

Whatcom County Business and Commerce Committee
Minutes with Discussion Transcript
April 18, 2022

Voting Members Present: Debbie Ahl, Ryan Allsop (Committee Vice Chair), Clark Campbell, Casey Diggs, Andrew Gamble, Troy Muljat, Bob Pritchett, Sarah Rothenbuhler (Committee Chair)

Voting Members Not Present: Paul Burrill, Pete Dawson, Brad Rader, Chris Trout

Nonvoting Members Present: Bellingham Mayor Seth Fleetwood, Small Cities Rep Blaine City Manager Michael Jones, Eva Schulte, CJ Seitz

Nonvoting Members not Present: Councilor Tyler Byrd, Don Goldberg, Executive Satpal Sidhu

Public Present: Commissioner Port Commissioner Ken Bell, Gary Blair, Pam Brady, Cara Buckingham, Royce Buckingham, Lance Calloway, Councilmember Todd Donovan, Dan Dunne, Sheriff Bill Elfo, Whatcom County Councilmember Ben Elenbaas, Jessie Everson, Rob Fix, Darby Galligan, Whatcom County Councilmember, Kaylee Galloway, Kimberely Harper, Jon Howe, Frank Imhoff, Mauri Ingram, Lt. Keith Johnson, Todd Kunzman, Rob Lee, Jon Michener, Ted Mischikov, Ryan Likkel, Jennifer Noveck, Guy Occhiogrosso, Darcie Romero, Andrea Ruback, Senator Simon Sefzik, Police Chief Flo Simon, Gina Stark, Donnell Tank Tanksley, Jack Timmons, Dana Wilson

Call meeting to order

- Called to order at 11:02am

Introductions / Comments from the Public

- Chair Sarah Rothenbuhler - committee member introductions
- Welcome public comments throughout the meetings

Administrative business (10 min)

- One change to March 2022 draft meeting notes. Will approve in May.

Sarah Rothenbuhler: I will officially call the meeting to order. And if the committee doesn't mind going around the room and introducing themselves, that would be wonderful. Dana is going to be an official committee member, hopefully by next meeting. Let's start with Dana Wilson.

Dana Wilson: Dana Wilson, Fisheries.

Ryan Allsop: Ryan Allsop, Allsop Inc.

Clark Campbell: Clark Campbell, President Gear Aid.

Jack Timmons: Jack Timmons from Jack's Barbecue.

Sarah Rothenbuhler: And Jack is a speaker today. Jack, we appreciate you being here and we didn't surprise add you to the committee. (laughter) Committee members who are Zoom attendees go ahead and introduce yourself. Casey, start with you?

Casey Diggs: Casey Diggs, Boundary Bay Brewery.

Blaine City Manager Michael Jones: I'll go next. Blaine City Manager Michael Jones, city manager for the City of Blaine. And I'm the small city rep.

Sarah Rothenbuhler: Thanks Michael.

Troy Muljat: Troy Muljat. Muljat Group. General Business.

Port Commissioner Ken Bell: Port Commissioner Ken Bell. Port of Bellingham. Welcome, Bill Elfo.

Sheriff Bill Elfo: Thank you.

Sarah Rothenbuhler: Bob, do you mind introducing yourself?

Bob Pritchett: Sorry. I had a little hardware problem here. Bob Pritchett with Faith Life.

CJ Seitz: Good morning, CJ from Western.

Sarah Rothenbuhler: Great. Did all the committee members have a chance to introduce themselves? Okay. I'm Sarah Rothenbuhler, chair for the committee and also owner of Birch Equipment. We'll dive right into the meeting. Administrative business: We do have meeting minutes to approve from the March meeting. Casey, I think you had a note on that.

Casey Diggs: Yeah. I just wanted to say that I was wrong in the meeting minutes last time. The parking will go up from 11 a.m. to 6 p.m. rather than 10 a.m. to 6 p.m. If we could adjust the notes. I wanted you all to know that, so you knew when parking actually was.

Sarah Rothenbuhler: If everyone's good with it, we can adjust March meeting notes. When we send May Agenda and April meeting notes we'll include March meeting notes as well with the correction if that sounds good to everyone.

Clark Campbell: Second.

Sarah Rothenbuhler: So approved. Welcome comments from the public. We've got a fairly full meeting today, but we would love to hear what people have to say. The speakers will speak, and then we'll have a Q&A session afterwards. It does not just need to be committee members making comments, thank you all for being here. With no further ado, Sheriff Elfo, thank you so much for being here.

Whatcom County's Deteriorating Community Safety - Reasons & Remedies,
Presented by Whatcom County Sheriff Bill Elfo

Sheriff Bill Elfo: Thank you very much for having me. I really appreciate it, and it's good to meet this group. I know some of you already and look forward to meeting the rest of you over time.

Sheriff Bill Elfo: I want to start out on something in non-criminal justice related. I see Mr. Timmons from Jack's Barbecue is on the committee and wanted to thank them for their generous support of the Behind the Badge Foundation to provide support for law enforcement officer's families who are killed in the line of duty. We had the annual fundraiser a week ago Saturday down in SeaTac, and Jack's Barbecue was a sponsor. I'm very happy to see this business coming to Bellingham as well. Thank you.

Jack Timmons: I have to say the meeting title and invite I had to show to my friends, because it's called 'Whatcom County's Deteriorating Community Safety -- Intro and Welcome to Jack's Barbecue.

Sarah Rothenbuhler: That sadly is a bit of a play on what's going on in our community. I'm sorry to throw that back-to-back.

Jack Timmons: It's frameable.

Sarah Rothenbuhler: Sheriff Elfo, what are the reasons, and what are the remedies?

Sheriff Bill Elfo: I think you'd have to be living under a rock not to know crime's dramatically increasing in Whatcom County and across the State of Washington. Really most of the country, as well, is having increasing crime trends. But I think locally we are in the midst of a perfect storm that has led to a very acute problem. I know you'll be astounded, because I look much younger, but I've been in law enforcement for 48 years, and I've never seen things deteriorating so quickly and to the extent they have, as we have here over the last couple of years. This perfect storm, as I describe it, is attributable, number one, to the lack of space -- and I'll attribute or I'll elaborate on that; Some legislation that prevents law enforcement officers from preventing crime, investigating crime, and capturing criminals. It has been very demoralizing for law enforcement. We have a lot of officers leaving the profession. We have a lot of difficulty in recruiting new people. Where we used to have eighty people apply for a job, we're lucky to have five now. In the last couple of years, this sentiment has really had an impact, just to give you a little bit of a perspective. I understand Chief Simon is going to be here as well.

Police Chief Flo Simon: I'm here.

Sheriff Bill Elfo: Oh, great! So, I'll talk about the crime in the unincorporated areas of the county. I know it's a county wide issue. We all share the same jail, and part of it has to do, as I said before, with a lack of jail space. We'll talk about the six months prior to the legislation taking effect and six months after, so that's February to July of last year. and July to February of this year.

Aggravated assaults, which are felonious assaults, most serious assaults are up 54.82% in unincorporated Whatcom County. Burglaries are up 70.59%. Vandalism are up almost 20%. Thefts are up

over 34%, and I think they're probably up higher, but some people have just given up reporting. Vehicle prowls -- that's when someone breaks into your car -- are up over 77%, and that does not include the cities. I think Flo will be able to elaborate on some of the issues they're having there that may be even more profound. Motor vehicles -- I just got a report from the agency that tracks crime statistics in Washington, and they're going to be releasing all their crime statistics probably in late May or early June for 2021. They're validating them currently. But they did give us a snapshot on stolen vehicles in Whatcom County. This is the entire county, not just the unincorporated areas and exceeds the statewide increase. I think the statewide increase was around 88%. In Whatcom County, a comparison of auto thefts for the prior year before the law taking effect, now shows an increase of 331% of stolen cars. I looked at March 2021 to March of 2022 and the county went from twelve auto thefts in 2021 to 84 in 2022. That's a 600% increase in stolen cars. So, the trend is continuing. It's problematic, and everybody's feeling it.

I had to go shopping with my wife the other day. I don't like going in the stores anyhow, but that's an excuse to sit in the car to make sure nobody steals it while she's shopping.

