

SENATE FILE NO. SF0076

Drug court amendments.

Sponsored by: Joint Labor, Health and Social Services
Interim Committee

A BILL

for

1 AN ACT relating to courts; amending provisions relating to
2 drug courts; expanding the jurisdiction of drug courts to
3 address other social problems, as specified; modifying
4 funding provisions relating to drug courts; providing an
5 appropriation; and providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 5-10-101(a)(i), (b)(iv), (v), by
10 creating a new paragraph (vi) and by creating a new
11 subsection (c), 5-10-102(b) and (c), 5-10-103(a),
12 5-10-104(a)(iv), (v) and by creating new paragraphs (vi)
13 and (vii) and 5-10-106(a)(i), (ii), (ix) and (x) are
14 amended to read:

15

16 **5-10-101. Purpose and goals.**

1

2 (a) The legislature recognizes that a critical need
3 exists in this state for criminal justice system programs
4 that will break the cycle of drug and alcohol abuse and
5 addiction and the crimes committed as a result of drug and
6 alcohol abuse and addiction. Local drug court programs
7 shall be facilitated for the purpose of:

8

9 (i) Providing sentencing options for the
10 judicial system to dispose of cases stemming from drug use,
11 domestic violence, child abuse and neglect, mental health
12 disorders and other social problems; and

13

14 (b) The goals of the drug court programs funded under
15 this article include the following:

16

17 (iv) To increase the personal, familial and
18 societal accountability of offenders; ~~and~~

19

20 (v) To promote effective interaction and use of
21 resources among criminal justice personnel, state agencies
22 and community agencies; ~~and~~ and

23

1 (vi) To reduce the threat to community safety
2 caused by domestic violence, child abuse and neglect,
3 mental health disorders and other social problems.

4
5 (c) Each court shall choose which of the functions
6 set forth in paragraph (a)(i) of this section that it will
7 undertake and may adopt a name descriptive of the functions
8 it is undertaking.

9
10 **5-10-102. Establishment of problem solving court**
11 **system; problem solving court account.**

12
13 (b) Any drug court which meets all of the
14 qualifications of W.S. 5-10-106 and rules and regulations
15 properly promulgated is eligible for funding from the drug
16 court account in an amount ~~not to exceed two hundred~~
17 ~~thousand dollars (\$200,000.00) for each fiscal year~~
18 determined by the drug court panel based on the drug
19 court's demonstrated need.

20
21 (c) The department of health shall make funding
22 recommendations to the drug court panel based on the amount
23 of funding which the ~~county~~ local government or other
24 entity supplies to its drug court. The department of health

1 shall make recommendations regarding a proportionate
2 contribution to each participating ~~county~~ court from the
3 ~~drug court~~ account. ~~subject to the maximum amount~~
4 ~~established in subsection (b) of this section.~~

5
6 **5-10-103. Drug court panel.**

7
8 (a) The department of health shall oversee and
9 provide funding for the drug courts from the drug court
10 account. The department of health shall implement rules and
11 regulations specifying a funding application procedure,
12 certification requirements for treatment personnel
13 participating in the drug court program. ~~and drug court~~
14 ~~program office guidelines. In order to maximize federal~~
15 ~~financial participation, compliance with the United States'~~
16 ~~Department of Justice Drug Court Program guidelines shall~~
17 ~~be considered by the department.~~

18
19 **5-10-104. Local drug court management committee.**

20
21 (a) A local drug court management committee shall be
22 established by each local drug court. The members of this
23 management committee shall be actively involved with the
24 drug court. The management committee shall consist of:

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2

(iv) A monitoring officer, agreed upon by the attorney members of the committee and the judge;~~and~~

4

5

(v) A representative of the treatment providers, agreed upon by the attorney members of the committee and the judge; ~~and~~

8

9

(vi) In the case of a domestic violence court, the director of the community domestic violence shelter program; and

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13

(vii) Such other members as are necessary to assure the committee includes representatives of disciplines appropriate for the subject matter addressed by the court.

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18

5-10-106. Qualifications.

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(a) To be eligible for funding from the state drug court account a local drug court shall:

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1 (i) Integrate substance abuse and other
2 appropriate treatment services with the justice system case
3 processing;

4
5 (ii) Use a nonadversarial approach involving
6 both the prosecution and defense counsel to promote public
7 safety, ensure victim safety and hold perpetrators
8 accountable while providing appropriate treatment for the
9 adjudicated individual;

10
11 (ix) Continue interdisciplinary education which
12 promotes effective drug court planning, implementation and
13 operations; and

14
15 (x) Forge partnerships among drug courts, public
16 agencies, community-based organizations and private
17 foundations and businesses which generate local support and
18 enhance the effectiveness of the drug court program. ~~and~~

19
20 **Section 2.** W.S. 5-10-106(a)(xi) is repealed

21
22 **Section 3.** One million fifty thousand dollars
23 (\$1,050,000.00) is appropriated to the department of health

1 from the general fund for the biennium commencing July 1,
2 2006, for the purposes of this act.

3

4 **Section 4.** This act is effective July 1, 2006.

5

6

(END)