



Whatcom County

Law & Justice Plan

2008 Plan Update

**Whatcom County Law & Justice Council
May 14, 2008**



NORTHWEST REGIONAL COUNCIL

**Whatcom County Law & Justice Plan Update
Table of Contents**

	Page
Executive Summary	3
Average Daily Jail Population 1984-2007	7
Average Monthly Jail Bookings 1984-2007	8
List of High Priority Recommendations	9
Recommendations	10
Progress Report on June 2000 Plan	38
Law & Justice Council Members	53
Whatcom County Council Resolution 2000-034	55



NORTHWEST REGIONAL COUNCIL

Whatcom County Law & Justice Plan Update Executive Summary

This Draft Update to the 2000 Law and Justice Plan was initiated in 2006 by the Law & Justice Council with the support of the County Executive's Office. The 2008 Plan Update evaluates recent progress, and provides a guide for priority funding on law and justice issues.

Background

During 1999 and 2000, faced with a chronic jail overcrowding problem, Whatcom County government carried out an extensive analysis and planning process to identify the causes of jail overcrowding, identify gaps or redundancies in the system, and recommend a "system-based, strategic plan that enhances the delivery system of justice services, including greater efficiencies and effectiveness." The resulting Law & Justice Plan was adopted by the County Council in June 2000.

In order to provide a structure to support collaboration, the first recommendation of the June 2000 Law & Justice Plan was to establish the Law & Justice Council to provide direction in implementing the plan, and to continue the law and justice planning process over the long term. The 49 members of the Law & Justice Council have worked hard since then to encourage coordination, led by citizen chairs Kathleen Marshall, Foster Rose, Philip Buri, and Richard Maneval. The Northwest Regional Council has provided staff support.

Collaborative Context

The justice system in Whatcom County is made up of separate offices and agencies representing many levels of government. Its elected officials and appointed officers work together every day to administer the law and protect public safety. The system in Whatcom County enjoys a high level of cooperation. During plan update interviews in August and September 2006, local officials repeatedly expressed satisfaction with the level of collaboration and cooperation.

One positive result of this collaborative, system-wide approach was County Executive Pete Kremen's success in securing nearly \$1.5 million federal dollars to help develop the WENET communication system (Whatcom Exchange Network). At the project kickoff meeting, the federal grant officer praised local law and justice efforts for the unique level of cooperation and collaboration among jurisdictions, apparently a big factor in the federal funding decision.

Plan Update Recommendations

The first section of this Plan Update is a set of recommendations, beginning with a system-wide section. The rest of the recommendations are organized by the areas of responsibility of Law & Justice Council standing committees: Facilities, Legal Systems, Diversion and Re-Entry, Law Enforcement, Management Information Systems, and Juvenile Justice. Each of the standing committees developed and approved its section of the recommendations before sending them on to the full Law & Justice Council for review. At the request of the County Executive's Office, criminal justice departments reviewed the recommendations, assigned priorities (high, medium, lower), and developed fiscal notes where appropriate to indicate potential costs and benefits. Of 115 total recommendations, 42 are high priority, 7 are medium priority, and 66 are lower priority. ***The Law & Justice Council puts building a new main jail as soon as possible as its highest priority recommendation, with implementing useful technology to increase efficiency ranked next in order.***

Progress Report on Recommendations from the June 2000 Plan.

The second section of this Draft Plan Update is a Progress Report that demonstrates how the plan has served as a road map for many ongoing initiatives to protect public safety, to improve the efficiency of the system, and to control jail overcrowding.

When the Law & Justice Council Executive Committee reviewed the June 2000 recommendations, it was found that most, if not all, have motivated significant improvements in the system. Many are already completed, and the remainder are in process or are well underway.

Some examples of progress include:

- Voters approved a tax for the new Jail Work Center opened in November 2006. It provides 150 new beds and a staging area for expanded alternative-to-jail work programs. Law enforcement officers report that they are now serving outstanding warrants that previously had to be sorted for priority and put on hold due to lack of jail space. This gain is quickly eroding as beds fill.
- The percentage of low risk offenders diverted from maximum security jail cells to alternative programs has increased from 30% to 75%. Work release, work crews, and electronic home detention have all expanded.
- In 2007 the county opened a new 14-bed Behavioral Health Triage Center co-located with the Work Center to divert from jail appropriate offenders whose main issue is mental health, alcohol, and/or substance abuse.
- Courts and probation programs have established and improved case management systems to increase speed and productivity.
- WENET, a countywide collaborative communication project, has been developed to provide the means to integrate computer data from multiple agency databases so

that comprehensive offender information can be quickly available to officers on the street and to court officials. Service points are being added as funding becomes available.

Summary of Areas of Focus

Issues associated with jail overcrowding continue to drive many of the recommendations. Most of the officials interviewed in 2006 agreed that the most immediate and difficult challenge ahead is the inability to jail offenders because of chronic overcrowding in the county jail.

Some recommendations are controversial, such as pretrial release for low risk felons, and adding 1/10th of 1% to the sales tax to develop diversion alternatives for ex-offenders with mental health problems.

Some recommendations aim to expand ongoing efforts, such as fast tracking cases through the courts, making criminal records accessible to officers in the field, providing accurate emergency locations to responders to 9-1-1 calls, and providing first responders with radio interoperability for public safety emergencies.

Some recommendations suggest efficiencies and cost savings that could be obtained by more collaborative partnerships among the county, the cities, and the tribes. Other opportunities include consolidating more court operations, and providing video appearances for defendants when practical, rather than physical attendance in court.

The number one priority recommendation, a new main jail, will be a difficult and costly project. The number of beds to be built and the timeline for completion are both controversial issues. The cost of staffing and operation will be high. A range of alternative sentencing and diversion programs are being considered as possible strategies to reduce the number of beds that will have to be built. Another strategy being considered is to develop programs for ex-offenders to successfully re-enter the community so that they don't re-offend. It is not yet clear the degree to which such strategies can be used effectively to control costs and protect public safety.

In this regard Whatcom County is joining a nationwide effort to reduce overreliance on incarceration without sacrificing public safety. Nationwide the prison population at 2.3 million surpasses all other countries for which there are reliable figures. Expenditures on corrections have increased from \$11 billion in 1987 to \$44 billion in 2007. Many states are now spending as much or more on corrections than on higher education.

If current population growth and crime trends continue as expected, the County may have to further restrict jail booking, provide more temporary jail beds in crowded spaces, install triple bunks in the Main Jail and more beds in the Work Center, contract for beds in other jurisdictions, and consider more offender release programs at the various levels of law enforcement, jail, and court.

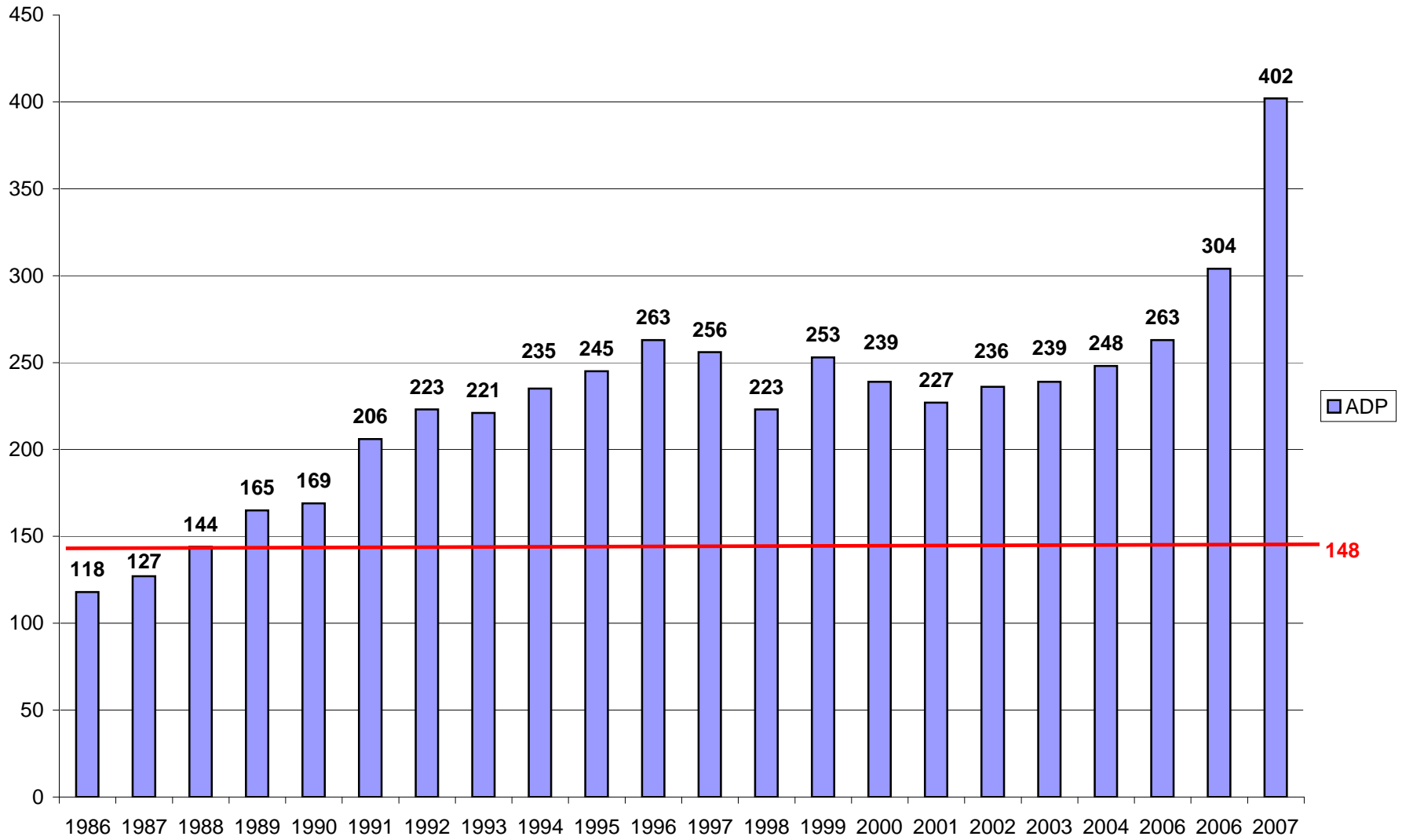
The Challenge

The challenge ahead is to develop a different mindset for effective approaches to dealing with community safety, crime and its underlying issues, and cost realities. The Law & Justice Council is providing these recommendations as an overall strategic plan based on their collective detailed understanding of the system.

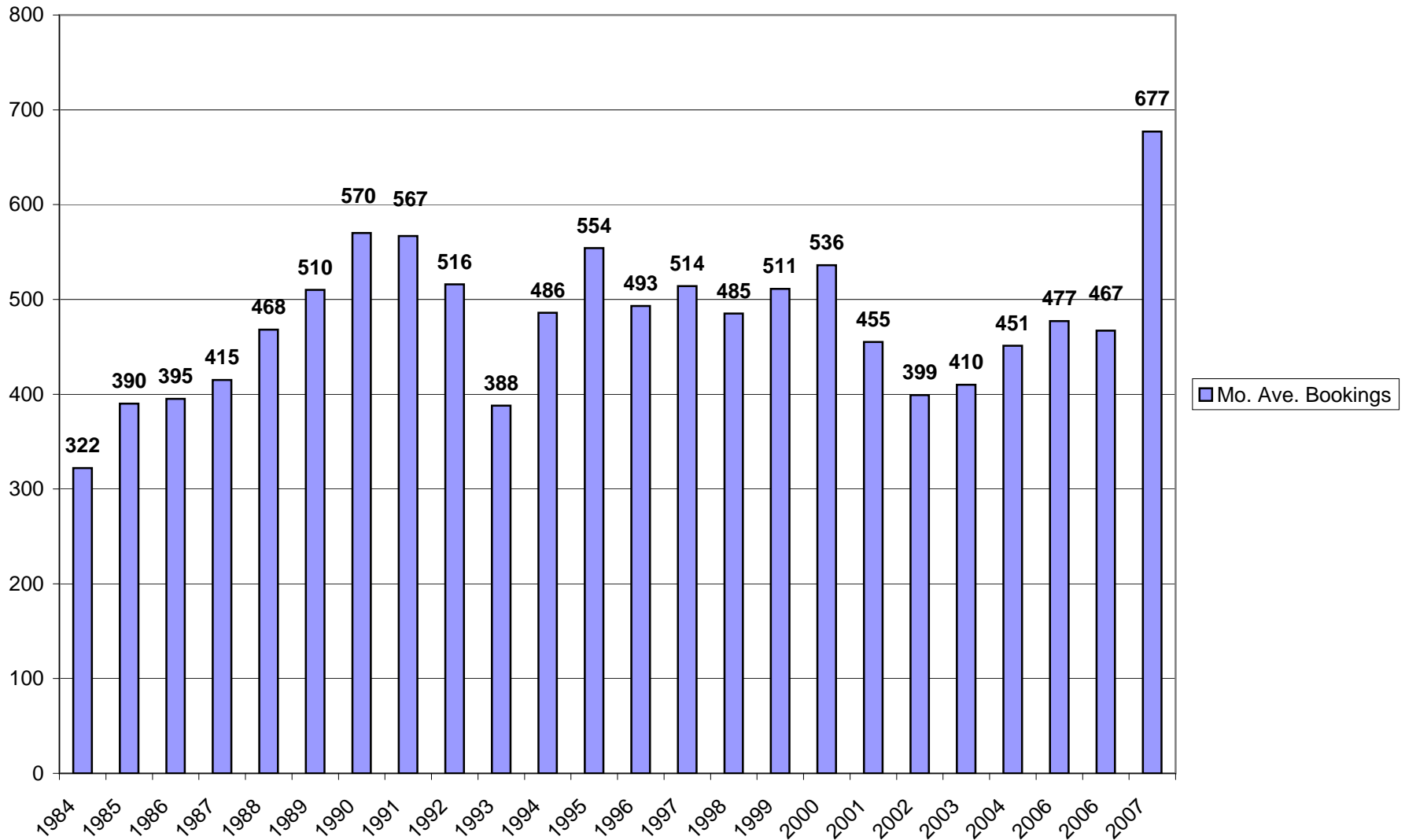
Plan Update Process -- What's Next?