At the jail for countywide bookings, we're seeing violations of protection orders. Mostly domestic violence cases are up 36%. Assaults on our officers -- and this is county wide-- booking is up 127%. Our cases of resisting arrest are up 24%. The first thing I'll hit on is the jail space. I've been sheriff since 2003, and during that time there's been about eight different committees, commissions, task forces, engineering studies, a study by the US Department of Justice that reported that the jail needed to be replaced as soon as possible. It was unsafe and had failing infrastructure and critical infrastructure and safety systems. This has never really gotten the support we needed to get it off the ground. So, to manage the jail population, we're on what we call booking restrictions that prevents officers from booking people on most property crimes, including when they fail to show up in court. They come in or they get a summons, or they get a citation to come to court. They don't show up. We don't have space to serve the warrants.

Another phenomena we're seeing, even when we do book people, the judges are setting no bail or low bail. And I don't think that's as much to coddle criminals as it is that there's just no space in the facility. So, we see the same people being caught, book, released. They're out in a day, two days, three days. Then we're seeing them again being booked over and over and over again. Again, it's a decades long problem with the lack of jail space. It's been aggravated by failures and critical infrastructure. We've had to replace all the doors in the jail, the windows in the jail, and now the elevators are failing. That's just not an inconvenience. When you have a deputy trapped in an elevator with a violent inmate or you have an inmate or an officer and some type of medical emergency, the fire escape is not the option, so the dangers there are self-evident.

I think Executive Loews and Executive Sidhu have done a good job of advocating for maintenance on the facility. The sheriff operates the jail, but the county facilities department oversees the maintenance, repairs, and has the budgetary authority. Unfortunately, I think that was ignored some years back and things deteriorated and continued to get worse. Other factors are COVID. We have to socially distance the inmates. While the courts closed down and they stopped their operations during COVID outbreaks,

our people have to come to work. We've had COVID spread through the facility. Officers have contracted COVID and have taken it home to their families, and we've directly correlated that to the inmates.

And when the courts were closed, it caused a backlog which was dangerous because generally the people being held in jail are really, really dangerous. So there were no trials during Covid, and we have a backup of people that can't get to trial to settle their case. That's causing the population increase. We have a lack of specialized space needed for people with serious physical and physical health needs, and I have an obligation, despite the lack of space, to operate the facility in accordance with safety and constitutional standards. We always try to argue we're an emergency, but it's hard to say there's an emergency that's existed for over 25 years, long before I became sheriff. It's just grown increasingly worse.

Another thing we're dealing with is this new police reform legislation. As I said before, it's prevented deputies from investigating crime, preventing crime, and capturing criminals. Prior to 2021, in every state in the country, officers have been able to conduct brief, temporary investigative stops, sometimes called Terry stops. They're not based on a hunch. They're based on specific, articulable facts that would lead a reasonable officer to believe someone has been, is or is about to engage in criminal activity. It doesn't have to rise to the higher level of probable cause that is necessary for arrest. Our state legislature in 2021 prohibited us from conducting these Terry stops, and as a result, we were the only state out of the other fifty to restrict this. That has been somewhat remedied. They realized, I think they made a mistake or they're hearing a lot of noise about it. The legislature did modify that. They never restored it to where it was, so we're going to have to see what the impact is. Before an officer can detain someone, at least prior to a few weeks ago, they had to have probable cause to arrest. Often probable cause is not established until after an investigatory stop is conducted and they gather evidence or have witnesses come to view an offender. That had a tremendous impact.

Vehicle pursuits are prohibited now unless there is probable cause. Reasonable suspicion is not sufficient, except in the case of DUIs. Very strangely, they found in DUIs we could pursue people, but we can't pursue them for other serious felonies such as murder, kidnaping and some sex offenses based on probable cause alone. They've limited that ability -- even when we do have probable cause, we can't pursue someone for what are serious crimes. If someone assaults one of our officers, if they punch an officer in the nose and get into their car and drive away, that's not included in the list of crimes for which we can pursue. Domestic violence -- unless it amounts to a deadly assault -- we cannot pursue. If someone breaks into your home, even if we have probable cause, we cannot pursue. I testified in the last session in committee regarding the need to modify this. I consider residential burglary a very serious crime. We see people, particularly vulnerable, elderly people afraid to go back into their homes after they've been violated in such a way where their sanctity of their of their home. In my career, I've seen people interrupt residential burglaries in progress and become seriously assaulted, in several cases murdered by the people that committed the burglary.

And this is really odd. The legislature, both the House and the Senate, voted to modify that prohibition on vehicle pursuits to some extent. Then there's a process I just learned about called concurrence. The

House leadership held up the vote, so it never came to the floor. So that law has not changed. I'll grant you that pursuits are highly dangerous activity. Other people are exposed to harm. All the law enforcement agencies in Whatcom County had prudent policies in effect as well as training. If the benefit of the pursuit were outweighed by the dangers presented to the public, we would terminate pursuits. All our people were trained in pursuit driving and pursuit intervention techniques and were given the equipment to stop pursuits, but we are kind of in a bind with that. That is not changed.

The law has limited our officer's ability to use reasonable and necessary force and increased civil and criminal liability for what they can do. In fact, they just recently changed this, but before using force, even reasonable and necessary force, the legislature said we needed to consider and justify basically just not leaving the area and walking away from whatever the problem was rather than engage in the use of force. That just borders on the absurd. They limited our ability to take people into custody for mental health crises that were presenting grave danger to themselves or others. I think we've seen a profound increase in that throughout the county, but particularly downtown. That has been remedied somewhat so that's been somewhat restored over the last few weeks. They limited our ability to interview people suspected of crimes. We have to record interviews now, and we cannot interview a juvenile - that's anyone under eighteen. Even if they waive their rights, if their parents waive their rights, or even if their attorney waives their rights and say they could speak to the police unless they have an attorney actually present. That will cut off any confessions from juveniles, who sometimes as you know, commit some pretty heinous crimes.

The drug law. That was a change in our state. Drug laws are very, very profound. At a time where we're seeing an increase in opioid deaths, and we're seeing, very sadly, an increase in deaths influenced by the introduction of fentanyl into our community that's usually used to lace other drugs. People thinking they're buying street marijuana find out it's laced with Fentanyl. We've had deaths in the county of drug users as a result. We've worked a couple of cases where we've charged people with homicide by delivery. It's very complicated, and it takes a long time. The problem continues and people are dying.

What happened in February of 2021 is our state Supreme Court reversed prior precedent, I think, from 1958, if I remember correctly. It said that because the statute prohibiting controlled substances does not have a knowing element enumerated in the statute, that it was unconstitutional. The same court had ruled before that that was not an issue. Our legislature could have fixed it by just adding the word "knowing" in front of possession, but they went further and classified all drug possession laws from felonies to misdemeanors. So, they're not gross misdemeanors, but simple misdemeanors. They also said we can't book them into jail unless we give them two referrals to treatment. I'm all for treatment over putting people in jail that are users of drugs, but a lot of people's motivation to get off drugs and get the help they need is to be put into a drug court or some type of diversion program that was operated by our prosecutor's office. We can get them the medical help they need in the immediate situation and save them sometimes from dying.

Our option now is to leave them on the street, and what is just beyond -- I'll use the word crazy -- is there's no quantity limits. So, someone could have fifty kilograms of fentanyl under state law and we're looking at a misdemeanor. So, what we do in a lot of those cases, we try to get them charged federally.

We have a drug task force that's co-located with the DEA, and our deputies assigned to that task force have been making use of the federal system. We can charge with sale and delivery if we could prove that, but you can't infer that or presume that just because they're in a large possession of drugs.

I talked about demoralization of law enforcement. I think we've all heard some of the rhetoric. To me, most of it's unjustified, vile, and stated for other reasons. We had marches and demonstrations following, and I'll call it a murder. I agree George Floyd was murdered and the officers need to be held accountable, but that did not happen here. That happened in Minnesota, and it's happening in other parts of the country. I think we have very professional law enforcement in Whatcom County and across our state. When we see people marching around with signs, 'kill cops', 'all cops are bastards', it sends a signal to our officers. They ask themselves 'Do I really want to put my life on the line? Do I want to leave my family every holiday? Or can I get another job doing something, perhaps for more money without putting up with shift work, 24 hour a day operations and then take this abuse on top of it?'

