

From: dbobena@yahoo.com
To: [IPRTaskForce](#)
Cc: [Council](#); cmail@cob.org; [G. CC. Immigration Board](#)
Subject: Regarding Steering Committee discussion of Justice Project Oversight and Planning Committee
Date: Friday, July 7, 2023 12:26:36 PM

Dear Incarceration Prevention and Reduction Task Force:

Yesterday I listened to the July 6, 2023 meeting of your Steering subcommittee. I have appreciated the increase in action the Task Force has taken to get more community members engaged and involved in efforts to prevent and reduce incarceration. My comments below are coming from the value I hold for continuing those efforts.

I wanted to address the following perspective that was expressed during the Steering Committee's discussion of the formation of the Justice Project Oversight and Planning (JPOP) Committee:

"It seems to me it would be useful to have a charter for this committee, as well. I would like to say that there are a lot of people trying to influence decisions that have already been made, who don't really support the plan. They've called it terrible. They've called it, you know, out of sync with the community. I would like, myself, to have people who have some baseline commitment to the implementation plan and the process that's been laid out - not to start tearing it apart or free associating ideas they think would be good for it. There's been a lot of work put into this plan so far. And I think the first responsibility is to oversee the operations and the implementation of the plan that the Council passes. So I don't want to have a litmus test, necessarily, but I'd like to have a fairly high level of confidence in the people we put on that committee that they'd be working constructively, rather than freelancing."

I can understand wanting to create a flexible charter with general rules and purpose that all the members of the committee seek to work under.

However, the apprehension expressed in the quoted remarks doesn't seem far from what I feel is the ungrounded fear expressed by some of the County Council Members over a voting-age youth representative being placed in an oversight role related to the Justice Project.

There are over 20 members being suggested for this committee, all with specific roles of background and expertise they will be filling. In other words, these aren't 20 people all coming from one particular organization with a particular agenda. Plus, from my understanding they are being placed in a position of guidance to the Task Force which, in turn, provides guidance to the County Council. I think it's very important that IPRTF members involved in appointing JPOP members - and coming up with a system of appointing members - approach that from a place of seeking to be empowering and inclusive, rather than one that seeks to fend off people

they assume hold viewpoints or attitudes that they are leery of.

I do see efforts being made to be more inclusive and empowering during IPRTF meetings and in some aspects of your approach, and I also think it can be significantly improved upon.

People trying to influence "decisions that have already been made" is something that everyone is doing on a regular basis, including the IPRTF. And it's actually important that this happens or we would be stuck in one place forever. I believe being constructive is more than trying to conform to one person's or a whole group's idea of what constructive is; it is finding ways to identify and openly value strengths in what each member contributes and to put those to the best possible use for the job that's being done. The success of any of the Justice Project projects in actually increasing justice and well-being in Whatcom County will depend on our success in being able to do this in community.

Sincerely,
Dena Jensen
Birch Bay, WA

dbobena@yahoo.com

From: [Tim Farris](#)
To: [Council](#)
Cc: [Debbie Ahl](#); [Steve Ban M.D.](#); [David Blair](#); [Glenn Butler](#); [Jim Cunningham](#); [Pete Dawson](#); [Evan Haskell](#); [Dr. Steve Kimberley](#); [Joost Knops](#); [Erick Laine](#); [JWMacpher@gmail.com](#); [Ken Marzocco](#); [Dick McClenahan M.D.](#); [Dave McEachran](#); [D.C. Morse Jr.](#); [Daver Morse](#); [Ralph Rinne M.D.](#); [Chuck Robinson](#); [Roland Trenouth M.D.](#); [Alan Whitmyer](#); [Dennis Williams](#)
Subject: Public Comment for July 11, 2023 Council Meeting
Date: Friday, July 7, 2023 4:01:45 PM
Attachments: [1 WTA Letter 6-30-23 Final.pdf](#)

To the County Council:

Attached is the letter previously emailed to you. We are sending it, now, to be part of the official public comments for the hearing on jail scheduled for July 11, 2023.

We plan on having representatives of our group attend the July 11th meeting.

Thank you.

Tim Farris

Tim Farris
2133 North Shore Road
Bellingham, Washington 98226
(360) 220-0800 (m)
TimFarris@me.com

Dear Members of The WTA Board of Directors and County Council,

Over the past year or so, we've been engaged (with others) in an ongoing series of conversations about the WTA. We came together over a common observation and concern:

The WTA consumes an extraordinary amount of tax dollars to operate a large fleet of near empty buses. With the exception of a couple of routes, most 40 person buses are carrying just two or three passengers.

Every citizen sees your 40 person buses operating nearly empty and this shouts out that something is broken.

A review of WTA's budget and performance metrics documents that, while WTA has been transporting fewer and fewer passengers, it is (and has been) consuming more and more taxpayer dollars.

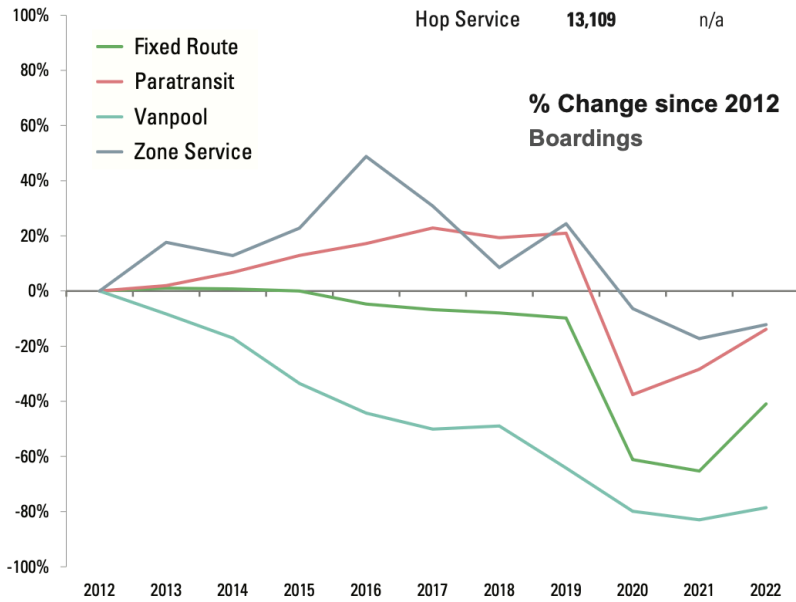
A. Ridership "Has Gone From Bad to Horrible"

Not long ago, a former WTA administrator reported to us, with grave concern, that WTA's ridership has "gone from bad to horrible." WTA's own reports document the decline in passengers in every part of its operation. It's a decline that has been going on for years.

10-Year Change

The graph below shows the change in boardings since 2012.

	2022	2012	Diff.
Fixed Route	2,913,033	4,934,530	-41%
Paratransit	154,415	179,344	-14%
Vanpool	19,991	93,204	-79%
Zone Service	1,419	1,616	-12%
Hop Service	13,109	n/a	n/a



WTA

The WTA is carrying far fewer passengers than it did ten years ago. And, according to WTA’s records, some 36% of them are WWU students - emphasizing just how few people are using the bus on other routes. Every citizen sees this in almost every bus.

