

**Incarceration Prevention Reduction Task Force
Steering Committee**

9:30 - 11:00 a.m., November 15, 2018
Courthouse Conference Room 513, 311 Grand Avenue, Bellingham WA

AGENDA

Topic	Requested Action	Attachment
1. Call to Order <ul style="list-style-type: none"> October 25, 2018 Meeting Summary Review 	Review	1 - 3
2. Discussion of the Task Force and Law & Justice Council Ordinance and Membership <ul style="list-style-type: none"> Whereas/Ordained language of the ordinance Membership Other changes 	Discussion	4 - 10
3. Other Business		
4. Next Steps: Ideas & Further Information <ul style="list-style-type: none"> Next steps and assignments Next meeting topics 		
5. Public Comment		
6. Adjourn		

UPCOMING MEETINGS

IPR TASK FORCE various Mondays 9-11 a.m. Courthouse Conf. Rooms 513/514 311 Grand Ave., Bellingham	COMMITTEES				
	BEHAVIORAL HEALTH various Mondays 2:30-3:30 Health Department Creekside Conf. Room 509 Girard, B'ham	LEGAL & JUSTICE SYS. 2 nd Tuesday 11:30 am-1:30 pm Courthouse 5 th Floor Conf. Rm 514 311 Grand Ave., Bham	CRISIS RECOVERY FACILITY 3 rd Thursday 9:30-11:00 a.m. Courthouse 5 th Floor 513, 311 Grand Avenue, B'ham	INDEX 1st Thursdays 1:30-3:00 p.m. Courthouse Conf. Rooms 513/514 311 Grand Ave., Bellingham	STEERING As needed 5 th Floor Conf. Room 311 Grand Ave., Bham
November 26 December 17	November 26 December 17	December 11	November & December cancelled	December 6	TBD

**The most up-to-date meeting schedule can be found online at:
<http://wa-whatcomcounty.civicplus.com/calendar.aspx?CID=40>,**

**Incarceration Prevention and Reduction Task Force
Steering Committee
Meeting Summary for October 25, 2018**

1. Call To Order

Committee Chair Todd Donovan called the meeting to order at 9:30 a.m. in the County Council Conference Room, 311 Grand Avenue, Bellingham.

Members Present: Jill Bernstein, Todd Donovan, Stephen Gockley, Jack Hovenier, Tyler Schroeder, Anne Deacon, Chris Phillips

Also Present: Barry Buchanan, Kelli Linville

Members Absent: None

Review September 6, 2018 Meeting Summary

There were no changes.

2. Discussion of the Task Force and Law & Justice Council

Committee members discussed the possibility of folding the requirements for a Law & Justice Council into the Incarceration Prevention & Reduction Task Force (IPRTF):

- Continue the IPRTF as it is, with minor modifications to meet statutory requirements.
- Maintain the current name of the Task Force.
- Indicate that the IPRTF will fulfill the statutory obligation of the Law & Justice Council.
- Restructuring the membership to meet the requirements for the Law & Justice Council in RCW 72.09 and to make it easier to keep certain positions filled.
- Renaming and broadening some of the positions to be “Health and Social Service Providers.”
- Ensuring the Task Force is designated as serving as the Law & Justice Council and fulfills the statutory requirements of the Law & Justice Council.
- Designating the IPRTF as the Law & Justice Council, rather than trying to create a separate meeting schedule or subcommittee.
- Whether the momentum of the Task Force will change
- It has been difficult keeping filled certain positions on the Task Force.
- Balancing representation from the community, the behavioral health sector, and the criminal justice sector.
- Customizing the State requirements for the Law & Justice Council to what the community needs.
- Making sure the Task Force doesn’t add too many more members.
- Making sure they remain focused on incarceration prevention and reduction.
- Whether or not the Task Force should weigh in on the issue of a new jail.
- The role of the North Sound Behavioral Health Organization (NSBHO) is changing, and may not need to continue as a member of the IPRTF.
- How to restructure the membership of the IPRTF to meet the RCW requirements.

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- Participation and representation of the emergency medical services community.
- The Task Force ordinance setting goals and a reporting schedule for the Task Force.

