Cities and County reach agreement

Jail overcrowding prompts call for new county facility

Like independent nations united to fight a common enemy, county and city leaders have joined forces to address the realities of a growing inmate population in Skagit County. On August 6, they will ask the voters of this region to finance a public safety initiative focused on the need for a new county jail.

After years of increasing stress on the public safety system in Skagit County, the decision was made in July 2012 to establish the Skagit County Public Safety Jail Coordinating Council.

That council, comprised primarily of elected public officials, represented Skagit County communities with voting members including three mayors, one county commissioner, two judges, one city supervisor and the county sheriff (see membership list, page 2).

After 10 months of study and deliberations, members of the council unanimously agreed on the need for a new county jail.

That proposal is dependent on a three-tenths of 1 percent increase of the sales tax in Skagit County – an increase that requires the approval of voters on the August 6, 2013 ballot.

Elected leaders and law enforcement officials endorse this plan as vital to the safety of this county’s residents. Facts compiled by Skagit County and the Public Safety Jail Coordinating Council in anticipation of this ballot proposal are included on the pages of this publication.

Skagit County Commissioner Ken Dahlstedt, who represented the Board of Commissioners on the Council, expressed his thanks to those whose work led to the recommendation to build a new jail.

“We are grateful for the significant contributions made by Council members,” said Dahlstedt. “Our deliberations sometimes reflected the desire to protect the interests of specific constituencies, and we still have some details to hash out in coming months. But in the end everyone agreed to a course of action intended to protect public safety in all corners of Skagit County, rural and municipal.”

Why a new jail?

Cities in Skagit County do not operate municipal jails, in keeping with a 1980 agreement mandated before granting $6.4 million in state funds to build the existing Skagit County Jail. By law, Skagit County is required to accept into the county jail all accused/convicted felons whose cases originate in local municipalities.

In the first few years following the opening of the current Skagit County Jail in 1984, approximately 2,500 inmates were booked each year. By 2004, that number had grown to more than 6,000 inmates per year. In the last 30 years, the Skagit County Jail has experienced a 240 percent increase in the average daily population.

The current jail was built in 1984 to house 83 inmates ($6.4 million in state funds, $800,000 in county funds to meet local needs including an increase in the number of single cells). It was expanded in 1991 to 160 beds; again in 2002 to 180 beds. The daily average jail population today (on-site inmates) is 200, a fact that translates to serious staffing challenges and safety issues both inside and outside the jail.

Jail overcrowding creates a “shell game” scenario, both inside the Skagit County Jail and between this facility and Snohomish County Jail. Due to severely limited space, Skagit County has been forced to contract the services of Snohomish County to house an average of 25 inmates (up from 15 in 2012). This alternative is costly in terms of “outsourcing” fees and transportation costs associated with moving individuals back and forth between the distant jail and the local court system.
Local leaders unanimous in call for new county jail

Today’s issues of law and justice are complex, but local leaders unanimously agree that a new Skagit County jail is vital to the goal of protecting law abiding residents, their families and properties.

In recent months Skagit County Commissioners and the mayors of Anacortes, Burlington, Mount Vernon and Sedro-Woolley have conducted a series of discussions regarding a state provision to utilize sales tax to fund public safety/police and fire protection services.

In turn, mayors and city council members have conducted public meetings regarding the proposal to ask voters to approve a three-tenths of 1 percent sales tax increase on the August 6, 2013 ballot. Each city has also deliberated over possible use of sales tax funds in excess of those committed to construction and operation of a new Skagit County Jail.

Prior to a deadline on August 6 ballot proposals, all four mayors of Skagit County’s largest cities endorsed a provisional agreement with the Skagit County Board of Commissioners. At the local level, city council members also gave unanimous support to the proposal (Among four councils: 27 “yes” votes, 0 “no” votes).

Under terms of the provisional agreement among Skagit County and cities, a “bed rate” for County Jail services will be eliminated, and some cities will also receive funds from the Public Safety Sales Tax fund for consideration in funding staff, services and equipment in police and fire departments.

Sheriff Will Reichardt has spent his entire law enforcement career in Skagit County. Over the years he worked his way up through the ranks, serving as Chief Criminal Deputy before being elected sheriff in 2010.

