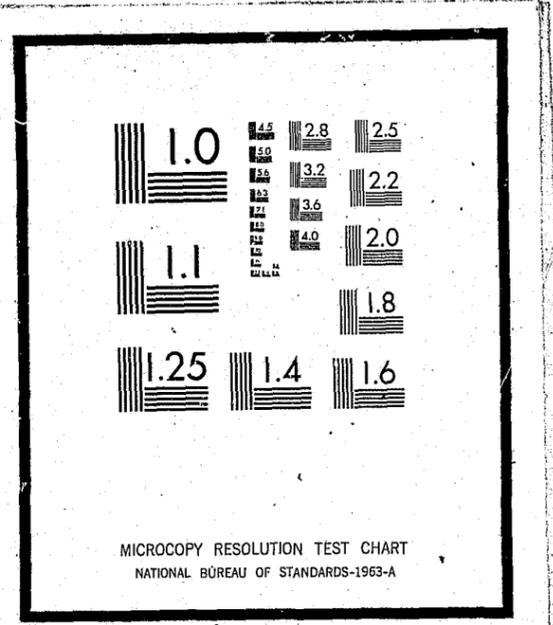


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DRUG ABUSE AND THE CRIMINAL JUSTICE SYSTEM

A Survey of New Approaches in Treatment and Rehabilitation

January, 1974

Prepared for
Preventive Programs Section
Drug Enforcement Administration

by
The ALFY (A New Life For You) Staff
Research Center
National Council on Crime and Delinquency
Davis, California 95616

PREFACE

This survey was undertaken for the Drug Enforcement Administration (DEA) by the staff of the ALFY (A New Life For You) section of the National Council on Crime and Delinquency Research Center in Davis, California between July 1, 1973 and December 31, 1973.

This inaugurated the first of a series of tasks designed to make available to all communities in the United States on a continuing basis both information on, and technical assistance in implementing, a full spectrum of alternatives to drug abuse.

This volume was the result of collaborative team effort in research, writing and editing. The purpose of this survey was to identify and evaluate some effective community-based programs, dealing with treatment and rehabilitation of drug users who have become involved with the criminal justice system. Additionally, the project was designed to develop and test a low-cost, comprehensive evaluation strategy through which to study these programs.

During the course of two conferences on alternatives to drug abuse (Alternatives to Drug Abuse Conference I, Santa Barbara, California, May 16-18, 1972 and Alternatives to Drug Abuse Conference II, Airlie, Virginia, January 9-12, 1973), the ALFY strategy for the dissemination of effective programs for the prevention of drug abuse and the rescue of drug users was formulated. This strategy, outlined in the proceedings of ADAC II which are available from the Preventive Programs Section of DEA, is essentially a dissemination strategy designed to encourage communities to adopt a wide range of effective prevention and rescue programs.

The necessary first step in the implementation of this strategy is the carrying out of surveys to determine which existing programs provide models of outstanding practices worthy of widespread dissemination. The survey reported herein represents the first such evaluation, and thereby constitutes the first step in the implementation of the ALFY program. Further surveys of this nature are about to get under way or are in the planning process, and we hope that we will be able to publish similar reports of our search for models from time to time.

The present document is divided into two main sections, which correspond to two phases of the survey project. Part One describes the survey of community-based corrections and its methodology; it also describes nine successful programs that were observed and are currently in operation. Information is also given on whom to contact in order to find out more about a particular program. Part Two discusses strategies that were observed to be effective, and characteristics of successful programs in generalized terms; it presents model approaches for diversion, treatment and rehabilitation. It is hoped that criminal justice leaders, public administrators, educators, and concerned citizens who read this book will find themselves encouraged to explore new alternative programs for their own communities.

ACKNOWLEDGEMENTS

"Tolerance does not come by learning, but by insight; by understanding that each one should be allowed to travel along the path which is suited to his temperament." For the opportunity to explore some of the paths, some of the viable alternatives to drug abuse in diversion, specialized probation, youth service bureaus, drug schools, employment programs, and residential treatment, and for the chance to share our findings with you who are kind enough and interested enough to review this document, our sincere thanks are given to Dr. John Langer and the Drug Enforcement Administration. We owe a real debt of gratitude for their help in enabling us to start carrying out the mandate which the Second Alternatives to Drug Abuse Conference gave to the staff of ALFY.¹ To disseminate drug alternatives programs, one must first know that they are good substantial programs with impact upon the problem, and Dr. Langer and the Drug Enforcement Administration have given us the opportunity to begin this assessment for which we owe them our thanks.

Our unending thanks also go to the four panel members who oversaw the field visits, and made the final deliberations and decisions regarding the programs. These panel members were drawn from the Board of ALFY, Inc. and were also among the conferees at ADAC I and/or ADAC II. They were Mr. Roy Evans, founder of Bridge Back, Los Angeles, California; Judge Kenneth H. Hempstead of the 51st District Court, Township of Waterford, Oakland County, Michigan; Mr. Charles Range, Director, Watoto Specialized Juvenile Probation Project, East Palo Alto, California; and Detective Supervisor Roth Watson of the

¹For further explanation of ALFY and ADAC II see the Preface, p. *ii*

Madison Police Department, Madison, Wisconsin. All four men saw the field staff through varieties of crises on data collection, and added immeasurably to the sum of information procured, in their one day at the field site.

To try to tell about the kindness and cooperation and openness of the programs we visited would take a book. Come to think of it, that is just what the rest of this document is about. This survey would simply not exist had it not been for the patience and, as we said, "openness" of the directors of programs, staff of programs, clients, police, probation officers, other program staffs which were related to ones under study, court officials and judges, welfare workers, and members of various communities who liberally gave their time and interest to tell us what they were doing, what others were doing, and how it was working. To all of the many who helped us in such a multitude of ways, this book is really dedicated, and done so with heartfelt thanks from all of us.

As for the staff, Robert L. Emrich, Ph.D., Director, and President of ALFY, Inc.; Charmian Knowles, Assistant Director, and Vice President of ALFY, Inc.; Aneece Hassen, Business Consultant and Treasurer of ALFY, Inc.; Allan Y. Cohen, Ph.D., Consultant; Peter C. Brooks, Field Researcher and Secretary of ALFY, Inc.; Karin L. Thure, Field Researcher; and our secretarial support team headed by Ms. Beverly Takata, assisted by Gwen Dodsley and Renay Crews, their feelings are somewhat covered in a quote from *Far Away and Long Ago*, by William Henry Hudson:

When I hear people say they have not found the world and life so agreeable or interesting as to be in love with it, or that they look with equanimity to its end, I am apt to think they have never been properly alive nor seen with clear vision the world they think so meanly of, or anything in it --not a blade of grass.

So the staff feels, as Shakespeare said, that you should "thank me no thankings, nor proud me no prouds." Instead, it is we who should thank the DEA and the programs for allowing us to gain so much vision and aliveness through seeing and sharing their "blades of grass."

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PART ONE
DIVERSION BY CRIMINAL JUSTICE SYSTEMS
TO
TREATMENT AND REHABILITATION

CHAPTER I

SUMMARY

During the Alternatives to Drug Abuse Conference I (ADAC I)¹ in 1972, and Alternatives to Drug Abuse Conference II (ADAC II)² in 1973, a strategy for the dissemination of viable alternatives to drug abuse was formulated. ADAC II created ALFY to carry out this responsibility, including site visits to each program considered for recommendation by ALFY, and evaluation by a panel of experts to be certain that the concepts of that program were carried out in practice, and were worthy of replication. The objective of the Survey of Community-Based Corrections was to identify and evaluate some successful alternatives to drug abuse programs.

Part One of this volume is about nine successful alternatives programs dealing with drug abusers who come in contact with the criminal justice system. It is written to tell you about what makes these programs successful and with whom they are successful.

If you are concerned about reducing the quantity of drug abuse and improving the quality of life in your community, this book can give you some ideas how other communities have done it. It has been written with the hope that within the diverse programs herein reported

¹*Proceedings of the Alternatives to Drug Abuse Conference*, May 1972, Santa Barbara, California; available through the Preventive Programs Section, Drug Enforcement Administration, U.S. Department of Justice.

²*Proceedings of the Alternatives to Drug Abuse Conference II*, January 1973, Airlie, Virginia; available through the Preventive Programs Section, Drug Enforcement Administration, U.S. Department of Justice.

you will find something specifically relevant to your problems.

A. How We Identified Programs

The project began with the attempt to identify some programs dealing with drug users that seemed particularly successful or promising. The project staff asked for suggestions of possible programs from a wide variety of sources--State Drug Abuse Coordinators, directors of drug programs, local drug abuse planning agencies, to name a few.

From a list of about 100 programs, the staff called and talked to about 50 which fit the requirements of the project:

(1) The program had some direct connections with the criminal justice system, received referrals from the criminal justice system, was administered by the criminal justice system, or was directly involved in diverting clients from the criminal justice system.

(2) It had persons among its clientele that were identified as drug abusers: by urine tests, by self-admission, by criminal convictions, or by juvenile adjudications. The program need not work only with drug users.

(3) The services provided by the program were appropriate to the needs of drug abusers even though the services might be those used for non-abusers as well.

(4) Lastly, the program had been in existence for at least six months.

B. Selecting Programs for Intensive Study

The 50 programs which were found to fit the requirements of the project were further reduced to a list of 25 programs which seemed to be the best and most promising programs for intensive study. This list and the information about each program were sent to the DEA for review and the final decision concerning which programs should be visited by the field research teams. Altogether twelve programs were selected and surveyed on-site. Of these, the nine programs summarized herein were

found to be the most significant and useful as models.

It should be noted that the Research Center staff made a special effort to find a wide variety of programs from throughout the United States.

C. The Field Research Team

The field research team sent to study each program on-site was composed of two persons assigned to study the general functioning of the program, its impact and clientele; and one person to study the administrative and financial structure and functioning. The general study team spent five days at each program, and the business analyst spent two days on-site. In addition to the three team members, a panel member, expert in the field of drug abuse programs, joined the evaluation team at each program for one day to give additional perspective to their work.

D. Five Basic Areas of Study

The general study team collected information in five basic areas:

- (1) The flow of the program process from entry to exit, including observation of the critical steps of this flow when possible;
- (2) Client program records describing the general characteristics of clients served by the program, including past criminal history, duration and severity of drug use;
- (3) The criminal justice records of clients to determine their rate of recidivism since entry into the program;
- (4) Client opinions of their experience in the program and the benefits or inadequacies thereof; and
- (5) The criminal justice and community opinion of the program's effectiveness.

The work was divided between the two members of the general study team in such a way that one member worked gathering information primarily within the program (flow, client records, client interviews), and one member worked primarily outside the program (criminal justice records and community and criminal justice opinion).

E. Problems in Data Collection

The principal problems encountered in data collection resulted from the limited time and resources of the project. At times the decision had to be made, according to the on-site circumstances, to collect some data and not others, or to seek the desired data indirectly rather than directly. But on the whole, there were very few problems which arose in the data collection procedure, and the degree of cooperation and helpfulness encountered in the program staffs and surrounding agencies was very gratifying.

F. What Is a Successful Program?

Since the objective of the Survey of Community-Based Corrections was to identify and evaluate drug abuse programs that are successful, it is important for the reader to know what we considered success to mean.

First, the evaluation staff regarded the program's motivation and philosophy as important factors. We felt that programs should genuinely want to help their clients to live happy, constructive, and drug-free lives. Freedom from drugs means freedom from any form of chemical intoxication, including marijuana and alcohol.

Second, the evaluation staff also considered the objectives of a program. Were they clearly defined? Were those objectives being met? If not, what kind of self-evaluation did the program have to provide for improvement? How flexible was the program? Also, with whom was the program trying to work? How severe were their drug problems?

Third, the evaluation staff assessed the quality of the program, the quality of the fiscal and administrative management, the calibre of the staff, and the quality of the relationship between the program and the criminal justice system and with other agencies involved with the program.

While statistical measurement of post-program recidivism rates is some measure of a program's impact on the client's behavior, it says nothing about his use of drugs, as has been shown by research and the evaluation staff's own experience. Moreover, the measurement tool used in this project was so crude that only if a program actively contributed to criminality (which was not the case with any of those we recommended) could its recidivism figures be taken as significant. Therefore, interviews with staff, clients, members of the local criminal justice system and the community were given greater weight in assessing the quality of the program's impact.

G. Perspectives on Evaluating Success

The overall evaluation of program success was seen from the perspective both of the stage of program growth and the socio-political context within which it operated. Was the program still in its formative stages or had it reached a stage of leveling off with little change in its services and character? Did the program structure and functioning fit comfortably into the socio-political context within which it must operate? Had it precipitated change in the socio-political structure around it? The methodology of the evaluation was thus an attempt to blend the objective measures of the program's success with a qualitative assessment of the program's functioning within the context of its environment.

H. The Programs

The result of the evaluations of the nine selected programs are summed up in the following few pages. The first five programs discussed are aimed at juveniles, the next two are specific to adults, and the last two have broad application for both juveniles and adults. The programs include diversion and special probation programs, youth service bureaus, residential treatment programs, drug schools and employment programs. Such categorizations were not found to be mutually exclusive, however, and the reader will find many programs which could fit in more than one of these categories.

1. The Juvenile First Offenders Drug Abuse Program Albuquerque, New Mexico

The First Offenders Program is a diversion program

for first time juvenile drug offenders administered by the Probation Department, with treatment of offenders contracted out to the University of New Mexico School of Medicine, Department of Psychiatry. Juveniles 14 to 17 years of age, referred to the Probation Department for a drug offense for the first time (but not the sale of drugs or possession or use of opiates) are eligible for the program. A juvenile who is eligible and volunteers for the program is placed on informal probation for one year. During that time he is required to attend one seven-week session of the program with his parent(s) or person acting *in loco parentis*.

The program format consists of 7 two-and-one-half hour meetings held weekly. These evening classes are divided into educational presentations to the group at large and small group sessions directed toward helping families develop better communication skills.

The program is committed to self-evaluation and continuing improvement of the effectiveness of the various program components. It monitors its success by follow-up interviews with the offender and his family six months after completing the program and by tracking the post-program arrests of graduates until they reach 18 years of age. All available evidence indicates that the program has been exceptionally successful in reducing recidivism and further drug use of its clientele.

2. The Watoto Project East Palo Alto, California

The Watoto Project is a branch of the San Mateo County Probation Office which deals with juveniles in East Palo Alto, California. San Mateo is a very wealthy county and East Palo Alto is a poor black ghetto with a high incidence of crime and drug dealing.

Besides its function as part of juvenile probation, Watoto has a number of unique features. It functions autonomously in many ways, making its own decisions, setting its own hours, and reporting to the community's spokesmen on the East Palo Alto Municipal Council as well as to the Chief Probation Officer. Watoto has its own program for providing minority children with foster homes or group homes. The staff at Watoto has been selected for their ability to relate to the community and its young citizens, although several new civil service classifications had to be created to accomplish this.

The staff also includes high school students who counsel their peers and are treated exactly the same as their fellow staff members who are probation officers.

Watoto is dedicated to assuring that what "the system" does is relevant and fair to the community and its youth. It plays a role of community advocate in addition to helping individuals by building a bridge between the Probation Department and the community as well as integrating services with other agencies, such as Welfare, the Sheriff's Department, the schools, and the Community Youth Responsibility Program.

3. San Diego Youth Service Bureaus San Diego, California

The six San Diego Youth Service Bureaus are notable because they are within the criminal justice system and yet they do their work outside of it. Administratively, they are run by the Probation Department, but other agencies contribute as well. The YSB's are staffed by counselors who are members of the Probation Department, the Police Department (Juvenile Division), the Sheriff's Department, and Welfare, as well as MSW social workers and university students. The cooperation among agencies in running the YSB's is remarkable.

Also remarkable is the warm, friendly, informal atmosphere of the San Diego YSB's, as typified by the original bureau at Clairemont. It is a welcoming place for both young people (juveniles under 18) and their parents. The counselors are "straight" enough to relate to parents, but do not side with them against their children. Young people trust the YSB's because of the credibility they have built up with their policy of non-informing.

The main services provided are individual, group and family counseling as well as help with employment. A youth may come into the YSB on his own or be referred by the police, the schools or other sources (including his parents). It is the bureaus' policy that the parents become involved in the case, although the young person knows that what he says will not be repeated to his parents against his wish.

4. Tucson Youth Service Bureau Tucson, Arizona

The Tucson Youth Service Bureau was established as

an alternative agency for school counselors, court officials and others who are faced with the decision of what can be done, outside the criminal justice system, with the youth who is delinquent. The program serves the Model Cities areas of Tucson and by far the greatest percentage of their clientele are Mexican-American. It has demonstrated successfully in its two years of existence that it reduces recidivism and adjudications among Model Cities youth. Recently, the Tucson YSB has become somewhat oriented to playing an advocate role in the community as well as providing counseling services.

The core component of the program lies in the use of young, dedicated youth workers indigenous to the Model Cities neighborhoods in which they work. These paraprofessional workers are available to their clientele in the streets of the neighborhoods and in their homes on an informal basis as well as in more formalized contacts. The use of these indigenous workers seems especially relevant to establishing credibility with a target population composed of a minority group with a strong interdependent social component among the community families.

While the Tucson YSB is not concerned only with youthful drug users, a substantial percentage of its clientele are involved in marijuana, alcohol or solvent use, and its therapeutic dynamics seem directly relevant to the problems of young drug users in a family-oriented community.

5. Montgomery County Police--Juvenile Division Montgomery County, Maryland

The Montgomery County Police Department in Maryland has taken the initiative over the last ten years in trying to help juveniles in trouble without forcing them to go through the criminal justice system. For example, about 60 percent of their juvenile drug offense cases are retained and handled informally by the Department. (Of the remaining 40 percent, only half go to court.) In screening the juvenile to see what action should be taken, the officer in charge of the case, having released the youth to the parents, has a conference with the family several days later to discuss alternative actions that would be most meaningful. How the case is handled is decided after this discussion.

The cooperative attitude of the Montgomery County Police Department can be seen in the fact that they

invite staff counselors of the Montgomery County Drug Education School, to which they divert some of their members, to give training to new police recruits at the Police Academy on how to handle young drug users.

Recidivism has been shown to be quite low among the juveniles who have been screened out of the system and dealt with informally by the Montgomery County Police Department officers.

6. Indianapolis Treatment Alternatives to Street Crime (TASC) Indianapolis, Indiana

The Indianapolis Treatment Alternatives to Street Crime (TASC) is one of several similar diversion programs across the country inspired and funded by the Special Action Office on Drug Abuse Prevention (SAODAP). These programs were designed in recognition that sending drug addicts to jail at most only temporarily interrupts their cycle of street crime to jail to street crime. Indianapolis TASC diverts adult drug addicts out of the criminal justice system to treatment either as a condition of probation or in lieu of prosecution. It also runs its own treatment clinic to which it diverts most of its clients. Potential clients are mostly identified while in detention awaiting arraignment or trial. Especially interesting about the Indianapolis TASC program is the manner in which the staff is interlaced with criminal justice employees working for the program, within the criminal justice system, i.e., probation officers, deputy prosecutor, etc.

While the program is very young, just six months old, it has an extremely good relationship with the local criminal justice system and has been able to divert about 45 percent of its potential clientele to treatment. Its extremely successful liaison with the criminal justice system seems largely the result of hiring a staff already familiar with and familiar to the local criminal justice personnel. While it is too early to judge the impact of the TASC Clinic on its clientele, thus far its retention rates compare very favorably with other local clinics.

7. Court Referral Project New York, New York

The Court Referral Project is administered by the

Addiction Services Agency, a New York City agency. It is a central intake and referral program for diverting addicts out of the criminal justice system. Addicts are interviewed by CRP staff members, usually on the detoxification floors of detention facilities, prior to arraignment. They are screened as to whether they are genuinely motivated for treatment, and a decision is made on the basis of the interview, as to which individual program they will be referred. The project's recommendation is presented to the District Attorney. If he approves it, the judge generally agrees also and the defendant is escorted from the court to the treatment program. Follow-up is done at regular intervals with the treatment program to make sure that the client is still there. If he leaves against program advice, CRP tries to contact him first, and if he cannot be located, the District Attorney and the Court are notified.

Recidivism records were unavailable as a means of assessing the impact of this program, but members of the criminal justice and corrections systems who had contact with the project were unanimous in their praise of it. They felt it lightened the burden of correctional facilities and courts, avoided the situation of judges having to diagnose a drug offender regarding treatment, and alleviated the problem of having competing programs sending representatives to court to obtain clients.

8. Addicts Rehabilitation Center New York, New York

Addicts Rehabilitation Center (ARC) is primarily a residential treatment center for heroin addicts. It also includes a crisis intervention center and a "war wagon" which serves as a mobile information center on how to get help for addiction. ARC is located in central Harlem in New York City.

The philosophy of ARC is that an addict is not really cured until he can survive in his own drug-ridden neighborhood without falling prey to the environment, and that his rehabilitation should be accomplished in the same kind of environment that he will have to face when he goes back into the world.

Love and discipline are the chief ingredients in ARC therapy. The participant in the program moves

through several status levels while in residence: Probation, Pre-employment, Employed (or School), and Re-entry. Strict regulations go along with each level, although progressively greater freedom and responsibility are given to the participant as he moves through the program. Unlike some other therapeutic communities, there is little emphasis on confrontation, and while strict discipline is enforced, there is no verbal "hazing," and importance is attached to behaving respectfully towards others. Most clients are self-referrals, but some come from police and other agencies.

It was not possible to obtain recidivism rates in the assessment of program impact, but staff and clients, both current and graduates, were emphatic in their praise of the program.

9. Delancey Street Foundation San Francisco, California

Organized under a nonprofit corporate status, Delancey Street refers to itself as the Delancey Street "Family." The "Family" consists primarily of former hardcore opiate addicts and ex-convicts living and working together for the common good. Residents are trained and employed in businesses owned and operated by the Foundation and live together in three large mansions in a wealthy section of San Francisco.

The primary therapeutic technique of the program is the "game," adapted from the Synanon game, featuring confrontation and honest disclosure among the residents. The program stresses the development of self-reliance, self-discipline, and moral behavior. Treatment staff are former addicts who have come through the ranks, are expert at the therapeutic game and have shown advanced maturity which allows greater responsibility. Clients come into the program primarily as voluntary referrals from the criminal justice system, but some are also self-referrals.

Clients are expected to spend about two years in the program. A "graduate" is expected to be completely drug-free, pursuing a socially constructive role, and solidifying a family life. Since the program has only been in existence about two years, it is too soon to measure its long range impact on its residents. However, the program seems to have a fairly high client

retention rate, and the overall criminal justice opinion of the program is very positive.

I. For More Information

The following documents will be available beginning in the Spring, 1974:

Drug Abuse and the Criminal Justice System: A Survey of New Approaches to Treatment and Rehabilitation, January, 1974.

Drug Abuse and the Criminal Justice System: A Summary Report, January, 1974.

Emrich, R. L., and Thure, K. L., Field Data Collection Manual for Phase II of the Survey Of Community-Based Corrections, October 25, 1973.

Individuals and organizations wishing to obtain copies may do so by writing on organizational letterhead to:

Dr. J. H. Langer
Chief
Preventive Programs Section
Drug Enforcement Administration
U.S. Department of Justice
Washington, D. C. 20537

For further information contact:

ALFY
c/o NCCD Research Center
609 Second Street, Suite D
Davis, California 95616

Individual programs can also be contacted directly:

(1) Addicts Rehabilitation Center (ARC)
253 West 123rd Street
New York, New York 10027

James Allen, Director

(2) Albuquerque First Offender Program
Juvenile Probation Department
230 Bernalillo County Courthouse

Albuquerque, New Mexico 87101

Daniel Perez, Director

(3) Court Referral Project
325 Broadway
New York, New York 10013

Martin J. Mayer, Director

(4) Delancey Street Foundation
3001 Pacific Avenue
San Francisco, California

John Maher, President

(5) Major J. Bechtel, Chief
Division of Inspectional Services
Police Headquarters
Montgomery County Office Building
Rockville, Maryland

(6) San Diego Youth Services Bureau
3650 Claremont Drive, Suite 11
San Diego, California 92105

Phil Tippett, Director

(7) Treatment Alternatives to Street Crime (TASC)
155 East Market Street, Suite 808
Indianapolis, Indiana 46204

Dan Evans, Director

(8) Tucson Youth Service Bureau
646 South Sixth Avenue
Tucson, Arizona 85716

Sal Baldenegro, Director

(9) Watoto Project
2516 University Avenue
East Palo Alto, California 94303

Charles Range, Director

CHAPTER II
INTRODUCTION

A. Project Description

The identification of the nine programs described in this booklet actually began prior to the beginning of the Survey of Community-Based Corrections. During the course of 1972 and 1973 in the process of developing the Alternatives to Drug Abuse Conference I (ADAC I)³ and Alternatives to Drug Abuse Conference II (ADAC II)⁴ the concept of creating an instrument for the dissemination of viable alternatives to drug abuse arose. ADAC II created "ALFY, Inc." which was charged with this responsibility. One of the concerns of ADAC II was that "it would be necessary to site visit each program recommended by ALFY and evaluate it by a panel of experts to be certain that the concepts of that program were carried out in practice, and were worthy of replication."⁵ This then was the instigation for the Survey of Community-Based Corrections.

The objective of the Survey of Community-Based Corrections was to identify and evaluate some successful alternatives to drug abuse programs. The purpose of this booklet is to describe those programs and identify what is successful about them.

It is our belief that one can have no true demo-

³ *Proceedings of the Alternatives to Drug Abuse Conference*, May 1972, Santa Barbara, California; sponsored by the former Bureau of Narcotics and Dangerous Drugs.

⁴ *Proceedings of the Alternatives to Drug Abuse Conference II*, January 1973, Airlie, Virginia; sponsored by the former Bureau of Narcotics and Dangerous Drugs.

⁵ *Ibid.*, Part II, page 123.

cracy without freedom of choice. To have freedom of choice one must have different things to choose among. For this, among other reasons, varied alternatives to drug abuse are necessary to every community that is earnestly seeking to solve the problems of which intoxication by means of chemical substances is a symptom.

Implicit in the objectives of both the survey and this report is the belief that a sound idea which works well in one place can be applied where circumstances are appropriate elsewhere. It is therefore hoped that the information provided here can be used by communities seeking to develop programs appropriate to their needs. It is important when looking at these programs to keep in mind that although a total program may not be appropriate to your community, some component part of that program may be useful.

1. Identification and Selection of Programs

In conducting a Grapevine Survey of Alternatives,⁶ the Research Center staff located a number of viable drug abuse programs. At the beginning of the Survey of Community-Based Corrections in July 1973, further recommendations of programs felt to be outstanding in the field of drug abuse were solicited from a number of different sources: state planning agencies affiliated with the Law Enforcement Assistance Administration, state drug coordinators, and the directors of some drug abuse programs themselves, to name a few.

Programs were sought in the following six categories:

- (a) Comprehensive Diversion Programs
- (b) Specialized Probation Programs
(specifically focused on drug users)
- (c) Youth Service Bureau Programs
- (d) Residential Treatment Programs

⁶ Knowles, Charmian, *A Grapevine Survey of Alternatives*, Washington, D.C.: U.S. Department of Justice, Law Enforcement Assistance Administration, March 1973 (available through the National Criminal Justice Reference Service).

(e) Specialized Employment Programs

(f) Drug School Programs

In the course of the investigation it was discovered that there was a seventh type of program, which was a combination of the first and second categories--a diversion and specialized probation program.

Only programs which seemed to have some direct connection with the criminal justice system were considered. While it was preferred that the program had been in existence for at least two years, this was not a hard and fast rule. Where programs seemed particularly promising and unique they were included even if they had not been in existence more than six months. While the programs need not have only drug users among their clientele, each program had to be aware that it was taking in drug users, and doing so intentionally. Further, the user had to be treated by the program in a manner appropriate to his drug problem.

From among approximately one hundred possibilities, the Research Center staff conducted phone interviews with nearly 50 programs which fit the inclusion criteria. In these interviews the staff tried to get an overview of the program and its functioning: What were the entrance requirements to the program and how was drug abuse identified by the program? What was the relationship between the program and the appropriate criminal justice agencies? What was the nature of the program services rendered? What were the standards for the success or failure of clients? What was the legal justification and status of the program? What was the amount and source of funding? These are a few of the types of questions that were asked.

Of the programs on which hard data was gathered, 25 were selected by the Research Center staff as being most promising for indepth study on-site. The data on these programs was then forwarded to the Drug Enforcement Administration for selection for inclusion in the field evaluation. Altogether twelve programs were selected and surveyed on-site. Of these, the nine programs described in this document were found to be the most significant and useful as models.

2. The On-Site Survey

The field research team sent to study each program on-site was composed of two persons assigned to study the general functioning of the program, its impact and clientele; and one person to study the administrative and financial structure and functioning. (See the Appendix for a more detailed summary of the field study methodology.) The general study team spent five days at each program, and the business analyst spent two days on-site. In addition to the three team members, a panel member, expert in the field of drug abuse programs, joined the evaluation team at each program for one day to give additional perspective to their work.

The general study team collected information in five basic areas:

- (1) The flow of the program process from entry to exit, including observation of the critical steps of this flow when possible;
- (2) Client program records describing the general characteristics of clients served by the program, including past criminal history, duration and severity of drug use;
- (3) The criminal justice records of clients to determine their rate of recidivism since entry into the program;
- (4) Client opinions of their experience in the program and the benefits or inadequacies thereof; and
- (5) The criminal justice and community opinion of the program's effectiveness.

The work was divided between the two members of the general study team in such a way that one member worked gathering information primarily within the program (flow, client records, client interviews), and one member worked primarily outside the program (criminal justice records and community and criminal justice opinion).

3. Problems in Data Collection

The principal problems encountered in data collection resulted from the limited time and resources of the project. At times the decision had to be made, according to the on-site circumstances, to collect some data and not others, or to seek the desired data indirectly rather than directly.

For example, access to criminal justice records in New York City proved very difficult to obtain and individual fingerprint records were needed to identify the sample. To obtain an estimate of the rate of recidivism on the sample would have been extremely difficult, if not impossible. Consequently, in the two programs surveyed in New York City, the rate of retention in treatment, a more available statistic, was substituted as the statistical estimate of program impact.

Occasionally another kind of problem would arise, i.e., the evaluation staff would find it particularly difficult to establish rapport with the program target population. In such instances the evaluation staff would focus on obtaining reports of client opinion of the program from individuals outside the program who had received client feedback on the program, e.g., probation officers, welfare workers, etc.

But on the whole, there were very few problems which arose in the data collection procedure, and the degree of cooperation and helpfulness encountered in the program staffs and surrounding agencies was very gratifying.

4. Considerations in Evaluating the Programs

The focus of this project is to help communities whose program needs have not yet been met to profit by the experience of already existing drug programs in other communities. If something is working well in one part of the country, we want communities elsewhere to know about it, so that they can have hope for their own situation. We also want to inform them regarding the circumstances which engendered the success of a given program, and why it continues to work well. It is a struggle and a gamble to get a program going which will show genuine effectiveness in helping people not to use drugs. A prime motivation for the writing of this report has been to maximize the chances that that

struggle will prove worthwhile for those readers who are engaged in it.

What is a successful program? In general, we feel that to be successful, a program should make a discernible improvement in the quality of life for its clients who may include non-drug users as well as users (an improvement which sometimes extends into the life of the community); further, that this improvement should have an impact on the individual's use of drugs. In judging a program's success in these two areas, the researchers set high standards. To them the ultimate wish for the clients of all the programs seen is that they should be happy and that they should be completely drug-free. In each case evaluated, the program's motivation was carefully scrutinized: Did the program feel it was important to work towards happiness and freedom from drugs on the part of its clients? A program which did not have this motivation would not meet the criteria for success.

It should be pointed out, however, that in some cases the program's interest in drug abuse was not explicit, and yet an important impact was made indirectly. For example, by working to better the relations between the community of East Palo Alto and the criminal justice system, the Watoto Project has helped to create an atmosphere where drug abuse can be dealt with more effectively. Formerly, police who came into that community to arrest pushers were treated with hostility, and the pushers were protected by their neighbors because they were "brothers." Recently, when police made a large scale heroin bust in East Palo Alto, residents of the neighborhood where the arrest was made turned out *en masse* to cheer and applaud as the dealers were conducted to the paddy wagon.

The issue of marijuana was of particular interest to the research team as they evaluated programs. We believe that the goal of becoming drug-free means to be able to face life successfully and derive satisfaction from it and one's relationship with one's fellow man without the need for intoxication by chemical substances. This would by definition include marijuana. The programs included in this report also share this belief, although in realistic terms, a program does not necessarily consider itself to have failed if it has not reached the ultimate goal with every client. But at least the program's motivation is toward abstinence

rather than merely towards a state of "responsible drug use."

In determining whether or not a program could be called successful, the research staff considered, in addition to philosophical orientation, some specific areas. An important consideration was the quality of the leadership and staff of a program. Was the administrative structure sound? Was the fiscal management responsible and workable? Did the director of the program provide capable leadership? Did the staff have confidence in him? Did he know what was going on in the program? Could he make decisions? Could he or other key staff members be replaced successfully if the need arose? What was the relationship between the staff and the clients? Could the clients trust, and have rapport with, the staff? Were the staff "together" enough themselves so that they did not fall prey to the same problems as the clients? From what sources did the staff gain feelings of success? The clients, the community, an advocacy role, etc.?

The socio-political context of a program had to be considered also. In the evaluation of the Tucson Youth Service Bureau, for example, such consideration was essential. Generally valid criteria often have to be modified in the light of an individual community's special condition.

The quality of a program's relationship with the criminal justice system was observed. The criteria for success in this area were variable. In the San Diego Youth Service Bureaus, police officers from the Juvenile Division are used as counselors along with social workers and probation officers in a program that works outside the system. In the case of Addicts Rehabilitation Center, however, located in central Harlem, simply coexisting peacefully with the police precinct on the same block constitutes as much of a successful interface with the criminal justice system as need be expected, given the context of the program.

The quality of cooperation or coordination was thought to be important not only in a program's relationship with the criminal justice system, but also in the relationship of various agencies which would have contact with each other in making a program work. The high degree of cooperation between police, probation,

and welfare departments was noted in several programs, or between probation, a county mental health center and a university, in the case of the Albuquerque program, and in relationships with City Managers and Boards of Supervisors and other governmental agencies. This issue is important because many communities face the problem of rivalry and mutual distrust among agencies, public as well as private. Trust and cooperation are necessary as ingredients to all programs for their successful operation.

The research staff thought it essential to examine the objectives of a program. How clearly defined were they? Were those objectives met? What kind of self-evaluation did the program conduct in order to see if the goals were being achieved, or if they were not, what improvements could be made? How flexible could the program be?

A program's success was also considered in terms of impact. One way of assessing impact is recidivism figures, and they were observed where possible. However, the definition of "recidivism" under which the survey operated was restrictive in that recidivism is purely connected with crime. The project's measure of recidivism was re-arrest with a petition filed for a juvenile, or an indictment (as defined by the California Penal Code) for an adult. Thus, if a program were to have a 20 percent recidivism rate, it would simply mean that 20 percent of the clientele were re-arrested within a specified period of time from their leaving of the program. It is obvious that there will still be many clients leaving the program who will violate the law by possessing drugs, but who just will not happen to get arrested, and will therefore not be included in the recidivism figures.

It should be noted that many of the programs in this study had only been in operation two years or less, and hence had no multiple-year follow-up on their clients. Furthermore, most of the programs surveyed, with some notable exceptions, like the Delancey Street Foundation, did not handle clients with serious criminal problems. Also, the statistical sampling of recidivism rates in this study was limited by time and circumstances to a random sampling of some 25 cases drawn from the most recent year's admissions to each program. The most that such a sampling could show would be whether or not the program was so ineffectual that it actually contributed to criminality.

In some of the programs surveyed, but which have not been included in this report, "responsible use" of illegal drugs was condoned, and most of the clients continued to break the law by possessing them for consumption. Yet in those programs the recidivism rates remained low. In another instance numerous clients of a program had been found to have five to seven-year histories of heroin addiction with no prior arrests before entering the program. The research staff's observation of these factors led to the conclusion that since arrest is such an unreliable indication of drug-taking, a true assessment of the program's impact could not be gained through studies of recidivism.

An alternative method for assessing impact consisted of interviews with clients and former clients of the program themselves, who were consulted by the research staff wherever possible. Interviews were also sought with members of the community who were into contact with the program in other ways, in some cases because they functioned as part of the criminal justice system.

The foregoing are some of the concerns upon which the research teams focused in evaluating the various programs during their field visits. We share them with you to give you the perspective in which we deliberated about the functions and value of the various programs and their processes.

B. Guide to the Program Chapters

Chapters III through XI of this volume summarize the findings of the field staff at each of the nine programs visited. The first five programs discussed are aimed at juveniles, the next two are specific to adults and the last two have broad application for both juveniles and adults.

The Albuquerque First Offenders Drug Abuse Program (Chapter III) is a diversion program for first time juvenile drug offenders. Eligible offenders are diverted from the regular juvenile justice process at probation intake to an educational and counseling program.

The Watoto Project (Chapter IV) is a decentralized, community-based juvenile probation program. It serves an area of very high crime rates and heavy incidence of

drug abuse and drug traffic; an area which is a large, low income black ghetto located in one of the wealthiest areas of a notably rich state.

The San Diego Youth Service Bureaus (Chapter V) provide individual, group, and family counseling, as well as employment assistance to juveniles. They are staffed by probation officers, police officers and social workers, as well as university students, who all work together in a relaxed and friendly manner that appeals both to parents and youth.

The Tucson Youth Service Bureau (Chapter VI) is an alternative agency for school counselors, court officials and others who are faced with the decision of what can be done, outside the criminal justice system, with the youth who is delinquent or potentially delinquent. The techniques of the program are especially directed toward working with the youth of Mexican-American families or other minority groups, with a strong interdependent social component among the community families.

The Police Department of Montgomery County, Maryland (Chapter VII), has a policy of retaining more than half of its juvenile drug offense cases. It handles these informally, meeting with parents and child to decide upon voluntary alternatives of constructive action.

The Indianapolis Treatment Alternatives to Street Crime (TASC) Project (Chapter VIII) is one of several similar diversion programs across the United States inspired and funded by the Special Action Office on Drug Abuse Prevention (SAODAP). These programs were created to try to "impact on the drug driven cycle of street crime to jail to street crime by providing the possibility of treatment for drug addicted arrestees."

The Court Referral Project (Chapter IX) is a central intake and referral agency operating in New York City. Its primary function is to screen drug addicts in detention facilities and divert them at arraignment into appropriate treatment programs.

Addicts Rehabilitation Center (Chapter X), located in New York City, is a residential treatment center which serves the most drug-ridden community in the country. It seeks to provide hope that even in central Harlem a person who really wants to, can become drug-free.

The Delancey Street Foundation, Inc. (Chapter XI) is a "Family" consisting primarily of former hardcore opiate addicts and ex-convicts living and working together for the common good. Residents are trained and employed in businesses owned and operated by the Foundation and live together in three large mansions in a wealthy section of San Francisco.

The general format of the chapters describing the programs is the same for each program chapter. The chapter begins with a brief introduction to the program, followed by a summarization of the program objectives. Then the ability of the program to meet its objectives and any issues conditional to impact are discussed. Following impact is a description of the program structure and processes and, when relevant, a discussion of the socio-political context within which the program operates. The chapter concludes with a discussion of the application and implementation of a similar model program. At the end of each chapter are listed sources from which further information about the program can be obtained.

