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## Treatment, Not Jail: Saves Lives, Saves Money

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In one of this session's more impressive acts of bipartisanship, the Maryland General Assembly passed, and the governor is expected to sign, legislation that will make it easier to divert nonviolent offenders with drug problems from incarceration to treatment.

Maryland's bills are an amalgam of legislation originating from the governor's office and from the Legislative Black Caucus, with help from key legislators of both parties.

Gov. Robert L. Ehrlich Jr.'s staff reached out to a spectrum of thinkers -- from prosecutors to prisoner advocates -- on the subject of drug treatment versus imprisonment. Likewise, at its fall retreat, the Legislative Black Caucus brought in policymakers from Texas and Ohio who had enacted laws that divert people from prison to treatment. It also heard from representatives of private organizations -- including ours, the Drug Policy Alliance and the NAACP -- that have studied such policies. Then the caucus developed its own legislative agenda.

Legislation arose out of that meeting co-sponsored by the unlikely team of Caucus Chairman Obie Patterson (D-Prince George's) and House Minority Whip Anthony J. O'Donnell (R-Calvert).

An identical bill was filed in the Senate by Women's Caucus Chair Gloria G. Lawlah (D-Prince George's). Ultimately, those bills were merged with Ehrlich's legislation, and \$3 million in treatment money was added to the bills before they overwhelmingly passed the House and Senate in the waning hours of the session.

Some key information, both disheartening and encouraging, was gleaned along the way:

While only 28 percent of Maryland's general population is African American, 68 percent of Marylanders arrested for drug offenses are African American and 90 percent of those imprisoned for drug offenses are African American. This is despite national data showing that whites and

African Americans report being addicted to illegal drugs at similar rates.

Four out of 10 people entering Maryland's prisons are locked up for drug offenses. That's the third-highest percentage in the country.

Only 36 percent of male prisoners and 25 percent of female prisoners in Maryland are incarcerated for crimes against persons. Nine out of 10 people in Maryland's prisons are classified as minimum- or medium-security inmates.

Maryland's prison budget is approaching \$1 billion. Meanwhile, more than 200,000 Marylanders needed, but were unable to get, treatment last year.

Seventy-three percent of Marylanders polled believe that treatment is a better way to stop drug use than prison is.

Every dollar spent on drug rehabilitation yields between \$7 and \$8 in cost benefits, primarily because of decreased crime and increased productivity. Community-based treatment also has been found to be better at reducing drug use and crime rates than treatment administered inside prisons.

When the governor signs this legislation, Maryland will join Texas, Arizona, California, Kansas, Colorado and Washington in diverting drug offenders from prison into treatment. In Texas, the Republican chairman of the Corrections Committee similarly teamed up with the Democrat who chairs the Legislative Black Caucus to pass a law that each year diverts 2,500 people from Texas's prisons into treatment. Arizona's diversion legislation was enacted through a ballot initiative led by the late conservative icon Barry Goldwater and passed with overwhelming bipartisan support.

All of Maryland's drug abuse and prison woes won't be solved by this one piece of legislation. The state's treatment gap -- the difference between the number of Marylanders needing treatment and those receiving it -- will remain far too high. The number of nonviolent offenders who need drug treatment but occupy expensive prison beds also will remain too high. And important implementation issues concerning the creation and location of community-based treatment programs will need to be addressed. The Campaign for Treatment Not Incarceration, a citizen's coalition that was a key supporter of these bills, has vowed to work on these vital issues.

But the state needs to walk before it can run. And in the most recent legislative session, Maryland took an important first step in the right direction. ■

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