Schroeder moved to incorporate the comments from this meeting's discussion into an updated draft ordinance that would integrate the Law and Justice Council and its functions into the Incarceration Prevention & Reduction Task Force, and bring it to the next Steering Committee meeting. The motion was seconded and carried unanimously.

3. Task Force membership

Committee members discussed the quorum count with vacancies, the status of hiring a staff person to run the new GRACE project, and the current and upcoming vacancies on the Task Force.

The committee concurred to delay appointments to vacancies until after the new ordinance and membership is settled.

4. 2019 meeting schedule

Committee members discussed the possibility of meeting every other month instead of monthly, beginning January 2019; the purpose of the Steering Committee in setting the monthly Task Force agenda; ensuring the collaboration and education among the Task Force members continues; whether or not the January 2019 meeting schedule should be facilitated.

The committee concurred to propose to the full Task Force the possibility of meeting every other month.

5. Other Business

Steering Committee members discussed the funding request from the Domestic Violence and Sexual Assault Services (DVSAS) for the offender treatment program.

- The City of Bellingham will contribute approximately \$100,000
- The Health Department's Behavioral Health fund will contribute approximately \$70,000
- The proposal is for the Council to decide about whether or not the County general fund will contribute approximately \$44,000
- The possibility of DVSAS starting with a smaller pilot program

The committee discussed the from the MacArthur Foundation grant for the Policy Committee and participation with the Information Needs and Data Exchange (INDEX) Committee, the data lists that the INDEX Committee will be working on, and focusing on collecting relevant data.

6. Next Steps: Ideas & Further Information

Committee members concurred that their next meeting would be November 15 at 9:30 a.m.

***Incarceration Prevention and Reduction Task Force
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Agenda items for the next full Task Force meeting will include:

- The proposed ordinance establishing the new Task Force structure
- A detailed update about the GRACE program
- An update on the new crisis stabilization facility
- The Sheriff's work on finding new jail space in the area

7. Public Comment

Kelli Linville, Bellingham Mayor, spoke about City staff being involved in the MacArthur Foundation grant-funded Policy Committee.

8. Adjourn

The meeting adjourned at 11:00 a.m.

DRAFT

SPONSORED BY: _____
PROPOSED BY: _____
INTRODUCTION DATE: _____

ORDINANCE 2018-_____

ORDINANCE AMENDING WHATCOM COUNTY CODE 2.46, TO AMEND THE WHATCOM COUNTY INCARCERATION PREVENTION AND REDUCTION TASK FORCE PURPOSE, FUNCTION, MEMBERSHIP, AND ORGANIZATION; TO REPEAL WHATCOM COUNTY CODE 2.19, LAW AND JUSTICE COUNCIL; AND TO DESIGNATE THE TASK FORCE TO SERVE AS THE LAW AND JUSTICE COUNCIL

WHEREAS, the Whatcom County Council created the Incarceration Prevention and Reduction Task Force (IPRTF) in 2015 to provide recommendations, oversight, and specific timeframes on the development of new, or enhancement of existing, programs designed along a continuum that effectively reduces incarceration of individuals struggling with mental illness and chemical dependency, and minimizes jail use by pretrial defendants who can safely be released; and

WHEREAS, the IPRTF completed its initial tasks and also provided to the County Council its Phase I, Phase II, and Phase III Reports, as required by Ordinance 2015-037 to develop plans for a new or expanded crisis triage center for individuals struggling with mental illness and chemical dependency; and

WHEREAS, the IPRTF continues to work with all stakeholders on creating new and enhancing existing criminal justice and behavioral health programs and processes to reduce the number of individuals with behavioral health challenges who use costly interventions like jail, emergency rooms, and hospitals and to divert them from initial or further justice system involvement; and

WHEREAS, Revised Code of Washington (RCW) 72.09.030 requires counties to have a Law and Justice Council

WHEREAS, the existing Whatcom County Law and Justice Council has not met since 2008; and

WHEREAS, the memberships of the IPRTF and Law and Justice Council are similar, and the two advisory committees serve a related purpose; and

WHEREAS, the; and

WHEREAS, *the end.*

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that County Code Chapter 2.46 is hereby amended as outlined in **Exhibit A** to this ordinance effective January 31, 2019.

