

DATE ISSUED: January 31, 2001

REPORT NO. 01-013

ATTENTION: Honorable Mayor and City Council
Docket of February 5, 2001

SUBJECT: Expansion of Serial Inebriate Program into Downtown

REFERENCE: Manager's Report No. 99-241 dated December 1, 1999, and Manager's
Report No. 00-254 dated November 15, 2000

SUMMARY

Issues - Should the City Council direct staff to expand the Police Department's Western Division Serial Inebriate Pilot Program from 20 to 40 arrests per month to include the downtown area as part of the implementation of the Special Needs Homeless Program, when funding, staffing and facilities are resolved, through: 1) Working with the County Sheriff's Department and City Attorney's Office to obtain outside funds through state legislation to cover the Attorney's and the Sheriff's combined increased annual costs of \$300,000-\$400,000? 2) Continuing to work with the County of San Diego, Department of Alcohol and Drug Services and non-profit service providers to obtain state and federal funding in the amount of \$1.2 million to create expanded alcohol treatment programs and build beds to serve this population?

Manager's Recommendation - 1) Direct staff to expand the Serial Inebriate Program into the downtown area at a level of 40 arrests per month when funding, staffing and facilities issues are resolved; 2) Direct staff to collaborate with the County Sheriff's Department and City Attorney's Office in obtaining state funds for expansion of the Serial Inebriate Program; 3) Direct staff to continue working with the County Department of Alcohol and Drug Services and non-profit service providers to obtain state and federal funding to create more capacity in alcohol treatment programs and beds to serve an expanded downtown program.

Rules Committee Recommendation - Docket the issue of expansion of the Serial Inebriate Program into downtown for City Council consideration.

Fiscal Impact - Expansion of the Serial Inebriate Program to 40 arrests per month would require the addition of a paralegal position to the City Attorney's Office at a cost of \$76,000 annually. State funding would be sought to reimburse this cost. Although the City Attorney's Office is absorbing the cost of the existing SIP program within their current budget, this position would be necessary to implement the expanded program, due to the labor intensive, "negative reporting" required by the court. The Police Department will implement the current and expanded SIP program using existing officers and resources. The SIP program will allow more efficient deployment of city law

enforcement and safety personnel by reducing the amount of time police officers and paramedics spend dealing with the chronic inebriate population. CDBG funds may be requested to leverage other state monies for this program. All other funding will come from outside sources or agencies.

BACKGROUND

The Serial Inebriate Program (SIP) began as a one-year pilot program in the San Diego Police Department's Western Division. It was initiated in January 2000 as a problem-solving effort by the Police Department to deal with chronic, untreated, drunk in public alcoholics who cycle continually in and out of jail, hospitals, and detoxification programs.

The requirement to evaluate the results of the Serial Inebriate Pilot Program and expansion into downtown was included as a component of the Special Needs Homeless Program adopted by the City Council in December 1999 (Manager's Report No. 99-241). At that time, City Council directed that staff: *"Evaluate the success of the first six months of the Police Department Western Division chronic inebriate arrest/treatment pilot program, and, if feasible, begin implementation in the downtown area by July 2000 or as soon as determined practicable."* It was subsequently decided that 12 months of data from January through December 2000 would provide a clearer picture of this one-year pilot program's success, as well as allow time to identify the costs to all parties of program expansion.

DISCUSSION

Program Need

The Serial Inebriate Pilot Program is a partnership of the Police Department, City Attorney's Office, Sheriff's Department, San Diego Superior Court, Office of the Public Defender, San Diego County Alcohol and Drug Services, Mid-Coast Counseling and Recovery, Pathfinders, and Volunteers of America. The goal of the Serial Inebriate Pilot Program is to stop the "revolving door syndrome" of the chronic inebriate cycling through the Volunteers of America (VOA) Inebriate Reception Center (IRC), hospitals and jail by using court proceedings and providing an opportunity to enter treatment programs. These individuals are usually homeless and have been on the streets for over 10 years without receiving treatment for their condition. Chronic alcoholics who are drunk in public are presently draining law enforcement, paramedic and hospital resources in the County and City of San Diego.

During 1999:

Police officers from Central, Western, and Northern Divisions made 3,413 arrests under P.C. Sec.647(f) .

VOA IRC processed approximately 10,000 chronic offenders for the four hour "detox." Annual IRC cost (to the County) at \$30 per offender is \$300,000.

Average out of service time for police officers is two hours per arrest or one hour to transport to the IRC, at a cost of \$57 per hour, or almost \$1 million.

When chronic inebriates are too sick to transport to the IRC or jail, or when they are unconscious or injured, they are transported to hospital emergency rooms by paramedics, at an average cost of

approximately \$500 per trip. The average ER stay is 6-8 hours, at a cost of up to \$1,000 per stay, which is generally not reimbursed by County or state funds. This population creates ER and paramedic capacity issues for other true emergencies.

Other facts:

Average annual visits to the VOA IRC for chronic offenders is 40-50.

The five worst chronic inebriate offenders in Western Division over a one year period had 71 paramedic runs, 54 hospital admissions, 212 IRC admissions.