The Washington State Criminal Justice Training Commission, and I served on that for 11 years and nine months, decides as to whether an officer who has engaged in misconduct will lose their certification or their license to be an officer. I thought the teeth we had in that law was inadequate. It relied on a large part of departments reporting misconduct properly and doing a proper investigation and arbitration that occurs internally or civil service hearings within the departments. I thought it would need to be toughened, but what they did is they went further. They changed the composition of the Training Commission from thirteen members to twenty-one. The majority of the people that oversaw this operation previously were in law enforcement. They were chiefs, sheriffs, the chief of the state patrol, people from corrections, line level officers. So it was just like lawyers, doctors, dentists -- the people that oversee misconduct are people that work in the profession. Usually there's a couple of citizens appointed to serve too to balance it out to make sure there's transparency. Well, they've changed the composition of this board to twenty-one people, and the minority are people that are involved in law enforcement, policing, or corrections. The governor has appointed people to the commission who state their families have been the recipient of police violence. They call it police violence, regardless of whether the officers were ever charged with a crime or found a completed misconduct. I think the appearance of fairness would be like calling a jury and to try a case against an officer and have only everybody's family in there that was killed by a police officer not being fair and unbiased. This is just unfolding, and we're going to see where it goes.

But man, we're seeing an exodus of good officers. Some are going to other states where they feel they can do their job more effectively. Others are looking to leave by moving up their retirement dates. We have a very high standard for hiring deputies, and I think all police departments in our county do. They're very difficult to replace. It takes maybe 15 to 16 months until they become fully functional on their own by the time they go to the academy and go through our field training program and probation. The net result has been less officers on the street, more delayed responses to crime, and less, what I call, proactive policing, which has been so effective in past decades in preventing crime. Essentially, they feel vulnerable, and they hesitate to act when they should. This is not good news for our community and undoubtedly will grow worse, I think, before it gets better. I think the best we can do is fight for changes in the legislation and find a way to remedy this jail situation in Whatcom County that's gone unresolved for

decades. We hear a lot about mass incarceration in America, and I think that's debatable to the extent that exists in Washington state. But you don't balance rectifying mass incarceration by not holding people accountable or putting them in a facility that doesn't meet minimum standards for security or public health. I thought I would leave time for questions in my presentation. I wish I had good news to report, but I think we're having we're in a real situation now. As I said, I call it the perfect storm. Bad things are coming together.

Ryan Allsop: Thank you Sheriff Elfo. John, do you mind putting the notes visible, so we can see any comments on the side or questions that are coming into the chat? Sorry.

Sarah Rothenbuhler: Thank you, Sheriff Elfo. The floor is open for questions and comments.

Ryan Allsop: There's lots, I'm sure.

Sarah Rothenbuhler: Clark were you just going to say something?

Clark Campbell: No, I'm just formulating. Go ahead.

Sarah Rothenbuhler: I was going to ask about the future jail status. Where are we now?

Sheriff Bill Elfo: They have formed another committee to study whether we need a jail, how big it should be, where it should be located, and as I said, there's probably been nine different studies and five different citizen committees in the past. The last one unanimously recommended rebuilding a jail and moving forward to purchase property, but it's delayed again. We're looking here at the sheriff's office of getting additional jail space. I'm excited that Chief Simon's crew may have been able to locate some space in Snohomish County that we may or may not be able to move some inmates to. We're working with Kittitas County in Ellensburg to try to move some people there, but that creates issues for the courts where attorneys claim they don't have access to their clients. We have to move people back and forth to trial, particularly in the winter across the mountains that can be challenging to meet timeliness needs. I'm kind of hopeful we're able to work something out with Snohomish County and Bellingham to get some relief.

Clark Campbell: Are you seeing similar trends for the numbers that you quoted in terms of violent assault and burglary across the state? And what's the comparison to the numbers you're hearing from Skagit County? Is this a North County thing that's happening or is it particular really much more to Whatcom?

Sheriff Bill Elfo: I just took a quick look before this meeting. For Skagit County on auto thefts, they're about the same place Whatcom County is for March. I stay in close contact with the Washington Association of Sheriffs and Police Chiefs, which is the repository for all crime data. The executive director said, 'Hold on to your hats for what's coming here'. Those numbers will be released in June. All indications indicate crime is on a dramatic increase, but I think Whatcom County may be much higher than others because of the inability to book people into jail.

Sarah Rothenbuhler: Does Whatcom County become a bit of a target with the word out that our police force are a bit handcuffed?

Sheriff Bill Elfo: I don't know if anybody that I know of that moved here for that that reason, but we've had people we've arrested that have moved to Washington State from California, because they have a three strikes law down there that's much more stringent than anything in Washington state. They're already on their second strike, so they reposition themselves in the state of Washington. I thought that was interesting. As far as somebody coming to Whatcom County to take advantage, I just can't articulate a specific instance of that.

Sarah Rothenbuhler: Any other comments?

Senator Sefzik: I have a question.

Sheriff Bill Elfo: Senator.

Senator Sefzik: Well, first of all, thank you, Sheriff Elfo for the presentation. I just wanted to -- so we're on the same page where we can clarify -- you are not claiming, Sheriff, that the cause of crime is solely because of the lack of a jail space or solely because of statewide legislation. You're saying that those two factors compounded have perhaps caused some of the recent crime in Whatcom County? Is that a fair description?

Sheriff Bill Elfo: You stated it very accurately.

Senator Sefzik: Thank you, Sheriff.

Ryan Allsop: Sheriff. It was 20 years ago when you took over the job, and the jail need is very different than we probably would have expected back then, I would assume. Today, the mental health side is a major factor. I would assume in a current jail being built or a drug rehab being a portion of the jail possibly. Do you feel that if we reposition the jail to actually treat more and less 'just incarcerate', would that sway the public opinion to vote for it? This is about a public vote that we're not getting the votes we need, correct?

Sheriff Bill Elfo: Well, yes, that's it. But the last proposal did have a facility in there for mental health treatment and evaluation. Right now, we have mental health professionals that come into the jail to examine or treat the inmates, and there's very little privacy. They're talking through a chow hatch in a door. The facility that was designed that was supposed to go in Ferndale would have addressed all those issues. In the interim, the county constructed what they call a stabilization unit up in front on Division Street.

It has thirty-six beds, which is woefully inadequate, but I guess it would be a good start. But they're not taking people in there that would otherwise go into the jail. There's no mechanism, even though it was

promised in the beginning that we could put involuntary commitments in there. That's currently not the case. Part of their issue is finding people willing to work in that type of facility and have the appropriate credentials, so it's been very difficult for the health community to move that forward.

Sarah Rothenbuhler: Mayor Fleetwood. Did you have your hand up?

Mayor Fleetwood: Yes. Thank you. Thanks for the report. I just wanted to share with people that I'm sensing a new unity as it relates to the question of the need for a new jail. All of the mayors in Whatcom County meet on a regular basis, and we recently all signed a letter that will be sent to the Whatcom County Council expressing our support. We've got a lot of diversity politically expressed in that group of mayors that convene on the left and the right. We all signed that letter unanimously expressing support for the need for a new jail, so I'm hopeful that we're gaining the political momentum. We need to do it as soon as possible, and I know that there's talk of putting a measure on the ballot, I believe, for next year.

Sheriff Bill Elfo: I appreciate your leadership on the issue. Mayor.

Mayor Fleetwood: Thank you.

Ryan Allsop: That's great to hear. I think that's fabulous. I would agree from my personal friend group that is mixed politically, there's a clear desire for remedying the problems that locally based that's in our control and that being one of them. In the interim, we need some solutions. We've all tried to permit a building here in Whatcom County and know the length of time. That's next month's meeting, but even for a jail, it's a real process. It's design development that's 3 to 5 years out I would assume realistically by the time you get it on a ballot at the earliest. We don't want to wait 3 to 5 years as a community, so what are some interim steps we might go with that could impact this and make it harder for criminals or, I guess, less desirable for criminals to be around here?

Sheriff Bill Elfo: I think we should proceed with what the City of Bellingham is working on to use alternative jail space in other counties that may have a surplus. But we've got to be a little careful with that at the same time. Previously I did that with Snohomish County. I was able to convince the council to get a contract with them, and they limited it to healthy inmates that don't cause problems at that time anyhow. Most of the ones we had that fell into that category were already out on some type of release program, but then they became so overwhelmed on rather short notice, they had to cancel it. We had the same situation with Yakima for a while. We were sending people there. Then they had to cancel us because they got a more lucrative contract from another community. I think it needs to be all hands-on deck looking for alternatives where we can house people and ease up these restrictions to the extent, we can for those people that really need to be in jail.

Sarah Rothenbuhler: Executive Director Fix.

