



COUNTY OF YOLO

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Senate Votes 39-0 to pass McCarty's Drug Treatment Bill

AB 1542 would provide treatment to those involved in the criminal justice system who live with drug addiction

(Woodland, CA) – On September 2, 2021, California Assembly member Kevin McCarty's Yolo County bill passed through the Senate floor by a vote of 39-0. The bill has passed through both the Senate and Assembly Public Safety and Health committees and on June 2, the Assembly moved the bill forward with a 65-1 vote.

Assembly member McCarty authored AB 1542, Hope Yolo <https://yoloda.org/hope-yolo/>, in partnership with Yolo County District Attorney Jeff Reisig and Yolo County Supervisor Gary Sandy. State Senator Bill Dodd is a co-author. If it becomes law, AB 1542 would allow Yolo County to develop a secured treatment facility for individuals who are involved in the criminal justice system and who live with substance use disorders. Those eligible for the treatment program would include people who have committed drug motivated felonies that, absent this program, would result in them being sentenced to jail or prison. Those who commit misdemeanors, simple drug possession, sex offenses, and strike offenses would not be eligible. Currently, the District Attorney does not charge simple drug possession cases and, instead, diverts them for treatment. Those eligible for Hope Yolo would be assessed by treatment providers who would decide the level and length of treatment. Individuals found suitable for the program would be given a choice of serving time in jail or prison, or entering the soft secured facility where they would receive treatment to help them get well. Once they have completed the secured inpatient program, they would move to a residential treatment facility or receive intensive outpatient treatment. This is all contingent on the assessment and recommendation of the treatment providers. After completing the program, the subject's current charges and prior drug convictions would be dismissed and expunged from their record so they can get a fresh start.

Anthony Brown testified in support of the bill during the Health Committee hearing. Brown who is currently Director of Nursing Services at a psychiatric facility in Southern California served 9 ½ years in jails and prisons during the 1990s. He was homeless and had a severe substance use disorder. "The passing of this piece of legislation will enable individuals like me then, become individuals like me now," said Brown. He continued, "This program has the potential of offering a roadmap to the destination that it took me 22 years to achieve."

At the Senate Health Committee hearing, members commented and asked Assembly member McCarty questions about the bill. Senator Scott Weiner (D-SF) stated, "This is a hard issue and the way we've approached drug use and addiction over the last 50 years has been an abysmal failure.... Maybe for some people who are already going to be incarcerated, who have committed a crime, a non-violent crime, this gives them an option."

In an NBC4 "News Conference" program on July 11, NBC's Conan Nolan asked former Governor Jerry Brown about current crises of homelessness, drug addiction, and mental illness. Brown told Nolan, "what we don't have is the political will and political imagination" in dealing with the drug addicted and mentally ill. Brown continued, "If they are cognitively challenged or dope addicted, they don't have any control over themselves so

you have to create a controlled environment whereby you give people help but you don't just stand there...you've got to make things happen and that takes the authority of the state... but the people in charge have to step up to the plate."

District Attorney Jeff Reisig said, "Regardless of the ultimate fate of Hope Yolo, we are very encouraged by the robust discussion and solid support the idea has generated among California lawmakers from both sides of the aisle and across our state. At every public legislative committee hearing so far, there has been bipartisan agreement that what we are currently doing in California to address the needs of seriously addicted individuals, who end up in the criminal justice system, is simply not working. Hope Yolo (AB1542) is a bold and innovative proposal to try something new by offering voluntary focused treatment in a therapeutic, but secure space, for a population that desperately needs wrap-around services and structure. The momentum of this conversation gives us real hope that California will, sooner or later, embrace bold programmatic changes to address the disease of addiction and its negative impacts on our people and communities."

AB 1542 was previously supported by the Yolo County Board of Supervisors. Supervisor Gary Sandy commented, "We are one step closer giving this pilot project a chance so that we can help those people with drug addictions get well in a treatment facility, rather than spending their time in our jail or in prison." AB 1542 will next move back to the Assembly floor for a second vote.

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