

THE PRICE *YOU* PAY FOR METH

REASON FOR INVESTIGATION

Methamphetamine use (meth) has become epidemic in Nevada County. The depth of this problem cannot be measured by a single report. In order to provide citizens with additional information on the magnitude of meth's scourge, the Grand Jury chose to focus their investigation of the monetary costs associated with meth.

METHOD OF INVESTIGATION

The Grand Jury interviewed the Nevada County District Attorney and members of his staff, Sheriff's Department employees, Nevada County Public Defender, Drug Task Force members, Grass Valley Police Officers, County Probation Officers, Superior Court Judges, County Behavioral Health staff, Community Recovery Resources (CORR) staff, a member of the Board of Supervisors, and a former meth addict. The Grand Jury also reviewed documents and statistics from the Nevada County District Attorney, Sheriff's Department, County Probation Department, the Mendocino County Grand Jury 2001-2002 report on meth and data collected from ECONorthwest. Since local government agencies do not keep statistics solely related to meth, the figures in this report are the Grand Jury's best estimate based on the information provided.

In addition, the Grand Jury followed one randomly selected meth related case through the legal system. While no two cases are identical and costs to prosecute these cases vary, the figures shown are the Grand Jury's findings of the cost to taxpayers.

FINDINGS

1. The District Attorney's office has an annual budget of almost \$2.8 million
2. According to the District Attorney's office, approximately 72% of their criminal caseloads are meth related.
3. The Probation Department has an annual budget of approximately \$3 million for adult offenders.
4. In fiscal year 2003 - 2004, 36% of the people supervised by Probation were substance abuse related offenders.
5. The Public Defender's office has an annual budget of nearly \$1.3 million.

6. The Public Defender's office reports that at least 50% of their cases are related to meth.
7. The Behavioral Health Department has an annual budget close to \$1.8 million for alcohol and drug programs. They provide and oversee treatment of meth users in Nevada County using several sources of funding. The chart below shows the funds used for the treatment of meth users according to the information provided by Behavioral Health staff:

Source of Funds	Total Used for Meth Treatment
Proposition 36	\$ 385,000
State General Funds	203,264
Substance Abuse Prevention & Treatment Block Grant (SAPT)	650,069
Total	\$1,238,333

8. The average daily population of Wayne Brown Correctional Facility (WBCF) is 200 inmates of which 90 (45%) are incarcerated on meth or meth related charges. The cost to the taxpayer is \$58 per day to house an inmate. Based on these figures the annual cost to house inmates for meth related charges in WBCF would be approximately \$2 million.
9. Many individuals and departments funded by the taxpayers are involved in the arrest, prosecution and incarceration of a meth user. These include city police, sheriff's department, judges, bailiff, court reporter, court staff, probation officer, district attorney staff and public defender staff. The cost to prosecute, defend, incarcerate and monitor the probation of one person was as follows:

Department	Total
Court (Judges, court reporter, bailiff and staff salaries)	\$ 4,205
District Attorney's Office	2,600
Public Defender's Office	2,835
Probation Officer	6,075
Probation Department – other	1,143
Wayne Brown Correctional Facility	6,496
Sheriff's Department – transportation	1,565
Total	\$24,919

The above is solely staffing costs, and does not include operating and overhead expenses, except for WBCF.

10. It should also be noted the person whose case was followed for this report has been arrested and prosecuted numerous times for meth related offenses.

CONCLUSIONS

1. While this report addresses some of the ongoing expenses to the taxpayer for meth related activities, there are many that were unable to be determined due to the lack of specific data collection by local law enforcement. These include the costs of the continuing, sometimes life long, physical and mental health services for the meth user, the user's family and the user's victims. There are also environmental costs and statewide expenses for the incarceration of inmates sentenced to state prison.
2. Left unabated the meth epidemic will have serious and growing negative economic consequences. Long-term, it could hurt tourism and ultimately discourage new business from locating in Nevada County. It would also raise the cost of living and working in the county without offsetting benefits. Most importantly, meth **will** destroy more families and lives.

