

final minutes

State Drug Treatment Court Advisory Committee Meeting

10:00 a.m. • Tuesday, January 19, 2016

Legislative Council Conference Room • 3rd Floor Boji Tower

124 W. Allegan • Lansing, MI

Members Present:

Judge Amy Ronayne Krause, Chair
Judge William Ervin, Vice Chair
Judge Susan L. Dobrich (via teleconference)
Andrew Konwiak
Douglas Lloyd
Judge Frederick Mulhauser
Dr. Jessica Parks (via teleconference)
Sheriff Thomas Reich
Mark Risk (via teleconference)
Gary Secor
Judge Raymond Voet
Mark Witte

Members Excused:

Jesse Billings
Judge Harvey Hoffman
Janette Kolodge
Stacy Salon

I. Call to Order

The Chair called the meeting to order at 10:00 a.m.

II. Roll Call

The Chair asked the clerk to take the roll. A quorum was present and absent members were excused. Dr. Parks participated via teleconference at 10:30 a.m.

III. 2015 Reappointment Recommendation

The Chair announced that since the last meeting, Judge Switalski submitted her resignation from the Committee due to her resignation from the court. A discussion of possible candidates for the circuit or district alcohol treatment court judge representative followed. Judge Dobrich recommended Judge Geno Salomone of the 23rd District Court. Judge Dobrich will have him forward his resume to the clerk. **Judge Dobrich moved, supported by Judge Voet, that a letter to the Senate Majority Leader and the Speaker of the House be prepared and sent to recommend the appointment of Judge Geno Salomone to serve as the circuit or district court judge who has presided over an alcohol treatment court representative. There was no objection. The motion was unanimously approved.**

The Chair then opened a discussion of possible candidates for the Committee's vacant probation officer position created by the resignation of Ms. Drury. The Chair noted that at the last meeting Dr. Parks recommended Heidi Cannon who is a probation officer in Lenawee County and Judge Switalski recommended Angela Reid who is a master's level probation officer in Oakland County. The Committee did receive Ms. Cannon's resume (attached to these minutes), but did not receive any further information regarding Ms. Reid's interest in the appointment.

Mr. Secor moved, supported by Judge Mulhauser, that a letter to the Senate Majority Leader and the Speaker of the House be prepared and sent to recommend the appointment of Ms. Heidi Cannon to serve as the probation officer representative on the Committee. There was no objection. The motion was unanimously approved.

The Chair reported that Ms. Kolodge responded to a questionnaire she received from the Senate Majority Leader's office, but the Committee has still not received any information regarding a decision being made regarding her reappointment to the Committee.

IV. Minutes of the October 20, 2015 Meeting

The Chair directed attention to the proposed minutes of the October 20, 2015 meeting and asked if there were any changes. There were none. **Judge Voet moved, supported by Sheriff Reich, to approve the minutes of the October 20, 2015 SDTCAC meeting as presented. No changes were offered and there was no objection. The motion was unanimously approved.**

V. Subcommittee Updates

The Chair called on each subcommittee chair for an update.

Affordable Health Care Act Impact Subcommittee: Mr. Witte reported there have been no meetings of the subcommittee and very little to report relative to the implementation of the Affordable Health Care Act. He did share that a Crain's Detroit article was recently published regarding the potential for private for-profit and non-profit entities to become involved as primary responsible parties in the development of behavioral health services. He will forward the article for distribution to Committee members for information purposes only. A discussion of forwarding the article to the Senate Majority Leader and the Speaker of the House followed. It was decided that the Chair will send the article to leadership noting that it is for informational purposes only.

Defense Attorney Participation Subcommittee:
Mr. Risk had no update to report.

Family Dependency Court Subcommittee:
Judge Dobrich had no update to report, but noted she will be setting up a meeting.

Funding Alternative Subcommittee:
Judge Hoffman was not present so no report was given.

