Nation’s drug czar blasts state initiative

McCaffrey says the ballot measure would inhibit courts’ ability to punish offenders who don’t go through with treatment

By Jessie Seyfer
ASSOCIATED PRESS

SAN FRANCISCO — Barry McCaffrey, the nation’s drug czar, is urging Californians to reject a new ballot measure that he says would strip the state’s drug courts of their power.

Speaking on Friday before the National Association of Drug Court Professionals, McCaffrey said the initiative would be damaging because it would eliminate drug testing and take away drug courts’ ability to punish offenders who do not comply with treatment.

“If you think you can treat drug addicts without holding them accountable, you obviously don’t understand the nature of the addiction brain disease,” McCaffrey said.

The nation’s drug policy director said the initiative also would undermine the drug courts, which he supports. Drug courts allow nonviolent offenders to avoid jail and proceed through rehabilitation with regular drug tests and check-ins with judges.

Hundreds of drug courts have arisen across the country in the last 10 years, with 101 in California alone.

“We’re on the verge of having a poison pill inserted into the revolution,” McCaffrey said. “I hope California, with its trendsetting ideas, will not let drug courts be dismantled from within.”

Proponents of the initiative, the Drug Treatment Diversion Program Act, say critics have been grossly misinformed. Dave Fratello, a spokesman for the measure, said the initiative was meant to enhance, not eliminate, drug courts.

Fratello, who represents the sponsoring organization, the Campaign for New Drug Policies, said the only changes to the measure would prompt would be to increase drug treatment spending to $120 million per year and to send nonviolent first and second-time drug offenders automatically into treatment.

In current drug courts, prosecutors determine which offenders are eligible for treatment.

The measure is backed by billionaire George Soros, who also funded California’s controversial Proposition 215, legalizing marijuana for medical use.

Supporters of the measure also disputed claims that it eliminates drug testing and robs judges of their ability to send offenders to jail.

“Judges may set any range of conditions … for drug offenders processed under the initiative. Such conditions may include daily, weekly or monthly court appearances, in addition to drug testing,” said a written statement issued Friday by the Campaign for New Drug Policies.

“Upon any violation of any condition … the court may drop the offender out of the initiative’s system and incarcerate that person for up to 16 months.”

Fratello pointed out that the attorney general found the initiative would save the state between $100 million and $150 million annually because of lowered prison costs.

Campaigners gathered more than 700,000 signatures to qualify the initiative for the November ballot, far more than the 419,260 required.