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National Institute
on Drug Abuse

Proceedings
of the National
Symposium on the
Drug Abusing
Criminal Offender

April 21-23
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PROCEEDINGS OF THE
NATIONAL ISSUES AND STRATEGIES
SYMPOSIUM
ON THE DRUG ABUSING
CRIMINAL OFFENDER

April 21-23, 1976

SHERATON INN/INTERNATIONAL CONFERENCE CENTER
RESTON, VIRGINIA

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The National Institute on Drug Abuse
In Affiliation With:

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I find the great thing in this world is not so much
where we are, as in what direction we are moving...

Oliver Wendell Holmes
(1809-1894)

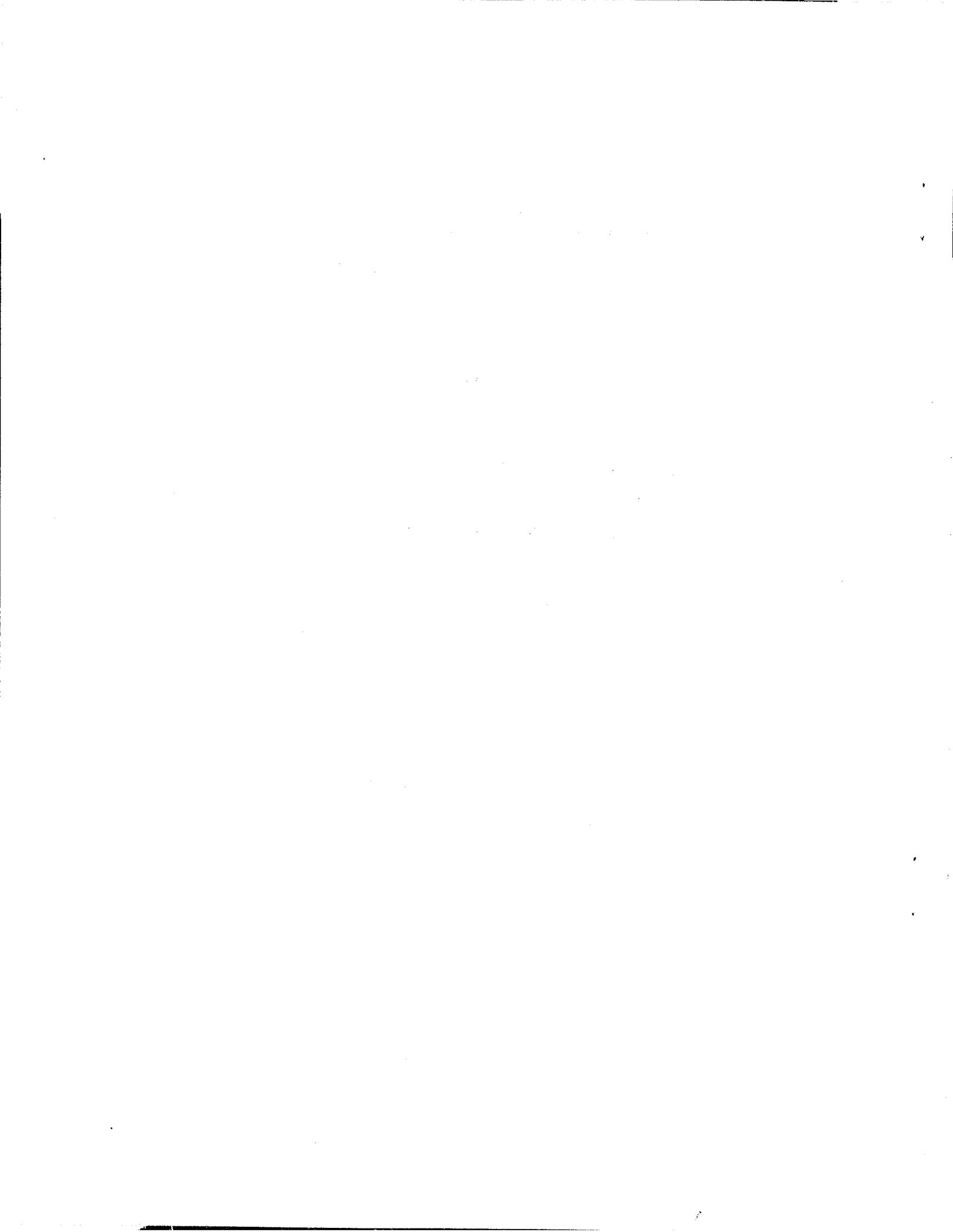
FOREWORD

Understanding begins with simple communication. Those of us committed to the new concept of joint planning between the criminal justice system and the health care delivery system view that statement as both a promise and a challenge.

These proceedings demonstrate our progress and our problems along the way. In all probability, we will get there together--or not at all.

Carl Hampton
Program Chairman

Peter Regner
Co-Chairman



I. INTRODUCTION: A BEGINNING IN LAW

Since the advent of civil commitment programs during the mid-1960's, individual state and national efforts to improve coordination between the criminal justice system and the drug treatment system have intensified. The Treatment Alternatives to Street Crime (TASC) Program, jointly funded and administered by the Department of Justice through the Law Enforcement Assistance Administration (LEAA) and by the Department of Health, Education, and Welfare through the National Institute on Drug Abuse (NIDA), is perhaps the largest and most ambitious effort to date.

In the last two years, however, a series of major legislative and administrative developments have occurred which reinforce these past efforts and signal continued program development between the health care delivery system and the criminal justice system. Among these are:

- . The Omnibus Crime Control and Safe Streets Act (P. L. 93-83, Sec. 453), which required LEAA to issue new guidelines for the treatment and rehabilitation of drug abusers in state correctional systems and to consult with the Special Action Office for Drug Abuse Prevention (SAODAP) in the development of those guidelines
- . The Federal Strategy for Drug Abuse and Drug Traffic Prevention, which stated that "the development of an effective relationship between criminal justice and treatment activities in the drug abuse field lies at the very heart of the Federal Strategy"
- . The White Paper on Drug Abuse, a report to the President prepared by the Domestic Council Drug Abuse Task Force, which mandates the Federal government to improve linkages between the criminal justice and health care delivery systems

Specifically, the guidelines resulting from the Omnibus Crime Control and Safe Streets Act commit LEAA to a three-year planning and action program to implement drug abuse treatment and rehabilitation programs throughout state correctional systems. These guidelines incorporate some of the SAODAP/NIDA-developed Federal Funding Criteria and require LEAA State Planning Agencies (SPA's) to consult with NIDA Single State Agencies (SSA's) throughout 1975. However, critical policy issues remained unresolved as to how this new interface between the criminal justice system and the health care delivery system should be implemented.

In a determined effort to facilitate resolution--to build on the amendment, guidelines, and strategy for these two systems--and to create a mechanism for change and the mobilization of resources, NIDA created a Criminal Justice Advisory Board to begin a new initiative in criminal justice. (A list of the members of the Criminal Justice Advisory Board is contained in Appendix A.)

II. THE SYMPOSIUM

The National Issues and Strategies Symposium on the Drug Abusing Criminal Offender was convened April 21-23, 1976, at the Sheraton Inn and International Conference Center in Reston, Virginia, as the first major project of NIDA's Criminal Justice Advisory Board. Macro Systems, Inc. (MSI), assisted NIDA in conducting the conference, providing logistical coordination and support. The stated goals and objectives of the Symposium were:

- . To provide a forum for Single State Agency Drug Abuse Program Coordinators and Directors of State Planning Agencies for Criminal Justice to exchange information, deliberate, and plan on matters of mutual interest concerning crime and drugs
- . To analyze, assess, and modify model treatment and rehabilitation programs for drug abusers in criminal justice
- . To explore and commence development of appropriate federal, state, and local interagency structures for mutual cooperation, and subsequent development of a federal and state "action plan" between the criminal justice system and the health care delivery system

1. FORMAT OF THE SYMPOSIUM

Approximately 250 representatives of the criminal justice and drug abuse treatment systems attended the Symposium. SSA and SPA Directors and staff from various states, TASC representatives, representatives of related federal agencies including LEAA, DEA, and NIDA, as well as other federal, state, and local officials participated in the conference. (A list of federal participants with addresses and affiliation is presented as Appendix A.) The largest groups of participants at the Symposium were the Single

State Agencies and the State Planning Agencies. These agencies represent the prime forces that can work to improve linkages in each of the states. (Appendix B presents an analysis of the extent of representation at the Symposium by type of agency represented, and indicates the level of SPA and SSA representation.) The Symposium was planned to be a working meeting in order to bring to the SSA's and SPA's the best and newest concepts concerning the treatment of the drug abusing criminal offender. The agenda for this three-day conference was designed to maximize the interaction between representatives of Single State Agencies and State Planning Agencies with their counterparts in their respective states.

