

proposed minutes

State Drug Treatment Court Advisory Committee (SDTCAC) Meeting

10:00 a.m. • Tuesday, July 13, 2021

Legislative Conference Room • 3rd Floor Boji Tower Building

124 W. Allegan Street • Lansing, MI

Members Present:

Judge Amy Ronayne Krause, Chair
Judge Raymond Voet, Vice Chair
Heidi Cannon
Judge Susan L. Dobrich
Douglas Lloyd
Sheriff Michael Main
Christina Nicholas
Judge Julia B. Owdziej
Mark Risk
Judge Geno Salomone
Andrew Smith
Ines Straube
Alma Valenzuela

Members Excused:

Judge Louise Alderson
Andrew Konwiak
Judge Mark Latchana
Stacy Salon

I. Call to Order

Chair Amy Ronayne Krause called the meeting to order at 10:01 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 April 20, 2021 SDTCAC Meeting

The Chair directed attention to the proposed minutes of the April 20, 2020 meeting and asked if there were any changes. There were none. **Ms. Valenzuela moved, supported by Mr. Lloyd, to approve the minutes of the April 20, 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. Lloyd
Sheriff Main
Ms. Nicholas

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

Nays—0

Pass: 0

Judge Dobrich joined the meeting at 10:06 a.m.

IV. Recommendation of Appointment of Members

The Chair reported that, at the last meeting, a motion was approved to send a letter to the Senate Majority Leader and the Speaker of the House urging the reappointment of Committee members whose terms will be expiring this year. She learned that Judge Alderson and Judge Salomone will not be seeking reappointment so the letter that was sent only urged the reappointment of Judge Voet, Judge Owdziej, and Judge Latchana. She will let the Committee members know when she receives any news regarding these reappointments. A discussion of the remaining open positions followed.

- a. **Honorable Geno Salomone** – Representing a circuit or district court judge who has presided at least 2 years over an alcohol treatment court. Judge Salomone is not seeking reappointment and recommended The Honorable Shannon A. Holmes of the 36th District Court be considered. The Chair noted Judge Holmes' resume is included in the meeting documents (see attached). A discussion of Judge Holmes' appointment followed. Committee members did not bring forward any other candidates to consider. **Judge Dobrich moved, supported by Judge Salomone, that a letter from the Chair to the Senate Majority Leader and the Speaker of the House be prepared and transmitted urging the appointment of The Honorable Shannon A. Holmes of the 36th District Court to represent the**

position of a circuit or district court judge who has presided at least 2 years over an alcohol treatment court on the Committee. 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—13
Chair Ronayne Krause
Judge Voet
Ms. Cannon
Judge Dobrich
Mr. Lloyd
Sheriff Main
Ms. Nicholas

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

Nays—0
Pass—0

- b. **Honorable Louise Alderson** – Representing a district court judge who has presided at least 2 years over a drug treatment court. The Chair reported that Judge Alderson is not seeking reappointment when her term expires on September 18, 2021. Judge Salomone suggested The Honorable Carrie Fuca of the 41B District Court be considered. Judge Voet will reach out to Judge Fuca is interested and willing to serve on the SDTCAC. After the discussion, Judge Voet shared that he heard back from Judge Fuca and she is interested in the appointment. He will have the Michigan District Judges Association consider her nomination at their next meeting on Friday, July 16. There was no further discussion and the Chair noted that the discussion of a recommendation to appoint Judge Fuca will be added to the next SDTCAC meeting agenda.
- c. **Juvenile Drug Court Vacant Position** – Representing a Juvenile Drug Court Graduate. Term expired June 13, 2019. The Chair reported and thanked Judge Owdziej and Ms. Straube for finding two potential candidates interested in filling the vacant position of a juvenile drug court graduate—Cierra Ridley and Kyle Sofia. Judge Owdziej then provided background information regarding Cierra Ridley and Ms. Straube provided information about Kyle Sofia. A discussion followed and no other potential candidates were brought forward. **Judge Owdziej moved, supported by Ms. Straube, that a letter from the Chair to the Senate Majority Leader and the Speaker of the House be prepared and transmitted urging the appointment of Kyle Sofia to represent the position of a juvenile drug court graduate on the Committee. 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—13
Chair Ronayne Krause
Judge Voet
Ms. Cannon
Judge Dobrich
Mr. Lloyd
Sheriff Main
Ms. Nicholas

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

Nays—0
Pass—0

V. Subcommittee Updates

The Chair called on each subcommittee chair for an update.

