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X PUBLIC INEBRIETY IN SAN DIEGO COUNTY:
POLICE ARRESTS AND DIVERSION OPPORTUNITIES

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ACQUISITIONS

Introduction

This paper focuses on three aspects of public inebriacy in San Diego County: (1) a law enforcement understanding of public inebriacy, (2) a sociological understanding of public inebriacy, and (3) a geographic understanding of public inebriacy. Each aspect is studied in terms of its definition, profile, and response to the "problem." The purpose of this paper is to define and describe public inebriacy in San Diego County and thereby promote public discussion regarding alternative responses.

Background and Definition

Although public inebriacy may appear to be a relatively minor problem to society--it is technically a "victimless crime" and public attitudes toward addressing the problem are unfocused--recent news reports in San Diego have identified the significance of the problem in terms of its cost to law enforcement, its contribution to jail overcrowding, and its potential interference with the implementation of the Gaslamp District and Horton Plaza redevelopment projects in downtown San Diego.

Until very recently, public inebriates constituted nearly 50% of all arrests in both California and San Diego County. These arrests accounted for approximately 25 percent of all law enforcement costs (arrests, court processing and incarceration). As noted in a 1975 report by Sacramento County, the problem of public inebriacy is a simple one from the law enforcement perspective. When a person is intoxicated in public, he/she is in violation of California Penal Code 647(f) and is subject to arrest. This provision of the Penal Code was enacted shortly after Statehood and most probably reflected the then prevailing notion of what was acceptable behavior in public and what was not. However, in the

intervening years, its application extended beyond the basic issue of public morality to encompass economic considerations (complaints by merchants), statistical considerations (to some, numbers of arrests demonstrate police responsiveness), humane considerations (protective custody of persons who are a danger to themselves), and other factors (associated with "attitude" arrests).

While many citizens are guilty of being intoxicated in public at one time or another in their lives, usually only the most highly visible are arrested--generally the poor and the homeless. Typically "street drinkers" are concentrated in the "skid row" areas of larger urban areas on the fringe of the central business district, e.g., south of Market and the Tenderloin in San Francisco, Fifth Street in Los Angeles, south of Broadway in San Diego. Street drinking appears to be an acceptable norm of community behavior and not subject to strict law enforcement intervention in portions of some communities (reportedly, some areas of Southeast San Diego), while in other areas enforcement is strict.

In San Diego County, persons picked up for public inebriacy by law enforcement may be diverted to a unique alcoholism program known as the Inebriate Reception Center (IRC). The IRC was established in recognition of the fact that many intoxicated people can be served in a supportive, non-drinking environment which does not feature costly, and unnecessary beds for people who have not yet made the decision for sobriety. Informal screening and counseling at the IRC enables people who need a structured, residential program to be referred to the appropriate program.

Given the availability of both a jail and a diversion program for 647(f) in San Diego County, the decision of the police officer to arrest or divert the public inebriate is almost completely within the discretion of the police officer responding to the situation. In San Diego County, about 1/3 of the persons picked up for public inebriacy are diverted, with the other 2/3 going to jail.

Sociology

The "classic" public inebriate, i.e., skid row "street" drinkers, comprises about 3% of the population of problem drinkers in California and San Diego County and differs from other problem drinkers in terms of visibility, severity of social and economic disruption, health problems, and subculture. The visibility of the public inebriate is usually the reason for a response by law enforcement and accounts for the fact that a relatively small number of highly visible individual public inebriates generally account for the bulk of arrests for 647(f). The public inebriate generally suffers from severe social and economic disruption, depending upon day-labor jobs or meager pensions for income, and living in cheap, single-room occupancy hotels, or literally on the street.

Geography

Skid row in downtown San Diego County is highly concentrated in a 15-block downtown area south of Broadway. Geographically, the area has changed at an accelerating rate in recent years as some of the area's deteriorating buildings, cheap hotels, bars, pornographic book stores and parking lots are developed into businesses as part of the Gaslamp District and Horton Plaza redevelopment projects.

A 1977 report to the Mayor by the City Public Services and Safety Committee described the area as follows:

1. "Only 3.06% of the land in this area is used for residential purposes. This is the lowest residential land use in the City. However, the population density in this area is 195.57 persons per residential acre, the highest in the City.
2. "32.3% of Centre City's population are senior citizens which is considerably higher than the 17.66% of the City ratio.
3. "The median rent for the area is \$84.80 which is lower than the City median of \$168.30.