C. Appendix

The Appendix summarizes the data collection procedures used on-site at the various programs. Persons interested in an in-depth description of the data collection procedure should consult Emrich, R. L., and Thure, K. L., *Field Data Collection Manual for Phase II of the Survey of Community-Based Corrections*, October 25, 1973, available through Chief, Preventive Programs Section, Drug Enforcement Administration, U.S. Department of Justice, Washington, D. C. 20537.

CHAPTER III

ALBUQUERQUE FIRST OFFENDER PROGRAM

The Juvenile First Offenders Drug Abuse Program in Albuquerque, New Mexico, is a diversion program for first time juvenile drug offenders administered by the Probation Department, with treatment of offenders contracted out to the University of New Mexico School of Medicine, Department of Psychiatry. The overall objective of the program is to divert eligible juvenile drug offenders out of the regular juvenile justice system and at the same time to provide them with an educational and treatment program directed at reducing recidivism and preventing further drug abuse.

Juveniles 14 to 17 years of age, referred to the Probation Department for a drug offense for the first time (but not the sale of drugs or possession or use of narcotics) are eligible for the program. If the juvenile admits guilt and volunteers to attend the program rather than to proceed through the regular juvenile justice process, he is then placed on informal probation for a period of one year. During that time he is required to attend one seven-week session of the program with his parent(s) or person acting *in loco parentis*.

The program format consists of 7 two-and-one-half-hour meetings held weekly at a local junior high school. These evening classes are divided into educational presentations to the group at large and small group sessions directed toward helping families develop better communication skills. Treatment staff are professionally trained and experienced. Budget constraints permit one group of approximately 30 families to be in the program cycle at any one time.

The program is committed to self-evaluation and continuing improvement of the effectiveness of the

various program components. It monitors its success by follow-up interviews with the offender and his family six months after completing the program and by tracking the post-program arrests of graduates until they reach 18 years of age. A randomly selected control group of first-time drug offenders taken from the period 1970-71 before the program was started, who received no treatment other than the traditional court and probation, provides a baseline rate of comparison for recidivism.

A. Program Objectives

The First Offenders Program was developed because the Albuquerque Children's Court was getting bogged down in an overload of drug cases in the late sixties and early seventies and because the recidivism rate among these drug cases was so high that regular Court and probation services were seen as obviously inadequate to meet the problem. Consequently, a program was designed to divert these youngsters from the regular juvenile justice system and to provide them with drug education and counseling in hopes of reducing recidivism and future drug use. Because destructive family relationships, alienation, and a lack of supporting relationships within the family were seen to contribute to drug abuse, the program requires involvement of both parents in the treatment program with the offender and directs much of its content toward improving communication and problem solving within the family.

Particular attention is given by the First Offenders Program to spelling out its objectives clearly in a way that allows evaluation and measurement of their achievement. As a result, the program has been able to demonstrate its success in the following areas:

- (1) Providing general knowledge of the ways in which drugs affect the body and mind.
- (2) Answering specific basic questions about currently used drugs or groups of drugs.
- (3) Helping the juvenile and his family understand the personal, family, and social factors that contribute to drug abuse and interfere with a more healthy and creative life.

- (4) Improving communication and problem solving within the families.
- (5) Improving the quality of the relationship between the Juvenile Probation Officers and the adolescents and their families.
- (6) Doing research into the effectiveness of the various components of the program and thereby improving the quality of the services provided.

B. Current Status of the Program

The First Offenders Program developed out of truly unique cooperation among local agencies and institutions concerned about the extent of juvenile drug abuse in Albuquerque. The Probation Department and the Drug Abuse Education and Coordination Center (DAECC), a local drug information center, cooperated in the initiation and administration of the program under the auspices of the DAECC. The Psychiatry Department of the University of New Mexico Medical School provided a staff psychiatrist to train and supervise the counseling staff and serve as the program's clinical director. The Albuquerque Public Schools donated a junior high school as a meeting place for the evening sessions. The Children's Court judge lent his active and essential support to the program.

Many of the counseling staff, who are responsible for leading the small communications groups, have been with the program since its inception in February 1971, and either have professional degrees and/or have amassed considerable experience since the program began. The counseling staff, while largely drawn from the University Graduate School, also includes probation officers, staff from DAECC, and others. It is a diverse group of young people with a high level of camaraderie and great enthusiasm for their work.

The program continues to have the enthusiastic support of the Children's Court, but local law enforcement seems to have some philosophical differences with the program, feeling that the Court is too lenient on the drug offenders. This does not seem to have much

effect on the operation of the program, however, since the police have no alternative within the juvenile justice system other than to refer offenders to Probation which then has the prerogative of disposition.

Overall, everyone is so pleased with the results of the program that it has been duplicated in a number of communities throughout New Mexico. Despite its success, however, the program has not been able to obtain funds adequate to the demands on its services. Currently the waiting list of volunteers to the program is four months long, because it cannot get enough money to run more than one group of 30 families at a time. Yet the salaries of counseling staff are not particularly high, are not considered adequate compensation for time and effort required, and the staff carries on, compensated largely by its own enthusiasm and the gratitude of the families they serve.

C. Impact

The First Offenders Program measures success in meeting its own objectives in a number of ways: subjective evaluation by client families, by probation officers by drug offenders, by staff; questionnaires filled out by client families measuring the change in their knowledge of drugs and drug abuse; questionnaires filled out by client families measuring change in family communication and problem solving as a result of the program; and recidivism rates of graduates of the program. Both subjective and objective measures of program impact have shown considerable success. In general clients seem to like the program and feel that it has improved their family life. They also demonstrated an increased knowledge of drugs and their effects. Probation officers have reported improved rapport with the adolescents and their families. Interviews with clients, their families, and probation staff by the evaluation team affirmed these results as reported by the program.

Similarly, a sample of program graduates drawn by the research team approximated the recidivism rate of clients computed by the program itself. That is, of 183 juveniles in the program between its inception and January 1973, who have been followed at least six months after the termination of the seven week program, only 17 percent were rearrested and, of these, 13 percent

were for non-drug offenses. This can be compared to the rearrest rate of the baseline comparison group of first-time drug offenders arrested in the year previous to the inception of the program. This group has a rearrest rate of 62 percent, with 37 percent of these arrests for non-drug offenses.

The impact of the program on recidivism, particularly for drug offenses, is clearly demonstrated. To the extent that arrest is a measure of drug use, these statistics could also indicate that the drug use of the clients is impacted. Interviews with clients and staff indicate that the greatest impact is on the use of drugs other than marijuana. While marijuana use seems to be reduced, it does not altogether stop as the result of the program.

D. Program Description

1. Criteria for Eligibility

A juvenile, to be eligible for enrollment in the First Offenders Program, must meet the following criteria:

- (a) He must be at least fourteen years old and less than eighteen years old.
- (b) He must be charged with a first offense involving possession or use of drugs (no prior reported drug offenses). He may have a record or prior reported violation of the Juvenile Code so long as the prior offense did not involve sale, possession, or use of drugs.
- (c) The drug offense charged has to be substantiated by enough evidence to make the case "provable" in the opinion of the Juvenile Probation Office.
- (d) The requirements of (1), (2), and (3) above are not applicable to cases involving solvent inhalation.
- (e) Juveniles charged with the possession or use of opiates are not eligible.

2. Intake Process

The intake process for the First Offender Program is handled as a part of the regular intake process of the Probation Department. When a juvenile is arrested, the police forward the arrest and investigation reports to the Probation Intake Officer who is also the administrator of the First Offender Program. He reviews the case and makes one of three possible determinations: (a) the case is eligible for unofficial probation and need not be adjudicated if the juvenile admits guilt and volunteers for unofficial probation; (b) the case is not eligible for unofficial probation and a petition must be filed on the offense; and (c) there is insufficient information to make a determination and a probation officer should investigate further. If the case is eligible for unofficial probation and fits the criteria of the First Offender Program, the probation officer assigned to the case is notified that the juvenile may be offered the program in lieu of the regular adjudication procedure.

The first thing that happens at the meeting between the probation officer and the offender is that the juvenile is informed of his rights. On July 1, 1972, New Mexico instituted a new juvenile code, perhaps the most conservative and legalistic juvenile code in the country. It includes the right of the defendant to remain silent, to ask for his own lawyer, and to request a jury trial. The juvenile can appeal the outcome of that trial directly to the State Supreme Court.

After reading the juvenile his rights, the probation officer explains the First Offender Program, and the juvenile must decide whether he wants to volunteer for the program or go on to Court. The parent(s), or person acting *in loco parentis*, must be able and willing to attend all class sessions with the juvenile. All family members attending must also be willing to subject themselves to interviews and other evaluation processes both during the course and for a period of one year after the termination of the course, and must be willing to sign written agreements to that effect. If the juvenile and his family accept the conditions of the program, the juvenile is placed on unofficial probation and his name is added to the waiting list for the program. When 30 to 33 names accumulate consecutively, they comprise a group which will go through the program cycle together.

The extent of active supervision of the juvenile by the probation officer in addition to participation in the program is individually determined by the officer according to the juvenile's need for such supervision and the level of family stability.

A juvenile may also be ordered to the First Offenders Program by the Children's Court as a condition of parole.

3. Program

The program consists of seven weekly sessions held every Thursday night. Each evening meeting is divided into two 75-minute periods. In each, 75 minutes is spent in a presentation given to the whole group on topics such as drug information, the psychology of drug abuse, family communication, or the law. The second 75-minute period is spent in small discussion and communication groups.

For the first three or four nights, parents and adolescents are placed in mixed groups containing 8-12 adolescents and parents. No people from the same family are in the same group. For the final three or four sessions, each small group consists of three or four families with all family members present. A sibling may be permitted to attend the program but juveniles are not permitted to bring friends.

The large group meetings are conducted in a variety of ways. Some of the material is presented by local experts who lecture to the group. Audio-visual aids such as film strips about various drugs may be used. Whatever subject matter has been covered during the large group meeting serves as the jumping-off point for the following small group exchange. The small groups are led by Group Facilitators, who form the core counseling staff of the program with the help of the Assistant Group Facilitators.

4. Staff

The Clinical Director of the First Offenders Program is responsible for the overall coordination of the program's educational content and for supervising the Facilitators in their work with the families in small groups. After each evening session, he conducts a

staff meeting to evaluate progress and review any problems arising in the small groups. He is also responsible for the overall evaluation strategy.

The Program Administrator acts as liaison officer between the Probation Office, the Children's Court, the Clinical Director, and other agencies engaged in services to youthful offenders. He is responsible for the development and implementation of records, training of all personnel in conjunction with the Clinical Director, overseeing the implementation of the program at each session, and assisting the Clinical Director in supervising the Facilitators.

The function of the Facilitators is to facilitate constructive discussion and communication in the small groups and to act as role models of communication skills. They do not attempt to do in-depth counseling with the families. The program is constructed to provide short term help to families in crisis. Families with more serious problems are encouraged to seek more intensive counseling from other agencies at the end of the program cycle.

Group Facilitators are selected, interviewed, and recommended to the Project Administrator by the Clinical Director, for approval by the Project Director (Chief Probation Officer). Group Facilitators must have experience in group counseling or juvenile work, as well as employment in a related field, such as teaching, casework, or counseling, that would indicate familiarity with problems young people in our society face. There are also some specific course requirements which can be waived if the individual demonstrates satisfactory basic knowledge of group dynamics and group discussion techniques at the time of the interviews. Assistant Group Facilitators must have similar qualifications but not at the professional level of the Group Facilitators. Both Group Facilitators and Assistants must also satisfactorily complete a training program by the Clinical Director.

E. Socio-Political Context

The Albuquerque First Offenders Drug Abuse Program did not encounter any significant socio-political opposition in its development because it began as a cooperative

effort of most of the local institutions and agencies who were interested in the youthful drug offender. It is the sum of the best ideas and efforts that the various agencies could offer. Its commitment to evaluation and feedback by program participants further assures that the program is relevant to its target population and that it will have the essential support of that population as well.

The only socio-political problem the program faces is that there is not much money available to Albuquerque for a program like this, no matter how successful it is. The current danger to the program is that in wanting to respond to the great demand for its services, the program will overextend itself and jeopardize the quality of those services.

F. Application

The First Offenders Program model is really suitable for any community. The size of the staff and the number of seven-week programs offered in a year could easily be varied according to the size of the potential target population. One constraint, however, would be the availability of qualified treatment staff on a part-time basis. The fact that the treatment staff for the Albuquerque program have been largely recruited from the nearby university has been a great asset to the program.

G. Implementation

Communities thinking of possible implementation of the Albuquerque First Offenders Drug Abuse Program model might consider some of the following points:

(1) The Albuquerque program was the conjoint effort of the Probation Department and local experts in drug abuse and treatment. The commitment of the juvenile justice system to the success of the program is implicit in the structure of the model. Any community considering implementing a similar model would have to have similar commitment from the local probation department and juvenile court.

(2) The success of the First Offenders Program lies in the quality of the treatment staff and their ability to implement the treatment strategy. Albuquerque has chosen young professional people from diverse backgrounds and with a demonstrable ability to relate to youth and their families. To carry out the basic supervision of the staff, Albuquerque obtained the services of an extremely competent psychiatrist. Also, the cooperation and dedication among all persons (and thus agencies) connected with the program cannot be over-rated as to their contribution to the high degree of success that the program has enjoyed.

(3) Evaluation and feedback are an integral part of the program model and would not be areas in which to make budget cutbacks. These assurances that the program is relevant to the community that it means to serve and that the program is meeting its treatment objectives are critical to program quality. The model provides feedback for change and improvement as the staff increase in knowledge and experience.

Further questions about the Albuquerque First Offenders Drug Abuse Program may be directed to:

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or

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CHAPTER IV

WATOTO PROJECT

"What are we going to do about the younger generation?" becomes a crucial question in an area of very high crime rates, heavy incidence of drug abuse and traffic; an area which is a large, low-income ghetto located in one of the wealthiest areas of a notably rich state. This is the location of the Watoto Project in East Palo Alto, California. Watoto, which means "children" in Swahili, is a decentralized, community-based juvenile probation program.

A. Program Objectives

Three principal objectives of the Watoto Project are:

- (1) To provide relevant and responsive service to juveniles on probation within the context of their own socio-cultural environment.
- (2) To provide intensive supervision by probation officers and community-based counselors.
- (3) To integrate probation services with other agencies and services in the community, such as the Welfare Department, the Sheriff's Office, the Municipal Council, and a facility to which the program diverts, the Community Youth Responsibility Program (CYRP).

The evaluation team found that Watoto was successful in meeting these objectives, and that it is a unique program in many ways.

B. Impact

The Watoto Project is one of several programs resulting from the establishment of the East Palo Alto Municipal Council. In order to understand how Watoto came into being, it might be helpful to discuss the formation of the Municipal Council.

East Palo Alto's population has grown in recent years to about 20,000 people, most of them black. In 1967 a report issued by a San Mateo County Commission found East Palo Alto's morale to be depressed because of an over-concentration on the community's defects and a general sense of rejection. Many of the residents felt resentful and frustrated by their lack of political power. They lacked local government, and it seemed that no one paid any attention to what they were doing and what was going on in their community, what their needs were, and how best to solve them.

East Palo Alto, because of its low tax base and many financial problems, was unable to incorporate as a city. Because of the poverty of its population, it was not a target of annexation by another city. Yet its problems with schools, crime, community improvement needs, and county recognition, were creating unrest. The residents were not represented in the local government and there was no one to express their views or defend their interests.

This local feeling of unrest, perhaps coupled with the Watts uprisings and other black demonstrations around the country, may have been a factor which prompted San Mateo County's governing body, the Board of Supervisors, to pass a resolution in July, 1967. The resolution created the East Palo Alto Municipal Council, a body to be elected locally and to be advisory to the County Board. The Council was to be comprised of five members, who would be residents of East Palo Alto.

Usually, an advisory board of this type does not have much political power. But after the Council became established, the community gained confidence in the group and saw that it was actually serving the people not only by advising the County Board, but also by airing complaints and channeling information. As

the Council grew in ability and strength, most of its recommendations were accepted by the Board of Supervisors. A result has been improved public service along a number of lines in East Palo Alto.

The Watoto Project was developed in 1968 and implemented in January, 1969. It came about because the Chief Probation Officer of San Mateo County sought the help of the Municipal Council in finding a mutual solution to the problem of juvenile delinquency in East Palo Alto. Together they decided that the present project supervisor should be the Probation Officer in charge of the project. It was under his leadership that Watoto took on its present form.

Although Watoto's own statistical report, with figures from 1969 to 1972, indicates a decline in recidivism of the juveniles it has been handling, the impact of the program was more dramatically evident in the comments made by members of the community and the criminal justice system who were interviewed by the evaluation team.

Personnel at the County Juvenile Court stated that commitments to Juvenile Hall and detention had declined by 100 percent and more in the last year. Considering that the area served by Watoto has the worst juvenile crime rate in the county, a noticeable impact can be deduced.

Everyone interviewed by the evaluators spoke highly of the program and showed that they were impressed by its work. It was especially apparent from their comments that Watoto played a valuable role as a positive force in the community.

C. Unique Aspects of Watoto

The Watoto Project is simply a decentralized part of the juvenile probation system in San Mateo County. Yet there are many features of the program which are unusual in themselves, and unique among probation programs.

For example, the program was started with maximum community participation in its design and development.

The East Palo Alto Municipal Council mentioned earlier appointed a citizens advisory committee of 26 members to assist in the program's development. Even the project's name, Watoto, was contributed by the community. Moreover, the project supervisor is directly responsible not only to the Chief Probation Officer, but to the Municipal Council as well.

The composition of the staff is also unusual for a program of its type. During the initiation of the program, the community put pressure on the Probation Department to develop a staff of minority group members. Yet, there were only two minority probation officers in the division. Now Watoto staff is composed mainly of minority members, but only after a lot of effort was put into working around the Civil Service regulations. New county civil service classifications had to be created and oral examinations developed, as well as an appropriate recruitment program. Watoto is the only probation program that hires high school students to work with other juveniles on probation. This aspect of the program was initiated three years ago with an LEAA grant. Eight students work with the program, writing up their own petitions and counseling their own cases. The staff treats them like any other staff members and does not condescend to them for being kids.

Like other programs, Watoto does individual and group counseling and works with families, as well as doing some diversion. But, in addition, it has developed its own group home and foster home components. It recruits and screens foster parents for black children. Identification of potential homes is done through radio announcements and mailings, but most successfully through referrals from foster parents as they are being screened by the program. If the parents pass the screening and need a license, they are sent to the Welfare Department. The homes are located all over the San Francisco Bay Area, and primarily outside of East Palo Alto, as it is such a high crime area.

The children meet their foster parents ahead of time and spend a trial weekend with them, with the option of requesting some other home if they wish. The child is drawn as closely as possible into the planning of his own future, as is the policy of Watoto.

Watoto is unusual in that it has a much lower

caseload for its workers than the rest of the Probation Department. Usually a Watoto officer is assigned no more than 50 cases at a time. Each probation officer works a four day shift from 8 a.m. to 8 p.m. This enables families to come to appointments without having to skip work, call in sick, or miss school.

In general, Watoto has a great deal of autonomy, even though it is not separate from the Probation Department. Of course, certain general laws and court policies are observed but, in any areas which would be discretionary for a probation department, Watoto makes its own decisions rather than relying on, or being subservient to, the central office. The project supervisor stated that it took a lot of conflicts and confrontations to arrive at this position. But Watoto *has* arrived, and it is worth it. The aim of these struggles was for Watoto to become involved with the whole community, to let the community know that it is there to serve it, and not to be simply an arm of the system, to which the community is obliged to conform. Usually probation steps out of community issues, but Watoto is consistently called upon to play a role of community advocate--to take stands on political and other urban issues. In fact, the evaluators observed that the project staff were able to get a greater sense of accomplishment and satisfaction from the program's success as an advocate than they could derive from helping individuals. A major reason for this is that whenever anybody in East Palo Alto "makes it," he moves out. In thinking of Watoto as a model, the relevance of an advocacy role should be considered, as staff morale in such a project is important.

An aspect of Watoto's autonomy, which the supervisor considers especially relevant, is the fact that the program is not federally funded. It is funded entirely by the county as part of Probation. As a result, the supervisor and top staff can devote their time and energy wholeheartedly to improving the quality of the program, without having to worry every year about how to keep the program in existence.

As with many other successful programs, the uniqueness of Watoto is closely tied to the individual who got the project going. If a project similar to Watoto were to be started somewhere else, the director would have to be someone who could bridge the gap

between "the system" and a minority community, who could earn the respect of both, but be willing to engage in some "head bumping" in the process, in order to make sure that the community is getting the service it needs, and that it has a voice in how the program works.

Watoto is not a drug program, though of course many of its clients have drug problems which are dealt with as they participate in it. East Palo Alto, in fact, has no drug program in the community. But if a drug program were to start there, in order to be successful, it would probably have to follow some of the precepts that have guided Watoto.

The idea of a program that retains autonomy and flexibility while gaining the support of both the criminal justice system and the community, that is based on the idea of serving the youth of a community rather than imposing something on them--such an idea is relevant whether or not drug use is seen as a major thrust of the program.

For further, direct information about the Watoto Project, write to:

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East Palo Alto, California 94303

or

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CHAPTER V

SAN DIEGO YOUTH SERVICE BUREAUS

The Clairemont Youth Service Bureau in San Diego is a nice place to walk into. As you approach for the first time, through a courtyard off the street, you look for something clinical, like a mental health center, but it is not there. You think maybe it should be a funky old house or a storefront with jazzy murals like other drop-in centers you have seen, but such things are no place to be found. You walk past some pleasant greenery till you find the door, and enter a place that makes you feel comfortable right from the start. If you are young or hip, there is no establishment stuffiness to put you off; if you are older and straight, there are no psychedelic posters or "head" decorations to make you uptight, just comfortable old chairs, lots of magazines, and a friendly lady who offers you a cup of coffee or hot chocolate and chats with you while you wait to see one of the counselors. She is supposed to be the secretary, but you feel as if you could tell her anything you had on your mind and she would offer a sympathetic ear and no more than just the right amount of advice. Something is different about this place. It is a place nobody would not like.

Clairemont is one of the six San Diego Youth Service Bureaus. It is the oldest, having been in operation about five years. By 1975 San Diego is slated to have a total of sixteen YSB's in different neighborhoods of the city.

A. Program Objectives

Broadly speaking, the idea behind a Youth Service Bureau is to prevent juveniles from turning into delinquents. One contributing factor to delinquency,

according to YSB thinking, is contact with the criminal justice system, and therefore it is an objective to deal with kids in trouble outside of that system. Another contributing factor, of course, is the actual problems that kids have that cause them to misbehave in a manner that could lead, or is already leading, toward delinquency. Most of these problems have to do with family, so another objective of the YSB, at least in San Diego, is to counsel the young person and work closely with his family to help them improve parent-child relationships. The same objective applies to working with a school, if that is where the heart of a child's problem seems to be.

A third objective of the San Diego YSB's is to refer a child in trouble to the proper sources if he needs more help than counselors working with parents can give him.

A further objective is to open up positive motivation within a child and help him find a way to express it. This applies particularly to looking for employment. The San Diego YSB's have job counseling and effective programs of finding work for youngsters both on an individual and a work team basis.

It seems to the evaluators that the San Diego Youth Service Bureaus are successful in achieving the objectives mentioned above. The YSB's are not a drug program, but drug use naturally figures prominently in the problems of the youth they work with. The counselors also see becoming drug free as a worthwhile objective for a young person, but in reality it is hard for them to assess how successfully it can be dealt with as an issue separated from the other four objectives.

B. Impact of the Program

In considering the impact of the San Diego YSB's it would be wise to note what kinds of young people come to the Bureaus, and where they come from.

They are a juvenile program, and most of the youngsters are high school or junior high school age, but some elementary school children are also referred. The YSB staff estimate that about 40 percent of their referrals come from law enforcement, either police or Sheriff's

Office. About 20-25 percent are from schools, and the rest are self-referrals or referrals from parents. In all cases the referral is completely voluntary. Staff from the YSB's give talks to groups in the schools; through this means and others, they present the message that a Youth Service Bureau is a safe place for a young person to seek counseling.

Of the law enforcement referrals, about two-thirds of those referred by police have arrest records written on them. One third are cases where the police officer gets involved with the child's family, but works informally so that there is no record of any kind. However, the YSB counts these cases as police referrals, so that record of such referrals far exceeds the police records of referrals to them. Police are encouraged by the Probation Department to make referrals to the YSB without paperwork, and many officers are glad to do this.

The San Diego Youth Service Bureaus will not handle any child against whom a petition has been filed, unless that petition has been dismissed by the court. If the child is appointed a ward of the court, the San Diego YSB cannot take his case, except under special conditions where the YSB coordinator's approval has been given. Thus, it can be seen that the YSB clients are kids who may have a lot of problems, but they have not yet reached the stage where the criminal justice system has had much jurisdiction over them.

The six YSB's in San Diego are located in areas of diverse characteristics, ranging from La Jolla, with its exclusive affluence, to the South Bay, where there is a great deal of poverty and unrest. Some of the communities are all-white, some are predominantly Chicano, others are quite mixed, not only with respect to whites, blacks and Chicanos, but also to military versus civilian populations. The YSB most closely observed by the researchers was the original one in San Diego, in Clairemont, a white area whose population is mixed between blue-collar and professional people.

A random sample of 25 cases was drawn from the files of the Clairemont Bureau, the cases being ones which were opened during the period from September, 1972 to September, 1973. Among them, only two were subsequently seen to have had petitions filed against them, as checked with the Probation Department records.

This fact would seem to indicate that the YSB had a successful impact on the young people with whom it deals. But far more impressive than such records are the testimonials of individuals who often come back to the Bureau to say hello, to thank the people there for having helped them, and let them know how things are going. This includes young people, parents, and even a police officer who used to be on the staff. During the five days that the researchers were on the premises, at least five such instances were noted. In one case a young mother came in to show her new baby to the clerk and other staff. Afterwards the researchers learned something of her story. She had been in touch with the YSB at a time when her boyfriend was getting her pretty deeply into drugs with him. She decided that she wanted to get away from drugs herself and it led to a disagreement with the young man. She decided to leave him, but he would not let her, and kept pestering her. One night he got stoned and kidnapped a neighbor's child as a sort of blackmail hostage, whom he threatened with a knife and abducted to a canyon. Police followed him and shot him fatally. The whole incident was a terrible trauma to the girl, but after a while she recovered and got married to a nice, stable young man, whose baby she was now bringing in to show to her friends at the YSB who had helped her through some difficult times a couple of years before. There were other incidents observed also, where kids would just come in to chat, even though their cases had been closed and they had no appointments.

Another way in which the San Diego YSB's impact can be seen is in the number of jobs it has enabled its clients to get, either through Youth Service Bureaus, Inc., a work team project where clients 14-16 go out in crews to do yard work, maintenance and other jobs, or through individual placements. The counselors in charge of these efforts have lined up many employers in the community who give priority to YSB applicants for openings.

Kids seem to "straighten out" after contact with the YSB in a way that is most rewarding to the staff. Staff feel it is hard to tell sometimes whether it comes from the natural maturing process or from something that they did to help. To an outside observer, it seems that the understanding of the YSB counselors is helpful far beyond the point of merely "giving the kid a break." The clients really appreciate the extra effort.

C. What Makes It Happen in San Diego

An important feature of the San Diego YSB's is that different agencies are working together in harmony to make the program succeed. The program is under the Probation Department administratively but staff members are also contributed by the police, the Sheriff's Office, and Welfare. Thus, the program is part of the system, with the system's advantages, and yet it works outside the system in a way that allows for greater flexibility and an easier relationship with the clients and the community.

The counseling staff at Clairemont, for example, includes two probation officers, a police officer from the juvenile division (that position rotates annually), and an MSW social worker. At the YSB, however, they are all counselors and not differentiated as to what department they come from. In viewing the San Diego YSB's as a model, however, it should be noted that an unusual situation exists in that city. Before the YSB's were set up, there was already unusually good cooperation among agencies, particularly between police and probation. Although the program was initiated under the latter, the police were involved in it from the start, and other agencies, city and county, including the schools, willingly gave their support without too much hesitation. In many other cities such a happy state of affairs might not exist, and a similar coordination might take a lot of time and hard work to achieve.

Another interesting feature of the San Diego YSB's, as typified by Clairemont, is the fact that straight, adult counselors have no trouble relating to teenagers, and vice versa. There is no attempt on the part of any of them to cultivate a "street image" or youth-oriented appearance or demeanor. They are even called "Mr." or "Mrs." by the clients. Of course, they do not wear business suits, and their manner is relaxed and informal. But it is noteworthy to see that if the kids know they can trust someone, the outward image loses much of its importance.

This lack of image-consciousness on the part of the staff is an advantage in that they can relate to the parents without setting up any "vibes" that they really are siding with the youth culture. But that does not mean that they necessarily side with the parents either.

The San Diego YSB staff have built up a large store of credibility by emphasizing a "no-bust" policy. This confidentiality means not only that what the kid tells his counselor will not go to the police, but also not to his school or to his parents. The confidentiality as regards parents is interesting because the YSB requires that the parents get involved after the youth has seen a counselor once or twice. They must be notified and the matter at hand discussed between them and the counselor. Yet, one researcher observed, when sitting in on a counseling session with a boy and also in another discussion the same day between the counselor and the boy's stepmother, that nothing the boy told the counselor was repeated to the stepmother, even though the same incidents involving both parties were brought up in each conversation.

Counseling is the main activity of the YSB, but referrals are also important. For example, if a kid turns out to have a serious mental or medical problem, he will be referred for treatment. In other instances, too, a YSB counselor may find that a kid's situation simply demands more specialized or intensive handling. When a referral of this type is made, the matter is always discussed with the youth first. For example, a counselor had been dealing with a girl who had been using LSD repeatedly with obviously bad results to her mental functioning. Her counselor warned her that he was going to have to refer her to a certain mental health institution if she continued. In another instance, a 12-year old girl was having a recurrent after-school sex party with several sailors. The counselor tried to keep her under control by getting her parents to work on her, but he told the researcher that if that did not improve the situation, he would have the police warn the sailors involved to leave the girl alone or else they would face statutory rape charges.

Besides individual counseling and referral, there are also group sessions, separate youth groups for high school and junior high school ages, some family groups, and occasionally parent groups. And, as mentioned earlier, there is the employment counseling program.

D. Where to Go From Here

The researchers are most enthusiastic about the San Diego Youth Service Bureaus and, thinking particularly

of the original Clairemont bureau, recommend the set-up as a model. The cooperation and coordination aspect regarding different parts of the criminal justice system, as mentioned above, was not a problem in San Diego, but could be one elsewhere. What did require a lot of effort, though, was getting community interest and confidence, and letting the kids know that it was a friendly place that they could trust. The founder of the San Diego YSB's feels it especially important to let people know that you are there to serve them, and to be willing, at first, to perform a variety of unexpected services, going out of your way to be helpful, in order to build a friendly atmosphere. Offering people a cup of coffee or chocolate when they come in helps also.

Perhaps the best thing to say about this program as a model is that like other programs visited by the evaluators, it was started by a dynamic leader with unusual abilities to pull things together. But it held together so well that when she left it and another coordinator took over, the Youth Service Bureaus continued to move on as an outstanding, stable and expanding program. This should be encouraging for other communities who might be interested in starting something similar. People to contact for first-hand information would be:

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CHAPTER VI

TUCSON YOUTH SERVICE BUREAU

The Tucson Youth Service Bureau was established as an alternative agency for school counselors, school resource officers, court officials and others who are faced with the decision of what can be done, outside the criminal justice system, with the youth who is delinquent or potentially delinquent. The program offers youth counseling through indigenous youth workers working in the community rather than in an office. It helps clientele obtain employment, financial assistance, and other such services either directly or from other appropriate agencies. The program target population consists of youth under 18 years of age living in the Model Cities areas of Tucson. These Model Cities areas, called *barrios* by the local residents, encompass most of Tucson's 65,000 Mexican-Americans, 3,000 blacks, and also some American Indians.

The Tucson YSB does not specifically intend to deal with young drug offenders. However, it provides a diversion model which can be applied specifically to the drug problem. Further, although this program covers all problems of youth, its therapeutic dynamics are directly relevant to the problems of young drug users in a family oriented community.

A. Program Objectives

Essentially, there are no existing programs other than the YSB in the Model Cities areas or even in the City of Tucson, except for the VIP program (Volunteers in Probation), that specifically focus on services to pre-delinquent and delinquent youth who are not under jurisdiction of the Juvenile Court or of the State Department of Corrections. The objective of the YSB has

been to provide direct services to the troubled youth and specifically to reduce recidivism and court adjudication of Model Cities youth. Both criminal justice opinion and program statistics indicate that they have been successful.

Another objective is beginning to evolve in the program: that is the development of the political consciousness of the Model Cities youth and their families. It is the hope of the current director that eventually the YSB will be so successful in accomplishing this objective that the YSB will no longer be needed by that community. Plans in this direction center around organizing youth and their families so that the intercession of the YSB with the "establishment" on their behalf is no longer needed. It is too early in its development to measure the program's impact in this matter. However, it can be predicted that the rate of their advance will depend a great deal on the evolution of the socio-political structure of the greater Tucson area.

B. Relationship to the Drug Problem

Except for the small portion of their caseload that is referred for offenses involving drug abuse, the Tucson YSB does not officially identify those youths who are abusing drugs among their clients. The director estimates, however, that some 40 percent of the program clientele are involved in some drug use. Marijuana is the most common drug, but alcohol abuse is becoming more frequent. There is also some solvent and glue sniffing, but hardcore drug abuse is rare. The YSB does not address itself to drugs as separate from other problems of the youth. Inasmuch as the YSB works with the youngster as a whole person in relationship to his family and his community, whatever problems the youngster has, whether from drugs or other sources, are dealt with in the total context of his being in the world. The counseling staff do not generally work with the drug problems, per se, of their clientele.

C. Current Status of the Program

Presently, the Tucson YSB is in its third year of operation. The project director is responsible for the overall administration and implementation of the YSB

program while under the direction of the executive director of the Family Counseling Agency of Tucson, the sponsor agency. Many of the counseling staff have been with the program since its inception and have both two years of field experience and professional training behind them. The program has a formalized system of referral established with the Juvenile Court and the Juvenile Probation Department of Pima County whereby Model Cities youth arrested for minor offenses or for the first time are offered the opportunity of referral to the YSB in lieu of continuing through the juvenile justice system. Cases, which are on formal probation are also frequently referred to the YSB, and the probation officer and youth worker will work conjointly on these. The police department of South Tucson refers cases directly to them, although the greater Tucson Police Department will not. The YSB is continuing to try to establish a direct referral system with them also; the problem seems to lie in differing philosophies. Schools in the Model Cities areas also refer youth directly to the YSB youth whom they feel would benefit from the kind of round-the-clock in the community counseling available through the YSB.

The program, however, is currently facing pressures which may lead to some substantial changes in its structure. In 1974 its budget will probably be reduced 75 percent because of the current administrative cutbacks in OEO and related funds. Also, there is pressure from the City of Tucson for the program to go citywide in order to receive a portion of the city's revenue sharing funds. Funding cuts could substantially reduce the number of staff available to provide direct services while an increase in the target population would put further strain on the program's resources. The YSB has already had to drop a successful reading tutorial. The agency will have the choice of arbitrarily limiting the number of referrals they accept, moving away from providing direct services, or something in between. The program may look quite different by the summer of 1974 than it does now.

D. Impact

With its present level of service, however, the Tucson YSB has established an excellent reputation with the juvenile justice system, local schools, and the

South Tucson police. All representatives of these institutions interviewed expressed considerable confidence in the general quality of the YSB youth workers and felt, on the whole, that youngsters with whom they have significant contact become less troublesome to the community, the schools, and the court. Also the program has statistics that indicate that the YSB has indeed been able to reduce recidivist arrests and adjudications among the Model Cities Youth.⁷ A current report stated that in 1972, as a result of serving 9 percent of the Model Cities youth, recidivism as measured by rearrests in that area, decreased by 8 percent and adjudications decreased by 15 percent.

E. Core Program Component--The Youth Worker

The unique component of the Tucson Youth Service Bureau responsible for its success has been its utilization of the indigenous paraprofessionals as youth workers in the *barrios*. These young people, averaging 25 years old, are recommended to the YSB by *barrio* representatives and generally were raised and are presently living in the *barrios*. From the list of suggested candidates, the YSB tries to select those who would seem most capable of relating to youth, and who show the most skills or potential in being counselors of youth. One male and one female youth worker are assigned to each *barrio*.

1. Training

The original youth worker staff was trained in behavior modification techniques, but eventually felt that these were inappropriate to the type and needs of their clientele. More recently they had an 18 week workshop in group process and role playing which they found much more valuable in their work. Now new youth workers receive in-service training and are closely supervised

⁷Program records are kept completely confidential and are released only upon the written permission of both the individual client and the program director. Consequently, it was not feasible for the research team to attempt to sample the records and to obtain its own measure of recidivism of program clients.

by trained and experienced casework supervisors. In addition they are strongly encouraged to continue with their training on their own, and the YSB gives them about six hours release time to go to school and pays for tuition.

2. Responsibilities

The youth worker is the core of the Tucson YSB. He is responsible for helping his youthful referrals to evaluate their needs and problems and for developing and carrying out a treatment plan with the youth. This may include going to Court with the youngster if he is rearrested, helping him secure employment, tuition or money for school books, or settling disputes with his family or the school. Inevitably, and especially because he lives in the community, the youth worker is also an important role model for the Model Cities youth. This fact underscores the importance of the staff selection process; the youth worker must *be* the kind of person we would want youth to emulate. The worker's basic goal with each youngster is to help the youth become aware of what forces both within and outside himself lead him into trouble with the law, and to help him to learn and encourage him to seek positive alternative behavior.

3. Counseling Style

The manner in which the youth worker fulfills his responsibilities is largely left to the individual style of the worker although his work is overseen by his casework supervisor. Some workers are more oriented toward political advocacy, some more toward educational development, and some more toward identity crisis and process-type counseling. In assigning a particular youth worker to a case, the casework supervisor attempts to fit the style of the worker with the needs of the particular youngster. The most important quality of the youth worker is his ability to relate to the youth of his barrio, regardless of counseling style. Additionally, he must be able to relate to and be acceptable to the institutions with which the youth comes into contact, such as the court, probation, welfare, and the schools. The YSB administrative staff stresses the importance of this rapport with the establishment and tries to model it in its own behavior.

4. Day by Day

Whatever the style of the youth worker, his work goes on almost entirely in the field. He checks into his office in the morning and leaves word as to his general activities and whereabouts that day. The rest of his day is spent in the *barrio* or wherever else the needs of his caseload takes him. When not at some scheduled meeting or informal gathering, he is apt to be found playing basketball in the local playground or having coffee and tortillas with a mother in his neighborhood. It is the youth worker's responsibility to be available to clients and their families whenever they need him. While he basically works the traditional 40 hour week, he is unlikely to ignore a family crisis in the middle of the night. When problems occur or if possible before they occur, he is supposed to apply his particular brand of skills to help alleviate the difficulties. The need to have youth workers who have great energy, enthusiasm, and concern for their clients is obvious. The YSB tries to guard against their workers becoming overinvolved with their clients; however, when a casework supervisor ascertains this happening, he is apt to transfer the case to another worker for the sake of everyone involved. Otherwise the case is carried by the youth worker until such time as the youth worker and any interested agency (probation, the schools, etc.) determine that the youth is no longer in danger of getting into trouble.