The proceedings began with introductory remarks by leading federal and national officials involved in criminal justice and drug abuse treatment:

- . Robert L. DuPont, M.D., Director, National Institute on Drug Abuse
- . Peter B. Bensinger, Administrator, Drug Enforcement Administration
- . Rayburn F. Hesse, Executive Director, National Association of State Drug Abuse Program Coordinators
- . H.G. Weissman, Executive Secretary, National Conference of State Criminal Justice Planning Administrators

Two other speakers of national stature also addressed the Symposium:

- . Richard Parsons, Associate Director, White House Domestic Council
- . Richard W. Velde, Administrator, Law Enforcement Assistance Administration

Five panels were convened to provide a background of information for discussion on issues by participants. The topics which the panels addressed were:

- . National Progress, Problems, Issues On State Planning Agency/Single State Agency Linkages--SPA/SSA Linkages Seen From State Perspectives
- . General Overview On National Progress, Problems, Issues On Guidelines M4100.1E As Seen By Federal, Regional, State Representatives From LEAA and NIDA
- . General Overview On The Current State Of The Knowledge On The Relationship Between Crime And Drugs
- . State/Local Models/Linkages As Seen By Criminal Justice/Treatment Representatives
- . Presentation And Status Report On DEA-Sponsored Local Criminal Justice Conferences

Three task-oriented regional discussion sessions were convened during the course of the Symposium, organized by states. The objectives of these sessions were to become progressively more focused, proceeding from a definition of the issues involved in promoting interface between criminal justice and drug treatment agencies, to recommendations as to how best to respond to the issues and concerns delineated. A final goal was the development of concrete, specific courses of action to promote interface in each state following the Symposium. Each discussion group was led by a designated facilitator who served as an impartial discussion leader. The results of the discussions were documented by persons who served as recorders for the groups and were reported out to the Symposium in plenary session by the facilitators.

A summary of the major addresses to the Symposium and the highlights of the panel discussions are presented in Sections 2 and 3 of this chapter. A summary of the regional discussion sessions comprises Chapter III of this report.

2. SUMMARY OF MAJOR ADDRESSES

Dr. Robert L. DuPont, Director of the National Institute on Drug Abuse, began his address to the Symposium by noting the very large and significant

overlap in the population served by the criminal justice and drug treatment systems. He further stated:

- . At the federal level there is a clear and growing commitment in the area of crime and drug abuse. This commitment has been articulated by the President personally. The Symposium itself is evidence of support at the federal level to address unfinished tasks and unmet needs, and to develop new priorities.
- . Contrary to early, more favorable impressions, the drug abuse problem cannot be completely eradicated but will require continuous attention. At this time it is estimated that drug abuse costs the nation \$10 billion a year. Of this amount, 70 percent (\$7 billion) is the result of crimes committed by approximately 400,000 untreated heroin addicts. Since the beginning of 1974, rates of overdose death, drug-related health problems, and the demand for treatment have progressively increased.
- . The current national policy is to ensure that the price of heroin remains high in order to discourage experimentation and the addictive use of the drug. This policy serves notice to all potential heroin users that a severe personal toll is part of the heroin life-style. Proposals to legalize heroin and to offer heroin maintenance are simplistic attempts to provide solutions to a complex problem and will not be pursued. Such proposals would merely have the effect of moving the heroin-related social cost out of the criminal area and into the health area.
- . The challenge of drug abuse and the drug abusing offender is complex and must be met head on. To be successful, this must be a collective effort. Treatment and rehabilitation must be flexible, adaptive, and sensitive to the needs of the individual. Coercive referrals should not dictate the type of treatment a client receives; the client should have significant options for what kind of program he chooses, if indeed treatment seems to be indicated.
- . It appears that people who are involved with less serious drugs, such as marihuana, and people who are less deeply involved with serious drugs, such as heroin, are more likely to be referred for treatment by the courts. The appropriateness of such referrals should be examined and treatment needs assessed.

Mr. Peter B. Bensinger became Administrator of the Drug Enforcement Administration in February, 1976. He stated at the outset that he feels that the Agency has been underrated too long and intends to make known to Congress and the public the high level of commitment on the part of DEA personnel in the face of a very difficult and complex task. Specifically, he pointed out:

- . Enforcement efforts should be focused on major source of supply violators and organizations, and should not be geared to a higher statistical quantity of arrests.
- . The DEA intends to work closely with professional associations and states to develop self-regulation; however, compliance efforts and regulations will be given strong support with criminal and civil prosecution as appropriate.
- . The DEA has a major responsibility to encourage commitments from foreign governments to reduce the supply of illicit drugs making their way into the United States. Support and assistance should be given to foreign governments to provide crop eradication and to develop stricter controls within their own countries.
- . Enforcement and treatment efforts should be coordinated. There is great opportunity to move drug abusing criminal offenders into treatment resources and also vocational counseling, development, and placement. Successful enforcement outcomes, such as a decrease in heroin supply, with concomitant increases in price and risk of arrest, will necessitate the availability of adequate treatment resources.

Mr. Rayburn F. Hesse, Executive Director of the National Association of State Drug Abuse Program Coordinators, cited the role that all Single State Agencies have played in trying to effect an interface between drug abuse prevention and the criminal justice system. In addition, he observed:

- . It is hoped that a priority will be given to criminal justice offenders in the 7,000 new treatment slots which will be initiated by the National Institute on Drug Abuse.
- . The President's endorsement of the White Paper on Drug Abuse is a federal mandate to continue the efforts to achieve a greater interface between criminal justice and drug abuse prevention systems.

- . Treatment alternatives for marihuana users were a breakthrough a few years ago. However, treatment capacity is too limited at this time to deal effectively with large numbers of marihuana users or marginal, less involved users of drugs. There is a need for the development of alternative systems of primary, secondary, or tertiary treatment systems.
- . We do not yet have the means to identify the "vulnerables" in our society, those people predisposed not only to drug use and criminal behavior, but all forms of dysfunctional behavior. Until we recognize the mechanisms underlying the basic behavioral pattern which makes them dysfunctional, we will continue treating the symptoms without elucidating the causes of their behavior.
- . The whole range of ancillary resources which exist in our society must be brought into the criminal justice/drug abuse systems.
- . The effort to cooperate, to build a more meaningful system, must begin at the state level, not the federal level. The primary movers at the state level are the SPA and the SSA.

Mr. H.G. Weissman, Executive Secretary, National Conference of State Criminal Justice Planning Administrators, also acknowledged that the ideas and development of strategies to further efforts toward interface originate within the states, from the planners and practitioners in the SSA's and SPA's close to the scene where the action actually takes place. He went on to say:

- . The idea that the quality of the criminal justice system is reflected in a reduction of the general level of criminal activity is erroneous, and fails to take into account the complex and diverse psychological and social factors of the context in which the criminal behavior occurs. Furthermore, the relationship between the offender and the justice system occurs only after the fact of the criminal behavior. There is a great deal of frustration on the part of those who have worked hard to improve the justice system when these efforts are overlooked for want of a lower crime rate.

- . This frustration should serve as an incentive to other key agencies and institutions charged with prevention and treatment of antisocial behavior to build linkages, coordinate efforts, and ensure continuity and uniform high quality in service delivery. "We must seek to place real exits on an otherwise revolving door for the drug abusing offender."
- . Meaningful linkages can now be established or strengthened between criminal justice planning officials and those who coordinate drug abuse prevention and treatment in similar communities. As a result, new strategies may emerge to cope with one of the most difficult legal, social, and medical problems of our time.

Mr. Richard W. Velde, Administrator, Law Enforcement Assistance Administration, highlighted several key issues in his presentation: the need for cooperation among all elements of the criminal justice system, the limitations of the federal role, and the need for compliance by the states with Part E Guidelines in order to secure future funding. Specifically, he noted:

- . Open channels of communication and cooperation among all elements of the criminal justice system are essential to the federal government's efforts to control drugs. Reducing the societal cost of drugs and crime will require a federal, state, and local partnership to deal with both apprehension and prosecution of pushers as well as detection, treatment, and, if possible, rehabilitation of the drug abuser.
- . The role of the Federal government and LEAA is of necessity limited. The responsibility for the setting of priorities and the actual crime and drug program planning and implementation rests with the state agencies. Joint planning on the part of the SSA's and SPA's to achieve their mutual goals is crucial and there must be a renewed dedication to this joint planning. SSA's and SPA's must consult other state agencies involved in the area of drugs before submitting their annual plans.
- . Part E of the Crime Control Act of 1973 mandates the provision of treatment and rehabilitation facilities for drug abusing and alcohol abusing offenders. A recent survey by one of the LEAA regional offices revealed that only one

state in the six-state region approached the minimum levels of compliance with requirements for the provision of voluntary drug and alcohol treatment programs for people in state or local correctional facilities or in supervised release programs.