Beginning in August and September 2006, Nat Dickinson of the Northwest Regional Council, serving as Law & Justice Council staff, gathered information from officers and officials who operate the law and justice system. The process comprised 22 meetings involving 37 law and justice officials, including judges, law enforcement officers, and administrators in county, city, and tribal governments. The resulting recommendations were then shaped by Law & Justice Council committee chairs, county criminal justice departments, and Executive Committee members in a series of meetings in early 2007. In Summer 2007 the draft plan update was circulated for public comment to public libraries and on the County government website. Following final review, the Law & Justice Council expects to forward the document to the County Executive and County Council to consider adoption by mid-2008.

Whatcom County Jail Average Daily Population 1986-2007



Whatcom County Jail Average Monthly Bookings



Whatcom County Law & Justice Plan Update High Priority Recommendations

NOTE: The Plan designates High, Medium, and Lower Priorities. This list of High Priority Recommendations is not in Particular Order.

Section	Page	
A.1.a.	11	Agency Collaboration
A.1.b.	11	Geographical Information System
A.1.c.	11	Two-Way Radio Interoperability
** A.3.	13	Technology
**B.1.a.	13	Acquire New Main Jail Site
**B.1.b.	14	Build New Main Jail and Sheriff's Offices
B.2.b.	14	Areas of Inquiry
B.3.a.	15	Accommodate Jail Overcrowding
B.3.b.	16	Repair and Upgrade Jail Electronics
B.4.a.	16	Add Beds to Jail Work Center
B.4.b.	16	Video Visitation for Attorneys
C.1.	17	Fast Track Case Management
C.2.a.	18	Maintain Alternatives to Incarceration
C.2.b.1)	18	Consider Day Reporting
C.2.b.2)	18	Electronic Home Detention
C.2.b.3)	19	Develop Mental Health Court
C.2.b.4)	19	Maintain Drug Courts, Family Treatment Court
C.2.b.5)	19	Provide staff for Family Treatment Court
C.3.	21	Develop Video Appearances
C.5.a.	24	Crime Investigators for Prosecutor's Office
C.5.b.	24	Federal Reimbursement for Border Prosecutions
C.6.b.	24	Public Defender Video Access to Inmates
C.6.c.	25	Increase Prosecution and Defense Counsel
C.9.a.	26	District Court Probation Case Management
C.9.b.	26	New District Court Probation Officer
D.1.	27	Offender Re-Entry Housing
D.2.	27	Offender Re-Entry and Diversion – Hargrove Bill
E.3.a.	31	Support for Sheriff's Office Technology
E.3.b.	32	Sheriff's Office Report Management System
E.3.c.	32	Additional Sheriff's Office Deputies
E.3.d.	33	Sheriff's Office Evidence Technician
E.3.e.	33	Sheriff's Office Fiscal Officer
E.5.b.	33	State Legislation to Control County Liability
E.5.c.	34	Crime Control Vehicle Impound.
F.1.	34	WENET (Whatcom Exchange Network)
G.6.	36	Expand Juvenile Drug Court
**		The New Main Jail and Technology are the highest priority recommendations overall.

Whatcom County Law & Justice Plan Update Recommendations

Contents	Page
A. System Wide	11
1. Regional Leadership	
2. Law & Justice Council	12
3. Technology	13
B. Facilities	
1. New Main Jail	
2. Potential Next Steps	14
3. Existing Main Jail	15
4. Interim Jail Work Center	16
C. Legal Systems	17
1. Fast Track Case Management	
2. Alternatives to Incarceration	18
b.1. Day Reporting	
b.2. Electronic Home Detention	
b.3. Mental Health Court	19
b.4. Maintain Drug Courts and Family Court	
b.5. Staff for Family Treatment Court	
b.7. Pretrial Release	20
3. Video Appearances	21
4. Combined Court Systems	22
a. Trial Court Coordinating Council	
b. Drivers Relicensing	23
c. Domestic Violence Court	
d. Combined Court Facility	
5. Prosecuting Attorney	24
6. Public Defender	
7. Superior Court	25
8. District Court	
9. District Court Probation	26
D. Diversion and Re-Entry	27
1. Offender Re-Entry Housing	
2. Hargrove Bill	
E. Law Enforcement	30
1. Communications	
2. Dispatch	31
3. Sheriff's Office	
4. Tribal Relations	33
5. Other Recommendations	
F. Management Information Systems	34
1. WENET (Whatcom Exchange Network)	
2. Communications and Networking	35
3. Security	
4. GIS (Geographical Information System)	
G. Juvenile Justice	36

A. System Wide

1. Regional Leadership

- a. **Agency Collaboration.** Encourage collaboration among all the different agencies, city, county, state, federal and tribal, that influence the law and justice system in Whatcom County.

Priority: **HIGH** X **MEDIUM** _____ **LOWER** _____

- b. **Geographical Information System.** Survey and map the county to establish a multi-layered, multi-tiered geographical information system that provides emergency responders with an instant and accurate address in an emergency, as well as enabling accurate public records and efficient infrastructure control. Aerial photography will provide a complete set of image data, to be followed by a survey of the County Assessor’s land records, and then the integration of property addresses with accurate geographic coordinates. Once in place, the GIS system will require regular updating and maintenance. 9-1-1 dispatchers receiving a phone call will be able to direct emergency responders immediately to an accurate location in the county.

Priority: **HIGH** X **MEDIUM** _____ **LOWER** _____

Fiscal Note: County Information Technology Manager Perry Rice is coordinating the effort, soon to be supported by two analyst positions. Cost for the next two years is estimated at \$128,000, of which \$50,000 to be provided by county government. This is a highly complex project that will take three to five years to put in place depending on available staff and funding. It will involve partnerships with the cities and tribes including law enforcement, fire, medical, transportation, and public works agencies.

- c. **Two-Way Radio Interoperability.** Support and coordinate state and local efforts to achieve two-way radio interoperability among first responders in a public safety emergency. Three efforts to achieve interoperability in Whatcom County are underway, all started as separate projects. All three are aiming at the same goal, to utilize a combination of microwave and software technology to create an interoperable radio system.

Priority: **HIGH** X **MEDIUM** _____ **LOWER** _____

- 1) The Clallam County Sheriff’s Office operates a radio network on the Olympic Peninsula, the Olympic Public Safety Communications Alliance Network (OPSCAN), connecting 42 agencies in an interoperable system. OPSCAN applied to the State Interoperability Executive Committee (SIEC) for grant funding to extend its system from Region 1 (Clallam, Jefferson, and Kitsap) into Region 2 (Whatcom, Island, Skagit, San Juan, and Snohomish). The plan will extend OPSCAN’s digital microwave loop, install crossband repeaters on

mountain tops, and establish internet protocols in the county 9-1-1 centers. The purpose is to create two-way radio interoperability among all first responder agencies, large and small, in Region 1. A new governance structure, the North West Regional Interoperability Consortium (NW RIC), is being established to guide project implementation and to manage the system after it is in place.

Fiscal Note: Cost is estimated at \$4.8 million for local agencies and \$2.1 million for the State Patrol. The State of Washington has awarded a \$7.3 million dollar grant to OPSCAN to pursue this project, with an OPSCAN budget of about \$5 million, and about \$2.3 million for the Washington State Patrol to extend its microwave backbone into Region 1 during 2008. The system will require annual fiscal contributions from all participating first responders, including Whatcom County agencies, to maintain the system. Whatcom County plans to use \$600,000 to buy and install switching equipment for interoperability among the different radio frequency ranges currently being used in the county.

- 2) The Whatcom County Sheriff's Office proposes to develop a satellite based voice over internet protocol wide area network communications system called NewSky Solution. The system promises to improve the existing Sheriff's radio system by filling existing coverage gaps; providing interoperability among law enforcement and first responder agencies; using existing towers and equipment; and using existing frequencies in trunked systems.

Fiscal Note: Cost to design and install for the Sheriff's Office only is estimated at \$12,236,050. Cost to design and install for all Whatcom County first responders is estimated at \$24,272,000.

- 3) Palidor Communications has updated its 2001 preliminary design of an interoperable radio system connecting all first responders in Whatcom County. Palidor recommends a digital simulcast/voted trunked system linking 17 agencies with 11 transmitter sites and using existing mobiles and portables.

Fiscal Note: Capital cost is estimated at \$11 million. The WhatComm 9-1-1 Administrative Board has allocated \$200,000 for an engineering study to pursue this alternative. The City of Bellingham has gone out to bid in partnership with Whatcom County to develop a plan for a countywide emergency radio system upgrade and to write a request for proposals for procurement and implementation.

2. Law & Justice Council

- a. Develop plans for activities which will draw representatives of the City of Bellingham, the small cities, and appropriate local, state, and federal representatives into Law & Justice Council meetings,.

- b. Fill vacant tribal positions on the Law & Justice Council. Find opportunities to build communications bridges and trust among county and city governments and the Lummi Nation and the Nooksack Indian Tribe.
- c. Reorganize and reactivate the Legal Systems Committee to develop recommendations for improvements to the courts. Appoint representatives from Superior Court, District Court, municipal courts, tribal courts, and the jail, as well as from the Prosecutor's and Public Defender's offices.

3. Technology

- a. One of the highest priority problems for county justice system departments is the uncompleted backlog of computer and communications related projects that need Information Technology attention to complete. Technology staff positions have been hard to fill due to a market shortage of technicians and opportunities for higher pay elsewhere. Nonetheless, many departments feel that Information Technology is understaffed and underfunded. They want either more support from Administrative Services Information Technology, or dedicated technology employees in their own departments.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: Salary and benefits for competent technology staff may cost \$50,000 each or more for salary and benefits.

- b. Recommendations from Information Technology to address the backlog problem are first to develop a system for establishing priorities among law and justice technology projects and realistic timelines for completion given existing Information Technology staffing, funding, and employee hours available. Second, Information Technology can assist departments to find and purchase off-the-shelf applications with available vendor support rather than developing new software that requires in-house support. And third, Information Technology should have a technology coordinator to plan and implement projects for all law and justice departments in a coordinated and cost effective fashion.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: Salary and benefits for a law and justice technology coordinator may cost \$60,000 or more.

B. Facilities

1. New Main Jail

- a. **Acquire New Main Jail Site.** Acquire site for a new main jail of at least fifty acres, large enough so that after a jail is built, additional related law and justice facilities may be added in a phased development.

Priority: HIGH X MEDIUM _____ LOWER _____

- b. **Build New Main Jail and Sheriff's Offices.** Plan to build the jail large enough to meet the projected demand, 800 to 1000 beds, with full spectrum security from minimum to maximum, including alternative corrections programs. Enough beds should be available as a sanction to enforce compliance in alternative programs. Plan the facility so that it could be expanded to 2000 beds if necessary within the following twenty-year period. Include elements of design and technology that reduce staffing needs. For example, plan to construct on a horizontal plane. Plan infrastructure to support kitchen, laundry, medical, staff, and storage needs.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: *This is the number one priority recommendation in this 2008 Law & Justice Plan Update.* Cost of the entire project is estimated to range between \$56 million and \$150 million dollars for a building that will cost hundreds of dollars per square foot. As of March 2008 the exact size, cost, and location were not yet determined. The County originally envisioned a 600-bed facility at a cost of \$56 million dollars. The Sheriff's Office is recommending 1000 beds as of this writing. The County has an \$800,000 contract with HDR Engineering, a consultancy, to produce a master plan for adult corrections facilities and Sheriff's offices, including elements for land, buildings, and environmental impact. It will be important that the master plan be written so that it does not preempt phased expansion of a justice center on the site in the future, which could include a juvenile detention facility, an emergency operations center, and courtrooms. The site selection process includes numerous time consuming steps that are mandated by law. The County intends to proceed with careful deliberation to forestall the ability of opponents of any particular site to block the project through legal action. Construction of a new main jail may take eight years. Every year construction is delayed, cost estimates will increase.

2. Potential Next Steps

- a. **Task Force on Systemic Issues.** Establish a task force on systemic issues affecting the criminal justice system including jail overcrowding. The task force would seek input from Superior Court, District Court, and municipal courts in the county, as well as from the executive and legislative branches of county government.
- b. **Areas of Inquiry.** The following areas are included in the scope of work of the County's contract with HDR for a master plan for adult corrections facilities and Sheriff's offices. The Law & Justice Council Facilities Committee should play an advisory role.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: See Section B.1.b. Facilities New Main Jail.

- 1) Conduct an analysis of jail capacity considering admissions trends and lengths of stay. Review a snapshot of the inmate population in the main jail and in the jail work center.
- 2) Conduct an analysis of court processes. Identify a full range of possible adjustments in court practices which could shorten the time from filing to disposition for different types of cases. Evaluate possible adjustments using criteria including control of jail overcrowding, efficiency and maintenance of public safety.
- 3) Document the existing continuum of intermediate sanctions and how each is used to limit admission and manage lengths of stay. Include supervised pre-trial release, jail population management, community based treatment, expanded use of specialty courts and other options in the review. Evaluate the existing use of sanctions, and recommend adjustments or expansion as needed.
- 4) Conduct a “best practices” analysis of policies, procedures, supervision and treatment options that contribute mutually to the concept of least restrictive environment and public safety enhancement.
- 5) Conduct a cost and effectiveness comparison among the various levels of security proposed., i.e., costs and effectiveness of secure incarceration versus community based treatment among numerous other options and develop the “best” (most effective given the investment) model based upon the security wishes of the community, the amenability of system leaders to innovation and change, the nature (problems and criminality) of the corrections population and the level of resources (local, state and federal) available to implement proposed options.

