

Incarceration Prevention and Reduction Task Force

9:00 - 11:00 a.m., April 18, 2022, Remote-only virtual meeting

If you require special assistance to participate, please contact the County Council Office at least 96 hours in advance.

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AGENDA

Land Acknowledgement Statement: Before we begin, we acknowledge that we are gathered on the traditional and unceded territory of the Lummi, Nooksack, Samish and Semiahmoo People who have cared for and tended this land since time immemorial. Truth and acknowledgment are critical to building mutual respect and connection across all barriers of heritage and difference. We begin this effort to acknowledge what has been buried by honoring the truth. We pay respect to their elders past and present. Please take a moment to consider the many legacies of violence, displacement, migration, and settlement that bring us together here today. And please join us in uncovering such truths at any and all public events.

Packet Pages

1. Call to Order

2. Justice Project Needs Assessment

Update/Barry Buchanan

3. Role of the IPRTF / Law and Justice Council in the Stakeholder Advisory Committee (SAC) needs assessment process

Discussion/Jack Hovenier

4. Data dissemination proposal 1 – 3

Information/Stephen Gockley

5. 2022 Annual Report to County Council and County Executive 4 – 5

Update/Jill Nixon

- Timeline for completion
- Content

6. IPRTF Communications

Update/Barry Buchanan

7. Committee Updates

Steering Committee (April 7) To be distributed

8. Other Business

9. Public Comment

1. If you would like to speak, virtually “raise your hand.”
 - a. Online: select the Raise Hand icon
 - b. Phone: Press *9
2. When called upon to speak, unmute your microphone. Inform the Webinar Host if you would like to enable your video during your comments.
3. Please state your full name for the record.
4. Staff will disable your microphone when you are done speaking.

10. Adjourn

Meeting summary of the previous meeting is included at the end of the packet for information only. Committee members may suggest changes and/or corrections to the draft summary to jinixon@co.whatcom.wa.us. Audio recordings are the official meeting record and can be found on the IPRTF and committee [website](#).

Upcoming Meetings

Visit the [Task Force website meeting calendar](#) for the most up-to-date meeting schedule

At this time, all meetings are held via remote-only Zoom Webinar

<u>IPR TASK FORCE</u>	<u>COMMITTEES</u>				
Monthly 2 nd or 3 rd Monday 9-11 AM	<u>BEHAVIORAL HEALTH</u> Monthly 3 rd Tuesday 9:00-10:30 AM	<u>LEGAL & JUSTICE SYSTEMS</u> Monthly 2 nd Tuesday 11:30 AM – 12:30 PM	<u>CRISIS STABILIZATION FACILITY</u> Quarterly, 3 rd Thursday 9:30-11:00 AM	<u>INDEX</u> Bi-monthly 1 st Thursday 1:30-3:00 PM	<u>STEERING</u> Monthly Various Thursdays 11:00 AM - 12:30 PM
May 16 June 13 July 18 August 15 September 19 October 17 November 14 December 19	April 19* (11:30-1:00) May 17 June 14*(11:30-1:00) July 19 August 16 September 20 (11:30-1:00) October 18 November 15 December 13* (11:30-1:00)	April 19* May 10 June 14 July 12 August 9 September 20* October 11 November 8 December 13	April 21 July 21 October 20	June 2 August 4 October 6 December 1	May 5 June 2 July 7 August 4 September 8 October 6 November 3 December 8

IPRTF DATA DISSEMINATION PROPOSAL

Recommended by the IPRTF Steering Committee, April 7, 2022

Basis: We have recognized the fact that data across the points of the Sequential Intercept Model and all criminal-system agencies is incomplete, poorly shared, and only intermittently relied on in setting policy and practices. In the past year, though, we have also become aware that we do have available a more substantial amount of data than we initially realized. For example, Chief Jones regularly distributes a detailed data report on the jail population. The GRACE and LEAD programs carefully track information on their clients and the services they receive. The Health Department recently began participating in a state-level collaborative sharing monthly data on local opioid use in Whatcom County. Drug court and mental health court maintain useful information on their services and outcomes. Bellingham Municipal Court has provided valuable documentation of their use of both pretrial and post-conviction electric home monitoring. The District Court probation office and the Superior Court's Pretrial Services Unit record their activities. Other examples abound.