Juvenile Issues Subcommittee:
Judge Mulhauser provided an update on the assignment he, Judge Voet, and Judge Switalski were given to see what can be done to promote flexibility in specialty court funding. He distributed information on drug court funding prepared by Dr. Parks (see attached document) and proceeded with an explanation and noted that the funding sources are not as restrictive as originally suspected. A discussion of what the SDTCAC can do to advise the legislature followed.
Judge Mulhauser made a motion, supported by Judge Voet, that the Committee send a resolution, language to be determined, urging the legislature to increase funding for specialty courts and that the Committee support the efforts of the State Court Administrative Office to secure additional funding during the budget process. The motion prevailed, a majority of the members serving therefor. Mr. Witte stated he did not feel the motion meets the criteria of the Open Meetings Act. A discussion followed. **Judge Voet made a motion, supported by Judge Ervin, to rescind the previous motion. The motion prevailed, a majority of the members serving therefor.** Judge Mulhauser encouraged the Committee to be generally supportive of a budgetary increase in specialty court funding and that we consider working with the SCAO in their efforts to increase that funding and consider communicating with individual legislators as the budget is being considered. Mr. Secor opined that the Michigan drug court grant program is the area he feels is significantly underfunded and other areas such as the mental health court program may not need an increase especially when eligibility criteria is established by the SCAO. The idea of merging individual specialty court line items into one and giving SCAO more discretion in distributing those funds was then discussed. Dr. Parks reported that for FY 2017 the SCAO has requested that the Veterans Treatment Court and Drug Court funding be combined into one line item. She noted that requests for enhanced funding have also been made. She suggested that, when the Chief Justice presents the judiciary budget request, it might be helpful for the Committee to provide a letter of support and to attend the committee hearings in support of the proposed judiciary budget. Dr. Parks will notify members when the appropriation meetings are scheduled. **Judge Mulhauser moved, supported by Judge Voet, to authorize the Chair to communicate to the Legislature by letter and, during the appropriations committee process, to submit a card on behalf of the Committee in support of an increase in specialty court funding and the SCAO's request that the veterans treatment court line item and drug court line item be combined into one line item. There was no objection. The motion prevailed by unanimous consent.**

Judge Ervin inquired if the report and recommendations on best practices for juvenile drug courts referenced at the last SDTCAC meeting have been released. Judge Mulhauser indicated that they have not.

Legislative Subcommittee:
Judge Hoffman was not present to provide an update.

Marijuana Subcommittee:
Judge Voet recommended that the Committee take no action until the ballot proposals that may be on the ballot this fall pass or don't pass. The affect the passage of Senate Bill 571 has on Committee actions was also discussed.

Veterans Treatment Court Subcommittee:
Judge Voet noted that he did not feel it is necessary to continue to work on Judge Switalski's efforts to draft a proposed letter to the legislature to expand participation of veterans in treatment courts. He has not found this to be an issue and recommends this issue be tabled indefinitely. There was no objection.

Vision Subcommittee:

Judge Hoffman was not present at today's meeting. No update was given.

VI. Funding Update

The Chair called on Dr. Parks for any other funding updates. Dr. Parks had none to report.

VII. Public Comment

The Chair asked for public comment. There were none.

VIII. Next Meeting Date

The Chair announced that the next SDTCAC meeting is scheduled for **Tuesday, April 19, 2016 at 10:00 a.m.**

IX. Adjournment

There was no further business. The Chair adjourned the meeting at 10:53 a.m.

(Minutes approved at the April 19, 2016 SDTCAC meeting.)