Rob Fix: Rob Fix with the port. Thanks for being here, Sheriff. What causes this issue to have to go on a ballot? How come they can't just build a jail and bond it and do it from the counties already?

Sheriff Bill Elfo: I don't think they believe they have sufficient revenue coming in to do that. When I first worked on a proposal for the jail, we were talking about \$38 million. Mayor Fleetwood was on the County Council back then, and we couldn't get the support from the executive's office at that time to move forward. They wanted to build a temporary jail from 5 to 7 years and then build a main jail. So, we took what we could get. The proposal from 2015 to build a similar facility was \$120 Million, and I don't know what it would cost now. They haven't worked out the projections on the cost of constructing a new facility, but it really worries me if there's even sufficient capacity in the law to fund the construction of a new jail. That's for others that have an expertise in real estate and construction, but jails are very, very expensive to build. I'm just watching the paper as a citizen myself, what the schools anticipate they need to build a new school and what it actually costs. There's a sticker shock, so I imagine it'll be the same situation with a jail facility.

Sarah Rothenbuhler: Would it be possible to get the 2019 proposal? Maybe your office has that, and we could just attach it to these meeting notes. We're in a bit of a Groundhog's Day.

Sheriff Bill Elfo: We could do that. It's actually, I believe, on the county website. All the documents, all the plans, everything that was proposed is on there for the public to see. They're very transparent about it.

Ryan Allsop: Sheriff Elfo, I guess people that get DUIs often pick up garbage. There's a truck I see occasionally on Squalicum Way with work crews out there picking up. What about it? I don't know how successful that program is. I've always thought if you litter in this town and cause problems in this town, maybe you should be a part of a worker clean up. Is there any sense in that?

Sheriff Bill Elfo: We continue to do that. We're somewhat limited because of COVID, but at the jail work center, we have work crews that go out every day. They do litter control. They do salmon habitat restoration. They do maintenance work for county facilities and City of Bellingham and county parks. We have a number of contracts, and these are minimum security inmates. But what we're seeing are a lot of the people that have mandatory jail time on a DUI, even the first offense is one day, they could satisfy it by just day report. We have others that have other sentences for minor offenses or where that's appropriate, and they get extra credit. They get out early for doing good work, so we are doing that. I just got the latest numbers for 2021. I just don't have them in front of me. I was going to put those into a report.

Sarah Rothenbuhler: We've got three more minutes for Q&A.

Clark Campbell: It sounds like the process here on the jail issue is that the council has to vote on. Then it goes to a bond measure, and that bond measure would have to go to the public for a vote. Is that correct?

Sheriff Bill Elfo: My understanding of the process is they have to get the revenue source first. So, I think there's 2/10ths of 1% sales tax available that can be used for the construction of jails. Once they have the revenue coming in, then they can apply for the government bonds.

Clark Campbell: Just as a quick follow up. Our whole function here is to provide business and commerce-related advice to the council, so if the mayors have come together on a letter and have submitted that to the council - if we get a copy of that letter - that would be something that this group could then vote on in support, which then provides more advice and consent to the Council on support of this issue. Then that would then hopefully provide enough momentum for the Council then to move to the next measure, which is to look at what the funding mechanism would need to be to then put that to a vote of the public.

Sheriff Bill Elfo: That's correct. And they could also go for a property tax to do it, but I'm not sure if there's enough bank capacity to do that. Mayor, I haven't seen that that letter. I know of its existence. I know the nature of it. If you have that, could you forward that?

Mayor Fleetwood: Absolutely. We can make sure that letter gets forwarded to this committee and to you directly, Sheriff. The council would vote at a time that they choose. If it were to be put on a ballot in 2023, they'd presumably vote on it sometime in the late spring or early summer. They would vote by resolution to place a funding measure on the ballot as an initiative for the people of Whatcom County to vote on. Then come November or whatever time they choose, they could, theoretically put it on as a special election. Let's just assume that it's on for November for the regular election, and that people would be able to vote on that. If it then passed, you would have a source of income which could be bonded to develop the sufficient money to pay for the jail, and presumably they'd be able to actively begin the work of building it thereafter. There's a scenario I think, but I'll let the county speak to the details. Broadly, that's what would happen.

Blaine City Manager Michael Jones: Mayor Fleetwood. I have an email open with that letter, so I'll just go ahead and send it here in a second.

Sarah Rothenbuhler: And Councilman Elenbaas is sending that letter too.

Senator Sefzik: And me as well, please.

Ryan Allsop: So, to add on to Clark's comment. This group would also be happy to be involved in that funding process. We have been asked to be a part of Budget Committee staff questions. We're happy to be a part of that. Maybe we can come up with some creative ideas as well and help any way possible from the funding side. That sounds like a key component.

Bellingham's Public Safety Concerns, Presented by BPD Chief of Police Flo Simon

Sarah Rothenbuhler: All right. Thank you so much, Sheriff, Chief of Police Flo Simon-

Police Chief Flo Simon: Thank you, Sarah. I appreciate the invitation from the committee to come and speak to you. Sheriff Elfo, you did a wonderful job of stating the state of affairs in Whatcom County and Bellingham included, and I think probably statewide. One thing you talked about having a perfect storm. The legislation, the retirements that have come up and the lack of staffing and also the issues at the jail. I'll start with what we're doing at the jail. As the sheriff alluded to, we're trying to get into contracts with the Snohomish County Jail to take prisoners down there or offenders down there, so if we can't put them into the Whatcom County Jail. Usually if we have a problem offender, we can call the jail ahead of time, and if they have space, they'll take them. But sometimes we have more than one of those that occurs. We also have a facility down south called Score, so if we need to book somebody into jail, I hire two officers on overtime, and they drive that person down south. It's an hour and a half drive. We book them in and drive an hour and a half back so that it doesn't take officers off the street.

We are working on a couple of different angles to alleviate that. We also have folks that are on home monitoring or ankle bracelets through friendship diversion, and I think that's been a good program for us. I think you're going to continue to see those issues until we have a new facility built that can house a multitude of different people, whether it's those that need the mental behavioral health or the offenders that need to serve time. The legislation is what the legislation is. The sheriff cited some data on crime statistics. Bellingham is in the same boat. Vehicle thefts have shot up 600-700%. The criminals know that we can't chase them. They're that smart. I don't know if they followed the legislation, but if you have somebody in a stolen vehicle and they don't pull over for you, well, you turn off your lights and get pulled over. That's just the way the law is. We have stolen cars every single day that the officers are going to.

The last part of that perfect storm is the staffing issues. I have twenty-two vacant positions. I've had to cut all my specialty units. There are no motor officers. I have one parking enforcement officer left. I have no neighborhood anti-crime team. What we had to do was focus on public safety and answering 911 calls. What we used to do was a 50-50 split. So, every officer, every hour of the day, had 30 minutes to be proactive and 30 minutes to answer 911 calls. That's no longer the case. Officers are going call to call, and dispatch is having to triage the calls that come in. So as a citizen, if you used to call the police department, we'd be there within 3 to 5 minutes. You might not see us for an hour or 2 hours, and so we're trying to get folks that have lower-level crimes to use our online reporting system so that the officers are freed up to take in-progress calls. You go people go downtown and they don't see officers. That's right. I don't have officers downtown. They're in cars answering 911 calls. We're trying to be creative with ways that we show up downtown or ways that people feel safer downtown. We have an ambassador program starting. We have hired security officers to be down there. We're trying to use other ways to make, specifically downtown Bellingham, a safer place. The legislation also passed an increase in percentage for retirees, so if I work years 15 through 25, I get an extra 5% added to my retirement. I have officers that are reaching that 25-year mark that now are going to get a 5% bump on top of what they would have gotten, and they're getting out of law enforcement for the reasons that the sheriff stated.

After the George Floyd incident, we all got painted with this brush that I could have not predicted, and the officers have had to endure some horrible experiences with what I call the vocal minority of Whatcom

County while the silent majority sat silent. I think that the silent majority is now starting to see what's happening in their communities, and they're starting to speak up a little more. They're starting to show support for law enforcement and for public safety. But people are leaving the field left and right. They're going to other cities. They're going to other states. And we are fighting for the same apples in the basket. We're not the only folks that are looking for officers. Seattle is looking to hire three hundred. I'm looking to hire twenty-two. What was once a career that people were knocking the door down to get in has somewhat stalled. Bellingham is unique in that most officers come here because they went to school here, they went to college here, or they have a spouse here. Other than that, we haven't been able to attract a large population of people wanting to get into to the profession. We're looking at creative ways to try to get people to come to work for Bellingham, because I tell you, I moved here in 1985 to go to college. I have thirty-two and a half years with the Bellingham Police Department, and these last two years have been the toughest that I've seen. I've not seen anything like it, and I lived through the Rodney King era where things turned around for a short bit, but then the pendulum swung back. This seems to be a little more.