- . An important deadline is approaching on October 1, 1976, when eligibility for Part E funding will depend on how well the states have complied with this provision.
- . The drug task forces which are currently funded by LEAA, administered by DEA, and carried out by state and local law enforcement officials have been considered successful. However, there is a need for better cooperation and communication in their operation. In some instances, disputes within the task forces themselves have hampered their effectiveness, disputes which bear no relationship to the real problems at hand.

Mr. Richard Parsons, the Associate Director for the White House Domestic Council, whose broad responsibilities include all justice, law enforcement, and civil rights activities, addressed the Symposium. The development of the recent White Paper on Drug Abuse was directed and coordinated by Mr. Parsons, who has briefed the President and Vice President on the report. Mr. Parsons discussed the level of commitment of the White House to the crime-drug abuse problem.

- . A major focus of the White Paper was drug abuse and the criminal offender. One of the major recommendations concerned strengthening and expanding the linkages between the criminal justice system and the drug abuse treatment system. There is a definite awareness at the federal level of the need to expand and strengthen such linkages. There must be improvement in the identification of criminal offenders with a history of drug abuse. The requisite specialized services must be provided to these people to interrupt the drug-crime cycle.
- . The success of the TASC program nationally has been brought to the attention of the President. This model, which identifies and provides treatment to the drug abusing criminal offender immediately after arrest, and before trial and

sentencing, should be studied and expanded to other areas of the country. Also, models utilizing these principles at different stages of the criminal justice process should be developed.

- . In a recent meeting with members of his cabinet responsible for the operation of the federal drug program, the Vice President, the Attorney General, Under-Secretary of HEW, Dr. DuPont, Mr. Bensinger, and others, the President communicated his level of concern and his commitment to have the Federal government move ahead "with all deliberate speed" in the area of drug abuse programming. With domestic tranquility as one of his priorities, the President is concerned about the national indicators depicting a worsening in the drug abuse situation and has given attention to the federal drug program.
- . The federal drug program is very diverse, involving seven cabinet departments and 17 different agencies. It is recognized that there is a need to improve the coordination of federal efforts, reduce cumbersome and sometimes conflicting requirements, and enhance the overall effectiveness of the effort by the impetus and sense of direction from the White House.
- . A number of recent polls have indicated that the American people are aware of the severity of the problems of crime and drug abuse. They have responded to polls by indicating that the government is spending too little on the problems of crime and drug abuse.
- . Considering the severity of the problem, and with the Federal government moving ahead and providing more resources, even in the face of Federal government cut-backs, it is unconscionable for the state and local governments to reduce the level of their commitment at this time. The problem will not be resolved quickly despite anyone's best efforts. To fail to meet this challenge now will result in further deterioration of an already serious situation.

In summary, it may be stated that the six speakers who addressed the Symposium concurred in their acknowledgment of increased need, interest, and support at the federal level for interface between the drug abuse and

criminal justice systems, while recognizing that the creative implementation for such interface must come from the state level.

3. HIGHLIGHTS OF THE PANEL DISCUSSIONS

Five panels were convened at the Symposium to present a range of perspectives on criminal justice and drug abuse problems and possibilities for interface. In the course of these presentations, panel members sometimes digressed, discussing those issues which were of greatest significance to them, issues which were not necessarily those they were invited to present. The following summaries of each panel cover only the highlights of the panel presentations.

(1) National Progress, Problems, Issues On State Planning Agency/
Single State Agency Linkages--SPA/SSA Linkages Seen From
State Perspectives

Carl Hampton, Chairman
Chief, Criminal Justice Branch
National Institute on Drug Abuse
Rockville, Maryland

James Kouten
Deputy Director
Division of Justice and Crime
Prevention
Richmond, Virginia

Kerry Webb
Deputy Director
Criminal Justice Council
Office of the Governor
Austin, Texas

Jim Riley
Deputy Director
Texas Department of
Community Affairs
State Program on Drug Abuse
Austin, Texas

Dionisio A. Manzano
Director
Puerto Rico Crime Commission
Hato-Rey, Puerto Rico

Hon. Rafael Santos del Valle
Secretary
Department of Addiction
Control Services
Rio Piedras, Puerto Rico

This panel presentation, chaired by Carl Hampton, offered an opportunity for the Symposium members to hear from some SPA's and SSA's about the progress toward achieving interface that has been made in their respective states, the problems they have encountered,

and the issues relevant to improving linkages as they saw them. The major points of the discussion follow:

- . The greatest problem in the linkages between the SPA's and the SSA's is the idea of turf protection. Each agency is open for interagency collaboration through planning and implementation efforts, but only to a point. When that point is reached, the discussion is directed to another issue.
- . One of the mistakes that can be made is to go too heavily into treatment, which is an expensive program, without guidelines and controls as to who should be treated.
- . Strong support from the top levels of both the executive and legislative departments of government can greatly assist in the development of mutually supportive programs for the criminal justice and health care delivery systems.
- . The Single State Agency should have four foci:
 - Establishing treatment alternatives for persons from the very moment they first have contact with the criminal justice system
 - Establishing treatment services for confined populations and referral of inmates to treatment resources in the free community
 - Establishing orientation and treatment services for institutionalized addicted minors
 - Establishing a program providing training and employment services to inmates in the pre-entry to community phase
- . Domain expansion in both the criminal justice and health care delivery systems is an obstacle to coordination of efforts. Conditions which require analysis are:
 - Jurisdictional ambiguity
 - Real or presumed conflict of interest
 - Legal, technical, or organizational obstacles
 - Perception and communication barriers

- . In the criminal justice treatment system, several behavioral, legal, and structural variables act as deterrents to the improvement of coordination within the system. Barriers must be identified and orderly changes in these areas must be developed if effective coordination between state systems is to be achieved:

- Behavioral Constraints--The agency's self image and the images of other agencies, as well as the conflicting images of the client who straddles both systems
- Legal Constraints--The penal statutes and the criminal procedures under which the system must operate
- Organizational Constraints--The organizational structure and the procedural policies under which the systems must operate

- . A general goal for both federal and state agencies should be the achievement of a broad, functional working relationship between the treatment and criminal justice systems. This relationship should optimize combined results so that each individual system's share in the total payoff would be larger than the individual payoff to each system from independent action. To achieve this general goal, national priorities have to be established by all federal agencies involved to address:

- The establishment of alternative treatment services in coordination with the criminal justice system
- The establishment of national priority research projects to identify present behavioral, legal, and structural barriers
- The development of guidelines for planned, orderly changes in the criminal justice and drug abuse treatment systems.

Because of the press of time, the question and answer period had to be curtailed, however, the panel members were able to share with the Symposium participants some of the experience they had gained in attempting to improve linkages. This presentation of the problems

and issues involved provided an excellent base for the deliberations that followed.

(2) General Overview On National Progress, Problems, Issues
On Guidelines M4100.1E As Seen By Federal, Regional, State
Representatives From LEAA And NIDA

Peter Regner, Chairman
Narcotics and Drug Abuse
Program Coordinator
Law Enforcement Assistance
Administration
Washington, D. C.

