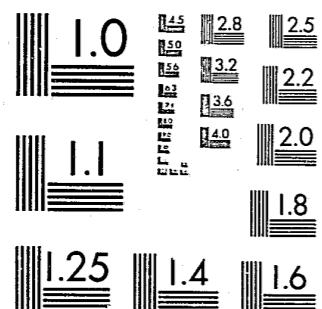


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PUBLIC INEBRIATES AND THE LAW

*The Effects of
California's
Public Inebriate
Project on the
Criminal
Justice System*

*A Report Submitted
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*A Report Submitted
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by Jack Reynolds, Ph.D.
Center for Human Services
Washington, D.C.

1982

U.S. Department of Justice
National Institute of Justice

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PREFACE

In late 1977 the State of California sponsored a Public Inebriate Demonstration Project in Sacramento and Humboldt counties which ran through the end of 1979.

Public Inebriates and the Law

NIJ Project Monitor: Richard Rau, Ph.D.
Project Director: Jack Reynolds, Ph.D.
Research Associate: Gary Smith, M.P.A.
Art and Graphics: Sue Hart
Word Processing Specialists: Anne E. King, Susan MacDonald
Photographs: Jack Reynolds, Ph.D.

The research described in this report was supported, in part, by a grant from the National Institute of Justice (80-IJ-CX-0011) and contract OA-0017-7, California Department of Alcohol and Drug Programs. This support is gratefully acknowledged. The views expressed are those of the author and do not necessarily reflect those of the Department of Justice, the State of California, or the counties of Sacramento and Humboldt.

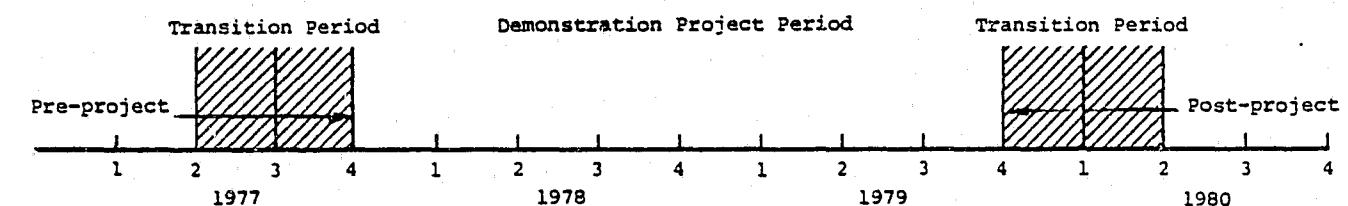
The project attempted to find an effective way to reduce the effects of public inebriety on the community, and particularly, the criminal justice system. The three principal objectives of the project were to reduce the visibility of public inebriates (PIs), their arrests, and their involvement with the criminal justice system. A fourth objective was to increase rehabilitation of PIs. The strategy adopted was very similar to that advocated in the Uniform Alcoholism and Intoxication Treatment Act--diversion rather than arrest, provision of a "continuum of care," and voluntary acceptance of treatment. The key components of the projects were: 1) a 24-hour Drop-In Center; 2) detoxification units; and 3) recovery homes. Sacramento also operated a van (the "Courtesy Patrol" for transporting public inebriates to the drop-in center and Humboldt opened a Women's Recovery Home.

University Research Corporation was contracted by the State to evaluate this project. When it came to an end, the Center for Human Services (URC's non-profit affiliate) received a grant from the National Institute of Justice to continue collecting data through 1980 and to conduct an analysis of the impact of the demonstration project on the criminal justice system. In spite of the attention that has been given to pioneering programs for public inebriates in St. Louis, Washington, D.C., San Francisco, New York and elsewhere, there have been few systematic studies of the effects of these programs on the criminal justice system. Most reports on projects have been prepared by project staff and based on vignettes or case histories rather than statistics. Among the few studies on this topic are two that were conducted by the Addiction Research Foundation in Toronto. These were analyses of the effects of medical detoxification services and referrals on arrests (Annis and Smart, 1975; Smart, et al, 1975). A study by Deming (1977) looked at the effects of decriminalization on public drunkenness arrests and criminal justice costs. Studies in Atlanta and Baltimore included data on actual and projected costs of processing public inebriates through the criminal justice system (Human Ecology Institute, 1974); and studies by Rubington (1975) and Owens (1973) examined police officer attitudes toward detoxification and decriminalization.

The central objective of this study was to answer the question: did the approach taken by the demonstration project reduce criminal justice involvement? To answer that question, changes were measured in complaints to the police about public inebriates, apprehensions, diversions to the project, arrests, arrest patterns, frequency of arrest, characteristics of arrestees, releases of arrestees, arraignments, sentences, time involved in handling public inebriates, costs to the criminal justice system, and criminal justice policies, practices and procedures.

The study was based on a quasi-experimental, time-series design. Data were gathered quarterly over a four-year period and truncated, using 1977 as the pre-project period, 1978 and 1979 as the project period, and 1980 as the

post-project period. This division of periods only approximates reality. Unfortunately, the projects didn't begin and end neatly on New Year's Day.



Data were collected from a number of sources in Sacramento and Humboldt counties. Chief among these were California's Bureau of Criminal Statistics, the police departments, sheriffs' offices, municipal courts, and demonstration projects in the two counties.

This report is based on research carried out over almost five years, supported by two separate agencies, the Department of Alcohol and Drug Programs of the State of California (1977-1980), and the National Institute of Justice (1980-1982). Many people helped out along the way, and I am grateful to them all.

I owe a special debt to Gary Smith, my colleague throughout the years, who was in charge of all of the data collection and computer processing. Gary lived in Sacramento during the demonstration period and made periodic trips to both counties during the post-project phase to supervise data collection. This is actually his report as much as it is mine.

A distinguished Advisory Panel provided perspective and ideas during the demonstration period: Don Cahalan, David Pittman, Ron Roizen, Gary Scrimgeour, Jacqueline Weisman, Edward Geffner, and Alvin Cohn.

Stan Davey and Charles Stribling were our project officers in California. Richard Rau was our National Institute of Justice Grant Monitor. They were helpful, supportive and patient.

Our principal colleagues were the project directors, Alex Thomae in Humboldt and Jim Brentt in Sacramento. They were not only cooperative, but open and frank. The county alcohol program administrators opened many doors for us, Gino Maiolini in Humboldt, and Susan Blacksher and Larry Valterza in Sacramento.

A large number of people helped us obtain needed data. We particularly want to thank W. Braxton Bonner, Terry Clippinger, Bill Dimmick, Bruce Easterly, Howard Evanson, Jerry Finney, Hershal Foster, Linda Hawthorne, Bill Hilton, Melinda Johnson, Janice Jones, Jack Kearns, Wayne Kennedy, Don McClellan, Nancy McDonough, Joan McKechnie, Arnie Millsap, Paul Norburn, Charlotte Rhea, Mardi Ring, and Dick Sopocko.

The people who provided the services to the public inebriates were some of the most caring people we have ever met, and some of the most tolerant of evaluators. We are especially grateful to Joel McDonough, Jim Moran, Bonner Phelps, John Dornbusch, and Perce Loveseth.

I also want to thank a number of people who reviewed an earlier draft of this report: Lawrence Bennett, Helen Erskine, Bernard Gropper, William Saulsbury, and especially, James Inciardi.

During the course of this project we interviewed a large number of public inebriates, merchants, criminal justice personnel and average citizens. We are grateful to them all.

I want to thank Anne King and Susan MacDonald of URC's Word Processing Unit for the fine job they did in producing the final manuscript, and Sue Hart of the Media Division for preparing the graphs, maps and cover.

The conclusions and views expressed in this report are mine and do not necessarily reflect those of the sponsoring agencies or the individuals cited.

Jack Reynolds
Chevy Chase, Maryland
January, 1983

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SUMMARY OF FINDINGS

Both Sacramento and Humboldt carried the demonstration out as intended, and both made adjustments which appear to have increased effectiveness and decreased costs. Both projects were very active and succeeded in attracting, enrolling, and serving a large number of the principal target group, the "hard core" public inebriates in their counties.

IMPACT ON THE PUBLIC INEBRIATES

1. Officials had estimated that there were 2,000 "hard core" PIs in Sacramento and 200 in Humboldt, but during its two years of operation Sacramento enrolled 4,564 individuals and Humboldt 777.
2. The projects were very active because many public inebriates were admitted more than once. Sacramento averaged 80 admissions per day, Humboldt averaged three. Over the two years Sacramento had 44,870 admissions and Humboldt 2,910.
3. Many of these people were admitted to the "continuum of care", i.e., the treatment services, but they were not usually "rehabilitated." Only 32-44 percent entered detox and only 4-5 percent of those admitted to a recovery home stayed the full 90 days. Most PIs in Sacramento said there had been no change in their drinking problem, but most in Humboldt saw some improvement.
4. Although the projects attracted, admitted and served a large number of public inebriates, very few PIs changed their life style or drinking behavior. Most used the projects for temporary housing and then went back on the streets.

IMPACT ON THE CRIMINAL JUSTICE SYSTEM

Although the target group did not show much improvement, what about the impact on the criminal justice system? Were the projects able to meet their other objectives of reducing arrests and criminal justice system involvement? Yes and no. Arrests declined dramatically, but the police, sheriffs and courts continued to play key roles in handling public inebriates.

1. The most notable impact the project had on the criminal justice system was to increase diversions and decrease arrests. Although the police apprehended more inebriates, they diverted from one-third to two-thirds of them to the projects, and arrests were much lower as a result.
2. Arrests of the principal target group, the chronic police-case inebriate, were clearly reduced because of the project. Fewer of this group were arrested and the frequency of arrest also declined. That definitely contributed to a reduction in criminal justice involvement.
3. However, these people constituted a minority of the population arrested for public drunkenness. The system still had to deal with the

Figure 1
Criminal Justice Disposition of Apprehensions for Public
Drunkenness, Sacramento County, 1977-1980

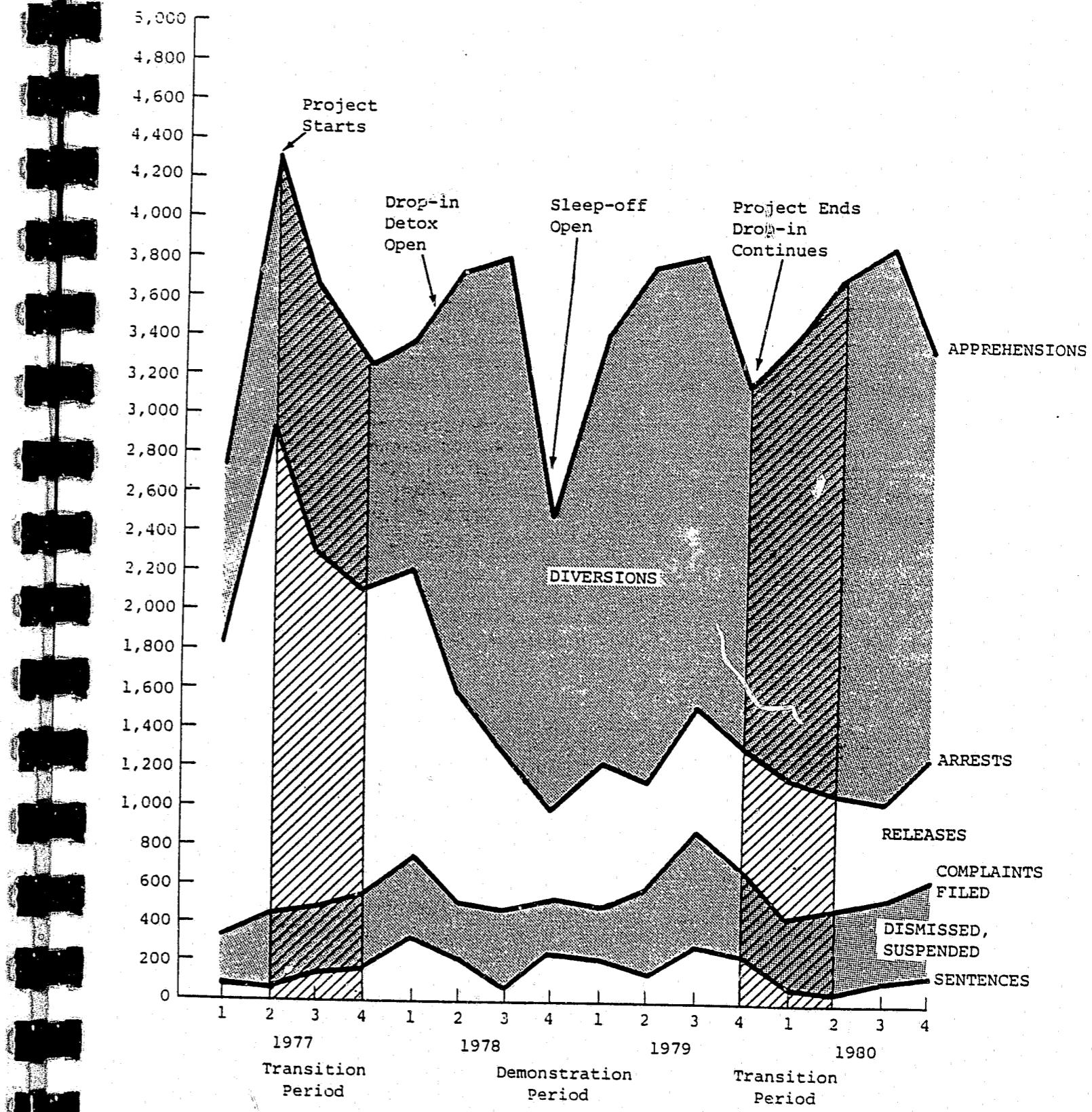
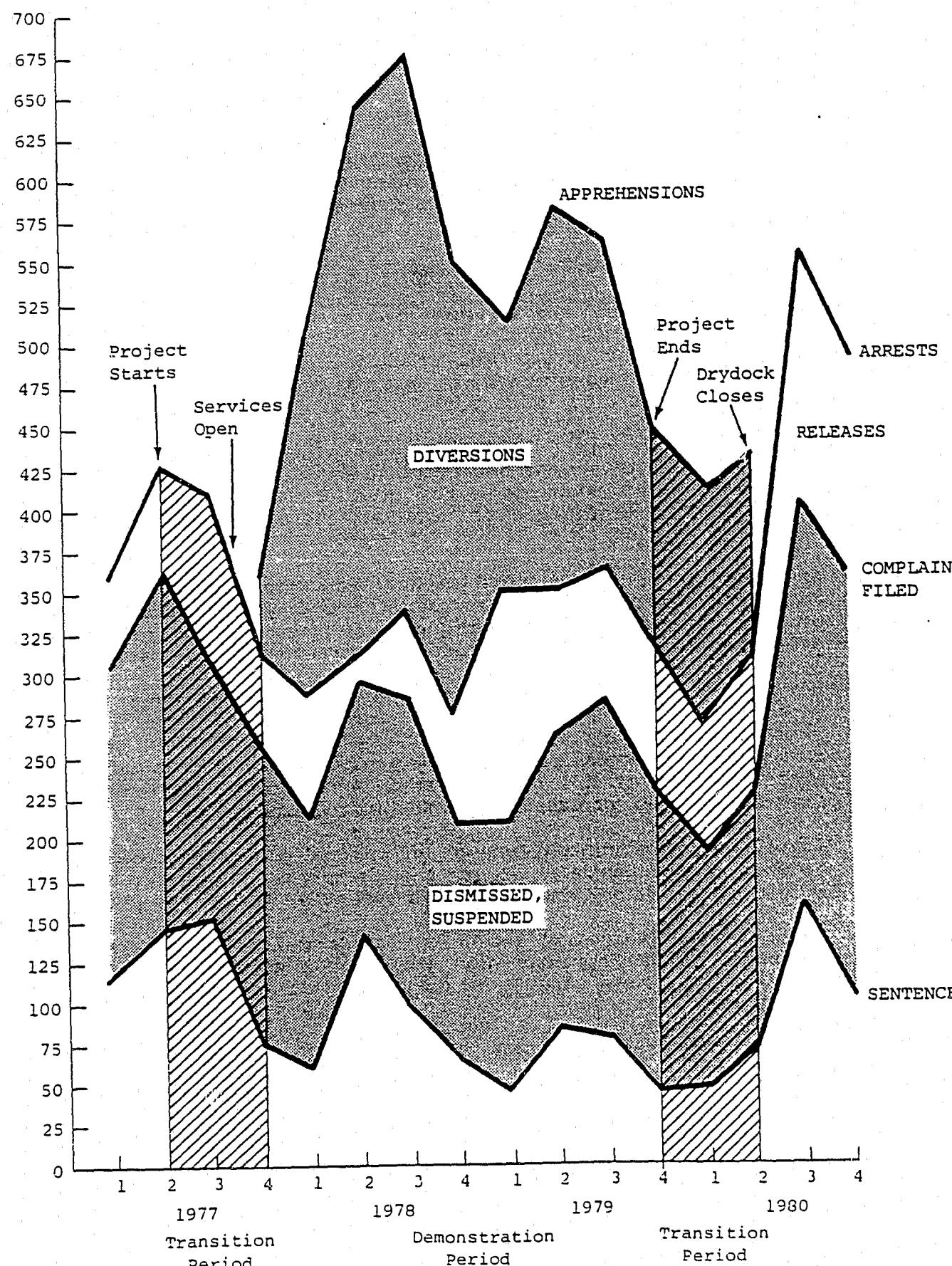


Figure 2
Criminal Justice Disposition of Apprehensions for Public Drunkenness, Humboldt County, 1977-1980



large number of "occasional drunks", the majority of whom were not part of the target population and were not affected at all by the projects. Arrests of this sub-population appear to have risen, which contributed to an increase in criminal justice involvement.

