

proposed minutes

State Drug Treatment Court Advisory Committee (SDTCAC) Meeting

10:00 a.m. • Tuesday, April 20, 2021

Legislative Conference Room • 3rd Floor Boji Tower Building

124 W. Allegan Street • Lansing, MI

Members Present:

Judge Amy Ronayne Krause. Chair (East Lansing, Michigan)
Judge Raymond Voet, Vice Chair (Ionia County, Michigan)
Heidi Cannon (Adrian, Michigan)
Judge Susan L. Dobrich (Cassopolis, Michigan)
Andrew Konwiak (Grosse Pointe, Michigan)
Douglas Lloyd (Charlotte, Michigan)
Sheriff Michael Main (Mt. Pleasant, Michigan)
Judge Julia B. Owdziej (Washtenaw County, Michigan)
Mark Risk (Traverse City, Michigan)
Stacy Salon (Traverse City, Michigan)
Andrew Smith (Lansing, Michigan)
Ines Straube (Hastings, Michigan)
Alma Valenzuela (Holland, Michigan)

Members Excused:

Judge Louise Alderson
Judge Mark Latchana
Christina Nicholas
Judge Geno Salomone

Due to COVID-19 concerns, all Committee members participated via web conference. Pursuant to Public Act 228 of 2020, each Committee member who participated in the meeting remotely made a public announcement indicating he or she was attending the meeting remotely and identified the physical location by stating the county, city, township, or village and state from which he or she was attending the meeting remotely as noted above.

I. Call to Order

Chair Amy Ronayne Krause called the meeting to order at 10:04 a.m.

II. Roll Call

The Chair asked the clerk to take the roll. A quorum was present and absent members were excused.

III. Approval of the Minutes of the January 12, 2021 SDTCAC Meeting

The Chair directed attention to the proposed minutes of the January 12, 2020 meeting and asked if there were any changes. There were none. **Mr. Lloyd moved, supported by Judge Voet, to approve the minutes of the January 12, 2021 State Drug Treatment Court Advisory Committee meeting as presented. There was no further discussion and the Chair asked for a roll call vote. The motion prevailed and the minutes were approved.**

Yeas—12

Chair Ronayne Krause
Judge Voet
Ms. Cannon
Mr. Konwiak
Mr. Lloyd
Sheriff Main

Judge Owdziej
Mr. Risk
Ms. Salon
Mr. Smith
Ms. Straube
Ms. Valenzuela

Nays—0

Pass: 0

IV. Recommendation of Reappointment and Appointment of Members

The Chair noted there are a number of SDTCAC members whose terms expire in June, September, and November of 2021. She then asked the members who were present if they would be willing to continue to serve for another 4-year term.

- a. **Honorable Julia Owdziej** – Representing a judge of the family division of circuit court who has presided at least 2 years over a juvenile drug court program. Term expires June 13, 2021. Judge Owdziej responded she would be willing to serve another term.
- b. **Honorable Geno Salomone** – Representing a circuit or district court judge who has presided at least 2 years over an alcohol treatment court. Term expires June 13, 2021. Judge Salomone was not present. The Chair asked the clerk to reach out to Judge Salomone to determine his willingness to continue to serve another term.
- c. **Honorable Raymond Voet** – Representing a circuit or district court judge who has presided over a veterans' treatment court. Term expires September 18, 2021. Judge Voet responded he would be willing to serve another term.

- d. **Honorable Louise Alderson** – Representing a district court judge who has presided at least 2 years over a drug treatment court. Term expires September 18, 2021. Judge Alderson was not present. The Chair asked the clerk to reach out to Judge Alderson to determine her willingness to continue to serve another term.
- e. **Honorable Mark Latchana** – Representing a circuit court judge who has presided at least two years over a drug treatment court. Term expires November 6, 2021. Judge Latchana was not present. The Chair asked the clerk to reach out to Judge Latchana to determine his willingness to continue to serve another term.

The Chair noted that a recommendation letter is normally prepared by the Chair and sent to the Senate Majority Leader and the Speaker of the House. **Mr. Lloyd moved, supported by Ms. Cannon, that a letter from the Chair to the Senate Majority Leader and the Speaker of the House be prepared and transmitted urging the reappointments of Judge Owdziej and Judge Voet, and Judge Salomone, Judge Alderson, and Judge Latchana if the clerk determines they are willing to serve another term. There was no further discussion and the Chair asked for a roll call vote. The motion prevailed and a letter will be prepared and sent.**

Yeas—12

**Chair Ronayne Krause
Judge Voet
Ms. Cannon
Mr. Konwiak
Mr. Lloyd
Sheriff Main**

**Judge Owdziej
Mr. Risk
Ms. Salon
Mr. Smith
Ms. Straube
Ms. Valenzuela**

Nays—0

Pass: 0

- f. **Vacant Position** – Representing a Juvenile Drug Court Graduate. Term expired June 13, 2019. The Chair brought up the letter that was sent to all the juvenile courts in Michigan in response to a motion made at the last meeting. A letter along with a response received from Judge Jan Miner of Bay County was presented and the Chair reported that Judge Miner did not have a candidate to recommend nor did the Committee receive word of any potential candidates from any of the other juvenile courts. A discussion followed and the Chair requested that the search for a candidate to recommend to the Senate Majority Leader and the Speaker of the House continue.