Richard J. Russo
Director
Division of Narcotic and Drug
Abuse Control
Trenton, New Jersey

Donald Apai
Assistant Director
Law Enforcement Planning Agency
Trenton, New Jersey

William J. McCord
Director
Commission on Alcohol and
Drug Abuse
Columbia, South Carolina

Lee M. Thomas
Executive Director
Office of Criminal Justice
Programs
Columbia, South Carolina

George Campbell
Regional Administrator
Law Enforcement Assistance
Administration
Boston, Massachusetts

Frederick J. Oeltjen
Chief, State Plans
National Institute on
Drug Abuse
Rockville, Maryland

The purpose of this panel, which was chaired by Peter Regner, was to examine the general relationship between the Federal and state governments and to discuss the progress, problems, and issues connected with the guidelines issued by the Federal government in order to encourage better linkages between the two systems. Discussion of the problems found in implementing the guidelines was centered around the following points:

- . One of the LEAA regional offices conducted a compliance review in its region and found that only one of six states in the region was in compliance with the guidelines for drug and alcohol treatment components. In an analysis of 50 state plans submitted to LEAA, the drug abuse area ranked sixth in a list of the 40 most commonly deficient areas.
- . The lack of compliance with the drug abuse guidelines is the result of several factors:
 - Significant shortfall between available dollars and the expectation of progress
 - Economy of the nation which makes it difficult to find employment for ex-drug abusing offenders
 - Lack of institutional programs and an emphasis on community-based programs
 - Lack of planning for the transition from institutional to community-based services
 - Lack of political support
 - Lack of research
 - Growing demand to make an ever increasing number of commitments beyond existing resources
- . NIDA has joined LEAA in requesting SSA's to join SPA's in developing a joint approach to plan and implement programs for the drug abusing offender, and has asked that future state plans carry a statement of cooperation between these agencies. NIDA feels it is reasonable and feasible for SPA's and SSA's to:
 - Agree on the priority that drug-related crime should have in their states
 - Determine what programs are needed and can be provided with existing resources
 - Report to their respective agencies where additional resources may be necessary

- . NIDA does not dictate what has to be done in planning, but rather suggests what might be done. In the last analysis, it is up to the states to make these decisions. Whatever is done at present will have to be done with existing financial resources.
- . New Jersey, which funded an evaluation project to measure its program for drug abusing offenders, found there was a reduction in the number of arrests following treatment and that treatment did impact on criminality.
- . Four philosophical policy issues which are outside the immediate scope of the guidelines must be considered in fulfilling the intent of the guidelines:
 - The continued social and legal definition of drug use as criminal behavior
 - The differential allocation of resources to the general problems of alcohol and drug abuse in the criminal justice system
 - The extent to which the criminal justice system should be used to impose formal criminal sanctions, including incarceration, on a noncriminal drug user
 - The lack of knowledge about the relationship between substance use and property offense
- . There are two kinds of information which are essential but which are not required by the guidelines:
 - The formal and informal rules and criteria which define how a person in the criminal justice system is moved from one phase to another
 - Alcohol, drug abuse, and criminal data from all funding sources, not just LEAA Part E block grants
- . There is a problem of "overkill" in guidelines from the Federal government. It is understandable that the Federal government, responding to Congressional pressure, Congressional activity, special interests, group pressure, etc., would issue the guidelines. But at the state level,

where they must be implemented, there may be different priorities. A state which has just reached the point of being able to determine how many people are in its prisons will not recognize the need for specialized services for specific types of offenders.

- . There is also a problem of the confusion between comprehensive planning and comprehensive funding. Everyone feels that because input, cooperation, and coordination from all parties is desired, all parties should receive a part of the funding. The end result is a thin slicing of the dollars available.
- . The White Paper and this Symposium do not represent the small states. The White Paper advocates dealing with offenders who use a specific drug. In South Carolina, for example, 55 percent of all arrests in the criminal justice system are for alcohol, 5 percent for other drugs, and less than 1 percent for narcotics. These statistics imply that in some states there is a need to consider the problems of the alcohol abusing criminal offender as well as the drug abusing criminal offender.
- . The United States cannot pay the price for health care, nor can it pay the price of correctional care. New strategies which are more oriented to prevention, diversion, and early intervention must be developed.

This panel presented another facet of the problems and issues on both federal and state levels of government involved in the improvement of linkages between the two systems, that of trying to implement the federal guidelines at the local level. The frank presentations made by these very capable persons who have been involved in this process added to the necessary framework for discussion.

(3) General Overview On The Current State Of The Knowledge On The Relationship Between Crime And Drugs

Peter Regner
Chairman
Narcotics and Drug Abuse Program Coordinator
Law Enforcement Assistance Administration
Washington, D.C.

John C. Ball, Ph.D.
Professor of Sociology
Department of Psychiatry
Temple University Hospital
Philadelphia, Pennsylvania

Duane C. McBride
Deputy Director
Division of Addiction Sciences
Department of Psychiatry
University of Miami, School of Medicine
Miami, Florida

Both Dr. Ball and Dr. McBride have had long experience in researching the relationship between drugs and crime, and their presentations were designed to provide the Symposium participants with the most current and valid data on the relationship between drug abuse and crime rates.

Summary Of Presentation By Dr. Ball--In his presentation, Dr. Ball pointed out that the United States has a long history of drug abuse and, from a research standpoint, this offers the advantage of data going back a hundred years. However, the relationship between crime and drug abuse is not solely an American problem, but rather an international problem. The United States must look not only to its own history, but to what is going on in other parts of the world. In doing this, cultural differences and their impact must be taken into account. Also, there is a need for more specific and careful definition of the problem in research on the relationship between crime and drugs.

Dr. Ball addressed the question of the extent to which persistent heroin use leads to an increase in criminal activity in the United States at the present time. Two main elements are involved in answering this question: designation of the precise population involved, and the relationship between crime and drugs as it relates to the time period and geographic place when impact occurs. In this framework, some of the things which have been learned about drug problems are:

- Drug abuse, particularly heroin abuse, has increased greatly in the United States in the past 10 years.
- Most heroin addicts in the United States are deeply involved in crime.
- The extent and type of crime committed by these addicts varies by population and locale.
- Opiate use can be transitory and therefore of little consequence with regard to criminality.
- The majority of heroin users are not interested in seeking treatment.
- Daily heroin use increases criminality severalfold.
- Drug abuse treatment programs do reduce criminality of addicted persons while they are in treatment.

In interpreting these facts in terms of what might be done in the future, Dr. Ball suggested that the law enforcement and correctional effort should be focused on the more seriously involved hard drug users, rather than the occasional user or marihuana user. He further stressed the importance of recognizing that there are different criminal and noncriminal groups among heroin addicts. Rehabilitation, education, medical care, and counselling should be focused upon the less hard-core criminal groups. The challenge is to design appropriate treatment and rehabilitation plans for both types of clients.

In summation, Dr. Ball stressed the need for perseverance and cooperation and stressed especially the need for continued research to determine whether or not treatment or incarceration works and for whom.

Summary Of Presentation By Dr. McBride--Dr. McBride indicated that many community treatment programs engage in extensive outreach efforts to contact drug users in need of treatment services, often overlooking one of the most important sources of clients needing services, the criminal justice system. Because of the strong relationship between crime and drug abuse, the criminal justice system comes

in contact with a number of persons whose drug use is causing them serious problems. While there is disagreement as to exactly how the linkage should be made, there is justification for assuming the validity of such a linkage.

In an attempt to estimate the extent and distribution of current drug use patterns in an arrested population as well as the characteristics of the users, a study was carried out at the Miami (Dade County), Florida TASC program. Drug use and basic demographic data were collected from 5993 individuals during a one-year period as a part of the routine booking process. Of this group, 18 percent used no drugs, 16 percent used narcotics, 12.5 percent used stimulants, 9.7 percent used tranquilizers, 46.7 percent used marihuana, and 9.5 percent used other illicit drugs.

Data indicate that heroin users were not being arrested primarily just for use (about 7 percent), but for crimes they committed which may result from heroin use. Almost 40 percent of the illicit drug users and over 50 percent of the heroin users were charged with income-producing crime, compared to less than a third of the nondrug users. The demographic data imply that those with fewer educational and economic skills were more likely to be drug users, even in an arrested population.

The data have major implications for the liaison between the criminal justice and treatment systems, indicating clearly the extent of the relationship between drug use and property crimes. Drug users comprise the population in the criminal justice system which causes most of the social problems, is most in need of treatment services, and will be most difficult to treat.

The presentations of Dr. Ball and Dr. McBride concerning the relationship between crime and drug abuse provided a perspective not ordinarily acquired in the day-to-day efforts of the practitioners.

(4) State/Local Models/Linkages As Seen By Criminal Justice/
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The purpose of this panel presentation, chaired by Carl Hampton, was to elicit from representatives of every component of the criminal justice system and the drug abuse treatment system their views on the progress, problems, and issues encountered in developing linkages between the two systems. Each panelist discussed the issues from the point of view of the experience he/she had gained in working in his/her own discipline. The major points of the presentation were as follows:

- . The prosperity period in drug abuse treatment is ending. Funds will be more difficult to obtain from all sources, and administrators of programs will have to mobilize their resources in the most efficient manner possible.
- . The TASC effort has been successful and has benefits for all concerned: judges, prosecutors, police, probation officers, institutional officials, and drug abusers. There remain, however, many problems to be worked out, such as lack of communication between various systems, and differing expectations and goals.
- . There is a need for those individuals at all levels who are working with the drug abusing offender to be aware of and sensitive to the needs and problems of their communities and to treat the offenders as individuals with these problems in mind.