F. Socio-Political Context

Because the target population of the Tucson YSB is minority youth in a traditionally and ethnically polarized city, the success of the YSB has depended on its ability to gain credibility in the eyes of both its clients and the majority establishment. The Mexican-American subculture (which composes the bulk of the target population) has unique characteristics, and gaining of credibility demands more than professional training. It may be surmised that the indigenous worker has inherent sympathy for his neighbors and acquaintances. He can identify with the difficult circumstances surrounding the families. He also knows how to get trust and rapport in an otherwise semi-hostile environment. On the other hand, because the program has been successful in selecting bright, young, energetic people for

its staff, who are actively interested in upgrading their skills, and who have been able to develop some measure of ability to relate with local institutions, the program also has credibility with the "establishment."

G. Problems Ahead

The minority community in Tucson is just beginning to stir in the way that other cities' subcultures have stirred in the past ten years. Significant changes towards equality of treatment and opportunity are very dependent on political re-emphasis and social change. The Tucson YSB recognizes that its ability to help the youth of the barrio is somewhat limited by the socio-political context in which they live. The extent to which the program can and should involve itself with community and political organization is the present critical issue of its existence. Cuts in funding, pressure to enlarge its target population, and the fact that the current director is a well known political activist tend to indicate that the program will become more political. Ideally, it will also try to maintain some of its direct services to the community which have proved so effective.

H. Application

While the Tucson YSB does not address itself to the drug problem in particular, it does deal with the root problem of making contact with troubled youth at the right time effectively. Consequently, there is no reason to assume that the techniques of the program are not applicable to the drug problems of youth in similar communities.

The use of indigenous outreach workers in the Tucson YSB has proved very successful in reaching the minority that comprises the bulk of its target population, particularly because that minority has a strong interdependent social component among community families. The outreach worker, as a member of the community, has had a built-in entry into the families. Indeed, the worker brings a specific goal and particular skills to a role he already plays in the community. A community that has a social structure similar to that of the barrio communities in Tucson would have the best possibility

of success with a program such as the Tucson YSB offers. A community with little or no regular social interaction between neighbor families would be least likely to be successful with this type of model. In such communities, the outreach worker would start from the role of an alien, even though he might have grown up in the community. Communities in which there are some loose natural social contacts between families might also consider the Tucson model as a possibility, i.e., more densely populated rural areas which are interdependent for social contact.

I. Implementation

Communities thinking of possible implementation of the Tucson YSB might consider some of the following points in particular:

(1) The potential cooperation of the local juvenile justice system and the schools should be explored and confirmed in advance as much as possible. In order to have an alternative agency, the powers must be willing to divert juveniles to that agency. Each potential referring agent will have some constraints and conditions on which it will base its referrals. As much as possible, without compromising the goals of the YSB itself, those conditions should be built into the program at its inception. Similarly, the community (including the youth of the community) that represents the target population should also be canvassed for its reservations and concerns.

(2) The youth workers should be hired out of recommendations stemming from the community itself. In this way the community gives sanction to the workers' new function. In order to provide such recommendations, the various members of the community should screen an individual before the YSB hires him.

(3) Training of this paraprofessional staff should focus not only on their counseling role with youth, but also on their interactions with institutionalized agencies. They must learn to be credible and of assistance to the bureaucracy as well as to the kids in the street.

(4) Rather than impose a particular style of counseling on its youth workers, the YSB might well consider encouraging the development of whatever the worker's

most natural style might be. Special consideration might be given to the possibility of budgeting funds and release time for youth workers to upgrade their skills. This provides an efficient method for giving the workers a wide variety of training possibilities and at the same time provides extra benefits and inspiration for paraprofessionals to upgrade their skills.

Further questions about the Tucson Youth Service Bureau may be directed to:

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CHAPTER VII

MONTGOMERY COUNTY DRUG EDUCATION SCHOOL

A. Law Enforcement Against Labeling

The concept of diversion for juveniles is based, in part, on "labeling theory." This is the idea that when a young person who has done something wrong is put through the mill of the criminal justice system, he is labeled as a "delinquent" or a "criminal." This labeling tends to make him more delinquent, by convincing him that he actually is an incurable criminal; it furnishes him with a negative identity which he otherwise would not have had, and thus begins to force him into the mold of a menace to society. Such labeling is particularly destructive, since many youths who commit crimes are not true criminals, and very often tend to straighten out during the natural process of their maturing. What they really need is a little guidance rather than a condemnation.

The proponents of labeling theory are in favor of diversion of young offenders at the earliest possible point in their contact with the criminal justice system. But it is unusual to find representatives of that first contact point, namely, the police, initiating a policy to protect youngsters from being labeled.

This is just what has been happening in Montgomery County, Maryland, for the past ten years. The Montgomery County Police Department has used notable versatility in dealing with juveniles. Of particular interest is their handling of drug-using kids under 18. Montgomery County is a white suburban community not far from Washington, D. C. There are few blacks in the county, and a disproportionately low number of black

arrestees. Though there is some heroin, the major problem is multiple drug-taking and a tremendous amount of marijuana among the young people. What the researchers have found impressive was not so much the treatment alternatives for dealing with the situation, or indeed any particular program, but rather the appropriateness of the attitude of the police department toward youthful drug offenders.

B. Program Objectives

It would seem that the Montgomery County Police have three objectives in dealing with juvenile drug abuse:

(1) To minimize the criminalization of youth--to make sure that kids have every chance they can get to straighten themselves out before getting messed up by the criminal justice system.

(2) To make sure that a juvenile can count on having a clean record after he turns 18. (One of the researchers observed a successful completion of this objective, when he witnessed an eighteen year old inquiring of a counselor what would happen to his juvenile record of marijuana possession, and then overheard a conversation between the counselor and a police lieutenant who told him that the record had been destroyed.)

(3) To maintain order and reduce juvenile crime. The distinguishing quality about the first two objectives is discrimination, not weakness. The police department still believes in controlling the more serious offenders through criminal justice, and in sending to court youths who have persisted in committing drug offenses. For example, the police have agreed with the Drug Education School, to which they divert many juveniles, that if a kid is caught on a drug charge while participating in the school program, he will not be given special consideration as "already diverted," but must undergo the normal judicial processing.

The evaluators feel that the Montgomery County Police Department has been successful in the above objectives.

C. Impact

The researchers did not collect impact data themselves, nor are the available statistics broken down for drug users, except for a small random sample from the Drug Education School. Nevertheless, the following information from the Police Department is presented to give a picture of impact:

Of some 5,000 juvenile arrests (for all offenses) made in a year, about 50 percent are held by the police (as compared with 60 percent in the case of drug offenses), 25 percent are screened out by juvenile services to receive informal probation, and 25 percent actually come before a judge. A survey made about two years ago by the Police Department showed that of those cases held by the police (the first 50 percent), only 23 percent were subsequently arrested at the time of the survey.

Of a sample of 19 cases sent by the police to the Montgomery County Drug Education School, 6 were screened out by the school at intake, 2 left the program without completing it, and 11 completed the program (of the 11, 4 actually were still ongoing but were very close to completion). The sample of clients was picked at random from the total of the school's cases during a one-year period. Of the cases screened out at intake, 3 had petitions filed subsequently. Of the "early-outs," one later received a petition, and of those who completed or were ongoing, none received petitions. Thus a total of 4 out of 19 recidivated. That is approximately 21 percent, almost the same as the police figure for recidivism based on all cases retained by the department.

With regard to the very low recidivism shown in the Drug Education School cases, it is not a proven fact that the School's program was actually the cause of the kids staying clean. Perhaps just being given a break was all they needed. In any case, even if the school were tremendously effective, caution should be taken in using such statistics to prove it.

D. How It Works

The Montgomery County Police Department estimates that 60 percent of the juvenile drug offense cases are

retained, handled informally, by the department. Of the remaining 40 percent, about half are screened out by juvenile services and the remainder go to court. Thus, a careful screening process separates the seriously delinquent offenders from those who are a mere nuisance and those who cause public problems of intermediate proportions. Only the 20 percent who pose the most serious threat to the community receive juvenile court petitions.

In screening the juvenile to see what action should be taken, the arresting officer not only releases the child to his parents, but has the family return within several days to discuss the situation with him. On the basis of this additional discussion he prepares a detailed report of the case and makes a recommendation, for example, that the juvenile's case be retained and that he be referred to the Drug Education School. The officer then keeps in touch with the school and makes sure that he receives periodic evaluations of the juvenile's progress from the school. As mentioned above, if the kid is arrested again while in the school, he is taken to court. If not, his record remains clear and at age 18 the police record is actually destroyed.

From what the researchers have seen, the Montgomery County Police Department's approach to the juvenile drug problem has been effective and worth considering as a model. The Police Department considers the Drug Education School a key factor in the picture, and a successful one. Such a facility does serve a need, as any police department would be most anxious to know what it should do with the kids if it retained such a high proportion of drug offenders, as is the case here.

An important indicator of the Montgomery County Police Department's attitudes is the fact that it invites members of the Drug Education School staff to come to the police academy to train recruits in the handling of young drug users. Unfortunately, the researchers cannot make an adequate assessment of the Drug Education School's effectiveness, as it is presently in a state of flux due to a change in administration, staff, and a pending change of location.

The Montgomery County approach is something that individual police officers have done for years in many places, but often without support from their department.

A department-wide approach could be applied to a wide variety of communities, but modifications might have to be made according to the nature of the community and the kinds of resources available. A program like this might work quite well in an inner-city ghetto, but care would have to be taken that the offenders involved were indigenous to the locale and could relate to the youth effectively. It could work with users of hard drugs, but appropriate facilities would have to exist for them to be referred to. In its present situation the program works best with youngsters who have not yet become hardened in their attitude, who are likely to appreciate a break that will allow them to grow up straight, and to whom the criminal image does not appeal.

The Montgomery County Police Department has been pursuing its current policies for about ten years. Their operation looks solid and stable. But one cannot reproduce such stability and success simply by throwing a switch that will automatically institute a new policy. There would be much work to be done to deal with individual officers on an attitudinal level, training to be accomplished, and hurdles to be overcome which the Montgomery County Police Department has already gone through. This could well take time to do if the police department in another community were to try a similar approach starting from scratch.

It should be pointed out that the Montgomery County Police Department's approach of retaining cases and working with families applies to juveniles in general, not specifically to drug offenders. But the principles involved are most relevant to the drug problem. Intervention of the right kind, coupled with an understanding of the needs of an individual on the part of law enforcement, are important ingredients in dealing with the total community drug abuse picture.

In order to get further information first-hand about how the Montgomery County approach got started, the man to contact is:

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CHAPTER VIII

INDIANAPOLIS TASC

The Indianapolis Treatment Alternatives to Street Crime (TASC) Project is one of several similar diversion programs across the United States inspired and funded by the Special Action Office on Drug Abuse Prevention (SAODAP). These programs were created to try to "impact on the drug driven cycle of street crime to jail to street crime by providing the possibility of treatment for drug addicted arrestees." They were primarily designed to deal with opiate addicts, but the model is also relevant to offenders who are dependent on polydrugs.

The Indianapolis TASC program identifies and screens addicts as they enter the criminal justice system. If they volunteer for the TASC program, it negotiates for their release into a treatment facility either as a condition of probation or as a condition of deferred prosecution. Only adult addicts (over 21 years of age) are eligible and TASC will neither accept offenders who have a history of violent crime, nor those who have been arrested or convicted for the sale of narcotics. TASC may also be reluctant to take or recommend a client who has a very long criminal history. The program does not try to differentiate those potential clients who are truly motivated from those who simply want to get out of jail. The possibility is held that the offender may benefit from treatment regardless of his initial reason for being there.

Indianapolis TASC diverts offenders to 12 or 13 different treatment facilities including its own TASC Clinic. The TASC Clinic evaluates all TASC clients at intake and refers clients to other modalities when it is deemed appropriate. The TASC Clinic itself offers drug-free outpatient counseling, methadone maintenance, and

detoxification.

Indianapolis TASC has developed a high degree of cooperation with the local criminal justice system. The program has maximized the development of this cooperation by choosing a staff with an already established relationship with the criminal justice system and by interlacing its own structure with criminal justice employees. The Indianapolis TASC program also seems to be able to work within and utilize the socio-political structure of the Indianapolis area without becoming a political tool of the dominant power structure.

A. Program Objectives

The TASC program is based on the assumption that a major portion of the crimes against property committed in this country are motivated by the intent to raise money to support a drug habit. It is the objective of the TASC programs to divert from the criminal justice system those persons who are committing crimes only through the desire to support a habit and thus somewhat ease the load of the criminal justice system. At the same time it is the intent of TASC to provide for treatment of these individuals that will lead to their abandoning the drug lifestyle and thus make their re-entry into the criminal justice system unlikely.

While the TASC program in Indianapolis had only been in existence for six months at the time of its evaluation, it had already greatly refined its ability to identify and to divert drug addicts from the criminal justice system. Whether or not it will be able to provide for their rehabilitation is another question which is at this time too soon to measure. The outcome will be somewhat dependent on the quality of the non-TASC clinics to which the program diverts. Their present effectiveness seems quite variable. But more particularly, it depends on the treatment impact of the TASC Clinic, to which, in fact, the bulk of the new diversion clients of TASC will be referred. And it is far too early in the Clinic's existence to predict its potential impact, although early results are promising.

B. Current Status of the Program

In the six months of its existence, the Indianapolis TASC program has been able to establish a solid working

relationship with the Indianapolis criminal justice system despite some of its initial reservations about the TASC program.

The local detention facilities were less than eager to have TASC screeners within their walls. They had had past experiences with paraprofessionals from local treatment programs who had come into the jails in search of potential clients. Also, philosophically, they are more inclined toward incarceration than treatment for addicts. TASC has been able to establish credibility and cooperation with the detention facilities in two ways. One, TASC hired a screening coordinator to supervise all screeners and to act as liaison with law enforcement, who was uniquely qualified to gain the respect of local law enforcement. He is an ex-narcotics officer and a former chief of police in another city. He is also one of the nation's foremost martial arts teachers and is instructing many key police people in the arts of self-defense. Two, TASC hires its screeners from within the criminal justice structure itself. The screeners in the County Jail are medical deputies in the Sheriff's Department who receive compensatory pay from TASC for screening potential clients coming into the County Jail. While until recently, screeners in the city lock-up facility were paraprofessionals, at the time of the evaluation, the program was planning to replace these with bail commissioners. The use of paraprofessionals had created a number of problems, not the least of which was the inability of the lock-up staff and the screeners to maintain a cordial relationship. Bail commissioners already interview all new admissions to the city lock-up in order to evaluate and make recommendation for bail and release. Interviewing potential TASC clients would be a concurrent responsibility under the proposed plan. Most probably, they would be financially compensated by TASC for their additional duties.

In a similar vein TASC has mechanisms to reimburse the county for the services of four probation officers and a deputy prosecutor who are responsible in their particular functions for the TASC clients. TASC also hired a young, vivacious former probation officer from the local probation office to act as court coordinator in the processing of potential TASC clients through the criminal justice process. Her experience with the local criminal justice system and her established reputation

among the criminal justice staff have been invaluable to the creation of a credible image of TASC in the eyes of the courts.

TASC's credibility with the courts is further enhanced by its ability to provide up-to-date information rapidly on the treatment progress of its clients. It accomplishes this through the use of a highly developed computerized data system. TASC employs a "tracker" responsible for the constant updating of information on clients placed in different modalities throughout the city. The tracker is also responsible for forwarding such follow-up data to the courts and probation.

The TASC Clinic had only been in total working order for about two months when the program was evaluated. It features a highly structured procedure for intake and evaluation of all TASC clients. In addition, it offers methadone maintenance and withdrawal and outpatient counseling. The Clinic is responsible at intake for determining what facility and modality a client would most likely succeed in. The poor retention rate demonstrated by many of the local non-TASC treatment facilities, however, increases the likelihood that most clients will be retained in treatment at the Clinic itself.

C. Impact

The program estimates that it has been able to divert 45 percent of its potential clientele from the criminal justice system. That is, of the drug addicts it identified at entry into the criminal justice system, TASC has been able to get 45 percent to volunteer for the program and released to TASC on deferred prosecution or as a condition of probation. Clients (and staff) of the TASC Clinic are required to submit to frequent urinalysis, both scheduled and random, to detect possible drug use. Overall, there have been 98.6 percent clean urines. Of the 32 clients who have been treated at the TASC Clinic so far, there have been four or five rearrests for new offenses or for violation of conditions of probation.

The statistics cited here are those generated by the TASC program itself. Federal regulations preclude the release of program records without the permission of the individual client and subject to the approval of

the program director. In view of this fact, and because the program is so new as to make recidivism measures highly unreliable, the evaluation staff did not sample the records or generate its own impact statistics.

While the percentage of potential clients diverted seems better than that reported by TASC programs in other cities, it can certainly be hoped that it will get even better as the program develops. As for the recidivism rate, while it seems promising, a few months is too short a measure.

Some of the program's potential for success can be measured, however, by the quality of its relationship with the criminal justice system, in that the diversion process is dependent on the cooperation of the police and the courts. Of the representatives of these institutions interviewed, the overall opinion of the program was very good and the present level of cooperation seemed likely to continue as long as the personnel involved in the diversion process on all sides did not substantially change. Clearly, personalities had much to do with the level of cooperation between TASC and the criminal justice system.

D. Program Process

The Indianapolis TASC program screens clients in both the city and county detention facilities, processes them through both municipal and criminal court, and has both municipal and criminal court probation officers assigned to their cases. Much of the legal process is complex and particular to the jurisdiction, and the interaction of TASC with the system is intricate. Consequently, only the general form of the procedure will be reported here.

1. Screening

Prospective clients are first contacted by TASC screeners in the detention facility shortly after booking. In this first interview the screener lets the offender know that he is not acting as a police officer, that he is attempting to determine whether the offender may be eligible for a diversion program, and that a urine sample, if he will then volunteer one, cannot be used as evidence against him. If the urine sample turns out positive, or if there is other convincing evidence

that the offender is a drug addict, the screener goes back and conducts a much longer interview with the potential client. The task of the screener in this interview is to explain TASC to the client and to try to get him to volunteer for the program. It is stressed, however, that the screener or the program cannot make any promises to the client about court outcome and that the program does not act as legal counsel for the client in the court.

It has been the experience of the Indianapolis TASC program that one of the most important qualities of the screeners is to be able to relate to the detention environment and its permanent residents, the jailors. The other most obviously needed quality, the ability to relate to the offenders, has been found to be a function of the screener's personality, rather than his drug or criminal history. Therefore, the personal quality most looked for in screeners is their ability to relate in a straightforward fashion and their sincere interest in the betterment of their potential clients. Training of screeners occurs on the job and under the supervision of the screening coordinator.

2. Court Procedure

Once a client has volunteered for TASC, and has signed a waiver of confidentiality and authorization for release of information, the case is turned over to the court coordinator. The court coordinator reviews the case for its acceptability to TASC and negotiates with the deputy prosecutor assigned to TASC clients as to whether he would agree to recommend that the offender be directed to the program on deferred prosecution or as a condition of probation. She then appears in court with the client as a representative of TASC and to give pertinent information about the client as requested by the court.

The court coordinator has a very difficult job and must delicately mediate between judges, probation people, narcotics officers, and the prosecutor's office. Maintaining good personal relationships is very important because the Indianapolis criminal justice system operates extremely informally. Consequently, the court coordinator must combine expertise in the intricacies of the criminal justice system with a talent for public relations.

3. Probation

Those clients who receive a referral to TASC as a condition of probation are supervised by the probation officers assigned to TASC as well as receiving treatment at a clinic. Such clients are expected to either come in or at least call the probation officer once a week.

4. Treatment

After the court orders the offender to the TASC program, the client goes to the TASC clinic for intake diagnosis and referral to a treatment modality. The intake process consists of interviews and psychological testing through which the Clinic determines what type of treatment is most likely to succeed with the client. Currently, most clients are placed in the TASC Clinic itself, although treatment slots are available in a number of different modalities outside of TASC. Offenders are mandated to remain in treatment for six months to two years.

The TASC Clinic offers outpatient drug-free counseling as well as methadone maintenance and withdrawal. The counseling staff include both ex-addicts and professional counselors. The Clinic operates very professionally, does not encourage clients to hang around, and works on an appointment basis. The therapeutic style of the Clinic seems to be an amalgam of many different styles, e.g., reality therapy, behavior modification, rational therapy, etc., and it seems to be continually evolving as the staff and the clients gain experience with the Clinic process. A unique aspect of this treatment facility is that rather than buck the coercive aspects of the diversion to treatment process, or sympathizing with the escape of clients from surveillance, it accepts this surveillance as a matter of fact and uses it as a therapeutic tool to help motivate the clients.

E. Socio-Political Context

The community context of the TASC program is the city of Indianapolis, the capitol of Indiana and a stronghold of conservatism. The city has newly amalgamated the suburbs in a unified government system under nationally famous Mayor Richard Lugar. Ethnically, the old city of Indianapolis was about 25 percent black, and,

with the suburbs included in the new city, the percentage is about 16 percent. The city has a core black population but not a great number of other significant ethnic populations. There are a few integrated sections of the city, which is experiencing a fight over de facto segregation in the schools.

Notably, the powers of the city are almost totally Republican. The city government is predominantly Republican, the Mayor is Republican, and the major local funding sources for social programs are also tightly tied in with Republican interests.

Indianapolis is a city of high employment, high local dominance in terms of the ownership of resources, and has a tightly knit establishment structure. Because the State House is only a few blocks away and because the Mayor is politically prominent, city programs have substantial connections with state and federal authorities. The director of the TASC program is uniquely qualified to take advantage of this highly integrated power structure. He once worked in the Mayor's office and has political visibility and respect among national and local Republican sources of power. It was clearly seen that the director's credibility with the power structure helped incredibly in solving the problems of TASC liaison to other community agencies.

F. Application

A TASC-type program must be oriented to assisting the criminally identified addict to move toward a socially acceptable lifestyle while avoiding a divisive and punitive role in the community. The same efficient organizational structure, applied in a humanitarian way in Indianapolis, conceivably might be used elsewhere to deny rights to poor offenders and exacerbate existing racial and ethnic community tensions.

For example, a TASC-type program unsympathetic to addicts could use referral as a weapon to maintain social control over minority drug users. The offender could be badgered into accepting referral and a long legal commitment even if the actual probability of successful prosecution were slight. A poor and innocent arrestee might prefer diversion to extended pre-trial jail time and high court costs. Especially when diversion involves highly addictive methadone,

"rehabilitation" may be much more restrictive than the ordinary criminal justice process.

A TASC-type program also may abuse its community context. If there are minority or ethnic groups highly represented in eligible arrestees, the diversion structure must earn the support of the minority communities. In reality, a TASC-like organization *must* have credibility with the established criminal justice system if it is to be effective. At the same time, it must be sufficiently sensitive to minority group input so that it cannot become (in fact or in image) another tool of the dominant power structure to oppress minorities while ignoring the socio-economic causes of addiction.

A TASC-type program, effectively administered, can operate best with near-unanimous support of all interested community elements, including the criminal justice sector and those credible to the ethnic milieu of the most likely arrested addicts.

G. Implementation

The ultimate success of a model such as Indianapolis TASC is dependent on two things: its ability to elicit cooperation from the criminal justice system for the diversion process and its ability to provide for successful rehabilitation of its clientele. Communities thinking of possible implementation of the Indianapolis TASC model might consider some of the following points:

(1) Eliciting cooperation from the criminal justice system is very dependent on the local politics and current law enforcement philosophies. As has been pointed out in the section on application of the program, such a diversion model can easily become a political tool and its real objectives subverted to political interests. Potentiality for this possibility must be measured in advance and either ensured against or the model dropped altogether.

(2) The fact that the program director, the court coordinator, and the screening coordinator came to the program with an already highly developed relationship with the criminal justice system helped immensely in the establishment of the program in Indianapolis, as did the incorporation of criminal justice personnel into the program structure. Such a procedure in hiring the staff is really part of the model.

(3) Current local resources for treatment must be evaluated. If they seem inadequate or ineffective, the development of a good treatment facility is of the highest priority.

Further questions about the Indianapolis TASC program can be directed to:

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CHAPTER IX

COURT REFERRAL PROJECT

In a city like New York, where there are thousands of arrested drug addicts, and multitudes of treatment services, diversion is problematic. Judges are not clinicians, and cannot always tell what is the most appropriate program for a particular addict. Moreover, various treatment programs are often in competition with each other, so that at times representatives from several may appear in court to offer their services to the offender who is to be diverted, with confusing results. Under such circumstances, there is a definite need for a central intake and referral system. That need is addressed by the Court Referral Project of the city's Addiction Services Agency.

A. Program Objectives

Some key objectives stated by the Court Referral Project in its initial federal grant application are:

- (1) To benefit some arrested addicts by providing them with treatment instead of incarceration.
- (2) To reduce the amount of time addicts spend in pretrial detention, thereby reducing the detention population.
- (3) To create ... a central point of contact between the criminal court and the various treatment programs which take addicts referred by the court, thereby increasing the accountability of such programs to the court and facilitating disposition of the clients' cases.

- (4) To continue and expand a cohesive, orderly and consistent flow for addiction treatment from detoxification to rehabilitation, as it pertains to the criminal justice system.

The evaluators felt that the principal objective was (3), that (4) happened as a result of it, and that success in (1) and (2) came as a by-product of CRP's successful meeting of the first two objectives.

B. Impact

The Court Referral Project's own definition of success is that a client should no longer be involved in the criminal justice system and that he should no longer be involved in drugs. It is very difficult to measure the impact of this program in such terms. It is practically impossible to get access to criminal records in New York City. Not only was it impossible for the researchers to obtain impact data for that reason, but even CRP, itself a city agency, is unable to gain access to fingerprint records in order to derive its own arrest recidivism rate. Currently, the only measure of success or failure available to CRP is whether those placed in treatment programs stay in them until such time as the program feels they are ready to terminate.

The Court Referral Project's July 1973 Interim Report states that as of May 31, 1973, 64 percent of the offenders placed in the first quarter of 1972 had left treatment against program advice. Of the offenders placed in the first quarter of 1973, 32 percent had left treatment against program advice as of May 31, 1973. Admittedly, the offenders placed in 1972 had three to five times as long to leave the program unadvisedly. But statistical evidence and subjective opinion indicate that 90 percent of those offenders who leave a program will do so in the first five months. While 68 percent is undoubtedly a high estimate of the overall success rate of the offenders placed in 1973, it seems reasonable to assume that over a comparable follow-up period, 1973 offenders will show a higher success rate than 1972 offenders. This would suggest that CRP has improved, since its inception in January, 1972, its ability to ascertain who should be referred for treatment and what kind of treatment program would best suit an individual.

It should also be noted, however, that the overall percentage of CRP's referrals to methadone maintenance programs increased from 15 percent in 1972 to 34 percent in 1973. This increase in methadone referrals, a modality with an especially high retention rate, may have been a factor in the notable improvement of retention statistics.

Although statistics may not provide a sufficient measure of CRP's success, a sense of its impact can be perceived from the enthusiastic accolades it has received from members of the criminal justice system. A Corrections Commissioner stated that recently the number of addicts returning to prisons had dropped. Fifty-five to 60 percent of the prison population formerly consisted of addicts. Now it is down to 20 percent. The Commissioner did not say that this was all due to CRP, but he did state that he felt the program had played a significant role in reducing the inmate population, thus enabling jails to provide better services to those remaining inside the walls. Similar praise was given to the program by the warden of a women's correctional facility interviewed by the researchers. An administrative judge expressed his support for the program because of its role in relieving judges of the task of making clinical decisions, and of helping to clear crowded courts. In addition, he was pleased that CRP tended to eliminate the situation where representatives of competitive programs would be present in court, and mentioned that a judge he knew no longer allowed any program representatives in court unless they were from CRP.

As of May 31, 1973 CRP has interviewed 4,442 persons. Of those interviewed, 1,417 were placed into treatment programs (on the average, 270 per month). Overall, CRP believes that 65 percent of those interviewed have been retained and have resulted in no re-arrests.

C. Program Description

The basic criterion used in selecting referrals by CRP is that one must have a drug problem (usually that means addiction, commonly to heroin or street methadone) or an alcohol problem. He must not be charged with certain crimes such as homicide, serious robbery,

serious assault, residential burglary, and most sex crimes.

Reasons why some drug users are not interviewed by CRP staff are: (1) the nature of the charge, (2) lack of interest in treatment, (3) in the case of those offenders in detention facilities, the failure of the addict to identify himself or to be recognized by the authorities as an addict.

Approximately one-third of those interviewed are rejected by CRP staff, one-third rejected by the district attorney or judge (or the defendant changes his mind about a program), and one-third get into treatment.

There are no written criteria for interviews. However, an objective of the interview is to eliminate bad risks. A bad risk would be a client who lacks motivation, who does not appear ready for treatment, or who lies to the interviewer.

The length of follow-up is one year. It is thought by CRP that if a client continues to be involved in a program for one year, then a reasonable goal has been attained.

The way the CRP process flows is that interviewers (defined by Civil Service as "supervising addiction specialists," qualified by four years experience in drug programs) are sent by CRP into the prisons and jails in search of addicts who have been detained. An addict in a detention facility usually spends seven days on the detoxification floor (the interviewer is supplied with a list of those addicts who are admitted to the floor each day). The staff member talks to the addict, and asks him if he is interested in long term treatment. (The majority of interviews are done pre-trial, right after arrest, though some clients come to CRP directly from court, and are on bail or parole.) If he is interested, then an interview is conducted.

This stage in the process is really the heart of the program. The interview consists mainly of asking questions that will fill out items on a 17-page form. One purpose of this intake form is to amass a large amount of relevant data about the client which can be interpreted according to a Pittel Index in order to assess the client's eligibility for referral to

treatment and to determine what type of treatment would benefit him the most. It is also the purpose of the interview to assess the client's real motivation. The long series of questions is designed in such a way that they will not only collect data, but check up on the client's attitude, especially to see whether he might have a tendency to lie, which would be picked up if he gave conflicting answers to questions which are almost identical in nature, but which are found in different parts of the questionnaire. A liar would probably not be sincere and therefore would not be a good candidate for treatment. It is, of course, necessary to weed out con artists who are simply looking for a way to get out of jail. After completion of all the questions, the interviewer is required to write up, at the end of the report, his opinion of the client's honesty, cooperation during the interview, his readiness for treatment, the likelihood of his staying in treatment, plus any other comments about the client pertaining to his acceptance or rejection. Besides the Pittel Index score, the interviewer's own gut level appraisal of the candidate is also an essential factor in the evaluation. However, it is required that this assessment be justified and explained as accurately as possible. If the interviewer feels that the client should be diverted to treatment, he makes sure to include any additional facts in his report which will make the client look good in the eyes of the D.A. and judge.

The CRP staff member in charge of training interviewers commented that although the Pittel Index is instructive in evaluating the forms, gut level reaction decides it in the end. He did say, however, that it was important for interviewers not to pre-screen the clients; that they should form their subjective opinions on the basis of how the client answers the questions, rather than get into too much of a personal conversation at the beginning as a basis for evaluating the client. The staff member mentioned that interviewers reject 35 to 40 percent of the candidates they see on the basis of motivation.

After the interviewer has written his report, he reduces it to a recommendation for treatment and an indication of what program the client should go to. If he does not think the client is ready for treatment, or if the client and the interviewer disagree on which program the referral should be made to, then no

recommendation for treatment is made.

After the interview and decision have been written up, the report goes to the Borough Supervisor of the CRP. There is one such supervisor for each of the four New York City boroughs in which the program is operative. These supervisors have had even more experience than the interviewers, and in many instances came up through the ranks, having previously been interviewers. The supervisor reviews the case and accepts or rejects the interviewer's recommendation. The decision is made by the supervisor, but about 90 percent of the recommendations of the interviewers are followed. Early in the history of the project, a number of recommendations were rejected because it turned out that the D.A.'s office would not go along with cases involving certain charges. Now there has been a change, since D.A.'s are willing to take heavier charges.

Once the decision has been made by the Borough Supervisor, the case goes to the court liaison man, of whom there are two in each borough office. The court liaison people have to be good salesmen, mature, energetic, and smart. They are not lawyers, yet they must be familiar with the court process. They must have come through the project up from the ranks. The court liaison person is the one who "sells" the addict. His first task is to clear the diversion with the addict's lawyer; usually that is no problem. Then the liaison man presents the case to the District Attorney and he is asked what he wants to do about it. A significant fact about the Court Referral Project is that it was the first diversion of its kind which did not require a guilty plea. The Director stated that a good deal of time and effort went into persuading District Attorneys that this would be feasible.

After the case has been presented to the District Attorney, he can do one of three things. He can reject the case, he can accept it and recommend release on recognizance, stipulating that the charges are to be dismissed after successful termination of treatment or, lastly, the D.A. can accept the case but stipulate that there has to be a guilty plea with a non-custodial sentence. (In the formative process of the Court Referral Project, the original D.A.'s contacted were reluctant to go along with the project without the guilty plea, but the Executive Director insisted that

the guilty plea be omitted as part of the process.)

If the D.A. accepts CRP's recommendation, the treatment program is apprised of the client's case, usually by telephone, and it decides whether or not to take him. After the D.A.'s acceptance, the case comes to court. Usually the judge will follow the D.A.'s decision to have the client diverted. If the judge thinks the client should go to a treatment program of a different modality from the one recommended by CRP, the project simply steps out of the case and leaves the responsibility for the client's treatment with the judge and whatever program he chooses to select; he must take his own measures to ensure that the client goes there, and makes his own contact with the program. However, this is an extremely rare occurrence. Usually the judge's decision is the same as that of CRP. When the decision is made, the client is released and turned over to the CRP program liaison man.

Most of CRP's cases involve pre-arraignment diversion, with the procedure running as described above. But there are also CRP clients who receive treatment as a stipulation of sentence after conviction, and others who are referred to treatment while on bail or parole.

The CRP program liaison person is an escort to take the client to treatment. He physically escorts him from the court to the premises of the treatment facility. If the client does not want to go to treatment and feels he would rather disappear instead, the program liaison man will attempt to talk him into going along but will not try to escort him forcibly. If the client does walk away, nothing is done except that he is reported back and a warrant issued for his arrest. The program liaison supplies an important element of moral support. Many treatment programs to which clients are diverted lose people in transit, but the Court Referral Project has hardly ever lost anybody on the way to treatment.

Once the person is in treatment, CRP calls in every five to ten days to check up. If the client leaves treatment without permission, then CRP tries to contact him first. If this is not successful, the project reports back to the D.A. and the judge, and a warrant is sent out for his arrest. If a person has a record of having left a program without permission, he

is not automatically excluded from eligibility for CRP diversion in the future, but it is not likely that he will be taken on again. It is well known in New York that warrants usually take a very long time before they are served, but at present there is a plan worked out in the Bronx which will soon be implemented city-wide whereby CRP makes an agreement with the Police Warrant Squad that absconders from CRP will be given priority in being served warrants. So far, this accelerated serving of warrants has been effective and the client is warned in advance that if he does abscond, he will be more likely to be apprehended than he might previously have been led to suspect.

The procedure as outlined above applies to criminal court cases which involve misdemeanors only. The criminal court cannot try felonies. They are handled by the Supreme Court. CRP does get a smaller number of Supreme Court felony cases. They are dealt with only post-conviction. In such cases, CRP is contacted by the judge or lawyer.

In a conversation with the researchers, the Executive Director discussed some considerations that should be dealt with if a program like the Court Referral Project were to be implemented as a model. It would be absolutely essential to the working of such a program to secure cooperation, first from the District Attorney and then from the judges. If that is not done, it simply will not work. The Director must be conversant with the criminal justice system. He must also be a lawyer. The latter was emphasized not only because of legal knowledge, but also because the director would be dealing to a large extent with lawyers, and lawyers consider themselves something of a club. The Executive Director advised that a Court Referral Project not be set up under any part of the criminal justice system but that it remain independent of all of them. The project must have credibility with all of the sectors with which it deals without making special accommodations to any one to the detriment of another or, for that matter, to the detriment of the client. In New York, the Court Referral Project is under the auspices of the Addiction Services Agency and is therefore autonomous from the judges and the District Attorneys. The director stated that if he had it to do all over again, he would not make the project a part of the city bureaucracy. Although,

under the present set-up, there is the advantage of access to other agencies, such as Probation and Corrections, this advantage is outweighed by the great difficulties involved in bureaucratic red tape. He said that as a result of this latter complication, it becomes at times almost impossible to run the program. Hassles encountered include tremendous difficulties with budgetary matters and also with requirements to operate in accordance with the Civil Service system in the hiring of employees. The Executive Director went on to state that his biggest problem is personnel. It is important to keep thoroughly on top of the staff. He did not accuse any of his own staff of taking bribes, but pointed out that this was indeed a potential danger if the structure of the Court Referral Project were to be naively implemented. He insists that his Borough Supervisors be thoroughly responsible and not take any excuses from the staff over which they have authority. As an example of the problems faced by city agencies, he pointed out that in the recent report on the Addiction Services Agency, only one program received positive commendations and that was the Court Referral Project.

In thinking of the Court Referral Project as a model, it has been suggested on the one hand that it is so well adapted to New York City that it might be hard to apply to a smaller city, where there is less variety and choice in treatment programs. Yet, on the other hand, it might operate even better in a smaller city, where the referral project itself could gain a greater familiarity with the treatment programs and thereby be enabled to make wiser decisions on where to send people. It should be pointed out that although CRP is now city-wide, it got going on a borough-by-borough basis, starting only with Brooklyn, then working into Manhattan, and so forth.

A peculiarity of New York State, which had caused some consternation at the time of the research team visit to the Court Referral Project, was the law implemented September 1, 1973 governing sentencing for the sale or possession of controlled substances. There was a great deal of apprehension as to what the law would end up doing to the justice system in general, and to CRP in particular. As of late November, 1973, there has been no appreciable effect on the Court Referral Project, which continues to process an average of

220-230 clients per month.

It is the opinion of the evaluators that although New York has special problems, in which the Court Referral Project plays an important role, it has wide applicability to other cities. It is not the only model of a central referral and intake apparatus. TASC, for example, shares some features with CRP. But an important difference is that TASC does not make any pretense of interest in the client's motivation as a prerequisite for success in treatment, whereas screening for motivation is at the heart of CRP's operational process. Of course, an essential criterion for the success of a project like this is not only the ability to screen clients properly, but also to make effective assessments of available treatment programs, a major task, and one which is best performed by the referral program itself, without relying too heavily on other evaluations.

There is a great deal that could be accomplished through having more projects like CRP. For further, first-hand information about the program, one can write to:

Martin J. Mayer, Executive Director
or
Irwin Davison, Director
Court Referral Project
325 Broadway
New York, New York 10013

ALFY
c/o NCCD Research Center
609 Second Street, Suite D
Davis, California 95616

CHAPTER X

ADDICTS REHABILITATION CENTER

Drug addicts want to be cured. They will seek treatment and, with more systematic guidance over a long period of time, a substantially higher percentage will be cured... Records show that an addict reverts to using drugs only after he returns to his local community and faces the challenge of attempting to live like a normal person. When he accepts this challenge he begins to face a series of tests, all of which drive him back to addiction. This situation points up his greatest need, a need ARC has set out to meet. The addict needs a half-way house in his local community immediately upon his release from the hospital or from prison. He needs 24-hour a day treatment and supervision in his local community, and guidance in his attempts to become a normal citizen.

