

Calif. doesn't screen drug counselors

By Nannette Miranda, KABC-TV

SACRAMENTO – A California Senate investigation found felons like J.M., who did time for sex crimes against 12-year-old and 15-year-old girls, was able to be a drug and alcohol counselor after his release.

Senate researcher John Hill spent seven months looking at the loophole that allows criminals like J.M. to treat addicts.

“The concern is counseling, drug and alcohol counseling, or any kind of counseling, involves a high level of trust and the honoring of boundaries, including sexual boundaries,” Hill said.

Hill found at least 23 sex offenders were able to work as rehab counselors. He concludes there are probably more because he was only able to cross-check databases for unusual names.

His research highlights the shortcomings of California's system for overseeing 36,000 registered or certified substance abuse counselors who don't have to go through fingerprinted computer checks.

California and Pennsylvania are the only states that don't require one.

The report also noted that while being counselors, some would be charged for more crimes yet were still allowed to practice by simply going to someplace else – remember, no background checks.

“I think it's hard to coordinate all of these,” Hill said. “The organizations certify the drug counselors. But then the state investigates when there's misconduct. So it's kind of a

confusing and fragmented system.”

Calls and emails to the state Department and Alcohol Programs were not returned.

There have been two attempts to close this loophole at the state Legislature, but both of the measures never got anywhere.

Sen. Mark DeSaulnier, D-Concord, led that effort after a constituent’s son died at the hands of one of those counselors ... but found resistance.

“My belief is that there are a lot of people who make a lot of money selling these services,” said DeSaulnier. “There are people in this building who have influence in this building who want to keep the status quo.”

Thousands of Californians are expected to flood drug and alcohol programs as the services begin to be covered under the federal Affordable Care Act next year. Many will not know if their counselors have a criminal past.