- . The need for greater appropriations for the treatment of the drug abusing offender was apparent to all members of the panel. Members from all disciplines represented reported that staff restrictions and shortages of treatment funds have greatly limited the service they could extend to the drug abusing offender and the community that is adversely affected by his behavior.
- . In addition to the need for funds, the panel saw a need to have funds available that were not appropriated in response to a specific piece of legislation. Legislation very frequently dictates the treatment to be given, and this is often not consistent with the state of the art.
- . There is a need for a reevaluation of treatment goals to determine who is treatable and who is not, and what can realistically be offered to each individual that will be beneficial to him while at the same time permitting an efficient deployment of resources.

This multidiscipline presentation of the issues and problems involved in the improvement of linkages between the two systems provided the Symposium participants with still another set of considerations concerning ways in which these linkages can be strengthened. The questions put to the panel by the Symposium participants reflected the interest of the group in this presentation and its value to the participants.

(5) Presentation And Status Report On DEA-Sponsored Local Criminal Justice Conferences

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Beginning in 1970, the Drug Enforcement Administration funded and developed the DEA Criminal Justice Community Program. DEA was joined in the second phase of this effort by the National Association of State Drug Abuse Coordinators. The basic mission of this program was to bring together the criminal justice representatives in the community to participate with other community program personnel working with problems of drug abuse in order to stimulate local effort and cooperation. Seminars were held in 40 of the 50 states with a total of 3,525 people attending who represented a broad spectrum: criminal justice, treatment, local elected officials, local community organizations, ministers, and other concerned groups. The seminars were held after a 90-day planning period, during which time clearance and support were obtained from the highest political level possible, usually the Governor.

The presentation of this panel was planned to bring to the attention of the Symposium participants the detailed experience of one community that took part in such a seminar. The seminar was held in Tucson, Arizona in the fall of 1974, and was organized by the Community Organization for Drug Abuse Control (CODAC). A wide range of persons involved in the criminal justice-drug abuse problem in Tucson attended. This seminar provided a forum for the face-to-face sharing of different perspectives concerning the drug abuse-crime problem and enabled participants to develop relationships with their

counterparts from other groups. Attention was focused on common concerns and problems, overlapping funding cycles, and planning processes. The relative priority of heroin or marihuana use as a problem area was discussed, along with the relative merits of treatment versus arrest and punishment.

Persons who engaged in this seminar came away with a better realization of the problems the criminal justice and treatment communities have in communication. They also learned ways of overcoming these difficulties.

It was observed that unless the problem of communication is overcome, criminal justice and treatment communities will be in competition with each other for funds, community acceptance, and even clientele. It was felt that an experience such as provided by this seminar would be a good basis for communication in developing a state plan for the two systems. A direct outgrowth of the Tucson seminar was the formation of a Criminal Justice Advisory Subcommittee and the support that was necessary to apply for a TASC grant.

This panel discussion provided the Symposium participants with a case study of a well-planned and executed attempt at bringing together the persons in a community who could initiate a specific program for the improvement of linkages within their community.

III. ISSUES AND RECOMMENDATIONS: SUMMARY OF THE REGIONAL TASK-ORIENTED DISCUSSION GROUPS

A myriad of issues and concerns were discussed during the National Symposium on the Drug Abusing Criminal Offender. While the issues and questions were many, wide-ranging, and individually important, the comments which follow attempt to highlight those generic concerns which received a considerable amount of attention and discussion from several working groups.

One of the most important aspects of the Symposium was to provide a forum which allowed for maximum input and a thorough discussion of the issues by the participants. The selected format utilized small working sessions composed of various state and local representatives to convene in the afternoons immediately following the general sessions. Seven discussion groups with an average of 25 participants each were formed, based on considerations such as geography, complexities of the two state systems (drug abuse and criminal justice), potential similarities on jurisdiction issues, and anticipated agency representation. These groups remained intact throughout the Symposium with very few modifications. (A list of the composition of the workshop groups by state with the names of the facilitators and recorders is presented as Appendix C.)

The working sessions were viewed principally as a vehicle for eliciting ideas and concerns specifically applicable to the agencies and jurisdictions represented, issues which appear to impede cooperative agreement between the health care and criminal justice systems. Each of the participants was provided with orientation materials which included policy and

program concerns, case study activities, and other problem areas generally recognized as issues relevant to drug abusing offenders. While discussion possibilities within the working sessions seemed almost limitless, concerns delineated in the orientation package served primarily as points of departure. In addition, participants were expected to utilize the major addresses and panel presentations as a catalyst for workshop discussions. A general discussion took place on the last morning of the Symposium in order to obtain consensus on the issues.

Each working session was led by a group facilitator and recorder whose primary responsibilities were to ensure direction and refocus discussion, where appropriate. They also were asked to summarize and report out group results to the general body of the Symposium. The first workshop session followed the planned format and included a comprehensive reporting-out and discussion by each group facilitator and recorder. Due to considerations of time, the second session was delayed to the extent that the reporting out and general discussion process took place on the morning of the third day, and was conducted by the program moderator, Steve Glenn. The discussion and third work session were encumbered by substantial time delay factors. The consequences of the delays cited above served to inhibit the kind of extensive exchange envisioned for the Symposium participants. However, the general session summaries and records kept by the workshop recorders served to facilitate communication among conference participants.

At the end of each day, a Daily Bulletin incorporating workshop discussions was prepared by the program moderator and Macro Systems and distributed to Symposium participants prior to the next morning's meeting. (Copies of the Daily Bulletins are presented as Appendix D.)

There was an evolution in the focus of the three workshop sessions during the Symposium. The first session was oriented primarily to an identification of issues and problems relevant to interface between the criminal

justice and drug abuse systems. Participants were directed in the second workshop session to focus their attention on the formulation of specific recommendations to overcome the problems identified in the first session. The objective of the third session was to bring participants together with counterparts in their own states to outline specific steps to be taken toward interface in their own states.

There was a great deal of variation among the discussion groups in their focus and thus a wide range of concerns and recommendations for future action and consideration was proposed. This summary highlights many of these issues, including additional comments which appear to be relevant to the discussion. While the concerns and comments varied widely, most seemed to fit into five general topic areas:

- . General Comments
- . Administration
- . Planning and Coordination
- . Implementation
- . Unresolved Issues

1. GENERAL COMMENTS

Symposium participants clearly represented a broad spectrum of interest and experience as well as geography. It was immediately apparent that the working sessions reflected various levels of concern and awareness regarding issues. Some participants were in the initial stages of conceptualizing linkages, while others appeared well advanced in the process, even exceeding in several instances federal response.

Participants voiced several concerns which seemed clearly attributable to a perceived lack of leadership and initiative at the federal level. Each group, almost without exception, articulated concerns regarding the apparent absence of viable federal direction and commitment.

Finally, it was noted that substantial philosophical differences between the two systems represent major obstacles to effective linkages. Policy initiatives to accommodate this concern should receive priority attention--at the national level.

2. ADMINISTRATION

The question most often raised, "Why are state and local government bodies expected to accomplish what the Federal government cannot or will not?" provides some understanding of the notion that a definite lack of leadership and commitment exist. Recognizing that operational and conceptual differences are inherent in the respective systems, it seems clear that basic accommodations are necessary around common areas of concern. The Executive Branch or Administration must make clear whether it supports a national policy of treatment on a par with enforcement for drug abusers. It was felt that mixed signals are now being received and misread within state and local jurisdictions. Therefore, rethinking of the respective national policy and decision-making apparatus should include, at a minimum, the following considerations:

- . Clarify operational definitions, i. e., crimes involving drugs or drug use per se as a crime
- . Reduce necessity for turf safeguarding
- . Utilize scarce resources effectively
- . Discourage competition at all levels of government
- . Ensure consistency of national policy interpretation and goals
- . Provide incentives consistent with national policy--to include at least monetary, program, and technical assistance considerations

3. PLANNING AND COORDINATION

Several other concerns were expressed in the working sessions which are related to planning. These issues were: designation of lead responsibility, maximizing of past experiences, and development of guidelines and regulations which convey clear program parameters and expectations, yet are flexible enough to allow for individual state and local priorities. Participants emphasized the lack of clarity in planning, repeatedly citing variances in the Part E Guidelines, the Federal Funding Criteria (FFC), and NIDA and SSA planning mandates as typical. In redirecting the planning and coordination process, Symposium participants consistently reiterated the following needs:

- . Strengthen SSA and SPA relationship through provisions for joint research, training, planning, and funding
- . Clarify the roles of NIDA and LEAA with respect to common direction, executive policy, state and local input to guidelines, and advocacy for treatment resources
- . Include representation from both the criminal justice and health care systems on NIDA's Criminal Justice Advisory Board
- . Consider designating SSA as the lead agency in developing criminal justice/treatment linkages
- . Consider guidelines for interagency agreements which allow for informal as well as formal arrangements
- . Reexamine federal requirements in an effort to reduce conflicts and inconsistencies, and to increase their relevance to specific problems, such as urban-rural, heroin-polydrug, etc.
- . Examine the appropriateness and potential benefits of institutional-based treatment as well as community-based treatment

- . Examine methods to promulgate more clearly policy and other relevant criteria, including feasibility of an advisory board of SSA/SPA directors
- . Require federal agencies to coordinate all drug and alcohol activities with the SSA or appropriately designated lead state agencies

4. IMPLEMENTATION

Conference participants seemed very cognizant of possibilities for improvement of operational activities, particularly in light of dwindling resources. The range of concerns discussed included forced compliance with guidelines and regulations, reexamination of reporting and review requirements, development of new requirements where appropriate, and more effective use of present staff and resources. Several groups noted that all the above measures could be achieved within the present framework of laws and regulations, but would require increased incentives and enforcement efforts at the federal level, as well as renewed leadership at the state level.