B. With Declining Ridership, WTA’s Consumption of Taxpayer Dollars Has Skyrocketed.

While WTA is driving around a fleet of near empty buses, the Board of Directors has overseen a budget that has shown extraordinary growth in the consumption of taxpayer dollars.

In 2011, for example, the WTA consumed around \$17.5 million in sales tax dollars (to carry around more passengers than it does today).

**Whatcom Transportation Authority
Revenue and Expenditures
2011 Amended Budget**

	2011A Budget	2011 Budget	Actuals 2010	Actuals 2009
Revenue				
Fixed Route Revenue	2,696,210	2,396,977	2,308,795	2,108,685
Paratransit Revenue	14,095	12,700	14,247	12,045
Contract Revenue	551,100	0	0	0
Vanpool Revenue	214,520	222,000	225,128	186,338
Total Operating Revenue	3,475,925	2,631,677	2,548,171	2,307,068
Sales Tax Income	17,759,070	17,675,000	17,911,874	17,844,828
Investment Income	144,156	255,000	275,394	532,936
Other Revenue	84,382	74,000	-63,756	-83,310
Total Revenue	21,463,534	20,635,677	20,671,683	20,601,522

Last year, 2022, the WTA spent over \$59 million in taxpayer dollars, including \$35 million from local sales tax. The 2023 budget will consume almost \$40 million in sales tax dollars (85.7% of all revenue). Remarkably, fare paying passengers pay just \$1.5 million of an almost \$60 million budget. One business leader in our group wondered if it would be cheaper to buy every person who rides the bus a car. That is how inefficient and wasteful the WTA has become.

	2022 Budget	2021 Projection	2021 Budget	2020 Actuals
Revenues				
Fixed Route Revenue	\$ 1,393,054	\$ 351,324	\$ 635,457	\$ 656,398
Paratransit Revenue	59,982	79,976	50,151	17,382
Lynden Hop Revenue	2,400	3,200	-	-
Vanpool Revenue	100,080	134,400	72,492	72,850
Total Operating Revenues	1,555,516	568,900	758,100	746,630
Sales Tax Income	35,101,544	32,948,524	29,611,528	29,107,689
Relief Funds	21,226,320	9,342,245	-	8,786,277
Operating Grants	1,617,706	2,723,608	1,308,770	1,009,155
Investment Income	264,000	352,000	236,000	497,328
Other Revenue	188,072	250,763	148,292	(30,466)
Total Revenues	59,953,158	46,186,040	32,062,690	40,116,613

In sum, the WTA has more than doubled its consumption of sales tax dollars while transporting fewer riders than it did over ten years ago.

C. Fiduciary Duty

We are professionals and business leaders (who have run some of the County's largest businesses). We are community leaders. We have volunteered countless hours in community service. We support a properly run and managed bus system. For example, in 1999 (when the bus system was far more used), Mr. Farris was asked by the County Executive and the Mayor to lead a citizen's campaign against Initiative 695 (a Tim Eyeman initiative to cut the motor vehicle excise tax). One of the principal arguments, in the voter campaign, was that voters should vote against it because the initiative would cut funding for our local bus system - and that low-income people need public transportation. We get it. We are writing, not because we don't support a local bus system but because the large consumption of tax dollars is no longer justified with the decline in ridership.

As board members you have a fiduciary duty to use funds prudently. As elected community leaders, you have a responsibility to deploy tax dollars from where they are discretionary to where they are essential.

We are concerned that the WTA, without public pressure, will ignore the issue of lack of riders and (as many organizations do) spend whatever money that flows its way- regardless of changed circumstances.

Two examples:

Recently, Mr. Reardanz gave a 30 minute presentation at the Rotary Club of Bellingham (many of us are members) and never even mentioned the issue of declining ridership. It was only after his talk that he was asked about low ridership and he acknowledged it was an issue. (To his credit, Mr. Reardanz has offered to meet with some of us over coffee - but that has been continually delayed.)

A recent Cascade Daily article noted, that after operating in the black (because of sales tax dollars), the WTA received an influx of federal funds and reported, "the next step is figuring out how to spend it." This appears to confirm that the WTA leadership is going to spend whatever it gets its hands on. We think you know where you have

spent money that is discretionary and not essential. Expenses have more than doubled from \$21 million in 2011 to \$45 million in 2023 - all while the ridership has declined. In its 2023 budget, in addition to increasing administrative costs, WTA proposes to “fund upcoming fleet replacements” - which would include the purchase of 11 hybrid buses at \$900,000 a bus. Cascadia Daily News (April 6, 2023). How is purchasing \$900,000 buses to carry 2-3 people (when a 9 person van would work) responsible? How is spending more money on a ridership that is less than it was in 2011 prudent?

What are we suggesting?

As elected community leaders, you know the needs of the community far better than we do. You also know the restrictions on the use of funds between agencies. You also know how to set up the legislative steps to redirect funds from where they are discretionary - to where they are essential. It seems time for a public discussion (led by you) on how best to re-deploy some part of WTA’s tax revenues to more critical needs of the County.

Elected public leaders have told us that the County desperately needs a new County jail. We’ve been told it is essential. It’s been voted down twice because taxpayers feel overtaxed and didn’t trust what elected leaders were telling them. A recent Cascade Daily article suggested that a new jail would cost \$130 million or more. The proposed sales tax, to build the new jail, would apparently cost taxpayers about \$13 million per year. Meanwhile, WTA proposes to spend millions to purchase \$900,000 buses to carry around 2-3 riders, expand administrative costs, and WTA’s 2023 Budget (page 6) notes that “WTA’s undesignated cash balance is estimated at \$36,491,000 as of January 1, 2023.” That is almost one third of the estimated cost of the new jail.

What if you, as community leaders and WTA board members, proposed and/or supported an effort to redirect (purely as an example) \$13 million per year in annual WTA taxpayer dollars to the construction of a new jail? It would help re-size the WTA budget to its current ridership and would be a huge incentive for voters to approve the jail. Tax money would go from discretionary expenditures to an essential need. We are willing to support that effort.

We want to thank all of you for your public service. We have genuine gratitude for your time and effort. We are writing for no other reason

than to communicate our concern about what we (and others) see as a significant issue that needs your attention.

Thank you.

