



City of Bellingham

Keep Washington Working Act Work Group Meeting Minutes

November 20, 2025, 5:30 PM

Board Members Present:

Rebecca Agiewich
Eamon Bollinger
Ian Garconnette
Catalina Hope
Holly Pai
Scott Powell
Krystal Rodriguez
Abigail Senuty

Ex-officio Members Present:

Deborah Bineza, Strategic Initiatives Manager
for Equity and Belonging
Rebecca Mertzig, Bellingham Police Chief
Katy Potts, Western Washington University
Police Chief
Justin Rasmussen, WhatComm Deputy
Director

City of Bellingham Staff, Officials, and Others Present:

Janice Keller, Deputy City Administrator
Paul Knox, Facilitator and Chair
Jackie Weller, Legislative Office Manager

Paul Knox called the meeting to order at 5:38 PM

Welcome and agenda review / approval

Paul welcomed the group, pointed out that there was a very full agenda, and asked if any members wanted to make any changes to the agenda. No changes were suggested.

Update on public safety sales tax and KWW checklist

Janice Keller asked Bellingham Police Chief Mertzig to catch the group up on changes that have been made to BPD policy.

Chief Mertzig explained that the City was able to apply for the Public Safety Sales Tax before the criteria were finalized. After the Council authorized the tax and the application was submitted, the State asked the City to comply with further requirements, including changing BPD policy to mirror the Attorney General's model policy for the Keep Washington Working Act. Chief Mertzig stated that this doesn't change anything for them operationally but brings more specificity to the written policy. Janice Keller added that the changes were also prompted by feedback from this group.

Members, Chief Mertzig, and Western Police Chief Katy Potts discussed the leadership role that BPD has taken amongst other agencies in terms of developing and implementing policies and framing changes as a matter of public trust, even when they don't change operational actions.

Chief Mertzig also shared that the State could withhold \$100,000 of the sales tax money per month pending an ongoing review of the City's revised application and contracted jail services with the County. The City is encouraging the Sheriff's Office to ensure their policies are in compliance with the KWWA. The Sheriff has asked for the materials the City submitted and wants to be in compliance. The City is also working with state officials to remove barriers to using the public safety sales tax mechanism.

Janice Keller said that members may want to invite Sheriff Tanksley to a future meetings and members generally seemed in agreement with that.

One member asked how the sales tax money will be used and Chief Mertzig replied that it will be used to continue current operations and there is a broad definition of what it can be used for. BPD plans to apply for an associated grant, which has a more narrow use and could be used for staffing. However, it is a three year grant, and she is reluctant to use that money on an ongoing need such as staff.

Hannah Stone observed that the BPD policy is focused on civil immigration. She wondered if pursuing immigration criminally be used as a strategy to compel agencies to cooperate with federal agencies. Chief Mertzig replied that there are safeguards in the policy and her officers are attuned to refusing cooperation for any immigration matter.

Members and the Chiefs discussed recent ICE action in Lynden. Chief Potts explained that the arrest was for assault and the warrant was signed by a criminal judge. Police are ordered by a criminal judge to enforce warrants. The charge wasn't an immigration charge, it was a felony charge. There is always a question about what judge signed it.

The discussion turned to the potential possibility of immigration arrests being made in the course of unrelated criminal investigations. For instance a drug and gang task force investigation in which others present at an arrest (i.e., family, friends, coworkers) could be arrested on immigration charges.

A member asked the Chiefs if they still trust federal agencies. They responded that they do, but it depends on the agency and their tactics. Chief Mertzig said that she asks more questions now and takes a "trust but verify" approach.

A member asked what is the mechanism to enforce Keep Washington Working Act? Chief Mertzig replied that if an officer violates KWW, from an employment standpoint, it can be a disciplinary issue. If it was a criminal violation, another law enforcement agency would do the investigation on BPD's behalf.

Chief Mertzig, Chief Potts, and Justin Rasmussen left the meeting at the end of this item.

