

**Substance Abuse and Crime Prevention Act of 2000 (SACPA)
STATEWIDE ADVISORY GROUP
October 11, 2002**

SUMMARY

WELCOME AND DIRECTOR'S UPDATE

Kathryn P. Jett, Director, Department of Alcohol and Drug Programs (ADP), welcomed the Statewide Advisory Group attendees. Director Jett updated attendees on recent developments affecting the Substance Abuse and Crime Prevention Act of 2000 (SACPA).

- State agencies are assessing the state budget and its impact on staff, including the elimination of 5000 positions.
- The County Lead Agency Meeting (CLAIM), held in September, was extremely successful with 400 people in attendance. The conference proceedings will be published soon.
- The "Proposition 36-Making It Work!" Technical Assistance Conference will be held February 3 – 5, 2003 in San Diego.
- The Department participated in the third and final public hearing held by the Little Hoover Commission, which is examining California's alcohol and drug treatment policies. The hearing examined the relationship between the treatment and enforcement systems, the use of Medi-Cal resources for treatment, and examine the question of using alcohol taxes to pay for the public costs of alcohol treatment.
- A meeting of the Proposition 36 Evaluation Advisory Group will be held at ADP on October 16th.
- There has been a great deal of recent press coverage on the issue of medical marijuana. ADP recognizes that there is a diversity of views regarding medical marijuana throughout the treatment community. ADP is forming a workgroup to examine the impact of this issue on the AOD field.
- California has applied for a federal prevention grant. Funding of 12 million dollars is available over a four-year funding cycle.
- Representatives from the federal Office of National Drug Control Policy (ONDCP) will be making a series of visits in California.

ADVISORY GROUP UPDATES

Program updates from the Advisory Group were provided. Key points and comments included:

Client Flow and Treatment

- In Los Angeles County there are 7000 clients in treatment. They are working on enhancing the automated system used to track clients. In addition, there is an RFP to expand the system of care network and identify new providers.
- In Sacramento County, 82% of eligible offenders showed for assessment. 72% showed for treatment. Dual diagnosis is going well with more graduates including methadone clients.
- The California Department of Corrections (CDC) and the Board of Prison Terms are making great progress on the transition of responsibilities under the Proposition 36 Parolee Services Redesign. CDC employees and parole agents have received training, and new forms were developed. New parolee procedures took effect October 1, 2002.
- Perinatal service providers are experiencing some issues, given the various requirements and priorities of the different governing entities that oversee these services.
- Implementation is going well in large counties and judges are committed to Proposition 36. There are 3000 clients in treatment in Santa Clara and San Diego counties. In Santa Clara, there is a waiting list for treatment, due to capacity constraints.
- The prospects for methadone treatment for Proposition 36 clients appear to be improved. Senate Bill 1447 clarifies legal issues and will help bring more providers to the table.

Collaboration and Community Education

- September was designated as "Recovery Happens Month." A very large percent of those who participated at the Capitol were individuals who have gone through treatment and recovery because of Proposition 36.
- The Campaign for New Drug Policies has been working to share information on Proposition 36 in other states where similar initiatives are pending on the November 2002 ballot. In addition, \$250,000 in grants has been distributed to community-based organizations.

- The approach of the letter to allow SACPA funding of NTP to continue into the aftercare period is appropriate.
- The letter should be more specific that, after 18 months, clients are not taken off methadone. It is just funding that ends.
- The letter should be clear that the decision to stop NTP treatment needs the physician's input and medical advice.

Deputy Director Sayles-Owen thanked the members for their input and stated that the letter will be modified to incorporate the comments made. It was also noted that this is a funding letter and that the larger clinical aspects of NTP will need to be addressed in a separate letter.

#3 Calculating the Year of SACPA-Funded Treatment

SACPA allows for clients to be in treatment for up to 12 months, with an additional six months of Aftercare if needed. At this juncture of SACPA implementation, some county lead agencies are attempting to define when the clock starts and ends on the 12 months of treatment. To address this question, the department presented a draft ACLA letter clarifying that SACPA-funded treatment is a cumulative count versus a calendar count, and that the "clock" starts upon admission into treatment. Members expressed an appreciation for the emphasis on maximizing time in treatment.

Deputy Director Sayles-Owen thanked members for their comments and input and acknowledged that the systems used to track treatment locally may be an issue and the letter will be clear that CADDSS admission date and discharge date is how the cumulative total is determined.

#4 Out-of-County Supervision

The question of how to manage out of county supervision has been frequently asked by counties. This issue has been around a while and there has been activity on this issue.

There has been mixed responses from counties on the magnitude of the problem. The concern has been that some counties have not been providing courtesy supervision. Many judges feel individuals should have supervision in the same county in which the he or she receives treatment. As these individuals receive treatment in the county they reside, traveling out of county to report to the judge can create a hardship. As a result, there has been some discussion about possibly mandating transfer of the case through a change in the law.

