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CONTINUED
FROM 4.10.97
TO 4.29.97

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4.29.97
5.13.97 (PANNELL)

DEPARTMENT OF
POLICE

ARTURO VENEGAS, JR.
CHIEF OF POLICE

CITY OF SACRAMENTO
CALIFORNIA
March 26, 1997

HALL OF JUSTICE
813 SIXTH STREET
SACRAMENTO, CA
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Ref: 3-68

APPROVED
BY THE CITY COUNCIL

APR 15 1997

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*Supported with
Council
strict conditions.
See synopsis*

City Council
Sacramento, California 95814

Honorable Members in Session:

SUBJECT: Assembly Bill 48 - A bill requiring the State Department of Alcohol and Drug Programs to study the financial impact of crack cocaine on state and local government since 1981.

COUNCIL DISTRICT: City wide

RECOMMENDATION:

The Police Department recommends that City Council oppose this legislation in its current form and make all necessary efforts to ensure that if this legislation becomes law, that no unfunded mandates are placed on local governments, such as the City, to compile information about the impact of crack cocaine since 1981.

CONTACT PERSONS: Rick Jones, Captain, Office of the Chief, 264-5224

David Poroli, Lieutenant, Office of the Chief, 264-8412

FOR COUNCIL MEETING OF: April 10, 1997

SUMMARY:

This report details proposed state legislation that would require the State Department of Alcohol and Drug Programs to produce a report by the end of 1998 that details all costs to state and local governments related to the crack cocaine epidemic. Although the Police Department is not opposed to studying this issue further and believes that it is important to understand the entire impact of this epidemic, the Police Department recommends that the City Council not support this legislation as introduced and work towards limiting any negative fiscal impact to the City if the bill does become

law. The City is already facing a large budget deficit, in part due to unfunded state mandates such as this.

COMMITTEE/COMMISSION ACTION:

The Law and Legislation Committee heard this item on March 18, 1997. A motion was made to oppose the legislation unless amendments are made, and to forward the report to the full City Council.

BACKGROUND:

Assembly Member Roderick Wright has introduced Assembly Bill 48, which would require that the State Department of Alcohol and Drug Programs (ADP) issue a report by the end of 1998 that identifies all state and local funds expended to address the crack cocaine epidemic since 1981. Assembly Member Wright is urging City Councils throughout the state to pass resolutions in support of this legislation. Assembly Member Wright feels that such a report is necessary to obtain reimbursement from the federal government in the event that the Central Intelligence Agency is found to have had some substantive role in causing the crack cocaine epidemic.

The scope of the report ADP is required to produce is extremely broad, encompassing costs related to law enforcement, incarceration, treatment programs, emergency health care, increased crime, homelessness and special medical care for crack addicted babies. Although there may be value to learning the costs associated with the crack cocaine epidemic, the ADP must rely heavily on obtaining this information from state and local agencies, and due to the short time frame to complete this report, the Police Department is concerned that the ADP may be forced to promulgate regulations requiring local agencies to provide complete data back to 1981.

The Police Department does not have automated records on-line prior to 1994. Additional data is available via archives, but is difficult to search. Most of the reports prior to 1988 exist on paper, microfiche or microfilm. From 1994 forward, there are over one million records on the automated Records Management System. Although these records are searchable to some degree, they do not lend themselves to thorough searches, and record taking procedures often do not allow for some information to be keyed into the system. In fact, prior to 1988 there was no differentiation between crack cocaine or other forms of cocaine in police reporting. Therefore, much of the data that could be compiled would be highly inconsistent beyond the crime type codes, suspect/victims names and locations. In all likelihood, a report such as Assembly Member Wright suggests would be based on less than valid information.

Additionally, the Police Department does not have the additional personnel which would be

necessary to conduct the extensive record searches. The automated searches would take dedicated computer programmer time that is not available. It would also require records clerks searching paper copy and microfiche by hand. A rough estimate of employees and hours required would take a great deal of effort to accurately estimate. However, it can be assumed that it would require at least one (1) FTE programmer analyst for up to 60 days (\$8,000) and five (5) FTE records clerks for as long as 8 months (\$150,000) just to find incidents which were alleged to have involved cocaine. The amount of time required to analyze this information and ensure that crack cocaine was the narcotic involved and to determine the cost of responding to or investigating an incident would likely triple the cost.

At a time that the Police Department is expending a great deal of staff resources to acquire a new Automated Information System it would be impossible to use existing staff. To comply with any requirements or requests from the ADP would possibly jeopardize the \$7 million grant from the federal government to replace our systems. The Police Department believes that the legislation should not be supported without language that requires the state to fund all costs to local agencies for conducting the research.

ENVIRONMENTAL CONSIDERATIONS:

This report provides legislative/policy analysis only. This activity does not constitute a "project" and is therefore exempt from the California Environmental Quality Act (CEQA), CEQA Guidelines Sections 15061 and 15378.