4. There was no significant change in criminal justice procedures for handling public inebriates, except that the project provided the police with a non-mandatory alternative to arrest (diversion to the projects).
5. Public complaints did not decline enough to make much difference to the police. They remained high because public inebriates continued to be visible. As a result, the police had to continue responding to complaints.
6. Apprehensions did not decline, they increased because the police saw the projects as a place to take PIs in order to get them off the streets, and they picked up more rather than fewer.
7. The burden on the sheriff was reduced only slightly in Humboldt and actually increased in Sacramento. The number held for court was higher during the project years than either before or after. Also, arrests by the sheriffs increased.
8. Court involvement varied by county. The number of arraignments, sentences and the total number of days of sentence increased in Sacramento and declined in Humboldt during the project. When the demonstration ended court involvement in both counties reverted to about what it had been before the projects began.
9. The time and costs to the criminal justice system of processing public inebriates may be much less than commonly thought. Sacramento and Humboldt spent only about one and one-half to two hours per inebriate apprehended, which amounted to roughly one-half to one percent of total criminal justice personnel time.
10. But the projects did reduce the amount of time spent on handling public inebriates. It declined about four percent in Sacramento and nine percent in Humboldt.
11. Direct costs of handling public inebriates were also low. They averaged \$775,000 per year in Sacramento (\$56 per apprehension) and \$104,000 in Humboldt (\$53 per apprehension). This amounted to only about one percent of total criminal justice expenditures in each country.
12. The costs to the criminal justice system dropped in Humboldt but actually increased in Sacramento during the demonstration. In both cases the reason was the change in sentences. They declined in Humboldt and increased in Sacramento, so the amount of time PIs spent in jail declined in Humboldt but increased in Sacramento, and that affected jail expenditures.

PUBLIC ASSESSMENT OF THE PROJECTS

Were the projects a complete failure? Not at all, even though surveys of public opinion showed that the demonstration was not seen as very effective. Merchants and law enforcement personnel were particularly critical, and even some of the project staff admitted that the project did not have much success in keeping public inebriates off the streets or in helping them to deal with their drinking problems.

But the project was not seen as a failure. A significant number of people, including merchants and criminal justice personnel believed that the project had done some good. They were particularly impressed with the Courtesy Patrol and the Drop-In Centers, the components which seemed to be most effective in reducing visibility and providing basic help to public inebriates.

CONCLUSIONS

Thus, although the projects were successful in two respects, they led to an increase in diversions and a resultant reduction in arrests--particularly among the target population--criminal justice involvement either remained about the same or increased in every other way.

As discouraging as these findings may seem, the post-project data show that things got worse when the project closed down. Humboldt provided the clearest example. When the Drydock closed in June, 1980, arrests, releases, complaints filed, sentences, time and costs all increased dramatically. Thus, one could argue that criminal justice involvement might have been greater in 1978-79 without the projects, and the data seem to support that argument. But that is not the central issue. California was looking for a way to reduce or eliminate criminal justice involvement with public drunkenness, not just slow down the rate of increase. The projects were not able to achieve that objective.

Criminal justice involvement remained about the same in these two counties for two main reasons.

1. The most important was VISIBILITY. The projects were not able to reduce visibility to the point where it was no longer a problem. People still saw people drunk in public and they complained about them. The police tried to reduce visibility by arresting those who would not stay off the streets, and the sheriffs and courts by keeping them in jail.
2. The second reason was the need to control the "NON-PUBLIC INEBRIATE DRUNK," those people who occasionally became drunk in public and posed a potential threat to themselves and others. Although they were not the target of the demonstration, and apparently were not affected by it to any significant degree, they made up the majority of the individuals arrested for this offense, and consequently were responsible for a large share of criminal justice involvement.

Although the demonstration project did not achieve all of its objectives, a number of important lessons were learned that have significant implications for the development of policies and programs regarding public inebriates.

1. The project demonstrated that many public inebriates can be attracted to a service that offers shelter and other basic caretaking assistance.
2. It demonstrated that diversion is a viable alternative to arrest and that the police will divert large numbers of public inebriates.
3. It also showed that certain service components (the Drop-In Centers and Sacramento's Sleep-Off Unit) are very effective in reducing criminal justice involvement.
4. It demonstrated that the social model of treatment is just as effective as and far less expensive than the medical model.
5. The project showed that the "all voluntary" approach does not work. Both projects learned that someone must have the authority to pick up and hold those who get drunk in public and refuse to go to a project voluntarily. If the projects do not have this authority, the only recourse is the police.
6. It showed that few clients are willing or able to use the "continuum of care." Most want, and desperately need, caretaking services--food, shelter, safety. Criminal justice activity seems to vary in inverse relation to the availability of caretaking (not alcoholism) services.
7. The project demonstrated that the "public inebriate problem" is not exclusively, or even largely, an alcohol problem. Many of the public inebriates in these counties were not alcoholics, and many of those arrested for public drunkenness were not "public inebriates." Most important, few of the project's target population were interested in alcohol treatment services.
8. It showed that decriminalization probably will not reduce public drunkenness or police involvement. Data presented in this report also raise the question of the desirability of decriminalization, given that the police often use these laws not only to control the offensive behavior of the "town drunks," but also to control and prevent drunk driving, disorderly conduct, and perhaps more serious alcohol-related misdemeanors and felonies.
9. Finally, they demonstrated the wisdom of testing social control programs before implementing them on a large scale. Laws to control social behavior and/or decriminalize such "victimless crimes" as public drunkenness, prostitution and marijuana use are often enacted on the basis of "expert opinion" and good intentions rather than empirical evidence. California has so far not decided to decriminalize public drunkenness, but to continue experimenting with alternative approaches, which is testimony to the value of empirical data for public policy formulation.

¹ After the demonstration ended, Sacramento continued a scaled-down project that emphasized caretaking.

IMPLICATIONS FOR FUTURE PROGRAMS

Although no clear solution to the public inebriety problem emerged from the demonstration project, enough was learned to identify some of the key elements needed. Most people thought that some services should be continued. Public support was greatest for services designed to get inebriates off the streets and the public inebriates themselves were most interested in a project that would provide them with safe shelter. The implication is that the most acceptable and effective service would be one designed to reduce visibility and provide temporary shelter. Treatment services would only be needed for those who could make a commitment to change their drinking behavior.

Services should probably be designed to address three types of need:

1. Social Control: services to eliminate the nuisances caused by the "chronic police-case inebriate" and the danger posed to the community by the occasional "non-public inebriate drunk";
2. Caretaking: services to meet the basic needs of PIs for shelter, food and other non-alcohol-related services; and
3. Alcoholism and Alcohol Abuse: education, counseling and treatment services for both the occasional and the chronic inebriates who are willing and able to address their drinking problems.

A basic service package might consist of the following:

1. A drop-in center where public inebriates can gather for shelter, food, socialization, recreation and to learn of available services;
2. A temporary shelter or sleep-off area where intoxicated individuals can remain until sober;
3. A transportation service (provided by the police or service providers) to take public inebriates from downtown to the drop-in center;
4. A small social detox unit to which those individuals who need detoxification could be referred; and
5. A coordinated education/treatment program to which the occasional inebriates and the few chronic PIs who make a commitment to deal with their alcohol problems could be referred.

Obviously, the community should encourage individuals to utilize these services voluntarily but it should also have the legal authority to control public drunkenness. To do that the criminal justice system would not necessarily need to arrest and jail inebriates, but it should have the power to apprehend and hold in civil protective custody any individual found drunk in public until that person becomes sober and is no longer a danger to himself or others. The best facility would probably be a civilian drop-in center or sleep-off unit rather than a jail.

CHAPTER 1. BACKGROUND

The Problem

Americans have been searching for a legal way to control public drunkenness for over 350 years--without much success. In 1978 the FBI Uniform Crime Reports estimated that there were over 1 million arrests in the United States for public drunkenness, and another 1 million for liquor law violations and disorderly conduct--offenses for which public inebriates are disproportionately charged (NASADAD, 1980). Clearly, this has been a massive and sustained effort to control public drunkenness. Yet most people would agree that it has not worked. David Pittman and Wayne Gordon used the metaphor of a "revolving door" to describe the process of arrest for public drunkenness, detention for a few days, release, and rearrest.

Some individuals have been arrested 100 or 200 times and have served 10 to 20 years in jail on short-term sentences. The recidivism rates clearly indicated the futility of the system . . . (Pittman and Gordon, 1958).

Not only has this "absurd system" been ineffective in controlling public drunkenness, but as the President's Commission on Law Enforcement and Administration of Justice concluded:

The great volume of these arrests (for public drunkenness) places an extremely heavy load on the operations of the criminal justice system. It burdens police, clogs lower criminal courts and crowds penal institutions throughout the United States (Task Force, 1967, p. 9).

Spradley estimated that in some large cities, up to 70 percent of police time has been spent on this offense, and 80 percent of the jail population is public drunks (Spradley, 1970). And, of course, the costs are high. For example, the police chief of Gallup, New Mexico, said that about 40 percent of his \$950,000 budget was devoted to public drunks (Katz, 1980, p. 54). One estimate puts the national cost to the criminal justice system of handling public inebriates at \$300 million annually (Lang, 1981, p. 15).

The Decriminalization Movement

Not much was done about this problem until the 1960s, when several currents converged and a movement got underway to decriminalize public drunkenness. First, the medical community began to look at drunkenness as a symptom of a health problem. Several states and municipalities, starting with the Oregon Alcoholism Program in 1943, began to organize programs to provide alcoholism treatment and prevention services (Gillespie, 1979). In 1951 the World Health Organization declared alcoholism a disease, and the American Medical Association followed suit five years later.

At the same time, there was a growing awareness that the criminal justice system was using an enormous quantity of resources to control public drunkenness and was getting nowhere. Several alternatives were developed and tested, beginning with the St. Louis Detoxification and Diagnostic Evaluation Center, which started in 1966 under a one-year grant from the Office of Law

Enforcement Assistance (NILE&CJ, 1972, p. 12). This was the first program in the United States specifically designed to divert public inebriates to detoxification in lieu of arrest and jail.

Concurrently, the courts began to look into the effects of police and judicial practices on the rights of the public drunk. Two landmark cases were decided in 1966. In Driver vs. Hinnant (356 F. 2d 761, 4th Cir. 1966) the court ruled that it was cruel and unusual punishment to convict a homeless alcoholic for being drunk in public, since that person had no place to go but the streets. In Easter vs. the District of Columbia (361 F. 2d 50, D.C. Cir. 1966) the court held that a chronic alcoholic could not be punished for being drunk in public since that person was suffering from a disease and could not control his drinking. Subsequent court decisions extended protection to alcoholics who had homes and to public inebriates who were not, strictly speaking, suffering from the disease of alcoholism. Then in 1967 the Task Force on Drunkenness issued its historic report recommending that public drunkenness be treated as a health rather than a criminal problem.

Drunkenness should not in itself be a criminal offense. Disorderly and other criminal conduct accompanied by drunkenness should remain punishable as separate crimes. The implementation of this recommendation requires the development of adequate civil detoxification procedures (Task Force, 1967).

The following year (1968), the Congress passed the Alcohol Rehabilitation Act (P.L. 90-574), which said that:

The handling of chronic alcoholics within the system of criminal justice perpetuates and aggravates the broad problem of alcoholism whereas treating it as a health problem permits early detection and prevention of alcoholism and effective treatment and rehabilitation relieves police and other law enforcement agencies of an inappropriate burden that impedes their important work, and better serves the interests of the public.

In 1969 the American Medical Association and the American Bar Association issued a joint policy statement which included a recommendation that States treat alcoholism as an illness rather than a criminal offense (NASADAD, 1980, p. 3). In 1970 the National Institute on Alcohol Abuse and Alcoholism (NIAAA) was established. One of its priorities was funding Public Inebriate Programs. The Law Enforcement Assistance Administration (LEAA) also funded detoxification demonstration programs for public inebriates. The intent of these programs was to divert public inebriates from the criminal justice system to the public health system.

In 1971 the National Conference of Commissioners on Uniform State Laws drafted a model law, called The Uniform Alcoholism and Intoxication Treatment Act, and recommended that each state adopt it. The Uniform Act includes four important elements:

1. decriminalization of public drunkenness;
2. provision of a "continuum of treatment" for alcoholics;
3. voluntary acceptance of treatment; and
4. protection of rights of due process.

In 1974 Congress provided financial incentives to encourage states to adopt the Uniform Act. By mid-1980 31 states, the District of Columbia, Puerto Rico, and the Virgin Islands had adopted the Uniform Act and three others had decriminalized but had not established treatment systems (NASADAD, 1980, p. 4).

California's Position

California is one of the 16 states that has not decriminalized public drunkenness. Prior to 1960 state law mandated involuntary confinement for public drunkenness.

The California Supreme Court declared this statute unconstitutional in 1960 (*in re Newborn*, 53 Cal. 2nd 786, 796, 350 p. 2d 116, 123, 3 Cal. Reptr. 364, 371 [1960]) and the State legislature passed PC 647(f), which has remained the principal enforcement statute to this day. It states that:

Every person who commits any of the following acts is guilty of disorderly conduct, a misdemeanor:

. . . (f) Who is found in any public place under the influence of intoxicating liquor . . . in such a condition that he is unable to exercise care for his own safety or the safety of others, or by reason of his being under the influence of intoxicating liquor . . . interferes with or obstructs or prevents the free use of any street, sidewalk, or other public way.

California police, like those in most states, traditionally had a good deal of discretion when it came to arresting someone for public intoxication. This was formalized in 1957 when section 849(b)(2) of the Penal Code was enacted:

(b) Any police officer may release from custody, instead of taking such person before a magistrate, any person arrested without a warrant whenever:

. . .
(2) The person was arrested for intoxication only and no further proceedings are desirable.

In 1971 police were given the authority to place public inebriates in "civil protective custody" for 72 hours, which had the effect of allowing the police to divert instead of arrest them (647[ff]). This statute complemented Section 5170 of the Welfare and Institutions Code which had been passed in 1969 as one of California's reactions to the recommendations of the Presidential Commission's Task Force on Drunkenness.

When a person is a danger to others, or to himself, or gravely disabled as a result of inebriation, a police officer, member of the attending staff . . . or any other person designated by the county, may . . . take . . . the person into civil protective custody and place him in a facility designated by the county and approved by the Alcohol Program Management as a facility for the 72 hour treatment and evaluation of inebriates.

About this same time, statewide goals and priorities were set and legislation was passed suggesting that detoxification centers be set up at the county level, which would give the police a place to which they could divert public inebriates. In 1973 California's Office of Criminal Justice Planning (OCJP),

using funds from LEAA, supported four demonstration projects in Monterey, Sacramento, San Mateo, and Santa Clara counties designed to divert persons found drunk in public from the criminal justice system to detoxification centers.

