



## MEMO

Date: October 21, 2020  
To: Justice Project Stakeholder Advisory Committee  
From: Council Chair Barry Buchanan, Sheriff Bill Elfo, Executive Satpal Sidhu, and Prosecutor Eric Richey  
RE: Status of the Justice Project – October Update

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As you know, the Justice Project was suspended through the end of the year, at which point the team will reevaluate next steps.

In order to respond to immediate needs related to COVID-19 and ensure the safety of staff and those incarcerated, the County contracted with a consultant ([Contract #20200601](#)) to identify modifications within the current jail facilities for infectious disease screening and treatment. The contract is funded through the CARES Act.

One of the proactive measures the County is taking to safeguard a positive outcome for the Justice Project, is to ensure that it is eligible for grant funding. To this end, the County staff have included a general listing for a Public Health, Safety and Justice Facility in the 6-year Capital Improvement Program 2021-2026 (CIP).

Concerns have been expressed with regard to the inclusion of such a project in the CIP, and we would like to provide some clarification. The 6-Year Capital Improvement Program is a mandatory component of the Comprehensive Plan under the Growth Management Act. The law (RCW 36.70A.070) requires the Comp Plan to include a Capital Facilities plan that presents, among other things, a forecast of the future needs for such capital facilities. A new corrections facility of some sort has been on all but one of the County's capital improvement plans since year 2000. Please see the chronology of new jail planning over last 20 years below:

CIP Year	New Jail Facilities in CIP	Beds
1999	Minimum security correction facility.	400
2000	Minimum/medium security correction facility.	290
2002	Minimum/medium security correction facility.	290
2004	New Law & Justice Center (site evaluation, planning, design) Minimum security correction facility	600 + 155 = 755
2006	New minimum-security correction facility on Division St.	150
2006	New jail at New Law and Justice Center Campus	600
2008	New jail at the Law and Justice Center Campus (for 2015)	650

2010	New jail at the Law and Justice Center Campus	600
2012	Sheriff's Office New Main Jail Facility	600
2014	Sheriff's Office New Main Jail Facility	600
2016	New Jail	Unspecified
2018	Existing Jail Improvements (Jail was not on CIP as Ballot Measure was rejected)	362 (existing)
2020	Public Health, Safety, and Justice Facilities	Unspecified

In the summer of 2019, the County Council unanimously passed a resolution ([RES2019-036](#)) establishing a few planning principles consistent with adding the project on the CIP for planning purposes. That resolution recognized the need “to provide a safer, more secure, and healthier environment for those who work, visit, and are incarcerated with the public safety/justice facility” and set the goal of having a funding proposal on the ballot no later than November 2020.

The resolution also commits the County to a “transparent process of planning with opportunity for community input to the best of our ability every step of the way.” Because of the Covid-19 pandemic, an open public process was not possible, so, there is neither a proposal on the ballot this November nor any plan to build a jail as all of those steps could not be taken without ample public input.

In short, we want to be very clear that the Public Health, Safety, and Justice Facilities project has been included in CIP as a placeholder until a more specific vision can be developed in partnership with the Stakeholder Advisory Committee (SAC) for the Justice Project.

Thank you for your patience and continued willingness to serve on the Stakeholder Advisory Committee. The County is hopeful the SAC will be able to start work on this project in the new year and will continue to provide updates as they are available. If you have any questions regarding the CIP, please reach out to Deputy Executive Tyler Schroeder at [tschroed@co.whatcom.wa.us](mailto:tschroed@co.whatcom.wa.us).

cc: IPRTF members