
HOUSE BILL 1834

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Kagi, Freeman, Green, Jinkins, Appleton, Fey, Roberts, Ryu, Ormsby, Pollet, and Tharinger

Read first time 02/12/13. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to including family treatment courts in the
2 definition of drug courts; and amending RCW 2.28.170.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 2.28.170 and 2009 c 445 s 2 are each amended to read
5 as follows:

6 (1) Counties may establish and operate drug courts.

7 (2) For the purposes of this section((7)):

8 (a) "Drug court" means a court that has special calendars or
9 dockets designed to achieve a reduction in recidivism and substance
10 abuse among nonviolent, substance abusing felony and nonfelony
11 offenders, whether adult or juvenile, by increasing their likelihood
12 for successful rehabilitation through early, continuous, and intense
13 judicially supervised treatment; mandatory periodic drug testing; and
14 the use of appropriate sanctions and other rehabilitation services.
15 "Drug court" also includes any family treatment court.

16 (b) "Family treatment court" means a court that has special
17 calendars or dockets designed to improve the safety and well-being of
18 children in the dependency system by providing parents access to drug

1 and alcohol treatment, judicial monitoring of their sobriety, and
2 individualized services for the entire family designed to achieve a
3 reduction in:

- 4 (i) Child abuse and neglect;
- 5 (ii) Out-of-home placement of children;
- 6 (iii) Termination of parental rights; and
- 7 (iv) Substance abuse or mental health symptoms among parents or
8 guardians and their children.

9 (3)(a) Any jurisdiction that seeks a state appropriation to fund a
10 drug court program must first:

11 (i) Exhaust all federal funding that is available to support the
12 operations of its drug court and associated services; and

13 (ii) Match, on a dollar-for-dollar basis, state moneys allocated
14 for drug court programs with local cash or in-kind resources. Moneys
15 allocated by the state must be used to supplement, not supplant, other
16 federal, state, and local funds for drug court operations and
17 associated services. However, from July 26, 2009, until June 30, 2013,
18 no match is required for state moneys expended for the administrative
19 and overhead costs associated with the operation of a drug court
20 pursuant to RCW 70.96A.350.

21 (b) Any county that establishes a drug court pursuant to this
22 section shall establish minimum requirements for the participation of
23 offenders in the program. The drug court may adopt local requirements
24 that are more stringent than the minimum. The minimum requirements
25 are:

26 (i) The offender would benefit from substance abuse treatment;

27 (ii) The offender has not previously been convicted of a serious
28 violent offense or sex offense as defined in RCW 9.94A.030; and

29 (iii) Without regard to whether proof of any of these elements is
30 required to convict, the offender is not currently charged with or
31 convicted of an offense:

32 (A) That is a sex offense;

33 (B) That is a serious violent offense;

34 (C) During which the defendant used a firearm; or

35 (D) During which the defendant caused substantial or great bodily
36 harm or death to another person.

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