BE IT ALSO ORDAINED that the Incarceration Prevention & Reduction Task Force will meet the following goals and timelines:

1. goal 1
2. goal 3

BE IT ALSO ORDAINED that the current appointees to the following positions will transition to the Health and Social Services positions for the remainder of their terms.

- Whatcom Alliance for Health Advancement (WAHA)
- Peace Health St. Joseph

- Community Action Agency or Provider (3 positions)

BE IT ALSO ORDAINED that Whatcom County Code 2.19, Law and Justice Council, is repealed in its entirety.

BE IT FINALLY ORDAINED that the Incarceration Prevention and Reduction Task Force will serve as and meet the requirements of the Law and Justice Council as required by RCW 72.09.030.

APPROVED this _____ day of _____, 2018.

ATTEST:

**WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON**

Dana Brown-Davis, Clerk of the Council

, Council Chair

APPROVED AS TO FORM:

**WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON**

Civil Deputy Prosecutor

Jack Louws, County Executive

() Approved () Denied

Date Signed: _____

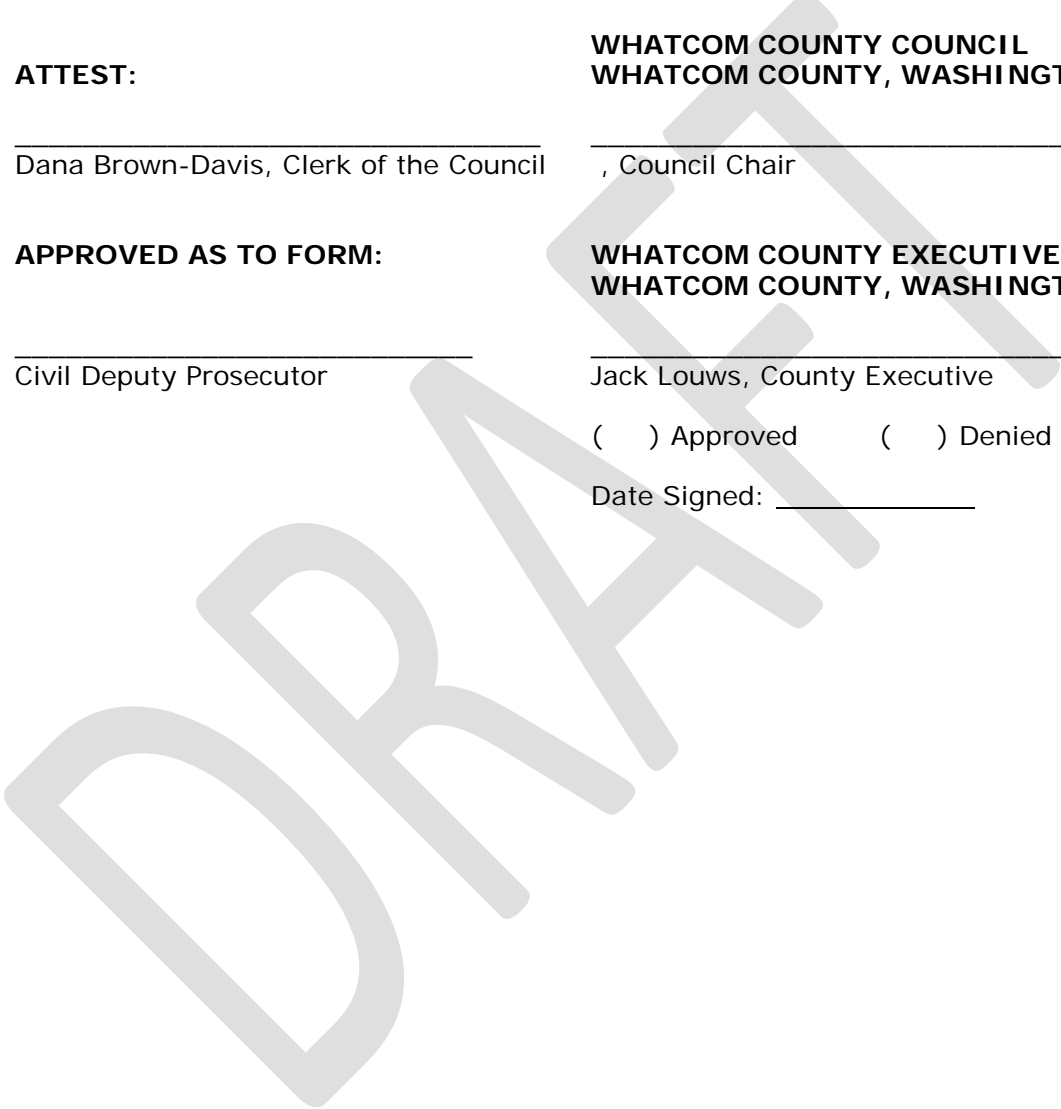


EXHIBIT A

Chapter 2.46

INCARCERATION PREVENTION AND REDUCTION TASK FORCE

Sections:

- 2.46.010** **Established.**
- 2.46.020** **Purpose.**
- 2.46.030** **Function.**
- 2.46.040** **Permanent Members.**
- 2.46.050** **Additional Appointed Members.**
- 2.46.060** **Term of Office.**
- 2.46.070** **Organization – Meetings.**
- 2.46.080** **Staff and Funding Support.**
- 2.46.090** **Reporting.**

2.46.010 **Established.**

There is hereby established a Whatcom County Incarceration Prevention and Reduction Task Force.

2.46.020 **Purpose.**

The purpose of the Incarceration Prevention and Reduction Task Force is to continually review Whatcom County's criminal justice and behavioral health programs and make specific recommendations to safely and effectively reduce incarceration of individuals struggling with mental illness and chemical dependency, and minimize jail utilization by pretrial defendants who can safely be released.

The purpose of the Incarceration Prevention and Reduction Task Force is also to function as the Whatcom County Law and Justice Council as required by RCW 72.09.300 and to carry out the function described in in RCW 72.09.300(d).

2.46.030 **Function.**

The Task Force will consider national best practices and report on and make recommendations to the County Council, Executive, and other appropriate officials regarding:

