

Trueblood Diversion Program

Trueblood vs. Department of Social and Health Services (DSHS) was a lawsuit that challenged the unconstitutional delays in competency evaluation and restoration services for people detained in jails. The resulting Trueblood Contempt Settlement Agreement was approved by the United States District Court, Western District of Washington State in December 2018. The Settlement Agreement aimed to resolve the lawsuit by delivering an array of services including competency evaluation and restoration services, and community-based supports for class members and potential class members.

Additionally, the lawsuit resulted in millions of dollars of contempt fines collected for failing to comply with the Court's orders. In 2016, the Court ordered a portion of the contempt fines to be used to fund programs that divert class members from the legal and forensic systems. This created the Trueblood Diversion Workgroup comprising of the plaintiffs, the Court Monitor, and representatives from DSHS. After a request for proposal process, the Court appointed the Seattle Foundation to serve as fiscal sponsor of the contempt fine grants and the Court Monitor to oversee the implementation of the Trueblood Diversion Program across the state.

The Trueblood Diversion Program is separate from the Settlement Agreement elements, and the contempt-fine grant funding ended in 2022. Several agencies were able to secure local funding to sustain program services after the grant funding ended. In fiscal year 2022, the Legislature provided funding to the Health Care Authority (HCA) to execute contracts with the remaining Trueblood Diversion Programs.

Program overview

Each provider forms partnerships with local criminal legal systems to offer diversion opportunities at multiple intercept points including law enforcement contact, crisis response, initial

detainment, jail incarceration, court case proceedings, conviction, and jail reentry.

Providers offer a wide range of services including case management, peer counseling, legal coordination, jail reentry support, outpatient behavioral health treatment, and housing.

The goals of the Trueblood Diversion Program are:

- Reduce further involvement in the criminal legal system for Trueblood class members.
- Reduce demand for competency services for potential class members.
- Connect current, potential, and former class members to behavioral health services.

Eligibility requirements

- Programs serve current, former, and/or potential Trueblood class members. Current Trueblood class members are people who are in jail and waiting to receive competency evaluation or competency restoration services as ordered by the court.
- Former Trueblood class members are people who were previously in jail and were waiting to receive competency evaluation or competency restoration services as ordered by the court but are not currently incarcerated or receiving competency services.
- Potential Trueblood class members are people with a high likelihood of receiving future competency orders due to a serious mental illness and/or co-occurring disorder, and multiple episodes of incarceration, psychiatric hospitalization, or homelessness within the past 24 months.

Budget for state fiscal year (SFY) 2025

For fiscal year 2025, HCA received an appropriation of \$8 million from the general state fund to continue the Trueblood Diversion Program.

Providers

The following Trueblood Diversion Programs are currently under contract with HCA for fiscal year 2025:

- **Agency:** Frontier Behavioral Health
 - **Program:** Co-responder Program
 - **Location:** Spokane County
- **Agency:** Comprehensive Healthcare
 - **Programs:** Collaborative Diversion Program and Intensive Community Support
 - **Location:** Yakima County
- **Agency:** King County Behavioral Health and Recovery Division
 - **Programs:** Law Enforcement Assisted Diversion (LEAD); Legal Intervention and Network of Care (LINC); Transitional Supportive Housing (TSH), and Community Outreach and Advocacy Team (COAT)
 - **Location:** King County
- **Agency:** Kitsap Mental Health Services
 - **Program:** Trueblood Diversion Program
 - **Location:** Kitsap County
- **Agency:** Community Integrated Health Services
 - **Program:** Trueblood Diversion Program
 - **Locations:** Cowlitz, Grays Harbor, Lewis, Pacific, and Wahkiakum Counties
- **Agency:** Catholic Charities of the Diocese of Yakima
 - **Program:** Diversion Crisis Response Services (DCRS) / Co-responder and Jail Diversion programs
 - **Locations:** Chelan and Douglas Counties

For more information

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