“As a new deputy in Skagit County in 1984, I began my career working in the newly opened Skagit County Jail,” Reichardt recalls. “At the time it seemed as though it would last forever and we could never possibly fill it up. Unfortunately that was almost 30 years ago. The reality is that the jail began having ‘growing pains’ in the mid-1990s and by early 2000s we were seriously overcrowded.”

“Today,” the sheriff continued, “the jail is routinely housing mostly felons at numbers that compromise safety to inmates and staff alike. The need for a new jail is critical. It is no longer acceptable to delay implementing this long overdue solution to this crisis.”

Deficient county jail facility compromises entire system

“Every day as Skagit County Sheriff, I see the work being done by the officers and deputies ‘on the street’ solving crimes and making our community safer,” said Reichardt. “Unfortunately, they are often left with no place to incarcerate these individuals.”

“I also see our judges, prosecutors and probation officers trying to hold criminals accountable,” he said. “But with no room in the jail they are often forced to make decisions based less on justice and more on what an outdated, overcrowded jail can handle.”

Reichardt terms the jail “a critical component of the justice system,” adding: “When it ceases to function efficiently, the entire system is compromised.”

“Skagit County has always been a community that prides itself on compassion and tolerance,” Reichardt concluded. “We expect civility and will hold those accountable who don’t respect the law. A new jail with room to hold those needing to be incarcerated and room to provide programming for those receptive to treatment as they pay their debt to society is in keeping with the vision for Skagit County that I believe we all share.”
The proposed Public Safety sales tax increase that will appear on the August 6, 2013 ballot is three-tenths of 1 percent, or three cents on a $10 purchase. Exemptions from this sales tax are: retail sale of motor vehicles, and lease of motor vehicles up to the first 36 months. Funds from this sales tax will be utilized by cities for a variety of Public Safety services, ranging from law enforcement to fire and emergency services. Under terms of the agreement, city “bed rates” for jail services will be eliminated.

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Funds to Skagit County will be applied to construction of a new, $60 million facility that would house a 400-inmate jail plus a space for legal activities including court arraignments. Sales tax revenue will also fund maintenance and operation of the jail.

Contributors to the Public Safety sales tax fund will include Canadian shoppers and U.S. shoppers from outside Skagit County.

Sales tax rates from Puget Sound region

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Mount Vernon

Mayor Jill Boudreau notes: “Public safety is a priority for the City of Mount Vernon. Years of overcrowding in the Skagit County Jail have left us vulnerable to the criminal element of our society. Funding public safety needs continues to be a challenge for both cities and counties in the State of Washington. Those needs include police and fire protection, public defense, jail housing, prisoner medical expenses, equipment and personnel.”

Burlington

Burlington Mayor Steve Sexton sees the provisional agreement among local cities and Skagit County as important in two key areas: fire and police service improvements in the city, and adequate county jail inmate space and services.

The mayor says: "The county is responsible for housing felons. When you look back 10-15 years at the people who should be going to jail and aren’t because of overcrowding, they are for the most part city misdemeanants. These are the folks who are committing crimes against our residents and stealing from our businesses. We owe it to both residents and business people to make sure those criminals are serving time, and the new jail will provide the capacity we need to do so.”

Sexton noted that funds from the proposed sales tax would not only support construction and operation of a new jail, but: "They would allow us to provide public safety improvements in both our fire and police departments. It is key to us that we give our businesses and residents the services they deserve – and this plan will get us to that point."

Jail chief and staff cite safety as a daily challenge for all

Given the opportunity to do so, Skagit County Chief of Corrections Charlie Wend would invite as many people as possible to tour the 30-year-old downtown Mount Vernon facility. To see the jail firsthand, says the career corrections professional, is to recognize the need for a new jail at another location.

Wend is proud of a corrections staff working under increasingly challenging circumstances, but on a tour of the jail he delivers a powerful mix of statistics and visible evidence leading to the same conclusion: this facility suffers from space and design limitations that cannot be solved at the current location.