RECOMMENDATIONS

1. The Board of Supervisors should take the lead in the war on methamphetamine in Nevada County.
2. In order to fully grasp the county's methamphetamine problem, the Board of Supervisors should establish a process to systematically collect and evaluate the costs to the county related to the methamphetamine epidemic.
3. The Board of Supervisors should aggressively pursue grant funding to address the methamphetamine problem in Nevada County.
4. The Board of Supervisors should mandate departments and agencies to freely share statistics and information with each other regarding methamphetamine in order to coordinate programs to maximize county resources.

REQUIRED RESPONSES

Board of Supervisors

September 26, 2005

COUNTY OF NEVADA

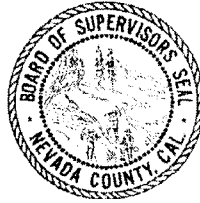
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September 13, 2005

The Honorable Judge Al Dover
Presiding Judge of the Nevada County Courts
Nevada County Court House
Nevada City, CA 95959

Subject: Board of Supervisors Responses to the 2004-2005 Nevada County Civil Grand Jury Report, The Price You Pay for Meth

Dear Judge Dover:

The attached responses by the Board of Supervisors to the 2004-2005 Nevada County Civil Grand Jury Report, The Price You Pay for Meth, are submitted as required by California Penal Code §933.

These responses to the Grand Jury's Findings and Recommendations were approved by the Board of Supervisors at their regular meeting on September 13, 2005. Responses to Findings and Recommendations are based on personal knowledge, review of official County records and information received from the County Executive Officer, Sheriff, District Attorney, Behavioral Health Department, Probation Department, and the Public Defender.

The Board of Supervisors would like to thank the members of the 2004-2005 Grand Jury for their participation and effort in preparing their Reports, and their participation in the Grand Jury process.

Sincerely,

Ted S. Owens
Chair of the Board

Attachment

cc: Foreman, Grand Jury
Rick Haffey, County Executive Officer
Sheriff
District Attorney
Behavioral Health
Probation Department

**NEVADA COUNTY BOARD OF SUPERVISORS RESPONSES TO
2004-2005 CIVIL GRAND JURY REPORT**

THE PRICE YOU PAY FOR METH

Responses to findings and recommendations are based on either personal knowledge, examination of official county records, review of the information provided by the County Executive Officer, Sheriff, District Attorney, Behavioral Health Department, Probation Department, the Public Defender or testimony from the Board Chair.

I. GRAND JURY INVESTIGATION:

The Price You Pay for Meth.

A. RESPONSE TO FINDINGS & RECOMMENDATIONS:

Findings:

- 1. The District Attorney's office has an annual budget of almost \$2.8 million.**

Agree.

- 2. According to the District Attorney's office, approximately 72% of their criminal caseloads are meth related.**

Disagree. Methamphetamine cases account for approximately 72% of the drug cases, not 72% of the entire criminal caseload.

- 3. The Probation Department has an annual budget of approximately \$3 million for adult offenders.**

Partially agree. \$3 million represents the total Probation budget, which also includes juvenile offenders.

- 4. In fiscal year 2003-2004, 36% of the people supervised by Probation were substance abuse related offenders.**

Agree.

- 5. The Public Defender's office has an annual budget of nearly \$1.3 million.**

Agree.

6. The Public Defender's office reports that at least 50% of their cases are related to meth.

Agree. If the criteria were "substance abuse" related, i.e. including alcohol and other drugs, the percentage would be higher (see Response to Finding # 8).

7. The Behavioral Health Department has an annual budget close to \$1.8 million for alcohol and drug program. They provide and oversee treatment of meth users in Nevada County using several sources of funding. The chart below shows the funds used for the treatment of meth users according to the information provided by Behavioral Health staff:

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Agree.

8. The average daily population of Wayne Brown Correctional Facility (WBCF) is 200 inmates of which 90 (45%) are incarcerated on meth or meth related charges. The cost to the taxpayer is \$58 per day to house an inmate. Based on these figures the annual cost to house inmates for meth related charges in WBCF would be approximately \$2 million.

