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Vol VI December 2001

Directors' Message

By Gretchen Burns Bergman

As 2001 draws to a close, I reflect back on the events of a year of great personal meaning to me as the Director of A New PATH, as well as a citizen of the United States. It has been a year of challenges and accomplishments, tragedies and triumphs.

I'd like to take this opportunity to reach out with sympathy to our community and to all those who have shared the pain of recent catastrophic events. I hope that we can continue to focus our efforts on putting an end to terrorism, rather than escalating division and hatred.

While the "War on Drugs" has largely been an unsuccessful war waged against our own diseased citizens, the "New War" is a real battle against the terrorist activities that threaten the very core of the people of the free world. Perhaps, now, it is time to put an end to the concept of a "War on Drugs".

Through compassion and understanding, parents, family members, the healthcare and medical communities together with our justice system can begin to solve the complex and critical problem of substance abuse that is so devastating to our families, so damaging to our society.

The very idea of "war" implies a battle against an enemy, and for too long the addicted individual has been perceived as such a villain. Education about the illness, combined with increasing treatment options, is a more appropriate approach and offers a better possibility for solutions that can save lives.

Since the passage of Proposition 36 in California, (which mandates treatment instead of incarceration for non-violent drug offenders) in November of 2000 and its implementation in July of this year, a new line of communication has opened up between key stakeholders. Now parents and addicted individuals are sitting at the table with criminal justice and treatment representatives discussing the problem.

I see this as a major step in the right direction. There is still much work to be done and misconceptions to be corrected about the nature of the disease, but it would appear that we are on the right path and moving forward with a more therapeutic approach.

However, it is not a time to be complacent about our progress. There are still many wrongs that need to be righted in regard to the handling of substance abusers. It is absolutely time to amend California's "Three Strikes Law", which affects an extremely large segment of this population.

According to the Orange County Register, "...it has often been used to put non-violent criminals in prison for life".

The LA Times writes, "Since passage of California's "three strikes and you're out" law in 1994, district attorneys statewide have, one by one, concluded that putting people away for life for minor crimes is grossly unfair and a waste of taxpayer dollars".

Citizens Against Violent Crime is working hard to place an initiative on the November 2002 ballot to amend

Editor's Note

"IT WAS the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us, we were all going direct to Heaven, we were all going direct the other way..."

Charles Dickens' Tale of Two Cities was published one hundred and forty two years ago.

And, he was writing of events that occurred 84 years prior, those of the French Revolution.

His words have as much impact today as they ever had. While the events of September 11th have given us much cause for despair, we have also gathered strength and hope from that awful day.

Perhaps, finally, there is an enemy to deal with besides our own citizens. Can law enforcement and especially the DEA now pursue real criminals: terrorists instead of people with medical problems, substance abusers?

Some good news: on November 28th the San Diego City Council approved the one year trial needle exchange program. Some bad news: recent letters to the editor of the Union-Tribune regarding the needle exchange program demonstrated the ignorance in our community of the problems of drug addiction. Readers wrote that addicts have no "will power" for example, or are "choosing" their addiction instead of healthy lives.

As advocates for change, we in PATH have much to do. In the months to come we will be tackling issues such as "nimbyism" and mandatory treatment for those incarcerated in our state and federal prisons. That's the short list.

Our second annual fund raising gala, It Takes A Community, was a rousing success. Thanks to all the people who worked so hard on it.

We have listed alternative news sources available on the internet regarding the failed "war on drugs". Please let us know about other informative sites and we will post them.

Carolyn Angell
Publications Editor

A New PATH Proposed Slate of Officers for Board 2002 & 2003 (2 year positions)

(The titles of Director and Assistant Director have been changed to President and Vice President despite what was sent out on the proposed slate of officers.)

President: Tom O'Donnell

Vice President: Sylvia Liwerant

Treasurer: Jim Land

Secretary: Barbara Todd

Membership: Diana Flint

Education: Tami Ball

Publications: Carolyn Angell

Public Relations: Marie Miehls

Fundraising: Grace Micetich

Legislative: Caroline Stewart

Prison Reform: David Beck Brown

Recovery & Treatment: Christina Snyder

Non-Board Positions:

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Operations Coordinator: Kristy Robinson

Alternative News Sources
on the Internet:

www.narconews.com

www.drcnet.org

www.reconsider.org

A New PATH newsletter is published quarterly by the Parents for Addiction Treatment and Healing non-profit organization.

