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Substance Abuse Treatment Programs in the Criminal Justice System

LEGISLATIVE ANALYST'S OFFICE

Presented to:

Assembly Select Committee on Alcohol and
Drug Abuse

Hon. Jim Beall, Chair

Assembly Select Committee on Prisons and
Rehabilitation Reform

Hon. Alberto Torrico, Chair





Three Major Types of Substance Treatment Programs for Offenders

- Community-Based Diversion Programs.*** Programs provided to offenders in the community in lieu of prison or a jail sentence.
- In-Prison Programs.*** Programs provided to offenders while in state prison.
- Parolee Programs.*** Programs provided to parolees in the community, mostly on a voluntary basis, upon release from prison.



Community-Based Diversion Programs



Proposition 36 Programs

- **Overview.** Proposition 36 (the Substance Abuse and Crime Prevention Act of 2000) changed state law so that certain adult offenders who use or possess illegal drugs are sentenced to participate in drug treatment and supervision in the community rather than being sentenced to prison or jail.
- **Program Funding.** Since the enactment of Proposition 36, the annual state budget has provided between \$108 million and \$145 million in General Fund support for these programs. However, the 2009-10 budget reduced General Fund support to \$18 million, plus \$45 million in one-time federal grant funds. The Governor's budget for 2010-11 proposes to eliminate General Fund support for Proposition 36.
- **Program Evaluations.** Past studies indicate that state and local governments save about \$2.50 for every \$1 spent on Proposition 36 programs. Accordingly, the Legislature may wish to again consider allocating available federal funds to Proposition 36 purposes.



Drug Court Programs

- **Overview.** Generally, drug court programs combine judicial monitoring with intensive treatment services for nonviolent offenders, most of whom have offenses that are too serious to qualify for Proposition 36 programs.
- **Program Funding.** The 2009-10 budget includes \$28 million in General Fund support for drug court programs, which is roughly the same amount that has been provided over the past few years. The Governor's budget for 2010-11 proposes to maintain funding for the programs at \$28 million.



In-Prison Substance Abuse Treatment Programs

- Overview.** Upon admission to prison, inmates are screened for substance abuse problems and those deemed to be in need of services are placed in a drug treatment program.
- Program Funding.** General Fund support for in-prison substance abuse treatment programs has increased from \$43 million in 2006-07 to \$51 million 2009-10. The Governor's budget for 2010-11 proposes \$41 million for these programs.
- Program Capacity.** The number of substance abuse treatment slots in the prison system has more than doubled over the past ten years, from about 5,300 slots to over 12,000 slots. However, due to a reduction in program funding, the California Department of Corrections and Rehabilitation (CDCR) plans to provide fewer slots by 2010-11. The CDCR intends to use these slots to serve inmates for a shorter duration (from the current 12 months to 3 months).
- Program Evaluations.** In general, research from other states indicates that prison-based drug treatment programs reduce recidivism by 5 percent to 7 percent on average depending on the treatment model. However, the Office of the Inspector General (OIG) found in 2007 that such programs in California failed to produce a significant reduction in recidivism, mainly because of poor management by CDCR. According to the department, many of the problems identified by OIG have since been addressed.
- AB 900.** Chapter 7, Statutes of 2007 (AB 900, Solorio), authorized the construction of additional beds in the prison system and specified that these beds be supported by rehabilitation programming, including substance abuse treatment. Thus, depending on actions taken by the department, these beds could increase substance abuse treatment costs upon full implementation.



Parolee Substance Abuse Treatment Programs

- ☑ **Overview.** The CDCR administers six different programs that specifically provide substance abuse treatment services to parolees, such as residential treatment, outpatient counseling, and drug education. Most programs are offered on a voluntary basis, and some are offered as an alternative to revocation to prison.

- ☑ **Program Funding and Capacity.** The Governor's budget for 2010-11 proposes \$145 million in General Fund support for parolee substance abuse treatment programs. This amount is about \$12 million, or 8 percent, below the current-year level of spending for these programs and supports about 4,700 treatment slots. In addition, the Governor's budget includes about \$68 million for other programs that address a variety of parolee needs, which could include substance abuse treatment.

- ☑ **Program Evaluations.** In general, research from other states indicates that community drug treatment programs can reduce recidivism by about 12 percent. In addition, research suggests that linking community aftercare with in-prison drug treatment is the most effective approach. Most parole programs administered by CDCR have not been evaluated. However, a recent evaluation of one specific program found that parolees who participated in 90 days or more of aftercare recidivated at about half the rate of parolees who did not participate in the program.