

## GENERAL ADMINISTRATIVE ORDER

## Judge Supervised Probation: King County District Court Monitoring Standards (Amending GAO No. 10-127)

1. Probationers will be seen face-to-face once a month. The probation officer will conduct monthly appointments in a designated court facility.
2. The monthly scheduled probation appointment may be rescheduled if the probationer personally contacts the sentencing/supervising judge's assigned probation officer on or before the date of that monthly appointment. During the probation term, there may be no more than two rescheduled appointments without approval of the sentencing/supervising judge.
3. At the first probation appointment, the sentencing/supervising judge's assigned probation officer will adhere to the Judge-supervised Standardized Intake Appointment guidelines incorporated herein by attachment and keep chronological notes. At all subsequent scheduled appointments, the sentencing/supervising judge's assigned probation officer will adhere to the Judge-supervised Standardized Return Appointment guidelines incorporated herein by attachment and keep chronological notes. The sentencing/supervising judge will be notified of any change in mailing address through the Court Case Management System (CCMS).
4. During each face-to-face monthly appointment, the probation officer will check the CCMS, and Abstract of Driving Record (ADR) to determine if there are any new violations of the law, issuance of warrants with the probationer or license suspensions or restrictions. The probation officer will also conduct this check prior to notifying the sentencing/supervising judge that the court consider review, revocation or termination of the court's supervision of the probationer. Any new violations of the law or outstanding warrants discovered through the CCMS and/or ADR check, not previously

reported, shall be reported to the sentencing/supervising judge within seven (7) business days of discovery.

5. If during a face-to-face monthly appointment the probation officer determines through a CCMS search as outlined in paragraph 4 above that the probationer has an outstanding warrant, the probation officer will advise a King County Deputy Sheriff assigned to court security at the designated court facility. No further action is required. The probation officer will make no effort to arrest the probationer, as there is no arrest power vested with King County District Court probation officers.
6. The probation officer will confirm through the probationer enrollment with and participation in any treatment agency, community service and/or other program as ordered by the sentencing/supervising judge at each face-to-face monthly appointment. Monitoring of prohibitive conditions will be limited to asking the defendant at each face-to-face appointment whether they have engaged in the prohibited behavior.
7. If the probationer is ordered by the sentencing/supervising judge to participate in treatment services, any alcohol/drug use probation conditions, and attendance at alcohol/drug use support group meetings, will be monitored by the treatment agency providing the treatment services and not by the probation officer. A treatment agency will be required to report to the assigned probation officer in writing, once a month, concerning the probationer's progress and/or non-compliance with treatment program(s). If the treatment agency fails to send the monthly report the probation officer will follow up by contacting that agency. Any treatment non-compliance contained in the treatment agency report will be reported to the sentencing/supervising judge. There may be more than one treatment agency providing treatment services to the probationer.
8. Probationers may not consume alcohol prior to a face-to-face appointment with a probation officer. During any face-to-face appointment the probation officer will ask the probationer if he/she has consumed alcohol. If during an appointment the probation officer believes that the probationer has recently consumed alcohol, a portable breath test (PBT) will be administered, if available, and any positive results will be reported to the sentencing/supervising judge and a King County Deputy Sheriff assigned to court security at that courthouse facility. No other alcohol test is required. If at an appointment the probation officer believes the probationer has recently used any non-prescribed controlled drug(s) or has abused any prescribed drug(s), the probation officer will notify the probationer's chemical dependency treatment provider, if any, the sentencing/supervising judge, and the King County Deputy Sheriff assigned to court police security at that courthouse facility.
9. Where the probationer is not in treatment with a drug or alcohol treatment agency, but required by the sentencing/supervising judge to attend self-help support group meetings, the probationer will present to the probation officer written proof of self-help

support group attendance at each face-to-face monthly appointment. That written proof will be placed in the probationer's probation file.

10. The probation officer will confirm whether any court-ordered restitution has been paid no later than the deadline and in the amount set by the sentencing/supervising judge. Confirmation of restitution is to be done by checking the court docket.
11. King County District Court probation officers shall not independently investigate the conduct of a probationer beyond the authority delegated by these monitoring standards without written instruction from the sentencing/supervising judge. Any probation officer will, however, notify the probationer's sentencing/supervising judge of all oral or written reports actually received by that probation officer that the probationer has violated condition(s) of probation. Notification to the sentencing/supervising judge will occur within seven (7) business days of actual receipt of such information.
12. Supervised probation under a given King County District Court cause number is automatically terminated whenever a warrant has been ordered for the probationer under that cause number. If supervision is terminated on an active cause because of a bench warrant, and the probation officer is supervising companion KCDC causes, the probation officer will notify the other judge(s) and recommend termination of active supervision of the other cause(s) until further order of the court.
13. If a probationer is required, as part of the probationer's judgment and sentence, to install an ignition interlock device on all motor vehicles operated by the probationer, the assigned probation officer shall attempt to verify the installation of the ignition interlock device or devices. In order to meet this requirement, the probationer shall be required to provide written proof of installation from a company doing business in this state that a device or devices certified by the Washington State Patrol and posted to the WSP website has been installed.

If written proof of installation is not provided by the probationer, the probation officer shall send a letter to the vendor identified by the probationer. That letter shall request written verification from the company that the company has installed the required device or devices.

If the probation officer does not obtain written verification of installation within 30 days of the judgment and sentence -- either directly from the probationer or from the installation company -- the probation officer shall promptly inform the sentencing/supervising judge.

Except as set forth above, the probation officer shall have no further obligation to supervise the use or installation of the ignition interlock device or devices by the probationer unless otherwise ordered by the sentencing/supervising judge.

14. Any probation non-compliance revealed through use of these monitoring standards and such additional standards, if any, set in writing by the probationer's sentencing/supervising judge, shall be reported in writing to the sentencing/supervising judge within seven (7) business days of actual discovery of the non-compliance. Supervised probation is automatically terminated within ten (10) business days of the probation officer sending written notice of non-compliance to the sentencing/supervising judge, unless the sentencing/supervising judge sends written notice that supervised probation should not be terminated. The probation officer may make written recommendations to the sentencing/supervising judge with the delivery of any non-compliance report to the sentencing/supervising judge.
15. In judge-supervised probation of domestic violence probationers, the probation officer will mail to the victim's last known mailing address a notice advising him/her of the probation officer's name, phone number and availability.
16. Except for paragraphs 7 and 10 herein, these monitoring standards shall not apply where the sentencing/supervising judge's probation officer is absent from his/her office due to illness or other pre-approved leave. During such absence, adherence to paragraphs 7 and 10, and actual receipt of information as described in paragraph 11, will be monitored and/or received by an individual appointed by the Probation Director or his/her designee. The Probation Director or his/her designee may appoint an individual to conduct an abbreviated monthly appointment that includes performing a CCMS/ADR check as stated in paragraph 4, verifying treatment compliance, current residence address information, and the scheduling of a monthly appointment with the sentencing/supervising judge's probation officer.
17. The King County District Court, Division of Probation Policy Manual (POL-201 820) is rescinded.

#### Attachments

Standardized Judge-Supervised Probation Intake Appointment document  
Standardized Judge-Supervised Probation Return Appointment document

EFFECTIVE September 26, 2011

DONE this 16 day of September, 2011



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Barbara Linde  
Chief Presiding Judge  
King County District Court