

IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR WHATCOM COUNTY

IN THE MATTER OF THE RESPONSE BY THE COURT
TO THE PUBLIC HEALTH EMERGENCY COVID-19
RE:

Temporary Probation Dept. Administrative Order
No. 2020 - 11

District Court Probation Procedures

WHEREAS the Governor of the State of Washington has declared a State of Emergency due to the COVID-19 outbreak, and the Whatcom County Executive has declared a Public Health Emergency for the County due to the COVID-19 outbreak;

WHEREAS, the Whatcom County Health Department, per Dr. Greg Stern, has issued new recommendations to slow the spread of COVID-19 within Whatcom County which include, among other actions, the cancellation or postponement of non-essential public gatherings and that certain higher risk target populations should stay at home away from large groups of people as much as possible;

WHEREAS, the Washington State Supreme Court has adopted Order No. 25700-B-615 which grants this court emergency authority to adopt, modify, and suspend court rules and orders, and to take further actions as deemed warranted to address the current COVID-19 public health emergency;

WHEREAS, Governor Inslee has issued a state-wide "Stay at Home" order, see, PROCLAMATION BY THE GOVERNOR'S, PROCLAMATION 20-25, which directs people to remain in their homes for a period of time;

WHEREAS, Governor Inslee has issued GOVERNOR'S PROCLAMATION 20-35 which raises pertinent issues concerning community supervision of certain felony offenders by the Department of Corrections;

WHEREAS staff from Western Washington University and Whatcom County Health Department have collaborated on models for the simulation of COVID-19 disease spread solely within Whatcom County and those results differ from models conducted elsewhere in the state, see, Whatcom Unified Command Planning Section – Intelligence Unit 4.13.2020 Whatcom County COVID-19 Model V2;

WHEREAS based on that county specific modelling which notes that peak infection rates in the county may continue well beyond May 4, 2020, causing the Whatcom County Health Department to recommend the cancellation of summer events throughout the county; and

WHEREAS, there are no known local drug/alcohol treatment providers are performing UA testing of clients due to the present public health emergency;

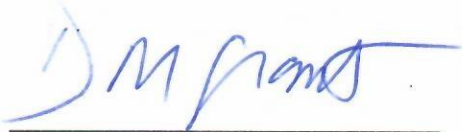
NOW, THEREFORE, IT IS HEREBY ORDERED:

Until further Order of the Court, certain current policies and procedures for the operation of the District Court Probation Department and its supervision of defendants are altered as described below:

1. The timelines for obtaining evaluations and the commencement of treatment are hereby tolled.
2. Probation Officers may, when adequate verification is possible, authorize defendants to engage in online support/treatment groups as a means to satisfy existing treatment requirements.
3. All out-of-custody UA testing requirements is suspended.
4. When feasible, probation supervision appointments and intakes shall be conducted remotely via telephone or online services.

Except as noted above, all other existing policies and procedures, including previously issued Temporary Administrative Order 2020-03, not in conflict with the above remain in place and effect.

DATED this 23rd day of April, 2020.



David M. Grant, Presiding Judge