- A. The construction and operation of a new or expanded multi-purpose crisis triage facility to assist with jail and hospital diversion of individuals struggling with mental illness and chemical dependency;
- B. Development of new, or enhancement of existing, programs designed along a continuum that effectively reduces incarceration of individuals struggling with mental illness and chemical dependency;
- C. Effective pretrial service programs that assure that defendants appear for court proceedings while minimizing jail utilization by defendants who can safely be released;
- D. Necessary and effective programs and services that can assist offenders with successful transition from both the jail and triage center back to the community to reduce rates of recidivism and improve public health and safety;
- E. The ongoing staff support and funding for the Task Force;
- F. Review of the diversion programs of the County and all cities, and establishment of benchmarks to measure the effectiveness of the programs in reducing incarceration.

The Task Force, as the Law and Justice Council, will meet the requirements of RCW 72.09.300.

2.46.040 Permanent Members.

The Incarceration Prevention and Reduction Task Force shall include the following ~~12~~ 18 designated officials or their representative:

- A. One Member of the Whatcom County Council;
- B. Whatcom County Executive;
- C. Whatcom County Sheriff;
- D. Whatcom County Prosecuting Attorney;
- E. Whatcom County Public Defender Director;
- F. One Representative from the Whatcom County Superior Court ~~or District Court~~
- G. One Representative from the Whatcom County District Court;
- ~~G~~H. One Representative of the Bellingham City Attorney or Municipal Court or Police;
- ~~H~~I. One Representative from the Bellingham City Council
- ~~H~~J. City of Bellingham Mayor or designee;
- ~~J~~K. One Representative from the small cities ~~court~~ designated by the Small Cities Caucus;
- ~~K~~L. One tribal representative from either the Lummi Nation or the Nooksack Tribe;
- ~~E~~N. One representative from the Whatcom County Health Department Human Services;
- ~~M~~N. ~~North Sound Mental Health Administration Executive Director.~~ Emergency Medical Services (EMS) representative. *DESIGNATED BY WHICH AGENCY?*
- O. Whatcom County Superior/Juvenile Court Clerk;
- P. Secretary of the State Department of Corrections and his/her designee;
- Q. A municipal prosecutor representative;
- R. A municipal police department representative.