Partially Agree.

At the time of the interview, the daily population was at 200. It has been a little less for the last couple of months.

The estimate of 90 inmates incarcerated on meth-related charges was conservative. It is suspected that an actual hand search of records would reveal a higher number. If "substance abuse related" offenses were the criteria, the percentage would be significantly higher.

At the time of the Grand Jury investigation, Nevada County could only charge the state and other counties a maximum of \$58 per day to house their inmates. State law has recently been changed to allow a \$68 per day maximum reimbursement rate, however the actual cost of housing an inmate at the WBCF is much higher and is currently estimated to be approximately \$107 per day.

Using the \$58 figure, multiplied by 90 inmates, multiplied by 365 days, the total amount equals \$1,905,300. If the \$107 rate is used, the estimated total cost is \$3,514,950.

9. Many individuals and departments funded by the taxpayers are involved in the arrest, prosecution and incarceration of a meth user. These include city police, sheriff's department, judges, bailiff, court reporter, court staff, probation officer, district attorney and public defender staff. The cost to prosecute, defend, incarcerate and monitor the probation of one person was as follows:

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Partially agree. The District Attorney's office provided the Grand Jury Members with salary information for the staff involved in the prosecutions of the individual referred to in the chart above. Logs of time on a case-by-case basis are not kept by the Deputy District Attorney handling drug cases.

Additionally, the Probation Officer cost should be \$6,291 and "Probation Department-Other" should be \$927.

10. It should also be noted the person whose case was followed for this report has been arrested and prosecuted numerous times for meth related offenses.

Agree.

Recommendations:

1. The Board of Supervisors should take the lead in the war on methamphetamine in Nevada County.

The recommendation has been implemented and is ongoing.

However, the war on methamphetamine has many fronts. The County cannot direct the activities of the school districts, local non-profits, religious organizations and other groups, but it collaborates with these groups wherever possible and appropriate. Within the scope of its powers and jurisdiction, the County has made a tremendous effort to rally forces against meth. The Substance Abuse Advisory Board (SAAB) was created in 2003 to focus on all types of substance abuse. The membership includes a diverse cross-section of professionals from the education and medical communities, Sheriff, Public Defender, District Attorney, Probation, treatment providers, and prior users. Over the last two years, meth has been the SAAB's primary focus. The SAAB and the Board of Supervisors have separately held town meetings to provide awareness and education on methamphetamine issues. Additionally, the Sheriff's office works cooperatively with the cities of Grass Valley and Nevada City, the Town of Truckee, and other state and federal law enforcement agencies, to investigate, track and prosecute criminal drug abuse activity. For example, the Board of Supervisors approved in the FY2004-2005 Sheriff's Department budget, funding for two additional staff positions for the multi-agency Joint Drug Task Force.

2. In order to fully grasp the county's methamphetamine problem, the Board of Supervisors should establish a process to systematically collect and evaluate the costs to the county related to the methamphetamine epidemic.

The recommendation has not been fully implemented. Full implementation of the recommendation may be difficult due to differences in federal, state and local statistical tracking of the relationship of crimes to substance abuse in general and methamphetamine-related crimes in particular. The County is taking action however, to collect and identify data and costs related to methamphetamine use whenever possible. Further analysis is needed to determine if existing data collection and evaluation systems can be enhanced.

The Sheriff's office has installed an updated computer system utilizing GIS maps to better track and identify crime locations, including substance abuse related crimes, meth labs, etc. in Nevada County. The Department of Behavioral Health, the District Attorney, the Public Defender and the Probation Department coordinate resources and statistics wherever legal and appropriate. However, statistical tracking of substance abuse and meth-related crimes is difficult. For example, some state and federal grants are allocated based on the Universal Crime Report (UCR), which is derived from a 1948 system for defining and tracking crimes. It separates crimes like rape, burglary and arson from "drug" crimes like possession and selling. The UCR does not relate crimes like burglary, child endangerment and homicide to drug abuse.

