



# 2021 Legislative Agenda

## *City of Bellingham*

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# Shelter

In the WWU Center for Economic and Business Research's [2020 Bellingham Residential Survey](#), homelessness and housing affordability were listed as the top two most important issues in Bellingham amongst 1,500+ respondents. In a survey conducted by the ASWWU's Office of Civic Engagement, "Protections & support for people experiencing homelessness" was selected as the most important local issue amongst 75+ respondents. ASWWU recognizes that the events of the past year, including the COVID-19 pandemic and the increasingly dire state of homelessness locally, require a call for bolder solutions, more robust services, and a greater level of community care regarding our neighbors who are living unsheltered.

## ASWWU Urges Policymakers to:

**Legislate a permanent ban on encampment sweeps and redirect funds from the encampment sweeps budget towards permanent, no-barrier housing for people experiencing homelessness.**

- On January 28th the city [spent nearly \\$75,000](#) to remove an encampment at City Hall and [\\$27,000 to clear the ensuing encampment](#) at Geri Fields on March 16th.
- Encampment sweeps are economically inefficient and wasteful uses of taxpayer dollars and city resources, as they fail to address the root causes of homelessness. There is no evidence that encampment sweeps decrease homelessness locally or elsewhere. The only solution to homelessness is permanent housing.
- Encampment sweeps exacerbate trauma for homeless individuals by increasing displacement, isolation, and danger.
- The city should take a public health approach to address a crisis born out of rising housing costs, stagnant wages, availability of work, and a lack of accessible, trauma-informed mental and physical health resources. A ban on encampment sweeps will create opportunity for more productive uses of funds to reach the core of the issue of the homelessness.
- Resource: [Why Cities Should Embrace Encampments - Seattle U](#)

**Create emergency, no-barrier winter shelters that will double the current city-wide shelter capacity and stay open for a minimum of four months (November-February).**

- This February, temperatures dropped below freezing for one week straight. A warming shelter opened at the Depot for only that week, despite public outcries for emergency shelter since November and awareness at the city level of the danger posed to unsheltered individuals every winter.

- With Pacific Northwest winters regularly involving emergency-level wind, rain, snow, and snaps of below freezing temperatures, failing to provide adequate warming shelters with hygiene facilities leads to preventable disease, injury, and death.
- No barrier shelters should include access to physical and mental health providers, allow pets, and provide space to store belongings so as to not make guests choose between warmth and forgoing their possessions.

**Remove the current ‘family’ definition from municipal housing codes that would barr more than three unrelated people from living together.**

- ASWWU recognizes both that the cultural definition of family is changing and that students often must live together in groups of more than three people to afford living within reasonable distance of their learning institution. Students already face discrimination from landlords, and code language that would prohibit unrelated students from cohabitating serves to decrease the available housing options.
- Repeal Bellingham Municipal Code 20.08.020 language concerning the definitions of “family” from “not more than three unrelated persons,” to be instead in accordance with recommended safe occupancy limits. As ruled unconstitutional by: Yoder et al., v. City of Bowling Green, OH et al., U.S District Court, Case No. 3:17 CV 2321

**Expand tenant rights and legislate Renter Relocation Assistance by endorsing and bringing to a vote [COB Initiative No. 2021-01](#).**

- WWU student renters are heavily cost-burdened by the rising housing rates in Bellingham and are particularly vulnerable to the negative effects of rent increases and [no-cause](#) rental termination.
- This measure would require landlords to provide written notice 90 days before terminating a rental agreement without cause or increasing rent by more than 5% in a rolling 12-month period and require landlords to pay rental relocation assistance equal to three months of the current fair market rent in the Bellingham area when terminating a rental agreement without cause or increasing rent more than 8%.

# Safety

ASWWU recognizes a basic understanding: our criminal justice system is broken. Numerous sources detail the disproportionate rate incarceration and policing affects People of Color, the mentally-ill and low-income earners. Across the country and here in Bellingham, we have seen troubling trends of mass incarceration, inhumane jailing, identity profiling, and underfunding or underestimation of our drug addiction and mental health crises. We support alternatives to incarceration, justice for all, and increased advocacy for the most vulnerable in our communities.