The task force can start doing more right now to incorporate existing data into our reforms, while the beginning work of our INDEX committee, the upgrading of multiple data systems, and the promising efforts of the Justice Project's Stakeholder Advisory Committee continue. The task force needs to have available data on a regular basis and that data should be more directly accessible to the public as well. Dissemination of currently available data fulfills the task force's duty under its originating ordinance, WCC Chapter 2.46, furthers its commitment to expand public awareness of our work and the reasons for it, and provides a foundational element (Question 2) in utilizing the GARE Racial Equity Toolkit.

PROPOSAL: *The Incarceration Prevention and Reduction Task Force will receive periodic data collection reports from any point within the multi-jurisdictional criminal-legal system, along with similar data reports from related service/treatment/support systems within the task force's scope of interest, such as from the Health Department, the North Sound Administrative Services Organization, the state Health Care Authority and DSHS, the Healthy Whatcom collaborative, school districts, and others. Such reports will also be made readily accessible to community members, to the extent allowed by the Public Records Act, Chapter 42.56 RCW, and will be posted and clearly identified on the task force homepage on the County website.*

Implementation Steps:

The Task Force will approve this proposal and charge the Steering Committee and INDEX Committee with jointly coordinating this effort and keeping available data sets current.

1. The INDEX Committee will compile a comprehensive list of regular data reports and will request distribution of all such reports to support staff for the task force.
2. The INDEX Committee will evaluate the formatting of data in all reports and will recommend changes in formatting that make the data more user-friendly and uniform in presentation.

3. Support staff for the task force will distribute all reports to members of the task force Steering Committee, and to any other task force member who requests receipt of such reports.
4. The Steering Committee will initiate steps to work with County IT staff to create access to data reports on the task force homepage as quickly as possible.
5. The Steering Committee will coordinate regular exchanges of data between the task force and the Justice Project's Stakeholder Advisory Committee.

Racial Equity Toolkit Assessment: The following points reflect consideration of factors included in the GARE Racial Equity Toolkit:

1. **Proposal:** This proposal will require the gathering and publication of Sequential Intercept data. In turn, those results will promote (a) the use of criminal-legal system and diversion/treatment services data in support of recommendations by the Incarceration Prevention and Reduction Task Force, (b) the identification of needs for additional relevant data and additional services, and (c) the means for reducing racial inequities throughout law enforcement, local judicial systems, jail operations, pre- and post-adjudication programs, and involved diversion/treatment/support services. Its intended outcomes include strengthening data-informed analysis of practices affecting public safety and potential incarceration, and remediation of racial disparities in those practices.
2. **Data:** This proposal would be the first step in collecting data necessary for informed analysis and remediation of racial disparities referred to above.
3. **Community Engagement:** At least four (4) IPRTF members (including two members of color) are also members of the Stakeholders Group, a diverse selection of community members working with Chuckanut Health Foundation to develop a proposed ordinance to create a Whatcom Racial Equity Commission. One of the primary functions being proposed for a WREC is to collect and analyze public data on racial equity issues of public importance. That group's engagement and the focus it has placed on increasing transparency of racial equity data, including criminal-legal system data, is in alignment with this IPRTF proposal. If established, a new WREC will provide an opportunity to enhance engagement with the community in general and specifically community members of color. Also, the Pretrial Processes Work Group, led by the Superior Court but working closely with the IPRTF's Legal and Justice Systems committee, will be gathering data on use of the Public Safety Assessment for pretrial release decisions, with a particular focus on reducing racial disparities in those decisions. The PPWG has recruited two community members of color, along with the state Administrative Office of the Courts, to analyze PSA data over time, which will be subject to this proposal. That engagement is another form of community involvement. Lastly, the public posting of regular data reports, as recommended here, would also invite additional community

feedback and engagement.

4. **Analysis and Strategies:** Advancing best practices to prevent and reduce incarceration, where possible and appropriate, have been widely embraced as local public policy goals since 2015. Elected officials, public employees in Whatcom County, and the entire community will benefit from policies and actions that are based on a rigorous assessment of data showing the effectiveness of current and proposed approaches. Burdens of this proposal should be minimal since it does not contemplate the creation of new data-gathering or data-reporting responsibilities, although eventually new responsibilities may be called for because of it. Some strategies for reducing racial inequities are embedded in this proposal. The deliberative process of the IPRTF, its reliance on evidence-based practices, review of its recommendations by the County Council, and the County's commitment to GARE principles are all likely to serve to mitigate unintended consequences that might arise.
5. **Implementation:** Initial steps for implementing this proposal are listed in the prior section.
6. **Accountability and Communication:** The IPRTF is already accountable directly to the County Council and more broadly to community members. The collection, development, and open dissemination of data will increase both the transparency and effectiveness of the task force's work. Posting of data compilations, added to the task force's mandated regular reports, will expand communication and improve the public's understanding of ongoing reform work. Finally, seeing accumulated data on a regular basis will, really for the first time, allow the task force, the Council, and the public to more clearly evaluate whether the task force is adequately accomplishing the goals it has been charged with.

