparities while protecting public safety.</p>
A4.	<p><b>Need:</b> Address the disproportionate incarceration of BIPOC individuals.</p> <p><b>Rec 1:</b> Conduct analysis of root causes where disproportionality and disparities arise and develop targeted strategies to measurably improve proportionality of incarcerated BIPOC individuals.</p> <p><b>Rec 2:</b> Ensure that all county law enforcement employees, jail staff, and staff in all court systems maintain data systems adequate to identify where potential bias and racial disparities may be occurring.</p> <p><b>Rec 3:</b> Include detailed data and analysis regarding racial makeup of incarcerated individuals in a standing system information report that is reviewed no less than quarterly by senior management, and made publicly available (without identifying information).</p> <p><b>Rec. 4:</b> Take prompt effective actions to correct disparities when they are identified.</p>

<sup>1</sup> Washington State Court Rules, Rule CrR 3.2, Release of Accused, [https://www.courts.wa.gov/court\\_rules/pdf/CrR/SUP\\_CrR\\_03\\_02\\_00.pdf](https://www.courts.wa.gov/court_rules/pdf/CrR/SUP_CrR_03_02_00.pdf).

## A. SYSTEMS NEEDS & RECOMMENDATIONS

A5.	<b>Need:</b> More direct involvement of BIPOC communities, victims of crime, and people with lived experience with incarceration (personal or family member) in decision-making about policies and practices in the criminal legal system.
	<b>Recommendation:</b> Implement strategies to meaningfully include BIPOC communities, victims of crime, and people with lived experience in the development of plans and monitoring of progress.
A6.	<b>Need:</b> System for collecting consistent data from all intercept points in the criminal, legal, and behavioral health systems.
	<b>Recommendation:</b> Build a data system for collecting consistent data from all intercept points.
A7.	<b>Need:</b> Data dashboard to track trends in criminal legal system, racial disparities in the system, and incarceration prevention & reduction efforts.
	<b>Recommendation:</b> Build a data dashboard to track and publicly present trends and outcomes of criminal legal system changes, efforts to address racial disparities in the system, and efficacy of incarceration prevention and reduction work.

## B. SERVICES NEEDS & RECOMMENDATIONS

B1.	<b>Need:</b> Increased community mental health (MH) and substance use disorder (SUD) treatment capacity (in-patient & out-patient) to prevent and reduce incarceration and re-incarceration.
	<b>Rec 1:</b> Support additional positions for MH and SUD professionals with certified community behavioral health agencies to provide: <ul style="list-style-type: none"> <li>• Community-based assessment on demand.</li> <li>• Jail-based assessment for individuals that are completing their incarceration and needing MH and/or SUD treatment (inpatient or outpatient) as they re-enter the community.</li> </ul>
	<b>Rec 2:</b> Utilize SUD professionals contracted with community agencies to provide evidence-based SUD services in the jail setting and ensure continuity of care to community-based treatment upon release.
	<b>Rec 3:</b> Create additional positions for jail re-entry specialists and navigators to facilitate care coordination and ensure a warm handoff to community service providers, healthcare/behavioral healthcare, peer support, housing, and vocational support.
B2.	<b>Need:</b> Increased capacity of effective existing programs to divert more people from incarceration (e.g., GRACE, LEAD, Mental Health Court, Drug Court).
	<b>Recommendation:</b> Ensure stable funding to enable expansion of programs that have proven to be effective in diverting people from incarceration.

## B. SERVICES NEEDS & RECOMMENDATIONS

B3.	<p><b>Need:</b> Increased capacity of Program for Assertive Community Treatment (PACT), an evidence-based program for people with severe and persistent mental illness who require intensive support services (e.g., medication, case management) to function in the community.</p>
	<p><b>Rec 1:</b> Expand access to PACT services in the community for people with severe and persistent mental illness and other mental disorders (e.g., PTSD, traumatic brain injuries) to prevent involvement with the criminal legal system.</p> <p><b>Rec 2:</b> Increase PACT services dedicated to incarcerated individuals. Conduct evaluation for services prior to release and facilitate immediate entry into PACT services upon release.</p>
B4.	<p><b>Need:</b> Additional qualified, &amp; racially/ethnically diverse jail staff.</p>
	<p><b>Rec 1:</b> Ensure that recruitment and employment practices in the jail advance diversity, equity, and inclusion.</p> <p><b>Rec 2:</b> Offer wages and benefits that will attract qualified staff, representative of the community’s diversity.</p>
B5.	<p><b>Need:</b> Additional corrections officers to escort incarcerated individuals to services within and outside the jail.</p>
	<p><b>Recommendation:</b> Add jail staff to increase incarcerated individuals’ access to needed services within and outside the jail (e.g., MH/SUD services, medical care, lawyers, court, education, vocational training, peer support).</p>