In the above statement, made in 1965 by the founder-director of ARC, the key words are "in his local community." Addicts Rehabilitation Center is located in central Harlem, New York City, where it has been functioning since it was founded in 1958. It consists of two main facilities, the Crisis Intervention Center, and the residential treatment facility on 123rd Street. The latter is the subject of this report, as it is the heart of the program, having had the more profound impact on the addicts contacted. Recently, a large warehouse building was donated to ARC, where the administra-

tive offices are currently housed. When the building has been converted and renovated on the inside it will be able to accommodate all residents as well.

A. Program Objectives

ARC stated in its last report that the program's objectives were as follows:

- (1) To help participants abstain from drug abuse
- (2) To help participants secure developmental employment
- (3) To encourage participants to continue their formal educational and vocational training
- (4) To help participants improve their personal self-concept, so that they are better able to develop positive attitudes, more effective behavior patterns, and better interpersonal relationships

These four objectives are very closely interwoven in the program and in many ways they are mutually interdependent, especially in the cases of (1) and (4). The program is very clear in the meaning it attaches to "drug abuse." Ultimately it is hoped that the addict will become permanently free from heroin. It is the program's belief that to achieve that difficult goal, he must abstain from any and all use of intoxicants, including marijuana and alcohol, as well as methadone, while participating in the program. The program is quite sincere in striving to attain its other objectives as well, and from what the researchers could observe, it appears to be successful.

B. Impact

From the random sample of cases taken by the researchers, and from the figures given in ARC's own report (April 1973), some general statements can be made about the population served by the program. The ratio of male to female is about 82 percent to 18 percent. Almost all participants in the program are

black, most of them natives of Harlem. The majority are unemployed at time of entry. The average client has gone through 10th or 11th grade, but has not graduated from high school. The majority are single and have had some prior arrest history. The drug of addiction is usually heroin, although methamphetamines and cocaine may have been used as well. The average length of addiction time before entering the program is seven and a half years. The average age of clients is 25.

The program is strictly voluntary, and most of the clients are people who just walk in. A person must really *want* to give up dope if he is going to last long in the program. Occasionally there have been police referrals from the precinct which is located on the same block, but there is no formal diversion process. The program has had no difficulties with the police, partly because of its reputation for being absolutely clean. In fact, it is a stated rule of the program that anyone who brings an illegal drug onto the premises will be immediately reported to the police precinct.

It is difficult to find an objective method of assessing the program's impact. When the researchers took a random sample of 22 cases from the files between April 1972 and April 1973, they found that the average length of stay in the program was 48 days. Such a short period does not seem long enough to accomplish the stated objectives of the program. But it could be seen in the sample that either a client left before three weeks or else he stayed at least 85 days. In the program's own figures for the same period of one year, it could be seen that 237 clients stayed at least 100 days in the program, and more than half of those stayed at least six months.

The question is, to what extent can one tell that the program has been successful for a client on a permanent basis, judging only by the length of time he has spent in the program. It would be most helpful to have follow-up information on those who left the program, but such information was unavailable to the researchers. Criminal justice records were unavailable, so recidivism could not be determined. Moreover, such figures would not necessarily give an accurate picture of drug use anyway. The only follow-up infor-

mation was gained in conversations with graduates of the program and in reading the 30 case history success stories of ARC residents presented in the program's latest report. According to these sources, the program is making a tremendous impact on those individuals who really want help. A number of participants spoken with said they felt that their lives had really been transformed by ARC. The general feeling among participants in the program was that anybody could succeed in becoming drug-free if he did all that was expected of him in the program, obeyed the rules in letter and spirit, and subscribed wholeheartedly to the philosophy of the program. Of course, the people spoken with were ones who, although graduates in some cases, were still connected with ARC, either through residence, employment, or both. The real test of the program's philosophy would be to see how graduates do who live and work in Harlem but are not connected with the program.

C. How ARC Works

When an addict comes into ARC he is given a copy of a 23 page document called the "Criteria," which consists of a detailed explanation of the program's philosophy, history, and regulations. For the first 15 to 30 days, the addict is on Probation. He is restricted to the residence premises and must conform to numerous stringent regulations. He attends group sessions at least once a day. His main task during this period is to learn the Criteria backwards and forwards. He will not be allowed to progress in the program beyond probationary status until he passes a cross-examination-type interview with the Rules Committee (consisting mostly of people who have progressed to the most advanced level of the program). During the interview he must satisfy the committee that he knows everything in the Criteria, is able to repeat key portions of it verbatim, and feels honestly in tune with the spirit of the program. In order to progress to a higher status the participant must also turn in periodic written assignments, including a book report on an assigned title. The researchers noticed that these numerous assignments and requirements forced the participants to focus their minds and concentrate in a way which drugs had kept them from doing in the past. One participant spoken with emphasized

the importance for him of learning to think instead of merely reacting. Even those participants who cannot read or write adequately are required to complete the assignments: books may be summarized or read aloud to them by others, and they then dictate their reports to someone who can write. In addition, tutoring is provided.

After Probation, the next status level is Pre-employed. Members of ARC in this status have somewhat more freedom and responsibility, and, subject to various conditions, they are eligible for occasional passes to leave the residence. It is in this phase that the attitude, stability and behavior of the participant are evaluated and recommendations made with regard to sending him into a job or school. The participant has a choice of getting a job, seeking a job training position, going to school to finish his academic training, or going to a trade school for skills training. The program feels it is advisable for the participant to go to school to acquire some training, if he has no skills. Just going to work on a menial job where advancement is limited, can cause frustration that often leads back to drug use. The participant must spend at least three weeks in the Pre-employed status, and should have several experiences of going out on a pass before progressing to the next status. Also, he attends meetings of the Pre-employed level members and must complete another book report before being considered for promotion.

The next two status levels are equivalent in terms of privileges and responsibilities: School and Employed. Each carries a definite structure and set of responsibilities within the program, as well as checks to see that the discipline involved in the education or job is being observed. All employed persons and trainees are required to deposit one quarter of their weekly pay in a savings account. Failure to do so results in disciplinary restrictions. At the time of graduation, the participant takes his savings with him, which is required to be at least \$500.

The final phase of the program is Re-entry. In this phase the participants assume responsibilities for helping the staff run the program, as well as getting ready to move back into society. They have a number of automatic privileges and a higher degree of

freedom than other participants. For example, they are regularly entitled to overnight passes, etc. However, if the Re-entry candidate exhibits any regression in general attitude or behavior, he may be suspended from his status. Such suspension is automatic for 30 days.

In addition to the above status levels, there are also the categories of Restriction and Violation to which participants are relegated for periods of time as a result of infractions of program rules. The members of each status are required to wear a colored button indicating which group they belong to. A special counselor is assigned to each of the status levels. These counselors are ex-addicts who are not clients of the program, although they may have graduated from it in the past. They are hired staff, yet they are subject to some disciplinary actions shared by program participants.

Status counselors give individual counseling to members of their status and also conduct group therapy sessions or meetings for members of the level for which they are responsible. It is the counselors who are primarily responsible for seeing that members of their status fulfill the requirements expected of them. In addition to this authority, however, there is an important emphasis placed upon community responsibility. A large portion of the staff of the program is composed of ARC members who have not yet graduated, who are given responsibility for many of the activities and day-to-day functioning of the program. A significant example of this is the role of the Rules Committee. This committee is the disciplinary body which decides what measures are to be taken against individuals who violate rules of the program. It also determines when individual candidates are eligible to progress from one status to the next. As mentioned earlier, a person can under no circumstances move up from Probation, with all of its stringent requirements, until he has appeared before the Rules Committee, and demonstrated that he is ready to accept more freedom and responsibility for his own actions.

The Rules Committee may be seen as a somewhat exalted body within the community but the male and female house managers who sometimes are of a lower

status than the Rules Committee members, are also charged with a large degree of responsibility in seeing that residents' rules are observed. Further, each member of the community, including those on Probation, is expected not only to behave according to regulations himself, but to report any infractions of the letter of program rules or the spirit of its philosophy by other individuals in an "incident" sheet, which is sent to the Rules Committee. Incident sheets may be written up not only on clients of the program but even on staff members regardless of their rank if a program member feels that they have acted unfairly or in a way that does not accord with their responsibilities. It is not only the right but the duty of each member to write an incident sheet on anyone he observes behaving contrary to regulations. At times this procedure is avoided by "contracting." In contracting, a person who observes someone else doing something wrong will not report him in exchange for not being reported by the other for his own misbehavior. To discourage contracting, group discipline may be enforced whereby a whole group may be punished for the deeds of one individual.

Upon examination of the Criteria, one is struck by the degree of strict discipline that is imposed upon the participants in ARC. It would seem to an outsider that some of the expectations are so stringent as to be unrealistic. However, among the numerous clients interviewed, there was not one who felt that the rules were unfair or overly strict. When asked why they did not object, the general response was that this was something they had to go through in order to break away from the conditioning of the street and the "dope fiend mentality." The only complaint about the program which the researchers even encountered when interviewing clients was that the rules were sometimes not observed strictly enough by participants. Even those who had been given violation did not in any way seem to resent the discipline of having to work 15 or more days at hard labor in the renovation of the new building, in addition to being deprived of all the privileges and degrees of freedom which they had earned by progress through the program.

One client interviewed was still on Probation after eleven months in the program, having progressed several levels and then been demoted. He recognized

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the fairness with which he had been treated and stated that he was simply going to do his best to earn a promotion.

It seems to the evaluators that an important indication that the program is attaining successful results is that so many people are willing to subject themselves voluntarily to the strict regimen of ARC with a minimum of grumbling.

A number of participants interviewed said they thought ARC was better for them than other drug programs they had been in, including both methadone and therapeutic communities. One member said he greatly appreciated the fact that although there were strict rules and discipline at ARC, respect was always shown to participants, that there was no verbal hazing or abusive therapy of the kind he had seen in other programs, and which he believed to be destructive. This observation was confirmed by the two therapy sessions observed by the evaluators. Although there may have been a certain amount of confrontation, it was not directed at the participant's own personality, it was simply aimed at a particular point of view he might be holding which represented a dishonesty to himself. Confrontation was not used for its own sake, and although the sessions were not superficial, there was an atmosphere of warmth and a respectful tone, in that members of the group often addressed each other as "Mr." or "Miss" plus their last names, even though they were on informal speaking terms.

Another participant commented that he felt ARC to be more beneficial to himself than another well-known therapeutic community he had tried. The other place tried to sever the connection between him and the background environment in which he had become an addict. It also happened to be the environment in which he grew up and lived all his life--the black ghetto. He said the other T.C. was trying to get him to adjust to an environment that was more cosmopolitan. He felt that someone whose background was white middle-class could make it in that kind of program, or perhaps a black person who had the ability to relate to the white middle-class on its own terms. But he personally felt more at home in a program that was not integrated, as the ghetto was too much a part of him for him to "fake it" and become cosmopolitan. He

said that if he was going to succeed at all, he would have to succeed for real in the ghetto, and not just let people condition him into forgetting where he came from. For his purpose he felt ARC was just right.

D. Does ARC Have to Be Unique?

The evaluators feel that ARC is successfully filling a needed role: a voluntary residential treatment center for addicts in the ghetto. There is something special about the program that inspires hope in the people who come to it and dedication in those who work there. Is this something that could be re-created elsewhere?

Part of the program could be recreated, and that is the "Criteria." At least it could be made available as a guideline for structuring a center of ARC's type. But it takes a great deal of motivation to live up to the "Criteria" in actual practice. Where will that motivation come from? In ARC it is inspired by the director, who also founded the program, and in starting another program like ARC, one would have to give careful consideration to what kind of person would run it. It would have to be someone who could combine credibility with capability. If it were not someone who had been an addict himself, it would have to be someone who could understand how an addict feels; who can sympathize with the ghetto pressures that drive so many to addiction, and yet demonstrate and inspire confidence that at least, in oneself, those forces can be overcome.

Persons interested in further first-hand information about ARC should write to:

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CHAPTER XI

DELANCEY STREET FOUNDATION, INC.

Organized under a nonprofit corporate status, Delancey Street refers to itself as the Delancey Street "Family." The Family consists primarily of former hard-core opiate addicts and ex-convicts living and working together for the common good. Residents are trained and employed in businesses owned and operated by the Foundation. They live together in three large mansions in a wealthy section of San Francisco. The primary therapeutic technique of the program is the "game," adapted from the Synanon game, featuring confrontation and honest disclosure among the residents. The program stresses the development of self-reliance, self-discipline, and moral behavior. Clients come into the program primarily as voluntary referrals from the criminal justice system.

A. Program Objectives

The primary objective of the Delancey Street program is to transform the most hardened "ex-cons" and strung-out addicts into responsible and prospering citizens. Specifically, it tries to teach its residents good work habits and skills, self-discipline, and a sense of morality within a context of intimate "family" relationships. While the program has not been in existence long enough to truly measure its impact on its residents, there is substantial reason to believe that it is transforming them in the desired direction.

B. Current Status of the Program

The Delancey Street Foundation traces its origins to 1969, coinciding with the time its founder and cur-

rent President had left Synanon after a previous history of heroin addiction, criminal activity and incarceration. Formally established in 1971, the program gets its name from the street on Manhattan's lower East Side, where, in the 19th century, Delancey Street came to symbolize the self-reliant spirit of Old World immigrants working their way into the mainstream of American life. The foundation started in an apartment with four members, ultimately expanding to a residential membership of 260, with three large housing facilities in San Francisco's wealthy Pacific Heights. The program supports itself primarily through earnings from its own businesses -- a retail flower store, an automotive service and repair center, a moving company, a contracting and construction firm, and a restaurant. The program's clientele come primarily from criminal justice referrals although it also has some self-referred clients.

The evolutionary development of Delancey Street as an organization has occurred under the same primary leadership. So far, aside from the development of committed managers, the President has set the tone and sparked the program. Currently, many of the operational tasks have been taken over by other experienced Delancey residents, but the President is still the guiding force, enjoying firm support in this role from managers and new residents alike. It may be that Delancey Street could continue successfully without the President, but the program's expansion and equilibrium might be severely affected.

C. Impact

Clients come to Delancey Street from a number of different counties and jurisdictions. Consequently, the research team did not try to generate a recidivism rate for Delancey Street clientele. Instead, impact was measured from the reports of the program itself and by the criminal justice opinion of the program's quality and effectiveness.

The criteria defining program success at Delancey Street are very high. A "graduate" is expected to be drug-free, pursuing a socially constructive role, and solidifying a family life. It is also expected that the graduate will keep close ties with Delancey Street and always be a member of the "Family." However, since

graduation from Delancey Street is expected to take from one and half to two years, and since the program is less than two years old, there are few who could be considered graduates. Only one was universally mentioned as graduating in the classic way (now married and pursuing an electronics career).

Another measure of Delancey Street's success is the low split rate despite the severity of the program. Only about 25 percent of their intake population has left the program prematurely. The split rate has increased in the past few months, the major reason seeming to be the overcrowding of the facilities (the Vice President sleeps on the floor). But, although the program is reluctant to admit it (so as to discourage splitting), many of those who split early seem to be doing very well on the outside.

The overall opinion of the program by the criminal justice personnel interviewed was very positive. The competent handling of business affairs and development of independent sources of funding the program, the inspired leadership, and positive feedback from clients referred to the program were all cited as reasons for confidence in the program. One particular concern expressed, however, was about whether graduates might simply become professional ex-addicts and remain as staff in the program rather than actually reenter the community. It is too early in the program's history to judge whether this will happen or not, but it is not the present intention of the program that this should happen.

D. Program Structure

The Delancey Street Family presently consists of a local "clan" of some 260 residents which are divided into four "tribes." At the head of each tribe is a "Barber" who functions as a counselor or, occasionally, as a disciplinarian. The Barbers are clients who have come through the ranks, are expert at the therapeutic "game" described below and have shown advanced maturity which allows greater responsibility. Barbers, with consultation from others, make the major decisions for residents regarding their work roles, social responsibilities, privileges and therapeutic needs.

The clinical crux of the program lies in the "game,"

adapted from the Synanon game. It is an interpersonal group procedure featuring confrontation, honest disclosure and group review of certain behaviors of residents. New residents are the object of heavy gaming, as would be anyone caught in dishonest behavior. Commonly, the newer family residents participate in formal games around three times a week, more if special games are called. More experienced residents may only participate in games two nights a week. The Barbers are responsible for assigning game members, and consciously structure the game membership lists for specific therapeutic purposes.

Additionally, again especially with newer members, significant amounts of individual counseling go on, some of the attacking variety and some of the supportive variety. Consistent within the Delancey Street counseling structure is heavy verbal attack on a person's *behavior* but not on his actual *self*. Thus a group of Delancey Street members, led by a Barber in a game, may sear an erring resident with hostility and then invite him out for a friendly coffee ten minutes later. Friends of DS or other interested citizens can also participate in regular games which are partially staffed by Delancey Street members.

The new resident has little individual choice; men are required to shave their heads; women must wear unattractive stocking caps. Usually new residents are given menial work such as the cleaning detail or other such tasks. Many new residents work in the cafeteria facility at the Pacific Avenue mansion. After approximately two months of this initial probation, residents are assigned to the different work roles available through the Delancey Street businesses.

The Barbers see the necessity of breaking down the rationalizations and justifications of the typical ex-con opiate addicts, shattering their false ideas of self-worth, and providing them with experiences of real self-worth based on their actions. New Delancey Street residents are subject to deliberate plans to make them undergo stress, strain, and conflict. Their confusion is maximized; yet they retain significant interpersonal support. It is felt that typical Delancey Street residents have never been able to effectively handle frustration and turn it into constructive energy. They are encouraged to experience their previous lives as stupid

and worthless and to give up any hope of getting satisfaction from further addiction or criminal behavior.

While some of their clients are self-referred, the bulk of referrals to Delancey Street come through some aspect of the criminal justice system. A potential client can be referred by the public defender in his initial or subsequent contacts with the offender. A probation officer can recommend or refer an offender to DS as a condition of probation. Also, DS residence can be a condition of parole.

Formal access to DS does not take place without an intake interview usually conducted by several experienced DS members, including at least one Barber. The intake interview is a crucial event at Delancey Street. It is where the potential client is told exactly what to expect at DS and it must prepare him or her for the very difficult initial stages. On the other hand, it is where DS receives a commitment from the potential resident, now a commitment for two years. The final interview is also likely to give the client a taste of the nature of DS interaction. It is often the first confrontation between the "jiving" of the con-doper and the harsh reality testing of the DS Family. The degree of commitment from the client usually determines whether Delancey Street will accept him.

The fact that the program is honestly described in the interview helps to discourage those just looking for an easy diversion program more luxurious than jail. It also explains why and how Delancey Street can work well with those facing horrendous alternatives and who realize how bad their life has been. New residents must be reasonably desperate to go along with such a commitment. Yet not all of this is negative; the program also seeks to show in the interview the good things DS has given its residents--the self-esteem, the "togetherness," the identity and security which most ex-cons and addicts do not have. Clients see in the Delancey Street interviewers persons with backgrounds as deprived as theirs and who know all the psychological tricks, but who radiate a satisfaction which exemplifies the hope of a real and positive alternative to the criminal or addict lifestyle.

Membership in the Family requires a commitment of all personal possessions and major life decisions to

the Family. Delancey Street then supplies everything necessary for life support and also provides work experience, tuition for education where appropriate, and will even stake the member to a car, apartment and cash when he is ready to graduate.

No salaries are paid to any staff or any member of the Board of Directors. No personal profit is tolerated; all externally earned monies and labor go back to Delancey Street Foundation. On the other hand, Delancey Street supports its members and their families through any difficulties they may encounter. This has involved getting legal aid for children of Family members and arranging school experiences for relatives of Delancey Street residents.

E. Application

The Delancey Street model cannot merely be transplanted. It has unique characteristics determined largely by the experiences of its personnel. However, this type of program may have significant appeal to certain kinds of communities and certain types of clientele.

Regarding location, a Delancey Street type program is most salient in major population centers or in smaller metropolitan areas which have relatively large numbers of drug related ex-convicts, heroin addicts and/or rehabilitation failures. The community must be large enough to absorb program businesses so that local merchants are not alienated. Since employment and vocational training are such key elements in the Delancey Street approach, the program might thrive best in communities with some manpower shortages or those in which unemployment does not significantly exceed the national average.

As for clientele, the Delancey Street approach seems most promising for the most difficult cases. It works especially efficiently with the "down and outers," with those whose ordinary future prognosis is most poor. It could be used as a back-up rehabilitation approach, where the ordinary legal constraints and criminal justice procedure have been ineffective in changing lifestyle and motivation. However, significant modification would be necessary if such a program hoped also to deal with the offender with accompanying mental illness.

F. Socio-Political Context

The Delancey Street program must be understood in the context of the social philosophy propounded by its President. This philosophy guides the overall policies of Delancey Street and also orients its direction. The President sees Delancey Street as a quasi-religious organization, with trappings of a social movement, similar perhaps to the early American pioneers, especially those considered "social misfits." The program is seen as providing a focus for the striving towards self-worth, while including a strong commitment to basic morality and national purpose. Delancey Street sees the drug problem as a social and economic problem, occurring within a culture close to economic depression, one with a high level of corruption with injustice closing off possibilities for the socially and economically handicapped. The President feels that drug rehabilitation programs are usually ineffective because they do not prepare clients for responsible roles in working society; neither do they give clients a social base from which to work. Thus, Delancey Street provides role models to show clients ways toward self-responsibility, allowing them to be taught by example.

In the broadest sense, the President sees Delancey Street as a catalytic social movement, encouraging others to organize according to their needs, endorsing, for example, the technique of "non-violent aggression" where the good of the people is involved. This catalytic function may be served by the expansion of Delancey Street to other communities and by its example in political and community organization within the capitalistic structure.

Consequently, Delancey Street is explicitly a political as well as a "treatment" program. Its very choice of residence in the wealthy Pacific Heights section of San Francisco is both a real and symbolic statement of its socio-political philosophy. Neighbors were hardly enthusiastic to welcome the Delancey Street residents in their midst. The stubborn effrontery of Delancey Street's presence there is a good example of what is meant by non-violent aggression. It must be remembered, too, that Delancey Street's location is not just a political statement. The program believes that the ghetto is not a healthy environment for rehabilitation, and it chose Pacific Heights because its atmosphere was one of success in the world. This atmosphere of success is part of

the therapeutic method of Delancey Street.

If San Francisco were a less politically liberal and sophisticated city, the Delancey Street mansions on Pacific Heights might now be burned to the ground. But for now, at least, there seems grudging tolerance for Delancey Street's methods and message. It is a considerable advantage to the program that its methods are based on capitalistic philosophy; the more conservative elements of the community cannot launch any attack on the grounds of economic philosophy.

G. Implementation

Communities considering possible implementation of the Delancey Street model might give thought to some of the following points:

(1) In order to survive, this program has had to develop a very strong financial and political base. Both to maintain its socio-political independence and as an expression of its philosophy of self-reliance, it has not sought public funding. The potential for developing such a model is somewhat dependent on the economic structure of the community and whether there is room in that structure for the businesses of the program.

(2) Integral to this program, as with all such programs, is its ability to attract referrals from the criminal justice system. This is a problem both of local criminal justice philosophy with regard to drug addicts and of the potential credibility of the program in terms of its structure and functioning. In the case of the Delancey Street model this is particularly important because of the radical nature of some of its philosophies. There must be tolerance, if not support, of the program methods and philosophies in the community-at-large for it to be politically safe for the criminal justice system to refer potential clients.

(3) The final critical consideration is the selection of program staff. To teach morality and self-discipline to a group of hardened criminals and addicts, the staff has to be able to capture the respect of its clientele as well as be models of morality and self-discipline. This credibility seems inspired at Delancey

Street by the capacity of the staff to be compassionate with the sufferings of their clientele without being blinded by their psychological games.

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APPENDIX

THE DATA COLLECTION PROCEDURE

A. The Data Collection Manual

The field data collection procedure for this project is fully described in the *Field Data Collection Manual for Phase II of the Survey of Community-Based Corrections*.⁸ This manual provided instructions covering all phases of the field data gathering to be done during the Survey. A preliminary version of the manual was issued on July 26, 1973 and formed the basis for evaluating the first three programs studied. On the basis of the results of these preliminary evaluations a final version of the manual was prepared. The changes represented in the second version were tested in nine further field programs.

Two teams of field researchers used the manual as their basis for collecting data on the twelve programs. The results produced by the two teams were comparable in nature with regard to the topics covered, the manner in which the data were acquired, and the presentation of results. This preliminary testing of the manual suggests that it provides an effective tool for structuring data collection for purposes of evaluation, ensuring comparability of independent evaluation teams while operating at a less sophisticated and costly level than traditional evaluation research. It is hoped that others will seek to utilize the manual and that further use of it will permit further comparable, standardized evaluations.

⁸Emrich, R. L., and Thure, K. L., *Field Data Collection Manual for Phase II of the Survey of Community-Based Corrections*, October 25, 1973, available through Chief, Preventive Programs Section, Drug Enforcement Administration, U.S. Department of Justice, Washington, D. C. 20537.

B. The Data Collection Schedule

In August 1973, the two research teams began making on-site visits to the selected programs. While there was some slight variance in the data collection procedure from program to program resulting from differences in program structure, the following is a general outline of the procedure used to collect the data on which the individual program reports are based.

About 13 to 14 man-days were spent in the field per program. A general data collection team consisting of two individuals spent one week in the field for a total of 10 man-days; a specialist in management and fiscal matters spent between two and three days in the field; and a panel member spent one day in the field during the week that the generalist team was there, on the third or fourth day of the visit by the generalist team.

The data collection by the team, the panel member, and the management specialist was essentially broken up into nine steps as follows, each with its own man-day allocation. Table One provides a summary of these assignments.

The first step was an introductory or orientation session which was scheduled to last the first half of the opening day and took half of the time of the A member and half of the time of the B member of the generalist team. This step focused on the flow of clients into, through, and out of the program. The A member was especially responsible for understanding this flow.

The second step lasted two man-days and involved a study of the process of serving the client conducted entirely by the A member of the team.

Steps Three through Six were all concerned with the collection of impact data. The third step was concerned with an examination of the program's own records and was also conducted by the B member of the team and involved one to two man-days.

The fourth data collection step, consisted of one day of interviewing criminal justice personnel, and was done by the B member. This step involved asking criminal justice system personnel for: their overall impression of the program, their assessment of the impact of the

TABLE ONE
THE DATA COLLECTION RESPONSIBILITIES

DATA COLLECTION STEPS	The Generalist Team		Management Analyst
	A Member	B Member	
	Average Days	Average Days	Average Days
1. Orientation and Flow	.5	.5	.5
2. Program Process	2	-	-
3. Impact--Program Records	-	1.5	-
4. Impact--CJS Reaction	-	1	-
5. Impact--CJS Records	-	1.5	-
6. Impact--Ex-Clients	1	-	-
7. Community Reaction	1	-	-
8. Panel Member	.5	.5	-
9. Management Analysis	-	-	1.5
TOTALS	5	5	2

program, and a description of the intake procedures, whereby individuals come from the criminal justice system into the program.⁹ The concern with client flow in and out of the criminal justice system was an extension of the analysis of flow from the program's perspective, carried out in Step One.

⁹If the program was part of the criminal justice system, then this activity looked at the flow of clients between the program and other parts of the criminal justice system.

The fifth step involved an examination of criminal justice system records, required one to two man-days, and was handled by the B member of the team.

The sixth step involved interviews with former clients of the program. These interviews were focused on clients who have completed the program recently. This step was conducted by the A member and required one man-day.

The seventh step, linked to the fourth step above, consisting of one man-day and handled by the A member, was an interviewing of community leadership in order to obtain information of the community acceptance of the program.

The eighth step consisted of working with the panel member during his one day on-site: half of that day the panel member worked with the A member and a half with the B member; thus, this step represented a half man-day for each. The panel member was expected to go over the information collected by the A and B members and to work with them to help fill out areas that he found of interest.

The ninth step represented the management and fiscal analysis and was conducted by the special analyst in this area and consisted, depending upon the complexity of the program, of between two and three man-days. This step began with a half day orientation period for the management analyst so that he would have the same opportunity of getting to know the program people and they would have the opportunity to know him before the actual data collection began.¹⁰

In the above assignment of work to the A and B members, the tasks are grouped in what is anticipated to be the most logical clusters, focusing the A member on the program process, staff and clients; and focusing the B member on data collection from records and on the program's relationship to the criminal justice system

¹⁰If the management analyst commenced his work on the same day as the generalist team, they all shared the same orientation session(s).

C. The Data Collection Procedure

1. General Orientation

The field team first met with the administrator of the program for a general overview of the flow of clients through the program, the structure of the program, and the services of the program to its clients. At this time also, the field team sought to get some idea of the specific people they might want to interview, both within and external to the program, and what events in the program flow seemed important to examine most closely, by direct observation or at least by careful interview of the participants. As well as familiarizing themselves with the program, the team tried to meet as many of the program staff as possible.

2. Description of the Program Process

The key dimension of the evaluation was to obtain an in-depth view of the program operation, as it deals with clients. This was accomplished by having an analyst sit in as an observer during key activities of the program. The analyst could function either as a passive observer, sitting in the background and not engaged in any of the program's activity; or he could function as a participant observer, becoming an active member of the program's activity. In general, the analyst left this distinction to the program, observing the manner which was most comfortable to the regular participants. Some kinds of activities, such as family sessions and group sessions, were by their nature more conducive to participant observation, whereas other kinds of activities, such as intake interviews and one-to-one counseling sessions, were not conducive to participant observation.

To the extent that it was possible, the observer then followed up this opportunity with all the key participants (clients and staff) in the observed activity to obtain their personal, subjective impressions of what took place during the activity. These subjective impressions were seen as a key element in trying to ascertain the impact of the various components of the program.

It was not always possible to observe all of the key types of activities. Where observation was not possible, the observer tried to talk to some or all of

the participants in the activity which he was unable or not permitted to observe, as soon after the completion of that activity as possible. This meant that the observer had to rely solely on interviews, which was less satisfactory than participant observation, but still quite helpful. Above all, the observer had to be sure that he was studying what he regarded as important in the program and not simply that which was most accessible to him.

3. Looking at Program Records of Clients

To the extent that it was possible, the data analyst utilized statistical compilations that already had been prepared by the program covering all phases of its operations and, especially covering its effectiveness and impact. Where such compilations existed, it was incumbent upon the observer to do whatever he could to ascertain the reliability, validity, and accuracy of these records, rather than trying to collect new data and develop new statistical estimates on his own. In particular, the kind of information that was sought fell into four general categories: general characteristics of clients at intake (including drug use history), pre-program criminal (delinquent) history, types of program services to the client, and any general follow-up data on the client's behavior after entry into the program and up to and beyond termination from the program when it was available.

When such information had not already been adequately compiled by the program, it was derived by the data analyst from a random sample of the program records and summarized on a standardized form - the Program Record Sheet. The sample was drawn from the records of those clients who had entered the program in the year preceding the date of the most recently recorded data, i.e., the year preceding the date by which all records were up-to-date. The number of cases sampled was 50% of the total number of clients to enter the program in that year, or 25 cases, whichever was the lesser number.

4. Looking at Criminal Justice Records

The sample of clients on whom information was obtained in the program records was also the sample on whom recidivism information was sought in the criminal justice records. Recidivism was measured according to

the terminology of the California criminal justice system: by the number of indictments for adults and by the number of petitions filed on juveniles. Since not all the areas visited had a system of criminal justice comparable in fact with the California criminal justice system, let alone comparable titles for steps in the process, that step which was as closely comparable as possible was sought. For adults, it was that point in the adjudication process when an official or officials of the criminal justice system decided that there was just and probable cause to believe that a crime had been committed and that the client may have been a party to that crime. For juveniles, it was that point in the adjudication process when an official or officials of the criminal justice system have decided that the juvenile might be of danger to society and/or that he might benefit from "treatment." The consequence of these decisions, respectively, is that the adult is required to go to trial or plead guilty; or an adjudicatory hearing is set for the juvenile.

The necessary permission for access to criminal justice records was sought from judges, district attorneys, and other officials. Once this permission was obtained, the data was recorded on a standardized form - the Criminal Justice Record Sheet.

When all program and criminal justice record data had been collected, the names of clients, necessary for obtaining those records, were taken off the record forms and destroyed to ensure confidentiality.

5. Interviewing Former Clients

When it was at all possible, the analyst secured face-to-face interviews with one or more former clients selected randomly from program files. In interviewing former clients, the analyst focused on the following topics: How well was the client currently functioning? What was his general impression of the program? How did he feel it affected his drug use? What experiences had he with other programs prior to or after the subject program?

6. Informal Evaluations by Criminal Justice Personnel

Interviews with criminal justice personnel centered

around three objectives: (1) to obtain information on the flow of clients between the program and the criminal justice system, (2) to obtain the impressions held by the interviewees concerning the impact of the program on those clients which came to it from the criminal justice system, and (3) to obtain the interviewee's overall evaluation of the program. In seeking criminal justice personnel to interview care was taken to make sure that the interviewee had some first-hand knowledge of the program and was not just commenting from hearsay.

7. Community Response to the Program

General reactions to the program were sought in interviews with knowledgeable community members, e.g., city or county officials, school officials, clergy, media representatives, members of service agencies to youth or dealing with drug problems, etc.

8. The Panel Member

The field researchers discussed their findings with the panel member, who offered his advice on the assessment of data collected and strategies for obtaining further information.

9. Management Analysis

The management analyst studied the administrative and fiscal structure of the program through interviews with the program administrator and other relevant staff and through studying the governing documents and the program budget. As well as being concerned with the structure of the administration, he was concerned with the quality of the administration and the vigor of the program, or the lack of it, due to fiscal and administrative design.

PART TWO
DRUG OFFENDERS
AND THE
CRIMINAL JUSTICE SYSTEM:
METHODS AND MODELS

CHAPTER I

SUMMARY

A. The Problem

Apprehension, prosecution, trial, incarceration: the traditional punitive process of the criminal justice system is virtually the same with any criminal. There are communities, however, throughout the United States which are experimenting with alternative procedures for dealing with criminals, in particular criminals whose criminal acts have been motivated by drug use.

This report is the result of a project commissioned by the Drug Enforcement Administration of the U.S. Department of Justice, and undertaken by the National Council on Crime and Delinquency Research Center. The task of the project was to survey and evaluate community-based programs related to drug abuse and the criminal justice system which on sight appeared very promising. These programs were non-punitive alternatives to the traditional process which showed evidence of being effective in diversion, treatment or rehabilitation. The strategies which were observed to be effective and the characteristics of programs that were judged to be successful, were analyzed by the research staff of the project. They are presented in this volume in generalized form, in the hope that the resulting model approaches may be of help to communities which are seeking non-traditional ways to deal with the drug user as related to the criminal justice system.

B. What Is a Model?

By the term "model" we mean a pattern of critical elements which form the basis of an effective drug abuse

program. We present such models in abstract form, without the particulars of people, facilities, clients and program content which will have to be added in order to create an individual program.

The researchers have seen the "drug problem" as the very urge to become intoxicated rather than the degree, frequency or source of that intoxication. It is a problem shared by adults and juveniles and, although certain client characteristics and program objectives are more relevant to one category than to the other, models have been designed which can apply to both.

C. Types of Models

Although models are presented in an anonymous form, they are based on actual programs or components of programs visited by the researchers during the course of the project. Some of the programs have been described in the first part of this volume, "Diversion by Criminal Justice Systems to Treatment and Rehabilitation." The programs dealt with in that report, and the models presented in this one, may be classed according to two stages in the process. The first stage is diversion, which includes the means by which a person is assigned to a treatment program, and which always involves the criminal justice system. The second stage consists of the actual treatment or rehabilitation, and may involve the criminal justice system fully, partially, or not at all.

Some of the programs observed during the survey functioned within the criminal justice system; others worked outside the system. The Court Referral Project, of New York City, is an example of a diversion program which is related to the criminal justice system, but which functions independently of any branch of it. In Albuquerque, the Juvenile First Offenders Drug Abuse Program offers an alternative to prosecution, but the program operates as part of the Probation Department. On the other hand, programs like Delancey Street, in San Francisco, or Addicts Rehabilitation Center, in New York City, have no direct connection with the system except that some of their clients are diverted to them from it.

Important considerations in thinking about models are the age of the clients and the severity of their

drug use. For example, family-oriented counseling and drug education are often part of a juvenile program, where an adult program would be more likely to emphasize employment or other forms of rehabilitation. The characteristics of juvenile programs are often typical aspects of programs where the clients are involved with marijuana or multiple drug use rather than addiction. The latter is more often the focus of an adult program, especially a Residential Community.

Another factor is the socio-political context of the program. A model may have to undergo serious modifications to meet the needs of a particular ethnic setting or deal with a social problem that affects the clientele.

In attempting to assess the performance of models we examined recidivism as a possible measure of effectiveness. We found that it bore very little relationship to the ability of programs to treat and rehabilitate drug users, and therefore we have given it little consideration in the formulation of models and in the definition of their effectiveness.

D. Diversion

Diversion means many things to many people, and there is a wide range of reasons for diverting a person out of the criminal justice system. To remove the client into some other setting as soon as possible, to avoid giving the client a criminal record, and to reduce the cost to the criminal justice system of processing drug users were some of the bases for diversion we observed during the survey.

Diversion is dependent on trust. In diversion the criminal justice system is trusting that the offender will adhere to the conditions of his diversion to treatment, that he will participate in that treatment and not commit any new offenses. "Who" should be diverted "when" in the criminal justice procedure depends on who in the criminal justice system will trust the offender.

1. When to Divert

In the models outlined here, three stages of the criminal justice processing of an offender are suggested points of diversion. Both juveniles and adults may be

diverted pre-arrest by the police. Further points of possible diversion of adults would be post-arrest by the prosecutor or pre-plea by the judge. The stage at which an offender might be diverted depends on the degree of trust the diverting agent feels appropriate to show the offender based on the available knowledge of the offender at that point. With each further step into the criminal justice procedure, an increased level of risk is tolerable in diverting an offender because the diverting agent has more and more immediate power over the offender. A third distinguishing aspect of the three diversion points is the explicitness and formality of the diversion proceedings which increase as one moves from the police to the prosecutor to the court. As the perceived risk increases, it becomes necessary for the criminal justice system to accept the risk for the diversion in a more open and formal manner.

2. Whom to Divert

The twelve programs surveyed during this project had widely varying criteria for eligibility even when the target populations were very similar. Some programs had only legal prescriptions on whom they could divert. Some programs placed heavy emphasis on assessing the degree of motivation for treatment. In nearly all the programs there was considerable flexibility in the criteria which allowed for individual negotiation on potential clients with the appropriate criminal justice representative, i.e., police, district attorney, or judge.

We found during the survey that there was room for broad exploration of whom a particular community could divert to treatment successfully. One limiting factor would seem to be the degree to which the community wishes to punish an individual for a particular offense, in addition to providing for his rehabilitation. Another is whom the community is willing to trust, which is largely dependent upon its experience of who is trustworthy.

Most communities will begin a diversion program with candidates whom they have no great investment in punishing and for whom they have sufficient tolerance of the perceived risk in diverting. Much of this decision of whom to trust was seen during the survey to take place on a very individual level and according to each criminal justice system's own particular definitions of which offenders are to be treated as greater and lesser risks.

It is assumed therefore that each criminal justice system interested in these models of diversion, will be able to interpret them in terms of their own existing practices for dealing with various categories of offenders.

