



March 26, 2021

Washington Department of Corrections
Reentry Division
Attn: Julie Martin, Deputy Secretary
PO BOX 41100, Mail Stop 41100
Olympia, WA 98504-1100

Dear Deputy Secretary Martin,

The City of SeaTac is writing to express its serious concerns over the process to site a Department of Corrections (DOC) work release facility in SeaTac and is demanding a restart of the process. The City of SeaTac believes DOC has not followed its own guidelines when it comes to both public participation and the site selection process. These flaws by DOC results in an inequitable distribution of essential public facilities and threatens the long-term viability of the SeaTac business community.

Our concerns arose after representatives of the City of SeaTac attended the March 16, 2021, Washington Department of Corrections Local Advisory Committee (LAC) meeting. At the meeting, the City learned that the previously identified site in SeaTac, located at 18845 International Boulevard, was the only site currently under consideration by the Washington Department of Corrections Reentry Division for a possible work release facility. The purpose of this letter is to:

- **Describe significant and numerous flaws in the public participation process**
- **Describe significant and numerous flaws in the site selection process**
- **Voice the City of SeaTac's opposition to the possible siting of a facility in SeaTac**

Flawed Process

- **Deficient and substantively flawed process for public participation.** The public engagement process used by DOC has suffered from significant flaws necessitating a “reset” of the site selection process.

A single contact between the DOC and City of SeaTac officials during the entire process does not constitute public participation. Prior to contacting the City of SeaTac on March 2, 2021, to determine the feasibility of obtaining required approvals and permits for a work release facility at 18845 International Boulevard, DOC contacted the City of SeaTac only once. In June of 2020, the project lead for DOC contacted the City Manager for SeaTac; at the time of contact, the City was responding to protests related to the death of George Floyd. At the time of this contact in June 2020, DOC had identified four possible work release sites in Des Moines, Renton, SeaTac, and the SODO district in Seattle. The project lead made no further effort to contact the City of SeaTac after June of 2020, until March of 2021. Between June of 2020 and March of 2021, the DOC and LAC reduced the number of identified sites in King County from the above four sites, to the single site in the City of SeaTac. There is no documentation of any public participation informing the process between June of 2020 and February of 2021.

The siting of work release facilities is subject to the statutory requirements of the Revised Code of Washington (RCW) 72.65.220. In particular, this statute requires:

“The department or a private or public entity under contract with the department may establish or relocate for the operation of a work release or other community-based facility only after public notifications and local public meetings have been completed consistent with this section. (Emphasis added, RCW 72.65.220(1)).”

“...a process for early and continuous public participation in establishing or relocating work release or other community-based facilities. (Emphasis added, RCW 72.65.220(2))”

At a minimum, the DOC is required to provide public notification and conduct public hearings when three or fewer sites have been identified for a possible work release facility. Public notification must include, *at a minimum*, public notice in the local newspaper, notice to school districts, the local government, representatives of the business community, and to all residents and property owners within a one-half mile radius of the proposed site.

In summary, the intent of the statutory language in RCW 72.65.220 is clear. The DOC may establish a work release facility *only* after early and continuous public participation has occurred. In particular, DOC should have initiated early and continuous public participation once the DOC selected three or fewer sites for final consideration in King County. Until DOC provides the required “*early and continuous public participation*”, the DOC cannot proceed with a proposed work release facility in King County.

- **Deficient and substantively flawed site selection process.** At the March 16, 2021 LAC meeting, several site selection “considerations” were shared. These considerations were not framed as specific criteria allowing for a ready determination of whether a site met the criteria, or not. Further, the considerations appear to supplement the regulatory criteria contained within RCW 72.65.080 and WAC 137-57-050, which require that the DOC consider zoning, the acquisition cost, community impacts, access to public transportation, and the suitability of the site for program activities. The DOC should have established clear criteria and shared the criteria publicly during the public participation process, thereby allowing for meaningful public comment to inform the LAC’s eventual recommendation and the secretary’s decision.

