

## THE GRISTLE

**NO BAIL FOR JAIL:** Oddities combine for one certainty, the \$100 million jail sales tax proposal is struggling and in need of a Plan B.

With hardly a grain of sand left in the hourglass in which to influence the ballot language or the minds of voters on the jail issue, Whatcom County Executive Jack Louws suggested to surprised listeners at the Aug. 31 meeting of Bellingham City Council there might still be time to craft a facilities use agreement that would allow COB to join the effort to construct a new jail and Sheriff's complex near Ferndale. City Council listened and rallied, holding a special session to hammer out an offer with representatives from County Council in attendance. The full City Council completed and approved their offer at their earliest opportunity on Sept. 14, with County Council meeting the following day and presumably able to consider the offer under new business. But Louws instead walked COB's offer across the street slowly, with no plans to introduce it or comment on it before Sept. 29, long after any opportunity has passed for face-saving cheer to influence the outcome of the election.

The sum total of these events suggest a bamboozle of expectations and, perhaps, tee-up for Jail 2.0.

There was, of course, little chance COB could craft an offer the county and its other cities could consider and approve before the details of the sales tax were spelled out in the voters guide and printed on ballots. And, indeed, the jail services agreement City Council approved Sept. 14 was little different from the offer the city made in June that was summarily rejected by County Council based on the executive's recommendation that the terms were unworkable. If anything, the terms of the city's revised offer are more exacting—a further reduction in the proposed size of the jail to 450 beds, with commensurate cost of \$80 million and the savings in construction and operations to be shared with the cities, plowed back into municipal programs for mental health and alternatives to incarceration.

If it was unworkable in June, why would a resubmission in September change the tenor of discussion?

"I personally think there is a solution here somewhere, and that current ballot language does not tie us to any certain interlocal agreement or jail size," Whatcom County Council Chair Carl Weimer wrote to City Council on Sept. 9, hours before their special session, which he attended. "My belief is that if we build a correctly sized jail it frees up millions to deal with equity issues about bond payments, operations and also funding for diversion programs.

"The County Council received a letter from all the mayors of the small cities encouraging continued negotiations with Bellingham to find a solution that works for everyone," Weimer reported.

In comments to the *Weekly*, Louws noted he would first have to gain approval of COB's offer from the caucus of small city mayors before he could comfortably present the concept to County Council. But Lynden Mayor Scott Korthuis, who was also in attendance Sept. 9, suggested any proposal that reduced costs and returned revenue to the cities would probably be supported by the caucus.

While citizen complaints about the jail proposal are myriad—from the mercurial bloat of the size of the facility (once upon a time, it was envisioned at more than 1,000 beds) to the opaque and hazily sleazy process in which it was sited and the property acquired



# views

OPINIONS » THE GRISTLE

BY TIM JOHNSON

## A Profile

### COMPLAINT FILED AGAINST BELLINGHAM POLICE

**A**teen filed a complaint with Bellingham Police last week, accusing police of racial profiling.

Bellingham Police stopped Alfredo "Lelo" Juarez, 15, for driving the wrong way on a one-way street with no license in Bellingham, on June 20. Juarez initially told the officers he was 18. He also reportedly told them he is an undocumented immigrant. Bellingham Police contacted U.S. Customs and Border Protection in an attempt to properly identify Juarez. That agency took custody of the teen and placed him in an immigrant detention center in Tacoma. Within 24 hours, Juarez was released and taken to his family in Mount Vernon.

"The police officers could not find Lelo in their system," civil rights advocates noted in a press release and call to action following the arrest. "In order to 'verify his identification,' they promptly called Customs and Border Patrol (CBP). As a result, CBP arrested Lelo, a 15 year old, detained him overnight in the CBP station, and then took him to the Northwest Detention Center in Tacoma, exposing him to a prison facility with immigrant adults.

"Bellingham Police Department did not issue a ticket, record this incident at the police department, and they have not contacted his family, afterwards. Immigration authorities released Lelo when they realized their mistake was noticed by grassroots community groups fighting to reunite Lelo back with his family" in Mount Vernon, activists noted in their press release.

On Friday morning, Sept. 18, Lelo walked into the Bellingham Police Department alongside representatives from several activist groups and handed police a formal complaint. The complaint accuses of-

ficers of racial profiling by asking Lelo his immigration status and violating Bellingham Police Department policy when they called Customs and Border Protection. It also accuses police of breaking federal law for complicity in attempting to deport an applicant in the Deferred Action for Childhood Arrivals program, a national policy that exempts some immigrants from de-

“What we’re trying to highlight here is that this collaboration between local police and immigration enforcement should not happen. This is the road to detention. We should not have local police putting people into deportation proceedings.”

— MARU MORA VILLALPANDO,  
LATINO ADVOCACY

portation if they entered the country under the age of 16.

Under the umbrella of the Not-1More deportation campaign, Community to Community, the Whatcom Civil Rights Project, Latino Advocacy,

and the Racial Justice Coalition gathered at the courthouse to show support for Lelo and community members who are targets of stops, racial profiling, and abuses by local law enforcement.