Tim Farris, Attorney
David Blair, President Trillium
Ken Marzocco, President CH2M Hill, Energy Business Americas
Steve Ban M.D., Pediatrician
Debbie Ahl, CEO Sterling Life Insurance Company
Dave McEachran, Former Prosecuting Attorney
Roland Trenouth M.D., Cardiologist
Dennis Williams, Attorney and CPA
John Macpherson, CEO, Anvil Engineering
Erick Laine M.D., Internal Medicine, CEO Madrona Health Care
Alan Whitmyer, Engineer
D.C. Morse Jr.
Jim Cunningham, CEO Georgia Pacific Mill
Steve Kimberley, D.M.D.
Chuck Robinson, Owner, Village Books
Richard McClenahan, M.D. Family Practice
Ralph Rinnie, M.D. Surgeon
Glenn Butler, Retired Arco Refinery Manager
(All Retired)

David Morse, CEO Blythe Mechanical Inc.
Joost Knops, M.D. ENT Surgeon
Pete Dawson, CEO Dawson Construction
Evan Haskell, CEO Haskell Construction

From: [Beth Heffernan](#)
To: [Council](#)
Subject: What happened to the funds for the new jail that have been collected since 2005?
Date: Saturday, July 8, 2023 8:48:28 AM

I will be more inclined to vote for a sales tax to fund the new jail if you account for the millions of dollars already collected for said jail since 2005. You continue to dance around this elephant in the living room, and it is costing you support for this new jail. We all know we need a new jail, but trust in your stewardship of such funds is very low.

How about adding such an accounting to your meeting agenda, or better yet, describing it honestly in a local newspaper?

Sincerely, MB Heffernan
Bellingham WA

From: [Karla Ward](#)
To: [Council](#)
Subject: Justice Project Bonding Ordinance and Implementation Plan
Date: Monday, July 10, 2023 11:48:47 AM

In my opinion, the Justice Project effort has been manipulative, disingenuous and deceptive. The 'project' was-from the outset-a marketing strategy to fund a confinement facility. Former efforts having failed, County leadership settled on liberally applying lipstick to a retrograde pig.

Hundreds, if not thousands, of taxpayer-funded man-hours and resources were allocated to conduct a window dressing 'needs assessment' that repeatedly revealed a lack of credible data upon which to base decisions, yet decisions were formalized based on point-in-time metrics and anecdotes.

You have made no commitment to fund services, virtually guaranteeing that confinement will continue to be the default mechanism for addressing community deficits. You have also made no commitment to restrict inter-local bed utilization, encouraging 'feeder' cities to do what they've always done, rather than investing in services. Whatcom County, and associated 'feeder' jurisdictions, can-and must-do better.

I'm disgusted at the cynicism demonstrated in County leadership's approach. I will vote against the ordinance, and stridently encourage others to do the same as you roll-out your dog-and-pony-show.

I'll be joining the rally in opposition outside the courthouse as you take your July 11 vote on the bonding ordinance and implementation plan.

With all due respect,

Karla Ward
Sudden Valley

From: [Steven Harris](#)
To: [Council](#)
Cc: [Satpal Sidhu](#); [Tyler Schroeder](#)
Subject: Ordinance concerns that should be changed prior to passage.
Date: Monday, July 10, 2023 3:26:35 PM
Attachments: [Vertical site.docx](#)
[jail Program.docx](#)
[Proposed Ordinance for Introduction 6.26.pdf](#)

Council Members,

I have a couple of concerns regarding the proposed ordinance that should be addressed before its passage:

On page 5, in the "whereas" sections discussing the 2004 sales tax, the document states, "WHEREAS, it is the intent of the Whatcom County Council, moving forward, to continue to dedicate this voter approved one-tenth of one percent jail facilities sales and use tax to the construction and operations of a new jail and behavioral health center; and". As a factual matter, the 2004 sales tax can only be utilized for juvenile detention facilities and jails (according to RCW 82.14.350). Therefore, the phrase "and behavioral health center" should be removed.

In Section 8, paragraph 3, it should state "Section 3" instead of "Section 2".

Additionally, if the ordinance is approved, there is still work that needs to be done before the November election on the sales tax increase. It has come to attention that the current cost estimates for a new jail are based on "430 cells each with one bed", rather than a combination of single and multi-occupancy cells, which is the typical design for most new jail facilities. This is the reason why the downtown location was estimated to necessitate 200,000 square feet for inmate housing and be 7 stories tall (see attachments).

The reason we do not already have a replacement jail is because, after passing the 2004 sales tax, we have spent nearly 20 years debating the size and location. Before we request our citizens to bear this additional tax burden, it is imperative that we present a comprehensive plan for the new jail. This plan should include a detailed budget, size, capacity, timeline, and operational strategy. Doing so would not only reassure our community members about the purpose of their funds, but also maintain a level of transparency and accountability that is crucial in sustaining public trust.

Thank you for your understanding and for considering my concerns.

Best regards,
Steve Harris

**WHATCOM COUNTY
ADMINISTRATIVE SERVICES**
Whatcom County Courthouse
311 Grand Ave, Suite 108
Bellingham, WA 98225-4083

FACILITIES MANAGEMENT
3720 Williamson Way
Bellingham, WA 98226-9156
Phone: (360) 778-5360
Fax: (360) 778-5361
Facilities@co.whatcom.wa.us

Rusty Noble
AS-Facilities Manager

2023 Vertical building:

Existing site is located at the corner of Prospect and Central Ave. Bellingham WA.

Land:

Lot size 198' x 280' 55,000 s.f.
Buildable area 150' x 280' = 42,000 s.f.

Existing Parking:

Existing public/staff onsite parking **(260) stalls**
Existing ADA stalls **(4) stalls**
Total Existing parking stalls 264

Proposed Parking:

New Stalls **(190) stalls ea floor**
New ADA stalls **(6) stalls ea floor**
Total parking each level **(202) stalls (this include 25% circulation ea. Floor)**
Whatcom County staff and public parking will **require (2) levels of parking**
Whatcom County sheriffs dept/SAR will **require (2) levels of parking**

Building:

Each floor can hold 42,000 s.f.
Total proposed program space is 260,800 s.f. /42,000 = **(7) stories above parking garage**

Summary:

There will be (4) stories in the ground for parking and (7) stories above ground for structure.
Existing site will need to be excavated down for parking structure, I assume piles will need to be driven so structure can be built on top of that, since the existing site is fill material.

Area in Red below is proposed footprint for new bldg..



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Rusty Noble
AS-Facilities Manager

2023 Jail Programs:

Intake/Release

- Dedicated open concept Intake
- Dedicated Release
- Inmate property storage
- Intake and release supervisor office
- 5+ office spaces for administration and contractors

Behavioral Health

- Offices or bullpen for 16+ people.
- If using a bullpen, 1 confidential, pass-through room for every two staff is recommended.
- 1 space to hold psychiatric clinics
- 2 group rooms scheduled by mental health with capacity for 18 people per room
- Storage space for re-entry gear and supplies
- Space for working with involuntary commitments and people refusing medications
- 2 -3 additional confidential spaces for other community partners, like HOT, PACT, etc.