Wend, who worked 30 years in the state prison system, came to Skagit County in 2011. He has been Skagit County Jail Chief for two and a half years, during which time increased inmate population levels and an aging facility have combined to create a law enforcement crisis that impacts every community in Skagit County.

The Skagit County Sheriff’s Office Corrections Division is responsible for detaining pretrial defendants, convicted offenders waiting for transport to a state prison, and for incarcerating inmates sentenced to serve less than one year (or more than one year in the case of consecutive sentences).

Wend points out that while inmates are in custody, the Sheriff and his corrections staff are responsible for their supervision, safety, health and well being. Staff is called to ensure that inmates appear in court when needed – and are transported to other jurisdictions when necessary.

The existing jail, built in 1984 to hold 83 inmates (11 females and 72 males), is consistently overcrowded despite past efforts to accommodate a larger population. Since 1989 the number of beds has been increased by converting most individual cells to two- and three-person cells. Recreation areas have been converted to dorm-like housing spaces, bringing the total number of beds to 180.

In the meantime, the “core” of the jail -- laundry, medical, food service, recreation areas and the like -- are still in the same space designed to serve 83. There is only one multi-purpose space for programming, and this space is also utilized for other important jail activities.

Additional staff challenges, said Wend, include sharing break room space with work stations, making it impossible to separate from the pressures of the jail environment even for brief periods of time. The booking area designed to process a handful of inmates each day often sees 15-20 bookings daily. With already incarcerated inmates moving in and out of the space on the way to court appearances, attorney sessions and the like, the booking area becomes a significant “choke point.”

Because of inadequate space, the jail has only one multi-purpose space which serves as library, chapel, and the jail’s program space. Programming – which can lead to a positive future for inmates with root issues like substance abuse, becomes difficult to impose upon all of the inmates who need it.

“Often criminal behavior is tied to an addiction,” said Wend, “so if you treat the addiction you can get a handle on the criminal behavior. That’s a positive outcome for everyone.”

In the jail’s “north end,” inmates are only allowed out of their cramped cells for very limited periods of time. Because of overcrowding, Wend said, an individual arrested for Driving Under the Influence (DUI) might find himself housed with someone with a history of violent offenses.

“It becomes a real challenge,” he said. “Often we find high risk offenders mixed in just because we don’t have space elsewhere. We also have no way to safely segregate inmates, to pull someone out into a more isolated or secure setting. That can be dangerous.”

Design and inadequate space also prevent Wend and staff from the kind of “direct supervision and interaction with inmates” that he would like to see.

“You really diminish your problems when you are able to provide that kind of direct involvement,” he said, “but that is just not possible as long as we are stuck with this space.”

“We’re playing a shell game,” said Wend. “The risk in this place, to staff and inmates, is not small. There are many issues here, from inadequate space to poor design and outdated technology. The nature of the construction makes it expensive, or impossible, to do technology upgrades or remodeling. The location of the building makes it impossible to expand on site.”

“Overcrowding has a negative impact not only on those here in the jail, but in our communities as well,” Wend concluded. “In one recent week (June 2-June 8), we turned away 70 bookings due to overcrowding, which means people who should have been in jail were still on the street. Clearly we need a new facility at another location,” said Wend.
Superior Court Judge says new jail ‘vital’ to public safety

Ask Superior Court Judge Michael Rickert whether a new Skagit County Jail is necessary and he will tell you the verdict is clear: “We are at crisis level, with an inmate population that is critically over capacity.”

Rickert, a Superior Court Judge for 21 years, brought his experience and courtroom perspective to the table as a member of the Skagit County Public Safety Jail Coordinating Council.

“In 1984 we opened a jail that we were told would serve us well into the future,” he recalls. “Well, we didn’t make it very far.”

Rickert said safety issues apply not only inside the jail for inmates and law enforcement staff, but outside in Skagit County communities as well.

“Because we are over capacity we are releasing individuals who should be held, and more than ever we are making decisions not to book people because there is no place to put them.”

“We are able to keep Class A felons,” he continued, “but we are releasing a lot of ‘frequent flyers’ in the area of property crimes. Literally, some are not paying the price for committing property crimes – or they are paying the price at a reduced level.”