Disclaimer: Written recommendation to the County Council and/or County Executive, including recommendations contained in the annual report, should include a notation that the IPRTF considered the recommendation through the lens of the RE toolkit in its deliberations (and generate findings?)

I. EXECUTIVE SUMMARY

Task Force Statement of Purpose

Behavioral Health Committee

- Summary Item 1
- Summary item 2 - ?

Crisis Stabilization Facility Committee

- Summary Item 1
- Summary item 2 - ?

INDEX Committee

- Summary Item 1
- Summary item 2 - ?

Legal & Justice Systems Committee

- Summary Item 1
- Summary item 2 - ?

II. INCARCERATION REDUCTION PROGRAMS AND INITIATIVES

A. Introduction

B. Overview of Task Force Activities

- Guide the Justice Project Needs Assessment Process
- Continue to work on GARE Implementation
- Updated the Sequential Intercept Service Inventory (SISI)
- Task Force Communications
- Jack's VERA Summary
- Next Steps for the Task Force

III. COMMITTEE PROGRESS REPORTS

A. Introduction

- All committees reviewed ARPA funding recommendations?

B. Progress Report: Behavioral Health

- Monitoring emerging problems with new street drug trends
- Review Potential State Funding Sources & Legislation
- Monitor status of provider ride-along with law enforcement, alternate response teams
 - Approval of Doug Chadwick behavioral health ride-along program
- Jail Reentry (with LJS Committee)
- Next Steps for Committee

C. Progress Report: Crisis Stabilization Facility

- Review Census and Other Data
- Monitor the Status of Involuntary Certification
- Review the work of the CSC Advisory Committee?
- Next Steps for Committee

D. Progress Report: INDEX Committee

- 2021 Hiatus
- Committee Leadership working with Dr. Harris to identify data
- Next Steps for Committee

E. Progress Report Legal and Justice Systems Committee

- Domestic violence offender treatment
- Competency and restoration
- Jail Reentry (with Behavioral Health Committee)
 - New Lifeline Connections reentry contract in the jail. Previous contractor chose not to renew the contract.
- Continue to refine the Pretrial Processes Unit and Risk Assessment
- Next Steps for Committee

F. Progress Report Joint Behavioral Health and Legal and Justice Systems

- Increase meetings to quarterly
- Competency and restoration
- Jail Reentry
- Next Steps for the Joint Committees

IV. APPENDICES, AS NEEDED

BI-ANNUAL WRITTEN REPORT SCHEDULE: JUNE

- March/April: Steering Committee suggests content and structure of annual report
- April Committees: Decide content for annual report
- May Committees: Final approval of committee reports
- June Steering & IPRTF: Final review, edits, approval

APRIL MEETINGS: Decide on Content

April 22-May 4: Chairs write first draft

May 5: Steering Committee reviews first drafts

MAY AND JUNE COMMITTEE MEETINGS: Chairs, Committees & Jill continue to refine the drafts

May 27, Chairs' final draft to Jill

June 2 final draft before Steering Committee

June 3 Jill finalizes & adds to IPRTF packet

June 6 Final draft distributed to IPRTF in packet

June 13 IPRTF Approves

June 14, submit to Council & Executive, schedule on Council agenda for June 21?

June 21, Council day, presentations to Council?

1. Call to Order

Committee Chair Jack Hovenier called the meeting to order at 9:01 a.m. The meeting was held via remote-only Zoom Webinar.

Members Present: Barry Buchanan, Heather Flaherty, Seth Fleetwood, David Freeman, Stephen Gockley, Daniel Hammill, Deborah Hawley, Mike Hilley, Jack Hovenier, Raylene King, Scott Korthuis, Jenn Lockwood, Rhyan Lopez, Jason McGill, Perry Mowery, Mike Parker (proxy for Greg Winter), Eric Petersen, Darlene Peterson, Satpal Sidhu, Flo Simon, Donnell Tanksley, Bruce Van Glubt, Maialisa Vanyo

Members Absent: Bill Elfo, Arlene Feld, Dave Reynolds, Eric Richey, Greg Winter

Gockley welcomed new members, Lopez and Lockwood. Each of them introduced themselves and said a bit about who they are and why they joined the Task Force.

