



"Reclaiming lives since 2006"

www.RestorativeCommunity.com

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Video: [Reclaiming Lives](#)

Date: April 2, 2015

To: Whatcom County Executive Jack Louws and Council Members
Bellingham Mayor Kelli Linville and City Council Members
Ferndale Mayor Gary Jensen and City Council Members
Everson Mayor John Perry and City Council Members
Lynden Mayor Scott Korthuis and City Council Members
Sumas Mayor Bob Bromley and City Council Members
Nooksack Mayor Jim Ackerman and City Council Members
Blaine Mayor Harry Robinson and City Council Members
Lummi Nation Chairman Tim Ballew and Council Members
Nooksack Tribal Chair Robert Kelly and Council Members

From: Joy Gilfilen, President
Restorative Community Coalition

RE: Opposition to Sales Tax Initiative, to the Whatcom County plan to build an 800 Bed Jail, and to the plan to expand the Sheriff's Headquarters and staff.

The Restorative Community Coalition is a Whatcom County non-profit organization that has been told to "stand down" from this discussion because "the jail is a done deal". Instead we are the only non-profit standing up. Why? We represent taxpayers and work with people who have been incarcerated, their families, and others across many sectors of our community who are negatively impacted by the costs and ripple effects of incarceration and over-criminalization.

Our Board will not stand down because:

- It is not right action to encumber the citizens of this community with excessive jail costs and taxes, when there are other choices that have not been discussed in an open and transparent fashion.
- It is not right action to drive the sales tax initiative to the voters prematurely, for this does not honor due process, and it does not allow alternatives to jail to be discussed. By alternatives to jail we are not talking about reentry and recidivism. We are talking about preemptive actions like implementing mental health diversions, restorative justice, restorative economics, intervention and trauma therapy, job retraining...and many other alternatives that reduce the jail population at the highest leverage point where taxpayers get the highest return on investment of dollars and effort.
- It is not good business management to avoid this conversation, for there has not been a solid Needs Assessment produced that justifies this taxpayer investment. There has been no review of past administrative practices. There has been no discussion of how we could reduce the flow of people into the jail using prevention, or early intervention, or restorative justice or.

restorative economics solutions. There has not been a professional SWOT analysis comparing this choice to building a smaller jail downtown and supplementing other social services and solutions. When we over-criminalize, we punish people unfairly and promote poverty and excessive trauma, which is debilitating to our communities. If we overbuild, we will indebt taxpayers for generations unfairly. What if there are better options that have not been discussed?

We are deeply concerned that the Executive Branch seems to be going around the County Council to get individual city financial buy-in prematurely without getting Council approval first. Are you being used as leverage – for this seems like putting the cart before the horse.

The RCC asks you to think carefully about the implicit and explicit implications of this financial contract request by the County Executive. We invite you to ask yourselves (individually and as a collective):

1. If your City endorses this financial plan are you implicitly endorsing and agreeing with the County Executive Branch’s planning process to proceed without a fully vetted Needs Assessment?
2. Are you indirectly giving approval to dramatically expand government without public debate? This is the largest capital expansion project in Whatcom County’s history, and the operating costs will only expand.
3. By agreeing to help fund the \$122.5 million dollar government expansion, are you in full compliance with all the EIS rules, and feel that you have received full disclosure of all the implications of this on your community, on the taxpayers?
4. Do you feel that there has been adequate discussion of alternative economic options that could remove many of the clients from the jail, thereby affecting projections? What if this plan is an excessive overbuild? Are you prepared to pick up your share?
5. Have you actually read through the entire Final Environmental Impact Statement and agree that so many citizen concerns are truly “outside the scope” of the planning process, and that no further public hearings were needed to proceed?

We are attaching some documentation for your immediate consideration:

1. March 22, 2015 Restorative Community Coalition Letter addressed to the County Council

This letter directly addresses what we believe to be is the lack of an adequate and comprehensive Needs Assessment. Additionally, asked for a Committee Meeting of the Whole, and asked that an Alternative Restorative Economics Plan be discussed for the public benefit and consideration.

2. Restorative Economics Plan Phase 1

Our Coalition has been studying on alternative solutions that could reduce overcrowding and liability to the County. We submitted this document to open public discussion, so that people could understand that many things could be done in our community to reduce the demand for incarceration. This is simply an outline of the first nine things that our County, and our cities, could do to reduce crime, reduce incarceration, increase vitality.

Based on our research, this is an opportunity to change the socio-economic habit pattern of over-criminalization. With a little ingenuity, we could instead produce new jobs and economic vitality by budgeting funds differently. Some of these projects could be implemented immediately and they would reduce liability and give room for a smaller jail to be built in downtown Bellingham with less cost. Municipalities could be far more independent as well, and regain some control over their own budgets.

The development of this enclosed alternative plan is of course not comprehensive – for we have not had the opportunity for open public debate. It needs to be discussed with other organizations and jurisdictions, and it needs to have the Phase 2 and 3 sections expanded. As an all-volunteer Coalition, we have had limited resources...yet we have been planning economic alternatives.

This plan was produced independently by our Coalition because we were excluded from the jail planning process and not allowed to present alternative solutions for masterminding. To come up with these solutions, we have done extensive international and local research. We have conducted hundreds of conversations with different individuals and groups and held a conference and other open meetings the past few years. These conversations have ranged from talking with inmates, family members, probation officers, public defenders, prosecutors, judges, law enforcement, legislators, businessmen, trauma intervention specialists, non-profits, healers and many others.

3. Restorative Community Coalition Executive Summary

We are enclosing this document to introduce you to our organization so you are more fully informed of our purpose and philosophy.

We regret that our most current website is limited in scope at this time. We have not been doing much fundraising while we were deeply researching. And, we have been repeatedly hacked over the past few years.

However, you can go to it at: www.RestorativeCommunity.com. We will be posting a lot of information to this site the next few weeks that includes research about what we have seen happening in Whatcom County and across our nation. We can also direct you to our original site: www.WhatcomRec.org to get some fundamentals of who we have been as we expanded. You can also listen to our 5 minute You Tube video that outlines our core work: [Reclaim Lives](#). This video was done for us by students from WWU and with some of our clients.

4. Questions from the Bellingham City Council, a response Letter from the County Executive Dated March 16, 2015 and the Agenda Document from the anticipated Committee Meeting of the Whole

The Questions, the Agenda and the Letter from the County Executive are attached for your information. It was announced that the public could come listen to Executive Jack Louws and Sheriff Elfo discuss the questions and issues with the Council in a Committee Meeting of the Whole that day. Instead the plans were changed and that discussion was held earlier without the public, and the actual agenda proceeded with only an information session about how sales taxes might be used to fund the expansion. This event was then conducted by the City of Bellingham.

This is of grave concern to us...for the questions the Council asked were not recorded for public view. Why not?

Additionally we invite you to carefully examine certain statements of the County Executive in the above referenced letter to the Bellingham City Council dated March 16, 2015. We ask you to evaluate his statements for purpose, truth and accuracy from your own perspective before you embrace the contracts that the County Executive presents to you. Here were some of our concerns:

1. Paragraph 1 – While it may have been an involved (and in fact a very expensive) public process; was it transparent and inclusive? Was it open public debate – or just a formality? In our point of view...just because people record issues, if the issues are not actually addressed, is that honorable and adequate due process? Did the citizens in this case get their concerns addressed?
2. Paragraph 2 – As evidenced in the published FEIS citizen concerns, we question that this plan and the purchase of the land had the alleged support of the majority of the community. Since there has been no open public discussion, no Needs Assessment, and the County Council itself is questioning the proposals...how can this claim be true? How is this measured?
3. Paragraph 3 – What is each cities true legal and financial obligation to do business with the County? What choices do you have if you don't sign this contract? Are you vulnerable if you do not sign?
4. Paragraph 6 – The public was assured from the beginning that this was to be a "county jail." However, now the Executive says that, it is "impossible to take on this **regional jail project** without a financial commitment from the cities". How did this happen that we went from a local county jail to a regional jail project?
5. In subsequent paragraphs, there is much to be concerned about for the taxpayers – since there has been limited transparency, little public explanation, and virtually no debate about alternatives, obligations and liabilities in the event this jail becomes unsustainable financially.

Why is there such a rush to take this plan to the taxpayers? Why is the Executive not talking about solving the deeper problems of mental health, addictions, stress and poverty first? Why wait until after we build a jail? If there are solutions that provide a better ROI to the taxpayers, and reduce the demand for expensive jails – why are we not discussing this?

Why in the planning process did they not engage the conversation about how the national statistics show that the crime rate is dropping? Why are we avoiding the conversation about the real long term costs of trauma caused by incarceration...and how it relates to an increase in poverty? Why are we not discussing restorative justice and restorative economics solutions first? Communities across the nation are implementing these options successfully – why not do it in Whatcom County?

Our Coalition is asking the municipalities to think first before you indebt your taxpayers. We are asking you to stand up for the citizens of this county.

If you would, please,

- Talk to each other and discuss the implications before you tell the citizens that you fully approve.
- Review the FEIS due process and the citizen concerns about changes in policies, in jurisdictions, and changes in administrative and political power, changes in treatment of those incarcerated.

- Examine how many other costs have not been assessed or factored into this plan, and realize that as these costs accrue the real cost of this jail and government expansion will continue to escalate.
- If the County Executive says they have done the Needs Assessment, ask them to produce it.

We feel that there are serious concerns here that must be considered before our legislative branches of government sign off on this proposal. Please do not accelerate this premature move to take the initiative to the taxpayers in August. Please ask for due diligence and prudence during this time of economic stress.

Attachments

Email sent to the Bellingham City Council, 03/16/2015

FROM: Joy Gilfilen <joy@gilfilen.com>

2:39 PM (19
minutes ago)

To: ccomail, Michael, Irene (City Council, and Michael Lilliguist, Irene Morgan

Hi, to the Members of the Bellingham City Council,

Last week at the Council meeting, we understand that the County is asking you to endorse and essentially ratify the jail building plan the County has created.

We at the Restorative Community Coalition have deep concerns about this, for we have been working on this issue for several years. It is a highly complex issue, and in our view, they are asking you to take a political stance that has pretty significant repercussions and ramifications both explicit and implicit - without giving you the full scope of the discussion. This is a matter of great magnitude, for this is a public trust responsibility and could be a grave disservice to the taxpayers unless you do your own due diligence on the issues and get fully informed on what has happened in this jail planning process.

For example, A hidden impact from this endorsement is realizing that the Council would in effect be recommending that the taxpayers embrace and pay for the largest expansion of government in Whatcom County's history. This is a constitutional level kind of impact and it has big consequences. You see this is not just about building a jail and solving a short term problem. This has huge economic, political, jurisdictional, judicial, social, public service, civic change and emotional implications on the people of Whatcom County. None of which has been discussed publicly in any hearings.

When seen with fresh eyes, this "by default" government expansion project not only builds a jail, but truly imbalances the amount of economic power held by the Executive Branch of government. And this expansion of Executive branch power and regulative power is not based on a complete Needs Assessment about what is in the public's best interest long term. It was a facilities estimate, and the process has not included any public hearings that addressed public concerns that did not support building the jail. There has been no fiscal analysis of taxpayer return on investment compared to other options, no discussion of alternatives, nor any discussion about what happens in the event this project is overbuilt and it becomes fiscally unsustainable.

The public has essentially been closed out of the due process, and the jail planners have been paid millions of dollars to give their recommendations to the extent that they even gave what appeared to be legal advice at the end, where they said no public hearings were necessary. So, does this lack of due process create a precedent for how governments are allowed to expand - especially if the City Council ratifies it and approves by default?

We would ask for an opportunity to share with the Council our concerns about this plan. We can walk you through the EIS processes, share some of your research, statistics and experience in developing alternatives to building a jail that would yield a higher return on investment to taxpayers of the public could be made aware.

By way of introduction, we are attaching two documents and a video that might be of interest to the Council.

- Phase 1: Restorative Economics Action Plan - a way to look at less costly, higher return actions.
- RCC - 501 C 3 outline of what we are doing today from the standpoint of serving our community leadership and other groups.
- Reclaiming Lives - a 4 minute video about who we are, and what we do

These should give you an idea of what the Restorative Community Coalition is, what we stand for, and why we stand for restorative economics and restorative justice rather than penalties, punishment, and incarceration as solutions to poverty, unemployment and homelessness.

Restorative Community Coalition

Why might people be scared to stand up against the authorities in Whitson County? What is overincarceration really? What might it look like in Whitson County specifically? Check out just a few of the problems we have found

- Excessive continuances for 90 days or more
- Prosecutorial privilege to change the game during plea bargains
- Overcrowding of the jail with homeless and poor when the County supposedly has a grand jury
- Stacking of charges when people are arrested - this means they get arrested on one charge but face four
- Excessively high plea bargain rates
- Excessively high bail amounts
- Reduced Drug Court by changing rules
- No proper facilities for Substance Abuse Treatment
- Automatic jailing of at least one person on any citation for Domestic Violence
- High percentage of arrests are for non-violent crimes they are for failures to pay or get to court
- Witnesses not being interviewed in a timely manner
- Reduced good time by administrative policy

What keeps going on? Do you now wonder why the Restorative Community Coalition is standing up against the expansion of the local jail and the local Sheriff's office? Why do we believe that alternatives to jail need to be implemented? Why do we believe in Restorative Justice and Restorative Economics solutions?

Why do local taxpayers need to union and speak up? Because we cannot fight this alone...or all people lose their liberty
Because we have a problem here, that's why

- Garrett Ryan
- Roger Wicker
- Judge Stephen Ross
- Tim Hasky
- James Ely
- Michelle McMillan
- Angela Strickland
- Debbie Daulton
- Alroy Davis
- Christine Damm
- Jan Alford
- Lisa D'Amico
- John Lightfoot
- Allen E. Sturgis
- Janet Roper Loren

Just to be clear, we have tried to bring our solutions to the table through the County Planning process on the jail...and all of our work has been dismissed as being "outside the scope" of planning to build the jail. Similarly, hundreds of other concerns brought up by taxpayers were dismissed as being outside the scope as well. A very informative process for the Council might be to actually read the Final EIS report basically from front to back, especially the public comments sections.

Please let us know if we can help provide some perspectives on the jail planning process and on restorative economics alternatives.

My phone number direct is 360-739-7493.

Joy Gilfilen, President
www.restorativecommunitycoalition.org
www.WhatcomRec.org



DATE: March 22, 2015

TO: Carl Weimer, Whatcom County Council Chair

FROM: Joy Gilfilen, President
Restorative Community Coalition

RE: 1) Hard Truth: There is no Needs Assessment.
2) Asking for a Council Committee Meeting of the Whole
3) Opposition to the Jail Building Tax Initiative
4) In Favor of Restorative Economics and Public Discussion

We ask that our Council stop the continued planning to build this Jail until a comprehensive Needs Assessment is done that includes public debate, that addresses alternative solutions to building the jail, that answers community concerns and that transparently assesses the real long term impacts of our fiscal decision on the people of this community.

This is in follow up to the meeting we had with you and Ken Mann, the 2014 Finance Committee Chair, regarding our request to meet with the entire Council in a Committee Meeting of the Whole to discuss the No Jail Alternative Option that is allowed for in the FEIS plan, and to present the Restorative Economics Action Plan we have been developing. You asked us for more information to help the Council understand our position and the complexities of this problem, so we are sharing this with you and the rest of the Council.

1) Hard Truth: There is no Needs Assessment. Without a Needs Assessment, what is the basis to justify the expenditure of millions of taxpayer dollars in planning to build a jail? How can you ask the public to spend \$122.5 Million on government expansion to build one?

Without a comprehensive Needs Assessment as a precursor to the planning process, the planning process itself is fatally flawed. You are the stewards of this community's social, environmental, and financial well-being. If the planning process is flawed the decisions you make based on that information will also be flawed.

A lot of money has been spent in the process to date. Unfortunately, it has been largely spent looking to justify conclusions in place before the research was begun. If the expenditures of a few million dollars in County funds on jail planning and land acquisition were made based on incomplete information, spending many times that amount will only compound the error.

On the other hand, undertaking a robust analysis including a comprehensive and open Needs Analysis will either demonstrate that the conclusions are appropriate, and build better support for what is now yet one more issue dividing this community, or it will demonstrate that the current plans don't reflect

best practices or the needs of Whatcom County. Asking taxpayers to tax themselves hundreds of millions more in construction and operating costs before having critical questions rigorously analyzed is not good management. Ignoring inconvenient facts is not good management. And why would you dismiss as "outside the scope" concerns brought up by the citizen's that illustrate many failures in planning?

If there is not a Needs Assessment, then in the words of FBI Director, James Comey, this is the kind of "Hard Truth" Conversation that needs to be had. We are all now in a predicament, for millions of taxpayer dollars have been spent. Our question is, "Why?"

No Needs Assessment: Page FS-7 of the Final Environmental Impact Statement
Dated November 8, 2013 says,

Non-SEPA Concerns:

Needs Assessment

Several comments were received regarding the Needs Assessment, including assumptions used, errors, data accuracy, etc. All comments were forwarded to the Needs Assessment authors. This EIS however, uses the final conclusions on capacity, facilities and the environment to evaluate impacts. With a proposed bed capacity of 521 and design features of the Sheriff's Headquarters and other facilities, the EIS scope is assumed to be correct.

Are taxpayers and other government entities expected to accept this paragraph as a valid explanation for why we should pay hundreds of millions of dollars in construction capital and operating costs for a jail that expands county government dramatically? Our analysis finds many areas where more investigation and research is warranted, including:

- Taxpayers concerns about assumptions, inaccuracies in data, and errors;
- Corollary challenges this jail building plan raises across a broad spectrum of issues, ranging from inmate management to extension of urban services to a rural area to safety concerns to cost management, among others;
- Additional effects creating changes in civic behavior, likely compounding public costs for transportation, road budgets, sewer and water facilities and other infrastructure requests;
- Jurisdictional, fiscal and trade impacts from changes in governmental offices, changes in balance of power between Executive and Legislative and Judicial branches

When we examine the above referenced FS-7 paragraph critically, it raises deep concerns:

- 1) Overall Position: ***The authors write off the Needs Assessment as a Non-SEPA issue.*** Yet, part of the SEPA responsibility is to assess the environmental impacts. According to our research this means they have the responsibility ***to study the impacts on humans*** as well, and a Needs Assessment is part and parcel of that.

In our scoping comments, the RCC raised concerns about multiple layers of human impact. Moving the jail impacts the people who live there (those arrested awaiting legal action and those convicted and who are serving time) and their families. There is also a social, business, organizational and

fiscal impact to the entire citizenry of the county, as well as on future generations who will deal with the ripple effects of this large government facility.