Evaluations of these demonstration projects showed mixed results. The police did divert public inebriates to the centers and arrests for public drunkenness declined as a result. But the same inebriates who used to go in and out of the jail were now going in and out of the detox centers. The Sacramento evaluation concluded that the after-care program was inadequate and suggested that more and better-tailored after-care was essential if this type of program was to have any success (Lockhart and Desrys, 1974).

Related findings began to emerge from studies in other parts of the country. A report on the Uniform Act stated that there was significant variation in its application. Law enforcement practices and treatment varied significantly from one jurisdiction to another within the same state. The report concluded that no application of the Uniform Act had provided a solution to the problem so far (CSTAA, 1976).

California's Public Inebriate Demonstration Project

By mid 1980, California was leaning toward decriminalization and the establishment of treatment services for public inebriates. A California Senate Select Committee on Laws Relating to Alcoholic Beverages issued its report in August, 1974 and recommended decriminalizing public drunkenness and increasing excise taxes on alcohol and earmarking a portion of this revenue for local alcohol treatment centers. A bill to that effect was passed by both houses of the California legislature in 1975 but was strongly opposed by the alcoholic beverage industry and subsequently vetoed by Governor Gerald Brown.

However, Governor Brown promised to provide funds for services for public inebriates in the next budget. In 1976 \$2 million was appropriated to set up a two-year demonstration project in one large and one small county in California.

The legislation made clear that it did not expect the projects to eliminate public drunkenness. The intent was to reduce the problem by offering "an alternative to the criminal justice system or a locked facility." The bill required the demonstration projects to provide a "continuum of services" that would attract public inebriates, thereby reducing their visibility, arrests, and involvement with the criminal justice system, while also helping them deal with their drinking problems and life styles. The legislation required that the demonstration projects include a 24-hour drop-in center, "social-model" detoxification units, recovery homes, and non-residential services. Thus, with the exception of decriminalization, the bill followed the recommendations of the Uniform Act, particularly the most critical one, the provision of a "continuum of treatment." This was the element that most states which adopted the Uniform Act have not provided, and the element that the evaluation of California's last demonstration project suggested was essential if this type of program was to have any success.

The legislation specified four goals, which clearly indicated that the principal concern was to find a way to reduce the effects of public inebriety on the community, and particularly on the criminal justice system:

VISIBILITY	Reduction of the number of visible indigent alcoholics from public places;
ARRESTS	Reduction of the number of arrests of such persons;
CRIMINAL JUSTICE INVOLVEMENT	Reduction of the amount of time now spent by various elements of the criminal justice system in arrests, detention, and adjudications regarding such persons; and
REHABILITATION	(Increase in) the number of such persons entering a continuum of care and successfully addressing their alcoholism problem (SB 1410:320:280.1, 1976).

Rehabilitation of public inebriates was a secondary concern. In fact, legislative, department, and project staff all agreed that very few public inebriates were likely to be rehabilitated. What they hoped was that the demonstration projects could find a humane, non-coercive way to get them off the streets so that they would not have to be arrested. Once enrolled in the project, they hoped to be able to help those who were ready to deal with their drinking-related problems.

The Project Sites - Sacramento and Humboldt Counties

Winning proposals to conduct these demonstrations came from Sacramento (a "large" county with almost 700,000 population) and Humboldt (a "small" county with just over 100,000 population). Both counties had public inebriate problems.

Like many other large counties, Sacramento county's public inebriate population was concentrated in its principal city, also called Sacramento. The city underwent major redevelopment in the early 1960's and urban renewal meant urban "removal" of the city's public inebriates from Old Town, also known as the "West End," where they had lived largely unnoticed. They migrated to the Mall in the center of the city. The previously hidden skid rower became visible, particularly to merchants. Arrests for public drunkenness soared to almost twice what they had been in the previous decade.

Sacramento opened a detoxification center in 1973, which helped reduce arrests, visibility, and criminal justice involvement. But space was limited in the center and the police had to arrest those who could not be diverted. By 1977 arrests had risen to over 9,000 per year, close to what they had been before the detox center opened.

Although much smaller, Humboldt county had a similar problem. Most of the public inebriates in the county lived in the principal city, Eureka. Arrests had increased as redevelopment in the downtown area, again in the Old Town section, had made public inebriates more visible. By 1977 arrests had risen to over 1,300 per year, the highest they had ever been.



Figure 3

Sacramento's Project Components

Citizen's Patrol and Outreach Counseling

24-Hour Drop-In Center

Project Administration

Screening and Evaluation (Intake Unit)

Extended Evaluation ("Sleep-off") Unit

Detoxification Units

Social Model

Modified Medical Model

Recovery Homes

Primary Recovery Homes

Longer-term Recovery Homes

Out-patient Counseling

Non-residential Services

Sacramento had the more elaborate system (see Figure 1); Humboldt a much simpler one. The two counties had similar core components: they both had drop-in centers, intake units ("Screening and Evaluation"), detoxification units, and recovery homes. Sacramento also had a foot patrol, a transportation unit (the VOA Courtesy Patrol), and outpatient services.

What follows is a brief description of the flow of inebriates through the Sacramento project. The Humboldt project was similar in structure, but much more limited in scope and smaller in size.

Public Inebriates came in contact with the project in one of several ways. First, as walk-ins; second, the police might pick them up and take them to the project; third, the VOA courtesy patrol might spot them and transport them to the project. Sometimes a welfare agency, hotel manager, or merchant might refer them to the project.

Many public inebriates visited the Drop-In Centers, a non-drinking, social facility where up to 250 people could gather at any one time for socialization, recreation, and social services. The primary objective of this component was to reduce the visibility of public inebriates by providing them with an attractive alternative to the streets. It was open 24 hours a day, seven days a week; provided free food, coffee and juice, clothes and shoes as needed. It had TV sets, books and magazines, comfortable tables and chairs, clean washrooms and showers. It was completely non-coercive. No sign-in was required, no screening was done, and people could come and go as they pleased.

Public inebriates entered the continuum of care when they were enrolled in the project. Enrollment was done at the intake unit, Screening and Evaluation, which was physically located in a building close to the drop-in center. Some inebriates admitted themselves, either directly from the street, or from the drop-in center. Others were brought in by the police or VOA Courtesy Patrol. The main purpose of the intake unit was to evaluate the needs of all incoming inebriates and then to make appropriate referrals for services. This unit was open seven days a week from 9 a.m. to 1 a.m.

One of the most visible components was the Volunteers of America Courtesy Patrol and Roving Counselors. Counselors made rounds in areas where public inebriates were known to congregate. They tried to talk the inebriates into going to the Drop-In Center or to enter the continuum of care. They also responded to merchant telephone calls and came to pick up inebriates before the police were called. Transportation to the Drop-In Center was provided by the Courtesy Patrol's van, which was equipped with a CB radio that was used to dispatch the Patrol rapidly to areas where public inebriates were found. The principal function of the Courtesy Patrol was to help the public inebriates get off the street before the police came to arrest them.

Clients who entered the project very drunk were kept under Extended Evaluation in the Sleep-Off unit until they were sober. This unit was added to the original design in the second year. Those who needed detoxification were sent to one of the Detoxification Units after being screened and evaluated by one of the counselors. The project experimented with a modified medical model and a social model, which were not only expected to be more effective, but also less expensive than medical detoxification. Eventually, even the modified model was dropped and the project relied solely on the social model detox. The project also found it could get by with far fewer detox beds than originally thought. At the end of the project, Sacramento had two social detox units with a total of 40 beds. Humboldt had one unit with eight beds.

Those inebriates who needed other services were referred to such non-project components as the university hospital, welfare agencies, the Salvation Army, and so forth. Generally, these referrals were made by the Screening and Evaluation Unit, or by one of the detox units when the client was released.

A few public inebriates were referred to Recovery Homes, either after completing detox or directly from Screening and Evaluation. The recovery homes consisted of a 30-day "pre-recovery" stay at one unit followed by referral to a long-term recovery home for those individuals who sustained their commitment to deal with their drinking problems. Humboldt opened and later closed a Women's Recovery Home and a 30-day Residential Program. Neither could attract enough clients to remain open.

The last component in the continuum of care was Outpatient Services. These were supportive and counseling services for individuals who had successfully completed a residential program. One agency provided alcoholism and vocational counseling. Another was a social center that provided social and recreational opportunities for sober public inebriates who were attempting to recover from alcoholism or alcohol abuse.

The demonstration project was carried out almost as planned. There were delays in start-up but the project was extended to enable the counties to complete two full years of operation.

At the end of 1979 Humboldt closed most of its project. Funds were obtained from the City of Eureka to keep the drop-in center open through June, 1980, when it also closed. The country has had no services for Pls since. Sacramento county was able to come up with enough funds to keep most of its project going through June, 1980. However, some components were either eliminated or downgraded. As of July 1, 1980 all services except the Drop-In Center and Extended Evaluation ("Sleep-off") Unit had closed, and even those services had been curtailed.

Actual expenditures were lower for the project than had been anticipated mostly because of delays in startup. At the end of the first year (June 1978) Humboldt had spent 89 percent of its budgets and Sacramento 97 percent. The unspent funds were carried over to the next year.

At the end of two and one-half years Sacramento had spent over \$3.4 million (Table 1). The county spent almost half a million dollars less than budgeted. As the balance column shows, most of these "savings" came from lower costs than expected in Administration, Screening and Evaluation, and the Drop-In Center. But significant savings occurred in almost every component except the Sober Activities Center and the Courtesy Patrol.

Humboldt spent just under \$630,000 over the two and one-half years, about seven percent less than budgeted (Table 2). The bulk of the savings can be attributed to the early closing of the Women's Recovery Home and the 30-Day Residential Program. All of the components except the detox spent less than was budgeted.

The cost per individual served was \$809 in Sacramento and \$810 in Humboldt. The cost per admission (some individuals were admitted more than once) was \$82 and \$216 respectively.

Table 1

Comparison of Budgeted and Actual Project Costs, Sacramento
July 1977 - December 1979

<u>Component</u>	<u>Budget</u>	<u>Expended</u>	<u>Balance</u>	
			<u>+N</u>	<u>+%</u>
Administration	328,598	192,780	-135,818	-41.3
Screening and Evaluation	349,254	201,327	-147,927	-42.4
Drop-In Center	549,639	464,684	- 84,955	-15.4
Citizen's Patrol	162,089	173,993	+ 11,904	+ 7.3
New Life (Social Detox)	320,292	320,284	8	- 0.0
TAP (Social Detox)	315,890	259,334	- 56,556	-23.0
CARE (Modified Medical Detox)	1,007,662	982,430	- 25,232	- 2.5
Sacramento Alcohol Center (Outpatient Counseling)	24,549	-0-	- 24,549	0.0
Drydock Sober Activities Center	50,717	82,968	+ 32,251	+63.6
Primary Recovery Homes	284,954	254,572	- 30,382	-10.7
Supportive Recovery Homes	532,985	503,188	- 29,797	- 5.6
Total	3,926,629	3,435,560	-491,061	-12.5

Sources: Department of Alcohol and Drug Programs; Project Records

Table 2

Comparison of Budgeted and Actual Project Costs, Humboldt
July 1977 - December 1979

<u>Component</u>	<u>Budget</u>	<u>Expended</u>	<u>Balance</u>	
			<u>+N</u>	<u>+%</u>
Administration	60,783	50,716	-10,067	- 5.2
Social Setting Detox	234,354	270,475	+36,121	+15.4
Women's Recovery Home	68,750	49,983	-18,767	-17.3
30-Day Residential Program	94,984	44,024	-50,960	-53.7
Drydock Drop-In	158,556	155,313	- 3,243	- 2.0
Redwood's United Workshop	59,040	58,530	510	- 0.9
Total	676,467	629,041	-47,426	- 7.0

Sources: Department of Alcohol and Drug Programs; Project Records

CHAPTER 2. PROJECT IMPACT ON PUBLIC INEBRIATES

The Target Group: Enrollments and Admissions

A public inebriate is, strictly speaking, anyone who is found drunk in a public place. But the demonstration project was concerned with a subgroup of that population, namely, the indigent who was likely to be arrested for being drunk in public.¹ That excluded middle-class people who would be sent home instead of to jail; indigents who got drunk in their hotel rooms and remained out of sight; and skid row residents who did not get drunk.

For the purpose of this study we defined a public inebriate as anyone who: (1) has been arrested for public drunkenness under Penal Code 647(f); or (2) would be arrested if not diverted under 647(ff) or 5170 of the Welfare and Institutions Code.

Project staff estimated that there were about 2,000 of these individuals in Sacramento and 200 in Humboldt. But as Table 3 shows, during its first two years of operation Sacramento enrolled 4,654 individuals and Humboldt 777.

An individual was enrolled only once. But he or she might be admitted many times. That is, the first time a public inebriate went through Screening and Evaluation he or she was enrolled, the next time that individual was readmitted.

Table 3
Enrollees and Admissions to the Demonstration Project, 1978-1980

Sacramento	Enrollees	Admissions	Admissions Per Enrollee
1978	3,206	18,100	5.6
1979	1,358	26,770	5.9
Subtotal	<u>4,564</u>	<u>44,870</u>	<u>9.8</u>
1980	1,162	43,084	7.5
Total	5,726	87,954	15.4
Humboldt			
1978	505	1,611	3.2
1979	272	1,299	1.7
Subtotal	<u>777</u>	<u>2,910</u>	<u>3.7</u>
1980	142*	376*	0.4
Total	919	3,286	3.6

*First six months of 1980. Source: Project Records

Humboldt's admissions declined 19 percent in the second year and were declining at an even faster rate in 1980, but Sacramento's admissions increased almost 50 percent in 1979 and 61 percent the following year. This reflects a change in Sacramento's admission and enrollment policy. Prior to September 1979, individuals who were sent to the Extended Evaluation (Sleep-Off) Unit were not formally admitted to the project. Thus, they were not counted. Beginning in September they had to be formally admitted so that the project could legally hold them under protective custody.

Humboldt showed a decline in the number of admissions in 1979 and 1980. In part, this reflects a decline in demand, but it also reflects a decline in the need for project services by those public inebriates who were beginning to control their drinking.

The average public inebriate who enrolled in the project was admitted over 15 times in Sacramento and close to four times in Humboldt between 1978-1980. That is about one admission every two months in Sacramento and one every six months in Humboldt. Thus, the projects were utilized.

Table 4

Selected Characteristics of New Project Enrollees, 1978-1980

	Percent*		Humboldt	
	Sacramento 1978-1979 (N=4,564)	1980 (N=1,162)	Humboldt 1978-1979 (N=777)	1980** (N=131)
Male	94.0	99.2	87.0	93.0
Aged 40 and over	65.9	57.7	56.3	61.0
White	66.0	65.5	80.4	75.8
Unmarried	89.2	88.0	83.2	83.5
County resident ¹	49.2	43.2	61.8	76.1
Problem drinkers ²	74.7	99.6	80.8	79.3
No wages/salary	85.3	NA	77.5	NA

¹One year or more in county

²Excludes "Don't Know"

Source: Project Records

²One or more years of problem drinking

**Six months only

The typical enrollee in both projects was a poor, white, middle-aged male with many years of problem drinking. But there were some differences between the counties which tended to reflect some of their distinctive characteristics. Humboldt is a small, rural county in the northwest where timber and fishing are the principal industries and American Indians make up a significant proportion of the population. Sacramento is a farming county with a significant Hispanic population and a growing urban center. Humboldt had a larger percentage of female enrollees, younger inebriates, Native Americans, well-educated individuals, single and married persons, long-time residents, employed persons, and craftsmen. Sacramento had a larger percentage of inebriates over 50, Hispanics, blacks, persons with less than eight years of education, divorcees, transients, unemployed persons with no income and farm laborers.

Some of the most interesting statistics are those relating to "years in County" and "Years of Problem Drinking." These data indicate that the majority of the individuals enrolled in the project were long-term residents, not transients. Almost 62 percent of the Humboldt enrollees had lived in the county for more than a year, and almost 41 percent had lived there for over ten years. The figures for Sacramento were much lower, but still impressive. Almost half of the enrollees had lived in the county for over a year, and almost one-quarter for over ten years.

The number of enrollees who were problem drinkers was also significant. Seventy-five percent of the Sacramento enrollees and 80 percent of the Humboldt enrollees had a drinking problem for a year or more. Almost half of the enrollees said they had been problem drinkers for 11 or more years.

