



Little Hoover Commission
Attention: Mark Martin
925 L Street, Suite 805
Sacramento, CA 95814

Re: Clarification of UCLA Data on Arrest and Employment Rates of Prop 36 Clients

Dear Mr. Martin and Members of the Little Hoover Commission:

Thank you again for inviting the Drug Policy Alliance to submit testimony on the impact of Proposition 36 (Substance Abuse and Crime Prevention Act, or SACPA) at the Public Hearing on Alcohol & Drug Treatment Programs, June 28, 2007. Perhaps due to the large volume of data presented, there appeared to be some confusion about two essential findings of the UCLA Integrated Substance Abuse Programs' research. We hope the following will help clarify UCLA's findings on re-offending and employment rates among Proposition 36 (Prop 36 or SACPA) clients.

I. Prop 36 Participants Are *Less Likely To Be Arrested Than The Pre-Prop 36 Comparison Group When Controlling For Days On The Street*

According to the UCLA studies, "In the comparison of the two policy alternatives, arrests were higher among SACPA-era offenders than in a similar group of pre-SACPA-era offenders on drug offenses (50.0% to 38.1%) and property offenses (16.5% to 10.7%). Re-offending was low and similar across groups for felony and misdemeanor violent arrests. [...]"

UCLA explains that "Findings were affected by differences in incarceration under SACPA-era and pre-SACPA-era policies. Offenders who are incarcerated are unable to commit new crimes in the community and be re-arrested. Although most pre-SACPA-era drug offenders were not sent to jail or prison, **SACPA-era offenders did have fewer re-arrests when analyses were conducted controlling for days on the street.**" (Emphasis added.)

*-Evaluation of the Substance Abuse and Crime Prevention Act 2005 Report, p. 67
Integrated Substance Abuse Programs, University of California, Los Angeles*

Points of Clarification

As is explained in the above excerpts from UCLA's report, in a simple comparison of pre-Prop 36 offenders and Prop 36 offenders, UCLA found higher arrest rates among the Prop 36 group. While these rates are of interest, they are misleading. A majority of Prop 36-eligible offenders were not incarcerated (that is, they were "on the street" or in the community), and thus were available for arrest. Pre-Prop 36 offenders, in contrast, were more likely to be in jail or prison during the analysis period (that is, "off the street" or not in the community), and thus not available for arrest.

In a second analysis, which controlled for “days on the street,” UCLA isolated the effect of incarceration, thus more effectively zeroing in on the likelihood of offense for those exposed to treatment. In this deeper analysis, UCLA found that Prop 36 offenders are less likely to be arrested than their pre-Prop 36 counterparts. Essentially, when in our communities, those exposed to Prop 36 treatment are less likely to re-offend.

II. Prop 36 Completers Are Almost Twice As Likely To Be Employed Than When They Entered Prop 36

According to the UCLA studies, “Change in the percent of offenders reporting paid work [...] increased in all three offender groups, and the change was largest among SACPA offenders who completed treatment: 29.5% had been working in the “pre” period (30 days before intake), whereas 53.9% were working in the “post” period (30 days before follow-up).”

*-Evaluation of the Substance Abuse and Crime Prevention Act 2004 Report, p.65
Integrated Substance Abuse Programs, University of California, Los Angeles*

“The percent with gainful employment was 53.9% at follow-up—almost double the percent who had jobs when they entered SACPA (29.5%).” (Emphasis added.)

-UCLA, 2004, p. 71

Points of Clarification

UCLA examined the employment rates of Prop 36 participants prior to and following treatment. In order to assess the effects of treatment participation, UCLA, “sorted [this population] into three groups: those who were referred for an assessment (i.e., those who accepted the opportunity to participate) but who did not receive treatment; those who entered treatment but did not complete it; and those who went on to complete treatment.”¹

As stated above, all groups exhibited improved employment rates, however, those that completed Prop 36 treatment were nearly twice as likely to be employed than they were at the time they entered Prop 36.

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We hope that these clarifications will be useful in your examination of Proposition 36. Please do not hesitate contact us if you have any further questions or concerns.

Respectfully Submitted,

/s/
Theshia Naidoo
Staff Attorney
Drug Policy Alliance

Respectfully Submitted,

/s/
Margaret Dooley
Proposition 35 Statewide Coordinator
Drug Policy Alliance

¹ *Evaluation of the Substance Abuse and Crime Prevention Act 2004 Report*, Integrated Substance Abuse Programs, University of California, Los Angeles, p. 56.