

final minutes

State Drug Treatment Court Advisory Committee (SDTCAC) Meeting

1:30 p.m. • Tuesday, June 23, 2020

Room 1300 • 1st Floor Binsfeld Office Building

201 Townsend Street • Lansing, MI

Members Present:

Judge Amy Ronayne Krause, Chair
Judge Louise Alderson
Heidi Cannon
Judge Susan L. Dobrich
Andrew Konwiak
Douglas Lloyd
Sheriff Michael Main
Christina Nicholas
Judge Julia B. Owdziej
Mark Risk
Gary Secor
Andrew Smith
Alma Valenzuela

Members Excused:

Judge Raymond Voet, Vice Chair
Judge Mark Latchana
Judge Geno Salomone
Stacy Salon

Due to COVID-19 concerns, all Committee members participated via web conference.

I. Call to Order

Chair Ronayne Krause called the meeting to order at 1:35 p.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 14, 2020 SDTCAC Meeting

The Chair directed attention to the proposed minutes of the January 14, 2020 meeting and asked if there were any changes. There were none. **Judge Alderson moved, supported by Ms. Cannon, to approve the minutes of the January 14, 2020 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 Alderson
Ms. Cannon
Judge Dobrich
Mr. Konwiak
Mr. Lloyd

Sheriff Michael Main
Ms. Nicholas
Judge Owdziej
Mr. Secor
Mr. Smith
Ms. Valenzuela

Nays—0

IV. Approval of 2019 SDTCAC Annual Report

The Chair directed attention to the proposed 2019 State Drug Treatment Court Advisory Committee Annual Report and asked if there were any changes. There were none. **Judge Dobrich moved, supported by Judge Alderson, to approve the 2019 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 2019 SDTCAC Annual Report was approved.** 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.

Yeas—12

Chair Ronayne Krause
Judge Alderson
Ms. Cannon
Judge Dobrich
Mr. Konwiak
Mr. Lloyd

Sheriff Michael Main
Ms. Nicholas
Judge Owdziej
Mr. Secor
Mr. Smith
Ms. Valenzuela

Nays—0

V. Recommendation of Reappointments and Appointments of Members

The Chair opened a discussion of a recommendation for the reappointment of current members with terms that will expire in July and September 2020 and potential candidates for the court administrator and juvenile drug court graduate positions. The Chair noted that Mr. Konwiak, Prosecutor Lloyd, Sheriff Main, Mr. Risk, and Ms. Salon have all agreed to continue to serve. She also reported that Mr. Secor will not be seeking reappointment and is recommending Mrs. Ines Straube, the Barry County Trial Court Administrator, be appointed when his term expires in September. The Chair thanked Mr. Secor for his service and confirmed that Mrs. Straube is interested in serving on the Committee. Mr. Secor commented that it has been an honor and a pleasure working with everyone on the Committee and noted that Mrs. Straube is an excellent candidate to serve as the court administrator representative. A discussion of candidates to fill the juvenile graduate position followed. Ms. Cannon reported that she has no news to report regarding Andrew Kruszewski, the potential candidate she had reached out to earlier. Ms. Katherine Hude of the MATCP added that she reached out to Mr. Kruszewski as well, and she will try again to see if he might be interested in serving. Judge Owdziej will also look for other juvenile graduate candidates. There was no further discussion. The Chair then asked for a motion to approve the preparation and transmittal of a letter from the Chair to the Senate Majority Leader and the Speaker of the House urging the reappointments of Mr. Konwiak, Prosecutor Lloyd, Sheriff Main, Mr. Risk, and Ms. Salon and the appointment of Mrs. Straube. **Judge Dobrich moved, supported by Judge Owdziej, 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 Mr. Konwiak, Prosecutor Lloyd, Sheriff Main, Mr. Risk, and Ms. Salon and the appointment of Mrs. Ines Straube to serve as the court administrator representative when Mr. Secor's appointment expires in September. There was no objection and the Chair called for a roll call vote. The motion prevailed.**

Yeas—12

**Chair Ronayne Krause
Judge Alderson
Ms. Cannon
Judge Dobrich
Mr. Konwiak
Mr. Lloyd**

**Sheriff Michael Main
Ms. Nicholas
Judge Owdziej
Mr. Secor
Mr. Smith
Ms. Valenzuela**

Nays—0

VI. Subcommittee Updates

The Chair called on each subcommittee chair for an update.

Affordable Health Care Act Impact Subcommittee:

Ms. Nicholas reported that, since the last meeting, work requirements were abolished and rules regarding telehealth and co-pays have been relaxed. She also noted a trend showing that engagement rates are up which may validate the concern that transportation is and continues to be a huge issue. She is hopeful that conversations will continue regarding the need to continue many of the practices and services that have been implemented over the last several months due COVID-19. She commented that one drawback is that the isolation has been tough on individuals and can be a huge trigger. She urges members to advocate for the continued use of telehealth services and the relaxing of co-pays. Judge Harvey Hoffman of the MATCP then acknowledged Ms. Nicholas' efforts which he stressed were instrumental in the successful filing of a second housing project that will be located in Farmington Hills.

