

# Justice Project

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PUBLIC HEALTH, SAFETY, AND JUSTICE FACILITY  
NEEDS ASSESSMENT

COUNCIL UPDATE – APRIL 26, 2022

[www.whatcomcounty.us/justice](http://www.whatcomcounty.us/justice)

# TOPICS

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Project Team

Project Overview

Guiding Principles

Sequential Intercept Model (SIM)

Phase One Goals

Financial Questions

Questions & Answers

# Project Team

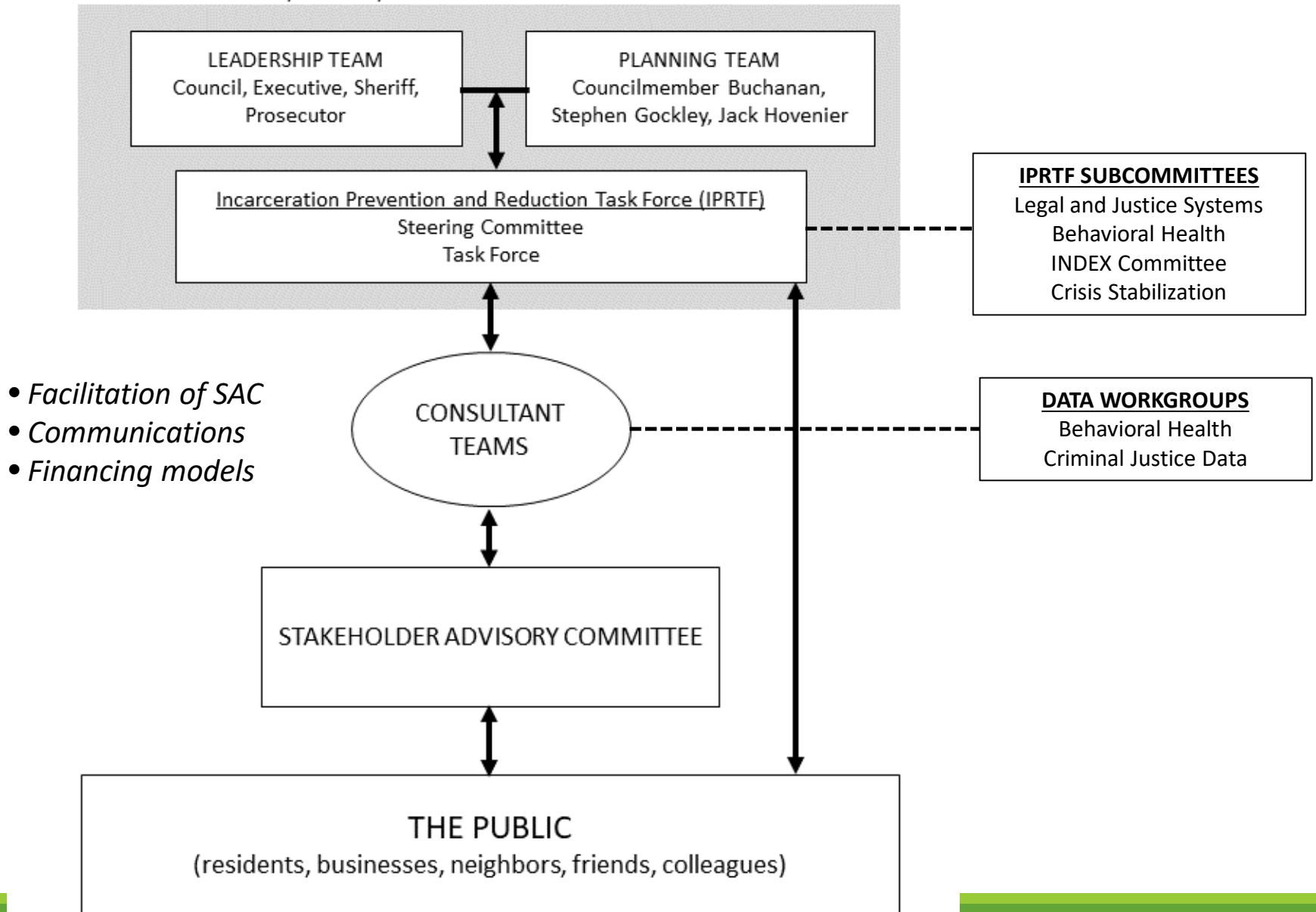
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## Key Personnel, Roles