Design Features for All Housing Options (including Medical Unit)

- Natural lighting, use of texture, natural beauty and color
- Prefabricated individual cells for each person (bed, sink/toilet, desk, chair)
- Estimate (32) premanufactured (2) person cells per unit only install (1) bunk at this time.
- Large day rooms
- Rec space, exercise equipment
- Library, TV and other media, library storage
- Laundry, laundry and uniform storage in unit
- Classroom and activity space for programs
- Video visiting, Video court
- Safety Cell
- Chalk Board
- Attorney and other professional booths
- Restrooms and showers, Restrictive housing shower

Medical Unit

- Medical exam rooms
- Office Space for practitioners
- X-Ray equipment
- Mental health and medical close watch housing including safety cells
- Dental suite including x-ray.
- Rec area
- Nurses stations
- Office Space for:
 - Nursing Supervisor (1)
 - Nursing staff (15)
 - Medical Records Staff (3)
 - Re-Entry (2)
 - Mental Health (4)
 - Practitioners (3)
- Pass through from main hallways with bathrooms
- Rest rooms for staff and inmates
- Employee break room
- Mother's Lactation Rooms
- Employee locker room
- Mental health room
- Dental/vision room
- Psychiatric evaluation and observation housing
- Safety cells
- All doors large enough for hospital beds.
- Restraint system storage (about the size of a Costco flatbed cart)
- Recreation areas
- Classroom and activity space for programs
- Attorney and other professional booths
- Video court
- Showers in the units
- Negative pressure cell(s)
- Library

Facility Operations

- Scalable or large kitchen
- Garbage and Recycling center accessible by vendor.
- Dedicated Laundry (not in the kitchen)
- Telecom expandability
- Sophisticated technology to allow virtual psychiatric, psychological, and other behavioral health services to be provided
- Controls for air, water and electrical for each unit and cell so each unit can be operated separately
- Programming space for specific functions
 - Culinary arts
 - Tech certification
 - Horticulture and gardening
 - GED and College

Staff Areas:

- Separate and secure staff entrance
- Briefing room
- Conference rooms
- Classrooms for training
- Computer lab for tech related training
- Tactical training space
- Mock scene cells
- Records storage (paper)
- Staff self-care: sleeping quarters, locker rooms, break room, workout room, lactation room
- Offices in hub for approx. 26 people
- Control Booth with 2 redundant stations.
- Dedicated parking for staff, contract staff
- Child care facility on site

PROPOSED BY: EXECUTIVE
INTRODUCTION DATE: JUNE 26, 2023

ORDINANCE NO. 2023-_____

PROVIDING FOR SUBMISSION OF A PROPOSITION TO THE QUALIFIED ELECTORS OF WHATCOM COUNTY PURSUANT TO RCW 82.14.450 AUTHORIZING THE COLLECTION OF A LOCAL SALES AND USE TAX OF TWO-TENTHS OF ONE PERCENT FOR THE PURPOSE OF PROVIDING FUNDS FOR COSTS ASSOCIATED WITH PUBLIC HEALTH, SAFETY, AND JUSTICE FACILITIES AND SERVICES, INCLUDING A NEW COUNTY JAIL, BEHAVIORAL HEALTH, SUPPORTIVE HOUSING, PUBLIC SAFETY, AND OTHER CRIMINAL JUSTICE FACILITIES AND PROGRAMS

WHEREAS, Whatcom County has an opportunity to plan for a criminal legal system that is built to address the root causes of incarceration and designed with rehabilitation as the goal; and

WHEREAS, the [Incarceration Prevention and Reduction Task Force \(IPRTF\)](#), established in 2015 and acting as the Law and Justice Council (LJC) for Whatcom County (as per [RCW 72.09.300](#)), reviews and makes recommendations to safely and effectively reduce incarceration of individuals struggling with mental health and substance use disorders and minimize jail utilization by pre-trial defendants who can safely be released; and

WHEREAS, the IPRTF's [Phase One Report](#) identified challenges with current systems and services, including the need for expansion of the crisis triage facility, jail diversion programs, and behavioral health programs to reduce jail use by people with mental health and substance use disorders; and

WHEREAS, 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; and

WHEREAS, Resolution 2019-036 identified the need to strive for conditions where the cycle of incarceration is broken rather than perpetuated, with continued support and focus on mental health and substance use disorder treatment and diversion rather than incarceration; and

WHEREAS, Resolution 2019-036 identified “the following are inextricably linked: responsible stewardship of public funds, ensuring public safety, and providing adequate countywide behavioral health services”; and

WHEREAS, Resolution 2019-036 established a workplan to develop a public health, safety, and justice facility needs assessment (Justice Project) and prioritize community engagement to guide its development; and

WHEREAS, Resolution 2019-036 recognized that there are multiple deficiencies with the downtown public safety (jail) facility that include life-safety issues and that the cost of addressing

the most significant issues are too high to continue into the future and the need for an appropriately sized replacement facility continues to be the most burdensome and needed capital issue that Whatcom County government faces; and

WHEREAS, Resolution 2019-036 recognized the need to create a funding proposal to address the Justice Project needs assessment, provide a safer, more secure, and healthier environment for those who work, visit, and are incarcerated within the public safety/justice facility, identifying the goal of a future ballot measure; and

WHEREAS, on December 3, 2019, the Whatcom County Council established a Stakeholder Advisory Committee (SAC) to guide the development of a public health, safety, and justice facility needs assessment (as amended, see [Resolution No. 2022-021](#)); and

WHEREAS, the development of a public health, safety, and justice facility needs assessment (Justice Project) was paused in early 2020, due to the COVID-19 public health emergency and restarted in early 2022; and

WHEREAS, on January 2021, the [Anne Deacon Center for Hope \(Crisis Stabilization Center\)](#) opened to provide short-term, in-patient substance use disorder and behavioral health support services, offering 32 beds and doubling the capacity of the triage center it replaced; and

WHEREAS, the SAC held its first meeting on January 20, 2022 and, over the course of a year, the SAC held [10 meetings and additional group discussions](#) to review data, identify gaps in the current community response, and consider what it would take to fill gaps to improve health and public safety; and

WHEREAS, the IPRTF, acting as the LJC, provided support, expertise, and assistance to the SAC throughout its efforts to create the Justice Project Needs Assessment Report; and

WHEREAS, the development of the SAC's Justice Project Needs Assessment sought community feedback through a variety of methods, including:

- A town hall listening session on November 15, 2022,
- A public online [survey](#) with over 1,700 respondents,
- A survey of incarcerated individuals and staff at the Whatcom County jail with 109 respondents,
- [Listening sessions](#) (6) with priority audiences, including people with lived experience in the criminal legal system, tribal members, and immigrants, and
- Informal interviews (8) with immigrant community leaders and Lummi Nation elders; and

WHEREAS, on January 26, 2023, the SAC approved the [Justice Project Needs Assessment Report](#), which

- Establishes a vision, values, and goals, for the criminal legal system in Whatcom County,
- 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; and

WHEREAS, the Needs Assessment focuses on three elements of public health, safety, and justice systems that are interrelated:

- Systems, which includes shifts in practices, policies, and funding that facilitate efficient functioning of the criminal legal system, and reduce incarceration and the duration of incarceration,
- Services, which are the supports that need to be in place for people to prevent and reduce involvement in the criminal legal system, and
- Facilities, which include a jail and a variety of residential and non-residential facilities and settings for legal and healthcare treatment and services; and

