

Brown Bag Judges Meeting held December 7, 2009 _____

STEP

_____ Judge Nielsen reported. STEP has been in Spokane for 2 ½ years and in Yakima for 1 year. There have been a number of successful graduates from the program. Judge Nielsen, Judge Hutton and the STEP teams feel good about the program, and attended training this year.

The people in the program are high risk (of relapse) and high need (of concentrated supervision). They are addicts and acknowledge their addiction. They average 7.5 RPI (RPI rating – 1 to 9 (with one the lowest and 9 the highest risk of recidivism). Judge Nielsen and Judge Hutton believe it would be appropriate to take in individuals who have pending supervised released violations (SR Vios) pursuant to the following plan:

- If a supervising probation officer (PO) believes an individual would be a good candidate for the program, the PO discusses with the STEP PO (Matt Thompson in Spokane and Jose Vargas in Yakima);
- If the two POs agree, a note is made in the petition that goes to the supervising judge so the supervising judge is alerted about the potential candidate;
- STEP PO will meet with prospective candidate and if the two agree, it goes to the STEP team. The team decides about the candidates entry into STEP;
- Next, the supervising judge decides if the individual goes into STEP, and the judge makes no finding on alleged violation (if the individual is allowed to participate in STEP);
- Individual is in STEP and if he/she successfully graduates, the violation would be dismissed.

Judge Nielsen and Judge Hutton request that the court approve a policy of allowing the STEP team to accept people who have pending SR Vios. They are recommending that there not be a policy disqualifying individuals with pending SR Vios.

There was a discussion about the role of the supervising judge. Judge Nielsen clarified that the supervising judge would have to agree to allowing a defendant with a pending SR Vio into STEP. It would be done on a case-by-case basis.

Chief Judge Suko asked how the process would start. The supervising PO identifies a potential candidate for STEP (who has a pending SR Vio) and discusses it with the STEP PO. If the two POs agree, they interview the candidate. If the three agree, then it is brought to the STEP team. Then there is a hearing on the allegation. If the supervising judge agrees, the individual is transferred to STEP team who makes decision about entry into the program.

Judge Whaley stated that he was in support of the recommendation and moved that the court adopt an amended guideline that, subject to approval of the supervising judge, individuals with pending SR Vios can be admitted into STEP.

Action Taken:

All of the judges approved; the new policy was approved by majority consensus.

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