HEIDI CANNON

310 Woodside Drive Onsted MI 49265 517-673-4704

heidicatheryn@hotmail.com

- 2011-current** **2A District Court Adrian MI, *Sobriety Court Coordinator/Probation Officer***
Duties include supervising offenders placed on probation by the District Court to ensure compliance with the order of the court. Inform clients of all terms of probation as written on the order, facilitating the probationer's compliance with these terms, monitoring the probationer's progress, and information the court of the probationer's conduct during the period of probation, when the probation is terminated. Organize, manage, maintain and review case files, attendance records, treatment programs and progress reports. Serve as a liaison with internal staff and external agencies and other involved with the client. Assure information is accurate and processed in a timely manner. Search and extracts data using various external and internal databases including LEIN, ICHAT, and MAPS. Collect urine screens and administers breathalyzers as needed. Specific to Sobriety Court: enforce conditions imposed by the court, supervise offenders, develop community resources, conduct home visits to check compliance, maintain regular contact with offenders and Team members, organize and update Team members at weekly meetings on each participant's progress, make referrals to social agencies, and coordinates all program activities.
- 2010-2013** **McCullough Vargas and Associates Adrian MI, *After Care Specialist***
Met with clients after primary care was completed, check on after treatment goals and verify sobriety, assist with stress reduction, work on trigger management, and client urine testing
- 2008-2012** **Yoder Enterprises Onsted MI, *Assistant Manager***
Receptionist duties, daily book keeping along with daily deposits, weekly ordering with vendors by phone or in person, maintenance of buildings and grounds, stock and organize merchandise
Develop a new ordering system for all products with Excel spreadsheets
Minimize time spent book keeping by creating more efficient methods of record keeping
- 2005-2008** **Hayes State Park Onsted MI, *State Worker***
Receptionist duties, daily balance, nightly patrol of grounds, maintenance of buildings and grounds, radio traffic with employees as well as law enforcement, and any needed janitorial work
- 2007-2008** **1016 Recovery Network Mt. Pleasant MI, *Client Support Specialist***
Check client vitals, day reporting drug screens and breathalyzers, pass medication, complete insurance verification, database entry for insurance and record keeping, phone inquiries of potential clients, interact with clients, cooked daily meals for clients, completed auditing of client charts, office cleaning, and filing broken down charts
- 2007** **2A District Court Adrian MI, *Internship under Judge James E. Sheridan***
Worked under the supervision of the Chief Judge, entered traffic tickets, interacted with police officers from various agencies, observed pre-trials, exams, jury trials, sentences, violation of probation hearings, formal and informal hearings, non-jury trials, adoptions, and divorce cases, learned how to direct a pre-sentencing interview, observed juror protocol and sat in through the step by step process, interacted with attorneys and Judges through formal discussion
- Job Related Training** Substantive Legal and Procedural Updates, 2015
SCAO Confidentiality of Records, 2015
Medical Marihuana Update, 2015
Dangerous/Drunk Driving, 2015
Self-Defense Training, 2015
Good Leaders Use TACT, and Organizing Data, 2015
6 Common Challenges DWI/Sobriety Courts are Encountering, 2015
Using Social Media as an Investigative Tool, 2015

**Job Related
Training**

America's Worst Drug Epidemic, 2015
 Management of Co-Occurring Mental Health Disorders in Treatment Courts, 2015
 Tools of Drug Testing and The Deception of Dilution, 2015
 New ASAM Criteria, 2015
 Engaging Participants in Accountable and Effective Treatment and Change Process, 2015
 Everything That You Ever Wanted to Know About DWI Licensing, 2015
 Stress and Compassion Fatigue, 2015
 Lenawee Recovery Oriented System of Care-Addiction Summit, 2015
 Drug Influence Recognition, 2014
 Medical Marijuana Update, 2014
 Human Trafficking, 2014
 Families Against Narcotics, 2014
 Crime Victim Rights, 2014
 How to Testify in Court, 2014
 Targeting the Drug Court Population, 2014
 Screening for the High Risk Adult Offender, 2014
 Targeting: Adult Drug Court
 Impact of Trauma, 2014
 Drug Testing Fact vs Fiction, 2014
 Ensuring Your Adult Drug Court Program is Trauma Informed, 2014
 Prescription Drug Abuse, 2014
 Co-Occurring Disorders, 2014
 Impaired Driving and the DRE, 2014
 Role of Brain Development, 2014
 Prescription Drug Abuse in DUI Court, 2014
 Bridging the Divide Between Mental Health Providers and the Criminal Justice System, 2014
 Appropriate Response to Co-Occurring Disorders in the Adult DTC Participant, 2014
 OUI/Sobriety Court Forum, 2014
 Fundamentals of Effective Drug Testing, 2014
 Applied Suicide intervention Skills Training (ASIST), 2013
 District Court Probation Officers New Employee Orientation, 2013
 safeTALK, 2013
 Motivational Interviewing, 2013
 Problem-Solving Courts WebGrants Training, 2013
 Screening/Assessment/Supervision, 2013
 Washtenaw County Prescription Drug Abuse Symposium, 2012
 Grant Writing Workshop, 2012
 SCAO Grant Awards Workshop, 2012
 Recovery Coach Academy, 2012
 DWI Court Training, 2011

2005-2008 Central Michigan University; BS: Sociology Concentration in Social and Criminal Justice
 Minor: Substance Abuse Education, Prevention, and Treatment

2005 Graduate of Onsted High School (Dual enrollment student at Jackson Community College,
 Siena Heights University, and Adrian College)

References Ret. Chief Judge James E Sheridan, 2A District Court Adrian MI, 517-264-4681
 Terry Yoder, owner of T&D Enterprises and Yoder Enterprises, 352-267-3926
 Jim Philp, Superintendent of Lenawee Intermediate School District 517-265-1628

Problem-Solving Courts Funding

The judiciary's budget for fiscal year 2016 is part of the omnibus budget bill, 2015 PA 84 (see pages 174-181). The appropriation for drug treatment courts is \$10,958,000, the appropriation for veterans treatment courts is \$500,000, and the appropriation for mental health courts and diversion services is \$5,334,700. The tables and descriptions below identify the appropriation amounts, amounts available to award (less than appropriation due to federal funding reductions, lower filings, etc.), and the funding sources for the various problem-solving courts.