## ASWWU Urges Policymakers to:

### **Enable a non-policed community emergency response program by Jan 1st, 2022.**

- Many 911 calls involve people experiencing mental and behavioral health crises. Law enforcement officers are not adequately trained to handle these situations and too often exacerbate the situation, leading to injury, incarceration, or even death. Bellingham must create a program that allows for crisis response that does not involve the presence of law enforcement.
- This program must include civilian stakeholder oversight to ensure accountability and establish metrics to measure the program's efficacy in terms of harm-reduction and individual outcomes.
- A plan for ongoing after-crisis care must be implemented alongside this program.
- This program should be paid for by redirecting funds from the Bellingham Police Department.
- Precedent: [CAHOOTS](#)

### **Enable a community police oversight board by Jan 1st, 2022.**

- In order to support the calls for police accountability from BIPOC, LGBTQIA+, unsheltered, and otherwise marginalized residents who are disproportionately affected by police violence, we urge the council to establish a plan, budget, and timeline for the launch of a community oversight board for the Bellingham Police Department.
- This Civilian Investigative Panel must be created extraneous of the Police Department, with subpoena powers and independent counsel.
- Model: [Chapter 11.5 of the Code of the City of Miami and Ordinance No. 12188 \("Ordinance"\)](#).

**Prohibit invasive and advanced police technology by endorsing and bringing to a vote**  
**[COB Initiative No. 2021-02.](#)**

- Facial recognition technology in law enforcement is highly inequitable in application, as studies show that those who are female, Black, and 18-30 years are misidentified by the technology at significantly higher rates than other demographic groups. To employ this technology in a city where previous data has shown that [Black individuals are 5.4 times more likely to be arrested](#) than white individuals would be further institutionalizing racism that is already present within our local policing.
- This measure would prohibit the City from acquiring or using facial recognition technology, prohibit the City from contracting with a third party to use facial recognition technology on its behalf, prohibit the use of predictive policing technology, prohibit the retention of unlawfully acquired data, prohibit the use of data, information, or evidence derived from the use of facial recognition technology or predictive policing technology in any legal proceeding, and authorize private civil enforcement actions.
- Resource: [Racial Discrimination in Face Recognition Technology](#)

# Diversity, Equity, Inclusion

ASWWU recognizes the injustices many people of marginalized identities face in Bellingham. Bellingham has a long history of white supremacy, from the colonial violence against Coast Salish peoples, to the white mobs and leaders that drove out Chinese families in 1885, Sikhs in 1907, and Japanese in 1942. The present-day racism directed against Black, Indigenous, and People of Color shows that this is not an issue of the past. Additionally, Bellingham currently fails at creating an inclusive environment for LGBTQIA+ individuals and people with disabilities. We support the city's strategic commitments to 'Equity and Social Justice' and encourage the city to innovate robust policy and programs to back them up.

## ASWWU Urges Policymakers to:

**Affirm support of statewide endeavors to allow the implementation of ranked-choice voting and, upon passage, enact ranked-choice voting for all elections within the City of Bellingham.**

- ASWWU believes that voting is a right and recognizes that many communities do not have the access they need to exercise this fundamental right. We believe this will increase the amount of underrepresented communities and young people participating in elections and local governance.
- Model: Washington State [SHB 1156 "Local Options Bill"](#)

**Vote to implement ranked choice voting for County Council elections and affirm support of similar statewide endeavors.**

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**Establish a mandatory Anti-Racism and Anti-Bias Training for local government employees that is crafted by and integrates literature created by Black, Indigenous, and people of color. This training should include:**

- Local context with a review of the history of discrimination in Bellingham.
- An audit of how racism and bias currently show up systematically within COB's government.
- Establishment of metrics to measure understanding and implementation of concepts including but not limited to goals, benchmarks, and a timeline for updates on

accountability to address these systemic issues with review of employment for those who do not meet standards for Anti-Racism and Anti-Bias understanding.