WHEREAS, the Needs Assessment recognizes two-long standing community needs:

- To have a safe and humane jail that is safe for those in it, with sufficient services needed to support successful community re-entry, and
- To more appropriately respond to lower-level offenses through the provision of incarceration prevention, diversion, and alternative services, including reducing the number of people incarcerated who have behavioral health issues; and

WHEREAS, the Needs Assessment report identifies more specific challenges in Whatcom County's criminal legal system, including:

- Inconsistency in data collection systems and limited publicly available information,
- Insufficient access to mental health and substance use disorder treatment (in-patient and out-patient),
- Limited capacity in effective diversion programs,
- Inadequate jail capacity to meet the needs of incarcerated people with regards to everything from the most basic functions, such as laundry, kitchen, and dining facilities, to enough confidential spaces to receive behavioral and physical healthcare, meet with attorneys, or attend support groups,
- Insufficient affordable housing and permanent supportive housing,
- Inadequate discharge planning, and
- Significant delays in competency restoration services due to the Washington State Department of Social and Human Services' failure to meet constitutional obligations for competency evaluation and restoration services; and

WHEREAS, the Needs Assessment Report identifies needs and recommendations along a continuum, including prevention and diversion, jail-based, re-entry, and post-incarceration; and

WHEREAS, 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 that includes:

- 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; and

WHEREAS, Resolution 2023-006 identifies that the County Executive shall work with the IPRTF/LJC to develop an Implementation Plan with feedback from priority audiences and the general public; and

WHEREAS, the IPRTF/LJC conducted five (5) workshops to develop a list of project ideas in responding to the recommendations of the Justice Project Needs Assessment; and

WHEREAS, in Spring 2023, seven (7) focus groups and an additional twenty (20) surveys provided feedback from priority audiences including people with lived experience in the criminal justice system, Lummi Nation members, Black, Indigenous, and People of Color (BIPOC) individuals, and Latinx/Hispanic individuals; and

WHEREAS, the Justice Project Needs Assessment Implementation Plan (incorporated herein as Exhibit A) includes fifteen specific action items in the following five categories:

- Ensuring oversight, accountability, and transparency by
 - Establishing a Justice Project Oversight and Planning (JPOP) Committee,
 - Establishing a Finance Advisory Board, and
 - Collecting data to measure progress toward desired outcomes and developing a data dashboard
- Increasing Access to behavioral health services by
 - Addressing workforce shortages in behavioral health services,
 - Building systems to facilitate communication and coordination between organizations, and
 - Increasing the capacity of effective existing programs to divert people from incarceration
- Building the array of facilities needed to promote public health, safety, and justice by
 - Building a 23-hour crisis relief center,
 - Building a new jail and behavioral health treatment center, and
 - Identifying what additional facilities are needed to support people with behavioral health and substance use disorder issues at risk of incarceration
- Expanding the capacity of programs to reduce incarceration/re-incarceration by
 - Ensuring people leaving detention and treatment facilities have transportation to a safe destination,
 - Bolstering re-entry support services, and
 - Maintaining and expanding supportive housing programs for people with behavioral health issues and a history of incarceration
- Making system changes with local, regional, state, and federal partners by
 - Continuing to make changes in court systems,
 - Expediting access to competency restoration services, and
 - Advocating for a state waiver to allow use of Medicaid funds to pay for medical, dental, and behavioral health services for incarcerated individuals

WHEREAS, on June 12, 2023, the IPRTF, acting as the Law and Justice Council, endorsed the Justice Project Implementation Plan as ultimately approved by the County Executive and County Council; and

WHEREAS, Whatcom County is committed to promoting community safety, health, and justice, and aims to reduce crime and incarceration through early interventions and long-term

investments in people and programs that support prevention, restoration, and accountability; and

WHEREAS, Whatcom County currently invests considerably in diversion, housing, and behavioral health services for individuals at high risk of incarceration, including but not limited to the establishment and ongoing funding of Mental Health Court, Recovery Court, the Ground-Level Response & Coordinated Engagement Program (GRACE), the Law Enforcement Assisted Diversion (LEAD) Program, the Alternative Response Team (ART), transportation services for vulnerable individuals, behavioral health Sheriff deputies and co-responder programs, the City Gate Re-Entry Housing Program, and the Sun House mental health shelter program; and

WHEREAS, to accomplish the Justice Project Implementation Plan, the County Council will need to make significant investments from local funds, including but not limited to the proposed 2023 two-tenths of one percent public health, safety, and justice sales and use tax, the 2004 one-tenth of one percent Sales and Use Tax passed by voters, the County's existing general fund, the behavioral health fund, and housing funds; and

WHEREAS, in 2004, Whatcom County voters approved Proposition No. 1, authorizing a one-tenth of one percent jail facilities sales and use tax under RCW 82.14.350 "to be used solely for costs associated with financing, design, acquisition, construction, equipping, operating, maintaining, remodeling, repairing, reequipping and improvement of jail facilities that house inmates being held, charged, or convicted of misdemeanor and felony acts"; and

WHEREAS, from 2005-2022, the jail facilities sales and use tax has collected approximately \$72 million, or about \$4 million per year on average; and

WHEREAS, from 2005-2022, the County has spent the revenue from the jail facilities sales and use tax on minimum security in-custody operations, alternative corrections operations, city jail credit, new jail project funding, jail controls debt service, and minimum-security jail funding; and

WHEREAS, it is the intent of the Whatcom County Council, moving forward, to continue to dedicate this voter approved one-tenth of one percent jail facilities sales and use tax to the construction and operations of a new jail and behavioral health center; and

WHEREAS, significant additional investment is needed to uphold the County's commitment to promoting community safety, health, and justice; and

WHEREAS, RCW 82.14.450 authorizes counties and cities to submit an authorizing proposition to the voters in order to impose a sales and use tax for criminal justice and other purposes; and

WHEREAS, at least one third of moneys collected under the authorized sales and use tax must be used for criminal justice purposes, fire protection purposes, or both; and

WHEREAS, RCW 82.14.450 defines "criminal justice purposes" as provided for in RCW 82.14.340, "such criminal justice purposes of mutual benefit include, but are not limited to, the construction, improvement, and expansion of jails, court facilities, juvenile justice facilities, and services with ancillary benefits to the civil justice system"; and

WHEREAS, money received by a county under RCW 82.14.450 must be shared between the county and the cities as follows: 60 percent must be retained by the county and 40 percent must be distributed on a per capita basis to cities in the county; and

WHEREAS, in 2005, Whatcom County voters approved a one-tenth of one percent sales tax under RCW 82.14.450 for Emergency Medical Services and criminal justice purposes; and

WHEREAS, Whatcom County intends to utilize the remainder of its revenue collection authority under RCW 82.14.450 to fulfill the commitments in the Justice Project Implementation Plan; and

WHEREAS, Whatcom County and cities within Whatcom County have a shared interest in the criminal justice system as well as revenue collected under RCW 82.14.450 and therefore require a structure for collaboration on an ongoing basis; and

