CAMPAIGN 2000: WHICH IS BETTER - A DRUG REHAB INITIATIVE OR CALIF.'S SUCCESSFUL DRUG COURT?

Editor's note: In addition to fighting Calif.'s powerful law enforcement establishment, the Calif. Campaign for New Drug Policies will find themselves up against the California Assn. of Drug Court Professionals, who are on the NO side of this highly controversial initiative, which replaces jail or prison time with a drug rehabilitation program. Here's our update & analysis...

...The first person to compare this initiative with drug court was nationally syndicated pundit Alexander Cockburn, who wrote an op-ed article for the June 18th edition of the L.A. Times. Cockburn interviewed Contra Costa Co. Superior Judge Harlan Grossman, who runs one of 101 drug courts in Calif. Drug courts were started in 1989 in Miami and gradually spread nationwide. As part of the plea, those who enter the year-long drug court rehab program agree to be tested for drugs at least 3 times a week. Bottomline: Grossman sees flaws in this new initiative...

...As Calpeek has noted before, under this initiative, testing for drugs is permitted, but not required. And as Calpeek noted several weeks ago, testing is an absolute must when dealing with heroin addiction, this according to one of the country's foremost experts on drug rehabilitation and addiction, Dr. Forest Tennant, MD, of Covina. Why is testing required for heroin addiction? To see if the user has HIV, TB or Hepatitis C. In addition, testing is required when treating heroin addicts to see how much methadone (a synthetic narcotic used to treat heroin addiction) must be given. Give too much and the user can get hooked on methadone...

...Enter L.A. Co. Superior Court Judge Stephen Marcus, who is the drug court guru of Southern Calif. He told Calpeek he won't endorse YES or NO on this initiative, but he, like Judge Grossman, has serious problems with this measure, especially with the loose definition of what drug treatment actually means. And Marcus notes the initiative may have an adverse impact on drug courts because it will remove the ability of the judge to impose sanctions of jail time on users who fall back on old habits. Marcus says if you put a user in jail for a day or two if they backslide, that's sometimes enough to get the message across...

...And Marcus says that his "subjects" are tested between 150-200 times over the course of their drug rehab treatment before they "graduate." Out of 100 people in such drug court programs, Marcus says the overall success rate is about 53%. Most of the drug court "clients" are in outpatient clinics, with about 10% in residential rehab units. Cost is about $3,000-4,000 per year. And Marcus is working with L.A. Co. Sheriff Lee Baca on an ongoing drug treatment program within the jail system. If the initiative were to pass, this program would have to be stopped, because it won't allow jail time for those being treated...

...FYI: the biggest problem with this initiative is that it was written by a defense attorney, when it should have been written by Judges Grossman & Marcus, with lots of input from Dr. Tennant. And the biggest flaw is the testing: permitted, but not required. As Judge Marcus noted, "This measure is like the old diversion programs prior to drug court: education but no accountability." Stay tuned...