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# **BRIEFING MATERIAL**

## **CALIFORNIA DRUG AND SUBSTANCE ABUSE PROGRAMS AND POLICIES**

### **Requested By:**

**Senator John Doolittle  
Senate Minority Caucus**

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127462

**U.S. Department of Justice  
National Institute of Justice**

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CALIFORNIA LEGISLATURE

Senate

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February 12, 1990

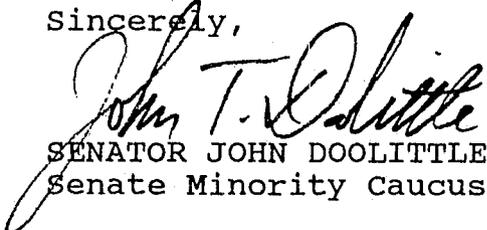
Dear Colleagues:

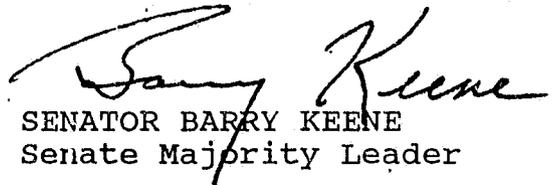
As Senate Majority Leader and Chairman of the Senate Minority Caucus, we are pleased to participate with the Senate Office of Research in the release of "Briefing Material, California Drug and Substance Abuse Programs and Policies."

Drug abuse is an incredibly complex problem and a prime issue for anyone concerned about the future. Its source is the large and growing traffic in illegal drugs, a whole pharmacopoeia of poisons hiding behind street names as innocent as grass, snow, speed, ice, horse and angel dust. It has taken lives, wrecked careers, broken homes, invaded schools, incited crimes, tainted businesses, toppled heroes, corrupted policemen, bled billions from the economy and in some measure infected every corner of our public and private lives.

These briefing materials are for your use, and have been designed to give you an overview of this enormous problem and to indicate the state's current policies and programs in this area.

Sincerely,

  
SENATOR JOHN DOOLITTLE, Chairman  
Senate Minority Caucus

  
SENATOR BARRY KEENE  
Senate Majority Leader

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# EXECUTIVE SUMMARY

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Few issues have received as much attention recently as has drug abuse. Several recent public opinion polls indicate that it is the number one concern of Californians. This report, "Briefing Paper, California Drug and Substance Abuse Programs and Policies", requested by the Senate Majority Floor Leader and the Chairman of the Senate Minority Caucus, examines California's programs and policies relating to drug abuse.

We hope this report will be useful to everyone interested in California drug policy, and will be used to form the basis for more effective prevention and control policies, thus reducing the possibility that innocent victims may pay the price of drug abuse. This report lays out facts; we do not make any policy recommendations.

To examine California's programs and policies, this report has been divided into five sections:

- Current Strategies;
- State Agency Activities;
- Legislative Activities;
- Proposed 1990 Ballot Measures; and
- Societal Problems Related to Drug Abuse.

## **CURRENT STRATEGIES**

Federal funding for drug control efforts has increased steadily throughout the 1980's. Until the Anti-Drug Abuse Act of 1986, 90 percent of the money was spent for supply reduction. With the passage of the Act of 1986, funding for both demand and supply reduction was greatly increased.

In September of 1989, President Bush announced the Administration's \$7.9 billion National Drug Control Strategy. This is a comprehensive plan of attack involving all basic, anti-drug initiatives and agencies. The strategy emphasizes the principle of user accountability.

The planning and coordination of California's statewide drug control strategy occurs at various state and local levels. Most funding for these efforts comes from federal grants and is generally distributed directly to the State Office of Criminal Justice Planning and State Departments of Education and Alcohol and Drug Programs.

The Governor's Policy Council on Drug and Alcohol Abuse annually publishes goals and priorities for the development and implementation of alcohol and drug treatment and prevention services for all state agencies. In addition, Senate Bill 2599 (Seymour), Chapter 983, Statutes of 1989, provides guidelines and a mechanism to help coordinate the statewide effort.

At the local level, most drug abuse programs are coordinated through the Suppression of Drug Abuse in Schools Program. This program requires coordination between local law enforcement agencies and school districts in order to apply for grant funding. Also at the local level, criminal justice agencies have initiated special drug control efforts such as Project DARE, that focus on prevention and education programs for school-age children.

### **STATE AGENCY ACTIVITIES**

There are eight state agencies that are directly involved in California's drug programs and policies:

- Department of Alcohol and Drug Programs;
- Department of Education;
- Department of Corrections;
- Department of the Youth Authority;
- Department of Justice;
- Military Department; and
- Office of Criminal Justice Planning.

Although eight agencies are involved, California's major drug control efforts remain vested in specific programs under the direction of the Office of Criminal Justice Planning and Department of Justice, Bureau of Narcotic Enforcement.

## **LEGISLATIVE ACTIVITIES**

The Legislature continues to be committed to coming to grips with the drug abuse problem. There are twelve committees in the Legislature that deal with the problem of drug abuse. During the 1989/90 Legislative Session, over thirty bills were introduced relating to drug abuse. These bills covered such areas as drugs in the schools, driving offenses, perinatal services and case management for children of drug addicted parents. A summary of these bills may be found in Appendix Five.

Two emerging issues for 1990 are, drugs in the workplace and substance exposed infants and they are also discussed in this section.

A recent Gallup Poll found that one in three employees believes that illegal drugs are sold at work, and one-fourth have either seen or heard of illegal drug use during work hours. As a result a majority of employees now are in support of some kind of drug testing in the workplace.

As the number of substance exposed children multiplies, researchers are uncovering a web of problems related to prenatal exposure to drugs. However, much is still not known of the long-term effects of such exposure. As more information is developed there will be a greater need to understand the requirements of these children as they become adults in our society.

## **PROPOSED 1990 BALLOT MEASURES**

With the continuing increase in the spread of illegal drugs throughout our society, several issues are proposed for the 1990 ballots to deal with this problem. These proposals range from "getting tough on crime" to legalizing all drugs. A discussion of each of these ballot proposals is included in this section.

## **SOCIETAL PROBLEMS RELATED TO DRUG ABUSE**

The widespread use and abuse of drugs has resulted in many problems that affect all of us. These problem include:

- Court overcrowding
- Increased crime
- Deteriorating public housing
- AIDS
- Gangs, and more

This section discusses these problems and others and how they are affecting all of us in society.

As an example, court overcrowding is resulting in a judicial system that is spending more and more time on drug-related cases at the expense of the civil court cases such as divorce and child custody. With the increase of crime and increased use of incarceration as a sentencing tool, prisons, jails and Youth Authority facilities throughout the state are growing more and more over-crowded.

This report is designed to be as comprehensive as possible, and many steps were taken to make sure that the information in this document is correct and up-to-date. From time to time this document will be updated as more information becomes available.

# CHAPTER ONE

## INTRODUCTION AND OVERVIEW

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### INTRODUCTION

Drug problems are a serious threat to our society. Resources committed to combat this threat in the public and private sectors through education, prevention, treatment and law enforcement are enormous. Approximately 2.1 million persons in California use illicit drugs or use drugs inappropriately, of which only approximately one-half are receiving treatment; 222,000 use their drugs intravenously, posing a serious threat in the spread of the AIDS virus.

The social cost of this problem include treatment, mortality, reduced productivity, lost employment, motor vehicle accidents, crime, and social welfare programs. It is estimated that the annual cost of this problem to California society is \$6 billion.

The human costs of this problem is immeasurable — the anguish of the family and friends of a person abusing drugs, the reduced quality of life for all involved, the impact of the problem on the community, and the increasing devastation of substance-exposed infants.

California is among the leaders in the nation in illegal drug production, manufacturing, sales, smuggling and use. We are not isolated in our problems, but the potential for expansion of this problem is unlimited due to the movement of gang affiliated drug traffickers, new smuggling routes, and the vast expanse of waterways that provide countless opportunities for importation.

Although this report focuses on illegal drugs, it must be remembered that alcohol and tobacco, legal drugs, are abused to a greater extent. In January of 1990 the Department of Alcohol and Drug Programs will be issuing a report on the unmet need for the treatment of alcohol and drug abusers.

For further information, see Appendix One, "Indicators of Alcohol and Drug Abuse Trends", Department of Alcohol and Drug Programs, April 1989.

## **OVERVIEW**

### Supply and Demand

To combat drug abuse and trafficking, the government employs a dual strategy aimed at simultaneously reducing the supply of illicit drugs and the demand for these drugs. This response emphasizes two approaches: (1) the traditional law enforcement approach to prevent illegal drug use designed to reduce the "supply" and illegal sale of drugs, and (2) the prevention approach that establishes education and training activities to decrease the "demand" for drugs and change social norms and influences regarding drug-related problems. The two approaches are illustrated below.

<u>SUPPLY</u>	<u>DEMAND</u>
<u>Law Enforcement Activities:</u>	<u>Education and Prevention Activities:</u>
<ul style="list-style-type: none"><li>• Arrest of offenders</li><li>• Drug seizures</li><li>• Assets forfeiture</li><li>• Minimum age laws</li><li>• Penalties for misuse</li><li>• Arrest of dealers</li><li>• Crop eradication</li></ul>	<ul style="list-style-type: none"><li>• School-based curricula</li><li>• Parent training</li><li>• Drug and alcohol education</li><li>• Community education</li><li>• Service training</li><li>• Public service messages</li><li>• Informational publications</li></ul>

### *Supply*

Drug supply reductions are aimed at reducing the availability of drugs along the entire distribution chain from field and laboratory to consumer.

The long-term objective is to reduce the availability of drugs to such an extent that drug abuse is inhibited. Successful law enforcement actions along these lines increases the costs and risks for drug traffickers. In the short-term, objectives are to:

- Deter drug trafficking and use through enforcement actions;
- Disrupt trafficking networks; and
- Displace established production sources, trafficking routes, and trafficking methods.

### *Demand*

Reducing the demand for drugs has been increasingly recognized as a crucial element in the government's effort to reduce drug abuse. Most law enforcement and health officials agree that efforts to reduce the supply of illegal drugs cannot succeed as long as the demand for drugs in our society is so great.

There are two major components to the demand reduction strategy — prevention and treatment.

### *Drug Abuse Prevention*

Prevention may be defined as activities, programs or policies aimed at enabling people to stay healthy and encouraging communities to strengthen environments which promote health and change those conditions which predispose individuals to develop problems. Prevention involves public awareness and drug education.

### *Drug Abuse Treatment*

Treatment programs are designed to and directed at overcoming the physical problems of drug addiction and providing psychological and social counseling to help the individual drug abuser live without drugs.

As we focus on supply-and-demand-reduction objectives, we should not abandon the hope of eventually achieving a "drug-free America," or at least substantially reducing drug abuse, and continuing to seek long-term solutions.

## **CONCLUSION**

There is no simple formula for preventing drug abuse within our communities. It takes time, energy and resources to identify the problems and implement strategies to overcome them. For this to happen, as many different people and organizations as possible need to be involved in the process — working together, not in isolation or, worse yet, in competition with each other.

# CHAPTER TWO

## CURRENT DRUG STRATEGIES

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### FEDERAL FUNDING STRATEGY

Throughout the 1980s, there were large increases in resources for the federal drug effort, most of which were aimed at reducing the supply of drugs through law enforcement efforts. Before the Anti-Drug Abuse Act of 1986, monies for federal efforts climbed from \$1.2 billion in 1981 to \$2.3 billion in 1986. Of the total increase in federal drug control money, about 90 percent was for supply reduction.

With the passage of the Anti-Drug Abuse Act of 1986, authorized funding for the federal effort was greatly increased for both demand and supply reduction efforts. Authorized resources for the total federal drug effort climbed to nearly \$4 billion in fiscal year 1987.

With the passage of the \$1.3 billion Anti-Drug Abuse Act of 1988, the federal effort for 1989 climbed even higher. At the current time the total amount has not been determined.

In 1990, the states will receive \$2.2 billion in federal anti-drug abuse grants alone, an increase of \$868 million or 66 percent over last year's funding.

For the distribution of funds, see Appendix Two.

### Federal Anti-Drug Abuse Act of 1986

The Anti-Drug Abuse Act of 1986 was signed by the President on October 27, 1986, and is identified as Public Law 99-570 (PL 99-570). PL 99-570 authorized \$600 million nationally in federal funds for distribution to state and local agencies for the enforcement of drug laws, drug abuse treatment, rehabilitation, and prevention and education programs.

The State's Anti-Drug Abuse Program funded by PL 99-570 is a major part of California's comprehensive effort to combat alcohol and drug abuse. This effort includes enforcement and prevention activities administered by the Office of Criminal Justice Planning (OCJP), prevention and treatment services administered by the Department of Alcohol and Drug Programs, and prevention education programs administered by the Department of Education. Of the \$600 million available nationally, \$50,572,137 was distributed directly to the State Office of Criminal Justice Planning and State Departments of Education and Alcohol and Drug Programs in the amounts indicated by the following table. In addition, \$1.4 million was transferred to the Office of Criminal Justice Planning and \$250,000 to the Department of Youth Authority from the Department of Alcohol and Drug Programs by inter-agency agreement.

<b>Total PL 99-570 funds</b>	<b>\$50,572,137</b>
Department of Alcohol and Drug Programs	\$22,787,000
Department of Education	\$10,919,137
Office of Criminal Justice Planning Direct grant funds	\$16,866,000
The total \$50,572,137 was obligated by program activity as indicated below:	
<u>Enforcement</u>	
Office of Criminal Justice Planning	\$16,866,000
<u>Treatment and Rehabilitation Services</u>	
Department of Alcohol & Drug Programs	\$11,233,000
<u>Education and Prevention</u>	
Department of Education	\$10,919,137
Department of Alcohol & Drug Programs	\$ 9,904,000
Office of Criminal Justice Planning	\$ 1,400,000
Department of Youth Authority	\$ 250,000

Federal Anti-Drug Abuse Act of 1988

The Anti-Drug Abuse Act of 1988 (Public Law 100-690) was signed by the President, November 18, 1988. This law provides for enhanced anti-drug enforcement efforts, reauthorizes and expands federal programs dealing with drug abuse education, prevention and treatment. Provisions are also included aimed at reducing drug production in and trafficking by foreign nations.

PL 100-690 authorized \$991 million nationally. Of the funds available nationally, \$132,912,000 was distributed directly to the State Office of Criminal Justice Planning and State Departments of Education and Alcohol and Drug Programs in the amount indicated by the following table:

<b>Total PL 100-690 funds</b>	<b>\$132,912,000</b>
Department of Alcohol and Drug Programs	\$77,806,000
Department of Education	\$21,000,000
Office of Criminal Justice Planning Direct grant funds	\$15,559,000
Department of Mental Health	\$18,547,000
The total \$132,912,000 was obligated by program activity as indicated below:	
<u>Enforcement</u>	
Office of Criminal Justice Planning	\$10,735,000
<u>Juvenile Justice Delinquency Prevention</u>	
Office of Criminal Justice Planning	\$ 4,824,000
<u>Education and Prevention</u>	
Department of Education	\$21,000,000
Department of Alcohol and Drug Programs	\$24,832,000
<u>Treatment and Rehabilitation Services</u>	
Department of Alcohol and Drug Programs	\$52,974,000
Department of Mental Health	\$18,547,000

## **NATIONAL DRUG CONTROL STRATEGY**

On September 5, 1989, President George Bush presented the Administration's 1989 National Drug Control Strategy for congressional consideration and action.

The National Drug Control Strategy describes a coordinated and comprehensive plan of attack involving all basic, anti-drug initiatives and agencies. The Strategy recommends the largest dollar increase in the history of the drug war — nearly \$2.2 billion — and will cost nearly \$7.9 billion. Throughout, the Strategy emphasizes the principle of user accountability — in law enforcement focused on individual users; in decisions regarding sentencing and parole; in school, college, and university policies regarding the use of drugs by students and employees; in the workplace; and in treatment.

The Strategy also calls for increased efforts in cocaine source countries and a more active international campaign by the United States to engage other nations in the fight against drugs. Interdiction efforts will be better targeted on key individuals in the drug organizations and on high-value shipments.

Another major priority is increasing the capacity of the drug treatment system and making it more accountable for its results. Significant emphasis is also given to providing increased support for prevention and education efforts aimed at helping young people and others resist and reject drugs.

For a detailed summary of the National Drug Control Strategy see Appendix Three.

On December 29, 1989 Attorney General Thornburg announced that California will get \$39.7 million as a part of the Bush administration's efforts to help communities attack the drug problem at the point of consumption. This is nearly \$30 million more than the \$10.8 million received last year.

Nearly 65 percent of the money will go to local law enforcement and will be divided among the communities based on a formula that analyzes population and crime severity from the state's crime index reporting system.

The remaining 35 percent will go to state agencies to be used by law enforcement. The Justice Department said the money will support 36 projects throughout California involving numerous types of anti-drug enforcement activities.

## **CURRENT CALIFORNIA DRUG STRATEGY**

The planning and coordination of California's statewide drug control strategy occurs at various state and local levels. The purposes of the planning and coordination are to:

- Identify needs and set priorities for funding these needs;
- Assure efficient use of funds; and
- Avoid duplication of effort.

Most funding for anti-drug abuse efforts comes from federal grants such as the Federal Anti-Drug Abuse Act of 1986. This money is generally distributed directly to the State Office of Criminal Justice Planning and State Departments of Education and Alcohol and Drug Programs.

### State Level Coordination

#### *Governor's Policy Council on Drug and Alcohol Abuse*

The Governor's Policy Council on Drug and Alcohol Abuse was established in February 1988 to annually publish goals and priorities for the development, funding and implementation of alcohol and drug control, treatment and prevention services and programs for all state agencies. The Council is composed of the Director of the Department of Alcohol and Drug Programs (chairperson), Superintendent of Public Instruction, Director of the Department of Corrections, Director of the Department of the Youth Authority, Director of the Office of Traffic Safety, Director of the Office of Criminal Justice Planning, and the Attorney General. The Council is mandated to insure that state and federal drug and alcohol abuse funds are applied to enhance to the greatest extent possible, the programs of public agencies and agencies concerned with drug and alcohol abuse, prevention, treatment and

enforcement, and avoid duplication of effort. The integrated annual plan for alcohol and drug prevention, treatment and control programs and services insures the effective implementation of such programs and services, and the cost effective expenditure of state and federal funds.

#### *Governor's Discretionary Committee*

The Anti-Drug Abuse Act of 1986, PL 99-570, required that 30 percent of the Drug-Free Schools and Communities Act (DFSC) funds distributed to California be available for allocation at the Governor's discretion. A committee consisting of the directors of the Departments of Alcohol and Drug Programs, Youth Authority and the offices of Criminal Justice Planning and Traffic Safety, known as the Governor's Discretionary Committee, was established by the Governor. The Committee met over a period of several months to determine how the Governor's 30 percent discretionary funds should be allocated.

#### *Anti-Drug Abuse Coordinating Committee*

State agencies charged with the implementation of drug/alcohol prevention, enforcement, treatment, and education programs also established a coordinating committee to ensure statewide collaboration of their efforts. The Anti-Drug Abuse Coordinating Committee is composed of representatives from the Department of Alcohol and Drug Programs, the Department of Education and the Office of Criminal Justice Planning. Committee meetings provide a forum for discussion of each department's planning for anti-drug abuse activities. Through this mechanism, the agencies involved assure that there is no duplication of effort or expenditure.

#### *Office of Criminal Justice Planning (OCJP)*

Additional statewide coordination and cooperative efforts occurred when California implemented the federal Anti-Drug Abuse Program administered by OCJP. OCJP required all multi-component propos-

als and all single component proposals with more than one participating agency to include an operational agreement within the application package. The purpose of the agreement is to specify the working relationship among the agencies participating in the project, clarify the commitments of each agency, and ensure ongoing cooperation.

#### *Superintendent of Public Instruction's Drug/Alcohol Advisory Council*

The Superintendent's Drug/Alcohol Advisory Council was established through the Superintendent's office for the purpose of advising the Superintendent on policy matters regarding drug and alcohol abuse in the public school system. Members of this Advisory Council include representatives from: Office of Criminal Justice Planning; Department of Alcohol and Drug Programs; Office of the Attorney General; County (Health) Alcohol and Drug Program Administrators; Higher Education; National Educational Association - California Teachers Association, American Federation of Teachers - California Federation of Teachers; Parent Teachers Association; Scott Newman Foundation; County Offices of Education; School Districts; Parents for Drug-Free Youth; and Pros for Kids.

#### *Department of Alcohol and Drug Programs (DADP)*

DADP, in partnership with county governments and with numerous private and public agencies, organizations, groups and individuals, provides leadership and coordination in the planning, development, implementation and evaluation of a comprehensive statewide drug abuse prevention, intervention and treatment system. DADP is the state's central information resource on drug abuse prevention, treatment and research. DADP disseminates this information to any person, organization or public agency interested in drug prevention or treatment. As a central information resource, DADP helps prevent the duplication of effort and resources.

*Office of Criminal Justice Planning State Suppression of Drug Abuse in Schools Advisory Committee*

The State Suppression of Drug Abuse in Schools Advisory Committee was established as part of the Suppression of Drug Abuse in Schools Program by Chapter 7, beginning with Section 13860 of the California Penal Code. Representatives from the Department of Alcohol and Drug Programs, the Department of Education, the Attorney General, the Superintendent of Public Instruction and other Governor's appointees hold positions on this committee. The committee is responsible for reviewing proposals for funding and for making funding recommendations to the Office of Criminal Justice Planning Executive Director.

*Senate Bill (SB) 2599*

SB 2599 was approved by the Governor September 19, 1988. The purpose of the act was to amend section 11751.4 of, and to add Division 10.6 (beginning with Section 11998) to, the Health and Safety (H&S) Code. The basis of the act was the belief that for drug and alcohol problems to be solved, a comprehensive and cooperative effort must be made at every level: national, state, community, school and in the home. Since there are insufficient resources to fully address the drug and alcohol problem, existing services and resources must be coordinated and unnecessary duplication eliminated.

The purpose of the bill was to make a legislative declaration that drug and alcohol programs have many areas of common concern and to create the desired coordination. The act requires that:

- Combined meetings of the State Advisory Board on Drug Programs and the State Advisory Board on Alcohol-Related Problems be held twice a year; combined meetings of county alcohol and drug advisory boards be held twice a year [11751.4(b) H&S];

- Priority in allocating state funds be given to those counties which have established a substance abuse enforcement team;
- Every state agency that offers drug and alcohol abuse services or financial assistance report annually to the Legislature on its efforts to achieve goals specified in the bill;
- The State Department of Alcohol and Drug Programs (DADP) (1) send copies of its enacted form to all program providers, (2) designate a statewide resource center to assist counties in their preparation of drug and alcohol abuse plans, (3) maintain copies of all plans submitted and (4) maintain an updated list of state-funded programs;
- The Senate Office of Research summarize drug and alcohol abuse laws for the use of the Legislature and the Department; and
- The Auditor General audit the State Department of Alcohol and Drug Programs and counties to determine their progress toward meeting master plan goals and report findings to the Legislature by January 1, 1993.

In addition to these specific requirements, Section 11998.1 (H&S) specifically sets forth the desired long-range goals of a five-year master plan to eliminate drug and alcohol abuse in California. Although the goals in this section are advisory, it is the intent of the Legislature that the goals be addressed to the extent possible by each county and by state government. Section 11998.2 (H&S) authorizes and encourages the board of supervisors in each county to adopt a long-range five-year drug and alcohol abuse plan, combining the drug and alcohol components, and, to the extent possible, include specified advisory goals within the plan.

Section 11998.3 (H&S) further states that the budget augmentation for the Department of Alcohol and Drug Programs to perform specially mentioned serviced shall be expended only upon completion and

public issuance of the State Master Plan to Reduce Drug and Alcohol Abuse.

In response to SB 2599, the Five-Year State Master Plan to Reduce Drug and Alcohol Abuse: Year One was developed. This first plan was necessary due to a lack of consistent information regarding what the various state and local agencies are currently doing to achieve the five-year goals stated in the legislation, and is thus preliminary. In the near future, data regarding current efforts or activities associated with the master plan goals will be collected through an inter-agency survey. Information will then be available on the number of agencies responding to a goal and the magnitude of those responses. In addition, it is expected that agencies will identify goals that should be deleted or revised.

The current status of the project is as follows:

The Department of Alcohol and Drug Programs (DADP) has analyzed the SB 2599 legislation and taken steps necessary to comply with the legislation.

DADP has developed the Five-Year State Master Plan to Reduce Drug and Alcohol Abuse: Year One. The first year plan provides baseline data and outlines a strategy toward meeting the goals of SB 2599.

Members of the Governor's Policy Council on Drug and Alcohol Abuse and staff from the office of Senator Seymour are working with DADP to develop and implement a mail survey to collect data from agencies regarding responses to meeting goals of SB 2599.

DADP has prepared a report to the Legislature describing the responses by state agencies to meeting the goals of SB 2599. This report, California Master Plan to Reduce Drug and Alcohol Abuse: Year Two, was published in January 1990, and is available from the Department of Alcohol and Drug Programs.

See Appendix Four for a copy of SB 2599, a draft of the state agency responses to the Drug and Alcohol Survey, and the Executive Summary, Chapter One and Chapter Five of the California Master Plan to Reduce Drug and Alcohol Abuse: Year Two.

#### *Other State Activities*

Other state level coordinating activities include review of expenditure program plans by the State Advisory Board on Alcohol Problems and the State Advisory Board on Drug Programs. In addition, coordinated administration and information sharing of the Drug-Free Schools and Communities Act funds by the Departments of Alcohol and Drug Programs (ADP), Youth Authority and Education and the Office of Criminal Justice Planning assures that there is no duplication of effort and that the programs are effectively administered.

More formal coordination is achieved through inter-agency agreements between ADP, the Department of Youth Authority and the Office of Criminal Justice Planning.

#### Local Coordination

##### *Suppression of Drug Abuse in Schools Program (DSP)*

The Suppression of Drug Abuse in Schools Program (DSP) requires coordination between local law enforcement agencies and school districts in order to apply for grant funding.

This program requires a coordinated effort between its activities and the county Drug and Alcohol Administrators in order to avoid duplication of efforts and overlap in services.

The DSP requires grant applications to describe their coordination efforts with other state funding sources, i.e., the Department of Alcohol and Drug Programs School/Community Primary Prevention Program and the Department of Education's Drug Free Schools and

Communities Act entitlement funds. Signed letters of cooperation by the chief executive of the law enforcement agency and the school district must be included in the grant application.

A local Suppression of Drug Abuse in Schools Advisory Committee, appointed by the County Board of Supervisors must review the DSP grant application before it is submitted to the Office of Criminal Justice Planning. This committee is composed of (at a minimum:) local school administrators, law enforcement officials, county drug administrator, teachers, parents, students, etc.

#### *Department of Education - Entitlements*

In order to receive funding at the local level, through the Department of Education's entitlement process, districts/consortia need to assure coordination of their prevention efforts with state and local drug and alcohol programs, as well as health and law enforcement agencies. Required school-based local advisory committees include broad-based community representation including: parents, teachers, local government officials, medical professions, law enforcement personnel, community-based organizations, and other groups with interest and expertise in the field of drug abuse education and prevention.

#### *Other Local Coordination*

Also on the local level, criminal justice agencies have initiated special drug control efforts focusing on prevention and education programs for school-age children. For example, in 1983 the Los Angeles Unified School District and the Los Angeles Police Department jointly created the Drug Abuse Resistance Education Project (project DARE). The Attorney General's Commission on the Prevention of Drug and Alcohol Abuse supports comprehensive prevention education curriculum in kindergarten through twelfth grades.

In addition, every county has designated a county drug program and alcohol program administrator. Part of the administrator's responsi-

bility is to be knowledgeable about all anti-drug and alcohol abuse activities or services occurring within his or her county. The administrators are active in assuring that there is no duplication of programs or expenditures in the county. To assist the county administrators, every county has an advisory committee on drug programs and an advisory committee on alcohol problems. Advisory committees meet regularly to, among other things, determine local needs, promote efficiency and advise the administrator on funding priorities.

# CHAPTER THREE

## STATE AGENCY ACTIVITIES

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### DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

The Department, in partnership with county governments and in cooperation with numerous private and public agencies, organizations, groups and individuals, provides the leadership and coordination in the planning, development, implementation and evaluation of a comprehensive statewide alcohol and drug abuse prevention, intervention, detoxification, recovery and treatment services delivery system. The Department is responsible for the licensing of methadone programs, multiple offender drinking driver programs and alcoholism recovery facilities. In addition, the Department certifies alcohol and drug abuse programs meeting state standards for service quality.

The Department is organized into three major program areas: Alcohol Programs, Drug Programs and Administration. These programs monitor the effectiveness and cost efficiency of the statewide network of services administered by county governments to approximately 300,000 Californians served each year by alcohol and drug abuse service providers. In addition, the Department implements extensive prevention strategies and carries out special projects and programs designed to reduce the incidence of alcohol and drug abuse in the general population with special emphasis directed toward youth, women, the disabled, ethnic minorities and the elderly. The intended outcome of these efforts is to reduce the socioeconomic cost to Californians, estimated at \$17.7 billion annually, as a result of alcohol (\$11.7 billion) and drug abuse (\$6.6 billion).

#### Drug Program

The objectives of the Drug Program are to provide a network of services for both the general population and special target groups in the areas of prevention of narcotic and drug abuse and in the care, treatment and rehabilitation of narcotic addicts and drug abusers. Programs are designed to reduce the incidence of narcotic

addiction and drug abuse among their clients and participants and to assist persons impaired by narcotic addiction and drug abuse to become drug-free and to attain adequate personal and social functioning. Three goals of the methadone program are to increase the compliance rates of methadone clinics, to investigate all complaints related to the operations of the program and to establish fees which will fully support this program.

The Drug Program Administrator of each county has the responsibility to administer all drug program funds allocated to the county under Division 10.5 of the Health and Safety Code. Additional responsibilities include preparation of the County Drug Program Plan and general supervision over local drug program services provided under the plan; submission of an annual report to the county board of supervisors, reporting all activities of local drug programs, including a financial accounting of expenditures and a forecast of anticipated needs for the ensuing year; and special studies for the prevention and treatment of drug abuse.

The Department's Division of Drug Programs is currently preparing a report to the Legislature on California's unmet need for drug treatment services. This report was required by the Legislature in the Supplemental Report of the 1989 Budget Act and will be submitted around the first of the year.

### Prevention

The objective of the Prevention element is to reduce drug use and to reduce the incidence of drug abuse through primary prevention and early intervention programs. Specific activities include the development and implementation of community-based preventive service programs which emphasize primary prevention, prevention education, intervention, public information, drug abuse consultation and community organization services to families, women, the elderly, children and youth and other special population groups within a multi-cultural context. Prevention efforts are coordinated with the State Department of Education and local school systems to encourage sound community and school-based prevention programming. Prevention programs are funded from two sources: state drug abuse funds and federal drug program funds that are administered by the State, either directly or by state-county agreements.

## Treatment and Rehabilitation

The objective of the Treatment and Rehabilitation element is to increase the personal and social functioning of narcotic addicts and drug abusers. Programs funded by the State are located in communities throughout California. These programs provide detoxification, methadone maintenance, counseling, housing and family counseling. Treatment and rehabilitation programs are funded from state drug abuse funds and from the Federal Block Grant.

## State Administration

These activities relate to the process of providing management of the statewide drug abuse program including the administration of state and federal funds, approval and disapproval of county drug program plans and budgets, the development and implementation of methadone program licensing regulations, the development of model programs, certification of programs, assisting in assuring county compliance with federal and state disabled access and civil rights laws, and regulations and the provision of technical assistance and training. The Division of Drug Programs also sponsors and encourages research and develops the State Drug Program Plan and Annual Report to the Legislature. In addition, the Division coordinates an Employee Assistance Program with services designed to assist employees to recognize and address personal problems, including alcohol and drug related problems which impair job performance.

## Special Projects

The School-Community Drug Abuse Program is a special project conducted using State General Funds. The project provides for community-based drug abuse primary prevention programs. Emphasis is placed on youth, families and community-wide drug abuse prevention planning.

Expenditures: 1989/90

The Department of Alcohol and Drug Programs had the following expenditures relating to substance abuse treatment and prevention in fiscal year 1989/90:

Treatment and Rehabilitation Services	\$40,168,000
Prevention and Education	\$24,832,000
County Administration	\$ 3,047,000
State Administration/Special Projects	\$ 4,843,000
Office of Criminal Justice Planning	\$ 4,666,000
Department of the Youth Authority	\$ <u>250,000</u>
<b>TOTAL:</b>	<b>\$77,806,000</b>

For further information contact:

Department of Alcohol and Drug Programs  
111 Capitol Mall  
Sacramento, CA 95814  
Drug Programs 916-322-6690  
Alcohol Programs 916-445-1125

**DEPARTMENT OF EDUCATION**

Since the 1880s, some form of school-based drug education has been mandated by state law. In the late 1960s, the Education Code was amended to require, as part of the course of study in California, "health...including the effects of alcohol, narcotics, drugs, and tobacco upon the human body" (Education Code Sections 51202, 51203). State law places the primary responsibility for coordinating these educational programs with the State Department of Education. Although the role of the Department is significant, the authority for implementing curriculum standards lies at the local district level.

## Drug Free Schools and Communities Act (DFS)

The Department of Education's share of the Drug Free School and Communities Act (DFS) funds are currently allocated to three primary components as required by federal law. The first component is the Local Assistance Entitlement Program, consisting of financial entitlements to districts which develop a drug and alcohol abuse prevention plan. The second component consists of providing drug and alcohol program assistance and information to California school districts. The third component is program administration through the Department's Critical Health Initiatives Unit.

During 88/89, the Department received \$13.4 million for use under this Act.

For an in-depth evaluation of the Department's use of these funds see:

Drug Free Schools and Communities Act  
1988/89 Evaluation Progress Report

or contact:

Robert Ryan, Administrator  
Critical Health Initiatives Unit  
Department of Education  
(916) 322-4018

## **DEPARTMENT OF CORRECTIONS**

More than 133,000 individuals are under the direct supervision of California's Department of Corrections (CDC). On May 1, 1989, there were over 80,000 inmates housed in CDC's 17 prisons, 38 conservation camps and community programs. Over 53,000 parolees are supervised in their communities and in special residential programs.

A vast majority of these persons have histories of substance abuse. Estimates range between 60-90% of all inmates and parolees experience, or have experienced, serious problems related to their abusing of alcohol and other drugs. In the past 2 to 3 years, over 60% of all parolees returned to custody were returned to

prison for drug use-related violations. Many more parolees were convicted of new offenses which were drug abuse-related.

The Department of Corrections is committed to the development of a multifaceted public-private comprehensive substance abuse program that strives to give balanced attention and resources to control, enforcement, education and treatment. The goals of this program are to further promote public safety and to improve the effectiveness of Department operations through the reduction of substance abuse related problems among inmates and parolees.

Expenditures: 1989/90

The Department of Corrections had the following expenditures in fiscal year 1989/90 for substance abuse programs:

<u>ITEM</u>	<u>AMOUNT</u>
Substance Abuse Revocation Diversion (SARD)	\$ 2,756,300
Substance Abuse Treatment Unit (SATU) Region 1	1,250,000
12 Step Coverage ( 4 month est.)	65,000
Parole Case Work Contracts (Non-SARD)	4,414,245
Parole Urinalysis	1,626,658
Civil Addict Program	<u>1,056,000</u>
<b>TOTAL:</b>	<b>\$11,168,203</b>

For further information see:

Substance Abuse Treatment and Education Services for Inmates  
and Parolees, A Report to the Legislature  
Department of Corrections  
December 1989

or contact:

Department of Corrections  
Office of Substance Abuse Programs  
1515 S Street, Suite 200  
Sacramento, CA 95814  
ATTN: Ron Filiault 916-737-3709

## **DEPARTMENT OF THE YOUTH AUTHORITY**

An estimated eighty-five percent of the youth offender population have been involved with drugs and/or alcohol. Therefore, substance abuse education programs have been established in all institutions and camps, and treatment programs have been expanded. Many wards may not be paroled until they have completed a formalized substance abuse program.

In recognition of the increased danger of drugs and alcohol abuse to the public, parole activities have been reorganized to enhance supervision on the streets. Agents also now conduct an average of 4,780 drug tests every month, with violators facing a variety of sanctions, including return to an institutional setting.

Special gang suppression units work with law enforcement in efforts to eradicate drug trafficking in many inner-city neighborhoods, assisting with identification and other support activities.

In fiscal year 89/90 the Youth Authority spent \$14 million on substance abuse related programs.

## **DEPARTMENT OF JUSTICE**

California's major drug control efforts remain vested in specific drug enforcement programs under the direction of the California Department of Justice (DOJ), Bureau of Narcotic Enforcement (BNE).

The Bureau's objective is to use its resources to combat the complex problems associated with arresting and prosecuting major drug dealers, clandestine drug manufacturers and violators of prescription drug laws. The BNE maintains nine field offices and participates in nineteen task forces in California.

BNE's operational activities are carried out through eight programs:

- Special Operation Units — develops sources of information to identify the structure and members of intrastate, multi-jurisdictional crimi-

nal organizations trafficking in controlled substances. Agents investigate these criminal organizations, sometimes in conjunction with local or federal authorities.

- The Clandestine Laboratory Program — designed to combat the growing number of illicit laboratories which produce methamphetamine, phencyclidine, fentanyl analogs, and process cocaine. Clandestine lab teams are assigned to nine areas through the State.
- Task Forces — brings together city and county narcotic enforcement officers by furnishing state leadership and appropriate supplemental resources to overcome inter-jurisdictional narcotic trafficking problems.
- Asset Forfeiture/Financial Program — conducts financial investigations against drug traffickers and seizes assets for forfeiture proceedings.
- Campaign Against Marijuana Planting (CAMP) — program was implemented in 1983 for inter-agency marijuana eradication.
- Triplicate Prescription Program — controls and monitors the distribution of certain controlled substances through the use of state-issued triplicate prescription blanks.
- Diversion Program — designed to prevent diversion of legal prescription drugs into illegal markets.
- Precursor Reporting — allows DOJ to track the sale and distribution of certain chemical precursors necessary for the manufacture of illegal substances.

Additionally, DOJ has established the Western States Information Network (WSIN). This project is a unified narcotic intelligence effort of the states of California, Oregon, Washington, Alaska, and Hawaii. Its purpose is to increase law

enforcement effectiveness in identifying and reducing narcotic related crimes by collecting, analyzing, automating, and disseminating information relative to narcotic enforcement.

Expenditures: 1989/90

Department of Justice expenditures are broken down into two components, prevention and enforcement. The amount for each component in 1989/90 was:

Prevention	\$ 350,000
Enforcement	\$24,000,000

For further information contact:

Department of Justice  
1515 K Street, Suite 511  
Sacramento, CA 95814  
Jack Dugan (Prevention) 916-322-2735  
Joe Doane (Enforcement) 916-739-5445

**MILITARY DEPARTMENT**

The Military Department of California is also involved in drug-related activities through the California National Guard. The California National Guard provides non-law enforcement type support which augments the United States Custom Services narcotic interdiction efforts. Funds are used for sustained surveillance and intelligence gathering to help disrupt and reduce drug trafficking operations. The amount of expenditures is not available to the public.

**OFFICE OF CRIMINAL JUSTICE PLANNING**

California's major drug control efforts remain vested in specific drug enforcement programs under the direction of the Governor's Office of Criminal Justice Planning (OCJP) and the California Department of Justice (DOJ) Bureau of Narcotics Enforcement.

OCJP is committed to achieving the Governor's goal of making California a safer place to live by providing leadership and direction in:

- Developing state-of-the-art approaches for justice systems, crime prevention and victim services program;
- Providing technical assistance to ensure effective program management;
- Disseminating information on successful program models;
- Conducting conferences and seminars on programs and issues of mutual interest among criminal justice agencies and other public and private organizations;
- Conducting research, crime analyses and program evaluations; and
- Developing publications on crime prevention, victimology and victim services for statewide distribution.

OCJP is organized into six service-oriented branches addressing the above activities through federal, state and local resources:

Anti-Drug Abuse Branch  
Crime Prevention Branch  
Crime Suppression Branch  
Juvenile Justice Branch  
Sexual Assault and Child Abuse Branch  
Victim/Witness and Domestic Violence Branch

The following is a brief summary of the first four branches, which deal with drug-related issues.

#### Anti-Drug Abuse Branch

Drug abuse is a major concern facing the California Criminal justice system today. The goal of the Anti-Drug Abuse Branch is to reduce drug abuse and drug-related criminal activity in a comprehensive and coordinated manner. Grant funds are provided to law enforcement, prosecution and probation agencies and the courts to enhance and expand state and local projects designed to reduce illegal drug possession, production, manufacturing, trafficking and sales. Funds are granted

to single agencies, multiple agencies of the same type, or multi-disciplinary agencies working cooperatively. There are currently 38 grants. Program strategies include:

- Street sweeps programs;
- Sting programs;
- Buy/Bust programs;
- Vertical prosecution;
- Court delay reduction programs;
- Intensive supervision;
- Pre-sentence investigations;
- Narcotics task forces;
- Pretrial intensive supervised release; and
- Crime laboratory security.

California is entering the second year of program operation of the Anti-Drug Abuse Act of 1986. In 1987, OCJP committed to existing projects continuous funding for a period of three years. Therefore, the 38 grant projects will continue to address drugs and crime targeting four identified groups:

Major drug offenders;  
Mid-level drug offenders;  
Street-level drug offenders; and  
Gang-related drug offenders.

### Crime Prevention Branch

While the goal of eliminating crime and the fear of crime is difficult to achieve, crime can be prevented and the fear of crime can be reduced. With an effective crime prevention strategy, a potential victim can avert or prevent crime by anticipating an attack and taking the necessary steps to eliminate or reduce the opportunity for it to occur.

### *Suppression of Drug Abuse in Schools*

The Suppression of Drug Abuse in Schools program is designed to provide financial and technical assistance to law enforcement and school districts to reduce drug abuse and drug trafficking in and around schools. The program is designed to attack both the supply and demand for drugs through prevention, intervention and suppression activities. Currently there are 60 funded projects. Each funded project is designed to:

- Increase drug traffic intervention activities and strategies;
- Increase teachers and students' awareness of drugs and their effects through the use of tested drug abuse education curricula;
- Prevent drug abuse by providing family-oriented programs;
- Train school and law enforcement staff to handle drug-related problems; and
- Develop a coordinated intervention system that identifies students with high risk/chronic drug abuse problems.

### *California Rural Indian/Law Enforcement Crime Prevention*

The California Rural Indian/Law Enforcement Crime Prevention program is designed to encourage and strengthen the participation of community organizations, tribal groups and law enforcement agencies in crime prevention efforts.

Funding is provided to law enforcement agencies with jurisdiction over rural reservations/rancherias to:

- Establish rural crime prevention programs that involve the cooperative efforts of law enforcement and residents on or near reservations/rancherias;
- Engage in drug trafficking intervention activities;

- Develop a coordinated intervention system that identifies Indian students with “high risk” or “chronic” drug abuse problems; and
- Train law enforcement officers to be culturally sensitive in the delivery of services to Indian communities and to provide training in law enforcement policies and procedures to residents on or near reservations/rancherias.

### Crime Suppression Branch

The goal of the Crime Suppression Branch is to achieve a high rate of conviction and maximum prison terms for serious criminal offenders, law enforcement programs concentrate on the identification and apprehension of serious criminal offenders. District attorney programs focus on the application of specialized techniques to prosecute career criminals.

#### *Career Criminal Apprehension*

The Career Criminal Apprehension program reduces crime by improving local law enforcement's ability to identify, apprehend and support the prosecution of multiple and repeat felony offenders. Under this program, funding is provided to:

- Develop crime analysis capabilities;
- Improve patrol operations such as call prioritization report taking procedures, patrol structure tactics and strategies based on crime analysis information; and
- Refine investigative procedures.

#### *Career Criminal Prosecution*

The Career Criminal Prosecution program assists special units within district attorneys' offices to vertically prosecute multiple and repeat felony offenders. Vertical prosecution allows one single attorney to handle a case from the initial filing of the legal proceedings to the

conclusion, including sentencing. Funding is provided to district attorneys' offices to apply this technique, thereby:

- Decreasing the percentage of multiple and repeat felony offenders obtaining pretrial release; and
- Reducing plea bargaining agreements.

#### *Major Narcotic Vendor Prosecution*

It has been well-documented that an alarming number of serious crimes are associated with the cultivation, processing, manufacturing and sale of illegal drugs. The Major Narcotic Vendor Prosecution program targets defendants accused of serious narcotics violations by concentrating enhanced prosecution efforts and resources on major drug cases. Under this program, grant funding is awarded to district attorney's offices to:

- Create special prosecution units; and
- Increase the use of vertical prosecution.

#### Juvenile Justice Branch

The goal of the Juvenile Justice Branch is to address the problem of juvenile crime in California. Funding is provided to community programs to prevent and divert youth from involvement in criminal activity.

#### *Gang Violence Suppression*

One of the most serious problems facing the California criminal justice system today is gang violence, the increase of drug-related gang activity and the use of sophisticated weaponry. The Gang Violence Suppression program utilizes a multi-disciplinary approach to reduce gang violence and divert potentially dangerous gang activity into a more positive and constructive behavior. Under this program, grants are provided to:

- District attorneys' offices, probation departments and local law enforcement agencies to identify, prosecute and remove violent gang members from the community; and
- Community-based organizations and schools to deter young people from gang violence and other criminal activities through project-sponsored prevention and educational programs.

Expenditures: 1989/90

In 1989 the Office of Criminal Justice Planning spent the following amount of funds on drug/gang state and local assistance grant funding:

	<u>FEDERAL</u>	<u>STATE</u>
Anti-Drug Abuse Enforcement Program	\$ 10,782,000	\$ 0
Gang Violence Suppression Program	994,000	4,315,000
Major Narcotic Vendors Prosecution Program	0	2,271,000
Comprehensive Alcohol and Drug Prevention Program	16,700,000	2,666,000
Drug Suppression in Schools Program	<u>1,929,000</u>	<u>881,000</u>
<b>TOTALS</b>	<b>\$30,405,000</b>	<b>\$10,133,000</b>

For further information contact:

Office of Criminal Justice Planning  
 1130 K Street, Suite 300  
 Sacramento, CA 95814  
 ATTN: Programs 916-324-9136

# CHAPTER FOUR

## LEGISLATIVE ACTIVITIES

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### COMMITTEES

Several committees within the Legislature are concerned with drug abuse. Below is a listing of these committees:

Senate Judiciary Committee  
Consultant: Jim Provenzia  
Phone: 445-5957

Senate Select Committee on Border Issues,  
Drug Trafficking and Contraband  
Consultant: Marilyn Riley  
Phone: 322-6946

Senate Select Committee on Children and Youth  
Consultant: Jane Henderson  
Phone: 445-3572

Senate Select Committee on Infant and  
Child Care Development  
Consultant: Marge Chisholm  
Phone: 445-6747

Senate Select Committee on Substance Abuse  
Consultant: Terri Delgadillo  
Phone: 445-4264

Joint Committee on Organized Crime and Gang Violence  
Consultant: Aubrey LaBrie  
Phone: 327-1255

Senate Research Committee on Neighborhood Violence

Consultant: Eileen Hodson

Phone: 8-522-1470

Senate Health and Human Services

Consultant: Jane Utti

Phone: 445-5965

Assembly Committee on Public Safety

Consultant: Julie Newcomb

Phone: 445-3268

Assembly Health Committee

Consultant: Ann Powell

Phone: 445-1770

Assembly Human Services

Consultant: Dion Aroner

Phone: 445-0664

## **LEGISLATION**

### Drug and Alcohol Abuse

An increasing number of Californians believe drug abuse is out of control. A recent poll of a cross section of California adults indicated that 79 percent of the adults were extremely concerned about illegal drug use. Many attribute this sudden and overwhelming concern to the changing demographics of drugs: cocaine use and addition has affected all segments of our society.

Despite evidence of decline in the use of some drugs among select populations, such as teenagers, there continues to be evidence of a staggering increase in the trafficking and use of cocaine and other illegal drugs overall.

Congress has indicated its priority in fighting the drug problem by enacting the \$2.6 billion Omnibus Drug Bill of 1988 last year to combat drug trafficking, and provide funding for state level drug abuse prevention and treatment.

At the state level, the Governor indicated in his State of the State Address his desire to make drug and alcohol prevention mandatory in our schools with a \$17 million appropriation. Also a large number of the bills introduced relating to this area relate to the prevention of drug and alcohol abuse.

In 1988, the governor signed into law SB 2599 which coordinates state and county boards relating to drug and alcohol abuse, and requires them to meet jointly at least two times a year to discuss drug and alcohol programs.

For a list of bills introduced in the 1989/90 session, see Appendix Five.

### Drug-Exposed Babies and Mothers

It is estimated that 11 percent of children born in our nation's hospitals are born drug-exposed. This incidence has been found to be much higher in some hospitals in our State, as well as the nation. For example, the University of California Davis Medical Center, which recently initiated universal screening of all mothers, found that 22 percent of women in labor tested positive for illegal drug substances.

There is little debate that infants born to abusing mothers are at increased risk of prenatal morbidity and mortality. Children born addicted are also at risk of numerous long-term medical, developmental and behavioral problems beyond the newborn period. In addition, children born to parents who are substance abusers are at very high risk of child abuse and neglect.

Since these children experience difficulties in eating and sleeping and are typically difficult to soothe, they require special care which is sensitive to their special needs. However, despite the difficult health and developmental problems of these children and their significant need for specialized care, there are inadequate health, social and other supportive services to provide for the appropriate home or foster care placements for these children after release from the hospital.

In 1989, the Legislature evaluated a number of bills which provide initial prevention and intervention services for pregnant women, mothers and children who have been affected by drugs, including alcohol. These measures addressed the very complex and costly problem of drug-exposed infants in California — a

problem that affects many state and local service delivery agencies. Proposed legislation in 1989 reflected the need for the development of comprehensive health and social services, and pilot or model programs which reflect the special needs of drug abusing women and their children. In addition, the legislature considered changes to laws surrounding court dependency as they relate to substance abuse.

For a list of the bills introduced in the 1989/90 session, see Appendix Five.

## **EMERGING ISSUES FOR 1990**

### Drugs in the Workplace

A recently released Gallup Poll found that one in three employees believes that illegal drugs are sold at work and one-fourth have either seen or heard of illegal drug use during work hours. Because of the pervasiveness of drugs in the workplace, the majority of employees support some kind of drug testing there.

The poll reflects a growing conservatism among employees about drugs in the workplace and the license they are willing to give employers to handle the problem.

Taking advantage of that sentiment, some local and national employers are resorting to more aggressive and widespread testing of employees and job candidates. Some also are administering punishment swiftly, often after the first offense for certain kinds of drugs.

### Substance Exposed Infants

Researchers are just now beginning to uncover a web of problems related to prenatal exposure to crack and other drugs, though much is still not known of the long-term effects.

A child's ability to learn may be impaired. Fine motor skills may be hampered. A child may have difficulty developing strong attachments for others. Extremes of behavior are common, from apathy to aggression, passivity to hyperactivity, indiscriminate trusts to extreme suspicion.

The numbers of afflicted children are multiplying, especially in drug-laden urban areas. Within a few years, 40% to 60% of the children in some inner-city schools will have been prenatally exposed to drugs, predicts Judy Howard, clinical professor of pediatrics at the UCLA, School of Medicine. Even the suburbs and urban enclaves of the well-to-do are likely to see the effects of the drug epidemic.

# CHAPTER FIVE

## PROPOSED 1990 BALLOT INITIATIVES

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Currently, as of December 15, 1989, there are four initiatives being circulated in an attempt to qualify for the November 1990 ballot that relate to the drug problem. They are:

California Safe Streets Initiative  
Comprehensive Crime Reduction and Drug Control Act of 1990  
Repeal of the Prohibition of Marih(j)uana(s)  
(Cannabis) in the State of California  
Decriminalization of All Drugs in the State of California

The following is a brief summary of each initiative. For a more detailed analysis see Appendix Six.

### **CALIFORNIA SAFE STREETS INITIATIVE**

Proponent: Lt. Governor Leo McCarthy  
Status: In circulation for signatures

- I. Require repeat violent criminals and drug kingpins to serve out their full sentences.

The purpose of this provision is to prevent the early release of criminals convicted of repeated violent offenses or serious drug offenses, including murder, rape, and manufacture or sale of large quantities of drugs. Under current law, repeat offenders can reduce their sentences by one day for every day they work, or by one day for every two days of good behavior. About 650 dangerous criminals would be denied early release each year as a result of this provision. If they were released early, approximately 60 percent of them would commit other crimes.

## II. Fund a comprehensive war on drugs.

The purpose of this section is to fund a balanced anti-drug effort, including increased law enforcement and incarceration capabilities, anti-drug education, and prevention. The effort is financed by a 1/2-cent increase in the sales tax, which would bring in \$1.6 billion in the first year. The tax increase would be in effect from July 1, 1991, to June 30, 1995. Because the revenue source is in place for no more than four years, the program is exempt from the Gann limit.

The revenues will be distributed as follows:

### A. Law Enforcement

Forty percent (\$640 million) will be allocated to law enforcement agencies. The funds would be distributed directly to the law enforcement agencies in the following proportions:

1. Ninety percent of the law enforcement funds will be allocated by the Attorney General to local law enforcement agencies on the basis of need. The purpose of these funds is to increase and improve the presence of street-level law enforcement.
2. Five percent will be allocated to county District Attorneys to hire more prosecutors.
3. Five percent will be allocated to the court system. The first priority will be to fund new judgeships.

### B. Anti-Drug Education

Forty-two percent (\$672 million) will be allocated to anti-drug education efforts. The funds would be routed through the Superintendent of Public Instruction according to the following formula:

1. Twenty-five percent of the education funds will be distributed to schools for anti-drug education programs.
2. Twenty percent will be allocated to before and after school programs. The funds will be allocated on the basis of each county's school population.
3. Thirty-five percent will be allocated to preschool programs aimed at high-risk children. The Superintendent will distribute the funds to programs in the following order of priority:
  - a. Programs which serve at-risk children
  - b. Developmental preschool programs.
4. Ten percent will be distributed by the Superintendent to schools which facilitate the provision of coordinated services for at-risk students, or to provide matching funds for federal anti-drug education programs. The funds for coordinated services will be restricted to schools which involve at least two state or local agencies and/or community-based organizations.
5. Ten percent will be distributed by the Superintendent as incentive grants to local school districts, consortia of youth service providers, or county offices of education for partnership projects linking school performance to job placement with local business. The grants will require a 50-50 match from local businesses.