V. Approval of 2020 SDTCAC Annual Report

The Chair directed attention to the proposed 2020 State Drug Treatment Court Advisory Committee Annual Report and asked if there were any changes. There were none. **Mr. Lloyd moved, supported by Ms. Valenzuela, to approve the 2020 State Drug Treatment Court Advisory Committee Annual Report as presented. There was no objection and the Chair called for a roll call vote. The motion prevailed and the 2020 SDTCAC Annual Report was approved.**

Yeas—12

**Chair Ronayne Krause
Judge Voet
Ms. Cannon
Mr. Konwiak
Mr. Lloyd
Sheriff Main**

**Judge Owdziej
Mr. Risk
Ms. Salon
Mr. Smith
Ms. Straube
Ms. Valenzuela**

Nays—0

Pass: 0

The Chair noted that the report will be transmitted to the members of the Michigan Legislature and the members of the Michigan Supreme Court as required by statute.

VI. Subcommittee Updates

The Chair called on each subcommittee chair for an update.

Affordable Health Care Act Impact Subcommittee:

Ms. Nicholas was excused from today's meeting, so no update was reported.

Defense Attorney Participation Subcommittee:

Mr. Risk was present but had no update to report.

Family Dependency Court Subcommittee:

Judge Dobrich was present but no update was reported.

Juvenile Issues Subcommittee:

Judge Owdziej was present but had no update to report.

Legislative Subcommittee:

Ms. Cannon had no specific update to report except that treatment courts are adjusting to the changes recommended by the Michigan Jail and Pretrial Incarceration Task Force, including the issue of sanctions associated with technical violations. Judge Harvey Hoffman from the Michigan Association of Trial Court Professionals (MATCP) provided legislative updates on the proposed changes to the ignition interlock program, the 1st offender DWI offender expungement bill (House Bill 4220), the violent offender bills, and the mental health prescreening tool for jail intake bill (House Bill 4254). Questions and discussion followed. With regard to House Bill 4254, Ms. Straube raised concerns about the suspension of Medicaid for detained or arrested individuals in Michigan and made a comment about an article she came across regarding Medicaid expansion. The Chair asked Ms. Straube to share the article with her.

Program Standardization and Alternative Funding Subcommittee:

Judge Salomone was excused from today's meeting. Ms. Valenzuela provided an update on the ECHO mentor pilot program. See comments under Agenda Item VII for more details.

Veterans' Treatment Court Subcommittee:

Judge Voet was present but had no update to report.

Vision Subcommittee:

Prosecutor Lloyd was present but had no update to report. He noted that he testified on behalf of the Prosecuting Attorneys Association of Michigan (PAAM) on the OUIL first offense set aside bill because it is tie-barred to House Bill 4308 that eliminates the sunset of the .08 blood alcohol level limit for certain alcohol-related driving violations.

VII. Regional Judicial Opioid Initiative (RJOI) Judicial Mentors Pilot Program

Ms. Valenzuela provided an update. She reported that fourteen judges are participating in the ECHO Judicial Mentors Pilot Program through the RJOI. She noted that the program just completed week 2 and it is going very well so far. The pilot program ends on June 29, 2021.

VIII. Court of Appeals Decision in People v Thue

The Chair reported that Judge Alderson had brought an issue to her attention concerning a Court of Appeal case, People v Thue. The Chair noted that Judge Alderson was going to talk about this case but is not present at today's meeting. No other members wished to address this case.

IX. Funding Update

The Chair called on Mr. Smith for an update. Mr. Smith noted he had no update on state funding for Fiscal Year 2022. With regard to federal funding, he reported they have received the \$750,000 grant from the Bureau of Justice Assistance (BJA) for the adult drug court and veterans' treatment court discretionary program to expand on rural services and the State Opioid Response II funding to help expand treatment and Opioid-related services in the drug court programs.

X. Committee Member Comment

The Chair asked if there were any additional comments from the Committee members. There were none.

XI. Public Comment

The Chair asked if there were any comments from the public.

Mr. James Gallant, representing the Marquette County Suicide Prevention Coalition, requested the Michigan Drug Court Advisory Committee approve a motion to request that the Michigan State Court Administrator provide a legal review of the contracts for pre-admission screening and evaluation assessments to insure contract providers are complying with the Michigan Mental Health Code, including MCL 330.1712. He also requested an ad hoc bylaws committee be created to update the bylaws of this committee.

Dr. Jeanne Kapenga, representing herself, thanked Committee members for their service and provided comments regarding her success in receiving Medicaid reimbursement for an addiction assessment. She also encouraged the Committee to review the 2019 MDHHS report and take a closer look at the numbers reported as treatment programs are designed. She also provided comments regarding a gap in coverage for counseling after discharge from a drug treatment court program and continuity of care and her work with the RJOI program discussed earlier.

Ms. Kate Hude, Executive Director of the Michigan Association of Treatment Court Professionals, commented that the MATCP did approve a position on the Court of Appeal case, People v Thue. She will email the position paper to the committee clerk.

XII. Discussion of Next Meeting Date July 13 and Change of October 12 Meeting Date

The Chair announced the date of the next SDTCAC meeting is scheduled for July 13, 2021 at 10:00 a.m. and opened a discussion to change the date of the October 12, 2021 SDTCAC meeting. After discussion, the Chair announced the date of the October meeting will be October 19, 2021 at 10:00 a.m.

XIII. Adjournment

There being no further business before the Committee, without objection, the Chair adjourned the meeting at 10:54 a.m.

Proposed