



The Origins of the Criminal Justice Treatment Account and State Drug Court Funding

The Criminal Justice Treatment Account was created in 2002 in conjunction with a revision of the drug offense sentencing grid, all aimed at shifting the state focus from punishment, including incarceration, to treatment. In other words, it was part of a grand bipartisan bargain between groups that usually opposed each other to try to break a cycle of addiction, crime to support the addiction, punishment, release and repeat.

At the time of passage of the enabling legislation, 80% of incarcerated individuals were arrested for a drug offense or a crime that was the result of a substance use disorder, up from 7% in 1989.

The official bill report clearly states:

A criminal justice treatment account is created in the state treasury. Revenues to the criminal justice treatment account consist of savings resulting from the reduced drug sentencing and any other revenues appropriated or deposited into the account. Funds in the account may be spent solely for substance abuse treatment for offenders filed upon by a prosecuting attorney in Washington and treatment for nonviolent offenders participating in drug courts.¹

The bill report's "Brief Summary" includes: "Sets up a dedicated account with the savings resulting from the reduced sentences to be used to fund treatment for drug offenders and drug courts."²

Supporters stated: "**This bill reduces sentences for drug delivery, captures that savings, and uses it for drug treatment and drug court,**" also noting that "This bill will be opposed, and lobbied against, if the funding is stripped out of the bill and used to fund the General Fund instead of drug treatment."

The law allows use of the Criminal Justice Treatment Account under only three circumstances:

- Substance Use Disorder (SUD) Treatment for someone:
 - With an SUD,
 - Against whom charges are filed
 - The charges are filed by a prosecuting attorney;
- Provision of SUD treatment and support services in a drug court program; and
- Administrative and overhead costs to operate a drug court.

Prosecutors, police, judges, defense attorneys, the Catholic Conference (Bishops), treatment providers, and others all testified in favor. There was no testimony in opposition.

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¹ <https://lawfilesexternal.wa.gov/biennium/2001-02/Pdf/Bill%20Reports/House/2338.HBR.pdf?q=20220330084405>

² Ibid