It was further agreed that Part E compliance efforts have been far less successful than their treatment counterpart (FFC), due in large part to the fact that they were never uniformly applied. In fact, a recent LEAA survey of one region found only one state in satisfactory compliance with Part E guidelines.

The concerns which emerged from this working session suggest that substantial attention be given the following considerations:

- . All existing laws and regulations should be applied to federal and state agencies alike.
- . State governors should be required to create state level offices to ensure improved coordination, joint planning, and joint action.

- . Part E compliance regulations should be uniformly and stringently enforced by the Federal government among the states and appropriate agencies.
- . Allocation of federal dollars and resources to SSA's and SPA's should be contingent upon compliance with linkage requirements.

5. UNRESOLVED ISSUES

Many concerns emerged during the working sessions which were discussed at length and on which it was difficult to achieve consensus. While most issues are in fact related to previous areas of discussion, they tend to have much broader implications and arise from basic philosophical differences. An issue which appeared most disconcerting involved the criminal justice interpretation of prevention. Prevention for most law enforcement agencies still appears tantamount to traditional "catch and punish" activities. Views expressed during group discussions suggest the need for restating prevention concepts first at the federal level, perhaps influencing the posture of law enforcement. It was suggested that NIDA and LEAA undertake lead responsibility to articulate this concern more effectively.

On the other hand, some federal policymakers, confronted with so little progress in the face of repeated federal requirements, have begun to question seriously the limits of federal authority. While most participants concurred that both state planning units have the drug abusing criminal as their mutual responsibility, some felt that official indifference at either the federal or state level combined with severe fiscal constraints mitigates against any major new initiatives. Most participants perceived role conflict between the federal and state governments and expressed a need for clarification of this most difficult area.

Other more tangible problems at the state and local level will require continuous deliberations between the two systems. The lack of frequent

communication, different values and priorities, and--to some extent--mutual distrust are substantial impediments that cannot be eliminated at one meeting. For example, some representatives of the drug treatment system seriously questioned whether there is any need, given the inherent limits of institutional treatment, to become involved in institutional treatment programs. However, some representatives of the criminal justice system expressed the need for immediate assistance in that area. Both generally concurred in recognizing the need for closer working relationships with the law enforcement and judicial components of the system.

In spite of these difficulties, there is reason to believe that other developments taking place throughout the country will offset these impediments and may well combine to support the initiative begun at Reston. Severe budget constraints on both systems, the national mood for governmental reorganization, and the drive to decentralize governmental services all seem to highlight the need for joint planning.

In summary, participants recognized the need for continuous "good faith" bargaining and seemed committed to work toward a truly integrated state crime control and drug treatment program.

IV. A LOOK TO THE FUTURE

There are many important new developments taking place on both the federal and state level to continue the initiatives begun at Reston.

At the federal level, the new Office of Federal Drug Management within the Office of Management and Budget (OMB) and the House of Representatives Judiciary Committee (both of which were represented at the Symposium) continue to express an active interest in this area. The Cabinet Committee on Drug Abuse Prevention has established a Criminal Justice Subcommittee, chaired by a representative from OMB, and has commenced a critical review of compliance with White Paper recommendations.

The Judiciary Committee, in a determined effort to act on the Symposium's recommendation for coordinated federal requirements, has amended LEAA's enabling legislation [H. R. 13636 Part C Section 363(b)] to require SPA state plans to include an identification of the needs of the drug abusing criminal offender as well as procedures for SPA/ SSA coordination, such as those presently required of SSA's under NIDA's Single State Agency Notice No. 34. While the legislative process has not yet been completed, these provisions have passed both the House and Senate and the legislation is now under consideration of the joint House-Senate Conference Committee.

In addition, the Criminal Justice Advisory Board and NIDA are sponsoring three regional conferences to assist State Criminal Justice Planning Agency and Single State Agency representatives to address practical planning concerns at the state and community levels and to continue development of action strategies for cooperation. To undertake this important project, NIDA has awarded a contract to the National Association of State Drug Abuse Program Coordinators (NASDAPC) and Macro Systems, Inc., to coordinate the planning and assist in the conduct of these conferences.

These regional conferences will provide a unique opportunity for SPA's and SSA's to discuss specific problems and practical alternatives in developing action strategies in their own states. To ensure that each conference is responsive to the needs of attending states, it will be essential that these states be substantially involved both in conference planning and in the conduct of the conference.

To reassert its support of this initiative, NASDAPC has established a Criminal Justice Subcommittee to ensure continued progress in furthering these initiatives.

The above are some of the more important developments taking place.

Many SPA's and SSA's have contacted NIDA and LEAA since the Symposium and requested assistance in commencing the process of joint planning. In response to these inquiries, the following outline has been set forth for SPA/SSA consideration, as appropriate:

- . The SPA/SSA should review all available reference materials, consult with their advisory boards, and adopt a formal statement of intent which clearly stipulates the specific role and intent of SSA involvement with the criminal justice system (direct service, technical assistance, training, monitoring, evaluation, consultation, etc.).
- . The SPA/SSA should identify an employee or unit which has primary responsibility for interface among the two agencies.
- . The SPA/SSA should establish some permanent administrative apparatus (Interagency Criminal Justice Task Force, etc.) that will provide a means for information exchange, joint planning, etc.
- . The SPA/SSA should ensure that the SSA drug abuse treatment plan is compatible with the SPA plan.

- . The SPA/SSA should consider the Federal Funding Criteria as the minimum standard of performance for treatment support of the criminal justice system and privately funded programs.
- . The SPA/SSA is encouraged to stimulate standard setting through licensure, legislative advocacy for restrictive law reform, and improvement of service delivery support through training, research, and relevant technical assistance programs.

This chapter has presented a brief outline of the Federal government's responses and initiatives to reinforce the progress toward interface between the criminal justice and drug abuse treatment systems begun at Reston. NIDA and LEAA remain committed to continued progress in this area.

When combined with state and local activities nationwide, *the future looks promising.*

APPENDIX A

NATIONAL ISSUES AND STRATEGIES SYMPOSIUM
ON THE DRUG ABUSING CRIMINAL OFFENDER

LIST OF PARTICIPANTS

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2. PARTICIPANTS (Presenters Noted *)
 - (1) Federal Government Representatives
 - (2) National Organizations Representatives
3. CRIMINAL JUSTICE ADVISORY BOARD (Symposium Participants Noted **)

