

Competency Restoration Step-Down Program

The Trueblood v. DSHS lawsuit challenged unconstitutional delays in competency evaluation and restoration services for people detained in city and county jails. The Trueblood Contempt Settlement Agreement establishes a plan for providing services to those involved in the criminal court system and for providing treatment to people when needed so they are less likely to become involved in the criminal court system. The Trueblood Settlement Agreement includes a plan for phasing in programs and services:

- Phase 1: Pierce, Southwest, and Spokane regions (July 1, 2019 through June 30, 2021)
- Phase 2: King region (July 1, 2021 through June 30, 2023)
- Phase 3: To be determined (July 1, 2023 through June 30, 2025)

When the court orders people to receive competency restoration treatment, they can be ordered into inpatient or outpatient programs. While the Outpatient Competency Restoration Program is designed for people who are not considered a high risk to public safety and are likely to participate in community-based treatment, people who need more intensive care and support join inpatient programs in residential treatment facilities.

If people in inpatient facilities are not deemed competent after 45 or 90 days, courts may issue a second 90-day treatment order. Traditionally, people issued a second order would automatically be treated in inpatient facilities. However, a pilot program launched on July 5, 2022, will allow some of these people to be transferred to outpatient settings. Allowing people who are found to be clinically appropriate for OCRP services to transfer programs offers them more autonomy and better connections with community-based resources such as behavioral health services, housing and vocational services. In addition, transferring suitable people to OCRP services will allow other people in need of inpatient competency restoration to more quickly receive care as beds become available.

If a person is anticipated to receive a second 90-day treatment order, the inpatient treatment team will refer the person to a forensic navigator, who will make a recommendation to the court. Whether a person then receives treatment in an inpatient program or through OCRP will be determined by the court.

Services provided

Both inpatient and outpatient programs focus on:

- Courtroom knowledge and understanding
- Behavioral health symptom management

- Relaxation and coping skills
- Effective communication skills
- Medication management

OCRP also offers:

- Support, goal setting and community building by Certified Peer Counselors
- Connection with other community supports to include forensic navigators, Forensic Housing and Assistance through Peer Services, Forensic Projects for Assistance in Transition from Homelessness, outpatient behavioral health, substance use treatment, supported employment, client support funds, and other services as needed

For more information

- For more information on OCRP, contact Aleesia Morales at aleesia.morales@hca.wa.gov | 360-725-1552
- For more information on competency restoration residential treatment facilities, contact Susan Copeland at susan.copeland@dshs.wa.gov | 360-742-8134
- For more information on forensic navigators, contact Solomon Wyatt at solomon.wyatt@dshs.wa.gov | 360-529-6027
- For more information about Trueblood, or to be added to the Listserv, email truebloodtaskforce@dshs.wa.gov

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