



Vermont Legislative Research Shop

The Incarceration of the Intoxicated

The incarceration of publicly intoxicated citizens is a growing problem and putting a burden on
instead as a public health
behind this is to keep people from freezing to death in a snow bank, if they
d to care for themselves without giving them criminal charges and taking up
me that would be necessary if they were charged. Vermont lacks a system of
ails, which means that incapacitated people are being placed under the
ate prisons. State officials are saying that the jail is not the correct place for
veral reasons, including that the incarcerated have not committed crimes, their
pose a liability risk to the Corrections Department, and they are taking up
ch is consuming staff time and resources.

³ In addition to those problems, the
health of the incapacitated person is also something that they worry about, as they do not know
what, or how much, they have consumed. These medical needs cannot be met in a correctional
setting and pose a liability risk for the jail system.⁴

While there are locally based programs that have helped to alleviate the stress on the jails (see
Table 1), such programs are limited because they cannot hold people against their will.
Unfortunately, there are very few programs such as these currently available, and changing that
will not be easy.⁵

¹ Terri Hellenbeck, "Incapacitated People Pose Problems for Prisons," *Burlington Free Press*, April 8, 2008,
<http://www.burlingtonfreepress.com/apps/pbcs.dll/article?AID=2008804080310> visited 4/21/08.

² Vermont Department of Health Agency of Human Services. "Public Inebriate Report."
<http://www.leg.state.vt.us/reports/2008ExternalReports/228945.pdf> visited 4/23/08

³ Terri Hellenbeck, "Incapacitated People Pose Problems for Prisons."

⁴ Vermont Department of Health Agency of Human Services. "Public Inebriate Report."

⁵ Terri Hellenbeck, "Incapacitated People Pose Problems for Prisons."

Table 1: Current Capacity for Public Inebriates

Northwest Hospital/ Champlain Drug & Alcohol Services St. Albans	4 beds
Champlain Drug & Alcohol Services Burlington	9 beds
Rutland Grace House (depending on gender mix)	4 or 5 beds
Bennington United Counseling Services	1 bed
Northeast Kingdom Mental Health	1 bed

Source: Vermont Department of Health Agency of Human Services, "Public Inebriate Report," <http://www.leg.state.vt.us/reports/2008ExternalReports/228945.pdf>, accessed April 23, 2008.

Policies of Other Governments

Manitoba, Canada

Officials in Manitoba are looking to find alternatives for places to send intoxicated teenagers who are picked up by police on the charge of being under the influence of alcohol. Similar to Vermont, public intoxication is not a criminal offense, but people can be detained temporarily. Those advocating for new destinations want a facility created especially for those picked up for public intoxication. An example of such a center is the Manitoba Youth Centre which is able to provide services such as around the clock supervision and available medical care if one becomes a danger to themselves or others. Funding would come from municipal, provincial, and federal government sources.⁶

California

The concept of "sobering centers" is used in the cities of Santa Barbara, Escondido, and Chula Vista, California. In these communities, individuals who are publicly intoxicated are sent voluntarily to a staff facility to sleep off the intoxicants. Trained personnel are on duty to provide oversight. Inebriates are not incarcerated and are free to leave at any time.

A 2005 Santa Monica city council report examined the feasibility and effectiveness of establishing a similar "sobering center" to address the problem of public inebriation. Due to the strain placed on local hospitals having to use bed space and resources attending to intoxicated individuals, an alternative sobering center has been looked into. According to the Santa Monica data, local hospitals responded to an average of five to seven chronic public inebriates per day. The Medical Director of the Santa Monica Hospital emergency room estimates a cost of \$900,000 annually for public inebriates to use the emergency room.

⁶ Cbcnews.ca, "Government under fire for jailing drunk, stoned teens," August 8, 2007, <http://www.cbc.ca/canada/manitoba/story/2007/08/08/youth-detox.html>, accessed April 21, 2008.

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