The judge expressed support for a public process that led to the proposal to build and operate a new county jail.

“Skagit County residents should be aware of the fact that unlike Congress and many state legislatures, this council was able to come together with a solution,” he said. “There was a lot of give and take in a process that ended up with the support of all mayors, council members and commissioners. People were able to put their differences on the back burner, coming together with a plan rather than kicking it down the road for a future generation.”

Rickert also spoke of a common desire to reduce recidivism, a growing rate of inmates who repeatedly serve time in jail.

“The programs we have been able to run have been very successful, but there is no room for more programs or a higher rate of participation,” he said. “The plan for a new jail was created with an eye to the future. We are not going to put ourselves in a position again of having no option for remodel or expansion. I have great optimism that given the space, our programs will play a much greater role in the day to day lives of our prisoners.”

In regard to the suggestion that a new jail facility is a privilege criminals do not deserve, Rickert said: “The idea that jail is ‘cushy’ is a misnomer. I have visited many jails during my years as a judge, one of the most recent being the SCORE facility in King County. Listen, jail is jail. Once you walk inside it is stark – stainless steel with glaring light 24 hours a day. Prisoners sit on stainless steel seats, sleep on stainless steel with a two-inch mattress. Most often recreation is an indoors walk-around because of liability issues.”

“Jails are a necessity, and they are expensive to operate,” he concluded. “The only way to make it is to make things very Spartan. That’s the way our jail will be.”

District Court judge notes challenges

There is a Washington statute requiring the county jail to accept and hold any person the Superior Court orders held, notes District Court Judge David Svaren.

“When the jail has inadequate capacity, District and Municipal Court bench warrants and jail commitments become a second priority,” he said.

“In Skagit County,” Svaren continued, “law enforcement officers routinely contact defendants with outstanding warrants and, instead of arresting them, give them a notice for a new hearing date. Some of these defendants attend court on the new date, but most don’t. Even when the warrant reflects that booking the defendant into the jail is essential, sometimes there is simply no room and the defendant is turned away.”

“This should concern the citizens of Skagit County for several reasons, the judge continued. “Sometimes the defendant in question is a serial DUI driver in an alcoholic or drug induced tailspin who is endangering anyone on our roads. At other times it may be a defendant charged with multiple counts of domestic violence crimes. In any event, the common knowledge that there is no consequence for defying a court order or refusing to come to court when summoned erodes respect for the rule of law upon which this country is based.”

Mayors on Public Safety

Anacortes

Mayor Dean Maxwell says: “There is absolutely no question that the cities and Skagit County government must partner to meet the needs of jail overcrowding in order to keep our valley safe. As a member of the Jail Coordinating Council I have worked first and foremost to help identify a solution to jail overcrowding. I am glad that we are looking to find solutions to the recidivism we see in the current system, whether it be mental health or drug related programming.”

Sedro-Woolley

Sedro-Woolley residents approved a Public Safety sales tax of one-tenth of 1 percent last year, with a city pledge to commit funds to the purchase of fire and police equipment. Under terms of a provisional agreement with Skagit County, the city would commit an annual amount equal to 85 percent of the city’s Public Safety sales tax for construction and operation of the County Jail. Anderson related a story that he said has become too common: a drug dealer with a record of convictions was arrested, but booked and then released due to lack of inmate space in the county jail. “It has become increasingly difficult to hold criminals accountable because you can’t hold them in jail due to overcrowding,” said the mayor. “The burglar who broke into your neighbor’s house today will be at your house tomorrow. We can catch them, but we can’t always keep them.”
The case for new jail location

Project Manager Marc Estvold recalls his initial conclusion that a remodel and expansion of the existing facility was the seemingly obvious option for addressing the overcrowding crisis at the Skagit County Jail. Closer examination of the situation, however, soon revealed that staying in the current building on the existing site was not an option.

