



County Executive Office  
MEMORANDUM

DATE: September 15, 2006

TO: Paul Ruffin, Chief Deputy Executive Officer

FROM: Frank Chow, PMA *FC*  
David Stoll, PMA *DS*

**SUBJECT: Suggested Board of Supervisors' and County Executive Office (CEO) Responses to the Grand Jury Report: Administration of Proposition 36 in Ventura County: A Review**

*R-01 The Grand Jury requests feedback on progress toward completing those recommendations from prior reports that are still underway. (See below F-19, F-20, F-23, F-27, F30)*

*F-19. (R-04) 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.*

We partially agree with the recommendation. As more fully discussed in the Probation Agency's response (attached), the issue of amenability and unamenability are legal concepts under the purview of the sentencing judge and not the County of Ventura. The County has and will continue to assist the court regarding by providing required data and feedback to the court.

The response from the Probation Agency includes comparison data from fiscal year 2003-04 to 2005-06 regarding such items as eligibility determinations, refusals to participate, and number of unsuccessful terminations and percentage of successful participation. Taken together, the data suggests that the population being placed in the Proposition 36 program appear to be those more accepting of treatment, participants are being held accountable for their violations and those remaining in the program are achieving a higher percentage of success in completing the program requirements.

Finally, a new program is being implemented in FY 2006-07 to enhance the treatment services available to clients with indicators of mental illness. Such clients are often difficult to manage in group drug treatment sessions that are a part of the Proposition 36 treatment protocol. The County will contract with a dual diagnosis treatment provider to provide specialized services to increase the likelihood of success for such clients.

*F-20. (R-05) 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.*

The Board and CEO support Probation and BHD's efforts to modify BHD's new Profiler Information System to incorporate all of the Proposition 36 components needed to serve as an integrated system for all stakeholders. An implementation date has not yet been determined; in the interim, stakeholders are sharing applicable data and making modifications when necessary on the existing systems.

*F-23. (R-08) The Operations and Oversight Committee be re-constituted as the representative body for all stakeholders; and*

*F-30. (R-03) Immediately disband the Proposition 36 Oversight committee and establish guidelines for the Operations Committee to operate in an organized fashion and make decisions, with provisions to obtain approvals from department heads when necessary.*

We partially agree with the recommendations. The Board favors the retention of the Oversight Committee as reorganized by Probation, which is now the lead Proposition 36 agency. An Oversight Committee is needed to resolve issues at a policy level and any issues not resolved by the Operations Committee. This committee has been formalized as part of the Justice Policy Council and meets quarterly.

The Operations Committee has all stakeholders represented and conducts monthly meetings. In order to clarify its roles and responsibilities, a formal documentation of the function of the Operations Committee has been drafted and is pending review and adoption.

*F-27. (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.*

We partially agree with the recommendation. The sanctions for Proposition 36 violators are limited by statute and imposed in accordance with the Substance Abuse and Crime Prevention Act. We concur with the practice of consistently holding participants accountable for their actions throughout their participation in the program. The Probation Agency expeditiously files with the Court all treatment violations and places the violations on the Court's calendar within 15 days of receipt of notification from the treatment provider. The average actual turnaround time from receipt of notification of violation to the scheduled hearing date has been 8 Court days.

*R-02. Probation and BH/ADP should jointly ensure that appropriate psychological and psychiatric treatments are available to Proposition 36 clients.*

We agree with the recommendation. The Board and CEO believe the new dual diagnosis program will be a significant improvement in treating clients with both drug dependency and mental illness. The Board and CEO support the changes Probation and BHD have already made to the program and look forward to seeing the results.

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The Board and CEO would like to see their collaboration continue with all stakeholders to ensure the best clinical treatment services for the clients of Proposition 36.

cc: Paul Derse