3. A Pre-Arrest Diversion Model for Juveniles

This model was designed for the police, but could be used by the probation department. The youngster is first contacted by a patrol officer in a context which would usually lead to arrest. In all but the most extreme cases, the individual is released to his parents. At the time of release an appointment is set for the child and his parents to come back and meet with a juvenile officer in two or three days. The interview with this officer should give him a chance to examine the case in some depth and decide what alternative program, if any, would be most appropriate for the youth. The option of normal criminal justice processing is, of course, open. If the program is agreed upon instead by the youth and parents, a record of the interview is sent to the program by the officer, and the youth is sent to the program shortly after the interview, for intake.

The researchers believe that police diversion is also applicable to adults, though perhaps it would be more complex than with juveniles. The applicability of this model for adults would depend on the role of a counselor being played by a police officer in a similar way to that which is already being done by juvenile police officers or juvenile probation officers. Whether the diversion is for juveniles or adults, a key element of this alternative is the guarantee that the client will not have a police record as long as he completes the program successfully.

4. Post-Arrest Diversion

For juveniles, the next step at which diversion could take place, is with the probation officer, with or without the participation of the juvenile court. The officer decides whether or not to assign the youth to informal probation. Since this decision can be made even where no treatment program is involved, the process is not really "diversion" at all, since traditional justice procedures are not being altered.

An analogous point at which diversion could take place for adults would involve the prosecutor, with or

without participation of the courts. One problem is the difficulty with which a defendant can be properly screened as to eligibility for a given program (and the program's appropriateness assessed) by a prosecutor. Diversion at this level is also confounded by the fact that prosecutors may depend on the successful prosecution of cases for their career and political advancement. A case which concludes with a voluntary guilty plea, is from the point of view of the prosecutor, a successfully prosecuted case. A prosecutor who is interested in using diversion as a carrot by which he hopes to obtain guilty pleas in instances where he may have difficulty winning the case in court is setting up an attitude of disrespect on the part of the client which may constitute an obstacle that the treatment program must overcome. In general, to clarify the situation and to ensure that the prosecutor is not seeking to make political games out of a diversion program, based on the experience of programs surveyed, we strongly recommend in the model of post-arrest diversion that all such diversion be done prior to extracting a plea from the client.

5. Pre-Plea Diversion in the Courtroom

Pre-plea diversion is the last point in the criminal justice processing of adult offenders at which diversion might take place. At this point, offenders whom the police and prosecutor felt were too risky to divert may still be considered for diversion by the judge. Enacting pre-plea diversion in the courtroom may require statutory changes in some states, but there is a precedent for such changes in laws enacted by other states.

Because in the nature of judicial processing the judge can ask for further investigation of an offender, and because there is time for such an investigation at this point, the offender can here be carefully evaluated for possible diversion. A judge could request his probation department to conduct the equivalent of a pre-sentence investigation or he could utilize the service of a non-criminal justice agency to handle the investigation. Such specialized diversion workers could be familiar with the full range of treatment options available in the community, have information on how well different types of individuals do in these treatment facilities and attempt to make the best possible clinical judgment concerning which individuals should be assigned to which programs.

Two problems to be avoided in pre-plea diversion are: (1) the tendency, even when no plea is extracted, to present diversion in a coercive manner which makes it difficult for the client to enter into it with voluntary consent; and (2) the prolonged incarceration of potential divertees awaiting the gathering of the data to make a clinical judgment. Both of these problems can be avoided with proper program design.

People speak of the diversion of adults after the plea. Sometimes they talk of pre-sentence diversion and sometimes they talk of post-sentence diversion. In a sense, any diversion after the plea really is like a sentence, and we see no valid reason for diverting post-plea.

6. General Principles for Effective Diversion

The most important guiding principle for setting up a diversion process is that the diverting agency should develop a close understanding with the treatment and rehabilitation programs receiving diverted clients. Without this understanding, and a continued effort to ensure the effectiveness of the treatment programs, little can be accomplished through diversion. Follow-up is important. Not only can the diverting agency learn something about the effectiveness of the treatment programs, as well as the adequacy of the screening process, it also can follow up clients to ensure their continued sincere participation in the program.

It is the responsibility of the diverting agency to learn the recidivism rates of the programs to which it diverts. If one program has a very low rate in comparison to other available choices, it provides an attractive alternative to the traditional process. If the rate is much higher than comparable programs, caution should be observed in diverting to that program, as it may actually be conducive to criminality.

Several precautions should be observed regarding diversion. As mentioned above, those doing the diverting must use discrimination in choosing programs. Discrimination is also important in the selection of clients to be diverted. Persons who appear to be using drug dependence as a means of avoiding prosecution for non-drug criminal activity should be screened out. Caution should also be used in diverting persons for whom there is no substantial basis for arrest, as diversion in such

cases would be an abuse of their civil rights, should they leave treatment and thus acquire a criminal record. For the same reason, programs should avoid the use of coercion or coercive language in getting a client to accept treatment rather than go through the normal criminal justice procedure (to which he is constitutionally entitled).

E. Model Treatment and Rehabilitation Strategies

The basic types of intervention with which we are dealing are treatment, rehabilitation and drug education. By treatment we mean efforts directed at restoring the physical and mental health of the drug user. Rehabilitation means helping the drug user to acquire those skills which he would need to live a happy, healthy, constructive life as he himself defines it. This could involve regular schooling, vocational training, recreational skills and skills which will enable the client to live more comfortably with those around him. Drug education is concerned with educating the drug user as to the nature of different mind-altering substances, and why they are dangerous, if they are truly dangerous.

1. Needs of the Client

The first need to consider is treatment, as defined above. The drug user's physical condition is an important factor which is too often ignored in many programs. There is some evidence to suggest that nutrition, megavitamin therapy and exercises designed to increase the flow of oxygen to the brain can have a constructive effect in cases where drug use has impaired brain functioning. Improper breathing is also frequently associated with a drug user's deteriorated physical condition, which can be corrected through various forms of exercise.

Clients who have had substantial involvement with drugs, including marijuana, have often said that they experience a fog that has descended over their minds. They usually become aware of its existence during periods when they have not been "high" for a while, at which time they notice that the fog begins to lift slightly. An important step on the part of the program is to recognize the existence of this fog and to help the client to come out of it.

Programs should be aware of the capacity of the

client to communicate. After a substantial part of the fog has lifted, this issue can be dealt with. Often family counseling can get to some of the pressures which are root causes of a client's drug use, and can help to remove them. If the program's treatment of the client is successful, he should be able to live a drug-free life in the same community from which he entered the program, having learned to make the necessary adjustments needed in order to cope with the community situation. This will often be difficult, and at the beginning of the client's struggle towards the goal, communication may be a big problem for him. For this reason, the program staff should consist of people with whom the clients can communicate as comfortably as possible. If the clients have grown up within the framework of a ghetto, for example, the staff should have the same ethnic background, and if possible, be from the same community.

Rehabilitation has to be preceded by treatment. It involves developing skills, as mentioned above, but it may also involve the development of confidence in the client that he can become a competent worker and participant in all aspects of the community. Very often this will be a slow process requiring patience and determination on the part of the client. The program should take care not to make it seem too easy in such cases.

2. Needs of Staff

The staff of a program have the responsibility of being role models for the clients, and yet, of necessity, they are not perfect themselves. If they are to fulfill their responsibility, they must be committed to growth and development in themselves. This means that they actually wish to improve their own characters, and will listen to suggestions and criticism without resentment. Qualities which they see as their own personal objectives as staff members would include clarity of communication, spontaneity, flexibility, responsiveness to what the client feels and says, and discrimination as to what the client really needs. The technology of therapy, i.e., special techniques in which a counselor or psychologist might have been trained, should be put in perspective. The technique is only a tool and should not stand in the way of the personal objectives just mentioned.

The staff of a program needs to feel rewarded. Ideally, the greatest reward should come from the staff-

client relationship, but in a very depressed area where the most successful clients are the ones who are never seen again, such rewards are hard to find. In some instances, the staff gets its feeling of reward from the program's social advocacy role in the community. However, care should be taken in a program that such corollary rewards do not eclipse in importance the actual service to be performed for clients. Care should also be taken that in cases where the staff is to be rewarded by additional financial benefits, that the right traits are being rewarded.

3. Residential Programs

A residential treatment program is the best hope for a serious addict to become drug-free. He benefits from the commitment involved in his participation in the program. He also benefits from being around others who show by their attitudes and actions that an addict can live without drugs. The social fabric within a residential program is important, so massive departures from the program either of staff or clients, should be avoided. If clients are going to "graduate," it would be better for those remaining if their departure were staggered.

Some residential programs believe in removing a client from his home community forever; others say that he is not cured until he is able to return to it without danger of going back to drugs. Each point of view has a demonstrable element of truth to it, and the effectiveness of one over the other will depend on the type of client involved.

A serious drug user needs a shock, a contrast to the lifestyle which he has been leading. This can best be provided in a residential setting. A user who is not totally committed to a drugged lifestyle can benefit from the advantages of an out-patient program. An out-patient program treats the client in the natural setting in which he will have to learn to live. This avoids the difficult transition from the therapeutic community back to the street, which is always a hurdle to the client of a residential program.

4. Counseling

The most important factor in counseling is not the diagnostic type of the counseling technique, but the personal effectiveness of the counselor.

A key factor in ensuring good counseling is supervision. A supervisor should have the desirable qualities described in 2. above, and must have considerable experience with the client population being served. Part of the role of supervision is to determine whether a particular staff member really should be doing counseling at all. A person is not necessarily a good counselor just because he has an M.A. in counseling psychology; even "experience" is only desirable if it has been constructive. Nor does it make someone a counselor merely to have been through the drug scene himself, and therefore, a bona fide "ex-addict paraprofessional." Nor is it enough to have the right ethnic background or the right position in the criminal justice system. All these factors may be qualifications for a certain position, but the client will be more impressed with the honesty, openness and personal credibility of the counselor than with his qualification. Whatever the counselor's background, it is important that the client be able to trust him to guarantee confidentiality to all that takes place between them.

The counselor has a great responsibility to discriminate as to the kinds of experiences and atmosphere which are created in the counseling session. When negative emotions are produced, it is the counselor's responsibility to take the initiative and help the client to deal with these emotions. It is important that the client not feel that he is supposed to produce continually such negative emotions, to savor them and indulge in them, as is the case in some highly destructive, but not uncommon approaches to counseling. These strategies strengthen negative responses in the individual, thus making it more likely that he will produce them in his natural social environment, to his own detriment and that of others.

The most serious problem faced by counseling programs is that of drug use on the part of counselors who are serving as role models. Usually this drug use is limited to marijuana, psychedelics, and/or alcohol abuse. But whatever the drugs, the counselor who indulges, makes it difficult for the client to understand that his own drug use is a problem. The client who has seriously disrupted his life through frequent intoxication has usually done so while under the delusion that his indulgence was "reasonable" or "functional." He is, therefore, in no position to discern to what extent the drug use of his counselor, who describes it in the same terms, is dif-

ferent from his own. It is therefore strongly recommended that programs insist on staff who abstain from illicit drug use and from heavy or frequent use of alcohol.

5. Vocational and Educational Assistance

When a client has reasonably mastered his drug problem, and is no longer dependent on becoming intoxicated, a program must be prepared to help him to gain the necessary skills and resources to realize his objectives in life. Learning what those objectives are is of great importance in itself and can be aided through such techniques as "values clarification." In any case, the client should be encouraged to discover and live by his own set of values. Only if he has confidence in his own objectives can he enthusiastically undertake new education and training.

Ideally, rehabilitation programs for drug users should offer a wide spectrum of vocational and educational assistance and opportunities. Programs should also provide job development assistance. This means not only helping the client to find a job, but also to learn how to acquire a job and hold onto it. In extreme cases, such as with heroin addicts, a program may need to provide a specialized work environment to help the client adjust to the world of work in a more supportive atmosphere than would be provided by regular employment.

F. A General Model

The general model is a final distillation of the observations and analyses of the programs studied throughout the project. The general model consists of two main components, diversion and treatment. In it there are three stages at which diversion could take place. Stages one and two have already been described above, stage one being pre-arrest police diversion, and stage two, diversion after arrest but before the district attorney's decision to prosecute the charge. If the prosecutor decides to divert the individual, he would rely on a specialist police officer to supervise the divertee. There would also be stage three diversion. This occurs at the point where the person is brought before a judge to be tried. Diversion can take place here, before or after plea, but definitely before sentencing.

In all three stages of the model, the assignment

of diverted subjects to treatment programs would be done by a central intake and referral agency. This agency would be responsible for monitoring the quality and effectiveness of potential treatment and rehabilitation programs, and would also be responsible for monitoring all subjects diverted to them. The agency would be independent of all branches of the criminal justice system, but would function in close coordination with them.

The intake and assignment agency must evaluate the client in a number of respects, of which the most significant are the following:

- (1) How frequently does the client become intoxicated?
- (2) How seriously does the client appear to be physiologically, psychologically and sociologically handicapped because of his use of intoxicating substances?
- (3) What are the resources of the subject? (How much has he missed out on acquiring the normal educational, vocational and recreational skills that he could have been expected to acquire if he had not become seriously involved in drugs?)
- (4) To what extent can the subject's natural environment (e.g., family) provide positive support to help him deal with his drug problem?
- (5) What other special problems does the client have besides drugs? Is he mentally ill, committed to a criminal lifestyle, does he have a destructive home life, etc.?

The client would be assigned to the facility, residential or non-residential, which, in the judgment of the intake and assignment agency, would best answer his needs and situation. An overview of the major characteristics of various types of treatment and rehabilitation programs that could be employed in the general model has already been given in E. above.

G. Administrative Considerations

Almost all programs, whether they are diversion, residential treatment, juvenile or adult, must face simi-

lar administrative issues. They also go through a similar process when they are first being formed. All programs start with individuals. Some one or two people see a need and develop a sense of urgency about filling it. That feeling gets filtered down to well-defined objectives, and the individual pioneer presents them to a group of people, composed of key members of the community and the criminal justice system. Which people he tries to interest in the proposed project depends on what the specific objectives of that project are. But in any case it is essential that those objectives be clear before too many people get involved.

Given the clear objectives and the initial base of community support for the concept of the project, the group which has been mobilized should form itself into a legal entity, such as the board of directors of a non-profit corporation. If the program is to be based within a part of the criminal justice system, then there should be an advisory board whose members will be drawn from other branches of the system and from relevant sectors of the community. It is important that the board members be people who really believe in the idea of the program and are willing to work for it.

The next step, and indeed the crucial one for the future of the program, is for the board to embark on the task of hiring a director for the program. This step may take time, but no amount of effort will be wasted if the right administrator is found. The whole program depends on him, and the board has a tremendous responsibility in making the right choice. Furthermore, the board should not feel that it has discharged that responsibility once the director has been hired. If it becomes evident that his work in running the program is not in line with the objectives on which it was supposed to have been based, or if he fails to live up to the board's expectations in other ways, he can and should be replaced.

Qualifications for both the director and the staff which he chooses will vary, as each program is unique. However, several characteristics should be basic:

- (1) Candidates should be dedicated individuals with the wish to help others.
- (2) They should feel committed to the objectives of the program.

- (3) They should be empathetic, and able to understand problems from the point of view of more than one age group.
- (4) They should be drug-free. This means that they should not indulge in marijuana and/or heavy drinking.
- (5) They should be examples of what the individual community may call "sound moral character." The program needs the support of the community, and the exemplary conduct of the staff is necessary to ensure a harmonious relationship with it.

Once the position is filled (which may require several sets of interviews, plus extensive studying, probing, calling and evaluating of applicants), the director must be given a written set of instructions as to what his duties will be and what guidelines are to be adhered to. Then he is to be given every opportunity to hire his staff, set up his program, mold his facility and get settled into the community with the board's full support.

In the basic pattern for starting a program, the key ingredient is objectives. An individual with strong motivation and a clear set of objectives can initiate the process leading to the formation of a successful program even if he is not a person of "importance" in the community. But he will need help. If the problem really needs a solution, and if he pushes hard enough, he will be able to generate sufficient support for a program. That is why, each time assistance is obtained in getting a phase of the project moving, it should be measured against the yardstick of the goals which the program is supposed to accomplish.

H. Costs

Program costs should be anticipated in advance for the coming 12-month period by the director and the budget committee or treasurer/accountant. If the project is still being formed and a director has not yet been hired, the board should secure a professional accountant who will study the budgets of similar programs and make his estimates known to the board.

Major costs to be considered will include rent, salaries for administration and staff, maintenance, operating expenses, evaluation and applicable professional services. Obviously there are numerous other, more specialized cost factors to consider. Costs may fluctuate drastically according to region, or whether a piece of equipment is purchased new or used, or whether an item or service is donated. A staff position involving the same service may be filled by a professional in one program and by a paraprofessional in another, with a considerable difference in salary. In general, it would be wise for a program seeking to save on its budget to look to the community for donations in kind, and to hospitals, schools and the criminal justice system for donations of services, including personnel.

Funding agencies and other potential sources of program support are always asking "How much does it cost?" This question applies not only to the overall cost of the program per year, but also to the cost per client (obtained by dividing the total program cost by the number of clients enrolled for a given period). The normal range of client cost can fluctuate rapidly as a result of factors that could not be anticipated at the beginning of the program, especially additional costs connected with evaluations.

Whatever the cost of a program, no matter what type it may be, the expense should be judged according to the value of the service given. Wherever it is asked, "How much does it cost," let it also be considered what the program has accomplished, and what that accomplishment is worth to society. Both low-budget and high-budget programs have been observed to benefit individuals and their communities in ways that cannot be repaid.

CHAPTER II
INTRODUCTION

A. The Drug-Driven Cycle of Crime

An American is arrested, the charge involves drugs. In the last ten years, this event has happened over a million times. Countless others, many of them young, are arrested on other charges. An increasingly large percentage have drugs in their personal background, sometimes as a direct cause of their criminal offense, sometimes as an indirect one.

What happens to such persons? In many ways, they are a strange breed, different from the popular image of the hardened criminal. These drug users have been burned, obviously or subtly, by their bitter romance with mind-altering chemicals and drugs of addiction.

Only recently have communities and governments realized that there may be better ways to deal with the drug-involved offender than the usual cycle of apprehension, prosecution, trial and incarceration. This perception has grown because the drug-involved offender violates most of the strategies which assume the corrective value of criminal prosecution and penalties. Drug users are notoriously undeterred by the possible threat of arrest or punishment. Only a small proportion of drug users get apprehended and convicted. They know it; most "dopers" and addicts do not anticipate getting "busted." Furthermore, some are even willing to take the risk--out of utter physical need, the desire for a blissful temporary escape from the pressures of life, or because they can find nothing better to do.

Another factor is relevant: most users of illicit substances do not agree with the appropriateness of the drug laws. They suffer little guilt. They often feel

that they should be allowed to do whatever they want with their bodies and minds (rarely considering the effect on others). In contrast, bank robbers are never heard to complain that the laws against bank robbery are unjust. Thus, because they disagree with the drug laws, drug users tend to be even more hostile toward the criminal justice system after apprehension.

One hope of the traditional correctional system is "rehabilitation." But even some corrections officials interviewed by the researchers during the project felt that rehabilitation could be much more successfully accomplished outside of the prison setting. Often the prisoner builds up a greater hostility to legal authority as a result of his contact with the traditional system. And even his access to drugs is as easy within a penal institution as it is outside. Thus, his attitudes toward drug use is left unchanged by his experience in the system.

Ideally, the traditional correctional process releases a "new man" back into society or "reforms" the juvenile offender. However, after prosecution or incarceration, the typical drug offender returns to previous patterns, perhaps more clever about his use and more determined not to get caught again. All too soon he begins to take the old risks. Without the useful tools for social roles, he often retraces old footsteps into criminal behavior.

No doubt, the traditional system has worked for some drug-abusing offenders. Some have been deterred from escalating to harder drugs because of the law. Others have been so horrified by imprisonment that they think twice before making themselves vulnerable to arrest. A few have done some rethinking during their involvement in the criminal justice system, remolding their lifestyles and emerging as more mature, socially responsible individuals. But these are the exceptions rather than the rule. The offenders with whom this book is concerned are those who would not receive any rehabilitation benefit from the system. Most of them are considered criminals primarily because of their involvement with drugs. Diversion out of the regular criminal justice process to treatment and rehabilitation programs is appropriate for these individuals. They are to be distinguished from offenders who have a serious criminal motivation and whose drug use is only an incidental part

of their lifestyle. Treatment for the drug problems of these individuals may occur more appropriately within the regular criminal justice process or upon release from the criminal justice system.

B. A Brief History of This Project

In 1973, the Drug Enforcement Administration commissioned the ALFY section of the National Council on Crime and Delinquency Research Center (NCCD) to survey and evaluate successful community-based programs related to drugs and the criminal justice system.¹

The project first surveyed scores of candidate programs across the United States; it then selected the most promising for intense examination of which nine programs of varying types are focused on in this report. A set of instruments for data collection was designed in conjunction with a plan for an innovative and comprehensive field evaluation. Project researchers visited each community program, spending more than thirteen person-days at each site.

This phase of the project resulted in Part One of the present document, which summarizes the qualities and program operations of the selected programs. Along with showing how such evaluation might be accomplished, the project staff hoped that the report might enable communities to decide whether they would like to replicate all or portions of such programs to meet their local needs. Areas of information collected in the field evaluation included a process description, program impact, community acceptance, program management and program efficiency.

There has been a need for evaluation aimed at designing model programs of diversion to treatment and rehabilitation. It has been a primary purpose of this project to fill that need.

¹ALFY is a comprehensive strategy for the prevention of drug abuse and the rescue of drug users based on local community participation.

C. Recidivism

Recidivism is a traditional measure of the impact of treatment and rehabilitation programs for criminal offenders. Since the clients of the programs covered in this survey all, or in part, came through the criminal justice system, it was considered advisable to examine recidivism as one measure of program performance. However, the resources of the survey, especially the restriction to a single week of field work, made it impossible to examine recidivism of ex-clients over a two or three year period after leaving the program. This would be the classical approach, since prior research in the correctional field has shown that recidivism rates frequently do not stabilize until three years have elapsed from the time of release.

In our study, recidivism was measured in terms of the percentage of adults re-indicted and in terms of juveniles having petitions filed for offenses committed after admission to the program. Prior research has shown that these measures manage to screen out nuisance arrests and somewhat compensate for the most common errors of unfounded arrests and the failure to convict persons who are in fact guilty. There are no known error-free ways of measuring recidivism, and none which the authors have seen which appear likely to be more accurate.

The major limitation of our study of recidivism was in terms of time period. Recidivism data was collected for the year immediately preceding the date of the field work. This meant that on the average clients were checked for their criminal behavior for only a six month period. Most often the client was checked for his criminal behavior concurrently with his participation in the program being surveyed.

Given these limitations, we knew in advance that the data on recidivism would not provide a definitive measure of the effectiveness of the programs surveyed either in terms of controlling drug abuse or in terms of reduced criminality. At best, this approach could indicate whether a program has strong criminogenic tendencies. In fact, the recidivism rates, to the extent we could check them by this approach, were not significantly higher than what appeared to be the normal expectation of the criminal justice systems in question for all of the programs in the survey.

In our close look at the clients of the programs surveyed, one key fact with regard to recidivism suggested itself, namely, that recidivism provides no assistance as a measure of continuing drug use. In many of the programs surveyed, clients continued to use illicit drugs. Recidivism figures indicated that a subject who continues to use such drugs can expect to be able to do so for long intervals with little likelihood of re-arrest, allowing that he is continually placing himself in jeopardy of arrest throughout the period of continuing use. Very few of the re-indictments or new juvenile court petitions noted were for drug-related offenses.

A review of the corrections literature and the literature on the treatment and rehabilitation of drug users suggests that recidivism is a very poor measure of anything. It seldom is approached the same way in two independent studies, which suggests that researchers will never agree on a satisfactory operational definition of recidivism. It is, in the final analysis, a legal not a behavioral or social fact. It confounds information on the effectiveness of the criminal justice system with information on the effectiveness of the treatment program, resulting in such a high degree of noise as to prevent any useful conclusions being drawn.

Therefore, it is the opinion of the authors that even if the survey had the time and resources to permit a three year follow-up of clients who had been released from the programs being surveyed, based on criminal justice records, we would have learned very little more than has already been discovered. Thus a classical study of recidivism would be very costly and would add little to our ability to assess the effectiveness of the programs surveyed in their attempts to deal with drug abuse. We do not recommend more consideration of recidivism as an adjunct to our evaluation strategy.

D. "To Whom It May Concern"

This report constitutes the final phase of the project. Very promising programs were found offering the criminal justice system viable alternatives to simple prosecution and incarceration of drug-involved offenders. The task now is to generalize these findings into models of effective procedures so that the criminal justice system can best utilize community-based resources in

the treatment and rehabilitation of those drug users caught in the system.

It is hoped that the following pages will offer useful assistance to a wide range of readers. This report may be interesting to any curious layperson. But it is intended especially for those who must design, plan or act in improving the response of the criminal justice system to its drug-involved clientele. Some readers may function within the criminal justice system, looking for better ways to deal with drug users. They may be community officials trying to develop or integrate meaningful substance abuse programs. They may be policy makers trying to design a rational response to a chronic social problem. Or they may already be working within programs which might benefit from new directions and practical ideas. For all concerned readers regardless of their capacities or intent, hopefully, the model procedures described herein will serve to stimulate thinking and action.

CHAPTER III

SOME THOUGHTS ABOUT MODEL BUILDING

A. Problem Background

1. Traditional Criminal Justice Processing of the Drug-Involved Offender

Of many people, young and old, who become involved with drugs, a small percentage are picked up by the criminal justice system. While intoxication itself is not an offense, the drug user may come into the criminal justice system for a violation, misdemeanor or felony under statutes directly connected with illicit drugs, e.g., possession or sale. Or, he may come to the attention of law enforcement agencies for other criminal or delinquent acts which may be intimately related to drug use: e.g., (a) theft, robbery, or burglary to pay for a drug habit, (b) crimes of violence connected with feuds, "rip-offs," "burns" or other problems within the drug sales subculture, and (c) criminal acts committed while under the influence of drugs. Other users may be arrested for offenses indirectly caused by drugs. Drug use may have so interfered with their psychological and social adjustment that they cannot cope as mature and socially constructive individuals. Others may have been involved in an anti-social lifestyle before drug involvement, and while drug use may increase the scope of their problems, it cannot be construed as the cause of their criminal or delinquent behavior.

Whatever their offense and whatever its cause, the traditional pattern of criminal justice processing of all types of drug-involved offenders is much the same. It may vary slightly in different localities and may differ when applied to juveniles. However, the common pattern is one of apprehension or arrest, temporary confinement, court proceedings, and upon conviction, probation, fines and/or incarceration. The common tone of

these procedures is punitive; it involves either the meting out of punishment or (e.g., in the case of probation) the threat of punishment.

The criminal justice community has substantially agreed, however, that traditional strategies are often ineffective with drug users. That is, punitive methods or the threat of punishment have not proved a deterrent, let alone a rehabilitative measure, for the drug use of any type of offender regardless of the role drugs have played in his criminal or delinquent activity. To what extent drugs have caused such behavior is important in deciding whether alternative strategies should be employed to divert the offender out of the traditional procedures to appropriate treatment, or whether treatment should be provided within the context of traditional procedures or after he has been released from the criminal justice system. Discrimination is an important component of any model that aspires to divert drug users from the criminal justice system.

Many communities are beginning to experiment with alternatives to traditional procedures with the drug-involved offender. The objective of our recent survey of outstanding programs for the diversion, treatment, and rehabilitation of drug users was to identify and clarify model practices which might be applicable throughout the United States.

2. Drug Use as Intoxication

Drug use is defined in criminal codes as a legal phenomenon. It is viewed by some as the pharmacology of specific substances; we have sought a simpler perspective on the nature of drug use.

In the past several years, the states have made major changes in their drug laws, causing a wide divergence in character, e.g., New York laws becoming more severe and Oregon reflecting greater tolerance for marijuana use. Even greater diversity exists in the attitudes taken by police and prosecutors towards drug users. Most communities still continue to draw a full spectrum of drug users into their criminal justice system, ranging from occasional experimenters to people who live almost continually intoxicated from the use of one or more substances. Variations of laws and in enforcement policies at the most change the distribution of users who are arrested and also the severity with which they are treated.

Models discussed in the next two chapters and the overall model discussed in Chapter VI will attempt to be relevant for the full spectrum of drug users.

Our survey and our evaluations have looked at drug use in terms of intoxication, rather than in terms of specific substances. We think that the relevant fact is that an individual chooses to become intoxicated during a good deal of his waking life and not the particular substance he uses to bring about this intoxication. However, we believe that the term intoxication can reasonably be said to cover the altered state of consciousness that drug users get into with narcotics, marijuana, alcohol, and all of the other so-called dangerous drugs.

3. Juvenile Programs

Some of the programs we looked at during the course of our survey dealt exclusively with juveniles, some dealt with adults, and some dealt with both. In the course of developing our discussion of model programs and characteristic obstacles, we contemplated talking about model juvenile programs separately from model adult programs. However, we found that there was so much overlap in program characteristics and objectives, regardless of the formal differences between the adult and the juvenile justice systems, that we felt it most advantageous to treat adult and juvenile programs together in a single discussion. Therefore, in the following, special note will be made where programs differ with regard to adults and juveniles, and where such notice is not taken, the reader should assume that the discussion applies equally to both types of clients.

The juvenile does present some general differences when compared with the adult drug user. Serious juvenile or adult drug users, who are frequently involved in becoming intoxicated and especially those who use the "heavier" drugs, are likely to be arrested, not only for the possession and sale of drugs, but also for other crimes such as burglary, larceny, and robbery. The juvenile who is an occasional experimenter with drugs or just becoming involved with the use of drugs is more susceptible to being arrested than an adult in similar circumstances. Thus, "early intervention" is a much

more important objective with juveniles than with adults.² Also, juvenile drug use is frequently coupled with serious family difficulties and with the charge of "child in need of supervision," a problem uniquely characteristic of the juvenile.

4. Background of Models

The process by which a person coming in contact with the criminal justice system receives treatment for his drug problem, can be conveniently divided into two stages: stage one, the process of assignment to a treatment program and stage two, the process of treatment. Stage one always involves the criminal justice system, whereas stage two may involve the criminal justice system fully, to a limited degree, or not at all. In the following discussion of models, a distinction will be made between stage one models which will be discussed first in Chapter IV, "Model Diversion Strategies" and stage two models which will be discussed in Chapter V, "Model Treatment and Rehabilitation Strategies."

The models discussed in the following chapters are based on actual programs which were visited during our survey. The most successful of these programs are described in the first part of this volume, "Diversion by Criminal Justice Systems to Treatment and Rehabilitation," which presents model program components from nine communities scattered throughout the United States. It is unlikely that any of these models or model components could be replicated in any other community, however, these ideas can be adapted, taking into account the different backgrounds, needs, and values which characterize different communities. Most of the elements of the models to be defined in the following chapters are such that they would apply in any jurisdiction that dealt with 100 or more drug using individuals a year. Where there are more specific problems with different kinds of communities, these will be pointed out. Otherwise, the reader is asked to assume that the ideas are very broadly applicable.

²Early intervention is a name currently given to a class of drug abuse prevention programs which focus on helping juveniles who have limited experience with drugs, find a more attractive lifestyle without resorting to intoxication.

In concluding it is well to point out what we mean by the term "model." A "model" is a pattern of critical elements which form the basis of an effective program for drug users. Any operating program which embodies such a model must fill out the model with specific people, facilities, clients, and program content, all of which convert an abstract model into a specific program. The models defined in the following three chapters focus on those elements judged to be most critical in determining a program's effectiveness. Other program elements are also essential for a fully effective program. However, those which are omitted from the model have been judged to be less essential in determining the effectiveness of the program. The models discussed in Chapters V and VI focus on program procedures that deal directly with the client. Any well-run program must be administratively sound and financially efficient. Chapters VII and VIII address these managerial dimensions of a program. It is hoped that the reader will find in the next five chapters all the essential elements of good programming, both programmatic and managerial.

The types of program models examined in this report go beyond the traditional, beyond sole dependence on punishment and threat. They have in common the objective of assisting the offender in getting appropriate medical, psychological and social treatment for the causes of his destructive life pattern. At the same time, the program models serve to make the criminal justice system more efficient, better utilizing its energy to protect the public safety and using its traditional mechanisms to speed up the delivery of justice.

B. Model Intervention

There are different categories of non-punitive intervention models related to the criminal justice system and the drug user. Researchers can cite differences in terms of areas of jurisdiction, different stages of intervention, differences in clients served and differences in program objectives.

1. Types of Alternative Programs

The programs reviewed for this project can be classified into two major types: (1) programs which operate

as part of the criminal justice system, and (2) programs which operate outside of the system but whose clients are often referrals from police or the courts.

a. Programs Within the Criminal Justice System

These programs are likely to involve *diversion* of drug users from prosecution and/or incarceration. These kinds of programs may:

- (1) Screen all local arrestees for drug addiction and identifying potential clients;
- (2) Negotiate with prosecutors and/or judges for deferred prosecution of drug-involved clients;
- (3) Arrange assignment to an appropriate treatment facility or provide treatment directly;
- (4) Follow clients for a fixed period to ensure that they continue to participate in their assigned treatment, do not further use illegal drugs, and do not commit new offenses.

b. Programs Relating to the Criminal Justice System

Some community-based programs are not administered or funded by the criminal justice system; yet they may involve the key elements of *diversion* and *treatment*. In addition to providing the services mentioned under a. above, such programs may:

- (1) Provide out-patient counseling on an individual, group, and/or family basis;
- (2) Take clients into a highly controlled residential treatment facility;
- (3) Provide educational and/or vocational training;
- (4) Act in an advocacy role for clients.

2. Program Types: Client Considerations

We have seen that any model program is likely to deal with diversion and/or treatment of the drug user, whether it operates inside or outside of the criminal justice system. Another critical finding of the present study is that model programs must be sensitive to the

particular needs of their clientele. Thus, model programs are relevant to such factors as the age of clients, the severity of their drug use and their socio-political context.

The American legal structure tends to mandate different procedures depending on the age of the offender. For those under a certain age (frequently eighteen), there are usually separate courts and separate probation services. It is natural that programs relating to the offender most often break down into concentration on either juveniles or adults.

On the whole, juvenile programs tend to be oriented more toward prevention and hope to intercede before youngsters are caught in severe addiction. It was also found that model juvenile diversion programs place a very high premium on keeping youth out of correctional facilities, and are likely to be more greatly involved with the family situation than are adult programs. Because of the nature of their clientele, many adult diversion and treatment programs are heavily oriented toward rehabilitation; consequently their treatment techniques must be more dramatic and powerful than in many juvenile programs.

3. Programs and Severity of Drug Use

Model programs may concentrate on particular drug use patterns among clients. Naturally, juvenile programs tend more to work with users who are not opiate addicts. For example, the Montgomery County Drug Education School (Rockville, Maryland) receives drug offense referrals from the Montgomery County Police Department and provides juveniles with counseling and drug education. Although there are a few heroin referrals, most clients are users of marijuana or "polydrugs" (amphetamines, barbiturates, psychedelics, etc.).

On the other hand, some model programs specialize in severe drug addiction. Often, the treatment modality, if drug-free, involves a residential therapeutic community. One of the programs studied, the Addicts Rehabilitation Center in Harlem, primarily treats black heroin addicts in a residential setting. As in the better model therapeutic communities, the Addicts Rehabilitation Center focuses on eventual re-entry into society and puts a great deal of emphasis on furthering clients' education and employment status.

4. Programs and Socio-Political Context

Along with relevant variations in focus, age of clients, and clients' drug use patterns, model diversion and treatment programs must be responsive to the social, cultural and political dynamics of their constituency. As we see in the next two chapters, a program's sensitivity to the individual client is paramount. However, a client may be powerfully conditioned by his subcultural community and its attitudes about drugs, the law and the establishment. For example, in most urban population centers, ethnic background, race and economic level are critical backdrops for understanding the dynamics of drugs and crime.

Model programs may encompass particular variations in response to the special socio-political demands of the population it serves and the agencies it must deal with. A case in point, the Indianapolis TASC program, could have been political dynamite. A very large percentage of its clients were black inner city opiate users. Yet, to effect their diversion into treatment, TASC had to gain the close cooperation of the predominantly white criminal justice establishment which was still skeptical about the value of diversion and subsequent drug treatment. Thus, on the treatment end, the TASC clinic features young, ethnically mixed professionals and para-professionals. On the administrative end, staff have respected backgrounds in the criminal justice field and in local government.

5. Programs and Legislation

In concluding an introduction to the range of model program types, it is well to mention the implications of relevant legislation. This project did not focus on the laws which might assist or hinder the diversion and treatment process. Much has already been written on the relationship of the law, criminal justice procedures and drug abuse. Obviously, relevant legislation can enable or restrict innovative programs. If a community cannot institute a promising program because of antiquated statutes, legislative change becomes a very high priority. In the following chapters, however, we examine models possible under current laws and regulations.

CHAPTER IV

MODEL DIVERSION STRATEGIES

A. The Problems to be Solved

The most important objective is to help the drug involved offender discover a new lifestyle in which becoming intoxicated with mind-altering substances has little or no place. All of the models discussed below are compatible with helping the offender to become drug-free, i.e., to discover a new lifestyle in which escaping from the world through intoxication has little or no place.

A second related objective is to stop the kind of experimentation whereby drug users move from one intoxicating substance to another, frequently adding the physiological addiction associated with the opiates or barbiturates on top of the psychological addiction generally associated with intoxicating substances.

The drug user who spends a good deal of his time intoxicated has generally ceased to grow from the point where he began such an escapist lifestyle. For the juvenile or young adult drug user, this may mean that he has missed the normal opportunities for developing social, intellectual, vocational, or emotional capabilities which are required for a person to be competent in our society. A third objective, therefore, must be to help the client to acquire critical capabilities so that he can effectively achieve his needs and goals in life.

A fourth objective, and one that is especially pertinent to the manner in which clients enter into treatment, is the need to avoid labelling the juvenile or young adult as a criminal as long as he still has a good chance of living a constructive, happy life.

Although individuals who have acquired a criminal record have managed to build constructive, successful lives, it can be a serious obstacle which could make it much more difficult for an individual to pull himself out of a lifestyle dominated by frequent periods of intoxication.

B. Diversion

Diversion is a widely discussed concept in criminal justice today and widely promoted as the key to significantly increasing the rehabilitative potential of the criminal justice system. However, diversion means many things to many different jurisdictions. Agencies enter into diversion programs for a variety of reasons, and the programs which succeed in fulfilling one objective may thoroughly fail to fulfill a different objective. Although we are looking at these different approaches to diversion entirely in terms of their impact on the drug user, these approaches to diversion would also have a similar effect on offenders without drug problems.

The following are the different objectives which we observed as the bases for diversion programs:

(1) Diversion can be speedy, i.e., it can aim to get the client out of the criminal justice system and into some other setting as quickly as possible.

(2) Diversion can seek to avoid labelling, that is, it can seek to avoid giving the client a criminal record or more of a record than he already has.

(3) Diversion can seek to give the district attorney a good scorecard, i.e., a greater number of guilty pleas than would probably be the case if normal trial procedures were followed.

(4) Diversion can seek to promote careful clinical assignments, such that clients are placed in particular programs that have the greatest likelihood of fulfilling their needs and their aspirations.

(5) Diversion can be used as a way of reducing the cost to the criminal justice system of processing drug users.