- Leadership team: Sheriff, Executive, Council, Prosecutor
- Planning Team: Barry Buchanan, Stephen Gockley, Jack Hovenier
- Incarceration Prevention and Reduction Task Force (IPRTF)
  - Steering Committee (direction and policy)
  - Task Force (jurisdictions, service providers in justice and behavioral health)
- Stakeholder Advisory Committee (SAC) for the Justice Project
  - Key County staff
  - Partner agencies
  - Diverse community representatives appointed by Council
- Data Workgroups

# JUSTICE PROJECT

## PUBLIC HEALTH, SAFETY, AND JUSTICE FACILITY NEEDS ASSESSMENT



# SAC Members

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Arlene Feld

Heather Flaherty

Harriet Markell

Brooke Eolande

Jack Hovenier

Chad Butenschoen

Atul Deshmane

Eli Wainman

Cliff Langley

Jon Mutchler

Deborah Hawley

Peter Frazier

Brel Froebe

RB Tewksbury

Kendra Cook

Kristin Hanna

Kara Mitchell Allen

David Goldman

Barry Buchanan

Satpal Sidhu / Tyler Schroeder

Michael Lilliquist

Seth Fleetwood / Brian Heinrich

Katrice Rodriguez / Rick George

Anthony Hillaire

Scott Korthuis

Mary Lou Steward

Stephen Gockley

Daniel Hammill

Perry Mowery

Darlene Peterson

Flo Simon

Bill Elfo / Doug Chadwick

Erika Lautenbach

Daron Smith

*VACANT (lived experience in criminal justice system)*

*VACANT (lived experience in criminal justice system)*

# SAC Meetings

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**SAC Meeting #1: Foundation (1/20/2022)**

**SAC Meeting #2: Criminal Justice Data (4/7/2022)**

**SAC Meeting #3: Behavioral Health (6/8/2022)**

**SAC Meeting #4: Criminal Justice Data and Behavioral Health (TBD)**

**SAC Meeting #5: Facilities (TBD)**

**SAC Meeting #6: Draft Ideas for Needs Assessment (TBD)**

**SAC Meeting #7: Needs Assessment Report (TBD)**

# SAC Meetings (optional)

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**Joint Meeting of IPRTF Subcommittees#1: Behavioral Health, Legal &Justice System (3/15/2022)**

**SAC Group Discussion #1: Crisis Stabilization Facility (3/30/2022)**

**SAC Group Discussion #2: Legal & Justice System (4/4/2022)**

**SAC Group Discussion #3: Behavioral Health (4/5/2022)**

**Joint Meeting of IPRTF Subcommittees #2: Behavioral Health, Legal &Justice System (4/19/2022)**

# Consultants

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Meeting Facilitation and Strategic Assistance: Crossroads Consulting

Needs Assessment Report: Moonlight Solutions

Data analysis: Dr. Alexes Harris (pro bono)

Justice Project Communications: TBD

Financing Models: TBD



# Criminal Justice Data Workgroup

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Caleb Erickson, Jeremy Morton, Malora Christensen, Dr. Alexes Harris, Wendy Jones, Mike Hilley

Inventory of available data and data limitations

Trends in data

Help SAC decide size, shape and functionality of new facility

Preparation of content for SAC Meeting #2: Criminal Justice Data  
(4/7/2022)

# Behavioral Health Workgroup

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Perry Mowery, Jeremy Morton, Joe Fuller, Gail DeHoog, Dean Wight, Tommy McAuliffe, Mike Parker, Malora Christensen, Mike Hilley, Barbara Johnson-Vinna, Jackie Mitchell

Updating Sequential Intercept Model to reflect current program inventory and identify gaps.