#### C. Jails and prisons

Ten percent (\$160 million) will be allocated for jails and prisons. These funds would be distributed as follows:

1. Twenty percent of the jails and prisons funds will be allocated to state prisons by the Director of the Department of Corrections to cover the increased operational costs caused by the provision requiring violent offenders and drug kingpins to serve out their entire sentences.

2. Sixty-five percent will be allocated to county jails by the Board of Corrections for construction and/or operation of county jails. Priority will be given to counties with the greatest need and the fewest resources.
3. Fifteen percent will be allocated to state prisons and youth correctional facilities by the Secretary of the Youth and Adult Correctional Agency for drug treatment programs for drug-abusing prisoners.

#### D. Prevention and treatment

Eight percent (\$128 million) will be allocated by the Secretary of Health and Welfare for anti-drug health, treatment, and rehabilitation programs, and prevention of drug-induced conditions. Priority will be given to pregnant women, young mothers, and their children. The funds may be routed through two sources: The Department of Alcohol and Drug Programs, and the departments which make up the Health and Welfare Interagency Task Force on Perinatal Substance Abuse, which has been developed to address the anti-drug treatment needs of pregnant women, postpartum women, and their children.

The Director of the Department of Alcohol and Drug Programs will distribute the Department's share of funds directly to the county Alcohol and Drug Programs on the basis of need.

The Secretary will distribute the inter-agency task force's funds to all the departments involved, in accordance with the Task Force's goals.

#### E. Administration and evaluation

Within each of the categories listed above, no more than one percent of the total allocated to each purpose may be spent for administration.

Every year, the Attorney General, the Superintendent of Public Instruction, the Secretary of the Youth and Adult Correctional Agency, and the Secretary of Health and Welfare are required to submit reports to the Governor and the Legislature describing how they intend to spend the

funds under their supervision in the coming year. Each year, the Auditor General is required to submit a report to the Governor and the Legislature describing how the funds were spent in the previous year, and evaluating those expenditures.

In addition, the Governor is required to recommend to the Legislature by January 1, 1994, whether the entire funding program should be continued, modified, or discontinued.

The purpose of the evaluations is to mandate accountability and to allow expenditures to be targeted at programs with proven records of success.

The state and participating counties and cities must, on balance, maintain their current level of funding effort (including inflation and growth of the population served) for all existing anti-drug programs. The Governor is prohibited from counting any funds generated by this program as part of the state's reserve fund.

#### **COMPREHENSIVE CRIME REDUCTION AND DRUG CONTROL ACT OF 1990**

Proponents: Attorney General John Van de Kamp  
Assemblyman Johan Klehs  
Status: In circulation

This initiative would allocate \$222 million a year for law enforcement, local drug abuse prevention, treatment, prosecution and programs to deal with drugs in schools.

- \$22 million a year will fund state/local law enforcement "Crack-Down" Task Forces — more than 200 new narcotics agents, auditors, and intelligence analysts working with local police;
- \$120 million will reinforce local anti-drug and anti-gang enforcement efforts targeted to narcotics plagued neighborhoods;
- \$80 million will provide counties with money for drug treatment, prevention, prosecution and education efforts.

The initiative will also authorize the issuance of \$740 million in bonds to construct four new prisons at abandoned military facilities for 18,000 to 36,000 minimum security drug offenders.

Finally, the measure would clean up the language in the Crime Victims Justice Reform Initiative which allegedly would eliminate California's constitutional right to privacy and potentially jeopardize a woman's right to choose abortion.

**INITIATIVE TO REPEAL THE PROHIBITION OF MARIJUANA(S)  
(CANNABIS) IN THE STATE OF CALIFORNIA**

Proponent: Thomas B. Neece  
Status: Attorney General's Office for titling

This initiative would make null and void all and each existing law prohibiting the use, cultivation, transportation, or possession of marijuana in any form, in the State of California.

**INITIATIVE TO REPEAL THE PROHIBITION OF CRIMINALIZED DRUGS IN  
THE STATE OF CALIFORNIA**

Proponent: Thomas B. Neece  
Status: Attorney General's Office for titling

This initiative makes null and void all and each existing law prohibiting the use cultivation, transportation, or possession of criminalized drugs, in any form, in the State of California.

# **CHAPTER SIX**

## **SOCIETAL PROBLEMS RELATED TO DRUG ABUSE**

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Today it is no secret that the cultivation, distribution, sale and consumption of illicit drugs has had profound consequences on the life of Californians. It has taken lives, wrecked careers, broken homes, invaded schools, incited crimes, tainted businesses, toppled heroes, corrupted policemen and politicians, bled billions from the economy and in some measure infected every corner of our public and private lives.

With so many problems resulting from drug abuse, it is possible to only discuss a few here.

### **COURT OVERCROWDING**

One consequence of the widespread use of drugs by Californians and intensification of the war on drugs has been an unprecedented influx of drug cases in many urban trial courts throughout California. Overcrowded court dockets have been a growing problem for some time, but the surge of drug cases in the past four or five years has driven it to crisis proportions.

While the crime rate for most major offenses in the past five years has increased only slightly, felony arrests for drug law violations have more than doubled, from fewer than 80,000 in 1983 to 170,000 last year. In addition, a large number of other arrests for burglary, robbery and murder, are drug-related. This results in not only court calendars so crowded that civil cases are repeatedly put off, but also a whole criminal justice system, prosecutors, probation officers, public defenders, etc., so overloaded that they cannot handle their caseloads effectively.

Because of the social and economic problems caused by drug use and the drug trade, drug cases, especially drug sales cases, have special political significance.

For example, District Attorneys, State Attorney Generals, and other local and state officials are elected, and judges appointed, on the basis of their stance on drugs. State statutes provide long sentences for drug dealers. The war on drugs is often a crucial component in justifying funding for new prisons. Moreover, the allocation of public resources of all types is frequently based on how the program or project might assist or hinder the resolution of the drug problem. In many ways, then, drug cases have attained a political significance that traditionally accompanied the processing of serious violent crimes.

The sophistication of public policy attention directed at the courts is limited in part because of the scant knowledge we now have about the impact of drug cases on court management. For the most part, our knowledge of relationships among drugs, crime, and the courts remains an eclectic collection of judge, lawyer, researcher, government official, and policy-maker speculation and anecdotes. There is speculation that the increasing number of drug related cases now confronting our courts is exacerbating the already serious problems attributable to case processing time delay. There are anecdotes that the increasing numbers of drug cases are forcing prosecutors, public defenders, and private attorneys to alter traditional plea policies dramatically. Finally, there is speculation that drug cases are disproportionately contributing to serious jail and prison overcrowding.

## **CRIME**

As measured by the California Crime Index (CCI), the crime rate increased slightly by 1.1 percent in 1988 over the previous year.

Arrest for all felony offenses were up in 1988 due to law enforcement's major focus on drug arrests. In fact, arrests for felony drug law violations surpassed arrests for felony property crimes for the first time.

As a result of the increased use of incarceration as a sentence, prisons, Youth Authority and jail facilities throughout the state are growing more and more overcrowded.

The following statistics illustrate a portion of the current crisis:

**Drug Law Violation Arrests, 1983-1988**

**Adult and Juvenile**

Drug law violations include narcotics (heroin, cocaine, etc.), marijuana, dangerous drugs (barbiturates, phencyclidine, etc.), and other drug law violations.

From 1983 to 1988:

- There was a 93.9 percent increase in the rate of total arrests.
- There was a 93.3 percent increase in the rate of adult arrests and an 87.2 percent increase in the rate of juvenile arrests.

From 1987 to 1988:

- There was a 12.4 percent rate increase in total arrests.
- There was a 13.3 percent rate increase in adult arrests and a 1.1 percent increase in juvenile arrests.

In 1988, of 170,156 felony arrests for drug law violations:

- Narcotics arrests accounted for 67.6 percent (115,107).
- Marijuana arrests accounted for 9.9 percent (16,853).
- Dangerous drug arrests accounted for 21.2 percent (36,045).
- Other drug law violations arrests accounted for 1.3 percent (2,151).

The "other drug law violations" category includes sales in lieu of controlled substances, manufacture controlled substances, forge/alter narcotic prescription, etc.

From 1983 to 1988:

- There was a 25.4 percent decrease in the rate of total arrests.
- There was a 22.7 percent rate decrease in adult arrests and a 58.8 percent rate decrease in juvenile arrests.

From 1987 to 1988:

- There was a 24.7 percent rate increase in total arrests.
- There was a 22.2 percent rate increase in adult arrests and a 65.0 percent increase in juvenile arrests.

Source: Department of Justice

For further information see:

Crime and Delinquency in California, 1988  
Office of the Attorney  
Department of Justice

### **DRUG-RELATED MORTALITY**

Thousands of Californians die each year as a result of alcohol and drug abuse. During 1987, 2,000 people died as a direct result of drug abuse.

Data from the Drug Abuse Warning Network indicates that about three-quarters of all drug deaths are drug induced or overdoses, and the remaining quarter are a drug-related contributing factor to the death (accidents, violence, suicide). The effects of drugs in the body are particularly volatile when mixed with alcohol.

### **BUSINESS**

Hundreds of California employers are angry and frustrated about drug-related losses in productivity, accidents, absenteeism and surging medical costs, with the number of chronic abusers and addicts at record levels. Many drug abusers also have problems with alcohol, which still remains the most serious substance abuse problem.

Businesses can easily spend more for drug treatment than cancer, AIDS or open heart surgery. Drug users will incur 300 percent more medical expenses, on average than the rest of the company's employees. The users lose twice as much work as the average employee and are five times more likely to be involved in accidents off the job.

Those who are substance abusers generally have a harder time holding onto a job even if they are successful in hiding their problem during the interview process. The result is higher unemployment rates and a greater dependency on support systems.

## **HEALTH CARE**

The health implications of drug use have only begun to penetrate the public's awareness. The associated health care costs are staggering and the complexity of the drug problem and its serious threat to our state's economic and social well-being is enormous.

Primary health care providers, such as doctors, nurses, psychiatrists, clinical psychologists, social workers etc., have limited education and training in the recognition and diagnosis of early drug problems. Formal professional education and training has typically addressed only the recognition and diagnosis of the most advanced stages of chemical dependency.

## **HOUSING**

Drug selling activity, and the illegality of the same, renders the housing where it occurs unsafe. Thus it affects whole neighborhoods and developments and not just the sellers and users. The gang activity surrounding drug sales also contributes to the violence and degradation of the neighborhoods. For many the great fear is that their children will become victims of the violence or become involved in gangs or drugs.

As to public housing, there are already problems with obtaining approval for low income housing. As the public perception of public housing becomes increasingly linked with drug and gang activity, the "not-in-my-backyard" syndrome, becomes more apparent.

## **SOCIAL SERVICES**

Social services are also strained by drug abuse. In an unknown, but significant percentage of cases the substance abuse problem of the head of household is a cause of welfare dependency. This is because the parent cannot obtain and maintain a job and the family becomes destitute. There is also a growing concern that some parents who are addicted are using the welfare grant to obtain drugs and not providing for the needs of the children.

Drug dependency is also a contributing factor to the growing number of children being placed in foster care.

## **HOMELESSNESS**

Some estimates place substance abuse as a contributing factor in up to 30% of cases of homelessness. These are cases where the homeless person has a drug dependency. Additionally, among the homeless families domestic violence is a precipitating factor for many cases of homelessness, with drug abuse contributing to these cases of violence.

## **YOUTH**

The abuse of drugs among the youth of California can lead to disastrous consequences such as accidents, suicide, and homicide. Youth who abuse substances are more likely to attract the notice of the criminal/juvenile justice systems, to drop out of school, and to disrupt family life.

Youthful abusers tend to end up "on hold" in their emotional growth, some never regaining what they lost.

## **DRUG ABUSE AND PREGNANCY**

Although the absolute number of drug-addicted babies born to mothers who abuse drugs during pregnancy are not available, it is estimated nationally that 11 percent of the children born in our hospitals are born drug-exposed. This incident has been found to be much higher in our state, as well as the nation. For example the University of California, Davis Medical Center found that 22 percent of the women in labor tested positive for illegal drug substances.

With the recent cocaine epidemic, more cases of cocaine addicted babies have been reported. Cocaine has been implicated in premature birth, miscarriage, and an increased risk of Sudden Infant Death Syndrome (SIDS). The pregnant addict who uses drugs intravenously risks passing the virus causing AIDS to her infant.

The abuse of drugs during pregnancy can result in a variety of physical, developmental, and behavioral problems in an infant. There is little debate that infants born to abusing mothers are at increased risk of morbidity and mortality. Children born addicted are also at risk of numerous long term problems beyond the newborn period. In addition, children born to parents who are substance abusers are at a very high risk of child abuse and neglect.

Since these children may experience difficulties in eating and sleeping and are often difficult to soothe, they may require special care which is sensitive to their special needs. However, despite the difficult health and developmental problems of these children and the significant need for specialized care, there are inadequate health, social and other supportive services to provide the appropriate home or foster care placements for these children and their mothers after release from the hospital.

## **AIDS**

While the majority of AIDS cases to date have involved the homosexual community in California, IV drug use can be considered a gateway for AIDS to reach the general population.

While many people associate heroin with IV drug use, currently two much more widely used drugs are posing a threat to the AIDS crisis — cocaine and methamphetamine. Cocaine is injected by about ten percent of cocaine clients and thirty percent of methamphetamine clients reported to the Department of Alcohol and Drug Programs. The proportions who injected, as reported to the Drug Abuse Warning Network, are similar for amphetamines and much higher for cocaine.

## **GANGS**

Substance abuse and gangs are two societal problems that have existed in our culture for some time. It is the apparent melding of these two issues on a broad scale that has created a deep public concern.

The street gang epidemic is sweeping California, and the problem is no longer confined to big cities. With the introduction of crack cocaine and the increased

money and power gangs are experiencing through drug trafficking, they have moved into suburbs and smaller towns as they claim new territory. It has become a war, with the number of gang-related homicides increasing rapidly and the number of innocent people killed in the crossfire escalating as well.

The result of this increased gang activity has been the ever increasing burden on law enforcement to keep the streets safe; and increased load on the juvenile justice system; a greater burden on social services; and a general lowering of the quality of life in areas affected by gang activity.

# **APPENDIX ONE**

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**Indicators of Alcohol and Drug Abuse Trends**

**Department of Alcohol and Drug Programs**

# INDICATORS OF ALCOHOL AND DRUG ABUSE TRENDS



DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS  
DIVISION OF ADMINISTRATION  
DATA MANAGEMENT SERVICES BRANCH  
STATISTICS AND ANALYTICAL STUDIES SECTION

APRIL, 1989

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## PREFACE

This report is excerpted from the "FIVE YEAR MASTER PLAN TO REDUCE DRUG AND ALCOHOL ABUSE: YEAR ONE, A Planned Response to Meet the Goals of Senate Bill 2599". Indicators of Alcohol and Drug Abuse is the third chapter of that report.

Users of this special publication are expected to include community leaders, students, government officials, radio, television and print media journalists. Data from five nationwide studies and four state sources are analyzed. The time period of the indicators and trends ranges from 1983 to 1987.

This report was written by the staff of the Statistics and Analytical Studies Section (SASS). Questions should be directed to Susan Nisenbaum, SASS Manager (916) 323-2008, Department of Alcohol and Drug Programs, 111 Capitol Mall, Sacramento, CA 95814.

## CHAPTER III: INDICATORS OF ALCOHOL AND DRUG ABUSE TRENDS

### INTRODUCTION

Drug and alcohol problems are a serious threat to our society. Resources committed to combat this threat in the private and public sectors through education, prevention treatment and law enforcement are enormous. This section of the report describes the extent and costs of alcohol and drug problems and current trends in California.

A number of the indicators discussed are mentioned in specific SB 2599 goals where there is an emphasis on reducing negative effects, such as driving-under-the-influence of alcohol or drugs, alcohol- and drug-related arrests and drug- and alcohol-related deaths or injuries. The many indicators included in this section will be routinely monitored as a part of the overall impact evaluation process.

### EXTENT AND COSTS OF ALCOHOL AND DRUG PROBLEMS

Alcohol is the number one drug of use in California. It is estimated that 4-6 million persons 14 and over drink some form of alcoholic beverage at least once a week. Approximately 2.2 million persons (7.9 percent of the State's population) have a problem with alcohol consumption.

The consumption of alcohol in California is 20 percent greater than the national average. The per capita consumption figure for the population 14 years of age and older was 38.8 gallons of beer, wine, and distilled spirits during 1987.

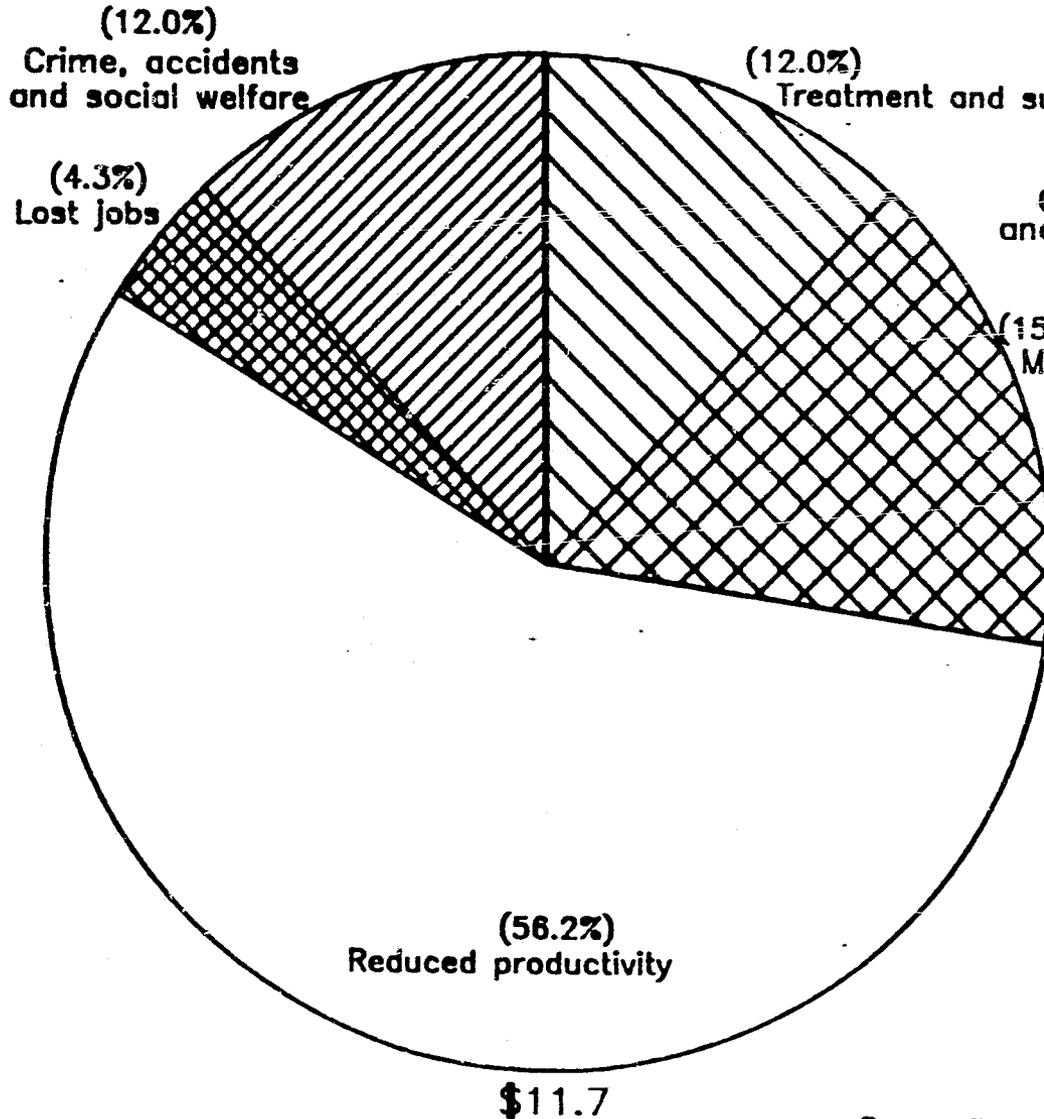
Approximately 2.1 million persons in California use illicit drugs or use drugs inappropriately; 222,000 use their drugs intravenously, posing a serious threat in the spread of the AIDS virus. Many of those who abuse drugs also abuse alcohol, exacerbating the serious health consequences associated with the abuse of any drug. During 1987, 4,443 emergency room episodes involving alcohol used in combination with other drugs were reported by a sample of hospitals in the Los Angeles, San Francisco, and San Diego areas alone.

The social costs of this problem include treatment, mortality, reduced productivity, lost employment, motor vehicle accidents, crime, and social welfare programs. It is estimated that the annual costs of these problems to California society are \$17.7 billion (\$11.7 billion for alcohol abuse and \$6.0 billion for drug abuse). This is equivalent to \$631 for every man, woman, and child living in the State.

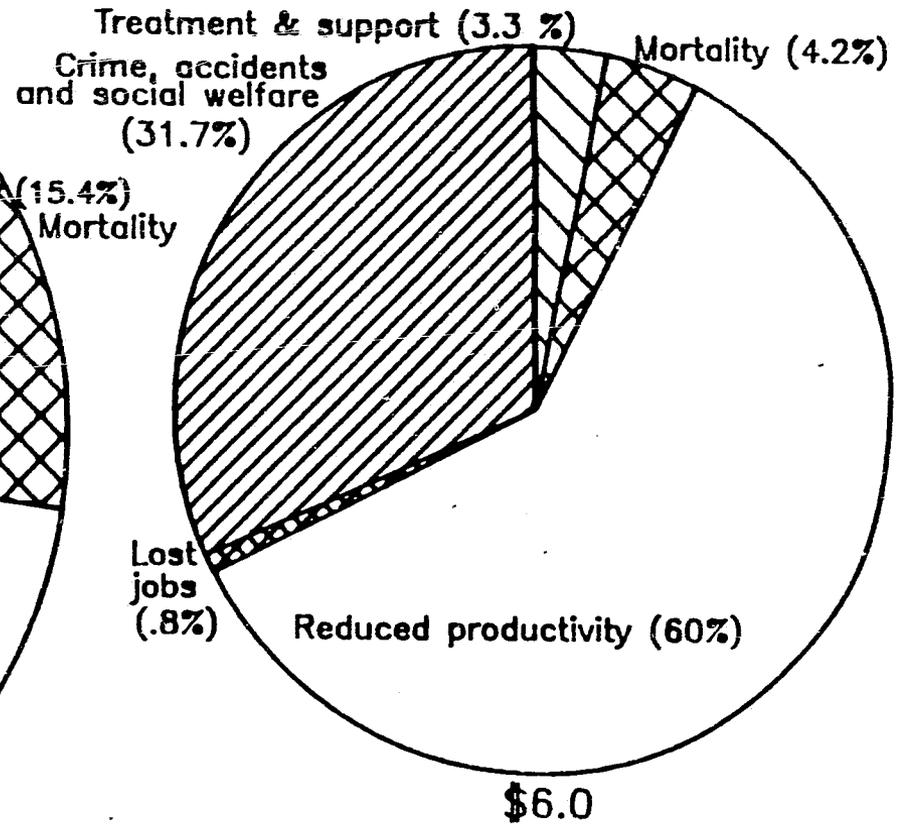
The human costs of these problems are immeasurable: the anguish of family and friends of a person abusing alcohol and/or drugs, the reduced quality of life for all involved, and the impact of the problem on the community.

GRAPH 1  
**ALCOHOL AND DRUG ABUSE COSTS TO CALIFORNIA, 1985**  
 (California Estimate Derived from Research Triangle Institute, \$ Billions)

**Alcohol Abuse Costs**



**Drug Abuse Costs**

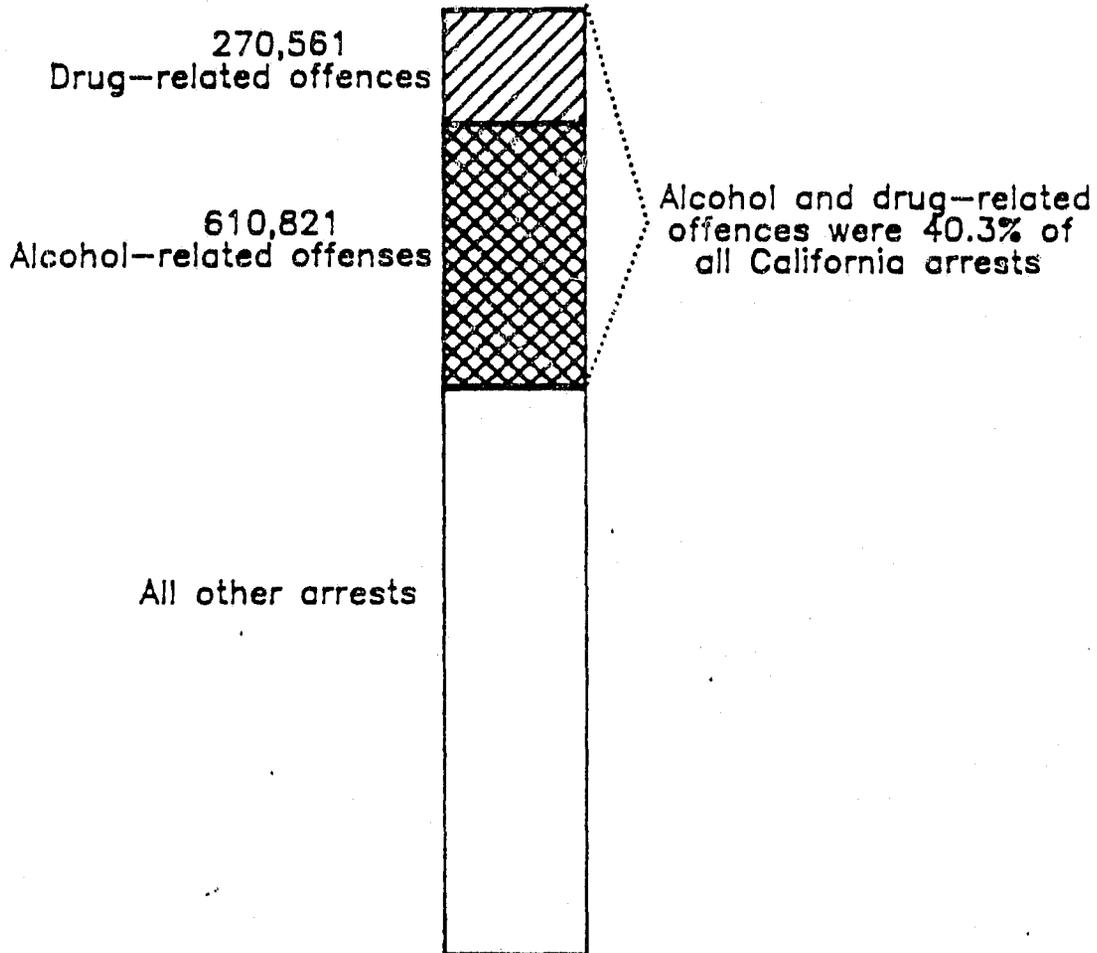


Source: Research Triangle Institute, 1985.

# GRAPH 2

## ALCOHOL AND DRUG-RELATED ARRESTS

### CALIFORNIA, 1987



All arrests in 1987  
totaled 2,187,165

Source: Department of Justice

#### DESCRIPTION OF IMPACT

#### LAW ENFORCEMENT AND THE CRIMINAL JUSTICE SYSTEM

Drug and alcohol abuse has a major impact on law enforcement entities and the criminal justice system. During 1987, 270,561 people were arrested for drug-related offenses and 610,821 for alcohol-related offenses. Together, these arrests account for 40.3 percent of all arrests in California. Alcohol and/or drugs are also involved in many other types of crimes. Drug and alcohol abuse may not cause a person to become violent; however, there is clearly a link between being under the influence and crime, suggesting that the abuse of any substance acts as a disinhibiting agent.

Below is a table from a 1985 U.S. Department of Justice study, designed to provide a representative sample of the Nation's prison population. It found that nearly half the convicted inmates had been under the influence of alcohol at the time the criminal offense was committed.

TABLE 1: ALCOHOL USE AMONG CONVICTED OFFENDERS  
JUST BEFORE COMMITTING CURRENT OFFENSES,  
BY CRIMINAL TYPE

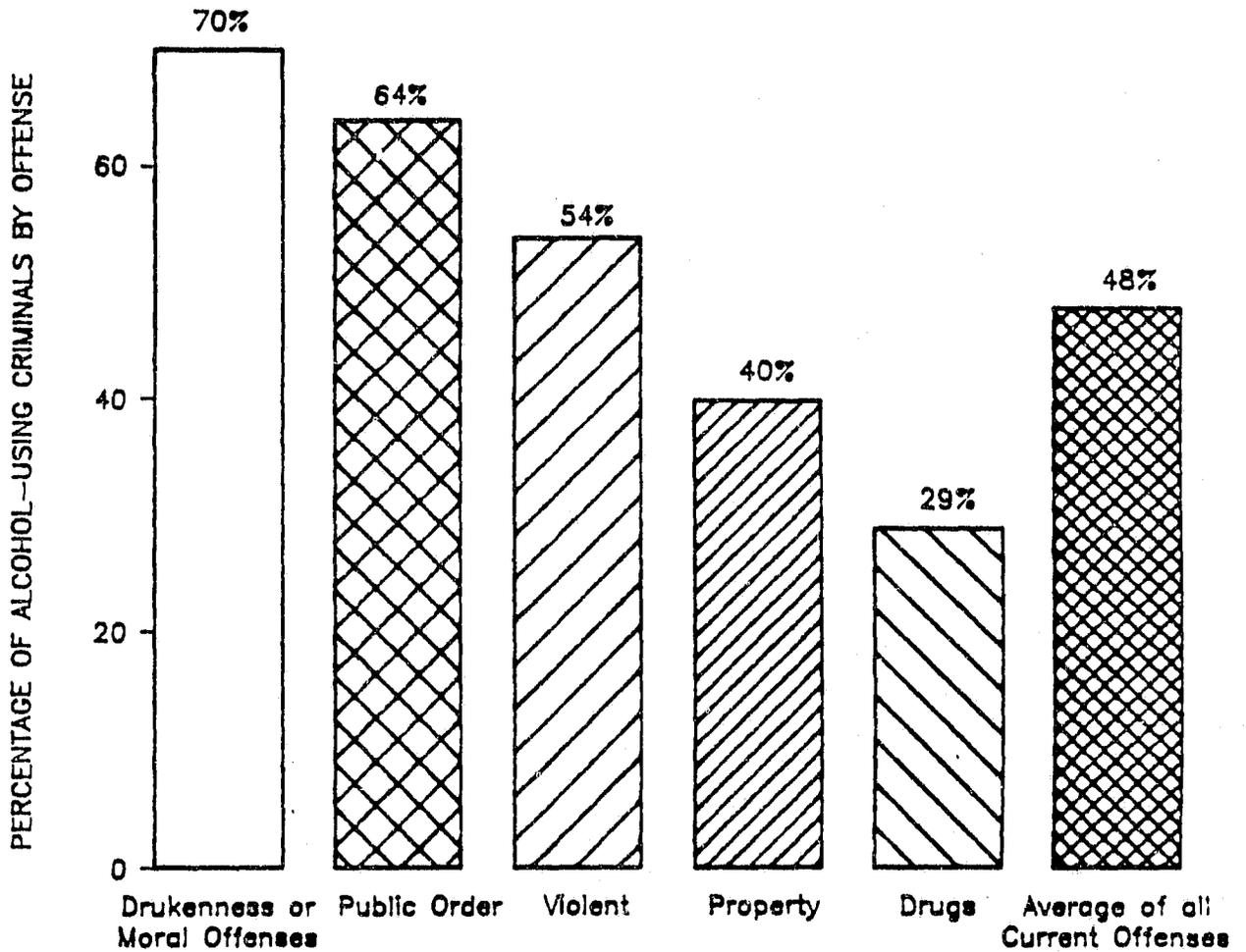
<u>Current Offense</u>	<u>Percentage of Convicted Persons Who Used Alcohol</u>
Total	48%
<b>Violent</b>	<b>54</b>
Murder/Attempted Murder	49
Manslaughter	68
Rape/Sexual Assault	52
Robbery	48
Assault	62
Other Violent	49
<b>Property</b>	<b>40</b>
Burglary	44
Auto Theft	51
Fraud/Forgery/Embezzlement	22
Larceny	37
Stolen Property	45
Other Property	51
<b>Drugs</b>	<b>29</b>
Traffic	26
Possession	30
Other Drugs	44
<b>Public Order</b>	<b>64</b>
Weapons	32
Obstructing Justice	43
Traffic	36
Driving While Intoxicated	93
<b>Drunkness/Morals Offenses</b>	<b>70</b>
Other Public Order	28
Other	40

Source: U.S. Department of Justice, 1985

# GRAPH 3

## ALCOHOL-RELATED CRIMINAL ACTIVITY

People Who Used Alcohol Before Committing a Crime



Source: United States Department of Justice

Drug abuse is highly correlated with crime. According to a study by John C. Ball, et al., a narcotic addict, while actively addicted on the street, will be engaged in criminal activities an average of 178.5 days per year to support his/her habit.

The National Institute of Justice recently implemented a system to collect drug use data on arrestees in major cities throughout the Nation. In California, the cities of San Diego and Los Angeles are included. The data, based on urinalysis results, strongly supports the link between crime and drug abuse.

The table below demonstrates the correlation between drug abuse and crime.

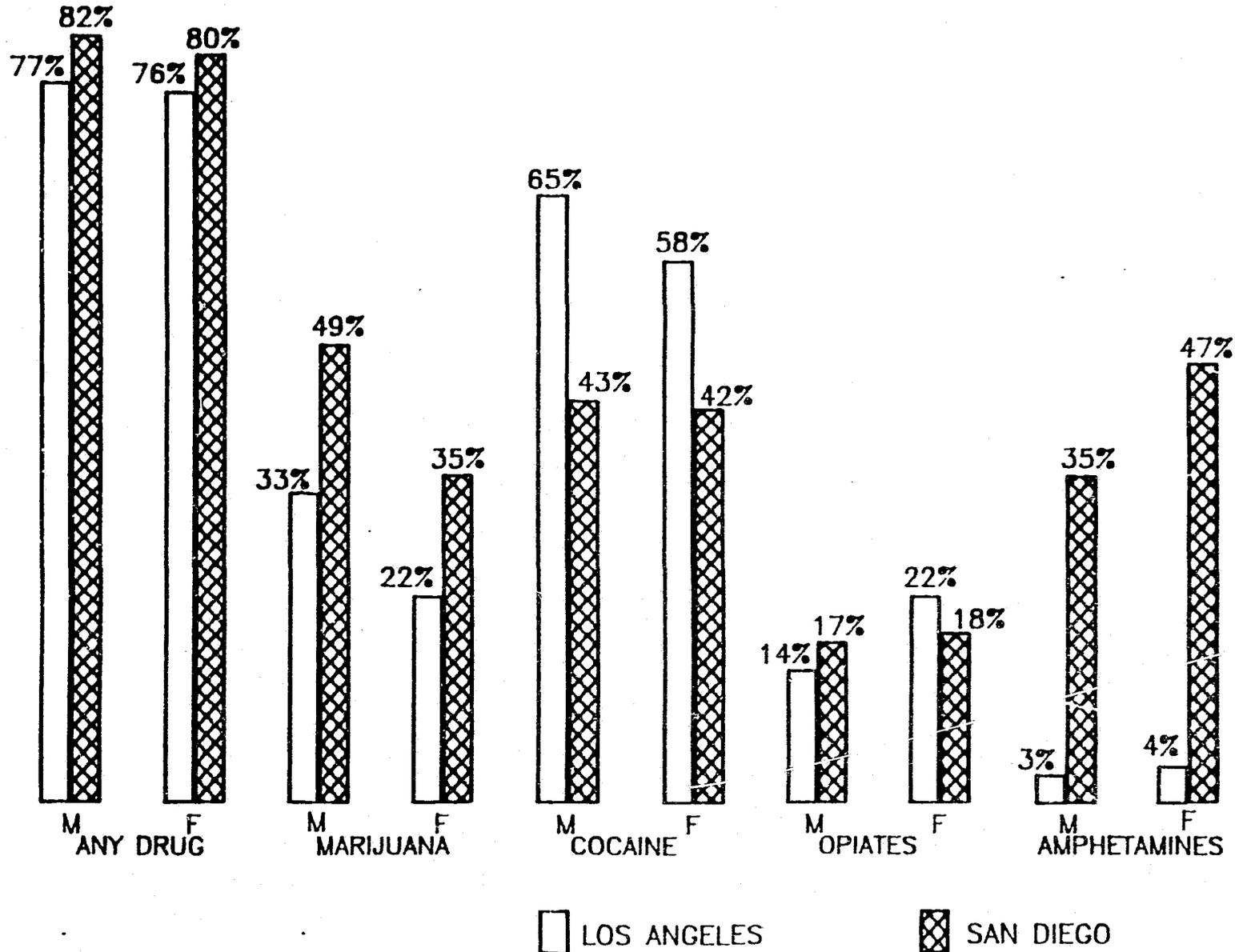
**TABLE 2 : PERCENTAGE OF ARRESTEES TESTING POSITIVE FOR DRUGS BY AREA AND SEX**

	<u>Los Angeles</u>	<u>San Diego</u>
Positive for Any Drug		
Male	77%	82%
Female	76	80
Positive for Marijuana		
Male	33	49
Female	22	35
Positive for Cocaine		
Male	65	43
Female	58	42
Positive for Opiates		
Male	14	17
Female	22	18
Positive for Amphetamines		
Male	3	35
Female	4	47

In both cities, over 85 percent of the males arrested for drug sale or possession tested positive, as did over 80 percent of males arrested for income-generating crimes such as burglary, robbery, forgery, fraud, and possession of stolen property. Of the males arrested for violent crimes in Los Angeles (assault, homicide, rape, etc.), 55 percent tested positive as compared to 72 percent in San Diego.

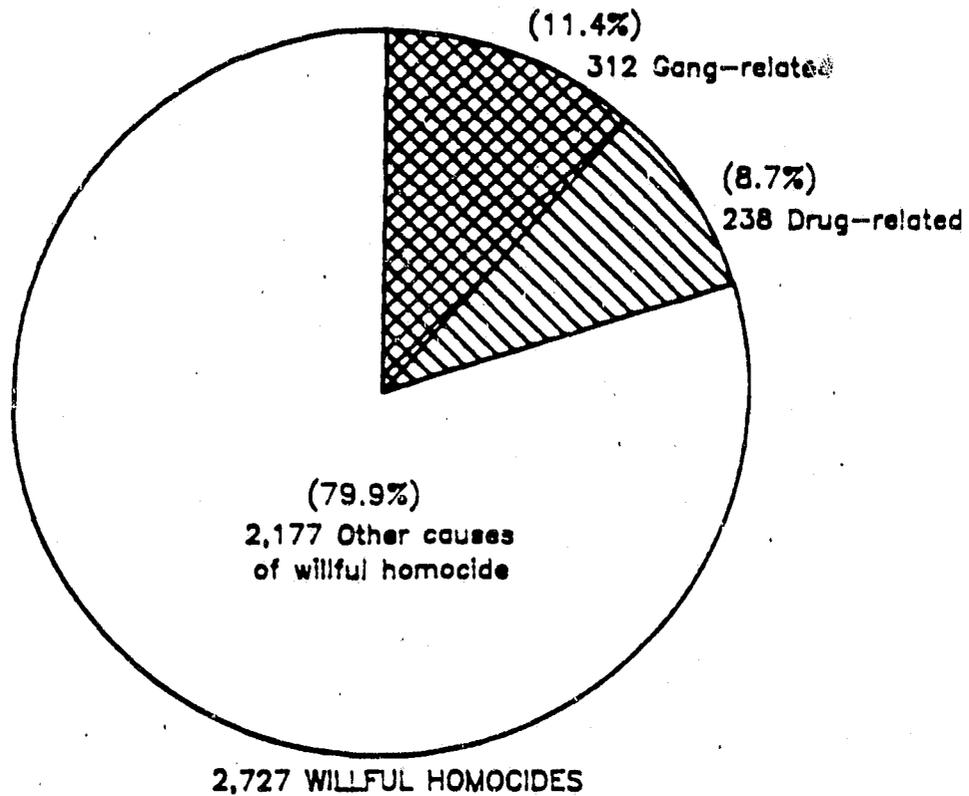
# GRAPH 4

## PERCENT OF ALL ARRESTED TESTING POSITIVE FOR DRUGS MALE AND FEMALE ARRESTEES BY DRUG, LOS ANGELES AND SAN DIEGO COUNTIES



Source: National Institute of Justice

GRAPH 5  
WILLFUL HOMICIDE CRIMES  
CALIFORNIA, 1987



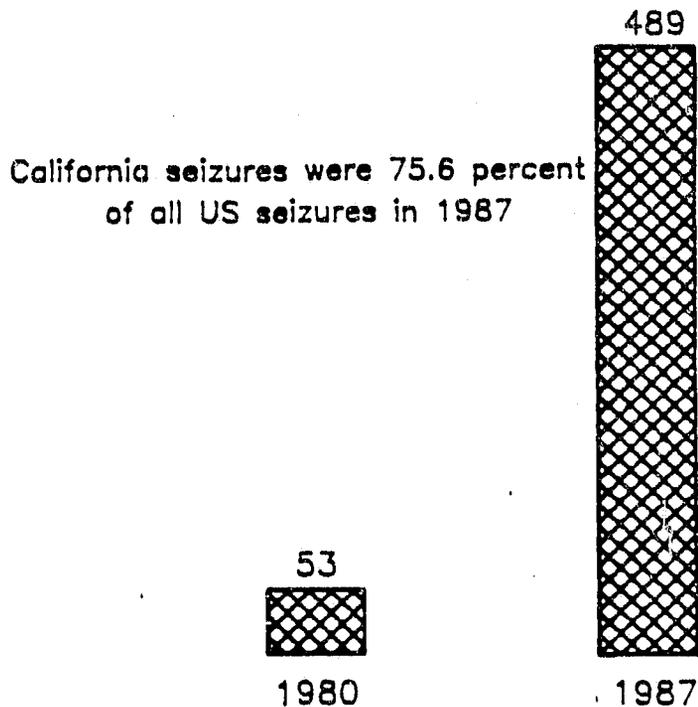
Source: Department of Justice

A more recent phenomenon associated with drugs is gang violence. Activities of the Crips and the Bloods, two major Black street gangs in California, indicate that they are involved in a variety of criminal activities such as burglaries, assaults, homicide, and narcotic trafficking. The gangs are well organized, carrying radio beepers that connect them to their suppliers or customers, while other members carry Uzis for protection. Many members are linked to the crack trade. During 1987, there were 312 gang-related homicides in California, in addition to the 238 drug-related homicides.

# GRAPH 6

## SEIZURES OF ILLICIT LABORATORIES

### CALIFORNIA, 1980 AND 1987



Source: Department of Justice

In addition to collecting data and targeting impacted groups for remedial programs, law enforcement efforts include the interdiction of the supply of drugs from both foreign and domestic sources. The interdiction effort includes patrolling borders to prevent movement of illicit drugs by land, sea, and air. The emergence of a domestic marijuana industry and, more recently, illicit laboratories has increased the need for surveillance of this fast-growing segment of the illicit drug trade. During 1980, federal, state, and local law enforcement agencies reported 53 illicit laboratory seizures in California; by 1987, 489 were reported. The 489 seizures in California represent 75.6 percent of the 647 seizures nationwide.

The cost to society to incarcerate those convicted of drug crimes is high. During 1987, there were 7,971 drug commitments to the Department of Corrections at a cost of over \$19,000 per person per year. The California Youth Authority received 705 commitments at a cost of over \$24,000 per person per year.

## **EFFECT OF ALCOHOL ON THE BODY**

Drug and alcohol abuse impair the functioning of the abuser. Impairment of the mental and motor processes often leads to injury or death of the individual, and, as is often the case in driving under the influence, the lives of innocent people are in jeopardy. Data from studies on the role of alcohol as a primary cause of accidental injury are sufficient to describe the situation. However, studies to determine the role drugs play as a causal factor, while widely recognized, are minimal, and the magnitude of the effect of drugs cannot be determined. Therefore, this section will concentrate on the role of alcohol.

As a person consumes alcohol, various physical and mental changes occur, as the Blood Alcohol Concentration (BAC) increases. Table 3 summarizes the major effects.

TABLE 3: EFFECTS OF INCREASED BLOOD LEVEL ON A TYPICAL PERSON

Blood Alcohol Concentration	Effects
.02	Reached after approximately one drink; light or moderate drinkers feel some effect, e.g., warmth and relaxation.
.04	Most people feel relaxed, talkative and happy. Skin may flush.
.05	First sizable changes begin to occur. Lightheadedness, giddiness, lowered inhibitions, and less control of thoughts may be experienced. Both restraint and judgment are lowered; coordination may be slightly altered.
.06	Judgment somewhat impaired; normal ability to make a rational decision about personal capabilities is affected, e.g., concerning driving ability.
.08	Definite impairment of muscle coordination and a slower reaction time; driving ability suspect. Sensory feelings of numbness of the cheeks and lips. Hands, arms, and legs may tingle and then feel numb. (Legally impaired in Canada and in some states.)
.10	Clumsy; speech may become fuzzy. Clear deterioration of reaction time and muscle control. Legally drunk in most states and in California it is illegal to operate a motor vehicle with this or greater BAC.
.15	Definite impairment of balance and movement. The equivalent of a half-pint of whiskey is in the bloodstream.
.20	Motor and emotional control centers measurably affected; slurred speech, staggering, loss of balance, and double vision can all be present.
.30	Lack of understanding of what is seen or heard; individual is confused or stuporous. Consciousness may be lost at this level, i.e., individual "passes out".
.40	Usually unconscious; skin clammy.
.45	Respiration slows and can stop altogether.
.50	Death can result.

Source: Paley, W., et al, Alcoholism, A Treatment Manual, 1979.



## BLOOD ALCOHOL CONCENTRATION (BAC) CHARTS DRINKING UNDER 21 YEARS OF AGE IS ILLEGAL

(Drivers under 18 years old with a BAC of .05-.09 can be cited for violation of Section 23140 CVC.)

**IF YOU DRINK, DON'T DRIVE!**

Prepared by the Department of Motor Vehicles in cooperation with the California Highway Patrol, The Office of Traffic Safety, the Department of Alcohol and Drug Program and the Department of Justice.

There is no safe way to drive after drinking. These charts show that a few drinks can make you an unsafe driver. They show that drinking affects your BLOOD ALCOHOL CONCENTRATION (BAC). The BAC zones for various numbers of drinks and time periods are printed in white, grey, and black.

**HOW TO USE THESE CHARTS:** First, find the chart that includes your weight. For example, if you weigh 160 lbs., use the "150 to 169" chart. Then look under "Total Drinks" at the "2" on this "150 to 169" chart. Now look below the "2" drinks, in the row for 1 hour. You'll see your BAC is in the grey shaded zone. This means that if you drive after 2 drinks in 1 hour, you could be arrested. In the grey zone, your chances of having an accident are 5 times higher than if you had no drinks. But, if you had 4 drinks in 1 hour, your BAC would be in the black shaded area...and your chances of having an accident 25 times higher. What's more, it is **ILLEGAL** to drive at this BAC (.10% or greater). After 3 drinks in 1 hour, the chart shows you would need 3 more hours—with no more drinks—to reach the white BAC zone again.

**REMEMBER:** "One drink" is a 12-ounce beer, or a 4-ounce glass of wine, or 1 1/4-ounce shot of 80-proof liquor (even if it's mixed with non-alcoholic drinks). If you have larger or stronger drinks, or drink on an empty stomach, or if you are tired, sick, upset, or have taken medicines or drugs, you can be **UNSAFE WITH FEWER DRINKS**.

**TECHNICAL NOTE:** These charts are intended to be guides and are not legal evidence of the actual blood alcohol concentration. Although it is possible for anyone to exceed the designated limits, the charts have been constructed so that fewer than 5 persons in 100 will exceed these limits when drinking the stated amounts on an empty stomach. Actual values can vary by bodytype, sex, health status, and other factors.

DL 606 (REV. 3/88)

BAC Zones: 90 to 109 lbs.		110 to 129 lbs.		130 to 149 lbs.		150 to 169 lbs.	
TIME FROM 1st DRINK	TOTAL DRINKS						
	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8
1 hr	White						
2 hrs	White						
3 hrs	White						
4 hrs	White						

BAC Zones: 170 to 189 lbs.		190 to 209 lbs.		210 to 229 lbs.		230 lbs. & Up	
TIME FROM 1st DRINK	TOTAL DRINKS						
	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8
1 hr	White						
2 hrs	White						
3 hrs	White						
4 hrs	White						

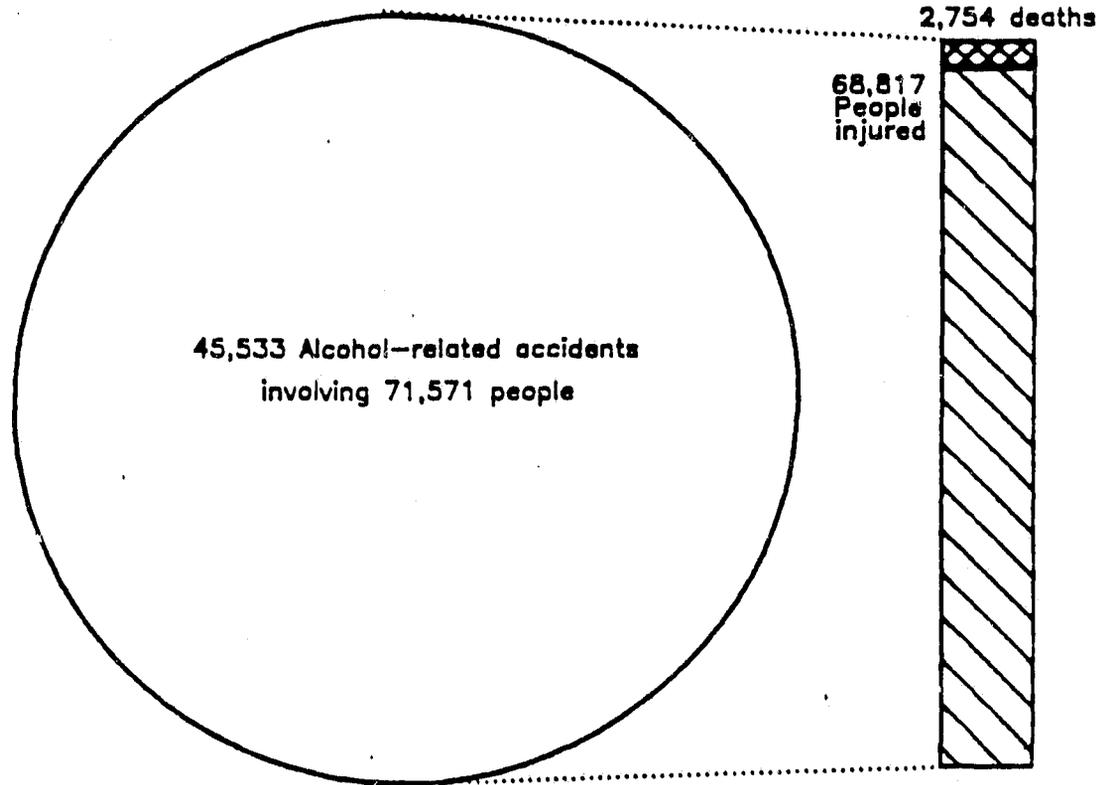
SHADINGS IN THE CHARTS ABOVE MEAN:

- (.01%-.04%) Seldom illegal
- (.05%-.09%) May be illegal
- (.10% Up) Definitely illegal
- (.05%-.09%) Illegal if under 18 yrs. old

# GRAPH 7

## ALCOHOL-RELATED ACCIDENTS AND VICTIMS

### MOTOR VEHICLE ACCIDENTS IN CALIFORNIA, 1987



Source: California Highway Patrol

#### ALCOHOL-RELATED MOTOR VEHICLE ACCIDENTS AND VICTIMS

Motor vehicle accidents are the most common nonnatural cause of death in the United States, accounting for more fatal injuries than any other type of accident. Although most states define legal intoxication as having a BAC of 0.10 percent or higher, alcohol may cause a deterioration of driving skills at 0.05 percent or even lower, and deterioration progresses rapidly with rising BAC.

After analyzing case reports, simulated driving conditions and epidemiologic data, researchers have consistently concluded that alcohol contributes significantly to traffic accidents. The higher the amount of alcohol consumed, the greater the likelihood that an accident will occur and that the accident will be serious or fatal. During 1987, there were 45,533 alcohol-related motor vehicle accidents involving 71,570 people, of which 2,754 died and 68,816 were injured. About half of the people killed in motor vehicle accidents were killed in alcohol-related incidents; one-fifth of all injuries occurred in alcohol-involved accidents.

## OTHER ALCOHOL-RELATED INJURIES

Alcohol as a causal factor in nontraffic injuries is clear. The alcohol abuser is more likely to sustain injury in traumatic situations, and is more likely to be injured seriously. Recent studies indicate that alcohol is frequently involved when a person is admitted to a hospital. The estimated percentage of total cases by category is shown in Table 4.

TABLE 4: PERCENTAGE OF HOSPITAL ADMISSIONS BY TYPE OF ADMISSION

<u>Type of Admission</u>	<u>Percentage of All Cases</u>
All persons hospitalized	20-25%
Emergency room trauma	20-27%
Accidental fires and burns	up to 64%
Hypothermia and frostbite	up to 48%
Injuries due to falls	up to 40%

## DRUG AND ALCOHOL-RELATED MORTALITY

Thousands of Californians die each year as a result of alcohol and drug abuse. During 1987, 2,488 people died as a direct result of alcohol abuse and 2,000 from drug abuse.

