

Opioids and the Courts

In the News: February 7, 2020



National

[New Rural Community Action Guide Seeks to Empower Local Leaders in Opioid Fight](#)

Tennessee Courts

The White House recently rolled out a new tool to help local leaders in rural areas respond effectively to the opioid epidemic. The State of Tennessee has been at the forefront of the rural opioid crisis and both Fourth Judicial District Circuit Court Judge Duane Slone and Administrative Office of the Courts Director Deborah Taylor Tate attended the Rural Community Action Guide's official launch event in Washington, D.C.

The Rural Community Action Guide discusses the unique challenges that rural communities face in confronting the epidemic and contains a number of recommendations for community stakeholders looking to develop new and creative ways to address the issue. Many of these recommendations are based on the real-world examples of local leaders who have taken innovative steps to fight the epidemic.

Judge Slone has proven to be a leader in the struggle against the opioid crisis on both the local and national stage. His groundbreaking Tennessee Recovery Oriented Compliance Strategy (TN ROCS), a diversionary program geared toward those with substance use disorders who may not qualify for traditional recovery courts, has had enormous success in his East Tennessee community and has proven highly influential nationwide. TN ROCS features prominently in the Rural Community Action Guide as a model solution that can have a significant impact.

"Rural communities are the backbone of this nation, yet many of them have suffered terribly as a result of the opioid-driven addiction crisis," Judge Slone said. "That suffering has been exacerbated by the relative lack of healthcare and treatment-related resources in many rural areas. That is why the Rural Community Action Guide is so important. It is a roadmap that leaders in rural communities can follow to overcome obstacles like these and mount a concerted response to the opioid crisis. The guide lets communities know there [are] other places in the country going through the same struggles that have figured out ways to make a difference."

There is considerable evidence that rural communities have been hit particularly hard by the opioid epidemic. For example, one study found that drug overdose deaths rose by 325 percent in rural counties from 1999 to 2015, compared to 198 percent in metropolitan areas. The Action Guide also shows how these communities lag behind in the amount of resources that can be utilized to assist those with opioid use disorder. For instance, the Action Guide cites one study which found that nearly one-third (29.8%) of rural Americans live in a county without a buprenorphine provider, as compared to just 2.2% of urban Americans.

Buprenorphine is a key drug used in the medication-assisted treatment of opioid use disorder. Many rural communities also lack effective programs like Drug Courts.

As co-chair of the National Judicial Opioid Task Force and as a member of the Legal Services Corporation Opioid Task Force, Director Tate is well aware of these discrepancies and has spent a considerable portion of the past few years traveling the country to collect information about local opioid impacts and the tools developed to mitigate the opioid crisis.

“I think it is vital that everyone who is trying to overcome an opioid use disorder is given the best chance at success possible,” Director Tate said. “Just because you live in a rural area should not mean that you have to walk an even harder path to recovery due to a relative lack of available resources. The Rural Community Action Guide is just the tool that rural communities need to inspire hope and innovation. By following its recommendations, rural communities can take concrete steps toward a brighter future.”

National [The Rural Community Action Guide](#)

Office of National Drug Control Policy

Rural Broadband is Fundamental to Increasing Healthcare Access in Rural Communities
by The Rural Broadband Association

Hocking County Court

A county court in Appalachia helps clients schedule probation and counseling appointments through videoconferences with court and counseling personnel. These broadband-enabled solutions avoid significant time and costs for clients who live far from town and enable those who may be restarting their employment to avoid missing work. The program also reduces the likelihood of driving under suspension charges for individuals who may drive to appointments without a valid driver’s license, and it reduces the incidence of missed appointments where public transportation does not exist.

Moving from Lock’em Up to Providing Treatment and Support
by National Sheriffs’ Association

In response, Middlesex launched the MATADOR program to treat substance use with naltrexone. As part of the program, they receive health assessments, detox treatment, monitoring, regular medical attention, and work with a recovery coach or “navigator” during incarceration. Upon release, the MATADOR navigators continue to serve as advocates. They ensure patients have a reentry plan in place, are scheduling and attending medical and program appointments, and have support during setbacks. The navigator also helps ensure clear and timely communication between community healthcare providers, support program locations, drug courts, and the sheriff’s office.

Making Drug Courts Work for Rural America
by Center for Court Innovation

Drug courts in rural jurisdictions have a few challenges. Drug courts combine help, in the form of treatment and other services, with accountability, such as randomized drug testing and utilize principles of behavior modification, to help guide participants toward long-term success. To promote abstinence and detect relapse, it is critically important that drug courts engage frequently with participants. Lack of widely available public transportation can make it difficult for rural drug court participants to attend the frequent court hearings, treatment sessions, and probation check-ins that drug courts require, putting them at risk for program failure.

