

Substance Abuse and Crime Prevention Act of 2000 (SACPA) STATEWIDE ADVISORY GROUP MEETING SUMMARY

February 8, 2002

WELCOME AND DIRECTOR'S REPORT

Kathryn P. Jett, Director, Department of Alcohol and Drug Programs (ADP), welcomed members and guests to Statewide Advisory Group meeting on the Substance Abuse and Crime Prevention Act of 2000 (SACPA). Director Jett noted that implementation of SACPA (Proposition 36) has moved to a new phase and there is a great deal of interest in telling the SACPA story. The challenge now is to communicate the progress and impact of SACPA to date, as well as the challenges ahead.

Counties are reporting that clients are receiving the full complement of treatment services. However, more time and data are needed to complete the picture of SACPA's first year. Continued collaboration will be key to effectively communicating what we learn as SACPA implementation moves forward.

PROGRAM UPDATES FROM STATEWIDE ADVISORY GROUP MEMBERS

Statewide Advisory Group members provided brief updates on SACPA implementation. Discussion points included:

- ❑ Clients are moving into the system. The use of coordinated and dedicated courts to manage client flow is effective.
- ❑ SACPA clients need a greater level of treatment, supervision, and other services (including mental health services) than initially expected.
- ❑ The amount of time it takes to process parolees through the Board of Prison Terms (BPT) has improved though challenges remain. Low parolee client referrals continue to be of concern. Better collaboration with BPT and parole agents is needed.
- ❑ Meetings held to educate Native Americans on SACPA have been well received.
- ❑ More communication is needed to inform the media and public about SACPA.
 - ❑ Access to and placement in appropriate care such as residential treatment, methadone and sober living for SACPA clients is a concern.

PANELS AND ROUNDTABLE DISCUSSION: EMERGING TRENDS AND ISSUES IN SACPA IMPLEMENTATION The Criminal Justice/Law Enforcement Perspective

Members of each of the three panels were asked to respond to the following questions:

- ❑ What is working?
- ❑ What is not working or could be improved?
- ❑ What trends are emerging?

Panel 1 Chief Al Scaduto, Los Angeles County Sheriff's Office
Captain James Cooper, Sacramento County Sheriff's Office
Chief Michael Dunbaugh, Santa Rosa Police Department

Comments:

- ◆ It is difficult to assess the program after only seven months of operation. There has not been a large impact on local law enforcement. Supply and demand for drugs remains stable. There is no measurable impact on violence or organized crime.
- ◆ Law enforcement has a strong belief in the efficacy of in-custody treatment for the offender population. It remains to be seen if community treatment proves effective.
- ◆ In some areas, arrests are down for certain offenses (e.g., possession of methamphetamine, cocaine, and heroin).
- ◆ There is concern regarding the availability of services to severely addicted offender clients who are unamenable to SACPA treatment if drug court programs diminish due to reductions.

Panel 2 Jeff Rubin, Alameda County District Attorney's Office
Barry Melton, California Public Defenders Association
Les Johnson, California Probation, Parole, and Correctional Officers Association

Comments:

- ◆ Arrests for paraphernalia in Alameda County have dropped 60 percent. It was also noted that increases in peripheral charges and a reduction in drug charges have been reported by some public defenders.
- ◆ Serious addicts may not be getting proper treatment or treatment appropriate to their needs.
- ◆ Failure to appear rates between sentencing and treatment may be as high as 50 percent in Alameda County.
- ◆ Referrals to SACPA are in turn reducing the number of referrals to drug courts with possible legal disadvantages to the clients.
- ◆ Differences of opinion exist regarding "treatment failure" of a client and the criteria used to determine if a client poses a danger to others. These are areas for potential judicial rulings.

Panel 3 The Honorable Stephen Manley, Superior Court Judge, Santa Clara County
The Honorable Ana Marie Luna, Superior Court Judge, Los Angeles County

Comments:

- ◆ Los Angeles County courts have improved communication and focus for judges and treatment providers through training, regional roundtables, and ongoing meetings.
- ◆ Getting clients into treatment quickly has been a concern.
- ◆ In some cases, problems linked to judicial burnout are emerging.
- ◆ Services for clients with dual diagnoses need to be effective and accessible.
- ◆ Refusals, failure-to-plead rates, and bench warrants have been low.
- ◆ Flexible treatment capacity is required to meet changing client needs. The "Not-In-My-Backyard" (NIMBY) problem needs to be addressed.

Roundtable Discussion The Statewide Advisory Group engaged in strategic brainstorming on how to tell the SACPA story to the public. Ideas included:

1. Define issues and coordinate responses to the media, addressing whether or not clients are getting into treatment.
2. Distinguish implementation experiences between urban and rural areas.
3. Describe the SACPA population in terms the public can readily understand and do not polarize addicts with labels.
4. Strengthen the link between the provider, probation, and the court, clearly defining the role of probation.
5. Update the research and share “best practices.”
6. Conduct education and outreach to the Legislature, law enforcement, and the public.
7. Develop a strategy to deal with the dually diagnosed SACPA population.
8. Maintain commitment to drug courts.
9. Create strategies to retain judicial institutional memory.
10. Engage the Attorney General in identifying charging trends and impacts.
11. Monitor funding and identifying expenditures.