(6) For those who believe that the criminal justice

system has many criminalizing features, diversion can be used to minimize a client's contact with the criminal justice system.

It is not being suggested here that drug involved offenders should be diverted when local criminal justice policy or statutes would not allow for the diversion of offenders (arrested for the same or similar offenses) not involved with drugs. The basic criteria for eligibility for diversion must be the same for all offenders and such criteria will vary considerably from community to community. What is suggested in this chapter is how such diversion might be best accomplished for eligible offenders who are being diverted to treatment for drug problems.

C. When to Divert

Diversion is dependent on trust. In diversion the criminal justice system is trusting that the offender will adhere to the conditions of his diversion to treatment, that he will participate in that treatment and not commit any new offenses. "Who" should be diverted "when" in the criminal justice procedure depends on who in the criminal justice system will trust the offender.

In the models of diversion outlined in this chapter, three stages of the criminal justice processing of an offender are suggested points of diversion, as can be seen in Figures One and Two. Both juveniles and adults may be diverted pre-arrest by the police. Further points of possible diversion of adults would be post-arrest by the prosecutor or pre-plea by the judge. The stage at which an offender might be diverted depends on the degree of trust the diverting agent feels appropriate to show the offender based on the available knowledge of the offender at that point. A judge has more time and resources to mobilize to evaluate a case for diversion than either a police officer or prosecutor.

Offenders not appearing trustworthy enough to risk diversion at the first possible point of diversion, pre-arrest, might with further investigation, appear so at the second or third points. Also, with each further step into the criminal justice procedure, an increased level of risk is tolerable in diverting an offender because

Figure One

DIVERSION PROCESS FOR JUVENILES

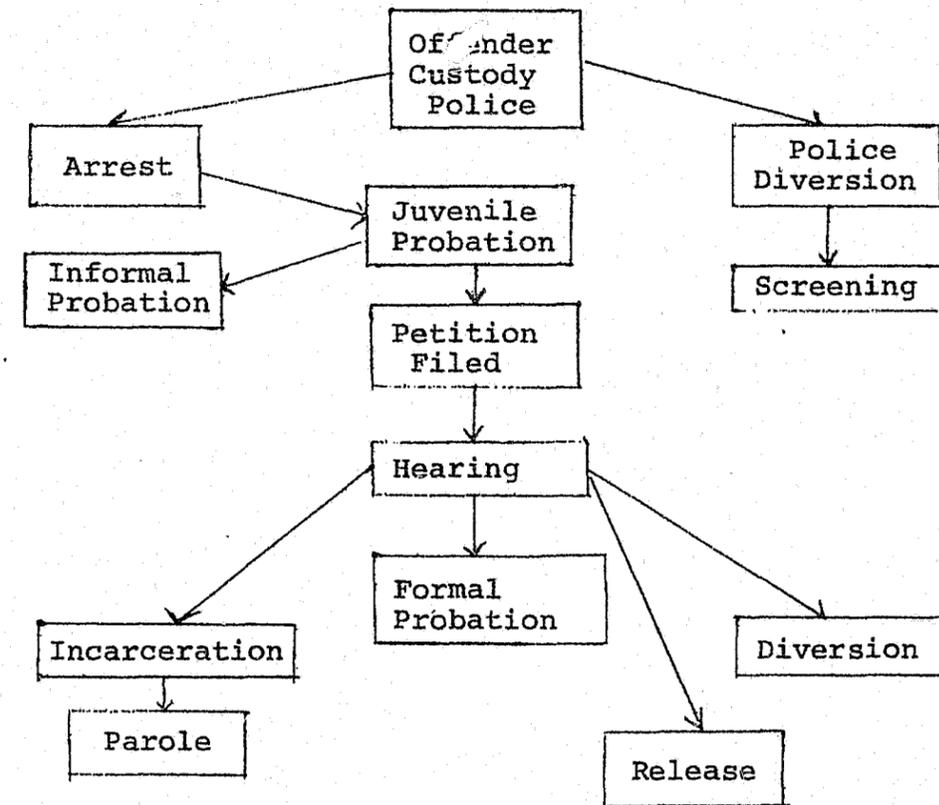
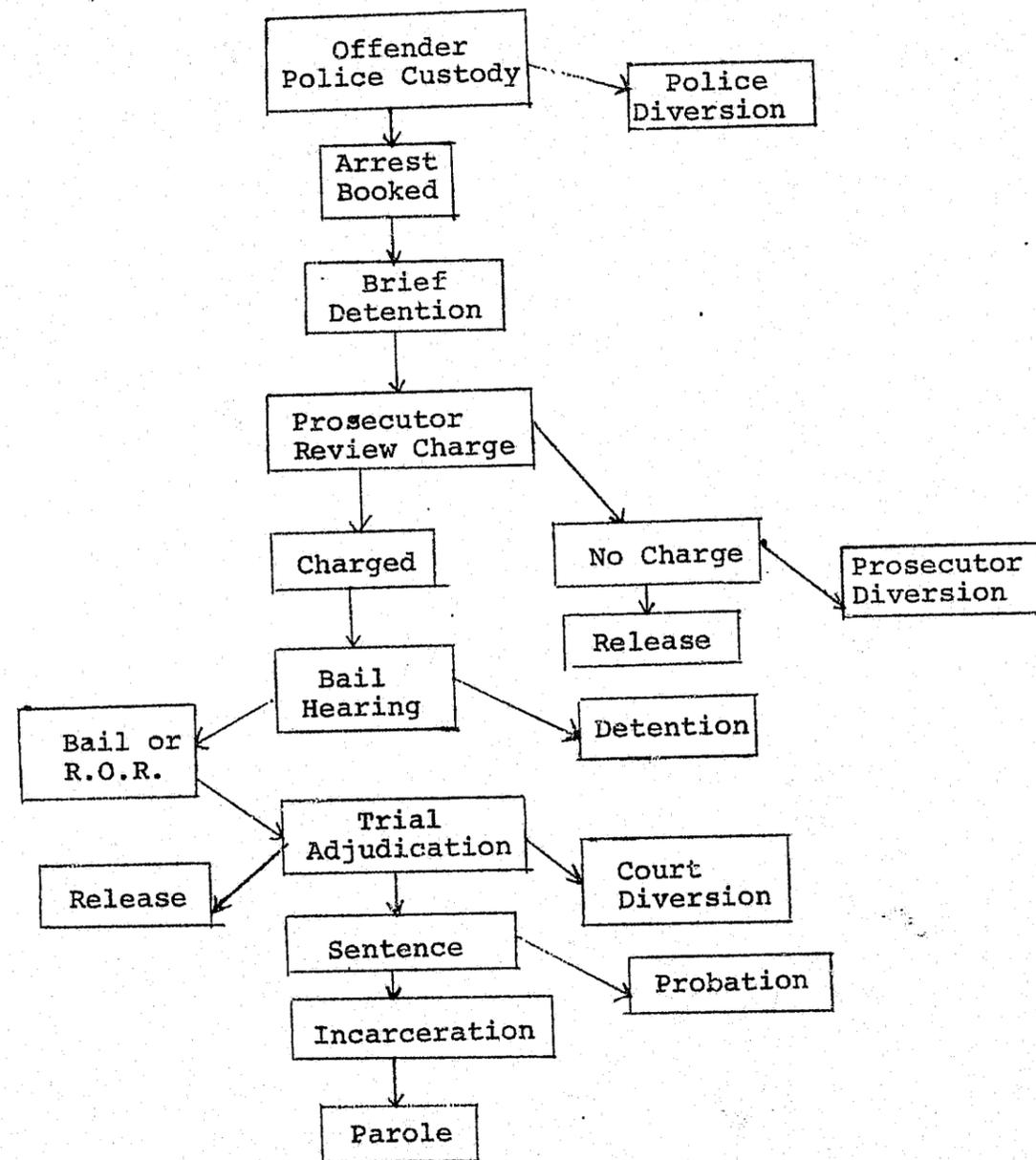


Figure Two
 DIVERSION PROCESS FOR ADULTS



the diverting agent has more and more immediate power over the offender. If the offender violates the trust placed in him by the diverting agent, legal action can come much more swiftly and directly from the judge than from the police officer, in terms of activating the original arrest charges, if such a course of action is indicated.

A third distinguishing aspect of the three diversion points is the explicitness and formality of the diversion proceedings, which increase as one moves from the police to the prosecutor to the court. As the perceived risk increases, it becomes necessary for the criminal justice system to accept the risk for the diversion in a more open and formal manner. In other words, the judge is better able to risk taking some "heat" when necessary than a police officer.

D. Whom to Divert

The twelve programs surveyed during this project had widely varying criteria for eligibility even when the target populations were very similar. For example, one of the youth service bureaus would not accept juveniles on whom a petition had been sustained; another accepted all referrals, regardless of their legal status, who resided in a particular geographical area. Two of the adult diversion programs screened all offenders coming into the local criminal justice system to identify drug users. Neither would seek diversion for offenders with a history of violent crime or serious felonies; one would accept persons charged with sale of drugs, however, and the other would not. In addition, the former program stressed the assessment of the degree of motivation for treatment as part of the screening process. The latter program tried to convince any legally eligible candidate to volunteer for the program in the belief that the threat of court action if they failed in treatment was sufficient motivation. In nearly all the programs there was considerable flexibility in the criteria which allowed for individual negotiation on potential clients with the appropriate criminal justice representative, i.e., police, district attorney, or judge.

At their inception most of the programs only negotiated the diversion of those offenders who seemed to present the least possible risk in the eyes of the local criminal justice system: first offenders, minor

felony cases, etc. As the programs and the related criminal justice agencies gained more experience in the diversion process and clients seemed to be successful in treatment, the trend in all the programs was to broaden eligibility to include more different types of offenders.

In writing this chapter we could have given simple prescriptions such as "only first offenders who have committed non-violent crimes or multiple offenders whose offenses are all related to drugs should be considered for diversion." But we found during the survey that there was room for broad exploration of whom a particular community could divert to treatment successfully. One limiting factor would seem to be the degree to which the community wishes to punish an individual for a particular offense, in addition to providing for his rehabilitation. Another is whom the community is willing to trust, which is largely dependent upon its experience of who is trustworthy. Most communities will begin a diversion program with candidates whom they have no great investment in punishing and for whom they have sufficient tolerance of the perceived risk in diverting. Much of this decision of whom to trust was seen during the survey to take place on a very individual level. We have consequently kept away from the categorization of offenders according to the perceived risk involved for the following reasons:

(1) Such categories do not mean very much when one closely examines individual instances, for example, an individual may be considered a first offender, and yet there may be good evidence that he has been responsible for a series of serious crimes, whereas another individual may be regarded as a multiple offender, but all of his offenses have been rather innocuous; leading many authorities to prefer taking a risk on the multiple offender rather than the first offender.

(2) Most criminal justice systems talk explicitly of treating violent offenders more seriously than property offenders. In a recent study of 4,000 offenders sent to California juvenile institutions, one of the authors of the study found that there is no easy way of determining who is a violent individual and who is not. If one simply looks at the explicit charge, such as

robbery or assault, one finds that more than half of the individuals carrying such charges, when the case is looked at closely, probably did not participate in or contribute to violence. Furthermore, some so-called violent offenders chronically create nuisance-type violence and never pose serious threats.

(3) Numerous studies have been conducted to attempt to predict who will commit serious or violent crimes after release. Almost nothing has been turned up that predicts the likelihood of recidivism, particularly of violent recidivism, much better than chance. Since science fails so abysmally in predicting the actual risk associated with an individual, it is best to leave these predictions as a kind of "art" in the hands of the appropriate criminal justice personnel. Hence, our discussion speaks of *perceived* risk and not *actual* risk.

(4) Circumstances and key public individuals both actively change the willingness of a particular criminal justice system to take risks with offenders. Recently, the Governor of California, for example, has been attempting to direct the California criminal justice system, to the extent within his power, to take less risks with the offender than it has been doing. In general, such forces cause periodic swings of the pendulum towards more hard-line treatment alternating with swings towards more leniency. There is no way that a simple formula based on various categories of offenders could be made to appeal to this changing climate.

(5) Finally, even with such swings, different regions of the United States have different tolerances for different kinds of crime. In Texas and other states of the Southwest, there is much greater tolerance for casual violence than in the Northeast, for example. In the Southeast a person who absconds from a hotel without paying his bill is treated much more seriously than in the North. All these idiosyncrasies associated with the different cultures of the United States must also be taken into account.

From all these considerations, it is apparent that each criminal justice system has its own particular definitions of which offenders are to be treated as

greater and lesser risks. It is assumed therefore that each criminal justice system interested in these models of diversion, will be able to interpret them in terms of their own existing practices for dealing with various categories of offenders.

Of course, there are well-known general principles, such as, that the more frequently an individual has been caught committing crimes the more likely he is to go on doing so; and the more serious crimes that an individual has been found to be committing, the more likely that future crimes will also be serious. These common sense guidelines are not accurate but are about as good as anything we have. They constitute the underlying understandings that go to make up what we mean by "perceived risk."

E. A Model for Police Diversion of Juveniles

The following model, derived from a program studied during the survey, involves police diversion of juveniles, but the same model could be equally well applied to juvenile probation officers. The pre-arrest diversion of adults will be treated separately.

The youngster is first contacted normally by a police officer in a context which could lead to arrest. In all but the most extreme cases, the individual is released to his parents and, at the time of release, an appointment is set up for the individual with his parents to meet with a juvenile probation officer. This meeting is generally scheduled to occur within two or three days of the first contact with the police officer. When the parents and the juvenile contact the probation officer, an interview takes place which lasts at least half an hour or longer, in which the full spectrum of the child's problems are examined including his prior criminal activity and his use of drugs, and the child's relationship to his parents and to his family is also looked into.

The majority of juveniles are diverted during the course of this interview. An officer can choose to give a client a second, third, or fourth chance. Such diversion need not be restricted to "first offenders." The officer tries to impress upon the juvenile and the parents that normal arrest and juvenile court processing is an available option should they prefer it and can be

employed by the officer for this situation should the juvenile and his parents not take the diversion program seriously. At this point some families will choose to go forward with normal criminal justice processing, some will accept diversion reluctantly, and some will accept it with enthusiasm. If the family chooses the program, the officer then makes a full record of the interview and sends it over to the program to which the client has been diverted.

This model of diversion is predicated on the assumption that police officers do not have the time to stay on top of the characteristics of treatment programs and are not able to obtain the necessary feedback to correlate client characteristics with program characteristics. Therefore, to accommodate this lack of basis for clinical assignment, it is recommended that police who are conducting pre-arrest diversion should assign clients to programs which offer a broad spectrum of treatment and rehabilitation possibilities and which are willing to do careful intake screening so as to assign the client to the particular opportunity that best suits his needs. Furthermore, it is recommended that police officers periodically contact juveniles whom they have diverted while they are in the treatment program and after they have left the treatment program in order to obtain feedback on the effectiveness of the treatment program. It is our experience in talking with ex-clients, that such follow-up would simply and efficiently help police officers to identify programs that had little or no effectiveness. This does not mean that any single client can give an adequate picture of a program's effectiveness, but contact with a number of clients and ex-clients should evidence a consistent pattern of impact or lack of impact.

The police officer should insist that the program provide periodic feedback on whether the client participates in the program and whether the client is gaining benefit from the program.

As with all diversion generally, we believe that it is important that the criminal justice system make good in a consistent manner on the threat of picking up people who fail to carry out their diversion assignment. When such follow-up is done capriciously or not at all, it has very little impact on the population of young people being diverted. If follow-up on non-

participating juveniles (and adults) is not rapid and consistent, it might well not be done at all for the value it would have in keeping clients generally in programs. Several treatment programs visited during the survey felt that the coercive power of the criminal justice system is a positive force for many clients in encouraging them to stick with treatment and rehabilitation programs. If the criminal justice system, and in this particular model, if the police care about the client, then they should be willing to go after him and pick him up and use the power of their position judiciously to encourage participation.

F. A Model for Pre-Arrest Diversion of Adults

The pre-arrest diversion of adults is definitely a more difficult program to develop than the pre-arrest diversion of juveniles. We are aware of several attempts to institute such a program, and it appears that these attempts have had little success. However, we believe that the above model for juveniles could be adopted for adults with a minimum of modifications. The juvenile may have a significant advantage if his parents are thoughtful, concerned individuals who are genuinely willing to help in the treatment and rehabilitation program. When this is the case, the police officer has a valuable ally in the carrying out of the diversion program.

The key difference between adult and juvenile police diversion is that police departments do not have an adult counterpart to the juvenile officer. The juvenile officer has partly a detective function but also a social worker function. He can delve into the background of the juvenile's problem, he can maintain a continuing interest in the case, and he can work to ensure the juvenile's participation in the diversion program. It is highly recommended that police departments consider establishing an adult counterpart to the juvenile officer. Where such a police counselor position is established, the patrol officer who would normally be making an arrest could assign the adult an appointment to meet with the police adult counselor. Such a counselor is a natural extension of the recent work in developing police family crisis specialists. The adult counselor would function in the same manner as the juvenile officer in the previously described model of juvenile diversion, and the adult model would parallel the juvenile model in every respect.

A key element of this kind of diversion either for adults or for juveniles is to be able to guarantee to the client that, upon successful completion of the program, he will not be plagued with a criminal record. In the case of juveniles, all records can be destroyed when the juvenile becomes legally an adult, in most states when he reaches the age of 18. While not a current policy recommendation of DEA, a suggested procedure with regard to adults might be that the record could be shown outside the department only to the extent that it is required by current state or federal laws, and otherwise be kept as a private police record. After some predetermined period, such as two years or five years, if the individual were not arrested for any new offenses within that period, the record could even be removed from police files.

G. Advantages and Disadvantages of Pre-Arrest Diversion

The above pre-arrest diversion model is the most attractive of all the diversion models. When pre-arrest is initiated by the police, it can satisfy several of the objectives of diversion. Namely, it can be speedy, it can avoid labelling, it can reduce the cost to the criminal justice system, and it can minimize the criminalizing effect which may come from exposure to the criminal justice system. Such diversion has essentially no effect on the district attorney's scorecard, since cases that are disposed of pre-arrest do not reach a point where the district attorney has an option of "winning or losing."

One potential drawback of pre-arrest diversion is that the police may not have the opportunity either to know the client well enough or the characteristics of treatment and rehabilitation program options well enough to permit a sound decision as to which program would serve a particular client's needs best. It is recommended that the police and the criminal justice system generally become active forces in seeking to develop in their communities the necessary treatment facilities to make such diversion effective.

Another obstacle faced by pre-arrest diversion is the need to ensure that the client does follow through on the program assignment. The police officer or probation officer must be willing to keep track of the client's participation in whatever program he is assigned

to and must be willing to take necessary steps if the client fails to achieve some minimum standard of involvement.

This model is based on optimism and will be effective wherever such optimism exists. It is optimistic about the tremendous untapped potential of police officers to evaluate an individual's situation and make the proper disposition. Juvenile officers and family crisis intervention teams have illustrated that police officers can do a fine job in this role. The model is also optimistic about the potential of drug users to benefit from this kind of early assignment to treatment. In terms of our survey experience, there is solid foundation for such optimism. For most communities, early, pre-arrest diversion by the police is in our judgment the best model to be followed when it is ascertained that the offender presents a reasonable risk for diversion at that level.

H. Post-Arrest Diversion

Diversion at the next step in the process for juveniles would involve the probation officer, with or without the participation of the juvenile court. A somewhat analogous form of diversion would occur for adults involving the prosecutor, with or without the participation of the courts. An offender not considered a reasonable risk for diversion by the police can be reconsidered for diversion here.

In the case of the juvenile, the probation officer can normally elect to assign the juvenile to informal probation, without a juvenile court hearing, or can elect to proceed to a formal hearing which would result in formal juvenile probation. In both instances, the drug treatment and rehabilitation program to which the juvenile would be assigned is no more than a condition of probation. In such instances, the diversion of the juvenile constitutes no more than the normal process of formal or informal probation. Therefore, we do not regard this manner of entry into treatment as "diversion" since it does not in any way minimize the juvenile's contact with the juvenile justice system nor does it alter traditional juvenile justice procedures.

The adult, however, normally faces a much lengthier and more complex set of procedures in traditional

criminal justice processing and therefore further possibilities for diversion exist after the point of arrest. The arrested adult is either placed on bail, released on his own recognizance, or remanded to jail awaiting trial. The case goes from the police to the prosecutor. At this point, the prosecutor can consider diversion, and in most jurisdictions surveyed, the diversion procedure involves the participation of a judge as well as that of the prosecutor. If the prosecutor with or without a judge assigns an individual to diversion, it is normally the case that the prosecutor and the judge by themselves have no more information on the client and his needs than a police officer would have. The hurried nature of proceedings in most courtrooms and prosecutors' offices would actually tend to provide them with less information than a police officer might acquire. Diversion at this level is also confounded by the fact that prosecutors may depend on the successful prosecution of cases for their career and political advancement. A case which concludes with a voluntary guilty plea is, from the point of view of the prosecutor, a successfully prosecuted case. A prosecutor who is interested in using diversion as an inducement by which he hopes to obtain guilty pleas in instances where he may have difficulty winning the case in court is setting up an attitude of disrespect on the part of the client which may constitute an obstacle that the treatment program must overcome. An individual entering treatment through such a route may have a poorer prognosis than one who is placed in treatment after conviction.

In general, to clarify the situation and to ensure that the prosecutor is not seeking to make political games out of a diversion program, based on the experience of programs surveyed, we strongly recommend in the model of post-arrest diversion, that all such diversion be done prior to extracting a plea from the client. Under such circumstances, not only will it be clear to the client that such diversion is not aimed at serving the interests of the prosecutor, but also a client who successfully responds to treatment will have the satisfaction of knowing that he has not added another conviction to his criminal records. This means that such pre-plea diversion does a better job of fulfilling the non-labeling objective of diversion.

I. Pre-Plea Diversion in the Courtroom

Pre-plea diversion is the last point in the criminal justice processing of adult offenders at which diversion might take place. At this point offenders whom the police and prosecutor felt were too risky to divert may still be considered for diversion by the judge. Because in the nature of judicial processing the judge can ask for further investigation of an offender, and because there is time for such an investigation at this point, the offender can here be carefully evaluated for possible diversion. Also, because the judge has more immediate power over the offender, he can afford to trust him more than the police or prosecutor.

Enacting pre-plea diversion in the courtroom may require statutory changes in some states. However, there is a precedent for such changes in laws enacted by other states, e.g., Pennsylvania, which allow for diversion in the courtroom. Ordering an investigation at this point in the judicial process, however, would probably not require changes in the current laws.

It should be possible for a judge to request his probation department to conduct the equivalent of a pre-sentence investigation in order to determine whether pre-plea diversion should be considered and also the treatment needs of the client.

A courtroom could also utilize the service of a non-criminal justice agency to handle pre-plea investigation. Such an agency would assign persons to interview arrestees who are awaiting trial and determine whether they appeared able to benefit from diversion and were interested in being diverted. Such specialized diversion workers could be familiar with the full range of treatment options available in the community, have information on how well different types of individuals do in these treatment facilities and attempt to make the best possible clinical judgment concerning which individuals should be assigned to which programs. By not being part of the criminal justice system, and by focusing entirely on this clinical role, such workers could find the time to stay on top of the various programs and their performance.

The use of probation officers making pre-sentence-like evaluations of the client or the use of specialized workers devoted to making diversion recommendations

represent the only two instances in which diversion can fulfill the objective of sound clinical assignment. It is strongly recommended that one or the other of these strategies be employed in pre-plea diversion. The value of such strategies can only be achieved, however where a community offers a range of treatment alternatives. The greater this range, the more useful would be the pre-diversion clinical evaluation of the client.

The approach of having the client evaluation and assignment performed by a diversion specialist or by a probation officer avoids the problem of "body-snatching" which some communities, currently using diversion specialists, reported having happened in the past. These communities have a substantial number of alternative programs available for a limited number of clients, and previously the various programs competed for the available clients. This is a disruptive process and is not conducive to careful assignment of clients to programs.

J. The Problems of Pre-Plea Diversion

There are two serious problems with pre-plea diversion, both of which can be addressed through proper program design:

(1) There is a tendency, even when no plea is extracted, to present diversion in a coercive manner which makes it very difficult for the client to enter into it with voluntary consent. Where there are very poor facts to prove a case in court, a prosecutor may seek even pre-plea diversion in order to give the client some form of "sentence" in a situation where a client would most likely get off scot-free should the case go to trial. The procedures of the diversion process should ideally be under the control of an agent other than the prosecutor to minimize the coercive aspects of diversion and ensure a maximum protection of the individual's rights.

(2) Because diversion at this stage frequently involves a court hearing, and because most courts have problems granting speedy hearings, and also because of the time necessary to gather the data to make a clinical judgment on the client, pre-plea diversion tends not to be a speedy process, requiring generally three weeks at a minimum. If it works out that a significant proportion of those diverted are required to await the outcome of

the diversion process in jail, it becomes especially important to seek ways of speeding up the process in order to minimize the possibly destructive quality of incarceration. In jurisdictions where widespread use of release on recognizance can be used for potentially divertable clients, the need to reduce the time required in the diversion process is less acute.

People speak of the diversion of adults after the plea. Sometimes they talk of pre-sentence diversion and sometimes they talk of post-sentence diversion. In a sense, any diversion after the plea really is like a sentence and will be treated in this report as just a variation on probation. We see no valid reason for diverting post-plea.

K. General Principles for an Effective Diversion Program

The following are some general principles to be considered in developing an effective diversion program. Whatever the diverting agent, there should be a close understanding between the treatment and rehabilitation programs that receive the diverted client and the agents doing the diversion. To the extent possible, the client should face a harmonious set of understandings and expectations as he moves from the criminal justice diversion process to the treatment and rehabilitation program. Also, those doing the diversion should do their best to ensure the continued effectiveness of the programs to which they are diverting individuals.

Diversion can be used as a kind of wastebasket procedure by which clients are swept out of the criminal justice system as quickly as possible. Such diversion may have some value in minimizing any destructive quality of the criminal justice system but would probably have no positive value in terms of the treatment of the client. Since some clients do take care of their own treatment and rehabilitation, clients diverted in this manner may come out all right. This approach to diversion as a model tends to leave the outcome pretty much up to chance. The criminal justice system can identify individuals with serious problems. Any individual who frequently gets intoxicated on drugs has a serious problem. Therefore, when the criminal justice system does identify such an individual, it has an important opportunity to help that individual get into treatment. "Wastebasket" diversion

throws that opportunity away.

It should be emphasized again, regardless of how the adult or juvenile enters into a diversion program, the criminal justice system should make a consistent follow-through if the individual fails to carry out his program. The best kind of consistent follow-through is to pick up the individual again and try to induce his participation in the program to which he was diverted or in an alternative program if that seems preferable.

When an individual does fail to carry out a program, it provides an opportunity to get an evaluation of the program from that individual. However, such an evaluation must be assessed in conjunction with evaluations of successful graduates of the program.

If the criminal justice system does not follow-through in a consistent fashion on those who fail to complete their program, then it should probably not follow-through at all. If follow-through is not done consistently, recent studies show this has little value for deterring others from evading their programs.

The criminal justice agent doing the diversion-- police, prosecution, or court--has the responsibility to monitor the recidivism characteristics of the programs to which it diverts drug users. In our experience, it is clear that recidivism measures have very little to do with patterns of drug use. Namely, individuals can and frequently do continue to use all manner of drugs from heroin to marijuana after assignment on diversion to a treatment program and run very little risk of being re-arrested (or in the case of juveniles having a new petition filed) as the result of their drug use. In almost every instance where recidivism was noted in our survey, it was due to some other kind of behavior. The concern in monitoring recidivism is to ensure that the criminal justice system does not, in the course of diversion, utilize programs that promote criminality. Also continual monitoring by the criminal justice system can identify instances where drug treatment and rehabilitation programs have an unusually positive impact on client recidivism, reducing it below the norms for the particular community and its correctional programs.

Diversion programs are generally operated like probation with a definite cut-off point usually at the end

of six months, but sometimes lasting as long as two years. Whatever definite cut-off point is set by the diversion program for the client, it is recommended that the treatment program and the client be permitted to continue treatment past the cut-off point if there appears to be a need. It should be made clear to the client that his further participation in the program after the end of the set time of diversion is entirely at his own discretion, and the criminal justice system no longer has interest in his further participation.

The client, if possible, should have access to the police officer, probation officer, specialized diversion staff, or other individuals responsible for assigning treatment; he should feel free to approach the individual setting up the diversion program and ask for a change of treatment facility if he finds the one to which he has been assigned useless or thoroughly uncomfortable. This does not mean that every change requested in this manner should be made, but the individual making the diversion assignment should be willing to look into the problem outlined by the client and to consider shifting the client to an alternative program when the client's complaints are justified.

The following are some of the problems which diversion programs can run into:

(1) Police, probation officers, prosecutors, or judges, can tend to "shoot from the hip" and assign people to diversion programs without either knowledge of the client or knowledge of the program. When such assignments are made to programs that are rigid in character or of poor capability, it not only does not serve the client in any useful way, but it also adds to his disrespect for the criminal justice system. Such cavalier diversion is probably worse than normal criminal justice processing in terms of the likelihood of serving the client's needs.

(2) Caution should be exercised in diverting clients for whom there is no substantial basis for arrest. A client who is diverted, but who normally would be released, were normal criminal justice procedures followed, has had his rights infringed upon in a serious way. He runs the risk, because of diversion, of acquiring a criminal justice record, should he fail to follow-through on his diversion program, when the facts of the case

would not lead to such a conclusion. This is an abuse of diversion and an abuse of the client's civil rights.

(3) Programs can use coercive language in talking to the client and in writing to force him into accepting diversion. Whether the case against the client is well-founded or not, such coercion is an abuse of the client's civil rights.

L. Need the Client be Motivated?

There is some controversy among those involved in drug diversion as to whether a client must be motivated to participate in a program before the program can do him any good. Some diversion programs encourage the client to participate simply as a way of avoiding jail and prison. Other diversion programs make a strong point that if the client is not personally strongly motivated to participate in a diversion program, then he is not likely to benefit from treatment. In examining these contrasting points of view, our staff came to the conclusion that pressure on clients to participate in treatment programs, even when they are not fully motivated, is not necessarily a bad thing. It may be that the more motivated client will benefit more quickly from treatment but the client with poor motivation can also benefit from treatment.

Drug use is such that more serious drug users frequently do not have sound motivations with regard to treatment. Sometimes it is necessary for a treatment program to "capture" a client and then try to win him over.

Treatment is not an all or none proposition. Clients who leave a treatment program and continue to get into trouble with drugs may still have benefitted from the exposure to treatment. It may require a sequence of such programs for a client before he is able to live without frequent intoxication. Although it is preferable to build upon the client's motivation as much as possible and to encourage his own responsibility in setting up a diversion program, diversion should not be limited only to those individuals who are able to enter a program with proper motivation.

Diversion can continue to be offered as a legitimate alternative to jail or prison, where the facts are

such that jail or prison is in truth a highly likely possibility and the client's civil rights are not being violated. Certainly a client entering a good treatment program under such motivation has a much better chance of personal gain than a client who stays in a typical jail or prison.

CHAPTER V

MODEL TREATMENT AND REHABILITATION STRATEGIES

A. The Basic Types of Intervention

When dealing with programs to treat the drug user, one frequently encounters references to "treatment," "rehabilitation," "drug education," and "early intervention." It seems appropriate to define these terms in order to discuss the various models which are currently helping to rescue drug users. Since these terms are used rather imprecisely and sometimes interchangeably, our definitions will only roughly correspond to general usage, if for no other reason than that they have greater precision.

Treatment is those interventions which are concerned with restoring the physical and mental health of the drug user. Our concern is exclusively with the treatment of damage caused by the fact of drug use.

Rehabilitation is used to represent those interventions which are designed to help the drug user acquire those skills which he would need to live a healthy, happy, constructive life as he himself defines it. These skills could involve acquiring knowledge of the type we associate with regular schooling, acquiring vocational training, acquiring skills for avocational and recreational purposes, and acquiring skills to help the client live more comfortably with those around him.

Drug Education is concerned with educating the drug user as to the nature of different mind-altering substances and, why they are dangerous, if they are truly dangerous. Drug education also helps the client understand the degree of understanding which we possess concerning various substances and the degree of certainty concerning our knowledge of the effects of these sub-

stances.

Early Intervention is concerned with treatment, rehabilitation, and educational efforts that are directed towards the drug user who has just begun to experiment with drugs and has not built a lifestyle around their use.

In the following discussion of intervention strategies, we take the position that the needs of the client for treatment, rehabilitation, and education have little to do with the particular substance or combinations of substances which he uses to become intoxicated. We believe that all too much stress is laid on the fact that some mind-altering drugs produce physiological addiction whereas others do not. Many people who use the addicting drugs do not use them to the extent that they become seriously physiologically addicted and yet they still have an important problem to be dealt with. Apparently the majority of drug users use more than one mind-altering substance for becoming intoxicated. Sometimes they shift their choice of substance gradually over time, sometimes they select regularly from a set of alternative substances any one of which they find to be a satisfactory way of getting intoxicated, and sometimes they consume combinations of substances simultaneously. We believe that, although physiological addiction must be dealt with in treatment programs, there are more fundamental features of drug dependence which are characteristic of all intoxicants.

B. The Needs of the Client

Drug users coming in contact with the criminal justice system may have only a drug problem, or they may have emotional and criminal problems in addition to it. If an offender has a serious criminal problem, it is up to the criminal justice system to deal with him on the basis of that problem. After he returns to the community, the following discussion applies to him. But in our discussion of needs, we will not go into needs that can be met within the framework of a punitive sentence. We believe that the problems of criminality and of drug abuse are separable. The criminal justice system must decide which issue is to be dealt with first for each client.

Clients differ as to how far gone they are into

drug abuse and into the seriousness of the effects of that drug abuse on their bodies and minds. Individuals have been known to evidence the characteristics of long term heavy drug use after only a dozen exposures or less to mind-altering substances. Other individuals have used intoxicants in substantial quantity on a daily basis for a year or two and failed to show serious mental and physical consequences. Both kinds of exceptions are fairly rare and in general the degree of impact appears to be well-correlated with the frequency with which an individual becomes intoxicated. This suggests that clients will evidence the following needs in proportion to the degree to which they have suffered mental and physical consequences from their use of intoxicating substances. In interpreting these needs on an individual basis, individual variations in the severity of the problem overall and also with respect to the particular areas in which the problem manifests would have to be taken into account.

However, it is our experience in observing a number of treatment and rehabilitation programs, that there is in fact a common set of needs characteristic of all individuals who spend substantial portions of their lives getting intoxicated and that a wise program would look for problems in all of these areas with all of their clients. This does not mean that treatment and rehabilitation efforts necessarily must be targeted to all of these client needs for every client. Some individuals have the capacity of taking care of problems on their own, and programs should not feel compelled to treat every problem especially where there is a possibility that the individual can solve his own problems without intervention. On the other hand, many individuals who can treat themselves eventually would be much happier if they did have help in order to speed up the process.

The first issue or need to be addressed is whether, to use the language of the times, the client is "all there." Drug abuse of any substantial degree is likely to produce serious physiological and psychological loss. Most intoxicating substances appear to collect in some region of the brain although different substances because of their chemical qualities, especially because of their molecular weight, appear to collect in different regions of the brain. The mere fact of the presence of these foreign substances in the lower or upper regions

of the brain appears to cause cellular deterioration. We know that totally dead neurons cannot be replaced, however, many neurons are deteriorating but have not completely lost their capacity to function. There is some evidence to suggest that proper nutrition, megavitamin therapy, and even exercises that increase the stimulation of the brain and the flow of oxygen to the brain can have a constructive effect. In part, this constructive effect appears to be due to the salvaging of weak but still living neurons. In part, this effect may be due to the ability to stimulate portions of the brain to take on activities which cannot be fulfilled by other portions of the brain that have been seriously injured. Very few programs that we have witnessed have given attention to the physical needs of the drug abuser's body. However, where such attention has been given, there are definite signs that such therapy is highly useful. We would encourage programs to give more attention to the problems of diagnosing physiological deficiencies and treating them. Many individuals regain their capability to live normal happy lives, even having suffered such damage, but the process of recovery is slower and sometimes less complete because the individual is continually confronted with the obstacle of an injured brain and body.

Another sign of the physical deterioration which accompanies frequent intoxication is the fact that the subject has serious irregularities of breath. In order to help restore control over one's breath and to cultivate a regular rhythm of breathing, some programs have realized good results through the introduction of breathing exercises. Probably the most successful breath exercises which the author has encountered come from various Oriental physical regimens, almost all of which pay attention to the breath.

Clients who have had substantial involvement with the use of intoxicants experience a gradual fog descending over their minds. They are most conscious of the existence of the fog during those periods when they are not "high" or "stoned." Unfortunately many program people who themselves have no experience with intoxication and who are not aware of the existence of this mental fog, treat the clients as though they are fully competent individuals and do not perceive their lack of capacity to sustain communication and follow a shared line of thought. As long as the client remains

in this fog, treatment and rehabilitation efforts will have little value for him. The first step on the part of the program is to recognize the existence of this fog and to take steps to encourage the client to come out of it. Essentially, the only way a client can come out of the fog is to substantially cut down on his use of intoxicating substances, preferably cutting them out entirely. It has been pointed out that individuals who are well into this kind of fog cannot sustain a focus of attention on any subject, and as a result, cannot sustain normal conversations. A pattern that has been frequently observed by clinicians for individuals who experience the more extreme degrees of this symptom is one in which the subject breaks off a train of thought in a conversation with another soon after it has begun, and does so in a way as to accuse the other of having been responsible for the breakdown.

In general, successful treatment and rehabilitation efforts must be conscious of the capacity of the client to communicate and must introduce the client to really serious programming only after a substantial part of the fog has lifted and the client is able to sustain a shared focus of communication with another individual. To expect the client to deal with intensive intervention efforts while he is still enmeshed in the fog is to expect too much. We witnessed psychologists leading groups where members of those groups were not able to focus or participate, the psychologists were pretty much unaware of the fact, and the clients were getting very little out of the experience. Youthful clients come into drug treatment and rehabilitation programs out of family settings which play a key role in their pattern of life. Adult clients frequently come into drug programs while living with a spouse who plays a key role in their pattern of living. Where parents and siblings, or where a spouse represent key factors in the client's life, family counseling is probably strongly to be recommended. This does not mean that family counseling is the only kind of counseling to which the client is exposed, but at least a portion of the counseling activities should deal with the family situation.

The work of transactional psychologists and of family therapists have pointed out the importance of the family context. It can be used by the drug user to help him sustain his pattern of drug use, or it can become a key factor in helping the individual to shape a lifestyle without drugs. Frequently, the client is

not the only individual in the family context who is involved with regular use of intoxicating substances. Through family counseling, a program may be able to render help to several members of a family situation, and not just the client. Occasionally, a family situation is so destructive and so focused in putting pressure upon the client to use drugs, that there is almost no hope of the client changing his lifestyle while he continues to live in that context. In such extreme circumstances, a treatment program may be instrumental in helping the client to find another context in which he can build a healthy lifestyle.

Although programs may be conscious of the forces within a social setting that push the residents into patterns of drug abuse, and although programs may wish to act as forces of change in these settings, programs must realize that their primary impact must be on individuals and that individuals must learn how to make healthy adjustments to their communities; for the needed change will not occur rapidly and the programs by themselves are not sufficiently strong to bring about these changes.