3. Existing Main Jail

- a. **Accommodate Jail Overcrowding.** Continue to develop new ways and means to accommodate chronic and increasing overcrowding over the next six to eight years pending completion of a new main Whatcom County jail. The jail was originally built in 1984 to hold 148 offenders. It has been remodeled and adjusted to a current maximum holding capacity of 212. But the jail is plagued by chronic relentless overcrowding. During one typical week in 2007 the population averaged 278 offenders per day. Partial relief from overcrowding was provided by electronic home monitoring and work release.

Priority: **HIGH** X **MEDIUM** _____ **LOWER** _____

Fiscal Note: If current population growth and crime trends continue as expected, the County may have to further restrict jail booking, provide more temporary jail beds in crowded spaces, install triple bunks in the Main Jail and more beds in the Work Center, contract for beds in other jurisdictions, and

consider more offender release programs at the various levels of law enforcement, jail, and court.

- b. **Repair and Upgrade Jail Electronics.** Complete the project to repair and upgrade electronic security controls. The manufacturer of the controls installed in 1984 has gone out of business. The technology is obsolete. The County has had to resort to Ebay to find replacement parts.

Priority: **HIGH** X **MEDIUM** _____ **LOWER** _____

Fiscal Note: A consultancy began assessing the need in October 2007, and hopes to be able to estimate costs to upgrade the existing electronic security controls by Summer 2008. Decisions will be made at the County Executive level depending on funding available.

4. Interim Jail Work Center

- a. **Add Beds to Jail Work Center.** Convert an existing storage space to a 50-bed Work Release dormitory

Priority: **HIGH** X **MEDIUM** _____ **LOWER** _____

Fiscal Note: Construction and equipment including beds may run as high as \$800,000. Two new corrections officers will cost \$145,000 in salary and benefits. The good news is that the County had already planned on \$467,200 as a continuing annual payment to the discontinued work release contractor. Already budgeted funding should cover part of the initial one-time costs, while ongoing in-house costs for following years will be less than costs would be for a contracted work release program.

- b. **Expand video visitation** to allow attorney conferencing with inmates.

Priority: **HIGH** X **MEDIUM** _____ **LOWER** _____

Fiscal Note: Video visiting booths cost \$14,000 each plus \$1,000 for wiring. Since video is already in place for personal visiting in the Jail Work Center, only one or two booths are needed on the attorney side. Total cost may be limited to \$15,000 or \$30,000.

- 5. Behavioral Health Triage Center.** Develop plans to maintain Triage Center behavioral health services. The Triage Center is now co-located with the Jail Work Center at 2003 Division Street. The Center provides crisis screening and assessment, stabilization, and referral to treatment services for individuals picked up by officers on the street, whose behavior seems primarily caused by mental health problems, alcohol or substance abuse. Thirteen beds are available for recovery 24 hours a day. Detoxification is provided by the Whatcom Psychiatric Clinic and Pioneer Human Services. Its purpose is to divert eligible Individuals from jail and

prevent recidivism in that population, providing a control to jail overcrowding. When a new main jail is built in eight to ten years, the Triage Center building is slated to be closed and converted to private industrial use.

C. Legal Systems

1. Fast Track Case Management

- a. Maintain the fast track case management system for felony cases in Superior Court. The Prosecuting Attorney initiated this program in 2005 to facilitate faster processing of cases through the court system. By focusing on the front end of case management, attorneys are cooperating to move cases more rapidly through the system. The Prosecutor inspects filings and selects those to be fast tracked according to a set of criteria (non-violent lower level felony, strong evidence or confessed, not repeater, not domestic violence). Within 24 hours of booking, prosecutors offer a sentence to be proposed to the court with the requirement to plead guilty within two weeks. Usually about half the cases accept the offer. From January through October 2005, fast tracked cases moved through the court from filing to sentencing in 26 days on average, while other cases took 217 days. For fast track to work, defense attorneys must meet with clients within the two week period following the prosecutor's offer. Prosecutors and Public Defenders meet weekly to review each case and take action to facilitate closure. A weekly report is circulated to document progress.

In 2001 felony cases averaged 217 days from filing to disposition. In 2006 fast tracked cases averaged 33 days, with 70% pleading guilty within two weeks of filing, and a 97% conviction rate. During the first six months of 2006, 1,049 felony cases were filed, but 1,284 were moved through to disposition by the court. Fast tracking can be a significant contributor to the effort to control jail overcrowding, because pretrial felons make up a large proportion of inmates in the jail. When trials are delayed by continuances, offenders languish for long periods in jail waiting for trial. After disposition, many inmates move on out of the county jail to prison, supervised release, or freedom. The benefits of fast tracking include more efficiency, reduced jail overcrowding, better protection of public safety, and minimal budget impact.

Priority: HIGH X MEDIUM _____ LOWER _____

- b. Establish fast tracking for District Court misdemeanor cases.
- c. Increase the number of prosecutors.

Fiscal Note: The County will receive federal grant funding in 2008 for \$750,000 for border related prosecution. This should cover costs for fast tracking for 2008 and 2009. However, both Prosecutor and Public Defender may each request an additional attorney at approximately \$71,000 each for salary and benefits for 2010. The number of criminal cases filed in the Prosecutor's Office have increased from 3304 in 2006 to 4166 in 2007. District Court experienced an

increase of 1000 cases, possibly a result of additional Sheriff's deputies combating crime. The number of citations issued by the Sheriff's Office doubled from 2006 to 2007.

2. Alternatives to Incarceration

- a. Maintain the range of alternatives to maximum security jail currently available to judges. Alternatives available for adults include pre-trial release and post-trial probation for misdemeanants, sentences served in the medium security Jail Work Center for misdemeanants and low-risk felons, work release and school release, electronic home detention and electronic home monitoring, in-custody and out-of-custody work crews adult drug court, and one-day and two-day offender programs for alcohol related traffic infractions. Alternatives available for juveniles include pre-trial release and post-trial probation, Home Port boatbuilding program, juvenile drug court, family court, teen court, and community service.

Priority: **HIGH** X **MEDIUM** **LOWER**

- b. Expand the range of alternatives to incarceration.
 - 1) **Day Reporting.** Evaluate the potential to reduce jail overcrowding by establishing day reporting in the Jail Work Center. Day reporting could be a useful and relatively inexpensive tool for regular contact with probation violators, sentenced offenders, and selected pre-trial individuals. Judges could include day reporting in sentencing sanctions. A daily report at the Work Center could include a fingerprint ID, information entered on a keyboard, a urinalysis sample, a breathalyzer test, and officer supervision if necessary. Corrections officers could move an offender back to jail if necessary without going back to court. An offender being able to live at home and hold a job could facilitate collection of fees and restitution. Thurston County has a Day Reporting Offender program run out of the jail's Correctional Options Program. Olympia operates a similar program

Priority: **HIGH** X **MEDIUM** **LOWER**

Fiscal Note: Day Reporting would require a new corrections officer at \$65,000 in salary and benefits, and a day reporting kiosk in the Jail Work Center. Commercial kiosk hardware may cost \$55,000, software \$600, and will require a server and a database. Annual maintenance may cost as much as \$10,000 a year. The State Department of Corrections can supply kiosk cabinets at a reduced price. Once a kiosk is in place in a lobby accessible to the public, it can be used for other functions such as sex offender registration and tracking.

2) Electronic Home Detention

- a] Increase the use of electronic home detention for offenders as appropriate.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: Whatcom County, with 40 offenders in the program now, is already the second highest user in the state, second only to King County. Adding an additional clerical position at \$35,000 could double the program and reduce jail overcrowding. Bracelets cost \$750. Inmates pay \$12 per day rent. Since 90% of eligible inmates do find the funds to pay, the cost of electronic home detention is essentially budget neutral.

b] Implement real time electronic home detention, using automatic global position monitoring, as soon as the technology becomes reliable. In the current system if an offender leaves home, the violation can usually be determined only the day after it occurs. Real time would allow immediate detection. However, the technology is not yet proven dependable in the north part of the county,

- 3) **Mental Health Court.** Develop a mental health specialty court to divert from jail offenders whose offenses are caused by mental health problems, and to better utilize mental health treatment resources in the community.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: The obligation for courts, mostly District and municipal, would require additional funding for staff to assure compliance with treatment orders. Annual costs, mostly for treatment, are estimated at \$300,000 based on the experience of Skagit County and Spokane County Mental Health specialty courts.

- 4) Continue to subsidize and maintain Adult Drug Court, Juvenile Drug Court, and Family Treatment Court.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: Adult Drug Court, Juvenile Drug Court, and Family Treatment Court each take between two and four hours of a judge's time and a clerk's time per week. Subsidy for Adult Drug Court amounts to \$170,000 per year. Skagit County funds Family Court with \$118,000, Island County with \$123,000.

- 5) **Staff for Family Treatment Court.** Provide a coordinator and case manager for Family Treatment Court, which focuses on re-unifying families with abused or neglected children. They would coordinate supervision and accountability for children as well as parents with dependency problems who want their children back but need mental health and chemical dependency assessment and treatment.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: Coordinator and case manager are estimated to cost \$118,260. One possible funding source may be the 1/10th of one percent local option Hargrove Sales Tax. See Section D.2.b.1) Community Based Options Family Treatment Court.

- 6) Consider developing a special monetary assessment for drug offenders as a partial funding mechanism for Drug Court.

Priority: HIGH _____ MEDIUM _____ LOWER X

Fiscal Note: Drug Court participants must owe \$1,500 or less in restitution to be eligible for entry. Many pay down restitution from a larger amount in order to be eligible. It has been proposed that all drug offenders who are found guilty be assessed an additional amount to be paid to the Drug Fund and then a portion of that additional amount would be paid out of the Drug Fund to support Drug Court. To implement, a mechanism would need to be developed so that the proper amount can be credited for payment to Drug Court. Theoretically, an assessment of \$500 for 250 cases could provide \$125,000, if it were possible to collect. However, it may be very difficult to actually collect from this population of offenders. This issue needs more collaborative discussion before deciding to implement.

7) **Supervised Pretrial Release**

- . Develop a supervised pretrial release program for low-level felons arrested for crimes such as burglary, car prowl or theft, who are assessed at low risk for violence. District Court Probation continues its longstanding practice of allowing a limited number of misdemeanants who are assessed low risk to be released pretrial under supervision. The December 2000 Law & Justice Plan recommended expanding pretrial release programs. Expanded pretrial release could be a significant contributor in the effort to control jail overcrowding because typically 40% of offenders housed in full-custody beds are pretrial felons. Pretrial release could use the same administrative structure that is currently used for post-conviction supervision. Judicial orders could be used to establish conditions of supervision. Judges, probation officers, and jail staff already have at their disposal a range of sanctions from least to most restrictive. Jail staff have effective tools and skills at their disposal to supervise inmates on release. Jail staff and probation officers can use supervision tools such as day reporting, electronic home detention, and urinalysis testing. Supervision would have to ensure that violation of conditions would result in immediate action by probation and jail staff to impose a more restrictive sanction on an offender.

Expanded pretrial release is controversial because of potential risks to county liability and to public safety. The Law & Justice Council rates priority Lower at

this time because of that risk. Washington State has one of the toughest liability laws in the nation for crimes committed by felons on supervision. However, supervised pretrial release could be used if population growth and overcrowding makes it necessary during the eight to ten year wait for a new main jail. Supervised pretrial release could be used to reduce the numbers in the jail, to prevent early release, and to prevent having to contract for beds in other jurisdictions. Supervised pretrial release would require using the best available risk assessment tools and the best possible supervision for participants, as protection for the public and as a defense against possible liability suits.

Priority: HIGH _____ MEDIUM _____ LOWER X

Fiscal Note: Costs to develop a supervised pretrial release program for felons would include adding an additional corrections deputy for every 30 offenders at \$64,000 per deputy; adding an additional clerical position at \$35,000, additional work stations at \$5,000, and electronic monitoring equipment at \$100 per offender. Total cost approximately \$107,000.

- 6) **Restorative Justice.** Explore the benefits and costs of developing a restorative justice program in District Court in cooperation with the Whatcom Dispute Resolution Center. Restorative justice aims to make the victim, the offender, and the community whole through one-on-one confrontation, restoring damage done by an offense. It works well for Juvenile Justice.

Priority: HIGH _____ MEDIUM X LOWER _____

Fiscal Note: The Dispute Resolution Center would have to estimate costs to establish and operate the program by researching other restorative justice programs, researching District Court needs, and developing a proposal and budget.

3. Video Appearances

Implement video appearances for inmates in the main jail, the Jail Work Center, and Juvenile Detention. Secure video technology using the internet could replace personal appearances in the courtroom for first appearances, non-substantive matters on court calendars, enabling appearances for non-criminal proceedings, and remote appearances for witnesses or experts. At present the jail courtroom is used by nine courts conducting daily first appearances one after another in consecutive hearings. The courtroom is in use constantly, occasionally well into the evening. During the week 100 or more inmates are brought by corrections officers from jail to courtrooms and back again. By installing video booths in the jail to make it possible for three inmates to appear by video in courthouse courtrooms, three courts could conduct simultaneous hearings. Teleconferencing in place of prisoner transports could save hundreds of man-hours in jail transport officer costs. Using the same technology, the Prosecutor and Public Defender could implement remote testimony

by expert witnesses, saving costs of travel, hotel, and meals. Also using the same technology, the Prosecutor may be able to participate in arguments before the Court of Appeals, saving the costs of travel.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: A rough estimate of the cost of hardware and software to configure the jail courtroom, the nine courtrooms in the courthouse and in Bellingham Municipal Court totals approximately \$255,000 in one-time costs. However, costs may be partially offset by savings in corrections officer transportation time. See C.7.c. Public Defender secure remote access.

