

CRIMINAL JUSTICE TREATMENT ACCOUNT (CJTA)

Panel Meeting - History & Plan Update

September 8, 2021



Whatcom County
HEALTH
Department



Introduction

Whatcom County received \$644,876 in Criminal Justice Treatment Account Funds (CJTA) from the Washington State Healthcare Authority for the 2021-23 biennium which included an additional \$147,557 in proviso funding. CJTA funding is subject to a planning process, a local Panel's recommendations, and various restrictions as described below. The plan update concludes with the Panel's recommendations for the new biennial award which is based on the ever-evolving forces of change to the substance use disorder system caused by the pandemic, the Blake Decision, a lack of workforce to implement programs, and the lack of rentals available in Whatcom County. The CJTA plan is vetted by the local CJTA Panel and must be approved by the County Council.

RCW and History

In 2002, the Washington State Legislature passed laws to reduce prison sentencing for non-violent drug offenses. The Washington State Legislature determined that there would be savings from these prison reduction acts which they formalized into law (RCW 71.24.580). The Legislature further theorized that funding from the Criminal Justice Treatment Account (CJTA) could be utilized for substance use disorder (SUD) treatment and recovery services to prevent recidivism in the prison system.

In addition, CJTA funding is distributed to counties by formula with a requirement that a minimum of 30% of the funds be used for best, evidence based, or innovative practices.

Summary of Past Panel Recommendations and Expenditures

The Whatcom County CJTA Panel has met 3 times since 2018, and made recommendations for the following services; substance use disorder assessments for people in the jail, residential treatment for non-Medicaid services, and rental assistance and medication assisted treatment medications in the jail. The proposed services were gaps in the substance use disorder continuum of care available for Drug Court participants and other non-violent drug offenders. Due to limited funding, the Panel continued to prioritize the service needs of Drug Court participants as a primary concern.

During fiscal year 2020, Whatcom County received a total of \$326,981 in CJTA funds annually, which included a supplemental CJTA allocation of \$151,200. This was a very uncommon year, fraught with challenges, and Whatcom County was unable to utilize all of its CJTA funding. A total of about \$50,000 in CJTA funds remained unspent, despite various attempts to re-invent our programming. This amount of funding may seem high, but considering multiple challenges, including the ongoing pandemic surge, the Blake Decision, new program delays, (Drug Court and re-entry), the lack of a behavioral health workforce, and the lack of rentals for housing, our system partners rallied quite well to utilize CJTA funding. For example, we received special permission to spend funding for hotel/motels vouchers so GRACE case managers could keep track of their participants. In addition, our Drug Court program utilized funds for training and other special needs.

The Blake Decision (<https://www.courts.wa.gov/opinions/pdf/968730.pdf>) vacated charges for people with a simple felony drug possession charge, leaving Drug Court participants without services. The abundance of stimulus funding for rental assistance without the supply of rentals created a major challenge for providing housing for people in the

criminal justice system. In addition, the publicly funded behavioral health workforce has been leaving agencies in droves to work at private clinics for better compensation.

Considering those challenges, the local CJTA Panel made recommendations for the next biennium which are consistent with the broader plan as envisioned by the Incarceration Prevention and Reduction Task Force (IPRTF).

2021-23 Proposal & Rationale:

Whatcom County Behavioral Health Sequential Intercept Model



The Incarceration Prevention and Reduction Task Force (IPRTF) is comprised of 30 city and county officials, providers, and citizens which has operated since 2016 for the purpose of diverting and preventing incarceration wherever, possible. The IPRTF utilizes the Sequential Intercept Model (SIM). The SIM is a National evidence-based model developed to show various phases of the criminal justice system where people with behavioral health issues can be “intercepted” or diverted so that their needs for behavioral health treatment and care, are appropriately addressed.

See the link for the Whatcom County SIM here: <https://www.whatcomcounty.us/DocumentCenter/View/48295/SISI-full-report-Updated-February-2020>. An expansion of the Whatcom County Drug Court Program, which includes providing recovery house services is consistent with the IPRTF’s missions and goals. Panel members are aware of the IPRTF, and in fact, several of the members’ departments are represented on the IPRTF.

The representatives of the local CJTA Panel are proscribed by law with the exception of two positions: the treatment provider, and a member of the Defense bar both of which are approved by County Council. The local CJTA Panel met on September 8, 2021 to discuss recommendations made by the County Health Department for the 2021-2023 biennium.

The Panel elected to continue with the same basic plan as previous years with a few exceptions. Considering ongoing pandemic, workforce, and Blake Decision impacts, the Panel determined that most of the services are working well with the exception of re-entry services and rental assistance. Our Whatcom County Jail/Juvenile Behavioral Health Team was unable to re-hire for the re-entry position, and the provider has since decided to terminate the contract due to the challenges with hiring staff. In addition, many of the therapeutic court participants will be admitted to the Recovery House directly from inpatient treatment in lieu of going into housing on their own. Coupled with the lack of rentals in the County, Recovery House Services are likely to reduce the need for rental assistance. Therefore, the Panel recommends that funding from both re-entry and from rental assistance be placed into treatment in order to support the Recovery House program.

Finally, the State requires a mention in the CJTA plan update of the local match for CJTA funding. Since the Whatcom County Drug Court Program is receiving a direct benefit of funding in the amount of \$191,226 the County will demonstrate a match of at least that amount (dollar for dollar) in every Revenue and Expenditure Report through our local Behavioral Health Sales Tax Funds. As a best practice, expenditures on behalf of the Drug Court Program will suffice for our 30% innovative/best practice expenditures as required by the state contract.

Conclusion:

A total of \$644,876 of CJTA funding will be administered by the County throughout the next Biennium. Whatcom County is attempting to fill gaps in the continuum of care for adult Drug Court participants with a substance use disorder who require treatment and recovery while helping other eligible adults as funding permits. Recovery House is a key component of a continuum of care for people with SUDs, especially Drug Court participants.

Panel Recommendations for CJTA Allocations -Two-Year Plan (2021-2023)

CJTA Original Allocation - Service Type	Amount	% of Funding
County Administration	\$ 64,488	10%
Jail Assessments	\$ 120,000	19%
Treatment*	\$ 152,544	24%
Rental Assistance*	\$ 96,718	15%
Jail MAT Meds	\$ 20,000	3%
Drug Court Case Management*	\$191,226	30%
TOTAL	\$ 644,876	100%

- Continue with the plan, except re-entry services which will be funded from other sources.
- Reduce rental assistance by 41%, and monitor challenges with rentals throughout the County.
- Increase the amount in treatment by 81% to include supporting a position at the new Recovery House, along with \$10,000 for Drug Court Inpatient Treatment.
- Utilize all funds listed as CJTA Supplemental Funding for our 30% best practice since they relate to Drug Court which is a national best practice. Total funding is \$295,114 relegated for Drug Court /participant use.

(*Denotes that some or all of the funding is from CJTA Supplemental Funding intended specifically for Drug Court Programs)

For more information, contact:

Program Contact Name: Jackie Mitchell,
 Behavioral Health Program Specialist
 Human Services Division
 jmitchel@whatcomcounty.us | 360-778-6048