These data clearly demonstrate that:

1. Both demonstration projects were very active;
2. They both attracted, enrolled, and served a large number of the public inebriates in their counties;
3. The people who were attracted to and enrolled in the project included a significant number of the principal target group of the project, that is, the resident, "hard core," public inebriates;
4. Many of these people were admitted to the "continuum of care" a number of times. They were not automatically rehabilitated once they enrolled, nor did they drop out of the program completely. They tended to admit themselves to the program over and over again.
5. In Humboldt, as the project came to a close, enrollments of new clients remained steady but admissions dropped. Had the project continued, it is likely that these trends would have continued.
6. In Sacramento, where most of the demonstration project except the Drop-In Center and Sleep-Off Unit were dismantled by early 1980, enrollments and admissions continued to increase, partly due to relaxation of the definition of "admission," and partly because the detox components closed and public inebriates began to rely more heavily on the remaining services.

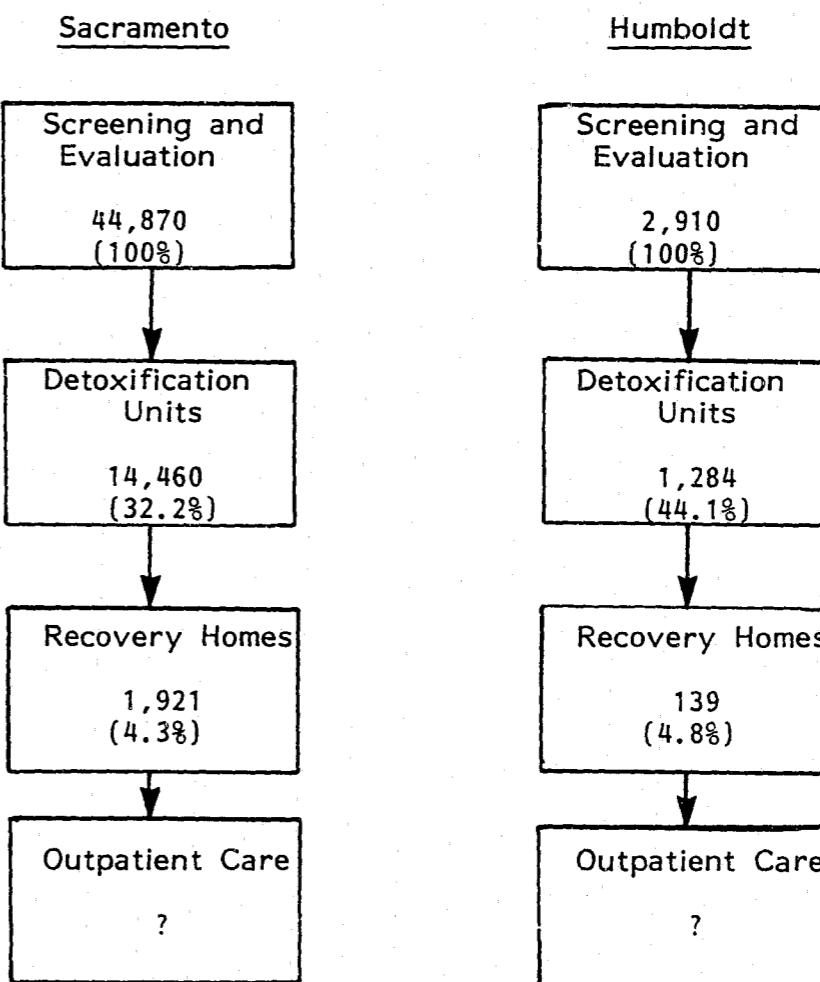
Thus, overall, we can conclude that the demonstration projects did reach and serve a significant proportion of the public inebriates in Sacramento and Humboldt counties.

Rehabilitation of Public Inebriates

One goal of the project was to increase the number of public inebriates entering a continuum of care and successfully addressing their alcoholism problems. Technically, once they enrolled, they entered the continuum of care. But as Figure 4 shows, the attrition rate from that point on was very high. From a total of over 47,000 admissions about one out of three resulted in a referral to the next stage in the continuum of care. The largest number of referrals was made to detoxification units. A few admittees were sent to recovery

Figure 4

Public Inebriates Entering the Continuum of Care, 1978, 1979



homes, which is also part of the continuum of care. Overall, 32 percent of the Sacramento admissions were referred to a continuum of care component. In Humboldt 44 percent were given such a referral. The remainder, that is two-thirds of the Sacramento and over half the Humboldt admittees, were not processed further along this treatment track.

There were various reasons for this. The most important was that many were not ready to enter a treatment program. They simply wanted to avoid being arrested and to sleep off their drunk. Project staff did not force individuals into detox. They believed that the inebriated person had to want to begin treatment for it to be effective.

Only four to five percent of all admissions reached a pre-recovery or recovery home. Again, the principal reason was that the staff believed they were not ready or willing to enter a treatment program. Another reason was that the staff found that the recovery homes were designed to serve middle class clients, not public inebriates. That is one of the reasons that Humboldt started a separate 30-day residential program.

Unfortunately, there is very little information available from the recovery homes about what happened to clients who were referred to them. But we do know that a significant number of individuals entered a recovery home at least once during the two-year period. Data from two recovery homes in Sacramento indicate that between 64 and 92 percent of the admissions were separate individuals. That means that somewhere between 27 and 39 percent of the 4,564 public inebriates in Sacramento probably entered a recovery home at least once. In Humboldt we estimate that between 11 and 16 percent of the 777 public inebriates entered a recovery home.

But we also know that very few of these people stayed in the homes very long. Data from various sources indicate that only five or six percent completed the 90-day prescribed period, and about three out of four did not even stay one month.

The final stage in the continuum of care was outpatient care for recovering alcoholics. At this point in the treatment program the inebriate should have been sober for at least three months and started to re-enter society. Outpatient counseling was to be available to those who needed continued support and assistance.

Although no data are available, it appears that very few if any clients went this far. For example, the Sacramento Alcohol Center, the outpatient component of the Sacramento project, eventually pulled out of the project for lack of clients. It had spent none of its budget.

Changes in Drinking Behavior

Periodically throughout the project we interviewed the public inebriates themselves to find out what effect they thought the project had on their drinking behavior. Toward the end of the project we interviewed 40 inebriates in Humboldt and 100 in Sacramento to get a final opinion from the target population about the impact and utility of the project. Although it was impossible to select a random sample of public inebriates we did try to interview those within and outside of the continuum of care. In Sacramento we interviewed 50 people who had come to the Drop-In Center, 25 who were in detox, and 25 in recovery homes. In Humboldt we interviewed 30 at the Drop-In Center and 10 in detox. An analysis of their socio-economic, demographic, and other characteristics indicated that they were representative of those public inebriates who had enrolled in the demonstration project.

Most of these people said they had a drinking problem when they first enrolled in the project, they still had a drinking problem, but there had been some improvement.

Humboldt respondents saw more progress than Sacramento respondents. Eight out of ten said their drinking problem had improved, two-thirds said they were drinking less, and nine out of ten said they got drunk less often than before they entered the project. Almost two-thirds of the Sacramento respondents said there had been no change in their drinking problem, the amount they drank, or the frequency of drunkenness. But about a quarter saw some improvement.

The project definitely achieved part of its fourth goal. It enrolled many public inebriates and got them started in a treatment program. But it was not able to get many through that program. Most used the various project components (extended evaluation, detox, recovery homes) for temporary housing and then went back on the streets. It is also clear that most public inebriates in both counties did not successfully address their alcohol problems. That is obvious from the number who continued to be arrested or readmitted to the project. But a few made some progress. Whether that small amount of success is worth the effort is a political question that the counties will have to decide.

Table 5
Changes in Drinking Behavior Among Project Clients

	Sacramento (N=100)	Humboldt (N=40)
Had a drinking problem when first enrolled	78.0	97.5
Have a drinking problem now	74.0	85.0
Change in drinking problem		
Improved	28.0	80.0
Stayed the same	62.0	17.5
Gotten worse	10.0	0.0
Don't know	0.0	0.0
Change in amount of drinking		
Drink more	12.0	0.0
Drink the same	62.0	32.5
Drink less	26.0	67.5
Change in frequency of drunkenness		
Drunk more often	12.0	0.0
Drunk as often as before	62.0	10.0
Drunk less often	26.0	90.0
Biggest problem right now		
Drinking	90.0	47.5
Housing	60.0	5.0
Health	45.0	10.0
Job	31.0	17.5

Source: Public Inebriate Surveys, November and December 1979

Public Assessment of the Project

Periodically throughout the demonstration period we asked people their opinions about the project. Responses were gathered from residents, merchants, office workers, service providers and law enforcement personnel in the target areas. In general, Sacramento respondents were consistently less impressed than Humboldt respondents with what was being done about public inebriates. And in both counties the favorable rating declined and the unfavorable rating increased as the project went along.

The data indicate that the demonstration project was not seen by the public as being very effective. Merchants and law enforcement personnel were particularly critical, and even some of the project staff admitted the project did

not have much success in keeping PLs off the streets or in helping them to deal with their drinking problems.

But the project was not seen as a failure. A significant number of people, including merchants and law enforcement personnel, believed that the project had done some good. They were particularly impressed with the VOA Courtesy Patrol in Sacramento and the Drop-In Center in Humboldt. The public inebriates, as would be expected, were very supportive of the project. They particularly like the drop-in centers and detox units.

Although most people appear to believe that it will do no good to try to force public inebriates to stop drinking, they are less sure what good it will do to provide services. They believe something should be done, either by continuing some of the services provided during the demonstration project or developing a new mix of services that, hopefully, will be more effective.

It appears that public support would be greatest for a project designed to get the public inebriates off the streets and inebriate support would be greatest for a project designed to provide them with a safe shelter. The implication of that conclusion is that a project acceptable to both parties would probably be made up of components designed to reduce visibility and provide temporary shelter. Treatment-related services would be required only for the few public inebriates who made a commitment to change their drinking habits.

CHAPTER 3. CRIMINAL JUSTICE PROCEDURES, APPREHENSIONS AND DIVERSIONS

Criminal Justice Procedures for Handling Inebriates

Before the project began we diagrammed the steps followed by the police, sheriff, and courts in processing persons arrested for public drunkenness. Figure 5 summarizes those steps. The only significant differences in the two counties were: (1) Sacramento sent convicted inebriates to a county correctional facility while Humboldt sent them to the county jail; and (2) Humboldt did not have a diversion track, while Sacramento sent some public inebriates to an existing detox unit.

During the demonstration period both counties had a diversion track. Instead of arrest and jail, law enforcement personnel could divert public inebriates to the Screening and Evaluation Units. They did not have to divert them, they could arrest them. Aside from providing that alternative there were few, if any changes in the procedures. The principal steps in the processing of public inebriates by the criminal justice system before, during, and after the project remained the same. Once a public inebriate was apprehended the police decided whether to divert or arrest the subject. If diverted, the public inebriate was formally turned over to the staff at Screening and Evaluation and admitted to the project, and that concluded the public inebriate's involvement with the criminal justice system. If arrested, the public inebriate would be taken to jail, booked, held by the sheriff for 4-6 hours and released. If the police filed a complaint the public inebriate would be held in jail overnight (or over the weekend) and taken before the judge the next day. In Humboldt some were released on their own recognizance. Public inebriates were usually brought to court as a group and read their rights. The judge would then take each person in turn, read the complaint and ask for a plea. Most plead "guilty" and were sentenced to time served. Some were sentenced to 40 days (they would get 10 days off for good behavior, making the effective sentence 30 days). Some were sentenced to 5, 15, or even 90 days. Those who plead "not guilty" were usually given a trial date 30 days hence and taken back to jail. When their trial came up the case would be dismissed "in the interest of justice," since the defendant had already served a 30-day "sentence."

Our hypothesis was that criminal justice involvement would be reduced in all of these areas. If the projects were successful, there should have been fewer apprehensions, arrests, complaints filed, and sentences.

Complaints About Public Inebriates

Public inebriates came to the attention of the criminal justice system in two ways: through police observation and from complaints made to the police by citizens. Citizen complaints are a sensitive indicator of public inebriate visibility and are directly correlated with criminal justice involvement because they require a police response. Thus, the fewer the complaints, the less time the police need to spend on public inebriates.

Figure 5
Criminal Justice Processing of Public Inebriates,
Sacramento and Humboldt Counties

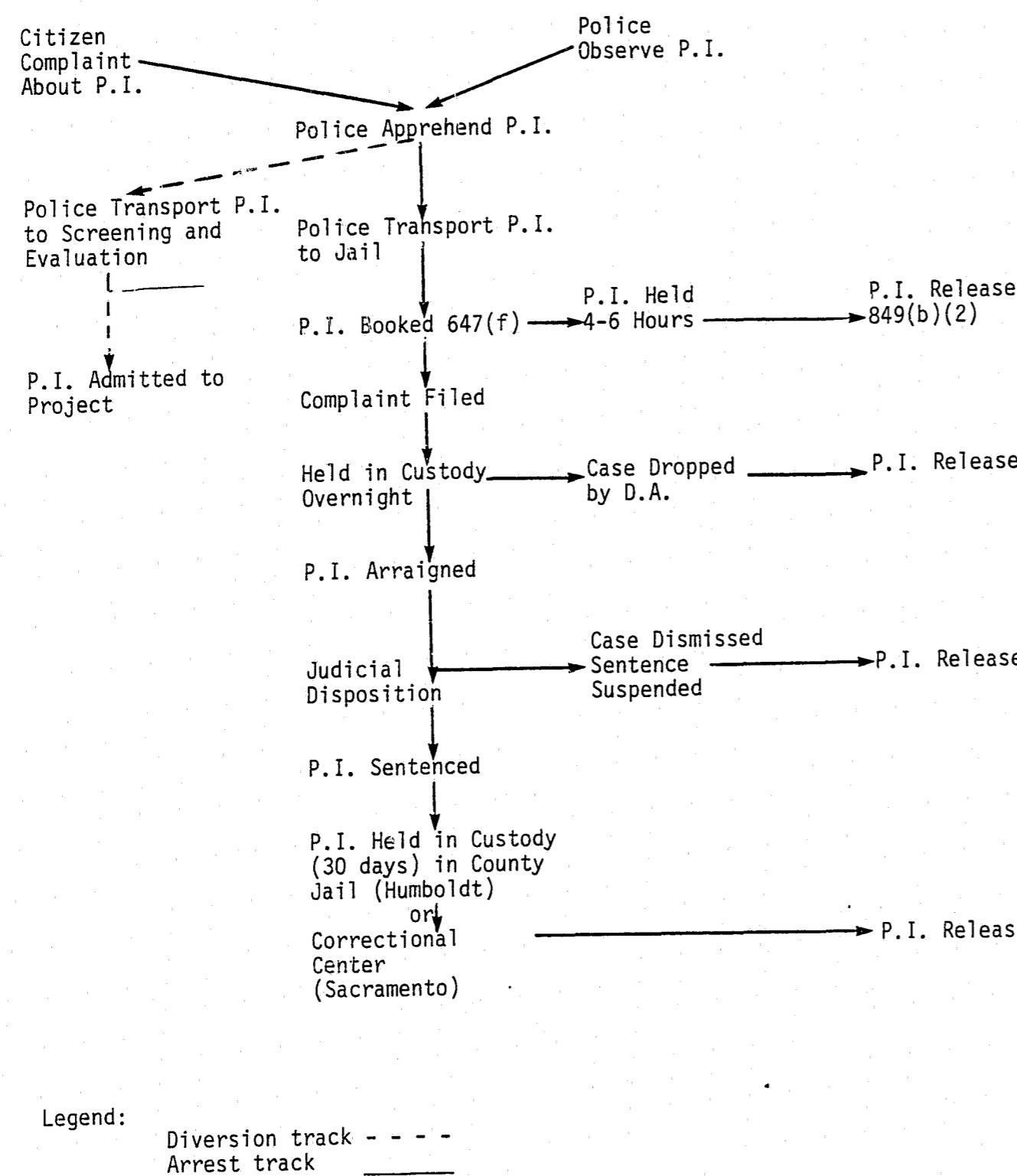


Table 6 shows that citizen complaints declined 8-12 percent in the first year of the demonstration project, but then they stabilized in Humboldt in the second year, and returned to their pre-project level in Sacramento. In 1980 they rose significantly in both counties.