So why has the County and their Planners discarded the Needs Assessment as irrelevant? How is this not a SEPA issue? And if it is not, then who is accountable to the taxpayers?

- 2) The authors essentially say in the FEIS report this is not their responsibility. Yet part of the justification for paying the planners millions of dollars to do this planning was the promise to deliver to the people a Needs Assessment.

At least this was the repeated promise of the Executive Branch to the taxpayers and to the Council in various presentations, and it was a good part of the stated reasons for hiring them. ***A Needs Assessment was requested with the first EIS, then the Jail Task Force repeatedly asked for it, as did our Coalition, and others who gave input. It was part of the second million dollar planning process as well. It was promised, and not delivered in what is now four years.***

(Note: The authors did announce publicly that they posted a Needs Assessment to the web at 9 PM on Sept 26, 2013. What we found was a limited scope Jail Capacity Needs Document that did not address the Needs Assessment conversation. Ironically this was announced at the end of the only actual public hearing held on the SDEIS portion of this project. And it was posted only 43 days before the final EIS was published – and it was never reviewed in a public hearing or allowed to be challenged in open public process. We have attached at the end of this letter, a document for “Why the Jail Capacity Needs document is not a Needs Assessment”).

- 3) Sentence 1: The authors acknowledge that public comments were received about ***“assumptions used, errors and data accuracy” issues***. And then say that “these comments were forwarded to the Needs Assessment authors”. We ask, what kind of resolution, review, or response is that? What happened? How have these issues been addressed, mitigated or corrected?
- 4) Sentence 2: In the next sentence, the authors effectively dismiss the issue as essentially irrelevant to the end goal. They say that the basis of their findings in the FEIS is now about using the final conclusions on capacity, facilities and the environment. Whose conclusions and based on what actual Needs Assessment?

In the documentation we read from the FEIS process, it seems that the County goal has been to build a large county facility since 2003, ***based on a pre-determined estimate made by the Sheriff and the Whatcom County Facilities Administration*** as stated in the Sheriff’s Memorandums and in other summaries.

- 5) It makes us wonder: is this why we have felt like all the RCC attempts to have an ‘alternatives to building a jail’ discussion have been excluded from the process and why we have not been allowed to debate these options? Is this why we find throughout the documentation that public hearings were not conducted for various reasons, and why other and many citizen concerns were denied comment as being “outside the scope” of the jail building process? ***At a minimum it demonstrates a lack of transparency and due process for the taxpayers.***

- 6) Our core question is this: *Taxpayers were promised a Needs Assessment multiple times. Why did we pay for it when it was not delivered? Now in the FEIS we are told that it was not necessary? According to whom? Why not?*
- 7) Lastly, the final sentence in this summary paragraph states that this proposed design is for a 521 bed capacity jail. This statement diminishes the truth. In the FEIS report, it is clear that the actual proposed design is for an 800 bed jail by 2026 – which is in 11 years. *In this summary, why do they use the number 521? This seems to misrepresent what is in their actual plan. To us, it seems to be misleading and confusing.*

According to the FS-7 Summary paragraph, it seems that the authors admit they did not deliver and have no plans to deliver a Needs Assessment. **Taxpayers were promised a Needs Assessment multiple times. When promises are made to taxpayers and then not kept, it undermines trust in government.** The County is asking taxpayers to fund a jail; keeping and strengthening trust is critical.

2) Asking for a Council Committee Meeting of the Whole

We wish to discuss lack of transparency and due process in a public venue that is available to the people. We wish to discuss the Restorative Economics Alternatives so the public can hear choices and options. We wish to actually be included in part of the public process of helping our community leaders find new economic, civic and social solutions that work for the whole of our community.

We know that a new jail does need to be built or renovated to reduce liabilities to the people inside – for we care about both the inmates and the staff. However, we do not agree that this plan is the best choice...nor is it the only choice.

The Restorative Community Coalition has been speaking out during this process to ask the Council, the planners and the administration to discuss alternatives to incarceration.

Rather than engaging the question, we have been told that our conversation is “outside the scope” of planning to build the jail.

Maybe, maybe not:

Recent influential voices across the nation concur that this hard truth discussion is highly relevant. These divergent voices say our Nation has a problem with over-criminalization, there is failure in incarceration, we need to examine police, racial and other biases. These leaders are looking for solutions – why aren't we? What if we have some of them in Bellingham?

It is clear that the RCC focus on finding and proposing solutions is on target. We are on trend, and we deserve, as taxpayers and as a non-profit, to be heard in our County and before the Council. It seems that our community may be in a position to embrace the leading edge of change by finding and implementing real alternative restorative economic solutions that are sorely needed.

Would that not be a great service to our local citizens as well as a great service to our nation?

Here are a few validations:

- One is an article Over-criminalization of America. This recent article is written by Charles Koch where he discusses how over-criminalization is at the roots of much of the poverty in America. He cites the studies and gives five ways to change the trends. Each of these solutions is a topic our Coalition has been asking our Council and the planners to include. This substantiates our work.
- "Hard Truths" is a speech given by Director of the FBI, James Comey, one of the most influential and highly regarded law enforcement officers in the nation. On Feb. 12, 2015 in a speech at Georgetown University, the Director discusses how we, as a Nation, can no longer avoid dealing with hard truths...including biases, even police biases. In the Q & A session that follows his talk, the Director was asked by a student whether or not incarceration works. His answer, and I paraphrase, was essentially: No, we are not doing good in this area. We are not getting the value and end results we need to get...[prison and incarceration systems] are not the way to deal with our problems.
- Erik Holder, US Attorney General, recently gave a Department of Justice Update on Investigations from the Ferguson investigations. He speaks about the "vital efforts to examine the causes of misunderstanding and mistrust between law enforcement officers and the communities they serve; to support and strengthen our public safety institutions as a whole; and to rebuild confidence wherever it has eroded." He went on to describe the nature of how police were generating revenue in Ferguson. Of course, we are not Ferguson. We are Whatcom County.

Disturbingly, however, our experience of working in the field with the people of Whatcom County shows that similar patterns may exist in our County.

Based on our own further investigative public research, stats tracking and field work, there may be similar trends and we wonder if a review of past administrative actions might be diligent for our community to undertake before automatically funding more money into these departments?

The RCC has not done the research in Whatcom County to prove a racial bias. Our work has been on the larger picture. We have found indicators of a poverty bias, and what appears to be injustice. However, unless our community proactively chooses to openly discuss and review our business administration and court practices, compare and examine our results, trends and past history...it is difficult to improve our performance. It is hard for the public to track where our money is going, and it is difficult to pinpoint where we can create more efficiency and accountability.

Perhaps this is the kind of thing that would be appropriate to forward to our Charter Review commission process? Perhaps it is necessary to create a 3rd party review citizen oversight board where people who are not part of administration, nor receiving government contracts, are tasked with reviewing complaints? Or perhaps there should be an independent fiscal accountability review which looks at the return on investment to the taxpayers, not just to the County?

In the above references, these powerful men are speaking to the core fundamentals of why the Restorative Community Coalition has been advocating for Alternatives to Jails on an economic, social and systemic basis. This is why the RCC has said that we are not "standing down" from the

conversation in Whatcom County. There is no better time than right now for our community to openly and safely address these course corrections *before* we taxpayers are asked to validate the actions of the administration. Right now is the best time to investigate alternatives; *before* we are asked to spend hundreds of millions more in taking the road of 30 years of habit, and unwittingly obligate our children to a life of prison debt when there might be a better way.

3) The RCC is opposed to this jail building project / taxing initiative. This is based on our deep research into what does not work; and conversely we have done the research to find and recommend alternatives that would work.

- There are *better choices* that have not been discussed.
- *The public has not openly had a chance to discuss the concerns* we have about the jail plan. Instead, the discussion and concerns have been excluded.
- *The taxpayers have not received a comprehensive Needs Assessment* that was promised and paid for. Instead they got an excuse and a very weak Jail Capacity Needs Document that was neither vetted, nor discussed in public debate.
- There has been a *lack of transparency, and no public debate about other economic options* and alternatives to building a large jail, so this eliminated the chance for the public to learn, understand or have a fair say in how their money is being used.
- There has been *no public education allowed about restorative economics* and instead all our attempts to bring the conversation forward has been derailed by what appears to be pre-existing administrative, police and jail industry bias, and even derailed by using confusing definitions.

It seems that this planning process has fallen far short of serving the taxpayers. As a result our Coalition found that we had no choice but to instead begin actively researching and seeking solutions to the shortcomings.

Our goal has been:

- *To find ways to achieve a better result*, a better return on investment and a better internal rate of return to the taxpayers who pay the bills
- To help *make our communities safer* by reducing trauma and violence and increasing self-reliance, achievement and health of the community as a whole
- To *reduce the hemorrhaging of taxpayer dollars* and the unintended and often hidden ripple effects of excessive regulation, over-criminalization and incarceration
- To find ways to deal with poverty and societal depression by *putting people back to work using free enterprise solutions* rather than locking them up in jail

- To *support the reinvestment of the community goodwill* dollars into social services and non-profit organizations who are already doing good work, and who deserve to be supported by better funding and collaboration
- To *show, by doing, how investing in people*, in education, intervention, prevention, restorative justice and other programs provides a far better return on investment of time, money and resources.

4) We are in Favor of Restorative Economics using community collaboration

To that end, we submitted the Phase 1 – Restorative Economic Action Plan on Dec. 29, 2014 and we have asked to discuss our solutions with the Council as a whole. This is only the 1st phase. The 2nd phase focusses more on cooperative enterprise; and Phase 3 on more long-term legislative or public / civic change that takes longer to implement.

We have not heard back from the Council on this matter. To be clear, this is just the first step in three steps that we believe would help the County reduce the overcrowding and liabilities issues in the quickest and simplest manner possible.

By working as a community, we can reduce liabilities, and reduce the urgency to build a huge jail. We can provide an opportunity for the Community to actually complete a full Needs Assessment and to find a better way to deal with long term challenges. Using proven alternatives that have worked in other municipalities and counties, it is entirely possible to reduce the size of our incarcerated population dramatically – thereby saving money and cutting costs to the taxpayers.

The Phase 1 Action Plan includes nine ways that the Council, non-profits and the community stakeholders can help reduce the jail population by investing differently in intervention, prevention and restorative economic alternatives.

These options do not require a lot of regulation. They mostly require a new way of thinking and a reallocation of funds. They increase public safety, reduce costs and create employment immediately. For your convenience, and as requested, all of the items have models and links and cross-references – for they are proven solutions.

Only three of the nine projects are directly associated with the Restorative Community Coalition. The three RCC projects have business plans that show a self-reliance-based end goal. We have properties earmarked and people identified who can help implement them. All we need is funding. And the Coalition is more than willing to team with other groups in the community to help get the job done most effectively. It is not about us, it is about healing and empowering our community.

In the FEIS, it says there must be two choices provided by the planners. Our goal was to help fill in the second choice, that was largely not explored in the FEIS.

The taxpayers paid for both choices to be researched and presented. In this FEIS, the second choice is limited in scope and diminished with little research being done. It is mislabeled to be called the No Jail Alternative – which is misleading. This 2nd option does include that a jail would be built downtown on

property owned by the taxpayers. It is a reduced cost alternative that was not fully studied nor discussed with the public openly or allowed to be debated.

As part of this choice, we submit Restorative Economic solutions – specifically Phase 1 as the first step in a comprehensive plan to address the long term community needs of our County. Our desire here is just common sense: By helping people get to work, not jail, we all win because we grow taxpayers, not tax consumers.

We ask that our Council stop the continued planning to build this Jail until a comprehensive Needs Assessment is done that includes a second choice.

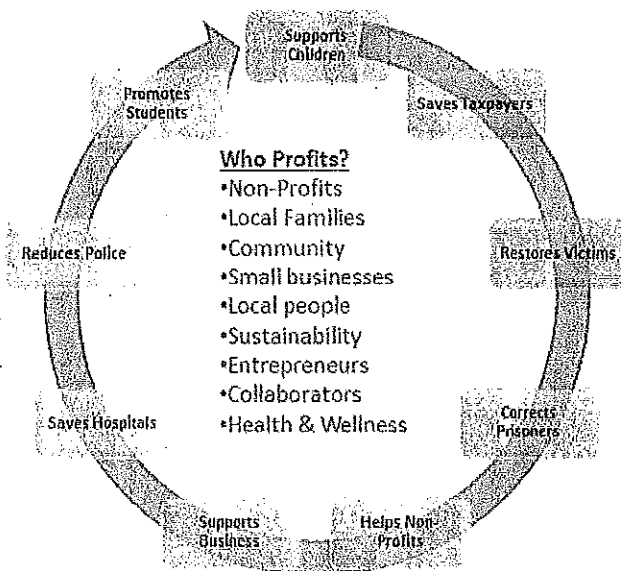
The public deserves transparency, due process and open public debate. It is logical that taxpayer concerns must be addressed, and the long term impacts of any fiscal decision on the people of this community must be known before the taxpayers are asked to foot the bills.

Please let us know when we can meet to address the full Council.

Depreciating to the Taxpayer, as different from being Proactive as taxpayers.



Compound Depreciating spiral



Compound Appreciating spiral

Why the Jail Capacity Needs Document does not Justify the Taxpayers Investment
(in building the Whatcom County Adult Corrections Facility and Sheriff's Headquarters)

Reason 1 - The Jail Capacity Needs (JCN) document is not a Needs Assessment.

Simply put, it is inadequate in scope. It is out of order, developed *after* the entire plan was designed, not before it was developed. The JCN document was submitted Sept 26, 2013 and included as Supplement 1 to the Final Environmental Impact Statement for the Whatcom County Adult Corrections Facilities and Sheriff's Headquarters published Nov. 8, 2013. At the tail end of the SDEIS public hearing, at 9 PM the people in the audience were told that the Needs Assessment was posted online, and that people had a few days to write in comments about it. It was not handed out that night, and there has been no additional opportunity for open public debate or cross-examination.

When we examined what was posted, we found a tiny, limited scope 5-page JCN document – not a Needs Assessment. The difference is substantial.

- **Sequence: A Needs Assessment comes at the beginning of the planning process to examine, analyze and determine the broader need and the best options for the whole. It does not come at the end of a planning process to justify a pre-determined result.**
- **Comprehensive Analysis: A Needs Assessment is expected to be critical, comprehensive, and unbiased, to assess the risks and liabilities to the taxpayers, so that the Council has choices to consider; and it is designed to ensure the taxpayers know that what they are paying for is in the best interests of and for the benefit of the whole community. Especially in a project of this size and magnitude, a quality Needs Assessment sets the foundation or basis that justifies the expenditure of taxpayer funds.**

This JCN does not serve, for it is out of Sequence

1. If you look at the documentation from the DEIS process, the Jail Task Force discussion records, the SDEIS process, and ultimately the FEIS you will uncover the paper trail of the origin of the presumed need. It is not an actual unbiased need. We believe you will find, as we did, that **the original basis of this pre-determined planning process originated from the Sheriff's office and the Administrative Services Department in 2003.** It was a projected estimate by the Sheriff and facilities, which was then "supported" by hired consultants as a facilities projection.
2. Over the course of the next few years funding was acquired to build the Division Street property. A clear trail is not found in the FEIS that led to the delivering of data to jail planners who created the 1st actual 2010 EIS document that the current FEIS is based on. That 2010 work, which cost taxpayers about a million dollars, was found to contain inaccurate data which led to a false and oversized reading on the size of the jail. This is what spawned citizen furor, and caused the work on multiple properties to be discarded, and a callout for the development of the Jail Task Force.

3. So it was determined that a new Needs Assessment was needed to correct the old one, the Jail Task Force was created and another million dollars in planning was earmarked. Unfortunately, even after six months of waiting and working, a Needs Assessment document was not delivered for the Jail Task Force. Instead they had to hire their own consultant to give them some information.
4. The next actual document the taxpayers received is the Jail Capacity Needs document dated Sept. 26, 2013, which is three years *after* the formal planning was already commenced and *after* the two million dollars in contracts had been awarded for jail planning.
5. This JCN document was submitted online late the night of Sept 26, 2013 by the DLR Group and only then announced to the public at around 9 PM. People were told it was the "needs assessment" but that is a misnomer. Copies of this document were not given to the public...it was only announced.
6. This posting and announcement to the public was just before the adjournment of the only Public Hearing ever held on the SDEIS. **Since that time there has been no public hearing held on this document nor on the Final Environmental Impact Statement. So there has been no public discussion about this documents value, validity, or quality – no cross examination where people can cross-check with others what they are reading, what information is missing, what people question.**
7. In the FEIS, the jail planners write that these public hearings are not necessary. They later confirmed this in Council testimony.
8. It seems that at no point was an actual unbiased Needs Assessment provided to the taxpayers. As a result, here are some of the inadequacies in planning:
 - There is no Comprehensive comparisons to alternatives that give options, so there is **no solid way to determine whether or not it is a smart economic choice to buy this jail.**
 - There is no Needs Assessment that shows risks or **consequences to the public of overbuilding.**
 - There is no Needs Assessment that validates the size and **scope of the jail relative to current research and changing market trends.**
 - There has been no oversight or **no examination of current administrative policies** that could have led to jail overcrowding, to the conditions, to any unnecessary liabilities created by inefficiencies. The document received does not address these matters, and only provides limited information that is quite general in nature.
9. The documentation actually seems to show that information that would be required in a quality Needs Assessment has been excluded - creating a bias in its very exclusion.
10. In the required No Jail Alternative part of the FEIS, the authors allude to the fact that market analysis and assessments of alternatives were their responsibility in this choice, yet very little research or documentation of information is included in the sections, and there is none in the JCN

document that we can find.

- 11. In the FEIS, the authors then proceed to exclude concerns, discussion and public comments about these concerns about having a Needs Assessment, or challenging the estimates or projections of the planners as "outside the scope" of the jail planning process. As a result, **we feel that this FEIS process actually seems to obfuscate, exclude, or misdirect the discussion of information that would be necessary to produce an unbiased Needs Assessment, and narrows the discussion to only that which supports an 800 bed pre-determined estimate.**
- 12. We draw your attention specifically to a letter written April 23, 2010 by the Sheriff that says, **"It was estimated that by 2014 there will be a need for 800 to 1000 adult custody beds."** Notice that it is now 2015 and we are not close to that occupancy level or that need. An estimate does not equal validated truth. **And just because he said it, does not mean it is a validated statement based on an unbiased assessment.**
- 13. This is especially concerning since we have found under scrutiny that the estimates he speaks about do not seem to be substantiated by unbiased review of the statistics later provided by others in the documentation. For example, **the Jail Task Force work and recommendations did not substantiate the estimate.** The Jail consultant, **Jay Farbstein, in the middle of the process did not substantiate the estimate,** and actually challenged some of the pre-suppositions of the prior work. Additional testimony in the FEIS provided by many different upstanding, **qualified professional people and organizations challenged facts, expressed concerns, and gave opposing views substantiated by research – most of which was labeled as "outside the scope".**
- 14. Therefore, the very limited public process raised many concerns and illustrates how the numbers estimated by administration are not supported.
- 15. Multiple Public Hearings were declared as not necessary.
- 16. There was no public debate, cross examination, or questioning allowed, so none of the broader issues got addressed.