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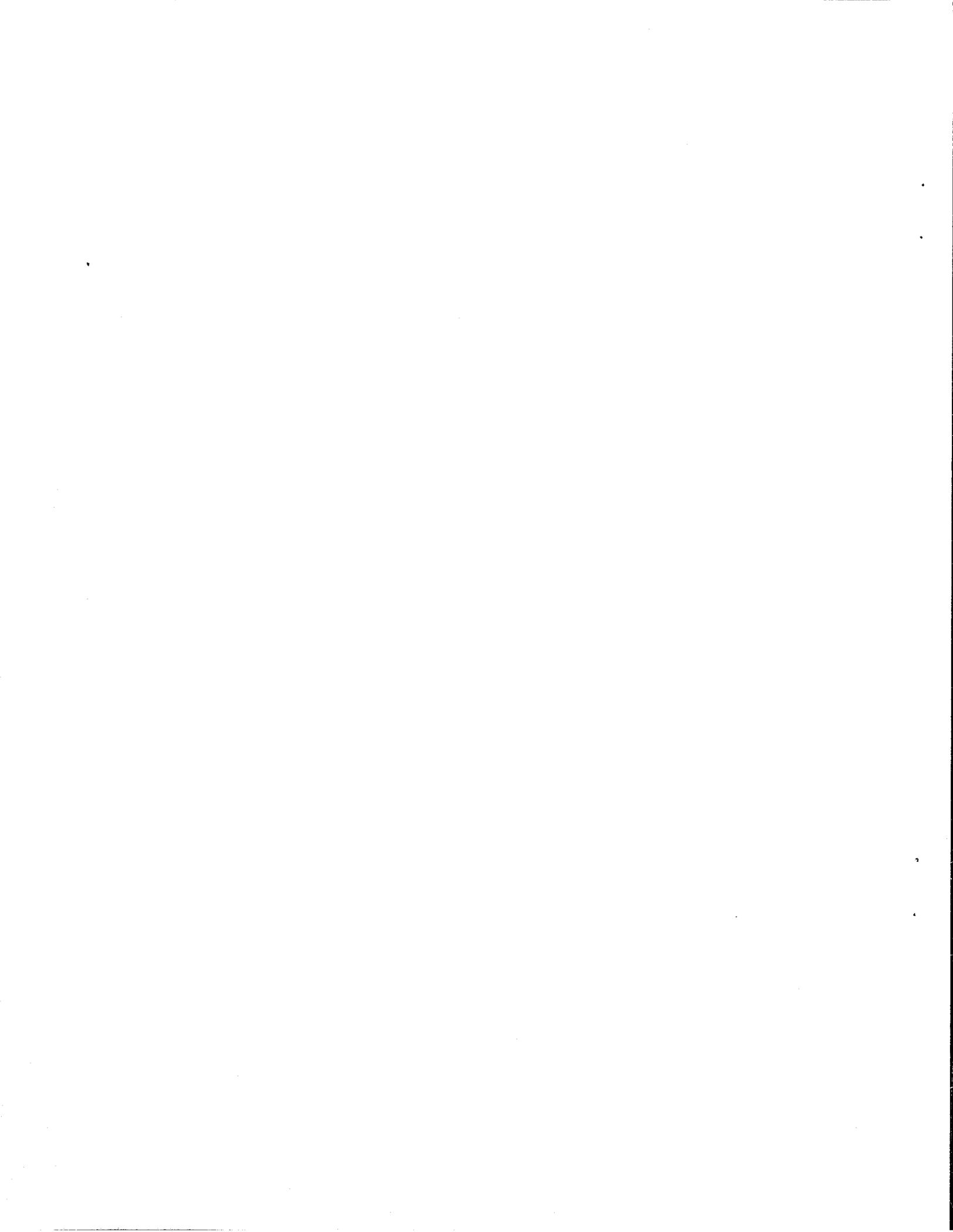
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APPENDIX B

ANALYSIS OF STATE REPRESENTATION

NATIONAL ISSUES AND STRATEGIES SYMPOSIUM ON THE DRUG ABUSING CRIMINAL OFFENDER
ANALYSIS OF STATE REPRESENTATION

State	Governor's Office/ Executive Branch	Single State Agency		State Planning Agency		TASC	Bureau of Prisons	U. S. Probation Office	Judges	Other*	Total Representation
		Office of the Director	Staff	Office of the Director	Staff						
Alabama						1		1		1	3
Alaska		2									2
Arizona		1				2		1	1	2	27
Arkansas		1	2								3
California	1					4		1	1	2	9
Colorado			2	1		1				2	6
Connecticut	1	1					2				4
Delaware			3								3
Florida			1					1		2	4
Georgia			1			1				1	3
Hawaii											0
Idaho											0
Illinois		2		1		1		2			6
Indiana			1			1					2
Iowa			1		1	1				1	4
Kansas											0
Kentucky			1								1
Louisiana		1				1					2
Maine											0
Maryland			3		1					8	12
Massachusetts					1						1
Michigan					2	1		1		1	15
Minnesota			1							1	2
Mississippi		1									1
Missouri		1				1					2
Montana											0
Nebraska											0
Nevada						1					1
New Hampshire		1									1
New Jersey		1	2	1		2		1	1	2	10
New Mexico										1	1
New York		1								3	4
North Carolina			1								1
North Dakota											0
Ohio	1		1			3				1	6
Oklahoma			1	1							2
Oregon			2							1	3
Pennsylvania		1			1			1		4	7
Puerto Rico		1		1		1					3
Rhode Island						1					1
South Carolina		1	1	1							3
South Dakota		2		1							3
Tennessee		1	1			1					3
Texas			1	1		1		2		1	6
Utah		1				1					2
Vermont				1							1
Virginia		1	2		1					4	8
Virgin Islands											0
Washington			2		1					1	4
Washington, D. C.			1		1			1		2	5
West Virginia			1	1							2
Wisconsin			1			1				2	4
Wyoming											0
Totals	3	21	35	10	9	27	2	12	3	44	163

* Federal Government, National Associations, etc.

APPENDIX C

COMPOSITION OF WORKSHOPS BY STATE

COMPOSITION OF WORKSHOPS BY STATE

1. GROUP I--25 Participants

- (1) Facilitator--Ronald Scott, Ph.D.
- (2) Recorder--Avis Pointer, Ph.D.
- (3) Participating States

- . Arizona
- . Connecticut
- . District of Columbia
- . Hawaii
- . Idaho
- . Maine
- . Massachusetts
- . Nevada
- . New Hampshire
- . New Mexico
- . Oregon
- . Puerto Rico
- . Rhode Island
- . Vermont

2. GROUP II--24 Participants

- (1) Facilitator--Christopher Faegre
- (2) Recorder--Beverly Geeslin
- (3) Participating States

- . California
- . New Jersey
- . New York

3. GROUP III--25 Participants

- (1) Facilitator--Carl Leukefeld
- (2) Recorder--William McEwan

(3) Participating States

- . Illinois
- . Ohio
- . Pennsylvania
- . Washington

4. GROUP IV--25 Participants

- (1) Facilitator--Mildred Henderson
- (2) Recorder--Phil Bigger
- (3) Participating States

- . Arkansas
- . Delaware
- . Kentucky
- . Maryland
- . Tennessee
- . West Virginia

5. GROUP V--25 Participants

- (1) Facilitator--Conrad McGovern
- (2) Recorder--Leslie Overstreet
- (3) Participating States

- . Alabama
- . Georgia
- . Louisiana
- . Mississippi
- . North Carolina
- . South Carolina
- . Virginia

6. GROUP VI-- 27 Participants

- (1) Facilitator--Martha Mitchell
- (2) Recorder--William Parker
- (3) Participating States

- . Alaska
- . Colorado
- . Iowa
- . Kansas

- . Minnesota
- . Montana
- . Nebraska
- . North Dakota
- . Oklahoma
- . South Dakota
- . Utah
- . Wyoming

7. GROUP VII--25 Participants

- (1) Facilitator--James Weissman
- (2) Recorder--Donna d'Almeida
- (3) Participating States

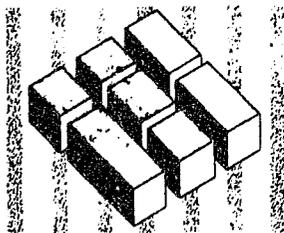
- . Florida
- . Indiana
- . Michigan
- . Missouri
- . Texas
- . Wisconsin

APPENDIX D

DAILY BULLETINS

THURSDAY, APRIL 22, 1976

FRIDAY, APRIL 23, 1976



National Issues and Strategies Symposium on the Drug Abusing Criminal Offender

No. 1

Thursday, April 22, 1976

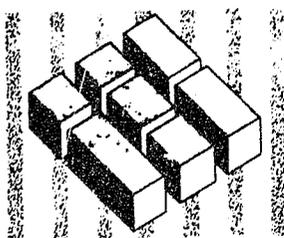
Several concerns emerged during the first day of the Symposium which were reported out by more than one group following the afternoon workshop sessions. Twelve of the most salient concerns are presented below.

1. The guidelines, funding, and planning processes may not be relevant to the issues and priorities of nonmetropolitan or small states. How can these guidelines be made more flexible and facilitative of individual state interpretation?
2. The guidelines may be inappropriate for non-narcotic problems. How can other substance problems, such as alcohol and polydrug abuse, be accommodated?
3. There is a lack of linkages at the level of federal agencies and regulations. How can these be developed? What are possible areas for standardization?
4. LEAA appears to have limited commitment to the concept of interface between agencies. How can a more supportive commitment be developed? What initiatives might be taken by participants with respect to their counterparts in their home states as a follow-up on the goals of the Symposium?
5. The value of providing treatment in existing institutional programs may have been overlooked in favor of community-based treatment. If treatment in such settings is appropriate, where should it take place? How should it be carried out?
6. The process by which priorities are established needs to be analyzed both in terms of (1) where they currently originate and (2) where they should best originate. How can more locally and regionally responsive mechanisms for the setting of priorities be developed?
7. There is a disparity between the SPA's and SSA's with respect to focus and concerns, with the interests of the SSA's being more narrowly defined. How can common directions be better developed? Should linkages be formal or informal? What agencies or sub-agencies are actually involved/should be involved with substance abuse? How can their mutual roles be better defined?