2.46.050 Additional Appointed Members.

In addition to the officials designated above, the Incarceration Prevention and Reduction Task Force shall include the following ~~4~~ 4 members appointed by the Whatcom County Council:

- ~~A.~~ ~~Whatcom Alliance for Health Advancement (WAHA) representative;~~ Health and Social Service Providers (X);
- ~~B.~~ Peace Health St. Joseph's Medical Center representative;
- ~~C.~~ Community Health Center representative;
- ~~D.~~ Emergency Medical Services (EMS) representative;
- ~~E.~~ Representatives from a Community Action Agency, a Mental Health Provider, Substance Abuse Treatment Provider (3);
- ~~F~~B. Consumer of Services or Family Member of Consumer (2);
- ~~G~~C. Concerned Citizens (2).

2.46.060 Terms of office for appointed members.

The term of office for appointed members shall be four years; ~~provided that the terms of those first appointed shall be staggered so that five will be appointed for two years, and six will be appointed for four years.~~ Appointment of members shall comply with Chapter 2.03 WCC.

2.46.070 Organization – Meetings.

- A. Meetings of the Task Force shall be open and accessible to the public and shall be subject to the Open Public Meetings Act.
- B. At every meeting, the Task Force will schedule an open session to take public comment.
- C. ~~Written~~ The Task Force shall keep written records of meetings, resolutions, research, findings and recommendations ~~shall be kept;~~ and such records shall be submitted to county staff and shall be made public, including posting on the county website.
- D. The Task Force shall adopt its own rules and procedures for the conduct of business.
- E. The Task Force shall elect a chairperson from among its members who shall preside at its meetings.
- F. The Task Force shall determine its meeting schedule and agenda, but shall meet at least

quarterly.

G. The Task Force may form and appoint ad hoc committees to work on specific issues, ~~so long as at least two committee members are also members of each ad hoc committee~~ and may designate non-members to participate as committee members.

2.46.080 Staff and Funding Support.

The Task Force will have full support from the Council, the County Executive's Office, Health Department staff, and locally delivered paid consultant assistance to conduct and complete its tasks in an efficient and effective manner.

2.46.090 Reporting.

At least annually, no later than June 30 of each year, the Task Force will provide a report and recommendations to the County Council and Executive on outcomes of existing incarceration prevention and reduction programs throughout Whatcom County, new innovative programs being used in other communities, and recommendations for changes or additional programs.

DRAFT

Task Force BEFORE

RCW Requirements

OPTION 1
Task Force AFTER

OPTION 2
Task Force AFTER

PERMANENT (NOT COUNCIL-APPOINTED) MEMBERS:

Whatcom County Councilmember;	Todd		One Member of the Whatcom County Council;	One Member of the Whatcom County Council;
Whatcom County Executive;	Tyler	county risk manager	Whatcom County Executive;	Whatcom County Executive;
Whatcom County Sheriff;	Bill	county sheriff	Whatcom County Sheriff / jail administrator	Whatcom County Sheriff
County Prosecuting Attorney;	Dave	the county prosecutor	Whatcom County Prosecuting Attorney;	Whatcom County Prosecuting Attorney;
County Public Defender Director;	Angela		Whatcom County Public Defender Director;	Whatcom County Public Defender Director;
County Superior Court or District Court	Judge Garrett	representative of the county's district court	representative of the county's district court	representative of the county's district court
		representative of the county's superior court	representative of the county's superior court Juvenile Court Administrator/Superior Court Clerk	representative of the county's superior court Juvenile Court Administrator/Superior Court Clerk
One Representative from the small cities designated by the Small Cities Caucus;	Raylene (municipal court)	representatove of the municipal courts	One representative from each of the following: municipal court, municipal police department, and municipal prosecutor. At least one of the appointees must be from the small cities and one from the City of Bellingham.	One Representative from the small cities designated by the Small Cities Caucus;
One Representative of the Bellingham City Attorney or Municipal Court or Police;	Darlene (municipal court)			representative of the municipal courts, designated by the Small Cities Caucus
				representative of the municipal police departments, designated by the Small Cities Caucus
				representative of the municipal prosecutors within the county, designated by the Small Cities Caucus
One Representative from the Bellingham City Council	Dan	representative of the city legislative authorities within the	One Representative from the Bellingham City Council	One Representative from the Bellingham City Council
City of Bellingham Mayor or designee;	Kelli		City of Bellingham Mayor or designee;	City of Bellingham Mayor or designee;
One tribal representative from either the Lummi Nation or the Nooksack Tribe;	Travis		One tribal representative from either the Lummi Nation or the Nooksack Tribe;	One tribal representative from either the Lummi Nation or the Nooksack Tribe;
One representative from the Whatcom County Health Department Human Services;	Anne		One representative from the Whatcom County Health Department Human Services;	One representative from the Whatcom County Health Department Human Services;
North Sound Behavioral Health Organization	Betsy		Emergency Medical Services (EMS) representative. (Moved to a permanent position from an appointed position by Steering Committee 10/25/18)	Emergency Medical Services (EMS) representative. (Moved to a permanent position from an appointed position by Steering Committee 10/25/18)
		county jail administrator	(See County Sheriff)	Jail Administrator
		representative of the county's juvenile court	(See Juvenile Court Administrator/Superior Court Clerk)	Juvenile Court Administrator/Superior Court Clerk
		county clerk	(See Juvenile Court Administrator/Superior Court Clerk)	(see above)
		secretary of corrections & secretary of corrections	Secretary of the State Department of Corrections and his/her designee;	Secretary of the State Department of Corrections and his/her designee;