Instead the taxpayers received a short, extremely narrowly focused Jail Capacity Needs document that is not reviewed through a public hearing, is not comprehensive, nor is it complete.

Bottomline, the RCC conclusion is that it seems that the Council and administration has now spent millions in planning to build a jail – without a solid, unbiased fundamental basis established first. Instead, the County seems to have proceeded based on in-house estimates. Ultimately, in the cover letter of the FEIS, the recommendation was still to build a jail of essentially 800 beds that is expandable, plus a 2 acre Sheriff's compound – all at the taxpayers expense, but without full public debate on options.

And, as discussed in the cover letter, the FS-7 paragraph of the FEIS document confirms that a Needs Assessment has not been used to justify the demand to build what amounts to an 800 bed facility when you read the fine print and the plans. This concerns us.

Reason 2: The Jail Capacity document is Narrow in Scope; Inadequate to justify taxpayer investment

The statistics provided in the Jail Capacity Needs document repeatedly fail our measures of what would constitute an unbiased Needs Assessment. Here is a short list of the biggest problems:

1. It is missing information that is critical to the whole discussion. **There is an incomplete discussion of downtrends, market variables, actual statistics** from the PEW research or Bureau of Prisons.
2. Information that would show negative or **pushback trends and risks to overbuilding the jail are not included.**
3. Does not address fiscal responsibilities or the **community economic conditions in the market that could make it unsustainable for the taxpayers to pay for and operate a large facility** of this kind. Excluded are many additional costs that will compound for the taxpayers.
4. There are **no 'alternatives to jail' studied** that reduce the inflow of 1st time people into the jail in the first place; nor has there been any financial impact or cost benefits of implementing them. Since alternatives to jail have a proven high rate of return on investment (some as high as \$48 per dollar invested), **this is a double-impact flaw that exposes the taxpayers to grave financial risks that come with overbuilding a jail.** Note: "Alternatives to jail" are not to be confused with reentry or alternative programs used after incarceration. They are not at all the same thing and are not comparable.
5. **Alternatives to Jail are pre-emptive and have a much higher return on investment to the taxpayers, with a high efficacy rate.** These alternatives dramatically improve the overall safety, health and vitality of communities. Alternatives to jail are ways to actually stop or greatly reduce the inflow of 1st time and non-violent people into the jail funnel by redirecting them into **restorative justice programs, trauma therapies, recovery programs, mediation, addiction and intervention programs, drug court, homeless court, veterans court, mental health court and more.** These alternatives are designed to stop, mitigate and reverse trauma at the base, or at the prime point to get the maximum leverage and return. Why would we not consider this?
6. The JCN document does have a page where they mention alternative programs, but this page refers only what are most commonly called ReEntry Programs. ReEntry programs are used after people have been incarcerated – to help people reenter society. These programs are designed to reduce recidivism, or the recycling of inmates. To label them alternatives in this context is quite confusing to the readers, for they are distinctly different from alternatives to jail. ReEntry programs happen *after* incarceration, and have a much smaller efficacy rate than pre-emptive programs. **Alternatives to jail are intended to prevent people going into jail in the first place, by redirecting them to better options.**
7. **There is no comprehensive SWOT analysis.** SWOT stands for Strengths, Weaknesses, Opportunities and Threats. A comprehensive SWOT analysis is normal in a business analysis of an investment of this nature, size and scope. It would be reasonable to expect such an analysis for the Council and taxpayers to understand their investment risks. Without this, there is little basis to substantiate a solid economic business decision; there is a limited perspective on how to see or

measure risks or to consider other options.

8. The document discusses having a 20% vacancy rate based on pure speculation about legislation that 'could' be passed based on California politics. California is not Washington. California has a track record of failure in their incarceration system. Then, the document discusses adding a 10% buffer for more room in case of riots. By comparison, private prisons only operate with a 5% vacancy rate. Is this logical - at \$80,000 costs per bed – **to speculate and add this extraordinarily high vacancy rate buffer for a small, local Whatcom County Jail?** Why so high? Who will pay for this? If we actually do need this overage...this extra vacancy rate for violent or maximum security beds...do we really need it for the minimum or medium security beds?
9. The document does not cover much 'need to know' information about the challenges of other counties in dealing with their vacancies, and the conflicts inherent in building large jails. **It does not thoroughly discuss the statewide issues of vacancies and the closing of prisons, the problems that are happening across the state with building prisons, nor the national patterns of overbuilding facilities and then selling them out at bargain basement prices to private contractors.** These are big economic and jurisdictional conversations that could have substantial impacts on the Whatcom County taxpayers investment and put the taxpayers at grave risk.
10. The document has many deficiencies. It includes incomplete and/or non-comparable data, and seems to be making illogical statements based on the data provided. It seems highly speculative based on the highest possible population projections and incarceration growth rates. It seems we are designing our incarceration system on purpose to plan to expand for failure.
11. By comparison, this plan does not seem to be designed to improve the public safety of all citizens into the future – or it would it seems that citizen issues would be readily discussed. There is very little pre-emptive in this plan that we can determine.

We have gathered a substantial body of our own local statistics that come with an overview of statistics we have gathered from dozens of sources, ranging from observing court proceedings to tracking arrest reports in the newspapers, and other statistical data gathering methods. We have been doing our own work as well as reviewing best practices and can document our findings.

There are many different ways of understanding what is happening in the marketplace, and we believe we have a unique way of seeing the problems and the hidden opportunities we have to make our community safer, healthier and a happier place for our children.

We stand ready to review our work and to discuss promising, research-supported solutions with the Council. Please let us know how we can serve.

Footnote: The Restorative Community Coalition is a 501C3 organization in the business of reclaiming lives. We are an action oriented coalition advocating for restorative, economic, systemic and social change. Our goals have been to connect, educate and advocate for the benefit of the whole by helping people who have been incarcerated, their families and the broader community recover from and deal with the direct and hidden costs, the ripple effects and economic impacts of incarceration.

Hard Truths Conversation - 02-13-2015

Actual words:

"Hard Talk" from Director of FBI speech about Bias

Joy Gilfilen
 TO: Carl Weimer, Whatcom County Council Chair
 Whatcom County Council Members

FROM: Joy Gilfilen, President, Restorative Community Coalition

RE: 'Hard Talk' from Director of FBI Speech about Bias

I just posted on my personal Facebook page about a most remarkable speech. I am including the context of my comments here for the full council's information:

Carl Weimer, Whatcom County Council Member, Rud Wants To Know, Ken Mann, Barry Buchanan while I write to the public here, I ask you to please circulate this to the others in your Council who are not on Facebook so it can be discussed.

I am posting this extraordinary, and I would say epic speech by the influential and highly regarded James Comey, the Director of the FBI who is one of the highest ranking law enforcement people in the nation <http://www.fbi.gov/news/speeches/hard-truths-law-enforcement-and-race>

When the time is taken to listen, he talks about "Hard Truths" and acknowledges that there are all kinds of bias, including police bias. He then says that we are going to have to look at this, for we are in a time in history that we can no longer avoid it.

The FBI Director's talk was done at Georgetown University, one of the most prestigious schools in the country, and he answered questions at the end of his speech. One of the questions had to do with whether or not incarceration works. His answer, and I paraphrase, was essentially, no, we are not doing good in this area, it is not getting the value and end results we need to get. Prison and incarceration are not the way to deal with our problems. The incarceration system is not doing what it needs to be doing. I cannot find the O&A section online to send you the precise answer.

Personally, I believe that as the people in Whatcom County need to develop a way to currently sit through our biases to think straight. While we may have racial bias or police bias here, my experience is that we are dealing with a much broader and more pervasive and hard to track stereotypical or poverty bias. It seems that these biases are perhaps also held in place by an adversarial bias and approach to lawmaking, administration and planning that is quite expensive to the taxpayers. I wonder how we can do things differently to get a better result for the taxpayers?

It is here it is highly relevant to what is happening here in Whatcom County around the jail issue.

Perhaps we really do need to have this "Hard Talk" that the Director refers to in Whatcom County. It is my position that it might be wise to do it before the County Council asks the public for more funds to buy a new state jail, expand the Sheriff's department by 91 staff, and then mobilize the public for generations with massive tax burdens for operating such a jail. This decision is a life-changing, and trend-setting decision for all citizens of our county, and cannot be brushed away as "business as usual."

No, this is not easy to have this conversation. I am offering to you whatever help I can give to bring our community to the table safely, whether it is as President of the Restorative Community Coalition, or independently. I am attaching a letter I published in Whatcom Watch prior to hosting the Community Visionaries Opportunities Conference October 1, 2014 that talks about how the world has been changing and it is "not business as usual" any longer. That article is as appropriate today as then.

TO: Carl Weimer, Whatcom County Council Chair
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FROM: Joy Gilfilen, President, Restorative Community Coalition

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Speeches

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James B. Comey
 Director
 Federal Bureau of Investigation
 Georgetown University
 Washington, D.C.
 February 12, 2015

Recent Speeches

- 02/12/15 **Hard Truths of Law Enforcement and Race**
James B. Comey, Director, Federal Bureau of Investigation, Georgetown University, Washington, D.C.
- 01/07/15 **Addressing the Cyber Security Threat**
James B. Comey, Director, Federal Bureau of Investigation, International Conference on Cyber Security, Fordham University, New York, NY

Remarks as delivered.

Thank you, President DeGioia. And good morning, ladies and gentlemen. Thank you for inviting me to Georgetown University. I am honored to be here. I wanted to meet with you today, as President DeGioia said, to share my thoughts on the relationship between law enforcement and the diverse communities we serve and protect. Like a lot of things in life, that relationship is complicated. Relationships often are.

Beautiful Healy Hall—part of, and all around where we sit now—was named after this great university’s 29th President, Patrick Francis Healy. Healy was born into slavery, in Georgia, in 1834. His father was an Irish immigrant plantation owner and his mother, a slave. Under the laws of that time, Healy and his siblings were considered to be slaves. Healy is believed to be the first African-American to earn a Ph.D., the first to enter the Jesuit order, and the first to be president of Georgetown University or any predominantly white university.

Given Georgetown’s remarkable history, and that of President Healy, this struck me as an appropriate place to talk about the difficult relationship between law enforcement and the communities we are sworn to serve and protect.

With the death of Michael Brown in Ferguson, the death of Eric Garner in Staten Island, the ongoing protests throughout the country, and the assassinations of NYPD Officers Wenjian Liu and Rafael Ramos, we are at a crossroads. As a society, we can choose to live our everyday lives, raising our families and going to work, hoping that someone, somewhere, will do something to ease the tension—to smooth over the conflict. We can roll up our car windows, turn up the radio and drive around these problems, or we can choose to have an open and honest discussion about what our relationship is today—what it should be, what it could be, and what it needs to be—if we took more time to better understand one another.

Current Issues Facing Law Enforcement

Unfortunately, in places like Ferguson and New York City, and in some communities across this nation, there is a disconnect between police agencies and many citizens—predominantly in communities of color.

Serious debates are taking place about how law enforcement personnel relate to the communities they serve, about the appropriate use of force, and about real and perceived biases, both within and outside of law enforcement. These are important debates. Every American should feel free to express an informed opinion—to protest peacefully, to convey frustration and even anger in a constructive way. That’s what makes our democracy great. Those conversations—as bumpy and uncomfortable as they can be—help us understand different perspectives, and better serve our communities. Of course, these are only conversations in the true sense of that word if we are willing not only to talk, but to listen, too.

I worry that this incredibly important and incredibly difficult conversation about race and policing has become focused entirely on the nature and character of law enforcement officers, when it should also be about something much harder to discuss. Debating the nature of policing is very important, but I worry that it has become an excuse, at times, to avoid doing something harder.

The Hard Truths

Let me start by sharing some of my own hard truths:

First, all of us in law enforcement must be honest enough to acknowledge that much of our history is not pretty. At many points in American history, law enforcement enforced the status quo, a status quo that was often brutally unfair to disfavored groups. It was unfair to the Healy siblings and to countless others like them. It was unfair to too many people.

I am descended from Irish immigrants. A century ago, the Irish knew well how American society—and law enforcement—viewed them: as drunks, ruffians, and criminals. Law enforcement's biased view of the Irish lives on in the nickname we still use for the vehicles we use to transport groups of prisoners. It is, after all, the "paddy wagon."

The Irish had tough times, but little compares to the experience on our soil of black Americans. That experience should be part of every American's consciousness, and law enforcement's role in that experience—including in recent times—must be remembered. It is our cultural inheritance.

There is a reason that I require all new agents and analysts to study the FBI's interaction with Dr. Martin Luther King, Jr., and to visit his memorial in Washington as part of their training. And there is a reason I keep on my desk a copy of Attorney General Robert Kennedy's approval of J. Edgar Hoover's request to wiretap Dr. King. It is a single page. The entire application is five sentences long, it is without fact or substance, and is predicated on the naked assertion that there is "communist influence in the racial situation." The reason I do those things is to ensure that we remember our mistakes and that we learn from them.

One reason we cannot forget our law enforcement legacy is that the people we serve and protect cannot forget it, either. So we must talk about our history. It is a hard truth that lives on.

A second hard truth: Much research points to the widespread existence of unconscious bias. Many people in our white-majority culture have unconscious racial biases and react differently to a white face than a black face. In fact, we all, white and black, carry various biases around with us. I am reminded of the song from the Broadway hit, Avenue Q: "Everyone's a Little Bit Racist." Part of it goes like this:

*Look around and you will find
No one's really color blind.
Maybe it's a fact
We all should face
Everyone makes judgments
Based on race.*

You should be grateful I did not try to sing that.

But if we can't help our latent biases, we can help our behavior in response to those instinctive reactions, which is why we work to design systems and processes that overcome that very human part of us all. Although the research may be unsettling, it is what we do next that matters most.

But racial bias isn't epidemic in law enforcement any more than it is epidemic in academia or the arts. In fact, I believe law enforcement overwhelmingly attracts people who want to do good for a living—people who risk their lives because they want to help other people. They don't sign up to be cops in New York or Chicago or L.A. to help white people or black people or Hispanic people or Asian people. They sign up because they want to help all people. And they do some of the hardest, most dangerous policing to protect people of color.

But that leads me to my third hard truth: something happens to people in law enforcement. Many of us develop different flavors of cynicism that we work hard to resist because they can be lazy mental shortcuts. For example, criminal suspects routinely lie about their guilt, and nearly everybody we charge is guilty. That makes it easy for some folks in law enforcement to assume that everybody is lying and that no suspect, regardless of their race, could be innocent. Easy, but wrong.

Likewise, police officers on patrol in our nation's cities often work in environments where a hugely disproportionate percentage of street crime is committed by young men of color. Something happens to people of good will working in that environment. After years of police work, officers often can't help but be influenced by the cynicism they feel.

A mental shortcut becomes almost irresistible and maybe even rational by some lights. The two young black men on one side of the street look like so many others the officer has locked up. Two white men on the other side of the street—even in the same clothes—do not. The officer does not make the same association about the two white guys, whether that officer is white or black. And that drives different behavior. The officer turns toward one side of the street and not the other. We need to come to grips with the fact that this behavior complicates the relationship between police and the communities they serve.

So why has that officer—like his colleagues—locked up so many young men of color? Why does he have that life-shaping experience? Is it because he is a racist? Why are so many black men in jail? Is it because cops, prosecutors, judges, and juries are racist? Because they are turning a blind eye to white robbers and drug dealers?

The answer is a fourth hard truth: I don't think so. If it were so, that would be easier to address. We would just need to change the way we hire, train, and measure law enforcement and that would substantially fix it. We would then go get those white criminals we have been ignoring. But the truth is significantly harder than that.

The truth is that what really needs fixing is something only a few, like President Obama, are willing to speak about, perhaps because it is so daunting a task. Through the "My Brother's Keeper" initiative, the President is addressing the disproportionate challenges faced by young men of color. For instance, data shows that the percentage of young men not working or not enrolled in school is nearly twice as high for blacks as it is for whites. This initiative, and others like it, is about doing the hard work to grow drug-resistant and violence-resistant kids, especially in communities of color, so they never become part of that officer's life experience.

So many young men of color become part of that officer's life experience because so many minority families and communities are struggling, so many boys and young men grow up in environments lacking role models, adequate education, and decent employment—they lack all sorts of opportunities that most of us take for granted. A tragedy of American life—one that most citizens are able to drive around because it doesn't touch them—is that young people in "those neighborhoods" too often inherit a legacy of crime and prison. And with that inheritance, they become part of a police officer's life, and shape the way that officer—whether white or black—sees the world. Changing that legacy is a challenge so enormous and so complicated that it is, unfortunately, easier to talk only about the cops. And that's not fair.

Let me be transparent about my affection for cops. When you dial 911, whether you are white or black, the cops come, and they come quickly, and they come quickly whether they are white or black. That's what cops do, in addition to all of the other hard and difficult and dangerous and frightening things that they do. They respond to homes in the middle of the night where a drunken father, wielding a gun, is threatening his wife and children. They pound up the back stairs of an apartment building, not knowing whether the guys behind the door they are about to enter are armed, or high, or both.

I come from a law enforcement family. My grandfather, William J. Comey, was a police officer. Pop Comey is one of my heroes. I have a picture of him on my wall in my office at the FBI, reminding me of the legacy I've inherited and that I must honor.

He was the child of immigrants. When he was in the sixth grade, his father was killed in an industrial accident in New York. Because he was the oldest, he had to drop out of school so that he could go to work to support his mom and younger siblings. He could never afford to return to school, but when he was old enough, he joined the Yonkers, New York, Police Department.

Over the next 40 years, he rose to lead that department. Pop was the tall, strong, silent type, quiet and dignified, and passionate about the rule of law. Back during Prohibition, he heard that bootleggers were running beer through fire hoses between Yonkers and the Bronx.

