

Alert for District Judges on the 19-2524 PILOT PROJECT

Section 3 of [HB 648](#), the major re-write of I.C. §19-2524 which passed this last legislative session, will become effective March 1, 2013. This act changes the Pre-Sentence Investigation process for the screening and assessment of Substance Use Disorders and/or Serious Mental Health diagnosis for felony offenders who reasonably may remain in the community following sentencing. IDHW, IDOC and the Courts have agreed to implement a pilot project to help assess the workload and fiscal impact of this new process on the respective systems.

The present concept of the I.C. §19-2524 pilot project is to utilize one highly qualified Pre-Sentence Investigator (PSI) from each of the Districts who will conduct an initial screening of each offender to determine whether further substance abuse and / or mental health assessment is clinically warranted. When the PSI is ordered, the judge will not know if the defendant is part of the pilot project. It is important to note that this pilot project will only affect the designated PSI writers in each district:

District 1: Karmel Reed
District 2: Veronica Henry
District 3: Rebecca Smith
District 4: Cynthia Reed
District 5: Sari Jayo
District 6: Toni Casteneda
District 7: Brenda Moon

As presently conceived, this is how the Pilot will operate in each of the 7 Judicial Districts. We ask for your cooperation.

19-2524 Pilot Project – Protocol - Court proceedings

1. Current I.C. § 19-2524 practices will continue to be followed for sentencing, i.e., PSI will be ordered and Judge exercises discretion on whether to order a 19-2524 Substance Abuse Evaluation and/or a Mental Health Examination, or both. This order is entered in ISTARS and forwarded on to IDOC following current practices.
2. If the PSI assignment goes to a PSI writer who is designated under the pilot project, the screenings under the March 1, 2013 version of 19-2524 (the pilot) will be performed in every case assigned to that PSI writer, irrespective of whether any part of a 19-2524 was ordered by the sentencing judge.
3. **IF a 19-2524 was not ordered by the Judge**, – If the GAIN SS screening indicates the need for a SUD assessment, or a MH examination, then the appropriate track will be followed even though not ordered by the sentencing court; namely, if a Substance Abuse Disorder is indicated, IDOC will perform the assessment. And/or if a mental health examination is indicated, the matter will be referred to IDHW for the Brief Jail Mental Health Screen, followed by the examination if indicated on the second screen. All results will be included in the PSI.

4. **IF a 19-2524 was ordered by the Judge**, - and either screening does not indicate the need for further assessment or evaluation, this fact shall be noted, **BUT the Judge's order will be followed and the evaluation and/or examination will be completed as ordered.**
5. The results of the screenings and of any assessment/examination will be attached to the PSI.
6. Accurate and complete data and identifying case criteria will be kept on all cases forwarded to the selected PSI writer.
7. The Pilot Project team from the Courts, IDHW and IDOC will evaluate the data at the end of the project and determine how many if any cases included in the project would have clearly resulted in a waiver and report that information as part of the data gathered during the pilot project.

It was essential to begin the pilot project on June 1 to ensure that sufficient information is generated to help evaluate the impact of this new process before the next legislative session. More information and training will be provided to the District Judges in the near future, probably by a scheduled webinar.

The Felony Sentencing Committee will also be asked to provide feedback on this pilot project; however, if you have any questions or if you encounter any problems in this process please contact either Judge Barry Wood or Scott Ronan with the specifics of any issues so we can address them immediately. The pilot project will run from June 1st, 2012 through December 2012.

Please contact for questions:

Judge Barry Wood
Idaho Supreme Court
Senior Judge
(208) 947-7402

Scott Ronan
Idaho Supreme Court
Felony Sentencing Alternatives Specialist
(208) 947-7428