

# **Jail Stakeholder Workgroup**

## **Summary of December 15, 2016 Meeting**

Audio available at:

<http://wa-whatcomcounty.civicplus.com/2451/Jail-Stakeholder-Workgroup-Meeting-Infor>

### **Members Present:**

Mark Holst  
Keith Olson  
Bill Elfo  
Todd Donovan  
Barry Buchanan  
Gene Knutson  
Pinky Vargas  
Scott Korthuis  
Jack Louws  
Hill Cummings  
Kelli Carroll  
Jill Bernstein (substituting for Jack Hovenier)

### **Members Absent:**

Clifford Cook  
Nickolaus Lewis  
Kelli Linville

### **Approval of Minutes:**

November 3, 2016 Minutes approved by consensus

### **Presentation and Discussion:**

Sales Tax and Property Tax Discussion: Jack Louws contacted Hart Hodges, Director of Western's Center for Economic and Business Research, to collect research on the burden of sales tax on the average citizen. Results are: It costs \$2.50 per hundred per year; \$250 for every \$10,000 in retail. Property tax costs renters just like it costs homeowners. According to Jack Louws, sales tax is the only way the new jail can work because property tax cannot pay for operations of the jail and sales tax can be used for both capital and operations. Furthermore, property tax requires 60% of the vote; sales tax requires 50%. The chair said that it is problematic to have two different funding tools on the ballot, especially with EMS barely passing. Gene Knutson conveyed that Mayor Linville's intention was first to go with property tax. The Bellingham City Council was not in favor of property tax. It barely passed with the EMS. Mayor Linville then concurred with the sales tax option.

It was also brought up that, in January, the Whatcom County Council intends to explore using some of the money made available by the EMS Levy for the jail, which would be property tax money (this would be from the general fund). Some of that money would most likely go towards operating or capital costs. Bill Elfo mentioned that the money may also be used for jail alternatives and prevention.

Regarding the updated Whatcom County Proposal, Jack Louws is sensing less support and does not wish to put more effort into it at this point in time. He expressed that this is the only way to move this forward, or others should present their ideas. Risk/reward document: If the cities want to pay 16%, they need to realize the need to take some of the risk along with the county. 16.1% is based on the last two years of usage. Since 75%-80% of operations is due to the cost of felons, Whatcom County would have to pick up the extra million. It was expressed that fairness is important so that everyone gets a surcharge or nobody does, and it was clarified that the surcharge is not the sole revenue source for alternatives to incarceration. Furthermore, some jurisdictions have limited money for offenders who cannot afford a bracelet.

Regarding the cost of the new jail, the estimate was \$97 million. Since then, there has been a \$12.4 million increase in last two years. As an alternative, it would cost \$7.5 million to work on the old jail: doors, locks, elevators, and structural. Some costs will have to be borne regardless. Whatcom County used \$3.4 million to buy the property. Based on the interest rate, cities would pay 24% for 30 years and share in the risk and reward of this project. Whatcom County is unequally yoked going into this project because they pay for all felons.

This question was brought up: How are daily costs to the cities determined? For example, cities have no control over daily cost increases. Bellingham's bed rate had a 28% increase in 2016. Bill Elfo replied that this is due to such limited space in the current jail. Pinky Vargas asked if this can be discussed at the next meeting.

The group discussed the issue of offenders with mental health challenges. Jail conditions exacerbate the illnesses. Being in jail puts people in crisis mode. The group recognized the need for other alternatives. The new jail will allow more time to get therapy and recreation. The jail will expand the triage center. It will have a mental health ward. Unlike the current jail, there will be places to house people appropriately.

At the next meeting, the group will examine the calculations for jail use. Secondly, the group will be provided with a more detailed version in response to some of the questions regarding the new JFUA. Jack Louws is willing to move forward with this.

A voice vote was taken on the following matter moved by Scott Korthius:

Scott Korthius moved to take property tax off the table and to move forward solely with sales tax as the funding mechanism for the jail.

Todd Donovan seconded

Kelli Carroll

Mark Holst

Bill Elfo

Keith Olson

Jack Louws

Gene Knutson

Barry Buchanan

Pinky Vargas

MOTION CARRIED: 10-0; Bernstein, Cummings abstained

### **Public Comment Period**

Irene Morgan - Representing the Restorative Coalition. Mass incarceration is changing. Science is changing/proving in regard to mental health. 17 beds for mental health is awesome. What about 40-60% of offenders who are mentally ill? Prosecutorial discretion keeps people in jail. Thank you to Bellingham and Lummi for home monitoring. She is concerned about the building being too big. If we do alternatives, we won't need a big jail. We can see amazing reductions of jail populations. Can you present on that?

Joy Gilfillin - Are you going to choose another .2% of sales tax without addressing why people turned it down before? It is not artificially suppressed. The task force will be reducing the occupancy rate in the jail, then if we over-billed, it will be a revenue generator for the cities. We need a true cost-benefit analysis. We have a jail industry that runs in this state.

### **Upcoming Meetings**

TBD

Meeting adjourned 5:24 PM

### **Minutes Submitted 1/24/17 By:**

Marie Marchand, Legislative Assistant  
Bellingham City Council  
Clerk to the Work Group