CREATION: 022002
SOURCE : CAOXX
AGENDATE: 030502
INVENUM : 50416
RESOLUTN:
ORDINANC:
CONTRACT:
CONTINUE: 040902

INDEX -Letter of County Administrative Office dated February 20, 2002
-List of Target Population

ITEM 012. ACCEPTED AND FILED status report on costs associated with the Criminal Justice System processing of non-violent drug offenses and directed the County Administrative Officer to return on or before April 9, 2002 with a further report, as recommended by the County Administrative Officer

County of Santa Cruz

COUNTY ADMINISTRATIVE OFFICE

701 OCEAN STREET, SUITE **520,** SANTA CRUZ, CA **95060-4073**

(831) 454-2100 FAX: (831) 454-3420 TDD: (831) 454-2123

SUSAN A. MAURIELLO, J.D., COUNTY ADMINISTRATIVE OFFICER

Agenda: March 5, 2002

APPROVED AND FILED
BOARD OF SUPERVISORS
DATE: 3/5/02
COUNTY OF SANTA CRUZ
SUSAN A. MAURIELLO
EX-OFFICIO CLERK OF THE BOARD
BY Alicia Murillo DEPUTY

February 20, 2002

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Status Report on Evaluation of Criminal Justice Systems Costs Associated with Non-Violent Drug Offenses

Dear Members of the Board:

As your Board is aware, our office has been working with various representatives of the criminal justice system, the Health Services Agency, and the Criminal Justice Council (CJC) on an evaluation of costs incurred in the criminal justice system for crimes associated with non-violent drug offenses. This evaluation has also focused on whether these resources could be redirected to prevention and treatment programs pursuant to your Board's direction. The working group has met on several occasions to review a proposed methodology for the evaluation, to review case data, and to estimate the costs as your Board has requested. The group also spent considerable time discussing the various charges that would constitute the target population for the purposes of this evaluation and discussed the various treatment programs that are available for this population, including drug diversion, Drug Court, and Proposition 36. The following provides a status report on work to date on this project. A final report is in the process of being completed for review by the working group prior to submission to your Board.

In order to respond to your Board's direction, a target population was selected that includes all criminal charges for non-violent drug offenses and broadens the charges to include felonies as well as misdemeanor offenses. Attachment **1** provides a listing of the charges that were used for the purposes of this evaluation. Once the target population was determined, the working group discussed the processing of an individual within this population from the point of arrest to outcome. Arrest and filing statistics based on these charges were then compiled for all agencies within the County using 2000-01 data. Preliminary cost data was then developed utilizing these figures and other points of contact throughout the criminal justice system process. Court related costs were developed based on a single court component where all cases within the target population are now being processed.

Discussions relative to the development of this report have pointed out a number of interesting findings with regard to the way in which non-violent drug offenses are handled in Santa Cruz County. These include:

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- The implementation of Proposition 36 on July 1, 2001 has provided a mandate for treatment of first time drug offenders rather than incarceration which has resulted in a reduction in the population at the medium and minimum security detention facilities;

- The vast majority of individuals charged with personal use or simple drug offenses are placed into Proposition 36 programs, Drug Court, or diversion programs, all of which provide a range of treatment and counseling services based upon the individual offense;

- Although individuals charged with certain non-violent drug offenses may be incarcerated for a limited time prior to arraignment, most offenders are not sentenced to jail but rather diverted to treatment programs or placed in such programs;

- Representatives of the criminal justice system and the HSA Substance Abuse program believe that the current policies of the local criminal justice agencies and the Superior Court facilitate the entry of individuals charged with non-violent drug offenses into treatment alternatives and maximize the opportunities for utilizing the programs;

- Additional treatment programs and other resources are needed to address the needs of this population. Follow-up evaluation is critical to address the issues of recidivism and ongoing support needs;

- Individuals charged with a personal use or simple drug offense are not always eligible for treatment programs due to other criminal charges that disqualify them for alternative programs; and,

- There is a shared belief among the criminal justice system and health services representatives that drug and alcohol abuse is linked to approximately 80% of the individuals charged with all offenses within the criminal justice system and is often considered the underlying cause for the offense.

Based on our preliminary findings it appears that the funds currently expended in the criminal justice system for the target population provide a means for compelling individuals into treatment programs that may not be possible outside the sanctions of the criminal justice system. As a result, we do not believe that it would be practical to redirect these funds. The final report to your Board will provide further discussion of these issues.

It is therefore RECOMMENDED that your Board:

1) Accept and file this status report on the evaluation of costs associated with the criminal justice system processing of non-violent drug offenses; and,

2) Direct the County Administrative Officer to return on or before April 9, 2002 with a final report.

Very truly yours,,

SUSAN A. MAURIELLO
County Administrative Officer

cc: Criminal Justice Council of Santa Cruz County
Sheriff-Coroner
District Attorney
Public Defender
Probation
Health Services Agency

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ATTACHMENT 1

Taraet Population

A determination was made that the most accurate picture of criminal justice costs system associated with non-violent drug offenses would be obtained by focusing on individuals charged with the following offenses:

H&S 11350	Possession of a Controlled Substance	Felony
H&S 11358	Cultivation of Marijuana	Felony
PC 653f(d)	Solicit Sales	2nd Felony
H&S 11357(a)	Possession of Concentrated Cannabis (Hashish)	Misdemeanor
H&S 11357(b)	Possession of Less Than 1 *oz* of Marijuana	Misdemeanor
H&S 11357(c)	Possession of More Than 1 oz of Marijuana	Misdemeanor
H&S 11550	Under the Influence of a Controlled Substance	Misdemeanor
H&S 11364	Possession of Paraphernalia	Misdemeanor
H&S 11365	Presence During Unlawful Use	Misdemeanor
PC 653f(d)	Solicit Sales	1st Misdemeanor
PC 381	Possession /Use of an Inhalant	Misdemeanor
H&S 4060	Possession w/o Prescription	Misdemeanor
H&S 11368	Forged or Altered Prescriptions	Wobbler*
H&S 11377	Possession of Methamphetamine	Wobbler*

* Wobbler can be charged as a misdemeanor or a felony.