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From The Los Angeles Times 11/15/01

Author: Jenifer Warren

LONGTIME ADDICTS TEST PROP. 36 DRUG TREATMENT EFFORT

*Hearing: Legislators Are Told The Program
Was Unprepared For The Complex Needs Of The
Clientele.*

SACRAMENTO — Four months into California's landmark experiment with treating drug offenders as patients rather than criminals, officials are scrambling to cope with a clientele that is far more severely addicted than expected. Planners predicted that most offenders diverted into treatment under voter-approved Proposition 36 would be low-level users in need of short-term outpatient therapy.

Instead, judges and others with a role in the new system say it is beset by hard-core addicts, many of whom have multiple convictions and need help with mental health problems as well. "These are clients who need intensive, highly structured residential treatment for a substantial period of time," said Santa Clara County Superior Court Judge Stephen V. Manley. "We simply don't have beds for them, and that's a very serious long-term problem for the state."

Manley was among two dozen witnesses at a legislative hearing Wednesday that offered the first broad assessment of Proposition 36, which triggered the most dramatic shift in criminal justice policy since passage of the three-strikes law.

Approved by voters a year ago, Proposition 36 requires that nonviolent drug offenders be placed in treatment and on probation, rather than behind bars. Backers of the groundbreaking initiative hope to place similar measures on the ballot next year in several states, so its record in California is being closely watched.

Legislators also want to know whether the state's \$120-million annual investment in drug treatment is paying off. Wednesday's hearing provided no final answer to whether Proposition 36 is delivering on its ambitious promise — to reduce addiction, thin the prison population and save the state money.

The first offenders only began landing in treatment in July, so it is too early for a sweeping verdict. But experts — and recovering addicts — said the system, though still plagued by kinks, is funneling thousands of addicts into recovery. "It has absolutely been an early success," said Chris Geiger of Walden House in San Francisco, a residential recovery program.

"It's helping me change myself into a productive person," said Jacquelyn Jones, 40, a 22-year crack addict living at Walden House. "Jail and prison only put your addiction at rest until you are released."

Though no statewide statistics are available, offi-

cial in most counties said their projections for the number of offenders receiving treatment through Proposition 36 are proving fairly accurate. The exception is Los Angeles, where the number of defendants opting for treatment is far lower than expected.

Most surprising is the proportion of offenders with a long history of drug abuse. Manley said that in Santa Clara and San Diego counties, about half of the clients have addictions spanning 10 years or more. Judges in Los Angeles report similar trends.

Under Proposition 36, offenders who go into treatment are sent to an assessment center, where officials gauge the severity of their drug problems and, in theory, assign them to appropriate treatment slots.

Therein lies the problem. In gearing up for the influx of Proposition 36 cases, county officials focused on creating outpatient slots suitable for low-level addicts. As a result, the wait for a spot in a Los Angeles-area residential treatment program can be four to eight weeks or more, said Los Angeles Superior Court Judge Michael Tynan.

"So we have many of our most severely addicted people sitting on waiting lists, and that doesn't help anybody," said Lael Rubin, special counsel to Los Angeles County Dist. Atty. Steve Cooley.

How government will expand residential treatment capacity is unclear. The state faces a budget crisis, and, as Tynan said, residential beds are "expensive, and you just can't create them overnight."

Even when funding is available, drug treatment homes invariably stir neighborhood opposition, witnesses said Wednesday. "We consistently see 300, 400, 500 people at every hearing," Yvonne Frazier, administrator of San Mateo County's alcohol and drug programs, testified. "And there are usually about two speaking in favor."

Among the few pieces of concrete information emerging at the hearing was evidence that Proposition 36 is causing a dip in the state prison population. From July 1 through Nov. 4, the incarcerated population fell by 2,400 inmates, a drop that corrections officials attribute mostly, though not entirely, to Proposition 36.

Considering that the state spends \$25,000 annually on each prisoner, "we are already starting to achieve some savings because of Proposition 36," said Dan Carson of the nonpartisan Legislative Analyst's Office.

Another measure of the program came from the state parole board. Before Proposition 36, parolees who violated terms of their parole with low-level drug offenses, such as dirty drug tests, were often returned to prison. Now, 140 parolees a week are diverted into drug treatment, and officials said most comply with such orders. Since July 1, only 31 warrants have been issued for parolees who did not follow through.

A Thanksgiving celebration behind prison fences

By David Beck-Brown

Alone, and encircled from upwards of 60-70 fellow inmates dressed in prison blue denims, a convict delivers a well thought out testimonial. "Freedom is facing life without drugs; I can be free while doing time in prison, as long as I am free from drugs."