Affordable Health Care Act Impact Subcommittee:

Before Ms. Nicholas provided her update, the Chair reported that, after the last meeting, Ms. Straube raised some questions about mental health services for incarcerated individuals under the Affordable Care Act and asked if Michigan should amend the requirement of suspending Medicaid when a person is detained or arrested. She called on Ms. Straube to provide further details regarding her concern. Ms. Nicholas concurred that the issue identified by Ms. Straube has been one needing to be addressed for some time and elaborated on the efforts that have been made in the past. Judge Dobrich, Judge Harvey Hoffman, and Sheriff Main provided additional comments regarding the issue. After further discussion, the Chair formed an Ad Hoc Committee comprised of herself, Ms. Nicholas, Judge Dobrich, and Sheriff Main to work on the issue further and asked Ms. Nicholas to draft a letter advocating resolution to the issue that can be signed by all of the SDTCAC members. The letter will be considered and discussed at the next SDTCAC meeting in October.

The Chair then called on Ms. Nicholas for additional subcommittee updates. Ms. Nicholas reported many of the rules that had been relaxed during the pandemic, particularly the rules that apply to reapplications for Medicaid, are going back to their regular status although she has not heard anything about telehealth rules yet. She will continue to monitor the situation and report any further updates at the next meeting.

Defense Attorney Participation Subcommittee:

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

Family Dependency Court Subcommittee:

Judge Dobrich reported that they lost an amazing champion for family dependency treatment courts in Michigan when Dr. Chang left to join the Biden Administration. She noted that Dr. Debra Pinals at the Michigan Department of Health and Human Services is very interested in family dependency treatment courts and they are in the process of setting up a meeting with her. Judge Dobrich also commented that one of the benefits of using Zoom over the past year is that other counties now visit her treatment court virtually to learn more about family dependency treatment courts.

Juvenile Issues Subcommittee:

Judge Owdziej reported that she had a meeting with all the juvenile drug court treatment teams in the state and they reported some preliminary stats from the 5-year evaluation plan that is currently on-going. She shared that the age of juveniles going into drug courts has increased, marijuana is by far the drug of choice among minors with alcohol a distant second, and they are still at a graduation rate of 52%.

Legislative Subcommittee:

Ms. Cannon reported that her court is seeing a decrease in participation similar to what other courts in Michigan are experiencing and that she received news that the Governor has signed Senate Bill 438 (Public Act 29 of 2021) which amends the Code of Criminal Procedure to exempt operating while intoxicated (OWI) offenses from the requirement to issue an appearance ticket and release a person from custody for certain misdemeanor offenses. Judge Harvey Hoffman then provided an update from the Michigan Association of Treatment Professionals (MATCP) Legislative Committee. He reported there are four bills they are currently working on—a mental health court bill that provides more discretion for the participation of violent offenders, a bill that provides more discretion for the participation of violent offenders in all other treatment courts, a bill that would allow discretion for a participant to continue in a drug court program if convicted of another felony while in the program, and a bill to add mental health and veterans' court to the ignition interlock statute. He added that MATCP is starting discussions to look for a legislative fix to the medical marijuana issue and he hopes to have more to report at the next SDTCAC meeting. A discussion of a recent Supreme Court decision that overturned a Court of Appeals case that dealt with the use of metabolite to determine if someone is under the influence of cocaine followed. The Chair will send the Court of Appeals case and the Supreme Court order to the committee clerk to distribute to the members.

