



# Chief Probation Officers of California

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Little Hoover Commissioners,

Thank you for your request for testimony from the Chief Probation Officers of California (CPOC). The theme of our testimony is how it is important to ensure probation involvement in both the development of programs to address diversion under Proposition 36 and the implementation of linking those offenders to the treatment expected. There have been some hurdles in meeting those goals, resources being a key obstacle, but there are also many misconceptions about the role the probation officer plays in bringing accountability to the system. By having treatment options or capacity in the community is only part of the solution, we must also ensure that the offender is linked to the treatment and continues with the program in order to be successful. Below are some key points we would like the Commission to consider when looking at the system. In addition we have attached a document by the National Institute for Corrections that helps demonstrate many of our points. Finally, we also are attaching a document prepared by Los Angeles County demonstrating the resource need to fulfill the promise of Proposition 36.

- Historically probation has been the primary case manager for criminal offenders, providing a range of services that address criminogenic needs (those factors that are proven to contribute or cause offending/criminal behavior.).
- For Prop 36 offenders to be successful a combination of evidence based substance abuse treatment, accountability based supervision and additional case management services must be provided. An analogy would be a three legged stool. Without any of these three elements the stool cannot stand (no matter how strong the two remaining legs are). Substance abuse treatment is not effective if no one can monitor the offender in their home environment to support their recovery and to identify problems; but substance abuse treatment and supervision will only result in short term success if the offender's other issues/needs are not addressed. Employment skills, education, literacy, anger management, parenting and a host of other deficits stand in the way of offenders getting and staying off drugs. Case management works with offenders to skill build and address these obstacles to success.
- Ask any Prop 36 program and they'll tell you that while drug use may be the primary problem faced by offenders, it is often lack of job or job skills, lack of driver's license and/or reliable transportation, functional illiteracy, difficulty interacting with in a pro-social way, difficulty accessing health and mental health services, that keeps offenders from long-term success.
- Probation is uniquely suited to work with these individuals, and work with local treatment providers and community partners to maximize resources and provide referral linkage to services. Probation can also help these offenders develop the basic life skills necessary to be successful once they are off drugs.
- Rand study identified existing Prop 36 programs that utilize the drug court model as being most effective. Most if not all of those programs include probation as a critical partner.
- The American Society of Addiction Medicine identifies nine patient placement criteria for determining the level of care a substance abuser needs. One of those criteria is "Assessing the Recovery Environment". This means the person's home must be evaluated for how supportive

it is to staying clean and sober. Probation officers can (and currently do) this type of home check and work closely with treatment providers to assure the work that is done in the treatment setting is reinforced and supported in the home environment. This not only supports the treatment but increases public safety.

- Probation officers are trained specifically to work with offenders.
- Probation is uniquely suited to conduct drug testing, which can and should be used as an adjunct to treatment, providing the offender another reason to “say no”, because they know they will be tested frequently.
- National Institute of Corrections in their 2005 publication “Implementing Evidence-based Practice in Community Corrections: The Principles of Effective Intervention” identifies the eight principles that have been proven to reduce recidivism/reoffending. Among those are enhancing intrinsic motivation; support in natural communities (meaning, offenders must have help in connecting or reconnecting with healthy, community level relationships (neighbors, church, community centers); 40-70% of an offender’s time must be scheduled/occupied—that can be with treatment, probation contacts, 12 step meetings, or things like sports and recreation.
- The study of Prop 36 conducted by UCLA concluded that Prop 36 offenders were much more high risk/high end than originally anticipated. Many had been using drugs for years and years, in some cases decades. This type of offender requires a comprehensive approach that includes evidence based substance abuse treatment, community supervision, and case management directed at criminogenic needs.
- Prop 36 is a real opportunity to restore healthy families and reduce the prison population but it is most effective when it couples treatment with accountability—which probation can provide.