

Yakima County Drug Court

OFFENSE AND CRIMINAL HISTORY ELIGIBILITY CRITERIA

CURRENT ARREST / OFFENSE:

Any misdemeanor, gross misdemeanor, or any SRA Seriousness Level I, II or III or IV, or equivalent unranked felony, **except:**

- delivery of controlled substance or possession of controlled substance with intent to deliver, or equivalent legend drug offense
- any “sex offense” (including allegation of sexual motivation)
- any firearm offense (including theft of a firearm or unlawful possession of a firearm) or any offense with a firearm enhancement or element
- any “violent” offense as defined by RCW 9.94A.030
- any domestic violence offense unless agreed to by parties, after consultation with the victim.

Other:

- Only residents of Yakima County, Washington
- No holds from courts or agencies outside Yakima County
- No cases pending in courts or agencies outside Yakima County
- No long-term jail sentences from courts within Yakima County unless other court authorizes drug court as concurrent sentence.
- No persons who are in the United States illegally
- No previous participation in drug court within the last 5 years.
- Restitution for the current charge(s) must normally be \$1,500 or less unless the offender affirmatively shows the ability to pay the restitution due or unless other arrangements are made by the time of acceptance into Drug Court.
‘Other arrangements’ could include third party payment or victim consent or waiver of all or part of restitution. Restitution issues will be resolved by the Drug Court Judge.
- Persons with a large number of pending separate causes are not encouraged but can be considered on a case-by-case basis.

PRIOR CRIMINAL HISTORY:

Adult criminal history:

- No prior Class A felony convictions
- No prior “sex offenses” (including allegation of sexual motivation)
- No prior “violent” felony as defined by RCW 9.94A.030(38)

Juvenile criminal history:

- No prior Class A felony convictions
- No prior “sex offenses” (including allegation of sexual motivation)
- No prior “violent” felony as defined by RCW 9.94A.030(38)