

## Amendment 7 to CB 120835 – Stay Out of Drug Area (SODA) zones

**Sponsor:** Councilmember Saka

Judicial Considerations for SODA Zones

### **Effect:**

In the issuance of a SODA order by a judge or judge pro tempore of the Seattle Municipal Court, this amendment would require consideration of where a defendant is housed, employed, or receives substantial services. The defendant would be required to provide evidence of the housing, employment, or receipt of substantial services.

1. Section 1 of CB 120835 is amended as follows:

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### **12A.21.020 Issuance of order**

A. A judge or judge pro tempore of the Seattle Municipal Court may issue a SODA order to anyone charged with, or convicted of, any criminal violation of the Controlled Substances Act under chapter 69.50 RCW as adopted by Section 12A.09.020 occurring in a designated SODA zone, either as a condition of pretrial release pursuant to CrRLJ 3.2 or as a condition of sentence.

B. A judge or judge pro tempore of the Seattle Municipal Court may also issue a SODA order to anyone charged with, or convicted of, assault, harassment, theft, criminal trespass, property destruction, or unlawful use or possession of weapons occurring in a designated SODA zone in which the court finds a nexus between the offense and illegal drug activity, either as a condition of pretrial release pursuant to CrRLJ 3.2 or as a condition of sentence.

C. In issuing a SODA order, a judge or judge pro tempore of the Seattle Municipal Court shall consider where a defendant is housed, employed, or receives substantial services, based on evidence provided by the defendant.

D. Any SODA order shall describe the prohibited SODA zone determined by the court and shall conspicuously state: “WARNING: Violation of this order is a gross misdemeanor subject to a maximum penalty of 364 days in jail and/or a \$5,000 fine. A person found in violation of this order is subject to arrest under Seattle Municipal Code Chapter 12A.21.”

Doss  
Public Safety Committee  
September 10, 2024  
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~~(D)~~ E. Nothing in this Section 12A.21.020 shall be construed as precluding the court from issuing an order pursuant to this Chapter 12A.21 that is not specifically a SODA order.