8. Agency philosophical differences require resolution. What accommodation can be made between treatment vs punishment orientation? Is the concern for "crimes involving drugs" or for "drugs involved in crimes?" What is the area of agreement between agencies?
9. Agency concerns for the protection of their own "turf" work against the effective discharge of the public trust and also prevent effective utilization of limited resources. How can the responsibility for a problem be decided? How can imbalances in funding and allocations be corrected? How can competition be discouraged and cooperation promoted? Which agency should take the lead?
10. There is a lack of understanding of regulations and criteria for evaluation. How can federal policy be clarified? How can criteria be better communicated? Which aspects are mandated and which are subject to negotiation? How can time tables for compliance be established?
11. Federal leadership, cooperation, and support with respect to the states would be more effective than mandates, which are often not appropriate to individual state's needs. How can this relationship be achieved and/or enhanced? How can joint funding be accomplished (1) between federal agencies, (2) between federal and state agencies, and (3) between groups of states?
12. Information reporting and sharing between treatment and justice systems needs to be improved. How can communication be improved particularly within the context of the confidentiality regulations?

This summary of some of the concerns emanating from the first day of the Symposium is provided to establish the focus for today's workshop activities. It is anticipated that participants will direct their attention to the development of specific recommendations and proposals to help to resolve the issues raised above.

Dr. Charles Newman, Pennsylvania State University, who just completed an LEAA-funded survey of drug treatment resources in county jails, is available for further consultation during discussion groups (Room H).



National Issues and Strategies Symposium on the Drug Abusing Criminal Offender

No. 2

Friday, April 23, 1976

During the second day of the Symposium, emphasis was placed on development of specific recommendations in response to the issues and concerns expressed on the previous day. Numerous initiatives and sound recommendations emanated from the workshop discussions of the day. Those which received substantial support across several discussion groups are summarized below.

1. Guidelines

- . Flexibility should be built into guidelines, funding, and planning processes with respect to the following variables:
 - Urban/rural settings
 - Male/female clients
 - Minority/nonminority populations
 - Different classes of substances
 - Different patterns of service delivery
- . Individual states should negotiate guidelines with federal agencies prior to planning.
- . States should have input into the formulation of guidelines.

2. Regulations

- . Regulations from different federal agencies should be standardized with respect to:
 - Reporting requirements
 - Similar review dates
- . Regulations should provide for multi-year rather than one-year planning.
- . Existing regulations should be enforced.
- . Requirements of federal agencies should be examined to remove conflicts, inconsistencies, and obstacles to interface.

3. Federal Linkages

- Apply existing laws and regulations to all federal agencies currently providing services within states (e.g., VA, military, federal corrections, etc.).
- ODAP should be fully funded and supported.
 - Adequate staff and resources
 - Special emphasis on criminal justice/drug abuse treatment interface
 - Advisory board of SSA/SPA directors
- Criminal justice advisory boards at all governmental levels should include adequate representation of health care delivery agencies and vice versa.
- All federal agencies should coordinate drug and alcohol activities with the designated SSA.

4. Initiative

- Single State Agencies should take the initiating role in planning and developing criminal justice/treatment linkages.
- NIDA's role should be clarified with respect to administration of executive policy or advocacy of increased treatment resources.

5. Joint Initiatives

- To strengthen the relationship between SPA's and SSA's, joint efforts should be undertaken in the following areas:
 - Research (e.g., needs assessment for the criminal justice system)
 - Training (e.g., a training center serving personnel from both criminal justice and treatment)

- Planning
- Funding

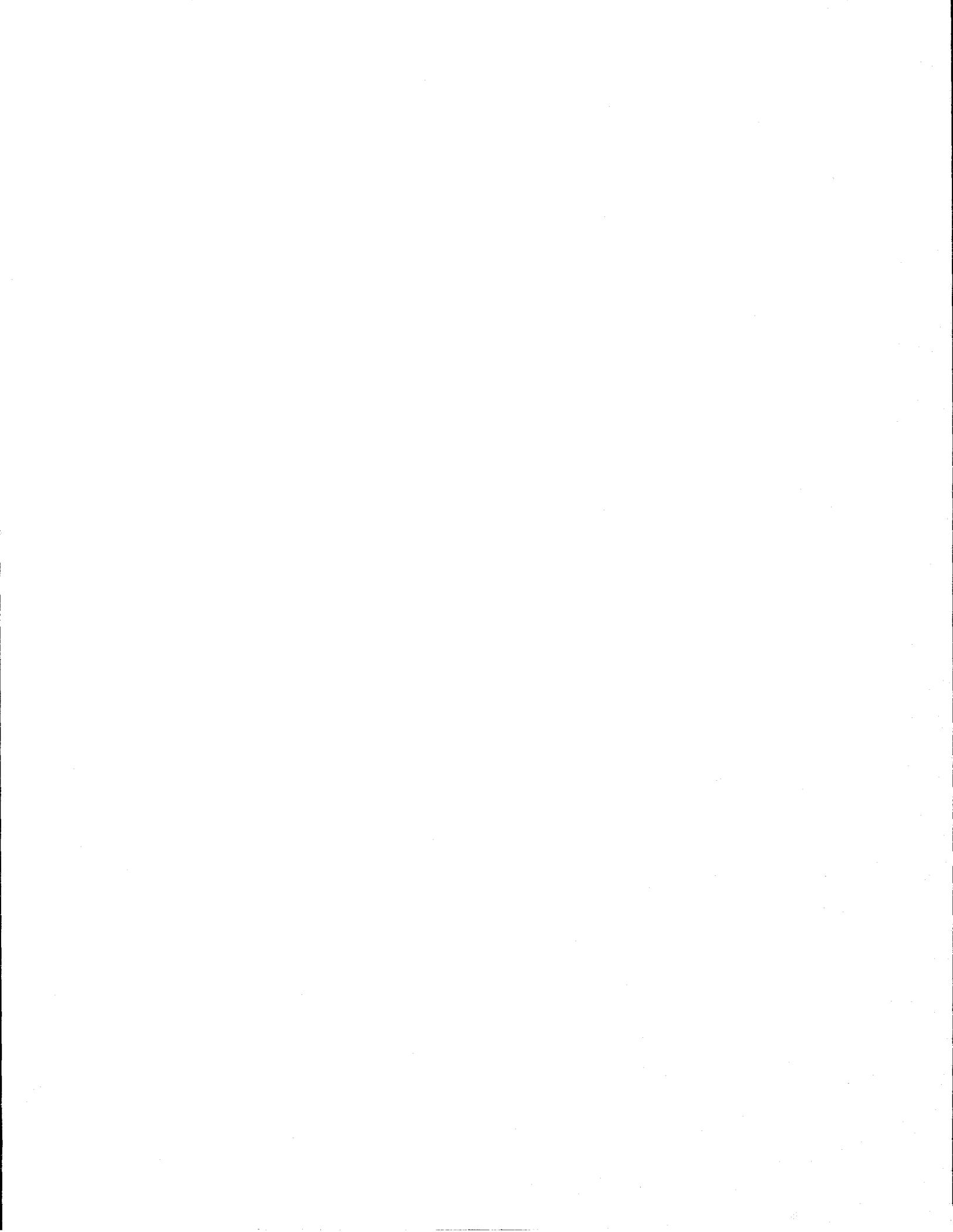
6. Compliance

- . Monies to both agencies (SPA's and SSA's) should be made contingent upon compliance with linkage requirements.
- . Enforce uniform compliance of the Part E Regulations stringently at the federal level across agencies and states.
- . Designate a specific individual within the Office of the Regional Commissioner to expedite linkages within constituent states.
- . State governors should be required to create state-level offices to ensure linkage building.

7. Priorities

- . The White House should issue a new interpretation of White Paper priorities (the Administration talks treatment, but emphasizes enforcement).
- . Elevate treatment in LEAA priorities.
- . Demonstrate greater commitment on the part of LEAA to the interface concept.

The key to implementation of recommendations lies in the development of appropriate linkage strategies. This morning's workshop will be devoted to identifying strategies for strengthening linkages in each state.



END