Between July 1997 and December 1998, 15 homeless chronic inebriates downtown had 299 visits to Mercy Hospital Emergency Room at a cost of \$967,000, not including paramedic and police costs.

SIP Program Process

Under the SIP program, individuals violating P.C. Section 647(f), Drunk in Public, are arrested and transported to the VOA IRC. If records show the offender is “chronic” (defined as five or more IRC admits in a month), the offender is refused at the IRC, and transported to jail by a police officer. Those not deemed chronic are accepted into the four hour “detox” program.

At the County Jail, offenders are booked and held for in-custody arraignment. If the City Attorney’s Office determines criminal charges should be filed, and the defendant admits guilt at arraignment, the deputy city attorney requests appropriate sentencing based on criminal history. While first convictions usually result in probation, fines, and AA meetings, subsequent convictions will usually result in increasingly longer custody time (30, 60 or 120 days).

Under SIP, the court can offer an option of County-funded rehabilitation in lieu of custody, but the offender must agree to assessment by counselors to determine eligibility. If the offender refuses or is ineligible, he or she remains in jail. If the defendant elects treatment and is eligible, the City Attorney completes a jail release order and the defendant is taken to a rehabilitation program by San Diego Police officers. Defendants who walk away from treatment are re-arrested, and go through the process again, until they finally stay in treatment.

It should be noted that the courts requested that the SIP program be done through “negative reporting,” which requires the City Attorney’s Office and Police Department to do the paperwork and logistical tasks required to ensure compliance with the program.

Results and Evaluation of SIP

The Serial Inebriate Pilot program has resulted in 46% of arrested chronic inebriates choosing treatment over jail time, and 46% of those succeeding in treatment. This is considered a high success rate for a chronic population that has typically been homeless and untreated for an average of 10 years. The results for the January-December 2000 pilot period are as follows:

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| Total Arrests | 278 | |
| Individuals Arrested | 144 | |
| Offered Treatment in lieu of jail* | 104 | (72% of those arrested) |

**First time offenders are usually given probation, fines, etc.*

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|-------------------------|----|----------------------------------|
| Accepted into Treatment | 48 | (46% of those offered treatment) |
|-------------------------|----|----------------------------------|

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| Currently in court-ordered treatment | 7 | (15%) |
| Completed treatment | 15 | (31%) |
| Failed treatment** | 26 | (54%) |

***Clients who walk away from treatment are re-arrested, and go through the process again. There is a higher success rate with each arrest.*

| | | |
|---|----|----------------------------------|
| Refused/Not eligible (remained in jail) | 56 | (54% of those offered treatment) |
| Self-refused | 31 | (55%) |
| Not eligible*** | 25 | (45%) |

****Due to history of violence, arson, sex offender, etc.*

Other results in Western Division include: a decrease in illegal lodging citations of 67% in Ocean Beach and 29% in Hillcrest; a decrease in emergency room use by 50%; and a decrease of 25% in police contact with serial inebriates.

Expansion of SIP into Downtown

Due to the success of the Western Division SIP program in removing a significant number of chronic inebriates from the street and into treatment or custody, the Police Department began a small expansion into the downtown area in November 2000. This expansion actually keeps the number of arrests the same as during the pilot—approximately 20 per month—but targets chronic inebriate populations in both downtown and Western Division.

In order to make a significant difference in the downtown area while maintaining an effective program in Western Division, however, it will be necessary to increase the number of arrests under the SIP program to 40 per month.

The Attorney's Office has been able to absorb the costs of current program implementation at 20 arrests per month within their existing budget. Expansion of the SIP program to 40 arrests per month will require the addition of a paralegal to the City Attorney's Office Criminal Division at a cost of \$76,000 per year in order to handle the negative reporting requirements of the court, as well as increased administration, document processing and case coordination. The Police Department has indicated that for the next year, SIP implementation can be effected at either level with existing resources and personnel.

Additionally, it will be necessary to identify funding to reimburse the Sheriff's Department for jail housing and medical costs incurred with incarcerating this chronic inebriate population. For continuation at the 20 arrests per month level, this cost has been estimated at approximately \$200,000 annually. Expansion to 40 arrests per month will increase that amount to approximately \$300,000. The Sheriff has agreed to continue the current pilot at 20 arrests per month without reimbursement for at least several months while funding options are being explored. City staff has begun working with the Sheriff's Department on obtaining funding for both the Sheriff and the City Attorney through a budget line item or spot legislation in Sacramento during this legislative session. Staff is also exploring the possibility of seeking some funds from area hospitals, who should see their emergency room losses reduced by not having to treat as many chronic inebriates.

Expansion of the SIP program to 40 arrests per month would require identification of outside

funding in the amount of approximately \$1.2 million for County Alcohol and Drug Services to expand existing alcohol treatment programs and augment the number of treatment beds for chronic inebriates. The expansion of alcohol and drug treatment beds is also a goal of the City's Special Needs Homeless Program, and thus seeking this state and federal funding will be a joint City/County effort during the 2001 legislative sessions.

ALTERNATIVES

Maintain the Serial Inebriate Program at the current level of 20 arrests per month for Western Division and downtown, and do not expand.

Respectfully submitted,

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Employee Relations and Special Projects

Approved: Bruce Herring
Deputy City Manager

HERRING/ABH