Table 6
Total Public Drunkenness Complaints to the
Sacramento and Eureka Police Departments, 1977-1980

	Sacramento	Eureka		
	Percent Change From Previous Year	Percent Change From 1977	Percent Change From Previous Year	Percent Change From 1977
Number			Number	
1977	8,613	-	777	-
1978	7,928	-8.0	683	-12.1
1979	8,686	+9.6	672	-1.6
1980	10,430	+20.1	893	+32.9

Sources: Sacramento and Eureka Police Departments

These data indicate that the demonstration projects had only a limited and temporary effect on public inebriate visibility. The number of complaints remained high throughout the project period, largely because the projects were not able to keep the public inebriates off the streets in large enough numbers and for long enough periods of time, therefore, people complained. The drop that occurred after the projects opened was not sustained, but things became worse after the projects ended. Complaints rose quickly because public inebriates were even more visible than before. Thus, the police in both counties continued to receive and have to respond to a large number of complaints. The demonstration projects did not reduce their workload in this area to any significant or lasting degree.

Apprehensions And Diversions

Table 7 show that apprehensions of public inebriates dropped slightly in Sacramento in the first year of the project, and then rose in the second year and again after the project ended. In Humboldt there was a significant increase in apprehensions during the two project years, and then a decline in 1980. This was entirely unexpected, but there is a simple explanation. During the project years the Eureka police had somewhere to take public inebriates other than to jail, so they apprehended more of them in order to keep the streets clean. When the project closed they lost that option and had to arrest everyone they apprehended. Sacramento's Drop-In Center and Sleep-Off Unit stayed open after the demonstration project ended, which meant that the police

retained their option, and they continued to apprehend and divert more public inebriates.

Table 7
Diversions of Apprehensions for Public Drunkenness by Law Enforcement Agencies, Sacramento and Humboldt, 1977-1980

		Sacramento		Humboldt	
		Number	Percent	Number	Percent
1977	Apprehended	13,941	100.0	1,562	100.0
	Diverted	4,878	35.0	45	2.9
1978	Apprehended	13,239	100.0	2,399	100.0
	Diverted	7,408	56.0	1,175	49.0
1979	Apprehended	14,094	100.0	2,025	100.0
	Diverted	9,017	64.0	726	35.9
1980	Apprehended	14,334	100.0	1,890	100.0
	Diverted	9,864	68.8	287*	15.2

Source: Bureau of Criminal Statistics and Demonstration Project Records. These data are for all law enforcement agencies in the counties (police, sheriff, etc.).

*First half of 1980

NOTE: Apprehensions were calculated by adding diversions and arrests. Not included in these figures are police contacts with public inebriates that resulted in some other disposition, such as transporting the individual home, to a mission, or to the county line.

Thus, rather than reduce police involvement, the demonstration projects actually stimulated it. The police took advantage of the projects; they diverted large numbers of public inebriates to the Screening and Evaluation Units. Both the number and proportion diverted rose each year in Sacramento. The number of diversions was large before the project began because the county operated a detoxification unit to which the police could divert inebriates; but diversions were even greater when the project concluded because the Sleep-Off Unit remained open and could hold many more people than the detox unit. Humboldt's story was the reverse. There was no facility before the project began and none after it ended, thus there were no diversions.

In the first year of the project, law enforcement personnel accounted for almost 41 percent of all admissions to the Sacramento project. In Humboldt the percentage was even higher, almost 73 percent. These percentages dropped off the following year, not because there were fewer law enforcement diversions, but because there were more self-referrals to the projects. By the last quarter of 1979 half of the admissions in Humboldt and seven out of ten in Sacramento

were from self-referrals, which would indicate that as the projects became established and known more public inebriates came in voluntarily.

The data indicate that:

1. The projects had no effect on criminal justice procedures, other than to provide the police an alternative to arrest;
2. The projects had only a limited and temporary effect on public inebriate visibility. Citizen complaints remained high, and that meant the police workload in this area was not affected to any significant or lasting degree;
3. Things got worse when the projects ended. Complaints rose because public inebriates became even more visible, and this added to the police workload;
4. Still, the demonstration projects were heavily utilized by the police;
5. Rather than reduce police involvement, they actually encouraged it. The police saw the projects as an alternative to jail, and they used it. They apprehended more public inebriates and diverted significant proportions of them to the demonstration projects; and
6. The effect of shutting the projects down is graphically shown in the contrast of Humboldt's and Sacramento's post-project experiences. Humboldt had no alternative but jail and both apprehensions and diversions dropped sharply. Sacramento continued to operate its Drop-In Center and Sleep-Off Unit, and apprehensions and diversions remained high.

CHAPTER 4. ARRESTS

Arrests for public drunkenness dropped in both counties because of the demonstration projects. Declines occurred in both the total number of arrests and the arrest rates, but the declines were greater in Sacramento than in Humboldt. When the demonstration projects ended, arrests continued to decline in Sacramento, but they rose in Humboldt.

Number of Arrests

Prior to the start of the project in 1978, Sacramento averaged almost 9,000 and Humboldt about 1,000 arrests each year for public drunkenness. The State averaged over 218,000 such arrests each year.

Table 8 shows that the number of arrests per year had declined rapidly in the state through 1973 and then began to rise again. In Sacramento, arrests remained in the 9,000 range through 1972 and then dropped dramatically. These declines coincided with a change in the Penal Code which allowed counties to divert public drunks to detoxification centers instead of sending them to jail. Several counties, including Sacramento, established detoxification centers around this time and that was a major reason for the decline in these arrests (Lockhart and Desrys, 1974). Humboldt was one county that did not.

After 1973 arrests began to increase. In 1977, just before the demonstration project began, they reached a peak. In Humboldt, arrests for 647(f) were the highest they had been in ten years. In Sacramento they were back to the 9,000 level. And in the state as a whole they were up to 228,000, the highest they had been in five years. Between 1973 and 1977, arrests increased 40 percent in Sacramento and almost 72 percent in Humboldt, a rate that was much more rapid than the 12.5 percent increase for the State as a whole.

During the two years of the demonstration project the number of arrests for public drunkenness declined in both counties and in the State as well. But as the percent change figures in Table 9 show, the declines were greater in the demonstration counties. Sacramento arrests in 1978 were almost 36 percent below the 1977 baseline year. In 1979 they declined another 13 percent. Humboldt's decline was much smaller, 19 percent in 1978 followed by a six percent increase in 1979, slightly greater than the increase for the State as a whole.

When the projects ended, Humboldt's arrests increased another 23 percent, which was much greater than the increase in the State. Sacramento's arrests declined another 22 percent. The explanation for the increase in one county and the decline in the other is that Sacramento continued to operate a Drop-In Center and Sleep-Off Unit in 1980 and Humboldt did not. The police in Humboldt no longer had an alternative to arrest, the police in Sacramento did.

If the 1973-1977 trends had continued, there would have been many more arrests in Sacramento and Humboldt than there were. We estimated that Sacramento would have reached 9,715 arrests in 1978, 10,378 in 1979, and 11,042 in 1980. Humboldt would have reached 1,627, 1,785, and 1,942 respectively. Table 10 shows the difference between the projected trends and the actual number of arrests for these three years. These data indicate that the

drop in arrests was large and statistically significant in both counties. The statewide decline was smaller and not statistically significant. Thus, it is clear that arrests declined dramatically in both Sacramento and Humboldt. Although the 1980 arrests in Humboldt were increased over 1979, they were still lower than the figure projected.

Table 8

Adult Arrests for Public Drunkenness in Sacramento and Humboldt Counties and the State of California, 1970-1980

<u>Year</u>	<u>Sacramento</u>	<u>Humboldt</u>	<u>California</u>
1970	10,424	861	245,343
1971	9,666	802	233,551
1972	9,074	776	211,252
1973	6,468	884	202,976
1974	6,816	964	206,658
1975	8,020	1,132	209,251
1976	8,259	1,274	212,708
1977	9,063	1,517	228,250
1978	5,831	1,224	214,255
1979	5,077	1,299	222,809
1980	4,470	1,603	230,466
Total	83,168	12,336	2,417,519

Source: Bureau of Criminal Statistics

Table 9

Percent Change in Adult Arrests for Public Drunkenness in Sacramento and Humboldt Counties, and the State of California, 1977 - 1980

	<u>1976-1977</u>	<u>1977-1978</u>	<u>1978-1979</u>	<u>1979-1980</u>
Sacramento	+9.7	-35.7	-12.9	-21.7
Humboldt	+19.1	-19.3	+6.1	+23.4
California	+7.3	-6.1	+4.0	+3.4

Source: Bureau of Criminal Statistics

Table 10
Projected and Actual Arrests for Public Drunkenness in Sacramento and Humboldt Counties
and the State of California, 1978 and 1980

	Sacramento		Humboldt		California				
	1978	1979	1980	1978	1979	1980	1978	1979	1980
Projected	9,715	10,378	11,042	1,627	1,785	1,942	228,948	234,602	240,268
Actual	5,831	5,081	4,470	1,224	1,299	1,603	214,255	222,809	230,466
Number Difference	3,884	5,279	6,572	403	486	339	14,693	11,793	9,802
Percent Difference	-40.0	-51.0	-59.5	-24.8	-27.2	-17.5	-6.4	-5.0	-4.1
Significance	11.29	15.40	19.10	5.65	6.80	4.77	2.23	1.79	1.49

Significant at .01 with 3D.F Significant at .01 with 3D.F Not significant at .01 with 3D.F

Although the decline in arrests is a strong indicator of program impact, it is possible that there is some other explanation for the declines. For example, if population declined there would be fewer people to arrest and, therefore, arrests would also decline. But this was not the case in either Sacramento or Humboldt. Population actually increased in both counties in 1978, again in 1979, and 1980.

Thus, both arrests and arrest rates declined significantly during the project period in both demonstration counties and that their declines were larger and more statistically significant than the declines in the State.

Although the statewide decline in arrests was not statistically significant, it was 4-6 percent below what we had projected. If the decline were uniform statewide, that would indicate that some other factor could have accounted for the decline in the demonstration counties.

But as Table 11 shows, the decline was not uniform statewide. The principal contributor to the statewide decline was Los Angeles. Between 1977 and 1978 arrests dropped over 23,000. In 1979 they went down another 4,600. Other significant declines occurred in San Joaquin in 1978 (-5,200), Sacramento in 1978 (-3,200), and San Diego in 1979 (-5,400) and 1980 (-5,397). Significant increases occurred in Alameda, Riverside, San Francisco, and a number of other counties. Arrests in San Francisco climbed rapidly through 1979 and then dropped in 1980.

Table 11

Counties with Largest Decreases and Increases
in Arrests for Public Drunkenness, 1977 - 1980

	Total Number of Arrests			
	1977	1978	1979	1980
Largest Decreases				
Los Angeles	88,581	65,166	61,805	59,428
San Joaquin	10,117	4,903	5,450	6,722
Sacramento	9,063	5,831	5,081	4,470
San Diego	19,098	20,393	14,920	9,523
Largest Increases				
Alameda	6,489	7,849	13,392	14,789
Riverside	1,814	4,358	6,976	8,482
San Francisco	11,393	15,568	16,358	12,514
Santa Clara	3,823	6,753	7,921	9,875
Fresno	16,011	18,132	19,198	19,668

Source: Bureau of Criminal Statistics

Table 10

Projected and Actual Arrests for Public Drunkenness in Sacramento and Humboldt Counties
and the State of California, 1978 and 1980

	Sacramento			Humboldt			California		
	1978	1979	1980	1978	1979	1980	1978	1979	1980
Projected	9,715	10,378	11,042	1,627	1,785	1,942	228,948	234,602	240,268
Actual	5,831	5,081	4,470	1,224	1,299	1,603	214,255	222,809	230,466
Number Difference	3,884	5,279	6,572	403	486	339	14,693	11,793	9,802
Percent Difference	-40.0	-51.0	-59.5	-24.8	-27.2	-17.5	-6.4	-5.0	-4.1
Significance	11.29	15.40	19.10	5.65	6.80	4.77	2.23	1.79	1.49

Significant at .01 with 3D.F Significant at .01 with 3D.F Not significant at .01 with 3D.F

These data also show that there was no uniform pattern throughout the state. Arrests increased in some counties and decreased in others, and by very different amounts.

While we do not know why these changes occurred in each county, we do know that the change in Los Angeles was unique to that area and had no effect on Sacramento or Humboldt. Changes in several other counties, including San Diego and San Francisco, appear to be due to changes in local police policies and had no effect on the demonstration counties. In San Diego the police began diverting public inebriates to a local drop-in center (San Diego, 1977 Wynne, 1982). In San Francisco police began to round up public inebriates, apparently in response to pressure from local merchants (DADA, 1979, p. 27).

Thus, from the above data we can conclude that there was no significant factor operating statewide that would have affected arrests for public drunkenness in either Sacramento or Humboldt counties. As we noted previously, California has not decriminalized public drunkenness and each county is relatively free to deal with this problem in its own way.

There were several changes in arrest patterns which add support to the conclusion that the demonstration projects had a significant impact on the arrests of public inebriates.

The proportion of arrests made by the police, sheriffs and other law enforcement agencies between 1977-1980. In 1977 the Sacramento Police Department (SPD) made almost nine out of every ten arrests for public drunkenness. That dropped each year, to about eight out of ten in 1978, seven out of ten in 1979, and close to six out of ten in 1980. At the same time that SPD arrests were declining, those made by the Sheriff's Department steadily increased, proportionately as well as absolutely. By 1980 the number of arrests made by the Sheriff had doubled (from 639 to 1,268) and accounted for 28 percent of all arrests for public drunkenness (up from 7 percent in 1977).

This is another indicator of the success of the project in the target area, downtown Sacramento, and in gaining the support of the police, who increasingly preferred to divert rather than arrest public inebriates.

It seems clear that both projects had a significant impact on arrests:

1. The number of arrests declined significantly in both counties; much more so than in the State as a whole;

2. Arrest rates also declined, again much more than in the State;
3. When the demonstrations ended arrests and arrest rates increased in Humboldt but continued to decline in Sacramento; and
4. The key factor was the continuation of the Drop-In Center and Sleep-Off Unit. Sacramento continued to have a place where public inebriates could go, Humboldt did not.

Frequency of Arrest

As far as we know, there has been no study of the frequency of arrest of individuals for public drunkenness. Many of the vignettes which have been reported give the impression that a small number of individuals account for a majority of the arrests. If this were the case, then it follows that removal of these people from the criminal justice system would reduce criminal justice involvement to a minimum. Our data indicate that this was not exactly the case in Sacramento and Humboldt.

Although the number of arrests in Sacramento dropped steadily from 1977 through 1980, Table 12 shows the number of individuals arrested dropped sharply in 1978, then rose in 1979 and leveled off in 1980. One would have expected a significant and sustained decline, but this did not happen.

Table 12

Number of Individuals Arrested for Public Drunkenness
Sacramento and Humboldt Counties, 1977-1980

	Sacramento	Humboldt
1977	4,448	894
1978	3,408	855
1979	3,691	854
1980	3,624	933
Mean	3,793	884

Source: Bureau of Criminal Statistics, special computer run.

Humboldt's pattern was much more consistent with its total arrest trend, a decline in 1978, no change in 1979, and a significant increase in 1980.

Table 13 shows how often people were arrested for public drunkenness. For example, in 1977 there were 4,448 individuals who were arrested in Sacramento. What is surprising is the large number of individuals who were arrested only once, 75-88 percent. That is, the vast majority of people arrested for public drunkenness were not "chronic, police-case inebriates." They were not the target group of the demonstration or

¹In December 1977 Superior Court Judge Harry L. Hupp issued an opinion on the Sundance case. In March 1978 he issued his final judgment, which had the force of law as to the Los Angeles municipal courts and police department. The judgment placed significant constraints on police discretion and imposed higher standards for jail accommodations for public inebriates. The effect was to reduce L.A.P.D. arrests more than 60 percent in 1978. The Sundance decision had its major impact on the L.A.P.D. Other jurisdictions, even within Los Angeles County, were largely unaffected. Stevens, *op. cit.* pp. 63-65.

