

Felony DUI for Three Priors in Fifteen Years and DOSA for Felony DUI (SB 5032)

The portion of this bill that authorizes a DOSA for felony DUI is an example of the progressive movement towards treatment in addition to accountability. By now it is well-established that prison does not provide a solution to address the societal problems associated with substance abuse disorders. Driving while under the influence is an offense that directly touches on substance abuse as a root of the problem. Currently, courts are limited to lengthy prison sentences as a response to felony DUI cases.

Although treatment could be ordered after prison, defendants regularly come out of prison broken and more likely to relapse or continue using due to their substance abuse disorders. By authorizing DOSA in felony DUI cases, the legislature will give courts a tool to recognize the importance of treatment in addition to accountability. This will not only bring a more progressive and humane policy to the law; it will also make our communities safer by addressing the actual root of the problem.

We do have a concern about the availability of work release programs for the residential DOSA. Many counties have discontinued work release programs which would result in hard time for many. We ask the legislature consider funding options to reopen these important programs so that individuals can maintain employment while serving their time.

WACDL and WDA has concerns about expanding the lookback period to fifteen years for felony DUI. This will increase the number of Washington citizens who are made felons and increase incarceration which is contrary to the trends of criminal justice reform to make our society more humane.

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