WHEREAS, on June 6th, 2023, the Whatcom County Council received a letter from the mayors of Whatcom County's seven cities recognizing their cities' role and responsibility in supporting this effort, collectively calling on the County to place the sales tax measure on the November ballot; and

WHEREAS, the mayors of the Whatcom County cities requested that the County include specific provisions in this ordinance to eliminate booking restrictions upon the opening of a new jail facility, to authorize facility expansion to provide for additional bed capacity when and if it reaches 85% operational capacity, to identify potential cost-sharing mechanisms for both jail facility construction and design, and to develop a funding strategy that includes opportunities for federal and state appropriations and grants to support the need for increased behavioral health spending; and

WHEREAS, on June 9th, 2023, the Whatcom County Council and Whatcom County Executive received a letter from the City of Bellingham supporting the Implementation Plan and making recommendations to improve the Plan and this ordinance. Those recommendations include but are not limited to increasing accountability, transparency and oversight as well as ensuring a parity of commitment between public health facilities and incarceration facilities. The letter also stated that "the City of Bellingham is prepared to support increased behavioral health facilities and programming subject to new revenue from passage of the ballot measure"; and

WHEREAS, in order to provide funding for costs associated with financing, design, construction, maintenance, and operations of the County jail, and public health, safety, and justice facilities and services, as determined by the Justice Project Implementation Plan, it is deemed necessary and advisable for Whatcom County to submit a ballot proposition to the voters for authorization to impose an additional local sales and use tax of two-tenths of one percent (0.002 or 20 cents per \$100), as authorized by RCW 82.14.450; and

WHEREAS, following passage of a voter-approved proposition for a sales and use tax, the County intends to use a portion of the tax revenue as allowed by the Sales and Use Tax Ordinance to issue general obligation bonds for the planning, design and construction costs of the facilities identified in the Justice Project Implementation Plan; and

WHEREAS, the life of the bonds of the jail and behavioral health facilities may be no more than thirty (30) years, and may expire on or around December 31, 2055. Once the total capital financing costs of the jail and behavioral health facilities have been paid for, the County Council shall consider, at that time, the repeal of one-half of the two-tenths of one percent sales and use tax.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that:

SECTION 1 – AUTHORIZATION OF SALES AND USE TAX: a ballot proposition shall be submitted to the qualified electors of Whatcom County pursuant to RCW 82.14.450 to authorize the County Council to fix and impose a local sales and use tax of two-tenths of one percent (0.002 or 20 cents for every \$100) to provide funding for public health, safety, and justice facilities and services, including a new County jail, behavioral health, substance use disorder treatment, supportive housing, public safety, and other criminal justice facilities and services as identified and prioritized in the Justice Project Implementation Plan.

SECTION 2 – DEPOSIT OF PROCEEDS: If the Proposition is approved, all of the County’s portion of the proceeds will be deposited into the new Health, Safety & Justice Fund. Any interest generated by the new Health, Safety & Justice Fund shall benefit the same.

SECTION 3 – SALES AND USE TAX PURPOSE: The purpose of the Sales and Use Tax is to provide funds for costs associated with public health, safety, and justice facilities and services, including a new County jail, behavioral health, supportive housing, public safety, and other criminal justice facilities and services in accordance with the Justice Project Implementation Plan.

The primary purpose of initial expenditures of the proceeds shall be to construct a jail and behavioral health facilities needed to promote public health and safety. Proceeds shall also support expansion of incarceration reduction programs, access to behavioral health services, re-entry services, supportive housing, diversion, and accountability measures to monitor progress and inform future planning.

SECTION 4 - ELIGIBLE EXPENDITURES: The Whatcom County Council hereby adopts the Justice Project Implementation Plan (Exhibit A). Funds collected under this sales and use tax may be used for any expense consistent with the Implementation Plan, as adopted or as may be amended consistent with Sections 3 and 7, or future implementation plans adopted by the Whatcom County Council.

Cities within Whatcom County with a 2023 population less than 20,000 people may use proceeds from this sales and use tax for any public health, safety, and justice purpose, including but not limited to municipal public safety expenditures, and which use shall not be limited or restricted by the provisions and guidance of the Implementation Plan.

SECTION 5 – INTERJURISDICTIONAL AND STAKEHOLDER COORDINATION:

If this sales and use tax is approved by the voters:

1. The Whatcom County Council requests the Whatcom County Executive to develop and enter into a long-term agreement with the Whatcom County cities governing the distribution of sales and use tax revenue collected. This agreement shall be executed by the County and the cities no later than June 1, 2024. The Executive shall endeavor to develop an

agreement that:

- a. Acknowledges that all tax proceeds will be used for mutually beneficial public health, safety, and justice facilities and services, and
 - b. Provides adequate funding to accomplish the projects as established in the Justice Project Implementation Plan, such as construction of a new jail and behavioral health facilities and maximizes utilization of the remainder of sales and use tax proceeds for investments in behavioral health, re-entry, supportive housing, and diversion facilities and services, and
 - c. Acknowledges the cities' request to eliminate booking restrictions through the construction of a new, appropriately-sized jail facility based on a fair analysis of jail use, bookings, and population growth, taking into consideration strategic investments to avoid unnecessary incarceration; identifies and develops a mechanism for additional bed capacity if the facility reaches 85% of operational capacity (defined by national standards for a period of eight of the past twelve months); establishes collaborative protocols to utilize other county or regional jails to accommodate the bed needs of the County and cities when needed; and, in a last case scenario, relies on judicial authority to implement booking restriction, and
 - d. Allows for cost-effective terms of bonding for the construction of the jail and behavioral health facilities by including a sharing of the first four to six years of sales tax revenue to reduce the bond size. In subsequent years, a minimum of 50% of the ongoing county-wide Public Health, Safety, and Justice sales and use tax revenue will be used for projects as prioritized in the Justice Project Implementation Plan, such as the construction and operation of behavioral health facilities serving populations outside of the County jail, expansion of incarceration reduction programs, increasing access to community-based behavioral health and substance use disorder treatment services, re-entry programs, supportive housing, diversion programs, and accountability measures that monitor progress and inform future planning, and
 - e. Recognizes the County and cities' goal to allow the public safety tax allocation to be consistent with RCW 82.14.450(6) as soon as reasonably possible.
2. The Whatcom County Council requests the Whatcom County Executive to include in the long-term agreement with the Whatcom County cities the development of a Finance Advisory Board, which shall provide financial oversight of the funds collected from this sales and use tax and make recommendations on the finance and operations of the jail, behavioral health, and supportive housing facilities and services, aligned with a population health report on public health and safety. County Council shall appoint members to the Finance Advisory Board. The Advisory Board shall consist of the Whatcom County Executive, one Whatcom County Councilmember, the Whatcom County Sheriff, the Mayor of Bellingham, one Bellingham City Councilmember, one elected representative from the remaining cities within Whatcom County, two elected representatives from federally recognized tribes within Whatcom County, one municipal law enforcement representative, the chair(s) of the IPRTF/LJC, one individual with lived experience in the criminal justice system, and one representative of the behavioral health system. Meetings of the Board shall be subject to the Open Public Meetings Act.
 3. The IPRTF/LJC shall advise the County and cities on policy matters related to law and justice. The IPRTF/LJC shall participate in the development of a population health report such as the Community Health Assessment that includes a public health and safety component. This report shall be developed in collaboration with the local community health