4. "The median income for Centre City is \$3,281, which is significantly lower than the City median of \$10,626.
5. "The unemployment rate of the area is 30.31% compared to 9.68% for the remainder of the City.
6. "Reported crime has increased considerably over the past three (3) years with currently 606.92 crimes per 1,000 population, much higher than the City wide rate of 86.53."

Housing in the area is plentiful and cheap. Twelve hotels in the area feature from 12 to 340 rooms, with a wide range of rates (very inexpensive to moderate). Street action in the area is continual, day and night, with small groups of loitering men talking or swigging on a bottle of wine kept inside a paper sack. One is never alone in the area regardless of the time of day.

Profile of Public Inebriacy

During recent years the increased attention devoted to public inebriacy in San Diego County has prompted the County Alcohol Program to accumulate statistical data on public inebriates, including those who are taken to jail and those who are diverted. This section of the report provides a profile of public inebriates.

Law Enforcement

For the past ten years public inebriacy has been of vital interest to law enforcement in San Diego County, with over 125,000 arrests for P.C. 647(f) being made during that period. The number of arrests increased from 10,402 in 1968 to 18,941 in 1978, as shown in Table I.

TABLE I
ARRESTS FOR PUBLIC INEBRIACY IN SAN DIEGO COUNTY
1968-1978

Year	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	(Proj.) 1979
Number of Arrests	10402	11154	11503	11592	9538	8717	12181	11661	14063	17245	18941	19976

Source: State Department of Justice, Bureau of Criminal Statistics; San Diego County Sheriff; San Diego County Alcohol Program (1979 Projection).

San Diego Public Inebriate vs. "Classic" Public Inebriate

The typical person arrested for public inebriacy in San Diego County does not meet the stereotype previously described, in that over 60 percent of arrests in 1979 are under 30 years of age, as were over 50 percent in 1978. This conclusion is based on Table II, an analysis of arrest data for November 1978, and June 1979.

TABLE II
ARRESTS FOR PUBLIC INEBRIACY IN SAN DIEGO COUNTY,
BY RACE AND AGE GROUPING, IN 1978-79

Race	1978	1979	Age Group	1978	1979
White	62.0%	62.3%	15-19	9.1%	9.2%
Black	15.6	18.2	20-29	49.1	52.0
Latino	19.7	17.2	30-39	19.4	19.7
Other	2.6	2.3	40-59	18.7	16.6
			60+	3.5	2.5

The question of young adult arrests was addressed to the U.S. Navy Shore Patrol to determine the approximate number of 647(f) arrestees who are military personnel (on the assumption that many of the arrestees are young sailors on shore leave). Shore Patrol data for 1978 and 1979 indicate that only