Accidental deaths are more likely to occur while a person is under the influence of alcohol. In addition to motor vehicle deaths, alcohol is also a factor in deaths due to falls (25 percent), fire (25 percent), and drowning and suffocation (35 percent). About 30 percent of suicides and 50 percent of all homicides are committed under the influence of alcohol.

While the mechanism of cancer is unknown, heavy alcohol consumption has been related to an increased risk of cancer. Alcohol is cited as a contributing factor in 25 percent of the deaths associated with cancer of the lip, oral cavity, and pharynx, 25 percent with cancer of the larynx, 20 percent with cancer of the stomach, and 25 percent with liver cancer.

Data from the Drug Abuse Warning Network (DAWN) indicate that about three-quarters of all drug deaths are drug induced or overdoses, and the remaining quarter are a drug-related contributing factor to the death (accidents, violence, suicide). The synergistic effects of drugs in the body are particularly volatile, particularly when mixing drugs with alcohol. During 1987, there were 1,890 drug-induced or drug-related deaths as reported by medical examiners in the Los Angeles, San Diego, and San Francisco areas. The 1,890 deaths involved 4,274 drugs, with alcohol used in combination with other drugs cited most frequently.

## ALCOHOL, DRUG ABUSE, AND PREGNANCY

The abuse of drugs and alcohol during pregnancy can result in a variety of physical, developmental, and behavioral problems in the infant. Defects caused by the abuse of drugs and alcohol are entirely preventable, unlike other birth defects.

Fetal Alcohol Syndrome (FAS) and Fetal Alcohol Effects (FAE) are the results of heavy maternal drinking during pregnancy. The symptoms of these birth defects include mental retardation, deformities, hyperactivity, and growth retardation. Approximately 4,500 infants are born annually in California with FAS or FAE, affecting up to 69 percent of all infants born to women who

drank heavily during their pregnancy. It is estimated that the annual cost of caring for people with FAS (excluding FAE) is \$214 million.

Although absolute numbers of drug-addicted babies born to mothers who abuse drugs during pregnancy are not available, it is estimated that two to five percent of all infants have been exposed to illicit drugs; and recent reports show it is an increasing problem. The withdrawals of newborns of opiate-addicted mothers has been well-documented, including tremors, agitation, and convulsions requiring medication. Birth weight is often low. With the recent cocaine epidemic, more cases of cocaine-addicted babies have been reported. Cocaine has also been implicated in premature birth, miscarriage, and an increased risk of Sudden Infant Death Syndrome (SIDS). The pregnant addict who uses drugs intravenously risks passing the virus causing AIDS to her infant. The long-term health and mental needs of drug addiction in the newborn are not as well-documented as for children born with fetal alcohol syndrome, but Californians can expect to pay the costs associated with the care of these individuals. For infants manifesting developmental problems, costs could be as high as \$70,000 annually per person requiring the services of a state developmental center, or \$5,500 per person annually for the services of a regional center community.

## AIDS

While the majority of AIDS cases to date have involved the homosexual community in California, IV drug use can be considered the gateway for AIDS to reach the general population. As of January 31, 1989, 649, or 4 percent, of the reported AIDS cases were heterosexual IV drug users, and 1,752, or 10 percent, were homosexual/bisexual IV drug users. While many people associate heroin with IV drug use, currently two much more widely used drugs pose a serious threat to the AIDS crisis -- cocaine and methamphetamine. Cocaine is injected by about ten percent of the clients reported to the Department of Alcohol and Drug Programs, and methamphetamine by about 30 percent. The proportions of those who injected, as reported to DAWN, are similar for amphetamines and much higher for cocaine. Unlike the heroin addict, the cocaine addict is more likely to draw blood into the needle to obtain a more intense rush, and is more inclined to share his/her needle, greatly increasing the risk of spreading AIDS.

## YOUTH

The abuse of drugs and alcohol among the youth of California can lead to disastrous consequences such as accidents, suicide, and homicide. Youth who abuse substances are more likely to attract the notice of the criminal justice system, to drop out of school, and to disrupt family life. Youthful abusers tend to end up "on hold" in their emotional growth, some never regaining what they lost.

To attack the problem before it has started is probably the most cost effective way to combat the alcohol and drug abuse problem, and the necessary education and prevention efforts must begin with youngsters. A 1987 study prepared by Dr. Victor Tabbush for the Department of Alcohol and Drug Programs which analyzed the benefits derived from prevention programs conservatively concluded that for every dollar spent on prevention, 31 dollars of benefits were derived. Classroom instruction, solid media information, and knowledgeable parents are imperative to these efforts. The California Attorney General's Office conducted a survey of 7th, 9th, and 11th grade students in California in 1988, gathering data regarding drug use, as well as their perception regarding the influence of education and prevention classes on their decisions regarding alcohol and drug abuse.

The percentage of students who used a substance within the last six months is presented in Table 5.

**TABLE 5: DRUG USE BY CALIFORNIA STUDENTS IN GRADES 7, 9 AND 11  
PAST SIX MONTHS BY TYPE OF DRUG**

<u>Substance</u>	<u>Grade</u>		
	<u>7</u>	<u>9</u>	<u>11</u>
Beer	40.3%	57.7%	68.3%
Wine	38.2	52.4	59.1
Liquor	18.4	38.9	52.4
Marijuana	5.8	21.6	32.8
Amphetamines	1.3	3.9	10.6
Inhalants	12.6	13.2	10.2
Polydrug	8.8	21.2	30.5

At the 9th and 11th grade levels, the reason for using drug or alcohol cited most frequently was that their friends also used (60.5 percent of the 9th graders, and 63.7 percent of the 11th graders). This underlines the importance of peer acceptance at this critical time of adolescence.

While the figures presented above are down from the previous 1986 survey figures, they are extremely high. Prevention and education efforts are designed to undermine the perception of youngsters that, if their peers take drugs, then, to be accepted, so must they.

Prevention classes do make an impact on students. Students in 9th and 11th grades reported that the classes helped them to avoid harmful and dangerous forms of drug use, avoid or reduce alcohol and/or drug consumption, and to resist peer pressure to consume alcohol or drugs. Less than ten percent of the students reported that the classes had no influence on them. The responses given by the 7th graders were even more positive than those of the older students.

#### DRUG AND ALCOHOL PROGRAMS -- PARTICIPANT CHARACTERISTICS

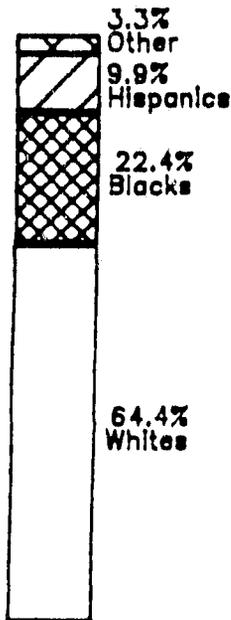
The Department of Alcohol and Drug Programs presently tracks participant data from three major sources on persons receiving services primarily for alcohol or drug abuse. Under all systems, one individual can be counted more than once during a given period if he/she is admitted and discharged from program services more than once. The populations from the systems are quite different. Most people receiving services in providers funded via the Department of Alcohol and Drug Programs could not afford private care, while those receiving care in nonfederal acute care hospitals are primarily able to pay through insurance or other resources.

# GRAPH 8

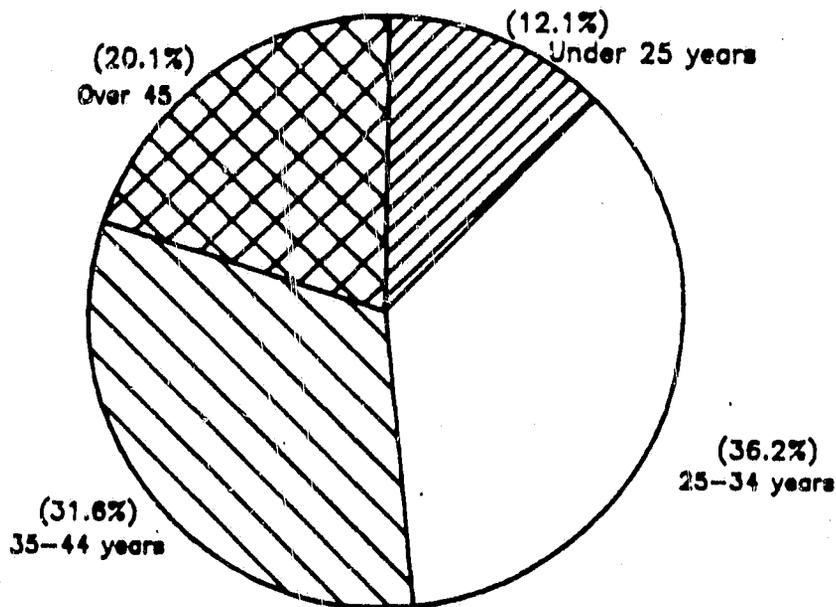
## PARTICIPATION IN ALCOHOL PROGRAMS

### DIRECT ALCOHOL SERVICES, 1987/88

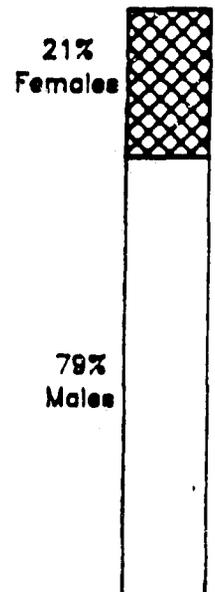
#### RACE/ETHNICITY



#### AGE OF PATIENTS



#### SEX



108,000 ALCOHOL PROGRAM PARTICIPANTS

Source: Department of Alcohol and Drug Programs

#### DIRECT ALCOHOL SERVICES

#### SERVICES RECEIVING FUNDING FROM THE DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

The Department of Alcohol and Drug Programs has \$33.6 million of state and federal funds budgeted for direct alcohol services for Fiscal Year 1988/89. Admissions to direct alcohol services supported in part by state and/or federal funds numbered approximately 108,000 during Fiscal Year 1987/88. Over three-quarters (79.0 percent) of the admissions were male; 21.0 percent were female. Over one-third (36.2 percent) were 25-34 years of age, and 31.6 percent were 35-44 years of age, with 20.1 percent over the age of 45 and 12.1 percent under 25.

White admissions accounted for 64.4 percent of the total; Blacks accounted for 22.4 percent. Hispanics accounted for 9.9 percent, Native Americans for 1.9 percent, and Asians or Pacific Islanders and all others for 1.4 percent.

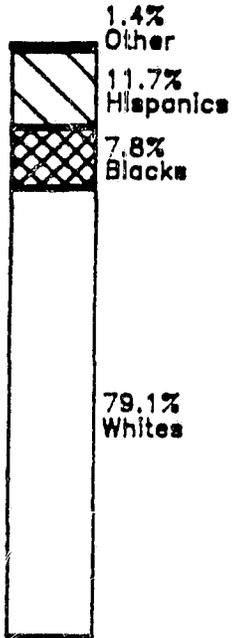
Most of the services supported by state and/or federal funds are community-based alcohol recovery services, and serve participants who probably would not be able to pay for the services themselves. Approximately 20 percent of these participants were employed at time of admission.

# GRAPH 9

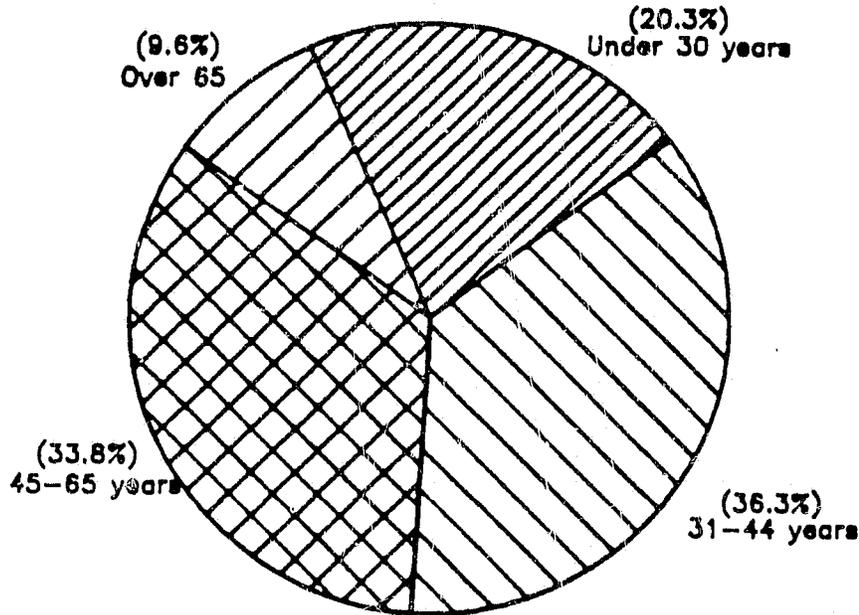
## HOSPITAL ALCOHOL TREATMENT

### PATIENT DISCHARGES IN CALIFORNIA, 1986

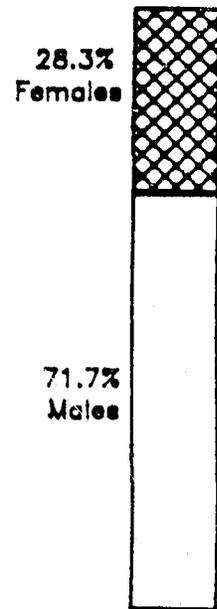
#### RACE/ETHNICITY



#### AGE OF PATIENTS



#### SEX



41,363 ALCOHOL PATIENT DISCHARGES

Source: Office of Statewide Health Planning and Development

#### HOSPITAL DISCHARGES

The Office of Statewide Health Planning and Development obtains data on patients discharged from nonfederal acute care hospitals.

During 1986, 41,363 persons diagnosed as abusing alcohol and drugs were discharged from nonfederal acute care hospitals in California. Of these, 71.7 percent were male and 28.3 percent were female. Over three-quarters (79.1 percent) of the patients were White, 11.7 percent were Hispanic, 7.8 percent were Black, 0.9 percent were Asian, and 0.5 percent were Native American.

The population receiving hospital care for an alcohol abuse problem is older than those admitted to community-based recovery services. Almost 10 percent were over 65, 33.8 percent were 45-65, 36.3 percent were 31-44, and the remaining 20.3 percent were under 30 years of age.

Total charges for the hospital stays excluding physician fees were \$253.9 million. Sources of payment are shown in Table 6.

TABLE 6: SOURCE OF PAYMENT FOR ALCOHOL AND DRUG HOSPITAL STAYS

<u>Source of Payment</u>	<u>Percent</u>
Insurance Companies	36.8%
Medicare	15.1
Self-Pay	10.4
Health Maintenance or Prepaid Health Plan	8.7
Blue-Cross/Blue-Shield	8.3
Medically Indigent Services	6.8
Medi-Cal	6.1
Other Government	5.9
Other/No Charge	1.9

While these two sources of direct care data can provide a general idea of persons affected by alcohol abuse, it can by no means provide a complete one. There are many recovery services for alcohol abuse, such as Alcoholics Anonymous and Community Recovery Centers, which provide many alcohol abusers with the supportive environment necessary to stop drinking and to stay on the path to recovery.

#### DRUG TREATMENT -- CLIENT CHARACTERISTICS

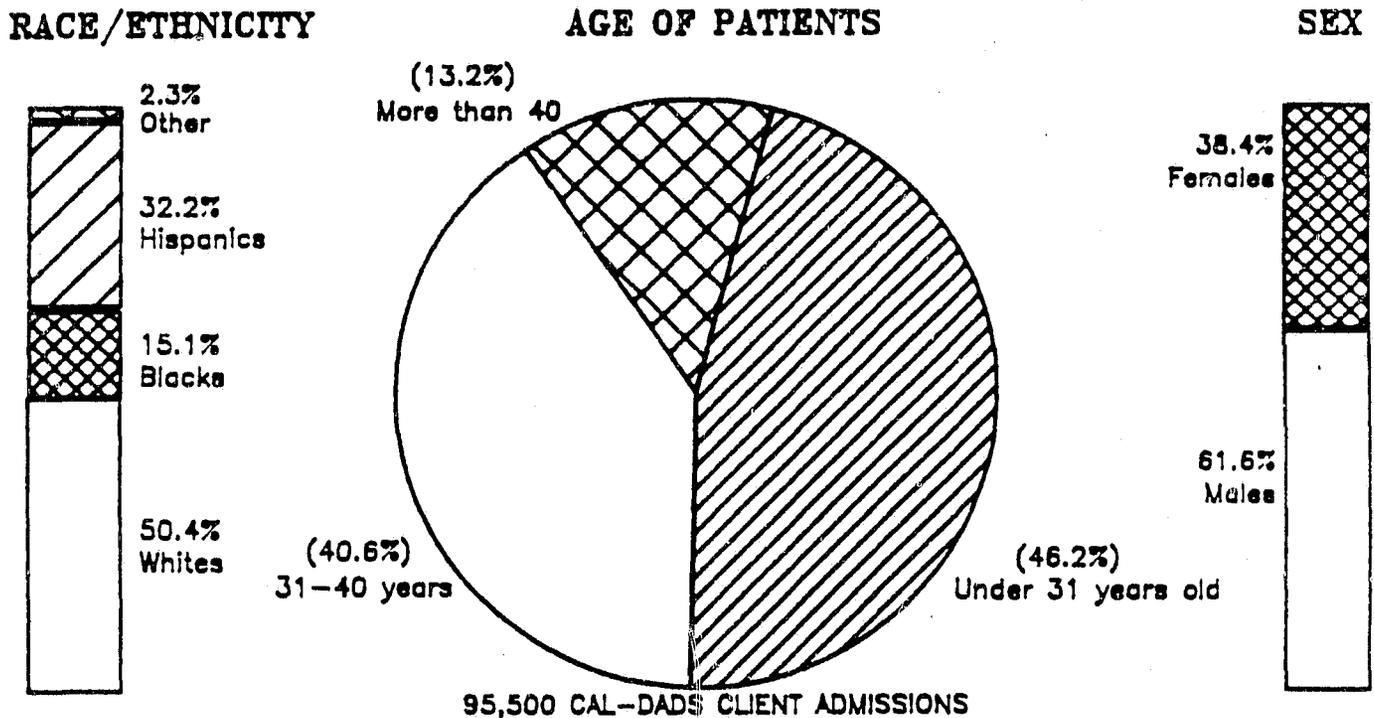
##### **UNITS REPORTING TO THE DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS**

The Department of Alcohol and Drug Programs receives data on all clients receiving state and/or federal funds for drug abuse treatment as well as all units which dispense methadone for treatment. The federal and state funds for treatment are budgeted at \$49.2 million for Fiscal Year 1988/89.

# GRAPH 10

## ADMISSIONS INTO DRUG PROGRAMS

### CALIFORNIA, 1987/88



Source: Department of Alcohol and Drug Programs

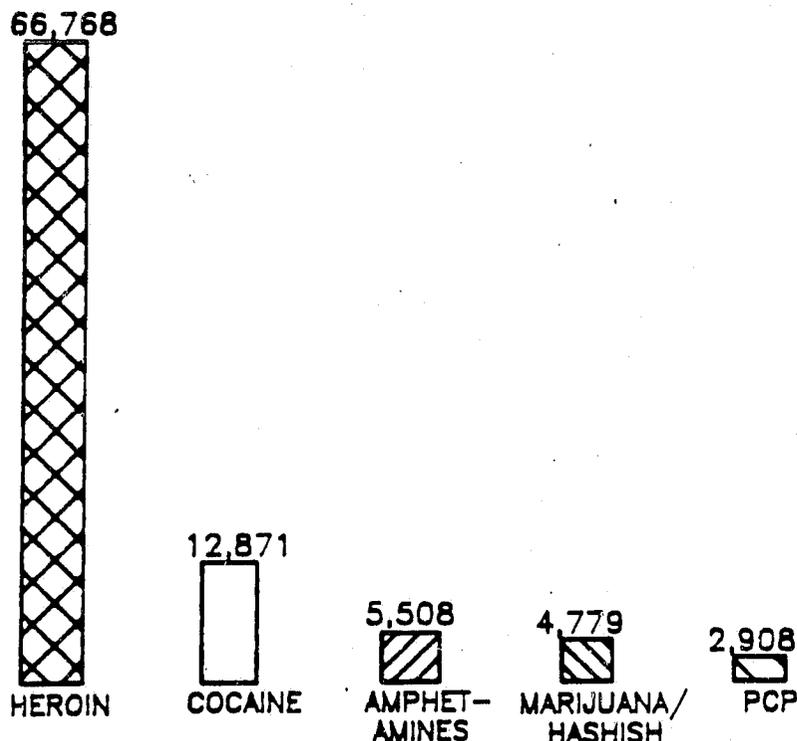
Over 95,500 clients were admitted to treatment within this system during Fiscal Year 1987/88; 61.6 percent were male, and 38.4 percent were female. Slightly over half (50.3 percent) were White, 32.2 percent were Hispanic, 15.1 percent were Black, 1.6 percent were Asian, and 0.8 percent were Native American.

Slightly less than half of the clients (46.2 percent) were under the age of 31; the age group of 31-40 accounted for an additional 40.6 percent, leaning toward a younger population than those receiving alcohol services. The primary drug of abuse at admission is shown in Table 7.

# GRAPH 11

## DRUG TREATMENT ADMISSIONS

### SELECTED DRUGS IN CAL-DADS CLINICS, 1987/88



Source: Department of Alcohol and Drug Programs

**TABLE 7: NUMBER AND PERCENT OF CLIENTS ADMITTED TO DRUG SERVICES BY PRIMARY DRUG AT TIME OF ADMISSION**

<u>Drug</u>	<u>Number</u>	<u>Percent</u>
Total	95,625	100.0%
Heroin	66,768	69.8
Cocaine	12,871	13.5
Amphetamines	5,508	5.8
Marijuana/Hashish	4,779	5.0
PCP	2,908	3.0
All Other Drugs	2,791	2.9

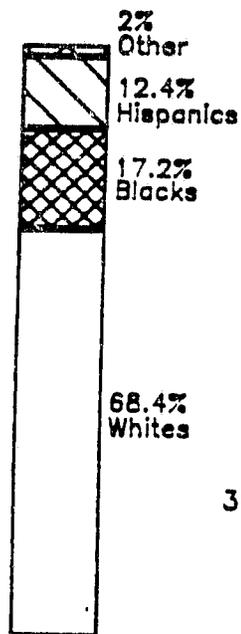
About 31 percent of the population was employed, 18 percent were referred to treatment by the criminal justice system, and 70.3 percent injected their primary drug of abuse.

# GRAPH 12

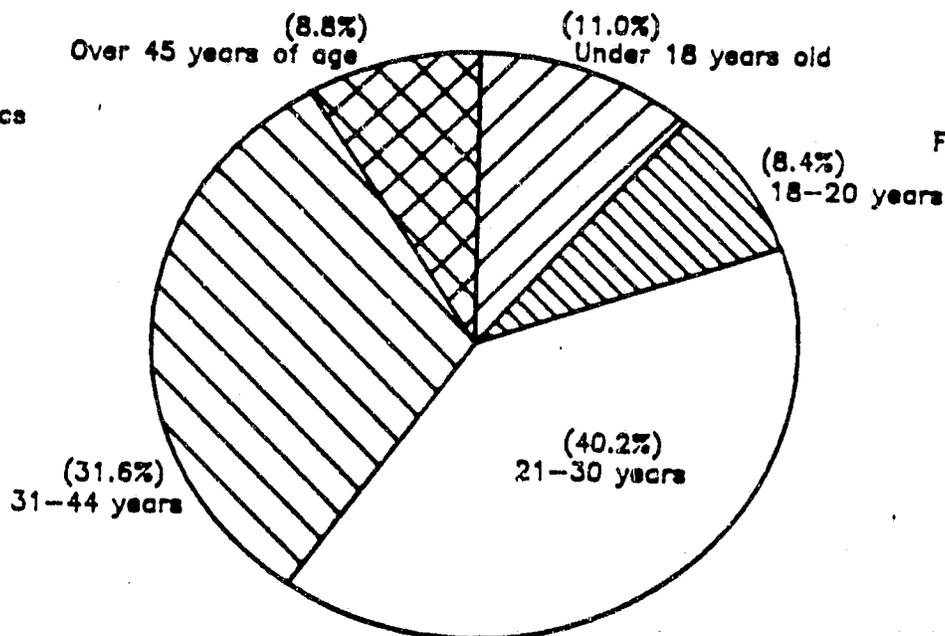
## HOSPITAL DRUG TREATMENT

### PATIENT DISCHARGES IN CALIFORNIA, 1986

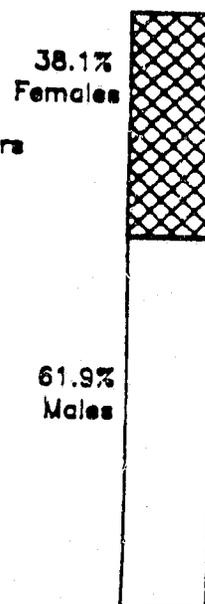
#### RACE/ETHNICITY



#### AGE OF PATIENTS



#### SEX



26,174 DRUG-TREATMENT DISCHARGES

Source: Office of Statewide Health Planning and Development

#### HOSPITAL DISCHARGE DATA

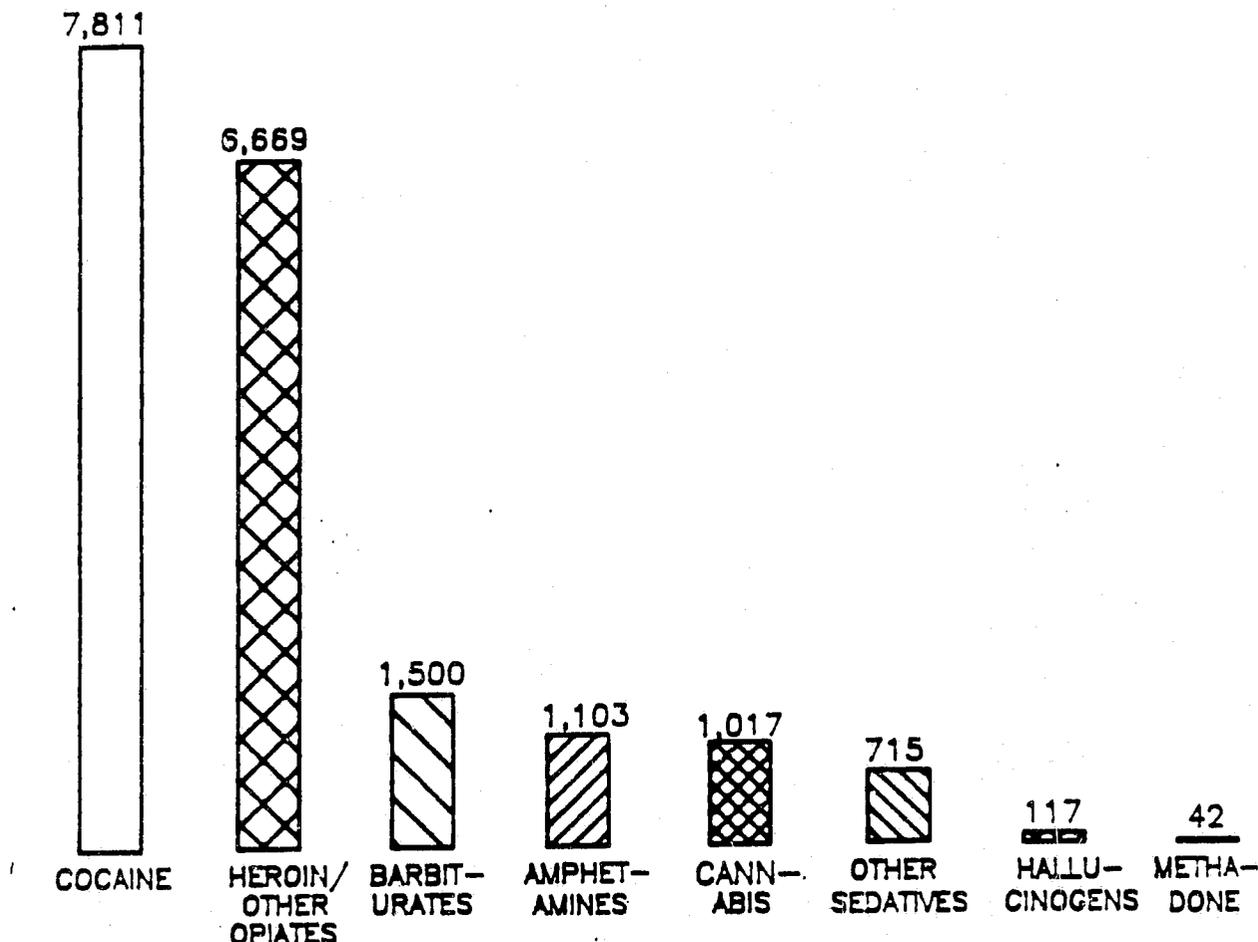
During 1986, there were 26,174 discharges from nonfederal acute care hospitals treating drug abusers. Of the discharges, 61.9 percent were male and 38.1 percent were female. Whites accounted for 68.4 percent of the discharges, 17.2 percent were Black, 12.4 percent were Hispanic, 1.8 percent were Asian, and 0.2 percent were Native American. Eleven percent were under the age of 18, 8.4 percent were 18-20 years old, 40.2 percent were 21-30, 31.6 percent were 31-44 and 8.8 percent were 45 years or over.

The principal diagnoses by drug type are shown in Table 8.

# GRAPH 13

## DRUG TREATMENTS BY PRINCIPAL DIAGNOSIS

SELECTED DRUGS IN CALIFORNIA HOSPITALS, 1986



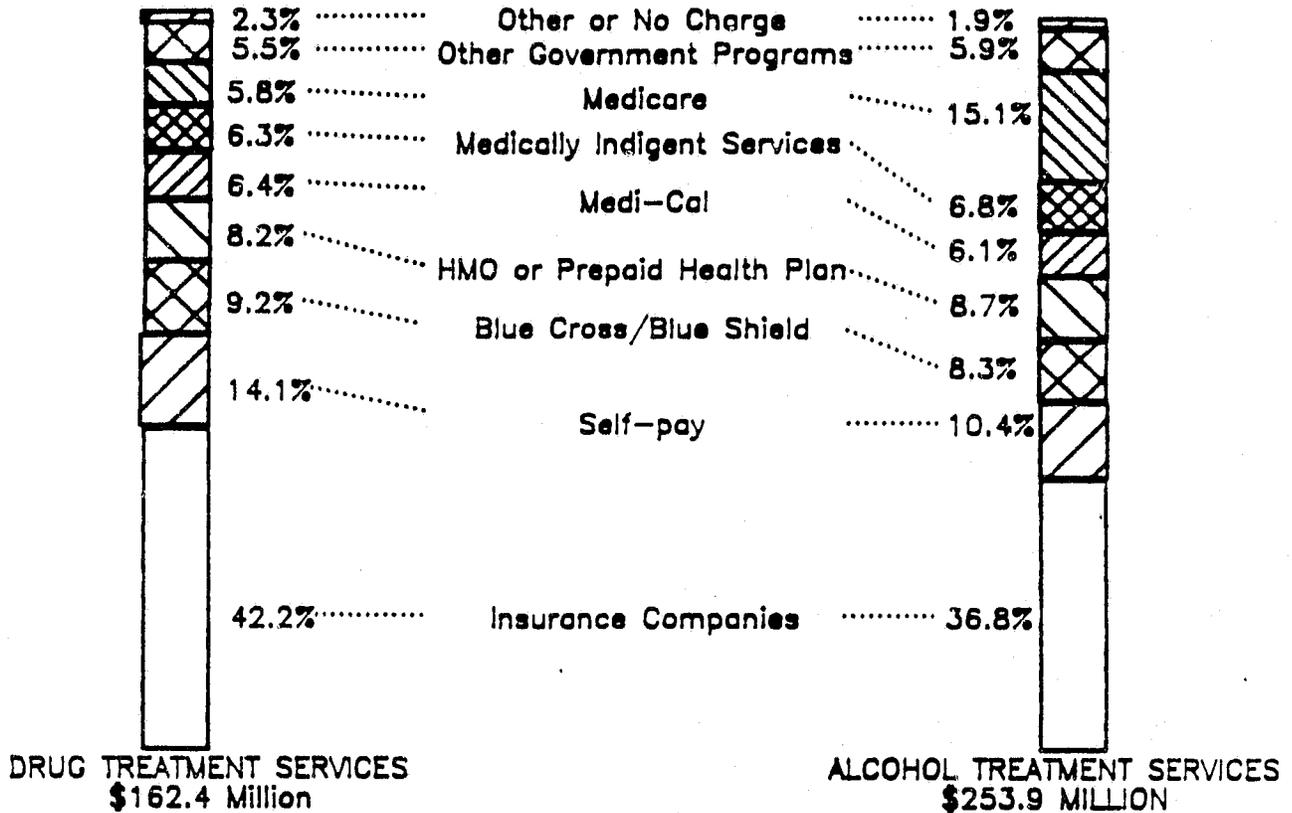
Source: Office of Statewide Health Planning and Development

TABLE 8: HOSPITAL DISCHARGES: PRIMARY DIAGNOSIS BY DRUG TYPE

	<u>Number</u>	<u>Percent</u>
Total	26,174	100.0%
Heroin/Other Opiates	6,669	25.5
Methadone	42	.2
Barbiturates	1,500	5.7
Other Sedatives	715	2.7
Amphetamines	1,103	4.2
Cocaine	7,811	29.8
Cannabis	1,017	3.9
Hallucinogens	117	.5
All Other	7,200	27.5

Total hospital charges for services rendered (excluding physician fees) were \$162.4 million. The sources of payment for the hospital charges are shown in Table 9.

# GRAPH 14 HOSPITAL TREATMENT PAYMENT SOURCES IN CALIFORNIA, 1986



Source: Office of Statewide Health Planning and Development

TABLE 9: HOSPITAL DISCHARGES: SOURCE OF PAYMENT

<u>Source of Payment</u>	<u>Percent</u>
Insurance Companies	42.2%
Self-Pay	14.1
Blue-Cross/Blue-Shield	9.2
Health Maintenance or Prepaid Health Plan	8.2
Medi-Cal	6.4
Medically Indigent Services	6.3
Medicare	5.8
Other Government	5.5
Other/No Charge	2.3

## ALCOHOL PROBLEM INDICATOR TRENDS

### ALCOHOL CONSUMPTION

The per capita consumption rate of alcoholic beverages by the California drinking age population (persons 14 years of age and older) has remained fairly stable from 1983 to 1987, hovering around 39 gallons. The 38.8 gallons consumed per capita during 1987 consisted of 30.7 gallons of beer, 5.8 gallons of wine, and 2.3 gallons of distilled spirits. While total per capita gallons consumed remained stable, the slight difference in types of beverages consumed (more beer, less distilled spirits) resulted in a slight decrease in per capita absolute alcohol or ethanol consumed from 3.22 gallons in 1983 to 3.07 gallons during 1987 (Table 10).

TABLE 10: PER CAPITA ALCOHOL BEVERAGE CONSUMPTION  
1983 versus 1987

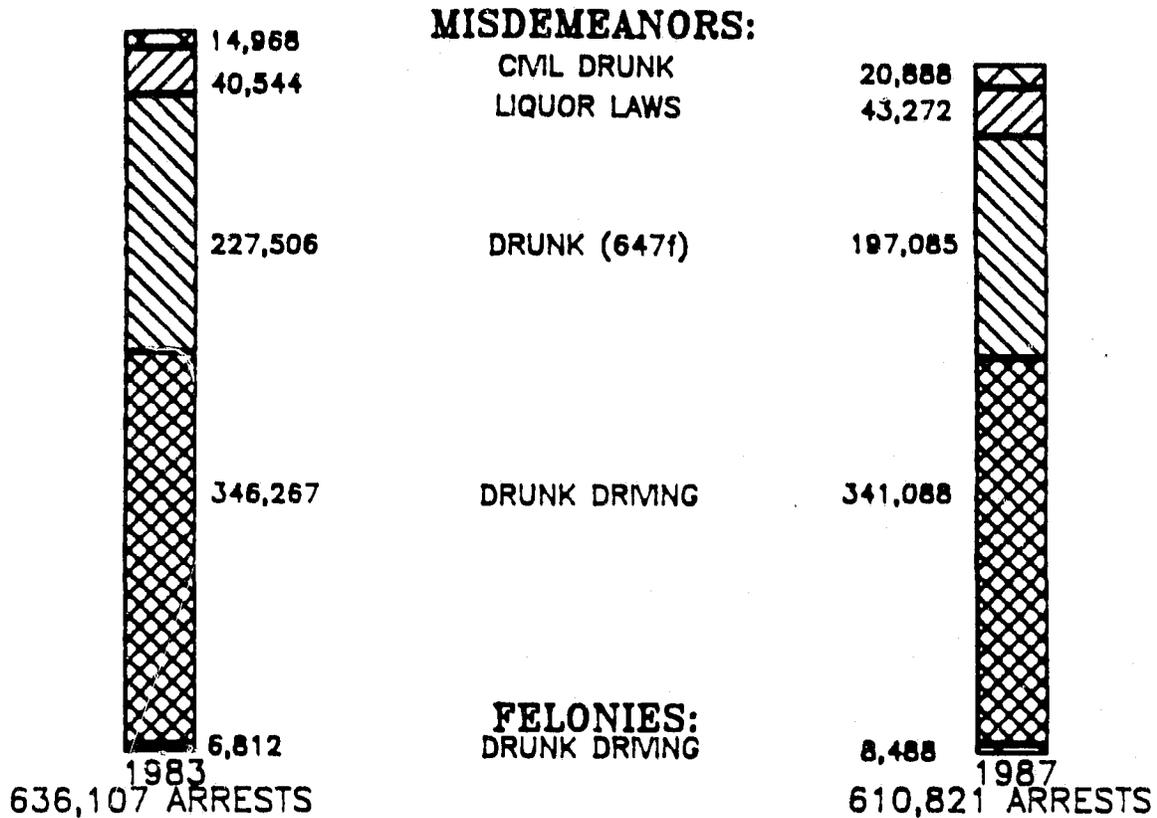
	<u>1983</u>	<u>1987</u>
Total Gallons	38.9	38.8
Beer	30.4	30.7
Wine	5.8	5.8
Distilled Spirits	2.7	2.3
Absolute Alcohol (gallons)	3.22	3.07

### ALCOHOL-RELATED ARRESTS

Total alcohol-related arrests moved up and down from 1983 to 1987, ending with a net decrease of 25,286 (4.0 percent) to 610,821. Felony arrests (drunk driving) rose each year, from 6,812 during 1983 to 8,488 during 1987, a 24.6 percent increase. Over the same period, misdemeanor alcohol arrests had a net decrease of 26,962 to 602,333, for a 4.3 percent decrease. The bulk of the decrease occurred in arrests of people found drunk in public places, creating a nuisance, or obstructing public thoroughfares (Penal Code (P.C.) drunk 647f). Table 11 outlines the alcohol-related arrests by type and net change over the period 1983 to 1987.

# GRAPH 15 ALCOHOL-RELATED ARRESTS

CALIFORNIA, 1983 AND 1987



Source: Department of Justice

**TABLE 11: ALCOHOL-RELATED ARRESTS IN CALIFORNIA  
1983 versus 1987**

<u>Offense</u>	<u>1983</u>	<u>1987</u>	<u>Net Percent Change</u>
<b>Felony Total</b>			
Drunk Driving	6,812	8,488	14.6
<b>Misdemeanor Total</b>	<b>629,295</b>	<b>602,333</b>	<b>-4.3</b>
Drunk Driving	346,267	341,088	-1.5
Drunk (647f P.C.)	227,506	197,085	-13.4
Liquor Laws	40,554	43,272	6.7
Civil Drunk	14,968	20,888	39.6

## ALCOHOL-RELATED MOTOR VEHICLE ACCIDENTS

During 1983, there were 44,707 alcohol-related accidents; 2,089, (4.7%), involved fatalities and 42,618 (95.3%) resulted in injury. Alcohol-related accidents during 1987 reached 45,533, an increase of 1.8 percent since 1983. Of the 45,533 accidents, 2,425 (5.3 %) involved fatalities and 43,108 (94.7 %) involved injuries only. The percentage of fatal alcohol-related accidents to all fatal accidents was down slightly from 1983 to 1987, decreasing from 51.1 percent of the total to 49.3 percent. Alcohol-related injury accidents as a percent of all injury accidents was also down, moving from 21.7 percent of the total during 1983 to 18.0 percent during 1987.

A total of 2,754 people were killed in alcohol-related accidents during 1987, up from 2,386 in 1983, for a 15.4 percent increase. The percentage alcohol-related fatalities represent of all fatalities was 52.2 percent during 1983, decreasing to 50.1 percent in 1987.

People injured in alcohol-related accidents numbered 68,816 during 1987, representing 19.1 percent of all persons injured in motor vehicle accidents. The corresponding number for 1983 was 66,909, which represented 22.9 percent of all persons injured.

Although the numbers of accidents and injuries have increased from 1983 to 1987, the change is small when compared to the increase in the number of licensees (11.5 percent) and the increase in the number of miles driven per year (23.9 percent).

## DEATHS

Deaths due to alcohol decreased from 1983 to 1985 and then rose again through 1987 to reach 2,488, 43 more deaths than in 1983 (Table 12). Deaths directly due to alcohol are deaths associated with chronic liver disease and cirrhosis, alcoholic psychosis, accidental poisoning and toxic effects of alcohol.

TABLE 12: DEATHS DUE TO ALCOHOL, YEARS 1983 THROUGH 1987

<u>Year</u>	<u>Number</u>
1983	2,445
1984	4,498
1985	2,189
1986	2,393
1987	2,488

## DRUG PROBLEM INDICATOR TRENDS

### DRUG-RELATED ARRESTS

Total arrests for drug-related offenses increased by 43.6 percent from 1983 to 1987, moving from 188,433 to 270,561. Most increases occurred in the felony category, which grew from 79,422 to 146,588 over the period, for an increase of 84.6 percent. Many of these increases are probably due to the recent cocaine epidemic and the emergence of methamphetamine. The increases occurred in the narcotics and dangerous drug categories where these two drugs are classified.

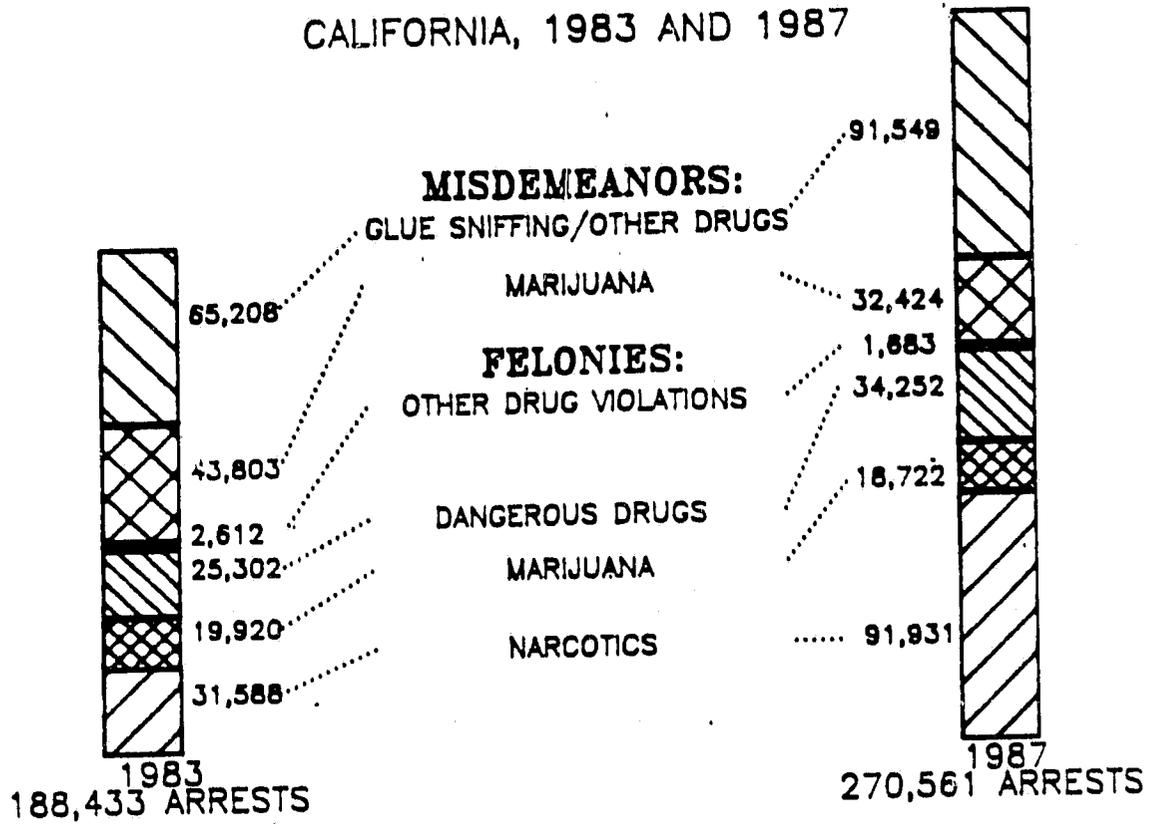
Misdemeanor arrests also increased, although to a lesser extent. During 1983, there were 109,011 misdemeanor drug arrests, rising to 123,973 during 1987, for a net increase of 13.7 percent (Table 13).

TABLE 13: DRUG-RELATED ARRESTS IN CALIFORNIA  
1983 versus 1987

	<u>1983</u>	<u>1987</u>	<u>Net Percent Change</u>
Total Arrests	188,433	270,561	43.6
<b>Felony</b>			
Total Felony	79,422	146,588	84.6
Narcotics	31,588	91,931	191.0
Marijuana	19,920	18,722	-6.0
Dangerous Drugs	25,302	34,252	35.4
Other Drug Violations	2,612	1,683	-35.6
<b>Misdemeanor</b>			
Total Misdemeanor	109,011	123,973	13.7
Marijuana	43,803	32,424	-26.0
Other Drugs	62,655	90,504	44.4
Glue Sniffing	2,553	1,045	-59.1

# GRAPH 16 DRUG-RELATED ARRESTS

CALIFORNIA, 1983 AND 1987



Source: Department of Justice

## DRUG COMMITMENTS TO CORRECTIONAL FACILITIES

Drug commitments to the Department of Corrections rose steeply from 1983 to 1987, moving from 2,007 to 7,971, for a 297.2 percent increase.

Commitments to Youth Authority for drug-related offenses also increased. During 1983, there were 148 commitments, by 1987 the number had risen to 705.

## SPECIFIC DRUGS OF ABUSE

### Cocaine

For the past few years, California has experienced an epidemic of cocaine use of a magnitude not seen in many years for any drug. All indicators of cocaine abuse remain extremely high; however, the numbers are moving up more slowly, suggesting a peak in the level of the epidemic.

Admissions for a primary problem of cocaine abuse to providers reporting to the California Drug Abuse Data System (CAL-DADS) have risen dramatically since Fiscal Year 1982/83, from 4,427 then to 12,871 during Fiscal Year 1987/88, an overall increase of 190.7 percent. However, the increase from Fiscal Year 1986/87 to Fiscal Year 1987/88 was only 356, or 2.8 percent. This increase is in sharp contrast to previous years' increases of between 20 and 39 percent per year.

Part of the huge increase in cocaine abuse is due to the emergence of crack, which is affordable and gives the user an intense rush when smoked. The increase in crack use can be tracked by the increase in cocaine-smoking clients entering treatment. During Fiscal Year 1982/83, 17.2 percent, or 761, of the primary cocaine clients smoked the drug. By Fiscal Year 1987/88, 6,789 were admitted for smoking cocaine. This represents 52.7 percent of all cocaine clients, and surpasses all other methods of administering cocaine.

Emergency room episodes involving cocaine in the San Diego, San Francisco, and Los Angeles areas, as reported by the DAWN, also increased but at a decreasing rate. During 1983, there were 1,001 emergency room episodes involving cocaine; by 1987, the number was 4,267, for an increase of 326.3 percent. The increase from 1986 to 1987 was 23.6 percent.

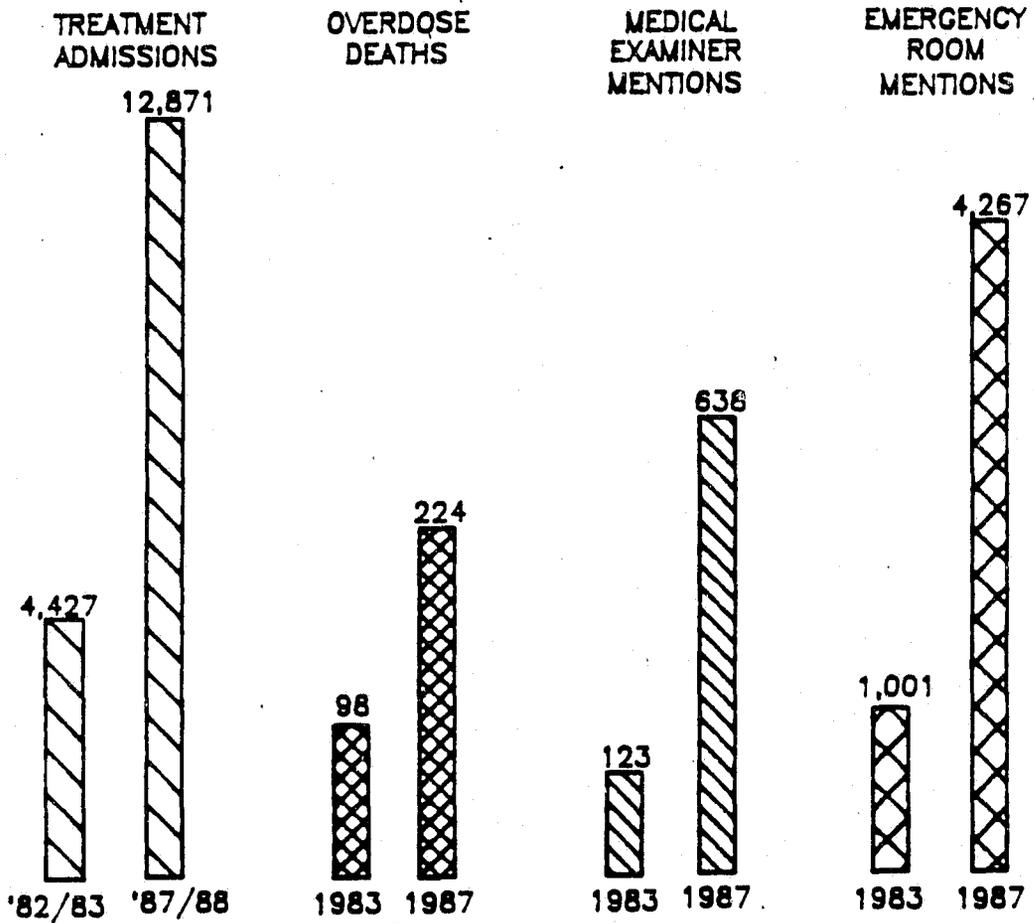
Deaths related to cocaine, as reported to the DAWN system by medical examiners, numbered 638 during 1987, up 418.7 percent from the 1983 total of 123. The increase from 1986 to 1987 was 23.1 percent, as compared to the 46.0 percent increase from 1985 to 1986.

Cocaine-induced deaths (overdoses) for California during 1987 were 224, as compared to 98 during 1983, a 128.6 percent increase. The count rose by 20 deaths from 1986 to 1987, as compared to 74 from 1985 to 1986.

# GRAPH 17

## COCAINE

TRENDS BETWEEN 1983 AND 1987



Sources: CAL-DADS Admissions, Vital Statistics and DAWN

## Amphetamines

Indicators of amphetamine abuse are showing alarming increases. Admissions to CAL-DADS treatment units of persons with a primary problem of amphetamine abuse rose 19.5 percent from 4,611 during Fiscal Year 1986/87 to 5,508 during Fiscal Year 1987/88. Over the last five years, admissions for amphetamine abuse have increased 116.9 percent. While San Diego, San Bernardino, and Riverside show the largest numbers of admissions for amphetamine abuse, there is also a severe problem in some of the smaller rural areas. Shasta and Siskiyou Counties reported over 50 percent of their total admissions as primary amphetamine clients. Much of this increase is due to the illicit laboratory manufacture of methamphetamine. During 1987, there were 465 methamphetamine laboratory busts.

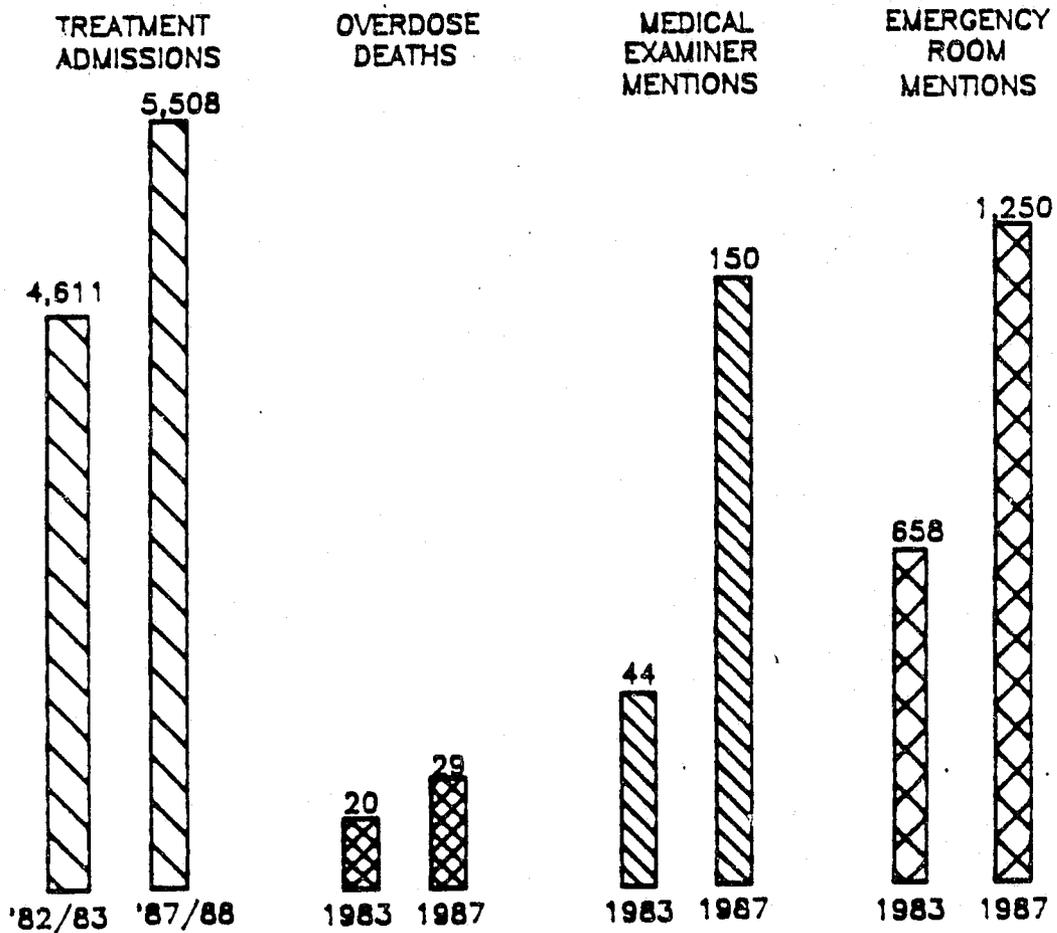
Emergency room episodes involving amphetamine rose 41.4 percent to 1,250 from 1986 to 1987. Since the 1983 level of 658, there has been a 90.0 percent increase.