Speaking for several minutes, the inmate finishes his story, smiles shyly, then slowly rejoins the other convicts forming a large circle wrapping around the interior perimeter of the walled courtyard. Another convict quickly fills the empty space in the middle of the room and begins to speak. The other inmates and prison staff listen respectfully to each and every speaker until everyone wishing to speak has finished. When no one else chooses to step up to the podium it is time to eat.

The occasion of this special event is a celebration by these inmates for choosing to be drug- and alcohol-free while serving prison time. Some people call it a disease, others call it a choice, whatever we choose to call it, drug abuse has led many of these men to antisocial and self-destructive behaviors.

It is a well-known fact that many of them are imprisoned for committing crimes while under the influence of drugs and alcohol. At this time and place, they choose to make a public announcement and vow to themselves, others, and a higher power, to be drug-free, even after their release from prison.

Following their personal testimonials, they begin an All American Thanksgiving feast with traditional trimmings and desserts. These men, incarcerated in the California Department of Corrections, dare to distinguish themselves from the general prison population by participating in the all-voluntary sobriety program known as Amity.

The Amity Foundation, drug prevention program, began at the Richard J. Donovan Correctional Facility, San Diego as a social experiment. From the get-go, the California Department of Corrections challenged the inmates in need of drug treatment. The program would be retained, if it were successful. If it failed to produce positive results, it would be eliminated. It was that simple.

Today, the Amity Foundation program has grown from a small selective group of prison inmates housed on the level three, high security facilities, to include the level one, minimal security inmates preparing to reenter the "free world".

As this celebration revealed to both prison staff and inmates alike, something within the fabric of the Amity Foundation program was working for the good of society. Drug addicts were beginning to change their attitude regarding their substance abuse. They were

seeing the possibility of living life, drug free.

Sobriety is a win/win situation for people living on both sides of the prison fence. For many inmates incarcerated in detention facilities, and for their families, it has been indeed a Thanksgiving to be remembered.

The Amity Foundation Program will be the subject of a future article.

Director's Message

Continued from page 1

this terribly flawed law, which has caused thousands of people to serve life sentences for crimes such as petty theft and possessing a small amount of drugs. A New PATH supports this goal, and I encourage you all to help in any way you can.

The serenity prayer helps us to accept the things we can not change, but challenges us to have the courage to change the things that we can. I believe our involvement in change can be effective in these areas: advocating for much-needed treatment behind bars; working to dispel myths about drug offenders so that we can provide more treatment venues in our neighborhoods; "harm reduction" strategies such as clean needle exchange programs; collaborating with treatment providers to achieve more effective outcomes; and working with the criminal justice system to protect the public safety through recovery and rehabilitation services rather than by punitive measures.

It is my great wish that non-violent drug offenders who have lost years of their lives shuffling through the revolving door of the prison system do not also lose their voice in our government. Currently substance abusers convicted of felonies must also give up their right to vote. The voices of a large segment of our population are not being heard, whether they are in recovery or not, and that weakens us all.

It is with great pride as a co-founder of PATH that I look at not only what we have accomplished but what more we can do as a strong and unified organization of committed individuals. I thank each and every one of you for your support and remind you to renew your membership and rejoin us in our efforts.

At our December general meeting we will vote to approve a new slate of officers for our Board. I will move into an Executive Director position as I find my time and efforts more and more consumed by our mission. This excellent slate of officers, led by Co-Founder Tom O'Donnell as President and Co-Founder Sylvia Liwerant as Vice President, promises to accelerate our progress in achieving our goals.

I am grateful for all that I have learned and thank you for all the ways in which you have enriched my life. I will continue to serve this cause with passion and purpose.

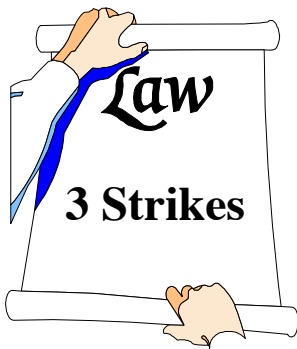
Revising the Three Strikes Law

Twenty-six states and the federal government have some form of a three-strikes law to keep heinous, violent criminals locked up. But only California has a three-strikes law that places petty, non-violent criminals in prison for life.

There are now more than 35,000 people who are serving long sentences, some for life, for crimes such as stealing a loaf of bread, forging a small check, or possessing a small amount of drugs. This injustice has ruined the lives of more than three million Californians and it wastes more than a billion dollars of our hard-earned taxes every year.

