



Press Conference Statement

Cathie Smith

The Justin Foundation Founder and President

Oct. 25, 2007

Hello and thank you for coming today.

My name is Cathie Smith. I am first and foremost – a mom. I reside in Danville and raised my family in Contra Costa County. I am also the president and founder of The Justin Foundation.

The Justin Foundation is a not-for-profit organization dedicated to assisting individuals and families affected by drug abuse. Our goal is for every drug treatment facility to be a safe place for those who desire healing from addiction.

The organization is named for my son, Justin. When he entered a drug treatment facility seven years ago, I believed he was in a safe place. But after just two months, he died in an accident. Due to litigation, I cannot tell you the specifics of Justin's case, but I can provide you with information from other cases.

Since Justin's accident, I have learned there is no assurance of safety for the more than 200,000 Californians who enter treatment every year. In 2006, I created The Justin Foundation because everyone in need of substance abuse treatment should have a safe place to go.

This year, the Foundation conducted its own evaluation of California's treatment facilities. It analyzed seven years of investigations of residential treatment facilities from the California Department of Alcohol and Drug Programs. Our review found that for most Californians, rehab is not the glitzy, star-studded yoga retreat portrayed in celebrity magazines.

Rehab with unskilled or unethical counselors can be harmful and - in some cases - deadly. We found people in treatment that died. Their health was put at risk. Their rights were violated. And the public's safety was endangered – because of failures by untrained, unskilled or unethical staff.



In some cases, the actions of substance abuse counselors even jeopardized the recovery of the very people they were supposed to help.

Among the cases we studied, we found:

- A man undergoing withdrawal from drugs died after the staff admitted him to the detoxification unit without the medications he needed for several serious medical conditions, including heart disease and emphysema.
- One woman died after two staff members refused to provide cardiopulmonary resuscitation (CPR) because, one of them said, she was too “freaked out”.
- Three teens were stabbed and a fourth injured in a fight with four patients (inmates on a furlough program) who slipped out the window of a Northern California recovery center while their counselor was at a neighboring facility.
- A 3-year-old boy died of methadone poisoning after drinking his aunt’s take-home medication from a treatment facility. The staff allowed the aunt to take the medication with her, even though they knew her roommate was abusing drugs and she was caring for a 3 year old.
- A mentally challenged man – with no substance abuse problem – was so seriously injured he was reported to be “choking on his own blood” after drug treatment center staff reportedly tried to “restrain” him.

As you read this report, you will see many more instances of failings on the part of staff and treatment facilities.

You also will see we have not included the names of those undergoing treatment, the counselors involved or the treatment centers. We could not provide the clients’ or the counselors’ names because the state does not provide this information in its reports. It says it is seeking to protect the identity of those undergoing treatment – as is required by federal law. In many instances, the reports also did not provide the names of the facilities. Again, the state said this is to protect the identities of those in treatment.



In the cases where the facilities' names were provided, we chose not to include those names in the report, because most of these facilities made improvements to avoid further problems.

We also wanted to keep the focus where it belongs – on preventing these sorts of instances in the future. We can prevent further harm to people in treatment by improving the training of the staff working with them.

With trained, experienced and ethical staff, we would have treatment professionals who:

- Properly monitor those undergoing detoxification.
- Are trained to recognize mental illness.
- Monitor and address their own relapse.
- Respect boundaries with their patients.
- Who know how to properly care for people suffering from the disease of addiction.

For decades, our state and national leaders have waged a war against drugs. Now it is time to wage a war against addiction – the very thing that is driving the demand for illegal narcotics. To defeat addiction, we need to equip our front-line troops with the weapons they need to win.

Every day, our state's substance abuse treatment professionals confront a life-threatening disease in a very vulnerable population. We have trusted the Department of Alcohol and Drug Programs (DADP) to make sure that system protects those battling addiction.

But the department has failed.

In 2003, The Little Hoover Commission urged the Department of Alcohol and Drug Programs to professionalize California's substance abuse treatment workforce.

Four years later, the best the department can do is put in place regulations that require just 30 percent of counselors in drug treatment programs to be certified or licensed by 2010.

Moreover, California's counselor certification standards are among the lowest in the nation – even though California has the largest population of people in treatment.



Currently, counselors need just 155 hours of education, 160 hours of practicum and one year of experience to become certified. Boards in 44 other states require a minimum of 270 hours of education and three years of experience to become a substance abuse counselor. It takes more education and training to become a manicurist in California than to become a substance abuse counselor.

In private practice, it is even worse. There is no education or experience required for counselors in private practice in California – even though 26 other states require licensure. In fact, a drug addict who gets sober for a couple weeks can hang out a shingle claiming to be an alcohol and drug abuse counselor without any training! By keeping standards low, the Department of Alcohol and Drug Programs has shown it is more interested in protecting the providers than the people it serves.

As representatives of those battling this devastating disease, we at The Justin Foundation strongly endorse Assembly Bill 1367 and urge its prompt enactment by the Legislature. AB 1367 is a measure by Assemblyman DeSaulnier that seeks to raise standards for counselors in private practice and improve treatment for those seeking help in private programs. We applaud the assemblyman for taking the lead in trying to improve standards for substance abuse professionals. He has been willing to champion this measure amid close scrutiny from the treatment industry.

We also praise the Assembly Business and Professions Committee for scheduling an Oct. 30 hearing on AB 1367 in Monterey Park. We urge your coverage of this important hearing.

We hope this bill will be the first step in a series of reforms to ensure those seeking substance abuse treatment get the best possible help.

We call for higher training standards for all counselors. We seek licensing of all substance abuse treatment professionals through the Board of Behavioral Sciences --- the same board that licenses marriage and family therapists and licensed clinical social workers. And we urge stricter oversight by the Department of Alcohol and Drug Programs.

New standards, licensing, more supervision, and a demand for high-quality care. These measures would ensure people like my son were in a safe place. That they were getting the best possible treatment and they had the best possible chance of what my son had just begun to dream about before his death --- marriage, children and a normal life.