

Diversion to Treatment Bill (HD2942)

Lead Sponsor: Representative Martin Walsh

This legislation will help treat addiction and related health problems and reduce recidivism by offering low-level non-violent drug offenders treatment as an alternative to incarceration.

ACTION

Please co-sponsor this important bill to provide treatment for addictions.

Problem

Addiction is prevalent among incarcerated individuals.

- At least 20% of new commitments to state houses of correction involve drug-related offenses.¹
- The percentage of drug offenders among the newly incarcerated population has tripled since 1980 – from 6.5% to 23%.²

Incarceration is more expensive than treatment

- The average cost of addiction treatment is \$6,600, but it costs the Commonwealth \$39,000 a year for incarceration.³

The current diversion law is inconsistent and ineffective.

- The current law results in inconsistencies from courtroom to courtroom rather than promoting consistent treatment of addiction-related offenses.
- Current law gives oversight authority to an agency which no longer exists.

Solution

Addiction is a treatable disease. This bill:

- Mandates a consistent pre-arraignment treatment option for 1st and 2nd time non-violent low-level offenders who are deemed in need of substance abuse treatment by a licensed clinician
- Charges the Bureau of Substance Abuse Services to oversee the program
- Allows a broader range of licensed clinicians to evaluate offenders
- Mandates that charges be dropped for individual who successfully complete the treatment program, while providing for continued court proceeding for those who do not.

Treatment saves money spent on incarceration

- In 2006, there were nearly 1,500 possession offenders with non-violent criminal histories sentenced to incarceration. Diverting these offenders to treatment could have saved the state almost \$9 million.⁴

Policy in Action:

- ✓ California's Proposition 36 saved \$173 million per year and reduced drug possession offenders in prison by 27%.⁵
- ✓ In Washington State, diversion to treatment generates \$7.25 to \$9.94 for every dollar invested, saving \$14,000 per diverted drug offender and reducing recidivism.⁶
- ✓ In 2005, the state of Arizona saved \$11.7 million through diversion to treatment.⁷

Treatment reduces recidivism

- Treatment has been shown to reduce recidivism by up to 80%.⁸



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Legislative Fact Sheet

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1,2 MA Department of Corrections 3,4 New England Policy Advocates
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