Indiana

[Two Graduate Problem Solving Court Tuesday Morning](#)

WBIW

Tyler A. Richison and Rickey D. Wessel Jr. graduated from the Problem Solving Court, with family, friends and several community leaders there to congratulate them on their accomplishments.

Both graduates remarked on how drug abuse caused great difficulties in their lives. Richison reflected on being unemployed and having a 12-year addiction to opioids. Richison said he couldn't follow simple rules. While shedding tears, he described the stress he caused his family.

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Judge John Plummer thanked the prosecutor's office for their work in supporting the program. "Without the Prosecutor's Office, there would be no problem-solving court," he added.

Massachusetts

[Sheriff Koutoujian welcomes chief justices to Middlesex Jail & House of Correction for listening session](#)

Wicked Local Waltham

Sheriff Peter Koutoujian recently welcomed Supreme Judicial Court Chief Justice Ralph Gants and Trial Court Chief Justice Paula Carey for a listening session with individuals currently incarcerated at the Middlesex Jail & House of Correction.

The Jan. 22 event was organized by the Massachusetts Trial Court in conjunction with the Middlesex Sheriff's Office. This is part of a continuing effort by the Trial Court to gather feedback from a diverse range of court users to better understand how the court can best serve the people of the commonwealth.

The session at the Middlesex Jail & House of Correction allowed a half-dozen incarcerated individuals to voice constructive thoughts and concerns to judicial leaders, pose general questions about processes and discuss community-based resources.

The feedback gathered will be reviewed along with that gathered during other listening sessions to identify ways to improve communications and services.

New Hampshire

[Expansion of Drug Treatment Service Continues in County Jails](#)

Concord Monitor

She stands in front of an oversized Hillsborough County Department of Corrections emblem and talks to a 9th Circuit Court – District Division – Manchester judge via a computer as a court bailiff looks on. She is granted personal recognizance bail, ensuring her release that day.

These two women are among the 27 inmates – eight women and 10 men detoxing, and nine others on suicide watch – being closely observed by correctional officers.

They account for 11 percent of the 245 people being detained this August day and, [jail Superintendent David] Dionne says, the number is a reflection of the opioid epidemic sweeping the state and, in particular, Manchester.

Dionne says correctional officers check on each of those inmates every 15 minutes, keeping detailed notes about what is happening to them: “It’s not easy. It’s hard,” he says.

Due to [the] lack of available data, it is difficult to estimate the exact percentage of people who come into county jails addicted to opioids. But recent state statistics show that about 50 percent of inmates at the NH State Prison have a diagnosis of Opioid Use Disorder (OUD). The state doesn’t publish similar statistics on county jails.

What this means is that the jails have to serve not just as a holding pen for alleged criminals, but [as] medical facilities for people going through an excruciating and potentially fatal withdrawal process who need continued care and treatment options throughout their stay.

In June, the Opioid Task Force, part of the Governor’s Council on Alcohol and Other Drugs released a report on the “Status of Treatment of Opioid Use Disorder among Individuals Involved with the New Hampshire Justice System.”

Among the report’s recommendations was that the state consider adopting a set of common principles and guidelines – based on nationwide best practices – for treatment and care of substance use disorders (SUD) in the corrections system. This recommendation comes, in part, after the task force found no such set of standards and practices among the county jails.

Virginia

[Virginia bill aims to save lives in event of overdose](#)

Associated Press

Westmoreland County Commonwealth's Attorney Julia Sichol spoke last week in opposition to the House bill [that would extend immunity from prosecution to people reporting an overdose], on behalf of the Virginia Association of Commonwealth's Attorneys. Sichol said she thinks Carr's bill "can also cause harm to lives" because immunity would keep individuals who report an overdose from being charged with a crime and possibly prevent them from obtaining treatment.

"Drug treatment is extremely expensive and sometimes the only way to get the treatment for the individuals is through the court system," Sichol said. "If you take away the ability for individuals to be charged who have overdosed they are not eligible to participate in [a] drug treatment program, they are not eligible to go through the court system under mandated treatment."

Drug courts are specialized courts where individuals plead guilty and agree to complete the drug court program, Sichol said. Patients in the program are on probation and can live at home, she explained. They are screened for drugs three times a week, attend drug treatment counseling, have a curfew and can receive visitors.