

**SANTA BARBARA COUNTY  
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:**  
**Prepared on:** 9/10/03  
**Department Name:** Alcohol, Drug, & Mental Health  
**Department No.:** 043  
**Agenda Date:** 1/13/04  
**Placement:** Administrative  
**Estimate Time:**  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** James L. Broderick, Ph.D., Director  
Alcohol, Drug and Mental Health Services (ADMHS)

**STAFF CONTACT:** Al Rodriguez, Manager  
Alcohol and Drug Program

**SUBJECT:** Drug Diversion Standards

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**Recommendation(s):**

That the Board of Supervisors:

- a) Approve the Drug Diversion Program Standards for providers of pre-trial diversion services for first-time misdemeanor drug offenders effective July 1, 2003.
- b) Approve an appropriation transfer of revenue in the amount of \$17,750 representing certification and administrative fees to Santa Barbara County from qualified diversion providers. This action requires a 4/5 vote of the Board of Supervisors.

**Alignment with Board Strategic Plan:** The recommendation(s) are primarily aligned with Goal No. 2. A Safe and Healthy Community in Which to Live, Work, and Visit.

**Executive Summary and Discussion:**

Section 1000 of the California Penal Code (P.C.), chaptered in 1972, provides courts with an alternative to criminal court proceedings for first-time drug offenders. On a pre-trial basis, eligible defendants can be diverted to structured counseling and education programs. Upon successful program completion, the offense is expunged from the defendant's record.

Historically, these programs have operated under the County Alcohol and Drug Program's oversight. Your Board previously approved modifications to the Drug Diversion Standards, on March 14, 1995, when the 1992 Assembly Bill 3555 added Section 1211 to the Penal Code (P.C.) requiring diversion programs to operate under a set of statewide minimum standards and to provide more intensive array of services to offenders.

The proposed Drug Diversion Standards have been modified to provide clarity and more specificity to the service delivery. The standard have been reviewed and approved by the courts, public defender, district attorney, the Probation Department and the County's Advisory Board on Alcohol and Drug Problems.

**Mandates and Service Levels:**

Section 1211 of the Penal Code requires the County Alcohol and Drug Program to certify providers of P.C. 1000 diversion services. This section also requires that providers conduct specific services such as initial assessments, a minimum of twenty-hours of treatment, ten-hours of education and prevention classes, and regular evaluation of client progress.

Referrals are made to P.C. 1000 providers from Superior Court, where the focus is on the more "hard core" offender with first-time offenders being diverted to P.C. 1000 programs. The caseload has varied over the years, with a high of over 700 clients in the mid-seventies to 400 in 1995. In FY 03-04, it is estimated that the service levels will reach approximately 477 clients.

**Fiscal and Facilities Impacts:**

The recommended action does not alter the budgeted net county cost of this budget unit. The Alcohol and Drug Program a Division of Alcohol, Drug, and Mental Health Services operates under a capped budget supported by state and federal funds. The programs operating under the Drug Diversion Standards will be self supporting with estimated client fees of \$303,886 in FY 03-04. The law specifies that providers reimburse the County the cost of certification and subsequent monitoring, which will generate in FY 03 revenue of approximately \$17,750.

**Special Instructions:**

Please return a certified copy of the Minute Order to the ADMHS-Alcohol and Drug Program, Attn. Carolyn Sellers (Extension 5443) for submission to the State Department of Alcohol and Drug Programs in Sacramento.

**Concurrence:**

- Auditor-Controller
- District Attorney
- County Probation
- County Municipal Court