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16

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COUNCIL-APPOINTED MEMBERS:

Emergency Medical Services (EMS)	Jerry		(See Permanent Positions, above)	(See Permanent Positions, above)
Whatcom Alliance for Health Advancement (WAHA)	Stephen			
Peace Health St. Joseph	Chris			
Community Health Center - Federally Qualified Health Center	VACANT			
Community Action Agency or Provider 1	Byron		Health and Social Services (4)	Health and Social Services (6)
Community Action Agency or Provider 2	Moonwater			
Community Action Agency or Provider 3	Greg			
Consumer 1	Jack		Consumer 1	Consumer 1
Consumer 2	Deborah		Consumer 2	Consumer 2
Citizen 1	Jill B		Citizen 1	Citizen 1
Citizen 2	VACANT		Citizen 2	Citizen 2

11

10

12

TOTAL MEMBERS: 24

26

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Task Force BEFORE	RCW Requirements	Tyler S Option
Whatcom County Councilmember; Whatcom County Executive; Whatcom County Sheriff; County Prosecuting Attorney; County Public Defender Director;	county risk manager county sheriff the county prosecutor	One Member of the Whatcom County Council; Whatcom County Executive; Whatcom County Sheriff Whatcom County Prosecuting Attorney; Whatcom County Public Defender Director;
County Superior Court or District Court	representative of the county's district court representative of the county's superior court	representative of the county's district court representative of the county's superior court Juvenile Court Administrator/Superior Court Clerk
One Representative from the small cities designated by the Small Cities Caucus;	representative of the municipal courts	One each of the following, to represent municipal courts, police departments, prosecutors, and legislative authorities:
One Representative of the Bellingham City Attorney or Municipal Court or Police;	representative of the municipal police departments representative of the municipal prosecutors within the county	<ol style="list-style-type: none"> 1. Bellingham Mayor 2. Small City Mayor, designated by the Small City Partnership 3. Bellingham Council Member 4. Small City Council Member, designated by the Small City Partnership
City of Bellingham Mayor or designee;		-OR-
One Representative from the Bellingham City Council	representative of the city legislative authorities within the county	One rep from each of the following: <ol style="list-style-type: none"> 1. Bellingham Mayor 2. Bellingham City Council Member 3. Small City Mayor 4. Small City Council Member 5. Municipal courts 6. Municipal police departments 7. Municipal prosecutors
One tribal representative from either the Lummi Nation or the Nooksack Tribe; One representative from the Whatcom County Health Department Human Services; North Sound Behavioral Health Organization	county jail administrator representative of the county's juvenile court county clerk secretary of corrections & secretary of corrections designees.	One tribal representative from either the Lummi Nation or the Nooksack Tribe; One representative from the Whatcom County Health Department Human Services; Emergency Medical Services (EMS) representative. <i>(Moved to a permanent position from an appointed position by Steering Committee 10/25/18)</i> Jail Administrator Juvenile Court Administrator/Superior Court Clerk <i>(see above Superior Court Clerk)</i> Secretary of the State Department of Corrections and his/her designee;

17 OR 20