



STATE OF WASHINGTON  
**DEPARTMENT OF CORRECTIONS**  
P. O. Box 41101 • Olympia, Washington 98504-1101

June 2, 2014

**TO:** Interstate Commission for Adult Offender Supervision

**FROM:** Anmarie Aylward, Commissioner  
Washington State Interstate Compact

**SUBJECT: Marijuana Testing in the Washington State Department of Corrections**

In 2012, by a vote of the people, Washington State passed Initiative 502, legalizing the personal possession and consumption of marijuana. This memo is intended to address a number of changes in the Washington State Department of Corrections (DOC) drug testing policy and procedures. These revisions are to align DOC policy with Washington State law change, as well as improve efficiencies in our processes related to drug and alcohol testing of offenders.

With the change in law that allows for the possession/consumption of marijuana and drug paraphernalia used for consuming marijuana, the Agency has aligned our policies with law and will no longer routinely test offenders for THC. In November 2013, an Agency wide workgroup was formed to gather information and make recommendations regarding this change. The workgroup looked at policy implications and considerations that would affect each specific division. After careful consideration and legal review, the Washington State DOC has decided effective today, June 2, 2014, to stop routinely testing for the consumption of marijuana for offenders on supervision in the community. A court or parole board imposed condition of no use or possession of controlled substances or drugs is not sufficient to require testing for marijuana. The sentencing court or parole board must specifically indicate no use of marijuana, or it will not be included in any testing.

The Washington State DOC is not advocating for offenders to use marijuana. Rather, we are aligning our Agency policy with a new law that created the legalization of marijuana. If the Washington State DOC tests an offender for marijuana for cause while the offender is in drug treatment and the results return positive, the offender will be in violation of treatment rules and subject to the violation process for not complying with treatment, not for the use or possession of marijuana.

This change in testing protocols is only for marijuana and is put into effect so the Washington State DOC is in compliance with state law.

AA:md

cc: Bernie Warner, Secretary, Washington State Department of Corrections  
Marjorie Martin, Deputy Compact Administrator, Washington State Interstate Compact