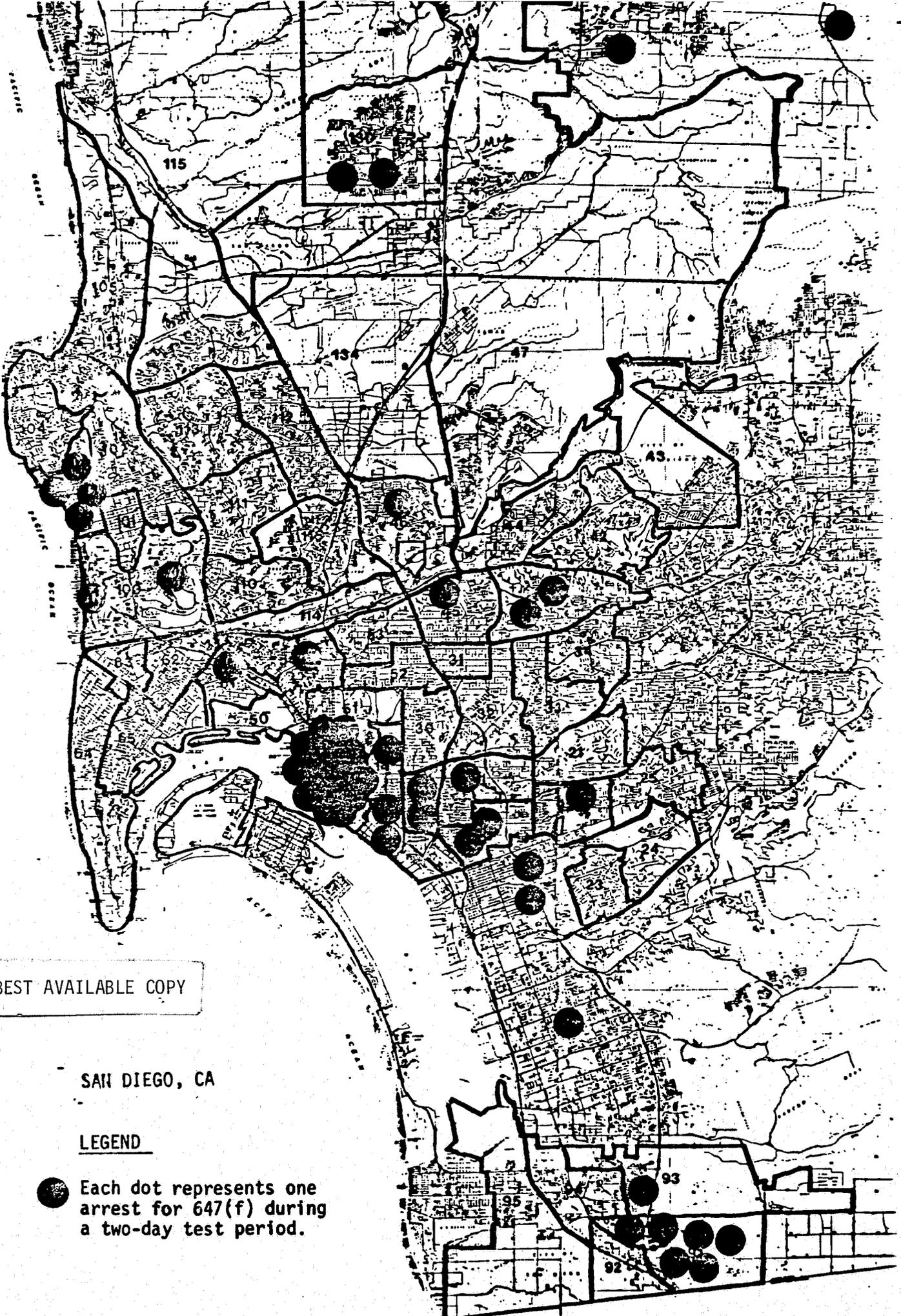
5% of the arrests for 647(f) in San Diego County are of active duty military personnel. The question was next addressed by attempting to determine if large numbers of 647(f) arrests were occurring in the beach areas (on the assumption that many of the young people causing disturbances in the Crystal Pier area of Pacific Beach are being picked up on public inebriacy charges). To investigate this problem data were obtained on the exact location of public inebriacy arrests in San Diego County during a random two-day* period in 1978 and 1979. The locations of the arrests were then plotted on a San Diego Police Department beat map, as shown in Figure 1 on the next page. Unfortunately, the sample days excluded weekends when youth concentration and police activity at the beaches is highest.

The beat map data suggest that, based on a two-day sample, almost all arrests for 647(f) occur in the downtown urban areas.

Sociological Profile

A demographic profile of public inebriates in San Diego was compiled to determine if the public inebriates who use the County-funded diversion program at 1123 Island Avenue have characteristics similar to those of the persons who are arrested for 647(f). To develop a demographic profile a sample survey of voluntary drop-in, and police drop-off, visitors to the diversion program was undertaken in 1978 and 1979. A total of three survey periods was used, providing the demographic profile of visitors shown in Table III.

* November 15, 1978 and June 27, 1979



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● Each dot represents one arrest for 647(f) during a two-day test period.

FIGURE 1

TABLE III
DEMOGRAPHIC CHARACTERISTICS OF PERSONS USING
THE IRC DIVERSION FACILITY IN SAN DIEGO COUNTY
1978-79

A				B			
Race	1978a	1978b	1979	Age Group	1978a	1978b	1979
White	50.3%	64.4%	52.8%	0-19	5.1%	6.6%	0.0
Black	13.3	20.3	22.2	20-29	31.8	35.0	8.1
Latino	13.9	3.3	5.5	30-39	20.7	21.6	37.8
Other	17.1	11.7	19.4	40-59	35.6	28.3	45.9
				60+	6.4	8.3	8.1

Approximately 90% of the visitors to the diversion program were males.