2. [Confirm 2022 committee sign-up \(04:23\)](#)

Jill Nixon, Legislative Coordinator, reminded committee members to send her any changes they want to make to their committee memberships.

3. [State Legislative Session \(07:33\)](#)

Gockley asked committee members to give an update on the bills they are tracking.

Hovenier read e-mailed comments from Sheriff Bill Elfo with his thoughts on current legislation. Elfo's e-mail expressed support for proposed amendments to last year's police reform bills and went into detail about each amendment.

Vanyo added that her office is in support of bills ending solitary confinement and preventing juvenile dispositions from being counted in adult felony court.

Caleb Erikson, Sheriff's Office Lieutenant and chair of the Information Needs and Data Exchange (INDEX) Committee, reported that the INDEX Committee had discussed a bill that would change which individuals are charged in juvenile court.

Mowery gave a report on bills related to behavioral health issues:

- House Bill (HB) 1735 would change last year's HB 1310 regarding use of force.
- HB 1865 establishes certified peer specialists and trainees as a new profession to address the workforce gap in the behavioral health field.
- HB 2040 streamlines licensing requirements for social workers.
- Senate Bill (SB) 5644 establishes standards and training programs for co-responder teams.
- SB 5655 requires state hospitals to establish the capacity for short term detention and civil commitment services for people who cannot be admitted to community facilities.
- SB 5884 requires the Department of Health to create a certification for behavioral health support specialists.

Hammill stated the Task Force needs to be more strategic when it comes to lobbying efforts at the State level. He would like to see the Task Force formally recognize legislative priorities for the next session.

4. Justice Project Needs Assessment (24:00)

Hovenier announced that Buchanan is the new chair of the Stakeholder Advisory Committee (SAC). Buchanan gave an overview of what led to the SAC being formed, the objectives of the Committee, and the work they have done so far this year. Buchanan went on to say that the next steps are to figure out how to integrate SAC topics and members into the Task Force. He went over a few options of how to achieve that. He also said that the next SAC meeting would focus on data needs and the third meeting would focus on behavioral health.

Hammill stated that one member of the SAC had published a letter to the editor and that he believes the public messaging should be more controlled. He added that he thinks the SAC members need to be attending IPRTF committees in order for them to get caught up and expand their knowledge base.

King said that she is concerned with the expense of the construction of the new facilities considering the current prices of materials and the inflation rate. She expressed concern with the County's ability to afford this or the taxpayers' willingness to take it on. Korthuis agreed it will be expensive and stated that it's not going to be any cheaper in the future. He stressed the importance of building the facility and not delaying any longer.

5. GRACE and LEAD transition to Health Department (41:00)

Mowery said that steps are being taken to move the Ground Level Response and Coordinated Engagement (GRACE) and Law Enforcement Assisted Diversion (LEAD) programs to a new division within the County Health Department, currently being called the Response Systems Division. He stated that the Council has approved funding for management of the new division and that Malora Christensen has been selected for that role. He anticipates that all GRACE and LEAD employees will transfer to the new division by mid-March.

Gockley asked for confirmation that current employees under the Sea Mar contract would become County employees. Mowery said that was correct and explained the spoke and wheel framework for services.

Gockley asked Mowery to speak to how co-responder systems might integrate with the new division, given a recent request for proposals sent out to create such a system. Mowery replied that the intent of the division was to house various related services in as close proximity to each other as possible. He said that, though nothing has been finalized yet, other systems might be integrated into the division in the future. He added that they had been in contact with Behavioral Health Administrative Services Organization (BHASO) about the possibility of the division responding to the RFP.

Hammill said that he believes this is the right direction for those programs. He added that he believes that the Alternate Response Team (ART) also needs to go to the County in some form as well.

6. County implementation of its GARE membership (55:46)

Before starting on this agenda item, Gockley introduced McGill, who had just joined the meeting. McGill told the committee members about himself and why he joined the Task Force.

Jed Holmes, Community Outreach Facilitator for Whatcom County, gave background on why the County joined The Government Alliance on Race and Equity (GARE) and what it is. He explained that the County government structure presents challenges in terms of how to implement the GARE framework, since it is made up of many departments with different cultures. They have established a roadmap for implementation and Holmes said that they have not gotten far enough in the process to know how the Task Force can help. He went on to describe the next steps in the process of implementation.