The offenders seem to be a little more aggressive and not afraid to take shots at the officers, not afraid to get in fights with the officers, not afraid to go in big box stores and fill shopping carts up and just walk right through the doors and look right at people and go. So, it is a perfect storm. I think we're going to get through it, but it's going to take at least three years to get back up to the level of staffing that we were at. The mayor and city council has been generous in saying we could pre-hire officers, and I appreciate that but at the same time, I haven't been able to find them. We have a recruiting team that's trying to come up with different ways to get people here. Once you're here, you stay here except for when things like this happen. But usually when people come to the police department, they stay just like I did for thirty-two and a half years. And I didn't grow up here. There is something to be said about this community. It is a wonderful community, and we want to get it back to where we once were. I know you have a lot of questions, and the sheriff explained most of the same stuff that I would have explained to you. I'm happy to answer questions.

Sarah Rothenbuhler: Casey has a question-

Police Chief Flo Simon: Hi Casey. (from Zoom chat-- How much overtime have you had to spend this year and how much higher is that than previous years? Do you have officers turning down the overtime?) We have had to hire more overtime than in years past because of those staffing issues. On top of the staffing issues, you have people that call in sick, you have to hire overtime, because there is a minimum level of staffing that I need to have to keep Bellingham at least safe. If we fall below that level, then we do hire the overtime. The officers driving down to Score have increased that overtime. I'm looking at putting officers out there to do speed emphasis, to do walk arounds or walk abouts, those are all on overtime so that it doesn't impact the folks that are taking the 911 calls. But yeah, overtime is definitely up.

Lance Calloway: What is the situation with a lot of these homeless encampments that we're having around our community, particularly along Cornwall? How much time is going to be devoted to addressing the issues there that take away from other policing matters?

Police Chief Flo Simon: That's a huge issue that we have, specifically on Cornwall, Lance. You know the whole goal of the program is for people who are living in their RVs, who have nowhere else to go, we just want to move them along every 72 hours. We don't mind if you stay in your motorhome, but if you stay longer than 72 hours, what happens is trash tends to accumulate. Rats tend to get there. It's a deplorable situation for anybody to live in. Lieutenant Murphy, who's our public information officer, has taken over enforcement of those RVs that are parked along Cornwall, ones that are on Civic Field. You need a person that's in there that knows who the players are. We offer them services. Every time we go meet with them, we offer to give them gas so they can move their rigs, recharge their batteries, but there are some folks that just want to stay there. Just move every 72 hours and none of this would be a problem, because the amount of trash that public works takes away from those encampments, the RVs and also the tent encampments, is huge, and nobody should be living in those conditions. There are plenty of services here in Bellingham to accommodate folks, and if they don't want to stay at Base Camp, there are other services out there that can help them. I think we've offered a lot of people services who have taken us up on that. Some of them have gotten into housing. What's left out there are the folks that have severe issues, whether they can't be housed somewhere, or they just don't want to be housed. That's the population that we're trying to figure out what to do with. So, at this point, if they would just move their motor homes every 72 hours, I think that the city would look a lot different.

Mayor Fleetwood: To jump in, we are enforcing that, and there was a period for a variety of reasons that we were not, including directives from CDC and the governor. Cornwall is much improved. Where there were 50 or 60 RVs at one time I drove down there the other day, and I think there were nine on that particular day. I would submit that we've seen some improvement.

Ryan Allsop: As a property owner on the north side of town, I've seen the disbursement of it. It definitely moved more and more towards the north end of town. I've dealt with them on building fencing, spending money on a regular basis, calling 911 (not as an emergency). I've had things thrown at me regularly. My wife's worried about my safety, and I'm wondering should I arm myself. I would agree with you completely. The people that are left right now that I'm dealing with, specifically in my area, they don't want help. The HOT (Homeless Outreach Team) team has been out ten times, so we're down to what I would consider drug addiction major and mental health often caused by drug addiction -- maybe there's underlying mental health. Is there anything now for that group that's left that's on the table? So far, the HOT team has been completely ineffective for my issues. This involves the bowling alley next door to us and all the surrounding properties. Any thoughts on that?

Police Chief Flo Simon: Well, the last stop is towing those rigs.

Ryan Allsop: These are mostly transient, no rigs. But as a property owner, private property owner, the loiterers that highly problematic.

Police Chief Flo Simon: Public or private property?

Ryan Allsop: Private

Police Chief Flo Simon: That's when it becomes a problem for us, because right now we're trying to clear all the public properties. I don't know what the answer is to trying to deal with that last element of the population that just dig their heels in.

County Councilman Ben Elenbaas: Chief Simon. Thanks for being here. I've been interested in your perspective because I hear Sheriff Elfo's quite a bit. We've established that a lot of the poor outcomes that we're seeing are from bad policy, and a lot of people want to talk about how these are unintended consequences of that bad policy. I don't think it takes a lot of life experience for some folks to say, I don't know if these are unintended, and a lot of us probably predicted some of the stuff we seen. So, from my perspective, when I think about keeping the community safe, there's another bad policy that we've seen that's had consequences to the overall health of the community. My question is of the twenty-two open positions that you have, how many of those positions are open because the officer left from a vaccine mandate that they didn't want to comply with?

Police Chief Flo Simon: Good question. Eight of those are for the vaccine and four of those got hired at other agencies.

Port Commissioner Ken Bell: Can I speak to a couple of things? I've got two dogs in this hunt. One is a wife who's in retail, and she actually is seeing it's not the homeless community. It's actually people who are more brazen, period, walking into small retail, not just the big box stores and walking out with things. They know that it's not worth the trouble of the shop owner or the small businessperson to pursue. It is a different face and a different culture because they know they can get away with it. I am concerned about that, that we've set a culture where people know they can get away with things, and you're going to see that culture permeate through more than just the people we would think. The second is, I've got a son in law, future son in law, who is an amazing guy, and you know that because my wife likes him. He will not come to Bellingham to work in the police department here, he's looking at Arizona. So, we're competing with a national market. We're paying incentives to drive law enforcement there not just what we can attract here, because Bellingham is a great place to live there. The ability to attract good officers to this location is going to require a Herculean effort, and I'm just hoping that our public figures are up for that. Whatever it takes, whatever incentives we've got to do to get our law enforcement back and to get our culture back. And Flo I just want to say thank you for your service. I know you didn't sign up for this in 1985, and things are markedly different. Thank you for that and thank you for not becoming an alcoholic in the middle of it, because I know that it would certainly drive me to drink.

Police Chief Flo Simon: Well, I appreciate that, Ken, but I might be a drunk. Alcoholics go to meetings, drunks don't.

Ryan Allsop: I think it's in Mayor Fleetwood's hands. Where are we on the final replacement of Chief Simon. She's done an amazing job to weather the storm that none of us really want to do that.

County Councilmember Ben Elenbaas: I was just saying keep Chief Simon.

Police Chief Flo Simon: 42 days, 13 hours.

Bellingham Mayor Seth Fleetwood: I would love to keep Chief Flo Simon, but she's already stayed on a year and a half longer than anticipated. I think that's about right, Flo? Chief Doll retired I guess it was in January of last year. Initially, Flo was going to stay on until the summertime, but she's agreed to stay on until June. The police chief search, as you know, the public process happened, and we're in the process of negotiating terms on the next police chief. I'm happy to say that you'll be hearing something soon, I anticipate. The plan was to have a new police chief ready to go by the 1st of June, and I think that we're on track to be able to meet that.

Port Commissioner Ken Bell: Mayor are you tracking what it's taking to attract officers to this region as far as incentives and salaries and signing bonuses?

