January 12, 2010

The Honorable Christopher Hurst, Chair
Public Safety & Emergency Preparedness Committee
House of Representatives
206-A John L. O'Brien Building, PO Box 40600
Olympia, WA 98504-0600

Dear Chairman Hurst:

I'm writing to express the support of the King County Bar Association for HB2401 and HB1177, both of which offer important changes to our state's approach to drug policy reform related to marijuana. This legislation is scheduled for a hearing before the Committee on Wednesday, January 13.

Founded in 1886, KCBA is the largest voluntary bar association in the state of Washington, representing over 14,000 attorneys in King County including attorneys, judges, and law professors. Our mission is to support our diverse membership by promoting a just, collegial, and accessible legal system and profession; working with the judiciary to achieve excellence in the administration of justice; and serving our local community through organized pro bono legal services.

KCBA has engaged in a comprehensive legal analysis and education program about drug policy reform since 2001. We have published numerous reports, studies, and recommendations, hosted expert policy forums and educational programs, and convened leading authorities in the legal and medical professions, educators, and the law enforcement community including judges, defenders, and prosecutors.

As a result of this very careful, thoughtful, and full consideration of the pros and cons about reforming our state's drug policies, the legal profession has taken the position that "marijuana should be regulated and taxed, and most criminal sanctions should be eliminated." Among the reasons for our position is that we believe that our societal response to marijuana is doing more harm than good. It is ineffective at controlling marijuana use, especially among young people. It costs Washington taxpayers many millions of dollars annually in a time of decreasing funds for core services such as resources for our county court system in King County. Ultimately it diverts law enforcement and judicial resources from more pressing uses.
In recent years, the state legislature has taken important steps in the area of drug sentencing reform and increases in funding for addiction treatment in our state. But further action is required if we are to honestly respond to the evidence the bar has identified during the past decade of focus in the area of drug policy reform.

The reforms proposed to Washington State law in HB2401 reflect the goals of KCBA's position: (1) removing civil and criminal penalties for adults and (2) taxing the sale of marijuana for drug education purposes. The bar supports the objectives of this bill and asks the Committee to support the reforms proposed in the legislation.

In addition, KCBA restates its continued support for HB1177, which would reclassify possession of forty grams or less of marijuana from a misdemeanor to a civil infraction. While narrower in focus than HB2401, passage of this bill would nonetheless also be in line with the bar's position that most criminal sanctions for marijuana be eliminated.

The King County Bar Association urges the adoption of both HB2401 and HB1177 as sound legislative responses to our state's failed drug policies.

Thank you for your consideration of our position.

Kindest Regards.

Sincerely yours,

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