

SENATE BILL REPORT

SB 6493

As Passed Senate, February 13, 2006

Title: An act relating to drug courts.

Brief Description: Revising the jurisdiction of drug courts.

Sponsors: Senators Kline, Weinstein, Brandland, Hargrove, Oke and Rasmussen.

Brief History:

Committee Activity: Judiciary: 1/12/2006, 2/1/06 [DP, DNP]

Passed Senate: 2/13/06, 34-13.

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Weinstein, Vice Chair; Johnson, Ranking Minority Member; Esser, Hargrove, Rasmussen and Thibaudeau.

Minority Report: Do not pass.

Signed by Senator Carrell.

Staff: Aldo Melchiori (786-7439)

Background: A drug court is a special court given the responsibility to handle cases involving substance-abusing offenders through comprehensive and intense supervision, drug testing, treatment services and immediate sanctions and incentives. To be eligible for drug court admission, it must be shown that a defendant (a) would benefit from substance abuse treatment, (b) has not been previously convicted of a serious violent offense or a sex offense, and (c) is not currently charged or convicted of a sex offense, a serious violent offense, an offense involving a firearm, or an offense during which the defendant caused substantial or great bodily harm or death to a person. If the prosecuting attorney finds a defendant eligible and appropriate for drug court, the defendant may be offered drug court as an alternative to prosecution. If the defendant fails to complete treatment, he or she is prosecuted for the original charge.

Summary of Bill: The restriction on the admission of violent offenders into the drug court program is reduced. A defendant currently charged with or convicted of a violent offense may be admitted into drug court as long as the offense did not cause great bodily harm. Defendants previously convicted of, currently charged with, or currently convicted of sex offenses or serious violent offenses remain ineligible for drug court. To the extent required to obtain or retain federal drug court funding, the prosecuting attorney and the court must comply with federal rules.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: Drug courts offer the most intensive outpatient treatment support alternative. Offenders who violate the conditions of the drug court receive immediate sanctions. Drug courts are an alternative to incarceration that have shown success and need to be utilized better.

Testimony Against: None.

Who Testified: PRO: Judge Leonard Costello, Kitsap County Superior Court.