Bellingham Mayor Seth Fleetwood: Flo spoke to that. I'm definitely familiar with the dynamic -- really challenging times as people have indicated multi-factorial that accounts for it all. A lot of dynamics at play. We did a market survey for a certain classification of our employees that was completed recently that we've implemented and incorporated, and that's a classification that includes the police chief. We learned in that process that we were 18% or so behind peers, comparable in the region, and so we increased to meet that. I think that the pay that we're offering right now is competitive. It's a great benefit package to work at the City of Bellingham. We'll see. I'm familiar with the challenge and the dynamic. Pay is a factor. It's not the factor. There's a lot of dynamics that account for why we get the numbers of people that apply to respond to a job announcement. And Bellingham, I've talked to a number of police officers that were in the classes in the mid-nineties that came to work in Bellingham, and they pointed out there was a job announcement for, say, three police officers and three hundred plus people would apply for that position. We've had similar announcements recently for jobs to work in the police department, be an officer in the City of Bellingham. Correct me if I'm wrong, Flo, in my detail, but I think there was one recently where we had five people respond. That's correct. Is it not, Flo?

Police Chief Flo Simon: That's correct and only two of them were qualified.

Bellingham Mayor Seth Fleetwood: Right. And as I think the sheriff indicated earlier, we have very high standards for the people that come into law enforcement. That just underscores the challenge of it all.

Port Commissioner Ken Bell: I was going to say it's more than just the salary and the bonuses. I mean, one of the reasons that Tyler won't come up here is because he can't afford the housing. For a young police officer, he can't get into the housing he needs. He can go down to Arizona. He can get a \$25,000 signing bonus; get the salary he wants and get into a single-family house. I think it's multifactor. It's not just the salary and the benefits.

Bellingham Mayor Seth Fleetwood: Absolutely.

Ted Mischaikov: I don't know who to ask this to, but I'm sure the knowledge is in the room so if anyone can just answer that would be great. I'm just wondering, just at a macro level, how many homeless are in Whatcom County or this population that's associated with homelessness? Does anyone know more or less.

Mayor Fleetwood: I think the others that are more qualified to answer this question. We've got a number of people on the call, but please jump in. I don't recall.

County Councilmember Kathy Kershner: We've got anywhere from 50 to 1,000 at any given time.

Ted Mischaikov: Let's just say it's 1,000. What's the collective financial resources annually spent at all these different agencies on this fabric of issues annually.

County Councilmember County Councilmember Kathy Kershner: That's a great question.

County Councilmember Ben Elenbaas: Take the number it was two years ago and multiply it by about ten through Covid. You'll get your answer.

I've heard \$20 to \$23 million.

County Councilmember Ben Elenbaas: I'm sure it's north of that over the last year.

Ryan Allsop: For the county or for the city.

Ted Mischaikov: For the county overall.

County Councilmember Ben Elenbaas: And that doesn't count non-profits and then everyone else. It's a tremendous amount of money and everyone yelling that we're not doing enough. They might be right. We might not be doing enough, but it's way more than we've ever done.

Ted Mischaikov: It's on a road map is 1,000, \$20-plus million, \$200,000 per year. Thanks.

Lance Calloway: Is it true that because of the services that are made available up here in Bellingham in particular but Whatcom County overall, that it does make it more enticing for those that are the homeless community?

Police Chief Flo Simon: We have heard that and there are definitely those folks that come up here, because they've heard that the services are good. They can get three meals a day and get things donated to them. But there's also a large part of the population that is from here, from Whatcom County. There is that mix.

County Councilmember Ben Elenbaas: There's been a statistic out there. I'd have to search for it, but it was presented to us in one of our meetings. It was where the last known address wasn't Whatcom County. It was higher than I expected it to be.

Bellingham Mayor Seth Fleetwood: If I can comment on that. The point in time count, which is around 1,000 people we know that around, I think it's 70% of those people are couch surfing, for lack of a better term. There are several hundred that are then on the streets. And of course, Bellingham just passed that 1590 sales tax rebate, bringing in an additional \$3million a year for affordable housing. The county did the same. We have a home fund in Bellingham, which is a property tax. I think it's \$0.38 on \$1,000 of assessed property value that brings in several million dollars a year. But as it relates to the question about, they're all coming here, 70% of the people that are identified in the point of time count are from Whatcom County. And of course, we don't do surveys of the homeless and ask them why. So, to that question of they must come up here because of the services that are provided. The truth is it's probably varied. There are probably some that have in fact heard about that come up for that reason, but it's not as though they've been surveyed, so we know with clarity why they're coming up.

County Councilmember Kathy Kershner: I just wanted to make a comment to Ted's comment and just broaden that a little bit. While there may be 1,000 in the homeless time count, there are thousands that are not homeless and are getting services. Some of that money is actually being used to support people that are not homeless and making positive improvements in their lives. So, it's not quite \$200,000 per homeless person, if that makes sense.

Ted Mischaikov: I was just to get an order of magnitude, resource per capita.

County Councilmember Kathy Kershner: It's still a lot of money.

Ryan Allsop: That's a tremendous amount of resource, and yet we have to use overtime officers to go to a facility that doesn't exist in our community. And we have inadequate services with what appears to be far above adequate resources. I mean, I'm not in the field so I am going to be very careful about making a comment. But just from my experience, what I can do with a quarter million for a person in their life per year. That's remarkable.

Sarah Rothenbuhler: Maybe there's another phrase besides homeless since there are resources available. That does create a lot of confusion. One more comment and then we're going to move on to Jack.

Bob Imhoff: I just wanted to ask Bill, how many jail cells do you think if we built a facility? How many cells?

Sheriff Bill Elfo: We've had different studies done by professionals that examine that and look at alternative options. I think they came back with most recently was 640. But I think we could do it with less than that if they were all at least medium security cells. When they built that jail work center, everything in

there is minimum security. That facility sits half empty for the majority of the time, because we just don't have a lot of minimum-security people being held in custody any longer. I guess to answer your question, if we had somewhere in the area of six hundred beds or less, slightly less, and they could all be used for multipurpose inmates and designed in a way that we can minimize staffing, and if a lot of success was achieved in the criminal justice system, maybe shut down units and open them up if and when needed.

Sarah Rothenbuhler: We've got 2 minutes. Blaine City Manager Michael Jones.

Blaine City Manager Michael Jones: Thank you, sir. I just wanted to go back to someone in the room there commented on something that Ted said, and I don't know who that was, so I apologize. It's really hard from our end to know who's talking on the other end. But it is really important to recognize that the money isn't working the way that Ted suggested. I serve on the housing advisory committee for the county as well, so I'm a small city rep there in addition to here. Most of the money that's being spent is going to people who are housed. They're housed because they have rental assistance. They're housed because they're in subsidized housing. We're building units at substantial expense as anyone who knows who build's stuff like you Ted. It's expensive to build an apartment or a house, and so most of that money is not going to people who are on the street. It's definitely not a simple math sort of things like that, and the point in time count happened just a little while ago. The new data will come out in May, so there should be new information to update the 2021 number that Darby posted in the comment.

Police Chief Flo Simon: To add a little more to that, Michael. Most of the money that's spent on the folks that are on the street is in the cleanup process. We spend a lot of money on that expense.

Sarah Rothenbuhler: Thank you so much. We have 15 minutes left for the meeting. Darby has joined us, and if we had time, was going to speak of the downtown services ambassador program. If anyone is interested, and Darby if you have time, maybe at 12:30p if you want to give a brief, five-minute overview. Then I think you could talk about it at an upcoming meeting that you have. Does that sound okay?

Darby Galligan: Yeah, that sounds great. I'm just happy to answer any questions if people want to chat or I'll put my email in the chat in case people want to have an offline conversation about downtown specific. Thanks.

Introduction to Jack's BBQ, Presented by Owner Jack Timmon's Jack's BBQ (multiple locations Seattle area) has just opened at 1327 State Street

Sarah Rothenbuhler: And now, Jack Timmon's of Jack's BBQ, our silver lining to this meeting.

Jack Timmons: Thanks for warming up to all with all those happy thoughts. I'm Jack Timmons, and a friend of Ted's whose sister ran a halfway house. I was on the board of directors in the neighborhood of Madrona in Seattle for many years, so I can talk about that. It was a great program before I talk about barbecue because it just took people off the streets for six - nine months at a very low cost. It's like a third or fourth the cost of prison. And they would ask them, 'do you want to go to prison or rehab? Go to rehab.'

Recidivism is high, but they were off the streets for 6 to 9 months. It was a great deal, and then I think the governor cut funding for that. It disappeared and we're where we're at.

Sarah Rothenbuhler: What was that program called?

Jack Timmons: That was Genesis House, and his sister is still involved, Monica Ramsey, with such things, but it was very cost effective. Anyhow, so I moved here with the barbecue joint, because it was a smaller town and get out of that Seattle crime. (laughter) I ran, I signed the lease. I'm not going anywhere. We're going to make it better.