Now, Pop enjoyed a good beer every now and again, but he ordered his men to cut those hoses with fire axes. Pop had to have a protective detail, because certain people were angry and shocked that someone in law enforcement would do that. But that's what we want as citizens—that's what we expect. And so I keep that picture of Pop on my office wall to remind me of his integrity, and his pride in the integrity of his work.

Law enforcement ranks are filled with people like my grandfather. But, to be clear, although I am from a law enforcement family, and have spent much of my career in law enforcement, I'm not looking to let law enforcement off the hook. Those of us in law enforcement must redouble our efforts to resist bias and prejudice. We must better understand the people we serve and protect—by trying to know, deep in our gut, what it feels like to be a law-abiding young black man walking on the street and encountering law enforcement. We must understand how that young man may see us. We must resist the lazy shortcuts of cynicism and approach him with respect and decency.

We must work—in the words of New York City Police Commissioner Bill Bratton—to really see each other. Perhaps the reason we struggle as a nation is because we've come to see only what we represent, at face value, instead of who we are. We simply must see the people we serve.

But the "seeing" needs to flow in both directions. Citizens also need to really see the men and women of law enforcement. They need to see what police see through the windshields of their squad cars, or as they walk down the street. They need to see the risks and dangers law enforcement officers encounter on a typical late-night shift. They need to understand the difficult and frightening work they do to keep us safe. They need to give them the space and respect to do their work, well and properly.

If they take the time to do that, what they will see are officers who are human, who are overwhelmingly doing the right thing for the right reasons, and who are too often operating in communities—and facing challenges—most of us choose to drive around.

One of the hardest things I do as FBI Director is call the chiefs and sheriffs in departments around the nation when officers have been killed in the line of duty. I call to express my sorrow and offer the FBI's help. Officers like Wenjian Liu and Rafael Ramos, two of NYPD's finest who were gunned down by a madman who thought his ambush would avenge the deaths of Michael Brown and Eric Garner. I make far too many calls. And, there are far too many names of fallen officers on the National Law Enforcement Officers Memorial and far too many names etched there each year.

Officers Liu and Ramos swore the same oath all in law enforcement do, and they answered the call to serve the people, all people. Like all good police officers, they moved toward danger, without regard for the politics or passions or race of those who needed their help—knowing the risks inherent in their work. They were minority police officers, killed while standing watch in a minority neighborhood—Bedford-Stuyvesant—one they and their fellow officers had rescued from the grip of violent crime.

Twenty years ago, Bed-Stuy was shorthand for a kind of chaos and disorder in which good people had no freedom to walk, shop, play, or just sit on the front steps and talk. It was too dangerous. But today, no more, thanks to the work of those who chose lives of service and danger to help others.

But despite this selfless service—of these two officers and countless others like them across the country—in some American communities, people view the police not as allies, but as antagonists, and think of them not with respect or gratitude, but with suspicion and distrust.

We simply must find ways to see each other more clearly. And part of that has to involve collecting and sharing better information about encounters between police and citizens, especially violent encounters.

Not long after riots broke out in Ferguson late last summer, I asked my staff to tell me how many people shot by police were African-American in this country. I wanted to see trends. I wanted to see information. They couldn't give it to me, and it wasn't their fault. Demographic data regarding officer-involved shootings is not consistently reported to us through our Uniform Crime Reporting Program. Because reporting is voluntary, our data is incomplete and therefore, in the aggregate, unreliable.

I recently listened to a thoughtful big city police chief express his frustration with that lack of reliable data. He said he didn't know whether the Ferguson police shot one person a week, one a year, or one a century, and that in the absence of good data, "all we get are ideological thunderbolts, when what we need are ideological agnostics who use information to try to solve problems." He's right.

The first step to understanding what is really going on in our communities and in our country is to gather more and better data related to those we arrest, those we confront for breaking the law and jeopardizing public safety, and those who confront us. "Data" seems a dry and boring word but, without it, we cannot understand our world and make it better.

How can we address concerns about "use of force," how can we address concerns about officer-involved shootings if we do not have a reliable grasp on the demographics and circumstances of those incidents? We simply must improve the way we collect and analyze data to see the true nature of what's happening in all of our communities.

The FBI tracks and publishes the number of "justifiable homicides" reported by police departments. But, again, reporting by police departments is voluntary and not all departments participate. That means we cannot fully track the number of incidents in which force is used by police, or against police, including non-fatal encounters, which are not reported at all.

Without complete and accurate data, we are left with "ideological thunderbolts." And that helps spark unrest and distrust and does not help us get better. Because we must get better, I intend for the FBI to be a leader in urging departments around this country to give us the facts we need for an informed discussion, the facts all of us need, to help us make sound policy and sound decisions with that information.

America isn't easy. America takes work. Today, February 12, is Abraham Lincoln's birthday. He spoke at Gettysburg about a "new birth of freedom" because we spent the first four score and seven years of our history with fellow Americans held as slaves—President Healy, his siblings, and his mother among them. We have spent the 150 years since Lincoln spoke making great progress, but along the way treating a whole lot of people of color poorly. And law enforcement was often part of that poor treatment. That's our inheritance as law enforcement and it is not all in the distant past.

We must account for that inheritance. And we—especially those of us who enjoy the privilege that comes with being the majority—must confront the biases that are inescapable parts of the human condition. We must speak the truth about our shortcomings as law enforcement, and fight to be better. But as a country, we must also speak the truth to ourselves. Law enforcement is not the root cause of problems in our hardest hit neighborhoods. Police officers—people of enormous courage and integrity, in the main—are in those neighborhoods, risking their lives, to protect folks from offenders who are the product of problems that will not be solved by body cameras.

We simply must speak to each other honestly about all these hard truths.

In the words of Dr. King, "We must learn to live together as brothers or we will all perish together as fools."

We all have work to do—hard work, challenging work—and it will take time. We all need to talk and we all need to listen, not just about easy things, but about hard things, too. Relationships are hard. Relationships require work. So let's begin that work. It is time to start seeing one another for who and what we really are. Peace, security, and understanding are worth the effort. Thank you for listening to me today.

October 14, 2013

Michael Russell
Whatcom County Facilities Management
316 Lottie Street
Bellingham, WA 98225

From: ReEntry Coalition of Whatcom County
PO Box 31026
Bellingham, WA 98228
360-354-3653

Dear EIS Folks,

The ReEntry Coalition of Whatcom County is submitting these comments in addition to the verbal comments submitted by Irene Morgan, the Founder, at the last public hearing on Sept 26, 2013.

In reviewing the SDEIS Report, the Coalition has several very specific concerns that we request be addressed:

- 1) On page FS-2 there is discussion (but no explanation there or later) as to why there are 521 beds required, then immediately talks about adding an extra 128 beds, then more later. Why? There is no explanation for why there is this discrepancy or the rationale behind it. And there is no matching explanation for why the Sheriff's staff and jail staffing is increased either. It seems that this should be part of the planning process, so that the County Council understands the full impact of the original jail, the expansion and the staffing costs related to that.
- 2) On Page FS-2 there is a discussion of how large the Sheriff's office and the Warehouse will be. This is a huge additional capital expenditure, yet the addition of a Sheriff's headquarters to the jail initiative provides for a huge expenditure that would not be required downtown. In the political process, it only was a 5 minute addition to the Jail Task Force recommendation on the last day. The Task Force never discussed this in any of their previous meetings, and now it is suddenly a huge capital cost. There is no justification in the DSEIS for the size or scale of these facilities, and no explanation of the current size and why the expansion is so large. This should be explained and justified, not just accepted.
- 3) On page FS-3, and on S-7 there is a line item that says that an "Emergency Fuel Storage Facility" would be constructed on the site. Why? Where did that come from, and why is it included here?

There is nowhere we can find in the document that this is justified, explained, or discussed. There is no environmental or safety impact considered.

It seems that if the plan is to house hundreds of people on this site, why would you place a dangerous Emergency Fuel Storage Facility on the site? Especially since the County's fueling station is only 2 miles away? Why place this in the middle of several toxic manufacturing, and hazardous waste companies? This seems illogical and out of the realm of what a jail is being built for. This should be justified and considered.

- 4) On page 69-70 of the Off-site Odor Impacts, and on Page S-26 under Environmental Health – there is a conflict that has not be rectified to our satisfaction. On these pages they discuss all the odor complaints that have been filed in the past few years, yet conclude there is no impact on the people incarcerated. The conversation seems to be about impacts during construction only. Then later, it says there is no significant unavoidable adverse impacts.

How can this be, when later, in Wendy Jones comments she states that by law the inmates need to have outside fresh air. How do they have fresh air in a hazardous waste manufacturing area when there is clearly a problem with odor at the sites? Doing an inside HVAC system doesn't solve the problem of being outdoors, getting fresh air, especially during summer hours when odor goes up considerably in the area, and when the inmates cannot leave the area? This needs to be addressed for health concerns.

- 5) On Page S-3, there is an acknowledgement that there will be impacts on the inmates of moving the jail facilities out of downtown and away from legal, social and other services. While it notes there are concerns expressed, it stops there. There is no additional discussion about these impacts, how and why this is true, what the social and societal and civic impacts on the inmates, their families or on the whole of downtown. There is no discussion about the financial, civic, social, personal, or any other impacts. This needs to be addressed, concerns discussed, and illuminated.
- 6) On Page 13-23, the discussion about video trials and visiting, and in Wendy Jones letter: They indicate that a courtroom would be built at this location, and that video arraignment, video visiting with all people from friends, family, attorneys, probation officers and others – even video trials would become the norm. It appears that the whole conversation is about how it is convenient to staff, and less expensive to the County.

While this is spoken as if this is normal, this flies in the face of the evidence that justice is not done when the inmates (who are already isolated from all personal support) is now

reduced to being seen only on camera. Remember that inside a jail are often first time offenders, and they have little contact with help, and little compassion is shown – as if they are already guilty just because they were arrested. Statistics show that 85% of communication is lost on video. So this further disadvantages the inmates and creates a preponderance of plea agreements, and does not ensure justice is done.

Additionally, this means that vendors and vendor costs for providing video services will likely be moved to the inmates and their families, who cannot afford to pay. This increases vendor profits, reduces headaches to the staff, but doesn't insure any "innocent until proven guilty" standard. There is no evidence presented that this is good. We would like to see the environmental impact of this discussed about how it affects the inmates and their families long-term.

7) On page 14-1 there is a discussion of Public Services and Utilities.

There were substantial concerns brought forwards and comments made to the EIS scoping hearing about the social-civic and economic impacts of moving the jail out of downtown Bellingham and out of the County Seat. This concern appears to be addressed a small amount here in this section of the SDEIS, but is inadequate to the size of the questions and concerns.

The Coalition believes there should be a full study of the social and economic and political impacts of building a new law and justice center outside the County Seat. This is not addressed anywhere in the EIS Statement.

It does discuss the very shortsighted economic fact that all these utilities and support services are being changed, often to being provided by the City of Ferndale. There is no discussion on the financial, civic and social impacts of any of this on the City of Bellingham, or on any of the other cities, nor on the flow of commerce out of the downtown core.

The financial impact of moving all this business outside of downtown Bellingham and away from the people who need these services should be discussed as a human environmental impact issue. As well, the impact of the No Jail Alternative should be discussed, and how it would be a positive or negative impact on the taxpayers and the inmates.

8) In the 4 page Memo from Sheriff Elfo re: No Action Alternative: We find many things to question in this memo since this is a subjective discussion of all the problems existing in the current jail, as reported by the person who is in charge of the current jail, and simultaneously most stands to benefit by the building of a new jail.

It seems that this is not an outside influence review. There is no 3rd party discussion, nor is there any evidence provided that there has been any 3rd party review by people who are not part of the jail industry. Has there been any report of the current state of repair of the jail, and why it could or could not be repaired? There are many opinions and comments made that are not backed up by the evidence presented in the SDEIS document, so the people are not fully informed of the state of affairs.

There is no discussion whatsoever about how the current jail could be repaired or a smaller one replaced downtown in conjunction with an alternative approach or a restorative justice or safety focused approach taken. According to this memo, there is no alternative in the No Alternative solution offered except to build a new jail in Ferndale.

Therefore, we request that an efficiency study actually be done by an outside party about the decisions that have been made that have led to the disrepair, and the decisions that have been made administratively that have led to longer jail bed stays, more non-violent arrests, and less time being given for "good time".

- 9) Regarding the multiple-page testimony given by Wendy Jones, Chief Corrections Deputy. This is again, information given on why the jail should move and how it would operate. We believe the attempt was made here to explain how it would benefit the taxpayers and administration, and to discuss the social and civic impacts.

Unfortunately, this report doesn't explain how any of the advantages paid for is actually supporting or helping benefit or assist the inmates, how it makes our county safer, how it supports reductions in recidivism rates, or any of the other concerns that have been addressed by citizen questions.

While there is considerable knowledge demonstrated about many issues, there is little 3rd party documentation that backs up some of the opinions expressed. Other than reducing the liability to the County, and having new living quarters improved, the discussion fails to explain any of the reasons that it is actually positively impacting the jail population to be moved out of the downtown core. In fact, it shows the opposite, that there will be substantially more isolation of inmates, which has a negative impact on inmates, and a negative impact on their families. The impacts of the isolation of the inmates needs to be further explored and explained in the next report.

- 10) We do wonder why over half of the SDEIS Report was needed for Traffic impacts, and how much of the capital costs of the jail will be needed? If it was downtown, there would be no such costs.

11) The Coalition has testified multiple times and with various details before the Jail Task Force, before the Jail consultant Jay Farbstein, and at the draft EIS hearing where we have asked multiple times that this jail building process include a discussion of how we can reduce the jail populations, and to address how we can help divert people out of the school to prison pipeline. Our Coalition is working on behalf of the people who are incarcerated in Whatcom County, their families, and the people who are most directly impacted by the Jail system itself. They have no other voice.

Many of the concerns addressed in testimony by the ReEntry Coalition of Whatcom County on behalf of these inmates and their families seem to not have been heard clearly, or have summarily been discarded without explanation in the process of developing the SDEIS Statement.

Here are key issues the Coalition has asked for:

- That proven alternatives to incarceration be considered in the planning process, so that we can reduce demand for the jail beds, and therefore reduce the size of the facility, and not have to move it out of the downtown core. Each time, we have asked that the jail planning process include a review and consideration for how we can reduce the jail population using alternatives that provide a higher return on investment to the taxpayers than incarceration. These requests have gone unrecognized.

There has been no such inclusion of this information in the SDEIS, and no explanation for why it was discarded. Alternatives include implementing options such as restorative justice, mediation, an expanded drug and teen court, that we look at Veterans Court, Homeless Court, Mental Health Court and more. We have asked for recovery programs, intervention programs, job re-skilling options, functional literacy programs that our Community could implement to reduce the incarceration rates, jail times, jail bed rates and occupancy. There is no discussion of any of this, nor any recognition as to why this is not being considered.

- We have asked that a needs assessment for the jail numbers be provided by people who are not from the jail industry. In the SDEIS process, it was not included. The needs assessment was only announced at the end of the public hearing, so the people who attended the public hearing had no time to read or comment on that needs assessment. Adequate time has not been given to review their findings.

We request that since the Needs Assessment was completed by the jail industry consultant the DLR Group, that there should still be a 3rd party review by people who

are not part of the jail industry. We request that a needs analysis be done by people who are interested in getting people out of the jail system, not those who are interested in profiting by people going into the system – and that this study be added to the current process as soon as possible.

NewJail@WhatcomCounty.US

From: Irene Morgan <impeace2@comcast.net>
Sent: Monday, October 14, 2013 10:05 AM
To: NewJail@WhatcomCounty.US
Subject: Re: Comments on New Jail EIS

Irene Morgan
1258 E. Pole Rd
Everson, WA 98247

Thank you Reid - I am including another paragraph that I neglected to add before I sent my earlier statement.

"Bellingham's Civic Center – If the jail should move out of Bellinghams' civic center, what will the costs be in terms of loss of revenue to the city with support businesses moving out near the new jail site? Where, by the way – there are NO services at all!
Also what are the costs of those support businesses moving into an area with no infrastructure for these businesses. There has been no estimation of impact to any of these conditions should the jail move out to Ferndale".

I appreciate your work.
Irene

-- Original Message -----

From: NewJail@WhatcomCounty.US
To: Irene Morgan
Sent: Monday, October 14, 2013 7:18 AM
Subject: RE: Comments on New Jail EIS

Ms. Morgan,

Thank you for your comments, you will see responses in the Final Environmental Impact Statement (FEIS).

Can you please provide me your mailing address so we can add you to our mailing list for notice of availability of the FEIS?

Reid H. Shockey, AICP
Outreach Coordinator
Shockey Planning Group
425.258.9308
425.259.4448 FAX
newjail@whatcomcounty.us

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Date: May 30, 2013

To: Michael Russell
Whatcom County Facilities Management
316 Lottie Street
Bellingham, WA 98226
360-676-6746

From: Joy Gilfilen, President
ReEntry Coalition of Whatcom County
PO Box 31026
Bellingham, WA 98228
360-354-3653

RE: EIS Comments for the scope of the Whatcom County Adult Corrections Facilities and Sheriff's Headquarters on LaBounty Road in Ferndale

This submission is in addition to our spoken testimony at the EIS scoping hearing held in Ferndale on May 16, 2013. This material is a written supplement to that testimony.

Attached you will find several pages outlining what our organization believes needs to be addressed in the EIS. Our primary contention is that the impact on humans and the human environment must be studied and included in this report. This is based on the National Environmental Protection Act (NEPA) guidelines.

Since this entire project concerns humans and how they are housed, judged and treated by our county, how can the environmental impact on this population not be included in this EIS?

We have nine attachments:

- Section 1: References from NEPA: Why the impacts on humans must be included in the EIS as per the National Environmental Protection Act
- Section 2: Impacts on Infrastructure development and land
- Section 3: Environmental impacts on inmate, families, staff, businesses, trade, services
- Section 4: Impact on our Political, Social, Civic Structures
- Section 5: Legal issues to be studied for their impact
- Section 6: Aesthetic, historic, cultural, economic, social or health impacts
- Section 7: Alternative Options to the Jail and Jail Site choices
- Section 8: Impartial 3rd Party review of the statistics, size and scope of the proposed Jail
- Section 9: Community Groups to include to Explore Alternatives

The ReEntry Coalition of Whatcom County is willing to serve in providing relevant data to help EIS researchers provide a fair and impartial Environmental Impact Statement for our County Council and taxpayers. We are an organization with direct interest in this population and issue, and by NEPA standards, our organization would be logical to be included. It is our observation that many of the organizations who have been included in the Jail planning process to date have been those who will most benefit from a large capital project, or at the least who have a hands off relationship with those who are negatively impacted; while those people who are being most

3

negatively impacted have been excluded without adequate representation. Therefore the results of this process have the potential to be skewed.