Now, seven years after this law was passed, we have learned that it has had no effect whatsoever on reducing the rate of crime. For these and many other reasons, we would like to introduce you to Citizens Against Violent Crime, an organization dedicated to amending this vengeful law, and ask you to join us in supporting their campaign.

In August of 1999, we got copies of every piece of law relevant to strike-enhanced sentences. This included the Wilson bill that was passed in the Spring of 1994, the original initiative that was elected in November, 1994, every bill that has been proposed in the Assembly and the State Senate since then, every code referred to in each piece of legislation, and every code referred to by any other code that was relevant to strike-enhanced sentences.



After studying these for several weeks we drafted a proposed initiative. Citizens Against Violent Crime (CAVC) has, among its founders and leaders, Joe Klaas, the grandfather of Polly Klaas, whose awful murder led to the passage of the original three-strikes

law. Mr. Klaas was one of the first people to recognize the real injustice of this law, and he has been working with CAVC for the last three years to correct it. CAVC has written an initiative to amend the law and they are planning to place it on the November, 2002, ballot.

Currently, CAVC is doing everything possible to see that the people are given the opportunity to correct this horrendous injustice. Our goal is to place an initiative on the November 2002 ballot. This effort will cost 2-4 million dollars to achieve success.

Your help in the form of a generous donation today is critical to help correct this outrage. To stay on track for November 2002, they must raise at least \$650,000 by early December. Locking up nonviolent offenders does not equal being tough on crime. The money and resources being spent on this does not justify the huge fiscal cost and societal impact. How many more prisons must we build?

Citizens Against Violent Crime 12922 Harbor Blvd., Garden Grove, CA 92840 Voice Mail: (714) 780-8901 CAVC is a California Campaign General Purpose Committee, FPPC #1220428

Meeting of the Minds

On Tues. October 23, 2001 A New PATH presented a workshop at the fourth annual "Meeting of the Minds" conference and resource fair, entitled "Treatment: The Only Solution to the War on Drugs".

This in-depth panel discussion explored the benefits of a comprehensive health care approach to seeking a solution to the problems of substance abuse and addiction in contrast to the utilization of a criminal justice model.

Panelists Gretchen Burns Bergman, Steven E. Feldman, John Micetich and Dr. Jerry Rand approached the topic from several perspectives: legal, financial, medical, and human and family values.

The goals of the workshop coincided with the theme of the conference, "Achieving Empowerment". Through education, more and better rehabilitation opportunities and comprehensive treatment approaches, individuals will be empowered to overcome their illness, realize their potential, and become contributing members of their communities and society at large.

The workshop was well attended and well reviewed.

Because the first Tuesday in January falls on New Years Day in 2002, **there will not be a General Meeting in January**. The next meeting will be February 5th, 2002. Watch for program information in your mail!

RECONSIDER

Tidbits

from the ReconsiDer: Forum on Drug Policy website,
www.reconsider.org

This article, from a professor of economics in the Sellinger School of Business and Management at Loyola College in Baltimore, questions the need to increase funding for hospital emergency rooms to prepare for future terrorist acts. He offers a cost-effective solution.

The Other War By Thomas J. DiLorenzo
(Posted November 19, 2001)

America's emergency room physicians met recently for their annual convention and emerged with their well-scrubbed hands extended and begging for government handouts. Terrorism, they say, means that taxpayers will have to hand over additional billions of dollars to the emergency rooms of America's hospitals.

Additional tax dollars would not be necessary, however, if government would eliminate the main source of medical emergencies — at least in urban hospitals: the war on drugs.

A former MBA student of mine was the director of emergency medicine at a large hospital in the city of Baltimore. He once told me that he and his colleagues spent about 90 percent of their time treating the knife and gunshot wounds of drug gang members.

Drug war-related injuries are bound to dominate the emergency room services of virtually all inner-city hospitals. The incredible violence in America's inner cities that most Americans have become numbed to is almost exclusively the result of the war on drugs. None of this should be surprising.

In a free and legal market, any dispute between business associates can be settled through negotiation or, if that fails, lawsuits. If one businessman defrauds another, he can seek to have his property protected by the courts. No such (relatively) civilized solution is available to illegal products. A drug dealer cannot go to a judge and say, "Your Honor, I delivered one ton of cocaine to Mr. Tucker here, and he refuses to pay. In the name of justice, I want you to make him pay up." Instead, drug dealers — like alcohol dealers during prohibition — resort to the only means available to enforce their business agreements: violence.