"Lelo bravely takes this action to support other victims and people who live in fear," said Maru Mora Villalpando, who represents an activist group called Latino Advocacy. "He wishes to bring these abuses by law enforcement into the light of day."

Bellingham Police acknowledged the incident was unfortunate and have agreed to review their policies.

"What we're trying to highlight here is that this collaboration between local police and immigration enforcement should not happen. This is the road to detention," Villalpando said. "We should not have local police putting people into deportation proceedings."

Bellingham Police policy notes that when a person is suspected of an infraction or criminal violation, the officer "should take reasonable steps to determine the person's identity through valid identification or other reliable sources," adding, "Arrests, Identifications and Bookings of persons of questionable immigration status shall be conducted in the same manner as those for any other person... without regard to immigration status."

"Bellingham Police Department has publicly denied collaborating with Customs and Border Patrol in local traffic matters," Villalpando said. "Lelo was stopped by BPD and requested an identification from him, when he couldn't produce one, instead of being taken to the station for verification of his identity or calling his parents, BPD transferred

**VIEWS, CONTINUED ON PAGE 30**

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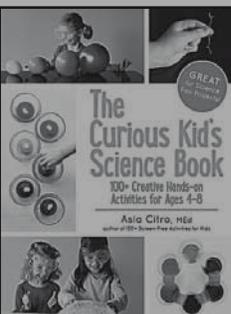


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**GRISTLE, FROM PAGE 9**

come to terms. The city invoked the clause Aug. 28 to ensure public safety services carry through the transition, governed by a third-party entity other than the Sheriff's glowering authority. Three days later, Louws was in front of City Council for another stab at agreement.

The offer by Bellingham City Council certainly narrows the scope of 2.0 issues: It's a full-throated support for a new jail; it concedes the siting and general design for the facility; and it relinquishes control of the sales tax instrument to the county, subject to the specific terms of the agreement. Those myriad citizen concerns are off the table.

But Jack was in no hurry to incorporate agreement into a change in the terms of the current jail proposition. There's still a chance voters will give him everything he wants. And he's taking that chance. ☺

**PROFILE, FROM PAGE 8**

Lelo into CBP custody.

"Thanks to community groups in which Lelo participates, including the farmworker union, Familias Unidas por la Justicia, he was released from detention in less than 12 hours," she said.

"The community cannot trust BPD when they say that they are not collaborating with CBP, stopping, or racially profiling when they do not even collect stop or search data on people of color to prove this," Villalpando said. "BPD promises to protect all members of our community, but when they do this to even a youth, like Lelo, trust is eroded. New measures and reform of present law enforcement practices need to occur if BPD is serious about building trust and creating a safer, better community.

"The 'road to detention' starts with stops like this, but may have serious consequences and tragic results. These stops are acts of racial profiling, dangerous to people, ineffective policing, and a poor use of resources."

Editorial space was offered to the *Whatcom Civil Rights Project* to voice their concerns, and their concerns are worthy of consideration. Lelo's desire to not live in fear is admirable. But Cascadia Weekly believes there remains doubt the teen was racially profiled in the conventional sense—he was stopped in the commission of an overtly illegal act, driving the wrong way down a one-way street. He was not initially forthright in identifying himself to police, leading to confusion. Nevertheless, the incident engages a community conversation on the active role a presence of federal deportation officers at our nearby border play in local policing matters. Perhaps that's a profile that deserves attention. ☺

BY ROB BREZSNY



**FREE WILL ASTROLOGY**

**ARIES (March 21-April 19):** You are destined to become a master of fire. It's your birthright to become skilled in the arts of kindling and warming and illuminating and energizing. Eventually you will develop a fine knack for knowing when it's appropriate to turn the heat up high, and when it's right to simmer with a slow, steady glow. You will wield your flames with discernment and compassion, rarely or never with prideful rage. You will have a special power to accomplish creative destruction and avoid harmful destruction. I'm pleased at the progress you are making toward these noble goals, but there's room for improvement. During the next eight weeks, you can speed up your evolution.

**TAURUS (April 20-May 20):** Taurus-born physicist Wolfgang Pauli won a Nobel Prize for his research. His accomplishment? The Nobel Committee said he discovered "a new law of nature," and named it after him: the Pauli Principle. And yet when he was a younger man, he testified, "Physics is much too difficult for me and I wish I were a film comedian or something like that and that I had never heard anything about physics!" I imagine you might now be feeling a comparable frustration about something for which you have substantial potential, Taurus. In the spirit of Pauli's perseverance, I urge you to keep at it.

**GEMINI (May 21-June 20):** In 1921, the French city of Biarritz hosted an international kissing contest. After evaluating the participants' efforts, the panel of judges declared that Spanish kisses were "vampiric," while those of Italians were "burning," English were "tepid," Russians were "eruptive," French were "chaste," and Americans were "flaccid." Whatever nationality you are, Gemini, I hope you will eschew those paradigms—and all other paradigms, as well. Now is an excellent time to experiment with and hone your own unique style of kissing. I'm tempted to suggest that you raise your levels of tenderness and wildness, but I'd rather you ignore all advice and trust your intuition.