Using the Racial Equity Toolkit

Data challenges

Preparation of content for SAC Meeting #3: Behavioral Health (6/8/2022)

# Project Overview

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## Issues – Historical Context

- 1983 - Current jail opened
- 1990s - Questions about adequacy and safety of current jail arise
- 1997 - Sales tax measure for juvenile detention facilities and jail fails
- 2000 - Law & Justice Council recommends construction of new jail
- 2004 - Voters approve sales tax measure
- Contract awarded for 150-bed minimum security work center
- 2014 -County purchases LaBounty property near Ferndale
- 2015, 2017 - Sales Tax measures to fund construction of large jail facility at LaBounty property fail

# Project Overview

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## Issues – Recent Developments

- 2015 – County Council creates the Incarceration Prevention and Reduction Task Force (IPRTF)
- 2018 – Listening series conducted across Whatcom County to share information, input and ideas for improving Whatcom County’s criminal justice system
- 2019 – More than \$9 million required for repair and maintenance on life and safety issues in existing jail (“Good money after bad!” – Executive Sidhu)
- 2019 – IPRTF will also serve as the Law and Justice Council

# Project Overview

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## Issues – Recent Developments (cont'd)

- 2019 – County Council adopts Statement of Public Health, Safety and Justice Facility Planning Principles
- 2019-2020 – County Council establishes and appoints Stakeholder Advisory Committee (SAC) to solicit and collect community input during a needs assessment process; convening of SAC postponed due to COVID
- 2020-2022 – Pandemic exacerbates existing limitations and safety issues at current jail (Lacks adequate medical space, negative pressure, ventilation, etc.)
- 2021 – Crisis Stabilization Center opens to increases mental health and chemical dependency capacity by 32 beds

# Project Overview

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## **Incarceration needs have changed in Whatcom County:**

- We continue to hold dangerous and repeat offenders
- Law and policy changes:
  - The Blake Decision
  - DWLS 3<sup>rd</sup>
  - COVID – Trial shut downs, Booking Restrictions = Backlog
- New Emphasis on Treatment Programs (some old, some new)
  - Drug Court
  - Residential Drug Offender Sentencing Alternatives (DOSAs)
  - Ground-Level Response and Coordinated Engagement (GRACE)
  - Law Enforcement Assisted Diversion (LEAD)
    - More Treatment programs are needed

# Project Overview

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## Factors Affecting Jail Population

- Booking Restrictions: most property crime, failure to appear warrants
- Public Health Issues (COVID, no medical segregation for contagious airborne disease, lack of distancing).
- Judicial bail release / sentencing policies due to COVID and lack of jail space.
- Suspension of trials by courts (back up in jails)
- Requirements of the law (discretion in sentencing/mandatory sentences)
- New statutes changing all drug possession from felony to simple misdemeanor
- Mental Health Deputies / Coordination with LEAD
- MAT program

# Guiding Principles

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Government Alliance on Race and Equity (GARE)

## **Resolution 2019 – 036 (8/7/2019, Reaffirmed 9/28/2021)**

- Adopting a statement of Public Health, Safety, and Justice Facility Planning Principles for Whatcom County
1. Shared public safety (jail) facility with integrated behavioral health services
  2. Linked: stewardship of funds, public safety, and behavioral health services
  3. IPRTF annual reports provide specific recommendations
  4. Commit funding towards community-based preventative services, post-release support
  5. Continue to look towards behavioral health facilities as alternatives to jail



# Guiding Principles

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## Resolution 2019 – 036 - *continued....*

6. Data to decision-makers and the public, enhanced data collection through INDEX Committee of the IPRTF
7. Size of jail facilities based on diversion programs and justice policies
8. Jail location where it works best for all partners, reanalyze downtown Bellingham location
9. Irongate minimum security facility is a valuable part of justice continuum
10. Apportion construction and operating costs separately among jail users based on actual use or estimates of future use