Additional data on visitors to diversion programs were gathered and were compared to persons using similar diversion programs in other cities, and with persons arrested for 647(f) in San Diego County. Those data are shown in Table IV.

TABLE IV

A DEMOGRAPHIC PROFILE OF PUBLIC INEBRIATES
IN SAN DIEGO COUNTY AND OTHER AREAS 1978-79

Descriptive Category	San Diego County Diversion Program 1979	647 (f) Arrests in San Diego Co. 1979	Humboldt County Diversion Program 1978	Sacramento County Diversion Program 1978	Salinas Diversion Program 1978
Age Group					
15-19	0.0%	9.1%	0.6%	0.4%	N/A
20-29	8.1	49.1	18.4	8.4	
30-39	37.8	19.4	16.2	17.6	
40-59	45.9	18.7	46.4	54.3	
60+	8.1	3.5	17.1	15.2	
Race					
White	52.8	62.0	80.4	60.6	24.0
Black	22.2	15.6	0.6	8.8	36.0
Latino	5.5	19.7	1.2	17.4	33.0
Other	19.4	2.6	16.2	8.7	0.0
Years in County Less Than a Year					
1-5	22.8	N/A	28.3	41.0	12.0
5-10	22.8		18.4	16.3	15.0
10+	20.0		3.7	9.3)	60.0
10+	34.3		49.5	33.4)	
Marital					
Single	35.1	N/A	38.6	29.4	N/A
Divorced	37.8		29.3	34.2	
Separated	13.5		5.9	12.7	
Married	2.7		15.6	8.9	
Widowed	10.8		10.6	7.4	

The data in Table IV indicate that surprising differences exist between the public inebriate population using the diversion program in San Diego County and the public inebriate population being jailed in San Diego County, or using diversion programs in other counties. In San Diego County, for example, persons arrested for public inebriacy tend to be younger than persons using the diversion program, although racial characteristics are somewhat similar. The diversion program data for San Diego County suggest that the public inebriate in this area is more highly transient and younger than in the other counties providing data. The data shown for Salinas and Humboldt are interesting, given the seasonal work in those areas which attracts large numbers of migrant workers.

Additional research on the sociological/demographic characteristics of public inebriates in San Diego County will be forthcoming.

Response to Public Inebriacy

While public inebriates are somewhat powerless, they have two conflicting constituency groups: law enforcement and alcoholism recovery interests. This section of the report discusses the responses of these two groups to the problem.

Law Enforcement

As previously noted, the law enforcement response to public inebriacy in San Diego County is predominately to arrest and jail, rather than to divert. Approximately 1,600 647(f) arrests are made in San Diego County each month, with an additional 850 diversions occurring through law enforcement personnel. To help identify the source of most arrests a study of 647(f) arrests, by arresting agency, was made during the months of November 1978, and June 1979, with the results shown in Table V.

TABLE V

ARRESTS FOR PUBLIC INEBRIACY IN SAN DIEGO COUNTY,
BY ARRESTING AGENCY, IN 1978-79

Agency	1978	1979
San Diego Police Dept.	81.3%	82.9%
San Diego County Sheriff	5.9	6.6
National City Police Dept.	4.5	3.6
Chula Vista Police Dept.	1.7	1.2
Calif. Highway Patrol	1.8	0.8
All Other	4.3	4.6

The results indicate that almost all arrests for public inebriacy are made by the San Diego Police Department, a finding consistent with the arrests plotted on the San Diego Police Department beat map (Figure 1).

To determine why the number of arrests has remained at a consistently high level despite the availability of the County-funded diversion program the criteria for diversion were studied and two tests were conducted. The criteria for diversion state that a public inebriate is eligible for diversion if the person volunteers to stay a minimum of four hours at the diversion program, and is non-combative, and is conscious, and has no serious medical problems and has no other charges against him (persons who do not meet these criteria are either taken to jail or taken to a hospital).