The appropriation for the Swift and Sure Sanctions Probation Program is \$4,250,000. However, since the Swift and Sure Sanctions Probation Program is not a problem-solving court, it is not included in the descriptions below.

Drug Treatment Court Funding

Program	Appropriation	Available to Award	Difference
Drug Treatment Courts	\$10,958,000	\$8,644,773	See below
Byrne JAG	\$1,500,000	\$1,305,000	Federal cuts
OHSP	\$1,875,000	\$1,727,273	Federal cuts
Training and Eval.	\$300,000	\$0	No grant received
Drug court fund	\$1,920,500	\$1,250,000	Low filings
General fund	\$5,362,500	\$4,362,500	Admin. expenses

Edward Byrne Memorial Justice Assistance Grant (Byrne JAG) and Office of Highway Safety Planning (OHSP) federal grant funds have specific target populations. Byrne JAG grants are available to courts that accept prison bound (straddle or presumptive cell) offenders. OHSP grants are available to new or expanding programs that primarily target DWI offenders. These target populations are not at the discretion of the Michigan Supreme Court. Therefore, within the drug treatment court line items, only the use of the state restricted drug court fund and the general fund is discretionary.

In fiscal year 2013, \$1,250,000 was added to the drug treatment court state general fund appropriation on the recommendation of the Governor. The funds are to be for a pilot program called Urban Drug Court Initiative (UDCI) in the cities of Detroit, Flint, Saginaw, and Pontiac. Eligible participants are high-risk felony offenders who committed an offense within the city limits of one of these four cities. The impetus for the funding was to identify the cost per participant from admission to graduation, with the eventual goal of eliminating problem-solving court grants and moving to a per-participant funding scenario that incentivizes courts to admit participants because each new participant adds sufficient funds to their program.

The balance of the state funding is used to fund adult circuit drug courts, adult district drug courts, DWI courts, juvenile drug courts, family dependency drug courts, and regional DWI courts; the drug court case management information system; WebGrants; and SCAO administrative costs (site

visits, personnel to administer grants, training expenses, evaluations of programs, reporting to the legislature, etc.).

Veterans Treatment Court Funding

Program	Appropriation	Available to Award	Difference
Veterans Treatment Courts (General Fund)	\$500,000	\$500,000	

The first appropriation of veterans treatment court funds (\$500,000) occurred in FY 2014.

Mental Health Courts and Diversion Services Funding

Program	Appropriation	Available to Award	Difference
Mental Health and Diversion Services (General Fund)	\$5,334,700	\$5,222,800	Administrative expenses

In FY 2014, mental health courts received \$2 million as a result of the Governor’s recommendation bringing the total funding to \$4.1 million. The Governor stated that the funding “will provide for the maintenance of nine existing mental health courts while allowing for further expansion of this successful specialty court program.” In FY 2015, mental health courts received \$1,730,000 that “is intended to address the recommendations of the mental health diversion council.” In FY 2016, mental health court funding was reduced by \$495,300 to the current appropriation of \$5,334,700.

In Progress

- The SCAO is discussing with the State Budget Office the possibility of rolling the veterans treatment courts funding into the same line item as the drug treatment courts for the fiscal year 2017 budget. Veterans treatment courts follow the Ten Key Components of drug treatment courts and several drug treatment courts have a specialized track for veterans in their program. In addition, at the federal level, veterans treatment courts are classified as a type of drug court.
- The SCAO will conclude its study of the cost per participant for individuals in the UDCI program this winter. After publication of the report, SCAO plans to discuss outcomes and next steps with the Governor’s office. Regardless of decisions on next steps, SCAO will stress that the funds should not be eliminated.
- Even in this difficult budget climate, where existing funding and priorities must be protected first, SCAO continues to explore options to expand problem-solving court capacity with state budget officials. SCAO is currently discussing with the State Budget Office the need for additional funding for drug treatment courts for fiscal year 2017.