4. Combined Court Systems

a. Trial Court Coordinating Council

County judges have recently formed a Trial Court Coordinating Council in order to be eligible for funding from the State Administrator of the Courts to explore new initiatives to improve the system. The Council has identified the following coordination efforts already in place for Whatcom County courts:

- The Jail courtroom and the video viewing room
- Superior Court and District Court indigency screening, protection order processing, conflict counsel referral and management, and jury coordination for Bellingham
- The Domestic Violence Batterer Treatment Manual
- Standard no-contact orders for District Court and municipal courts
- Uniform domestic violence firearms procedures (in process)
- Weekend and holiday probable cause calendars
- Misdemeanant probation services

The Coordinating Council is considering the following potential coordination opportunities:

- Establishing shared authorization for a single judge to handle first appearance and certain other hearings for offenders charged in multiple municipal courts and District Court
- Establishing an in-custody hearings schedule for all courts
- Establishing a single combined first appearance court calendar
- Establishing a consistent Driving While License Suspended program for District Court and municipal courts
- Posting no-contact and civil orders from all jurisdictions on the internet for judicial and staff use
- Posting common court calendars on an internet web page
- Providing one court coordinator for all language interpretation services
- Providing a system for universal receipting
- Providing a system to allow online sentence mitigation and credit card fine payments via internet for District Court and municipal courts
- Providing a combined internet web page for all courts

- Establishing an Integrated Mental Health Court
 - Establishing remote video viewing of hearings for remote municipal courts

b. **Drivers Relicensing.** Investigate the possibility of restoring a combined District Court and municipal court driver’s relicensing program which will be in compliance with all State Supreme Court requirements.

Priority: **HIGH** _____ **MEDIUM** **X** **LOWER** _____

Fiscal Note: In 2003 the Bellingham Municipal Court and other municipal court judges coordinated cross-jurisdictional policies and established the Whatcom Opportunity Council’s Driver’s Re-Licensing Program. By end of 2003 the program had screened 102 individuals and qualified 44 for the class, with 37 successful completions. The program planned to re-license 500 to 750 a year. However in 2004 the State Supreme Court issued a decision invalidating license suspensions that had no opportunity to appeal. Convictions for Driving While License Suspended 2nd and 3rd Degree were quashed, and the local Driver’s Re-Licensing Program was discontinued. The law has now been successfully reinstated by the state legislature. Costs may be estimated by researching the 2003 program, and evaluated against the costs of ignoring 4,000 to 5,000 unlicensed drivers on county roads.

Fiscal Note: The Opportunity Council’s 2003 Driver’s Re-Licensing Program was designed to be self supporting through fees charged to participants. Program history including budget and costs should be researched. Potential costs, benefits, and sources of support would have to be determined.

c. Evaluate the possible effectiveness, legality, and political practicality of establishing an integrated domestic violence court, combining District Court, Bellingham Municipal Court, other small city municipal courts, and Superior Court. Although other communities have integrated domestic violence courts successfully, and although the possibility exists to improve public safety and reduce costs, Whatcom County judges are not working to integrate domestic violence courts at this time. The Law & Justice Council subcommittee on Coordinated Judicial Response to Domestic Violence worked on the issue for two years, but moved on due to difficulties in resolving unanswered questions.

Priority: **HIGH** _____ **MEDIUM** _____ **LOWER** **X**

d. Combine the county and city master facilities planning processes to plan a central facility with a central administrative structure that could consolidate the main operations and the physical location of all the courts in the county. This is a controversial and complicated issue involving all the county and city courts, but as the population grows it could provide significant efficiencies for the courts, and significant cost savings for county taxpayers. A single consolidated courts facility could provide a single security system, courtrooms and jury rooms available for

multiple use, a bank of judges and commissioners able to hear a range of cases, and a bank of backup staff available to provide judicial assistance. It would still be necessary to maintain court service centers in population centers such as downtown Bellingham and the small cities for payment of fines, information exchange, and minor court functions. This may become an interesting possibility to consider at some time in the future, but probably not a practical idea at this time.

Priority: HIGH _____ MEDIUM _____ LOWER X

5. Prosecuting Attorney

- a. **Crime Investigators.** Hire two crime investigators in the Prosecutor’s Office. One should be filled with an experienced detective from the Sheriff’s Office, and one with an experienced detective from the Bellingham Police Department. The positions could rotate every two years to new individuals. Crime investigators in the Prosecutor’s Office would free up attorneys from time consuming post-filing investigations and speed up case processing. Staffing plan would have to be coordinated with the Sheriff’s Office and the Bellingham Police Department.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: If the Sheriff’s Office or the Bellingham Police Department do not donate the positions, the cost for each investigator would be \$95,400 at the current funding level for a detective.

- b. Continue pursuing federal reimbursement for border related Whatcom County law and justice expenses that fulfill responsibilities that are really those of the federal government.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: Although Congress did appropriate funds for 2008 Northern Border county law and justice expenses, Whatcom County has not yet determined how much funding may be actually received.

6. Public Defender

- a. Maintain and improve the Prosecutor’s and Public Defender’s cooperative felony case review and fast tracking system, and develop the system for Juvenile Court case handling. Continue to improve frequent communications between public defenders and prosecutors to facilitate resolving cases.
- b. **Video Access to Inmates.** Provide secure remote access for defense counsel to meet with jail inmates to facilitate case management.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: Video visiting booths cost \$14,000 each plus \$1,000 for wiring. The main jail may need up to three booths for attorneys and eleven for inmates, at a total of \$210,000. See C.3. Legal Systems Video Appearances.

- c. Increase the number of prosecution and defense counsel.

Priority: **HIGH** X **MEDIUM** _____ **LOWER** _____

Fiscal Note: Both Prosecutor and Public Defender may each request an additional attorney at approximately \$71,000 each for salary and benefits for the second year of the next budget biennium.

7. Superior Court

- a. Investigate and implement a variety of possible adjustments in court practices to shorten the time from filing to disposition of the average case.
- b. Increase the weekly time scheduled for the court's criminal calendar.
- c. Increase the use of mediation and settlement conferences in order to divert civil and domestic cases from court.
- d. Facilitate fast tracking of criminal cases in the Prosecutor's and Public Defender's Offices. Increase the number of cases per week that are successfully fast-tracked.
- e. Provide a fourth judge in Superior Court, possibly with one judge devoted exclusively to criminal cases. Provide adequate salary, space and support staff.

Priority: **HIGH** _____ **MEDIUM** _____ **LOWER** X

Fiscal Note: The Law & Justice Council recommends Lower Priority for a fourth Superior Court judge because current case statistics don't support the need. Felony cases were at 1800 last year, and appear to be leveling off. However this year filings for juvenile dependencies have increased by 40%. Costs for a fourth judge are estimated at \$350,000 to \$400,000 one-time capital cost, to be followed by \$250,000 to \$300,000 annual operating expense. Better case management, more settlement conferences, and other non-judicial alternatives may be the best way to handle cases without having to pay for a fourth judge. One clerical staff can schedule and benchmark 300 or 400 cases with only modest judicial involvement.

8. District Court

- a. Maintain the calling programs in District Court in which defendants with upcoming cases are contacted to remind them of date and time for appearance, and to increase attendance.

- b. Continue the practice of allowing requests for fine reductions by mail and payment of fines by mail.
- c. Explore the possibility of sentence mitigation via internet, and credit card fine payments.
- d. Maintain and increase the current use of mediation services provided by the Whatcom Dispute Resolution Center.
- e. Explore further possible adjustments to court congestion on criminal calendars.

Priority: **HIGH** _____ **MEDIUM** **X** **LOWER** _____

Fiscal Note: District Court may consider requesting funding for a courthouse facilitator at an approximate cost of \$65,000 to assist unrepresented criminal and civil clients.

9. District Court Probation

- a. **Case Management System.** Take advantage of new technological opportunities to handle the workload with increased productivity. Upgrade case management system.

Priority: **HIGH** **X** **MEDIUM** _____ **LOWER** _____

Fiscal Note: New jury software is budgeted in 2008 for \$35,000 to \$40,000. District Court Probation’s case management software and database is obsolete. Replacement with off-the-shelf software may cost \$150,000 to \$200,000, with an ongoing annual maintenance cost of 20% to 30% of purchase price.

- b. Probation Officer. District Court Probation needs a new probation officer for behavioral and mental health clients.

Priority: **HIGH** **X** **MEDIUM** _____ **LOWER** _____

Fiscal Note: Approximate cost \$65,000 in salary and benefits.

- c. Maintain specialized probation officers for domestic violence cases.
- d. Develop technology to increase compliance and efficiency by providing probation officers with remote access to District Court data bases so that officers could meet with clients in rural areas closer to their homes and update records from the field. It may be that deployment of WENET may provide remote access for probation officers. See Section F.1. Management Information Systems WENET.

Priority: **HIGH** _____ **MEDIUM** **X** **LOWER** _____

- e Explore ways to increase the availability of mental health treatment and domestic violence treatment in the community.

D. Diversion and Re-Entry

1. Offender Re-Entry Housing

HGAP Homeless Grant. Provide housing for ex-offenders released from the State Department of Corrections into the county with no other housing resource. The program will provide a substance abuse specialist and will refer Whatcom County resident participants to needed services. The program plans to lease five homes, each housing three ex-offenders from the State Department of Corrections. Sun Community Services plans to house individuals released from the county jail who have mental health, alcohol, or drug problems needing treatment and no other housing resource.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: The County Health Department has received a 3-year HGAP Homeless grant from the State Department of Community Trade & Economic Development. The HGAP Homeless Project plans to serve 1,235 households over three years, reducing county homelessness by 48% with a total budget of \$3,245,331. The county is one of ten in the state to receive this award. This grant will provide support for Whatcom County's Homeless Service Center scheduled to open in 2008.

2. **Offender Re-Entry and Diversion -- Hargrove Bill.** Consider the option provided by the Hargrove Bill to add 1/10th of 1% to the local sales tax. The County could use the funding to develop diversion alternatives for ex-offenders with treatable behavioral health disabilities. Funding could help support existing adult and juvenile drug courts, as well as establish a mental health court. Activities funded could ensure that ex-offenders released from prison and from jail have housing, employment, and health care, reducing the incidence of re-offense. A local transition network, the Whatcom County Re-Entry Coalition, is already being established to provide referrals and community support for newly released ex-offenders. Hargrove tax funded programs would alleviate jail overcrowding and reduce the need for additional jail beds. Corrections Chief Wendy Jones reports that about 90% of offenders booked are under the influence of drugs, alcohol or both. About 19% of the jail population has a serious mental illness such as schizophrenia or depression. Hargrove tax funding would provide case management to help ensure that those released from prison and jail don't reoffend, and that they attend treatment and take their medications. The Mental Health Advisory Board wants the County Council to approve the tax without a vote of the public. The Hargrove tax has been adopted by eight counties including Skagit, Island, Clallam, King, Spokane, and Lewis,. It is being considered by Snohomish and San Juan. Most adoptions have been councilmanic. Only Spokane has required a public vote.

Fiscal Note: The county's 2007 budget included about \$500,000 for mental health and \$1.5 million for substance abuse programs. Another \$8.6 million came from

state and federal grants that go to local providers. The Hargrove tax could raise as much as \$3 million additional dollars per year. Health Department Human Services estimates that providing treatment and support for offenders with treatable behavioral health disabilities could reduce the need for additional jail capacity by as many as 200 beds.

Priority: HIGH X MEDIUM _____ LOWER _____

Adopting Hargrove would fund the following activities:

a. Pre-Post Booking Diversion.

- 1) **Substance Abuse Recovery Housing.** Acquire a 20-bed site. Provide 24/7 staff. Provide 60-90 day stays and integration into permanent housing. Build a vocational program to sustain operations and provide re-employment skills to participants. Provide 24/7 staff support and security for people who have yet to quit using drugs or alcohol. **Fiscal Note:** \$400,000 to \$800,000 depending on opportunities for matching funds.
- 2) **Triage Center Staff Support.** Provide additional staff support for the Behavioral Health Triage Center and the Jail Diversion Program. Increase re-entry staff and transportation capability for the Triage Center. Provide qualified staff to assess medical problems. Currently, an arresting officer who suspects a medical problem has to accompany the suspect to the hospital emergency room and wait for an assessment. **Fiscal Note:** \$211,500
- 3) **Employment Services.** Provide employment services as a part of the offender transition plan. Focus on individuals with mental illness and chemical dependency. Develop a network of employers with recovery knowledge to assist others to develop programs for re-employment. Assist people in acquiring re-entry labor market skills or education. Provide intensive case management and job coaching. **Fiscal Note:** \$200,000
- 4) **Children's Crisis Team.** Develop a Children's Crisis Team to work with Juvenile Court to assist to assess need and coordinate mental health and substance abuse services. **Fiscal Note:** \$100,000 local match for \$130,000 from the Regional Support Network.

b. Courts

- 1) **Family Court Outpatient Treatment.** Provide intensive outpatient treatment to up to 15 Family Treatment Court clients. Provide a coordinator and case management. **Fiscal Note:** \$118,260. See Section C.2.b.5) Legal Systems Alternatives to Incarceration Family Treatment Court.
- 2) **Mental Health Court.** Operate a Mental Health Court which provides judicial oversight and treatment services to adults with mental illness. Promote recovery and reduce offender recidivism. **Fiscal Note:** \$300,000. See

Section C.2.b.3) Legal Systems Alternatives to Incarceration Mental Health Court. .

- 3) **Juvenile Drug Court Treatment.** Provide stable funding. Provide chemical dependency services to maintain a group of up to 10 participants in the Whatcom County Juvenile Drug Court Pilot Project.
- 4) **Juvenile Drug Court Mental Health Services.** Provide stable funding for mental health assessment and support.

c. **In-Custody Behavioral Health Services**

- 1) **Adult Inmate Behavioral Health Treatment.** Augment the Jail budget to provide staff in the Jail medical program for behavioral health treatment for inmates in custody. **Fiscal Note:** \$50,000
- 2) **Mental Health Professional Boundary Spanner.** Provide a mental health professional who works with court staff to expedite release for ex-offenders with mental health issues and to coordinate behavioral health treatment. **Fiscal Note:** \$70,000.
- 3) **Juvenile Detention Mental Health Services.** Provide behavioral health services and support for juveniles in custody with identified behavioral needs. Provide a full-time mental health professional to screen, assess, and treat troubled youth who are at high risk due to their vulnerability. May be shared between Detention and Probation. **Fiscal Note:** \$70,000.
- 4) **Non-Medicaid Eligible Treatment.** Provide mental health and substance abuse treatment for the 8 out of 10 offenders who are not eligible for Medicaid funding assistance. **Fiscal Note:** Mental Health \$200,000, Substance Abuse \$200,000.

