

Superior Court of the State of Washington

Honorable Deborra E. Garrett
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Whatcom County Courthouse
311 Grand Avenue, Suite 301
Bellingham, Washington 98225

June 9, 2016

Legal and Justice Systems Committee Members
Incarceration Reduction and Prevention Task Force

Dear Committee Members:

I talked with Judge Snyder about the recommendations in the 2012 Drug Court study . (The twelve recommendations are at page 15 of the study, and are listed below. His comments are listed below.

1. Conduct a needs assessment to determine the Drug Court's capacity. Judge Snyder questions the need for an assessment of capacity, because the Drug Court is working below its full capacity now, and because significant increases in its caseload would also require additional fulltime case managers and additional court time. (Currently, Drug Court has two full time case managers and takes a half day of court time each week. Its current caseload is about 33 cases.)
2. Reduce the time from arrest to program entry: Judge Snyder is firmly in support of this. Delay in approval of eligible candidates is frustrating for everyone involved and destructive to the goals of the Drug Court. Drug Court's effectiveness is reduced when people who are ready and willing to address addiction issues must wait weeks, perhaps more, to enroll. The Prosecutor's Office may wish to consider an expedited procedure for reviewing applications, or giving approval authority to the deputy who handles the Drug Court cases.
3. Provide ongoing training for team members. Judge Snyder agrees, and notes the same obstacles noted by Angela Anderson in her May 20 email. There is a federally conducted training that is excellent; the National Drug Court conference is also very good. Judge Snyder would support a request for funding for training, particularly for team members who have not had this training.

4. Clarify program functions and roles of team members. Judge Snyder believes the current team approach is working well, and without confusion about the roles of various team members.
5. Increase involvement of treatment providers and law enforcement in hearings and pre-hearing staffing meetings. As Ms. Anderson indicates, the Drug Court team decided not to involve law enforcement in routine hearings, primarily due to the cost and scheduling problems inherent in having a law enforcement officer scheduled to be in Drug Court at least four hours a week. There are also concerns that Drug Court participants could perceive law enforcement involvement in Drug Court proceedings as collaboration, particularly since Drug Court obtains confidential information about its participants (for use in treatment planning). The Drug Court was able to arrange funding to permit a representative of one of the largest treatment providers in the area (Catholic Community Services) to attend every other week and share information with the treatment community as necessary.
6. Develop mechanisms to provide orientation to treatment providers about the Drug Court and its procedures. See answer to (5), above.
7. Address issues regarding drug testing. This recommendation apparently is based on a concern that drug testing is not done with enough frequency on Drug Court participants who are in the final Phase IV of the program. Testing frequency for people in Phase IV is determined by the individual case manager, based on the needs and concerns of each individual. Judge Snyder does not believe that the goals of Drug Court would be served by a change in policy to require more frequent testing for all Phase IV participants. He will raise the issue with the case managers to assure that this remains their view.
8. Compile additional operational information on the program to permit ongoing monitoring and management. This has been done. About a year ago the Drug Court implemented a program made available by the Administrator of Courts, and that state-wide system permits much better tracking of cases and results than the previous system.
9. Use a standard curriculum for treatment services. Judge Snyder indicates that the reason for this recommendation is to promote consistency between the various treatment providers. Our Drug Court works only with accredited treatment agencies that use accepted methods, including assessment and treatment consistent with American Society of Addictive Medicine (ASAM) protocols. However, all in-patient treatment must be done outside Whatcom County as there are currently no inpatient facilities in the County, and this gives little opportunity for our Drug Court to have input into the inpatient facilities' curricula.

10. Disseminate program information in the community. This is an ongoing effort by the Drug Court and others, to make the community aware of the program. Judge Snyder's experience, and my own, indicate that the Drug Court has become better known, and to a larger proportion of Whatcom County, over the years since it was established. More extensive efforts could be undertaken if staffing levels allowed it. Currently, however, every opportunity to talk about Drug Court in the community is utilized.
11. Develop an advisory board or steering committee for the Drug Court. For obvious reasons, there's a fundamental difference between a Drug Court that like all courts is a part of the justice system, and a group that operates like a nonprofit agency overseen by a board of directors. In my view the roles are not compatible. Judge Snyder believes the intent is to develop a board or committee for fundraising purposes. Our Drug Court has not done that. Drug Court does have an account with the Whatcom Community Foundation and has received several donations from that account.
12. Continue to develop an alumni group and aftercare component. As Ms. Anderson notes, an alumni group has been established, with good results so far. Drug Court will continue to work with alumni resources in this regard.

Thanks for your consideration of this. See you all Monday morning.

Sincerely,

A handwritten signature in black ink, appearing to read "Deborra Garrett", is written over a horizontal line.

Judge Deborra Garrett
Whatcom County Superior Court