Police Chief Flo Simon: It's your fault.

Jack Timmons: That's right. That's right. Seattle. Seattle brought it all up here. I grew up in Texas, in Dallas and moved to the Northwest 33 years ago on a job with Boeing. I was a computer guy, ended up working at Microsoft for a number of years. Didn't get rich. I wasn't a genius. But I worked at Microsoft for many years, and then ten years ago I went to barbecue summer camp in the Meat Sciences Department of Texas A&M. Why wouldn't you? I've always had a little barbecue pit in my backyard all my life. After that, I toured all the super famous barbecue joints in central Texas around Austin, and that area was settled by Germans and Czechs, and they weren't like Southern barbecue guys with sauce and stuff. They just had butcher shops, and they would smoke cuts of meat to make them last longer. Just salt and pepper, no sauce. And that's a good way to do barbecue. Some of them are still open. It's a fun tour. If you ever go to Austin, hit those old places. I came back from that all inspired, started doing barbecue parties. Everybody thought I was a genius because I knew how to do brisket. It's just not an over-served product in the Northwest. I got a bunch of buddies -- we chipped in about an old dive bar in the SODO neighborhood of Seattle, just south of downtown. I had never even worked in a restaurant. Ted was one of the investors. When we bought the property, they're all like, well, Jack might be able to pull this off, might not. Can't be that risky of an investment. That was eight years ago. We opened multiple locations

I came up here because Bellingham is so charming. We looked at Spokane and Boise and other places but this place is gorgeous. We did have homeless people break into our walk-in the day, the night we open, and the next day homeless were all around. You have to lock every single door. It all of a sudden, I was like I didn't get away from any of the craziness of Seattle. It was so bad that my pit guys who work at night -- two in the morning -- asked if they could buy a gun, and I said no. I gave them pepper spray and stuff, but when they cleared the homeless camp out from underneath I-5, that was right by us, there was no more problems. Nobody came around for many years. In Algona where we opened a restaurant, they just send them all to Seattle.

The Bellingham restaurant is in the old Greyhound bus building where The Copper Hog used to be. It's just gorgeous, and it's got a beautiful bar. We're open for breakfast, lunch, and dinner on every day except Monday, or I would have brought in breakfast tacos. We get our brisket and our cheddar jalapeno sausage and put it in this perfect tortilla with cheese and eggs and stuff like that. So, it's fun. We have great cocktails. So, do you want me to talk about the homeless issues of the restaurant? I think we all

know what they are, right? It kind of mentioned them a little bit. It is hard for businesses like us. I've had customers on Facebook comment like 'Oh, it's too bad you're downtown. We would love to come see you.' I'm like, Is it that bad? And it's kind of like, if I walk around the block, somebody's always in your face asking for something like a San Francisco-level of aggressive right now, which is surprising, because you never think of Bellingham like that. It's always voted Top Ten Places to live or retire and all that kind of stuff. It's hard but I'm pulling for us now. I'm downtown and a presence.

Sarah Rothenbuhler: In all fairness I asked Jack to come to our meeting focused on deteriorating community safety because when meeting him at his opening our first comments were beautiful building, great staff, amazing food and then wow, there are so many on the streets and not necessarily looking for help, for this size of town.

Jack Timmons: And they were literally crawling in the building. If you don't lock the door, they come in and they look around in the basement. They stole stuff out of refrigerator. It's like you almost need an armed guard. The police are welcome (laughter)

Ryan Allsop: Officer Johnson's on here.

Jack Timmons: We're open Tuesday through Sunday.

Sarah Rothenbuhler: We're laughing, but it's tragic for everyone, including the people we're enabling.

Jack Timmons: It is. It's sad because it's so not the Bellingham tradition, right? And you see it happen in Seattle, San Francisco, and LA. You just go, oh, my goodness, it could never happen here. Kaboom.

Lance Calloway: Are you going to share recipes with Flo? (laughter)

Clark Campbell: We appreciate you being here and in particular that location. I think part of the solution is having businesses that are committed to being in downtown, that then creates traffic in downtown, then creates community in downtown. A good barbecue is a really good start in a really good facility.

Jack Timmons: Yes, it'll be fine. I'm sure we'll resolve this. I went to San Francisco ten years ago on the swim race, and you couldn't walk down the street. It was like a Mad Max. It was horrific. I went there two months ago, no homeless people. From Pacific Heights at the top of the hill down to Chinatown, all the way to the museum district, you'd see one or two downtown, a lot like you always did in the open. I don't know what they did.

Police Chief Flo Simon: They bought a big hotel.

Ryan Allsop: I was in San Francisco last week, and I did not want to go to college tours. I actually didn't want to go. I told my wife; can I skip that part of the trip? I actually felt way safer downtown San Francisco. The Tenderloin is still the Tenderloin, which is a tough, tough area. I walked right through with

my kids. They have security out there. They've hired two different security companies that are on the streets. They kick every tent off the street every morning by 8 a.m. They pressure wash it. They go through the streets, they're wet. They wash all that crap off the streets, and it's working. They do not tolerate it. Chinatown solved their own problem. The locals in there kicked everybody out, and they have no tolerance in the Chinese community up there. It is way, way better. And I walk the entire city back and forth.

Jack Timmons: Night and day.

Ryan Allsop: Right. Compared to what it was. LA, I would say was absolutely the opposite. It is still a nightmare. We drove down there from San Francisco. But it's interesting because I did not want to go San Francisco, and I think it's something we should maybe start looking at. And it's only been in the last six months. They changed it fairly quickly. And I'm not saying it's perfect. And they did buy hotels, which you mentioned. They bought a lot of hotels and put people up in the last couple of years. Has kept the hotel business alive, because they are decimated, it has a lot of vacancy down there still. The businesses are still hurting big time. It was really interesting to see, because I've been a big proponent of this conversation in this group for a while now. To see that firsthand -- it's like they they're making a change. I would rather go to San Francisco than downtown Seattle.

Port Commissioner Ken Bell: Hey, Jack, can I can I just say thanks for bringing something we desperately needed downtown. I also want to discuss Genesis House, because as part of the overall discussion we had today, that is a piece of this puzzle. If we can take something as inexpensive as, say, a Genesis House - I speak firsthand experience. I did the same thing here in Denver, which is where I am today. And I think that if we could put our heads together, we could come up with some kind of a system like the Genesis House. If you'd be willing to sit down with me when I get back and have that conversation, maybe the first part of May, I think that's a tool in our toolbox that we haven't fully utilized. I think we probably should. By the way, I can't see your face but from the voice alone, it sounds like we imported Matthew McConaughey into our neighborhood. (laughter)

Jack Timmons: I think it's gotten worse over the years talking barbecue.

Port Commissioner Ken Bell: All right, all right, all right.

Sarah Rothenbuhler: And hopefully you get a chance to meet Casey Diggs who's on our committee and has Boundary Bay right downtown Bellingham. (Casey nods)

Port Commissioner Ken Bell: Also, I wanted to follow up with a question of Dana. Hey, Dana, can you talk to us about what's going on at the tribe at that level too.

Dana Wilson: On the crime wave?

Port Commissioner Ken Bell: Yeah.

Dana Wilson: I think the outreach is really helping and working. There's outreach going on out there. People are talking to the addicts and talking to homeless and seeing what their needs are and helping them get in that direction. And I think it's really working. That's the question I was going to ask you is how much of the mental illness and homelessness is drug induced and is that just a revolving door?

Police Chief Flo Simon: At this point? Yeah. What we're dealing with is folks that are having behavioral health issues or drug addiction, and they don't want to go to Base Camp, because they can't use their drugs there. So, we try to get them into treatment. They're not ready for that.

Sarah Rothenbuhler: Wasn't it, of those vehicles, it was over 90% had needles?

Police Chief Flo Simon: Yeah. A lot of needles.

Dana Wilson: And how much how much outreach is being done in Bellingham.

Police Chief Flo Simon: There's a lot of outreach being done by the Opportunity Council, the HOT Team, various services come down. They're trying to do outreach, but they're being met with resistance.

Dana Wilson: Can that outreach we looked at differently, as in maybe with prior addicts going down that have been there before. And instead of people that come from an office. Is some of that going on too?

Sarah Rothenbuhler: I believe that's a big part of the Mission's work.