Program Standardization and Alternative Funding Subcommittee:

Judge Salomone provided an update on the pilot mentoring program for treatment court judges that recently concluded and was very successful. He added that funding for a long-term mentoring program is being discussed.

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.

VI. Funding Update

The Chair called on Mr. Smith for an update. Mr. Smith noted they are still waiting for the FY 2022 state budget, but he is not aware of any potential cuts both at the state and the federal level. With regard to federal funding, he reported they plan to open two supplemental grant programs for FY 2022 at the end of July—the 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.

VII. Submission of Proposed Amendments to Committee By-Laws for Consideration at the October 19, 2021 SDTCAC Meeting

The Chair announced that, after the last meeting, she reviewed the Committee's by-laws and recommends they be amended to allow members to continue to participate and vote remotely, clarify that state law controls if there is a conflict with the Committee's by-laws or amendments to the by-laws, and remove the provision that, in the absence of a specific Committee rule, the proceedings of the Committee shall be governed by Robert's Rules of Order Newly Revised. She explained that because the Committee's by-laws specify that the rules may be amended by a two-thirds vote provided that the proposed rule change is submitted in writing at the previous meeting, she is submitting a track-change version of the proposed

amendments today for the member's review and consideration as required (see attached). She announced that it is her intention to take up the proposed amendments to the SDTCAC by-laws at the next SDTCAC meeting.

VIII. Committee Member Comment

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

IX. Public Comment

The Chair asked if there were any comments from the public. There were none.

X. Next SDTCAC Meeting Date - October 19, 2021

The Chair asked if there were any conflicts with the next scheduled SDTCAC meeting date. There being none, she announced the date of the next SDTCAC meeting is scheduled for October 19, 2021 at 10:00 a.m. in the Legislative Council Conference Room, 3rd Floor of the Boji Tower Building, 124 W. Allegan, Lansing, Michigan.

XI. Adjournment

There being no further business before the Committee, without objection, the Chair adjourned the meeting at 11:18 a.m.

Proposed

Professional Experience

State of Michigan 36th District Court

Judge, November 2011 – Present

- Conduct bench and jury trials;
- Write judicial opinions;
- Serve as Executive Presiding Judge of Specialty Courts (Drug Treatment Court, Veterans Treatment Court, Mental Health Court, Street Outreach Court, Community Court, and Human Trafficking).

City of Detroit Office of the Mayor

Chief of Staff, January 2010 – June 30, 2011

- Provided executive oversight for all Human Resources and Labor Relations functions;
- Served as the Executive for the Department of Health and Wellness Promotion, Department of Human Services, Detroit Workforce Development Department and Human Rights Department; and
- Facilitated training for Department Directors.

City of Detroit Human Resources Department

Human Resources Director, November 2008 – January 2010

- Administered the personnel system for the City of Detroit;
- Negotiated, developed, interpreted and enforced collective bargaining agreements;
- Facilitated training for new-hires and Management Team; and
- Advised City agencies on all aspects of human resources and labor relations functions.

City of Detroit Law Department

Labor and Employment Assistant Corporation Counsel, January 2007 – November 2008

Labor and Employment Assistant Corporation Counsel, May 1999 – January 2005

- Served as legal counsel and litigator with respect to all labor and employment related matters;
- Negotiated, developed, interpreted and enforced collective bargaining agreements;
- Provided sexual harassment and employment discrimination training to Department Directors and Managers; and
- Represented the City of Detroit Law Department in public hearings before the Detroit City Council.

Michigan National Guard

Judge Advocate General Corps, January 2006 – January 2008

- Served as legal representative for soldiers on various legal matters;
- Processed soldiers for deployment; and
- Provided training on the Rules of Engagement.

City of Detroit Department of Administrative Hearings

Administrative Hearings Officer, January 2005 – January 2007

- Interpreted the Property Maintenance, Solid Waste/Illegal Dumping, and Zoning provisions of the Detroit City Code;
- Assessed witness credibility, weighed testimony and examined evidence; and
- Generated written decisions and orders upon the conclusion of administrative hearings.