**CANCER (June 21-July 22):** The astrological omens suggest you could get caught up in dreaming about what might have been. I'm afraid you might cling to outworn traditions and resuscitate wistful wishes that have little relevance for the future. You may even be tempted to wander through the labyrinth of your memories, hoping to steep yourself in old feelings that weren't even good medicine for you when you first experienced them. But I hope you will override these inclinations, and instead act on the aphorism, "If you don't study the past, you will probably repeat it." Right now, the best reason to remember the old days is to rebel against them and prevent them from draining your energy.

**LEO (July 23-Aug. 22):** You may laugh more in the next 14 days than you have during any comparable 14-day period since you were five years old. At least I hope you will. It will be the best possible tonic for your physical and mental health. Even more than usual, laughter has the power to heal your wounds, alert you to secrets hiding in plain sight, and awaken your dormant potentials. Luckily, I suspect that life will conspire to bring about this happy development. A steady stream of antics and whimsies and amusing paradoxes is headed your way. Be alert for the opportunities.

**VIRGO (Aug. 23-Sept. 22):** It's a favorable time to fantasize about how to suck more cash into your life. You have entered a phase when economic mojo is easier to conjure than usual. Are you ready to engage in some practical measures to take advantage of the cosmic trend? And by that I don't mean playing the

lottery or stealing strangers' wallets or scanning the sidewalk for fallen money as you stroll. Get intensely real and serious about enhancing your financial fortunes. What are three specific ways you're ignorant about getting and handling money? Educate yourself.

**LIBRA (Sept. 23-Oct. 22):** I feel like a wet seed wild in the hot blind earth," wrote author William Faulkner. Some astrologers would say that it's unlikely a Libra would ever say such a thing—that it's too primal a feeling for your refined, dignified tribe; too lush and unruly. But I disagree with that view. Faulkner himself was a Libra! And I am quite sure that you are now or will soon be like a wet seed in the hot blind earth—fierce to sprout and grow with almost feral abandon.

**SCORPIO (Oct. 23-Nov. 21):** You and I both know that you can heal the sick and raise the dead and turn water into wine—or at least perform the metaphorical equivalent of those magical acts. Especially when the pressure is on, you have the power to attract the help of mysterious forces and unexpected interventions. I love that about you! When people around you are rendered fuzzy and inert by life's puzzling riddles, you are often the best hope for activating constructive responses. According to my analysis of upcoming cosmic trends, these skills will be in high demand during the coming weeks.

**SAGITTARIUS (Nov. 22-Dec. 21):** Some astrologers regard the planet Saturn as a sour tyrant that cramps our style and squelches our freedom. But here's my hypothesis: Behind Saturn's austere mask is a benevolent teacher and guide. She pressures us to focus and concentrate. She pushes us to harness and discipline our unique gifts. It's true that some people resist these cosmic nudges. They prefer to meander all over the place, trying out roles they're not suited for and indulging in the perverse luxury of neglecting their deepest desires. For them Saturn seems like a dour taskmaster, spoiling their lazy fun. I trust that you Sagittarians will develop a dynamic relationship with Saturn as she cruises through your sign for the next 26 months. With her help, you can deepen your devotion to your life's most crucial goals.

**CAPRICORN (Dec. 22-Jan. 19):** The coming weeks will be a favorable time to break a spell you've been under, or shatter an illusion you have been caught up in, or burst free from a trance you have felt powerless to escape. If you are moved to seek help from a shaman, witch, or therapist, please do so. But I bet you could accomplish the feat all by yourself. Trust your hunches! Here's one approach you could try: Tap into both your primal anger and your primal joy. In your mind's eye, envision situations that tempt you to hate life and envision situations that inspire you love life. With this volatile blend as your fuel, you can explode the hold of the spell, illusion, or trance.

**AQUARIUS (Jan. 20-Feb. 18):** "Go to the edge of the cliff and jump off. Build your wings on the way down." So advised author Ray Bradbury. That strategy is too nerve-wracking for a cautious person like me. I prefer to meticulously build and thoroughly test my wings before trying a quantum leap. But I have observed that Aquarius is one of the three signs of the zodiac most likely to succeed with this approach. And according to my astrological calculations, the coming weeks will be a time when your talent for building robust wings in mid-air will be even more effective than usual.

**PISCES (Feb. 19-March 20):** You are being tempted to make deeper commitments and to give more of yourself. Should you? Is it in your interests to mingle your destiny more thoroughly with the destinies of others? Will you benefit from trying to cultivate more engaged forms of intimacy? As is true for most big questions, there are no neat, simple answers. Exploring stronger connections would ultimately be both messy and rewarding. Here's an inquiry that might bring clarity as you ponder the possibility of merging your fortunes more closely with allies or potential allies: Will deeper commitments with them inspire you to love yourself dearly, treat yourself with impeccable kindness, and be a superb ally to yourself? ☺