For example: For purposes of accuracy, our Coalition wishes to go on record that we will be using the term 'Jail' during our submission comments. We wish to be clear that in all this discussion we are referring to the building of the Whatcom County Jail. We are not submitting these comments under the presumption that we are building a prison or a correctional facility that would place it under an expanded or other legal definition. If it is in fact a "Whatcom County Adult Correctional Facility" as it is written on the Comment Request document, then that would completely change the nature of our comments, and inevitably the scope of this EIS.

Experience causes us to question the distinction between building a Jail, which historically we have used in Whatcom County, and building a prison or "correctional facility" which is typically run by the state Department of Corrections. Since we at the Coalition are not attorneys, we have to work with what resources we have to understand the distinction. Without the resources to check the WAC, we at least checked the peoples most logical resource...two online sources to see if using the term might matter. We have concluded that it is critical at this point to make the distinction in our writing up of our comments:

1) In Wikipedia, it states that many terms (jail, prison, correctional facility) are used interchangeably, and then says, "*In some legal systems some of these terms have distinct meanings.*" Our question is...what is the legal distinction in Washington State, and what is the impact if we comment on a Jail as different from a Correctional Facility?

2) In the online Free Dictionary, it states: *Prison is a place used for confinement of convicted criminals. Aside from the death penalty, a sentence to prison is the harshest punishment imposed on criminals in the United States. On the federal level, imprisonment or incarceration is managed by the Federal Bureau of Prisons, a federal agency within the department of justice. State prisons are supervised by a state agency such as a department of corrections.*

Confinement in prison, also known as a penitentiary or correctional facility, is the punishment that courts most commonly impose for serious crimes, such as felonies. For lesser crimes, courts usually impose short-term incarceration in a jail, detention center, or similar facility.

3) Therefore, we would like to go on record to state that since the US Dept of Justice statistics show that 60% of all those incarcerated at local *jails* are awaiting trial or bond hearing, it is logical to say that our Whatcom County Jail needs to remain a Jail, not an Adult Corrections Facility. Many of our Whatcom County people held in our facility are not yet convicted of a crime. In fact, we have had people waiting in our local Jail for months, even years, before they plea or are found guilty.

If there is a movement to turn our Whatcom County Jail into a state Adult Corrections Facility, then it seems that this distinction needs to be made and a different EIS statement needs to be requested, and a different process would need to be followed. With that in mind, attached are our comments.

SECTION 1

References from NEPA: Why the impacts on humans must be included in the EIS as per the National Environmental Protection Act (NEPA)

Like few other infrastructure projects, the Jail site acquisition and building process is about the impact on human populations since the entire purpose of the site is about housing citizens who are going through our Whatcom County legal and justice system. Therefore, everything concerning this process has multiple ripple effects throughout the citizenry and impacts the "human environment", safety, wellness and vitality of our community.

The scope of this EIS should not be limited to the human impact on our natural environment, roads and other infrastructures. According to our research, the impact on human populations falls within the guidelines of the National Environmental Protection Act, which is the oversight Act to the EIS process.

Here is an excerpt from the "Citizen's Guide to the NEPA" which discusses jurisdictional inclusion, how states must meet or exceed national NEPA standards, and indicates that those agencies who have "an interest in the matter" should be included in the process.

For further reference, please read the document produced by the Council on Environmental Quality from the Executive Office of the President. A complete guide can be downloaded at:

http://ceq.hss.doe.gov/nepa/Citizens_Guide_Dec07.pdf

For purposes of this document, we are providing certain excerpts here:

Who should be a part of the scoping process?

[Page 9] Some large or complex proposals involve multiple Federal agencies along with State, local, and Tribal agencies. If another Federal, State, local, or Tribal agency has a major role in the proposed action and also has NEPA responsibilities or responsibilities under a similar NEPA-like law¹⁷, that agency may be a "joint lead agency."

A "joint lead agency" shares the lead agency's responsibility for management of the NEPA process, including public involvement and the preparation of documents. Other Federal, State, Tribal, or local government agencies may have a decision or special expertise regarding a proposed action, but less of a role than the lead agency. In that case, such a Federal, State, Tribal, or local government agency may be a "cooperating agency."

A "cooperating agency" is an agency that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative). Thus, a "cooperating agency" typically will have some responsibilities for the analysis related to its jurisdiction or special expertise.

Once it has developed a proposed action, the agency will enter the initial analytical approach (Number 2 in Figure 1) to help it determine whether the agency will pursue the path of a Categorical Exclusion (CE), an Environmental Assessment (EA), or an Environmental ImpactStatement (EIS).

Note 17: About a quarter of the states have such laws; for example, New York, Montana, Washington, and California all have such laws. New York City also has such a law. A list with references is available at www.nepa.gov by clicking on "State Information" or directly at <http://ceq.eh.doe.gov/nepa/states.html>.

"The agency will also request comments from other Federal, State, Tribal, and local agencies that may have jurisdiction or interest in the matter."

What should be included in the process?

[Page 16] The identification and evaluation of alternative ways of meeting the purpose and need of the proposed action is the heart of the NEPA analysis. The lead agency or agencies must, "objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated."³¹

Reasonable alternatives are those that substantially meet the agency's purpose and need. If the agency is considering an application for a permit or other federal approval, the agency must still consider all reasonable alternatives.

Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant. Agencies are obligated to evaluate all reasonable alternatives or a range of reasonable alternatives in enough detail so that a reader can compare and contrast the environmental effects of the various alternatives.

Why must the impact on the Human Environment be included and studied?

[Page 17] The agency must analyze the full range of direct, indirect, and cumulative effects of the preferred alternative, if any, and of the reasonable alternatives identified in the draft EIS. For purposes of NEPA, "effects" and "impacts" mean the same thing. They include ecological, aesthetic, historic, cultural, economic, social, or health impacts, whether adverse or beneficial.³³ It is important to note that human beings are part of the environment (indeed, that's why Congress used the phrase "human environment" in NEPA), so when an EIS is prepared and economic or social and natural or physical environmental effects are interrelated, the EIS should discuss all of these effects.³⁴

What is the section of the NEPA Regulations on what must be studied/included?

**CEQ NEPA Regulation Section 1508.8
[40 C.F.R. § 1508.8.]**

"Effects" include:

- (a) Direct effects, which are caused by the action and occur at the same time and place.
- (b) Indirect effects, which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include

growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.

Effects and impacts as used in these regulations are synonymous. Effects includes ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative. Effects may also include those resulting from actions which may have both beneficial and detrimental effects, even if on balance the agency believes that the effect will be beneficial.

SECTION 2

Impacts on Infrastructure Development and Land

Besides the normal environmental impact items that would logically be covered in an EIS, the following issues all need to be studied, impacts identified and issues mitigated.

I. Transportation/Roads/Construction of Infrastructure

Extra traffic from law enforcement, staff and persons coming to visit/service and inhabit the Jail will cause traffic pattern changes and:

- Expansion, widening and maintenance of the roads which will in turn impact the DOT, State, County, Interstate highway and local roads budgets, services, jurisdictions.
- The increase in emergency traffic as well as vendors going to and from the Jail may impact the other industrial plants in the area, and will impact services at the site, and how they use roadways, right of ways, etc.
- Will it impact the on and off ramps of I-5 specifically, since the patrol routes of ingress and egress to this site are partially limited and served only by one on and off ramp?
- What will be the impact of construction be on the commercial businesses and on the surrounding area, not just the property the prison will sit on?

II. Wetlands

This large Jail will have an impact on the wetlands located on this property, and on adjoining properties, and the changes in roadways and infrastructure may even impact the Nooksack River during flood periods.

- The land covered by parking lots, facilities, roadways, and miles of fencing. What is the impact, including the polluted water runoff entering our streams and rivers from construction and from the increased volume of use?
- What types of flora and fauna are on the property and on adjoining properties -- and what will be the long-term impact?

III. Pollution

The Jail will cause a great amount of pollution due to density, 24/7 living, and more.

- Where is the waste going? How much will there be? What type of waste?
- Who will be in charge if something goes wrong?
- What are your waste disposal strategies and who handles waste spills?

IV. Safety of industrial/toxic environments

Putting a high hazard facility in the middle of volatile industrial environment produces a unique mix of complications.

- What happens in case of fire, and how will that impact the other industrial properties?
- What if people escape, what kind of vulnerabilities are there for the community?
- What if there is a derailment of the train? This is close to a railroad crossing, so how will that impact the Jail security, safety, potential threats?
- What about fire services?
- What is the impact of rail traffic, potential coal train traffic and railroad regulations on this Jail?

V. Energy and other public utilities

What is in place there already, and what would need to be provided by other agencies?

- How much energy, gas, electricity, etc will be required to run the Jail? Will any of these pose an excess hazard when we view it in context of the neighboring hazardous industrial sites?
- What plans are there for energy conservation, or what could be included?
- Are there existing water mains and electric hookups, if not where would it have to come from?
- Will the city of Ferndale be required to install water/sewage and electric infrastructure to the new Jail?

VII. Lights – an often overlooked issue, must be addressed in this situation

- To ensure that there are no escapes and for "security" reasons especially in a flat jail, ALL prisons and jails use an inordinate amount of lighting 24/7 inside and outside. Think of all the electricity used for the mall on just the lighting.
- This WILL affect the wildlife and plants for several miles around. It will interfere with their mating, eating, and sleeping habits and patterns and could extinguish certain species. Does this endanger any protected species?
- Further, it will have an impact on those living near the Jail with total light and noise pollution. And it will have a visual impact on those driving by on the freeway who will all be constantly reminded that there is a Jail there. What would be the impact on Tourism trade?
- Can this even be mitigated? If not, this impact certainly needs to be compared to the costs and impacts of building and running a Jail that is tall rather than spread out, and one that is already inside the city where street lights and city lights already exist, and are accepted as normal.

SECTION 3
Environmental Impacts on Inmates, Families,
Staff, Businesses, Trade, Services

There will be substantial impacts on people all across our community for moving the Jail out of its current location, which is in the County seat. It will displace people, businesses and services, change commercial routes, habits of how we do business in all our government related processes. All the cultural, economic, social, psychological and physical impacts need to be studied.

In fact, even the question of whether our local Jail can legally be moved out of the County seat needs to be studied for the implications and ripple effects of that move.

Thousands of people and hundreds of millions of dollars a year of commerce will change patterns.

Bureaucratic agencies and staff:

What will the impact be on the lifestyles and business habits of the office staff members, Jail officers, arresting officers, the various levels of attorneys and their research staff, prosecutors offices, public defenders officers, medical support, doctors, psychologists and more?

Support Businesses and Vendors:

What are the impacts on companies such as the bail bond companies, canteen and food vendors, taxi drivers and transportation services?

Non-profits and other Service Organizations:

What is the impact on the non-profit organizations, advocacy and mediation groups that work with people from all sides of the process? How will it impact the staff and administrative people, the inmates, the victims, the reentry programs and anyone else who serves this population?

The inmates themselves

- How does this emotionally affect those who are being charged, have not yet gone to trial and have not yet been found guilty, to be in a large compound like this?
- What is the impact of not being able to have easy access to their defenders or their support people?
- What is the impact of being tried by video and not by humans?
- What are the physical and health impact of living next to a waste and garbage and medical hazards facility, next to potential coal train and industrial traffic? Some of these people will live on site 24/7 for days, weeks, months, even years. Although technically it is only supposed to hold people less than a year, that is not the reality. What is the net effect of all this toxic exposure, and is there a liability to the County for this exposure?
- What happens when people cannot be held, and are released in the middle of the night when there are no taxi services, or public transportation is available? They cannot afford to pay

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for taxis, and will be released in the middle of the county. Will there have to be a secondary central processing facility in downtown Bellingham to mitigate all these impacts?

- What about people on work release, or those in drug court or teen court checking in for urine samples, probation, and the rest of servicing those people who are in process through our highly complicated legal system? How will that be handled?
- Will we need additional facilities to mitigate these impacts?
- The list of impacts on inmates and all the citizens is large and complex and it must be studied and mitigated...and at what real cost?

Families of the inmates:

These people are already heavily impacted financially and physically by their family members being taken out of the family, and not being easily accessible.

- How will it impact the large segments of our population who are dealing with poverty today?
- It is far more expensive and will unfairly impact our poor and homeless to not be able to visit or provide support to their family members. How does this ripple out to affect the family dynamics?
- Often it is the head of a household who is incarcerated, and people with children. What is the impact of that?
- Family members, many of who may or may not have easy transportation, will not be able to meet the people being released, and they may be unable to easily visit or get help to their family members who have been incarcerated. What is the ripple effect on them, their children, their access to support?

SECTION 4

Impact on our Political, Social, Civic Structures

What will be the shift in the economic, social and fiscal effects on our taxpayers and civic centers of moving this Jail out of the downtown core? Out of the County seat?

- How will the balance of power in our county shift? How will our attitudes change if the Jail becomes a Correctional Facility?
- How will it affect the capacity and response times of the different jurisdictions and agencies?
- This is a key shift in how we do government business. It deserves to be studied for the impact on our cities, our state, our taxpayers, on the airport, and on commerce.
- What will be the impact and changes in taxes, consumption of services, changes in city jurisdictions, law enforcement patterns, political legislative districts?
- How will it impact the urban growth areas, manufacturing facilities and growth areas for Ferndale, city shopping, political influence?
- How does it impact the safety and efficacy of the current offices, business and infrastructure investments in the downtown Bellingham core?
- How will it economically, culturally, socially and businesswise affect the tiny town of Ferndale; and how will it change the business and tourism climate and population?
- What will be the fiscal impact of all the City of Bellingham officers having to travel north to Ferndale to handle bookings? The largest amount of population is served quickly in downtown Bellingham...so how will that impact safety downtown when officers have to travel farther for all arrests? Will it increase the police costs downtown?
- Is there any plan to move the Courts out by the Jail so that business can be conducted in an efficient manner, or is there some other plan to conduct trials...and do business? What is the cost or anticipated manner to do this?

SECTION 5

Legal issues to be studied for their impact

There are legal issues that need to be studied for the human environmental impact. There are many complex and overlaying law and justice issues, many jurisdictions and authorities for all the infrastructural and civic changes.

- What legal precedents could be unwittingly set? How can we examine the potential impact of many changes on the legal landscape can have on the inmates, the community?
- Are we, by moving the Jail out of the county seat creating an unwitting legal issue and changes in how we deal with local, state and national issues?
- How will placing our Whatcom County Jail in this location - outside the city boundaries, and outside the civic center of the city impact legislative and political power, civic jurisdictions and all governmental agencies and services?
- What will be the federal legislative, judicial, administrative impacts?
- What will be the reentry and restorative justice impacts on recidivism rates locally, statewide?
- If state and federal inmates will be housed here, what will be the impact of the state and federal use of this facility to house higher level prisoners – on our local inmates?
- Is there a change in the legal status of the facility when the name is being changed from the ‘Whatcom County Jail’ and is the now being called in the EIS scoping process the ‘Whatcom County Adult Correctional Facility and Sheriff’s Headquarters’?
- Does the change in name presumptively change the legal status of the facility and set precedence and/or change the power and scope of our Sheriff’s authority and activities?
- Does it change the functional and legal use of the facility by other law enforcement agencies, city, state, federal and other agencies?
- Does the name affect who can be housed there, the building of the facility, how it is operated?
- Does the name change give more power to our Sheriff arbitrarily, and without the knowledge of our citizens?
- Research should also be done into what services can realistically and effectively be offered within a Jail environment regarding reentry services. The plans as discussed indicate that the Sheriff wishes to have alternative services, and potentially the mental health triage unit running out of this facility. The public deserves to know what the impacts of that are, and whether that is the best use for the investment of our tax dollars.

Our research shows that most educational, diversion, reentry, restorative and alternative services are best administered when they are not from within a Jail compound. In fact, there has been shown to be a reverse prejudicial negative impact on people who have to go there for these services. We need an outside opinion on these matters included in the EIS study, and we need comparative projects to see the impact of including these plans in this Jail, or if they should be done in a completely different fashion at less cost to our citizens.

There is a Washington State Supreme Court Ruling that found that trying a case within a Jail environment is prejudicial to those visiting and those who serve on juries. How would that ruling affect our Jail and how we handle court cases in the future?

SECTION 6

Aesthetic, historic, cultural, economic, social, or health impacts

Regardless of whether the impacts are adverse or beneficial, according to NEPA the impacts should be studied for the whole community. They say, "It is important to note that human beings are part of the environment (indeed, that's why Congress used the phrase "human environment" in NEPA), so when an EIS is prepared and economic or social and natural or physical environmental effects are interrelated, the EIS should discuss all of these effects."

Therefore,

- What is the opportunity cost for Ferndale to lose its potential as a tourist city if the businesses of the city change to support an oversized Jail that may be turned into a contract services facility for downsizing state and federal facilities?
- What will be the impact on the Lummi Nation, on all the other city police departments across our County?
- What will the impact be on the people coming to do business at the Silver Reef Casino?
- What is the precedence of other county Jails being turned into prisons?
- What are the trends of the industry as a business and the trends in the commercialization and privatization of Jails into prisons? Looking at the Jail industry in the context of our environment is relevant to the citizens of this county making a smart decision about this Jail.
- What is the possibility that this local Jail is being set up to meet the standards for conversion into becoming a state prison, federal detention center, or a private prison? Is it being established to become that?

SECTION 7

Alternative Options to the Jail and Jail Site choices

NEPA indicates that alternatives to the current project should be provided if there are other alternatives that are viable. According to the NEPA reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant.

For this purpose, we raise several alternatives that should be considered in tandem with the current proposed site. They should be judged based on relevance, current economic conditions, ease to build, assessing the real return on investment of tax dollars to the citizens over time, and common sense. Who ultimately is going to pay for all this – and what makes sense to them?

• **Alternative 1: Why not study the Division Street property at Irongate?**

Why is it not a viable option compared to the Ferndale property? It currently houses the Work Release facility. It could be developed to work in tandem with, or in complete replacement of the current Jail. There are at least 10.5 acres that could be used that is inside the city limits of Bellingham, that is easy access to I-5, that has transportation, roads and industrial quality services close by. There is easy access to emergency, medical and fire services. Why can this not be used for this purpose, and not cause the complete disruption of the downtown civic core?

• **Alternative 2: Why not compare the feasibility of building the Jail downtown?**

Especially relative to this site? Why not examine the adjoining property downtown that is already owned as a viable alternative to the Ferndale property? Why not study it in the context of all else that has been raised in these comments? It seems that in context, this site should certainly be studied in this EIS process. The information provided to the Jail Task Force was that it was not actually better or worse to build a vertical jail as different from a flat jail. So why not re-study this site? Especially if it was built in tandem with the Division Street property, or in tandem with alternative and restorative justice options like the next suggestion.