Table 13
Number of Individuals Arrested by Frequency of Arrest

PERCENTAGES

	Percent Distribution of Arrestees							
	Sacramento				Humboldt			
	1977	1978	1979	1980	1977	1978	1979	1980
Number of Arrests	(4,448)	(3,408)	(3,691)	(3,624)	(894)	(855)	(854)	(933)
1	76.8	76.9	83.4	88.4	78.6	80.4	80.5	77.0
2	7.6	10.3	9.4	7.3	10.6	11.3	9.6	11.7
3	4.5	4.5	2.9	2.2	4.1	3.0	4.7	4.2
4	2.5	2.2	1.7	0.7	1.3	1.8	1.6	2.5
5	1.7	1.5	0.8	0.4	1.0	1.5	1.3	1.2
6	1.5	1.1	0.5	0.4	1.1	0.7	0.4	0.7
7	1.0	0.6	0.3	0.4	0.7	0.1	0.2	0.3
8	0.9	0.6	0.2	0.1	0.4	0.6	0.5	0.4
9	0.4	0.4	0.3	0.1	0.3	0.2	0.5	0.3
10	0.3	0.7	0.2	-	0.1	-	-	0.1
11-19	1.9	1.3	0.4	0.2	1.1	0.1	0.6	0.9
20+	0.9	-	-	-	0.4	0.2	0.2	0.6
Highest Number of Arrests	(42)	(24)	(23)	(20)	(34)	(29)	(25)	(32)
Arrests/Individuals	2.04	1.71	1.38	1.23	1.70	1.43	1.52	1.72

Source: Bureau of Criminal Statistics, Special Computer Run

not significantly affected by it. Throughout the four year period the proportion of all arrestees who were arrested only once remained high (78-80 percent) and relatively stable.

The "chronic police-case inebriates," say those individuals arrested five or more times a year, made up only five percent of the 1977 arrestee population in Humboldt and nine percent of the population in Sacramento.

If a stricter definition were adopted, say more than 10 arrests per year, the percentage would drop to one and three percent respectively. Thus, in both counties the chronic police case inebriate, the target of the demonstration project, made up a very small portion of the offending population--those who were arrested for being drunk in public.

Although the data indicate that the projects did not have much impact on the number of individuals who were only arrested once or twice, they did have an impact on those who were arrested more frequently, particularly those who were arrested most often. The highest number of arrests for an individual in Sacramento was 42 in 1977. That dropped to 24 after the project opened. In 1977 there were 38 people who were arrested 20 or more times, and 85 who were arrested 11-19 times. Those figures dropped significantly after the project opened. A similar pattern occurred in Humboldt, which leads to the conclusion that both projects had their greatest impact on the population they were trying to serve, the chronic inebriate who was frequently arrested. Many of these people were arrested much less frequently because they were diverted to the projects. The rise in the frequency of arrest in Humboldt after the project closed tends to add support to this conclusion.

The data presented in this chapter lead to some unexpected conclusions:

1. The projects had no effect on the vast majority of individuals who were arrested for public drunkenness, and therefore, did not relieve the police of the burden of dealing with these people.
2. The projects had a significant effect on the very small minority of chronic, police-case inebriates who were their target population, and that, in turn led to a significant reduction in the frequency of arrest of these people, the total number of arrests, and consequently, police involvement.
3. A majority of those enrolled in the projects did not appear to have had many, if any arrests for public drunkenness. Thus, they were not a significant burden to the police in the first place.
4. Even if all arrests of the target population had been eliminated, the police still would have had to deal with the "occasional drunk" who made up 90 percent or more of those individuals arrested for being drunk in public.

CHAPTER 5. RELEASES AND COURT ACTION

Public inebriates were turned over to the sheriff after they were arrested. In 1977, before the demonstration project began, the sheriffs in both counties generally kept them in a holding cell for about four hours, or until they became sober. Many public inebriates were then released under statute 849(b)(2), if "the person was arrested for intoxication only and no further proceedings are desirable." In Humboldt, the sheriff sometimes released public inebriates on their own recognizance, but they had to return on a specified day for arraignment.

Releases and Complaints Filed

Table 14 shows that as arrests increased in the State as a whole, releases also increased and the number of complaints filed decreased. The proportions changed also. As arrests went up, the proportion released also went up. The opposite was expected for the demonstration counties. If the projects were successful and arrests declined, releases and complaints were expected to fall because there would be fewer people to release and hold for court. The proportion released was expected to remain steady.

Table 14
Arrests by Disposition, 1977-1980

	Sacramento		Humboldt		California	
	Number	Percent	Number	Percent	Number	Percent
1977 Arrested	9,063	100.0	1,517	100.0	212,450	100.0
	7,224	79.7	282	18.6	72,710	34.2
	1,834	20.2	1,234	81.3	136,846	64.4
	5	0.1	1	0.1	12,894	1.4
1978 Arrested	5,831	100.0	1,224	100.0	214,255	100.0
	3,501	60.1	217	17.7	84,643	39.5
	2,328	39.9	1,006	82.2	126,564	73.1
	2	0.0	1	0.1	3,048	1.4
1979 Arrested	5,077	100.0	1,299	100.0	222,809	100.0
	2,275	44.8	305	23.5	92,593	41.6
	2,787	54.9	993	76.4	127,048	57.0
	15	0.3	1	0.1	3,168	1.4
1980 Arrested	4,470	100.0	1,603	100.0	230,466	100.0
	2,360	52.8	419	26.1	103,761	45.0
	2,109	47.2	1,184	73.9	122,725	53.3
	1	0.0	0	0.0	3,980	1.7

Source: Bureau of Criminal Statistics

The expected patterns occurred in Humboldt. Releases and complaints dropped in 1978 and the proportion released dropped only slightly. The following year, with arrests rising slightly, releases increased again and complaints dropped slightly. When the project closed in 1980 arrests, releases and complaints filed all increased, as expected.

Sacramento did not follow the expected pattern. Although the number released declined dramatically during the project years, the number and proportion of complaints filed increased--from 1,834 in 1977 to 2,328 in 1978 (up 27 percent), and in 1979 to 2,787 (up 18 percent). This unexpected phenomenon seems to reflect a "crackdown" by the Sacramento sheriff on public inebriates. During the project years the sheriff released fewer and fewer public inebriates who were arrested for public drunkenness and held more for court.

These data indicate that the projects did not have the effect they expected on the sheriffs. Neither project was able to control visibility enough to quell complaints about public inebriates. Pressure was put on the sheriffs to hold those who were arrested. Thus, instead of going down significantly, the burden on the sheriff decreased only slightly in Humboldt and increased in Sacramento.

Arraignments and Sentences

When the police filed complaints, public inebriates were usually held in jail overnight and then arraigned before a judge of the municipal court. But many were released before going to court because the District Attorney dropped the charge "in the interest of justice." Also, when a defendant was charged with more than one offense, for example, disturbing the peace and public drunkenness, the judge usually dealt with the first count and dismissed the second. Thus, many public drunkenness complaints were dropped.

Arraignments

Table 15 shows that before the project started in Sacramento, the number of cases dropped by the District Attorney or not heard by the judge was just about the same as the number arraigned. In Humboldt about two cases were dropped for every three arraignments.

During the demonstration project, the number and proportion of dropped cases remained high in both counties--in fact, they increased in Sacramento, which might be interpreted as a positive impact of the project, except for the fact that the number arraigned also increased during the project years. In Humboldt, the number dropped declined during the first year of the project, then rose, and then declined after the project ended. Perhaps more important, the number arraigned in Humboldt declined during the project years and then rose in 1981, which would support the notion that the project reduced court involvement.

But the overall impression is that the projects had relatively little impact on the courts. Arraignments clearly increased in Sacramento during the project years and although they dropped in Humboldt, they remained high--falling about 15 percent in the first year and another 8 percent in the second project year.

Table 15

Disposition of Public Drunkenness Complaints Filed,
Sacramento and Humboldt Counties, 1977-1980

	<u>Sacramento</u>									
	1977		1978		1979		1980			
	Number	Percent	Number	Percent	Number	Percent	Number	Percent		
Complaints Filed	1,834	100.0	2,328	100.0	2,787	100.0	2,109	100.0		
Dropped	906	49.4	964	41.4	1,342	48.2	1,177	55.8		
Arraigned	928	50.6	1,364	58.6	1,445	51.8	932	44.2		
	<u>Humboldt</u>									
	1977		1978		1979		1980			
	Number	Percent	Number	Percent	Number	Percent	Number	Percent		
Complaints Filed	1,234	100.0	1,006	100.0	993	100.0	1,184	100.0		
Dropped	495	40.1	385	38.3	422	42.5	400	33.8		
Arraigned	739	59.9	621	61.7	571	57.5	784	66.2		

Sentences

Theoretically, if the project had been successful, sentences should have decreased. That is what happened in Humboldt. The number sentenced dropped from 500 in 1977 to 380 in 1978, a decline of 24 percent. That was followed by an additional drop of 29 percent in the following year and then, when the project ended, sentences increased 47 percent. The experience in Sacramento was almost the reverse. Sentences increased an amazing 79 percent during the first project year (from 494 in 1977 to 882 in 1978), increased slightly the next year, and then dropped 53 percent when the project ended. The proportion sentenced also increased during the project years and then declined in 1980. This completely unexpected curve was a reflection of the court's reaction to the continuing public inebriate problem. Visibility had not been reduced enough, complaints were still being made, and pressure was put on the courts to do something to "keep the drunks off the streets."

For example, in February, 1978 the Sacramento police complained that the sheriff's policy of releasing 80 to 90 percent of the public inebriates was causing a serious problem because the police had to pick up the same PIs over and over again, sometimes several times each day. The Sheriff's Department responded by issuing a directive which stipulated that arrested public inebriates were not to be released unless: (1) the arrest was made on the weekend (when court was not in session); or (2) it was that person's first arrest for public drunkenness. The immediate effect was to reduce the number of public inebriates who were released and increase the number held for court. At about the same time an agreement was made with the District Attorney and the Municipal Court Judge to prosecute and sentence those public inebriates who were considered by the police to be persistent problems. The result was an increase in the number held for court, arraigned, and sentenced.

Table 16

Court Disposition of Drunkenness Cases,
Sacramento and Humboldt Counties, 1977-1980

	<u>Sacramento</u>									
	1977		1978		1979		1980			
	Number	Percent	Number	Percent	Number	Percent	Number	Percent		
Arraigned	928	100.0	1,364	100.0	1,445	100.0	932	100.0		
Sentenced	494	53.2	882	64.7	935	64.7	435	46.7		
Dismissed	129	13.9	153	11.2	101	7.9	181	19.4		
Suspended	217	23.4	217	15.9	168	11.6	21	2.3		
Other	88	9.5	112	8.2	241	16.7	295	31.7		
	<u>Humboldt</u>									
	1977		1978		1979		1980			
	Number	Percent	Number	Percent	Number	Percent	Number	Percent		
Arraigned	739	100.0	621	100.0	571	100.0	784	100.0		
Sentenced	500	67.7	380	61.2	268	46.9	395	50.4		
Dismissed	229	31.0	212	34.1	284	49.7	306	39.0		
Probation	10	1.3	20	3.2	15	2.6	22	2.8		
Other	-	-	9	1.4	4	0.7	61	7.8		

Source: Municipal Court Dockets

But these crackdowns only occurred periodically, and they were short-lived. The Sheriff's directive was discontinued in March, 1978 and the percentage of released inebriates climbed as the number of those sentenced declined. The merchants, City Council and police complained again in November and the directive was reinstated, with predictable results. A similar scenario was played out in the third quarter of 1979. Releases declined and sentences rose.

Humboldt also showed a change in sentencing, but that was due to a change in judges. Sentences dropped off sharply after the project opened. Then in 1978 a new judge took over and sentences increased for a time. The judge was the former District Attorney, and he instituted a much harder line than his predecessor. He was particularly severe with recidivists, and he had an agreement with the local police that if certain chronic inebriates were arrested and held for court they would be sentenced. The short-term effect was to increase the number of public inebriates held for court, arraigned, and sentenced.

Length of Sentence

Table 17 shows that the number of individuals sentenced to jail and the average (mean) duration of sentence actually increased in Sacramento during the first year of the demonstration project, and then began to decline. But the total number of days doubled in the first year of the project and dropped only slightly in the second year. There was a significant drop the year after the

project ended. Thus, instead of reducing the burden on the Sacramento jail and Correctional Center, the project indirectly contributed to a doubling of that burden.

In Humboldt, the number sentenced declined, as did the total number of days of sentence, which dropped 39 percent in 1978. Both rose after the project ended. After the Drop-in Center closed in June, 1980, the number sentenced for public drunkenness in the subsequent quarter jumped from 75 to 163. Thus, although it did not come anywhere near eliminating their jailing, Humboldt's project did contribute to a significant reduction of jail time for public inebriates.

Table 17

Length of Sentence for Public Drunkenness
Sacramento and Humboldt Counties, 1977-1980

	<u>Sacramento</u>			
	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>
Number Sentenced	494	882	935	435
Number Days	15,931	30,676	27,384	11,321
Mean	32.2	34.8	29.3	26.0
Mode	40	40	40	40
	<u>Humboldt</u>			
	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>
Number Sentenced	500	380	268	395
Number Days	3,117	1,897	1,327	1,960
Mean	6.2	5.0	5.0	5.0
Mode	1	1	1, 2	5

Source: Municipal Court Dockets

CHAPTER 6. PROJECT IMPACT ON CRIMINAL JUSTICE TIME AND COSTS

So far we have examined the impact of the demonstration projects on different criminal justice functions--apprehensions, arrests, and so forth. In this chapter we attempt to measure the overall impact of the projects on the criminal justice system. To do this we calculated the amount of time criminal justice personnel spent handling public inebriates before, during and after the projects. We also calculated the cost to the system of carrying out these functions. Our working hypothesis was that if the projects were successful there should have been a significant decrease in both time and costs during the demonstration period.

Time Involved in Processing Public Inebriates

Conventional wisdom has it that criminal justice personnel spend an inordinate amount of time handling public inebriates. The argument is apparently based on estimates derived from arrest statistics. For example, if 50 percent of the arrests made in this country are for public drunkenness, then it is assumed that 50 percent of police time is devoted to this one misdemeanor and the jails are crowded and the courts are clogged as a result.¹ Our data show that these assumptions did not hold true in Sacramento and Humboldt.

Criminal justice personnel actually spent a modest amount of time processing public inebriates through the system. On average, the police in Sacramento spent just under two hours of personnel time processing each inebriate. That included the time of all police personnel involved in all of the steps from apprehension through booking or diversion. The sheriff spent about an hour per inebriate, which included everything from booking through the court appearance and transportation to and from the Correctional Center. The court spent about three-quarters of an hour of personnel time per inebriate. Overall, the Sacramento criminal justice system only spent about two and one-half hours on each public inebriate who was apprehended.

Humboldt's figures were even lower, largely because fewer personnel were involved. The police spent about 20 minutes per public inebriate, the sheriff about an hour and the court only 12 minutes, for a total of about one and one-half hours for each apprehension.

Although the time spent on the average inebriate was modest, the cumulative effect was significant, particularly in Sacramento where there were so many arrests.

Before the demonstration began we calculated that the Sacramento criminal justice system had the equivalent of almost 19 full-time staff doing nothing but processing public inebriates. The Sacramento Police Department operated a

¹For example, Spradley (1970) estimated that up to 70 percent of police time has been spent on this offense and 80 percent of the jail population is public inebriates.

paddy wagon 24 hours a day, 365 days a year, with a crew of two to three officers per shift. Adjusting for time off, that meant that the police had 13 full-time officers assigned solely to the "public inebriate beat." In addition, other SPD beat officers, particularly those in the downtown target area, spent a portion of their time dealing with PIs.

Table 18
Average Criminal Justice Time per Public Inebriate
(hours:minutes)

	SACRAMENTO			
	1977	1978	1979	1980
Police ¹	1:50	1:57	1:51	1:50
Sheriff ²	0:55	1:05	1:10	1:01
Court ³	0:47	0:47	0:47	0:47
Total ⁴	2:33	2:31	2:21	2:12
	HUMBOLDT			
	1977	1978	1979	1980
Police ¹	0:23	0:20	0:21	0:23
Sheriff ²	0:59	1:01	0:57	0:55
Court ³	0:12	0:12	0:12	0:12
Total ⁴	1:26	0:54	1:01	1:14

¹Hours per public inebriate apprehended

²Hours per public inebriate booked

³Hours per public inebriate arraigned

⁴Hours per public inebriate apprehended. Totals do not sum due to use of different bases for sheriff and courts.

Since the police had no jail, they turned arrested inebriates over to the sheriff. The Sacramento Sheriff's Department had the equivalent of over four officers working on public drunkenness in 1977.