**Establish a mandatory anti-discrimination training on gender identity and gender expression for local government employees that is crafted by and integrates literature created by LGBTQIA+ individuals, with a focus on transgender and non-binary inclusivity. This training should include:**

- An audit of how gender and sexual discrimination currently show up systemically within COB's government
- Establishment of metrics to measure understanding and implementation of concepts including but not limited to goals, benchmarks, and a timeline for updates on accountability to address these systemic issues with review of employment for those who do not meet standards for gender identity and gender expression understanding.

**Establish Bellingham as a Sanctuary City to protect our Undocumented community.**

- The only two sanctuary cities in Washington are Marysville and Seattle. While Whatcom County states that it will not honor an ICE detainer, the continued presence of Immigrations and Customs Enforcement in our city creates anxiety and fear among our Undocumented community.
- The City of Bellingham has an opportunity to reaffirm the value of our Undocumented community members and their safety by designating Bellingham as a Sanctuary City.

**Partner with local non-profits and community organizations to ensure that immigrant, mixed-status, undocumented and migrant worker communities have access to COVID-19 relief and vaccination.**

- Immigrant communities often face barriers to receiving COVID-19 support and have been [left behind in pandemic relief measures](#). This lack of support puts the health and financial well-being of often already vulnerable groups at greater risk.
- [Recent data](#) reported shows that Whatcom county residents who identify as Hispanic are being vaccinated for COVID-19 at a rate about half the rest of the county. National data shows that Hispanic families that include non-citizens have [endured a disproportionate economic-fallout from the pandemic](#).
- City officials have a duty to ensure that pandemic support is available to all constituents. Partnerships with relevant organizations can strengthen the efficacy of government initiatives and improve health outcomes for immigrant communities.
- Resource: [Including Immigrants in State and Local Support Responses during the COVID-19 Pandemic](#)

# Environmental Justice

ASWWU recognizes that the people of Whatcom County and our environment are interconnected; each depends on the other for long-term success. As Whatcom County becomes more populated and our economy grows, we recommend innovative solutions for an economy that is compatible with our planet's climate and health. We must transition off of fossil fuels to clean energy, creating new green living wage jobs, especially for new graduates. In addition, we must support policies that protect our prosperity by protecting safe and clean drinking water, farmland, salmon and the people who depend on them, and honoring the highest law of the land, treaties with tribal nations. Whatcom County is already seeing large population growth and has an opportunity to proactively implement environmentally-minded urbanist solutions to plan for future generations needs.

## ASWWU Urges Policymakers to:

### **Prioritize the sovereignty and environmental stewardship of the Nooksack Tribe and Lummi Nation in water and land conservation efforts throughout Bellingham and Whatcom County.**

- Ensure that a court-supervised adjudication process regarding inland water rights affirms treaty law and the rights of the Lummi Nation and Nooksack Tribe.
- The [Washington State Legislature allocated \\$250,000 in funds](#) to Whatcom county for complementary collaborative water adjudication processes for the 2021-2023 biennium. If supported by tribal stakeholders, these funds should be prioritized for technical work (environmental impact analysis, water level projections, etc.) so as to ensure the adjudication process is informed by data that accounts for the environmental impacts of climate change and development.
- Consult with local tribes to regulate development on marine and wetland shorelines in anticipation of sea-level rises and the harms caused to aquatic ecosystems by [coastal squeeze](#). Efforts to ensure long term shoreline food-system stability are crucial for the future of local residents as well as our region's vulnerable wildlife, including the [Southern Resident Killer Whales](#).

### **Protect the Lake Whatcom Watershed and ensure quality drinking water for future residents and the health of the watershed.**

- [Lake Whatcom is a crucial clean water source for our community](#). We ask that the city take further steps to protect the health of Lake Whatcom by limiting tree removal on non-development properties. Trees are a natural filtration for our land pollution and before it reaches the water sources - pollution to drinking water is largely due to logging, new homes, the loss of native vegetation.



- The introduction of invasive species such as [zebra mussels](#) could cost millions of dollars to manage and ruin the quality of our drinking water. The city should commit to increasing the awareness of private shoreline property owners on invasive species mitigation and boat-inspection requirements. Additionally, enforcement of boat inspection laws on public boat launches around Bellingham lakes should be increased.

