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 resubmittal 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 mercuial blight 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

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 officers 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 deportation 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. We should not have local police putting people into deportation proceedings.”

— MARU MORA VILLALPANDO, LATINO ADVOCACY

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BY TIM JOHNSON

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