

HOUSE BILL REPORT

HB 2572

As Reported By House Committee On:

Criminal Justice & Corrections

Title: An act relating to treatment for alcoholism, intoxication, and drug addiction.

Brief Description: Funding drug courts.

Sponsors: Representatives Ballasiotes, Radcliff, Lambert, Costa, O'Brien, Tokuda, Cole, Dickerson, Kessler, Constantine and Wood.

Brief History:

Committee Activity:

Criminal Justice & Corrections: 1/30/98, 2/5/98 [DPA].

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass as amended. Signed by 10 members: Representatives Ballasiotes, Chairman; Benson, Vice Chairman; Koster, Vice Chairman; Quall, Ranking Minority Member; O'Brien, Assistant Ranking Minority Member; Cairnes; Dickerson; McCune; Mitchell and Sullivan.

Staff: Yvonne Walker (786-7841).

Background: Drug Court is a program that removes drug offenders from standard criminal procedures and forces them into treatment. There are currently drug courts in King, Pierce, Spokane, and Thurston counties.

The courts diverge from traditional courts by diverting non-violent drug criminals into court-ordered treatment programs rather than prison. The program allows people arrested for drug possession to choose an intensive, heavily supervised rehabilitation program in lieu of incarceration. In Drug Court, defendants agree to the facts of their arrest, then are required to participate in drug treatment, counseling, find work, meet with parole officers, attend weekly visits with a judge, and meet conditions set by a judge.

If they complete the program, the charges can be dropped. If a defendant fails, he or she can ultimately be sentenced at the top of the sentencing range and jailed, but the courts typically give drug defendants more than one chance to reform.

With the incentive of keeping an offender's record clear of drug charges, the court pushes people with substance abuse problems into a year-long program of frequent drug tests and counseling.

The aim of the court is to encourage drug offenders into a productive, drug-free lifestyle.

Summary of Amended Bill: The term "drug court" is defined as a court that has special calendars or dockets designed to achieve a reduction in recidivism and substance abuse among nonviolent, substance abusing offenders by increasing their likelihood for successful rehabilitation through early, continuous, and intense judicially supervised treatment; mandatory periodic drug testing; and the use of appropriate sanctions and other rehabilitation services.

The Department of Social and Health Services must contract with counties operating drug courts for the provision of drug and alcohol treatment services. A minimum of 80 percent of the funds appropriated must be used for direct services to clients. A maximum of 10 percent of the funds appropriated must be used for administration and an outcome evaluation study. The study must include measures of recidivism and re-offense rates.

Amended Bill Compared to Original Bill: A sum of \$3 million is appropriated to the Department of Social and Health Services for the sole purpose of funding drug courts. The original bill did not include a specific funding amount to be appropriated to the Department of Social and Health Services.

Appropriation: An appropriation of \$3 million is provided to the Department of Social and Health Services for the funding of drug courts for the fiscal year ending June 30, 1999.

Fiscal Note: Requested on January 22, 1998.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Currently, drug courts save the state approximately \$4 million a year. When a person is on drugs or in the need of drugs, their criminal behavior increases as they look for various ways to pay for their drug habit. This program reduces drug-related criminal activities such as burglaries and thefts and as a result reduces the revolving door of drug offenders coming in and out of the system.

Testimony Against: None.

Testified: Dr. Jerree Schmidt-Whelan, Drug Court of Pierce County; Judge Jim Murphy, Spokane County Felony Drug Court; Jim Crane, King County Office of Public Defense; Larry Erickson, Washington Association of Sheriffs and Police Chiefs; Judge

Rick Strophy, Thurston County Superior Court; and Bernardean Broadous, Thurston County Prosecuting Attorney (pro).