There were 150 amphetamine-related deaths as reported to the DAWN system during 1987, up 240.9 percent from the 1983 figure of 44.

Increases in amphetamine abuse are particularly alarming, due to the high rate of intravenous use. Approximately one-third of all clients admitted to CAL-DADS treatment units inject amphetamines. As reported to DAWN, slightly over one-third of clients admitted to emergency rooms for episodes involving amphetamines had injected the drug.

# GRAPH 18 AMPHETAMINES

TRENDS BETWEEN 1983 AND 1987



Sources: CAL-DADS Admissions, Vital Statistics and DAWN

## Heroin

With the exception of CAL-DADS admissions, the indicators of heroin abuse have generally declined since about 1985 or 1986, verifying that the most recent wave of heroin abuse has receded (Graph 19).

Admissions to the CAL-DADS system increased to 66,768 during Fiscal Year 1987/88, up 3.6 percent from the Fiscal Year 1986/87 count of 64,393. The admissions during Fiscal Year 1987/88 are still 6.4 percent below the Fiscal Year 1985/86 high of 71,342.

Hepatitis type B cases continued to decrease during 1987, falling from 5,061 in 1986 to 4,372, or 13.6 percent. This was a 26.8 percent drop from the 1985 high of 5,969.

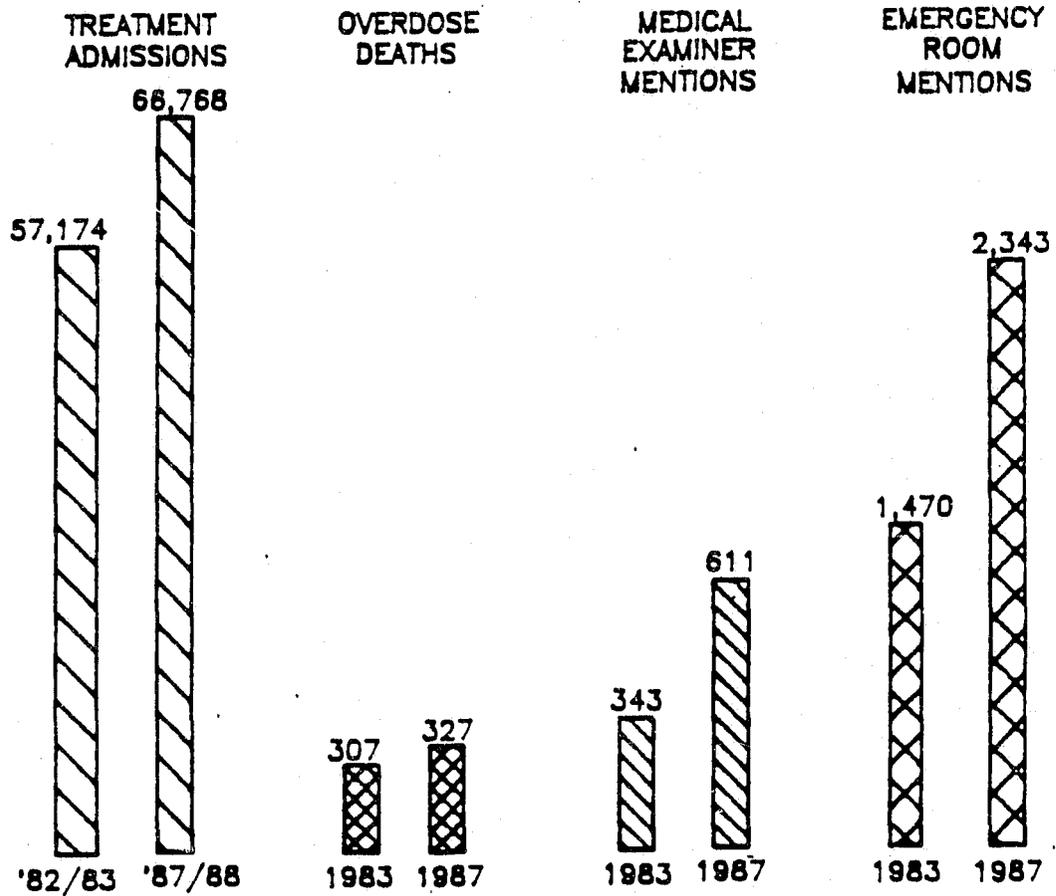
Emergency room mentions of heroin/morphine as reported to DAWN decreased by 24.2 percent from 1986 to 1987 (3,092 to 2,343). This is the lowest level reported since 1984.

Heroin-/morphine-related deaths reported to DAWN decreased to 611 during 1987 from 694 during 1986, a 12.0 percent decrease.

Opiate overdose deaths in California fell from 546 during 1986 to 327 during 1987, a decrease of 40.1 percent. This is the lowest level of opiate overdose deaths since 1983.

# GRAPH 19 HEROIN

TRENDS BETWEEN 1983 AND 1987

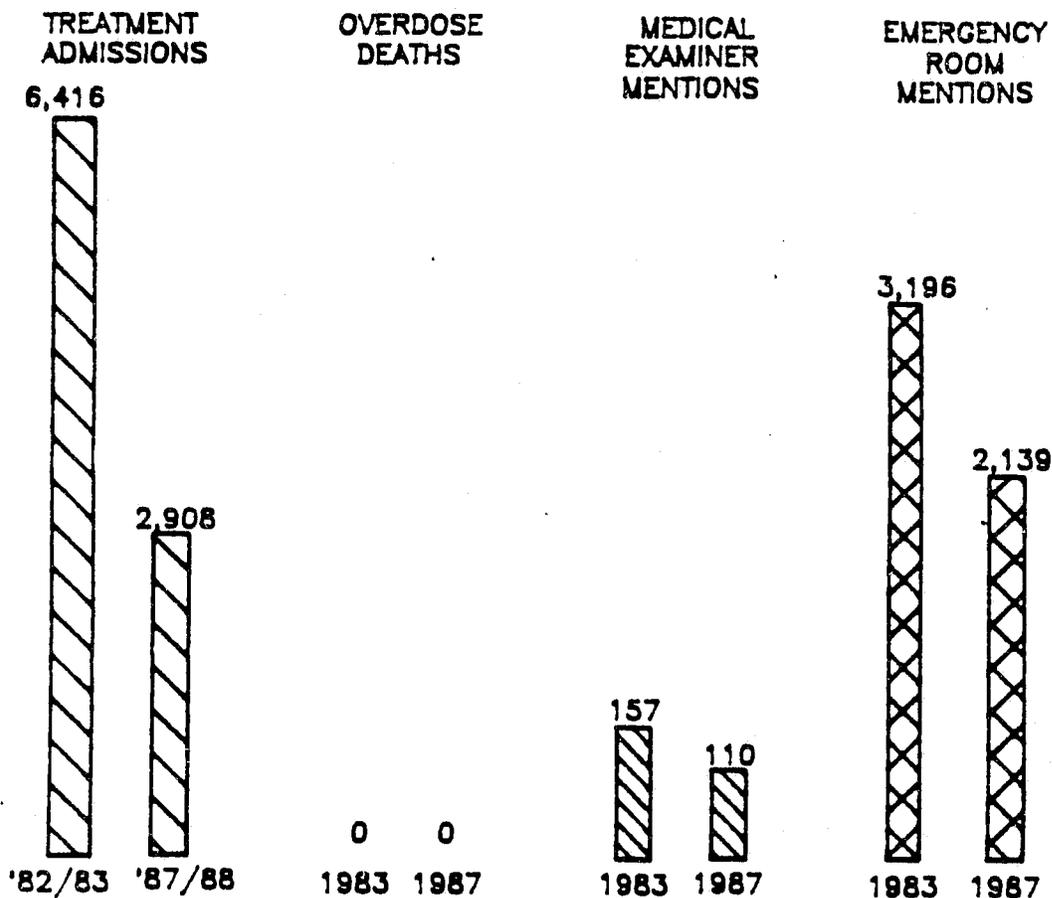


Sources: CAL-DADS Admissions, Vital Statistics and DAWN

# GRAPH 20

## PCP

TRENDS BETWEEN 1983 AND 1987



Sources: CAL-DADS Admissions, Vital Statistics and DAWN

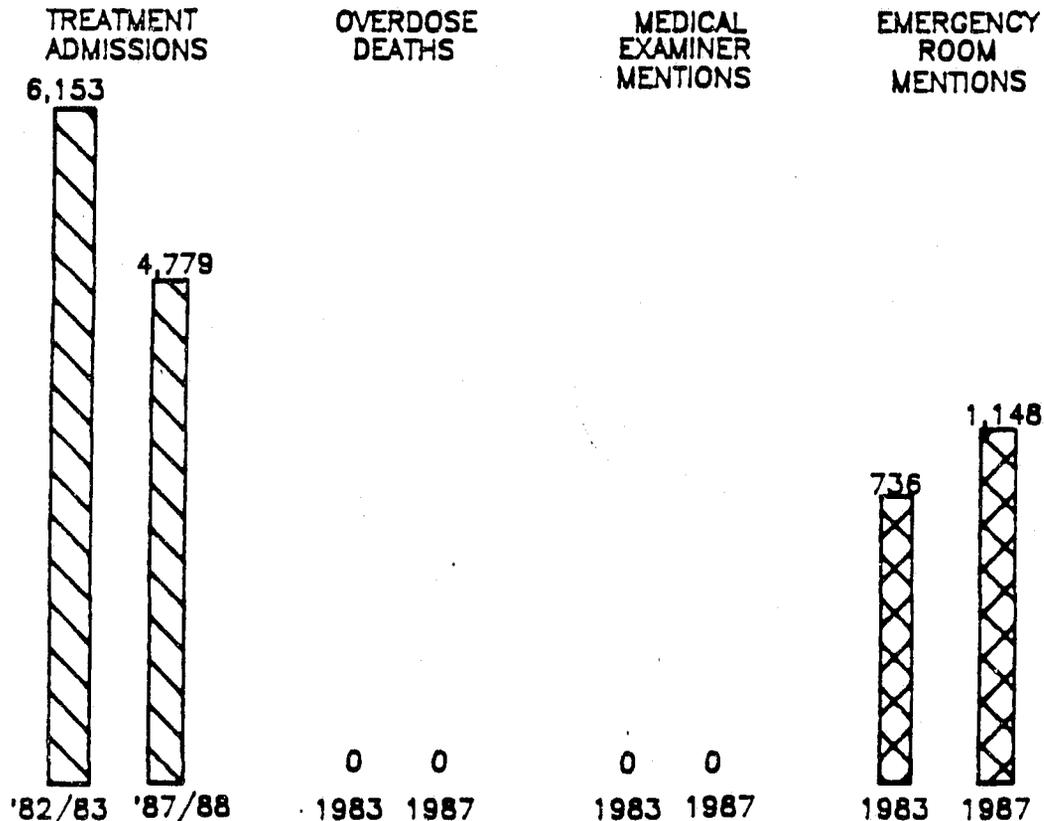
### PCP

Most indicators of PCP abuse continue to decline. CAL-DADS admissions for the primary problem of PCP abuse have been declining since Fiscal Year 1983/84, when they totaled 6,862. The overall decline since that time is 57.6 percent bringing the total down to 2,908 during Fiscal Year 1987/88.

Following a four-year decline, PCP emergency room mentions reported to DAWN rose by 147 mentions to 2,139 during 1987, an increase of 7.4 percent from 1986. Surprisingly, the increase occurred in San Francisco, an area which has not been associated with PCP in the past. Future years' data will determine whether PCP will become more popular or if the increase in the area was a one-time occurrence. DAWN PCP-related deaths numbered 110 during 1987, down from 141 during 1986, and slightly higher than than the 1985 level of 104.

# GRAPH 21 MARIJUANA

## TRENDS BETWEEN 1983 AND 1987



Sources: CAL-DADS Admissions, Vital Statistics and DAWN

### Marijuana

Marijuana is probably the most widely used illicit drug. While the admissions to CAL-DADS units move up and down from year to year, there has been an overall decline since Fiscal Year 1982/1983. During Fiscal Year 1982/83, total admissions for marijuana abuse were 6,167, declining to 4,779 during Fiscal Year 1987/88, or 22.5 percent.

As presented in the arrest data earlier, arrests for marijuana offenses have also decreased from 1983 to 1987.

It is encouraging that student surveys for California, as well the Nation, also show declining marijuana use. According to the 1985 National Household Survey, there has been a slight decrease in current marijuana use from 1982. Hopefully, the decrease will continue to make a dent in the number of people using this drug, which is often viewed as a "gateway" to the abuse of other drugs.

# **APPENDIX TWO**

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## **Anti-Drug Funds for the States**

### **Federal Anti-Drug Abuse Expenditures Graphs**

**Source: Department of Justice,  
Bureau of Justice Assistance**

## ANTI-DRUG FUNDS FOR THE STATES

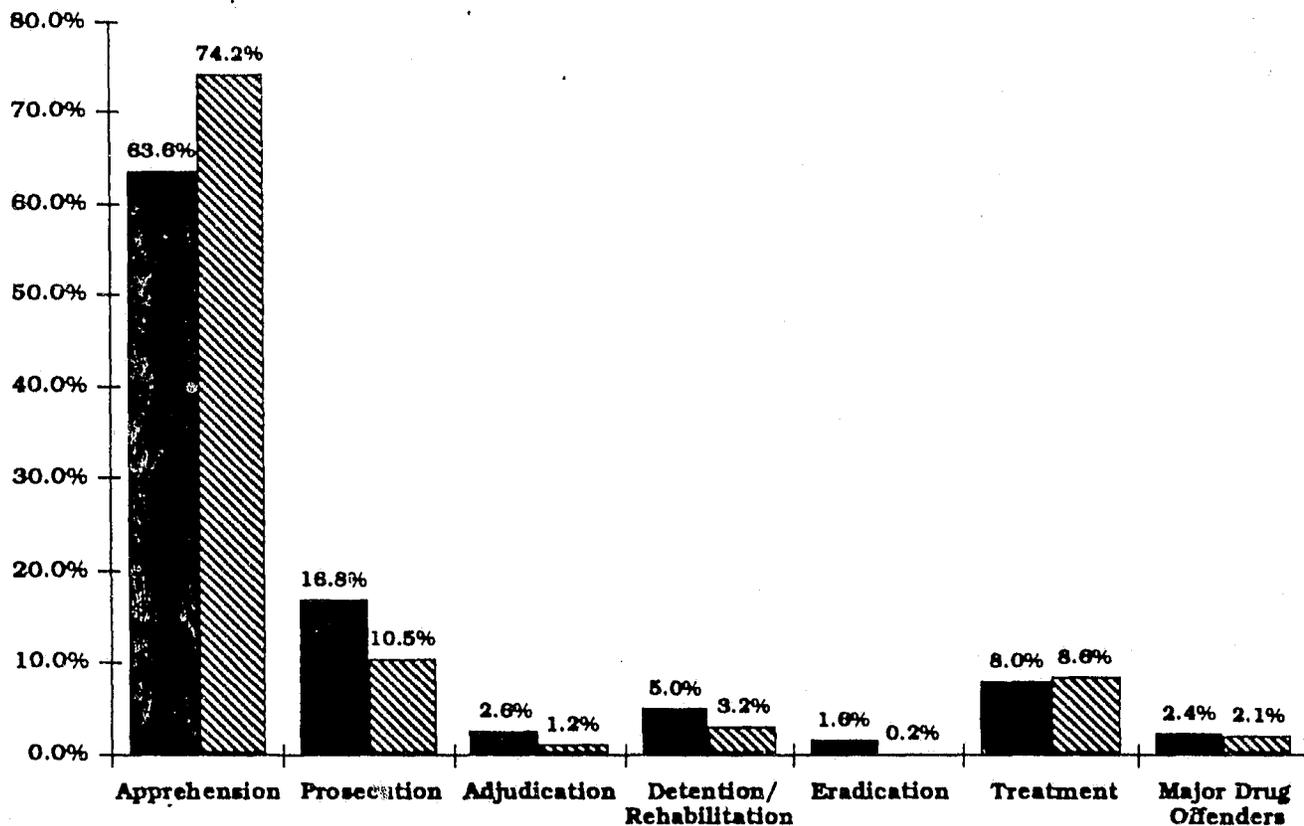
The table below shows estimated total allocations from federal anti-drug abuse formula grant programs to states in 1989 and 1990. It also shows the percent change in funding between 1989 and 1990.

State	1989 Funds (in Mil- lions)	1990 Funds (in Mil- lions)	Percent Change, 1989-90	State	1989 Funds (in Mil- lions)	1990 Funds (in Mil- lions)	Percent Change, 1989-90
Alabama	\$19.90	\$32.81	64.86%	Nebraska	\$5.85	\$11.41	65.54%
Alaska	4.85	6.66	37.48	Nevada	6.18	10.10	63.32
Arizona	18.04	28.37	62.73	New Hampshire	6.94	9.37	35.02
Arkansas	11.23	17.37	54.60	New Jersey	42.77	70.04	64.00
California	128.14	228.48	78.30	New Mexico	9.38	12.73	35.92
Colorado	16.52	27.47	66.27	New York	91.60	158.48	70.81
Connecticut	15.89	26.57	67.20	North Carolina	24.49	42.28	72.52
Delaware	4.28	7.19	67.95	North Dakota	3.81	5.99	57.73
Florida	55.94	98.34	72.27	Ohio	53.45	88.32	65.24
Georgia	26.20	45.81	74.81	Oklahoma	15.33	24.11	57.27
Hawaii	6.41	10.59	65.01	Oregon	12.60	21.19	68.19
Idaho	4.67	7.24	55.04	Pennsylvania	57.09	96.09	68.31
Illinois	53.55	95.18	77.74	Rhode Island	7.79	11.82	51.80
Indiana	31.56	46.61	47.72	South Carolina	14.79	25.41	71.81
Iowa	9.57	17.51	82.81	South Dakota	5.94	7.96	34.03
Kansas	9.71	16.18	66.62	Tennessee	19.94	35.43	77.69
Kentucky	13.61	24.91	83.09	Texas	67.80	122.76	81.09
Louisiana	17.93	32.73	82.58	Utah	9.48	15.70	65.70
Maine	7.01	9.57	36.50	Vermont	6.04	7.89	30.60
Maryland	19.02	36.33	90.98	Virginia	23.68	43.02	81.69
Massachusetts	33.63	53.38	58.74	Washington	21.69	38.80	69.72
Michigan	41.96	73.95	76.24	West Virginia	9.07	13.09	44.25
Minnesota	15.94	29.35	84.16	Wisconsin	18.10	33.57	85.45
Mississippi	11.81	18.63	57.65	Wyoming	3.33	5.15	52.09
Missouri	23.35	38.28	71.28	Puerto Rico	18.30	29.87	61.98
Montana	8.18	7.30	-9.91	Territories	6.78	9.65	42.67

Source: Federal Funds Information for States (FFIS).

# ANTI-DRUG ABUSE ACT

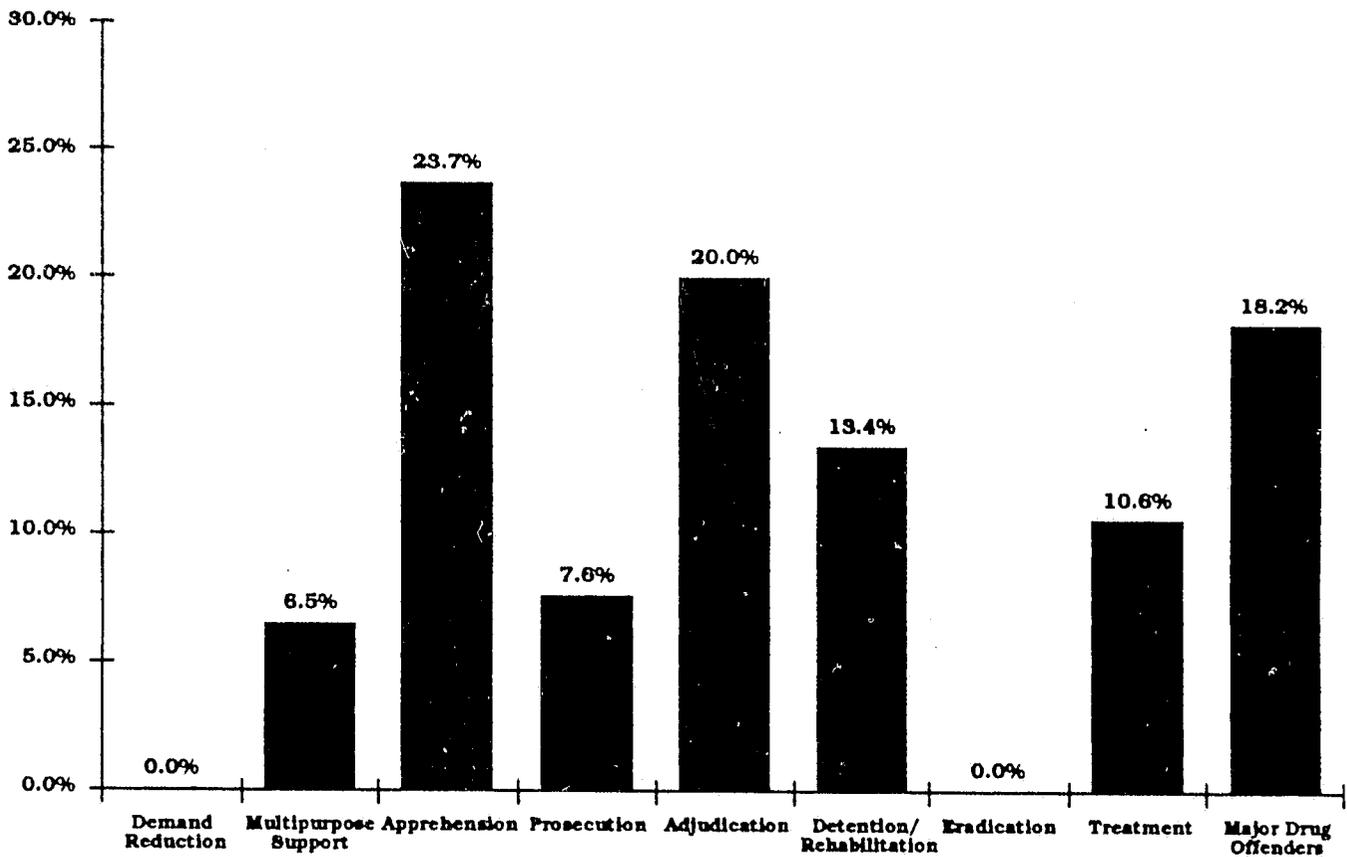
## Formula Grant Funds Distribution



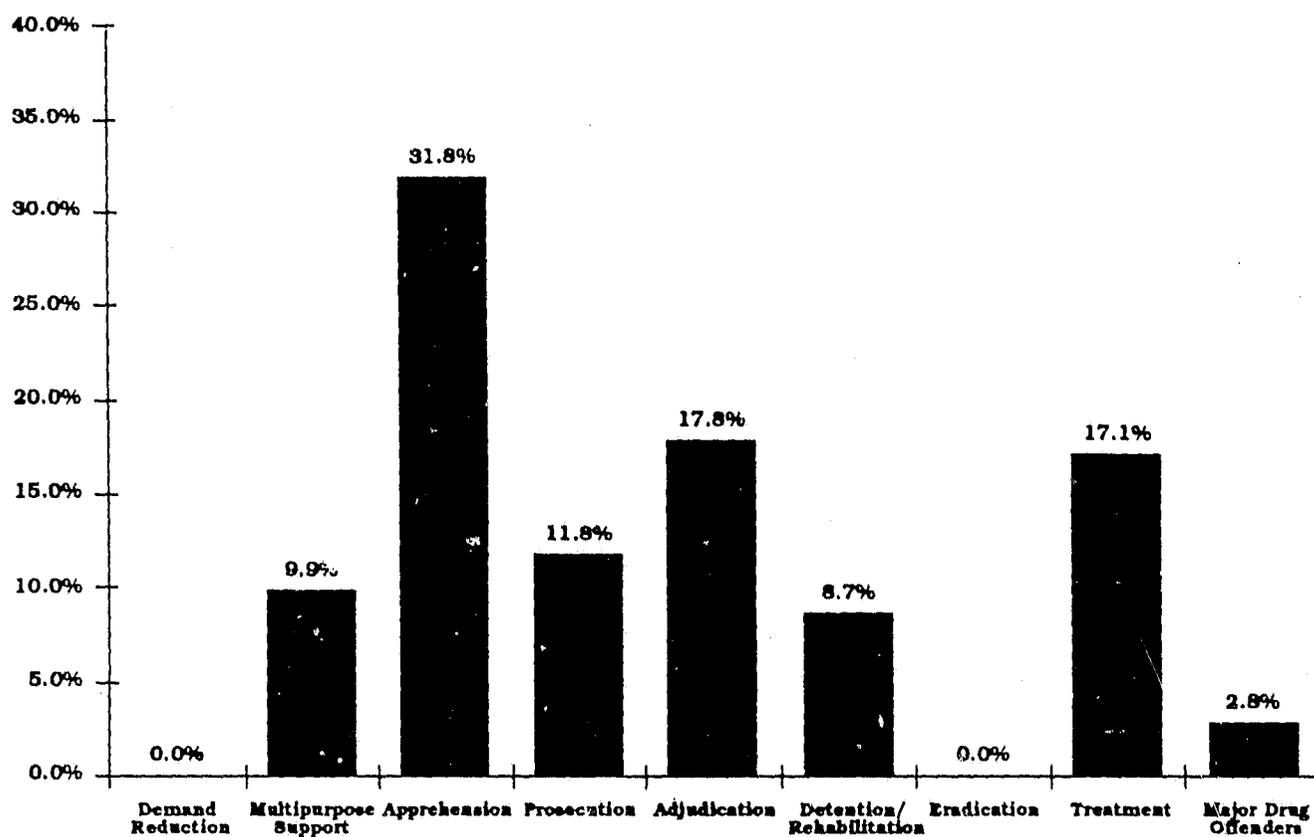
■ FY 1987 Subgrants

▨ FY 1988 Subgrants

# ANTI-DRUG ABUSE ACT OF 1986 FY 1987 Discretionary Funds

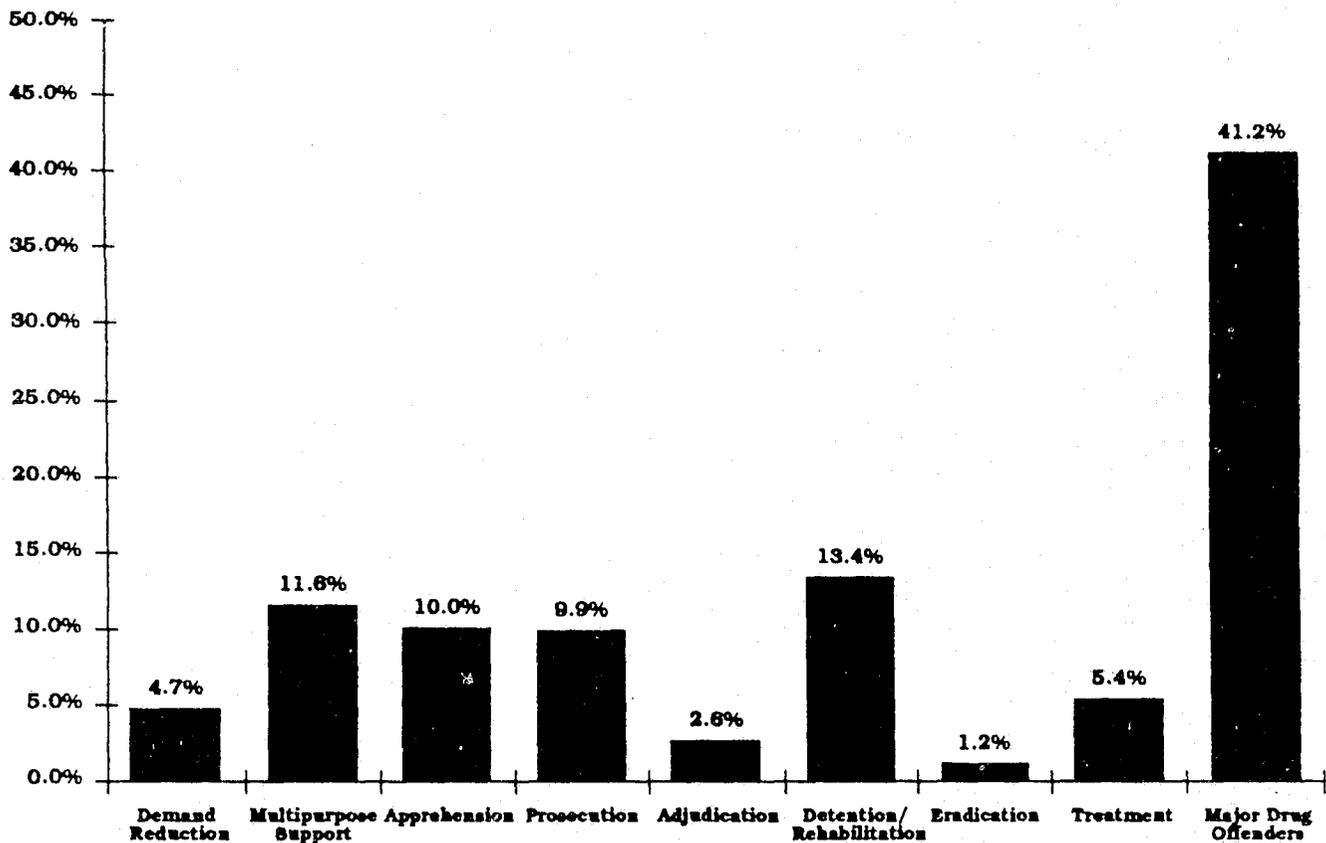


# ANTI-DRUG ABUSE ACT OF 1986 FY 1988 Discretionary Funds



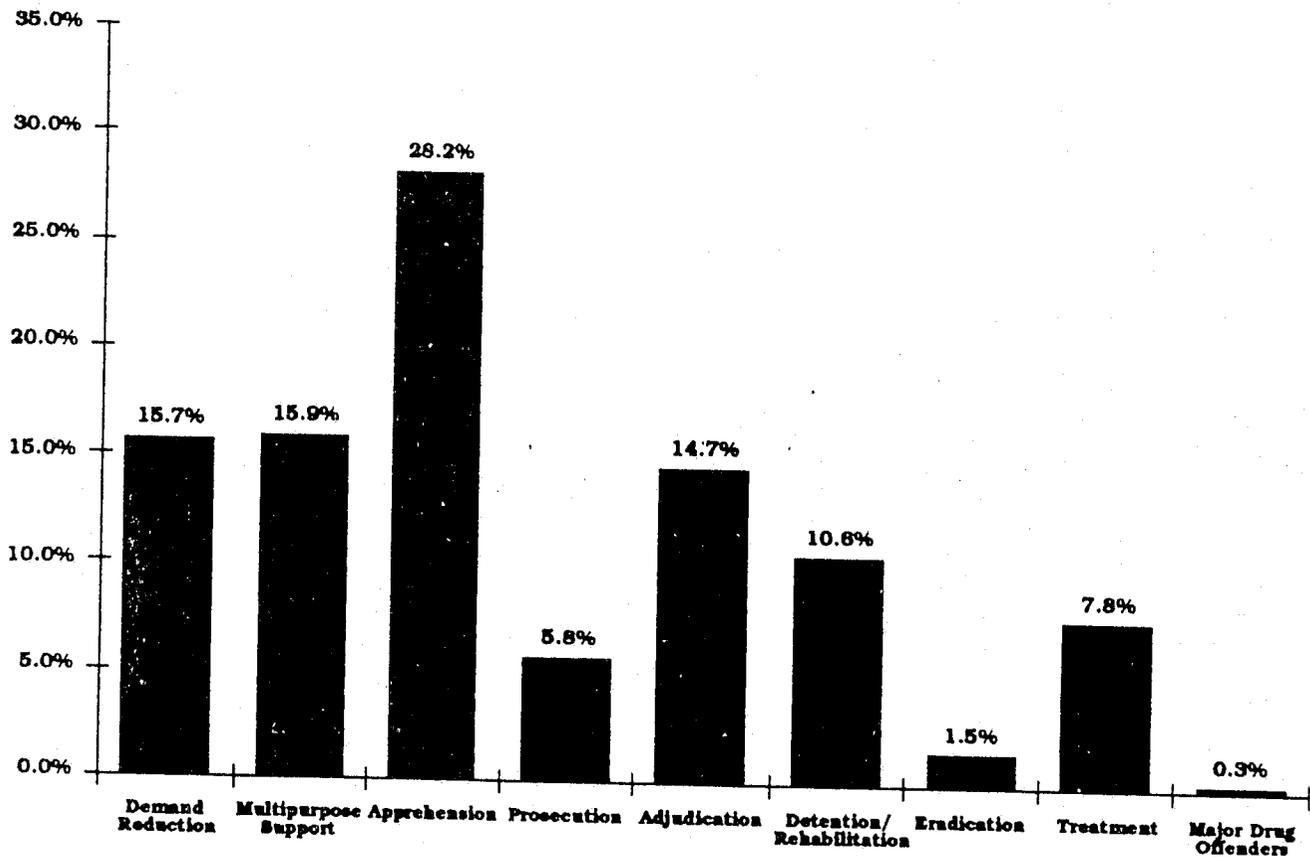
# ANTI-DRUG ABUSE ACT OF 1988

## Distribution of Formula Funds



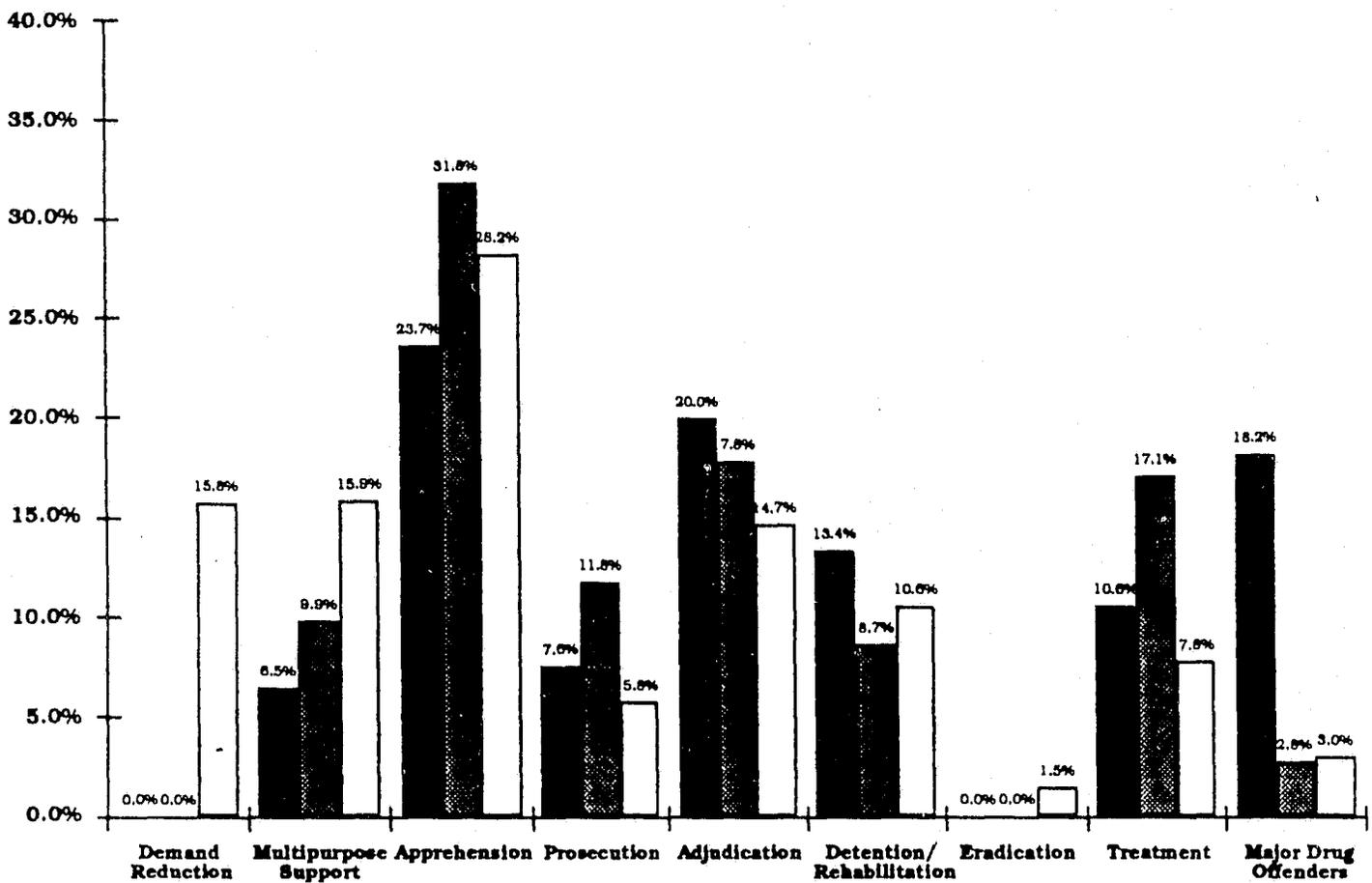
\$118,000 allocated for formula distribution

# ANTI-DRUG ABUSE ACT OF 1988 FY 1989 Discretionary Funds



# ANTI-DRUG ABUSE ACT OF 1986 AND 1988

## % Of Distribution of Discretionary Funds



- FY 1987 Subgrants
- FY 1988 Subgrants
- FY 1989 Subgrants

# **APPENDIX THREE**

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**Senate Office of Research Summary of 1989  
National Drug Control Strategy With Proposed  
Federal Funding for 1989-90**



## SENATE OFFICE OF RESEARCH

Elisabeth K. Kersten, Director

INTRODUCTION

On September 5, 1989, President George Bush presented the Administration's 1989 National Drug Control Strategy for congressional consideration and action.

The National Drug Control Strategy describes a coordinated and comprehensive plan of attack involving all basic, anti-drug initiatives and agencies. The Strategy recommends the largest dollar increase in the history of the drug war -- nearly \$2.2 billion -- and will cost nearly \$7.9 billion. Throughout, the Strategy emphasizes the principle of user accountability -- in law enforcement focussed on individual users; in decisions regarding sentencing and parole; in school, college, and university policies regarding the use of drugs by students and employees; in the workplace; and in treatment.

The Strategy also calls for increased efforts in cocaine source countries and a more active international campaign by the United States to engage other nations in the fight against drugs. Interdiction efforts will be better targeted on key individuals in the drug organizations and on high-value shipments.

Another major priority is increasing the capacity of the drug treatment system and making it more accountable for its results. Significant emphasis is also given to providing increased support for prevention and education efforts aimed at helping young people and others resist and reject drugs.

The following is a summary of the National Drug Control Strategy. If you have any further questions, please contact Ken Hurdle at the Senate Office of Research. (916) 445-1727.

## CRIMINAL JUSTICE SYSTEM

Much public discussion of the criminal justice system assumes that drug enforcement is directed exclusively at reducing the supply of illegal drugs. Effective drug enforcement is aimed at the market as a whole, and tries to disrupt it so that both selling and buying drugs become burdensome and precarious activities. In this way, the criminal justice system serves as one of the most powerful forms of drug prevention.

### Priorities

- Increased federal funding to states and localities for street-level drug law enforcement. Federal funds would be used on a matching basis to leverage new state funding.
- Federal funding to states for the planning and development of courts, prisons and prosecutors, to include implementing alternative sentencing programs for nonviolent drug offenders. Federal funds would be used on a matching basis to leverage new state funding.
- Increased federal funding for federal law enforcement activities to include additional resources for federal money laundering investigations.
- Vigorous prosecution of, and increased fines for all misdemeanor state drug offenses through the adoption of model legislation developed by the Administration to ensure uniformity in the use and types of sanctions imposed.
- Expanded programs to eradicate the domestic marijuana crop.
- Adoption by the states of drug-testing programs throughout their criminal justice systems as a condition for receipt of federal criminal justice funds.
- Funding through the Department of Housing and Urban Development to establish security systems for public housing projects.
- Establishment of a Supply Reduction Working Group to consider supply-related drug policy issues that are interdepartmental in nature.
- Revision of federal drug agency personnel evaluation systems.

## DRUG TREATMENT

In order for the drug treatment system to be effective, the system must be expanded and improved. More "slots" are needed where the needs are, in programs designed to meet those needs.

### Priorities

- Increased federal funds for treatment in order to expand the number of treatment slots and the range of treatment methods available.
- Greater state, local and individual treatment program accountability for effectiveness by requiring states, as a condition of receiving federal treatment funds, to develop and implement statewide drug treatment plans.
- Improved coordination among local treatment facilities.
- Improved coordination between treatment facilities and social, health, and employment agencies.
- Increased funding of outreach programs and early treatment for expectant mothers who use drugs.
- Encourage the states and private companies to cover outpatient and other less intensive forms of treatment for drug use.
- Exploration of ways to increase the use of civil commitment as a means to bring more drug dependent persons into the treatment system.
- Expand and improve federal information collection and research.

## EDUCATION, COMMUNITY ACTION, AND THE WORKPLACE

There are two ways to influence whether an individual decides to use drugs. One is to make the individual not want to use them. The other approach is to make the individual fear the consequences and penalties that society will impose for drug use. Just as schools are central to drug use prevention for young people, the workplace is a focus of prevention for adults.

### Priorities

- Implementation of firm drug prevention programs and policies in schools, colleges, and universities. Such programs and policies will be a condition of eligibility for receipt of federal funds.

- Development of model alternative schools for youths with drug problems.
- Federal support for community-wide drug prevention efforts.
- Provide federal support to develop anti-drug media outreach activities that deal with the dangers of using illegal drugs, particularly crack, and drug-impaired pregnancies.
- Creation of a national program to mobilize volunteer efforts to prevent the illegal use of drugs.
- Implementation of Executive Order 12564 to ensure a drug-free federal workforce.
- Creation of drug-free workplace policies in the private sector and state and local government, including clear penalties for drug use, and drug testing where appropriate.
- Establishment of Demand Reduction Working Group to consider demand-related drug policy issues that are interdepartmental in nature.

#### INTERNATIONAL INITIATIVES

The source of the most dangerous drugs is principally international and are carried into the United States by multinational criminal organizations. A comprehensive drug control strategy must include programs for effectively attacking international production and trafficking.

#### Priorities

- Disruption and dismantlement of drug-trafficking organizations.
- Reduce the supply of cocaine, heroin and marijuana.
- Interdict dangerous drugs and precursor chemicals.
- Assist European and other nations against drugs and drug trafficking.

#### INTERDICTION EFFORTS

For several years the United States has placed a high priority on the interdiction of drugs entering this country. Despite interdiction's successful disruption of trafficking patterns, the supply of illegal drugs entering the United States has continued to grow.

### Priorities

- Development of a comprehensive information-based approach to federal air, maritime, land, and Port-of-Entry interdiction.
- Concentration on high-value individuals and shipments.
- Enhanced border systems, operations, and activities.

### RESEARCH AGENDA

America has learned a lot about the drug problem in recent years, but there is much that we do not know. Research must involve effective policy oversight and coordination.

### Priorities

- Establishment of a Drug Control Research and Development Committee.
- Better and more frequent data collection and analysis.
- Increased basic and clinical research in drug use and addiction.
- Development of new technologies or innovative adaptation of existing technologies for use against illegal drugs.
- Development of a comprehensive information base about "what works" in controlling drug use.

### INTELLIGENCE AGENDA

The war against drugs cannot be fought without good intelligence. That means the collection of critical information on drug production, trafficking, and financial networks; analyzing data from all sources; production of intelligence tailored to the needs of decision makers; and the timely dissemination of the intelligence to users.

### Priorities

- Increased intelligence efforts to concentrate on the infrastructure of trafficking organizations and their allied enterprises, particularly money laundering.
- Improved drug automation and information systems.
- Sharing of intelligence developed in the course of investigations and intelligence operations.

- Establishment of an interagency working group to develop plans for an intelligence center to unite United States drug-related analytical capabilities, and improve intelligence capabilities.

## RESOURCE NEEDS

This section presents the specific federal resource levels the Administration believes are necessary for Fiscal Year 1990 to implement the National Drug Control Strategy. In total, the Strategy proposes \$7.9 billion for the drug control program in 1990, a \$2.2 billion (39 percent) increase over the current fiscal year, and a \$3.8 billion (94 percent) increase over the past fiscal year.

The Anti-Drug Abuse Act of 1988 requires a description of the balance of resources devoted to supply reduction and demand reduction activities. Law enforcement resources are generally viewed as entirely supply reduction in nature and only those resources that are directly spent in education or treatment activities are considered demand reduction. By this definition, the Strategy recommends a 1990 budget that is 73 percent supply reduction and 27 percent demand reduction.

Funding priorities for Fiscal Year 1990 are to:

- Increase assistance to state and local law enforcement;
- Expand resources for treatment and prevention programs;
- Initiate a major anti-drug campaign in the cocaine source countries;
- Establish order in the nation's public housing projects;
- Build more federal prisons, expand federal and state courts and correctional systems, and add more prosecutors;
- Step up efforts against money laundering operations;
- Expand our knowledge base about drugs and how to fight them through more research, data collection, and information sharing; and
- Provide sufficient resources to operate and maintain our border interdiction system.

The above priorities are expected to continue guiding national strategy in Fiscal Years 1991 and 1992. Additional funding priorities in those years are to:

- Expand interagency drug task force operations;
- Augment drug intelligence capabilities;
- Strengthen the presence of the Border Patrol along the southwest border;
- Help the police get people who are driving while under the influence of drugs off the highways; and
- Reduce the amount of marijuana cultivated on America soil.

In the next National Drug Control Strategy, due February 1, 1990, the Administration will provide specific funding levels for each of these priority programs, and for each agency in the National Drug Control Program, for Fiscal Years 1991, 1992, and 1993.

The following is a summary presentation of selected portions of the drug control program highlighting funding priorities for Fiscal Year 1990.

### State and Local Law Enforcement Assistance

#### Justice Department

	<u>1989</u>	<u>1990</u>
State and Local Drug Grants	\$150 million	\$350 million

These grants will provide additional resources to states and localities to increase their emphasis on street-level law enforcement, the planning and development of courts and correctional institutions, and to pursue alternatives to traditional incarceration. States will be required to match federal grant money on a dollar-for-dollar basis.

### Treatment, Prevention, and Research

#### Department of Health and Human Services

	<u>1989</u>	<u>1990</u>
Prevention	\$300 million	\$399 million

These funds will institute and expand education and prevention activities built upon effective accountability-based policies and containing built-in evaluation components.

	<u>1989</u>	<u>1990</u>
Treatment	\$448 million	\$685 million

These funds will assist those who have become dependent upon drugs to include additional funds for treatment of pregnant women and "cocaine babies."

	<u>1989</u>	<u>1990</u>
Research	\$192 million	\$251 million

These resources will be used for expanded research and evaluation, improved surveys, and better data collection.

Department of Education

	<u>1989</u>	<u>1990</u>
Prevention	\$355 million	\$392 million

The Department will use funds to assist in establishing alternative schools for youth with drug problems, and a portion for anti-drug media outreach activities that focus on crack and the dangers of drug-impaired pregnancy. These activities will be aimed at inner-city youth, dropouts, and youth in small towns and rural areas.

International

	<u>1989</u>	<u>1990</u>
Various agencies	\$250 million	\$449 million

These funds will be used for additional military, economic, and law enforcement assistance to support international efforts in the cocaine source counties.

Public Housing

Department of Housing and Urban Development

	<u>1989</u>	<u>1990</u>
Prevention Programs and Security Improvements	\$8 million	\$50 million

These funds will provide assistance to public housing projects with serious drug problems, to include drug prevention activities in the projects.

Federal Prosecutors, Courts, and Prisons

Prosecutors

	<u>1989</u>	<u>1990</u>
U.S. Attorneys	\$143 million	\$183 million

Additional federal attorneys are needed to prosecute the increased number of drug cases. 1990 funds include \$46 million derived from the Organized Crime Enforcement account.

Courts

	<u>1989</u>	<u>1990</u>
U.S. Courts	\$209 million	\$250 million
U.S. Marshals	\$126 million	\$159 million

With a growing number of drug defendants, increased resources are needed for the federal courts. U.S. Marshals 1990 funds include \$1 million derived from the Organized Crime Enforcement account.

Prisons

	<u>1989</u>	<u>1990</u>
Federal Prison System	\$631 million	\$1.477 billion
Support of Prisoners	\$ 63 million	\$ 86 million

These resources are intended to reduce the congestion and overcrowding that now exists in the courts and prisons.

Money Laundering

	<u>1989</u>	<u>1990</u>
Various Agencies	\$120 million	\$140 million

Border Control

	<u>1989</u>	<u>1990</u>
Customs Service	\$444 million	\$471 million

Additional resources are recommended for the Customs Service to allow it to increase its money laundering investigations. 1990 funds include \$15 million derived from the Organized Crime Drug Enforcement account.

	<u>1989</u>	<u>1990</u>
Coast Guard	\$633 million	\$691 million

1990 funds include \$1 million derived from the Organized Crime Drug Enforcement account.

	<u>1989</u>	<u>1990</u>
Department of Defense	\$308 million	\$313 million

The Department of Defense will use its border control funds to enhance current operations. The 1990 funds do not include Department of Defense funds applied to international drug control.

	<u>1989</u>	<u>1990</u>
Immigration and Naturalization Service	\$113 million	\$117 million

The Immigration and Naturalization Service is an important part of the Southwest Border interdiction strategy. The 1990 funds include \$8 million derived from the Organized Crime Drug Enforcement account.

### Drug Task Force Operations

#### State and Local Task Force

	<u>1989</u>	<u>1990</u>
Drug Enforcement Agency	\$ 27 million	\$ 32 million

These task forces draw on the expertise, resources and manpower of each level of government and have been particularly effective against mid-level traffickers.

#### Organized Crime Drug Enforcement Task Forces

	<u>1989</u>	<u>1990</u>
Various Agencies	- 0 -	\$215 million

This program will be expanded to serve as a model and vehicle for future federal drug enforcement efforts. For Fiscal Year 1989, \$196 million was spent on these activities, but a separate appropriation will not be made until Fiscal Year 1990.

### Marijuana Eradication

	<u>1989</u>	<u>1990</u>
Various Agencies	\$ 8 million	\$ 16 million

These resources will enable the federal government, in cooperation with state and local authorities, to reduce the aggregate amount of marijuana cultivated in the United States.

## TWO AND TEN-YEAR OBJECTIVES

Section 1005 of the Anti-Drug Abuse Act of 1988 requires that the National Drug Control Strategy include comprehensive long-range goals and short-term measurable objectives. Nine such statistical indications have been identified by the Director of the Office of National Drug Control Policy:

Current Overall Drug Use  
Current Adolescent Drug Use  
Occasional Cocaine Use  
Frequent Cocaine Use  
Current Adolescent Cocaine Use  
Drug-Related Medical Emergencies  
Drug Availability  
Domestic Marijuana Production  
Student Attitudes Toward Drug Use

Current Overall Drug Use -- reported use of any illegal drugs in the past month.

Two-year objective: A 10 percent reduction in numbers reporting.  
Ten-year objective: A 50 percent reduction in numbers reporting.

Current Adolescent Drug Use -- the number of adolescents reporting any illegal use of drugs in the past month.

Two-year objective: A 10 percent reduction in numbers reporting.  
Ten-year objective: A 50 percent reduction in numbers reporting.

Occasional Cocaine Use -- the number of people reporting less often than once-a-month cocaine use in the past year.

Two-year objective: A 10 percent reduction in numbers reporting.  
Ten-year objective: A 50 percent reduction in numbers reporting.

Frequent Cocaine Use -- the number of people reporting weekly or more frequent cocaine use.

Two-year objective: A 50 percent reduced rate of increase.  
Ten-year objective: A 50 percent reduction in numbers reporting.

Current Adolescent Cocaine Use -- the number of adolescents reporting past-month cocaine use.

Two-year objective: A 20 percent reduction in numbers reporting.  
Ten-year objective: A 50 percent reduction in numbers reporting.

Drug-Related Medical Emergencies -- the number of hospital emergency room mentions for cocaine, marijuana, heroin, and dangerous drugs.

Two-year objective: A 10 percent reduction in numbers reporting.  
Ten-year objective: A 50 percent reduction in numbers reporting.

Drug Availability -- the estimated amount of cocaine, marijuana, heroin, and dangerous drugs entering the United States.

Two-year objective: 1. A 10 percent reduction in estimated amounts; and  
2. A 10 percent reduction in the numbers of people reporting that the drugs are easy to obtain in their communities.

Ten-year objective: 1. A 50 percent reduction in estimated amounts; and  
2. A 50 percent reduction in numbers of people reporting that the drugs are easy to obtain in their communities.