Gockley asked if the Racial Equity Toolkit from GARE would be adopted by any departments in the near future. Holmes said that they are looking at that, but the investment of time and effort has not been made to broadly adopt the toolkit.

Gockley asked if the Task Force could take advantage of the resources from GARE. Holmes said that County employees could access the online resources, but it is not available at this time to non-County employee Task Force members

Hammill expressed frustration that he is not seeing the GARE framework being used on the Task Force or at the County level. He said he sees the adoption of GARE as lip service because it is not actually being implemented.

Gockley agreed that the Task Force has not implemented GARE in any meaningful way and suggested that this be on the agenda for the next Steering Committee agenda.

7. Task Force Communications (added as Other Business) (1:07:57)

Nixon said that the RFP for a communications consultant will be advertised on Wednesday, February 16th and asked members to send her names of any vendors they would like to receive the RFP. She also asked them to contact her if they wanted to be a part of the group that would review the submissions.

8. Committee Updates (1:09:49)

- Steering Committee: Buchanan said that most of what they discussed in Steering had already been reviewed during agenda item four.
- Crisis Stabilization Center Committee: Mowery said that their last meeting was focused on census at the facility, proviso funding updates, and the mural project. He gave an overview of the services provided by the Crisis Stabilization Facility for the new members. He summarized the Committee's discussion during their most recent meeting, as well as the meetings he has been having outside the Committee to streamline the process of drop off and admission to the facility. Mowery also spoke about establishing a process that will allow 12-hour law enforcement holds.
 - Tanksley asked if there had been any discussion of the fire department being able to drop off individuals at the crisis stabilization facility. He also brought up the possibility of

the facility being able to house domestic violence victims. Mowery responded that there have been significant steps made to facilitate fire and EMS drop offs. The main challenge is the admission process and the need for the responder making the drop off to stay at the facility in case the individual is not able to be admitted and needs to be transported to a hospital. In regards to domestic violence victims, he said that he will reach out to the staff about it.

- Hilley said that Mowery had accurately described the challenges related to diverting from EMS. He said that he feels like they are getting closer and anticipates more solutions in the coming weeks.
- Hammill asked if a person had a mental health illness and a substance use issue, how it would be determined which part of the facility they would be admitted to. Mowery said that the staff do have the ability to transfer patients based on the best fit determination made by staff at the point of admission. That way the individual does not have to decide for themselves which side to be admitted to.
- Lopez asked what the volume of patients has been like at the facility and how to acquire data gathered from the facility. Mowery encouraged Lopez to e-mail him for data requests. He cautioned against managing from a spreadsheet and encouraged using it as a tool for asking further questions.
- Behavioral Health: Hammill said that the committee had discussed methamphetamines, carfentanil, and benzodiazepines for almost the whole meeting. He described the new drugs they are seeing on the streets and the effects they are having. He said that they also discussed co-responder models, LEAD, GRACE, and the impact on drug court of the Blake decision. He said that re-entry will be discussed at the joint meeting with the Legal and Justice Systems Committee.
- Legal and Justice Systems Committee: King said that the committee discussed current jail use, booking restrictions, and competency and restoration issues. Wendy Jones reported to the committee that there are a high number of pre-trial felony offenders and that certain offenders aren't being housed because of booking restrictions and issues with the facility. Jackie Mitchell reported that there is a higher level of mental health issues among those who are incarcerated than has been seen in the past. She reported that they also talked about reentry services and noted that there are mental health professionals working in the jail currently, though there are still roles that are unfilled. The committee also discussed competency and restoration – these topics will be discussed in more detail at the next meeting, which is a joint meeting with the Behavioral Health Committee.
- INDEX Committee: Erickson said that the Committee reviewed the work that they have done so far. Erickson summarized that discussion and also provided more information on INDEX for the new members. He described the types of questions they are trying to answer, including types of calls for service, information on warrants and effectiveness of diversions, and demographic information of those in custody.

- Peterson thanked Erickson for all his work. She highlighted that the jail website is much more useful now and displays a lot more information, which has been helpful for the public and has greatly reduced calls to her office.
- King added an item from her committee that she had forgotten. She said that they had also discussed Senate Bill 5664 and its potential to result in more mentally ill people in custody. Committee members briefly discussed this bill and its implications.

9. Other Business

Task Force communications was discussed before the committee updates agenda item. There was no other business besides this item.

10. Public Comment

There were no public comments.

11. Adjourn

The meeting adjourned at 10:53 A.M.