Lange & Cholack, P.C.

Associate Attorney, November 1998 - May 1999

Law Clerk, August 1998 - November 1998

- Defended management in employment discrimination matters and labor disputes;
- Constructed and revised employment contracts and policy manuals; and
- Conducted client training with respect to sexual harassment and workplace diversity.

United States Equal Employment Opportunity Commission

Federal Investigator, 1994 - 1998

- Performed investigative functions with respect to employment discrimination arising under federal law;
- Weighed conflicting testimony, assessed witness credibility and generated reports summarizing evidence;
- Provided training to non-compliant entities; and Certified as a mediator.

Education

Ecumenical Theological Seminary

Doctor of Ministry

Dissertation Subject Matter: *Impact of Bible Study on Black Women: Lack of Trust; Desire to be in Control; Lack of Self-esteem*

University of Detroit Mercy School of Law

Juris Doctor

Cavanagh Scholar (for academic excellence)

Dillard University

Bachelor of Science in Accounting

Summa Cum Laude

National Association of Drug Treatment Court Professionals

Drug Treatment and Veterans Treatment Track

Michigan Association of Treatment Court Professionals

Drug Treatment and Veterans Treatment Track

Michigan Judicial Institute

Problem Solving Court Training

National Judicial College

Impaired Driving Case Essentials

National Judicial Institute

Enhancing Judicial Skills in Domestic Violence Cases

Legal and Community Involvement

State Bar of Michigan

Association of Black Judges

Wolverine Bar Association

Michigan District Judges Association

Regional Judicial Opiate Project

National Association of Drug Court Professionals

Women of Excellence (Renaissance Baptist Church)

Facilitate Women's Issues Class

Girls Like Me Mentoring Program

Mentor Adolescent Inner-city Girls

The Elite Pearl Foundation

Board Member

Delta Sigma Theta Sorority, Inc.

Detroit Alumnae Chapter

**STATE DRUG TREATMENT COURT
ADVISORY COMMITTEE
BY-LAWS**

(Adopted as Amended on October 11, 2005)

ARTICLE I - MEETINGS

1. The State Drug Treatment Court Advisory Committee (hereinafter referred to as SDTCAC or the Committee) shall meet at least quarterly, or more frequently at the call of the Chairperson or if requested by nine (9) or more members.
- ~~2.~~ 2. To the extent determined appropriate by the Committee, the Committee shall employ electronic and other devices to permit members of the Committee not able to attend Committee meetings in-person to participate in the Committee meetings and to vote.
- ~~2.~~ 3. The Chairperson, prior to adjournment of each meeting, shall establish a time, date, and place for the next subsequent meeting or, if a meeting is not scheduled, the next meeting of the Committee shall be at the call of the Chairperson.
- ~~3.~~ 4. The Chairperson shall direct the Office of the Legislative Council Administrator to notify all members of upcoming SDTCAC meetings, in writing, at least nine business days in advance of a meeting. The notification of the meeting shall include the time, date, and location.
- ~~4.~~ 5. Committee members desiring items to be placed on a tentative agenda for a meeting shall notify the Office of the Legislative Council Administrator at least five days in advance of the meeting. The Chairperson retains the right to waive the five-day notice period.
- ~~5.~~ 6. The Office of the Legislative Council Administrator, prior to the convening of regularly scheduled Committee meetings, shall send copies of a tentative agenda and, when practical, other materials to members of the Committee.
- ~~6.~~ 7. If a SDTCAC member is unable to attend a meeting, he/she shall notify the Office of the Legislative Council Administrator in advance.
- ~~7.~~ 8. The business which the Committee may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

ARTICLE II - OFFICERS

Offices of the Committee shall be the Chairperson and Vice Chairperson elected from among its members and other officers as it considers necessary or appropriate.

ARTICLE III - DUTIES OF THE CHAIRPERSON

1. The Chairperson shall call to order all meetings of the Committee and shall preside at all Committee meetings. In the absence of the Chairperson, the Vice Chairperson shall call the meeting to order and shall preside.