Domestic Marijuana Production.

Two-year objective: A 10 percent decrease in production.

Ten-year objective: A 50 percent decrease in production.

Student Attitudes Toward Drug Use -- the number of high school students who report that they do not disapprove of illegal drug use.

Two-year objective: A 10 percent reduction in number.

Ten-year objective: A 50 percent reduction in number.

## RECOMMENDED STATE LEGISLATION

The National Drug Control Strategy recognizes that the states and localities are already doing many good things in the fight against drugs. The Anti-Drug Abuse Act of 1988 contained numerous federal provisions that might be adapted to state and local purposes. Many of the suggested drug control laws are contained in the Model Uniform Controlled Substances Act. Several such provisions and other recommended state legislation are briefly discussed below.

Minimum mandatory sentences for serious drug crime. Serious crimes deserving minimum sentences include:

- Drug trafficking
- Possession of large amounts of drugs
- Selling drugs to children
- Using children to sell drugs.

Alternative sentencing statutes for first-time non-violent offenders. Alternatives include:

- Boot camps
- Environmental work crews
- Community service
- House arrest

Asset forfeiture laws to sanction both casual users and drug traffickers. These should be written to direct forfeiture proceeds to law enforcement purposes.

Schoolyard laws modeled after the federal laws which afford special protection for children by creating "drug-free" zones around locations frequented by minors. These laws should also apply to minors selling drugs inside these zones, to prevent dealers from using "runners" to circumvent the law.

User accountability laws with a range of penalties for persons caught using or possessing even small amounts of drugs. Penalties could include:

- Suspension of drivers' licenses for 1-5 years
- Suspension of state benefits, such as student loans, grants and contracts, for 1-5 years (exceptions could be made for certain welfare-related benefits)
- Criminalization of offers, attempts, and solicitations to sell or buy drugs.

Drug-free workplace statutes to include suspension, termination or enrollment in a drug treatment program.

# **APPENDIX FOUR**

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**Text: Senate Bill 2599 (Seymour)**

**State Agency Responses to Drug and  
Alcohol Survey**

**Excerpt: California Master Plan to Reduce  
Drug and Alcohol Abuse: Year Two**

\*\*\* 1987-1988 Session \*\*\*

BILL NUMBER: SB 2599

## BILL TEXT

CHAPTER	983
APPROVED BY GOVERNOR	SEPTEMBER 19, 1988
FILED WITH SECRETARY OF STATE	SEPTEMBER 20, 1988
PASSED THE SENATE	AUGUST 31, 1988
PASSED THE ASSEMBLY	AUGUST 31, 1988
AMENDED IN ASSEMBLY	AUGUST 29, 1988
AMENDED IN ASSEMBLY	AUGUST 16, 1988
AMENDED IN ASSEMBLY	JUNE 22, 1988
AMENDED IN SENATE	APRIL 19, 1988
AMENDED IN SENATE	APRIL 7, 1988

INTRODUCED BY Senator Seymour  
 (Coauthor: Senator Cecil Green)  
 (Coauthors: Assembly Members Filante, Leslie, Polanco, and Roybal-Allard)

FEBRUARY 19, 1988

An act to amend Section 11751.4 of, and to add Division 10.6 (commencing with Section 11998) to, the Health and Safety Code, and making an appropriation in augmentation of Item 4200-001-001 of Section 2.00 of the Budget Act of 1988 (Ch. 313, Stats. 1988), relating to drug and alcohol abuse.

## LEGISLATIVE COUNSEL'S DIGEST

SB 2599, Seymour. Drug and alcohol abuse programs.

Existing law provides for various state-funded programs relating to drug and alcohol abuse. Under existing law, legislative intent is expressed that the integrity and separate identity of drug and alcohol programs be maintained. Two separate state bodies are created under existing law, the State Advisory Board on Alcohol-Related Programs and the State Advisory Board on Drug Programs, with separate powers and duties.

This bill would make a legislative declaration that drug and alcohol programs have many areas of common concern, and would require these boards to meet jointly at least twice per calendar year. It would also require, in the case of any county which has established separate advisory boards for drug and

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alcohol related programs, that these advisory boards meet jointly on a regular basis and at least 2 times per year. This requirement would constitute a state-mandated local program.

This bill would authorize the board of supervisors in each county or its designee to adopt a long-range, 5-year drug and alcohol abuse plan, combining the drug and alcohol components and to the extent possible, to include specified advisory goals within the plan. The bill would also require that priority in allocating state funds be given to those counties which have established a substance abuse enforcement team, as specified.

This bill would require every state agency that offers drug and alcohol abuse services or financial assistance to report annually to the Legislature on its efforts to achieve the goals specified in the bill. It would require the State Department of Alcohol and Drug Programs to send copies of its enacted form to all program providers, to designate a statewide resource center to assist counties in their preparation of drug and alcohol abuse plans, and to maintain copies of all plans submitted, as well as an updated list of state-funded programs. The bill would require the Senate Office of Research to prepare, on or before June 30, 1989, a summary of drug and alcohol abuse laws for use by the Legislature and the department, as specified.

The bill would require the Auditor General to audit the State Department of Alcohol and Drug Programs and counties, to determine their progress toward

meeting the master plan goals set forth in the bill, and to report the resultant findings to the Legislature on or before January 1, 1993.

The bill would appropriate \$1,000,000 to augment Item 4200-001-001 of Section 2.00 of the Budget Act of 1988, and would prohibit expenditure of these funds until completion and public issuance by the department of the State Master Plan to Reduce Drug and Alcohol Abuse.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason, but would recognize that local agencies and school districts may pursue any available remedies to seek reimbursement for these costs.

Appropriation: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) Alcohol problems cost the State of California eleven billion seven hundred million dollars (\$11,700,000,000) each year in lost worker productivity, health and medical costs, motor vehicle accidents, violent crimes, social responses, and fire losses.

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(b) Comparable losses due to drug abuse are an additional six billion dollars (\$6,000,000,000).

(c) Approximately 2,500 Californians will die in 1988 in alcohol-related accidents, and there will be over 70,000 alcohol-related traffic injuries. This will occur despite approximately 325,000 misdemeanor arrests and 7,000 felony arrests for persons driving while intoxicated.

(d) Currently there are approximately 68,000 licensed retail liquor outlets in the state. In the 1986-87 fiscal year, the Department of Alcoholic Beverage Control filed accusations against 2,227 vendors for selling alcoholic beverages to minors.

(e) It is conservatively estimated that 3.8 percent of all Californians abuse drugs to the degree that services are needed. The 1986 incidence data reveals that there are 991,000 active drug abusers in this state, and 27 percent of this number are heroin users. Active drug abusers are defined as persons using drugs for nonmedical purposes on a daily basis.

(f) In 1986, the Attorney General's office recorded approximately 60,000 arrests for controlled substance offenses. Furthermore, in 1986, the Attorney General's office estimated that there were at least 975 clandestine laboratories operating in California.

(g) Currently, there are over 38,000 adults on parole in California, of which 79 percent or approximately 8 out of 10 have a history of alcohol or drug abuse. In addition, during a recent 12-month period at least 8,000 adult parolees were reported in violation of their parole as a result of drug or alcohol abuse.

(h) The Superintendent of Public Instruction reported that in the 1986-87 school year there were 4,377,989 California children registered in public

school. The Attorney General, based on a recent survey of 11th graders, indicated that 78 percent of these youngsters had consumed alcohol by age 14, and 51 percent had tried illegal drugs by the 11th grade.

(i) The State Department of Alcohol and Drug Programs reports that in San Francisco, Los Angeles, and San Diego, 27 children between the ages of 6 and 17 died in 1986 from alcohol or drug-related incidents.

(j) There are approximately 225,000 habitual needle-using drug addicts and an additional 200,000 recreational intravenous drug users in the state. The increasing costs associated with the spread of the AIDS virus is largely caused by the intravenous drug user. Currently, in California, approximately 10 percent of the people suffering from AIDS report a history of injecting illegal drugs.

(k) Every dollar spent on drug and alcohol abuse prevention and treatment produces economic benefits several times greater than cost. For example:

(1) Thirty-one dollars (\$31) in benefits are gained for every one dollar (\$1) spent on prevention services.

(2) Eleven dollars and fifty-four cents (\$11.54) in benefits are gained for every one dollar (\$1) spent on drug abuse treatment services.

(3) Cost savings are realized in such areas as courts, jails, and emergency rooms. Additional benefits not reflected in the above figures include

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reductions of cost in such areas as loss of life; medical costs, personal suffering, and property damage associated with drug-related vehicle accidents, violence, or drug trafficking; or expenditures related to crime prevention.

(l) One hundred million dollars (\$100,000,000) is the current cost estimate of unmet needs for drug and alcohol services statewide. Implementation of just the top fifteen million dollars (\$15,000,000) of unmet needs would result in benefits to California of almost two hundred forty-two million dollars (\$242,000,000).

(m) Currently, there is no consistent coordination between the 14 different state agencies that provide some type of drug or alcohol services. There is no established mechanism to prevent or eliminate unnecessary duplication of efforts.

(n) Therefore, with insufficient resources to fully address the drug and alcohol abuse problem, it is imperative that all services and resources are

coordinated and that all unnecessary duplication is eliminated.

SEC. 2. It is the intent of the Legislature, in enacting this act, to do all of the following:

(a) Establish a five-year master plan with specific goals for all segments of society to strive toward, as California wages the war on drug and alcohol abuse.

(b) Establish lines of communication and avenues of coordination that eliminate unnecessary duplication and facilitate networking and the development of a united approach to the problem.

(c) Maximize and more effectively use existing resources invested in the tremendous efforts to reduce drug and alcohol abuse.

(d) Provide new funding sources to supplement current financial commitments.

(e) Provide direction for legislative, budgetary, and public policy decisions affecting drug and alcohol services.

SEC. 3. Section 11751.4 of the Health and Safety Code is amended to read:

11751.4. (a) It is the intent of the Legislature to assure the integrity

and separate identity of state alcohol and drug programs.

(b) The Legislature recognizes, however, that state alcohol and drug programs have many areas of common concern. Therefore, the State Advisory Board on Alcohol-Related Problems, as created pursuant to Section 11780, and the State Advisory Board on Drug Programs, as created pursuant to Section 11862, shall meet jointly at least twice each calendar year. Furthermore, if a county has established separate advisory bodies for alcohol and drug issues, these local advisory bodies also shall meet jointly on a regular basis and at least two times per year.

SEC. 4. Division 10.6 (commencing with Section 11998) is added to the Health and Safety Code, to read:

DIVISION 10.6. DRUG AND ALCOHOL ABUSE MASTER PLANS  
CHAPTER 1. LONG-RANGE GOALS

11998. This chapter sets forth the long-range goals of a five-year master

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plan to eliminate drug and alcohol abuse in California. The goals of this chapter are advisory, but it is the intent of the Legislature that the goals be addressed to the extent possible by each county and by state government. These advisory goals do not amend existing law. Implementation of the goals of the master plan, after the state plan has been developed and issued, shall be subject to the budget review process.

11998.1. It is the intent of the Legislature that the following long-term five-year goals be achieved:

(a) With regard to education and prevention of drug and alcohol abuse programs, the following goals:

(1) Drug and alcohol abuse education has been included within the mandatory curriculum in kindergarten and grades 1 to 12, inclusive, in every public school in California.

(2) Basic training on how to recognize, and understand what to do about, drug and alcohol abuse has been provided to administrators and all teachers of kindergarten and grades 1 to 12, inclusive.

(3) All school counselors and school nurses have received comprehensive drug and alcohol abuse training.

(4) Each public school in kindergarten and grades 1 to 12, inclusive, has appointed an onsite drug and alcohol abuse advisory team of school administrators, teachers, counselors, students, parents, and community representatives, and health care professionals, all of whom have expertise in drug and alcohol abuse prevention. The team coordinates with and receives consultation from the county alcohol and drug program administrator.

(5) Every school board member has received basic drug and alcohol abuse information.

(6) Each school district has a drug and alcohol abuse specialist to assist the individual schools.

(7) Each school in grades 7 to 12, inclusive, has student peer group drug and alcohol abuse programs.

(8) Every school in kindergarten and grades 1 to 12, inclusive, has updated written drug and alcohol abuse policies and procedures including disciplinary procedures which will be given to every school employee, every student, and every parent.

(9) The California State University and the University of California have evaluated and, if feasible, established educational programs and degrees in the area of drug and alcohol abuse.

(10) Every school in kindergarten and grades 1 to 12, inclusive, has an established parent teachers group with drug and alcohol abuse prevention goals.

(11) Every school district has instituted a drug and alcohol abuse education program for parents.

(12) Drug and alcohol abuse training has been imposed as a condition for teacher credentialing and license renewal, and knowledge on the issue is measured on the California Basic Education Skills Test.

(13) Drug and alcohol abuse knowledge has been established as a component

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on standardized competency tests as a requirement for graduation.

(14) Every school district has established a parent support group.

(15) Every school has instituted policies which address the special needs of children who have been rehabilitated for drug or alcohol abuse problems and who are reentering school. These policies shall consider the loss of school time, the loss of academic credits, and the sociological problems associated

with drug and alcohol abuse, its rehabilitation, and the educational delay it causes.

(16) The number of drug and alcohol abuse related incidents on school grounds has decreased by 20 percent.

(b) With regard to community programs, the following goals:

(1) Every community-based social service organization that receives state and local financial assistance has drug and alcohol abuse information available for clients.

(2) All neighborhood watch, business watch, and community conflict resolution programs have included drug and alcohol abuse prevention efforts.

(3) All community-based programs that serve school-aged children have staff trained in drug and alcohol abuse and will give a clear, drug and alcohol-free message.

(c) With regard to drug and alcohol abuse programs of the media, the following goals:

(1) The state has established a comprehensive media campaign that involves all facets of the drug and alcohol abuse problem, including treatment,

education, prevention, and intervention.

(2) The department on a statewide basis, and the county board of supervisors or its designees at the local level, have:

(A) Assisted the entertainment industry in identifying ways to effectively use the entertainment industry to encourage lifestyles free of substance abuse.

(B) Assisted the manufacturers of drug and alcohol products in identifying ways to effectively use product advertising to discourage substance abuse.

(C) Assisted television stations in identifying ways to effectively use television programming to encourage lifestyles free of substance abuse.

(3) A statewide cooperative fundraising program with recording artists and the entertainment industry has been encouraged to fund drug and alcohol abuse prevention efforts in the state.

(d) With regard to drug and alcohol abuse health care programs, the following goals:

(1) The number of drug and alcohol abuse-related medical emergencies has decreased by 4 percent per year.

(2) All general acute care hospitals and AIDS medical service providers have provided information to their patients on drug and alcohol abuse.

(3) The Board of Medical Quality Assurance, the Psychology Examining Committee, the Board of Registered Nursing, and the Board of Behavioral Science Examiners have developed and implemented the guidelines or regulations requiring drug and alcohol abuse training for their licensees, and have

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developed methods of providing training for those professionals.

(e) With regard to private sector drug and alcohol abuse programs, the following goals:

(1) A significant percentage of businesses in the private sector have developed personnel policies that discourage drug and alcohol abuse and encourage supervision, training, and employee education.

(2) Noteworthy and publicly recognized figures and private industry have been encouraged to sponsor fundraising events for drug and alcohol abuse prevention.

(3) Every public or private athletic team has been encouraged to establish policies forbidding drug and alcohol abuse.

(4) The private sector has established personnel policies that discourage drug and alcohol abuse but encourage treatment for those employees who require this assistance.

(f) With regard to local government drug and alcohol abuse programs, the following goals:

(1) Every county has a five-year master plan to eliminate drug and alcohol abuse developed by the county designated alcohol and drug program administrator and reviewed and approved by the advisory body set forth in paragraph (2). In those counties which do not have an established advisory body as provided in paragraph (2), the county designated alcohol and drug program administrator has assumed responsibility for developing the plan, with assistance from representatives of the county's population as designated in paragraph (2). To the degree possible, all existing local plans relating to drug or alcohol abuse shall be incorporated into the master plan.

(2) Every county has a multidisciplinary drug and alcohol abuse advisory body. The membership of the local advisory body is representative of the county's population, geographically balanced, and consists of representatives of each of the following:

(A) Law enforcement.

(B) Education.

(C) The treatment and recovery community, including a representative with expertise in AIDS treatment services.

(D) The judiciary.

(E) County alcohol and drug administrators or their designees.

(F) Student groups.

(G) Parent groups.

(H) Private industry.

(I) Other community organizations involved in drug and alcohol services.

To the maximum extent possible, the county advisory board on alcohol problems and the county advisory board on drug problems have been modified to meet this goal.

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(3) Every county public social service agency has established direct service policies that discourage drug and alcohol abuse and encourage rehabilitation treatment when necessary.

(4) Every local unit of government has an employee assistance program that addresses drug and alcohol abuse problems.

(5) Every local unit of government has considered the potential for drug and alcohol abuse problems when developing zoning ordinances and issuing conditional use permits.

(6) Every county master plan includes treatment and recovery services.

(6.5) Every county master plan includes specialized provisions to ensure optimum alcohol and drug abuse service delivery for handicapped and disabled persons.

(7) Every local unit of government has been encouraged to establish an employee assistance program that includes the treatment of drug and alcohol abuse related programs.

(8) Every local governmental social service provider has established a referral system under which clients with drug and alcohol abuse problems can be referred for treatment.

(9) Every county drug and alcohol abuse treatment or recovery program gives priority for services to pregnant women.

(10) Every alcohol and drug abuse program provides acquired immune deficiency syndrome (AIDS) information to all program participants.

(g) With regard to state and federal government drug and alcohol abuse programs, the following goals:

(1) The Department of Alcoholic Beverage Control has informed all alcohol retailers of the laws governing liquor sales and has provided training available to all personnel selling alcoholic beverages, on identifying and handling minors attempting to purchase alcohol.

(2) The Office of Criminal Justice Planning has required all applicants for crime prevention and juvenile justice and delinquency prevention funds to include drug and alcohol abuse prevention efforts in their programs.

(3) All county applications for funding from the department include a prevention component.

(4) The Superintendent of Public Instruction has employed drug and alcohol abuse school prevention specialists and assisted local school districts with the implementation of prevention programs.

(5) The State Department of Mental Health has staff trained in drug and alcohol abuse prevention who can assist local mental health programs with prevention efforts.

(6) The Department of the California Highway Patrol has established routine statewide sobriety check points for driving while under the influence.

(7) The Department of Corrections and the Department of the Youth Authority have provided drug and alcohol abuse education and prevention services for all inmates, wards, and parolees. Both departments have provided drug and alcohol abuse treatment services for any inmate, ward, or parolee determined to be in need of these services, or who personally requests these services.

(8) The Department of Motor Vehicles has distributed prevention materials

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with each driver's license or certificate of renewal and each vehicle registration renewal mailed by the Department of Motor Vehicles.

(9) Federal prevention programs have been encouraged to follow the master plan.

(10) State licensing and program regulations for drug and alcohol abuse treatment programs have been consolidated and administered by one state agency.

(11) State treatment funding priorities have been included to specially recognize the multiple diagnosed client who would be eligible for services from more than one state agency.

(12) Every state agency has formalized employee assistance programs that include the treatment of drug and alcohol abuse-related problems.

(13) The state master plan includes specialized provisions to ensure optimum drug and alcohol abuse service delivery for handicapped and disabled persons.

(h) With regard to private sector direct service providers, the following goals:

(1) Drinking drivers programs have provided clear measurements of successful completion of the program to the courts for each court-ordered client.

(2) All drug and alcohol abuse treatment programs provide poly drug abuse services or have an established referral system to ensure clients receive all needed services.

(3) Adequate nonresidential and residential services, are available statewide for juveniles in need of alcohol or drug abuse services.

(4) Each provider of alcohol or drug services has been certified by the state.

(5) Drug and alcohol abuse treatment providers provide general acquired immune deficiency syndrome (AIDS) information during treatment.

(i) With regard to supply regulation and reduction in conjunction with drug and alcohol abuse, the following goals:

(1) Each county has a drug and alcohol abuse enforcement team, designated by the board of supervisors, as a part of the overall drug and alcohol abuse advisory committee. This team includes all components of the criminal justice system.

This team shall be responsible to the board of supervisors and shall advise the drug and alcohol abuse advisory committee and the county on all criminal

justice matters relating to drug and alcohol abuse.

(2) The Office of Criminal Justice Planning, the Youth and Adult Correctional Agency, the Department of the California Highway Patrol, the Office of Traffic Safety, and the Department of Justice have established a state level drug and alcohol abuse enforcement team that includes representatives from all facets of criminal justice. The lead agency for the enforcement team has been designated by the Governor. This team advises the state and assists the local teams.

(3) State career criminal apprehension and community crime prevention

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programs have included drug and alcohol abuse prevention components.

(4) The Office of Criminal Justice Planning, Youth and Adult Correctional Agency, and the Department of Justice have as a priority when determining training subjects, prevention seminars on drug and alcohol abuse.

(5) The Department of the California Highway Patrol, as permitted by the United States Constitution, will in conjunction with establishing sobriety check points statewide, assist local law enforcement agencies with the establishment of local programs.

(6) Counties with more than 10 Superior Court judgeships have established programs under which drug cases receive swift prosecution by well-trained prosecutors before judges who are experienced in the handling of drug cases.

(7) The courts, when determining bail eligibility and the amount of bail for persons suspected of a crime involving a controlled substance, shall consider the quantity of the substance involved when measuring the danger to society if the suspect is released.

(8) Drunk driving jails have been established that provide offender education and treatment during incarceration.

(9) All probation and parole officers have received drug and alcohol abuse training, including particular training on drug recognition.

(10) All parolees and persons on probation with a criminal history that involves drug or alcohol abuse have conditions of parole or probation that prohibit drug and alcohol abuse.

(11) The Judicial Council has provided training on drug and alcohol abuse for the judges.

(12) The courts, when sentencing offenders convicted of selling drugs, consider 'street value' of the drugs involved in the underlying crime.

(13) Judges have been encouraged to include treatment and prevention services in sentences for all offenders. Judges are requiring, as a condition of sentencing, education and treatment services for all persons convicted of driving under the influence of alcohol or drugs.

(14) Juvenile halls and jails provide clients with information on drug and alcohol abuse.

(15) The estimated number of clandestine labs operating has decreased by 10 percent per year.

(16) Each local law enforcement agency has developed, with the schools, protocol on responding to school drug and alcohol abuse problems.

(17) Every county has instituted a mandatory driving while under the influence presentence offender evaluation program.

11998.2. (a) 'Department,' as used in this division, means the State Department of Alcohol and Drug Programs.

(b) The board of supervisors of each county, or its designee, may, and is encouraged to, prepare and adopt a county drug and alcohol abuse master plan,

developed by the county alcohol and drug program administrator and reviewed and approved by the advisory body set forth in Section 11998, that addresses as many of the long-range goals set forth in Section 11998.1 as possible. It is the intent of the Legislature that every county master plan include

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quantitative outcome objectives that, at a minimum, measure progress in the areas of prevention, education, enforcement, and treatment. It is the intent of the Legislature that these objectives include measurements of:

(1) The reduction of driving under the influence of drugs or alcohol arrests, or both.

(2) The reduction of drug-related arrests.

(3) Increased public education on the dangers of substance abuse and the available prevention techniques including specific measurements of children, parents, and teachers who have received this education.

(4) The reduction of alcohol and drug-related deaths and injuries.

(5) The increased number of successful drug and alcohol rehabilitated clients.

If a county master plan is adopted, the board of supervisors or its

designee shall, in conjunction with the advisory body, annually assess the progress of the county in reaching its long-range goals.

(c) Every county or public or private agency within a county that applies or reapplies for state or local assistance funds for drug and alcohol abuse efforts, including, but not limited to, funds provided under Division 10.5 (commencing with Section 11750), in their program, may address, to the extent possible, any long-range goals set forth in a county drug and alcohol abuse master plan pursuant to subdivision (b), and funding priority may be given to those entities which address these goals within their respective programs.

(d) The Governor shall designate one state agency to act as the lead agency on all drug and alcohol abuse matters.

(e) Every state agency that contracts or grants money to local jurisdictions or programs for drug and alcohol abuse services shall require the submission and shall review the contents of an approved county drug and alcohol abuse master plan, to the extent a plan has been adopted pursuant to subdivision (b).

(f) Commencing on January 1, 1990, every state agency that offers drug and

alcohol abuse services or financial assistance shall report to the Legislature annually on its efforts to achieve the master plan goals provided in Section 11998.1.

(g) The department shall send copies of this division to all state-funded social service programs that provide drug and alcohol abuse services.

(h) The department shall maintain copies of every county drug and alcohol abuse master plan for review by other state agencies and the Legislature.

(i) The Governor shall designate one statewide resource center to coordinate efforts of other resource centers statewide and to coordinate with local government and assist in their preparation of drug and alcohol abuse master plans.

(j) The Senate Office of Research shall prepare, on or before June 30, 1989, a summary of drug and alcohol abuse laws for use by the Legislature, the department, and all other related state agencies in oversight of drug and alcohol abuse programs, and in evaluating the need for statutory changes. To the degree possible this summary shall be available to the public.

(k) Commencing June 30, 1989, the department shall maintain an annually

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updated listing of all drug and alcohol abuse programs provided or funded by the state. Every other state agency shall regularly provide the department with current information on programs they fund or provide.

( 1) The Governor's Policy Council on Drug and Alcohol Abuse shall review and consider all of the goals contained in Section 11998.1. After January 1, 1992, the Auditor General shall audit the department to determine the state's progress and to the degree possible, the counties' progress toward meeting the master plan objectives set forth by this division. On or before January 1, 1993, the Auditor General shall report the findings resulting from these audits to the Legislature.

11998.3. Priority in allocating state funds for substance abuse law enforcement agencies shall be given to those counties which have established a drug and alcohol abuse enforcement team, comprised of representatives of all law enforcement agencies within the county, including the courts. The drug and alcohol abuse enforcement team shall adopt measures to coordinate the efforts of drug and alcohol abuse law enforcement agencies within the county.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIIIIB of the California Constitution because this act does not mandate a new program or higher level of service on local government. It is recognized, however, that a local agency or school district may pursue any remedies to obtain reimbursement available to it under Chapter 4 (commencing with Section 17550) of Part 7 of Division 2 of Title 2 of the Government Code.

SEC. 6. The sum of one million dollars (\$1,000,000) is hereby appropriated from the General Fund in augmentation of Item 4200-001-001 of Section 2.00 of the Budget Act of 1988 (Ch. 313, Stats. 1988). The funds so appropriated shall be expended by the State Department of Alcohol and Drug Programs only

upon completion and public issuance of the master plan as set forth by this act, as the State Master Plan to Reduce Drug and Alcohol Abuse.

DEC 14 1989

State of California

Health and Welfare Agency

MEMORANDUM

To :

Date : December 14, 1989

Elizabeth Kersten, Director  
Senate Office of Research

From : Department of Alcohol and Drug Programs

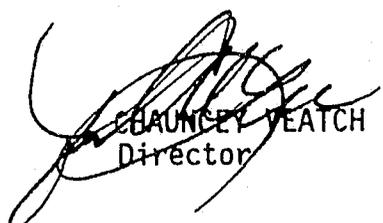
Subject: STATE AGENCY RESPONSES TO DRUG AND ALCOHOL SURVEY

The Department of Alcohol and Drug Programs (ADP) recently contacted your agency as part of a survey to identify state agencies impacted by SB 2599 (Seymour; Chapter 983, September 1988). The purpose of the survey was to determine to what extent the various goals identified in the statute for eliminating drug and alcohol problems in California were being addressed by state government.

Because your agency participated in the survey and provided valuable input, we want to keep you informed of the progress being made to initiate the master planning process. The first phase focused on developing a preliminary draft of the State Master Plan based on data gathered through the state agency survey. In the second phase, we revised the preliminary plan based on the state agencies' review of the drafted plan. In this current phase, we are attaching a final copy of State Master Plan Chapter 3 (Survey of Activities by California State Agencies to Reduce Drug and Alcohol Abuse) including a summary of your agencies' survey responses that will be sent to the Governor on January 1, 1990 (Appendix B).

Please review the attached materials to see if we have adequately articulated your agencies' efforts to reduce drug and alcohol abuse in California. Because of our short timeline, we ask that you submit your final comments by telephone or in writing by December 22, 1989.

If you have any questions or comments regarding the enclosed materials, please contact the Planning and Evaluation Division at (916) 327-3007.

  
CHAUNCEY VEATCH  
Director

Attachments

**APPENDIX B**

**SUMMARY OF INDIVIDUAL AGENCIES' SURVEY RESPONSES**

AGENCY: Senate Office of Research

NUMBER OF INDIVIDUAL GOALS ADDRESSED: 1

NUMBER OF MAJOR ACTIVITIES TO REACH INDIVIDUAL GOALS: 1

MAJOR TARGET POPULATIONS: Legislature, ADP, other related state agencies.

ESTIMATED DRUG AND ALCOHOL DOLLARS: Approximately \$80,000

OTHER AGENCIES INVOLVED: None

SUMMARY OF ACTIVITIES TO ADDRESS GOALS:

The Senate Office of Research is addressing the following areas:

1. Summary on Drug/Alcohol Abuse Laws [1998.2(j)]

The Office organized the Drug/Alcohol Legislation Summary Team and is developing a summary of drug/alcohol abuse laws for use by the Legislature, ADP, and other related state agencies.

## Chapter 3

### SURVEY OF ACTIVITIES BY CALIFORNIA STATE AGENCIES TO REDUCE DRUG AND ALCOHOL ABUSE

#### OVERVIEW AND SURVEY METHODOLOGY

In early 1988, ADP conducted a survey to identify the character of drug and alcohol use services provided by State agencies. The survey was distributed to State departments, commissions, and boards with a request for information on services presently implemented, or planned; interagency collaboration activities; populations targeted for service; levels of funding; and evaluation activities. The responses primarily reflect FY 1988-89 programs and resources. They provide the California Master Plan with baseline service inventory information, the results of are described below<sup>1</sup>.

This chapter is divided into two parts. Consistent with the questions asked by the survey, Part I analyzes the results according to the following topics:

- o DRUG AND ALCOHOL GOALS ADDRESSED
- o INTERAGENCY COLLABORATION
- o TARGETED POPULATIONS
- o COMMITMENT OF RESOURCES
- o EVALUATION ACTIVITIES

Part II then analyzes the results according to the following service themes:

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<sup>1</sup>As this survey was the first attempt to obtain information about all State agencies' activities related to drug and alcohol services, many agencies did not have a mechanism in place to identify specific and activities and costs.

For this study, the definition of "activity" was expanded to include all efforts that the agency performs either, directly or indirectly, i.e., by providing funds to another organization so it will do the actual performance. (The Department subvenes a large amount of funds to county programs to provide these services, ADP is considered to be involved in providing drug and alcohol services at the county level.)

When the survey was distributed, agencies were asked to estimate funds for Fiscal Year (FY) 1988-89. Nevertheless, a portion of the funds are for FY 1989-90. An additional concern is the fact that State agencies tend to share funds with other agencies for a particular project or program. For example, the Office of Traffic Safety (OTS) provides funds for ADP's Friday Night Live project. Both agencies reported the funds on their surveys. The survey did not ask the agency to identify the source of funds.

- o PREVENTION, EDUCATION, AND INTERVENTION
- o TREATMENT, REHABILITATION, AND RECOVERY
- o CRIMINAL JUSTICE
- o REGULATORY FUNCTIONS

A summary of the individual state agencies' survey responses is contained in Appendix B. The number of agency responses to each SB 2599 goal is given in Appendix C.

#### GENERAL STATEWIDE FINDINGS

Survey analysis indicated that 30 agencies were providing 462 activities related to drug and alcohol use services (Table 1)<sup>2</sup>. The 462 separate activities were either directly provided, or financially supported, by the State. Activity counts do not reflect the dimensions of an activity. General findings include the following:

- o The average number of activities for the 30 agencies is 15.4.
- o Four agencies (ADP, SDE, DOJ, and OCJP) account for 70 percent (324 out of 462) of the total activities.
- o ADP accounts for 44 percent (205 out of 462) of the total activities.

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<sup>2</sup>A key to agency acronyms used in this chapter is contained in Appendix D.

TABLE 1: NUMBER OF GOALS ADDRESSED AND  
TOTAL ACTIVITIES REPORTED BY INDIVIDUAL STATE AGENCIES

	<u>Number of Goals Addressed</u>	<u>Total Individual Activities</u>
<u>DEPARTMENTS</u>		
Aging	4	5
Alcohol and Drug	47	205
Alcoholic Beverage Control	5	5
Corrections	6	7
Developmental Services	3	3
Education	23	29
Health Services	4	4
Highway Patrol	6	16
Justice	39	51
Mental Health	12	14
Motor Vehicles	3	6
Personnel Administration	1	1
Rehabilitation	2	2
Social Services	5	9
Youth Authority	4	4
<u>BOARDS, COMMISSIONS, OFFICES, AND OTHER</u>		
Consumer Affairs:		
Dental Examiners	1	1
Medical Quality Assurance	2	3
Pharmacy	3	3
Registered Nurses	1	1
Veterinary Medicine	1	1
Vocational Nurses/Psychiatric Technician Examiners	2	2
Prison Terms	2	2
Youthful Offender Parole	1	1
Peace Officer Standards and Training	1	6
Teacher Credentialing	2	2
Criminal Justice Planning	28	39
Senate Office of Research	1	1
Traffic Safety	31	11
Governor's Policy Council	5	6
University of California System	8	22
<u>TOTAL</u>	<u>233</u>	<u>462</u>

Table 2 illustrates that approximately 70 percent of the reported activities fall into four major SB 2599 goal categories:

- o Education and Prevention;
- o Local Government Drug and Alcohol Programs;
- o Supply, Regulation, and Reduction; and
- o State and Federal Government Drug and Alcohol Abuse Programs.

Education and prevention rank first in total identified activities, 94 of 462 total, followed closely by local government programs with 93. A high frequency of activities was also identified in the supply, regulation, and reduction area with 72.

**TABLE 2: TOTAL ACTIVITIES TO ADDRESS GOALS**

<u>CATEGORY</u>	<u>Number</u>	<u>Percent</u>
Education and Prevention	94	20%
Local Government Drug and Alcohol Programs	93	20
Supply, Regulation, and Reduction	72	16
State and Federal Government Drug and Alcohol Abuse Programs	61	13
Community Programs	36	8
Drug and Alcohol Health Care Programs	20	4
Private Sector Drug and Alcohol Providers	32	7
Drug and Alcohol Health Care Programs of the Media	17	4
Private Sector Drug and Alcohol Programs	14	3
Other State, County Drug and Alcohol Requirements	12	3
All Other (Research, Evaluation)	6	1
State, County Drug and Alcohol Advisory Boards	5	1
<b><u>TOTAL ACTIVITIES</u></b>	<b>462</b>	<b>100%</b>

## PART I: SURVEY RESULTS

### 3.1 DRUG AND ALCOHOL GOALS ADDRESSED

The most frequently identified goals and activities are listed below:

#### A. County Drug and Alcohol Treatment and Recovery Programs

A total of 51 activities related to treatment and recovery services were reported-- primarily by ADP. ADP provides funding for numerous services and programs consistent with this goal, with two-thirds of the Department's funds subvented to the counties for direct treatment and recovery services.

#### B. Employee Assistance Programs

The second most frequent goal identified (by 29 agencies) related to the provision of Employee Assistance Programs (EAP) for State agency employees. Although all State survey respondents have EAPs available for their employees, some may have not included the goal because the service is provided through the Department of Personnel Administration's (DPA) \$2 million master contract. Also, several agencies may have been concentrating on activities that appeared to be more directly connected to drug and alcohol abuse. Frequently agencies are not involved in a referral because the employee or his/her family contacts the EAP provider directly.

Major findings under this goal include the following:

- o When EAPs were first developed, alcohol problems was a leading cause of referral. Subsequently, drug use and mental health problems have become frequent causes of referrals.
- o Recent data from DPA shows that approximately 3 percent of the total reasons given at the time of initial contact is now for drug and alcohol problems; the ratio being approximately 2:1 between the two substances.
- o Stress is now the most frequent cause of contact.

#### C. Media Activities

Six agencies (ADP, DDS, DOJ, DMH, OTS, SDE) are involved in a nationwide media campaigns such as "Just Say No" and "Red Ribbon;" and prevention activities aimed at youth, schools, and the community. Special media campaigns targeting two

special populations are conducted by the Office of Traffic Safety (OTS):

- o Statewide Spanish-Bilingual "driving under the influence" (DUI) public awareness and information campaign for the Hispanic population.
- o To reach hearing-impaired drivers, OTS is developing and disseminating materials regarding DUI to hearing-impaired persons, including distributing materials to schools, deaf service agencies, consumer groups, and "hearing" traffic safety programs. An innovative part of this effort involves broadcasting a signed/captioned videotape and public service announcements (PSAs) on the Silent Network Satellite TV System which reaches 8 million U.S. households.

Seven of the identified goals were not addressed by any State agency:

- o Drug and Alcohol Health Care Programs of Media

These goals direct ADP and the County Board of Supervisors to do the following: (1) encourage manufacturers to endorse substance-free lifestyles, (2) provide technical assistance regarding drug and alcohol abuse to television stations, and (3) conduct statewide fund raising with persons from the entertainment industry.

- o Local Government Sponsored EAPs

This goal encourages county EAPs to include drug and alcohol treatment as a part of the overall program.

- o Supply, Regulation, and Reduction.

The first goal instructs the Judicial Council to provide training on drug and alcohol abuse for judges. The second goal pertains to the provision of drug and alcohol abuse information to persons in juvenile halls and jails. Survey response information is not presently available on these goals.

- o County Drug and Alcohol Enforcement Teams

This section of the Code states that priority in allocating State funds for drug and alcohol abuse law enforcement shall be given to those counties which have established a law enforcement team. At the time that the survey was sent to State agencies, there would have been insufficient time for local governments to have

developed law enforcement teams. There is evidence that teams do exist within the State, but to what extent it is not known.

### 3.2 INTERAGENCY COLLABORATION

Respondents identified other agencies and organizations (federal, State, and local) with which they were involved for each individual activity. Eighty percent (24 agencies) identified differing levels of interaction and collaboration with other State agencies in terms of providing drug and alcohol services. Table 3 identifies individual goals addressed by State agencies and illustrates their interaction with other agencies.

Agencies also provided information regarding the status of their activities. Approximately 82 percent of the activities were in existence at the time the agencies completed the survey. The remaining 18 percent were identified as new programs. Over 90 percent of the activities were of an on-going type (18 months to 3 years). Approximately 7 percent were one-time activities (less than 18 months), and 3 percent were activities that occur annually. Examples of one-time activities include a research project and program planning. Annual activities include annual media campaigns and special reports to the Legislature.

### 3.3 TARGET POPULATIONS

Responding agencies were asked to indicate the target populations to which their drug and alcohol activities were addressed. For some goals, two or more populations were being targeted. Salient findings include:

- o A total of 382 population groups were identified.
- o Many State agencies are targeting or reaching populations identified as at-risk.
- o Almost one of each six target populations was connected with the school system or with school students.
- o Over one in four populations were high-risk groups: pregnant women and women of child-bearing age; minority women; infants; elderly; IV drug users; persons with AIDS, ARC, or HIV positive; the difficult to treat dual-diagnosed and polydrug abusers; disabled persons; correctional inmates and parolees; and persons involved in illegal activities.
- o Many agencies target the populations for which special funds have recently become available (e.g., Drug Free Schools and Gang Suppression funds targeted to students in schools).

- o In addition to providing services to persons with drug and alcohol problems, many of the goals are directed towards professional staff training.
- o In the area of licensing and regulations, agencies are increasing their activities to certify and license drug and alcohol programs.
- o State agency boards that license health professionals presently maintain programs for impaired professionals: physicians, registered nurses, veterinarians and animal health technicians, and pharmacists. All (including the Board of Vocational Nurses and Psychiatric Technician Examiners, and the Commission on Teacher Credentialing) assure the quality of professional services by taking appropriate action when licensed or credentialed persons are unfit to practice their professions due to substance abuse.

Table 3 contains estimates of the populations served or impacted by the agencies' activities. The wide-ranging populations are classified into four categories: education/prevention, treatment/rehabilitation, enforcement, and regulatory.

- o Those agencies providing education and prevention services to students in grades K-12 potentially reach 12 million persons. In addition to the drug and alcohol curricula for students, others connected with the school system--administrators, teachers, counselors, nurses, other school staff, and parents of students--are also reached. Although the Department of Education has the largest activity in terms of dollars and programs, ADP, DOJ, OCJP, and OTS also have major activities through school-community primary prevention programs, gang/drug suppression in schools, and traffic safety programs.
- o Other prevention activities reaching large numbers of persons include those in the correctional systems, health and social service agencies, and those related to safe driving. OTS plans to reach up to 20 million persons attending sports events; OCJP is targeting 855 athletes. While the major emphasis of prevention of alcohol and illicit drug use, DOA's emphasis is on the appropriate use of licit drugs.
- o In the treatment/rehabilitation service area, ADP provides a major portion of the funds required to treat 200,000 persons in public sector drug and alcohol programs. Others providing treatment or rehabilitation for a significant number of individuals are DOR, CYA, and DHS.
- o In the regulatory service area, licensed medical professionals are required to meet certain educational and behavioral standards to obtain and maintain their licenses. The UC

**TABLE 3: ESTIMATES OF POPULATIONS SERVED  
BY AGENCY**

AGENCY	EDUCATION/PREVENTION	TREATMENT/REHABIL.	ENFORCEMENT	REGULATORY
Aging	Health promotion-- 2250; Rx use--9,943; Technical Assistance--33	---	---	---
Alcohol & Drug Programs	Students K-12-- 12 million; EAP--200	Women--1,200; DUI multiple offender-- 5,000; drug/alcohol treatment--200,000		License 120 drinking driver programs; 100 alcohol, and 93 methadone programs
Alcoholic Beverage Control	---	---	---	65,000 licenses
Criminal Justice Planning, Office of	Students K-12-- 10.2 million; students & staff--  area population-- 1.2 million; athletes--855	First offender DUI-- 10,000  1.2 million; high DUI--300	Peace officers--50 law enforcement (LE) agencies--700; LE Multiple offender probation, parole--57 high crime areas-- 1.2 million	---  teams--2; military,
Dental	Licensees--20,000	Impaired dentists in program	---	---
Corrections	Inmates, parolees-- 134,000; EAP, 26,000	---	Train staff 3,605	---
Education	Students K-12-- 12 million; profession- al staff--538;	---	---	---
Health Services	Drug/alcohol prevention--65,000	Treatment--9,500	---	---
Highway Patrol	Drivers statewide-- 5,000	---	150 peace officers	---
Justice	Many programs-- 4.1 million	500 clandestine laboratories	200 businesses and individuals	724
Medical Quality Assurance	Licensed physicians	Impaired physicians in program	---	---
Mental Health	Staff--7,558; DMH clients--320,000 320,000	---	---	---
Motor Vehicles	Drivers--6.3 million; auto registrants--320,000	---	---	---

**TABLE 3: ESTIMATES OF POPULATIONS SERVED  
BY AGENCY (Continued)**

AGENCY	EDUCATION/PREVENTION	TREATMENT/REHABIL.	ENFORCEMENT	REGULATORY
Peace Officer Standards	---	---	Law Enforcement Trainees--4,553	---
Personnel Administration	Statewide EAP--170,000	---	---	---
Pharmacy	Licensed pharmacists	Impaired pharmacists	All licensed pharmacies in program	---
Prison Terms	EAP--150	---	Training-6	---
Registered Nurses	All Registered Nurses	RNs in program	---	---
Rehabilitation	EAP--1,800	Alcohol rehabilitation clients--5,000		-----
Social Services	300	Various services--330	---	---
Teacher Credentialing	---	---	---	Credentialed Education professionals
Traffic Safety	Students K-12--12 million; hearing impaired--1.8 million sporting event attendees--20 million	---	---	---
University of California	AIDS/HIV positive and EAP--119,000; hospital patients (in- and out-)--500 per day	AIDS patients--45 polydrug, 100	---	alcohol-/drug-credential and degree students--95,647
Vocational Nurses Psychiatric Tech.	---	---	---	All licensees
Youth Authority	---	Wards--1,700	Train staff--4,000	---
Youthful Offender Parole Board	EAP--40	---	---	---

System requires degree students to take health education courses which include drug and alcohol components. Further, UC provides a certificate program for those interested in the drug and alcohol field. Annually, the UC System provides drug and alcohol education to over 95,000 students.

#### 3.4 COMMITMENT OF RESOURCES

Table 4 displays funding dollars estimated by each of the responding State agencies. Funds are classified into the following categories:

- o Treatment, Recovery, and Rehabilitation;
- o Prevention, Intervention, and Education; and
- o Criminal Justice and Regulatory.

Overall, the state committed approximately \$296 million to drug and alcohol services provided by 30 agencies.

TABLE: 4

**ESTIMATED LEVEL OF FUNDING ALLOCATED PER DRUG AND ALCOHOL CATEGORY  
FISCAL YEAR 1988-89**

<b>STATE AGENCY/DEPARTMENT</b>	<b>TREATMENT RECOVERY REHABILITATION</b>	<b>PREVENTION INTERVENTION EDUCATION</b>	<b>CRIMINAL JUSTICE &amp; REGULATORY</b>
<b>BOARDS:</b>			
Dental Examiners	\$80,000	N/A	N/A
Medical Quality Assurance	\$603,000	N/A	N/A
Pharmacy	\$60,000	N/A	\$2,100,000
Registered Nurses	\$570,000	N/A	N/A
Examiners in Veterinary Medicine	\$50,000	N/A	N/A
Vocational Nurse and Psychiatric Technician Examiners	N/A	N/A*	N/A
Prison Terms	N/A	N/A*	N/A
Youthful Offender Parole Board	N/A	N/A*	N/A
<b>COMMISSIONS:</b>			
Peace Officers Standards and Training	N/A	\$841,663	N/A
Teacher Credentialing	N/A	\$125,000	N/A
<b>DEPARTMENTS:</b>			
Aging	N/A	\$75,000	N/A
Alcohol and Drug Programs	\$113,860,000**	\$49,640,000	N/A
Alcoholic Beverage Control	N/A	\$28,444	N/A
Corrections	\$200,000	\$100,000	N/A
Developmental Services	\$1,523,053	\$850,000	N/A
Education	N/A	\$20,480,198	N/A
Health Services	N/A	\$3,450,000	N/A
California Highway Patrol	N/A	\$1,273,409	\$1,250,000
Justice	N/A	\$765,000	\$34,000,000
Mental Health	\$2,300,000	\$2,975,400	N/A
Motor Vehicles	N/A	\$602,580	\$581,868
Personnel Administration	\$2,000,000	N/A	N/A
Rehabilitation	\$2,700,000	\$15,000	N/A
Social Services	N/A	\$2,645,000	N/A
Youth Authority	\$12,842,000	N/A	N/A
<b>OFFICES:</b>			
Criminal Justice Planning	N/A	\$10,275,642	\$7,600 00
Senate Office of Research	N/A	\$80,000	N/A
Traffic Safety	N/A	\$7,245,804	N/A
<b>OTHER:</b>			
Governor's Policy Council on Drug and Alcohol Abuse	\$44,333	\$44,333	\$44,333
University of California System	\$1,100,000	\$11,244,100	N/A
<b>Total Estimated Funds:</b>	<b>\$137,932,386</b>	<b>\$112,756,573</b>	<b>\$45,576,201</b>

**GRAND TOTAL: \$296,265,160**

Note: Funding estimates include shared funds between Departments and may not represent a true summation of the total allocated drug and alcohol abuse funds

\* Reported EAP services where funding is included in the Department of Personnel Administration's EAP master contract.

\*\* Includes MediCal funds

N/A - Not Applicable

Table 5 illustrates the number of agencies reporting funding within specified ranges. Approximately 75 percent of the agencies report total funding under \$5 million.

**TABLE 5: NUMBER OF AGENCIES REPORTING FUNDING LEVEL WITHIN FUNDING RANGE**

<u>FUNDING LEVEL</u>	<u>Number of Agencies</u>	<u>Percent of Total</u>
Less than .5 million	9	30%
.5 million - 1 million	3	10
1+ million - 2 million	2	7
2+ million - 5 million	8	26
5+ million - 10 million	2	7
10+ million - 20 million	3	10
20+ million - 50 million	2	7
More than \$50 million	1	3

While there is an overlap in some of the funds reported, the total is also underestimated. Many agencies were unable to estimate funds associated with some of their activities.

**TABLE 6: PERCENTAGE OF FUNDS BY FUNDING CATEGORY**

<u>FUNDING CATEGORY</u>	<u>\$ in Millions</u>	<u>Percent</u>
Prevention, Education, and Intervention	\$113	38%
Treatment, Rehabilitation, and Recovery	138	47
Criminal Justice and Regulatory	46	15
<u>TOTAL</u>	<u>\$297</u>	<u>100%</u>

Table 6 illustrates that approximately 47 percent of total funds were spent for treatment, rehabilitation, and recovery purposes; with prevention, education, and intervention ranking second (38%). A review of Table 4 shows that ADP funds represent approximately 8 out of 10 total treatment dollars and 4 out of 10 prevention dollars. This finding is expected since ADP has the responsibility of subvending Federal and State funds to county drug and alcohol programs.

### 3.5 EVALUATION ACTIVITIES

The last question on the survey questionnaire asked agencies to indicate whether an evaluation of the activity had been completed. Although the question suggested a yes-no answer, some agencies indicated that evaluations were in progress. Overall, evaluations were in progress or had been completed for about one out of five activities (Table 7).

TABLE 7: EVALUATION OF ACTIVITIES

<u>EVALUATIONS</u>	<u>Percent</u>
Evaluations Completed	16%
Evaluations in Progress	4
None	80
<u>TOTAL</u>	<u>100%</u>

Note: Information was provided for 341 activities.

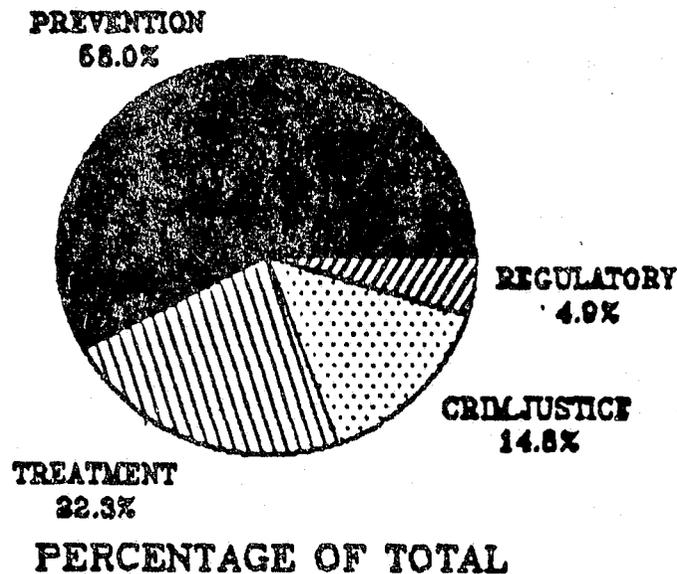
**PART II: ANALYSIS OF SURVEY RESULTS BY SERVICE THEMES**

This section presents findings for the following service themes:

- o Prevention, Education, and Intervention
- o Treatment, Rehabilitation, and Recovery
- o Criminal Justice
- o Regulatory Functions

Figure 1 illustrates the percentage of total agencies having activities in each of the four areas.

**Figure 1: Agency  
Activities by Service Themes**



**SERVICE THEME: Prevention, Education, and Intervention**

This section describes the survey results that include prevention, education, and intervention activities.

1. Definitions Used:

**Prevention:** Activities and processes designed to reduce or minimize the incidence of new drug and alcohol problems and negative consequences of abusing and drinking.

**Education:** Strategies and programs designed to build knowledge and awareness, change attitudes, and modify behavior, thereby reducing drug and alcohol use and problems.

**Intervention:** Activities designed to provide only identification and appropriate service for drug and alcohol problems prior to the appearance of major problems.

2. Summary of Prevention Activities:

- o A total of 47 goals were identified as falling within the prevention classification.
- o Over 93 percent (28 of 30) of the agencies were involved in one or more prevention activities.
- o Nearly 6 out of 10 individual activities (306) were classified as prevention activities--an average of nearly 11 activities per agency.
- o The largest number of target populations were reached through prevention activities (Example: 12 million students, school staff, parents.)
- o Funds for prevention activities comprised approximately 38 percent of total identified drug and alcohol dollars.

3. Summary of Agency Prevention Activities:

(a) School System

Goals in this subsection are concerned with drug and alcohol risks and prevention activities affecting individuals in or closely connected with, the school system. Agency activities are summarized as follows.

o Prevention Education in Schools, Grades K-12

Six agencies reported activities in this area, with SDE having the largest effort.

SDE: SDE subvenes approximately 90 percent of \$18.9 million in entitlement funds to California schools for the purpose of providing drug and alcohol education to students in grades K-12. Another major effort includes the school-community primary prevention program which is funded by ADP with \$0.9 million in State general funds. Services are provided through 18 county-level contracts.

ADP: ADP funds the following special prevention/intervention programs: Children of Alcoholics, QUEST, Student Assistant Program, and SCPPP.

OCJP: This Department is involved in special gang violence/gang related-drug prevention curriculum for schools.

DOJ: DOJ's Office of the Attorney General supported legislation requiring drug and alcohol education in schools. DOJ is also developing and providing special resource materials for schools.

OTS: OTS provides funding for various youth alcohol abuse prevention programs oriented toward traffic safety.

ABC: ABC provides alcohol education to students in schools and also at public events.

o Training of Administrators, Staff, and School Board Members

SDE: SDE is involved in several activities to train and provide technical assistance to school administrators, professional school staff, Boards of Education trustees, and drug and alcohol prevention specialists.

OCJP: OCJP provides training and technical assistance to: school administrators, professional staff, on-site drug and alcohol advisory teams, and school board members.

DOJ: Through the "Challenge" program, DOJ assists in training administrators, teachers, and other educational professionals by developing materials, including manuals and videos.