Further, based upon the presentation on March 16, 2021, and the information available on the DOC’s website, the project lead and DOC have not used the siting considerations and regulatory criteria to select possible sites. The DOC should have used the regulatory criteria and considerations, at a minimum, to first identify geographic areas within King County that met the criteria and considerations, then possible zoning designations within those areas for a possible work release facility, and then, as a last step, search for specific sites within the identified geographic areas.

Instead, it appears that DOC has first identified potential sites in an ad hoc fashion with their consulting realtor. Site selection appears to have been based primarily upon the anticipated release location of participants in the work release program instead of the considerations and regulatory criteria. Only after identifying a potential site, has DOC engaged in a review of

whether the site meets the regulatory criteria and identified considerations. This approach prevents the public from understanding and informing the entire site selection effort, inappropriately prioritizes one of the regulatory criteria (the cost of land acquisition), and does not ensure that the selected site meets all of the considerations and regulatory criteria. The DOC should revise its approach to identifying possible work release sites to ensure that the regulator criteria and the siting considerations are the primary basis for identifying possible locations.

SeaTac Opposition

- **Social equity.** The City of SeaTac is a diverse community with a Black, Indigenous, and People of Color (BIPOC) population proportion (68%) that is significantly greater than that of King County (40%). Approximately 41% of the households in SeaTac are in either the very low, or extremely low, income brackets. Further, as noted in the letter from the City of Des Moines, the SeaTac community is already heavily impacted with hard to site essential public facilities, including but not limited to the SCORE jail facility, the Federal Detention Center SeaTac, and the Sea-Tac Airport. The current BIPOC population and economic status of the SeaTac community has been heavily impacted by past actions by Federal, State, and regional governments, which have contributed to the current social inequities faced by the SeaTac community. The SeaTac community strongly opposes any actions by DOC that will compound these inequities further.

The City notes that all of the sites in King County evaluated by Washington to-date are located in historically disadvantaged neighborhoods in South King County. The siting considerations identified by the LAC and DOC staff do not provide an adequate basis for only evaluating south King County communities for a possible work release facility. In fact, the locations identified to-date appear to be inconsistent with the siting considerations. The identified site considerations (i.e. the transportation system, parks and open space systems, shopping, and jobs for the work release population) are distributed evenly throughout King County, however, the sites identified to-date are all in south King County. DOC should address this apparent disconnect between the siting considerations and the locations identified.

- **Hospitality, tourism, and travel emphasis in SeaTac urban center.** Over the last 20 years, the City of SeaTac has been creating the policy basis, development regulations, and supporting private investment that supports the hospitality, tourism, and travel industry associated with the Sea-Tac Airport. This work builds upon the existing hotel and restaurant businesses around the airport to create a vibrant residential and mixed-use commercial community. To serve these planning goals, the City promotes development that will reduce block sizes, create a walkable pedestrian-oriented development pattern, and has prioritized public investments in the urban center. The addition of a work release facility will directly conflict with the City's vision for this area and will conflict with the hospitality industry (e.g. hotels, restaurants, tourism amenities) focus of the Urban Center.

In summary, the SeaTac City Council and SeaTac community do not support the siting of a work release facility in the City of SeaTac. The City recognizes the need for, and value of, work release facilities. However, the public participation and site selection processes to-date are significantly flawed, resulting in an inequitable distribution of essential public facilities, threaten the long-term

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viability of the SeaTac business community, and is generally not consistent with City Council's long-term vision or community interests.

Regards,

A handwritten signature in black ink that reads "Erin Sitterley". The signature is written in a cursive, flowing style.

Erin Sitterley
Mayor

C: SeaTac City Council
 Carl Cole, City Manager
 Evan Maxim, Director of Community & Economic Development
 Karen Keiser, Senator
 Tina Orwall, Representative
 Mark Kuzca, Senior Administrator

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