

**Incarceration Prevention and Reduction Task Force**  
**Legal & Justice Systems Subcommittee**  
**Meeting Summary for March 9, 2021**

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*Note: Agenda item links to YouTube video are functional at the time this meeting summary was created, however YouTube links may change. Links will not be updated. Please refer to time notation on each agenda item.*

**1. Call to Order**

Committee Co-Chair Raylene King called the meeting to order at 11:30 a.m. in the Whatcom County Courthouse Conference Room 514, 311 Grand Avenue, Bellingham.

Members Present: Bill Elfo, Arlene Feld, David Freeman, Stephen Gockley, Raylene King, Jackie Mitchell, Moonwater, Eric Richey, Donnell Tanksley, Maia Vanyo, Kristin Hannah (Proxy for Deborah Hawley)

Members Absent: Deborah Hawley, Darlene Peterson, Flo Simon, Bruce Van Glubt

**2. Raylene King and Judge Mark Kaiman on [Senate Bill \(SB\) 5226 \(2020-2021\)](#) concerning the suspension of licenses for traffic infractions and concerns about the current law of DWLS 3rd RCW 46.20.342.1C [\(00:01:14\)](#)**

King reported on the history of the Committee's review of statutes around Driving While License Suspended 3<sup>rd</sup> Degree (DWLS3) introduced Judge Mark Kaiman, presiding judge for the City of Ferndale.

Kaiman reported on the extraordinary amount of court resources taken up by the DWLS3 charge, which is a relatively minor charge and the need for a different approach that's more effective at modifying people's behavior. A proposed Senate Bill may reduce the impact on courts, but may also create other problems because there is no disincentive to driving without a license.

The committee members and Judge Kaiman discussed the status of the bill, amendments to the bill, possible repercussion of policy changes, refocusing on traffic safety instead of fines, transportation issues for people who live in more remote areas, the cost of getting a license reinstated, child support and license suspension, finding positive reinforcements to incentivize compliance, and creating amnesty days to set up payment plans.

**3. Washington State [Supreme Court ruling on State v. Blake](#) on RCW 69.50.4013 (1), Washington's simple possession of controlled substance statute [\(00:32:52\)](#)**

The Committee members discussed the specifics of the decision and its overall impact, cost impacts, reduced incentive to get into treatment, impacts to the Law Enforcement Assisted Diversion (LEAD) program and drug court, recalculating sentences and sentencing alternatives that rely on prior conviction of simple possession in the sentencing scheme, releasing inmates who are incarcerated solely on simple possession conviction, dismissing 200 cases locally, communicating the change to the public, tracking treatment and other statistics as a result of the decision, Drug Offender Sentencing

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Alternative (DOSAs), the possibility of transitioning from sentenced treatment to volunteering treatment, and the community safety net for individuals who will be leaving the system and need resources.

**4. [Discuss content to be included in the committee report for the IPRTF Annual Report \(01:21:26\)](#)**

The committee discussed the content for the annual report, to include: reentry, impacts from legislative action and Supreme Court rulings, bringing in speakers to provide information to committee members this past year, and next year think about how to convert information into action items and recommendations from this committee to the Task Force and Council.

This item will be held to the next meeting.

**5. Introduction on plans to develop a strategy for external communications: Identify local agencies and groups who may be interested in receiving information on the work of the IPRTF**

This item was not discussed and will be rescheduled.

**6. Identify a committee point person to operationalize GARE toolkit for the LJS Committee**

This item was not discussed and will be rescheduled.

**7. Other Business**

There was no other business.

**8. Public Comment**

There were no public comments.

**9. Adjourn**

The meeting adjourned at 12:59 p.m.