Among the reasons a new jail site is required:

- Based upon Skagit County population projections, anticipated incarceration rates and local crime statistics it became overwhelmingly obvious that a new facility with an opening capacity of 400 inmate beds, and with significant future growth potential was necessary. Further study of the existing facility and site revealed that it would not be possible to meet future needs in the current location due to existing site restrictions.
- The current jail site is “landlocked” in a downtown location straddled by a railroad line and high traffic city streets, plus poor soil conditions that make it impracticable to go up. Given the current highly competitive construction and real estate markets, cost studies show that it would be less expensive to purchase property and construct a new facility than it would be to renovate and add on to the existing Jail structure. New construction also allows an opportunity to design to today’s standards, take advantage of today’s technologies and provide for future expansion.
- Research into the existing structure determined that required technology and infrastructure upgrades, as well as expansion of the existing 30-year-old jail building, would be cost-prohibitive. In short, investment in the existing structure and site would provide an expensive, unsatisfactory, short-term solution to this public safety challenge.

Skagit County and the City of Mount Vernon will conduct an environmental review of the site selection process, which will assure early and continuous opportunity for public involvement and comment.
Prosecuting Attorney’s office struggles with jail frustrations

Skagit County Prosecuting Attorney Richard Weyrich believes the negative community impacts from an overcrowded jail call for remedy as soon as possible.

“People used to ask me if we really need a new jail,” said the prosecuting attorney. “Now the question is: ‘When are we going to get a new jail?’”

“The need,” said Weyrich, “is overwhelming.”

Elements of the challenge posed by the existing jail are many, but most are related to building size and the fact that an expansion is not possible at the present Mount Vernon site.

One of the frustrations faced by the prosecutor is the fact that because of space limitations, many people who are guilty of property crimes are booked and released because priority for incarceration goes to violent criminals and others whose jail time is mandated by law.

“What happens is that too many criminals are released time and again, or not even taken in because the jail is too full with murderers, rapists and other very dangerous individuals,” said Weyrich. “But tell that to the people who come home to find their house ransacked and all of their valuables gone. Tell that to the crime victim whose sense of safety in their home has been shattered. The people who do these things have no regard for anyone and deserve to be locked up, but all too often there is simply no room in the jail.”

“My office is frustrated when we have to deal with victims and tell them that someone who turned their lives upside down is going to receive the proverbial slap on the wrist, not due to anyone’s fault except our inability to house these dangerous people in an inadequate facility,” he said.

Weyrich emphasizes that no one in local law enforcement is to blame for this situation.

“The Sheriff’s Office has done an amazing job of keeping the most dangerous in custody,” he said. “But until we have more capacity, the people of Skagit County will continue to be the victims of criminals not going to jail merely due to the fact that ‘the inn is full.’ We need to act now to build a new jail so we can all sleep a little better at night.”

Another prime area of concern for the prosecuting attorney is inadequate space for jail programs.

“I don’t think it is an exaggeration that 85 to 90 percent of the people in jail are there due to substance abuse, alcohol abuse or mental health issues,” he said.

“For many of these people the jail is merely a revolving door without opportunity for treatment that might keep them from returning to jail. It has been shown that treatment works for most of these people. They may get their families back and they may get a job. With a new jail, we will have the ability to treat the criminals while they serve out their time.”

Alternatives Program tapped

In Skagit County, alternatives to confinement in jail are utilized at double the national rate. The Skagit County Jail Alternatives Program, created in 1995 as way of reducing overcrowding in the jail, includes Electronic Home Monitoring, Community Service Work Program (such as litter cleanup, washing SKAT buses), Work Release, Litter Crew and In-Custody Work.

The goal of the Jail Alternatives Program is to provide options to total incarceration, or jail time.

For instance, the Work Release program allows participants the opportunity to retain their jobs by allowing them to go to work from the jail, and return to the jail after work. This allows them to pay their financial obligations, including victim restitution and court fees and fines. Most offenders also pay a fee to participate in the program.

Individuals on the Community Work Program and Litter Crew have been involved in numerous projects, with continuing benefits for the citizens of Skagit County. These include litter removal, clean up of dump sites, maintenance of courthouse and park grounds.

There is also a one-day program based at the Skagit County Fairgrounds (quarterly).

Programs such as these give individuals the opportunity to be involved in positive community projects, while at the same time fulfilling their obligations to the judicial system.

