

# SENATE BILL REPORT

## SHB 1919

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As Reported by Senate Committee On:  
Judiciary, March 27, 2009  
Ways & Means, April 2, 2009

**Title:** An act relating to drug court funding.

**Brief Description:** Operating and administering a drug court program.

**Sponsors:** House Committee on Human Services (originally sponsored by Representatives Kagi, Goodman, Pedersen, Rodne, Roberts, Hinkle, Dickerson, Moeller, Santos and Wood).

**Brief History:** Passed House: 3/11/09, 96-0.

**Committee Activity:** Judiciary: 3/24/09, 3/27/09 [DPA-WM].  
Ways & Means: 4/02/09 [DPA(JUD)].

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell, Hargrove, Kohl-Welles, Roach and Tom.

**Staff:** Kim Johnson (786-7472)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass as amended by Committee on Judiciary.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Carrell, Hobbs, Honeyford, Keiser, Kline, Kohl-Welles, McDermott, Murray, Oemig, Parlette, Pflug, Pridemore, Regala, Rockefeller and Schoesler.

**Staff:** Megan Atkinson (786-7446)

**Background:** Drug courts are pre-adjudication programs that provide eligible defendants with an opportunity to receive drug treatment instead of incarceration. The defendant enters into a "contract" with the court to abide by certain conditions, waives the right to a trial, and stipulates to the facts in the police report. Upon completion of treatment, the charges are

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dismissed. If the defendant fails to complete the program requirements, the defendant is sentenced on the charges.

The Criminal Justice Treatment Account was created in 2002. Monies in the account are limited to the following purposes: (1) substance abuse treatment and treatment support services for offenders with an addiction, against whom charges have been filed by a prosecuting attorney in Washington; (2) provision of drug and alcohol treatment services and treatment support services for nonviolent offenders within a drug court program; and (3) operation of the Integrated Crisis Response and Intensive Case Management pilots during the 2007-2009 biennium. A dollar-for-dollar match of local funds or in-kind contributions is required for all state drug court funding.

**Summary of Bill (Recommended Amendments):** Funds in the Criminal Justice Treatment Account (CJTA) may be used for drug court program operating and administrative costs. However, not more than 10 percent of the funds received by a county or group of counties participating in a regional agreement may be spent on operating and administrative costs associated with the a drug court program. No local match or maintenance of effort is required on the CJTA funding that is used for operating and administrative costs.

The authorization to expend funds for drug court program operating and administrative costs expires June 30, 2013.

**EFFECT OF CHANGES MADE BY JUDICIARY COMMITTEE (Recommended Amendments):** Clarifies that a county may use up to 10 percent of the Criminal Justice Treatment Account funding for administrative and overhead costs associated with the operation of a drug court.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony on Substitute House Bill (Judiciary):** PRO: During these economic times, many courts are in danger of having to shut down for lack of funding. Drug courts work. This bill will allow counties to use a small amount of funding to administer the drug court program. Drug courts cannot function without a court administrator or case manager. There is a sunset date, so the flexibility to use these funds is only for a short period of time.

**Persons Testifying (Judiciary):** PRO: Tom Parker, Superior Court Judges Association.

**Staff Summary of Public Testimony on JUD Recommended Amended Bill (Ways & Means):** PRO: Drug courts are in danger of losing funding. This bill would temporarily allow counties to use existing funds to support the continued operation of drug courts.

**Persons Testifying (Ways & Means):** PRO: Tom Parker, Superior Court Judges Association.