## C. FACILITIES NEEDS & RECOMMENDATIONS

C1.	<p><b>Need:</b> A new jail that is:</p> <ul style="list-style-type: none"> <li>• Correctly sized, based on a fair analysis of population growth, along with strategic investments to avoid unnecessary incarcerations.</li> <li>• Sized and operated to assure booking restrictions in the county and its cities will not occur.</li> <li>• Designed to reflect best practices for safety, efficiency, and technology.</li> <li>• Safe for incarcerated individuals and those who work and visit there.</li> <li>• Designed with spaces &amp; equipment to provide incarcerated individuals with dignity and needed services (e.g., dedicated, confidential behavioral health treatment space; visitation spaces; medical care, provider/staff workspace; education &amp; vocational training; outside spaces).</li> <li>• Versatile to accommodate changes in the population.</li> <li>• Built to last.</li> <li>• Easy to maintain.</li> <li>• Feasible to fund and build.</li> <li>• Located near adjacent land to purchase/develop if needed.</li> <li>• Located in proximity to resources incarcerated individuals need (e.g., criminal legal resources, public transportation).</li> <li>• Easily accessible by all jurisdictions served.</li> </ul>
	<p><b>Rec 1:</b> Build a new jail that meets as many of the specified criteria as possible.</p> <p><b>Rec 2:</b> Calculate comparative cost estimates for possible facility locations before a specific site is chosen.</p>

	<b>Rec. 3:</b> Select a location for the jail with due consideration of the comparative importance assigned to proximity to various resources and services.
C2.	<b>Need:</b> Facilities to enable increased community mental health and substance use disorder treatment capacity (in-patient & out-patient) to prevent and reduce incarceration and re-incarceration.
	<b>Rec 1:</b> Explore development of 24/7 Behavioral Health Urgent Care capacity to provide short-term (23 hours or less) MH and SUD services.
	<b>Rec 2:</b> Research feasibility and desirability of building a secure detox facility in the region for people with SUD who are considered a risk to public safety.
	<b>Rec 3:</b> Establish a location in close proximity to the jail from which re-entry specialists, behavioral health staff, system navigators, and peer support providers can offer re-entry support.
	<b>Rec 4:</b> Work closely with criminal legal system stakeholders to select locations for facilities that will work for employees, incarcerated individuals, service providers, and families.
C3.	<b>Need:</b> Additional permanent supportive housing with on-site clinical support and intensive case management for people with severe and persistent mental illness who are involved, or at risk of involvement, with the criminal legal system.
	<b>Recommendation:</b> Advocate for state, federal, and private funding to expand and improve permanent supportive housing with on-site clinical support and intensive case management for people with serious mental illness who are involved, or at risk of involvement with the criminal legal system.
C4.	<b>Need:</b> Safe, supportive housing for people engaged in diversion and therapeutic court programs (e.g., GRACE and LEAD, Drug Court, Mental Health Court).
	<b>Recommendation:</b> Prevent unstable housing from being a barrier to successful engagement with diversion and therapeutic court programs.

Appendix C: Recommendations Addressed by Each Proposed Implementation Project<sup>2</sup>

Proposed Projects	Recommendations																
	Systems							Services					Facilities				
	A1	A2	A3	A4	A5	A6	A7	B1	B2	B3	B4	B5	C1	C2	C3	C4	
<b>Ensure Oversight, Accountability, &amp; Transparency</b>																	
1. Establish a Justice Project Oversight & Planning Committee	This proposed project relates to all the recommendations.																
2. Establish a Finance & Operations Justice Project Advisory Board	This proposed project relates to all the recommendations.																
3. Collect data to measure progress toward desired outcomes and develop a data dashboard	This proposed project relates to all the recommendations.																
<b>Increase Access to Behavioral Health Services</b>																	
4. Address workforce shortages in behavioral health services								Recs 1, 2, 3, 4	Rec	Recs 1, 2	Recs 1, 2	Rec			Rec	Rec	
5. Build systems to facilitate communication and coordination between organizations								Recs, 1, 2, 3, 4		Recs 1, 2		Rec			Recs 1, 2, 3, 4		
6. Increase capacity of effective existing programs to divert people from incarceration			Rec 1, 2					Rec 1	Rec	Recs 1, 2					Recs 1, 2, 4	Rec	Rec

<sup>2</sup> See Justice Project Needs Assessment Needs and Recommendations **Appendix B**.

Proposed Projects	Recommendations															
	Systems							Services					Facilities			
	A1	A2	A3	A4	A5	A6	A7	B1	B2	B3	B4	B5	C1	C2	C3	C4
<b>Build the Array of Facilities Needed to Promote Public Health, Safety, &amp; Justice</b>																
7. Build a 23-hr. Crisis Relief Center					Rec			Recs 1, 3, 4						Recs 1, 3, 4		
8. Build a jail and behavioral health treatment center					Rec			Recs 1, 2, 3, 4			Recs 1, 2	Rec	Recs 1, 2, 3			
9. Identify what additional facilities are needed to support people with BH issues at risk of incarceration	Recs 1, 2				Rec			Recs 1, 3, 4	Rec					Recs 1, 2, 4	Rec	Rec
<b>Expand the Capacity of Programs to Reduce Incarceration/ Re-incarceration</b>																
10. Ensure people leaving detention and treatment facilities have transportation to a safe destination								Recs 2, 3, 4					Recs 1, 3	Recs 3, 4		
11. Bolster re-entry support services								Recs 1, 2, 3, 4						Rec 3	Rec	
12. Maintain and expand supportive housing programs for people with BH issues and a history of incarceration			Rec 1		Rec				Rec	Recs 1, 2					Rec	Rec