Defense Attorney Participation Subcommittee:

Mr. Risk had no update to report.

Family Dependency Court Subcommittee:

Judge Dobrich reported that discussions regarding increasing the number of family treatment courts in Michigan had been moving along really well this year until COVID-19 hit. She does, however, see a nationwide movement for more family treatment courts and is confident this bodes well for support of these types of courts in Michigan. She also noted that family treatment courts have historically been very labor intensive; however, the positive results of these courts are something that can't be ignored. She concluded that she continues to see an expansion of Healing to Wellness Courts which are the equivalent of family treatment courts among Native American tribes in Michigan. Sheriff Main added that he can attest to the success of these courts as he has seen a large reduction of inmate stays for tribal members in his jails.

Juvenile Issues Subcommittee:

Judge Owdziej had nothing new to report.

Legislative Subcommittee:

Ms. Cannon had no update to report except that she continues to follow Senate Bill 826 and the expungement package of bills.

Program Standardization and Alternative Funding Subcommittee:

Judge Salomone was not present. No update was reported.

Veterans' Treatment Court Subcommittee:

Judge Voet was not present. No update was reported.

Vision Subcommittee:

Prosecutor Lloyd reported that treatment courts in his county have moved to Zoom hearings because of the coronavirus. He offered that the Committee may want to consider recommendations regarding for the use of technology in the future. A discussion followed.

VII. Expulsion from Drug Court Program After Another Felony Conviction

The Chair noted that the issue Mr. Risk raised regarding drug court participants who commit another felony and are expelled from their current drug court program was tabled at the last meeting. She also shared that Daniel Brubaker of the Michigan Supreme Court forwarded an email on the issue and indicated that the MATCP has suggested statutory revision regarding discretion over violent felonies. She added that Mr. Brubaker was not sure if the Opioid Task Force will include this revision as part of a legislative package, but he will follow up as soon as he hears anything. The Chair then removed the issue from the table and opened a discussion. Judge Hoffman provided an update on the developments that occurred on this issue before the pandemic and suggested the timing of any movement may need to be delayed. The Chair placed the issue back on the table and directed this be added as a separate agenda item for the next committee meeting. There was no objection.

VIII. Findings of the Michigan Jail and Pretrial Incarceration Task Force

The Chair called on Judge Hoffman who had suggested at the last meeting that the Committee might want to devote some time to consider the findings of the Michigan Jail and Pretrial Incarceration Task Force. Judge Hoffman noted the MATCP has looked at the findings and noted the recommendation that may have the most impact on treatment courts is the one that deals with probation. A discussion followed, but no action will be taken by the Committee at this time.

IX. Interlock Devices and Suspension of Licenses

The Chair called on Mr. Risk to provide information on the question he raised regarding the possible shortening of driver license suspensions for drunk driving offenses if an interlock device is installed. Mr. Risk shared his thoughts and inquired if this is an issue the Committee may wish to review. Judge Hoffman commented that he would be happy to talk to Mr. Risk about this issue and Mr. Secor shared that there is proposed legislation that would reduce DWI cases to civil infractions and he will send Mr. Risk a copy.

X. Funding Update

The Chair called on Mr. Smith for a funding update. Mr. Smith indicated that there is not much to report about FY 2021 funding at this time, but he will forward any information he receives regarding the FY 2021 appropriation for problem-solving courts as soon as he can. He noted that SCAO will be applying for their traditional federal grant programs and anticipates a similar amount of funding for FY 2021. They have also applied for a discretionary grant program that looks to expand some of the veteran treatment courts as well as providing services to some of the rural drug court programs. In addition, Mr. Smith reported SCAO has opened some of their allowable grant funding spending to include other costs.

XI. Committee Member Comments

The Chair asked if there were any comments from Committee members. Ms. Valenzuela shared information regarding a MATCP virtual training event. The Chair again thanked Mr. Secor for his longtime service and Judge Dobrich commented that it has been a pleasure working with Mr. Secor as well. There were no other Commissioner comments.

XII. Public Comment

The Chair asked for public comment. Judge Dobrich read a note on behalf of Katherine Hude, Executive Director of the MATCP, that provided the dates of the MATCP virtual training event (September 28-30, 2020) and the date of the "Fundamentals of Treatment Courts" training opportunity co-hosted by MATCP and SCAO (November 2, 2020). Judge Harvey Hoffman commented that the first of the housing projects located in Jackson should be finished in a couple of months. There were no other public comments.

XIII. Next Meeting Date

The Chair opened a discussion of the next meeting date. After discussion, the Chair announced that the date of the next SDTCAC meeting will tentatively be scheduled for October 20, 2020.

XIV. Adjournment

There was no further business. The Chair adjourned the meeting at 2:51 p.m.
(These minutes were approved at the October 20, 2020 SDTCAC meeting.)