FINANCIAL CONSIDERATIONS:

This legislation, if passed, could allow the State Department of Alcohol and Drug Programs to require local governments to search through 15 years of hard copy and computerized data to compile the necessary information to prepare the required report. The Police Department does not have adequate staff to do this, and has no automated way in which to search and compile this data. The cost to the Police Department alone could be as high as \$450,000 in current staff time, new hires, training, duplication and transmission to state officials.

POLICY CONSIDERATIONS:


The recommendation of the Police Department to not support this legislation in its current form is consistent with City policy to oppose the imposition of unfunded state mandates.

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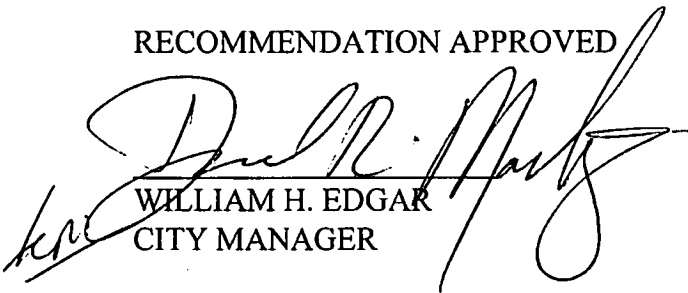
MBE/WBE CONSIDERATIONS:

None

Respectfully submitted,


ARTURO VENEGAS, JR.
CHIEF OF POLICE

RECOMMENDATION APPROVED


WILLIAM H. EDGAR
CITY MANAGER

Attachments: Assembly Bill 48- As Introduced
Letter from Assembly Member Roderick Wright

ASSEMBLY BILL

No. 48

Introduced by Assembly Member Wright

December 2, 1996

An act relating to crack cocaine.

LEGISLATIVE COUNSEL'S DIGEST

AB 48, as introduced, R. Wright. Crack cocaine: costs.

Existing law grants the State Department of Alcohol and Drug Programs with jurisdiction over the state's drug and alcohol programs and prescribes the duties of the department, including, but not limited to, developing and maintaining a centralized data collection system, and issuing a report annually portraying, among other things, certain costs associated with alcohol and drug abuse.

This bill would require the department to issue a report pursuant to these provisions during the 1998 calendar year, and would require a component of that report to identify all state and local government funds expended to address the crack cocaine epidemic since 1981, including, but not limited to, costs associated with law enforcement, incarceration, treatment programs, emergency health care, increased crime, homelessness, and special care for crack babies. This bill would require this component of the report to itemize costs according to county in which, or for which, the expenditures were made, and according to the source of the funds, whether state or local.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The State Department of Alcohol
- 2 and Drug Programs shall issue a report pursuant to
- 3 subdivision (p) of Section 11755 of the Health and Safety
- 4 Code during the 1998 calendar year. A component of that
- 5 report shall identify all state and local government funds
- 6 expended to address the crack cocaine epidemic since
- 7 1981, including but not limited to, costs associated with all
- 8 of the following:
- 9 (1) Law enforcement.
- 10 (2) Incarceration.
- 11 (3) Treatment programs.
- 12 (4) Emergency health care.
- 13 (5) Increased crime.
- 14 (6) Homelessness.
- 15 (7) Special care for crack babies.
- 16 (8) Other related costs.
- 17 (b) The component of the report prepared pursuant
- 18 to this section shall itemize costs according to all of the
- 19 following:
- 20 (1) The county in which, or for which, the
- 21 expenditures were made.
- 22 (2) The source of the funds, whether state or local.

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Assembly California Legislature

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January 27, 1997

RODERICK D. WRIGHT
ASSEMBLYMEMBER, FORTY-EIGHTH DISTRICT

wil?

Honorable Heather Fargo
Council Member, City of Sacramento
915 I Street, Room 205
Sacramento, CA 95814

Dear Council Member Fargo:

Local governments throughout California are devoting millions of dollars to reverse the devastation crack cocaine has had on neighborhoods and families. Alleged CIA involvement raises the issue to new level, but there is little state and local governments can do to bring closure to this matter until federal investigations are completed.

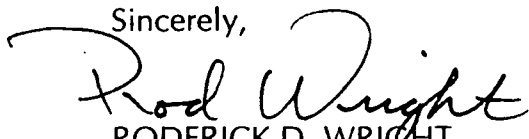
I introduced AB 48 which requires the Department of Alcohol and Drug Programs to report to the Legislature on the dollars spent by the state and local governments since 1981 to address the crack epidemic. If this legislation is passed, the report will be due by June of 1998.

This report is important for two main reasons. First, there exists no state document that compiles the dollars spent by state and local governments to address direct and associated problems crack cocaine brings to their jurisdictions. Certainly such a report is needed in order that state legislators may see the whole picture. Second, the report serves as a record of the state's damages should reimbursement be forthcoming by the federal government.

I anticipate that AB 48 will have its first hearing in February or March of 1997 and would like local support for this measure. Will you bring this issue to your city council and request that a resolution be passed supporting this bill?

If you have further questions about this measure, please don't hesitate to call me or my Capitol staff contact on this matter, Diane Shelton, at 445-2363. Thank you for your attention to this matter.

Sincerely,


RODERICK D. WRIGHT
Member of the 48th Assembly District

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