3. **Re-Entry Coalition.** Continue to work cooperatively with a newly formed citizens group, the Whatcom County Re-Entry Coalition, which provides a support network for ex-offenders and homeless for successful re-entry into the community.

- a. Support Re-Entry Coalition services for ex-offenders released from the County Jail, which releases as many as 8,700 individuals per year into the Whatcom County community.

Priority: **HIGH** X **MEDIUM** _____ **LOWER** _____

- b. Support Re-Entry Coalition services for ex-offenders released from the State Department of Corrections. Of the 356 prisoners released in Whatcom County in 2006, 10% were homeless, including seven homeless sex offenders who all re-offended. Ex-offenders with housing are seven times less likely to re-offend. Nationwide, two of every three ex-offenders re-offend within three years of

release. State taxpayers pay \$29,000 per year to incarcerate each offender. At the current rate of increase in the number of prisoners, the state plans six major prison expansions to provide 3,000 more beds at a cost of more than a billion dollars plus \$9 million dollars a year in operational costs. The Re-Entry Coalition aims to help control costs and protect public safety by lowering the current rate of recidivism. This effort may assist the County government to control persistent jail overcrowding, particularly during the next eight to ten years it will take to plan and build a new main jail.

Priority: **HIGH** **X** **MEDIUM** _____ **LOWER** _____

4. Coordinate Whatcom County Law and Justice planning efforts with state and federal community re-entry legislation.
5. Cooperate with the statewide effort to establish electronic health records technology to coordinate health records between jails and community mental health and substance abuse treatment agencies.

E. Law Enforcement

1. Communications

- a. Equip all law enforcement patrol cars in the county with computer equipment that can access data and file reports in a timely manner.

Fiscal Note: This effort is underway with significant progress already made in all county law enforcement agencies. Equipment is mostly in place, but there are outstanding software and connectivity problems to be worked out. Approximately 40 of the Sheriff's 55 cars have been equipped with computers at a cost of about \$5,000 each. Air cards for wireless connectivity for each car cost about \$100 a month.

- b. Improve two-way radio coverage in the county to cover multiple "dead spots" for law enforcement communications and to provide interoperability among first responders in a public safety emergency.

Fiscal Note: Currently there are many "dead" areas in Whatcom County, coverage gaps, especially in the less populated east county, that need to be filled in the interest of officer safety and public safety. The Sheriff's Office has recently received a \$650,000 grant to install a microwave switch in the Blaine Border Patrol Office to improve interoperability. It is likely that the switch will eventually be part of a \$7 million dollar region-wide interoperable radio system being developed by OPSCAN (the Olympic Public Safety Communications Alliance Network) to extend its microwave system from Region 1 (Clallam, Jefferson, and Kitsap) into Region 2 (Whatcom, Island, Skagit, San Juan, and Snohomish). See Section A.1.c. System Wide Two-Way Radio Interoperability. This system will eventually require a regional governance structure with required annual fiscal contributions from all participating agencies to maintain the system.

- c. Investigate the possibility of establishing a wide area wireless network in Whatcom County to reduce officers' dependence on cell phone communication.

Fiscal Note: The Sheriff's Office is working to develop a wide area network system called "NewSky Solution" fill coverage gaps and provide interoperability among first responder agencies. Implementation may require grant funding from state or federal sources. Cost to design and install for the Sheriff's Office only is estimated at \$12,236,050. Cost to design and install for all Whatcom County first responders is estimated at \$24,272,000. NewSky will eventually be part of the \$7 million dollar region-wide interoperable radio system under development by OPSCAN to extend its microwave system from Region 1 (Clallam, Jefferson, and Kitsap) into Region 2 (Whatcom, Island, Skagit, San Juan, and Snohomish). See Section A.1.c. System Wide Two-Way Radio Interoperability.

2. Dispatch

Evaluate the separate existing county emergency responder dispatch systems for cost effectiveness and efficiency in the service of the community. Whatcom is one of the few counties in the state without a centralized first responder dispatch system. This issue involves the Bellingham Police and Fire Departments, the Sheriff's Office, the small cities police departments, and the county fire districts. There are three separate systems to dispatch first responders in Whatcom County. Fire and ambulance are dispatched from the Bellingham Fire Department's Prospect Communications Center. Blaine, Lynden, and Sumas police are dispatched by the Border Patrol with assistance from police headquarters staff. Sheriff's deputies and Bellingham, Ferndale, Everson, and tribal police are dispatched by WhatComm 9-1-1, operated by the Bellingham Police Department. The WhatComm 9-1-1 facility in Bellingham is too small and too insecure to be equipped with the technology required for the communications systems now under development.

Fiscal Note: The City of Bellingham is looking for a new site to acquire for Public Works operations, which could be built in three or four years to include a consolidated emergency operations center, fire dispatch center, and law enforcement dispatch center. The Whatcom County Sheriff's Office is pursuing grant funding to develop a joint border communications center which could eventually include a 9-1-1 dispatch center to serve the entire county.

3. Sheriff's Office

- a. Develop the means, protocols, and training so that the Division of Information Technology can adequately support full-time ("24 x 7") secure data and communications applications in the Sheriff's Office and Jail, or provide new positions in the Sheriff's Office to fill the need.

Priority: **HIGH** X **MEDIUM** _____ **LOWER** _____

Fiscal Note: The Division of Information Technology has had to abandon 24/7 support for the Sheriff's Office partly due to staff shortages, and partly due to the number of complex projects being undertaken all at the same time. There is a

huge workload backlog of Information Technology projects that require support for county departments in general, not just for the Sheriff's Office. During 2007, as many as fifteen Information Technology staff have worked on Sheriff's Office projects. To provide 24/7 support within the Sheriff's Office would require at the least two new dedicated positions at a cost of \$50,000 each or more for salary and benefits. Technology staff positions have been hard to fill due to a market shortage of technicians and opportunities for higher pay elsewhere.

- b. **Report Management System.** Develop a computerized report management system in the Sheriff's Office so that reports are filed automatically by officers in the field. Patrol officers access the internet through Panasonic Tough Book portable computers using a complex system of air cards. Division of Information Technology staff are working with the Sheriff's staff to develop a report format and database.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: See E. 3.a. Sheriff's Office.

- c. **Additional Sheriff's Office Deputies.** Add deputies to the Sheriff's Office to achieve "1.2 per 1000" officers per population national norm as recommended in Year 2000 study.
 - 1) Reduce the size of the Sheriff's Office patrol areas. Initially expand from four patrol areas to seven.
 - 2) Increase the Sheriff's Office traffic patrol capability in unincorporated areas.
 - 3) Add staff support to the criminal intelligence function and investigation function in the Sheriff's Office. LINX will provide a useful analysis tool when WENET develops access. As the Sheriff's Office obtains access to other criminal justice systems, adequate physical security will have to be provided including control over public access to areas where systems are located.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: The Sheriff's Office currently has 84 commissioned officers serving a county population approximating 84,000. The staffing level ranks 27th out of the state's 39 counties, and 4th out of the 6 most comparable counties. Each deputy position to start costs \$46,000 in one-time costs for vehicle, equipment and training, and \$102,000 in ongoing costs for wages and benefits. The Sheriff's Office needs 5.3 actual deputies to provide each full-time position covering the county 24 hours a day 7 days a week. The social and economic costs of not staffing up to norm have not been determined.

- d. Provide a new full-time Evidence Technician position in the Sheriff's Office.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: Criminal case evidence is collected and kept in the Sheriff's Office by staff on a part-time basis. Records are spotty and accountability is inadequate. The cost would be \$65,000 for salary and benefits.

- e. Provide a new full-time Chief Fiscal Officer position in the Sheriff's Office.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: The Sheriff's Office has one full-time accountant with no backup. Cost of a new CFO position would be approximately \$100,000 for salary and benefits.

4. Tribal Relations

- a. Encourage mutual attendance at educational seminars on Indian country law, and state and local law, for local law and justice officials, attorneys, and law enforcement officers from affected jurisdictions.

Priority: HIGH _____ MEDIUM X LOWER _____

- b. Explore possible mutually beneficial cooperative arrangements between the Jail Work Center and District Court Probation with the Lummi Nation and the Nooksack Indian Tribe. Research federal sources for funding cooperative programs.

Priority: HIGH _____ MEDIUM X LOWER _____

- c. Consider the possible benefits of agreements between the Sheriff's Office and the tribes to expand the arresting authority of tribal police in conformance with recently adopted House Bill 2476.

5. Other Recommendations

- a. Develop ways to inform the public about the importance of continued support for all the law enforcement agencies in the county.
- b. Support the development of State legislation to control the liability of local jurisdictions from lawsuits for damages that result from crimes committed by offenders on supervised release.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: See Section C.2. Legal Systems Alternatives to Incarceration Supervised Pretrial Release.

- c. **Crime Control Vehicle Impound.** Adopt appropriate county and municipal ordinances to allow impound of a vehicle whose driver is arrested for driving under the influence of alcohol or drugs, or for driving with a suspended driver's license. Identify the ways and means to hold vehicles confiscated during felony arrests until a judgment legalizes their sale. Evaluate the effects on rates of car prowls and burglaries.

Priority: **HIGH** X **MEDIUM** _____ **LOWER** _____

Fiscal Note: It will be necessary to find and secure the necessary funds to buy or rent a secure facility in which to safely store confiscated vehicles. The immediate repercussion of losing a vehicle may significantly deter further crime. The County should take the lead in developing an ordinance. However, since most towing company lots are located within city limits, city ordinances need to be written which allow the County as well as the city to hold confiscated cars in city lots. This is a significant liability issue for the County, which is currently being sued by victims of a DUI offender who immediately got back in her car and killed a young girl on her way to school.

F. Management Information Systems

It is the recommendation of the MIS Committee that its energy and efforts should be focused on those initiatives and issues that have regional impacts and involve the necessity of creating business process efficiencies through the utilization of a technology solution. Thus the committee has defined the following initiatives, in priority order, as essential to its mission and inclusion in the strategic plan.

1. WENET (Whatcom Exchange Network)

WENET embodies a technology and business solution that allows sharing and/or exchanging of information among all law and justice practitioners within the county's justice enterprise, and that tracks offenders from the moment they enter the system until they are re-integrated back into the community.

- a. Continue the design and deployment of WENET that will create service points for Lynden and Blaine Police Departments. Ferndale, Blaine, Sumas, Everson, and Western Washington University Police Departments and Lummi and Nooksack Tribal Police are currently able to view data, but their data is not yet available in the system.

Priority: **HIGH** X **MEDIUM** _____ **LOWER** _____

Fiscal Note: Service points are in place for the Prosecutor's Office, The Sheriff's Office, the Bellingham Police Department and the Jail, meaning that their data is accessible to system users. A federal grant will provide \$223,500 in 2008, but WENET will need an additional \$82,000 to add service points at \$60,000 each to the WENET system for Ferndale, Blaine, Sumas, Everson, and Western Washington University Police Departments, and Lummi and Nooksack Tribal Police. All existing and potential service points are negotiating memorandums of

understanding addressing among other things the annual cost of participating in WENET.

- b. Create interfaces that will allow standardized sharing or exchange of information between Whatcom County's justice enterprise and State and Federal entities, including but not limited to JIN (Judicial Information Network), WSP (Washington State Patrol), DOC (State Department of Corrections), LINX (a Naval Criminal Investigative Service project), JINdex (an FBI system), and AFIS (Automated Fingerprint Identification System).

Fiscal Note: Interfaces will be added as funding becomes available. LINX should be complete by end of April 2008. An application is pending for grant funding to create a "push of data" link with JINDEX.

- c. Create an interface that will allow the exporting of data between local justice practitioners who have service points on WENET.

Fiscal Note: Developing a link with JINDEX will make it possible to estimate costs for "push of data" projects, which could run as high as \$350,000.

- d. Design a system-wide decision support system (DSS), wherein aggregate information is routinely utilized to track information flow that allows justice system and executive administrators to monitor justice system efficiency and effectiveness throughout Whatcom County.
- e. Research the feasibility of data sharing with private sector companies and non-profit organizations that provide direct services to local justice system practitioners.
- f. Develop and deploy a process that allows for the electronic distribution and filing of documents, forms and legal pleadings created by justice system practitioners using digital signature technologies. Create the appropriate interfaces to allow for the viewing of these documents, forms and pleadings through WENET.

Fiscal Note: Costs have not yet been researched. Law enforcement agencies are still in process of developing report policies and systems.

2. Communications and Networking

Work to break down barriers to the creation of network-to-network regional communications for data, voice and video in order to facilitate interfaces that will allow future sharing or exchange of information between local, state, and federal justice practitioners. Examples include linking smaller law enforcement agencies such as Blaine to the intergovernmental network, and linking Whatcom County to WhatComm.

3. Security

Review and analyze the implications of conforming to the FBI Criminal Justice Information System security policy, i.e. encryption, requirements associated to sharing, and exchange of criminal justice data.

4. GIS (Geographical Information System)

Support the County’s ongoing effort to create and implement a geographical information system in order to accurately map CAD (Computer Aided Dispatch) calls, map WENET data and support the Decision Support System.

Fiscal Note: See Section A.1.c. System Wide Geographical Information System.

G. Juvenile Justice

1. Continue advancing the electronic case management system.
2. Maintain and expand existing programs building competency and accountability skills that divert juveniles from criminal behavior and from detention when consistent with public safety.
3. Continue enforcing strict professional hiring standards for staff in Juvenile Court Administration.
4. Continue to work closely with the Lummi Nation and the Nooksack Indian Tribe to provide more effective juvenile probation services.
5. Provide probation services to youth closer to home as much as possible in rural areas of the county.
6. **Expand Juvenile Drug Court.** Encourage more referrals. Allow drug court as a condition of sentencing without requiring a guilty plea. Hire a drug court coordinator to increase participation and improve the program.