[Review updated roadmap document as determined at October meeting](#)

Members reviewed the roadmap document, as updated after the October meeting, and shared their thoughts. Discussion topics included:

- Reflection that past months still show items that were not completed, though those items are also shown in future months.
- The update to the BPD policy that was just discussed may fulfill the goal of reviewing policies, however we have not seen partner agencies' policies.
- Possibility of extending the timeline of the work group. Janice Keller explained that the resolution says work group is to end in early 2026, however we've made an administrative decision to extend into Spring. If the group continues at this pace, she feels that they will have a substantive recommendation list to give to Mayor and Council. If group wants to extend beyond that, she wouldn't feel comfortable extending informally and would want to work through that with Mayor and Council.

Check in regarding current events

Members and staff discussed the recent ICE arrest at the municipal courthouse. Janice Keller stated that Judge Lev is working to finish her report to the state on the incident and suggested that the members invite Judge Lev to a future meeting if they want to hear more about her court's policies, state mandated procedures, and what she is doing in response to this specific incident.

One member spoke about community groups that have implemented a volunteer court watch to see if ICE agents are in the courtrooms or outside.

A member pointed out that at the last meeting, an entry in the Federal Contact data list was brought up and asked if staff have found out more information on this. Janice Keller said she has not but will follow up.

Discuss What-Comm interlocal agreements

Paul proposed to the group that they work on dissecting the interlocal agreements outside of the meeting, either individually or in small groups. Members discussed this idea, including:

- Would this be allowed under the resolution? Janice Keller responded that the City wants to make sure that the work can be accomplished. As long as members in small groups are attentive to records retention and as long as the groups do not amount to subcommittees with their own OPMA requirements, the City is comfortable with homework being done outside of the meeting.
- Need for agreement amongst members on what they are looking for as they review documents
- Benefits and drawbacks of going through documents "line by line". Members tended to agree that it was not feasible to accomplish this within the meetings.
- Discussed the level of detail members want to go into and how high-level the recommendations should be. For example, a recommendation on a specific change to a specific policy vs. a recommendation that City staff alter policy to reflect a goal or value.
 - One member reflected that a high-level recommendation might be met with the assertion that the agency is already taking that action, even if the policy doesn't align. More detailed policy recommendations allow them to point to a specific policy and say what is missing, which is helpful. There is often a disconnect with what law enforcement agencies think is ok and what the public thinks is okay.
- Discussion regarding BPD changing their policy in response to the sales tax requirements. One member asserted that the policy would not have been changed if sales tax money wasn't riding on it. Janice Keller agreed, but said that she believed that the money only affected the timing; BPD would have been responsive to that recommendation if the group had been able to make it before the sales tax came into play. Generally, City leaders are looking forward to the group's recommendations and expect to consider and implement those that they can. She added that the group's discussions did influence this specific policy change and that the group has been very effective already, even though it can seem like the pace is slow.

The parent contract for the WhatComm interlocal agreement was displayed and members took time to look through it together, noting some sections that they may have recommendations for.

Paul suggested splitting the work into three groups and members volunteered for those groups as follows:

1. WhatComm Interlocals and Policies, Practices and Procedures – Rebecca, Ian, Eamonn
2. Training – Krystal, Abigail
3. Federal Contact data – Ian, Holly, Scott

Members and staff discussed what documents each group would be tasked with reviewing. It was agreed that the groups should meet initially and then get back to staff about what documents they need. Each group can report out at the January meeting.

Discuss content of update to City Council

Eamon and Ian explained that they had met since the last meeting and discussed what they would like their presentation to Council to look like. They outlined the following talking points:

- Summary of what the group has done, including who they've met with and tours completed
- Personal experience of serving on the board
- Work still to be done, including recommendations
 - Provide examples of recommendations that group members all agree on already
 - Eamon stated that two recommendations that stuck out to him are providing a more useful and coherent federal contact data list and police training that is more KWW specific. Janice Keller mentioned a member's recommendation of adding community members to key board positions and bringing more specificity into BPD policies.
 - Four more meetings to go and group is ramping up recommendations

Revisit federal contact data including submission process and level of detail

This item was not discussed

Approve September and October Minutes

Krystal Rodriguez moved to accept September and October meeting minutes. Eamon Bollinger seconded the motion.

Motion passed with none opposed.

The meeting adjourned at 7:32 PM