Proposed Projects	Recommendations															
	Systems							Services					Facilities			
	A1	A2	A3	A4	A5	A6	A7	B1	B2	B3	B4	B5	C1	C2	C3	C4
<b>Make Systems Changes with Local, Regional, State, &amp; Federal Partners</b>																
13. Continue to make changes in court systems		Rec	Recs 1, 2	Recs 1, 2, 3, 4												Rec
14. Expedite access to competency restoration services	Recs 1, 2		Recs 1, 2					Recs 1, 4						Rec 4		
15. Advocate for a state waiver to allow use of Medicaid funds to pay for medical and behavioral health services for incarcerated individuals								Recs 1, 2, 3, 4					Recs 1, 2, 3			

## Appendix D: Acronyms

**ART:** Alternative Response Team

**BH:** Behavioral Health

**BIPOC:** Black, Indigenous and People of Color

**CSC:** Crisis Stabilization Center (Anne Deacon Center for Hope)

**GRACE:** Ground-level Response and Coordinated Engagement program

**HCA:** Washington State Health Care Authority

**IPRTF:** Incarceration Prevention & Reduction Task Force

**LEAD:** Law Enforcement Assisted Diversion program

**LJC:** Law and Justice Council

**MCOT:** Mobile Crisis Outreach Team

**MH:** Mental health

**MHC:** Mental Health Court

**MHSA:** Mental Health Sentencing Alternative

**North Sound BH-ASO:** North Sound Behavioral Health Administrative Services Organization

**OCRCP:** Outpatient Competency Restoration Program

**PACT:** Program for Assertive Community Treatment

**PDP:** Prosecutorial Diversion Program

**SUD:** Substance use disorder

**WCHCS:** Whatcom County Health and Community Services (formerly Whatcom County Health Dept.)

**WSAC:** Washington State Association of Counties

**WTA:** Whatcom Transportation Authority



## Appendix E: Glossary

**Competency restoration process:** Services to prepare defendants with symptoms of mental illness to be able to defend themselves in court. This usually includes psychiatric evaluation, medication monitoring, and training about court proceedings, and typically requires a stay at a psychiatric facility (e.g., Eastern or Western State Hospital) that can extend to 12-18 weeks.

**Diversion/Diversion programs:** Programs that offer people involved, or at risk of involvement with the criminal legal system, an alternative to arrest, prosecution, and incarceration.

**Electronic Home Detention (EHD)/Electronic monitoring/Electronic home monitoring:** Involves the use of either radio frequency or Global Positioning System (GPS) units, often on an ankle bracelet, to monitor the location of defendants who are in pretrial or post-conviction status for misdemeanor and gross misdemeanor violations of law, and who the court has allowed to serve their incarceration or await trial in an electronic home detention and monitoring program.

**North Sound Behavioral Health-Administrative Services Organization:** Administers state and federal funds for mental health and substance use disorders services for the five-county region, including Whatcom County.

**Outpatient Competency Restoration Program (OCRP):**

**Permanent Supportive Housing:**

**Pretrial Processes Work Group (PPWG):** A subgroup of the IPRTF's Legal & Justice Committee that is focused on developing a pretrial release assessment tool and monitoring unit.

**Pretrial Risk Assessment:** An objective assessment tool used by courts to assess defendants' risks of failing to appear at future court hearings, and to determine whether individuals can be safely released and monitored in the community until their trial.

**Pretrial Services Unit:** A Whatcom County Superior Court program to provide pretrial monitoring to Superior Court defendants. Services are intended to be provided in tandem with a pretrial risk assessment tool to guide judicial officers in assigning an appropriate level of monitoring.

**Prosecutorial Diversion Program:**

**Washington State Health Care Authority (HCA):**

## Appendix F: Useful Resources

- [2022 Behavioral Health Workforce Assessment: A report of the Behavioral Health Workforce Advisory Committee](#), Washington Workforce Training & Education Coordinating Board.
- [A Home for Everyone: Strategic Plan to End Homelessness in Whatcom County](#), 2019 Local Plan Update, Whatcom County Health Department.
- [Community Justice Center Master Plan](#), Skagit County, 2005.
- [Jail Capacity Planning Guide: A Systems Approach](#), National Institute of Corrections, US Dept. of Justice, 2009.
- [Jail Crowding: Understanding Jail Population Dynamics](#), National Institute of Corrections, US Dept. of Justice, 2002.
- [Measures for Justice](#) provides lists of key data elements agencies should collect to assess performance (see [brief video](#) that addresses the importance of gathering consistent data).
- [North Sound BH-ASO Fall 2022 Assessment](#), Dec. 2022, includes inpatient bed need analysis and outpatient service analysis.
- [Spokane County Jail Population Projections](#), Spokane County, 2020.
- [Whatcom County Behavioral Health Funds: Annual Report 2021](#).
- [Whatcom County 2023-2024 Budget](#)