Another important area of client need is to be able to communicate comfortably. Programs tend to be operated and staffed by members of the dominant white middle class culture. Clients who come from ethnic groups that are not part of this dominant culture almost always feel more comfortable with counselors and rehabilitation personnel who come from their own minority culture.

For some clients, this may not be a serious problem in that they are sufficiently comfortable in the dominant culture to be able to deal with white middle class counselors and program personnel with a reasonable degree of comfort and freedom of communication. On the other hand, many drug users, especially young drug users, have had such an impairment in the development of social skills, that they do not feel comfortable and competent in communicating generally with anyone. For such individuals, communication may simply not take place unless the adult they are dealing with is a member of their culture. Programs must be very sensitive to this and to the extent possible, employ a range of staff who can make communication as simple as possible for their clients. It is best, where communities are isolated, to have staff who are not only of the appropriate culture, but who also come from the particular community. Since nothing

can happen in the area of treatment, rehabilitation or education without communication, the first requirement in meeting the needs of clients is to do everything possible to facilitate communication. Programs must be aware, however, that they will not function well or be comfortable for their clients if they give the impression that minority people are only qualified to serve at the lowest levels. The program that has its counseling and rehabilitation staff primarily drawn from a minority culture, while at the same time having its administrators and policy makers drawn from the dominant white culture, has a serious internal discrepancy which clients will immediately be aware of and which will hinder communication and foster resentment. One cannot stress too much the importance of making the client feel at ease in the program.

With regard to the need of the client for rehabilitation, this has much to do with the age at which the client begins the use of intoxicating substances and the degree to which this use interferes with his normal growth. Some young people begin the use of these substances so early in life, that they miss out on a great deal of their education and do not have their normal opportunities to develop the skills necessary to enter into a semi-skilled or skilled profession or to go on to college. For such individuals, rehabilitation is not simply a matter of filling out the needed education, it is also frequently a matter of helping the individual to gain confidence that he can learn and that he can become a competent worker and participant in all aspects of the community. Effective rehabilitation must be based on understanding where the client's development was arrested, if it was, and how much of what the client has learned has been retained. A program does not serve the client well if it minimizes the client's deficiencies or tends to promise rapid easy growth when in fact a slow and patient process is more likely.

As one can tell, our model recommends that treatment precede rehabilitation for clients that have been seriously involved in drug use. Without adequate treatment, the client does not have the physical or mental resources to acquire the knowledge and the skills that come through rehabilitation.

A critical factor in both treatment and rehabilitation is the client-staff relationship. Clients who have

been seriously involved in the use of intoxicants generally lose their capacity to establish a close, warm, human relationship. Drug users tend to interact with drug users and drug use tends to produce isolation and superficial contact. As long as the client stays within a society of drug users, he is not made aware of how constricted his social interaction is. Programs which deal with clients should always provide opportunities for the client and the staff to develop warm, close friendships. The human contact which the client begins to enjoy as he emerges out of the isolation that characterizes drug use, is probably the strongest reward that can encourage a client to seek an alternative lifestyle and to throw off the "pleasures of intoxication." It is important, therefore, that program staff allow time for spontaneous one-to-one interactions with clients. Although traditional one-to-one psychological counseling is probably appropriate for most mental illness, and the restriction placed by the traditional client-therapist relationship on the development of a close friendship is probably appropriate in the treatment of mental illness, this kind of rigidity does not appear to be appropriate in the treatment of drug users. It is almost essential that any client coming out of a lifestyle dominated by intoxication needs to develop at least one close relationship as a key catalyst in his or her commitment to change. Such a catalytic relationship frequently is developed outside of the treatment-rehabilitation program, however, for some clients the relationship must be found within the program. In the case of residential treatment programs where the client is isolated from his prior associates, such a relationship invariably must be found in the program and almost always with program staff. Therefore, where programs deal with more than early intervention, namely, where they deal with clients who have been seriously involved in the use of intoxicants, the staff must be prepared to reach out on a personal level and contact those clients who need their help and draw them through the transition phase from the old lifestyle to the new. The love which is developed in such relationships is probably the most important dynamic in helping clients to reorient their lives.

Frequently, clients need to know more about drugs. They are often unaware of how destructive their pattern of drug use has been. Drug education does not change the behavior of everyone; many people today are well versed on the effects of cigarettes and yet continue to

smoke heavily. On the other hand, one cannot assume that properly done, drug education is not helpful for some individuals in making decisions about their lives. Therefore, every program should be able to offer drug education in a credible way to its clients as a key supplement to treatment and rehabilitation activities.

C. The Needs of Staff

As we can see from the preceding discussion of the needs of clients, treatment and rehabilitation of drug users involves a very strong commitment on the part of the client and an equally strong commitment on the part of staff. Program descriptions and design documents have normally focused on the changes through which the client must go, and have seldom given adequate attention to the pressures and the responsibilities placed upon the staff and the need of the program to accommodate these pressures and responsibilities.

First and foremost, the staff of any treatment/rehabilitation program represent role models for the clients. This is always a heavy responsibility. Staff are never perfect beings and cannot fulfill the demands of being a role model on the basis of measuring up to some static criteria. The solution must be seen not in terms of what the staff are but rather what the staff are becoming. Essentially, a staff must be committed to personal growth and development. This commitment must be understood by all members of a program at all levels from the top administrator to the lowest support personnel. Thus, individuals who are committed to personal growth and change can accept the fact that they have strengths and weaknesses, accomplishments and imperfections, and are willing to work with criticism and to continually strive to improve their characters. An atmosphere of personal growth and development will encourage clients to seek growth and development in their own lives and this is the essence of all treatment and rehabilitation of drug users. In designing programs, the psychological needs of staff must be attended to. They must have activities which generate self-confidence and which sustain cooperation and warm feelings among the members of the staff towards each other and towards their leaders. If staff feel comfortable, feel able to achieve some successes in their work, and feel that their accomplishments are recognized, then they will be

encouraged to take personal risks, to open themselves up to change, to accept the criticism of others, and generally to dedicate themselves to a life of growth and self-discovery.

Without this openness, this honesty and this warmth, a program will not provide an atmosphere conducive to client growth. That does not mean that there are not clients who will develop in almost any atmosphere. There are drug users who successfully reorient their lives without any planned official interventions. What it does mean is that many programs are of little or no value to their clients and the clients get better in spite of the programs rather than because of them.

There is a great deal of new technology in the field of psychology and counseling. Much of this is valuable and has contributed to the effectiveness of drug treatment programs. However, staff should be helped to put these techniques in perspective and to give the right values to the various dimensions of counseling and therapy. Most importantly, a therapist or counselor must not approach the relationship with his client in terms of a rigidly programmed pattern of behavior. He must set for himself certain key objectives, i.e., clarity of communication, spontaneity, flexibility, responsiveness to what the client is feeling and saying, and a discrimination of what the client really needs. The achievement of these objectives is his primary goal. His psychological techniques are important only to the extent that they contribute to achieving these goals. These tools are not important in themselves. Therefore, an effective counselor or therapist is one who listens to his client, who lets the client treat his own needs as much as possible, and who uses his techniques only as tools to achieve these basic objectives which are designed to help the client grow.

Young therapists who have just come from out of training tend to want to use their tools and to over-emphasize their importance. It is important, therefore, that programs provide their staff with an apprenticeship period in which more experienced counselors are able to train and guide new staff members and help them develop sensitivity and responsiveness, and foster a flexibility in the use of techniques to serve more important objectives.

Key to all this is the need for the program to have clear, well-defined objectives--objectives which staff and clients both can rely on as guideposts as they progress together through the program. Almost all the programs we witnessed could pay more attention to their objectives. All of the programs which were failing to provide useful help to their clients lacked well-defined objectives.

Finally, a staff needs to feel rewarded. There are many types and kinds of rewards and they must be well understood by the program and used appropriately. Most programs have substantial numbers of paid staff members and careful thought must be given to how these personnel are paid and how their financial reward is related to their abilities and performance. If performance is to be rewarded in terms of salary and in terms of promotions, then the administration must be very careful to see that they are in fact rewarding the right traits. Programs frequently fail in that they reward easy-to-measure dimensions of performance rather than rewarding those dimensions of performance which are most relevant to the program's objectives.

In the best possible case, the staff looked for most of their rewards from the client-staff relationship. This, however, is not always possible since some situations and some communities present such overwhelming problems that rewards that come from working with clients come very slowly and unpredictably. Although such instances are rare, they do exist, especially in the most depressed minority communities. Where such is the case, a wise program director looks beyond the narrow confines of the program for rewards. In one successful case, the program became an advocate for social change in the community and the staff members garnered significant rewards from social action which helped sustain them through the slow, frustrating, painful process of working with a very deprived client population.

There are some dangers in providing corollary rewards in that these rewards can so dominate the focus of attention of the staff as to interfere with their ability to deal with clients. The program which we witnessed, however, proved that an appropriate balance can be struck and that a staff can divide its time between a social action and a rehabilitation focus in such

a manner as to do justice to both.

A staff should always be able to acquire some rewards from the intra-staff relationships. If the intra-staff relationships are inharmonious and uncomfortable, the program is consuming much of its energy in the in-fighting and friction of the staff and is thereby unable to serve its clients well. A program needs strong leadership which is warm and open to the staff. Where the staff-administration relationship is constructive and cooperative, the staff will not be inclined to take its frustrations out on the clients. Badly run programs in this respect are likely to do more harm than good. Programs need strong direction and the staff must feel that they can rely upon their leadership for support, guidance, and the maintenance of harmony.

D. Residential Programs

Residential treatment programs for drug users represent a vast range of philosophies and practices. It would be very difficult for a survey of this scope to cover the field, even if it were focused entirely on this modality. Our information comes from a close look at several such programs, and a briefer encounter with a few more. From this perspective, we feel able to point out a few broadbrush principles which appear relevant to effective residential treatment, without becoming overly specific concerning the details of establishing an effective program.

Residential treatment programs appear to offer the most promising modality for the intensive user of intoxicating substances, if the programmatic objective is to help the subject to develop a lifestyle free from these substances. The serious drug user who has developed a lifestyle dominated by drug use can benefit from a number of features of a strong residential treatment program, for example:

(1) The sense of making a commitment towards getting out of drug use, which is emphasized by the fact that the individual has selected to live in a residential facility, isolated from his family and friends.

(2) The willingness to live in a setting in which drugs are extremely difficult to obtain, and in which

the obtaining of such drugs almost inevitably leads to very serious consequences.

(3) An atmosphere of honesty, personal responsibility, love, and dedication which stands in horrifying contrast to the environment of the serious drug user.

(4) An atmosphere in which staff and fellow clients are all committed to the belief that a serious drug user can learn to live without drugs.

These are the foundation stones upon which an effective Residential Community must be built. The other, less fundamental features of the Residential Community are subject to variation according to the needs of particular climates and particular communities.

The interpersonal relations of specific individuals --clients with clients, clients with staff, and staff with staff--are the threads out of which the fabric of the Residential Community is woven. Massive departures of a group of staff or a large group of clients can be quite shattering to this fabric. Therefore, it is recommended that staff contracts be staggered so as not to terminate in a large bloc, simultaneously. Similarly, it is recommended that a Residential Community not take in overly large groups of clients at a single time, but rather attempt to stagger the entrances and planned exit points of clients to avoid a massive breaking up of the social fabric, at the time of a large group leaving together.

Residential Communities differ with regard to their belief that they should be located within the community from which the client comes or at great distance from the community from which the client comes. There is no doubt that access to drugs for a client is easier in his home neighborhood. On the other hand, the vast majority of clients will return to the neighborhoods from which they came and must learn how to live constructively in that neighborhood and must develop a respect for whatever good can be found within that neighborhood. This dimension is impacted by the type of community from which the client comes. Residential Communities that draw upon white youth and adults who are at home in the dominant culture have the greatest freedom as to where they locate themselves, because their clients have a capacity to feel at home in the widest possible range of settings. On the other hand, clients who come from isolated ethnic

backgrounds will feel much more isolated and threatened when placed in neighborhoods in which they feel alienated. Therefore, it appears to us likely that Residential Communities that draw heavily on isolated ethnic minorities should locate themselves within the neighborhoods from which those minorities come, since to locate otherwise would create alienation that might well be a serious obstacle to the client's effective participation in the program.

A related question concerns the ethnic composition of a Residential Community. In general, clients who are seriously uncomfortable with their peers face a serious obstacle in their treatment program. It is therefore recommended that to the extent the population base permits it, separate Residential Communities should be established which are relatively ethnically homogeneous. Integration of ethnic groups should happen selectively only for those clients who are comfortable in an integrated setting. The issue of dealing with serious drug abuse is so large, that to complicate it with problems of ethnic barriers, would only serve to add major obstacles that the program would have to overcome in order to be effective. In one specific instance, where three ethnic groups each contributed about a third of the population of a large residential facility, almost the entire attention of that facility was focused on overcoming intergroup rivalries and friction.

Although many specific strategies and modalities are incorporated into the programs of Residential Communities, there appears to be a single underlying process inherent in the very concept of a Residential Community: The client entering the Residential Community generally has some degree of commitment to change himself. This commitment, however, is limited by the client's natural inability to see himself in perspective, and to see the startling contrast between the person he is as a drug user and the person he potentially could be if he could restore the maturity he has lost through his indulgence in drugs. The client's lifestyle is encrusted with habit patterns oriented around drug use, and such a system of habit patterns is most resistant to change. The Residential Community, by introducing the client to an environment of communication, warmth, and love challenges the validity of this system of habit patterns. The experience of life in the Residential Community shocks the client's mind and forces him to face

up to the fact that there is a great deal of happiness in life that he has been missing out on and challenges him to try to bring this newfound happiness into his own life, by emulating the lifestyles and perspectives of the staff and of the older residents.

This element of total mental shock is much easier to create in a residential setting, than in an out-patient program. Therefore, as a general rule, the more seriously involved drug user, the one who holds tenaciously to frequent periods of intoxication, requires this shock to open his eyes to the fact that he can make experiments with his life, that he can choose alternative lifestyles other than the one in which he now finds himself. The individual who is less committed to drug use, who has long periods in which he is able to function free from intoxication, is much more likely to be aware of the alternative lifestyles available to him. The less frequent drug user is more likely to have warmth and communication in his world already. Such an individual does not need shock to open his eyes to the possibilities which life can offer him. For such an individual, out-patient programs are likely to be every bit as effective and possibly more speedy and effective than a residential program. Thus, perhaps the single most critical clinical judgment to be made with regard to the assignment of a drug user to a program is to determine whether his case is sufficiently serious to warrant more costly and intensive Residential Community.

E. Out-Patient Programs

We broadly classified treatment and rehabilitation programs into residential and out-patient. Whereas the basic assumption of residential treatment is that the client is so fully enmeshed in drug use that con-

³Our survey and the resulting discussion of models are concerned only with programs that are designed to help the client become free of the need to become intoxicated. We are not concerned with either residential or out-patient programs that emphasize chemotherapies such as methadone, either as a temporary or a permanent measure. Such programs focus on a single class of intoxicating substances, i.e., the opiates; whereas our concerns are with all classes of intoxicating substances.

tinued existence in his natural environment would never provide the opportunity for him to realize the significance of living without drugs; conversely, the out-patient program assumes that the client has enough periods of lucidity to enable him to see the potential of what he can attain when not intoxicated, and also that the client has resources in his natural environment that can be mobilized to help him construct a new, happier and healthy lifestyle without the pursuit of intoxication.

For the young client it is especially important to discover how the natural opportunities and influences provided by his family, his school, and his peers can be mobilized to help with treatment and rehabilitation. For the older client, one must look to the influences provided by his spouse, children, occupation and work setting, and his fears. Out-patient programs have the opportunity to help the client build upon all that is helpful and constructive in his life and to help the client to master those influences which tend to drag him down and to encourage the pursuit of intoxication.

In general, out-patient programs offer an important benefit in that the client is treated in the natural setting in which he will have to live. This avoids the difficult process of the transition between the artificial environment of a Residential Community and the natural setting.

In the remaining sections of this chapter we will briefly discuss model attributes of some of the principal modalities of treatment and rehabilitation. Essentially, any modality can be used either in a residential or an out-patient setting except to the extent that one views residential treatment as a modality per se. Therefore, in the following discussion of various modalities, one can visualize their use in either out-patient or residential settings.

F. Counseling

Counseling is the most widespread form of treatment of drug use. There are many ways of classifying counseling. It may be classified in terms of the background of the counselor, i.e., professional psychological and

psychiatric counseling is distinguished from the counseling of paraprofessionals, also, various schools of psychology and psychiatry are to be distinguished from one another. Counseling can also be classified in terms of a setting, i.e., individual counseling, group counseling, and family counseling. Counseling can also be distinguished in terms of its objectives, i.e., some counseling is concerned primarily with broadening the client's awareness of the consequences of what he is doing to himself and of possible alternative ways he might be living as contrasted with counseling designed to help the client undertake a major restructuring of his personality.

The choice among these various types of counseling is in part determined by the resources which are available to a particular client and in part by a diagnosis of the needs of a particular client. In an ideal world great stress would be laid on the diagnostic process and it would be assumed that clients could be accurately classified and assigned to the particular counseling approach which suited their needs and their personalities. In fact, we have little evidence to convince us that our ability to assign clients clinically is very well developed. Therefore, one cannot get too upset by situations in which clients are assigned primarily on the basis that a particular modality of counseling is the only one offered. It would be hoped that the counselors and the clients would engage in a feedback process whereby it might be determined if a particular type of counseling is unhelpful or totally inappropriate for a client. Then, at least one could empirically try the client out in different contexts until the counselor and the client were satisfied that progress was being made. This is not to be pessimistic and state that we should despair of ever being able to make reasonably accurate assignments of clients to different forms of counseling, but rather to make a sober assessment of where things are at now.

Counseling involves some therapeutic interaction relating to the psychological, interpersonal, social, or existential data of the client. At times, counseling will have an educational component relating to the nature of drugs and their impact.

It is difficult to evaluate the different types of counseling which might be employed in constructing a

model drug treatment program. Past research and the findings of our survey concur in the conclusion that the personal effectiveness of the counselor is much more important than the type of counseling he or she uses. Aside from avoiding obvious mismatches--verbal psychoanalysis with a 13 year old heroin addict from Harlem--the qualities of the counselor count more than the technique. Effective counselors do not bear a particular label, such as psychologist or psychiatrist. We found effective counselors who were police officers, ex-addict offenders, "straight" probation officers, and paraprofessionals indigenous to an ethnic neighborhood.

Effective counseling requires adequate training and adequate supervision. Working with drug using clients requires special training, which need not be formal courses in psychology and psychiatry. This training must include an adequate assessment of the counselor's skills and a clear perception of the goals and objectives of the program. Good supervision is desirable and is especially important for new staff members. A supervisor must embody the personal qualities described in Section B., above, and must have considerable experience with the client population being served.

Part of the role of good supervision is to determine whether a particular individual is suited to be a counselor. To some extent good counselors are as much "born" as "made." Some people will never be outstanding counselors and are miscast in that role. All too often, a formal degree in psychology, sociology, medicine, or social work will be seen as qualifying an individual as a counselor. Too often paraprofessionals are hired on a parallel basis--merely because they have been through the drug scene, because they are members of a particular ethnic group, or because of their role in the criminal justice system. No formal criteria of this nature are sufficient. A program is especially fortunate if its director or the person who does the hiring has the sensitivity to identify potentially effective counselors. With or without such sensitivity, all programs should have an additional probationary period and program directors must be firm in assessing the probable effectiveness of each new staff member as a counselor. In the long run, an individual who is miscast in this role will not find personal fulfillment and will not render much assistance to the clients that he works with or to fellow staff members.

A particularly disastrous practice which was occasionally observed is to do hiring by committee. For example, some programs encourage the entire staff to participate in the decision as to whether to hire an individual or not. A perceptive program director with a clear sense of the qualities that are likely to lead to effective counseling is the best kind of judge of who should be hired. If a program director cannot do a better job of selecting staff than a committee, or if a program director cannot assign this task to someone who is competent at it, then such a program will, at best, provide effective counseling on an occasional, random basis.

One most important caution which must be given to counseling programs that either employ academically trained professional counselors or give extensive training in technique to the staff is that young counselors, having such a background, are prone in the confrontation of the counseling session to overemphasize their technical training at the expense of personal involvement with the client and his needs. Techniques of counseling of almost every school have important contributions to make in the settings of drug programs, if they are used with discretion to handle a particular problem and not as ends in themselves. Clients are generally able to spot psychological wizardry and put it down for what it represents. A good counselor who overindulges in technique discredits himself with his clients and creates an obstacle which he must proceed to overcome.

Counseling and treatment programs must become credible with their clients; successful models are honest with their clients, and, even if they have firm rules, are fair in administering those rules.

Whatever the background of a counselor, counseling can only be effective if confidentiality is guaranteed to the client. Within the limits of saving life and property, the counselor should be committed to protecting the client's personal privacy. Files containing the records of the counselees should be kept in locked cabinets or supervised by some other approach to ensure that only authorized staff have access. If a serious breach of confidence does occur, especially one resulting in a "bust," the program's reputation with the street population may be destroyed.

The best counseling observed by the survey involved counselors who genuinely cared for their clients. They were understanding, listening and responsive, and tried to establish rapport while maintaining control of the relationship.

The initial contacts with the counselor by the client (with or without his family) can be very threatening, especially in formal settings, although this is not necessarily so. This threatening quality is more likely to be the case in some minority communities where the clients are likely to have had predominantly unpleasant experiences in their contact with public agencies. Consequently, the survey was especially impressed with those counselors who did much of their work out in the community--in the home or school environments. It appears to be especially valuable to have initial interviews take place in such natural environments.

An effective counselor necessarily becomes a role model for his or her client. If the counselor is enthusiastic about his or her job and the world, and is convinced that drug users can reorient their lives so as to live without intoxication, he or she is likely to generate optimism. This is especially important if the client's family and home life are defective, i.e., there may be an opportunity for identification with a parent figure or with a "big brother or sister"--such identification is especially critical for deprived youth who see few older youth actually making it in the world.

A fundamental rule of counseling, one which has been proved again and again by research, is that people readily develop habits and learn to enjoy experiences which they repeatedly have. The counselor has a great responsibility to be discriminating in the kinds of experiences and kinds of atmosphere which are created in the counseling session. This responsibility is much more critical in family and group counseling settings in which opportunities arise for a wide spectrum of interpersonal relationships which do not directly involve the counselor. The spectrum of interactions is usually more compressed in the one-to-one counseling setting. In any type of counseling, strong negative emotions, such as fear and hate and aggression, are naturally going to surface. A counseling session must provide the security which will permit the client to

bring such emotions out when he has a strong need. When such negative emotions are produced, it is the counselor's responsibility to take the initiative and help the client to deal with these emotions. It is important that the client does not believe that he is required to continually produce such negative emotions, to savor them and to indulge in them, as is the case in some highly destructive approaches to counseling.

Counseling strategies which encourage the client to regularly produce screaming, verbal aggression, and even physical aggression strengthen these negative responses in the individual, making it more likely that he will produce them in his natural social environment to his detriment and to the detriment of others. Counseling must be oriented to helping an individual to live with himself and others in a happier and more constructive way. Counseling, therefore, must help the client to discriminate among his emotions and his behaviors those which will help him achieve his objectives and those which will become obstacles to his happiness. This does not mean that individuals must be taught to repress their negative feelings. There is a middle course in which the individual examines and becomes aware of his negative feelings but does not feel compelled to act them out.

The most serious problem faced by counseling programs relates to role modeling and involves counselors who use intoxicating drugs. Although heroin addicts normally do not last long as counselors, though the survey did discover addict counselors functioning in some of the programs contacted, programs are more likely to tolerate counselors who use a variety of soft drugs, especially those who become high on cannabis or alcohol. Our findings suggest that the counselor's skills and motivation are diminished by drug use; and more importantly, the counselor's attitudes come across to the client who feels justified in continuing his own pursuit of intoxication. So, the counselor who comes to work stoned contributes an atmosphere to the program facility which tends to drag everyone down and make them feel ill at ease for no apparent reason.

Since the counselor is invariably a role model, the drug using counselor makes it difficult for the client to understand that his drug use is a problem. Can the client who has seriously disrupted his life

through frequent intoxication discern how much drug use is "reasonable" or "functional?" It is, therefore, strongly recommended that programs insist on staff who abstain from illicit drugs and from gross or chronic intoxication with alcohol. It is only in such programs that clients can learn to live without intoxication.

G. Vocational and Educational Assistance

Whereas it is difficult to classify clients and determine a particular type of counseling that they require, it is relatively more straightforward to assess the client's vocational and educational resources and deficiencies. Clients who entered on a career of intensive drug use at the elementary school or junior high school level are especially likely to have serious deficiencies. When a client has reasonably mastered his drug problem and is no longer involved in becoming intoxicated, a program should be prepared to help him gain skills and resources so that he can realize his objectives in life.

Unfortunately, many clients who become involved with intoxicants have not learned to respect their own values or to realize them. An important step in the educational development of the client is provided by training the client to deal with his values by such techniques as "values clarification." This newly defined strategy of education helps the client to discover his own preferences and values, helps him to respect these personal values, and provides him with resources whereby he can more frequently realize these values in his life. Strengthening the client's ability to achieve his personal objectives is frequently an important first step before helping him to acquire new vocational and recreational skills. It is only a client who knows his own objectives and has confidence in them who can enthusiastically undertake new education and training.

Ideally, rehabilitation programs for drug users should offer a wide spectrum of vocational and educational assistance and opportunities. To the extent that the client does have a sense of his objectives, and with the aid of vocational and educational counselors, the client can be helped to construct his own personal rehabilitation program which will provide the resources which he values and will train him for

a vocational career which he finds meaningful.

In addition to training and education, programs should provide job development assistance. The client not only needs help in finding jobs, but frequently he needs help in learning how to acquire a job and to hold it. In extreme cases, where the client has been "out of it" for an extended period of time, especially the heroin addict; a program may need to provide a specialized work environment to help the client adjust to the world of work in a more supportive atmosphere than would be provided by regular employment. We have encountered two alternative models for specialized work environments, both of which seem to effectively address this need: (1) the residential treatment work setting in which the client is employed in business enterprises operated by the Residential Community, and in which he works along side other members of the community; (2) specialized employment settings in which a client works along side of peers who all come from a similar drug use background and who are collectively trying to live in the natural environment free of drugs and to regain their competence in the world of work. Both of these alternatives avoid the situation in which the client is regularly stigmatized by his employer and fellow employees for his previous commitment to drug use.

In general, it is especially important that the drug user be able to "make it" in the world to a realistic degree. Most communities provide a wide range of vocational and educational facilities. Clients who are not coming from the most serious patterns of drug use can frequently acquire the needed skills and resources from these channels. For such clients, the rehabilitation program serves primarily to help the client to understand his need and to locate those resources in the community which would best fulfill that need.

However, for the client who has been deeply enmeshed in a life centered around intoxication, special provisions may have to be made to help such clients acquire vocational and educational resources in special settings which avoid serious stigmatization and also which conform to the client's needs to remain in an enforced drug-free environment.

H. Collateral Activities

The above modalities are all concerned with a focus on the needs of the clients. This final section of the chapter is concerned with program activities which address not only the needs of the clients but also the needs of the staff and the needs of the community which the program serves.

A treatment oriented program may become involved with community organization or politics for one of two legitimate reasons: (1) it wishes to speed up social, political or economic change so that the social causes of delinquency and addiction are diminished; and (2) community or political activity itself might be therapeutic for clients, their families, or their neighborhood. Programs with these characteristics are likely to have some deprived population as their major constituency.

In one case we observed a youth program that was actively involved in organizing the Mexican-American community to bargain for more political and social equality. In this somewhat controversial effort, the program gained increased credibility with its clientele. It also hoped to secure more concrete goals, e.g., the provision of more jobs for young Chicanos and more understanding of their problems in the English speaking school system.

Another case was a residential treatment community which was active politically, partially to ensure its own existence (it had zoning difficulties), partially to fight for the rights of its potential clients (prisoners and ex-cons) and partially to make sure that sufficient job opportunities will be available for its graduates.

Naturally, political action, whether partisan or non-partisan, can create great controversy. Model programs know the proper limits of social and political activism within a given community. They also keep the welfare of the clients as their top priority.

Less spectacular than community-wide political action but equally controversial are efforts to reform the criminal justice system itself. In many communities, there may be policies, regulations or persons blocking

constructive alternatives in the handling of drug users. A program may be forced to take a stand on such issues and might appropriately lobby for relevant change. In one of the researched cities, the juvenile judge radically re-oriented the county juvenile detention center from a custodial institution to a place for treatment. This angered some conservative elements of the community. A treatment program which received clients from the juvenile court made a public stand supporting the judge's efforts. Again, much care must be taken in lobbying for reform, but occasionally, a successful program is in a pivotal position to assist the process.

Whether or not a model program becomes active in politics, community organization or criminal justice reform, it must be sensitive to its socio-political context. A good example was provided by a specialized probation office tuned to the needs of its service area -- a highly impacted island of blacks in an otherwise white suburban area. Although the program is part of the county juvenile probation office, it is staffed largely by blacks and is exquisitely responsive to the social and political context of the community. Counseling techniques are adapted to the real social and economic difficulties facing black youngsters in their uphill fight to break out of the vicious cycle created by racial discrimination, poverty and hopelessness. The program administration has put a great deal of effort into good relations with other community agencies. It has gained remarkable trust from unofficial community leaders even though it is an arm of the usually distrusted criminal justice system.

Model programs need all the political and social "savvy" they can get. Drugs and crime are hot political issues; the criminal justice system is laden with political overtones. Much of the funding for drug and crime programs comes from government responding to public opinion. Often, by innovating new programs, jurisdictions get confused, "turf" is fought over and projects get extremely controversial.

CHAPTER VI

A GENERAL MODEL

A. The Nature of the General Model

This chapter presents a general model for the treatment and rehabilitation of drug users who come to the attention of the criminal justice system. As such, it represents the final distillation of the observations and analyses which have been developed from the results of our survey. The purpose of this general model is to suggest new directions which programming might take in order to increase the effectiveness of the help rendered to drug users, especially those who come to the attention of the criminal justice system.

This general model represents an abstraction from the specific models presented in Chapters IV and V, which in turn represent an abstraction from the information gathered during the course of our survey of diversion, treatment, and rehabilitation programs.

The general model consists of two parts--a general model of diversion and a general model of treatment and rehabilitation--discussed respectively in Sections B and C of this chapter. These two parts are designed to fit well together and justify their description as a unified general model. Any significant change in either of the two major components of the general model would impact the other major component.

This model is definitely not a description of a single existing program, although every feature can be found to some degree in on-going programs. Therefore, there is no guarantee that this general model will be effective. The authors are convinced from what they have observed that these recommendations are definitely on the right track, and would urge any community seeking

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to try new strategies and to become significantly more effective in dealing with drug use, to test out all or a portion of the general model.

As with the discussion of specific models, it is felt that in many respects the needs of adults and juveniles are the same, therefore, the model is intended to apply to drug users of all ages, except where specific exceptions are noted.

We have also observed some special needs and some special opportunities associated with particular communities. In most instances these needs and opportunities do not touch on central features of the general model and, therefore, community variations will normally not be discussed. However, it should be stressed that the general model as well as the specific models discussed in the previous two chapters can at best only be adapted to the unique characteristics of a community. In a strict sense, no program model can be replicated.

The essence of any program and the essence of the general model is its objectives. The objectives of this general model are:

(1) To provide maximally effective rehabilitation and treatment opportunities, suitable for the largest possible proportion of drug users who come to the attention of the criminal justice system.

(2) To provide these opportunities in a manner that has the respect and understanding of the criminal justice system, so that police, judges, prosecutors, and probation officers will do all they can to ensure that subjects who can possibly take advantage of these opportunities are given a chance to do so.

In addition to the overall objectives of the general model, there are objectives associated with each of the two major components. With regard to the diversion component, the objectives are:

(3) That subjects who are diverted from the criminal justice system to outstanding treatment and rehabilitation programs should have minimum contact with that system, consistent with the need for supervision of the subject by the criminal justice system. By supervision we mean that the subject is required to fulfill

his part of his diversion program, or he must face consequences of further criminal justice proceedings.

(4) This model is designed to minimize the costs of handling drug users by the criminal justice system, consistent with the need to maintain supervision.

(5) That, in the course of assigning subjects to treatment and rehabilitation programs, the primary responsibility should not be placed upon criminal justice officials but rather should be placed upon a specialized intake and assignment agency, which would be able to assign clients to all the relevant programs in the community.

Finally, the objectives associated with the treatment and rehabilitation component are:

(6) To provide treatment and rehabilitation opportunities which are designed to encourage individuals to live without drugs, especially without periodically resorting to intoxication.

(7) In the course of treatment and rehabilitation, the program is dedicated to helping to restore the physiological, psychological, and social health of the client, and to help the client construct a rich and rewarding lifestyle based around healthy and constructive pursuits.

B. Summary Outline of the General Model

In order to clarify the following description of the general model, and in order to draw attention to its essential features, the following summary outline is presented as an introduction:

1. First Stage Diversion of Juveniles (no second or third stage diversion for juveniles)

a. Initial contact with the police.

b. Referral to a police juvenile officer or referral to juvenile probation.

c. If referral to a police juvenile officer, an interview with subject and his parents or guardians is conducted, leading to diversion or to referral to juvenile probation.

d. If diversion, referral to the intake and assignment agency.

2. Diversions of Adults

a. First Stage Diversion

(1) Initial contact with the police.

(2) Arrest or referral to a police officer specialist.

(3) If referral to a police officer specialist, an interview with subject is conducted, leading to diversion or to resumption of normal arrest procedures.

b. Second Stage Diversion

(1) Case is brought to the attention of the assistant prosecuting attorney who decides whether to proceed with the charges or to divert.

(2) If diversion, the subject is assigned to a supervising officer (police officer specialist, probation officer, or assistant prosecuting attorney) and is referred to the intake and assignment agency.

c. Third Stage Diversion

(1) Pre- or post-plea and pre- or post-adjudication, the judge decides whether to continue proceedings in the normal manner or whether to consider diversion.

(2) If diversion is considered, a "pre-diversion" probation investigation is carried out (like a "pre-sentence" investigation).

(3) On the basis of the findings of the investigation, the judge decides whether to divert or to continue with normal processing.

(4) If diversion, the subject is assigned to the supervision of a probation officer and referred to the intake and assignment agency.

3. Completion of the Term of Diversion

For all subjects who successfully complete their

diversion program during the specified period of time, the supervising officer (police or probation) ensures that to the maximum extent possible all criminal justice records pertaining to the case are expunged.

4. Violations of the Diversion

Whenever violations of the terms of the diversion agreement occur, the supervising officer is notified by the treatment program to which the subject has been assigned. The supervising officer reviews the violation with the subject and responds with the appropriate action, ranging from a reprimand to the termination of diversion. The latter may require the concurrence of a prosecuting attorney or a judge.

5. Treatment and Rehabilitation of the Subject Placed in Diversion

a. The client is received by the intake and assignment agency and evaluated with regard to:

(1) Frequency of intoxication?

(2) How serious has the impact of drug use been on the client?

(3) What are the client's personal, educational, and vocational resources?

(4) What support exists in the client's normal environment?

(5) Are there special problems of mental health or habitual criminality which must be dealt with, in addition to drug abuse?

b. If the client is deeply involved with drug abuse and has few positive features in his current environment, he is assigned to a Residential Community.

c. If the client is not deeply involved with drug abuse or if he has exceptional supportive resources in his current environment, he is assigned to an outpatient, in-community program.

d. If the client is seriously deficient in educational, vocational or recreational skills, he is provided with opportunities to remedy these deficiencies.

e. At the appropriate point in the client's development, depending on how deeply he was initially affected by drug use, the client is introduced to the values clarification perspective (or similar program) in which his respect for his own values is enhanced.

6. Responsibilities of the Intake and Assignment Agency

a. Serves as liaison between the criminal justice system and the treatment and rehabilitation facilities.

b. Centralizes all responsibilities for the assignment of drug users coming from the criminal justice system to treatment and rehabilitation system.

c. Is responsible for regular reporting on client status by the treatment or rehabilitation program to the supervising criminal justice officer, including the reporting of violations of the diversion agreement.

d. Maintains evaluation of the performance of treatment and rehabilitation agencies, to ensure that clients receive effective, relevant services.

e. Cultivates communication and mutual understanding between agents of the criminal justice system and agents of the treatment and rehabilitation programs.

7. The Evaluation of the General Model

It is recommended that the general model or any component of it which is put into operation should be subjected to continual evaluation to measure effectiveness and to seek ways of creating increased effectiveness.

C. The Diversion Component of the General Model

The model diversion component is designed to realize objectives three, four, and five as described at the end of Section A above. In the course of operating the diversion program, the principals involved must be fully familiar with the objectives of the program and with all the objectives of the diversion-treatment-rehabilitation system within which the diversion component functions.

A diversion program in which the criminal justice personnel responsible for the initial phases of diversion are either not committed to the treatment of drug users, do not believe in the possibilities of successfully treating drug users or have little or no understanding of the treatment and rehabilitation facilities to which drug users are being diverted, cannot be effective. Intelligent diversion depends upon each of the key officials involved having a broad perspective on the needs of the subject and the resources which are available. Diversion programs lacking this broad perspective generally result in confusion and contradiction which is very discouraging for the subject.

The following diversion program is part of a single model, and yet at the same time is multifaceted, because not all individuals who can benefit from diversion are going to be successfully diverted by a single approach. The strategy for diversion could be likened to a filtering process with the point of diversion being determined by the level of risk which the criminal justice system is willing to take with that particular individual. The first diversion point would remove, let us say, 60 percent of the candidates eligible for diversion from the criminal justice flow. This is like the coarsest filter paper that removes 60 percent of the particles you are trying to retrieve. The second diversion point might remove another 30 percent of the remaining candidates eligible for diversion and could be likened to a finer filter paper removing the medium sized particles. The third diversion point might remove five percent of the remaining candidates for diversion, leaving the final five percent undiverted at the conclusion of the process, like a filter paper which removes most of the fine particles remaining in solution.

The first diversion point for both adults and juveniles would be the police. The police would be encouraged to divert adult and juvenile drug users interested in participating in treatment and rehabilitation. The second stage of diversion for adults would be the prosecutor and for juveniles would be the probation officer. The third stage of diversion for both adults and juveniles would be the judge. Diversion at each of these three stages would function as follows:

1. First Stage Diversion

First stage diversion is the best kind of diversion

and it would be hoped that in a well-functioning system, the majority of diversion would take place at this point. The strategy would function essentially the same whether for adults or for juveniles. The initial contact with the subject would normally occur with a patrol officer or with a special unit officer such as a narcotics officer. This officer would normally arrest the subject for a violation which may or may not involve drug use. If the officer feels that the candidate is or may be involved with drugs, he would be encouraged by his department to send him on for consideration as a possible divertee. The model for diversion could function not only for drug users but also for other types of potential arrestees and each police department would have to set its own standards for judging whether an adult or juvenile was potentially divertable.

At the point of first contact, if the officer suspects or knows of drug involvement, he should begin the formal pre-arrest diversion process. The department should discourage the informal immediate diversion of subjects, with or without supervision, if drug abuse is known to be a factor. We believe that informal pre-arrest diversion by officers may be a very appropriate and effective tool, except where drug abuse is concerned. When drug abuse is involved, there is no question but that the client needs and can be given significant help. It is assumed by the second component of our general model that the community can provide effective help. Therefore, it is important that police officers use their potential for contact with drug users as an opportunity for directing them into effective treatment and rehabilitation programs. When the officer has decided that a subject should be considered for pre-arrest diversion, he sets up an appointment for him to meet with a police officer specialist who makes the final determination as to whether a subject should be diverted. In the case of juveniles, this specialist is a juvenile officer, whereas in the case of adults, a new category of officer would have to be established, similar to a family crisis intervention specialist.