Clark Campbell: I have a little experience in this. I have a daughter who just quit a job at the VA, and she's now working in Salt Lake City with the Fourth Street Clinic. She does medical outreach to the homeless community. There is particularly in this part of that community you're talking about, there's a lot of suspicion with the police, because the police are the ones that are moving them along every 72 hours and after the third time they're moved -- one because they're under drug addiction issues and they have mental instability -- that's a destabilizing situation. Then they have lack of trust. So then that same group doing outreach, it doesn't work. What they found is Salt Lake City has done a very good job, similarly to what's being done in San Francisco, is the city is involved in doing the work to keep the streets clean. They're doing the part that requires police enforcement for doing dangerous and breaking laws, but there is a different group doing the medical outreach, and actually knowing the names and where they live and what their medical conditions are and what their drug history is, gaining an actual background on that entire community. Then you can figure out how to get them into services.

I just get it from the weekly phone calls that I get from my daughter, and I'm like, I can't believe that that's the career that she's chosen to go into. It seems like that's the part is, is getting the medical outreach, getting a resource for that that's funded by the city. So that requires money. And then also having a good collaborative relationship between the enforcement side, the municipal cleaning side, and the medical outreach to get those people transitioned out. So, and you've got a group that's also getting in that that

community that's not wanting. To be given medical outreach, not wanting because of their mental condition. It's a really hard thing to see the same people over and over.

Sarah Rothenbuhler: Or at what point we're enabling.

Clark Campbell: There you have. Yeah. I don't know. I would say San Francisco and Salt Lake City would be two really good places for us to be trying to learn best practice from.

Dana Wilson: Well, I think with the recovering addicts going in, they can they could call the baloney. They know that they're not offending. They just know that 'you're not going to B-S me and what's really going on'. They can get in the door. Some of that I see is working. The trust factor is huge.

County Councilmember Ben Elenbaas: The Lighthouse Mission, which you mentioned, has a lot of prior users. They're able to go back and volunteer or get hired and do just what you're talking about.

Unknown Speaker: So, you suggest, the reason that the homeless are not there is because the programs. That's where the homeless have gone?

Clark Campbell: It's not that they don't have them and it's not a problem in those cities. It's a problem in every major city. What I think that they've come to learn is there's a certain amount of work that you can expect the police to do, and they're not going to fix all the problems. And if a lot of the funding for the police is to just do cleanup work, that's not fixing the root cause of the problem. Medical outreach is a different resource with a different budget with different people, and they can do different things. I think what we're going to find with this is you're not going to fix this problem solely by having bigger jails and more police. You're going to solve the problem by having that funded and in addition to, a lot more funding for medical outreach because of the scenarios it would be. If you don't, the problem is just going to continue, and I think that the trust issue is something that we have to come to terms with because of the nature of that population. You need collaborative groups that can work together. The medical community can work with the medical outreach together with the police.

Port Commissioner Ken Bell: It takes an addict sometimes to get to an addict. To Dana's point, the more trust you gain, you gain it because you've lived that life and you've come out of that life, and you could testify to that. I think it takes more than just the police and social workers. It takes a group of committed people that you find within the community to go reach out to their own community.

Sarah Rothenbuhler: Blaine City Manager Michael Jones, and then we better wrap this meeting up.

Blaine City Manager Michael Jones: I'm getting in a good habit here of getting the last word. I just posted a link in the chat, and I also sent it to Jennifer, I've asked her to forward it to the group, so you have it in your email. It's a great presentation on the causes of homelessness. Not to say that drug addiction, alcohol addiction, mental health isn't part of the problem, but the gentleman who gives the presentation does a tremendous job of using data and actual real information rather than anecdotal

information on demonstrating really the issue. The homelessness issue is a housing issue. We don't have a lot more people that are on the streets, because we have a lot more drug addicts and people with mental health issues than we did years ago. We have a lot more people on the street because we have a lack of housing available that people can afford to get into. It's a great presentation. I really encourage you to take a look. It takes about 45 minutes, but it's illuminating.

Sarah Rothenbuhler: Thank you Michael. Okay, we are at 12:35pm. Did you get a chance to introduce as you wanted to Jack? We went right back into homelessness.

Jack Timmons: Barbecue!

Sarah Rothenbuhler: Thank you so much. And thank you, Sheriff Elfo. We're going to wrap this meeting up, but will just take a minute if people want to step out of the room or sign off and then Darby, are you good with 5 minutes Darby? And then you can invite us to the next presentation that you have? (I think she left.) Okay. We've got printouts from Darby's presentation at the table there if you'd like to look at it. The Downtown Ambassador Program. Are you familiar with this program, Flo? Do you mind giving us a quick overview of it?

Police Chief Flo Simon: The downtown ambassador program is set up to have people in polo shirts walk the streets of the downtown businesses and guide people where they need to be to basically be a presence in the downtown area.

Sarah Rothenbuhler: That's one more step along with everything else. Casey, do they have a meeting at Boundary Bay tomorrow? We might have lost Casey, too.

Mayor Fleetwood: It's going to be on Thursday, the 21st, I think, is what you're referring to. Put on by the Downtown Bellingham Partnership. Y.

Ryan Allsop: When did the Downtown Ambassador program start? Have you noticed any impact so far?

Police Chief Flo Simon: Mayor, are they up and running? Is the ambassador program up and running?

Bellingham Mayor Seth Fleetwood: No, I think it's scheduled to start next week.

Sarah Rothenbuhler: Okay. Well, thank you, everybody. Next meeting is the third Monday in May - May 16th - We'll be having John Janicki from Janicki Industries and also possibly talking about the the housing crisis. So, you're not alone in our headlines from Jack.

Thank you so much everyone for being here and everyone on Zoom. Thank you so much for taking the time to zoom in. And we also have plenty of room here in person if you are in town or have time to be here in person next month.

Clark Campbell: Motion to close the meeting.

Sarah Rothenbuhler: Let's close it out.

Clark Campbell: I'll second that.

County Councilmember Ben Elenbaas: I just want to say that you can always judge how effective the group is by their attendance, and I'm incredibly impressed with this group. I also want to say I really enjoyed the conversation that happened here, but this is not the first time we've talked about all these issues. We've talked about that at council meetings, so I would love to see all you engaged in those as well. That's where the community weighs in what they want to see, and it's good for us who are allocating those funds to hear from people. Sometimes you don't have that.

Sarah Rothenbuhler: Thank you- and thank you so much for being here.

Meeting Adjourned at 12:45pm

Next meeting: Monday, May 16, 2022; 11 am – 12:30pm hybrid with in-person and Zoom options available

Chat Messages

Guy Occhiogrosso: Organized crime is increasing across the nation - the US Chamber is tracking this impact to businesses (especially retail, construction, etc). I would think this adds to our localized issues as well.

Casey Diggs: Hi Flo, Thanks for being here. With Staffing issues how much overtime have you had to spend this year and how much higher is that than previous years? Do you have officers turning down the overtime?

Casey Diggs: Thank you.

Darby Galligan - City of Bham: 859 individuals from 625 different households were counted in 2021.

Darby Galligan - City of Bham: <https://www.whatcomcounty.us/910/Housing-Program>

Darby Galligan - City of Bham: dgalligan@cob.org / (360) 778-8389

Darby Galligan - City of Bham: Downtown Safety and Security Meeting this Thursday:
<https://fb.me/e/2mrlvXVAQ>

Casey diggs: The 1/2 chicken was lights out...Great Job!

Darby Galligan - City of Bham: We're happy to have you downtown, Jack! Things are not all doom and gloom. :-) There's a great downtown business community, with optimism and momentum around downtown growth and vitality. I look forward to meeting you and talking more.

Debbie Ahl (she/her/hers): Ken - what is the Genesis House?

Casey Diggs: We also have the community paramedic program

Port Commissioner Ken Bell: A Seattle treatment center for addicts.

Port Commissioner Ken Bell: <https://www.rehab.com/genesis-house>

Eva Schulte: Great to hear from Jack's BBQ. The brisket is fantastic! I'm signing off for another meeting. Thanks all.

Blaine City Manager Michael Jones, Small Cities/Blaine:

<https://whatcomhousingalliance.org/projects/bellingham-for-everyone/bellingham-for-everyone-learning-series/>

Guy Occhiogrosso: I think it's important to mention that the BIAWC and the Realtors have been saying the same thing for years ... more housing is key. Looking at Troy on this one.

Simon Sefzik: I've got to hop off. Thanks, everyone!