advisory board as defined by RCW 70.46.140 and the local Community Health Improvement Plan process. The IPRTF/LJC shall establish a Justice Project Oversight and Planning (JPOP) Committee that includes a balanced membership ensuring fair representation of BIPOC communities, service providers, and people with lived experience. The JPOP membership shall consist of the Whatcom County Executive, one Whatcom County Councilmember, the Whatcom County Sheriff, the Mayor of Bellingham, one Bellingham City Councilmember, one public defender, one elected representative from the remaining cities within Whatcom County, at least one representative from each federally recognized tribe within Whatcom County, two criminal legal system utilizers with preference for formerly incarcerated and BIPOC individuals, one community-based behavioral health provider, one community-based treatment provider, one reentry specialist, one paramedic from EMS, one recovery subject matter expert, one youth representative such as from teen court programs, one supportive housing subject matter expert, one representative from the Racial Equity Commission, and the chairs of the IPRTF/LJC. With guidance from the JPOP Committee, the IPRTF/LJC shall coordinate with the Finance Advisory Board to monitor the progress of the Implementation Plan and provide a written report of progress towards Plan goals annually to the Advisory Board and County Council. The IPRTF/LJC and JPOP Committee shall provide recommendations for plan updates a minimum of every five years. The Whatcom County Council and Whatcom County Executive shall provide the resources needed for the IPRTF/LJC to fulfill its planning, community consultation, and oversight charge.

4. The Whatcom County Council directs the IPRTF/LJC to evaluate representation of BIPOC communities and people with criminal justice lived experience in its membership and to update membership, as needed, to ensure adequate representation.
5. The IPRTF/LJC shall further consult BIPOC communities, service providers, and people with criminal justice lived experience in the progress of the Implementation Plan and future planning efforts. Further, the Whatcom County Executive, County Council, and the IPRTF/LJC shall consult with the Whatcom Racial Equity Commission on progress and planning efforts, particularly as it relates to data gathered on racially disparate impacts in the Whatcom County criminal justice system, and recommendations regarding elimination of barriers to public participation.

SECTION 6 – AUTHORITY TO BOND: If approved, the County may issue general obligation bonds to finance planning, design and construction of a jail and behavioral health and supportive housing facilities.

SECTION 7 – INCARCERATION PREVENTION AND REDUCTION INVESTMENTS:

1. Whatcom County will continue to make initial and ongoing investments – using a combination of proceeds from this sales and use tax and other local, state, and federal funds – in Justice Project Implementation Plan projects that increase access to community-based behavioral health services, substance use disorder treatment, re-entry services, supportive housing, diversion, and other incarceration reduction programs. Investments will begin in 2023 and occur concurrently with the planning and construction of a new jail facility and behavioral health treatment center.
2. The Whatcom County Council requests the Whatcom County Executive to coordinate with the Whatcom County cities, the Washington State Legislature, community-based providers,

the Finance Advisory Board, and the IPRTF/LJC to maximize resources, build capacity, and align plans in order to accomplish such projects.

3. The Whatcom County Council intends to provide sufficient budgetary authority to accomplish such projects and requests the Executive to include such expenses in relevant biennial and supplemental budgets and budget amendments as appropriate.

SECTION 8 –SUBSEQUENT IMPLEMENTATION PLANS AND IMPLEMENTATION PLAN AMENDMENTS:

1. No less than every two years, the Whatcom County Executive shall coordinate with the IPRTF/LJC and Finance Advisory Board to update the Implementation Plan with a detailed Spending Plan for the public health, safety, and justice tax, that adheres to the terms of this ordinance. The spending plan may not impede the County’s ability to pay debt service on facility bonds issued against the tax.
2. No less than every five years, the Whatcom County Executive shall coordinate with the IPRTF/LJC and Finance Advisory Board to update the Justice Project Implementation Plan based on an analysis of data collected, measurements for outcomes and efficacy of the current Plan, and in alignment with a population health report such as the Community Health Assessment, as well as cost estimates, timelines, and gaps in resources needed to reach community health targets. The IPRTF/LJC shall transmit the Implementation Plan to the Whatcom County Council for approval.
3. Implementation plans must be consistent with Section 2 – Sales and Use Tax Purpose and may not impede the County’s ability to pay debt service on facility bonds issued against this tax.
4. This language is not intended to limit the Whatcom County Council’s authority to amend the Implementation Plan through ordinance at any time.

SECTION 9 – OVERSIGHT, ACCOUNTABILITY, AND TRANSPARENCY:

1. The IPRTF/LJC shall monitor progress toward the goals of the Justice Project Implementation Plan and shall provide a written and oral report no less than annually to the Finance Advisory Board and Whatcom County Council. This report shall detail steps taken to achieve the goals of the Implementation Plan; an assessment of progress toward goals; a review of resources needed to further meet goals; and recommendations for any necessary updates to the Implementation Plan and/or Spending Plan.
2. The Finance Advisory Board shall monitor the spending of the Public Health, Safety, and Justice Tax and provide a written and oral report no less than annually to the IPRTF/LJC and Whatcom County Council on the financial performance of the fund and associated programs. This report shall detail fund revenue; expenditures by Implementation Plan project; resources beyond this sales and use tax invested in Implementation Plan projects; additional resources needed to further meet goals; and recommendations for any updates to the Implementation Plan and/or Spending Plan.
3. Whatcom County shall contract with an independent third-party entity to conduct an evaluation of the Public Health, Safety, and Justice Sales and Use Tax, and the process

and progress of the Implementation Plan, including an analysis of data collected, measurements for outcomes and efficacy, and alignment with a population health report such as the Community Health Assessment. This audit will occur ten years after approval of this sales and use tax levy.

4. Where expansion is considered within the 30-year lifespan of the new Public Health, Safety, and Justice Sales and Use Tax, a variety of factors shall be examined including, but not limited to, population growth, operational capacity, success of diversion, reentry, and housing programs, changes in state law or court rules affecting pretrial detention and sentencing, and other factors as listed in the Justice Project Implementation Plan. Any plans for expansion shall include a robust and inclusive community engagement process and be approved by the County Council.

