



Opioids and the Courts News: October 5, 2018

National

[Senate easily passes sweeping opioids legislation, sending to President Trump](#)

Washington Post

The Senate passed the final version of a sweeping opioids package Wednesday afternoon and will send it to the White House just in time for lawmakers to campaign on the issue before the November midterm elections.

The vote was 98 to 1, with only Utah Sen. Mike Lee (R) opposing it.

The bill unites dozens of smaller proposals sponsored by hundreds of lawmakers, many of whom face tough reelection fights. It creates, expands and reauthorizes programs and policies across almost every federal agency, aiming to address different aspects of the opioid epidemic, including prevention, treatment and recovery.

It is one of Congress's most significant legislative achievements this year, a rare bipartisan response to a growing public health crisis that resulted in 72,000 drug-overdose deaths last year. It marks a moment of bipartisan accomplishment at an especially rancorous time on Capitol Hill as senators debate Brett M. Kavanaugh's nomination to the Supreme Court.

National

[Senate passes multi-pronged legislation to battle nation's opioid crisis](#)

USA TODAY

The Senate easily passed bipartisan legislation Wednesday to combat the nation's opioid crisis by bolstering programs to treat addiction, more closely monitoring of prescriptions and updating information on alternative treatments to addictive drugs.

The bill passed 98 to one – Sen. Mike Lee, R-Utah was the lone “no” vote and Sen. Ted Cruz, R-Texas, was absent. The House passed the measure 393 to eight. It now goes to President Donald Trump for a signature, which is likely.

The National Institute of Drug Abuse reported that more than 115 people a day die from opioid overdose and 21 percent to 29 percent of patients prescribed opioids for chronic pain misuse them.

Before the vote, Sen. Joe Donnelly, D-Ind., said that drug overdoses killed more than 72,000 Americans in 2017, including nearly 30,000 from opioid overdose.

“That's heartbreaking -- heartbreaking, as each person is someone's loved one and someone's family member,” Donnelly said.





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[Justice Department is Awarding Almost \\$320 Million to Combat Opioid Crisis](#)

Bureau of Justice Assistance

1. Innovative Prosecution Solutions for Combating Violent Crime and Opioid Abuse (\$2.8 Million)
2. Comprehensive Opioid Abuse Site-based Program (\$162 Million)
3. Justice and Mental Health Collaboration Program (\$5.9 Million)
4. Helping Children and Youth Impacted by Opioids (\$46.6 Million)
5. Drug Courts (\$81.2 Million)
6. Opioid-Related Research for Criminal Justice Purposes (\$4.1 Million)
7. Paul Coverdell Forensic Science Improvement Grant Program (\$17 Million)

Louisiana

[Grant awarded to St. Mary Parish to battle opioids](#)

KALB News

On the first day of National Substance Abuse Prevention Month, a half million-dollar grant has been awarded to the St. Mary Parish government drug court to aid in the battle against opioid abuse.

The grant is included in [the] \$320 million in grants the Department of Justice has issued to combat the opioid crisis across the United States.

Massachusetts

[Gov. Charlie Baker stands by civil commitment proposal for opioid ...](#)

MassLive.com

Gov. Charlie Baker continues to stand by his proposal to allow civil commitment of people who have overdosed on opioids and pose a danger to themselves, despite repeated opposition from the state Legislature.

"I think it would be helpful, especially with people who have overdosed more than once," Baker said Wednesday in a meeting with reporters and editors at the Republican / Masslive.

Twice in the last four years, Baker has proposed legislation to allow for involuntary holds of people who pose a danger to themselves or others due to drug addiction. The two proposals differed slightly, but both times the Legislature rejected them citing concerns about civil liberties, the availability of treatment beds, and the efficacy of involuntary treatment.



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Nebraska

[Nebraska to get \\$1.3M from Justice Department to fight opioid crisis](#)

Lincoln Journal Star

Nebraska's portion, \$1,331,000, will be given to the state's Department of Health and Human Services (\$750,000), the Lancaster County Adult Drug Court Discretionary Grant Program (\$500,000), and the Sarpy County Justice and Mental Health Collaboration Program (\$81,000).

Ohio

[Critics: Well-meaning Issue 1 would handcuff those trying to help addicts](#)

The Columbus Dispatch

"I think the constitutional amendment will be like putting cement shoes on the treatment and the court system and recovery abilities. We will not be nimble," said Ohio Supreme Court Chief Justice Maureen O'Connor. "I am truly concerned that people will die."

Pennsylvania

[Judge candidates agree on combating opioid issue](#)

News Messenger

Why the opioid crisis is so alarming

In the race for common pleas court judge, [incumbent Bob] Hart and [challenger Jeremiah] Ray agreed the biggest concern they see in the courtroom is the opioid crisis, with the majority of the docket Hart handles related to drug cases or crimes committed because of drug addiction.

"The majority of the cases that I handle are drug cases or drug-related case[s]," Hart said.

The opioid epidemic has put great stress on the courts and law enforcement, said Hart, whose docket is riddled with cases of people charged because they are addicted to, or are trafficking in, drugs.

"The drug issue is not just a mental health issue," Hart said. "Drug addicts are wreaking havoc on our community."

Hart said his plan, if elected, is to institute a countywide drug court, something he said would mimic Seneca County's court.

"I have been watching what is going on in Seneca County," Hart said. "They have a countywide drug court, and it's the first in the state where the county judges and municipal judges have one court."



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Although Seneca County's model is in the early stages, and it is too early to tell the success rate, Hart said many of their cases are misdemeanor charges rather than felony cases, allowing the courts to find treatment options for those struggling with addiction.

"I think a countywide drug court would cut down on the bureaucracy because each court has their own administrator to run it and that just doesn't make sense."

Ray agrees opioids are putting a strain on the court system, and said moving cases through the system is about work ethic and being accessible.

"You can sit back and not address it, or you can be proactive," Ray said of the drug crisis. "You can involve treatment or counseling, and incarceration is always an option, but sometimes it isn't the best option."

Tennessee

[ACLU, Koch network agree criminal justice reform is needed. Will lawmakers take it up?](#)

The Tennessean

The legislators discussed the effectiveness of drug courts, treatment facilities and medically-assisted treatment programs—the latter [Tennessee Supreme Court Chief Justice Jeff] Bivins advocates as an effective measure to deal with opioid addiction — as well as expungement, mandatory sentencing requirements, alternatives to incarceration, a focus on recovery compliance, and collateral consequences of sentencing, such as license suspension, that push offenders back toward crime.

Lawmakers must weigh competing interests and different perspectives on reform, although bipartisan groups have already formed around the issue.

“The Beacon Center, Koch brothers and ACLU all agree on what needs to happen,” Bivins said.