**Approve the strongest possible policies for Cherry Point to limit the health and safety impacts on local residents, our environment and the climate.**

- Xwe'chi'eXen (Cherry Point) has been a part of Lummi Nation's ancestral land and waters since time immemorial. It was – and is – [vital habitat for salmon, herring \(a vital food for salmon\), and other species](#) that Tribal and commercial fisheries need to exist.
- The Cherry Point industrial zone hosts two oil refineries, an aluminum smelter, and three marine transshipment terminals. ASWWU supports capping shipments of crude oil, tar sands, fracked gas and coal through Cherry Point's existing fossil fuel terminals and stopping any developments of these industries at Cherry Point.

**Incorporate allowances into the Whatcom county land use code for wind energy turbines with protections for wildlife.**

- Our county demonstrates a need for more local renewable energy systems. This will also encourage new jobs in the renewable energy sector.

**Stay ahead of state legislation regarding single-use plastics and polystyrene (styrofoam) by updating the plastic ordinance by the end of 2021 and ending the executive order allowing the distribution of plastic bags.**

- We now know far more on the [science of COVID-19 and the ways in which it is transmitted](#). As grocery stores bring back paper bags, plastic bags remain available. ASWWU asks that the Mayor end the executive order allowing the distribution of plastic bags to refocus on the goal of eliminating single-use plastics.
- Take immediate action to decrease landfill contributions of solid waste by legislating prohibitions on styrofoam and single-use plastics as outlined in [Senate Bill 5022](#).

# Health

The ASWWU firmly believes that accessible mental health services on and off campus are a vital resource for students in higher education. There are still several barriers that hinder students from accessing mental health services, notably the lack of diverse counseling staff. Counseling centers at WWU are facing an increased demand due to COVID-19 and remote learning, and [this is indicative of increased demand in the City of Bellingham](#). Knowing that many students in higher education choose to remain in the area after graduation, the lack of mental health services offered by diverse counseling staff is a major deterrent for members of the community that wish to remain in Bellingham. Notably, undocumented students are unable to access the same mental health and wellness resources due to their exclusion from social programs and are therefore a high need population.

## ASWWU Urges Policymakers to:

**Create a task force for expanding the mental and behavioral health workforce in Bellingham that addresses the shortage of practitioners of underrepresented identities.**

- The availability of practitioners who are familiar with the lived experiences of individuals with underrepresented identities are crucial to the health of our communities.
- The city should create incentives for Black, Indigenous, and People of Color (BIPOC) and LGBTQIA+ mental health practitioners to locate their practice in Bellingham. Incentives may include but are not limited to: efforts by the city to facilitate career pipeline development, scholarships for undergraduates and stipends for graduate students, loan repayments and retention activities.
- Ensure that the task force is a multi-sector collaborative and develops a roadmap for supporting the recruitment and retention of a more diverse health workforce. The task force should prioritize expanding trauma-informed, culturally-informed, and gender-affirming care.
- Model: [Recruitment and Retention Recommendations for Oregon's Behavioral Health Workforce](#)

**Expand rights for hourly-wage and gig workers by endorsing and bringing to a vote [COB Initiative No. 2021-04](#)**

- ASWWU recognizes the effect that work-related stress has on the mental and physical health of students. Many WWU students are employed in retail, customer service, and gig-economy positions, and Black, Indigenous, and People of Color (BIPOC) are overrepresented among the retail frontline workforce. COVID-19 has added an additional level of danger, stress, and uncertainty to employment for students who are already

vulnerable to negative effects caused by constantly changing work schedules and unreasonable expectations of flexible availability.

- This measure would require certain employers to pay their employees a hazard pay supplement of \$4 per hour during a declared State of Emergency.
- It would require employers to provide good faith estimates of weekly hours to new employees upon hire, require employers to provide work schedules to hourly-wage employees two-weeks in advance, require advance notice of any schedule changes, require employers to compensate employees for changing their work schedules without sufficient notice, and prohibit adverse actions by employers.