

# final minutes

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## **State Drug Treatment Court Advisory Committee (SDTCAC) Meeting**

10:00 a.m. • Tuesday, January 14, 2020

Legislative Council Conference Room • 3<sup>rd</sup> Floor Boji Tower Building

124 W. Allegan Avenue • Lansing, MI

### **Members Present:**

Judge Amy Ronayne Krause, Chair  
Judge Raymond Voet, Vice Chair  
Judge Louise Alderson (teleconference)  
Heidi Cannon  
Andrew Konwiak (teleconference)  
Douglas Lloyd  
Sheriff Michael Main (teleconference)  
Christina Nicholas  
Judge Julia B. Owdziej (teleconference)  
Mark Risk (teleconference)  
Judge Geno Salomone (teleconference)  
Gary Secor  
Alma Valenzuela

### **Members Excused:**

Judge Susan L. Dobrich  
Judge Mark Latchana  
Stacy Salon  
Andrew Smith

### **I. Call to Order**

Chair Ronayne Krause called the meeting to order at 10:05 a.m.

### **II. Roll Call**

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

### **III. Approval of the Minutes of the October 15, 2019 SDTCAC Meeting**

The Chair directed attention to the proposed minutes of the October 15, 2019 meeting and asked if there were any errors, corrections, or clarifications. There were none. **Mr. Lloyd moved, supported by Ms. Cannon, to approve the minutes of the October 15, 2019 State Drug Treatment Court Advisory Committee meeting. There was no objection and no further discussion. The motion was unanimously approved.**

### **IV. Recommendation of Candidate for the Juvenile Graduate Appointment**

The Chair asked Mr. Lloyd, Ms. Cannon, and Judge Owdziej if they had any success in finding a possible candidate for the vacant juvenile drug court graduate position. Mr. Lloyd and Judge Owdziej reported that they did not find a candidate to bring forward. Ms. Cannon shared that she reached out to an individual and is waiting for a response. Ms. Nicholas added that she will also reach out to her juvenile drug court again. Ms. Katherine Hude, Executive Director of the Michigan Association of Trial Court Professionals (MATCP), was present and noted that they provided a graduate's name to Ms. Cannon and will reach out again to Washtenaw County. The Chair asked the Committee Clerk to follow up with Ms. Hude and asked Committee members to continue the search.

### **V. Subcommittee Updates**

The Chair called on each subcommittee chair for an update.

#### Affordable Health Care Act Impact Subcommittee:

Ms. Nicholas shared that, on the federal level, the individual mandate within the Affordable Health Care Act was recently found to be unconstitutional. She noted that although this action did not invalidate the entire law, it raises many questions that will likely be a heavy topic of discussion in the 2020 election. On the local level, she presented information pertaining to the Healthy Michigan Medicaid work requirements. She noted that it is extremely important that individuals on Healthy Michigan follow the work requirement rules or they will lose their benefits. She asked members to spread the word and will send out a link to the State of Michigan website that provides important information about the process in a very readable format.

#### Defense Attorney Participation Subcommittee:

Mr. Risk had no update to report, but raised an issue dealing with drug court participants who commit another felony and are expelled from their current drug court program. He is hoping the Committee can explore the possibility of amending the statute to allow more discretion and to take into consideration these high risk/high need individuals. A discussion followed. Pursuant to the Chair's request, the Legislative Subcommittee will explore this issue further and the

item will be added to the next meeting agenda. Judge Hoffman mentioned that he will also take this issue to the MATCP Legislative Committee. Mr. Risk offered to be available during any of the discussions.

Family Dependency Court Subcommittee:

Judge Dobrich was excused from today's meeting and no update was given.

Juvenile Issues Subcommittee:

Judge Owdziej had no update to report but expects to have more information to report when the National Center for State Courts' 5-year juvenile drug court program is completed.

Legislative Subcommittee:

Ms. Cannon opened a discussion of a recently adopted Supreme Court rule change that permits the use of cell phones in the courtroom and the impact this rule change may have on specialty courts. After the discussion, the Chair asked that this rule and its impact be further reviewed by the Legislative Subcommittee. On another matter, Judge Hoffman suggested the Legislative Subcommittee, or the full committee, carve out time during the April meeting to discuss and consider the findings of the Michigan Jail and Pretrial Incarceration Task Force. The Chair agreed and directed this be added as a separate agenda item for the next committee meeting.

Program Standardization and Alternative Funding Subcommittee:

With regard to the issue of cell phone use in the courtroom, Judge Salomone began by sharing that he has learned from several Ohio drug treatment court judges that they have not experienced any serious issues in the Ohio courts. He then continued with the subcommittee update. He urged that medication-assisted treatment (MAT) education needs to continue and he noted concern about what has been termed "Opioid fatigue" in the treatment court world. Ms. Nicholas added that she has heard this phrase, but it has been more in the context of what to do about a significant rise in methamphetamine and cocaine use disorders. Judge Salomone agreed that instead of being Opioid focused, we need to deal with all drugs and educate accordingly. Mr. Secor shared that Grand Rapids has experienced a significant transition from Opioid to meth use especially among drug court offenders. He noted that because there is no medication treatment alternative for meth, they have had to adjust their response to more intensive treatment which could reduce the utilization of MAT funding. Sheriff Main added that the number one intake in his jail is meth and they are seeing a huge influx of meth coming in from China and Mexico. Ms. Nicholas noted that she received information from a prescription drug and Opioid summit she attends every year that the State Targeted Response and State Opioid Response funds are opening up to use for other substances. She will provide an update on this as she receives further information.

Veterans' Treatment Court Subcommittee:

Judge Voet had no update to report.

Vision Subcommittee:

Prosecutor Lloyd had nothing specific to report, but noted that the Committee continues to review issues, like the one raised earlier by Mr. Risk, to make drug court programs better. The Chair stated her willingness for the Committee and the subcommittees to meet more frequently if there are issues that need to be addressed more quickly.

**VI. Funding Update**

Mr. Smith was excused from today's meeting and no update was given.

**VII. Committee Member Comments**

The Chair asked if there were any additional comments from Committee members. Mr. Secor noted that a determination on the handling of transfer cases has been made by the Supreme Court Finance Division that specifies that the sending court is now responsible for the collection of probation oversight fees. He has asked for a definition of what is included in oversight fees and he will pass along any information he receives. Mr. Secor also shared that he was notified by the State Police of a Datamaster issue and he will be reviewing this and its impact. Prosecutor Lloyd and Sheriff Main commented that they have also received limited information on this issue and are waiting for more details. There were no other Commissioner comments.

**VIII. Public Comment**

The Chair asked for public comment. Ms. Kate Hude from MATCP was present and provided information on specialty court funding and details of the upcoming MATCP conference in May. Dr. Jean Kapinga was present and noted that the Michigan Jail and Pretrial Incarceration Task Force will be releasing its findings and recommendations later today. Dan Brubaker, Chief Commissioner for the Michigan Supreme Court, provided comments regarding the strategic plan the Michigan Jail and Pretrial Incarceration Task Force has developed, and the efforts being made to assemble an advisory group to advise the task force. There were no other public comments.

**IX. Next Meeting Date**

The Chair announced that the next SDTCAC meeting is scheduled for April 21, 2020. She alerted the members of the possibility that another meeting may be needed before the April meeting.

**X. Adjournment**

There was no further business. The Chair adjourned the meeting at 11:07 a.m.

*(Minutes were approved at the June 23, 2020 SDTCAC meeting.)*