2. The Chairperson shall determine the order of business for Committee meetings subject to appeal to the Committee by any member.
3. The Chairperson shall in general parliamentary practice decide all questions arising under the Committee Rules. Decisions shall be subject to appeal to the Committee by any member. Any appeal to the Committee shall be determined by a majority of the Committee members voting thereon.
4. The Chairperson may call meetings of the SDTCAC, fixing the time, date, and place thereof. Nine business days written notice shall be provided to the Committee members of a meeting.

ARTICLE IV - CONDUCT OF BUSINESS

1. A majority of the Committee members shall constitute a quorum for the transaction of SDTCAC business at a meeting of the Committee. A smaller number of the Committee membership may transact routine business that does not require Committee concurrence such as, hearing testimony and conducting public hearings, accepting reports from Subcommittees, work groups, staff, and others.
2. A majority of the members present and serving are required for official action of the Committee. Only members of the Committee may vote or be counted for the purpose of establishing a quorum.
3. Business of the SDTCAC shall be approved by a voice vote or by a call of the roll.
4. Submission of any report to the legislature shall be by roll call vote and have a majority vote of serving Committee members.

ARTICLE V - COMMITTEE SUBCOMMITTEES AND AD HOC SUBCOMMITTEES

1. The Chairperson may create Subcommittees of the Committee as the need demands. The Chairperson shall appoint all Subcommittee memberships and shall designate all Subcommittee chairpersons and recording secretaries.
2. The Chairperson may create ad hoc subcommittees and or work groups.
3. The Chairperson of a Subcommittee shall notify the members of the Subcommittee, and the Chairperson and the Office of the Legislative Council Administrator of the date and time of each meeting and the issues to be considered at the meeting.
4. No measure or recommendation of a Subcommittee shall be referred to the Committee unless approved by a majority of a quorum of the Subcommittee. A majority of a Subcommittee shall constitute a quorum.
5. The business which any Subcommittee of the Committee may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

ARTICLE VI - AMENDMENT OF RULES

The Rules of the SDTCAC may be amended by a two-thirds vote of the Committee members present and voting, provided that the proposed rules change was submitted in writing at the previous meeting.

- a. If these bylaws or amendments to these bylaws conflict with state law, state law shall control.
- b. If amendments to state law conflict with these bylaws, the amendments to state law shall control.

ARTICLE VII - PARLIAMENTARY AUTHORITY

The Rules of the Committee shall govern all Committee actions. ~~In the absence of a specific Committee Rule, the proceedings of the Committee shall be governed by Robert's Rules of Order Newly Revised.~~

ARTICLE VIII - PUBLIC COMMENT AND MEDIA COVERAGE

Pursuant to the State's Open Meetings Act, individuals may express their opinions on Committee matters.
-The following policy applies to public comment before the Committee.

- a. As a Committee agenda item, the Committee will ask if any member of the public wishes to make a comment before the Committee.
- b. Comments shall pertain to a topic or topics which might normally come before the SDTCAC.
- c. Individuals wishing to address the Committee will identify themselves as to name, address, and organization which they are representing, if any.
- d. Because of time constraints on Committee members, each presentation by a member of the public shall be limited to three minutes, unless extended by the Chairperson.
- e. The Committee is not obligated to respond to public comments, but the individual making the comments and at least the general topic of the comments will be noted in the Committee minutes for future reference.
- f. Cameras, microphones, lighting equipment or any other equipment utilized to record a Committee or Subcommittee meeting shall not be placed in such a manner or location as to obstruct in any way the ability of a Committee member or a public participant, of having a clear view of all participants or activities of the meeting.

ARTICLE IX - PUBLIC RECORDS

A writing prepared, owned, used, in the possession of, or retained by the Committee in the performance of an official function shall be made available to the public in compliance with the Freedom of Information Act, Public Act 442 of 1975, being sections 15.231 et seq of the Michigan Compiled Laws. Legislative Council staff offices shall serve as repository for these documents.