There is an even more ominous dynamic at work here. Once violence becomes the means by which one succeeds in illegal markets, the profits earned in those markets will attract those elements of society who have a comparative advantage in violence.

The most violent will rise to the top, as witnessed by such characters as the Los Angeles drug gang leader known as "Little Monster," who is an especially vicious killer. Drug gangs are simply business partnerships, but unlike normal business partnerships, they have great latitude in destroying their competitors by violent means.

If there are above-normal profits in the skateboard business, for example, new competitors will materialize and compete for those profits by offering lower-priced and/or better-quality skateboards.

Such entry cannot occur in the market for illicit drugs if the existing gangs can literally murder the competition, which they often do. Moreover, the police are often "silent partners" in such situations, since existing drug gangs can become police informants and (anonymously) inform the police of the new entrants into their business.

In legal markets, a brand name that is established by years of good performance and competitive pricing is a valuable asset that can lead to high levels of profitability. In illegal markets, a brand name is earned by acts of violence. Drug gangs intimidate potential rivals with their acts of violence.

Moreover, there are economies of scale to such behavior. If a drug gang is especially violent in Los Angeles, it will find it all the easier to enter the drug market (and to face little or no competition) in Chicago, St. Louis, New York, or other cities because of the intimidation factor.

This monopolization of the illicit drug trade has also lured thousands of children into the world of drug-related violence. With the extraordinary money being earned selling illicit drugs, it is inevitable that young children will be enticed by the money they can make as "spotters" (of police) or "runners" (i.e., drug deliverers) for drug gangs.

To make matters worse, children under the age of 18 who are arrested for violent, drug-related crimes are usually put on probation or released outright to the custody of their parents. In some states, a jail term cannot extend past age 17, even for murder.

Facing little or no consequences for their violent behavior, these children grow up to be the most hardened, violent criminals in society, thanks to the war on drugs and a buffoonish "juvenile

Continued on page 7

Jenny's Journey founders, Russ and Pat Wittberger, would like to announce the formation of GRASP (Grief Recovery After A Substance Passing).

GRASP was formed out of the necessity to provide comfort and resources for parents and others who have had family members die from drugs. GRASP meets every third Saturday of the month at 4720 Kensington Drive, San Diego, CA 92116.

For Bereaved Parents: 10:00 a.m. - 12:30 pm.

For Others: 1:00 - 3:00. Please contact Pat or Russ at 619-656-8414 or e-mail: mom@jennysjourney.org.

Reconsider

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justice" system.

The workload of hospital emergency rooms in America's cities could probably be cut at least in half by ending the failed war on drugs. That would make room for more genuine emergencies and reduce the financial burden on taxpayers as well, since the big majority of hospitals are either government-run or government-subsidized nonprofit hospitals. The cycle of violence in America's cities would be reversed, property values there would soar, and the lives of literally thousands of Americans would be saved.

A New PATH
2527 Doubletree Road
Spring Valley, CA 91978

Mission Statement

PATH is a voluntary organization of concerned parents of individuals suffering from the disease of addiction. Our PURPOSE is to partner with health care professionals, the justice system, recovering addicts and concerned members of society to seek better understanding of the illness and "therapeutic justice" for substance-related criminal activities.

Our GOAL is to reduce recidivism, save lives, heal families and move toward a healthier society.

Our Proposals for Alternative Sentencing

1) Long-term mandatory rehabilitation in a structured alcohol and drug-free recovery environment for non-violent offenders.

2) If the nature of the crime does not allow for this alternative, sentencing should include immediate placement in a rehabilitation and recovery program within the prison system.

3) Upon release from prison or recovery homes, substance abusers should be mandated to a transitional program in a sober-living environment to prepare them to re-enter society.

History

PATH grew out of a series of pre-Substance Abuse Summit meetings with parents, Superior Court Judges and officers of the criminal justice system in the Spring of 1999. Founding members are Gretchen Burns Bergman, Sylvia Liwerant and Tom O'Donnell.

NEWSFLASH!

The PATH Reference Guide for services and assistance with drug treatment and drug addiction issues is now available. Contact the Path office at 619-670-1184 or Banewpath@aol.com to get your copy. It is only \$5.00. Our profound thanks to Christina Snyder for all of her hard work in compiling this important guide.

Attention P A T H Members...

For immediate and up-to-date information, please send us your e-mail address and we can inform you electronically! Our email address at PATH is Banewpath@aol.com

Endorsed By

San Diego Psychiatric Society

Mental Health Association
in San Diego County

NAMI San Diego

Friends of SD Psychiatric
Society

Families to Amend
California's Three-Strikes