The judge and other court officers (district attorney, public defender, etc.) spent relatively little time on public drunks, about 15 minutes per court session, hearing pleas and sentencing them, which amounted to under one-half of a full-time worker.

Humboldt's level of activity was much lower, amounting to just over one full-time equivalent staff for the entire criminal justice system in 1977. Most of the time was spent by the sheriff in booking and taking care of those sentenced to the county jail.

Table 19 also shows that the demonstration project did have a slight impact on both Sacramento's and Humboldt's systems. The number of full-time equivalent staff in Sacramento devoted to processing public inebriates dropped slightly in 1978 but did not change the following year. All of this decrease occurred at

the Sheriff's Department. The police continued to operate the paddy wagon with its full crew, and there was actually a slight increase in police involvement between 1977-1980. Court involvement increased slightly because the number of arraignments for public drunkenness increased. Overall, the impact was small, however, amounting to a drop of less than four percent in 1978, and nothing in 1979. Interestingly, involvement dropped another five percent after the demonstration ended. Again, most of this was due to a continued decline in bookings.

Table 19

Criminal Justice Personnel Required to Process Public Inebriates,
Sacramento and Humboldt Counties, 1977-1980

	Number of Fulltime Equivalent Personnel			
	Sacramento			
	1977	1978	1979	1980
Police	13.72	13.91	14.08	14.14
Sheriff	4.48	3.41	3.18	2.46
Court	0.39	0.57	0.60	0.39
Total*	18.59	17.89	17.86	16.99
Diversions	4.39	7.61	9.20	10.10
Arrests, Bookings	12.27	8.10	6.40	5.33
Releases	0.65	0.31	0.20	0.20
Held for Court	0.45	0.57	0.69	0.53
Court Action**	0.83	1.30	1.37	0.83
Total*	18.59	17.89	17.86	16.99
	Humboldt			
	1977	1978	1979	1980
Police	0.33	0.42	0.38	0.38
Sheriff	0.80	0.66	0.67	0.78
Court	0.08	0.07	0.06	0.08
Total	1.21	1.17	1.11	1.25
Diversions	0.01	0.16	0.10	0.04
Arrests, Bookings	0.50	0.40	0.43	0.53
Releases	0.03	0.03	0.04	0.05
Held for Court	0.41	0.35	0.34	0.36
Court Action	0.26	0.23	0.20	0.27
Total*	1.21	1.17	1.11	1.25

*Totals may not sum due to rounding.

**Includes processing in and out of correctional facility by Sheriff.

Table 20

Table 19 also shows that there was a dramatic shift in function. The amount of time devoted to diversions increased significantly as the amount of time devoted to arrests and bookings decreased. The increase in court activity during the demonstration was also significant. More complaints were filed, more individuals arraigned, and more sentences handed down during the demonstration than either before or after that period.

The impact on Humboldt's system was also slight, but clear. There was a drop in 1978 of about three percent in total time devoted to public inebriates, a five percent drop the following year, and then an increase of 13 percent when the project ended. Police involvement increased somewhat during the demonstration, largely due to increased diversions. The declines came in the Sheriff's Department and the court, due to decreased bookings and arraignments.

These data also support the observation that has been made repeatedly in this report that Sacramento's decision to keep the Drop-In and Sleep-Off Centers open explains why criminal justice involvement continued to decline in that county even after the demonstration project concluded. Criminal justice involvement in Humboldt returned to its pre-project level, largely because the Drop-In Center closed and the police had no alternative but to arrest public inebriates. As arrests rose, all parts of the system had to devote more time to processing them.

Did the police, sheriffs and courts spend an inordinate proportion of their time handling public inebriates? Apparently not. Table 20 shows that they spent far less than the 50-80 percent often cited in the literature. Overall, only about one percent of criminal justice time was devoted to public inebriates in Sacramento and just one-half of one percent in Humboldt!

The Cost of Handling Public Inebriates

Table 21 shows that costs actually increased in Sacramento during the project period, in both current and 1977 constant dollars, and dropped when the project ended. Humboldt's experience was just the opposite--costs declined in Humboldt during the demonstration, by 19 percent in the first year (1978) and another 24 percent in the second year. When the project ended, criminal justice costs increased 34 percent.

Table 22 provides a breakdown of these costs and shows that in both counties the largest expenditure was for the jails (and Correctional Center in Sacramento). The daily cost of housing an inmate was very expensive, ranging from \$19-24 in Sacramento to \$29 in Humboldt. Sacramento spent over \$280,000 in 1977 just to hold public inebriates in the jail and Corrections Center. That amounted to 47 percent of the total criminal justice expenditures on public inebriates. In 1979 the county spent almost \$510,000 on jail costs, 54 percent of the total expenditures for the year. Court costs also increased during the project, but when sentences dropped in 1980, the effect on jail and court costs was dramatic. Jail expenditures went down to \$265,000, about 39 percent of total costs for the year. Court costs dropped 33 percent in 1980. The Sheriff's Department showed an overall decline in personnel expenditures related to public inebriety. The steady increase in police costs over the four years reflects salary adjustments more than increased activity. Between 1977 and 1980, direct police salaries rose 41 percent; total costs of police involvement with public inebriates rose 45 percent.

Percent of Criminal Justice Personnel Time Spent on Handling Public Inebriates*

SACRAMENTO				
	1977 (N=1389)	1978 (N=1409)	1979 (N=1445)	1980 (N=1471)
Police	2.6	2.6	2.5	2.6
Sheriff	0.7	0.5	0.4	0.3
Court	0.2	0.3	0.3	0.2
Total	1.3	1.3	1.2	1.2
HUMBOLDT				
	(N=266)	(N=262)	(N=254)	(N=258)
Police	0.2	0.3	0.3	0.3
Sheriff	0.8	0.6	0.7	0.8
Court	0.3	0.3	0.2	0.3
Total	0.5	0.4	0.4	0.5

*N = Direct city and county full-time line personnel only: sworn police officers and sheriffs' deputies, prosecution and public defender, attorneys, judges and auxiliary court personnel. Does not include civilian law enforcement personnel, clerical staff, investigators, corrections personnel, state police, California Highway Patrol or other specialized law enforcement personnel (e.g., university police).

Source: Criminal Justice Profile, 1980

Table 21

Estimated Direct Cost to the Criminal Justice System Of Handling Public Inebriates, Sacramento and Humboldt Counties, 1977-1980, In Current and Constant Dollars*

	Sacramento			
	1977	1978	1979	1980
Current Dollars	\$603,467	\$876,434	\$940,625	\$681,423
Percent Change	-	+45.2	+7.3	-27.6
1977 Dollars	\$603,467	\$832,176	\$795,967	\$515,669
Percent Change	-	+37.9	-4.4	-35.2
	Humboldt			
	1977	1978	1979	1980
Current Dollars	\$124,420	\$102,363	\$79,356	\$107,872
Percent Change	-	-14.3	-22.5	+35.9
1977 Dollars	\$124,420	\$100,667	\$76,213	\$102,295
Percent Change	-	-19.1	-24.3	+34.2

*The costs shown in this analysis are direct expenses only. They do not include fringe benefits (which add approximately 21 percent to direct personnel costs) or support costs (which could be as much as 200 percent of direct personnel costs.)

Table 22

Estimated Direct Cost to the Criminal Justice System of Handling Public Inebriates, Sacramento and Humboldt Counties, 1977-1980, In Current Dollars by Component

	<u>Sacramento</u>			
	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>
Police	\$195,370	\$221,217	\$256,695	\$283,500
Sheriff	56,789	51,920	51,735	44,255
Court	52,308	89,930	103,065	69,025
Paddy Wagon	18,000	18,600	19,200	19,200
Jail	75,377	109,938	141,063	97,776
Correctional Center	<u>205,623</u>	<u>384,829</u>	<u>368,868</u>	<u>167,664</u>
Total	\$603,467	\$876,434	\$940,625	\$681,423
	<u>Humboldt</u>			
	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>
Police	\$ 4,313	\$ 6,208	\$ 5,878	\$ 6,402
Sheriff	9,962	8,869	9,314	11,361
Court	10,495	9,203	9,252	13,656
Jail	<u>99,650</u>	<u>78,083</u>	<u>54,912</u>	<u>76,453</u>
Total	\$124,420	\$102,363	\$79,356	\$107,872

Humboldt's experience was somewhat different. All criminal justice expenditures, except police costs, declined during the first year of the project. In the second year police costs declined, courts remained steady, and the Sheriff's increased. Police expenditures increased initially because of the increase in apprehensions and diversions to the project. As in Sacramento, the most significant cost item was the jail. In 1977 Humboldt spent almost \$100,000 to hold public inebriates in jail, 80 percent of the total criminal justice expenditures on these people that year. In 1978 actual costs had dropped to \$78,000, but that still amounted to 76 percent of the total costs. Progress continued to be made in 1979, when actual jail costs dropped another \$23,000, to 69 percent of the total. When the project ended, jail costs rose again and constituted 73 percent of Humboldt's criminal justice expenditures on public inebriates.

Although the amount of money spent on public inebriates was large, it was an insignificant portion of the overall criminal justice budget. Table 23 shows that the two counties only spent about one percent of their criminal justice funds on public inebriates.

Perhaps just as interesting, the costs in both counties were modest, with an overall average of about \$52-55 over the four-year period. Interestingly enough, as Table 24 shows, it cost as much or more to handle public inebriates through the demonstration project. The average annual project cost was \$600,000 more than the criminal justice cost in Sacramento; in Humboldt it was \$128,000 more. The average cost per project admission was also higher than the average cost per apprehension, particularly in Humboldt.

Table 23

Proportion of Criminal Justice Expenditures Spent on Public Inebriates, Sacramento and Humboldt Counties, 1977-1980
(in thousands)

	<u>SACRAMENTO</u>			
	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>
Total CJ Expenditures	\$70,339	\$79,994	\$84,836	\$100,602
CJ Expenditures on PIs	603	876	941	681
Percent of Total	0.9	1.1	1.1	0.7
	<u>HUMBOLDT</u>			
Total CJ Expenditures	\$8,016	\$10,162	\$10,232	\$11,481
CJ Expenditures on PIs	124	102	79	108
Percent of Total	1.5	1.0	0.7	0.9

Source: Criminal Justice Profile-1982 and Table 22

Table 24

Criminal Justice System and Demonstration Project Costs, Sacramento and Humboldt Counties, 1977-1980

	<u>Sacramento</u>	<u>Humboldt</u>
Average annual CJS direct costs (1977-1980)	\$ 775,487.00	\$103,503.00
Average annual project costs (7/77-12/79)	\$1,379,688.00	\$231,438.00
Average cost per CJS apprehension	\$ 55.78	\$ 52.57
Average cost per project admission	\$ 76.87	\$ 198.83

The overall impact of the demonstration project on the criminal justice system was slight.

- o The criminal justice systems in Sacramento and Humboldt spent much less time processing public inebriates than is commonly thought. Overall, Sacramento spent only about two hours per inebriate apprehended; Humboldt spent about 1½ hours, which amounted to a little over one percent of total criminal justice personnel time in Sacramento and one-half of one percent in Humboldt.
- o The amount of time spent on handling public inebriates dropped only about four percent in Sacramento and nine percent in Humboldt by the end of the second year of the demonstration.
- o Direct costs of handling public inebriates were modest. They averaged \$775,000 in Sacramento (\$56 per apprehension) and \$104,000 in Humboldt (\$53 per apprehension). This amounted to only about one percent of the criminal justice expenditures in each county.

- o The costs to the criminal justice system increased in Sacramento during the demonstration project but dropped in Humboldt. In both cases the changes in sentences accounted for most of the changes in costs.
- o Time and costs continued to decline in Sacramento after the project ended, but increased in Humboldt. A principal reason for the different experiences was that Sacramento continued to operate its Drop-In Center and Humboldt did not.

CHAPTER 7. CONCLUSIONS AND IMPLICATIONS

These data have shown that California's Public Inebriate Demonstration Project did not reduce criminal justice involvement, but not because it was poorly executed. On the contrary, it was carried out according to plan and the modifications that were made seem to have improved that plan, not detracted from it. Although the demonstration project did not achieve all of its objectives, a number of important lessons were learned that have significant implications for the development of public inebriate policies and programs.

1. The project demonstrated that many public inebriates can be attracted to a service that offers shelter and other basic caretaking assistance.
2. It demonstrated that diversion is a viable alternative to arrest and that the police will divert large numbers of public inebriates.
3. It also showed that certain service components are very effective in reducing criminal justice involvement. Chief among these are drop-in centers and sleep-off units.
4. Both projects demonstrated that the "social model of treatment" is just as effective and much less expensive as the medical or modified medical models.

But despite those successes, the projects did not reduce criminal justice involvement, and that was for two broad reasons: 1) the inability to reduce significantly the visibility of chronic PIs; and 2) the inability to influence the behavior of the "non-public inebriate drunk."

Visibility of Chronic Public Inebriates

There were a number of factors that affected the involvement of the police, sheriffs and courts in handling PIs. The demonstration project took many of these into account, but there were some that were beyond the projects' control, and a few that had not been considered.

Probably the most important set of factors were those which affected visibility. The legislation and the projects made conscious efforts to reduce public inebriate visibility, and they succeeded to some degree--but it was not enough. The public, the merchants, the City Councils, and the police continued to complain about "public drunks." As long as the complaints continued the police tried to reduce visibility by making arrests, and the sheriffs and courts by keeping the PIs in jail.

The projects tried a number of devices to reduce visibility. Easily the most effective of these were the Drop-In Centers and Sacramento's Sleep-Off Unit. They provided an alternative to the streets for public inebriates who were sober as well as for those who were drunk. They also provided the police with a diversion option. These facilities were heavily used, both by public inebriates who came in voluntarily, and by the police. They were clearly the most important and effective components in the projects.

Both counties lobbied heavily to keep these components going, and were willing to give up the remainder of the services to do so.

Humboldt managed to raise enough money to keep the Drydock open for six more months but it finally had to close in June, 1980. Sacramento provided enough funds to keep both the Drop-In Center and the Sleep-Off Unit going. They are open to this day, albeit at reduced levels.

Inadvertently and unexpectedly, Sacramento found that visibility was less of a problem after the Drop-In Center was moved away from the downtown area. Humboldt's Drydock remained downtown and visibility was not affected as much. Thus, the location of the Center was an important factor. Public inebriates tended to be more visible around the Drop-In Center and along the routes to the downtown target areas.

The hours the intake unit was open also was an important factor. Sacramento's unit was closed from 10 p.m. to 8 a.m. and arrests were higher during those hours because the police could not divert PIs to the project. Humboldt's intake unit was open 24 hours a day, so that was not a factor there.

Sacramento's Courtesy Patrol was a very important factor at the beginning of the project. The van responded rapidly to calls from merchants, police and concerned citizens, picked up public inebriates and took them to the Drop-In Center. This was a very visible and popular unit, but it became less needed as the project became established, partly because more clients came to the project voluntarily, and partly because it lacked the authority to pick up PIs, which was a serious limitation. The Courtesy Patrol could not require public inebriates to go to the project, they had to get into the van voluntarily. Thus, if a PI refused to go the police had to be called because only they had the authority to apprehend PIs and take them to the project or jail.

Both projects found that the voluntary principle was a factor that contributed to visibility. There were times when inebriates refused to go to the project, and some who were taken there walked away before they were sober. This frustrated the police and project staff and led both counties to abandon the all-voluntary approach.

Eventually, they developed holding policies to deal with this problem. When PIs were brought to the project, they were formally admitted through the Screening and Evaluation Unit. Then they were referred to a service component. Some were referred to the Drop-In Centers and told to remain until they became sober. If they left before they were sober, project staff alerted the police who would then arrest them.

In Humboldt the police filed complaints to make sure that the judge would sentence the arrested inebriate to 30 days in jail. Sacramento followed a similar policy from time to time.

Toward the end of the project (November, 1979), the Sacramento Screening and Evaluation Unit was designated a "5170 facility," permitting staff to hold clients under protective custody until they were sober. The project obtained an intoxilyzer to check sobriety on admission and when people tried to leave before they appeared to be sober.

This holding policy encouraged many public inebriates to stay in the Screening and Evaluation Unit until sober, and that helped keep both visibility and arrests down. As one Sacramento police official told us:

The project was modified so that inebriates are not held until their B.A. (blood alcohol content) drops below .10. This has helped keep the drunks off the street. Before that time we picked up the same drunk several times a day.

