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Resolve, To Establish a Pilot Program in Penobscot County for Assessment and Treatment of Individuals Arrested for Unlawful Possession of Drugs

Sec. 1 Substance abuse and dependence assessment; pilot program. Resolved:

That the Judicial Department and the Department of Corrections shall by July 20, 2012 jointly establish a one-year pilot program in Penobscot County in which an individual who is arrested for unlawful possession of drugs, including scheduled drugs, synthetic hallucinogenic drugs and prescription drugs not prescribed for the individual, must be assessed for substance abuse and dependence. The departments may contract with an independent entity for the performance of any portions of the pilot program. The pilot program must contain the following components.

1. Probation. The Department of Corrections shall provide for the centralization of the substance abuse assessment and monitoring process within the probation system for individuals arrested for unlawful possession of drugs in Penobscot County. The pilot program must provide a central point for the identification of individuals for whom an assessment is required and serve as a liaison between the court and the agency providing assessment services.

2. Identification of substance abuse and dependence factors. The pilot program must provide for the assessment for substance abuse and dependence of all individuals arrested in Penobscot County for unlawful possession of drugs. This assessment should be a condition of bail with the cost of assessment to be paid by the defendant.

A. The assessment must be completed within 90 days after arrest. A copy of the full assessment and a summary must be provided to the court.

B. The assessment must use standard screening and assessment tools and describe the medical history and diagnosis of the individual and a prognosis for the individual both with treatment and in the absence of treatment.

C. The assessment must consist of at least 4 assessment sessions and must include at least 4 urine screenings to detect continued drug use.

D. The assessment must include recommendations for substance abuse and dependence treatment and rehabilitation as necessary. Recommendations may include abstinence, counseling, detoxification and other medical services and residential rehabilitation.

E. The assessment must provide additional findings that identify the individual's strengths and needs, the existing and available supports for the individual and factors indicating the risk of subsequent substance abuse. The assessment must also include a plan to ensure the individual's compliance with terms of sentencing or probation for the purpose of promoting sobriety and making the transition to a healthier and more productive life.

3. Referral and treatment. The pilot program must include a mechanism for providing referrals to and monitoring of recommended treatment and services.

4. Data collection; evaluation. The pilot program must include the collection and analysis of data regarding the assessment of and outcomes for individuals under the pilot program. The Department of Corrections shall provide a report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters by October 1, 2013 evaluating the pilot program and identifying at a minimum the potential of a substance abuse assessment and monitoring program to improve outcomes for individuals arrested for unlawful possession of drugs, to reduce recidivism and to reduce costs for the judicial and correctional systems.

SUMMARY

This resolve requires the establishment by the Judicial Department and the Department of Corrections of a one-year pilot program in Penobscot County for the identification, assessment, treatment and monitoring of individuals arrested for unlawful possession of drugs for the purpose of improving outcomes for individuals arrested for unlawful possession of drugs, reducing recidivism and reducing costs for the judicial and correctional systems.