The state Department of Alcohol and Drug Programs is also requiring counties to implement the California Outcomes Measurement System (CalOMS). This system will gather information

on people who go to treatment programs (at entry, in progress and after discharge) and is intended to give each County harder data on outcomes. This program is scheduled to begin in October 2005. The Behavioral Health Department has incorporated this system into their new software and is waiting for the state to implement the program. The first useful information is not likely to be available however until spring 2006, at the earliest. This information will allow some comparison of providers but not of treatment versus incarceration. Also, under Prop 36, jail is not an alternative to treatment so there is no comparable control group.

Supervisor Sutherland has additionally requested Congressman Doolittle and the Attorney General's office to develop a better statewide system to report and track drug abuse statistics.

By this response, the Board of Supervisors is directing the Substance Abuse Advisory Board (SAAB), with the Public Defender taking a leadership role and in coordination with the Human Services Agency, Sheriff, District Attorney, and the Probation Department, to provide a report to the Board of Supervisors by March 1, 2006 on the current status and effectiveness of federal, state, and local statistical data collection and reporting related to methamphetamine use. The SAAB is also directed to provide recommendations on how the County can improve its ability to measure the impacts and costs of methamphetamine use on County agencies and services. Specific issues to address in the report should include:

1. The availability and range of local and state rehabilitation services and costs
2. The development and implementation of a tracking system to assess the effectiveness of rehabilitation services used by the county.
3. The effectiveness of Drug Court on rehabilitation
4. The local costs of incarceration versus rehabilitation
5. The effectiveness of incarceration versus rehabilitation efforts
6. The potential benefits and costs of providing more local resources for rehabilitation services

3. The Board of Supervisors should aggressively pursue grant funding to address the methamphetamine problem in Nevada County.

The recommendation has been implemented.

Although most grant funding for fighting substance abuse goes to tobacco and alcohol programs, the Sheriff's and the Behavioral Health Departments are both tracking and applying for all available grants for enforcement, treatment and preventive education for substance abuse within the available staff resources. Supervisor Sutherland, working with the Substance Abuse Advisory Board, has specifically requested additional funding for law enforcement through Congressman Doolittle's office. Supervisor Horne also personally requested Congressman Doolittle's assistance in restoring proposed funding cuts in the President's Justice Assistance Grant budget for FY2005-2006. The funds were subsequently restored, facilitating law enforcement's ability to address the meth problem. Due to Congressman Doolittle's efforts, over \$500,000 in additional funding has been provided to fight the war on meth. On August 23,

2005, at Supervisor Nate Beason's request the Board of Supervisors (1) agreed to ask President Bush to expend more resources for rural counties to fight meth and, although still an important issue, shift the primary focus of the President's National Drug Control Strategy away from marijuana to the war on meth, and (2) declared its support for SB 803, a measure by Senator Denise Ducheny that seeks to amend the Substance Abuse Crime Prevention Act (SACPA), to extend funding for Proposition 36 to fiscal year 2010–2011.

Additionally, the Nevada County Grants Team, consisting of county staffers who research and apply for grants in their departments, have begun an intensive, coordinated effort to research and share information on grants for meth-related preventive education, treatment, enforcement and prosecution.

4. **The Board of Supervisors should mandate departments and agencies to freely share statistics and information with each other regarding methamphetamine in order to coordinate programs to maximize county resources.**

The recommendation needs further analysis, to be completed by March 1, 2006.

Although generally, statistics are already being shared between departments, specific information relating to individuals may be protected by privacy laws and may not always be shared. Another difficulty is that different factors are often collected by individual data collection programs and cannot be compared without a specialized data collection and retrieval program.

By this response, the Board of Supervisors is directing the Substance Abuse Advisory Board (SAAB), in coordination with the Human Services Agency, Sheriff, District Attorney, Public Defender, and the Probation Department, to provide a report to the Board of Supervisors by March 1, 2006 on ways and means to improve the sharing of data and information related to methamphetamine use in Nevada County.

REQUIRED RESPONSES

Board of Supervisors – by September 26, 2005