To determine if persons being jailed for public inebriacy may, in fact, have been eligible for diversion two tests were conducted. The first test consisted of a computer analysis of every 647(f) arrest record for November, 1978, (approximately 1,200 arrests) to determine how many of the arrests were for more than one offense, thereby making the person ineligible for diversion. Only 10 arrests, out of 1,200, were for any offense other than 647(f). The second test consisted of an on-site study at the San Diego County jail prisoner receiving area to observe the condition of 647(f) arrestees about to be booked. The purpose of this test was to study the occurrence of combative behavior of arrestees. This

test was conducted over two days in November, 1978, during the period 7 p.m. - 2:30 a.m. Of 12 persons arrested for 647(f) during the test period, 8 were identified as eligible for diversion, 3 were identified as combative, and 1 was identified as not conscious. In summary, both tests indicated that persons eligible for diversion were not consistently being diverted.

Informal interviews with police officers and diversion program staff members suggest that law enforcement personnel are reluctant to divert more public inebriates because of the possibility that the divertees will not remain in the diversion program at 1123 Island Avenue a minimum of 4 hours, and because the rotation of police personnel to new patrol areas at 3-4 month intervals diminishes the accountability of individual police officers for using the diversion program. Police concern over the minimum 4-hour stay at the diversion program resulted in program staff monitoring the length of stay of divertees to determine the rate divertees were leaving prior to their 4 hour period. The results of that study are shown in Table VI.

TABLE VI

SAN DIEGO IRC DIVERSION PROGRAM
POLICE DROP-OFFs BY LENGTH OF STAY,
1978-79*

	1978	1979
Police drop-offs staying 4+ hours	87.5%	95.6%
Police drop-offs leaving in less than 4 hours	12.5	4.4

* Based on two-month sample

The results indicate that almost all divertees are remaining in the diversion program for 4 or more hours after police drop-off.

Alcoholism Recovery Interests

Public inebriacy is of continuing concern to the alcoholism recovery movement in San Diego County for humanitarian reasons and because of a recognized need to provide a diversion program which will help respond to perceived needs by the police, merchants, public leaders, and others to reduce the visibility of street drinkers/drunks at minimal cost.

In San Diego County, as in other communities, public inebriates are often regarded as an eyesore and statements are made regularly about the need to "do something" about "those people." During the past three years the response by the San Diego County Alcohol Program has been to develop and implement a recovery system which provides a low-cost non-residential drop-in diversion program at 1123 Island Avenue and, in an immediately adjacent facility, residential detoxification and treatment, and non-residential counseling and supportive services. All program components provide referrals to alcoholism recovery programs located throughout all parts of the county (recovery homes, neighborhood recovery centers, Alcoholics Anonymous, etc.).

The diversion program at 1123 Island Avenue is known as the Inebriate Reception Center (IRC) and is operated under contract to the County by the Volunteers of America. The 1500 sq. ft. facility is open 24 hours daily, although program services are restricted from 7 p.m. to 6 a.m. to accepting police and agency referrals only. Approximately 12,000 drop-in visits per month are made to the IRC, not including approximately 900 police referrals. The program provides non-residential shelter (chairs, but no formal residential program), coffee, bathroom facilities, fruit juice, and informal counseling to encourage visitors to seek sobriety. Vending machines are provided for persons desiring to purchase snacks. Visitors who indicate that they would like to embrace sobriety are referred into the residential detoxification program, and from there into the next appropriate program. Program staff keep paperwork at the facility to a minimum, so that police are not encumbered with lengthy referral forms to complete, and so that

visitors are made to feel welcome in a non-drinking environment.

Fundamental to the IRC program structure is recognition that public inebriates cannot be forced to alter their lifestyles. Evidence in the United States over the past 250 years demonstrates that punishment alone cannot significantly impact on public inebriacy. Recovery from alcoholism is a voluntary individual decision and the thrust of the IRC, and the County Alcohol Program, is to provide recovery opportunities which support progress and minimize recidivism. For these reasons all programs in the County alcoholism service delivery system are voluntary and no one may be held against his/her will.

The IRC program is presently underutilized by the police for public inebriate drop-offs, although the facility is large enough to easily accommodate all of the inebriates who are presently being taken to jail.

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