STATE REPORT: PROGRAM AND POLICY UPDATE

Office of Criminal Justice Collaboration

Del Sayles-Owen, Deputy Director, ADP Office of Criminal Justice Collaboration (OCJC), updated the Statewide Advisory Group on the following:

Regulations

- Permanent SACPA regulations became effective January 17, 2002.
- The meeting package contained an outline of proposed emergency regulations to implement the Substance Abuse Treatment and Testing Accountability (SATTA) program (Senate Bill 223, Chapter 721, 2001 Statutes). Regulations must be adopted by July 1, 2002. Direct comments to Peggy Blair at pblair@adp.state.ca.us.

SATTA Plans

- 51 plans have been received to date from county lead agencies.

Quarterly County Financial Status Reports

- 56 counties have submitted Quarterly Financial Status Reports.

Referrals to Programs Located Outside of California

- All County Lead Agency (ACLA) Letter #01-23 clarified the use of SACPA funds for counties along California borders where appropriate treatment is not available. SACPA-funded treatment may be provided for a California resident in a neighboring state, if that ADP has certified such programs.

Audits

- 16 counties have been audited; eight draft reports and one final report have been issued.

Data

- ADP tentatively plans to summarize data from ADP data sources on a quarterly basis. ADP data will be reconciled with data from BPT and other sources.
- Judge Stephen Manley will help with data relative to pre-treatment activities.

Public Education

- The research forum, convened in November 2001 by a consortium of foundations, emphasized the need for effective communication about SACPA and related research and evaluation activity.
- Volunteers for early planning on communication include Judge Stephen Manley, Captain James Cooper, Sushma Taylor, a representative from the County Alcohol and Drug Program Administrators Association of California (CADPAAC), and Dr. Peter Banyas.

SACPA County Allocations

Allocations for Fiscal Year (FY) 2002-03 will be issued to counties in the near future. The allocation methodology is based on population, treatment caseload, and arrest data. The formula is the same as for FY 2001-02, but data was updated to the most recent statistically valid year, and county allocations may vary from FY 2001-02.

Program Operations Division

Dual Diagnosis

Jesse McGuinn, Deputy Director, ADP Program Operations Division, provided an update on dual diagnosis activities:

- The existing Dual Diagnosis Task Force (DDTF) was created in 1997 to implement four pilot programs around the state, which are now completed.
- The Department of Mental Health and ADP are now examining issues and considering representation for a new statewide multi-disciplinary task force.

The Statewide Advisory Group suggested experts in the field who might participate on or provide input to the new DDTF. They further recommended that the new DDTF:

1. Examine issues of resource allocation and homelessness.
2. Address the differing views of mental illness held by the alcohol and other drug (AOD) field and by the mental health field, and the barriers these views create.
3. Improve how the AOD and mental health disciplines interface.
4. Address barriers, particularly regulatory barriers, when attempting to secure psychotropic medications and referrals for dually diagnosed clients.
5. Recognize that the DDTF is the appropriate avenue to address dual diagnosis issues, but criminal justice issues must be a priority.

EVALUATION ACTIVITIES UPDATE

Dr. Larry Carr, ADP Office of Applied Research and Analysis, and Dr. Douglas Longshore, University of California, Los Angeles, provided an update on SACPA evaluation activities. A review by the California Health and Human Services Agency (CHHSA) is scheduled for March 31, 2002.

Dr. Longshore reported that 24 counties had indicated interest in serving as focus counties, and all have been visited. Fourteen counties have met the selection criteria.

SUBCOMMITTEE REPORTS

Cross-Jurisdictional Subcommittee Report -- Judge Stephen Manley, Chairperson

Discussed was the issue of how to manage a person visiting California who commits a SACPA offense but who cannot remain in the state for treatment.

With regard to courtesy supervision, the 12 largest counties (Alameda, Contra Costa, Fresno, Los Angeles, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, Santa Clara, and Ventura) have been surveyed. Preliminary results of the survey were presented.

Parolee Subcommittee Report -- Bruce Slavin, Youth and Adult Correctional Agency; Co-Chairperson

The subcommittee discussed the following issues:

1. Provision of appropriate treatment to persons with dual diagnoses.
2. Process redesign currently under way by the California Department of Corrections (CDC) and BPT.
3. Development of a form to ensure a complete and accurate assessment of parolees.
4. Development of cross-training modules for providers involved with SACPA services.
5. Eligibility of SACPA clients for Parolee Services Networks (PSN) or Substance Abuse Services Coordinating Agencies (SASCA)

INFORMATION: COMMUNITIESFIRST GRANT

Karen Marsolais, University of California, San Diego, presented an overview of the three-year grant they received from The California Endowment to support SACPA implementation. Funding is for activities including:

- Proposition 36—"Making It Work! II" Conference (Spring)
- California lead agency implementation meeting (Fall)
- Technical assistance to local agencies
- Communication and public education plan

PROPOSED CALENDAR 2002: STATEWIDE ADVISORY GROUP MEETINGS

A future meeting schedule was distributed to Statewide Advisory Group, as follows:

March	San Diego (concurrent with "Making It Work" Conference)
April 2002	No meeting
May 10, 2002	Sacramento