

Proposition 36 - The Substance Abuse and Crime Prevention Act

Proposition 36, approved by California voters in November 2000, provides offenders convicted of drug possession or drug use, with treatment instead of jail or prison time. Both first-time and repeat drug offenders are eligible to participate in the program. Some offenders who have other charges or convictions may not be eligible. The program, launched on July 1, 2001, is designed to address addiction through integrated treatment and supervision, and to enhance public safety by reducing drug-related crime. Clients in the Proposition 36 program participate in a comprehensive process that includes assessment, treatment, probation supervision and regular progress reviews by the Court.

Assessment

The Probation Department and the Department of Alcohol and Drug Services (DADS) work together to assess each Proposition 36 program participant. Probation officers assess issues of public safety and recommend the appropriate level of probation supervision. DADS staff members assess the participant's level of addiction and need, and recommend the appropriate level of treatment. Questions about assessment can be directed to the County's new Assessment Center at 408-295-3636. The Center is located at 255 West Julian Street, Suite 100, San Jose, California 95110.

Treatment

Santa Clara County is dedicated to providing quality treatment for program participants. Nearly 300 health, criminal justice, and community treatment provider professionals have received special training to help develop a common understanding of the dynamics of addiction and recovery, and the Proposition 36 program procedures.

Treatment generally begins with an orientation that provides an overview of the treatment program, service resources, community resources, and court and probation requirements. Orientation also motivates clients to comply with their

treatment programs. These services are offered days, evenings, and weekends to make easy accessibility, and childcare is provided onsite at one location.

When participants go to their treatment providers, they receive individualized treatment plans based on their assessed needs and level of motivation. A full range of additional services, including transitional housing (sober living environments), case management, psychiatric care, vocational counseling and job training, may be included in the plans. Participants may be directed to an ancillary services coordinator to meet their particular needs.

Community providers who contract with DADS generally provide treatment services. Questions about treatment providers can be directed to the Department of Alcohol and Drug Services at 408-792-5670.

All outpatient counseling centers and residential treatment facilities participating in the program are certified or licensed by the State of California, as required by Proposition 36. Transitional housing units are certified through a local program managed by the Office of the District Attorney. The Certification Program monitors and oversees transitional housing units through the services of four highly trained investigators, who also respond to community concerns and complaints. A Certified Home Hotline is open 24 hours a day at 1-800-447-1161.

Supervision

Probation supervision is assigned based on the level of need. Intensive supervision, where there is frequent interaction between the probation officer and the participant, is available for some clients. Probation staff administers drug testing as required by the Court. The Adult Probation Office can be reached at 408-435-2100.

Typically, program participants return to court for periodic reviews of their treatment progress. Each of the nine courts that hear Proposition 36 cases has been assigned a case manager who helps the court track cases and client progress. Judges also receive information about the participant's progress from the probation officers and treatment providers.

An early review of the program indicates a high compliance rate with probation conditions.

Proposition 36 Program Numbers

Adult Probation Office	408-435-2100.
Assessment Center	408-295-3636
Certified Home Hotline	1-800-447-1161
Department of Alcohol and Drug Services	408-792-5651

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