The Chief Probation Officers of California have met on this issue and developed a policy on courtesy supervision. The policy states that Probation Departments follow the law as provided for in section 1203.9 of the Penal Code (PC). In general, this would mean those courts wishing to transfer a Proposition 36 (PC 1210.1) to the county of residence would do so pursuant to section PC 1203.9. The receiving county would investigate the residence issue and if residence is found to be in the receiving county accept the case

either as a jurisdictional transfer or on a courtesy basis. This would allow the receiving county to determine the best course of action regarding the acceptance of the case based on probationer's circumstances. In addition, the receiving county would determine the level of supervision to be given to the transferred/courtesy case. It was recommended that the Chief Probation Officers' policy letter be sent to the judges and Norma Suzuki agreed to do so.

As there is continuing interest in this issue by the Courts, the Judicial Council may consider the question of cross-jurisdictional transfer of Proposition 36 cases, and take such action as it deems appropriate.

Deputy Director Sayles-Owen thanked members for their comments and that ADP will continue to update the Advisory Group on this issue as work progresses.

PROGRAM UPDATES

1. Allocations: The SACPA Allocation for Fiscal Year 2002-2003 has been released with no changes in the formula from the preliminary allocation. ADP determined that making an adjustment to population, arrest, and caseload was not appropriate at this time. The Fiscal Workgroup will review the formula used for the SACPA allocation later this calendar year.

2. Annual Report: The ADP Annual Report to Legislature is under review by the Department of Finance.

3. Annual Financial Status Report: The Annual Financial Status Reports for FY 2001-02 were due to the Department via the SACPA Reporting Information System on September 30, 2002. However, 43 counties have submitted the Annual Financial Status Reports to date. Staff will follow up with the remaining counties to assure the data is provided.

4. Parolee Subcommittee: An ACLA letter, notifying the County Lead Agencies of the revised process for referring Parolees for SACPA services was sent out on October 1, 2002. The next meeting will be held October 25, 2002.

5. Senate Bill 1447 (Chesbro): Senate Bill (SB) 1447 (Chesbro), Chapter 543, Statutes of 2002 was signed by the Governor on September 13, 2002 and becomes effective January 1, 2003. Among other provisions, SB 1447 permits certified narcotic treatment program providers that exclusively serve SACPA clients to submit an annual performance report, rather than a cost report.

6. Proposition 36-Making it Work-2003 Conference: The next SACPA technical assistance conference, Proposition 36 – Making It Work – 2003 is scheduled for February 3 – 5, 2003 at the Doubletree Inn, Mission Valley, San Diego. UCSD has

released a call for proposals, seeking presenters for the conference. The call for proposals can be found at their website, www.attc.ucsd.edu.

7. County Plans: The Department is completing the review of county plans for FY 2002-03. To date, 58 counties have submitted plans and 50 county plans have been approved. When all of the county plans have been reviewed and approved, the Center for Substance Abuse Treatment is providing consultant resources for the Department to develop a summary similar to the one developed for Fiscal Year 2001-02.

8. Expenditure, Client Counts and Other Services Waiting List Reports: ADP has received the data from 41 counties. Staff is following up with the remaining counties to assure the data is provided.

EMERGING ISSUES

Deputy Director Sayles-Owen provided a brief overview of some emerging issues: (1) Drug Medi-Cal Certification, (2) Expiration of Parolee Status prior to completion of SACPA requirements, (3) Using SACPA funds to Assist in SACPA Clients in Securing Dismissal of Charges, and (4) Medical Marijuana.

Members agreed that the issue of using SACPA funds to assist clients in securing the dismissal of charges has already been addressed in several counties. The members recommended that this issue be dealt with by providing technical assistance to those counties having difficulty.

LEGISLATIVE UPDATE

Les Johnson, Acting Deputy Director, ADP Office of Legislative and External Affairs, provided a brief report to the Statewide Advisory Group on two legislative items of interest. First, Assembly Bill (AB) 444 passed and was signed by the Governor. This bill provides for a redesign of the Drug Court Partnership program to focus services on convicted felons, thereby maximizing state savings and outcome reporting is shifted to focus on state cost savings. Second, AB 1947 was vetoed. It would have requested that a convicted drug felon be eligible for aid under the Food Stamp Program, if he or she is enrolled in a drug treatment program in accordance with the Substance Abuse and Crime Prevention Act of 2000.

Susan Blacksher, California Association of Addiction Recovery Resources, reported that Assembly Bill 2317, the Recovery Maintenance Facility Bill was dropped during this legislative session, but may return when the new session of the Legislature convenes.

NEXT STEPS/NEXT MEETING

The next meeting of the Statewide Advisory Group will be held on December 13, 2002. The agenda will include progress on the emerging issues.

ADJOURNMENT

The meeting was adjourned at 11:45am.