• **Alternative 3: Why not build a smaller jail, and a large ReStoreALife Center facility?**

Fashioned after the highly successful Delancy Street Project in San Francisco with some modifications, the whole purpose is to reduce costs to the taxpayers, get a safer city and restore a civic center that is healthy and viable, while getting people out of the recidivism cycle and putting them to work.

Why not study the logic and efficacy of building a Jail of a smaller size...like 400 to 500 beds that is more in line with national trends? Why not study the impact for how we can intentionally invest in early education, prevention and restorative justice alternatives that have been proven to yield a higher return on investment of tax dollars to the community?

Rather than cutting back on Drug Court and Teen Court, why not expand them, and add Veterans Courts, Homeless Courts and Mental Health Courts (which also have a high proven success rate) and do a complete reversal of penal system practices that have been proven not to work? Why not use the old Federal Building for this purpose (a current albatross for the City of Bellingham), and get a better return for our community?

According to the US Bureau of Prisons, US Justice Department and the PEW Research Center statistics, crime rates nationally are going down, alternative treatments have been proven viable with high success rates and there are many programs that are already proven to replace the growth of jail populations. And they are better for the community on all levels.

Right now, the ReEntry Coalition of Whatcom County is currently building a coalition of organizations locally who are planning such an alternative. For a short list of organizations who could be included in this solution go to Item 9.

SECTION 8

Impartial 3rd Party Review of the Statistics, the Size and Scope of the Jail

In any project of this size, it seems that it would be prudent and common sense to see if there are errors or efficiencies that could be implemented that could reduce the expenditures or reduce the size of the project. This would fall within the scope of this EIS process.

At present, the current statistics given to justify the large Jail do not satisfy our organization. They are not complete and have not been juried by an outside source. Logically, these statistics should all be reviewed and validated if they are to justify an \$80 million dollar or more expenditure of funds by our County Council and by our citizens.

- What if the statistics are fallible and our County over builds an excess 200 extra beds at \$80,000 per bed cost (not including the cost of the land and the operating costs)? This would give us a capital expenditure in the tens of millions to recover. We would need to know what would be the exit alternatives to recover these costs, or what else could be done with these beds?
- It seems that the very statistics used to validate this size of Jail, are statistics created by and provided by the very departments that have been in charge of producing the incarceration rates and bed stays through administrative, prosecutorial and law enforcement action.

It seems that whether they are quality and justified statistics should be validated by an outside party. For these very departments are also those who will ultimately benefit by the growth of the Jail. Therefore, it stands to reason that this could constitute a conflict of interest, and should rationally be reviewed for the benefit of our County Council and our taxpayers in this EIS report. This seems to be the very purpose of the NEPA request for outside oversight of projects of this size and scope.

In our organization, working directly with those who are going through the legal process in our county, there are many questions that have been raised about the changes in arrest practices, about inefficiencies in our prosecution, our Jail operation and incarceration patterns. The confluence of these issues seems to be causing bottlenecks in the system that may be overloading our bed occupancy rates and may be driving statistics artificially up. It seems that this should be reviewed by an outside source to see what the real situation is, and to see if some administrative changes would change the bed occupancy rates, and therefore change the County's projections.

- It seems that it is just common sense, as citizens, to ask that we review all this through the EIS report. Especially since this Adult Corrections Facilities and Sheriff's Headquarters request includes the demand to provide a 38,000 square feet (about an acre) headquarters for the Sheriff, plus provide an additional 32,000 square feet (about another acre) for storage. It

seems that it might be worth reviewing all our law and justice efficiencies before our taxpayers pay for this.

Can this EIS process examine what is the national precedence for building this size of a Sheriff's headquarters to administer the jail needs of a county with a population of about 200,000? Especially considering that in Whatcom County we also have an abundance of other law enforcement agencies who have headquarters... such as the new large Ferndale Police Station, a Bellingham Police Station, Homeland Security, Border Patrol, and many other headquarters. What is the reason that our Sheriff need this huge headquarters?

- To be more specific, we would ask this EIS Study to look at similar cities across the nation to compare actual trends in incarceration and jail bed rates over the last 30 years. Our request would be that the study looks at and compares statistics like the following:
 - The number and types of arrests as a comparison to other similar communities
 - The time that people spend in our local Jail relative to other communities
 - The number of charges filed against each person compared to the rate of plea bargains and compared to how many charges were actually filed by the officer initially
 - The range of incarcerations relative to the length of stay for non-violent crimes, the number of extended stays based on probation violations, the days spent waiting for the Prosecutors office to take administrative actions, and more.

Our County Council and our citizens could then see the changes in trends and arrest practices and identify the reasons for increasing occupancy rates, and compare options and ways to deal with the increases in perhaps a more cost effective manner.

Wouldn't it be smart to have as an end goal to figure out if it might be possible with increased efficiencies in our Sheriff's office, in the jail, and in the Prosecutor's office to reduce the number of Jail beds used? How could that happen? That perhaps would change the growth rate and the demand for building a larger Jail, and it could actually help our taxpayers save money and capital costs right when our country is facing a depression, and severe losses of state and federal tax revenue due to austerity measures and other cutbacks.

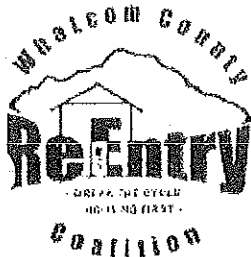
Could this be included in this EIS report – it certainly has a huge human environmental impact, and a huge fiscal impact.

SECTION 9

Community Groups to include to Explore Alternatives

According to the NEPA, several other community organizations have a direct interest in this project and might be wisely included in the process of looking for alternatives to this project. Whatcom County has a great list of non-profit agencies, and we would like to nominate several who might be interested in working with this process to find alternatives. This is our short list, and there are many others:

- The ReEntry Coalition of Whatcom County
- Opportunity Council
- ReUse Works
- Whatcom Dispute Resolution Center
- Peace and Justice Center
- Homeless Coalition
- Whatcom County Health Dept.
- Bellingham Housing Authority
- Whatcom County Health Department
- St Lukes Foundation
- The Ferndale Double Dome Aquatic Center
- Lummi Nation
- Lummi Restorative Justice Project
- Nooksack Nation
- Seattle LEAD program, spearheaded by Dan Satterburg, King County Prosecutor



October 12, 2011

TO: Jay Farbstein, AIA
Consultant for Jail Planning Task Force

FROM: Whatcom County ReEntry Coalition
Joy Gilfilen, President
360-739-7493
joy@joygilfilen.com

RE: Request that the jail planning process includes a relevant financial, social and community financial impact analysis of any expenditure that increases consumption of jail services in our community, and that the ReEntry Coalition and the community be invited to provide alternative recommendations in the deliberation process.

The Coalition has just completed hosting four public forums, sponsoring a recently completed Community Mastermind Conference, and had done several months of intense interviewing of dozens of people including officials and organizational heads in Whatcom County about reentry issues. We've been seeking out solutions, ideas and resources that can ease the socio-economic and personal stressors that incarcerated people deal with. Along the way we invited a lot of open dialog about all the issues facing people on any level, and we have gotten in touch with many very elemental things in our community.

The Whatcom County ReEntry Coalition is acutely aware of what is happening with people who are attempting to reenter society as solid citizens, and the ripple effects on their families when they fail, and the costs to taxpayers when they recidivate and start the cycle over again, accelerating the destruction of the social fabric of our community.

Over the past few years we have been interviewing people on all sides of the issue looking at the ripple effects of incarceration, at the root causes, and for solutions to the extreme challenges we all are facing in to today's marketplace. We have uncovered some extremely uncomfortable issues and challenges that every community in America must face as we choose where to spend our taxpayer dollars in today's market.

- 1) **Lack of Revenue to pay for any expanded jail services:** The middle class is shrinking at record rates, and small businesses are faltering in record numbers. This means that our taxpayer base is shrinking and that the middle class will not be able to continue to boost tax revenues to the city, county, state and federal governments. Our economy is faltering with millions of middle class facing bankruptcy, foreclosures and complete upheaval in entire industry segments.
- 2) **Excessive consumption of expensive jail services:** Our prison industry is glutted with a 293% growth rate over the past 30 years, when our population has only grown by 30%. The prison industry is the higher end consumer of tax dollars. It is costing \$30-50,000 a year to incarcerate one person for one year. That means that it takes 12 to 14 people working at \$24,000 a year jobs to pay the tax bill for one inmate. The point of earliest intervention to stop rising prison rates is at our jails, and before that at our schools and families.
- 3) **Our Whatcom County law and justice system is consuming 64-70% of Whatcom County taxpayer dollars.** This is unsustainable, and must be reviewed for logic, common sense, and viability.

What are the other services in the county that are suffering from overconsumption of jail and law and justice services? What is the root cause of the problem, and how else can we solve it?

- 4) **Severely Reduced Social services, education, rehabilitation, recovery services.** The dramatic tax cuts have forced state and federal cutbacks in services, severely handicapping our capacity to solve the problem at a government level. Right now in Washington State the Governor has called for another \$2 billion in budget cuts. Where is it going to come from?

Here are two news pieces that illustrate the size of the problem – just from an economic impact perspective, not even addressing the ripple effect on social issues, justice, honor and respect of our people.

- 1) **CBS News released a 60 Minutes documentary in June, 2011** illustrating the size of challenges. <http://www.cbsnews.com/video/watch/?id=7358670n&tag=contentMain;contentBody>. They discovered that according to the Brookings Institute that 25% of today's children in America will be living below the poverty line by 2012. They are calling this generation the HardTimes Generation. Right now in Orlando, Florida – where Disneyland is popular, school buses must stop at dozens of “cheap hotels” to pick up volumes of their children living in poverty. An excerpt from the article about the 13 minute video reads like this:

“Unemployment improved a bit last month but it is still nearly nine percent and the trouble is job creation is so slow, it will be years before we get back the seven and a half million jobs lost in the Great Recession. American families have been falling out of the middle class in record numbers. The combination of lost jobs and millions of foreclosures means a lot of folks are homeless and hungry for the first time in their lives.

One of the consequences of the recession that you don't hear a lot about is the record number of children descending into poverty.

The government considers a family of four to be impoverished if they take in less than \$22,000 a year. Based on that standard, and government projections of unemployment, it is estimated the poverty rate for kids in this country will soon hit 25 percent. Those children would be the largest American generation to be raised in hard times since the Great Depression.

In Seminole County, near Orlando, Fla., so many kids have lost their homes that school busses now stop at dozens of cheap motels where families crowd into rooms, living week to week.”

- 2) **Washington State Budget and Policy Center article: Poverty skyrockets while more cuts loom** (See attached article). This is an excerpt:

Official poverty estimates released today by the U.S. Census Bureau show catastrophic growth in poverty in Washington state. The worsening poverty statistics were released just as Governor Gregoire called upon the legislature to slash \$2 billion in funding for health care, child care, and education investments during a 30-day special session to begin on November 28th.

Some key numbers for Washington state

- Nearly 890,000 people in our state now live below the federal poverty line. For a family of four, that

means surviving on less than \$23,000 a year.

- Between 2009 and 2010, 84,000 more Washingtonians slipped into poverty.

- Over 33,000 more children are living in poverty, a jump from 16 percent to 18 percent between 2009 and 2010.

During the same period, median household income in Washington state declined by nearly \$2,000 to \$55,631 from \$57,416 (after adjusting for inflation).

- 3) According to our own Food Bank Manager**, speaking at the Environmental Heroes dinner a couple weeks ago, 1 in 6 households in Whatcom County can be seen going through the Food Bank lines weekly to receive food for their families.

The bottomline, it that is is not affordable, responsible, accountable, nor cost effective in invest in any expensive, expanded incarceration platforms, except as absolutely necessary when we need to be investing more of our dwindling tax dollars to address the roots of the problem... our reentry issues, our reeducation and job reskilling and redirection issues, our prevention and early intervention solutions. These solutions give a positive return on investment. Terry Weber, from Pioneer Human Services has provided an email to us with many resources to consider when looking at financial projections. See attached, and we will forward the email as well so you can check the hyper links.

Our community must go back to the drawing board to examine the roots of our systems for systemic flaws, and to reexamine every expenditure we make for our community. We must examine them from several directions:

- 1) **What is our vision for our community relative to our correctional attitude?** Are we going to support a penalty based jail system that is expensive and is producing high recidivism rates? Or will we have the political and fiscal will to going to work to rebuild our systems to reflect corrections and rehabilitation so that we can redirect people out of the system to become taxpaying citizens, thereby expanding our tax base, and revitalizing and rebuilding our community quality of life?
- 2) **What is our goal for reducing consumption of jail services, rather than expanding them?** How could it be possible to reduce the jail population by 60-80% (or to reduce the time spent in jail that it takes to create a correction for the offender), thereby reducing the budget share of the total county budget? According to our county sources, that seems to be the actual amount of people who are incarcerated who are illiterate, mentally ill, homeless, or dealing with some level of alcohol or drug issues – so what else could we do that would be far less expensive, and more effective?
- 3) What is the real internal rate of return especially in light to todays economic climate (and relative to future projections) to the taxpayers when we invest in the jails as different from investing in schools, education, prevention, diversion and other choices?
- 4) **What else can we do to increase the Quality of Life for people in Whatcom County?** How can we reduce expenses and yield a better return on investment to our community?
- 5) **If government must be reduced, then what are the opportunities that are rising?** When other systems are decomposing, what is the composing process? What is the expanding opportunity for enterprising ingenuity that is based on regeneration, revitalization, sustainability? How can we invent

new ways to support the lower levels of our community to restore their own honor, to provide them a right to work and to rebuild right livelihood for themselves?

The Whatcom County ReEntry Coalition has been working on solutions. We have dozens of organizations in Whatcom County that could use community and budgetary support to redirect people out of the prison system.

We have visions of the ReStoreALife Center, of community facilities that are self-sustainable, that encourage entrepreneurship, self-reliance, community sustainability. Why not consider them as part of the Jail Planning process?

We agree that the current jail needs upgrading. Our request is that we, the community, the Jail Planning Task Force, and the Whatcom County Council take the time to stop, look and listen before we make decisions about the size, scope and scale of the jail. Alternatives, all of them, must be considered. This is not only humanitarian, it is common sense given our current market conditions. It is good business and it is the right thing to do. The community is ready to participate.

The Coalition has spent several years gathering information, conducting interviews with people on all sides of the issues. We have attached a few key pieces of information for your perusal, and there is much more to come as a result of the recent conference. We request the opportunity to present them as a part of the public process, and will forward more material as soon as it is possible to do so.

In summary, please do a real world financial impact analysis as part of the pre-planning process, and consider the community resources that are available to find other solutions.

Bellingham Herald Article: Posted on Thursday, Sep. 29, 2011

WHATCOM VIEW: ReEntry Coalition meeting to help former prisoners find jobs, repair lives

by JOY GILFLEN

ReEntry. When I first heard the word, I was invited to a brainstorming meeting for the Whatcom County ReEntry Coalition. The invitation was from an executive recruiter for professionals, so I assumed it was about displaced business professionals re-entering society following industry upheavals.

Wrong. That was the wrong end of society. This ReEntry conversation was about prisoners and people who are at risk trying to re-enter society after prison, after recovery, after they had been displaced by either misfortune or mistake.

Wow. What a shock. I listened to what the challenges were. I was stunned. Not only did these at-risk people have a tough time because of their history, they had lost connection with the speed of change, didn't know technology and were completely behind in functional literacy skills.

I could see limited potential for any of these people to catch up. Even if they were professionals and skilled and bright, their capacity to catch up and to get restored back into our emerging society as it went racing by was virtually impossible – for many reasons.

This was heartbreaking for all of us. It was not sustainable for our community. It was not healthy or honorable and didn't work. I made a decision to help find solutions and became President of the Coalition.

Here's just a few challenges I found:

- 1) Limited employment: With high unemployment rates, why would employers hire a felon or people with a record, when there were people available without a record?
- 2) Limited Current and Relevant Job Skills: Incarcerated people lose connection and touch with our high speed world.
- 3) Functional Literacy: Many people leaving prison now are handicapped by not working, not caring for themselves, being shut in and told what to do. They need retraining just to function.
 -) Illiteracy, mental illness, PTSD, Trauma and Substance Abuse: Many went into the system because they were unable to handle stress, and by the time they come out of prison they are worse than they were before. They simply cycle back in.
- 5) Homelessness and lack of family support: Most reentering citizens have no home, no resources, little connection to their family. How can they get to work, conduct business, do anything without stability? They end up victimized.
- 6) Lack of ReEntry Services: Due to cutbacks in social services, and a lack of cohesive solutions, there are few consistent programs to help people reenter successfully. Many non-profits are doing their best to fill in the gaps and it is not enough to meet demand.
- 7) Washington State ID: Many people with felonies are released without proper ID and without the cash to do simple business. Our state releases people with a Washington State Offender Badge that lists their prison number and their picture. It is bright green, and is not useful for renting a home, cashing a check, buying medication, or transacting business of any kind. How is that useful? Please check out WhatcomREC.org to see what we are doing about this.

The problem is that these issues ripple out to affect our entire society in compounding waves. Whatcom County spends 64 -70% of our taxes on law and justice costs. The secondary costs to our social services for the family left behind starts escalating.

This is not a good investment of our money, and it is not healing our community. There are many, many solutions that could be implemented to cut costs and break the cycle of destruction such as mental health court, restorative justice, job re-skilling platforms, new recovery programs and more.

Join us at the Community Opportunity Visionary Mastermind Conference at the Bellingham High School on Saturday, Oct 1, from 8:30 to 5 PM to talk about solutions. It is a suggested donation event. On Saturday evening at 7 PM there is a Vitality Concert to promote change and new thought thinking. Help us understand, adapt and change to meet the needs of people today. The world is not what it used to be.

Joy Gilflen is the President of the Whatcom County ReEntry Coalition. Joy can be reached at joy@unitingCreatives.com or at 360-739-7493.

Whatcom County ReEntry Coalition • A 501(c)(3) Non-profit Organization.

WhatcomREC.org • PO Box 31026, Bellingham, WA 98228 • 360-354-3653 • Info@WhatcomREC.org

Washington State Budget and Policy Center article: <http://budgetandpolicy.org/schmudget/poverty-skyrockets-while-governor-calls-more-cuts>

Poverty skyrockets while more cuts loom

Posted by Lori Pfingst at Sep 22, 2011 04:05 PM | Permalink

Official poverty estimates released today by the U.S. Census Bureau show catastrophic growth in poverty in Washington state. The worsening poverty statistics were released just as Governor Gregoire called upon the legislature to slash \$2 billion in funding for health care, child care, and education investments during a 30-day special session to begin on November 28th.