ADP: ADP provides technical assistance to assist schools, local governments, and community organizations in developing and implementing drug

and alcohol education and prevention programs. Training is provided through the Children of Alcoholics and Student Assistance Projects to school staff to assist in identifying children at risk.

o **Establishing and Maintaining Peer Groups**

ADP: ADP participates in and supports five teen peer group activities: (1) The Friday Night Live program which promotes drug- and alcohol-free lifestyles, (2) obtaining relevant up-to-date prevention information from members of the California Youth Council, (3) Teenwork--a statewide youth conference, through which peer-led drug and alcohol prevention programs are implemented, (4) support groups for adult children of alcoholics provided by San Diego State University, and (5) peer group activities funded in a number of counties through SCPPP.

OTS and CHP: OTS also provides financial support for the Friday Night Live program; CHP also assists with the effort.

SDE: Other peer group activities include SDE's support of student peer groups in grades 7-12 regarding drinking and driving.

DOJ: DOJ funds peer group counseling through the California School/Law Partnership.

OCJP: To address this goal, OCJP will encourage establishment of a coordinated intervention system using peer support groups. OCJP is also funding a program to train school personnel and school students in substance abuse prevention and peer counseling skills.

o **Parent Groups**

ADP: Children of Alcoholics project and Student Assistance Program have parent education components. SCPPP provides parenting classes to specific target populations.

OCJP: OCJP will provide prevention and early intervention programs for parents. The program will include basic drug information and gang suppression techniques.

DOJ: DOJ provides drug and alcohol information to parents through the "Challenge" program and its "Drugs and Youth" video and booklet.

OTS: OTS has a parent involvement group to assist youth and to develop positive attitudes toward sober driving.

o Policies

ADP: ADP is assisting local schools in developing Student Assistance policies for grades 1 through 12.

SDE: To assist local schools in developing drug and alcohol policies for grades 1-12, SDE will develop up-to-date information regarding drug and alcohol prevention.

OCJP: OCJP is working with local school boards and teachers to review existing drug and alcohol policies and procedures for grades 7-12.

DOJ: DOJ supports the development of school policies through AB 435 and by encouraging local school districts to use the model policy guide in "Schools and Drugs" to develop local policies.

o Educational Standards

Six agencies are involved with providing education to meet existing standards or in reviewing and developing new standards

UC System: The UC System provides the following drug and alcohol certificate programs: Alcohol and Other Drug Studies certificate and advanced certificate programs, Recovery Services, and Chemical Dependence Nursing. To meet the drug and alcohol education credentialing standard for teachers, the System provides the required health education course.

CTC: The Commission on Teacher Credentialing reviews the educational backgrounds of credential applicants to ensure that the applicant has completed one course on alcohol, tobacco, and drugs, including narcotics.

SDE: SDE plans to establish policy and minimum

graduation standards requiring drug and alcohol education in the physical education health component.

DOJ: DOJ is working with UC (Davis) in developing an Alcohol and Drug Studies program. The Department also supported legislation (AB 2063) requiring the Commission on Teacher Credentialing to review, report, and make recommendations regarding drug and alcohol training for teacher credentialing and licensing.

ADP: ADP is working with colleges to develop new and expand existing drug and alcohol studies programs in schools of higher education.

o School Ground Safety

SDE: SDE plans to achieve a safer school environment by training school personnel to recognize substance abuse on campus.

OCJP and ADP: OCJP supports the gang-suppression effort which encourages the development and support of rules that create a safer environment; ADP also participates in the effort.

DOJ: DOJ sponsored legislation (AB 450) calling for School Safety Plans to be developed. DOJ also participates in the "Challenge" program and the school/law enforcement partnership.

(b) Community Programs

o Drug and Alcohol Information Available to Clients

ADP: ADP is making information available to the community by establishing and maintaining a coordinated network of resource information through the Prevention Resource Center. The Department is also providing information available to youth through drop-in centers and youth service programs, as well as coordinating a county prevention coordinator's conference.

OCJP: OCJP provides information and drug and alcohol services through the following social service programs: juvenile prostitutes using drugs, clients of Mothers Against Drinking and Driving, and referrals to health and drug treatment services for gang members.

DOA: The Department of Aging provides awareness of drugs (including prescribed and over-the-counter medications), alcohol use, and problems of the elderly by disseminating education materials to participants and staff in community programs.

DMH: DMH has two activities: (1) providing drug and alcohol information to mental health clients; and (2) providing substance abuse information to dual-diagnosed clients and to all clients receiving psychotropic or psychoactive medications.

DDS: This Department has recently begun an extensive effort to maintain a coordinated, statewide program to reduce the severity of birth defects, developmental disabilities, and incidence of substance-abused infants by informing and intervening with mothers or potential mothers.

o Business and Community Program Involvement

ADP: ADP encourages community involvement through several statewide media campaigns. ADP also provides technical assistance to local communities interested in developing local drug and alcohol policies.

OCJP: This Agency's Community Crime Prevention Technical Advisory Committee includes a drug specialist as a member of the crime prevention-oriented group. In the of gang suppression program, local businesses are encouraged to become involved.

DOJ: DOJ participates in the "Challenge" program which involves local organizations: schools, law enforcement, and the general community.

o Staff Training for Programs Serving School-Age Children

ADP: As a part of the school-community primary prevention program, ADP provides technical assistance in the form of staff training.

OCJP: OCJP's gang suppression program includes the use of community-based organizations to provide and coordinate after-school activities.

DOJ and SDE: Through the "Challenge" program, DOJ and SDE provide regional training and seminars for school personnel, health care professionals, law enforcement agencies, and parents and students.

**DSS:** The Department provides drug and alcohol information, and intensive training and respite care for foster parents caring for drug-addicted infants.

**DMH:** DMH's community health programs encourage beliefs in life-long wellness for youth, develop curricula, and provide orientation for teachers.

o **Drug and Alcohol Abuse Programs of the Media**

**ADP:** ADP is developing new campaigns, such as a perinatal media campaign, and also participates in existing annual campaigns such as "Learn to Say No," "Just Say No," and "Red Ribbon." The Department is developing new and culturally sensitive media for high-risk youth. In addition, ADP is developing a comprehensive plan to address the four goals involving the entertainment industry and the private sector.

**DOJ:** DOJ is conducting an adult educational campaign through its "Drugs and Youth" video and booklet, and the "Clandestine Labs" film. DOJ is also conducting youth-focus public service announcement campaigns such as "Be an Original," "Be Smart," and "I'd Rather Drive."

**OTS:** OTS is funding a statewide Spanish/Bilingual DUI public awareness campaign regarding drinking and driving.

**DDS:** This Department plans to conduct a statewide prevention public awareness program which includes information about the relationship between substance abuse and developmental disabilities.

**SDE:** SDE is involved in several media activities including supporting and participating in the "Red Ribbon" campaign. Through contract, SDE is developing video materials consisting of a teacher's guide and curriculum materials for grades 4-6, a 30-second anti-drug abuse commercial for television, and an instructional television prospectus on drug abuse.

**DMH:** DMH, in cooperation with SDE and local service providers, educates the public on the medical benefits of supportive relations through the media campaign "Friends. Can Be Good Medicine."

o Drug and Alcohol Abuse Health Care Programs

Two goals are classified as prevention: reducing medical emergencies, and providing drug and alcohol information to patients in acute care hospitals and AIDS service facilities.

SDE: SDE, along with OTS, OCJP, ADP and CHP, sponsored "Teenwork", a conference to reduce the number of drug and alcohol involved injuries and deaths of California teens.

ADP and CHP: ADP and CHP work with students in grades 9-12 to promote drug- and alcohol-free lifestyle.

CHP: CHP annually sponsors the Sober High School Graduation program.

DHS and DSS: DHS and DSS, in conjunction with ADP, are working together to reduce medical emergencies of infants due to the use of drugs and alcohol by pregnant women.

DOA: This Department's activities are toward reducing adverse drug reactions among the aging that are caused by the inappropriate use of prescription and over-the-counter medications.

DMH: The Department provides drug and alcohol training to all licensed mental health board and care service providers along with crisis services. DMH also provides drug and alcohol abuse information to clients who have a substance abuse problem and are AIDS, ARC, and HIV positive who have a substance abuse problem.

DHS: DHS provides prevention information to their clients that are being served in drug and alcohol programs.

o Private Sector Drug and Alcohol Programs

The goals in this section encourage private sector programs to support drug and alcohol prevention and treatment, establish and develop EAPs for private sector employees, and encourage public and private sector athletic teams to establish policies concerning drug use.

OTS: OTS is working with local governments to encourage sober and safe driving connected with

public events, including sports events.

**OCJP:** This agency's Juvenile Justice Delinquency Program teaches youth to enjoy a drug-free environment, including sports events. OCJP also requires local government and community applicants for anti-drug funds to provide a drug-free work place.

**ADP:** ADP's Friday Night Live program to encourage drug- and alcohol-free lifestyles for youth receives a high level of support from the private sector including: discounts, in-kind services, and donations. The Department has also obtained the support of well-known personalities to appear at events and provide support for drug and alcohol activities. For example, prominent sports figures have supported Friday Night Live activities.

ADP also provides resource materials for private organizations interested in developing EAPs, a drug-free work place and drug testing.

**DOJ:** This Department encourages private sector employers to provide drug-free environments through the "Challenge" program.

o Local Government Drug and Alcohol Programs

Included within these goals are the following: planning and policymaking regarding drug and alcohol use at the local level, establishing and using EAPs, having local drug and alcohol referral systems, and providing AIDS information.

A. Local Government Planning and Policy Development

**ADP:** This Department financially supports and cooperates with the State drug and alcohol advisory boards (these Boards advise the Director of ADP), and the county drug and alcohol administrator associations regarding policy issues at the State and local level. Legislation requires local governments to submit drug and alcohol plans annually; ADP reviews and maintains these plans. ADP is also involved in many other policy-type goals (see ADP agency summary).

**B. Local Employee Assistance Programs**

**ADP:** Information on Employee Assistance Programs is provided through ADP's resource center.

**DOJ:** DOJ's "Challenge" program encourages developing long-range plans and implementing local EAPs.

**ABC:** ABC works with local governments regarding the locations of sites selling alcoholic beverages.

**C. Disabled Persons**

**OTS:** The OTS program is directed towards prevention, education, and media effort for the hearing-impaired driver. In addition to providing information on a statewide basis to approximately 1.8 million hearing impaired, public service announcements are broadcasted over the Silent Network Satellite TV System which reaches 8 million U.S. households.

**DMH:** DMH is providing information and referral services to the physically-disabled mental health client.

**ADP:** ADP recently completed two research studies regarding the drug and alcohol service needs of disabled persons, and the accessibility and use of existing drug and alcohol programs by the disabled. The Department is also developing an action plan to increase access to services by disabled persons.

**D. Pregnant Women**

**ADP, DDS, DSS, and SDE:** To provide prevention and intervention services to pregnant women and women of child-bearing age, ADP, DDS, and DSS are cooperating to provide special services to these women. In FY 1989-90, approximately \$5 million will be provided to local programs for these services. In addition, SDE is developing a film for pregnant teens.

**E. Drug and Alcohol Programs Provide AIDS Information**

**DHS:** In cooperation with programs in 20 counties, DHS provides one-on-one HIV/AIDS education, counseling, and HIV testing for IV drug users.

**UC System:** Three UC System medical service facilities provide general information on AIDS to their drug and alcohol clients.

**o Supply, Regulation, and Reduction**

Two goals in this subsection were identified as having prevention aspects: prevention as a part of community programs, and drug and alcohol as a priority training topic. Five agencies are addressing one or both of these goals.

**DOJ:** In terms of community programs having a prevention component, DOJ includes drug prevention as an integral part of its community programs such as "Neighborhoods in Action."

**OCJP:** OCJP requires its community drug suppression programs to have a drug and alcohol prevention component.

**CDC, CYA, and DOJ:** Drug and alcohol abuse is considered a priority and staff training will be conducted by these State agencies: CDC (correctional and parole officers), CYA (agency staff), DOJ (crime prevention academy), and OCJP (probation officers).

**ADP:** ADP is developing model strategies to assist community groups in controlling the proliferation of alcohol outlets (ie: local zoning ordinances).

SERVICE THEME: Treatment, Recovery, and Rehabilitation

This section describes the survey results that include treatment, recovery, and rehabilitation services.

1. Definitions Used:

**Treatment:** Formal organized services designed to alter specific physical, mental, or social functions of persons receiving care by reducing disability or discomfort, and ameliorate the signs or symptoms caused by drug and alcohol problems.

**Recovery:** The process of learning to live a drug and alcohol free life.

**Rehabilitation:** Social, educational, and vocational services intended to improve, maintain, or restore the effective functioning of persons recovering from drug and/or alcohol abuse or addiction.

2. A summary of the statistics are:

- o A total of 15 goals were identified as coming under the treatment classification.
- o Sixty percent (18 of the 30 departments) were involved in one or more treatment activities.
- o There was an average of 6.6 activities per agency.
- o As compared to prevention activities, considerably fewer persons were provided services for dollars spent. The largest single population identified was persons receiving treatment in publicly-funded drug and alcohol programs (200,000), followed by multiple offender drinking driver program participants (35,000).
- o The largest proportion of drug and alcohol funds was spent for treatment--46 percent.

3. This summary is organized by the following goals:

(a) Local Government Drug and Alcohol Programs

o County Drug and Alcohol Master Plans

ADP, DOJ, OCJP, and OTS: These agencies are supporting the development of county master plans to reduce drug and alcohol use. ADP will assist the county drug and alcohol program administrators by providing financial support and technical

assistance to develop the county master plan. DOJ, OCJP, and OTS will encourage the development of master plans by giving priority in grant funding to programs in counties having master plans.

o County-Level Drug and Alcohol Programs

ADP: A major portion of drug and alcohol funds subvented to county drug and alcohol programs are used to provide drug and alcohol treatment services. The Department estimates that \$103 million was spent in FY 1988/89 to provide treatment services to approximately 300,000 individuals, including multiple offender drinking driver program participants which are primarily financially self-supporting.

CYA: CYA provides drug treatment to wards in its facilities.

CDC: CDC has a program for civil addicts.

o Pregnant Women

ADP, DSS, and DDS: In addition to pregnant women, these goals also include women of child-bearing age. As previously mentioned, ADP, DSS and DDS are cooperating to provide services to drug and alcohol using women who are or plan to become pregnant. The goal of this effort is to reduce medical emergencies for pregnant women and newly-born children, reduce birth defects and fetal deaths, and reduce HIV infection. In FY 1989/1990, ADP will fund \$5 million in programs to provide recovery services for women and their children.

(b) State and Federal Government Drug and Alcohol Programs

Three goals were classified as treatment: those concerning drug and alcohol education with inmates and wards; providing services to multiple-diagnosed clients; planning to meet needs of disabled persons; and services to impaired professionals.

o Drug and Alcohol Education for Inmates and Wards

CYA: For many years, CYA has maintained facilities to rehabilitate wards who are drug addicted. The Department will be expanding educational and training activities during the current fiscal year.

CDC: CDC has recently recognized the need for a strong drug and alcohol intervention and rehabilitation effort for inmates and parolees. The Department has established the Office of Substance Abuse Programs to assess and plan for drug service needs and will establish formal treatment programs in both men's and women's facilities. In addition, programs will be provided for residents in camps. Correctional staff will be trained to provide educational programs to agency staff and inmates.

o Disabled Persons, Including Multiple-Diagnosed Clients

ADP and DMH: Through a cooperative effort, ADP and DMH are funding a demonstration program for dual-diagnosed persons. Findings from a recently completed study by ADP show that this is one of the most difficult population groups to treat. Other activities by ADP include establishing the Action Committee on the Disabled which is investigating a number of areas concerned with providing services to the disabled. The Committee conducted a survey of drug and alcohol programs to determine the extent to which the disabled were being served and to identify barriers to receiving services.

o Treatment Programs for Impaired Professionals

Four State licensing boards have EAPs for impaired medical professionals (BMQA, Pharmacy, Registered Nurses, and Veterinary Medicine). Those licensees who appear to be impaired due to drugs and alcohol may be required to attend the program as a condition of retaining his/her license. Although the licensees are required to pay for the program, the Boards carefully monitor the progress of the licensees in treatment.

d. Private Sector Direct Drug and Alcohol Service Providers

Goals in this subsection pertain to drinking drivers, polydrug abusers, and treatment services for juveniles.

o Drinking Drivers

ADP: The Department has the responsibility of licensing and certifying 120 multiple offender drinking driver programs located within the State. Most of the programs are operated by private providers. The participant pays a fee of \$800-\$900 for the one-year program. Recent legislation

permits the counties to conduct 30-month (three or more convictions) programs which ADP also licenses. In 1990, ADP will also assume responsibility for licensing programs for first (convicted) offenders.

o **Polydrug Abusers**

**UC System:** The UC System medical centers that provide services to methadone patients find that most abuse other drugs as well. When the facility is unable to provide the appropriate services, the patient is referred to private sector programs.

**ADP:** To assess the effectiveness of treating drug and alcohol abusers (including polydrug abusers) in single treatment facilities, ADP and two counties have entered into an agreement permitting the counties to combine their drug and alcohol programs. This agreement is in accordance with new legislation which allows programs to be combined on a demonstration basis. Existing legislation mandates separate drug and alcohol programs.

o **Treatment Services for Juveniles**

**ADP:** To increase services available for juveniles, ADP is encouraging county programs to use new funds (block grant, anti-drug) to establish services for this population group. The Department also requires counties to establish funding priorities for both adolescent residential and nonresidential services.

SERVICE THEME: Criminal Justice

This section describes drug and alcohol activities within the law enforcement, judicial, and correctional systems.

1. A summary of the statistical findings are:

- o A total of 22 goals were identified under the criminal justice category.
- o Forty percent (12 of 30) of the agencies were involved in one or more criminal justice activities.
- o There was an average of 6.5 activities per agency.
- o Approximately 16 percent of total drug and alcohol funds was spent for criminal justice activities.

2. This summary is organized by the criminal justice goals with 12 agencies addressing one or more goals.

a. County Master Plans and County Advisory Boards

Goals in this subsection relate to the development of county drug and alcohol master plans, and establishment of drug and alcohol advisory bodies. Responses to these goals are the same as those presented in the preceding discussion under the prevention.

b. State/Federal Government Drug and Alcohol Abuse Programs

CHP: CHP is activity conducting sobriety checkpoints--over 84,000 checkpoints have been established.

c. Supply, Regulation, and Reduction

A total of 11 agencies reported 57 activities relating to goals in this area.

o Criminal Justice Teams

CHP: CHP is working with State, federal, and local governments to eradicate marijuana planting; participating in "operation pipeline," a multi-state law enforcement program; participating in the State agency effort to reduce the transport of drugs on highways; and serving as members on various multi-agency task forces in California.

DOJ: DOJ'S Bureau of Narcotics Enforcement (BNE) participates in multi-agency drug task forces located in 25 counties. The task forces,

established in 1970, coordinate and enhance local activities against drug traffickers. BNE also maintains a special operations unit to combat intrastate drug trafficking and coordinate local activities. This \$27 million effort was augmented by \$3.5 million in 1987 through a federal grant administered by OCJP.

CYA: CYA's parole staff, upon request of local government enforcement agencies, participates in city- or county-wide drug enforcement sweeps.

o **Training**

CDC, DOJ, OCJP, CYA, and the Board of Prison Terms: These agencies are currently providing training on drug and alcohol abuse recognition and prevention on a regular basis to law enforcement, correctional, and other professional staff.

OCJP: OCJP is providing training to probation officers on how to recognize persons under the influence of drugs.

DOJ: DOJ staff provide instruction on drug prevention at the crime prevention academy. DOJ also works with OCJP, CYA, and CDC to determine training subjects for seminars on drug and alcohol prevention.

CDC: CDC is developing new training material to be included in their academy curricula.

o **Local Law Enforcement Sobriety Checkpoints**

CHP: As permitted by the United States Constitution, CHP assists local law enforcement in establishing sobriety checkpoints.

o **Effective Prosecution**

DOJ: To assist in rapid and effective prosecutions, DOJ's Office of the Attorney General investigates and prosecutes drug and alcohol crimes by organized crime figures. DOJ, as a member of the Western States Information Network, aids the courts in sentencing through its annual assessment of drug trafficking in California. Judges are also encouraged to include drug and alcohol prevention measures as a part of sentencing.

o Driving Under the Influence

OTS: OTS is involved in the following activities: (1) providing funds to train Drug Recognition Enforcement personnel; (2) providing additional funds to expand the current assessment of the in-custody alcohol education program taking place in Santa Clara County; and (3) expanding the Defendant Alcohol-Risk Assessment Projects in Alameda and San Diego Counties. Assessment devices will be developed and used in the education and treatment of DUI offenders. A first offender two-year program will be added in San Diego during the current year.

o Conditions of Parole

CDC: CDC will expand activities to establish conditions of parole for substance-involved offenders. The Department will meet with the Board of Prison Terms to examine the feasibility.

OCJP: OCJP is supporting an intensive supervision program aimed at reducing drug and alcohol use by parolees and probationers. The program includes counseling and treatment.

o Clandestine Labs

DOJ: Since 1983, DOJ's BNE has maintained the Clandestine Lab Program. The \$7 million effort combines the resources of federal, State, and local law enforcement to reduce the number of labs in California. The Precursor Program, which monitors chemical sales transactions, is a part of the lab eradication program.

o Drug and Alcohol Response Protocol

OCJP: OCJP promotes cooperation among various agencies, including schools, law enforcement, and others, through the multi-disciplinary requirements of the gang violence and drug suppression programs.

**SERVICE THEME: Regulatory**

This section briefly describes: professional and health care facilities licensing and compliance with health care regulations.

1. The following is a summary of statistical findings:
  - o A total of 13 goals were identified under the regulatory category.
  - o Thirty percent (9 of 30) of the agencies were involved in one or more efforts.
  - o There was an average of 2.9 activities per agency.
  - o In reference to licensing of individuals, fairly large populations (such as all credentialed school personnel, all licensed medical professionals) have the potential of being reached.
  - o No funds were broken out for this area--funds were divided into three categories only: prevention, treatment, and criminal justice/regulatory. However, some of the regulatory funds have been included in the treatment category.

2. The summary is organized by following goals.

(a) **Meetings of State and County Drug and Alcohol Advisory Boards**

ADP: ADP is working with state-level advisory boards to facilitate joint meetings as required by SB 2599. Regarding county-level advisory boards, ADP has included in the county master plan Request for Application (RFA) requirements so that county drug and alcohol administrators will assure that the combined meetings take place.

(b) **Health Care Licensing of Professionals**

BMQA and CTC: Licensing and credentialing standards of BMQA and CTC require applicants to complete a course on drugs and alcohol.

Board of Pharmacy: The Board requires continuing education for all licensees with drug and alcohol education as an acceptable course.

Professional Licensing Boards: All boards (including Veterinary Medicine, Registered Nurses, Vocational Nurses and Psychiatric Technician Examiners) and teacher

credentialing may take disciplinary action if a licensee becomes impaired by drugs or is implicated in a drug-involved crime.

(c) Drug and Alcohol Licensing

ADP: The Department has supported legislation towards establishing drug and alcohol licensing as the sole responsibility of ADP. ADP is also supporting legislation to license additional types of drug and alcohol programs. ADP presently licenses alcohol recovery homes, methadone drug programs, and multiple offender drinking driver programs. ADP recently became responsible for licensing first offender drinking driver programs and residential drug facilities.

(d) Summary of Drug and Alcohol Legislation

SOR: The Senate Office of Research is preparing a summary of all drug and alcohol legislation. The summary will be released on December 1, 1989.

(e) All Other Requirements

o County Master Plans

ADP: The Department is working with county drug and alcohol program administrators to develop model plans to assist all counties.

o Funding Priorities

ADP: When funding projects, ADP will give special consideration to counties addressing goals in the county and/or State master plans.

o Master Plan Review

ADP: The Department will maintain copies of, and review, county master plans.

o Current Listing of Drug and Alcohol Programs

ADP: Through the National Drug and Alcohol Treatment Utilization Survey, ADP will obtain current information from private and public programs within the State. ADP will develop and distribute a new directory of programs annually.

o Governor's Policy Council on Drug and Alcohol Abuse

ADP: ADP is working with the GPC to develop annual reports to the Legislature. The GPC assisted in the development of the survey of State agencies, which is the basis of this analysis.

# California Master Plan to Reduce Drug and Alcohol Abuse: Year Two

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A PLANNED RESPONSE TO MEET THE GOALS OF SENATE BILL 2599



Department of  
Alcohol and Drug Programs

January 1990

## EXECUTIVE SUMMARY

The California Master Plan to Reduce Drug and Alcohol Abuse: Year 2 is the second in a series of written reports designed to document the State and county governments' strategies, activities, and recommendations towards meeting the goals of Senate Bill (SB) 2599 (Seymour, Chapter 983, Statutes of 1988).

Approved by the Governor on September 19, 1988, SB 2599 was based on the belief, that for drug and alcohol problems to be solved, a comprehensive and cooperative effort must be made at every level of government, as well as in the community and the home. The California Master Plan's focus is on the over 90 goals in SB 2599; goals that influence all levels of society and essentially represent the Legislature's policy towards the provision of drug and alcohol services. Generally, these goals are categorized as: (1) Prevention, Education, and Intervention; (2) Treatment, Recovery, and Rehabilitation; (3) Criminal Justice; and (4) Policy and Planning.

SB 2599 calls for extensive planning and coordination at the State and local levels, and for mobilization of community effort, to "... eliminate drug and alcohol abuse in California." The comprehensive approach of the legislation is in response to the enormous economic and social costs related to drug and alcohol use, and to perceived gaps and overlap in existing programs. It is estimated that in the State of California alone, over \$11 billion is expended annually in health and medical costs; and on the costs incurred as a result of motor vehicle accidents, violent crimes, social responses, and fire losses resulting from alcohol problems. An additional \$6 billion is expended annually in incidents relating specifically to drug problems.

The efficient, well-planned use of limited public resources will be essential to address the enormous societal costs cited by the Legislature. Success in meeting legislative objectives depends on:

- o Creative leveraging of existing resources;
- o Efficiency through better coordination;
- o Elimination of duplication;
- o Integration of services through a unified effort; and
- o Changes in societal attitude and behavior through a multi-disciplinary attack on the problems.

The primary role of the Department of Alcohol and Drug Programs (ADP), as the lead State agency, is to stimulate participation and coordination by State and county agencies, and the business community. Towards this end, the plan provides the following recommendations:

**Recommendation: Multi-Disciplinary Approach to Identify Service Needs**

State and local government should promote the development of drug and alcohol service policies, plans, and programs predicated upon a multi-disciplinary approach to identifying community needs which are: (a) coordinated with services provided by all other public and private agencies, and (b) responsive to the needs of all specific populations in the community.

**Recommendation: Continuum of Services**

State and local government should promote the availability of a full range of services to all individuals regardless of locality.

**Recommendation:      Coordinated Service Development**

State and local government should promote service coordination among local treatment, recovery, and rehabilitation programs to ensure that persons are referred to the most appropriate service.

**Recommendation:      Treatment and Recovery Service Effectiveness**

State government should promote the development of criteria for measuring treatment and recovery service process efficiency and outcome effectiveness.

**Recommendation:      Quality Assurance Standards**

State government should continue to promote licensing and quality assurance certification standards for programs that provide drug and alcohol treatment and recovery services.

**Recommendation:      Exemplary Service Models**

State government should identify effective programs as exemplary service models.

**Recommendation:      Technical Assistance**

State government should continue and expand the availability of technical assistance to improve the quality of programs.

**Recommendation:      County Master Plans**

All county boards of supervisors should review SB 2599 and the Department of Alcohol and Drug Programs' "County Master Plan Request for Applications" and consider participating in the development of a County Master Plan. Counties which develop a master plan should ensure close coordination, information sharing, issue resolution, needs assessment, and policy development among local service agencies.

**Recommendation:      Preferred Funding**

All State agencies that contract or grant funds to local public entities for the implementation of SB 2599 goals should require the submission of an approved County Master Plan, if available, and give those entities preference in goal implementation funding.

**Recommendation:      Resource Service Coordination**

In 1990 the Department of Alcohol and Drug Programs should establish a multi-agency task force to identify necessary resource center coordination functions. These functions should include clarification of agency roles and responsibilities, information sharing, joint project development, and publication of services and activities.

**Recommendation:      Prevention Services**

State and local government should continue and expand existing prevention services directed towards individuals as well as communities.

**Recommendation: Alcohol-Use Environment**

State and local government should expand existing, and initiate new, policies that discourage high-risk use of alcoholic beverages, including limitations on availability, use, and advertising with particular attention directed toward high-risk populations (e.g., youth, expectant mothers).

**Recommendation: Drug-Use Environment**

State and local government should expand existing, and initiate new, policies that discourage use of illicit drugs with specific focus on youth, pregnant women, and intravenous drug users.

**Recommendation: Outpatient Insurance Coverage**

Encourage employers and employee groups to establish insurance coverage for a variety of less expensive forms of drug and alcohol problems services, including outpatient, non-residential, and other non-medical forms of treatment.

**Recommendation: After-Care Service Coordination**

State and county government should promote policies to remove barriers between treatment and recovery facilities, and social, health, education, and employment agencies to ensure the accessibility of services needed to maintain recovery.

**Recommendation: Employee Assistance Programs**

All employers should promote the establishment of employee assistance programs, if not presently available. Where the service does exist, increased outreach and referral should be encouraged.

**Recommendation: Workplace Environment Policies**

All employers should promote the establishment of drug-free workplace policies.

The third and succeeding years of the master planning process will: (1) provide detailed information illustrating the statewide service system, (2) reflect the outcomes of the State's and counties' efforts to address the statute's goals, and (3) offer policy recommendations to the Legislature and the Administration.

## Chapter 1

### INTRODUCTION

#### 1.1 WHAT IS THE CALIFORNIA MASTER PLAN TO REDUCE DRUG AND ALCOHOL ABUSE: YEAR TWO?

The California Master Plan to Reduce Drug and Alcohol Abuse: Year 2, prepared by the Department of Alcohol and Drug Programs (ADP), is the second in a series of written reports designed to document the State and county governments' strategies, activities, and recommendations towards meeting the goals of Senate Bill (SB) 2599<sup>1</sup>.

Approved by the Governor on September 19, 1988, SB 2599 was based on the belief that, for drug and alcohol problems to be solved, a comprehensive and cooperative effort must be made at every level of government, as well as in the community and the home. In July 1987, the Senate Select Committee on Substance Abuse (Chair: Senator John Seymour) and the Assembly Select Committee on Youth and Drug Abuse Prevention (Chair: Assemblyman Steve Clute) held three joint hearings to determine the need for a state master plan to reduce drug and alcohol problems in California. In his opening comments, Senator Seymour stated:

"With a social and economic price tag of \$17.6 billion annually to California, as well as the emotional and physical impact on developing minds and bodies of our young people, we must take a fresh look at these alarming statistics. With insufficient resources to fully address the drug and alcohol abuse problem, I strongly believe it is imperative that all existing services and resources are coordinated and that all unnecessary duplication is eliminated. It is clear that if the substance abuse problem is to be solved, a comprehensive and cooperative effort must be made at every level: national, state, community, school, and most importantly in the home."

"In this regard, the Senate Select Committee held a hearing last November to determine the need for a Master Plan to reduce drug and alcohol abuse in California. Those who testified at this hearing overwhelmingly supported the development of a five-year Master Plan."

"The two areas most frequently addressed by the participants underlining the need for a long-range plan were:

One, the lack of coordination among service providers at the state and local levels;  
and

Two, the unnecessary duplication of effort in some areas with a lack of resources for other needed services."

"... As I view the Master Plan, it is an attempt to bring together disjointed efforts throughout California. Further, it is an attempt to coordinate these resources so that we are not duplicating efforts and thereby insuring that we get a higher quality of service for the taxpayer's dollar."

"Specifically, the Master Plan is an attempt to set goals as to what we should accomplish over the next five years, and really therefore an attempt to bring it all together in a coordinated manner which provides a statewide network of agencies, both nonprofit as well as governmental, to maximize and most effectively use the resources invested in this tremendous undertaking."

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<sup>1</sup>For a discussion of the background and development of SB 2599, see Chapter 4.

The California Master Plan's focus is on the over 90 goals in SB 2599. These goals influence all levels of society, and essentially represent the Legislature's policy towards the provision of drug and alcohol services<sup>2</sup>. Generally, these goals can be categorized as:

- o Prevention, Education, and Intervention;
- o Treatment, Recovery, and Rehabilitation;
- o Criminal Justice; and
- o Policy and Planning.

The California Master Plan provides a forum where public and private organizations and constituents can act collectively, and in consultation, to address critical drug and alcohol service issues. Yet, it is also essential to understand what the California Master Plan process is not. It represents neither a preemption of the planning responsibilities delegated to individual State agencies and county governments nor a disregard for the fact that these entities must respond to the mandates of their enabling authorities. It is recognized that they possess the unique knowledge and experience relevant to their responsibility which should not be duplicated through the California Master Plan process. It is anticipated that varying opinions will be put forth regarding the efficacy of specific goals in SB 2599 and the policies they represent. Therefore, the plan will endeavor to identify those goal activities which are regarded as successful and to recommend changes to those which are not.

#### **1.2 WHAT IS THE PURPOSE OF THE CALIFORNIA MASTER PLAN TO REDUCE DRUG AND ALCOHOL ABUSE: YEAR TWO?**

- o Establish a state and county master planning model which addresses the planning and program goals in SB 2599;
- o Gather data illustrating the state drug and alcohol service system; and
- o Provide policy recommendations for enhancing the development and provision of drug and alcohol services.

#### **1.3 HOW DOES THE "YEAR TWO" PLAN DIFFER FROM "YEAR ONE"?**

The "Year One" plan was published in April of 1989. It represented a preliminary effort to identify the requirements of the statute and to outline a conceptual strategy for responding to those requirements. The "Year Two" plan builds and expands upon the first year strategy by detailing the State and county planning process and providing baseline data on State initiatives and resources committed to programs that address the goals in SB 2599.

#### **1.4 WHAT ARE THE LONG-RANGE OBJECTIVES OF THE CALIFORNIA MASTER PLAN?**

During the third and succeeding years of the planning process, the California Master Plan will provide detailed information illustrating the statewide service system. It will also reflect the outcomes of the State's and counties' efforts to address the statute's goals and will offer recommendations for policy initiatives.

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<sup>2</sup>See Appendix A for the text of SB 2599 (amended by SB 309).

The goal is designed to implement the legislative intent stated in SB 2599, namely to:

- o "Establish lines of communication and avenues of coordination that eliminate unnecessary duplication and facilitate networking and the development of a united approach to the (drug and alcohol problems)...."
- o "Maximize and more effectively use existing resources invested in the tremendous efforts to reduce drug and alcohol problems."
- o "Provide new funding sources to supplement current financial commitments."
- o "Provide direction for legislative, budgetary, and public policy decisions affecting drug and alcohol services."

#### 1.5 BY WHOM WILL THE CALIFORNIA MASTER PLAN BE USED?

The plan is prepared for a wide range of interests concerned with drug and alcohol issues. Copies of the first year plan have been requested by members of the California Legislature, service organizations, researchers, advocacy and advisory bodies, federal and other state governments, and private citizens. To date, approximately 1,000 copies of the first year plan have been distributed.

## Chapter 5

### POLICY RECOMMENDATIONS

The following policy recommendations were based upon: (1) the findings contained in Chapters 2 and 3 of this Master Plan, and (2) major policy themes incorporated in SB 2599.

#### 5.1 COORDINATED SERVICE PLANNING AND DEVELOPMENT

A cornerstone to SB 2599 is the Legislature's finding that "currently, there is no consistent coordination between the ... state agencies that provide some type of drug or alcohol services. There is no established mechanism to prevent or eliminate unnecessary duplication of efforts" [Section 1(m)]. Describing the need for service and resource coordination as an "imperative", the Legislature stated its intent that "... lines of communication and avenues of coordination that eliminate unnecessary duplication and facilitate networking and the development of a united approach ..." to the drug and alcohol problem be established.

**Recommendation:    Multi-Disciplinary Approach to Identify Service Needs**

State and local government should promote the development of drug and alcohol service policies, plans, and programs predicated upon a multi-disciplinary approach to identifying community needs which are: (a) coordinated with services provided by all other public and private agencies, and (b) responsive to the needs of all specific populations in the community.

**Recommendation:    Continuum of Services**

State and local government should promote the availability of a full range of services to all individuals regardless of locality.

**Recommendation:    Coordinated Service Development**

State and local government should promote service coordination among local treatment, recovery, and rehabilitation programs to ensure that persons are referred to the most appropriate service.

#### 5.2 SERVICE EFFECTIVENESS AND ACCOUNTABILITY

The survey of State agencies (Chapter 3) found that approximately 20 percent of the drug and alcohol activities had been, or were in the process of being, evaluated. Because of the absence of routine evaluation, it is problematic as to whether a program, in terms of achieving its objectives, can be assessed as successful or not. This may preclude the availability of information applicable to future policy and program development decisions. The need for routine measurement of program effectiveness is accentuated by the fact that the National Drug Control Strategy has established program accountability as a national priority. It calls for "greater State, local, and individual treatment program accountability for effectiveness. Submission of State plans for treatment resource allocation and systemic improvements will be a condition for receipt of Federal treatment funds."

**Recommendation:    Treatment and Recovery Service Effectiveness**

State government should promote the development of criteria for measuring treatment and recovery service process efficiency and outcome effectiveness.

**Recommendation:     Quality Assurance Standards**

State government should continue to promote licensing and quality assurance certification standards for programs that provide drug and alcohol treatment and recovery services.

**Recommendation:     Exemplary Service Models**

State government should identify effective programs as exemplary service models.

**Recommendation:     Technical Assistance**

State government should continue and expand the availability of technical assistance to improve the quality of programs.

### **5.3 COUNTY MASTER PLAN DEVELOPMENT**

As stated in Chapter 4, the Department of Alcohol and Drug Programs is responsible, as lead agency in the development of the State Master Plan, for stimulating increased coordination, planning, and service prioritization at the State and county level, and for providing policy recommendations to enhance service effectiveness. One method for achieving this objective is through the County Master Plan project which promotes integrated planning and service issue resolution at the local level. Despite the commitment of resources by the Department, success will depend on the degree and quality of participation by other State agencies and local government.

**Recommendation:     County Master Plans**

All county boards of supervisors should review SB 2599 and the Department of Alcohol and Drug Programs' "County Master Plan Request for Applications" and consider participating in the development of a County Master Plan. Counties which develop a master plan should ensure close coordination, information sharing, issue resolution, needs assessment, and policy development among local service agencies.

**Recommendation:     Preferred Funding**

All State agencies that contract or grant funds to local public entities for the implementation of SB 2599 goals should require the submission of an approved County Master Plan, if available, and give those entities preference in goal implementation funding.

### **5.4 RESOURCE SERVICE COORDINATION**

The need for research and technical information by policy makers, service agencies, and providers is essential for developing and refining strategies and countermeasures to drug and alcohol problems. SB 2599 addresses this need by stating that "... the Governor shall designate one statewide resource center to coordinate efforts of other resource centers statewide and to coordinate with local government and assist them in their preparation of drug and alcohol abuse master plans." As an initial response to this goal, the State Master Plan has compiled a catalog of state and national resource centers which offer a variety of technical services related to addressing drug and alcohol use issues. While the catalog provides a single source of information, it does not address the coordination issue called for by the Legislature.

**Recommendation: Resource Service Coordination**

In 1990 the Department of Alcohol and Drug Programs should establish a multi-agency task force to identify necessary resource center coordination functions. These functions should include clarification of agency roles and responsibilities, information sharing, joint project development, and publication of services and activities.

## **5.5 PREVENTION**

Prevalence data derived from the 1988 National Household Survey on Drug Abuse identified a 37 percent decrease in "current use" of illicit drugs compared to the 1985 survey. Nationally, the number of persons using marijuana, cocaine, or any other illicit drugs 30 days prior to the survey decreased from 23 million in 1985 to 14.5 million in 1988. Users of any illicit drugs one year prior to the survey decreased by nearly 25 percent, from 37 million to 28 million. In terms of alcohol use, statistics indicate that it has remained fairly constant with evidence of slight periodic decreases.

While specific causes for the decreases are not readily identifiable, it may reasonably be presumed that the extensive prevention efforts conducted by the public and private sectors have had an important impact. A predominant focus of SB 2599 and the activities of the State agencies surveyed is on the provision and expansion of drug and alcohol prevention services, particularly to specific populations. Furthermore, beyond services directed to the individual, there are initiatives which support drug-free environments oriented to the general community (ex., Red Ribbon Campaign). However, there is little apparent recognition of activities directed towards encouraging an alcohol-free environment. This concept recognizes that alcohol problems may occur in particular situations and settings depending on several variables. These include environments where consumption opportunities and use are above average, and where social or legal controls are minimal. They may also be the result of intense marketing campaigns and high availability.

**Recommendation: Prevention Services**

State and local government should continue and expand existing prevention services directed towards individuals as well as communities.

**Recommendation: Alcohol-Use Environment**

State and local government should expand existing, while also initiating new, policies that discourage high-risk use of alcoholic beverages, including limitations on availability, use, and advertising with particular attention directed toward high-risk populations (e.g., youth, expectant mothers).

**Recommendation: Drug-Use Environment**

State and local government should expand existing, while also initiate new, policies that discourage use of illicit drugs with specific focus on youth, pregnant women, and intravenous drug users.

## **5.6 RESOURCE LEVERAGING**

In SB 2599, the Legislature declares that "... Every dollar spent on drug and alcohol abuse prevention and treatment produces economic benefits several times greater than cost." It further acknowledges that unmet needs far exceed available resources. The State agency survey illustrates that 46 percent of drug and alcohol funds are for treatment, recovery, and rehabilitation services and 38 percent are directed towards prevention. Nevertheless, "... considerably fewer persons were provided services for dollars spent ..." on treatment, recovery, and rehabilitation services than on prevention activities.

With need exceeding resources, success in meeting the legislative objectives depends on creative leveraging of existing monies. Beyond public support, private insurance coverage provides revenue for drug and alcohol services, including medical and treatment services. Insurance coverage of less intensive forms of treatment would offer the leverage to utilize this revenue.

**Recommendation:     Outpatient Insurance Coverage**

Encourage employers and employee groups to establish insurance coverage for a variety of less expensive forms of drug and alcohol problems services, including outpatient, non-residential, and other non-medical forms of treatment.

## **5.7 AFTER-CARE SUPPORT SERVICES**

Not specifically addressed by the goals of SB 2599, but essential to their success, is the critical role played by public agencies that provide long-term social support services to persons with drug and alcohol problems. The effectiveness of treatment and recovery services may be enhanced by ensuring that individuals have access to appropriate social, health, and employment services. These services can assist individuals in meeting their personal and family needs which, if not addressed, can lead to the frustrations that may bring about the problems associated with the use of drugs and alcohol.

**Recommendation:     After-Care Service Coordination**

State and county government should promote policies to remove barriers between treatment and recovery facilities, and social, health, education, and employment agencies to ensure the accessibility of services needed to maintain recovery.

## **5.8 SUPPORT IN THE WORKPLACE**

Public and private employers play a vital role towards ensuring that the workplace is free of drug and alcohol problems and that employees with personal problems participate in prevention and treatment programs.

**Recommendation:     Employee Assistance Programs**

All employers should promote the establishment of employee assistance programs, if such programs are not presently available. Where the service does exist, increased outreach and referral should be encouraged.

**Recommendation:     Workplace Environment Policies**

All employers should promote the establishment of drug-free workplace policies.

# **APPENDIX FIVE**

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**Substance Abuse Legislation**

**Drug-Exposed Infants Legislation**



## SENATE OFFICE OF RESEARCH

Elisabeth K Kersten Director

October 16, 1989

MEMORANDUM

TO: Interested Parties

FROM: Ken Hurdle

RE: Substance Abuse Legislation

The following are the substance abuse bills signed or vetoed during the 1989-90 session.

AB 11 (Hughes) - Schools: health education. This bill would revise the definition of comprehensive health education programs to include AIDS, to add as a new subject accident prevention and emergency health services, and eating disorders. **Vetoed.**

AB 1566 (Epple) - Parent Drug Alert Program: pilot project. This bill would establish a 2-year pilot program at each school having an average daily attendance, as of March 8, 1989, of 16,000 to instruct on the effects of the use of tobacco, alcohol, narcotics, dangerous drugs, and other dangerous substances. **Chapter 1051, Statutes of 1989.**

AB 2481 (Murray) - Cocaine abuse. This bill would require the State Department of Drug and Alcohol Programs to provide funding to two consenting counties, one in Northern California and one in Southern California for the establishment of two cocaine abuse pilot projects. Each project would operate for a period of two years commencing on July 1, 1990. **Vetoed.**

SB 309 (Seymour) - Drug and alcohol abuse master plans. This bill would add that the Commission on Peace Officer Standards and Training have drug and alcohol enforcement as a priority when determining training subjects. **Chapter 1370, Statutes of 1989.**

SB 310 (Seymour) - Driving offenses. This bill relates to the forfeiture of the vehicle driven by a drunk driver. **Chapter 635, Statutes of 1989.**

SB 408 (Leonard) - Driving Offenses: Blood Alcohol Level. This bill would prohibit a person from driving with 0.08% or more by weight alcohol in the person's blood, thus changing the current rebuttable presumption that the person was driving under the influence of an alcoholic beverage. **Chapter 479, Statutes of 1989.**

SB 1119 (Seymour) - Driving offenses: commercial motor vehicles. This bill would confirm California drunk driving laws governing commercial vehicle operators with the federal standards by setting a .04 blood-alcohol level, a 24-hour out-of-service requirement for commercial drivers with any measurable alcohol in their system; and a license suspension or revocation requirement for commercial drivers who refuse to submit to a chemical test.

In addition, this measure would apply the enhanced commercial drunk driving laws to persons operating vessels on our state waterways. **Chapter 1114, Statutes of 1989.**

SB 1344 (Seymour) - Driving offense: alcohol service programs. This bill establishes a standard 90-day program to treat the first-time drunk driver and expands the rehabilitation program for second offenders to include a six-month community re-entry supervision component. **Chapter 803, Statutes of 1989.**

SJR 11 (Seymour) - Safe and Sober Graduation Night Celebration Program. This will would encourage school districts to establish a Safe and Sober Graduation Night Celebration Program. **Resolution Chapter 51, Statutes of 1989.**

# CALIFORNIA LEGISLATURE

STATE CAPITOL  
SACRAMENTO, CALIFORNIA  
95814

## DRUG EXPOSED INFANTS — SUMMARY OF RELATED LEGISLATION

The Legislature has begun to respond to the very difficult and growing problem of drug-exposed babies born in California. Based on current testing practices, it is estimated that 11 percent of children born in our nation's hospitals are born drug-exposed. This incidence has been found to be much higher in some hospitals in our state, as well as the nation. For example, the University of California Davis Medical Center, which recently initiated universal screening of all mothers, found that 22 percent of women in labor tested positive for illegal drug substances.

There is little debate that infants born to abusing mothers are at increased risk of morbidity and mortality. Children born addicted are also at risk of numerous long term medical, developmental and behavioral problems beyond the newborn period. In addition, children born to parents who are substance abusers are at very high risk of child abuse and neglect.

Since these children may experience difficulties in eating and sleeping and are often difficult to soothe, they may require special care which is sensitive to their special needs. However, despite the difficult health and developmental problems of these chil-

dren and their significant need for specialized care, there are inadequate health, social and other supportive services to provide for the appropriate home or foster care placements for these children and their mothers after release from the hospital.

In 1989 the Legislature will be evaluating a number of bills which provide initial prevention and intervention services for pregnant women, mothers and children who have been affected by drugs including alcohol. These measures address the very complex and costly problem of drug-exposed infants in California—a problem that affects many state and local service delivery agencies. Newly proposed legislation in 1989 reflects the need for the development of comprehensive health and social services, and pilot or model programs which reflect the special needs of drug abusing women and their children. In addition, the Legislature will be carefully considering changes to laws surrounding court dependency as they relate to substance abuse.

### **Legislature Convenes Task Force on Substance Exposed Infants and Children**

The Senate Select Committee on Children and Youth, in conjunction with the Assembly Commit-

tee on Health and Human Services, and the Senate Office of Research, has appointed and will oversee a statewide task force of medical, legal, mental health, social service and drug abuse experts, as well as program and state department administrators, who have been asked to develop comprehensive recommendations to deal with the growing numbers of substance exposed infants born each year.

Currently, there are a number of policy and budget proposals pending before the Legislature. However, there is no consistent medical, social, or legal policy governing these proposals. The task force will provide a forum to formalize legislative recognition of and response to the problem of drug-exposed children in our State. The task force has been meeting monthly beginning in March 1989.

### **Comprehensive Services**

SB 865 (Marks) - Planning for Services and Federal Waivers.

Requires the Health and Welfare Agency, the State Department of Health Services, the Department of Alcohol and Drug Programs, and the State Department of Social Services to develop a plan to ensure services are provided to

substance abusers and their children. Such services shall include, but not be limited to detoxification services, group homes for substance abusers and their children, specialized foster care, services to allow out-of-hospital medical care for children and services to families where at least one member is a substance abuser. In addition, this bill specifies that the Health and Welfare Agency or other designated state agencies shall apply for all possible sources of federal funding including federal waivers, and shall report to the Legislature on or before January 1991 on such funds received during 1990-91. Additionally, the Department of Health Services shall no later than January 15, 1990 submit a waiver request pursuant to the Medicare Catastrophic Coverage Act of 1988 or amend an existing medical waiver already granted to the state to provide services to address the care of drug exposed and AIDS-infected foster children. *Status: Inactive File*

SB 990 (Watson) - Licensing Treatment Facilities.

This bill would exempt alcoholism or drug abuse recovery or treatment facilities that provide combined drug treatment and alcohol recovery services facilities from licensure by the Department of Social Services under the California Community Care Facilities Act. Instead, these facilities would be licensed by the Department of Alcohol and Drug Programs. Alcoholism or drug abuse recovery or treatment facility would be defined as any facility, place or building which provides 24 hour residential, nonmedical services in a group setting to adults, which may include mothers over 18 years of age and their children and emancipated minors which may include mothers under 18 years old

and their children. *Status: Chapter 919, Statutes of 1989*

SB 997 (Presley and W. Brown) - The Presley-Brown Interagency Children's Services Act.

Encourages interagency collaboration at the local level among local agencies providing children's services. More specifically, this bill authorizes counties to designate an existing interagency children's services coordinating council responsible for identifying service gaps, developing policies and setting priorities, providing for countywide interagency case management, ensuring countywide planning for service delivery and coordinate with existing children's service groups. Such councils would be required to meet on a monthly basis. This bill also provides incentives to counties to engage in similar interagency coordination by authorizing the state to waive regulations, thereby enabling counties to blend funding streams and utilize existing revenues for intensive preventive and support services to children and their families. *Status: Chapter 1303, Statutes of 1989*

SB 1419 (Mello) - Perinatal Services.

Appropriates \$10 million from the Proposition 99 Physicians Services Account to the Department of Health Services for the purpose of improving access to perinatal services by patients who cannot afford those services and who have no private or federally funded coverage. The appropriation shall be used by the state Department of Health Services to provide prenatal care to those individuals who are not eligible for Medi Cal benefits due to income but whose income does not exceed 300% of the federal poverty level. *Status: Assembly Ways and Means*

SB 1465 (Seymour) - Alcohol and Drug Abuse Treatment for Women.

This bill would implement a variety of new programs and laws. Most importantly this bill:

- Creates a three year Prenatal and Postpartum Drug Rehabilitation Demonstration Project.
- Requires that programs receiving state funds for drug treatment services shall provide or arrange for drug treatment services within 7 days of request.
- Provides pregnant women immunity from prosecution for offenses related to the acquisition and use of the controlled substances if the woman has entered and is successfully participating in drug treatment services and prenatal care; allows the court to order a pregnant woman addicted to a controlled substance to obtain prenatal care and enter drug treatment, only if such services and care are available on demand in the local area.
- Permits the court to prosecute a woman for manslaughter if the woman was pregnant and used controlled substances on a regular basis, refused available services or failed to complete the treatments prescribed by prenatal care and drug treatment providers, and the woman's child was born alive and subsequently died due to prenatal exposure to illegal drugs.
- Requires the Regional Centers to provide services for a child up to five years of age, born prenatally exposed to drugs.
- Requires that all infants born prenatally exposed to drugs who are removed from their parents

and biological families to be placed under court order in foster care shall prior to five years of age be placed in foster family homes not in group home settings.

- Prevents the court from removing a child from the custody of his or her natural parents solely on a positive toxicology test for controlled substance. Such test results shall be used by the court in relation to the ability of the parent to care for the child and shall give significant consideration to the fact the parent has voluntarily entered and actively participated in prenatal care and drug treatment services.
- Establishes a drug exposed infant foster parent training program within the Department of Social Services. *Status: Senate Health and Human Services and Judiciary*

SB 1466(Seymour and C. Green) - Health Services for Foster Children With Special Medical Needs.

Provides that home and community-based services may be provided by a licensed home health care service agency to children with special medical needs in foster family homes, thereby allowing these children to be served in foster homes not only health facilities. In order to be eligible for a foster home placement, a child must be receiving medical supervision and case management by an agent designated by the State Department of Health Services. No more than 2 children eligible for services under this section may be placed in a foster home at once. *Status: Chapter 1175, Statutes of 1989*

SB 1680 (Doolittle Leonard and Nielsen) - Elimination of the Office of Family Planning.

Repeals the statutory requirement for the Office of Family Planning within the Department of Health Services. The Governor vetoed \$24 million for the Family Planning program administered by the Office of Family Planning in the 1989-90 Budget. *Status: Senate Health and Human Services*

AB 52 (Killea) - Birth Defects Monitoring.

Expands the birth defects monitoring program to all counties, except Los Angeles. Requires the California Medical Assistance Commission to take into consideration, when negotiating contracts for Medi-Cal inpatient services, several factors related to prenatal care, including whether the hospital provides additional obstetrical beds, contracts with one or more comprehensive perinatal providers, permits certified nurse-midwives to admit patients, or expands overall obstetrical services. *Status: Chapter 8, Statutes of 1989*

AB 741 (Speter, et.al.) - Alcohol and Drug Abuse: Pregnant and Postpartum Women.

