

Amendment A Version 1 to CB 120586 - LAW Controlled Substance ORD

Sponsor: Councilmember Strauss

Add recitals to highlight diversion language in state law

Effect: This amendment would add to the recitals the language added to the RCW in 2E2SSB 5536 that encourages prosecutors and law enforcement to divert cases for assessment, treatment, or other services.

Amend recitals of CB 120586 as follows:

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WHEREAS, the State Legislature passed 2E2SSB 5536 in the 2023 special legislative session to address drug possession and public drug use; and

WHEREAS, 2E2SSB 5536 amends RCW 69.50.4013 to state that “[t]he prosecutor is encouraged to divert such cases for assessment, treatment, or other services;” and that “[i]n lieu of jail booking and referral to the prosecutor, law enforcement is encouraged to offer a referral to assessment and services available under RCW 10.31.110 or other program or entity responsible for receiving referrals in lieu of legal system involvement, which may include, but are not limited to, arrest and jail alternative programs established under RCW 36.28A.450, law enforcement assisted diversion programs established under RCW 8 71.24.589, and the recovery navigator program established under RCW 9 71.24.115;” and

WHEREAS, the State requires in RCW 39.34.180 that the City be responsible for all misdemeanors and gross misdemeanors occurring in the City; and

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