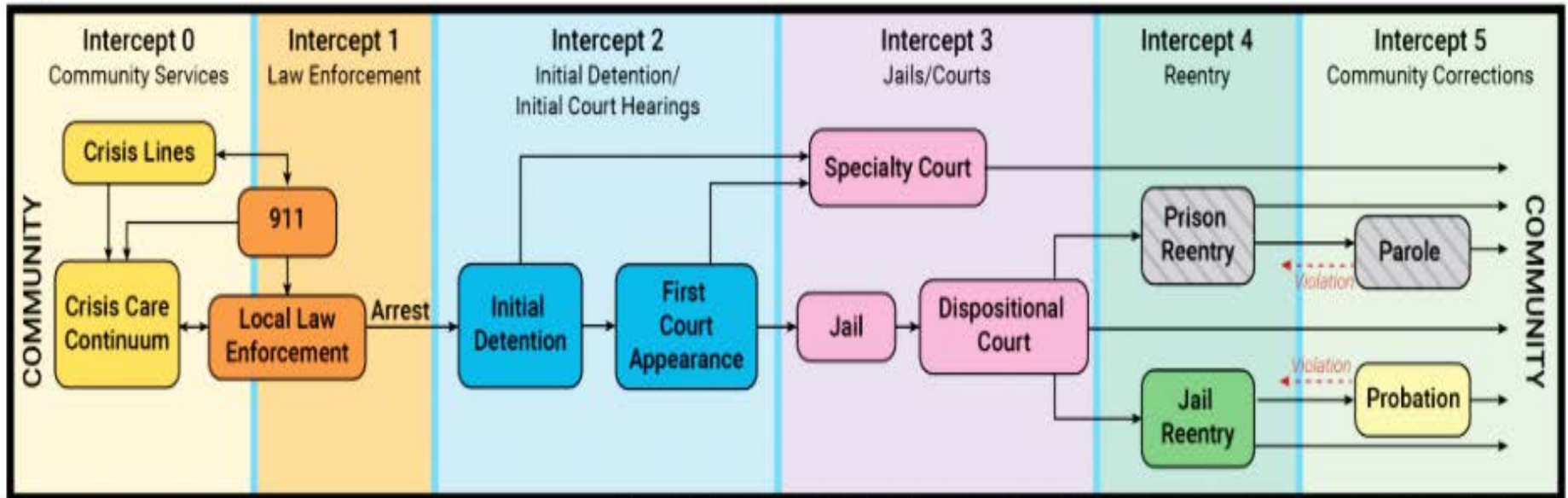
# Guiding Principles

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## Resolution 2019 – 036 - *continued....*

11. Continue to reduce current use of bail and probation procedures that affect the jail population
12. Hire a Behavioral Health/Criminal Justice Planner to evaluate additional aspect of our justice system and needs
13. Funding proposal on the ballot to fund justice system improvements
14. Commitment to a transparent planning process, with opportunities for community input

# Sequential Intercept Model



Abreu, D., Parker, T. W., Noether, C. D., Steadman, H. J., & Case, B. (2017). Revising the paradigm for jail diversion for people with mental and substance use disorders: Intercept 0. *Behavioral Sciences & the Law*, 35(5-6), 380-395. <https://doi.org/10.1002/bsl.2300>  
 © 2019 Policy Research Associates, Inc.

Source: <https://www.prainc.com/>

# Phase One Goals

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## **Continue employing analytical tools and resources**

- Evidence-based and best/promising practices
- Sequential Intercept Model (SIM)
- Racial Equity Toolkit (Government Alliance on Race and Equity – GARE)

# Phase One Goals

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## **Incorporate learnings from prior efforts:**

- Jail ballot initiatives
- Community listening sessions
- IPRTF
  - VERA Institute Final Report
  - Crisis Stabilization Center
  - GRACE program
  - LEAD program
  - Pretrial processes in Superior Court

# Phase One Goals

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## **Consider confounding factors:**