SECTION 10 – BALLOT PROPOSITION SUBMITTAL: The County Auditor shall cause notice of the proposed proposition to be published in accordance with the state constitution and general law and shall submit to the qualified electors of the County the proposition hereinafter set forth on the ballot of the county-wide general election to be held on November 7, 2023. The Clerk of the Council shall certify that proposition to the County Auditor in substantially the following form:

WHATCOM COUNTY, WASHINGTON

PROPOSITION NUMBER 2023-_____

PUBLIC HEALTH, SAFETY, AND JUSTICE SALES AND USE TAX

The Whatcom County Council passed Ordinance No. _____ concerning funding for public health, safety, and justice facilities and services. If approved, this proposition would authorize a sales and use tax of two-tenths of one percent (20 cents per \$100) for costs associated with a new County jail, behavioral health, supportive housing, public safety, and other criminal justice facilities and services, as authorized by RCW 82.14.450. Should this proposition be approved?

_____ Yes

_____ No

SECTION 11 – CORRECTIONS AND EXPLANATORY STATEMENT: The Prosecuting Attorney is authorized to make such minor adjustments to the wording of this proposition as may be required that do not change its substantive meaning and are consistent with the intent of this ordinance, and the Prosecuting Attorney shall prepare an explanatory statement based on this ordinance for use in the Voters Pamphlet.

SECTION 12 – AMENDMENTS AND SEVERABILITY: If the ballot measure proposed herein passes by a majority vote, the sales and use tax authorized must be imposed in compliance with the terms of RCW 82.14. Provided that it is consistent with state law, the Council may, through its inherent authority, otherwise amend this ordinance if it determines that circumstances warrant such amendment. If any provision of this ordinance or its application to any person or circumstance is determined to be invalid, the remainder of the ordinance or its application to other persons or circumstances shall not be affected.

ADOPTED this _____ day of _____, 2023.

ATTEST:

**WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON**

Dana Brown-Davis,
Clerk of the Council

Barry Buchanan,
Council Chair

APPROVED AS TO FORM:

/s/Karen Frakes approved via phone on 7/6/2023/MR

Karen Frakes, Chief Civil Deputy
Prosecutor

Satpal Sidhu, County Executive

Date

EXHIBIT A
JUSTICE PROJECT IMPLEMENTATION PLAN

From: [Debra Anderson-Frey](#)
To: [Council](#)
Subject: Pass Ordinance with Galloway/Buchanan Amendments
Date: Tuesday, July 11, 2023 10:55:03 AM

Council Members,

I urge you to pass the Justice Plan Ordinance with the Galloway and Buchanan amendment. Its specifications strengthen accountability by including service providers and persons with lived experience in the incarceration system in the oversight of spending and monitoring the implementation of the Justice Project Plan. (It was previously “stacked” with systems people; i.e. gov’t officials and law enforcement.) The amendment also strengthens accountability/transparency by contracting with an Independent 3rd party to conduct *data-based* evaluations in addition to local oversight of the New Health, Safety, and Justice Fund. These measures honor the recommendations of the SAC’s extensive study and public outreach in response to the failure of the two previous jail ballot issues.

I understand that the “compromise” in passing the original ordinance is that the monies collected will pay for jail construction along with paying down the bond in its first 4-6 years. This is difficult for me to accept, as the larger measure of the SAC’s Needs Assessment relate to systemic changes, i.e. services, necessary to prevent and reduce incarceration. Constructing a bigger jail alone will not ensure our community’s safety, just as mass incarceration nationally has not worked. Despite my personal challenges in accepting the “compromise” that will prioritize monies for incarceration prevention and reduction services only *after* jail construction, I support passing the bond ordinance with the Galloway and Buchanan amendment.

In the meantime, I urge ALL council members to COMMIT to working NOW and in the future toward securing additional local, state, and national funds to meet the urgent needs addressed in the SAC’s recommendations to prevent and reduce incarceration. This translates to an “everywhere at once” approach to solve our housing, behavioral health and drug addiction crises and to provide for the lack of appropriate re-entry and rehabilitation services for formerly AND currently incarcerated people in our community. In addition I am concerned that efforts are made to ameliorate poor conditions in the Whatcom County Jail to the largest extent possible. Regular outreach to communicate progress in addressing these issues will build public trust in our local government’s ability to ensure public safety for all.

It may be my misunderstanding that what will appear on our ballots may not be the same as the title of this ordinance which doesn’t include the word “jail.” I would appreciate clarification about the ballot wording.

Thank you for the opportunity to weigh in on this issue. Special thanks to Kaylee Galloway and Barry Buchanan for being especially responsive to my inquiries about these issues.

Debbi Anderson-Frey
Everson, WA

Sent from my iPad

From: [Jessica Drake](#)
To: [Council](#); [Barry Buchanan](#); [Todd Donovan](#); [Carol Frazey](#); [Kaylee Galloway](#); [Tyler Byrd](#); [Kathy Kershner](#); [Ben Elenbaas](#)
Subject: New Jail
Date: Tuesday, July 11, 2023 1:09:50 PM

Dear City Council,

I am writing to urge you not to build a new jail. We don't want more incarceration. Hasn't this already been decided as a city twice before? As a nation, we over-utilize incarceration. And now we're trying to use incarceration to help with our housing problem? The United States of America has the highest incarceration rate in the whole history of the entire planet. Instead of serving our communities, we incarcerate them. This pattern stems from racism/white supremacy.

Isn't Bellingham better than this?

The answer is not incarceration. If we stopped dehumanizing our neighbors, we'd recognize that the answer is community resources and support. It's always been community resources and support.

Community resources and support strengthens a community.
Community resources and support decrease crime.
Community resources and support improves people's lives.

Let's reroute money from incarceration to community resources and support.

Thanks,
Jessie Drake

From: [Kiana Jenkins](#)
To: [Council](#); [Barry Buchanan](#); [Todd Donovan](#); [Carol Frazey](#); [Kaylee Galloway](#); [Tyler Byrd](#); [Kathy Kershner](#); [Ben Elenbaas](#)
Subject: NO to the Jail
Date: Tuesday, July 11, 2023 4:31:43 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

County Council,

I am writing to you as a concerned citizen that is directly involved with the community you all are meant to serve to the best of your knowledge and ability. However, I think there is a lot of knowledge and experience missing when considering the effects of a new jail in Whatcom County. There is far more harm being caused rather than offering solutions- building a cage for vulnerable, oppressed populations that often need support rather than punishment is not the answer.

I hope you all understand the complexity of harm and racism that you have a direct connection to and understand that the actions you take can change the community for future generations. Ask yourself who you are really trying to protect and why? How can you tap into your humanity and actualize strategies such as diversion, mental health support, housing, wrap around care and so much more? The power belongs in the hands of the people and yet it is in your hands. What will you do with this?

If you move forward with this jail, you are perpetuating the Prison Industrial Complex which pushes this community to believe that you are only looking out for the best interest of a White Supremacy Model.

What type of leader are you going to be today?



Kiana Jenkins (she/they)
Learning and Development Manager
360.734.9862 ext 106 | nwys.org

1020 N. State St. Bellingham, WA 98225



My Work Schedule Approx.:

Monday: 9am to 5pm

Tuesday: 9am to 5pm

Wednesday: 2pm to 5pm

Thursday: 9am to 5pm

Friday: 9am to 3pm

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BLACK LIVES MATTER