

Chemical Dependency Treatment and Probation

In the state of Washington policymakers and legislators understood early on that the consequences of alcoholism included unlawful behavior by the victims of the disease. In an effort to both treat the disease and hold alcoholics accountable for their behavior, the legislature created a fabric of laws that delineated the rules of the professionals engaged in treating alcoholism on one hand and bringing judgment to bear on offenders on the other. The rules are most carefully laid out in regards to drinking and driving.

To the treatment field the laws addressing driving under the influence dictated the assessment and treatment of offenders. To ensure that treatment professionals were not put in the untenable position of being both healers and punishers the role of monitoring compliance with the laws and applying punishment for non-compliance was clearly given to the courts and their assistants, probation officers. The responsibility for addressing driving license infractions was aptly mandated to the Department of Licensing.

Treatment agencies have always had the responsibility to report patient compliance to the courts and the Department of Licensing. That responsibility is clearly explained to all DUI offenders and candidates for deferred prosecution. Treatment agencies also make clear that they are interested only in their patients' recovery. They must by law report non-compliance, but they in no way determine the outcome. The patient is given the responsibility for his or her behavior and the court, through probation officers, determines all punishment for non-compliance.

Shrinking state revenues have forced a reduction in the number of misdemeanor probation officers serving courts. Less monitoring of offenders weakens the carefully constructed public approach to addicted offenders and dilutes the effectiveness of both treatment professionals and courts. The loss of the essential link between the two systems leads to inadequate communication about patient compliance with the courts and potentially higher DUI recidivism.