

**FY 2003- 04 GRAND JURY FINAL REPORT**

**RESPONSES TO RECOMMENDATIONS**

Report Number	Report Title	Respondents
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**REPORT NO. 17**

Title: Ventura County Proposition 36 Implementation

**Required**

Respondents: Board of Supervisors  
District Attorney  
Sheriff's Department

**Requested**

Respondents: Health Care Agency  
Probation Agency

**Additional**

Respondent: Drug and Alcohol Advisory Board



# County of Ventura COUNTY EXECUTIVE OFFICE MEMORANDUM

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DATE: August 19, 2004

TO: Thomas W. Womack, Chief Deputy Executive Officer

FROM: David Stoll, CEO Program Management Analyst

SUBJECT: Response to 2003-04 Ventura County Grand Jury Report No. 17 entitled "Ventura County Proposition 36 Implementation" on behalf of the Board of Supervisors

**R-1: The Board of Supervisors undertakes the reorganization of Prop 36 implementation within Ventura County in order to better accomplish the statutory mandates and scheme intended under Prop 36.**

Response: The Board concurs with the recommendation. The reorganization should include the establishment of a Prop 36 Oversight committee with the following membership: Chief Probation Officer, District Attorney, Public Defender, Judge from the Operations Committee, Behavioral Health Director, a representative from the CEO's Office and a member of the board of supervisors. Once the Oversight committee is officially designated, an MOU should be created that defines the various roles of each agency in the operation of Prop 36.

**R-2: The Board of Supervisors withdraws the Lead Agency designation from BHD/ADP and designates the County Executive Officer (CEO) as the Lead Agency for Prop 36 management and oversight functions.**

Response: The Board would like to retain HCA-BHD as the lead department for Prop 36 implementation.

**R-3: Having assumed responsibility for leading Prop 36 treatment programs in the past, BHD/ADP may function as the County's expert in recommending treatment methods and the standards of successful treatment program completion.**

Response: The Board concurs with the above recommendation.

**R-4: The County should address the issue of "unamenability," as described in the statute and case law, with a view toward bringing the concept to bear in County practice.**

Response: The Board supports the idea of increased requirements in the first 30 days of treatment and some additional reviews by the Criminal Justice departments.

**R-5: In order to organize and provide actionable information to the probationary supervision, top priority should be given to implementing an integrated information system designed for that purpose.**

Response: The Board will consider this recommendation when funding becomes available, but it must be considered along with other County priorities.

**R-6: Probation develops a basic risk management system or protocol to look at key indicators of a client's profile to determine the risk to society.**

Response: The Board generally concurs with this recommendation, however resources are limited and probation would require additional resources that may not be available. The Board would support the Oversight and Implementation Committees' consensus in arriving at an effective protocol for risk management given the limited resources available.

**R-7: The immediate establishment of a meaningful treatment completion standard in accordance with the spirit and intent of Prop 36.**

Response: The Board concurs with the establishment of meaningful treatment completion standards if they have not already been established. The Oversight and Implementation Committees should review and make recommendations for possible changes to the current standards if they find them to be lacking.

**R-8: The Operations and Oversight Committee be re-constituted as the representative body for all stakeholders.**

Response: The Board favors the retention of the Implementation Committee and the establishment of an Oversight Committee as per recommendation number 1.

**R-9: The drug testing protocol should be tightened immediately.**

Response: The Board would like the Oversight and Implementation Committees to review new protocols already established by BHD on July 1, 2004 and new protocols recommended by BHD for the first 30 days of treatment before recommending any further changes.

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**R10: Though, by policy, drug testing is to be used for treatment purposes, public safety concerns require that Probation continue to conduct drug testing.**

Response: The Board concurs with this recommendation when Probation has legal jurisdiction or authority to do testing.

**R11: A goal of early and positive supervision experience should be pursued to initially set the tone for Prop 36 treatment.**

Response: The Board concurs with this recommendation.

**R12: The Operations and Oversight committee should institute thoughtful and allowable sanctions for offenders who fail in treatment, submit positive drug tests, or who miss treatment classes.**

Response: The Board concurs with the recommendation. The Oversight and Implementation (Operations) Committees should be utilized to accomplish this objective.

If you have additional questions, please contact David Stoll at 654-3838.

C: Paul Derse