Thus, the presence or absence of project authority to require PIs: (1) to go to the project; and (2) to stay there until sober was an important factor that affected visibility. Without this authority, only the police could get uncooperative inebriates off the streets, which, of course, increased criminal justice involvement.

Visibility was also affected by a number of other factors which the projects did not control.

One of the most important was criminal justice policies. Visibility rose and fell in direct relation to the fluctuating policies of the police, sheriffs, and courts. In Sacramento, when the police "cracked down" on public inebriates, for example during the Christmas shopping season, more were picked up and arrested, which reduced visibility. More were picked up when the Sacramento police began arresting people for drinking in public. This reduced visibility, particularly when the judge imposed stiff sentences. At one time the sheriff's policy was to keep the jail population down and more public inebriates were released, which increased visibility. When the judge who regularly sentenced public inebriates to a work farm became sick, visibility went up as substitute judges dismissed cases or suspended sentences and released more public inebriates. Obviously, criminal justice involvement rose and fell with changes in policies.

Variations in police officer attitudes and behavior were also important. Some police officers ignored public inebriates, others were quite vigilant in enforcing the law, and some practiced "preventive" law enforcement by picking up known inebriates before they became drunk.

Another factor affecting visibility was the public inebriate population itself. Numbers swelled during the spring, summer, and fall, and declined during the winter. Obviously, that affected visibility. Some public inebriates walked voluntarily from the downtown sections to the Drop-In Centers, thus reducing visibility in the downtown target area but increasing it on the route to and around the Drop-In Centers. Some public inebriates were loud, obnoxious, and vulgar in public and attracted attention to themselves, thus making themselves more visible.

Environmental factors also affected visibility. There was heavy rain in the winters of 1977, 1978, and 1979. The 1978 winter was particularly cold. Both of these factors decreased visibility.

There were several features about the downtown target areas that contributed directly to visibility in those areas. One was the existence of inexpensive housing, particularly several cheap hotels in downtown Sacramento. When some of these closed, the visible public inebriate population declined somewhat.

Another factor was the easy availability of liquor. Beer, wine and hard liquor are sold daily, from 8 a.m. to 2 a.m. in markets as well as liquor stores in California. A number of shops in the target areas catered to the public inebriates, stocking small bottles of cheap wine which were sold liberally.

Finally there was public perception. This project received a lot of publicity in the press and on television. Our own surveys may have made people more aware of public inebriates. Both of these factors probably increased apparent visibility. Also, most of the public (including we professionals) cannot accurately identify a public inebriate. When the public sees such undesirable people as derelicts, panhandlers, tramps, even the elderly poor and homeless, there is a tendency to stereotype some of them as public inebriates when they are not. This increases perceived visibility.

In general, visibility was affected by several factors, including the demonstration projects, the criminal justice system, the public inebriates themselves, the environment, and public perceptions. These factors affected visibility individually or in combination with one another. For example, the police cracked down on public inebriates, picked them up, but then took them to the Drop-In Center rather than to jail. This occurred in both counties and was an important reason for decreased visibility.

We can also conclude that, although the demonstration projects reduced visibility somewhat, they were not able to reduce it to the point where it was no longer a problem. People still saw public inebriates, or at least thought they did. This bothered them, and they complained about it. Given more time, both projects should have been able to reduce visibility further, but both agreed that it was unrealistic to expect them to eliminate visibility, which meant that criminal justice involvement could not be eliminated, only reduced.

The Non-Public Inebriate Drunk

Perhaps the second most important set of factors which affected criminal justice involvement were those related to the apprehension and arrest of the "non-public inebriate drunk." Although not as visible as the "chronic police-case inebriate," those people who occasionally became drunk in public accounted for a large number of arrests and made up the majority of the population of individuals arrested for this offense.

No specific efforts were made during the demonstration period to deal with this sub-population, hence, those who could not be handled by friends and relatives, ended up being taken care of by the police.

Although this group was not the subject of this research, several observations made during this study may guide future research in this area. It appears that many of these arrests were not simply for public drunkenness, but were related to other violations, either potential or actual. Chief among these were disturbing the peace and drunk driving. Police responded to numerous complaints from friends, neighbors, relatives and bartenders about drunks who were either causing a disturbance or seemed on the verge of doing so. If the disturbance were minor or merely potential, the police could deal with the problem by charging the individual with being drunk. Similarly, this charge was used to prevent people who were drunk from driving; which included

passengers of drunk drivers, drunks leaving parties and bars on the way to their cars, and drunks who threatened to get into their cars and drive away.

Non-public inebriate drunks were not the target of the demonstration project and apparently were not affected by it to any significant degree. Yet they were responsible for a great proportion of criminal justice involvement. We can conclude than even if the demonstration projects had been able to remove the chronic police-case inebriate completely from the criminal justice system, the police, sheriffs and courts still had this other population to deal with, and criminal justice involvement would have remained high.

Policy and Program Implications

These conclusions have program and policy implications of national scope, because a number of key assumptions upon which the demonstration projects, and the Uniform Act, were based, appear to be incorrect.

o Voluntarism

The legislation and both projects assumed that coercion would not be necessary if the projects offered an attractive alternative to the streets and provided services that public inebriates needed and wanted. This is also a key assumption of the Uniform Act.

Section 10(1) expresses the Act's clear preference for voluntary over involuntary treatment. Voluntary treatment is more desirable from both a medical and legal point of view. Experience has shown that the vast majority of alcoholics are quite willing to accept adequate and appropriate treatment. Section 14 of the Act makes it clear that involuntary treatment is permitted only in exceptional and very clearly prescribed circumstance (Uniform Act, 1971, p. 14).

This all-voluntary approach worked for some, but not enough public inebriates. After two years PIs were still visible in public places, a significant number refused to go to the project voluntarily, and many who were taken there walked away before they were sober. The reactions in both counties were remarkably similar, and supported by both Project Directors. The all-voluntary approach was dropped. Individuals brought to the projects had to remain until sober or face arrest. Individuals apprehended more than once in a specified period of time were arrested and jailed. Hard core offenders were sentenced. The policy implication is that someone must have the authority to pick up and hold those who get drunk in public and refuse to go to a project voluntarily. If the projects do not have this authority the only recourse is the police. Thus, criminal justice activity will probably remain significant as long as an all-voluntary approach is maintained.

o Continuum of Care

The legislation and both projects also assumed that the missing element in previous projects was a continuum of services. If provided, more public inebriates would be attracted and "rehabilitated," and criminal justice involvement would be reduced as a result. This is also a key assumption of the Uniform Act, which advocates a comprehensive medical treatment program consisting of: (1) emergency treatment provided by a facility affiliated with or

part of the medical service of a general hospital; (2) inpatient treatment; (3) intermediate treatment; and (4) outpatient and followup treatment (Uniform Act, 1971, p. 11).

What the projects learned was that few of their clients were willing or able to use the continuum. Most were content to use the system for immediate, short-term gain--food, shelter, medical attention, safety--and were not interested in recovery services. The reaction in both communities again was quite similar. They scaled down the continuum of services and redirected the projects to concentrate on the immediate, short-term needs of the majority, but they also continued to offer the treatment and long-term support services to the few who were ready to deal with their alcohol problems.

The policy implication is that the continuum of care is not that significant a device either for fostering rehabilitation or for reducing criminal justice involvement. What is most needed for this population are caretaking services, particularly shelter. Criminal justice activity will probably vary in direct relation to the availability of these services.

o The Target Population

The demonstration project concentrated on the "chronic police case inebriate" and ignored the occasional inebriate. Was this an error? In retrospect it probably was. But it was understandable. The scientific and popular literature has concentrated on the chronic PIs and ways to serve them. In 1967, for example, the President's Commission on Law Enforcement and the Administration of Justice, which recommended that public drunkenness be decriminalized, "primarily was concerned with the problems of chronic skid row and slum alcoholics; the intent was that these persons would now receive treatment rather than jail cell detention" (Daggett and Rolde, 1977, p. 937). But as our data showed, those people who occasionally became drunk in public accounted for a large number of arrests and made up the majority of individuals arrested for this offense. The implication is that this population must be included in any policy or program initiative if criminal justice involvement is to be reduced significantly.

One possibility would be to levy stiff fines (say \$100) on occasional PIs. The fines would not only serve as a deterrent but the funds could be used to offset the costs of providing services to indigent inebriates.

Another approach would be to give the occasional PI the option of attending an education/counseling program (similar to those developed for drunk drivers) in lieu of a fine, with the costs borne by the arrestee.

o Alcoholism

There was also an assumption that the root problem was a health problem, alcoholism. This assumption was forced on the alcohol community--which readily accepted it--by years of rhetoric, court decisions and declarations by such eminent bodies as WHO, the AMA, and the ABA. The Uniform Act also takes this position. It is "designed to provide States with the legal framework within which to approach alcoholism and public intoxication from a health standpoint, as recommended by the courts, commissions, and professional organizations" (Uniform Act, 1971, p. 4). This was also the case in California.

The program was sponsored, after all, by the State's Department of Alcohol and Drug Programs. To be fair, the legislation, the Department and the projects pointed out repeatedly that alcohol was not the only problem public inebriates had. There were social, housing, medical, financial and other problems that were an integral part of a very distinct lifestyle, they said. The experiences of the demonstration period confirmed this. But they also raised challenges to the assumption that public inebriety is basically an alcohol problem.

The project showed that there are really three broad types of problems:¹

1. Social control: public inebriates were often a nuisance. The public wanted, and expected that nuisance to be brought under control.
2. Caretaking: many public inebriates needed non-alcohol-related services, such as food, shelter, security, and so forth.
3. Alcoholism and alcohol abuse: many--but not all--public inebriates had serious drinking problems and needed counseling and treatment.

The projects also learned that many of the public inebriates were not alcoholics, and data presented in this report show that many of the people who were arrested for public drunkenness were not "public inebriates."

The policy implication of these findings is that the "public inebriate problem" is not exclusively, or even largely, an alcohol problem. It is more complex, with social control and caretaking the major problems and alcoholism minor by comparison. Alcohol abuse is clearly a significant problem but perhaps more a symptom than a cause. If the larger problem is to be dealt with effectively, it will require much more than the alcohol community can, or perhaps should, provide.

o Decriminalization

Although decriminalization was not built into the demonstration project, it was a long-range objective. Perhaps more important, it is the keystone of the Uniform Act. Our data support Paul Friday's prophetic warning that decriminalization will not reduce public drunkenness or police involvement. Someone will have to take responsibility for the social control function. At a minimum some non-criminal justice agency would have to be given the authority to apprehend and detain public inebriates at least until they become sober. Otherwise, the police will have to continue to perform this role:

Our data also raise the question of the desirability of decriminalization. Given that most people arrested for public drunkenness in both counties were not public inebriates, how will the danger these people pose

¹I am grateful to James Brentt, the Director of the Sacramento PIP for this insight and typology.

be contained? Public drunkenness laws appear to play a supportive role in controlling and preventing drunk driving, accidents to drunk pedestrians, disorderly conduct, and perhaps more serious alcohol-related misdemeanors and felonies. Decriminalization could have serious repercussions if not replaced by enforceable authority to: (1) pick up and keep public inebriates in protective custody; and (2) keep the occasional persons who are drunk in public from harming themselves or others.

o Implications for Future Policies and Programs

Although no clear solution to the public inebriety problem emerged from the demonstration project, enough was learned to identify some of the key elements needed. Most people thought that some services should be continued. Public support was greatest for services designed to get inebriates off the streets and the public inebriates themselves were most interested in a project that would provide them with safe shelter. The implication is that the most acceptable and effective service would be one designed to reduce visibility and provide temporary shelter. Treatment services would only be needed for those who could make a commitment to change their drinking behavior.

Services should probably be designed to address three types of need:

1. Social Control: services to eliminate the nuisances caused by the "chronic police-case inebriate" and the danger posed to the community by the occasional "non-public inebriate drunk";
2. Caretaking: services to meet the basic needs of PIs for shelter, food and other non-alcohol-related services; and
3. Alcoholism and Alcohol Abuse: education, counseling and treatment services for both the chronic and the occasional inebriates who are willing and able to address their drinking problems.

A comprehensive program would have to involve a number of community agencies, including social services, housing and medical services among others. But a basic service package might consist of the following:

1. A drop-in center where public inebriates can gather for shelter, food, socialization, recreation and to learn of available services;

²Erskine noted that drinking pedestrians are a major cause of traffic deaths. "Nearly one-third of the pedestrians killed in the District of Columbia in a recent three-year period has been drinking. Sixteen of them were killed in 1970 while trying to cross a street against a red light or in the middle of a block." (Erskine, 1972, p. 10).

³In July, 1981 the California Department of Alcohol and Drug Programs recommended that the Governor assemble a Task Force to study the feasibility of developing a comprehensive service network with the Department of Social Services acting as the umbrella agency.

2. A temporary shelter or sleep-off area where intoxicated individuals can remain until sober;
3. A transportation service (provided by the police or service providers) to take public inebriates from downtown to the drop-in center;
4. A small social detox unit to which those individuals who need detoxification could be referred; and
5. A coordinated education/treatment program to which the occasional public inebriates and the few chronic PIs who make a commitment to deal with their alcohol problems could be referred.

Obviously the community should encourage individuals to utilize these services voluntarily but it should also have the legal authority to control public drunkenness. To do that the criminal justice system would not necessarily need to arrest and jail inebriates, but it should have the power to apprehend and hold in civil protective custody any individual found drunk in public until that person becomes sober and is no longer a danger to himself or others. The best site would probably be a civilian-run drop-in center or sleep-off unit rather than a jail.

o Other Policy Implications

One other policy implication can be drawn from this experience. The project illustrates the wisdom of testing social control programs before implementing them on a large scale. Too often our legislators are pressured to enact legislation or fund programs to deal with social issues without the benefit of useful empirical data on the costs and benefits of such laws and programs. The nationwide movement to implement the Uniform Act is a prime example. Its development relied heavily on testimony from "experts," service providers, "rehabilitated inebriates" and others. There was very little empirical evidence to support some of its key assumptions and conclusions, including: (1) that many public inebriates are "alcoholics" and therefore sick; (2) that many want to change their life styles; and (3) that decriminalization will reduce criminal justice involvement.

The National Institute on Alcohol Abuse and Alcoholism (NIAAA) promoted this untested law by providing "incentive grants" to states that would adopt the Uniform Act. Six years later the Director of NIAAA noted that the agency did not know the efficacy of the Uniform Act or its own incentive program. No evaluation had been conducted of either (Lang, 1981, p. 17). Many of the states which adopted the Uniform Act did so on faith and have not collected and analyzed data to determine what the effects have been.

California almost jumped on the bandwagon. A comprehensive review of public inebriate legislation in a California law review offered this opinion.

The three-prong approach to the problem of public intoxication favored by the Uniform Act--decriminalization, short-term detoxification and civil commitment for the severely incapacitated--is clearly the dominant trend in public inebriate legislation. It is a trend which offers the promise that in a relatively short period of time, public intoxication will no longer be a

criminal offense in any of the fifty states. When this goal is achieved, a good deal of the credit will go to those who drafted the careful and considered document that is the Uniform Alcoholism and Intoxication Treatment Act (Goodman and Idell, 1975, pp. 268-269).

California's lawmakers tried to decriminalize public drunkenness in 1975 and set up treatment facilities in every county in the State (Senate Bill No. 329, January 30, 1975). The cost would have been enormous. Twenty million dollars was to be appropriated for training personnel and building new facilities. An increase in alcohol excise taxes was to raise \$38 million annually to pay for operating costs. The bill was passed by both houses but strongly opposed by the alcohol beverage industry and vetoed by the Governor, who agreed to the demonstration project instead, which in retrospect was a prudent interim step.

The demonstration was set up to test the treatment plan proposed in the vetoed legislation and to provide empirical data which the lawmakers could use for public policy development. Hearings were held during the demonstration and at its conclusion where data were presented and their policy implications discussed.

As of this writing, California has not yet decided to decriminalize public drunkenness but a number of jurisdictions (including San Diego, Los Angeles, San Francisco, San Mateo and Sacramento) continue to experiment with alternative approaches and to build on the experiences gained from this and other demonstrations. Hopefully, empirical data on the costs and effects of these projects will continue to be collected and fed into the policy-making process.

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