STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Office of Forensic Mental Health Services
Behavioral Health Administration
PO Box 45330, Olympia, WA 98504-5330

August 12, 2020

Data Dissemination Committee
1112 Quince St. SE
PO Box 41170
Olympia, WA 98504

Dear Data Dissemination Committee,

The letter below is a request for the Forensic Navigator Program to have professional access to the Judicial Access Browser System (JABS). This letter will include a description of the Forensic Navigator Program, why the program was created, what the program will be accomplishing, and why the Forensic Navigators need access to the Judicial Access Browser System.

The Forensic Navigator Program is requesting access to the JABS to help Forensic Navigators better complete their duties laid out in the RCW 10.77.74 and the Trueblood Contempt Settlement Agreement.

The Department of Social and Health Services' Office of Forensic Mental Health Services Forensic Navigator Program seeks to divert forensically-involved criminal defendants out of jails and inpatient treatment settings, and into community-based treatment settings.

Program participants will have a Navigator assigned to them at the time a competency evaluation is ordered by a court.

For those participants deemed not competent to stand trial, and suitable for outpatient competency restoration, courts may elect to grant conditional release in order for those individuals to receive services in the community.

The Forensic Navigator Program comes directly from the Trueblood Contempt Settlement Agreement. Trueblood v DSHS is a case challenging unconstitutional delays in competency evaluation and restoration services. As a result of this case, the state has been ordered to provide court-ordered competency evaluations within 14 days and competency restoration services within seven days. Trueblood helps individuals who are detained in city and county jails awaiting a competency evaluation or restoration services, and individuals who have previously received competency evaluation and restoration services, who are released and at-risk for re-arrest or re-institutionalization.

Parties in the case reached a Settlement Agreement of the contempt order in August of 2018 which received final approval by the Court on December 11, 2018. The agreement improves the competency evaluation and restoration services system, but also emphasizes arrest diversion and community-based supports for people with mental illness. The agreement requires the State to make changes in five substantive areas: competency evaluations; competency restoration services; crisis triage and diversion support; education and training; and workforce development. (Office of Forensic Mental Health. Forensic Navigator Program. Retrieved from https://www.dshs.wa.gov/bha/office-forensic-mental-health-services/forensic-navigator-program?banner_hide=1)

Forensic Navigators are officers of the court. Forensic Navigators advise courts on whether defendants are suitable for Outpatient Competency Restoration (OCR), and what services are available to those the court may order into OCR. Forensic Navigators are mandated to provide information to the courts which will assist the court in understanding a client's treatment options, prior to that client's competency hearing. Forensic Navigators report to the court on client progress in OCR and connect them to community based services, such as outpatient behavioral health services, housing, food and medical benefits, and many more. In addition, Forensic Navigators are quasi-case managers. Forensic Navigators work with clients to ensure adherence to conditions of release, attending competency restoration classes, and obtaining and taking prescribed medications. Forensic Navigators are also liaisons with community

service providers. Forensic Navigators communicate regularly with tribal and community-based service providers (i.e. mental health counselors, substance use treatment providers, housing providers, etc.) working with clients to increase the likelihood of client success and reduce recidivism to the criminal court system.

The Forensic Navigator Program is requesting access to the Judicial Information System to help Forensic Navigators for the following reasons:

Having access to the information that the JABS is able to provide, such as:

- Washington State criminal history
- Warrant information
- No contact order information
- Court hearing docket note
- Other court participation
- Driving abstract
- Recent contact information

Having this information will help the Forensic Navigators gather the needed information to help determine whether an individual will be a good fit for outpatient competency restoration and to coordinate care with community partners and link them to the appropriate services.

Thank you for your time and consideration of granting access to the Forensic Navigator Program. For questions, please contact me via email, at Jason.karpen@dshs.wa.gov or via telephone at 360.529.6116.

Kindest Regards,

Jason R. Karpen, J.D.
Forensic Navigator Program Administrator
Office of Forensic Mental Health Services
Behavioral Health Administration
Washington State Department of Social and Health Services