- Data systems, compilation, accessibility
- Continuum of services and interventions
- Legislative enactments and judicial decisions
- Capacity of programs
- Workforce limitations
- Funding mechanisms and adequacy of resources

# Phase One Goals

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## **Survey criminal-legal system:**

- What programs do we have
- Who is “in” the system and what are their characteristics
- Who must be in the system, and who can be redirected
- Are individual, community, and institutional needs being met and, if not, what programs do we need

# Phase One Goals

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**Survey basic needs/support/treatment (shorthand: “behavioral health”) systems:**

- What programs do we have
- Who is “in” the system and what are their characteristics
- Who must be in the system, and who can be redirected
- Are individual, community, and institutional needs being met and, if not, what programs do we need

**Synthesize resource surveys and gap analyses to form recommendations**



# Financial Questions,

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## **How much has the County spent on the past new jail planning efforts?**

- The Public Health, Safety and Justice Facility fund has spent \$8,338,587 to date
- Including property acquisition (Ferndale), planning and design for the past new facility proposal

## **How much has the County spent on Jail Improvements since?**

- Since 2011 the Jail Improvement fund has spent \$8,783,323 since 2011
- Including jail controls and fire alarm project (2011-2015), detention doors (2019-2020) and the Design2Last report

## **How much has the County invested into the Crisis Stabilization Facility?**

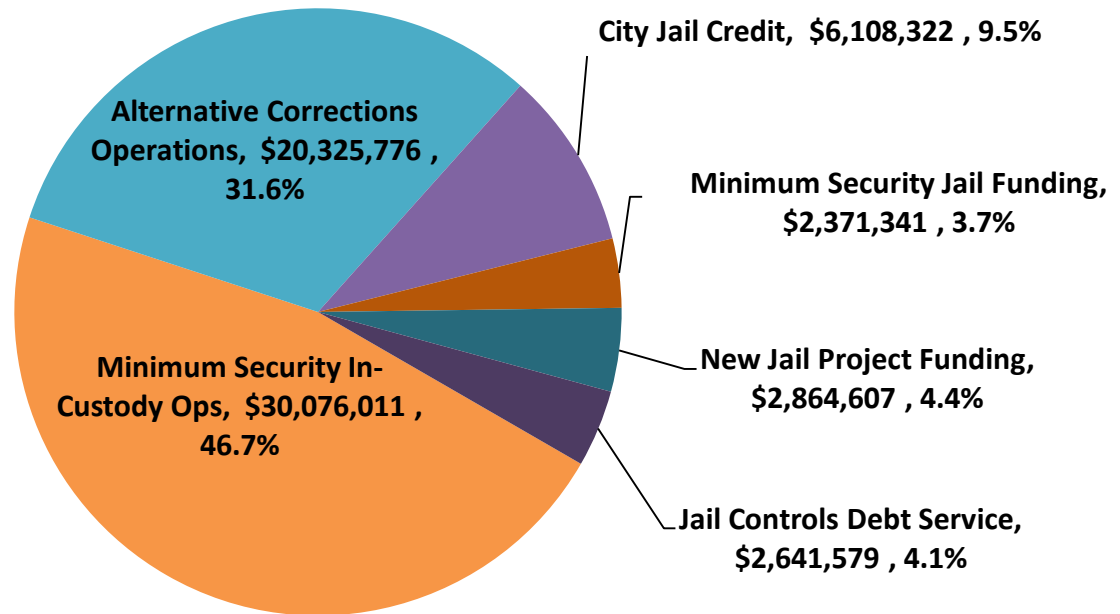
- Whatcom County has leveraged \$4,000,000 of local dollars to construct an approximately \$13,400,000 project
- This facility has been a IPRTF priority and is located on the division street property where the Minimum Security Facility and Alternative Correction center is located

# Financial Question, Cont.

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## How has the County spent the existing 1/10<sup>th</sup> sales tax?

Between 2005-2021, the County Admin. and Council has used those dollars as follows:



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# Questions and Answers

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