Jail Facts

The existing Skagit County Jail is “landlocked,” limiting renovation/expansion options and making future expansion impossible. Outdated technology and overdue facility improvements to the 30-year-old building are cost-prohibitive. Although the site for a new jail is still under consideration (two alternatives, see page 6), both potential sites feature space for expansion of the jail to accommodate future demand.

Drug and alcohol abuse, the greatest “root cause” sources of crime in Skagit County, have increased dramatically in recent years. Criminals with drug and alcohol abuse issues are the most receptive to treatment programs, but the space crisis at the Skagit County Jail prevents the opportunity for treatment programs.

Technology improvements in the new jail would include monitors for “real time” surveillance of confinement spaces with a recording option (potential source of evidence in the event of criminal activity by inmates). Video could also be provided for such activities as inmate visitations, arraignments and legal counseling.

Public monitors online

Skagit ‘Crime Map’

Among the most popular elements on our website (www.skagitcounty.net) is the up-to-date “Crime Map.”

This detailed source of local crime data allows the user to search by address, road name or case number. Other options include selection of a region (for example, Guemes Island or Edison) or incident type (such as burglary, domestic violence, criminal homicide).

The detailed map can be viewed in small, medium or large format, with color graphics distinguishing types of incidents and the locations where they occurred.

Also available is a calendar search window that allows the user to search data within a particular period of time.
Sheriff and City Police Chiefs agree:
New Skagit County jail is key to public safety

Anacortes
Police Chief
Bonnie Bowers
“The majority of prisoners currently housed in the Skagit County Jail are pre-sentence felons. Many have committed violent crimes, and if released would pose a safety risk to our community. Because our county jail is full of the most dangerous offenders, some less dangerous criminals walk the streets. Very few thieves are booked into jail.”

Sedro-Woolley
Police Chief Doug Wood
Overcrowding in Skagit County Jail routinely forces law enforcement officers to make decisions based not on law, but on the question of whether there is space to incarcerate an individual.

“A new jail is vital to the safety of all our residents,” said Sedro-Woolley Police Chief Doug Wood. “Nobody really wants to pay more to fund it, but it is necessary to have a facility to house prisoners. When all is said and done, we need a new jail.”

Mount Vernon
Police Chief Jerry Dodd
“The county jail is central to local public safety operations and criminal justice involvement. It houses the inmates involved in a wide variety of offenses (mostly felons), and is used by all of the local jurisdictions, including tribal police and in some cases even federal agencies. Inmate population will rise for years to come.”

“Our citizens deserve a new jail. The jail is overcrowded, outdated and not designed to be expanded – presenting a clear threat to public safety and taxpayer liability.”

“Replacing the jail is a major undertaking that cannot be avoided. We need to end streaming tax dollars from our community to other counties to outsource our inmates.”

“The new jail will offer a win/win situation for the corrections officers, inmates, law enforcement agencies, courts and most important the community. I strongly suggest that if you have an opportunity to tour the jail, please do so to see for yourselves the real problems Skagit County is facing. The need exists. This is the right time to meet our public safety need.”

Burlington
Police Chief Bill VanWieringen
“The Skagit County Jail is an essential tool for law enforcement in protecting the public from the criminal element.”

“The current jail situation, with its overcrowding and booking restrictions, at times does not allow our officers to carry out their duties to the fullest. Many repeat misdemeanor offenders contacted by our officers are immediately released even when they have outstanding warrants.”

“Without more jail capacity offenders are not and will not be fully held accountable for their actions.”

Skagit County Government
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Mount Vernon, WA 98273
Questions or comments? Contact information below:
Telephone: (360) 336-9300  Email: commissioners@co.skagit.wa.us

The Board of Commissioners generally meets each Monday and Tuesday for regularly scheduled agenda items. Agendas are available on the website in the “Agenda” section, or you can listen to a recorded agenda for the upcoming week by calling (360) 419-7600.

www.skagitcounty.net

Proposed Jail Project Timeline
- Determine Funding Source: Spring 2013
- Interlocal Agreement with Users: Spring 2013
- Proposal to Voters: August 2013
- Complete Facility Design: Summer 2015
- Start Facility Construction: Fall 2015
- Construction Complete: Fall 2017