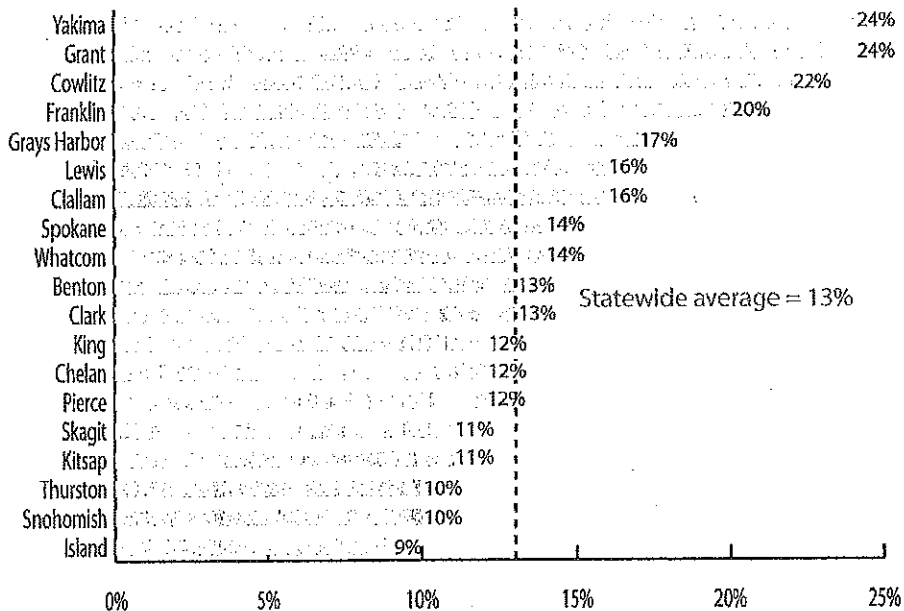
Some key numbers for Washington state

- Nearly 890,000 people in our state now live below the federal poverty line. **For a family of four, that means surviving on less than \$23,000 a year.**
- Between 2009 and 2010, 84,000 more Washingtonians slipped into poverty.
- Over 33,000 more children are living in poverty, a jump from 16 percent to 18 percent between 2009 and 2010.
- During the same period, median household income in Washington state declined by nearly \$2,000 to \$55,631 from \$57,416 (after adjusting for inflation).

Poverty hurts our whole state

While every corner of our state is impacted, counties with large rural populations and children are among the most vulnerable: Yakima, Grant, Cowlitz, and Franklin counties have the highest rates in the state, with at least one in five residents living in poverty;

Rural areas in WA have highest rates of poverty



Deep Poverty on the Rise

While thousands of new Washingtonians fell into poverty last year, the situation also became much worse for those already struggling to make ends meet. The number of people living in deep poverty – with incomes below \$12,000 a year (for a family of four) – now account for 45 percent of all people living in poverty. This rise in deep poverty will have significant, long-term negative consequences on Washington's children, families, and communities, as well as our labor market and future economic potential.

Public economic structures more important than ever

Washington can, and should, invest in struggling families to mitigate the impact of the economic downturn and ensure our future prosperity. This means we must adopt sensible revenue increases in order to maintain the public health, safety, child care, education, and other systems that form the foundation of our state economy. Yet, policymakers continue to move our state in the opposite direction making unprecedented cuts to these and other public structures that would ignite the economy and promote job creation.

We need a new strategy for developing a state budget that will protect Washington from the economy and make the necessary investments to promote jobs. When the legislature convenes in November, it is essential that they consider new revenue to make the vital investments needed to put Washington on a stronger path to prosperity.

Resources from Terry Weber, Pioneer Human Services:

Here is a copy of an email I just received from Terry Weber (on short notice) one of our speakers and an attendee at the Community Opportunities Visionary Opportunities Conference held in Bellingham, October 1, 2011. On short notice, he provided many links about the failed Thurston County Jail, links to financial documents and resources that show how investing in our community directly pays the community back in reduced costs of incarceration, and much more. I will forward this email with all the hyperlinks working so it is easier for you to peruse.

show details 10-12-2011 4:01 PM

Terry Weber via joygilfilen.com to joy

Due to the short notice this is what I was able to gather about some of the challenges around the Thurston County Jail, which is now vacant for the lack of money to operate it:

<http://www.theolympian.com/2011/07/07/1715400/citizens-were-kept-in-the-dark.html>

<http://www.theolympian.com/2011/04/16/1618379/why-do-we-need-two-new-jails.html>

<http://www.theolympian.com/2011/05/31/1670064/commissioners-wise-to-fund-study.html>

<http://www.theolympian.com/2011/05/24/1661945/county-to-hire-consultant-to-study.html>

<http://www.theolympian.com/2011/03/11/1574673/way-to-use-jail-sought.html>

Franklin County Jail <http://www.theolympian.com/2011/10/04/1824953/officials-aim-to-show-need-for.html>

<http://www.theolympian.com/2011/09/29/1819145/franklin-county-officials-want.html>

Pierce County Jail <http://www.thenewtribune.com/2008/02/20/288070/staffing-shortages-plague-pierce.html>

<http://www.thenewtribune.com/2007/07/22/115699/is-it-time-to-build-another-jail.html>

Spokane – a jail site actually talking about programming... <http://www.spokanecounty.org/jep/content.aspx?c=1790>

Model alternatives to review instead of incarceration... <http://www.delanceystreetfoundation.org/aboutus.php>

<http://www.pioneerhumanservices.org/aboutus.html>

Average cost of incarceration for DOC per inmate \$34,615 per

year <http://www.doc.wa.gov/aboutdoc/docs/msCostOfIncarceration.pdf>

Washington State Institute of Public Policy

Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates

<http://www.wsipp.wa.gov/pub.asp?docid=06-10-1201>

Exhibit 4 is the initial report to the legislature in 2007

that identifies alternatives and benefits minus costs – you can see the value of alternative programs and working with youth is especially cost effective – the more resources you can provide to support alternative sentencing programs and focus on people prior to entering the revolving door on the jail system until the graduate to prison, the more ROI

Return on Investment: Evidence-Based Options to Improve Statewide Outcomes

<http://www.wsipp.wa.gov/pub.asp?docid=11-07-1201>

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Recently posted and a quick read (7 pages) with results for many options but I want to identify Community Employment Training/Job Assistance near the bottom of page 4 reflecting the project we are working on at Pioneer Human Services. <http://www.wsipp.wa.gov/rptfiles/11-07-1201.pdf>

Monetary Benefits

Column 1 – Total benefits \$4,641 = stems from reduced crime, impact on the labor market and health care benefits

Column 2 – Taxpayer \$1,104 amount expected to be received by taxpayers

Column 3 - Non-taxpayer \$3,537 amount accrued to others not victimized by the avoided crimes

Costs

Column 4 – \$132 Cost per participant to implement in Washington state

Summary Statistics

Benefits minus costs (net present value)

Column 5 - \$4,509 benefit to cost summary

Column 6 - \$35.13 benefit to cost ratio (benefits divided by costs) for every \$1 invested there is a \$35.13 ROI – **can a jail produce that?**

Column 7 - Rate of return on investment was not computed due to an inability to be reliably estimated

Column 8 – 100% Measure of Risk (odds of a positive net present value) the “program has 100% chance of producing benefits that exceeds costs”

You can see that there are many alternative sentencing programs that produce a positive ROI rather than incarcerating someone in jail.

Court Navigator - \$38,000 per year

Most people get into the system and due to economic status, lower education attainment (jails expansion have been based on the drop-out rate) and as a result cannot navigate the system to get out. I provided a Welfare to Work Non-custodial Parent Offender program in partnership with Tacoma municipal Court and the Division of Child Support in 2000-2003.

By creating and implementing a court navigator for our program, we reduced incarceration rates and recidivism rates significantly by providing initial risk assessments, linking people to community resources, services and programs to address the root cause while providing access to case management as a Central Point of Contact (CPOC) between treatment providers and the courts, and assisting participants with job search and job ready services, training and retention services.

We had a 77% success rate of people obtaining employment and retention to obtain \$.50 wage increase within 6 months, becoming tax and child support paying citizens with increased family reunification. The amount of child support claimed by participants neared \$1 million and courts costs and fines were paid as well.

The cost of a single staff with access to Community Case Management (CCM) is estimated to be \$38,000 per year with Benefits. The courts recognized our program as the single most valuable asset to them and Assigned Council by streamlining the court processes, reducing court monitoring calendars, nearly eliminating violations for failure to comply with court orders and re-incarceration rates for nearly 200 participants was less than 2%.

I created and implemented the Get Employed Today program in the Thurston County Corrections Facility in 2005 and after 2 years of grant funding, Thurston County continues to pay for the program to provide job search ready and job ready programming in the pods and for the work release due to the reduced return rate of inmates.

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There are many resources available as alternatives to incarceration as well as providing access to treatment in the community at a cost of \$2,102 per person for a return on investment of \$7.35...I am sure if the jail consultant provides the cost per ADP (Average Daily Population) it will be in the thousands and that is not an ROI...

There is so much more that can be done if a community invests in the community...incarceration is not an answer; I was in DC for the Serious Violent Offender Reentry Initiative and the keynote speaker was amazed that our nation would continue to invest in a broken system...corrections does not work; interventions and opportunities do. Your community must reinvest in the community. The few jobs created by building a new jail and staffing it with more corrections offices only contributes to the problem...not the solution. Punishment does not teach anyone anything except to be better at breaking the law...people need the tools to become better citizens.

More resources are available at:

PEW

- One in 31: The Long Reach of American Corrections (2009)
- One in 100: Behind Bars in America (2008)
- Strengthen Community Corrections (2008)

I hope this helps

Terry Weber

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It is no longer business as usual.

In today's market we need heart, ingenuity and community to build a future that works.

1) Technology has changed how society works!

It took 38 years for Radio to reach 50 million people, TV only 13 yrs. Then the Internet 4 yrs, iPod 3 yrs, and Facebook 2 yrs. (Google+ will take 3 months.) The top ten 'in demand' jobs in 2010 did not exist in 2004. The US Dept of Labor says that today students will have 10-14 jobs by the time they are 38 yrs old. (It used to be 1 to 3 jobs). Tech information is doubling every 2 years -- so college freshman expect a refresh in their junior year.

How is this affecting our civic dialogue? How is this changing our political, social and structural patterns? How is this changing science, business, and more?

2) Our global economy has changed our financial world, business, jobs and entire industries.

Eighteen million people are unemployed. Millions more are unemployable and have given up finding a job. Displaced from the market, they end up homeless, standing in food bank lines, or in jail/prison. Oddly, many jobs are left empty -- for our workers are not prepared for the new economy. Employers are going offshore to fill the gap. China is becoming the largest English speaking nation.

What's the real emerging opportunity for educators, entrepreneurs, our community to fill the gaps? How can we reconstruct?

3) Ecological challenges demand new ideas.

The Dept of Economic and Social Affairs 2011 stats say that about half of the earth's forests are gone, groundwater resources are being depleted and contaminated. Enormous losses in biodiversity have already occurred, and climate change threatens the stability of all ecosystems.

They say that over the next 40 years, \$1.9 trillion per year will be needed for incremental investments in green technologies. *Where is the real opportunity of the future for business, for jobs, for sustainable economies, for social transformation?*

4) Our penal system is unsustainable and not achieving life-enhancing results.

Our tax dollars are not working in the way that most taxpayers believe they are. YES! Magazine reports that in the past 30 years the US population grew by 35% - yet our

incarceration rate was 293%. How is that logical when it takes 12-14 taxpayers to pay the \$36,000/yr bill to incarcerate one person? The shrinking middle class and economic problems are cutting revenue to government -- so budget cuts have slashed virtually all life-enhancing alternatives. When we cutback education and social services, we get more homelessness, addiction, stress, abuse, joblessness. Non-profits are challenged. Ultimately people end up recycling through the punitive prison system.

Whatcom County is already spending 70% of its budget on law and justice (up from 64% last year). 80% of the people in jail are illiterate, homeless, mentally ill or dealing with alcohol or other addiction issues and end up using a disproportionate amount of the tax dollars. St. Joes Hospital writes off roughly \$20 Million dollars a year for Charity Care.

How can we redirect money to get a better return on investment, to rebuild our community so we expand lives rather than constrict them? What about restorative justice, mental health courts, job-reskilling, trauma therapy?

5) Diverse local independent entrepreneurs, activists, innovators, farmers and organizations are pioneering new solutions.

For example, last year's Transition Whatcom Conference gathered over 800 people to discuss transitioning to a lower footprint society. Sustainable Connections has 650 green business members, 4th Corner Exchange is spawning economic alternatives, and the Business Alliance for Local Living Economies hosted their international conference here. We have three institutions of higher education that are doing remarkable work in technology, environment and leadership. We have leaders in recycling, organic foods production, science and the healing arts. We have more volunteers and non-profits than virtually anywhere in the country. Bottomline, we have the potential to harness outstanding intellectual capital to deal with the challenges ahead.

Let's join together in building bridges to our collective future! Working side by side with passion, we can set the pace for healthy change. We can blaze all new trails and establish Whatcom County as a caring innovative community that is leaving a legacy of vitality, strength and sustainability to our children.

This article was written by Joy Gilflen, President of the Whatcom County ReEntry Coalition and Founder of UnitingCreatives.com a co-sponsor of the Community Opportunities Conference to be held Oct. 1, 2011 in Bellingham, WA. The Whatcom County ReEntry Coalition is a 501C3 organization that serves people at risk in Whatcom County. Joy can be reached at 360-739-7493 if you would like to participate in the event as a sponsor, exhibitor, panelist or attendee. Read more about the conference and buy Tickets at WhatcomREC.org.

Restorative Community Coalition

Mission Statement:

Action oriented coalition advocating for restorative, economic, systemic and social change.

www.whatcomrec.org and www.restorativecommunitycoalition.org

Recommended Reading List

BOOKS

- The New Jim Crow – Michelle Alexander - **excellent**
- Race To Incarcerate - Marc Mauer - **excellent**
- Restorative Justice – Jim Consedine (See Irene for copy) out of print
- The Little Book of Restorative Justice – Howard Zehr - **excellent**
- A Matter of Time – Don Kirchner
- Return To Honor - Don Kirchner
- Tipping Point – Malcome Gladwell
- Breakfast At Sally’s – Richard LeMieux
- Lucifer Effect – Philip Zimbardo
- Punishment and Inequality in America - Prof. Bruce Western - explores the root causes of mass incarceration and the interlocking systems of economic and racial oppression in our communities today.

PUBLICATIONS

- YES! Magazine – Summer edition 2011 – Beyond Prisons – entire publication
- New Yorker – ‘Taken’ – 20+ pages of actual cases of people being relieved of their valuables/ belongings by law enforcement officers across the US. The laws were changed to allow districts to confiscate from citizens, cash, valuables, jewelry, personal property, etc. with no recourse. http://www.newyorker.com/reporting/2013/08/12/130812fa_fact_stillman

WEBSITES <http://www.msnbc.msn.com/id/21134540/vp/48085402#48085402>

- Delancy Street <http://www.delanceystreetfoundation.org> San Francisco
- Health Recovery Center - <http://www.healthrecovery.com/> Joan Matthews Larson
- Passages Malibu - <http://www.passagesmalibu.com> Chris Prentiss, Recovery Center
- Sponsors, Inc., Eugene, OR, Re-Entry since 1973 - <http://www.sponsorsinc.org/>
- Dunklin Memorial Camp - <http://www.dunklin.org/> Recovery program
- Animal As Natural Therapy - <http://www.animalsasnaturaltherapy.org> Bellingham
- Dhamma Brothers - <http://www.dhammabrothers.com/Prison>
- Angola – Louisiana State Prison, Hospice - <http://angolamuseum.org/?q=node/58>
- Uniting Creatives.com -
- Monarch School for Homeless Youth** - 808 West Cedar Street San Diego, CA 92101-2411 - (619) 685-8242 <http://www.monarchschoools.org>
- Innovative Concept Academy**, St. Louis, MO, **Judge Jimmie Edwards** – 11% recid. 1927 Cass Avenue, St. Louis, Missouri 63106, (314) 231-7738 www.courts.mo.gov/hosted/circuit22/blewett_school_01.htm
- <http://www.gosonyc.org/WhatWeDo/Community.php> - New York Rikers Island
- PASSAGES program** - Pathways to Success, Security, and Gainful Employment Solutions, Maricopa Co. AZ.