The subject would meet with the police officer specialist, accompanied by his family, if a juvenile. An adult could elect to come alone or with his spouse. At the interview, the specialist would determine whether the individual had even the slightest willingness to do something about his problem, especially as an alternative to arrest and the criminal justice processing that would

follow arrest. Some subjects at that point would definitely elect to go through with normal criminal justice processing. Others may show so slight an interest in diversion, that the officer may choose to place them under arrest rather than to proceed with diversion. Where the officer decides that a subject should proceed with diversion, he makes it a point for the subject to visit the community intake and assignment agency. In this model, for all three stages of diversion, the actual assignment of subjects to programs is taken out of the hands of the criminal justice system and placed in the hands of a specialized agency, not tied to any particular treatment or rehabilitation program. Such an agency could be a part of the court; however, it should be an independent part of the court and not tied to other functions such as probation. Normally, one would expect that this agency would be located in a special office concerned with drug diversion and drug abuse or in a city or county department of social welfare.

At the intake and screening session, juveniles would be expected to be accompanied by their parents. During the course of this interview, a program would be laid out for the subject. At this point, he may accept or reject the program. If no compromise can be reached, and the client totally rejects any opportunities which the intake counselor considers reasonable, the subject may choose to go back to the police officer specialist and select arrest as opposed to diversion. Otherwise, the subject accepts one of the program options offered to him and works out a time table for his entry into treatment and rehabilitation.

At the time of the interview with the police officer specialist, the specialist would contract with the subject for a certain period of time during which the subject is obliged to participate in one of the programs offered to him. This period of time would normally last a minimum of six months and might last as long as a year for pre-arrest diversion. The specialist officer will send the report of the interview with the subject to the intake and screening agency so that it arrives prior to the subject's interview. The intake and screening agency will notify the specialist officer of the placement of the subject and will periodically notify the officer concerning the subject's progress in the placement. It is the intake and screening agency which has responsibility to keep the specialist officer informed. If the subject violates further drug laws or is found absconding from the program or failing to show up, the specialist officer would be notified, and the subject

would also be aware of this notification. The specialist officer would have in his supervisory role, the discretion to call the subject back for a discussion of why his participation record is poor, and in extreme cases, the supervising officer could reactivate the initial arrest.

We feel, as a result of recent studies of the deterrent factor, that it is important that supervising specialist officers employ the potential for rearrest judiciously in all serious cases of violation, so as to make clear to subjects that they are serious about their insistence in participation in the treatment and rehabilitation program.

The drug user, by the very nature of the problem of drug use, is bound to be somewhat deficient in his normal will power and, especially in the early stages of treatment, needs a crutch upon which he can lean to bolster his commitment to participate. Strong, fair supervision on the part of the specialist officer provides a reasonable form of crutch. This kind of supervision would represent a drain on the police department's resources, but such a drain would be most productive in a community that valued the rescuing of adult and juvenile drug users and that provided good treatment and rehabilitation programs for carrying out such rescue work.

2. Second Stage Diversion

In the case of the adult, this diversion takes place after arrest, but before the district attorney decides to prosecute the charge. In most jurisdictions some kind of judicial hearing would normally be part of such a diversion activity. In the case of the juvenile, such diversion would be carried on by a juvenile probation officer prior to the filing of the normal petition. In the case of the juvenile, diversion would be equivalent to informal, supervised probation.

The prosecutor who decides to divert an adult drug user would seek out some agent in the criminal justice system to supervise the subject very much as the specialist police officer supervises his subject in first-stage diversion. In fact, where such a specialist officer exists, he would be an ideal choice as the supervising agent. Where such a specialist officer does not exist, an alternative choice would be an adult probation officer. The third, however, least desirable alternative would be to have an assistant prosecutor be the supervising

officer. This role is so in contrast with the character of prosecutorial work, that we have serious doubt as to whether prosecutors could provide effective supervision.

In the case of juveniles, the juvenile probation officer would provide supervision in the normal manner.

The diversion at the second stage would function essentially as it would in the first stage with the actual placement being taken care of by the same intake and assignment agency as employed in the first stage of diversion.

An important feature of second stage diversion is that the subject would be assured that the record of his arrest and subsequent disposition would not be made public and would be expunged to the degree practicable. Since first stage diversion does not even involve an arrest, it is assumed that there is no record to destroy or expunge or keep within the agency as there would be in second and third stage diversion.

The adult divertee presents a special problem since he is likely to be held in jail at the time that the prosecutor considers his case for diversion. If the prosecutor decides to go forward with the diversion process, then the potential divertee should be released on his recognizance at the earliest possible point.

As with first stage diversion, second stage diversion as well as third stage diversion all require a strong, credible and just form of supervision.

3. Third Stage Diversion

Third stage diversion arises when an individual is brought before a judge to be tried. In some jurisdictions, the law has been modified to permit this form of diversion, whereas in others such modification is needed before third stage diversion can be employed. On the other hand, the discretion to offer first or second stage diversion is generally present within the normal responsibilities of police officers, prosecutors, and juvenile probation officers.

Third stage diversion can take place before or after the subject has offered up a guilty plea. In the instance where the subject requests a trial, such diversion could also be considered after his case was adjudi-

cated and he was found guilty. In all instances, third stage diversion occurs prior to sentence. The judge has access to probation officers, and it is recommended that a probation report, not unlike a pre-sentence report, provide the basis for his decision to divert, rather than sentence the subject. If possible, expungement of the charge and the disposition could be offered as an incentive to the divertee, and at a minimum, diversion should appear significantly more attractive than being sentenced. Since diversion would have the character of being placed on probation, it must be distinguishable from probation, to represent an alternative. Expungement offers the most meaningful distinction, but a less severe sentence would also offer an attractive inducement for the subject to accept diversion.

As described earlier, fair but strict supervision is essential for successful diversion of drug offenders, and in the case of third stage diversion, an adult or juvenile probation officer would be the proper individual to enlist as the supervising officer.

In all other respects, the actual assignment to the programs and the reporting on performances in the programs, etc., would be provided by the intake and screening agency. Since the intake and screening agency would accept full responsibility for monitoring the performance of the subject, the probation officer would not personally supervise the subject, except at a distance, based on the reports of the supervising agency, unless serious problems required the probation officer to step in.

4. The Intake and Assignment Agency

The agency which assigned subjects to diversion programs and monitored their performance is the heart of this diversion model. All drug offenders diverted under this model would receive their program assignment through this agency. This agency would be responsible for the monitoring of the quality and effectiveness of potential treatment and rehabilitation programs, and would also be responsible for monitoring all subjects which they diverted. In this way, they become a focal point for the interaction of the criminal justice system with the rehabilitation and treatment community. They simplify the problems of the

criminal justice system in that the supervising criminal justice official only has to go to one source to find out about the performance of a particular subject and can hold that single source responsible. Similarly, agencies wishing to receive divertees for treatment and rehabilitation also only have to deal with a single source for obtaining clients. This simplifies the diversion process for the client since he is saved from being prey to a number of agencies competing for him as a statistic to bolster their population of clients.

Although the intake and assignment agency administratively simplifies the liaison between the criminal justice system and the treatment and rehabilitation community, this administrative simplification carries with it a single serious danger, namely, the existence of this agency can further isolate the criminal justice and the treatment communities from each other, given that they are likely already to be quite isolated at the start of such a program. Therefore, an important responsibility of this focal agency is to encourage frequent communication and interaction between the two communities. Criminal justice personnel should be encouraged to participate and possibly even be temporarily assigned to treatment and rehabilitation programs. Similarly, treatment and rehabilitation staff members should be encouraged to spend time with criminal justice personnel as they do their jobs. In the training programs both for criminal justice officials and for treatment and rehabilitation officials, agents from the other community should be encouraged to participate. For example, the staff of a residential community could provide trained demonstrations for a half-day to the recruits in a police academy course, or police officers and assistant district attorneys could direct half-day training sessions for new counselors in a drug abuse counseling program.

Communication and mutual understanding are at the heart of successful diversion, and the intake and assignment agency must take an active role in cultivating greater interaction.

D. The Treatment and Rehabilitation Component of the General Model

At the conclusion of the previous section, we saw how the general model got a potential divertee diverted from the criminal justice system to the treatment and rehabilitation community. The contact point was the intake and assignment agency. However, we did not look at the intake and assignment process, which the model regards as the first step in the treatment and rehabilitation process. Since this agency is rightly seen as the contact point between criminal justice and treatment, it is reasonable that we should treat this agency as an element in both the diversion and the treatment components of the general model.

The intake and assignment function must evaluate the client in a number of respects, of which the most significant are the following:

(1) How frequently does the client become intoxicated? Although clients respond differently to intoxication, the frequency of intoxication is a measure of how dominant a factor it is in the client's lifestyle.

(2) How seriously does the client appear to be physiologically, psychologically, and socially handicapped because of his use of intoxicating substances? This question is different from (1). We have seen some individuals who have used intoxicants relatively little, but who have shown a surprising degree of mental and physical deterioration. On the other hand, we have witnessed some individuals who have had an extraordinarily large number of intoxicating experiences, but who have shown a remarkable ability to function normally. Whereas the concern with the frequency of intoxication was a concern with lifestyle, this second concern is a concern with the degree to which an individual has been incapacitated.

(3) What are the resources of the subject, especially as compared with the resources of a normal non-drug-using individual of a similar age and background? Our concern here is to determine how much the subject has missed out on acquiring the normal educational, vocational, and recreational skills and knowledge that he could have been expected to acquire had he not become seriously involved in the use of intoxicants.

(4) To what extent can the natural environment provide positive support to help the subject deal with his drug problem? The person inquiring into the subject's resources and background, would, in the case of the juvenile, be especially concerned with the subject's family, particularly if the subject resides with his parents. In looking into the background of an adult, the most important influences would be his spouse and children. Other influences would include the school environment, the work setting, and even the total community. Some neighborhoods, particularly some neighborhoods having a Spanish or Italian background, have such a strong sense of community and family as to provide a remarkable degree of support.

(5) Finally, the inquiry would look for special features that may need to be dealt with simultaneously with the drug problem, other than the problem of having adequate skills and resources. Such special features would include mental illness, a strong commitment to a criminal lifestyle which was not associated with drug use (many drug users were criminals before they became involved in drugs), and serious destructive features in the client's home life which tend to promote his drug use.

Having acquired information on these five points and on other considerations, the assignment logic might go as follows, assuming that the agency had access to a full range of helpful resources. Smaller or less progressive communities may be deficient in some key resources, requiring the assignment agency to find ways to compensate for these deficiencies.

If the individual is currently involved in frequently becoming intoxicated or high or stoned, or if the individual has shown severe mental or physical deterioration as a result of his use of intoxicants, however frequently, then the assignment agency should seriously consider sending the individual to a Residential Community. A properly run Residential Community should ensure that the client could not successfully continue in his previous lifestyle. Since his existing repertoire would fail him, the client would be required to look around and find a new repertoire which was more adaptive to his new setting. In the search, hopefully, the client would see older, successful residents, who had made a transition from a drug-dominated lifestyle

to a new lifestyle based on love, self-respect, and a desire to deal with the world. Hopefully the client would be encouraged to experiment with the elements of a new, healthier repertoire in the Residential Community setting.

If the client is seriously deficient in educational, vocational, or recreational resources, he should be provided special counseling in these areas to help him work out a program of rehabilitation which will help supply missing resources which he personally values. Such a client should probably also participate in a value-oriented educational experience in order to strengthen his understanding, respect for, and ability to express his personal values.

The problem of addressing a client's needs in the area of values clarification and in the development of new resources must be addressed at the appropriate point in the client's program. If the client is suffering serious damage from drug use, it may require weeks or months of treatment before he can begin to make progress in acquiring new skills and new knowledge.

The role of the client's family should be well understood at the time of the assignment. If the family is unusually strong, healthy, and supportive, then this may be a serious factor in suggesting that a client could do well on an out-patient basis, even if other factors would normally suggest that he should be assigned to a Residential Community. On the other hand, a highly destructive family setting might be a consideration pointing towards a Residential Community, where other considerations would normally suggest out-patient treatment.

Special considerations such as mental illness and criminality must also be dealt with in the programming. A mentally ill client would normally take advantage of mental health resources in the community, whereas an individual whose lifestyle is heavily involved in criminality, should only be assigned to a treatment and rehabilitation program which has a capacity to deal with this kind of client.

Chapter V provides an overview of the major characteristics of various types of treatment and rehabilitation programs which can be employed in the general model; therefore, further discussion of such dimensions

as residential communities, out-patient treatment, counseling, and rehabilitation will not be repeated in this chapter. The reader is asked to mentally incorporate these sections of Chapter V as part of the general model.

E. Evaluating the Model Program

The discussion of a general model is not complete without mention of model program evaluation. All the programs surveyed employed some kind of evaluation strategy to help them assess their effectiveness; not uncommonly, however, the evaluation was directed toward the needs of a funding agency more than the program itself. That is, it was the traditional statistical analysis of clients that is generally not helpful to the program in initiating specific change and improvement in its functioning. In one instance, a program was observed that did utilize a more comprehensive strategy and that program could clearly document very impressive success with its clients and was continuing to evolve and refine its services.

One of the objectives of the survey on which the models discussed herein was based was to develop an evaluation methodology which was widely applicable to different types of programs and which would provide feedback useful to program development. The methodology which was developed is summarized in the Appendix to Part One of this volume and will not be related in detail here. But the basic intent of the evaluation procedure was to strike a balance of perspective in looking at the programs. The following areas were included in the evaluation:

- (1) The flow of clients into, through, and out of the program;
- (2) Type and quality of services provided to the client;
- (3) Type of clients served by the program, including past criminal history and history of drug use;
- (4) Former client opinion of the program;
- (5) Criminal justice personnel opinion of the program effectiveness;

- (6) Criminal justice recidivism statistics
- (7) General community acceptance of the program
- (8) Administrative and fiscal analysis of the program

The evaluation methodology is described in detail in the *Field Data Collection Manual for Phase II of the Survey of Community-Based Corrections*.⁴ Persons planning a model program should consult the manual for the specific suggested procedures of program evaluation.

There is no doubt that this general model would represent a greater investment in the treatment of drug abuse than is characteristic of all but a small number of cities in the United States. The costs of drug abuse are high no matter how you calculate them. They cost most in terms of the individual suffering of the drug user and the loss of his participation as an effective member of society. Society pays to support dependent wives and children when drug abusing breadwinners cease to be able to support their families. Society pays the bill for the arrests, prosecution, and incarceration of the drug user. Finally, society pays for a good deal of property crimes associated with the consumption of costlier drugs. Perhaps the greatest cost that we pay is in the damage the drug use does to young children interrupting their healthy and normal growth and depriving them of the development that they should be enjoying in their early years. As a result, a model program such as the one described would be highly cost effective, if it made a significant improvement in the likelihood that drug users contacted by the criminal justice system would receive effective help with their problems. From this perspective, it is strongly recommended that any attempt to incorporate all or a portion of this model in a community's program of drug treatment and rehabilitation be accompanied with sound evaluation, to ascertain whether the improvement in the

⁴Emrich, R.L., and Thure, K.L., *Field Data Collection Manual*, written for a Survey of Community-Based Corrections, available through Chief, Preventive Programs Section, Drug Enforcement Administration, U.S. Department of Justice, Washington, D. C. 20537 or the National Council on Crime and Delinquency Research Center, 609 Second Street, Suite D, Davis, California 95616.

treatment of drug users was sufficiently high to justify increases in cost.

CHAPTER VII

ADMINISTRATIVE CONSIDERATIONS

A. Planning a Program

Programs have to start with individuals. Some one person (who may be joined by another or several others) needs to have enough concern over the situation in his community that he gets the conviction to do something about it. But just to do *something* is not enough. The conviction should ripen into an objective as to just what it is that needs doing.

For example: Judge Jones is a juvenile court judge who has been plagued by having to deal with an enormous number of young people coming into his court on minor drug charges. He feels that many of the youth have serious problems and need help in discontinuing use of drugs. Stiff penalties and criminal records, the judge believes, will only harden the young offenders and reinforce delinquent behavior. Yet ignoring the problem or only giving the youngsters non-reporting probation may do nothing to affect their use of drugs; it might merely suggest that they not get caught. The judge feels that there ought to be some kind of program to which he can divert these youngsters where they will learn to examine their own attitudes. Few of the juveniles the judge sees are hardcore addicts; their basic problem is one of maturation. Therefore, the type of program needed should not be a medical model, nor is there a need for addict rehabilitation facilities. There is already a drug information component in the school curriculum, but it has shown no effect on the school drug abuse scene; in fact, the judge's own teenage daughter says that it is boring and the kids she knows pay no attention to it. Thus, a strictly informational service is of no use either. After he has given the problem much thought, Judge Jones concludes that

what he really wants is something like an already existing program in Albuquerque, where juveniles arrested on drug charges for the first time are diverted into a weekly series of group counseling and discussion sessions, to which their parents are also requested to come.

Having come to a decision, our judge is now ready to contact other people who will support his idea. Which people he tries to enlist depends on what his idea is. Since juvenile diversion is the focus, he will probably first approach the head of the juvenile division at the police department to seek his support. If he becomes interested enough, together they can contact enough key people in the community so that they can form a board to oversee the formation and progress of the desired program.

B. Seeking Criminal Justice Support and Involvement

Whatever the type, any program gets started in the same way: An individual or a group of individuals perceive a problem area and decide to try to do something about it. Because the programs in question are intended to affect criminal justice procedures with drug-involved clients, the first source of support to be sought for such programs is among the principals of the local criminal justice system, regardless of whether the program is to be established within or external to that system.

At the very beginning, the innovators of such a program may not even know what the best relationship to the criminal justice system might be. This could be one of the questions which could best be mutually explored by the concerned parties. The program will need the support of the court having jurisdiction over the target population, the prosecuting attorney, and the local police.

Conceivably a program could operate well with just the support of the local judge(s) or the prosecutor, in order to secure clients, but the support (or lack of it) of the local police can have a very important effect on program functioning even if the program is not designed to involve police diversion of clients. Frequently, well-intentioned parties desiring to provide treatment to drug-involved offenders and who abhor the punitive aspects of law enforcement forget that police

attitudes have been developed out of experience with serious criminal offenders on the street. There is a need for the realism born of such experience in the planning of a program dealing with drug-involved offenders just as much as there is a need for compassion and understanding.

C. Seeking Community Support and Involvement

Similarly, the beginning stages of program planning must seek the support of the political community and the community-at-large. Such support can be critical to future funding of the program, location of program facilities, and even tolerance for the program in the community at all. Publicity should be given to the proposed project so that the general community reaction will be one of concerned interest and approval of the project's concept. Civic clubs, women's clubs, and other community organizations should be informed and their approval solicited. Input from minority groups especially should be considered in the planning activities. Representatives of state and county agencies also should be asked to participate in planning discussions and serve as advisors.

Finally, but of no less importance, is the need to elicit input and support for the program from among the members of the target population itself. From those individuals among the community who have been (or are) drug use offenders, much can be learned about what may be particularly relevant to the target population. After all, these are the people whose lives, hopefully, will be most deeply affected by the program. What is meaningful to them should be considered in program planning.

From among the interested participants of these early planning discussions, a board can be selected to supervise the formation and operation of the desired program. It can be set up as the board of directors of a nonprofit corporation or, if the proposed program is to function within the criminal justice system, it could be an advising board. But in any case, there needs to be some kind of guiding, policy group. This group should have a clear sense of the objectives to be accomplished, and should make sure that the program embodies a sense of those objectives.

In the selecting of board members, one should look

for people who really believe in the idea of the program and will be willing to work hard for it. Although the approval and support of professional people, such as doctors and lawyers, is important, it may not be wise to place the burden of board membership on them, as they normally have schedules that necessitate unpredictable absences from meetings.

In the example, the individual who got the ball rolling for a program in his community happened to be a judge, and therefore already had a considerable amount of influence on his own. But one does not have to be a person of "importance" in order to get something done. In fact, it would be realistic to assume that most real-life judges are more conservative than our Judge Jones. They would not be likely to come up with a plan for juvenile diversion on their own, and it would be up to some interested John Q. Public to take the initiative and persuade them that such an idea would work.

One reason why the ordinary citizen with sufficient motivation can get something done is that there is a growing trend toward decentralization. The old connections of the community--the mayor, the political boss, the bank president, the state representative--are not looked upon with the same air as they once were, and new types of political figures are coming to the fore who are less dependent upon party and government.

Decentralization of criminal justice system activities has been able to provide valuable help to minority communities. For example, in East Palo Alto, California, an unincorporated black ghetto in wealthy San Mateo County, some concerned citizens got together and formed the East Palo Alto Municipal Council. The Council has no official power, it only serves to advise the County Board of Supervisors. But over the years it has succeeded in responding to the voice of the community and making the County Board responsive to its suggestions, to the degree that its recommendations are now almost always followed. One recommendation of the Municipal Council was the setting up of a decentralized branch of the Juvenile Probation Department in East Palo Alto. This was done, and in response to community demand, Watoto Project, as it was named, is now highly autonomous, staffed by people who can deal comfortably with the community, and is responsible for its activities equally to the Municipal Council and the Probation De-

partment, the important discretionary decisions being made at Watoto rather than in the central office of Probation.

The Watoto example highlights several points: that ordinary citizens can get results in filling needs; that an effective program must be responsive to the community and that the type of program developed will be influenced by the nature of the community; further, that with the right motivation and the right kind of pressure from concerned citizens, the existing system (e.g., the probation department) can be modified for better serving the community.

D. Setting Up the Program

Now let us return for a moment to Judge Jones. He has a clear sense of the objectives he wants to accomplish: juvenile diversion. But he wants to make sure that the program to which the kids are diverted will be a good one. He does not want a place which will just be a hangout for freaks, where drugs are being pushed and the straight neighbors outraged by loud rock music, as he saw at "Happy House," a drug program for youth in a neighboring town. On the other hand, the judge's own children and one of their teachers have warned him that this new program of his had better be something that young people can relate to. If it is too much of a formal thing that is part of the system and the establishment, it is going to flop.

So the judge and his board, who themselves may not have much experience with drug programs but know what they want, are looking for someone they can trust to set up one for them. Really, the key issue is discrimination. The board has got to discriminate between what is sound and shaky, honest and dishonest, appropriate and inappropriate, and compatible or incompatible with their own values. It is hoped that the people on the board will be capable of such discernments. In getting the program set up, they could move in one major step or two. They could simply hire a director and have him build the program from scratch, or they could first engage a professional group to come in from the outside to design the program and train the staff.

If a group is to be brought in to set up the pro-

gram, they should be people that the board can trust to be true to their own objectives for what the program is supposed to do. Their design should not be wholly theatrical but rather based on experience with other programs which have been successful in meeting objectives similar to those of the one being set up. It may be that a representative administrator from one of these programs should be called in for advice. In the Albuquerque First Offender Program, for example, there is a coordinator who would be most happy to assist communities like that of Judge Jones in setting up programs similar to his own.

In using other programs as a model, however, care should be taken to look at the unique needs and resources of one's own community, and to make sure that they are taken into account in planning; no model can be a panacea, nor can one program be replicated exactly in another community. The nature of the setting is important in the setting up of an administration. Will the new program work best as a private agency or as a part of the local or county government? Should it function within the criminal justice system or outside of it? In San Diego, for example, the Youth Service Bureaus operate to advantage from a base within the system: they are administered by the Probation Department and staff are donated by the Police Department, Welfare, and the Sheriff's Department, although the juvenile clients are handled informally as if the YSB's were outside the system. The administration works so well in San Diego because the relationship among criminal justice agencies is friendly and cooperative. But in another community such a good relationship might not exist, and so it might be better to provide YSB-like services from an operating base outside the system. In New York, the Court Referral Project is doing a fine job of diverting addicts out of the criminal justice system but the program's director says that he is handicapped by red tape and that he would advise someone wishing to set up a similar project elsewhere to keep it outside the city government.

E. Hiring the Administrator

The task of hiring the administrator may come before or after the framework of the program has been set up. In some cases administrators have been hired who scrapped the framework set up for them and started in

on their own terms. In any case, just as at previous key stages in the program's evaluation, objectives are all-important here. No matter how efficient an administrative structure is set up, that structure is only a tool to be used for a particular purpose. If that purpose is lost sight of, the tool is useless.

The hiring of the director or administrator is the crucial part of all the efforts that go into setting up a program. The success of the project and its impact on both clients and community rest with this individual. A mistake may be costly in that the program's purpose may be changed or misused, resulting in a loss of effectiveness. Waste of funds may occur, staff may become uninspired and leave. Loss of liaison with the criminal justice system may follow, along with a decrease in number of clients and a feeling of distrust on the part of the community. So there can be no half-way effort in obtaining a director, and if a candidate has problems, they should not be overlooked.

There are a number of ways to attract the interest of qualified candidates:

- (1) Letters and job descriptions can be sent to various drug abuse related programs throughout the country.
- (2) Job descriptions can be sent to colleges and universities.
- (3) Information about the position can be sent to state and county drug abuse coordinators.
- (4) Advertisements can be submitted to newspapers.
- (5) Notification should be given to state and national publications related to the criminal justice system.

A screening committee should be selected by the board to be responsible for hiring the program administrator. When applications are received and favorably considered, the selected applicants should be called in for a personal interview by the screening committee. This initial meeting is of tremendous importance. Questions asked or observations made by the committee should yield information in several areas. Some ques-

tions should be directed towards assessing the applicant's administrative potential, based on his experience: Has he ever started a program of his own, or has he implemented an existing program? How does he handle his staff? What experience has he had with program budgets? Another line of discussion should be what kind of administrative steps the candidate would take, if selected: What would he do first as director? What kind of staff would he have and how would he train them? What are his views on professional people in a program as compared with paraprofessionals and/or volunteers? What kind of facility would he want? What budget would he require, and what is the basis for that requirement? How would he feel about having a professional group come in to evaluate the program and offer suggestions? What are his views on certain specific drug programs with which he is familiar? The prospective administrator should also be given a chance to express his philosophy: In his opinion, what should be the goals of the program, with the given environment, budget, and facility? Lastly, he should be asked for his thoughts about the use of drugs, and why.

This position cannot be overemphasized. No amount of effort in studying, probing, calling, visiting, interviewing and evaluating applicants for this position can be wasted. This decision can make or break the program. The administrator is the program; he will be its success or failure.

Once the position is filled, the director must be given a written set of instructions as to what his duties will be, what guidelines must be adhered to as regards staff, budget, reports. The director must then be given every opportunity to hire his staff, set up his program, mold his facility, and get settled into the community with the board's full support.

F. An Important Condition

The responsible agency or board of directors must not feel that a good administrator cannot be replaced. It is a fact of life that directors can get stale in a program. It is possible that a director may not work out as expected or may cause dissension.

The board has an obligation to the community, the

program, and the clients to supply leadership. If this quality is found lacking in the director, if suggestions go unheeded, satisfactory explanations are not given for failures, or problem areas are continually overlooked, then it is necessary to consider a change in personnel.

The board must never feel it has met its obligations just by hiring a director--even an extremely talented one. All program activity must be monitored, and the board must be composed of individuals who can and will constantly be aware of what is happening and what degree of success the program actually enjoys.

G. Suggestions for Hiring of Staff

Since each program is unique, the requirements and qualifications for staff will vary. In a spectrum of programs, or perhaps even within the same program, one might want to hire a high school student, an ex-addict paraprofessional, or a psychologist with a Ph.D. Several requirements are basic, however, and a good administrator will look for some of the following characteristics in applicants:

(1) They should be dedicated individuals with the wish to help others. This motivation is essential, yet cannot be taken for granted in a period when drug abuse programs are so plentiful in some parts of the country that they almost constitute an industry.

(2) They should feel committed to the objectives of the program. If these objectives are not clear in the minds of the staff and if the staff are lukewarm about making them a reality, then it is certain that the program's objectives will not be realized. There should be a sense of unity about what a program is trying to accomplish that is shared by the board, the administrator and the staff, both professional and paraprofessional or volunteer.

(3) They should be empathetic and be able to understand problems from the point of view of more than one age group. It is often a good idea to select young staff, under 30, as young clients will receive a less parental first impression from them. Moreover, younger workers often are more willing to devote extra time and effort to a program as they are less settled into the

demands of a home life. Nevertheless, the staff should be able to communicate well with parents and older people on the board and in the community.

(4) They should be drug-free. This means that they also do not indulge in marijuana or heavy drinking. Aside from the effects these drugs may have on the individual, a pot smoker or heavy drinker finds himself compromised when dealing with questions of drug abuse, since he does not provide a reliable model. Moreover, he may alienate various sections of the community and jeopardize the program's reputation by his own poor example.

(5) They should be examples of what the individual community may call "sound moral character." The program, as reflected in the staff, is on display not only to the clients, but to the whole community. Since its objective cannot be accomplished without the help of the community, it is essential to ensure a harmonious relationship with it.

In general, the qualifications for the staff, as for the director and the board, will be determined by the program's objectives, which in turn may be heavily influenced by the nature of the community. Where a program needs to have liaison with a particular situation, such as the police or a hospital, staff who can form a bridge between the institution and the program will be needed and their qualifications determined accordingly. In some cases, a program may have to take an aggressive political role in order to create attention. For instance, when it serves a minority group in a conservative city which needs to obtain services, the program may have to go through an "activist" phase in order to achieve enough recognition to be able to operate.

In any case, staff should be carefully screened, particularly as to being drug-free, and the director should make sure that what they do is in line with his own perception of the program objectives.

CHAPTER VIII

COSTS

A. Costing Programs

Program costs are intelligently anticipated in advance for the coming budget period, normally 12 months. Finances are always handled by the director and the budget committee or treasurer/accountant.

If it is a newly formed project and a director has not been hired, the board must not estimate what costs might be. They must secure a knowledgeable accountant who will study the budgets of similar programs and make his findings known to the board. He may offer suggestions, and should be informed of the program concept and its objectives plus the anticipated number of clients and staff needed to handle them.

Major costs to be considered:

- (1) Rent for facility (including utilities, insurance and phone)
- (2) Administrator (salary cost plus social security, etc.)
- (3) Assistant Director
- (4) Staff (identified by job and salary)
- (5) Maintenance--travel
- (6) Supplies, equipment--other operating expenses
- (7) Evaluation (must be included if certain types of federal funds are sought)

- (8) Professional services (if applicable)
 - (a) Urinalysis
 - (b) Detoxification and treatment
 - (c) Methadone maintenance
 - (d) Other medical services
 - (e) Consultants
 - (f) Certified Public Accountant

Some programs may have other costs that can add up, such as:

- (1) Education and training
- (2) Clinic
- (3) Planning and development
- (4) Computer data gathering
- (5) Additional facilities
- (6) Wage increase (yearly--5 to 10 percent)
- (7) Automobile or equipment rental
- (8) Hot line

Unless these and other costs are studied as to their need now or future consideration, it will be difficult to form a work sheet that is remotely accurate.

B. Costing Examples

It was discovered during the course of the survey that regardless of the quality of services offered by the programs, only a few had complete and well-managed bookkeeping. Other programs kept skimpy records and/or used non-professional staff to manage their accounts. As a result, the fiscal models outlined here are largely based on the few programs which evidenced the best and most useful fiscal data. The models are a composite of the data from these programs along with whatever additional

information could be gleaned from the other programs whose fiscal management was less well documented.

The following are cost examples for two programs in the \$40,000 range, two programs in the \$100,000 range, and two programs in the \$250,000 range. To break down costs further would be difficult. Costs in the Midwest may be 25 percent less than in Eastern states. A piece of equipment may be purchased new, used or be donated. Salaries in one state may be 50 percent higher than in another for the same job description (due to living costs, area, etc.).

Therefore, as of December 1, 1973, costs shown first are low to normal and the second figure high to maximum. (In the salary range, it was noted that even within states, the low range was considered a top salary while 300 miles away, another program similar in nature had to pay the high range as a starting wage. These figures are for example only; each program must ascertain its salary structure and dollar purchasing power.)

\$40,000

<u>Program A</u>		<u>Program B</u>	
Personnel	\$22,000	Personnel	\$33,000
Equipment	860	Equipment	1,400
Operating Costs	3,860	Operating Costs	5,940
No Evaluation	-	No Evaluation	-
TOTAL	\$26,720	TOTAL	\$40,340

\$100,000

<u>Program C</u>		<u>Program D</u>	
Personnel	\$57,430	Personnel	\$86,990
Equipment	2,460	Equipment	4,010
Operating Costs	9,400	Operating Costs	13,400
Evaluation	6,000	Evaluation	15,000
TOTAL	\$75,290	TOTAL	\$119,400

\$250,000

<u>Program E</u>		<u>Program F</u>	
Personnel	\$123,080	Personnel	\$178,500
Equipment	5,010	Equipment	7,390
Operating Costs	17,700	Operating Costs	11,200
Evaluation	8,000	Evaluation	25,000
TOTAL	\$153,790	TOTAL	\$222,090

C. Individual Program Examples

Individual programs may vary widely in their particular requirements. For example, a \$100,000 program in Tennessee might use part-time paraprofessionals for the majority of their counseling to keep costs in salaries quite low. Another \$100,000 program in Texas might purchase elaborate audio-visual education equipment, films, etc. in addition to strictly professional staff. One program would use salaries as 75 percent of their budget and another might only use 50 percent.

In any program funded for \$100,000 and more, many factors influence the cost. Only an accurate survey of the local conditions and program objectives and number of clients anticipated can formulate a budget.

The administration may discover by experience many ways to get their money's worth from budgets. As a start, here are a few that should be considered:

(1) Community participation. This will include donating equipment, supplies, and services. Many programs have all space donated to them, saving thousands of dollars a year. Since the program is no doubt a recognized non-profit organization, donations of money, goods and services are deductible from income tax returns.

(2) Many programs may obtain surplus desks and chairs from schools, organizations, etc. as donations.

(3) Police and probation officers may donate personnel to a program as part-time or full-time "in kind" services for grants or as a community participation effort.

(4) Schools may supply teachers or pupils as volunteers to the project or supply classroom space or auditoriums at no cost.

(5) County or city hospitals may supply detoxification or free urinalysis. There are some programs that have use of psychologists and psychiatric services, free on certain days to help the program.

(6) A certified public accountant's services may be donated, and realtors and insurance agents may be extremely helpful on a voluntary basis.

The above considerations are good reasons for ob-

taining a director and staff that will be a part of the community. Even though the hiring may take time, three to six months as a rule, the rewards are gratifying.

When the ice is broken all things seem to open up and citizens, the criminal justice system, schools, and other agencies take an interest in promoting the program.

The administration will find that in hiring staff as counselors, typists, etc., that good efficient and qualified help can be obtained at competitive salaries. This type of program attracts individuals who are eager to help others and feel by working in the program they do this.

D. How Much Does It Cost?

This seems to be the first question asked of business, administrators and directors. If it is an existing program, the answer may determine its impact on the community. If it is a contemplated effort, it could be a deciding factor as to whether or not it would be a feasible venture.

As a rule, funding agencies take a hard look at the cost per client ratio in an evaluation report or budget narrative. To the neutral accountant, this ratio could mean a healthy, well-managed program or it may be a sign of impending disaster.

In the model used, however, the rules are different. It must be mentioned that in all the programs evaluated, or in any other program, the cost per client is apparent. The cost of the program is divided by the number of enrollees for a given period and the result is the dollar cost per person. For example, if a program has been funded for \$150,000 for a fiscal year and during that year 500 clients were treated, the cost per client amounts to \$300. Had this same program treated only 300 persons, the cost would rise to \$500.

If the model states that the normal range for the average \$150,000 program is between \$250 and \$275 per client and nothing is given in the way of explanation, it could be assumed that any program cost of \$200 is excellent, and one whose cost is \$500 is deficient. This is not true in all situations.

E. Cost Fluctuations

The following are a few of many examples that may result in the rapid fluctuation of client costs above or below the "normal" range:

- (1) Additional professional services
- (2) One-to-one counseling
- (3) Use of paraprofessional staff
- (4) Project director and staff of exceptional quality, reflecting higher salaries
- (5) Use of professionals for bookkeeping and evaluations
- (6) Elaborate record keeping system
- (7) Outside technical assistance
- (8) Expensive facility and/or high overhead costs
- (9) High staff to client ratio
- (10) Specialized administrative positions not dealing with clients
- (11) High cost detoxification and treatment facility
- (12) Resident facility and length of stay
- (13) Type of community involvement
- (14) Amount of criminal justice system involvement
- (15) Length of time in program

F. Special Costs Related to Residential Setting

In the model residential treatment facility, most rules are changed:

- (1) A greater number of staff is required;
- (2) A facility to house both male and female clients that will meet safety and health standards;

- (3) A large kitchen and dining area and ancillary equipment;
- (4) Adequate storage; and
- (5) Medical attention.

Additional specialized services such as dietician, transportation and purchasing agent, should be considered.

In a diversion program, youth service bureau, drug school, etc., cost per client ratio drops as more individuals are accepted into the program. (For example, a program funded for \$100,000 seeing 300 persons could also accommodate 40 without additional cost or space required, thus dropping the cost from \$333 to \$250.) The same program could easily accommodate 500 offenders with an additional \$10,000 expense. Thus, the cost per client would be \$220. As more come into the program, the cost is lowered and the community benefit grows.

In a residential treatment program, there are different factors. It is difficult to decrease the residential client cost in a program by increasing the number of intakes. It is true that in a small program --10 to 20 residing persons--the client cost may drop providing:

- (1) The existing facility can easily accommodate more individuals;
- (2) No new staff is added;
- (3) The additional clients did not noticeably increase overall food budget.

For example, if a residential program funded for \$100,000 had a facility capable of housing 50 persons, but registered only 20 and had a staff of eight; it would be simple to add 10 additional persons at virtually no increase in cost. Many people think that food costs are exorbitant, but when used in bulk, the per patient per day costs for food can range from \$2 to \$3 for good meals. Almost always extra food is prepared to compensate in part for additional clients. Therefore, a small program--as above--with a client cost of \$5,000 could drop to \$3,500.

Again, not everything increases. If a TC unit can easily handle:

- (1) 100 patients but has only 60, then additional treatment facilities are not needed;
- (2) A per diem food bill of \$3, an additional five to eight persons will not affect it; and
- (3) If each staff has small groups, an added one or two clients will not affect it.

Usually, if 10 to 20 persons come into a program adding to its full ranks, additional costs could include:

- (1) Additional facility or at the least more furniture in cramped quarters;
- (2) Two to four additional staff full-time (by attempting to increase the working hours of full-time staff the result is loss of effectiveness in all areas; it may be done in emergencies);
- (3) Increased food costs and equipment; and
- (4) Close evaluation of staff duties, programs, reporting and statistic procedures and budget control.

The time to ask for additional funds is when a major influx is anticipated, not after it has happened and caused chaos with the budget.

The client cost whether figured per diversion, in treatment or out-patient must first value the service given, as the model implies. The end result--re-entry of an individual into society and the knowledge he takes with him--is of exceedingly more profit to a community than a group bragging they put an offender through a program for \$100. Usually, this offender, unsatisfied and still confused, will again be in our courtrooms and jails.

END