Establishes the Alcohol and Drug Affected Infants Act of 1989. More specifically, this measure would provide treatment and service to address the upsurge in maternal substance abuse. In addition, this bill would provide residential drug-free treatment programs for pregnant women, training to providers of prenatal care, and a coordinated state and county service plan to provide services to women at risk.

More specifically, this bill would reappropriate \$2 million from federal funding allotted to the State Department of Alcohol and Drug Abuse for the following:

- \$1.7 million for grants to four counties to provide expanded recovery services to women;
- \$175,000 for the establishment of other positions for perinatal substance abuse projects;
- \$125,000 for technical assistance to counties' perinatal substance abuse planning.

In addition, this bill would appropriate \$1,048,000 to the Department of Health Services (DHS) including \$660,000 for local assistance to counties to improve their recovery services for pregnant women, \$175,000 for grants to six additional counties to coordinate current resources and to plan for expansion and \$213,000 for related DHS support staff. This bill would also appropriate \$616,000 to the Department of Social Services (DSS) for foster parent recruitment, training and respite care and DSS support staff. *Status: Vetoed by the Governor*

AB 847 (Roos) - Alcohol and Drug Abuse - Priority for Pregnant and Postpartum Women.

Requires that programs which receive funds from the State Department of Alcohol and Drug Programs, designed to treat patients for alcohol or drug abuse. Ask women who are seeking alcohol or drug treatment services whether they are pregnant or postpartum and give priority access to these women in providing services. *Status: Assembly Health*

AB 857 (Chandler) - Child Abuse Redefined.

This bill would require health practitioners to report situations in which a child is born with detectable traces of a controlled substance within the child's system to a child protective agency. The failure to make such a report

would be a misdemeanor. *Status: Assembly Public Safety*

AB 1473 (Moore) - Medi-Cal Coverage for Drug Exposed Infants.

Ensures coverage for medical treatment services under the Medi-Cal Program for a child who is suffering from drug withdrawal due to prenatal exposure whether or not a positive toxicology screen was attained for the child. The bill would specify that providers would be reimbursed for these infants at the appropriate rate, based on the health status and medical needs of the infant including but not limited to neonatal intensive care. *Status: Senate Health and Human Services*

AB 1548 (Burton) - Children's Health Care.

Establishes a program to fund urban health service delivery projects to promote access to primary care services for children (12 years and younger) who are not covered by private or public insurance. *Status: Assembly Health*

AB 1695 (Bronzan) - Coordination of Services.

Requires the State Department of Health Services (DHS) to report to the Legislature by November 1990, on the costs, savings, and administrative structure necessary to implement a common eligibility procedure and uniform eligibility standard for DHS programs that deliver services to pregnant women, women with infants and young children, and programs for children and adolescents.

This bill appropriates \$155,000 or as much thereof as may be necessary from funds available in the Budget Act of 1989 for implementing this measure. *Status: Chapter 1198, Statutes of 1989*

AB 1824 (Speler) - Pregnant Women and Drug Abuse Treatment.

This bill would add alcohol and drug recovery services for pregnant and postpartum women to the schedule of Medi-Cal benefits, to the extent permitted by Federal law. In so doing, this bill specifies that alcohol and drug recovery services shall include specified medical and nonmedical services to be provided on an outpatient or residential recovery basis, or both. *Status: Senate Appropriations*

AB 2030 (W. Brown and O'Connell) - Preschool Expansion.

Provides \$184 million for expansion of child care and development programs for children from low-income families. This bill would also delete the sunset provisions which make these programs inoperative after June 30, 1989. *Status: Senate Appropriations*

AB 2268 (Bates, et. al.) - Foster Placements for Children With Specialized Health Care Needs.

Establishes a program to place children who are judged dependents of the court and who have special health care needs in special foster family homes instead of hospitals or other health care institutions. In so doing, this measure would enact a program to be administered by the State Department of Social Services (DSS) and county welfare departments, for the recruitment, training, and certification of foster families for children with special health care needs, for the placement of these children with certified families and for monitoring of these children and families. This bill would require each county department of social services to develop a plan for foster care placement of children with special health care needs. Such plans

would have to be submitted to DSS and DHS by April 1, 1990. This measure would also require the State Department of Social Services to develop specialized care payment rates for these specialized foster family homes for any child eligible to receive assistance under the AFDC-FC program. Commencing in 1991, DHS would be required to include an annual report on this foster care program as a part of another existing report to the Legislature. *Status: Chapter 1437, Statutes of 1989*

### **Pilot Programs**

SB 568 (Watson) - Case Management for Children of Drug Addicted Parents.

Requires the Health and Welfare Agency to establish a pilot project in three counties to ensure the provision of case management services to children who have become dependents of the court and whose parents are addicted to drugs and/or alcohol. Counties will be selected on how well their proposals provide and coordinate services to children and their families. Case management services shall include, where appropriate, referrals for or the provision of drug or alcohol treatment services, respite child care, medical services, transportation, and other supportive services necessary to maintain the family unit and to ensure the well-being of the dependent child. *Status: Senate Health and Human Services*

SB 1173 (Royce) - Pilot Program for Drug-Exposed and HIV-Infected Children.

Requires the State Department of Social Services to develop and implement a three year demonstration project to provide services to children who are alcohol or drug-exposed or who are HIV positive. This pilot program will

be implemented in four counties— Alameda, Sacramento, San Diego and Los Angeles. To the extent funds are available, the Department shall contract with additional counties as demonstration projects. *Status: Chapter 1385, Statutes of 1989*

SB 1592 (Petris) - Pilot Program for Alcohol and Drug Abusing Women.

Requires the Health Care Services Agency of Alameda County to operate a pilot program for the purpose of providing a coordinated, family-centered system which provides comprehensive health, psychological, and alcohol and drug abuse treatment services to Medi-Cal eligible alcohol or drug dependent pregnant women, postpartum women, and the children of pregnant women and postpartum women. This bill would appropriate \$750,000 each year for the 1989-90, 1990-91 and 1991-92 fiscal years from the Unallocated Account of the Cigarette and Tobacco Products Sur-tax Fund. *Status: Assembly Health*

AB 2047 (Murray) - Pilot Project for Drug Dependent Women.

Expresses legislative intent to establish a perinatal care pilot project for drug dependent women which would provide these pregnant women with health care, drug treatment, counseling, and other services beneficial to the needs of the women and their unborn children. This measure specifies Martin Luther King Hospital in Los Angeles as the site of this pilot project. *Status: Assembly Health*

## **Judicial**

AB 1762 (Mojonnier) - Dependents of the Juvenile Court.

Requires that the inability of the parent or guardian to care for a child because of substance abuse shall be prima facie grounds for declaring a child a dependent of the juvenile court. *Status: Assembly Judiciary*

AB 1763 (Mojonnier) - Dependents of the Juvenile Court.

Modifies Welfare and Institutions Code Section 300 (the guidelines used by the juvenile court in determining whether to declare an abused or neglected child a dependent of the juvenile court) revising the grounds for declaring dependency to include a parent's frequently leaving the minor in the care of another person due to the parent's substance abuse, developmental disability, or mental illness. *Status: Assembly Public Safety*

# **APPENDIX SIX**

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## **Initiatives:**

### **California Safe Streets Initiatives**

**Comprehensive Crime Reduction and Drug  
Control Act of 1990**

**Repeal of the Prohibition of Marih(j)uana(s)  
Cannabis in the State of Califonria**

**Decriminalization of All Drugs in the  
State of California**

# CALIFORNIA SAFE STREETS INITIATIVE

## Main Provisions

### I. Require repeat violent criminals and drug kingpins to serve out their full sentences.

The purpose of this provision is to prevent the early release of criminals convicted of repeated violent offenses or serious drug offenses, including murder, rape, and manufacture or sale of large quantities of drugs. Under current law, repeat offenders can reduce their sentences by one day for every day they work, or by one day for every two days of good behavior.

The following persons would become ineligible for work credits, good time credits, early parole hearings, or early parole dates:

1. Any person convicted of committing, on separate occasions, two or more of the following crimes within twenty years. (The twenty year period does not include time spent in jail):
  - a. Manufacturing of more than three gallons of liquid or one pound of solid substance of PCP or its analogs or immediate precursors; or methamphetamine or amphetamine and their salts and isomers.
  - b. Sale, possession for sale, or transportation (or conspiracy to commit these crimes) of any of the following amounts of drugs:
    - (1) three pounds of heroin, cocaine, or cocaine base
    - (2) nine gallons by liquid volume or three pounds by weight of methamphetamine, amphetamine, or PCP or its analogs.
  - c. Using or employing a minor to sell or transport drugs.
  - d. Selling drugs to a minor on school grounds or public playgrounds.
  - e. Murder or voluntary manslaughter.
  - f. Mayhem.
  - g. Rape.
  - h. Violent or forcible sexual assault.
  - i. Attempted murder.
2. Any person who is convicted of murder, voluntary manslaughter, or attempted murder involving two or more victims, when at least one of the victims died.

About 650 dangerous criminals would be denied early release each year as a result of this provision. If they were released early, approximately 60% of them would commit other crimes.

## II. Fund a comprehensive war on drugs.

The purpose of this section is to fund a balanced anti-drug effort, including increased law enforcement and incarceration capabilities, anti-drug education, and prevention. The effort is financed by a 1/2 cent increase in the sales tax, which would bring in \$1.6 billion in the first year.

1. Impose a 1/2 cent sales tax increase on all currently taxable items. The funds will be placed in a separate account, to be used only for the purposes set out in this initiative. The tax increase would be in effect from July 1, 1991 to June 30, 1995. Because the revenue source is in place for no more than four years, the program is exempt from the Gann limit.
2. The revenues will be distributed as follows:

### a. LAW ENFORCEMENT

40% (\$640 million) will be allocated to law enforcement agencies. The funds would be distributed directly to the law enforcement agencies in the following proportions:

- i. 90% of the law enforcement funds will be allocated by the Attorney General to local law enforcement agencies on the basis of need. The Attorney General will develop a formula for distributing the funds in consultation with local law enforcement officials from throughout the state. The formula will take into account population, criminal gang activity, property crime, demographics, local drug seizures, rates of drug-related arrests and convictions, and other relevant indicators. The funds are to be spent on personnel, equipment, and other activities related to street level drug law enforcement. The funds are also to be used to help support community and neighborhood-based groups dedicated to fighting drugs.

The purpose of these funds is to increase and improve the presence of street-level law enforcement. Among other things, the money can be used to create or enhance special narcotics and anti-gang units, to increase the presence of police units in areas plagued by drug trafficking or criminal gang activity, to increase the number of officers available to conduct narcotics or anti-gang investigations, and to purchase equipment needed to combat drug or gang activity.

- ii. 5% will be allocated to county District Attorneys to hire more prosecutors. The Attorney General will develop a formula for distributing the funds, using population, criminal gang activity, property crime, demographics, local drug seizures, rates of drug-related arrests and convictions, and other relevant indicators.
- iii. 5% will be allocated to the court system. The first priority will be to fund new judgeships. The balance of the funds, if any exist, will be allocated by the California Judicial Council to courts most affected by the increase in drug-related cases.

**b. ANTI-DRUG EDUCATION**

42% (\$672 million) will be allocated to anti-drug education efforts. The funds would be routed through the Superintendent of Public Instruction according to the following formula:

- i. 25% of the education funds will be distributed to schools for anti-drug education programs. Of that amount, 70% will be allocated on the basis of school population, and 30% will be distributed by the Superintendent of Public Instruction to schools in at-risk areas, as defined by the Superintendent. As long as the funding program is in effect, all school districts will be required to provide age appropriate anti-drug education programs which meet guidelines established by the Superintendent in every year from K-12. Within those guidelines, the school districts will be free to create suitable education and counseling programs, including peer counseling. The funds can be used for programs conducted both during and after school hours.
- ii. 20% will be allocated to before and after-school programs. The funds will be allocated on the basis of each county's school population. The Superintendent will distribute the funds to programs deemed to be effective in providing alternatives to drug activity. Such programs would include--but not be limited to--after school athletics, homework centers, community work programs, parental involvement, and job experience programs involving private sector employers. These funds would be available to school programs and to programs run by community based organizations or other local entities.

The purpose of these funds is to develop or increase the number of programs designed to make productive use of before and after-school hours, when many students are without proper parental supervision or guidance. In addition, the programs provide exposure to positive role models, develop teamwork, provide a sense of accomplishment, and offer the opportunity to develop job skills or complete homework assignments.

- iii. 35% will be allocated to pre-school programs aimed at high-risk children. The funds will be allocated on the basis of county need, as measured by the Department of Education's Child Development Division Allocation formula, which is based on the number of working women, the number of children, and the number of families eligible for AFDC. The Superintendent will distribute the funds to programs in the following order of priority:

1. Programs which serve at-risk children.
2. Developmental pre-school programs.

The purpose of this section is to increase the availability of developmental programs for three to five year-old children from low-income families. Children participating in programs of this type are much more likely to develop healthy, well-adjusted, and resistant to peer pressure. In other words, they are less likely to be susceptible to drugs.

- iv. 10% will be distributed by the Superintendent to schools which facilitate the provision of coordinated services for at-risk students, or to provide matching funds for federal anti-drug education programs. The funds for coordinated services will be restricted to schools which involve at least two state or local agencies and/or community-based organizations. Examples of appropriate services are mental health, juvenile probation, police, libraries, child care, community based groups, and recreation. The goals of these coordinated services include education, prevention, early intervention, drug counseling, and outreach.

The purpose of this section is to give schools the opportunity to coordinate services to children and families which interact with several different state or local agencies or community groups. The schools bring together the various agencies and groups to establish common goals and a comprehensive plan aimed at preventing drug use.

- v. 10% will be distributed by the Superintendent as incentive grants to local school districts, consortia of youth service providers, or county offices of education for partnership projects linking school performance to job placement with local business. The grants will require a 50-50 match from local businesses.

**c. JAILS AND PRISONS**

10% (\$160 million) will be allocated for jails and prisons. These funds would be distributed as follows:

- i. 20% of the jails and prisons funds will be allocated to state prisons by the Director of the Department of Corrections to cover the increased operational costs caused by the provision requiring violent offenders and drug kingpins to serve out their entire sentences.
- ii. 65% will be allocated to county jails by the Board of Corrections for construction and/or operation of county jails. Priority will be given to counties with the greatest need and the fewest resources.
- iii. 15% will be allocated to state prisons and youth correctional facilities by the Secretary of the Youth and Adult Correctional Agency for drug treatment programs for drug-abusing prisoners. The Director of the Agency will divide the funds between state prisons and youth facilities; the Director of the Department of Corrections will allocate the funds for state prisons, and the Director of the Department of the Youth Authority will allocate the funds for youth facilities.

**d. PREVENTION AND TREATMENT**

8% (\$128 million) will be allocated by the Secretary of Health and Welfare for anti-drug health, treatment, and rehabilitation programs, and prevention of drug-induced conditions. Priority will be given to pregnant women, young mothers, and their children and households. The funds may be routed through two sources: the Department of Alcohol and Drug Programs, and the departments which make up the Health and Welfare Interagency Task Force on Perinatal Substance Abuse, which has been developed to address the anti-drug treatment needs of pregnant women, postpartum women, and their children. The Secretary will allocate all funds to those two sources.

The Director of the Department of Alcohol and Drug Programs will distribute the Department's share of funds directly to the county Alcohol and Drug Programs on the basis of need. The Director will develop a formula for distributing the funds, which will take into account population, drug-related deaths, drug-related emergency room visits, drug-related arrests, demographics, poverty rates, and other relevant indicators.

The Secretary will distribute the interagency task force's funds to all the departments involved, in accordance with the task force's goals.

**e. ADMINISTRATION AND EVALUATION**

Within each of the categories listed above, no more than 1% of the total allocated to each purpose may be spent for administration. This will guarantee that the funds created in this program go directly to the local agencies and entities providing the needed services.

Every year, the Attorney General, the Superintendent of Public Instruction, the Secretary of the Youth and Adult Correctional Agency, and the Secretary of Health and Welfare are required to submit reports to the Governor and the Legislature describing how they intend to spend the funds under their supervision in the coming year. Each year, the Auditor General is required to submit a report to the Governor and the Legislature describing how the funds were spent in the previous year, and evaluating those expenditures.

In addition, the Governor is required to recommend to the Legislature by January 1, 1994 whether the entire funding program should be continued, modified, or discontinued.

The purpose of the evaluations is to mandate accountability and to allow expenditures to be targeted at programs with proven records of success.

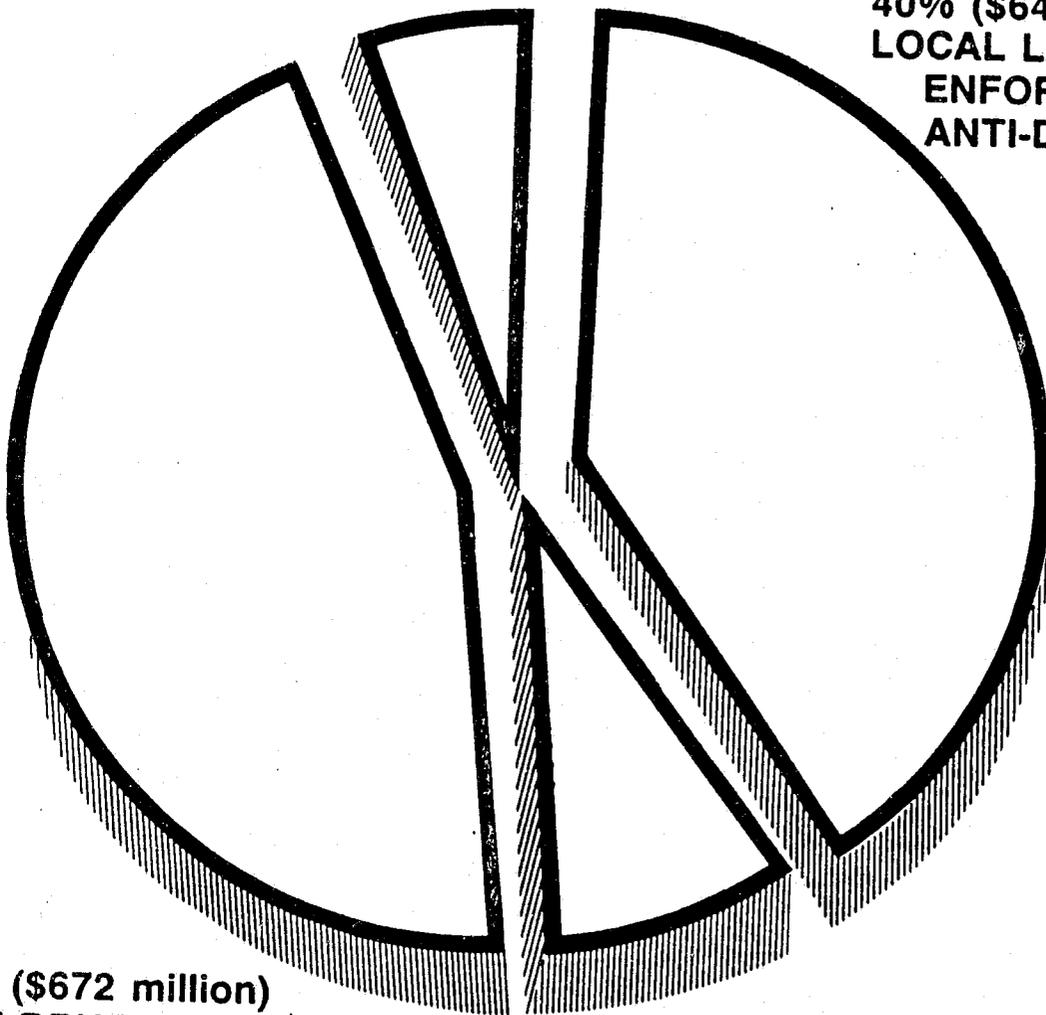
3. The state and participating counties and cities must, on balance, maintain their current level of funding effort (including inflation and growth of the population served) for all existing anti-drug programs. The Governor is prohibited from counting any funds generated by this program as part of the state's reserve fund.

# CALIFORNIA SAFE STREETS INITIATIVE

## \$1.6 Billion (First Year)

8% (\$128 million)  
HEALTH & PREVENTION

40% (\$640 million)  
LOCAL LAW  
ENFORCEMENT  
ANTI-DRUG EFFORTS



42% (\$672 million)  
ANTI-DRUG  
EDUCATION

10% (\$160 million)  
JAILS & PRISONS

Date: November 30, 1989  
File No.: SA 89 RF 0026

The Attorney General of the State of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

CRIMES. TAXATION. BONDS. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. Commencing 1991, appropriates \$561,000,000 to state, county, city governments for drug enforcement, treatment, gang related purposes, additional sums thereafter; appropriation funded by conforming state corporate tax laws to federal tax laws. Amends state Constitution: affords accused no greater state constitutional rights, other than privacy, than federal Constitution; prohibits post-indictment preliminary hearings; provides reciprocal discovery; allows hearsay in preliminary hearings. Statutory changes: expands definition for first degree murder, special circumstances; increases penalties for minors; establishes judicial voir dire. Authorizes issuance of \$740,000,000 of general obligation bonds for drug abuse, confinement, and treatment facilities. Summary of estimate of Legislative Analyst and Director of Finance of fiscal impact on state and local governments: State cost of \$740 million in bond principal, \$585 million in projected bond interest, to construct drug abuse, confinement and treatment facilities; tens of millions of dollars annually in state and local costs to operate facilities. Appropriates up to \$1.8 billion over next eight years to state, local governments and law enforcement agencies for drug enforcement, treatment and gang related purposes. Increased state revenues of approximately \$1.7 billion over next eight years as a result of tax law changes; may increase general fund allocations to education up to \$675 million under Proposition 98 enacted by voters at the November, 1988, General Election. Unknown net fiscal impact for new and longer commitments to state prisons and changes in the length and number of judicial proceedings.

JOHN K. VAN DE KAMP  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511  
P.O. BOX 94425  
SACRAMENTO 94244-2551  
(916) 445-9555

November 30, 1989

(916) 324-5508

John K. Van de Kamp  
3600 Wilshire Blvd.  
Suite 1720  
Los Angeles, CA 90010

Dear Mr. Van de Kamp:

Initiative Title and Summary (Amendment #1).  
Subject: CRIMES. TAXATION. BONDS. INITIATIVE  
CONSTITUTIONAL AMENDMENT AND STATUTE.  
Our File No. SA 89 RF 0026

We have prepared the attached amended title and summary of the chief purposes and points of the above-identified proposed initiative. This supercedes the title and summary issued on November 29, 1989. A copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our declaration of mailing, and the text of your proposal that was considered is attached.

The Secretary of State will be sending you shortly a copy of the circulating and filing schedule for your proposal that will be issued by that office.

Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.

Very truly yours,

JOHN K. VAN DE KAMP  
Attorney General

*Mary Whitcomb*  
MARY WHITCOMB  
Initiative Coordinator

MW:jh  
Enclosures

JOHN K. VAN DE KAMP  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511  
P.O. BOX 944255  
SACRAMENTO 94244-2550  
(916) 445-9555

November 30, 1989

(916) 324-5508

Honorable March Fong Eu  
Secretary of State  
1230 J Street  
Sacramento, CA 95814

Dear Mrs. Eu:

Initiative Title and Summary (Amendment #1).  
Subject: CRIMES. TAXATION. BONDS. INITIATIVE  
CONSTITUTIONAL AMENDMENT AND STATUTE.  
Our File No.: SA 89 RF 0026

Pursuant to the provisions of sections 3503 and 3513 of the Elections Code, you are hereby notified that on this day we mailed to the proponent of the above-identified proposed amended initiative our title and summary. This supersedes the title and summary issued on November 29, 1989.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of mailing thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent is as stated on the declaration of mailing.

Very truly yours,

JOHN K. VAN DE KAMP  
Attorney General

*Mary Whitcomb*  
MARY WHITCOMB  
Initiative Coordinator

MW:jh

Enclosures

DECLARATION OF MAILING

The undersigned Declarant states as follows:

I am over the age of 18 years and not a proponent of the within matter; my place of employment and business address is 1515 K Street, Suite 511, Sacramento, California 95814.

On the date shown below, I mailed a copy or copies of the attached letter to the proponents, by placing a true copy thereof in an envelope addressed to the proponents named below at the addresses indicated, and by sealing and depositing said envelope or envelopes in the United States mail at Sacramento, California, with postage prepaid. There is delivery service by United States mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed.

Date of Mailing: November 30, 1989

Initiative Title and Summary (Amendment #1).

Subject: CRIMES. TAXATION. BONDS. INITIATIVE  
CONSTITUTIONAL AMENDMENT AND STATUTE.

Our File No.: SA 89 RF 0026

Name of Proponent and Address:

John K. Van de Kamp  
3600 Wilshire Blvd.  
Suite 1720  
Los Angeles, CA 90010

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California, on: November 30, 1989.

  
JULIE LYNN HOWARD  
Declarant

John K. Van de Kamp  
3600 Wilshire Boulevard, Suite 1720  
Los Angeles, California 90010

November 29, 1989

Office of the Attorney General  
350 McAllister Street  
San Francisco, CA 94102

Attention: Mary Whitcomb  
Initiatives Coordinator

RECEIVED

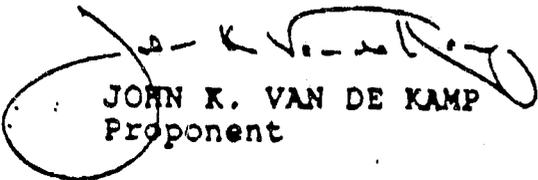
NOV 29 1989

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

Dear Ms. Whitcomb:

Enclosed please find a revised version of the initiative,  
containing solely technical, non-substantive amendments to  
correct typographical errors in the October 31 filing.

Very truly yours,

  
JOHN K. VAN DE KAMP  
Proponent

SA89RF0026  
Amendment #2

RECEIVED

NOV 22 1989

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

**COMPREHENSIVE CRIME REDUCTION AND DRUG CONTROL ACT OF 1990**

October 10, 1989

*As Amended November 21, 1989*

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

12-pt  
bold-  
face  
type

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

12-pt  
Roman  
bold-  
face  
type

We, the undersigned, registered, qualified voters of California, residents of \_\_\_\_\_ County (or City and County), hereby propose amendments to the Constitution of California, the Code of Civil Procedure, the Evidence Code, the Government Code, the Penal Code, and the Revenue and Taxation Code relating to crimes, and to make appropriations and authorize the issuance of bonds relating thereto, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or otherwise as provided by law. The proposed constitutional and statutory amendments (full title and text of the measure) read as follows:

TITLE I.  
PURPOSE

SECTION 1. This act shall be known as the Comprehensive Crime Reduction and Drug Control Act of 1990.

SECTION 2. We, the People of the State of California, find and declare:

(a) As Californians, we have the inalienable right to be free from crime, to be secure in our homes, to be safe on our streets, and to be protected in our schools.

(b) Government has failed to assure our right to be free from crime.

(1) Too few criminals are identified and apprehended.

(2) Those who are apprehended are accorded rights by our courts and by our state Legislature that prevent administration of swift and sure justice, that have unnecessarily expanded the rights of accused criminals far beyond that which is required by the United States Constitution, that have unnecessarily added to the costs of criminal cases, that have diverted the judicial process from its function as a quest for truth, and that have too often ignored the rights of crime victims. Comprehensive reforms are needed in order to restore balance and fairness to our criminal justice system.

(3) Those who are convicted too often evade the full measure of punishment the law was intended to provide because California suffers from an acute shortage of prison capacity, often resulting in prisoners being released before serving their full terms, frequently to return to their criminal enterprises upon release.

(c) Certainty and swiftness of punishment deter crime:

(1) Delays in apprehension and the prospect of evading apprehension altogether diminish the deterrent effect of the criminal law.

(2) Convoluted procedures that obstruct the pursuit of truth have protracted criminal trials, needlessly delaying punishment and impeding deterrence.

(3) Inadequate prison and jail facilities lead to early offender release and the prospect of their evading the full punishment of the law.

(4) The death penalty is a deterrent to murder, but protracted delays in capital trials impede its effectiveness as a deterrent.

(d) Much of our crime problem can be traced to illicit drugs, particularly cocaine and, most recently, crack cocaine. The widespread use of such drugs has conferred vast wealth on the dealers, has contributed to the dramatic expansion of California's street gangs, and has attracted international drug traffickers who increasingly base their smuggling and national distribution in California. The lucrative narcotics trade in turn spawns a wide range of crimes -- ranging from drug-law violations to violent crimes of all kinds. Drugs are California's largest and fastest-growing crime problem. They threaten to overwhelm the entire criminal justice system, from police to courts to prisons. Drug-related crime is a problem of such size and scope that it requires a comprehensive solution.

(e) Increased efforts to prevent children from using drugs, and to treat drug addicts, can reduce the demand for drugs, thereby diminishing the profitability of the drug

trade and the threat of drug-related crime.

(f) The federal government has failed to acknowledge and respond to the acute dangers California faces because of the failure to secure our international borders and the presence here of traffickers, driven from other states by federal law enforcement programs. By failing to allocate the resources it has committed to other states, the federal government has increased the concentration of drug traffickers here.

(g) Increased law-enforcement resources in California applied in a coordinated program of drug-interdiction can reduce the volume of drugs poisoning our society and can increase the apprehension of the traffickers.

(h) Merely increasing the rate of apprehension of criminals would clog already gridlocked courts. Merely increasing the rate of conviction of criminals is of little value without prisons in which to hold them. A coordinated program to improve law-enforcement, the administration of justice, and correctional programs is necessary to deal effectively with the surge in drug-related crime and violent crimes of all kinds.

(i) Additional state revenues are necessary to fund the increased law enforcement, treatment, and crime prevention efforts, which, together with speedier administration of justice and increased prison capacity, can make Californians safer from crime and substance abuse. Revenues sufficient for this purpose can be raised by conforming California corporate tax law to federal law, and thereby closing loopholes in California law.

SECTION 3. The People adopt this act for the following purposes:

(a) To provide a coordinated program that will

(1) improve law enforcement and increase apprehension of criminal offenders,

(2) improve the administration of criminal justice, to assure that those accused of crimes are dealt with fairly and swiftly,

(3) provide the capacity to incarcerate those who commit crimes for the full measure of their punishment;

(b) To reform the law as developed in numerous California Supreme Court decisions and as set forth in the statutes of this state in order to restore balance to our criminal justice system, to create a system in which justice is swift and fair, and to create a system in which violent criminals receive just punishment, in which crime victims and witnesses are treated with care and respect, and in which society as a whole can be free from the fear of crime in our homes, neighborhoods, and schools; and

(c) To provide special programs to deal with those who are responsible for a major share of the crime afflicting us all, those who use and traffic in illicit drugs.

## TITLE II.

### INCREASED DRUG INTERDICTION AND CRIMINAL APPREHENSION

SECTION 4. Article 7.7 (commencing with Section 16419) is added to Chapter 2 of Part 2 of Division 2 of Title 2 of the Government Code, to read:

## Article 7.7. California Anti-Drug Superfund

16419. The California Anti-Drug Superfund is hereby created in the State Treasury. All moneys in the fund shall be invested pursuant to Sections 16470 through 16474, inclusive, of the Government Code.

16419.1. (a) The Controller shall transfer from the General Fund to the California Anti-Drug Superfund an amount equal to one hundred two million dollars (\$102,000,000) by January 1, 1991, four hundred fifty-nine million dollars (\$459,000,000) by July 15, 1991, four hundred seven million dollars (\$407,000,000) by January 1, 1993, and one hundred eighty-three million dollars (\$183,000,000) by January 1, 1994.

(b) (1) For each fiscal year commencing on or after July 1, 1994, the Franchise Tax Board shall make an estimate of the amount of additional revenues that will be generated in that fiscal year by the act adding this article. This estimate shall be transmitted to the Controller prior to the commencement of the fiscal year to which it relates.

(2) By July 15, 1994, and by July 15 of each subsequent fiscal year, the Controller shall transfer from the General Fund to the California Anti-Drug Superfund an amount equal to the amount determined under paragraph (1) as additional revenues for that fiscal year.

16419.2. Notwithstanding Section 13340, all money in the California Anti-Drug Superfund is hereby continuously appropriated without regard to fiscal years as follows:

(a) To the Department of Justice to implement the CrackDown Task Force Program specified in Section 15029 of the Government Code, or to match any available federal funds which are to be expended for similar purposes, as follows:

(1) Twenty-two million dollars (\$22,000,000) by July 15, 1991.

(2) Twenty-two million eight hundred eighty thousand dollars (\$22,880,000) by July 15, 1992.

(3) Twenty-three million seven hundred ninety-five thousand dollars (\$23,795,000) by July 15, 1993.

(4) Twenty-four million seven hundred forty-seven thousand dollars (\$24,747,000) by July 15, 1994.

(5) Twenty-five million seven hundred thirty-seven thousand dollars (\$25,737,000) by July 15, 1995.

(6) Twenty-six million seven hundred sixty-six thousand dollars (\$26,766,000) by July 15, 1996.

(7) Twenty-seven million eight hundred thirty-seven thousand dollars (\$27,837,000) by July 15, 1997.

(b) To the Controller for allocation to all county sheriffs' departments and city police departments in this state, to be used only for law enforcement and crime prevention activities related to the abuse of controlled substances, to provide added protection for schools and neighborhoods besieged by gangs and drugs, or to match any available federal funds which are to be expended for similar purposes, as determined to be necessary by the sheriffs or chiefs of police of those counties or cities, as follows:

- (1) Sixty million dollars (\$60,000,000) by January 1, 1991.
- (2) One hundred twenty million dollars (\$120,000,000) by July 15, 1991.
- (3) One hundred twenty-four million eight hundred thousand dollars (\$124,800,000) by July 15, 1992.
- (4) One hundred twenty-nine million seven hundred ninety-two thousand dollars (\$129,792,000) by July 15, 1993.
- (5) One hundred thirty-four million nine hundred eighty-four thousand dollars (\$134,984,000) by July 15, 1994.
- (6) One hundred forty million three hundred eighty-three thousand dollars (\$140,383,000) by July 15, 1995.
- (7) One hundred forty-five million nine hundred ninety-eight thousand dollars (\$145,998,000) by July 15, 1996.
- (8) One hundred fifty-one million eight hundred thirty-eight thousand dollars (\$151,838,000) by July 15, 1997.
- (9) (A) All funds specified in this subdivision (b) shall be distributed to all participating county sheriffs' departments and city police departments based upon the most recent estimates of the population of the departments' service areas, as determined in the manner specified by Section 11005 of the Revenue and Taxation Code. For this purpose, except as specified in subparagraph (B), the estimate of the population of counties shall not include the population of city police department service areas therein.  
(B) For a charter city and county, the total annual funds specified in subparagraph (A) which are available to a charter city and county shall be divided equally between the county sheriff's department and the city police department.  
(c) To the Controller for allocation to all county boards of supervisors in this state, to be used only for controlled substance treatment and substance-abuse prevention programs (including treatment and substance-abuse prevention in schools), enhancement of probation supervision of offenders with drug-related problems, prosecution and processing of controlled substance offenders, or to match any available federal funds which are to be expended for similar purposes, as determined to be necessary by those county boards of supervisors, as follows:
  - (1) Forty million dollars (\$40,000,000) by January 1, 1991.
  - (2) Eighty million dollars (\$80,000,000) by July 15, 1991.
  - (3) Eighty-three million, two hundred thousand dollars (\$83,200,000) by July 15, 1992.
  - (4) Eighty-six million, five hundred twenty-eight thousand dollars (\$86,528,000) by July 15, 1993.
  - (5) Eighty-nine million, nine hundred eighty-nine thousand dollars (\$89,989,000) by July 15, 1994.
  - (6) Ninety-three million, five hundred eighty-nine thousand dollars (\$93,589,000) by July 15, 1995.
  - (7) Ninety-seven million, three hundred thirty-two thousand dollars (\$97,332,000) by July 15, 1996.
  - (8) One hundred one million, two hundred twenty-six thousand dollars

(\$101,226,000) by July 15, 1997.

(9) All funds specified in this subdivision (c) shall be distributed to all participating county boards of supervisors based upon the most recent estimates of the population of the participating counties as determined in the manner specified by Section 11005 of the Revenue and Taxation Code.

(d) To the Controller and the Franchise Tax Board in an amount equal to their costs incurred in connection with their duties under this article as those costs are determined by the Department of Finance.

(e) The funds provided under this article shall not supplant existing funds for substance abuse programs.

16419.3. (a) On January 1, 1992, and on January 1 of each year thereafter, all county sheriff's departments, city police departments, and county boards of supervisors which received funds in the immediately preceding fiscal year under this article shall provide a report to the Auditor General disclosing how those funds were expended.

(b) Based on the reports provided under subdivision (a), and any other relevant information, the Auditor General shall make a determination as to whether the funds received under this article were expended for proper purposes or whether those funds supplanted other funds for substance abuse programs. On or before June 1, 1992, and on or before June 1 of each subsequent year, the Auditor General shall report its findings to the Legislature and the Controller.

(c) Based upon the report submitted under subdivision (b), for years beginning on or after July 1, 1992, the Controller shall, for one year, withhold any funds pursuant to this article from those county sheriffs' departments, city police departments, or county boards of supervisors found in the report to have, in the preceding year, used funds provided under this article to supplant other funds for substance abuse purposes, or otherwise did not use the funds for the purposes of this article.

16419.4. The Joint Legislative Audit Committee shall evaluate the California Anti-Drug Superfund program provided by this article and make a report of that evaluation to the Legislature before January 1, 1998. The report shall include, among other things, the following:

(a) An accounting of how the funds were expended by local law enforcement agencies and county boards of supervisors.

(b) The effect of the program on controlled substance-related arrests, criminal activity, and prosecutions.

(c) The effect of the program on controlled substance abuse and treatment.

16419.5. Should the Controller determine that the funds available in the California Anti-Drug Superfund will not be sufficient to permit a given year's allocations in the amounts provided in Section 16419.2, the Controller shall reduce the allocations to the Department of Justice, county sheriffs' departments, city police departments, and county boards of supervisors by an equal percentage.

16419.6. The Controller may promulgate rules and regulations he or she deems necessary to carry out the provisions of this article.

16419.7. This article shall remain in effect only until June 30, 1998, and as of that

date is repealed. Any funds remaining in the California Anti-Drug Superfund on that date are hereby appropriated to the Controller for allocation to the Department of Justice, county sheriffs' departments, city police departments, and county boards of supervisors in the same proportion as provided in Section 16419.2.

SECTION 5. Section 9.5 is added to Article XIII B of the Constitution, to read:

9.5. "Appropriations subject to limitation" for each entity of government do not include appropriations from the California Anti-Drug Superfund. No adjustment in the appropriation limit of any entity of government shall be required pursuant to Section 3 as a result of revenue being deposited in or appropriated from the California Anti-Drug Superfund.

This section shall remain in effect only until June 30, 1998, and as of that date is repealed.

### TITLE III. CRIMINAL JUSTICE REFORM

SECTION 6. Section 14.1 is added to Article I of the California Constitution, to read:

14.1. If a felony is prosecuted by indictment, there shall be no postindictment preliminary hearing.

SECTION 7. Section 24 of Article I of the California Constitution is amended to read:

24. Rights guaranteed by this Constitution are not dependent on those guaranteed by the United States Constitution.

In criminal cases the rights of a defendant to equal protection of the laws, to due process of law, to the assistance of counsel, to be personally present with counsel, to a speedy and public trial, to compel the attendance of witnesses, to confront the witnesses against him or her, to be free from unreasonable searches and seizures, to privacy insofar as it relates to the admissibility of evidence, to not be compelled to be a witness against himself or herself, to not be placed twice in jeopardy for the same offense, and to not suffer the imposition of cruel or unusual punishment, shall be construed by the courts of this state in a manner consistent with the Constitution of the United States. This Constitution shall not be construed by the courts to afford greater rights to criminal defendants than those afforded by the Constitution of the United States, nor shall it be construed to afford greater rights to minors in juvenile proceedings on criminal causes than those afforded by the Constitution of the United States. Nothing in this section shall be construed to abridge the right to privacy as it affects reproductive choice.

This declaration of rights may not be construed to impair or deny others retained

by the people.

SECTION 8. Section 29 is added to Article I of the California Constitution, to read:

29. In a criminal case, the people of the State of California have the right to due process of law and to a speedy and public trial.

SECTION 9. Section 30 is added to Article I of the California Constitution, to read:

30. (a) This Constitution shall not be construed by the courts to prohibit the joining of criminal cases as prescribed by the Legislature or by the people through the initiative process.

(b) In order to protect victims and witnesses in criminal cases, hearsay evidence shall be admissible at preliminary hearings, as prescribed by the Legislature or by the people through the initiative process.

(c) In order to provide for fair and speedy trials, discovery in criminal cases shall be reciprocal in nature, as prescribed by the Legislature or by the people through the initiative process.

SECTION 10. Section 223 of the Code of Civil Procedure is repealed.

SECTION 11. Section 223 is added to the Code of Civil Procedure, to read:

223. In a criminal case, the court shall conduct the examination of prospective jurors. However, the court may permit the parties, upon a showing of good cause, to supplement the examination by such further inquiry as it deems proper, or shall itself submit to the prospective jurors upon such a showing, such additional questions by the parties as it deems proper. Voir dire of any prospective jurors shall, where practicable, occur in the presence of the other jurors in all criminal cases, including death penalty cases.

Examination of prospective jurors shall be conducted only in aid of the exercise of challenges for cause.

The trial court's exercise of its discretion in the manner in which voir dire is conducted shall not cause any conviction to be reversed unless the exercise of that discretion has resulted in a miscarriage of justice, as specified in Section 13 of Article VI of the California Constitution.

SECTION 12. Section 223.5 of the Code of Civil Procedure is repealed.

SECTION 13. Section 1203.1 is added to the Evidence Code, to read:

1203.1. Section 1203 is not applicable if the hearsay statement is offered at a

preliminary examination, as provided in Section 872 of the Penal Code.

SECTION 14. Section 189 of the Penal Code is amended to read:

189. All murder which is perpetrated by means of a destructive device or explosive, knowing use of ammunition designed primarily to penetrate metal or armor, poison, lying in wait, torture, or by any other kind of willful, deliberate, and premeditated killing, or which is committed in the perpetration of, or attempt to perpetrate, arson, rape, robbery, burglary, mayhem, kidnapping, train wrecking, or any act punishable under Section 286, 288, 288a, or 289, is murder of the first degree; and all other kinds of murders are of the second degree.

As used in this section, "destructive device" shall mean any destructive device as defined in Section 12301, and "explosive" shall mean any explosive as defined in Section 12000 of the Health and Safety Code.

To prove the killing was "deliberate and premeditated," it shall not be necessary to prove the defendant maturely and meaningfully reflected upon the gravity of his or her act.

SECTION 15. Section 190.2 of the Penal Code is amended to read:

190.2. (a) The penalty for a defendant found guilty of murder in the first degree shall be death or confinement in state prison for a term of life without the possibility of parole in any case in which one or more of the following special circumstances has been found under Section 190.4, to be true:

(1) The murder was intentional and carried out for financial gain.

(2) The defendant was previously convicted of murder in the first degree or second degree. For the purpose of this paragraph an offense committed in another jurisdiction which if committed in California would be punishable as first or second degree murder shall be deemed murder in the first or second degree.

(3) The defendant has in this proceeding been convicted of more than one offense of murder in the first or second degree.

(4) The murder was committed by means of a destructive device, bomb, or explosive planted, hidden or concealed in any place, area, dwelling, building or structure, and the defendant knew or reasonably should have known that his or her act or acts would create a great risk of death to a human being or human beings.

(5) The murder was committed for the purpose of avoiding or preventing a lawful arrest or to perfect, or attempt to perfect an escape from lawful custody.

(6) The murder was committed by means of a destructive device, bomb, or explosive that the defendant mailed or delivered, attempted to mail or deliver, or cause to be mailed or delivered and the defendant knew or reasonably should have known that his or her act or acts would create a great risk of death to a human being or human beings.

(7) The victim was a peace officer as defined in Section 830.1, 830.2, 830.3,

830.31, 830.35, 830.36, 830.4, 830.5, 830.5a, 830.6, 830.10, 830.11 or 830.12, who, while engaged in the course of the performance of his or her duties, was intentionally killed, and such defendant knew or reasonably should have known that such victim was a peace officer engaged in the performance of his or her duties; or the victim was a peace officer as defined in the above enumerated sections of the Penal Code, or a former peace officer under any of such sections, and was intentionally killed in retaliation for the performance of his or her official duties.

(8) The victim was a federal law enforcement officer or agent, who, while engaged in the course of the performance of his or her duties, was intentionally killed, and such defendant knew or reasonably should have known that such victim was a federal law enforcement officer or agent, engaged in the performance of his or her duties; or the victim was a federal law enforcement officer or agent, and was intentionally killed in retaliation for the performance of his or her official duties.

(9) The victim was a fireman as defined in Section 245.1, who, while engaged in the course of the performance of his or her duties, was intentionally killed, and such defendant knew or reasonably should have known that such victim was a fireman engaged in the performance of his or her duties.

(10) The victim was a witness to a crime who was intentionally killed for the purpose of preventing his or her testimony in any criminal or juvenile proceeding, and the killing was not committed during the commission, or attempted commission, of the crime to which he or she was a witness; or the victim was a witness to a crime and was intentionally killed in retaliation for his or her testimony in any criminal or juvenile proceeding. As used in this paragraph, "juvenile proceeding" means a proceeding brought pursuant to Section 602 or 707 of the Welfare and Institutions Code.

(11) The victim was a prosecutor or assistant prosecutor or a former prosecutor or assistant prosecutor of any local or state prosecutor's office in this state or any other state, or a federal prosecutor's office and the murder was intentionally carried out in retaliation for or to prevent the performance of the victim's official duties.

(12) The victim was a judge or former judge of any court of record in the local, state or federal system in the State of California or in any other state of the United States and the murder was intentionally carried out in retaliation for or to prevent the performance of the victim's official duties.

(13) The victim was an elected or appointed official or former official of the federal government, a local or state government of California, or of any local or state government of any other state in the United States and the killing was intentionally carried out in retaliation for or to prevent the performance of the victim's official duties.

(14) The murder was especially heinous, atrocious, or cruel, manifesting exceptional depravity. As utilized in this section, the phrase especially heinous, atrocious or cruel manifesting exceptional depravity means a conscienceless, or pitiless crime which is unnecessarily torturous to the victim.

(15) The defendant intentionally killed the victim while lying in wait.

(16) The victim was intentionally killed because of his or her race, color, religion, nationality or country of origin.

(17) The murder was committed while the defendant was engaged in or was an accomplice in the commission of, attempted commission of, or the immediate flight after committing or attempting to commit the following felonies:

(i) Robbery in violation of Section 211 or 212.5.

(ii) Kidnapping in violation of Section 207 or 209.

(iii) Rape in violation of Section 261.

(iv) Sodomy in violation of Section 286.

(v) The performance of a lewd or lascivious act upon person of a child under the age of 14 in violation of Section 288.

(vi) Oral copulation in violation of Section 288a.

(vii) Burglary in the first or second degree in violation of Section 460.

(viii) Arson in violation of subdivision (b) of Section 451.

(ix) Train wrecking in violation of Section 219.

(x) Mayhem in violation of Section 203.

(xi) Rape by instrument in violation of Section 289.

(18) The murder was intentional and involved the infliction of torture.

(19) The defendant intentionally killed the victim by the administration of poison.

(b) Unless an intent to kill is specifically required under subdivision (a) for a special circumstance enumerated therein, an actual killer as to whom such special circumstance has been found to be true under Section 190.4 need not have had any intent to kill at the time of the commission of the offense which is the basis of the special circumstance in order to suffer death or confinement in state prison for a term of life without the possibility of parole.

(c) Every person not the actual killer who, with the intent to kill, aids, abets, counsels, commands, induces, solicits, requests, or assists any actor in the commission of murder in the first degree shall suffer death or confinement in state prison for a term of life without the possibility of parole, in any case in which one or more of the special circumstances enumerated in subdivision (a) of this section has been found to be true under Section 190.4.

(d) Notwithstanding subdivision (c), every person not the actual killer, who, with reckless indifference to human life and as a major participant, aids, abets, counsels, commands, induces, solicits, requests, or assists in the commission of a felony enumerated in paragraph (17) of subdivision (a), which felony results in the death of some person or persons, who is found guilty of murder in the first degree therefor, shall suffer death or confinement in state prison for life without the possibility of parole, in any case in which a special circumstance enumerated in paragraph (17) of subdivision (a) of this section has been found to be true under Section 190.4.

(e) The penalty shall be determined as provided in Sections 190.1, 190.2, 190.3, 190.4, and 190.5.

SECTION 16. Section 190.41 is added to the Penal Code, to read:

190.41. Notwithstanding Section 190.4 or any other provision of law, the corpus

delicti of a felony-based special circumstance enumerated in paragraph (17) of subdivision (a) of Section 190.2 need not be proved independently of a defendant's extrajudicial statement.

SECTION 17. Section 190.5 of the Penal Code is amended to read:

190.5. (a) Notwithstanding any other provision of law, the death penalty shall not be imposed upon any person who is under the age of 18 at the time of the commission of the crime. The burden of proof as to the age of such person shall be upon the defendant.

(b) The penalty for a defendant found guilty of murder in the first degree, in any case in which one or more special circumstances enumerated in Section 190.2 or 190.25 has been found to be true under Section 190.4, who was 16 years of age or older and under the age of 18 years at the time of the commission of the crime, shall be confinement in the state prison for life without the possibility of parole or, at the discretion of the court, 25 years to life.

(c) The trier of fact shall determine the existence of any special circumstance pursuant to the procedure set forth in Section 190.4.

SECTION 18. Section 206 is added to the Penal Code, to read:

206. Every person who, with the intent to cause cruel or extreme pain and suffering for the purpose of revenge, extortion, persuasion, or for any sadistic purpose, inflicts great bodily injury as defined in Section 12022.7 upon the person of another, is guilty of torture.

The crime of torture does not require any proof that the victim suffered pain.

SECTION 19. Section 206.1 is added to Penal Code, to read:

206.1. Torture is punishable by imprisonment in the state prison for a term of life.

SECTION 20. Section 859 of the Penal Code is amended to read:

859. When the defendant is charged with the commission of a public offense over which the superior court has original jurisdiction, by a written complaint subscribed under oath and on file in a court within the county in which the public offense is triable, he or she shall, without unnecessary delay, be taken before a magistrate of the court in which the complaint is on file. The magistrate shall immediately deliver to the defendant a copy of the complaint, inform the defendant that he or she has the right to have the assistance of counsel, ask the defendant if he or she desires the assistance of counsel, and allow the defendant reasonable time to send for counsel. However, in a capital case, the court shall inform the defendant that the defendant must be represented in court by counsel at all stages of the preliminary and trial proceedings and that the representation will be at

the defendant's expense if the defendant is able to employ counsel or at public expense if he or she is unable to employ counsel, inquire of him or her whether he or she is able to employ counsel and, if so, whether the defendant desires to employ counsel of the defendant's choice or to have counsel assigned for him or her, and allow the defendant a reasonable time to send for his or her chosen or assigned counsel. The magistrate must, upon the request of the defendant, require a peace officer to take a message to any counsel whom the defendant may name, in the judicial district in which the court is situated. The officer shall, without delay and without a fee, perform that duty. If the defendant desires and is unable to employ counsel, the court shall assign counsel to defend him or her; in a capital case, if the defendant is able to employ counsel and either refuses to employ counsel or appears without counsel after having had a reasonable time to employ counsel, the court shall assign counsel to defend him or her. If it appears that the defendant may be a minor, the magistrate shall ascertain whether that is the case, and if the magistrate concludes that it is probable that the defendant is a minor, he or she shall immediately either notify the parent or guardian of the minor, by telephone or messenger, of the arrest, or appoint counsel to represent the minor.

SECTION 21. Section 866 of the Penal Code is amended to read:

866. (a) When the examination of witnesses on the part of the people is closed, any witness the defendant may produce shall be sworn and examined.

Upon the request of the prosecuting attorney, the magistrate shall require an offer of proof from the defense as to the testimony expected from the witness. The magistrate shall not permit the testimony of any defense witness unless the offer of proof discloses to the satisfaction of the magistrate, in his or her sound discretion, that the testimony of that witness, if believed, would be reasonably likely to establish an affirmative defense negate an element of a crime charged, or impeach the testimony of a prosecution witness or the statement of a declarant testified to by a prosecution witness.

(b) It is the purpose of a preliminary examination to establish whether there exists probable cause to believe that the defendant has committed a felony. The examination shall not be used for purposes of discovery.

(c) This section shall not be construed to compel or authorize the taking of depositions of witnesses.

SECTION 22. Section 871.6 is added to the Penal Code, to read:

871.6. If in a felony case the magistrate sets the preliminary examination beyond the time specified in Section 859b, in violation of Section 859b, or continues the preliminary hearing without good cause and good cause is required by law for such a continuance, the people or the defendant may file a petition for writ of mandate or prohibition in the superior court seeking immediate appellate review of the ruling setting the hearing or granting the continuance. Such a petition shall have precedence over all other cases in the court to which the petition is assigned. If the superior court grants a

peremptory writ, it shall issue the writ and a remittitur three court days after its decision becomes final as to the court if this action is necessary to prevent mootness or to prevent frustration of the relief granted, notwithstanding the rights of the parties to seek review in a court of appeal. When the superior court issues the writ and remittitur as provided in this section, the writ shall command the magistrate to proceed with the preliminary hearing without further delay, other than that reasonably necessary for the parties to obtain the attendance of their witnesses.

The court of appeal may stay or recall the issuance of the writ and remittitur. The failure of the court of appeal to stay or recall the issuance of the writ and remittitur shall not deprive the parties of any right they would otherwise have to appellate review or extraordinary relief.

SECTION 23. Section 872 of the Penal Code is amended to read:

872. (a) If, however, it appears from the examination that a public offense has been committed, and there is sufficient cause to believe that the defendant is guilty, the magistrate shall make or indorse on the complaint an order, signed by him or her, to the following effect: "It appearing to me that the offense in the within complaint mentioned (or any offense, according to the fact, stating generally the nature thereof), has been committed, and that there is sufficient cause to believe that the within named A.B. is guilty, I order that he or she be held to answer to the same."