Priority: HIGH X MEDIUM _____ LOWER _____

Fiscal Note: The cost to expand Juvenile Drug Court is estimated at approximately \$100,000. See Sections D.4.d. Community Based Options Juvenile Drug Court Treatment and D.4.e. Community Based Options Juvenile Drug Court Mental Health Services.

7. Maintain the Family Treatment Court.

Fiscal Note: \$118,260. See Sections C.2.b.4) Legal Systems Alternatives to Incarceration Drug Courts and Family Treatment Court and D.4.a. Community Based Options Family Treatment Court.

Whatcom County Law & Justice Plan Update
Recommendations

8. Provide more space for the Juvenile Justice Center in the Civic Center Annex to expand community-based programs to provide alternatives to incarceration.

Fiscal Note: No cost estimate at this time. Civic Center Annex space is already programmed.

9. Continue planning for a future juvenile multipurpose facility. Fold into planning for a new main jail.

Whatcom County 2008 Law & Justice Plan Update

PROGRESS REPORT ON RECOMMENDATIONS FROM THE JUNE 2000 PLAN

Contents	Page
Highest Priority Recommendations	39
1. Re-Design the Law and Justice Council	
2. Hire a Justice Planner/Coordinator	
3. Justice Management Information System	
3.1 Expand and Diversify Committee Membership	
3.2 Proceed with Data Integration	40
3.3 Expand Data Integration to Include External Users	
3.4 Hire Justice-Dedicated Information Services Staff	
3.5 Include Decision Support in Data Integration Project	
4. Remodel The Existing County Jail	41
5. Expand Secure Adult Jail Facilities	
6. Create a Central Intake Unit in the Existing Jail	
7. Develop a Supervised Pretrial Release Program	42
8. Expand the Continuum of Incarceration Alternatives	
9. Expand and Reorganize District Court Probation	43
10. Reorganize and Redefine Juvenile Services	
11. Continue Planning for a Juvenile Facility	
12. Bring Current Staffing Levels to National Norms	44
13. Establish Sheriff's District Satellite Offices	
14. Conduct a Technology Review in the Sheriff's Office	
15. Differentiated Case Management in Superior Court	45
16. Improve Courthouse Security	
Lower Priority Recommendations	46
17. Improve Jail Population Management	
18. Expand Work Release	47
19. Study User Fees	
20. Hire a Justice System Volunteer Coordinator	
21. Pursue Justice Grants	
22. Conduct a County Government Space Relocation Study	48
23. Seek Funds For Community-Oriented Policing	
24. Law Enforcement, Judges to Meet Regularly	
25. Develop Intensive In-Service Training for Sheriff's Office	
26. Analyze Conversion of New Staff from Overtime Funds	
27. Increase Efforts at Community Education	49
28. Improve Tribal Relationships and Collaborative Efforts	
29. Expand the Superior Court Drug Court Program	
30. Conduct an Analysis of Failure to Appear Rates	
31. Review Cost Collections for Indigent Defense	50
32. Assess the Consequences of "Split" Sentences	
33. Hire An Investigator for the Prosecutor's Office	
34. Expand Victim-Witness Services	
35. Expand Deferred Prosecution	
36. Develop Program For Driving with License Suspensions	
37. Assess Eligibility at the Central Intake Unit	51
38. Develop a Juvenile Risk and Needs Assessment	
39. Develop A Personal Control Number	
Other Judicial Initiatives	
1. CJR Committee	
2. CPS/DV/Court Protocol Committee	52

2000 PLAN HIGHEST PRIORITY RECOMMENDATIONS

1. Re-Design the Law and Justice Council and Continue Strategic Planning

The first recommendation of the Whatcom County Law & Justice Plan Phase II Report, Implementation, was to establish a committee to provide leadership and direction in implementing the plan, and to continue the law and justice planning process over the long term. On June 27, 2000 the Whatcom County Council adopted Resolution No. 2000-034 establishing the Whatcom County Law & Justice Council with community-wide representation, "to provide a permanent ongoing forum and structure to coordinate and enhance criminal and juvenile justice agencies, programs and services in Whatcom County." The Council established an executive committee and standing committees, and elected a citizen chair as recommended by the plan. The 49 members of the Law & Justice Council include representatives from all the elements of the countywide law and justice system. Members include the County Executive and city mayors, tribal representatives, law and justice agency officials and treatment provider representatives, as well as citizens appointed by the various governments in Whatcom County.

In 2001 the Law & Justice Council solicited proposals from county law and justice departments and recommended twenty law and justice projects for just under a million dollars in county funding during 2001 and 2002. The Council delivered annual reports of accomplishments and goals to the County Executive and Council in 2002 and 2004.

2. Hire a Justice Planner/Coordinator

The County contracted with the Northwest Regional Council to provide logistical support for the Law & Justice Council to staff and facilitate meetings. The County also hired a planner/coordinator for 2002, but budget cuts for 2003 eliminated the funding. Lacking a planner/coordinator, the Council has not collected performance data to evaluate programs and initiatives as recommended by the plan.

3. Justice Management Information System

With leadership and support from the County Executive's Office, the Law & Justice Council's Management Information Systems (MIS) Committee planned and organized the Whatcom Exchange Network (WENET) data integration project "to improve the efficiency and effectiveness of the adult and juvenile justice system in Whatcom County through the use of information resource management in support of the enhancement of public safety and the swift and fair administration of justice."

3.1 Expand and Diversify Committee Membership

The MIS Committee developed a broad working membership of computer and justice records technicians from county and city government.

3.2 Proceed with Data Integration

The WENET project proceeded to design and deploy a computerized process to allow sharing and exchanging information among all law and justice practitioners countywide. The system will track offenders from the moment they enter the system until reintegrated back into the community; and provide full-time access to comprehensive law and justice information for law enforcement officers operating in the field. County Executive Pete Kremen successfully obtained a half million dollar federal grant to support project development. At the December 2004 WENET "kickoff" meeting the federal grant officer praised local law and justice officials for a uniquely high level of cooperation and collaboration among jurisdictions, a big factor in the federal funding decision. The project was funded by federal grants of \$993,500 for 2004, and \$500,000 for 2005 through 2007. Contract work is by CompuTech Inc. and CompuWork Pacific. Each contributing agency, with its own server, will control the data made available. Access will be limited to registered individuals and computers. Officers and law and justice practitioners inquiring about an individual by name will be able to expect nearly simultaneous retrieval of all available records. Mug shots will be available for lineups in the field. No-contact orders will be able to be retrieved in the field.

3.3 Expand Data Integration to Include External System Users

The WENET work plan called for first developing the ability to import and export data among Sheriff, Prosecutor, Jail, and the Bellingham Police Department. The next stage would integrate the police departments of Blaine, Ferndale, Sumas, Lynden, Everson, Lummi Nation, and the Nooksack Indian Tribe. Future possibilities would be connections to various other important state and federal law and justice databases.

3.4 Hire Justice-Dedicated Information Services Staff

A WENET project manager was hired, and consultants were engaged to prepare law and justice files for transfer and interchange among county and city agencies, using the internet. Memoranda of understanding were written for participating agencies to control access to information. In 2004 a programmer was hired, and a county WENET team, including county government Division of Information Technology staff, attended training in Washington D.C. on the newest international standards and software tools.

3.5 Include Decision Support in Data Integration Project

One of WENET's future goals is to "Design a system-wide decision support system (DSS), wherein aggregate information is routinely utilized to track information flow that will allow justice system and executive administrators to monitor justice system efficiency and effectiveness within Whatcom County."

4. Remodel The Existing County Jail

In 2002 smoke detectors with battery backup were installed in the Jail. In 2005 a \$1.8 million dollar retrofit was planned for the jail primarily to upgrade and replace electronics. A construction manager was hired to manage and oversee jail construction projects.

5. Expand Secure Adult Jail Facilities

The Whatcom County Sheriff's website reports that "Jail booking restrictions initiated in the mid-1990s because of jail overcrowding, have increased in severity to the point where law enforcement officers are unable to book offenders for some serious crimes such as drunk driving, theft and assault. Even when offenders fail to appear in court and judges issue arrest warrants, law enforcement is precluded from taking them into custody. A situation exists where hard-core and repeat offenders openly mock the system and a breakdown in respect for the criminal justice has occurred. As offenders cannot be booked, they are not identified and a strong possibility exists that wanted felons from across the country evade justice by simply giving officers the wrong name. Short and long-range plans have been developed to address this problem."

In late 2003 the County developed a plan to build a medium security community corrections center on six acres in the Bakerview Spur area of Bellingham. State law allowed the County to propose an increase in the sales tax by 1/10th of 1% to finance construction and operation of corrections facilities. A citizens committee, "People for a Safer Community", campaigned successfully. Voters approved the tax increase in November 2004. The new Jail Work Center, built on time and within budget, opened in November 2006. It provides 150 male and female beds, a staging area for expanded alternative to jail work programs, kitchen and laundry facilities, and a co-located 14-bed mental health and substance abuse Behavioral Health Triage Center operated by the County Health Department.

The Work Center is expected to be filled primarily with misdemeanants with unserved commitments for jail time or with outstanding warrants unserved due to the lack of space in the main jail. It will help to control overcrowding, but its impact on the main jail may be minimal. Meanwhile the County's long range plan is to replace the current jail with a larger expandable facility that will meet the county's needs for fifty years. It is anticipated that this project will take five to eight years. The Work Center is designed to facilitate conversion and sale for industrial use when the permanent jail project is completed. Facility and program planning is underway in 2008 for the new main jail.

6. Create a Central Intake Unit in the Existing County Jail

An automated fingerprint system was installed in the jail booking area in 2002, allowing virtually instant comparison with state and national fingerprint databases to identify offenders. New inmate risk assessment software was installed and a classification

system was developed to assist booking officers in assigning inmates to appropriate programs including various types of diversion. Two corrections officers were assigned full time to classification of offenders. The remodel of the new central intake unit was completed in 2004.

7. Develop a Supervised Pretrial Release Program

District Court Probation continues its longstanding practice of allowing a limited number of misdemeanants who are assessed low risk to be released pretrial. Superior Court does not release pretrial felons under supervision. In spite of the plan recommendation, pretrial release programs have not been expanded since the year 2000.

8. Expand the Continuum of Intermediate Sanctions/Incarceration Alternatives

In July 2001 the Sheriff's Office reported that 50% of jail bookings were being handled by Alternative Corrections programs. The recidivism rate for these offenders was 38%, much better than the main jail recidivism rate of 77%. Alternative programs included work release and school release, electronic home detention and electronic home monitoring, in-custody and out-of-custody work crews, and one-day and two-day offender programs for alcohol related traffic infractions. Participants in these programs were misdemeanants and low level felons. Since 1997 the percentage of sentenced offenders in alternative programs has steadily increased from 30% to 75% in 2005. In 2007 all alternative corrections programs moved from the Alternative Corrections Center across from the Courthouse to the new Jail Work Center in the Bakerview Spur area. In 2007 25 work release beds in the Security Specialist Plus building increased to 50, as in-custody work crews move to the new Jail Work Center. Unfortunately, alcohol and substance abuse treatment that had been available in the Alternative Corrections Center was cut due to loss of funding.

In 2008 the Security Specialists Plus contract to provide work release beds was cancelled due to performance problems. The 50 work release beds were moved into a women's dormitory in the Jail Work Center, and the women were moved back into the main jail, increasing a population already overcrowded. In March 2008 the Sheriff declared a crisis when the jail population reached 300, and reinstated booking restrictions.

The County hired HDR, a consultancy, to create a master plan for a new main jail. Their contract calls for them to document the existing continuum of intermediate sanctions and how each is used to limit admission and manage lengths of stay. Sanctions to be investigated may include various types and levels of offender release, options available for jail population management, available treatment options, existing specialty courts and other options. HDR plans to evaluate the existing use of sanctions, and recommend adjustments or expansion as needed.

9. Expand and Reorganize District Court Probation Services

The June 2000 Plan recommended reorganizing District Court Probation as Adult Probation and Pretrial Services, creating a new Probation Division and a new Supervised Pretrial Release Division. It was recommended that almost all community-based programs and services for offenders be included within the proposed department. As it turned out, District Court Probation was reorganized to the extent that two new case managers were hired and assigned to cases based on case type, assault and domestic violence. But in a large sense, the County has chosen not to follow the recommendation to reorganize and expand District Court Probation. Community-based programs and services for offenders have remained under the supervision of jail staff.

10. Reorganize and Redefine the Juvenile Services Department

Juvenile Court, Probation and Detention, operated by Juvenile Court Administration, have been following a course of reorganization and redefinition which was underway well before the June 2000 Law and Justice Plan Phase II Report. In 2001 the administrator reported that the system was moving into a community justice model focusing on the victim, the youth and the community, with the assumption that youth are more amenable to treatment than adults. New community programs were being developed, as well as youth counseling, therapy, education and training. A new Juvenile Justice Center was opened in 2002 on the fourth floor of the Civic Center Annex to provide programs for youth who are diverted from detention to alternative corrections sanctions. In 2005 325 youth were admitted to alternative programs. Programs include service learning, work crew, community links, and anger control. Probation officers are available to meet with clients and family during evening as well as daytime hours. Ninety percent of youth being supervised are in the community rather than in detention. The center provides education and therapy programs such as aggression replacement training and functional family therapy, as well as high school classes and tutoring. It provides links to mental health and substance abuse treatment in the community. It administers a day reporting program, and electronic home detention, as well as pre-trial and post-trial probation supervision.

Other notable programs operated through or supported by Juvenile Court include Home Port on the waterfront, which teaches teamwork and boatbuilding skills, and Healthy Choices for Girls and Teen Courts in county schools. In 2004 a case management system was installed for both probation and detention featuring one-time input of case information, information available to all justice system officials, and interfaces with the state juvenile justice system. In 2005 Juvenile Court began charging fees to parents whose children are in detention.

11. Continue Planning for a Juvenile Multi-Purpose Facility

The 30-bed detention facility on the sixth floor of the Courthouse has been toughened by instituting strict hiring and professional standards for staff and strictly enforcing rules

and structure for juvenile inmates. Socializing among inmates, entertainment, and freedom of movement is strictly limited. Inmate behavior is under control. Schooling and health care are provided, but everyday sanctions are applied to motivate juveniles to make the effort to avoid detention in the future. In 2000 the average daily population was 31.9. It has steadily decreased since then, to 19.8 in 2005. Since Juvenile Services outcomes are steadily improving, planning for a new multi-purpose facility is currently on hold.

12. Bring Current Staffing Levels to National Norms

Over 50% of the County government budget is spent on law and justice services. The County Executive and Council have continued to add staffing positions each budget biennium to keep up with increasing workloads. Nonetheless many law and justice departments feel understaffed. The 2000 Plan called the Sheriff's Office "grossly understaffed" according to a national norm of 12 commissioned officers per 10,000 population, and recommended that the Sheriff's Office be staffed with 98 commissioned deputies and that to meet that standard, ten deputies be hired per year for the three years following the report. From 2000 through 2006 twelve deputies were added. In 2006 the Sheriff's staffing plan called for 23 more deputies. Three were added in 2007, and three more in 2008. In 2007 Superior Court judges were each provided with a judicial assistant to manage court calendars. As a point of issue, it must be recognized that "national norms" for law and justice professions are not easy to determine because they are subject to varying interpretations.

13. Establish Sheriff's District Satellite Offices and Evaluate Calls for Service

The Sheriff's Office calls for service increased by 15% between 2000 and 2005. The Sheriff has established a main satellite office at Cascade Business Park north of Smith Road on the Guide Meridian. Pocket offices have been established, mainly using fire district facilities, in Kendall, Sudden Valley, Britton Road, Birch Bay, and Nugents Corner. A resident Foothills deputy, housed at Silver Lake Park, patrols Kendall, Paradise, Maple Falls and Glacier. Resident deputies are planned for Sudden Valley and Birch Bay. The Sheriff reports that providing a resident deputy in Paradise and Kendall has reduced crime in the area by half. Population is increasing rapidly in Birch Bay and Sudden Valley/Glenhaven, with sometimes long deputy response times to incidents.

14. Conduct a Technology Review in the Sheriff's Office

The Sheriff's Office is heavily involved in technology improvement. The Jail has implemented electronic fingerprinting. Deputies are equipped with digital cameras for collecting evidence, and are trained to use video cameras on domestic violence calls. Office computers are being upgraded. Patrol cars are being equipped with laptop computers with wireless connectivity to law enforcement databases. An electronic reports management system for reporting from the field is under development. Computer aided dispatch allows officers to see and respond to calls holding in the 9-1-1 center. Future technology priorities are being identified and planned.

15. Implement Differentiated Case Management/Tracking in the Superior Court for Civil and Criminal Cases

In Whatcom County it has been the practice for the Prosecuting Attorney's Office to set court calendars for Superior Court judges and commissioners. The speed with which cases are settled before trial and how fast they go to trial and are disposed can significantly affect jail overcrowding. Sometimes pretrial inmates are kept in custody for long periods due to overloaded prosecutors and defenders, court case delays or continuances. Differentiated case management and case tracking can improve this situation. A "fast track" case management program was initiated by the Prosecuting Attorney's Office in June 2005 to facilitate cases through the court system. The Prosecutor reviews felony filings daily and selects cases for fast track according to a set of criteria (non-violent lower level felony, strong evidence or confessed, not repeater, not domestic violence). Within 24 hours of booking, prosecutors offer a sentence to be proposed to the court with the requirement to plead guilty within two weeks. Typically half the cases accept the offer.

As a performance measure, the Prosecutor's Office measures the number of days it takes for a Superior Court case to get from filing to sentencing. From January 1 to mid-October of 2005, fast track cases moved through the court in 26 days on average, while other cases took 217 days. The Public Defender and the Chief Criminal Deputy Prosecuting Attorney meet weekly to review each case and take action to facilitate closure. A weekly report is circulated to document progress. Through October 2006 the Prosecutor's Office filed 1,555 felonies and disposed of 60% averaging less than two months from filing to disposition, one of the fastest records in the state. The 2000 Plan recommended developing multiple case processing tracks to which cases could be assigned based on relative complexity. The apparent success and advantage of the fast track system for felony cases may lead to a similar system for Juvenile and District Court cases.

16. Improve Courthouse Security

In 2005 the County drafted a policy, a request for proposals to solicit a contractor, a job description for a security officer, and an enabling court order to put the system in place. In 2006 the new system was operational, with a Sheriff's deputy on site and a staffed x-ray weapons screening gateway at the first floor elevator annex. Visitors to the basement and all floors above the first are screened before being allowed to enter.

2000 PLAN LOWER PRIORITY RECOMMENDATIONS

17. Improve Jail Population Management

The Sheriff's 2006 staffing plan reports that "the jail was designed and staffed to hold 148 mixed custody inmates and routinely holds 280 or more maximum security inmates. As a means to control the jail population, booking restrictions were implemented over ten years ago that prevent law enforcement from booking individuals charged with misdemeanor offenses including theft, drunk driving, assault and other crimes affecting the safety and tranquility of the community." As the jail population grew beyond capacity, the County has developed various means to control the population. Jail staff used to request judicial authority for early release of selected prisoners on Fridays to make room for new weekend arrivals, but judges put a stop to that in 2006. For many years the Sheriff's Office has contracted with Security Specialists Plus in the Bakerview Spur area to provide fifty beds for offenders diverted from jail to work crews and work release. From 1998 through 2006 the Sheriff's Office operated the Alternative Corrections Center across the street from the Courthouse for offender diversion programs such as drug testing, electronic home detention, and work crews. In 2006 the County contracted with Snohomish County to place thirty beds for sentenced felons in the Snohomish County Jail in Everett. But outsourcing jail beds was expensive, and it hit a snag in any case when Snohomish ran out of space in 2007 and cancelled the contract. In a sign of things to come, the Snohomish corrections chief asked if he could outsource his surplus offenders to Whatcom when its new jail is built.

During the week of October 22, 2006, for example, the main jail facility averaged 271 offenders per day. The SSP Work Release/Work Crew facility averaged 49 offenders per day. The Snohomish County Jail held an average of 30 offenders a day for Whatcom County. Electronic Home monitoring/detention had an average of 32 offenders a day on supervision. In 2007 the diversion programs moved from the Alternative Corrections Center to the new Jail Work Center. Jail classification staff review prisoners held in the main jail case by case to determine any who may be eligible to move from maximum security to the new facility.

Meanwhile, jail population management also includes the following measures. All traffic and other non-criminal arrests are cited and released after booking at the main jail. Many or most probable cause and warrant arrests are screened for pretrial release and released if they post bail or meet release criteria, some to supervision. All misdemeanant commitments are screened for jail alternatives and so placed if appropriate. Many or most felons sentenced to the jail who have served two-thirds of their calculated jail time are screened for alternative program eligibility. No Federal prisoners are accepted except in the case of an emergency. All offenders booked are charged a booking fee. Offenders housed in work release or electronic home detention are charged a per diem fee.

18. Expand Work Release

In 2007 25 work release beds in the Security Specialist Plus building will increase to 50, as in-custody work crews move to the new Jail Work Center. However, in 2008 the Security Specialists Plus contract to provide work release beds was cancelled due to performance problems. The 50 work release beds were moved into temporary space in the Jail Work Center. The County plans to convert an existing storage space to a 50-bed Work Release dormitory

19. Study User Fees

In 2005 Superior Court implemented a new collections program with two full-time self-supporting collectors. The County Executive's Office is evaluating ways to better coordinate the collection of fines and charges in county law and justice departments

20. Hire a Justice System Volunteer Coordinator

The County has not developed a staff position to act as a volunteer coordinator for all the law and justice agencies. However, the Sheriff's Office hired a Volunteer Service Coordinator in 2004. He has successfully recruited new reserve deputies, and assisted in development of a Reserve Academy class at Whatcom Community College. He works with the Explorer Cadets program for youth, and with a new Citizens on Patrol program, enlisting the services of volunteer seniors to protect neighborhoods from crime.

21. Pursue Justice Grants

Various law and justice departments and agencies have applied for state and federal justice grants with some success, especially Juvenile and Superior Courts, and then Jail. Even though both state federal governments have reduced justice grants available to local jurisdictions, Whatcom County has been successful in obtaining both state and federal assistance for justice projects. In 2006 and 2007 the county received nearly \$1.75 million federal dollars to develop the WENET communication system for exchange of criminal justice history among law and justice officers. In 2008 Congress appropriated funds for 2008 Northern Border county law and justice expenses. In 2008 the County Health Department received a \$3 million 3-year HGAP Homeless grant from the State Department of Community Trade & Economic Development to provide housing for ex-offenders released into the community with no other housing resource. The County Sheriff's Office is pursuing federal grant funding to develop a joint border communications center which could include a 9-1-1 dispatch center to serve the entire county.

22. Conduct a County Government Space Relocation Study

The County Executive and Council established a comprehensive facilities review program in 2001 which has met regularly and is actively pursuing planning for new corrections facilities.

23. Seek Funds For Community-Oriented Policing

The County has not applied for Community-Oriented Policing grants. The federal government has drastically reduced if not eliminated the program.

24. Local Law Enforcement Agencies, Judges, and Court Administrators to Meet Regularly

The Sheriff and the Prosecuting Attorney meet monthly with the Whatcom County Police Chiefs Association, whose membership includes all the city chiefs, the tribal chiefs, the university chief, and representatives of federal law enforcement agencies operating in the county. The judges and administrators in Superior and District Courts meet regularly. Law enforcement agencies and judges communicate frequently with one another, but do not hold regular meetings as a group together.

25. Develop Intensive In-Service Training for the Sheriff's Office

The Sheriff's 2006 staffing plan reports that the department provides a number of training programs including:

- Firearms Training
- Driver and emergency vehicle operations training
- Defensive tactics training
- Use of force training
- Field training (new deputy sheriffs and reserves)
- In-service update training
- Domestic violence training
- Crime Scene Investigation
- Legal training
- Traffic training
- Personal Protective Equipment training
- Hazmat/WMD training
- First Aid / Pathogens / Biohazard training

However, the Sheriff's Office has not instituted a regular in-service training program to provide officers with legislative updates and policy reviews.

26. Analyze Conversion of New Staff from Overtime Funds

The Sheriff's Office has reduced expenses for overtime by establishing ten-hour shifts, with a two-hour overlap during shift change, allowing for extra officer deployment if necessary, and more time for officers to complete written reports.

27. Increase Efforts at Community Education

The Sheriff's Office has increased efforts at community education. The Sheriff has made himself available to any community group that wants him on their meeting agenda. The Sheriff's Office efforts include a crime prevention deputy on duty full time, a volunteer service coordinator, a reserve academy class at Whatcom Community College, an explorer cadets program for youth, and a citizens on patrol program for seniors.

28. Improve Tribal Relationships and Collaborative Efforts

Tribal relationships have improved since 2000. The County Executive's Office maintains contact with the governments of the Lummi Nation and the Nooksack Indian Tribe. Juvenile Court works closely with Lummi Nation and the Nooksack Indian Tribe regarding supervision of tribal youth under county probation supervision. The County and the Nooksack Indian Tribe have developed a number of cooperative programs. For the past four years the tribe has paid a percentage of casino profits by interlocal agreement to Whatcom County government to help support county law enforcement. Nooksack Tribal Police can act temporarily as deputies for the Sheriff's Office in situations such as traffic stops when approved by a Sheriff's shift sergeant. The Whatcom County Sheriff is cross-commissioned as a Nooksack Tribal Police officer. The County and Nooksack tribal law enforcement have concurrent jurisdiction on tribal trust land. Nooksack Tribal Police are dispatched by What-Comm 9-1-1 on the Sheriff's lowband radio frequency. By agreement with the County, Nooksack tribal police are first responders to incidents on trust land or in tribal housing. Also, If a tribal member convicted in a county court is eligible for a diversion program such as work release or community service, the tribe helps facilitate placement.

29. Expand the Superior Court Drug Court Program

The Superior Court Drug Court Program has not been expanded, but it has been maintained. Adult Drug Court has been primarily funded from 1999 through 2005 by a federal grant covering the \$350,000 annual cost. Drug Court serves 55 to 60 chronic late-term drug users with criminal histories for an average term of 15 to 18 months, with a proven 80% success rate preventing recidivism. Drug Court is important and successful, but barely scratches the surface of the problem, touching only 2% of the users in the community. It is estimated that Drug Court saves \$1.70 in taxpayer dollars for each \$1.00 spent, as well as preventing ongoing damage to families and victims. The County is providing local funding for Drug Court for the 2007-08 biennium.

30. Conduct an Analysis of Failure to Appear Rates

County courts have begun calling defendants to remind them of their upcoming court appearance date to improve attendance in court. Superior Court has instituted a weekly status calendar mandating defense counsel to meet more frequently with clients. Failure to Appear rates have improved.

31. Review Cost Collections for Indigent Defense

Superior Court and the Public Defender did review costs for indigent defense and determined that expenses could be recaptured. In 2005 the Court implemented a new collections program with two full-time self-supporting collectors.

32. Assess the Consequences of “Split” Sentences

As expanded alternatives to incarceration have become more available to judges and to jail staff, offenders often serve some jail time and some time in an alternative program. Since the recidivism rate in alternative programs seems to be half the rate for maximum security jail cells, the County has not considered it worthwhile to further assess the consequences of split sentences.

33. Hire An Investigator for the Prosecutor’s Office

The Prosecuting Attorney would like to hire two crime investigators for the Prosecutor’s Office. One should be filled with an experienced detective from the Sheriff’s Office, and one with an experienced detective from the Bellingham Police Department. The positions could rotate every two years to new individuals. So far no funding for investigators has been provided.

34. Expand Victim-Witness Services

The 2000 Plan recommended consolidating victim-witness services in the Prosecuting Attorney’s Office. The Prosecutor has requested that victim-witness services be expanded by funding two-thirds of an FTE to supplement the one-half FTE provided by the State, and transferring the State-funded position from Juvenile Services to the Prosecutor’s Office. The County denied this request for the 2007-08 budget cycle.

35. Expand Deferred Prosecution

The December 1999 Law & Justice Plan Phase I Report found that deferred prosecution with conditions was used very little other than for Driving Under the Influence, and pointed out that felony diversions are prohibited under the Sentencing Reform Act. The report recommended that deferred prosecution for adult misdemeanants be expanded and that a management structure for supervision be established. Intending to expand deferred prosecution, the courts established the Drivers Relicensing Program described in the following section.

36. Develop Program For Driving with License Suspensions

It is estimated that there are 1,500 to 2,000 people driving without licenses on Whatcom County roads on any given day. In 2003 the Bellingham Municipal Court and other municipal court judges met to coordinate cross-jurisdictional judicial policies in order to give deserving offenders an opportunity to recover their driver’s license. In 2003 the

Whatcom Opportunity Council's initiated a self-supporting Driver's Re-Licensing Program. By end of 2003 the program had screened 102 individuals and qualified 44 for the class, with 37 successful completions. Typically a driver convicted of Driving While License Suspended 3rd Degree was referred to the Opportunity Council. If willing to commit to attend training, make and follow a payment plan and obtain insurance, the individual paid a fee and attended an evening class once a month in Bellingham Municipal Court. Students learned how to avoid law enforcement stops, how to get and keep insurance, and how to stay out of trouble with the courts. Upon successful completion, the responsible court could lift the license suspension. The Opportunity Council monitored a client's compliance for six months, after which a court could review and consider suspending outstanding fines. The program planned to re-license 500 to 750 a year. However in 2004 the State Supreme Court issued a decision invalidating license suspensions that had no opportunity to appeal. Convictions for Driving While License Suspended 2nd and 3rd Degree were quashed, and the local Driver's Re-Licensing Program was discontinued. Even though the law has now been successfully reinstated by the state legislature, no effort is yet underway to re-establish the program.

37. Assess Eligibility at the Central Intake Unit

Jail classification staff assess risk for inmates at booking, and determine eligibility for alternative programs as delegated by judicial order..

38. Develop a Juvenile Risk and Needs Assessment

Juvenile Court Administration completed a risk and needs assessment for youth, which is now used not only locally but also statewide.

39. Develop A Personal Control Number

The jail keeps inmate records organized by event number, case number, and name. Personal control numbers would have no necessary functional use in the system.

OTHER JUDICIAL INITIATIVES

1. CJR Committee -- Coordinated Judicial Response to Domestic Violence

In 2001 a committee was formed with representatives from all the courts in Whatcom County to better protect victims of domestic violence. Various grants to support the effort have been received from the state courts administrator. The committee is developing justice system policies and protocols for protecting victims and holding offenders accountable in domestic violence situations. The committee coordinates judicial case processing, conducts training, and assesses performance. Protection orders have been made available through the internet to officers in the field. The committee has developed uniform forms and bench books for district and municipal courts, reporting protocols, information sheets, assessment tools and treatment options for spouse batterers, training for law enforcement and probation officers, and advocacy

services for victims. The committee has established a unified domestic violence court system, combining District Court and Bellingham Municipal Court domestic violence calendars. The committee is investigating possible means to keep firearms from the hands of batterers.

2. CPS/DV/Court Protocol Committee

This committee was formed in response to a statewide initiative by Justice Bobbe Bridge of the state Supreme Court. There are similar committees in all of the state Department of Social and Health Services regions. It is a cooperative effort in Whatcom County led by Superior Court Judge Chuck Snyder and Whatcom County Domestic Violence and Sexual Assault Services (DVSAS). Its purpose is to involve law enforcement, service providers, the courts and state Child Protective Services (CPS) in developing a protocol to allow information sharing between agencies and to insure that perpetrators of violence are held accountable, victims are safe, and that non-offending parents are considered as appropriate placements for children when there is CPS involvement. The goal is to have a protocol followed by all who have dealings with a case with both domestic violence and CPS involvement.

q:\law & justice\whatcom county\phase iii\plan update 2006\plan update document\2008 update document\progress report.doc

2008 WHATCOM COUNTY LAW & JUSTICE COUNCIL MEMBERS

Executive Committee Members

Law & Justice Council Chair	Richard Maneval
Law & Justice Council Vice Chair	Dave McEachran
Law & Justice Council Secretary	Marge Laidlaw
Diversion and Re-Entry Committee Chair	Gary Williams
Facilities Committee Chair	Wendy Jones
Juvenile Justice Committee Chair	Dave Reynolds
Law Enforcement Committee Chair	Bill Elfo
Management Information Systems Committee Chair	Kathy Walker
County Executive	Pete Kremen
Public Defender	Jon Komorowski
Police Chiefs Representative	Erik Ramstead
Community Representative	Robert Gibb
Community Representative	Doug Knudsen
Community Representative	Thomas Schreiber

Designated Officials

Whatcom County Sheriff	Bill Elfo
Police Chief City of Bellingham	Todd Ramsay
Representative of Municipal Police Chiefs	Erik Ramstead
Whatcom County Prosecuting Attorney	Dave McEachran
Whatcom County Public Defender	Jon Komorowski
Representative of Municipal Prosecutors	Joan Hoisington
Representative of Municipal Legislative Authorities	Vacant
Whatcom County Superior Court Admin/Clerk	N.F. Jackson
Whatcom County District Court Administrator	Bruce Van Glubt
Representative of Municipal Courts	Linda Storck
Whatcom County Jail Administrator	Wendy Jones
Whatcom County Juvenile Court Administrator	Dave Reynolds
Secretary of State Dept of Corrections Designee	Tina Miller
Presiding Superior Court Judge Designee	Charles Snyder
Presiding District Court Judge	Matthew Elich
Whatcom County Medical Examiner	Gary Goldfogel
Whatcom County Director of Admin Services	Dewey Desler

Included Officials

Whatcom County Executive	Pete Kremen
Mayor City of Bellingham	Dan Pike
Mayor City of Blaine	Mike Myers
Mayor City of Everson	Jaleen Pratt
Mayor City of Ferndale	Gary Jensen
Mayor City of Lynden	Jack Louws
Mayor City of Nooksack	James Ackerman
Mayor City of Sumas	Robert Bromley

Whatcom County Law & Justice Council Members

Citizen, Treatment Provider, and Tribal Appointees

Citizen, Whatcom County Executive	Ron Peterson
Citizen, Whatcom County Executive	Robert Gibb
Citizen, Whatcom County Executive	Joe Bartek
Citizen, Mayor City of Bellingham	Kathy Walker
Citizen, Mayor City of Bellingham	Steve Paus
Citizen, Mayor City of Bellingham	Philip Buri
Citizen, Whatcom County Council	Thomas Schreiber
Citizen, Bellingham City Council	Richard Maneval
Citizen, Blaine City Council	Mike Haslip
Citizen, Everson City Council	Marge Laidlaw
Citizen, Ferndale City Council	Vacant
Citizen, Lynden City Council	Doug Knudsen
Citizen, Nooksack City Council	Vacant
Citizen, Sumas City Council	Vacant
Citizen, Lummi Nation	Vacant
Citizen, Nooksack Indian Tribe	Vacant
Treatment provider, Whatcom County Executive	Karen Burke
Treatment provider, Whatcom County Executive	Rod Elin
Treatment provider, Whatcom County Executive	Andy Byrne
Treatment provider, Whatcom County Executive	Moonwater
Treatment provider, Whatcom County Executive	Gary Williams
Tribal Representative, Lummi Council Chairperson	Gary James
Tribal Representative, Nooksack Tribal Chairman	Vacant

q:\law & justice\whatcom county\phase iii\plan update 2006\plan update document\members.doc

SPONSORED BY: County Executive

PROPOSED BY: County Executive

INTRODUCTION DATE: 6/27/00

RESOLUTION NO. 2000-034

ESTABLISHING AN ENHANCED WHATCOM COUNTY LAW AND JUSTICE COUNCIL

WHEREAS, the Whatcom County Council established the Whatcom County Law and Justice Council pursuant to RCW 72.09.300 by Resolution Number 93-015, which was adopted on March 23, 1993; and

WHEREAS, an enhanced Law and Justice Council has been recommended; and

WHEREAS, adding mayors, citizen members, representatives of the treatment community and representatives of the tribal communities is desirable in order to enhance planning and coordination among the justice agencies in the county by maximizing resources, reducing duplication of services and sharing resources;

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that it hereby establishes an enhanced Whatcom County Law and Justice Council as follows:

1. The Whatcom County Law and Justice Council is created pursuant to RCW 72.09.300. For purposes of this Council, the appointment process and term limitation as set forth in Section 3.23 of the Whatcom County Charter shall not apply.
2. The purpose of the Law and Justice Council is to provide a permanent ongoing forum and structure to coordinate and enhance criminal and juvenile justice agencies, programs and services in Whatcom County.
3. The Law and Justice Council shall include the following designated officials:
 - A. Whatcom County Sheriff
 - B. Police Chief of the City of Bellingham

Resolution
Establishing an Enhanced Whatcom County Law & Justice Council

- C. Representative of the Municipal Police Chiefs within the County
- D. Whatcom County Prosecuting Attorney
- E. Whatcom County Public Defender Director
- F. Representative of Municipal Prosecutors within the County as selected by the Cities
- G. Representative of the Municipal Legislative Authorities within the County as selected by the Cities
- H. Whatcom County Superior Court Administrator/Clerk
- I. Whatcom County District Court Administrator
- J. Representative of the Municipal Courts within the County as selected by the Cities
- K. Whatcom County Jail Administrator
- L. Whatcom County Juvenile Court Administrator
- M. Whatcom County District Court Probation Director
- N. Secretary of the Washington State Department of Corrections or Designee
- O. Presiding Superior and District Court Judge
- P. Whatcom County Medical Examiner
- Q. Whatcom County Director of Administrative Services

4. In addition to the officials designated above, the Law and Justice Council shall include the following:

- A. The Whatcom County Executive
- B. The mayors of the cities in the County
- C. Three citizen representatives appointed by the Whatcom County Executive
- D. Three citizen representatives appointed by the Mayor of the City of Bellingham
- E. One citizen representative appointed by the Whatcom County Council
- F. One citizen representative appointed by each of the legislative councils of the cities of Bellingham, Ferndale, Lynden, Blaine, Sumas, Everson, and Nooksack; the Lummi Nation; and the Nooksack Indian Tribe
- G. Five representatives of local providers of social services treatment, appointed by the Whatcom County Executive

Resolution
Establishing an Enhanced Whatcom County Law & Justice Council

- H. A representative of the Lummi Indian Tribe, appointed by the Chairman of the Lummi Indian Business Council
- I. A representative of the Nooksack Indian Tribe, appointed by the Nooksack Tribal Chairman

In selecting members for the Council, the County Executive shall attempt to reflect the racial, ethnic, economic and geographic diversity of the county community.

5. Notwithstanding other provisions of County Code, terms of citizen representatives, social service treatment providers, tribal representatives and other officials shall be four years; provided that the terms of those first appointed shall be staggered so that five will be appointed for one year, five will be appointed for two years, five will be appointed for three years, and five will be appointed for four years. Members may be reappointed. Members may be removed by the appointing authority. Each member shall continue to serve until a successor has been appointed.

6. Meetings of the Law and Justice Council shall be open and accessible to the public, as provided by law. The Council shall determine its own meeting schedule, but shall meet at least once each quarter. Written records shall be kept of meetings, resolutions, findings and recommendations, and such records shall be public. The Council shall establish policies and procedures and develop and adopt by-laws for operation. The Council shall establish permanent standing subcommittees including an Executive Committee, and ad hoc task forces as necessary. The Council shall elect a chairperson from among its members who shall preside at meetings.

7. The County and the cities therein may provide such staff and funding for the Council as is necessary for the Council to perform its duties.

8. The Law and Justice Council shall develop a Law and Justice Plan for Whatcom County. The plan shall include performance objectives and priorities, estimated costs, and schedules for completion of activities. Upon completion of the plan, the Law and

Resolution
Establishing an Enhanced Whatcom County Law & Justice Council

Justice Council shall transmit it to the County Executive, the County Council, and the municipal authorities of all the cities in the county. Upon approval by the County Council and the municipal authorities of all the cities in the county, the plan shall be the Law and Justice Plan for Whatcom County. The Law and Justice Council shall regularly review and adjust the plan as changing circumstance require, and shall recommend such changes as it finds appropriate to the County Executive, County Council, and the municipal authorities of all the cities in the county for approval.

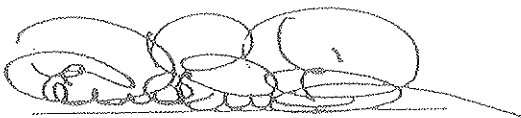
9. The Law and Justice Council shall deliver a formal report of progress toward attainment of performance objectives and completion of planned activities at least annually to the Whatcom County Council and to the county community at large.

10. The Law and Justice Council may also advise the County Council and County Executive and make such recommendations as it deems appropriate on matters relating to law and justice in Whatcom County.

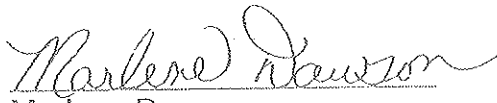
APPROVED this 27 day of June, 2000.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Dana Brown-Davis
Clerk of the Council



Marlene Dawson
Council Chair

APPROVED AS TO FORM:



Civil Deputy Prosecuting Attorney

I:\ddid\Law & Justice planning\resLJCouncil