



## Snohomish County

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**County Council**  
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May 16, 2023

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Dear Legislators,

The scourge of illicit drug use on our streets and in our communities has become one of the most pressing public safety issues throughout Snohomish County and Washington State. On July 1<sup>st</sup>, the state's drug possession law will sunset and it is incumbent on the legislature to enact a new statute that continues to outlaw drug possession and use.

As you begin a special legislative session to pass a new drug possession law, we are writing to you to share our priorities which we implore you to include in the final negotiations. Specifically, we believe that drug possession must be classified as a gross misdemeanor in state law.

After the 2023 legislative session concluded without a "fix" to the *Blake* Decision, local governments across the state, including Snohomish County, began drafting local ordinances to address the issue of drug possession. We began working with our local public safety professionals to better understand the issue of drugs on our streets and the tools needed to bring compassionate accountability to our criminal justice system.

What became clear during those discussions is that simple misdemeanor charges will not contribute to the accountability aspects of our drug policy that are needed. Due to the challenges with the state toxicology lab and a shorter statute of limitations (compared to gross misdemeanor), local law enforcement and prosecutors need the tool of a gross misdemeanor to hold individuals accountable.

We know from our experience over the past three years since the original *Blake* Decision that many individuals struggling with drug addiction on our streets will not voluntarily accept treatment. The intensity of fentanyl and other synthetic drugs impairs the ability of these individuals to make the decision to course correct and take a better path. We need the ability to compel these individuals to accept treatment and, currently, the threat of criminal prosecution is one of the only tools we have to do just that.

While we strongly believe treatment must be prioritized, we recognize that jail is a better alternative than leaving these people on the streets, which in many cases is nothing less than a death sentence for these individuals when considering the increasing rates of overdose by fentanyl. The dignity of each person struggling with addiction and the safety concerns of the community at large must compel us to outlaw deadly drugs such as meth, heroin, and fentanyl. We implore the Legislature to take meaningful action on this issue by outlawing drug possession as a gross misdemeanor. Anything less than a gross misdemeanor would be a disservice to those battling addiction as well as the greater community. We look forward to the legislature passing a meaningful bill to address this critical issue.

Sincerely,

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**Jared Mead**  
Council Chair

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**Nate Nehring**  
Council Vice-Chair

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**Sam Low**  
Councilmember

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Councilmember

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