

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



PUBLIC SAFETY BUILDING
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MEMORANDUM

TO: Whatcom County Council

FROM: Sheriff Tanksley

A handwritten signature in black ink, appearing to read "Tanksley", written over a horizontal line.

DATE: January 19, 2024

RE: Proposed extension of Chapter 1.28 suspension

The purpose of this letter is to support the proposed ordinance suspending Chapter 1.28 of the Whatcom County Code (WCC) for an additional twelve (12) months to allow time for Council (and other committees as may be assigned) to review, discuss, and adopt new language that complies with current laws and standards.

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

While I recognize that it's been 4 ½ years since the first suspension, we are committed to working with stakeholders to provide transparent standards that will work for our community. If approved, we will work diligently to complete the update of our collectively established correctional facility operational standards; and, provide Council with quarterly updates on our progress.

However, it's important to note that since the latest extension (March 2023) there has been significant action from the WA Legislature to address jail standards. The Legislature empaneled a joint task force to make recommendations to the governor and the appropriate committees of the legislature. On December 1, 2023, the [report](#) was published and included the following recommendation, "Establishing an Independent Agency to create mandatory standards and provide ongoing oversight of city, county, and regional jails. The Oversight Agency should be overseen by a Board/Commission which will appoint a Director."

With the above information in mind, our goal is to work thoughtfully and with enough foresight to preclude having to make substantial changes if WA State again codifies mandatory standards.