Restorative Justice

Search *Restorative Justice* on YouTube – lots of info

Restorative Justice - (Circle Process) Longmont Colorado - <http://www.lcjp.org>

<http://www.lcjp.org/what-we-do/community-restorative-justice>

<http://www.youtube.com/watch?v=R9t14YmYYaI&feature=email>

<http://www.youtube.com/watch?v=hrjVRBIn2wc&feature=email>

<http://www.youtube.com/watch?v=mEmH3i4ORsQ&feature=related>

<http://www.youtube.com/watch?v=TSCx1XS0f8Y&feature=related>

<https://www.youtube.com/watch?v=9pYuA3o6WuU>

<http://www.youtube.com/watch?v=huyTtL6B9jA&feature=related>

Restorative Justice for Oakland Youth – Oakland, CA www.rjoyoakland.org/

<http://www.youtube.com/watch?v=ZtdoWo1D3sY>

<http://www.oprah.com/own-confronting/Colleen-Meets-Her-Husbands-Killer>

<http://www.therestorativeway.org/>

Oakland Schools RJ

<http://www.yesmagazine.org/issues/education-uprising/where-dignity-is-part-of-the-school-day>

Talking Circles – Colorado Hinkley Hi Sch - http://www.youtube.com/watch?v=g8_94O4ExSA

R J - http://www.huffingtonpost.com/molly-rowan-leach/the-political-rise-of-res_b_5029413.html?utm_hp_ref=crime&ir=Crime

res_b_5029413.html?utm_hp_ref=crime&ir=Crime

RJ – Massachusetts - <http://www.c4rj.com/>

Schools - <http://www.upworthy.com/a-bully-urged-her-to-die-so-she-hatched-a-plan-and-invited-her-whole-school-to-participate?c=ufb1>

Calif. Richmond High - <http://richmondconfidential.org/2014/12/13/restorative-justice-offers-richmond-high-students-alternatives-to-suspension/>

Missouri prison - Gardens http://m.dailyjournalonline.com/farmington-press/news/local/restorative-justice-program-grows-more-than-produce/article_978ff598-9c0b-5c06-9da5-37fa3920cebd.html?mobile_touch=true

37fa3920cebd.html?mobile_touch=true

Calif - http://www.contracostatimes.com/contra-costa-times/ci_27242842/when-it-comes-school-discipline-pittsburg-changing-restorative

discipline-pittsburg-changing-restorative

National database - <http://www.prweb.com/releases/2015/01/prweb12465702.htm>

in prisons - <http://www.timesofmalta.com/articles/view/20150125/religion/Restorative-justice.553232>

justice.553232

Alison Holcomb ACLU - <http://www.seattleweekly.com/home/956590-129/a-voice-for-victims-alison-holcombs>

Virginia - <http://www.wHSV.com/home/headlines/Harrisonburg-Unveils-Restorative-Justice-System-29688851.html?device=phone&c=y>

XX<http://mennoworld.org/2015/03/30/news/emu-helps-bring-restorative-justice-to-police-department/>

Education – Youth – transition needs

National Evaluation and Technical Assistance Center for the Education of Children –

<http://www.neglected-delinquent.org/nd/resources/library/transition.asp>

Sprout City Farms, - <http://www.goodnewsnetwork.org/most-popular/denver-green-school-grows-ton-of-produce.html>

1 in 28 kids have a parent in prison – 2.7 million – *You Tube Sesame Street* -2 minutes

<http://www.pewresearch.org/fact-tank/2013/06/21/sesame-street-reaches-out-to-2-7-million-american-children-with-an-incarcerated-parent/>

http://www.macfound.org/programs/juvenile_justice/

Juv. Justice - http://sentencing.typepad.com/sentencing_law_and_policy/2013/10/detailing-new-state-reform-efforts-to-ensure-kids-get-treated-as-kids-by-criminal-justice-system.html

Youth - http://www.princeton.edu/futureofchildren/publications/highlights/18_02_Highlights.pdf

Parents in Prison - http://www.stltoday.com/suburban-journals/old-newsboys-day/news/former-prisoner-helps-children-with-parents-in-prison/article_c145bdd8-bed6-5d40-8406-40ade312d3b3.html

<http://www.truth-out.org/news/item/22840-discrimination-against-children-of-color-begins-in-preschool-says-new-study>

https://www.youtube.com/watch?v=DnbC2Tii0-8&list=PLUOOSTnnJJfsHM6KQmsC4c58_ftT6_3k9 - Monroe prisoner

Registry for teens - <http://www.upworthy.com/these-people-did-something-at-age-12-that-the-world-will-never-let-them-forget-ak2-2a>

Low income impacts on children - www.brookings.edu/ImprovingLifeChances

Vermont Conference RJ 2014 - <http://www.mychamplainvalley.com/story/d/story/uvm-hosts-conference-on-improving-criminal-justice/17776/o5G0n0DR00-egCc1Xsmh-Q>

<http://www.westerndailypress.co.uk/Coming-face-face-burglar/story-21449430-detail/story.html>

Chelsea Clinton reports - <http://www.msnbc.msn.com/id/21134540/vp/48085402#48085402>

Gene info - rich & poor - http://thesunmagazine.org/issues/470/the_hand_were_dealt

Courts

Federal Judge - <http://www.vox.com/2014/11/7/7170963/judge-innocent-jail-prosecutor>

For Profit Prisons

<http://www.upworthy.com/were-being-robbed-but-the-people-doing-it-will-never-go-to-prison-9>

Wealth in America - <http://www.utrend.tv/v/9-out-of-10-americans-are-completely-wrong-about-this-mind-blowing-fact/>

<http://www.rawstory.com/rs/2013/09/20/low-crime-rates-bad-for-business-so-private-prisons-require-maximum-capacity/>

Bad investment - <https://www.aclu.org/blog/prisoners-rights-criminal-law-reform/anonymous-exposes-uss-biggest-private-prison-company-bad>

States pay for empty beds - <http://www.businessinsider.com/in-the-public-interest-report-on-private-prisons-2013-9>

Profits - <http://online.wsj.com/news/articles/SB10001424127887324260204578587850002860188>

Alternatives to Prison - <http://thefreethoughtproject.com/prison-inmates-deserve-respect-support-sympathy/#4UYwEjgsX1VpxBMM.99>

Ohio closes private prison - <https://www.aclu.org/blog/criminal-law-reform-prisoners-rights/corrections-corporation-americas-loss-ohios-gain>

<http://truth-out.org/news/item/28501-five-corporations-you-ve-never-heard-of-making-millions-from-mass-incarceration>

6 corps - <http://www.upworthy.com/whoa-this-totally-sounds-like-a-corporate-conspiracy?c=click>

Reentry / After care

Reentry AfterCare - <http://www.reentryaftercare.org/AboutUs.htm>

November ReEntry – 282 W. Astor, Colville, WA 99114 509-684-1550

<http://www.november.org/ReEntry/>

Johnson Co Justice Center - <http://jcjusticecenter.com/about/>

Los Angeles program - <http://truth-out.org/news/item/24755-a-new-way-of-life-and-the-new-underground-railroad-making-a-break-for-freedom-during-the-era-of-mass-incarceration>

Coffee shop - <http://www.kjrh.com/news/local-news/claremore/she-brews-coffee-house-creates-jobs-for-recently-incarcerated-women-keeps-them-out-of-prison>

<http://pathwaystohousing.org/> Homeless

Prisons

XX Texas – 7 min. How they saved \$2 Billion with changes to their prison system

<http://www.youtube.com/watch?v=6ajoVsBBQwM&feature=youtu.be>

<http://www.beyondbars.org/home> For profit prisons

Alternatives to Violence Project – inside prisons - <http://vimeo.com/37108812>

Interviews by 3 inmates <http://www.washingtoncrj.org/clo-conference-videos/>

<http://www.npr.org/2013/04/05/176302378/without-reviews-inmates-can-get-lost-in-u-s-prison-system>

<http://www.forbiddenknowledgetv.com/videos/goodness/doing-time-doing-vipassana---full-film.html> Doing time – Doing Vipassana 52 min.

<http://www.insightgardenprogram.org/overview.html> San Quentin Gardening program

<http://www.eji.org/issues> - Equal Justice Initiative – Bryan Stevenson founder

“For every 9 people executed, one innocent person has been exonerated.”

Wrongly convicted - <http://abcnews.go.com/US/ryan-ferguson-freed-spending-decade-prison-murder/story?id=20867889>

Shakespeare - http://www.ktvu.com/videos/news/san-quentin-inmates-get-break-with-shakespeare/vCHswN/?inf_contact_key=75ed9ca9a927cfe44ba064532cd1366cef7a7eba9af7da37b0805384c35417b8

And inmate poetry - http://theshiftnetwork.com/blog/2013-11-15/pause?inf_contact_key=42fe705b72b44f3df424f7756584c6f2c578b6e5cc1ef82b83216fde4b4c46a7
Shakespeare

http://www.youtube.com/watch?v=LbjenjNC1m0&feature=youtu.be&inf_contact_key=91640dbd8e03b5ef73cae451db134a4497fb733ac8e85bea81051aa06e155581

Prison Industry - <http://www.globalresearch.ca/the-prison-industry-in-the-united-states-big-business-or-a-new-form-of-slavery/8289>

<http://filipspagnoli.wordpress.com/stats-on-human-rights/statistics-on-freedom/statistics-on-prisoner-population-rates>

US Highest Pop. Rate - <http://www.prb.org/Publications/Articles/2012/us-incarceration.aspx>

Stats - http://www.prisonpolicy.org/research/incarceration_rates_growth_causes/

Lionheart - http://lionheart.org/prison/corrections-in-the-us/?gclid=CK3Iv7CG7boCFQfZQgod_kwAPw

Correctional Industries - <http://www.washingtonci.com/> slave labor

Thanks to a big drop in crime rates in Colorado, the state has closed five prisons since 2009. 2012.

Over crowding - <http://www.nieman.harvard.edu/reports/watchdogarticle/100022/The-Too-Many-Prisoners-Dilemma.aspx>

Longer sentences - <http://www.washingtonpost.com/blogs/govbeat/wp/2013/09/19/are-governments-incentivizing-longer-prison-terms/> this is interesting - Sept 19 article

Wash St <http://www.doc.wa.gov/aboutdoc/statistics.asp> - interesting – DOC - To learn more about how DOC and other state agencies ensure *accountability* by publicly measuring *performance*, visit the Accountability and Performance website.

<http://www.forbes.com/sites/walterpavlo/2013/02/21/heres-an-idea-to-reduce-the-deficit-release-some-federal-inmates/> Walter Pavlo- 2/21/2013 - In 1980 there were 25,000 federal inmates and the Bureau of Prisons had an annual budget of about \$330 million ... today's inmate population of 219,000 requires a budget of \$6.6 billion. Tough Federal Sentencing Guidelines have resulted in longer prison sentences with no chance of parole (early release), while at the same time there are few prisons being built. With the current federal prison system at 39% over capacity, what we are now faced with is a math problem. So with budgets tight, inmate populations growing and laws that are sending first time non-violent offenders to prison for decades, what should we do?

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http://topics.nytimes.com/top/reference/timestopics/subjects/p/prisons_and_prisoners/index.html
<http://prisonnewsblog.com/>

Michelle Alexander - <http://www.jsonline.com/news/milwaukee/author-alexander-urges-crowd-to-end-mass-incarceration-b99359928z1-277226992.html>

<http://www.northjersey.com/opinion/opinion-death-penalty-leaves-no-room-for-mistakes-1.1096453>
National stats - <http://www.takepart.com/article/2015/01/09/more-jails-colleges?cmpid=tpedu-2015-01-15-lunch>

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Food - <http://www.correctionsone.com/aramark-correctional-services/articles/7704649-Ex-staff-Aramark-falsified-records-served-filthy-food/>

Maryland Death sentence commuted - <http://m.theweek.com/speedreads/index/274337/speedreads-maryland-governor-commutes-sentences-to-empty-the-states-death-row>

Education, college - http://seattletimes.com/html/localnews/2025481425_prisoneducationxml.html

Elderly - http://www.huffingtonpost.com/2012/06/13/elderly-inmate-population-soars_n_1594793.html

Pennsylvania - Silencing Prisoners' Speech
http://act.rootsaction.org/p/salsa/web/tellafriend/public/?tell_a_friend_KEY=10068

Federal Prison - http://www.weeklystandard.com/articles/who-gets-sent-federal-prisons_751430.html 9-2013

<http://www.modelsforchange.net/about/States-for-change/Washington.html>
<http://chronicle.com/article/The-American-Police-State/142965/>

and
http://www.slate.com/blogs/crime/2013/11/20/usp_lewisburg_special_management_unit_how_america_s_model_prison_became.html

Parents in prison - http://www.stltoday.com/suburban-journals/old-newsboys-day/news/former-prisoner-helps-children-with-parents-in-prison/article_c145bdd8-bed6-5d40-8406-40ade312d3b3.html

Women in Prison - http://www.huffingtonpost.com/2014/07/29/women-in-prison-america-data_n_5630097.html

Parenting inside WCCW - <https://www.youtube.com/watch?v=GWmfrpd-ohs>
Families & Prison - <http://m.motherjones.com/mojo/2014/08/incarcerated-parents-childrens-mental-physical-health>

Prison telephone calls - <https://www.aclu.org/secure/global-tel>
WA State DOC – programs 2011 - <http://blogs.evergreen.edu/sustainableprisons/>
Prison projects - <http://blogs.evergreen.edu/sustainableprisons/press-room/>
Gardening - <http://video.kcts9.org/video/1653770469/>
Animated – very good - <http://www.prisonmindfulness.org/mass-incarceration-in-the-us/>

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KOCH article – Overcriminalization of America

<http://www.politico.com/magazine/story/2015/01/overcriminalization-of-america-113991.html#.VNS-CfnF-So>

Corporations no longer investing in private prisons

<http://truth-out.org/news/item/23299-corporations-divest-nearly-60-million-from-private-prison-complex>

<http://colorofchange.org/press/releases/2014/4/23/major-corporations-divest-nearly-60m-private-priso/>

<https://www.youtube.com/watch?v=ODFLXTx9bmM#t=34> – Gary Mohr on Ohio Governor Monroe Prison - https://www.youtube.com/watch?v=JDYxM-5mcl8&list=PLUOOSTnnJJfsHM6KQmsC4c58_ftT6_3k9 - Mom Honey Jo Herman

https://www.youtube.com/watch?v=DnbC2Tii0-8&list=PLUOOSTnnJJfsHM6KQmsC4c58_ftT6_3k9 – Monroe prisoner

https://www.youtube.com/watch?v=aFDKHFsvRnY&list=PLUOOSTnnJJfsHM6KQmsC4c58_ftT6_3k9 - Rosa Visser, yoga

https://www.youtube.com/watch?v=nO20TBCU51c&list=PLUOOSTnnJJfsHM6KQmsC4c58_ftT6_3k9 – Monroe prison - healing

https://www.youtube.com/watch?v=CDtIZZiySgA&list=PL_W1Mq2lh446C875AyHSC0gvx81FwA2I3 Drug courts

Monroe, WA schools in prison - <https://www.youtube.com/watch?>

The IF Project - <http://www.theifproject.com/>

Benton County, WA – debtors prisons - <http://o.canada.com/news/u-s-jails-becoming-debtors-prisons>

Solitary Confinement - <http://www.yesmagazine.org/peace-justice/six-signs-that-reform-of-solitary-confinement-is-coming>

Very good - <http://www.truth-out.org/opinion/item/24090-sixteen-for-16-number-11-an-end-to-the-prison-state>

New York Times - http://www.nytimes.com/2014/09/25/us/in-a-mississippi-jail-convictions-and-counsel-appear-optional.html?emc=eta1&_r=0

Three Strikes Law

Three Strikes Law – Calif. - <http://www.rollingstone.com/politics/news/cruel-and-unusual-punishment-the-shame-of-three-strikes-laws-20130327?print=true>

Barriers to Success

<http://america.aljazeera.com/opinions/2014/8/prison-incarcerationjobsotingcivilrights.html?>

Releasing - <http://m.deseretnews.com/article/865620181/Utah-Legislature-needs-to-make-changes-about-criminal-justice-reform.html?pg=all?ref=http%3A%2F%2Fnews.google.com%2F>

Ban the Box - http://www.huffingtonpost.com/2014/05/22/criminal-record-employment_n_5372837.html

Homelessness

<http://thinkprogress.org/justice/2013/09/19/2629581/criminalizing-homelessness/>

Debtors prison - <http://www.theguardian.com/money/2014/mar/02/poor-for-profit-probation-prison-georgia>

<http://thinkprogress.org/economy/2014/05/27/3441772/florida-homeless-financial-study/>

<http://themindunleashed.org/2014/08/homeless-people-asked-write-fact-answers-may-surprise.html>

<http://www.psmag.com/business-economics/the-homemakers-3843/>

Mental Illness

Sen Creigh Deeds – Virginia – Son Gus, Mental Illness, stabbed Sen, then suicide

RCC QUOTES from Public Officials

James B. Comey, FBI Director - Georgetown University 2-12-2015 – “Hard Truths: Law Enforcement and Race” Racial Bias
<http://www.fbi.gov/news/stories/2015/february/law-enforcement-and-race>

Eric Holder – US Attorney General -- <http://www.c-span.org/video/?324667-1/attorney-general-eric-holder-ferguson-missouri-investigation> from 87page report by Justice Dept. - 2nd investigation by the civil rights division findings below.

“Racial Bias, Ferguson, MO”

“Deeply polarized community, where deep distrust and hostility of law enforcement is not for a means of protecting public safety but as a way to generate revenue.”

Charles Koch – Over Criminalization of America – Jan. 7, 2015
<http://www.politico.com/magazine/story/2015/01/overcriminalization-of-america-113991.html#.VQcQy3-z8wp>

Norm Stamper – former Seattle Police Chief – Police Militarization in America, Regrets of handling of 1999 WTO Seattle event <http://thecolbertreport.cc.com/videos/ukyqb3/police-militarization-in-america---norm-stamper>

Dan Patcholke: Washington State, Prison Division, Department Of Corrections,
“Contain and control – that’s our job.” “I received the organization that is the bucket for failed social policy . We get the people for whom nothing else has worked, fallen through all the other safety nets.” <https://www.youtube.com/watch?v=FTUpFYo0rMI>

Wendy Jones: Whatcom County Jail Chief Corrections Deputy in DVD says: “Our jail is the last stop social service agency for a lot of people in this community.” “Police officers bring people to jail because they don’t know what else to do with them.” ... from the film. Episode #4: The Other One Percent - <http://www.whatcomhsc.org/homeless-in-bellingham-film-project/>

Dan Satterburg King County Prosecutor – Exoneration of Brandon Olebar -
<https://www.themarshallproject.org/2015/02/13/the-exoneration-of-brandon-olebar>

Mike Parker – Catholic Community Service – “Boot straps – if they (the homeless) have boots and if the boots have straps”. <http://www.whatcomhsc.org/homeless-in-bellingham-film-project/> Episode #4 – “Myth in America - - - “ (3:40)

YES! Magazine - Feb. 19, 2014- <http://www.yesmagazine.org/issues/education-uprising/where-dignity-is-part-of-the-school-day>

In 2010, the Oakland school board passed a resolution adopting restorative justice as a system-wide alternative to zero-tolerance discipline.

Loren Demeroutis - Burien, WA, Big Picture High School – Highline School District, “Four years ago, before restorative justice became the norm, principal assigned 700 days of suspension. This year, there have been eight.”
Seattle Times - January 24, 2015-
http://old.seattletimes.com/html/education/2025538481_edlabrestorativejusticexml.html
R J - Rule breaking is now treated as harm done to a relationship

Steven Morse – Bellingham School District – Does NOT want to ‘claim’ RJ yet – still in developing stages.
To Irene Morgan RCC founder - Monday, June 30, 2014 8:00 AM
Subject: RE: RJ in school! School Discipline: **Restorative Justice**
50 + % - decrease in 4 years – and still have not implemented school-wide.
Thanks, Irene. Here are the Bellingham numbers for this year! Great progress.

13-14 end of year

Number of students out per day

- 11’ – 4118 = 22.87 per day
- 12’ – 3540 = 19.67 per day
- 13’ – 2728 = 15.15 per day
- 14’ – 1513 = 8.41 per day

Number of actual suspensions

- 2011-12....935 suspensions or 5.19 a day
- 2012-13....684 suspensions or 3.80 a day
- 2013-14... 455 suspensions/expulsions or 2.53 a day