(b) Notwithstanding Section 1200 of the Evidence Code, the finding of probable cause may be based in whole or in part upon the sworn testimony of a law enforcement officer relating the statements of declarants made out of court offered for the truth of the matter asserted. Any law enforcement officer testifying as to hearsay statements shall either have five years of law enforcement experience or have completed a training course certified by the Commission on Peace Officer Standards and Training which includes training in the investigation and reporting of cases and testifying at preliminary hearings.

SECTION 24. Section 954.1 is added to the Penal Code, to read:

954.1. In cases in which two or more different offenses of the same class of crimes or offenses have been charged together in the same accusatory pleading, or where two or more accusatory pleadings charging offenses of the same class of crimes or offenses have been consolidated, evidence concerning one offense or offenses need not be admissible as to the other offense or offenses before the jointly charged offenses may be tried together before the same trier of fact.

SECTION 25. Section 987.05 is added to the Penal Code, to read:

987.05. In assigning defense counsel in felony cases, whether it be the public defender or private counsel, the court shall only assign counsel who represents, on the record, that he or she will be ready to proceed with the preliminary hearing or trial, as

the case may be, within the time provisions prescribed in this code for preliminary hearings and trials, except in those unusual cases where the court finds that, due to the nature of the case, counsel cannot reasonably be expected to be ready within the prescribed period if he or she were to begin preparing the case forthwith and continue to make diligent and constant efforts to be ready. In the case where the time of preparation for preliminary hearing or trial is deemed greater than the statutory time, the court shall set a reasonable time period for preparation. In making this determination, the court shall not consider counsel's convenience, counsel's calendar conflicts, or counsel's other business. The court may allow counsel a reasonable time to become familiar with the case in order to determine whether he or she can be ready. In cases where counsel, after making representations that he or she will be ready for preliminary examination or trial, and without good cause is not ready on the date set, the court may relieve counsel from the case and may impose sanctions upon counsel, including, but not limited to, finding the assigned counsel in contempt of court, imposing a fine, or denying any public funds as compensation for counsel's services. Both the prosecuting attorney and defense counsel shall have a right to present evidence and argument as to a reasonable length of time for preparation and on any reasons why counsel could not be prepared in the set time.

SECTION 26. Section 1049.5 is added to the Penal Code, to read:

1049.5. In felony cases, the court shall set a date for trial which is within 60 days of the defendant's arraignment in the superior court unless, upon a showing of good cause as prescribed in Section 1050, the court lengthens the time. If the court, after a hearing as prescribed in Section 1050, finds that there is good cause to set the date for trial beyond the 60 days, it shall state on the record the facts proved that justify its finding. A statement of facts proved shall be entered in the minutes.

SECTION 27. Section 1050.1 is added to the Penal Code, to read:

1050.1. In any case in which two or more defendants are jointly charged in the same complaint, indictment, or information, and the court or magistrate, for good cause shown, continues the arraignment, preliminary hearing, or trial of one or more defendants, the continuance shall, upon motion of the prosecuting attorney, constitute good cause to continue the remaining defendants' cases so as to maintain joinder. The court or magistrate shall not cause jointly charged cases to be severed due to the unavailability or unpreparedness of one or more defendants unless it appears to the court or magistrate that it will be impossible for all defendants to be available and prepared within a reasonable period of time.

SECTION 28. Chapter 10 (commencing with Section 1054) is added to Title 6 of Part 2 of the Penal Code, to read:

## CHAPTER 10. DISCOVERY

1054. This chapter shall be interpreted to give effect to all of the following purposes:

(a) To promote the ascertainment of truth in trials by requiring timely pretrial discovery.

(b) To save court time by requiring that discovery be conducted informally between and among the parties before judicial enforcement is requested.

(c) To save court time in trial and avoid the necessity for frequent interruptions and postponements.

(d) To protect victims and witnesses from danger, harassment, and undue delay of the proceedings.

(e) To provide that no discovery shall occur in criminal cases except as provided by this chapter, other express statutory provisions, or as mandated by the Constitution of the United States.

1054.1. The prosecuting attorney shall disclose to the defendant or his or her attorney all of the following materials and information, if it is in the possession of the prosecuting attorney or if the prosecuting attorney knows it to be in the possession of the investigating agencies:

(a) The names and addresses of persons the prosecutor intends to call as witnesses at trial.

(b) Statements of all defendants.

(c) All relevant real evidence seized or obtained as a part of the investigation of the offenses charged.

(d) The existence of a felony conviction of any material witness whose credibility is likely to be critical to the outcome of the trial.

(e) Any exculpatory evidence.

(f) Relevant written or recorded statements of witnesses or reports of the statements of witnesses whom the prosecutor intends to call at the trial, including any reports or statements of experts made in conjunction with the case, including the results of physical or mental examinations, scientific tests, experiments, or comparisons which the prosecutor intends to offer in evidence at the trial.

1054.2. No attorney may disclose or permit to be disclosed to a defendant the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of Section 1054.1 unless specifically permitted to do so by the court after a hearing and a showing of good cause.

1054.3. The defendant and his or her attorney shall disclose to the prosecuting attorney:

(a) The names and addresses of persons, other than the defendant, he or she intends to call as witnesses at trial, together with any relevant written or recorded statements of those persons, or, reports of the statements of those persons, including any reports or statements of experts made in connection with the case, including the results of physical or mental examinations, scientific tests, experiments, or comparisons which the defendant intends to offer in evidence at the trial.

(b) Any real evidence which the defendant intends to offer in evidence at the trial.

1054.4. Nothing in this chapter shall be construed as limiting any law enforcement or prosecuting agency from obtaining nontestimonial evidence to the extent permitted by law on the operative date of this section.

1054.5. (a) No order requiring discovery shall be made in criminal cases except as provided in this chapter. This chapter shall be the only means by which the defendant may compel the disclosure or production of information from prosecuting attorneys, law enforcement agencies which investigated or prepared the case against the defendant, or any other persons or agencies which the prosecuting attorney or investigating agency may have employed to assist them in performing their duties.

(b) Before a party may seek court enforcement of any of the disclosures required by this chapter, the party shall make an informal request of opposing counsel for the desired materials and information. If within 15 days, the opposing counsel fails to provide the materials and information requested, the party may seek a court order. Upon a showing that a party has not complied with Section 1054.1 or 1054.3 and upon a showing that the moving party complied with the informal discovery procedure provided in this subdivision, a court may make any order necessary to enforce the provisions of this chapter, including, but not limited to, immediate disclosure, contempt proceedings, delaying or prohibiting the testimony of a witness or the presentation of real evidence, continuance of the matter, or any other lawful order. Further, the court may advise the jury of any failure or refusal to disclose and of any untimely disclosure.

(c) The court may prohibit the testimony of a witness pursuant to subdivision (b) only if all other sanctions have been exhausted. The court shall not dismiss a charge pursuant to subdivision (b) unless required to do so by the Constitution of the United States.

1054.6. Neither the defendant nor the prosecuting attorney is required to disclose any materials or information which are work product as defined in subdivision (c) of Section 2018 of the Code of Civil Procedure, or which are privileged pursuant to an express statutory provision, or are privileged as provided by the Constitution of the United States.

1054.7. The disclosures required under this chapter shall be made at least 30 days prior to the trial, unless good cause is shown why a disclosure should be denied, restricted, or deferred. If the material and information becomes known to, or comes into the possession of, a party within 30 days of trial, disclosure shall be made immediately, unless good cause is shown why a disclosure should be denied, restricted, or deferred. "Good cause" is limited to threats or possible danger to the safety of a victim or witness, possible loss or destruction of evidence, or possible compromise of other investigations by law enforcement.

Upon the request of any party, the court may permit a showing of good cause for the denial or regulation of disclosures, or any portion of that showing, to be made in camera. A verbatim record shall be made of any such proceeding. If the court enters an order granting relief following a showing in camera, the entire record of the showing shall

be sealed and preserved in the records of the court, and shall be made available to an appellate court in the event of an appeal or writ. In its discretion, the trial court may after trial and conviction, unseal any previously sealed matter.

SECTION 29. Section 1102.5 of the Penal Code is repealed.

SECTION 30. Section 1102.7 of the Penal Code is repealed.

SECTION 31. Section 1385.1 is added to the Penal Code, to read:

1385.1. Notwithstanding Section 1385 or any other provision of law, a judge shall not strike or dismiss any special circumstance which is admitted by a plea of guilty or nolo contendere or is found by a jury or court as provided in Sections 190.1 to 190.5, inclusive.

SECTION 32. Section 1430 of the Penal Code is repealed.

SECTION 33. Section 1511 is added to the Penal Code, to read:

1511. If in a felony case the superior court sets the trial beyond the period of time specified in Section 1049.5, in violation of Section 1049.5, or continues the hearing of any matter without good cause, and good cause is required by law for such a continuance, either party may file a petition for writ of mandate or prohibition in the court of appeal seeking immediate appellate review of the ruling setting the trial or granting the continuance. Such a petition shall have precedence over all other cases in the court to which the petition is assigned, including, but not limited to, cases that originated in the juvenile court. If the court of appeal grants a peremptory writ, it shall issue the writ and a remittitur three court days after its decision becomes final as to that court if such action is necessary to prevent mootness or to prevent frustration of the relief granted, notwithstanding the right of the parties to file a petition for review in the Supreme Court. When the court of appeal issues the writ and remittitur as provided herein, the writ shall command the superior court to proceed with the criminal case without further delay, other than that reasonably necessary for the parties to obtain the attendance of their witnesses.

The Supreme Court may stay or recall the issuance of the writ and remittitur. The Supreme Court's failure to stay or recall the issuance of the writ and remittitur shall not deprive the respondent or the real party in interest of its right to file a petition for review in the Supreme Court.

#### TITLE IV. EMERGENCY CORRECTIONAL FACILITIES

SECTION 34. Chapter 17 (commencing with Section 7450) is added to Title 7 of

Part 3 of the Penal Code, to read:

#### Article 1. General Provisions

7450. As used in this chapter, the following terms have the following meanings:

(a) "Committee" means the Emergency Correctional Facility Finance Committee created pursuant to Section 7462.

(b) "Fund" means the Emergency Correctional Facility Bond Fund created pursuant to Section 7455.

(c) The primary purpose of the facilities authorized by this title shall be to house inmates with drug abuse problems in order to provide them with (1) a drug-free environment, and (2) drug treatment programs which shall also be integrated with parole and probation supervision programs.

(d) Cost efficiency of construction and operation and effectiveness of treatment shall be of paramount concern. Facilities authorized by this section shall be constructed within the limits of the appropriation except as authorized by the Joint Prison Construction and Operations Committee of the Legislature. The facilities shall be designed and constructed using an efficient and effective low-cost design.

#### Article 2. Emergency Correctional Facilities

7455. The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the Emergency Correctional Facility Bond Fund, which is hereby created.

7456. (a) Money in the fund, up to a limit of three hundred six million dollars (\$306,000,000) may be available for the acquisition and construction of state correctional facilities. For that purpose, acquisition includes the purchase of property, the lease of property for a period of not less than 20 years, and any other acquisition of property that grants a right to occupy the property for at least 20 years, and construction includes the remodeling of existing facilities.

(b) Money in the fund, up to a limit of four hundred thirty-four million dollars (\$434,000,000) shall be available for the acquisition and construction of local and regional confinement and treatment facilities for the housing of prisoners who might otherwise be housed in county jails.

#### Article 3. Fiscal Provisions

7460. Bonds in the total amount of seven hundred forty million dollars (\$740,000,000), or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this chapter and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds shall, when sold, be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest

on, the bonds as the principal and interest become due and payable.

7461. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this chapter and are hereby incorporated in this chapter as though set forth in full in this chapter.

7462. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this chapter, the Emergency Correctional Facility Finance Committee is hereby created. For purposes of this chapter, the Emergency Correctional Facility Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee consists of the Controller, the Treasurer, the Director of Finance, the Director of Corrections, and the Chairperson of the Board of Corrections, or their designated representatives. A majority of the committee may act for the committee.

(b) For purposes of the State General Obligation Bond Law, the Department of Corrections is designated the "board."

7463. The committee shall determine whether it is necessary or desirable to issue bonds authorized pursuant to this chapter in order to carry out the actions specified in Section 7456 and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

7464. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year, and it is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum.

7465. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out the provisions of Section 7466, appropriated without regard to fiscal years.

7466. For the purposes of carrying out this chapter, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized by the committee to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the fund. Any money made available under this section shall be returned to the General Fund from money received from the sale of bonds for the purpose of carrying out this chapter.

7467. All money deposited in the fund which is derived from premium and accrued

interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

7468. The bonds may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code.

7469. The People hereby find and declare that, inasmuch as the proceeds from the sale of bonds authorized by this chapter are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

SECTION 35. (a) The Department of Corrections is hereby authorized to construct and establish confinement and treatment facilities totalling 8,000 beds, together with necessary service facilities.

(b) The facilities authorized by this section shall be used for the confinement and treatment of inmates committed to the Department of Corrections.

(c) Preference for construction shall be given to a site on federal property in the Mojave Desert.

(d) The department may acquire property for the purposes of this section by purchase, by lease with a term of at least 20 years, or by any similar arrangement that provides the department with the right to occupy the property for at least 20 years. Construction may include the adaptation of existing facilities.

(e) Any contract or subcontract for the construction of facilities authorized by this section shall provide for payment of wages to all workers no less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the work is performed, and no less than the general prevailing rate of per diem wages for holiday and overtime work.

SECTION 36. (a) The Department of Corrections is authorized to construct and establish confinement and treatment facilities to house prisoners who might otherwise be housed in county jails. These facilities shall be operated by counties, as authorized by law. Counties may contract with the Department of Corrections to operate all or any portion of these facilities.

(b) Facilities with a total capacity of 6,000 beds shall be located in southern California. For that purpose, "southern California" means the Counties of Santa Barbara, Kern, and San Bernardino, and the more southerly counties.

(c) Other facilities, having a capacity of 4,000 beds, shall be located in northern California in the vicinity of the counties bordering the San Francisco Bay.

(d) Sections 6029 and 6030 of the Penal Code shall not apply to facilities constructed under this section.

(e) Any contract or subcontract for the construction of facilities authorized by this section shall provide for payment of wages to all workers no less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the work is performed, and no less than the general prevailing rate of per diem wages for holiday and overtime work.

SECTION 37. The sum of seven hundred forty million dollars (\$740,000,000) is hereby appropriated from the Emergency Correctional Facility Bond Fund for use as follows:

(a) The sum of three hundred six million dollars (\$306,000,000) is appropriated to the Department of Corrections for the facilities authorized by Section 35.

(b) (1) The sum of two hundred sixty-four million dollars (\$264,000,000) is appropriated to the Department of Corrections for the joint use jail facilities in southern California authorized by Section 36.

(2) The sum of one hundred seventy million dollars (\$170,000,000) is appropriated to the Department of Corrections for the joint use jail facilities in northern California authorized by Section 36.

(c) Funds appropriated by this section shall be available for purposes, as necessary, of site acquisition, site studies and suitability reports, environmental studies, master planning, architectural programming, schematics, preliminary plans, working drawings, construction, and long-lead and equipment items. For that purpose, site acquisition includes the payment for the right to occupy the property for at least 20 years.

#### TITLE V. FUNDING

SECTION 38. Section 17008.5 is added to the Revenue and Taxation Code, to read:

17008.5. (a) The provisions of Section 7704 of the Internal Revenue Code, relating to certain publicly traded partnerships treated as corporations, shall apply to taxable years beginning on or after January 1, 1991, except that Section 10211(c)(2) of Public Law 100-203 shall apply.

(b) The amendments to Section 7704 of the Internal Revenue Code made by Section 2004 of Public Law 100-647, relating to certain publicly traded partnerships treated as corporations, shall apply to taxable years beginning on or after January 1, 1991.

SECTION 39. Section 17062 of the Revenue and Taxation Code is amended to read:

17062. (a) In addition to the other taxes imposed by this part, there is hereby imposed for each taxable year, a tax equal to the excess, if any, of

(1) The tentative minimum tax for the taxable year, over

(2) The regular tax for the taxable year.

(b) For purposes of this chapter, each of the following shall apply:

(1) The tentative minimum tax shall be computed in accordance with Sections 55 to 59, inclusive, of the Internal Revenue Code, except as otherwise provided in this part.

(2) The regular tax shall be the amount of tax imposed by Section 17041 or

17048, reduced by credits for taxes paid to other states allowed by Chapter 12 (commencing with Section 18001).

(3) (A) The provisions of Section 55(b)(1) of the Internal Revenue Code shall be modified to provide that the tentative minimum tax for the taxable year shall be equal to 7 percent of so much of the alternative minimum taxable income for the taxable year as exceeds the exemption amount, reduced by the alternative credit for taxes paid to other states as allowed by Chapter 12 (commencing with Section 18001).

(B) In the case of a nonresident or part-year resident, the tentative minimum tax shall be computed as if the nonresident or part-year resident were a resident for the entire year multiplied by the ratio of California adjusted gross income (as modified for purposes of this chapter) to total adjusted gross income from all sources (as modified for purposes of this chapter). For purposes of computing the tax under subparagraph (A) and gross income from all sources, the net operating loss deduction provided in Section 56(d) of the Internal Revenue Code shall be computed as if the taxpayer were a resident for all prior years.

(C) For purposes of this section, the term "California adjusted gross income" includes each of the following:

(i) For any period during which the taxpayer was a resident of this state (as defined by Section 17014), all items of adjusted gross income (as modified for purposes of this chapter), regardless of source.

(ii) For any period during which the taxpayer was not a resident of this state, only those items of adjusted gross income (as modified for purposes of this chapter) which were derived from sources within this state, determined in accordance with Chapter 11 (commencing with Section 17951).

(4) (A) If there was a deferral of preference tax under former Section 17064.8 for any taxable year beginning before January 1, 1987, and the amount of the deferred tax has not been paid for any taxable year beginning before January 1, 1987, the amount of the net operating loss carryovers which may be carried to taxable years beginning after December 31, 1986, for purposes of this chapter, shall be reduced by the amount of the tax preferences attributable to the deferred tax which has not been paid.

(B) In the case of a net operating loss allowed to be carried forward under subdivision (d) of Section 17276, subparagraph (A) shall apply to the extent that such a loss would have resulted in a deferred tax under prior law.

(5) The provisions of Section 57(a)(5) of the Internal Revenue Code, relating to tax-exempt interest shall not be applicable.

(6) The provisions of Section 59(a) of the Internal Revenue Code, relating to the alternative minimum tax foreign tax credit, shall not be applicable.

(7) Section 56(b)(1)(E) of the Internal Revenue Code, relating to standard deduction and deduction for personal exemptions not allowed, is modified, for purposes of this part, to deny the standard deduction allowed by Section 17073.5.

SECTION 40. Section 17094 of the Revenue and Taxation Code is repealed.

SECTION 41. Section 17279 of the Revenue and Taxation Code is repealed.

SECTION 42. Section 17560 of the Revenue and Taxation Code is amended to read:

17560. (a) At the election of the taxpayer, the provisions of Section 453C of the Internal Revenue Code, relating to certain indebtedness treated as payment on installment obligations, shall not be applicable.

(b) (1) If an election is not made under subdivision (a), then for purposes of applying the provisions of Section 453C of the Internal Revenue Code, relating to certain indebtedness treated as a payment on installment obligations, the provisions of Sections 811(c)(2), 811(c)(4), 811(c)(6), and 811(c)(7) of Public Law 99-514, as modified by Section 1008(f) of Public Law 100-647, shall apply.

(2) The provisions of Section 812 of Public Law 99-514, relating to the disallowance of use of installment method for certain obligations as modified by Section 1008(g) of Public Law 100-647, shall apply to taxable years beginning on or after January 1, 1987.

(c) The repeal of Section 453C of the Internal Revenue Code by Section 10202(a) of Public Law 100-203, relating to repeal of the proportionate disallowance of the installment method, shall apply to dispositions in taxable years beginning on or after January 1, 1991.

(d) (1) The amendments to Section 453 of the Internal Revenue Code by Section 2004 of Public Law 100-647, relating to the installment method, shall apply to taxable years beginning on or after January 1, 1991.

(2) In the case of any installment obligation to which Section 453(1)(2)(B) of the Internal Revenue Code applies, in lieu of the provisions of Section 453(1)(3)(A) of the Internal Revenue Code, the tax imposed under Section 17041 or 17048 for any taxable year for which payment is received on that obligation shall be increased by the amount of interest determined in the manner provided under Section 453(1)(3)(B) of the Internal Revenue Code.

(3) The provisions of Section 10202(e)(2) and 10204(b)(2)(B) of Public Law 100-203, relating to change in method of accounting, are modified to provide that any adjustments required by Section 481 of the Internal Revenue Code shall be included in gross income as follows:

(A) Fifty percent in the first taxable year beginning on or after January 1, 1991.

(B) Fifty percent in the second taxable year beginning on or after January 1, 1991.

(e) (1) The amendments to Section 453A of the Internal Revenue Code made by Section 2004 of Public Law 100-647, relating to special rules for nondealers, shall apply to taxable years beginning on or after January 1, 1991.

(2) In the case of any installment obligation to which Section 453A of the Internal Revenue Code applies and which is outstanding as of the close of the taxable year, in lieu of the provisions of Section 453A(c)(1) of the Internal Revenue Code, the tax imposed under Section 17041 or 17048 for the taxable year shall be increased by the amount of

interest determined in the manner provided under Section 453A(c)(2) of the Internal Revenue Code.

(3) The provisions of Section 453A(c)(3)(B) of the Internal Revenue Code, relating to the maximum rate used in calculating the deferred tax liability, are modified to refer to the maximum rate of tax imposed under Section 17041 in lieu of the maximum rate of tax imposed under Section 1 or 11 of the Internal Revenue Code.

SECTION 43. Section 17561 of the Revenue and Taxation Code is amended to read:

17561. (a) For purposes of this part, the provisions of Section 469(d)(2) of the Internal Revenue Code, relating to passive activity credits, are modified to refer to the following credits:

- (1) The credit for research expenses allowed by Section 17052.12.
- (2) The credit for certain wages paid (targeted jobs) allowed by Section 17053.7.
- (3) The credit for clinical testing expenses allowed by Section 17057.
- (4) The credit for low-income housing allowed by Section 17058.

(b) For purposes of applying the provisions of Section 469(i) of the Internal Revenue Code, relating to the twenty-five thousand dollars (\$25,000) offset for rental real estate activities:

(1) The dollar limitation for the credit allowed under Section 17058 (relating to low-income housing) shall be equal to seventy-five thousand dollars (\$75,000) in lieu of the amount specified in Section 469(i)(2) of the Internal Revenue Code.

(2) The term "adjusted gross income," as defined in Section 469(i)(3)(D), shall mean the amount required to be shown as adjusted gross income on the federal tax return for the same taxable year determined without regard to --

(A) Any amount includible in gross income on the federal tax return under Section 86 of the Internal Revenue Code.

(B) Any amount allowed as a deduction on the federal tax return under Section 219 of the Internal Revenue Code.

(C) Any passive activity loss.

(c) Section 502 of the Tax Reform Act of 1986 (Public Law 99-514) shall apply.

(d) For taxable years beginning on or after January 1, 1987, the provisions of Section 10212 of Public Law 100-203, relating to treatment of publicly traded partnerships under Section 469 of the Internal Revenue Code, shall be applicable.

(e) The amendments to Section 469(k) of the Internal Revenue Code made by Section 2004 of Public Law 100-647, relating to separate application of Section 469 in case of publicly traded partnerships, shall apply to taxable years beginning on or after January 1, 1991.

SECTION 44. Section 17563 of the Revenue and Taxation Code is amended to read:

17563. (a) In the case of any taxpayer who elected to have Section 463 of the Internal Revenue Code of 1986 apply for that taxpayer's last taxable year beginning prior to January 1, 1991, and who is required to change his or her method of accounting by reason of the amendments made by the act adding this provision, each of the following shall apply:

(1) The change shall be treated as initiated by the taxpayer.

(2) The change shall be treated as having been made with the consent of the Franchise Tax Board.

(3) The net amount of adjustments required by Chapter 6 (commencing with Section 17551) to be taken into account by the taxpayer:

(A) Shall be reduced by the balance in the suspense account, under Section 463(c) of the Internal Revenue Code as of the close of the last taxable year beginning before January 1, 1991, and

(B) Shall be taken into account over the two taxable year period beginning with the taxable year following that last taxable year, as follows:

In the case of the:	The percentage to be taken into account is:
1st Year	50
2nd Year	50

(b) Notwithstanding subparagraph (B) of paragraph (3) of subdivision (a), if the period during which the adjustments are required to be taken into account under Chapter 6 (commencing with Section 17551) is less than two years, those adjustments shall be taken into account ratably over the shorter period.

SECTION 45. Section 17564 of the Revenue and Taxation Code is amended to read:

17564. (a) Long-term contracts shall be accounted for in accordance with the special rules set forth in Section 460 of the Internal Revenue Code.

(b) (1) The provisions of Section 804(d) of Public Law 99-514, relating to the effective date of modifications in the method of accounting for long-term contracts, shall be applicable to taxable years beginning on or after January 1, 1987.

(2) In the case of a contract entered into after February 28, 1986, during a taxable year beginning before January 1, 1987, an adjustment to income shall be made upon completion of the contract, if necessary, to correct any underreporting or overreporting of income, for purposes of this part, resulting from differences between state and federal law for the taxable year in which the contract began.

(c) In the case of a contract entered into after October 13, 1987, during a taxable year beginning before January 1, 1991, an adjustment to income shall be made upon completion of the contract, if necessary, to correct any underreporting or overreporting of income, for purposes of this part, resulting from differences between state and federal law for taxable years beginning prior to January 1, 1991.

(d) In the case of a contract entered into after June 20, 1988, during a taxable

year beginning before January 1, 1991, an adjustment to income shall be made upon completion of the contract, if necessary, to correct any underreporting or overreporting of income, for purposes of this part, resulting from differences between state and federal law for taxable years beginning prior to January 1, 1991.

(e) For purposes of applying Section 460(a)(2) of the Internal Revenue Code, relating to 90 percent look-back method, any adjustment to income computed under subdivision (b), (c), or (d) shall be deemed to have been reported in the taxable year from which the adjustment arose, rather than the taxable year in which the contract was completed.

SECTION 46. Section 23038.5 is added to the Revenue and Taxation Code, to read:

23038.5. (a) The provisions of Section 7704 of the Internal Revenue Code, relating to certain publicly traded partnerships treated as corporations, shall apply to income years beginning on or after January 1, 1991, except that Section 10211(c)(2) of Public Law 100-203 shall apply.

(b) The amendments to Section 7704 of the Internal Revenue Code made by Section 2004 of Public Law 100-647, relating to certain publicly traded partnerships treated as corporations, shall apply to income years beginning on or after January 1, 1991.

SECTION 47. Section 23456 of the Revenue and Taxation Code is amended to read:

23456. For purposes of this part, Section 56 of the Internal Revenue Code is modified as follows:

(a) (1) Section 56(a)(2) of the Internal Revenue Code, relating to mining exploration and development costs, shall apply only to expenses incurred during income years beginning on or after January 1, 1988.

(2) Section 56(a)(5) of the Internal Revenue Code, relating to pollution control facilities, shall apply only to amounts allowable as a deduction under Section 24372.3.

(b) Section 56(c)(2) of the Internal Revenue Code, relating to Merchant Marine Capital Construction Funds, shall not be applicable.

(c) (1) For purposes of applying Section 56(d) of the Internal Revenue Code, all references to "December 31, 1986," are modified to read "December 31, 1987," and all references to "January 1, 1987," are modified to read "January 1, 1988."

(2) (A) If there was a deferral of preference tax under former Section 23405 for any income year beginning before January 1, 1988, and the amount of the deferred tax has not been paid for any income year beginning before January 1, 1988, the amount of the net operating loss carryovers which may be carried to income years beginning after December 31, 1987, for purposes of this chapter, shall be reduced by the amount of the tax preferences attributable to the deferred tax which has not been paid.

(B) In the case of a net operating loss allowed to be carried forward under

subdivision (e) of Section 24416, subparagraph (A) shall apply to the extent that such a loss would have resulted in a deferred tax under prior law.

(d) (1) Section 56(f)(2)(B) of the Internal Revenue Code, relating to adjustments for certain taxes, is modified to read: The amount determined under subparagraph (A) shall be appropriately adjusted to disregard any tax on or measured by income.

(2) The last sentence of Section 56(f)(2)(B) of the Internal Revenue Code, relating to taxes imposed by a foreign country or possession, shall not be applicable.

(3) Section 56(f)(2)(C)(i) of the Internal Revenue Code, relating to consolidated returns, is modified to substitute "combined report" for "consolidated return."

(4) Section 56(f)(2)(C)(ii) of the Internal Revenue Code, relating to treatment of dividends of related corporations, is modified to read: Adjusted net book income shall take into account only those dividends (or portions thereof) which have been included in net income for purposes of determining the regular tax.

(5) Section 56(f)(2)(F) of the Internal Revenue Code, relating to treatment of dividends from 936 corporations, shall not be applicable.

(6) Section 56(f)(2)(G) of the Internal Revenue Code, relating to rules for Alaska native corporations, shall not be applicable.

(7) With respect to corporations which are not subject to the tax imposed under Chapter 2 (commencing with Section 23101), the amount of interest income included in book income shall not exceed the amount of interest income included for purposes of the regular tax.

(8) Appropriate adjustments shall be made to limit deductions from book income for interest expense in accordance with Sections 24344 and 24425.

(e) Section 56(g)(4)(A) of the Internal Revenue Code is modified to provide that in the case of any property placed in service on or after January 1, 1981, and prior to January 1, 1987, and not described in clause (i), (ii), or (iii) of Section 56(g)(4)(A) of the Internal Revenue Code, the amount allowable as depreciation or amortization with respect to that property shall be the same amount that would have been allowable for the income year had the taxpayer depreciated the property under the straight-line method for each income year of the useful life (determined without regard to Section 24354.2 or 24381) for which the taxpayer has held the property.

(f) (1) Section 56(g)(4)(C) of the Internal Revenue Code, relating to disallowance of items not deductible in computing earnings and profits, shall be modified as follows:

(A) A deduction shall be allowed for amounts allowable as a deduction for purposes of the regular tax under Sections 24402, 24410, 24411, and 25106.

(B) Section 56(g)(4)(C)(ii) of the Internal Revenue Code, relating to special rule for 100 percent dividends, shall not be applicable.

(C) Section 56(g)(4)(C)(iii) of the Internal Revenue Code, relating to special rule for dividends from Section 936 companies, shall not be applicable.

(2) With respect to corporations which are not subject to the tax imposed under Chapter 2 (commencing with Section 23101), the amount of interest income included in the adjusted current earnings shall not exceed the amount of interest income included for purposes of the regular tax.

(3) Appropriate adjustments shall be made to limit deductions from adjusted current earnings for interest expense in accordance with Sections 24344 and 24425.

SECTION 48. Section 23732 of the Revenue and Taxation Code is amended to read:

23732. The provisions of Section 512 of the Internal Revenue Code, relating to unrelated business taxable income, shall apply, except as otherwise provided.

(a) Section 512(a)(2) of the Internal Revenue Code, relating to special rules for foreign organizations, shall not be applicable.

(b) Section 512(a)(3) of the Internal Revenue Code, relating to special rules applicable to certain organizations, shall be modified as follows:

(1) The reference to Section 501(c)(7) of the Internal Revenue Code, relating to clubs organized for pleasure, recreation, and other nonprofitable purposes, shall be modified to refer to Section 23701g.

(2) The reference to Section 501(c)(9) of the Internal Revenue Code, relating to voluntary employees' beneficiary associations, shall be modified to refer to Section 23701i.

(3) The reference to Section 501(c)(17) of the Internal Revenue Code, relating to trusts providing for payment of supplemental unemployment compensation benefits, shall be modified to refer to Section 23701n.

(4) The reference to Section 501(c)(20) of the Internal Revenue Code, relating to qualified group legal services plans, shall be modified to refer to Section 23701q.

(c) Section 512(b)(10) of the Internal Revenue Code, relating to charitable contributions, shall be modified to provide that such deductions shall not exceed 5 percent of the unrelated business taxable income, rather than 10 percent.

SECTION 49. Section 23735 of the Revenue and Taxation Code is amended to read:

23735. (a) The provisions of Section 514 of the Internal Revenue Code, relating to unrelated debt-financed income, shall apply, except as otherwise provided.

(b) The provisions of Section 10214 of Public Law 100-203, relating to the treatment of certain partnership allocations, shall apply to income years beginning on or after January 1, 1991, for property acquired by the partnership after October 13, 1987, and partnership interests acquired after October 13, 1987.

SECTION 50. Section 23802 of the Revenue and Taxation Code is amended to read:

23802. (a) Section 1363(a) of the Internal Revenue Code, relating to the taxability of an S corporation, shall not be applicable.

(b) Corporations qualifying under this chapter shall continue to be subject to the taxes imposed under Chapter 2 (commencing with Section 23101) and Chapter 3

(commencing with Section 23501), except as follows:

(1) The tax imposed under Section 23151 or 23501 shall be imposed at a rate of 2½ percent rather than the rate specified in those sections.

(2) In the case of an "S corporation" which is also a financial corporation, the rate of tax specified in paragraph (1) shall be increased by the excess of the rate imposed under Section 23183 over the rate imposed under Section 23151 and Section 23184 shall be applicable.

(3) An "S corporation" shall not be subject to the alternative minimum tax (or preference tax) imposed under Section 23400.

(c) An "S corporation" shall be subject to the minimum tax imposed under Section 23153.

(d) (1) For purposes of subdivision (b), an "S corporation" shall be allowed a deduction under Section 24416 (relating to net operating loss deductions), but only with respect to losses incurred during periods in which the corporation had in effect a valid election to be treated as an "S corporation" for purposes of this part.

(2) Section 1371(b) of the Internal Revenue Code, relating to denial of carryovers between "C years" and "S years", shall apply for purposes of the tax imposed under subdivision (b), except as provided in paragraph (1) of this subdivision.

(3) The provisions of this subdivision shall not affect the amount of any item of income or loss computed in accordance with the provisions of Section 1366 of the Internal Revenue Code, relating to pass-thru items to shareholders.

(4) For purposes of subdivision (b) of Section 17276, relating to limitations on loss carryovers, losses passed through to shareholders of an "S corporation," to the extent otherwise allowable without application of that subdivision, shall be fully included in the net operating loss of that shareholder and then that subdivision shall be applied to the entire net operating loss.

(e) For purposes of computing the taxes specified in subdivision (b), an "S corporation" shall be allowed a deduction from income for built-in gains and passive investment income for which a tax has been imposed under this part in accordance with the provisions of Section 1374 of the Internal Revenue Code, relating to tax imposed on certain built-in gains, or Section 1375 of the Internal Revenue Code, relating to tax imposed on passive investment income.

(f) For purposes of computing taxes imposed under this part, as provided in subdivision (b) --

(1) An "S corporation" shall compute its deductions for amortization and depreciation in accordance with the provisions of Part 10 (commencing with Section 17001) of Division 2.

(2) The provisions of Section 465 of the Internal Revenue Code, relating to limitation of deductions to the amount at risk, shall be applied in the same manner as in the case of an individual.

(3) (A) The provisions of Section 469 of the Internal Revenue Code, relating to limitations on passive activity losses and credits, shall be applied in the same manner as in the case of an individual.

(B) For purposes of this paragraph, the "adjusted gross income" of the "S corporation" shall be equal to its "net income," as determined under Section 24341 with the modifications required by this subdivision.

(g) The amendments to Section 1363 of the Internal Revenue Code made by Section 2004 of Public Law 100-647, relating to effect of election on corporation, shall apply to income years beginning on or after January 1, 1991.

(h) The provisions of Section 1363(d) of the Internal Revenue Code, relating to recapture of LIFO benefits, shall be modified for purposes of this part to refer to Section 25901a in lieu of Section 6601 of the Internal Revenue Code.

SECTION 51. Section 24274 of the Revenue and Taxation Code is repealed.

SECTION 52. Section 24402 of the Revenue and Taxation Code is amended to read:

24402. (a) A portion of the dividends received during the income year declared from income which has been included in the measure of the taxes imposed under Chapter 2 (commencing with Section 23101), Chapter 2.5 (commencing with Section 23400), or Chapter 3 (commencing with Section 23501) upon the taxpayer declaring the dividends.

(b) The portion of dividends which may be deducted under this section shall be as follows:

(1) In the case of any dividend described in subdivision (a), received from a "more than 50 percent owned corporation," 100 percent.

(2) In the case of any dividend described in subdivision (a), received from a "20 percent owned corporation," 80 percent.

(3) In the case of any dividend described in subdivision (a), received from a bank or corporation which is less than 20 percent owned, 70 percent.

(c) For purposes of this section:

(1) The term "more than 50 percent owned corporation" means any bank or corporation if more than 50 percent of the stock of that bank or corporation (by vote and value) is owned by the taxpayer. For purposes of the preceding sentence, stock described in Section 1504(a)(4) of the Internal Revenue Code shall not be taken into account.

(2) The term "20 percent owned corporation" means any bank or corporation if 20 percent or more of the stock of that bank or corporation (by vote and value) is owned by the taxpayer. For purposes of the preceding sentence, stock described in Section 1504(a)(4) of the Internal Revenue Code shall not be taken into account.

SECTION 53. Section 24422.3 of the Revenue and Taxation Code is amended to read:

24422.3. Capitalization and inclusion in inventory costs of certain expenses shall be determined in accordance with Section 263A of the Internal Revenue Code.

SECTION 54. Section 24457 of the Revenue and Taxation Code is amended to read:

24457. (a) Section 304 of the Internal Revenue Code, relating to redemption through the use of related corporations, shall be applicable, except as otherwise provided.

(b) For purposes of applying the provisions of Section 304(b)(4) of the Internal Revenue Code, the term "affiliated group" means a controlled group within the meaning of Section 24564.

SECTION 55. Section 24533 of the Revenue and Taxation Code is amended to read:

24533. (a) Section 24532 shall apply only if either --

(1) The distributing corporation, and the controlled corporation (or, if stock of more than one controlled corporation is distributed, each of such corporations) is engaged immediately after the distribution in the active conduct of a trade or business; or

(2) Immediately before the distribution, the distributing corporation had no assets other than stock or securities in the controlled corporations and each of the controlled corporations is engaged immediately after the distribution in the active conduct of a trade or business.

(b) For purposes of subsection (a), a corporation shall be treated as engaged in the active conduct of a trade or business if and only if --

(1) It is engaged in the active conduct of a trade or business, or substantially all of its assets consist of stock and securities of a corporation controlled by it (immediately after the distribution) which is so engaged;

(2) Such trade or business has been actively conducted throughout the five-year period ending on the date of the distribution;

(3) Such trade or business was not acquired within the period described in paragraph (2) in a transaction in which gain or loss was recognized in whole or in part; and

(4) Control of a corporation which (at the time of acquisition of control) was conducting such trade or business --

(A) Was not acquired by any distributee corporation directly (or through one or more corporations, whether through the distributing corporation or otherwise) within the period described in paragraph (2) and was not acquired by the distributing corporation directly (or through one or more corporations) within that period, or

(B) Was so acquired by any such corporation within that period, but, in each case in which such control was so acquired, it was so acquired, only by reason of transactions in which gain or loss was not recognized in whole or in part, or only by reason of such transactions combined with acquisitions before the beginning of that period.

(C) For purposes of this paragraph, all distributee corporations which are members of a controlled group (within the meaning of Section 24564) shall be treated as

one distributee corporation.

(c) For income years beginning on or after January 1, 1991, Section 311 of the Internal Revenue Code (as incorporated by Section 24481) shall apply to any distribution:

(1) To which this section (or so much of Sections 24535 to 24539, inclusive, as relates to this section) applies, and

(2) Which is not in pursuance of a plan of reorganization, in the same manner as if the distribution were a distribution to which Chapter 2 (commencing with Section 23101) or Chapter 2.5 (commencing with Section 23400) applies, except that Section 311(b) of the Internal Revenue Code shall not apply to any distribution of stock or securities in the controlled corporation.

(d) (1) Except as provided in paragraph (2), the amendments to this section by the act adding this subdivision shall apply to income years beginning on or after January 1, 1991, for distributions or transfers after December 15, 1987.

(2) The amendments to this section by the act adding this subdivision shall not apply to any distribution after December 15, 1987, and before January 1, 1993, if:

(A) Eighty percent or more of the stock of the distributing corporation was acquired by the distributee before December 15, 1987, or

(B) Eighty percent or more of the stock of the distributing corporation was acquired by the distributee before January 1, 1991, pursuant to a binding written contract or tender offer in effect on December 15, 1987.

For purposes of the preceding sentence, stock described in Section 1504(a)(4) of the Internal Revenue Code shall not be taken into account.

(3)(A) For purposes of paragraph (2), all corporations which were in existence on the designated date and were members of the same controlled group (as defined in Section 24564) which included the distributees on that date shall be treated as one distributee.

(B) Subparagraph (A) shall not exempt any distribution from the amendments made to this section by the act adding this subdivision if that distribution is with respect to stock not held by the distributee (determined without regard to subparagraph (A)) on the designated date directly or indirectly through a corporation which goes out of existence in the transaction.

(C) For purposes of this paragraph, the term "designated date" means the later of:

(i) December 15, 1987, or

(ii) The date on which the acquisition meeting the requirements of paragraph (2) occurred.

SECTION 56. Section 24601 of the Revenue and Taxation Code is amended to read:

24601. The provisions of Sections 404, 404A, 406, 407, 419, and 419A of the Internal Revenue Code shall apply, except as otherwise provided.

SECTION 57. Section 24652 of the Revenue and Taxation Code is amended to read:

24652. The method of accounting for corporations engaged in farming shall be determined in accordance with Section 447 of the Internal Revenue Code.

SECTION 58. Section 24667 of the Revenue and Taxation Code is amended to read:

24667. (a) (1) Installment sales shall be treated in accordance with Sections 453, 453A, 453B, and 453C of the Internal Revenue Code, except as otherwise provided.

(2) For purposes of applying the provisions of Section 453C of the Internal Revenue Code, relating to certain indebtedness treated as payment on installment obligations, the provisions of Sections 811(c)(2), 811(c)(4), 811(c)(6), and 811(c)(7) of Public Law 99-514, as modified by Section 1008(f) of Public Law 100-647, shall apply to income years beginning on or after January 1, 1988.

(3) The provisions of Section 812 of Public Law 99-514, relating to the disallowance of use of the installment method for certain obligations, as modified by Section 1008(g) of Public Law 100-647, shall apply to income years beginning on or after January 1, 1988.

(b) For purposes of subdivision (a), any references in the Internal Revenue Code to sections that have not been incorporated into this part by reference shall be deemed to refer to the corresponding section, if any, of this part.

(c) In the case of any taxpayer who made sales under a revolving credit plan and was on the installment method under former Section 24667 or 24668 for the taxpayer's last income year beginning before January 1, 1988, the provisions of this section shall be treated as a change in method of accounting for its first income year beginning after December 31, 1987, and all of the following shall apply:

(1) That change shall be treated as initiated by the taxpayer.

(2) That change shall be treated as having been made with the consent of the Franchise Tax Board.

(3) The period for taking into account adjustments under Article 6 (commencing with Section 24721) by reason of that change shall not exceed four years.

(d) The repeal of Section 453C of the Internal Revenue Code by Section 10202(a) of Public Law 100-203, relating to repeal of the proportionate disallowance of the installment method, shall apply to dispositions on or after January 1, 1991.

(e) (1) The amendments to Section 453 of the Internal Revenue Code by Section 2004 of Public Law 100-647, relating to the installment method, shall apply to income years beginning on or after January 1, 1991.

(2) In the case of any installment obligation to which Section 453(1)(2)(B) of the Internal Revenue Code applies, in lieu of the provisions of Section 453(1)(3)(A) of the Internal Revenue Code, the "tax" (as defined by subdivision (a) of Section 23036) for any income year for which payment is received on that obligation shall be increased by the

amount of interest determined in the manner provided under Section 453(l)(3)(B) of the Internal Revenue Code.

(3) The provisions of Section 10202(e)(2) and 10204(b)(2)(B) of Public Law 100-203, relating to change in method of accounting, are modified to provide that any adjustments required by Section 481 of the Internal Revenue Code shall be included in gross income as follows:

(A) Fifty percent in the first income year beginning on or after January 1, 1991.

(B) Fifty percent in the second income year beginning on or after January 1, 1991.

(f) (1) The amendments to Section 453A of the Internal Revenue Code made by Section 2004 of Public Law 100-647, relating to special rules for nondealers, shall apply to income years beginning on or after January 1, 1991.

(2) In the case of any installment obligation to which Section 453A of the Internal Revenue Code applies and which is outstanding as of the close of the income year, in lieu of the provisions of Section 453A(c)(1) of the Internal Revenue Code, the "tax" (as defined by subdivision (a) of Section 23036) for the income year shall be increased by the amount of interest determined in the manner provided under Section 453A(c)(2) of the Internal Revenue Code.

(3) The provisions of Section 453A(c)(3)(B) of the Internal Revenue Code, relating to the maximum rate used in calculating the deferred tax liability, are modified to refer to the maximum rate of tax imposed under Section 23151, 23186, or 23802, whichever applies, in lieu of the maximum rate of tax imposed under Section 11 of the Internal Revenue Code.

SECTION 59. Section 24673.2 of the Revenue and Taxation Code is amended to read:

24673.2. (a) Long-term contracts shall be accounted for in accordance with the special rules set forth in Section 460 of the Internal Revenue Code.

(b) (1) The provisions of Section 804(d) of Public Law 99-514, relating to the effective date of modifications in the method of accounting for long-term contracts, shall be applicable to income years beginning on or after January 1, 1987.

(2) In the case of a contract entered into after February 28, 1986, during an income year beginning before January 1, 1987, an adjustment to income shall be made upon completion of the contract, if necessary, to correct any underreporting or overreporting of income, for purposes of this part, resulting from differences between state and federal law for the income year in which the contract began.

(c) In the case of a contract entered into after October 13, 1987, during an income year beginning before January 1, 1991, an adjustment to income shall be made upon completion of the contract, if necessary, to correct any underreporting or overreporting of income, for purposes of this part, resulting from differences between state and federal law for taxable years beginning prior to January 1, 1991.

(d) In the case of a contract entered into after June 20, 1988, during an income

year beginning before January 1, 1991, an adjustment to income shall be made upon completion of the contract, if necessary, to correct any underreporting or overreporting of income, for purposes of this part, resulting from differences between state and federal law for taxable years beginning prior to January 1, 1991.

(e) For purposes of applying Section 460(a)(2) of the Internal Revenue Code, relating to 90 percent look-back method, any adjustment to income computed under subdivision (b), (c), or (d) shall be deemed to have been reported in the income year from which the adjustment arose, rather than the income year in which the contract was completed.

SECTION 60. Section 24681 of the Revenue and Taxation Code is amended to read:

24681. The provisions of Section 461 of the Internal Revenue Code, relating to the general rule for taxable year of deduction, shall be applicable, except as otherwise provided.

SECTION 61. Section 24685 of the Revenue and Taxation Code is repealed.

SECTION 62. Section 24685 is added to the Revenue and Taxation Code, to read:

24685. (a) In the case of any taxpayer who elected to have former Section 24685 apply to its last income year beginning prior to January 1, 1991, and who is required to change its method of accounting by reason of the amendments made by the act adding this section, each of the following shall apply:

(1) The change shall be treated as initiated by the taxpayer,

(2) The change shall be treated as having been made with the consent of the Franchise Tax Board, and

(3) The net amount of adjustments required by Article 6 (commencing with Section 24721) to be taken into account by the taxpayer:

(A) Shall be reduced by the balance in the suspense account under subdivision (c) of former Section 24685 as of the close of the last income year beginning before January 1, 1991, and

(B) Shall be taken into account over the two income year period beginning with the income year following that last income year, as follows:

In the case of the:	The percentage to be taken into account is:
1st Year	50
2nd Year	50

(b) Notwithstanding subparagraph (B) of paragraph (3) of subdivision (a), if the period during which the adjustments are required to be taken into account under Article 6 (commencing with Section 24271) is less than two years, those adjustments shall be

taken into account ratably over the shorter period.

SECTION 63. Section 24692 of the Revenue and Taxation Code is amended to read:

24692. (a) The treatment of passive activity losses and credits shall be determined in accordance with Section 469 of the Internal Revenue Code, except as otherwise provided.

(b) For purposes of this part, the provisions of Section 469(d)(2) of the Internal Revenue Code, relating to passive activity credits, are modified to refer to the following credits:

(1) The credit for research expenses allowed by Section 23609.

(2) The credit for clinical testing expenses allowed by Section 23609.5.

(3) The credit for low-income housing allowed by Section 23610.5.

(4) The credit for certain wages paid (targeted jobs) allowed by Section 23621.

(c) For purposes of applying the provisions of Section 469(i) of the Internal Revenue Code, relating to the twenty-five thousand dollars (\$25,000) offset for rental real estate activities, the dollar limitation for the credit allowed under Section 23610.5 (relating to low-income housing) shall be equal to seventy-five thousand dollars (\$75,000) in lieu of the amount specified in Section 469(i)(2) of the Internal Revenue Code.

(d) Section 502 of the Tax Reform Act of 1986 (Public Law 99-514) shall apply.

(e) For income years beginning on or after January 1, 1987, the provisions of Section 10212 of Public Law 100-203, relating to treatment of publicly traded partnerships under Section 469 of the Internal Revenue Code, shall be applicable.

(f) The amendments to Section 469(k) of the Internal Revenue Code made by Section 2004 of Public Law 100-647, relating to separate application of section in case of publicly traded partnerships, shall apply to income years beginning on or after January 1, 1991.

SECTION 64. Section 24990.5 of the Revenue and Taxation Code is amended to read:

24990.5. (a) Section 1201 of the Internal Revenue Code, relating to alternative tax for corporations, shall not be applicable.

(b) The provisions of Section 1212 of the Internal Revenue Code, relating to capital loss carrybacks and carryovers, shall be modified as follows:

(1) Section 1212(a)(1)(A) of the Internal Revenue Code, relating to capital loss carrybacks, shall not apply.

(2) Section 1212(a)(3) of the Internal Revenue Code, relating to special rules on carrybacks, shall not apply.

(3) Sections 1212(b) and 1212(c) of the Internal Revenue Code, relating to taxpayers other than a corporation, shall not apply.

SECTION 65. Unless otherwise specifically provided, this act shall be applied in the computation of taxes for taxable or income years beginning on or after January 1, 1991.

TITLE VI.  
GENERAL PROVISIONS

SECTION 66. If any provision of this measure or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the measure which can be given effect without the invalid provision or application, and to this end the provisions of this measure are severable.

SECTION 67. The statutory provisions contained in this measure may not be amended by the Legislature except as follows:

(a) Sections 4 and 38 through 65 may be amended by statute passed in each house, a majority of the membership concurring, or by a statute that becomes effective only when approved by the electors.

(b) All other statutory provisions contained in this measure may be amended by statute passed in each house by rollcall vote entered in the journal, two-thirds of the membership concurring, or by a statute that becomes effective only when approved by the electors.

SA89RF0038

State Attorney Generals Office  
1515 'K" Street  
P O Box 944255  
Sacramento, Ca 94244-2550

3 October 1989

To Whom it Concerns:

This is a request for the Attorney General to prepare Title & Summary for a substantive initiative statute on the November 1990 Ballot.

INITIATIVE TO REPEAL THE PROHIBITION OF MARIH(J)UANA(S)  
(CANNABIS) IN THE STATE OF CALIFORNIA

THIS INITIATIVE WILL MAKE NULL AND VOID  
ALL AND EACH EXISTING LAW PROHIBITING THE USE,  
CULTIVATION, TRANSPORTATION, OR POSSESSION OF MARIH(J)UANA(S) (CANNABIS),  
IN ANY FORM, IN THE STATE OF CALIFORNIA.

THIS INITIATIVE WILL MAKE NULL AND VOID  
ENTIRELY AND COMPLETELY ALL AND EACH EXISTING LAW  
PROHIBITING THE USE, CULTIVATION, TRANSPORTATION OR POSSESSION OF  
MARIH(J)UANA(S) (CANNABIS), IN ANY FORM, IN THE STATE OF CALIFORNIA.

Signature

Thomas B. Neece

9475 Laughlin Way

Redwood Valley, California 95470

RECEIVED

NOV 17 1989

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

SA89RF0039

State Attorney Generals Office  
1515 'K" Street  
P O Box 944255  
Sacramento, Ca 94244-2550

3 October 1989

To Whom it Concerns:

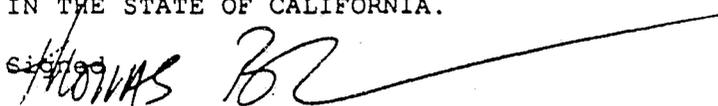
This is a request for the Attorney Generals Office to prepare Title & Summary for a substantive initiative Statute on the November 1990 Ballot;

THIS INITIATIVE WILL PROVIDE FOR THE DECRIMINALIZATION OF  
ALL DRUGS IN THE STATE OF CALIFORNIA

INITIATIVE TO REPEAL THE PROHIBITION OF CRIMINALIZED DRUGS  
IN THE STATE OF CALIFORNIA

THIS INITIATIVE MAKES NULL AND VOID  
ALL AND EACH EXISTING LAW PROHIBITING THE USE,  
CULTIVATION, TRANSPORTATION, OR POSSESSION OF  
CRIMINALIZED DRUGS, IN ANY FORM, IN THE STATE OF  
CALIFORNIA.

THIS INITIATIVE MAKES NULL AND VOID  
ENTIRELY AND COMPLETELY ALL AND EACH EXISTING  
LAW PROHIBITING THE USE, CULTIVATION, TRANSPORTATION  
OR POSSESSION OF CRIMINALIZED DRUGS, IN ANY FORM,  
IN THE STATE OF CALIFORNIA.

Signed   
Thomas B. Neece  
9475 Laughlin Way  
Redwood Valley, California 905470

RECEIVED  
NOV 17 1989

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE