



# Opioids and the Courts News: December 13, 2019

## California

[Opioid epidemic in Santa Barbara County landing more kids in foster care](#)

KEYT TV

In Santa Barbara County, 80 percent of children in the foster care system are there because of the drug epidemic, including opioids.

“When parents become addicted, the kids are the ones that are paying the price,” said Kim Colby Davis, executive director at CASA (Court Appointed Special Advocates) of Santa Barbara County. “More and more frequently we’re seeing heroin, and we’re seeing the opioid addictions.”

CASA volunteers help the courts decide on an outcome for kids in the foster care system.

“Basically, the court gives our volunteers the rights and the responsibilities to go and gather information about what’s happening in that child’s life.”

Advocates talk to foster parents, caregivers, biological parents, teachers, doctors, and anyone who may be involved in a kid’s life before reporting back to the courts.

Davis says, recently, the agency’s caseload has been piling up.

“In fact, just since July, we’ve seen the number of children who have come into care more than [double and] nearly triple.”

## Illinois

[Drug court addicts aren’t only abusers of prescription meds, opioids. It’s our kids, the elderly, millions of us.](#)

Chicago Tribune

Ten years ago, I wrote about a man who habitually abused opioids of every kind.

His case history revealed a high tolerance to Xanax and Klonopin, as well as experimentation with multiple other opioids including codeine, fentanyl, Percocet, and OxyContin. He would take anywhere between 10 to 30 pills in any 48-hour period. He once swallowed 17 pills in a single sitting.

I learned about his case through a county drug court program, formerly overseen by Porter Superior Court Judge Julia Jent. I took notes in the back of her courtroom, wondering how many other people also abused opioids. Not only desperate addicts looking for a fix, but desperate patients looking for a pain-free life. I had a family member in this situation.



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It turns out there were millions of these people in our pill-loving country. Increased prescription of opioid medications led to widespread misuse before it became clear that these meds could indeed be highly addictive, according to the U.S. Dept. of Health and Human Services.

### Indiana

[Courts as conveners: Task force led by Rush releases recommendations for judicial response to opioid crisis](#)

Indiana Lawyer

Flat-footed.

That's how Indiana Chief Justice Loretta Rush describes the judicial response to the opioid crisis.

"We should have set up an addictions framework back during the crack cocaine epidemic," Rush said. "Shame on us."

During her days on the Tippecanoe County trial bench, which she left in 2012, Rush was seeing evidence of the opioid crisis manifest itself through babies born with neonatal abstinence syndrome. As the drug problem has grown, courts have increasingly struggled to keep up with rising numbers of drug-related cases ranging from criminal matters to child welfare to housing and more.

In response, the National Judicial Opioid Task Force was created in 2017 to delve into ways the judiciary could get a handle on the opioid crisis. Co-chaired by Rush and Deborah Tate, director of the Tennessee Administrative Office of the Courts, the task force's work culminated late last month in the release of a report that includes four findings and six recommendations for how courts can respond to the current drug scourge and be better prepared for the next addiction crisis.

The task force released bench cards and other tools designed to assist judges as they learn to use evidence-based methods when dealing with defendants who have an addiction. The next steps will involve education and training to ensure judges and other members of the criminal justice system understand how treatment and rehabilitation can keep drug offenders out of the system.



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## Indiana

[‘Kid from a cornfield:’ Goff brings community mentality to Supreme Court bench](#)

Indiana Lawyer

### What’s been the biggest challenge?

Building the infrastructure to respond appropriately to the opioid crisis.... Maybe in 2008, 2009, then-Chief Justice (Randall) Shepard was talking about going through the economic downturn, and he described the courts as bent, not broken. I think that public health, public safety crisis really put everybody nationwide in that same boat....

The other thing is, these are big jobs, and it’s just part of it, but having effective communication....

### And the biggest success?

I’d flip that around and I’d say about the same thing, because at the end of the day, we had these statewide summits, and we were able to go out and include multidisciplinary teams from all 92 counties to get on the same page about the opioid epidemic, about pretrial reform. That is absolutely a success story.... By making that model available, that opportunity to come together as multidisciplinary stakeholders in all our 92 counties, I think we’re going to be much better prepared when the next crisis comes to put an action plan in place and get the resources where they need to be.

## Michigan

[Michigan needs better public policy to combat the opioid crisis](#)

Detroit Free Press

5. Criminal Justice Reform — Medicalize this disease that has largely been criminalized. This includes treatment while in detention and more and/or better drug courts.

[Co-author] Patrick M. Shannon has been a judge for the Saginaw Chippewa Tribe of Michigan since 1999.

## Mississippi

[Gov. Phil Bryant: Stopping the opioid epidemic takes a multifaceted approach](#)

Clarion-Ledger

Further, we must unite as a national family to break the stigma of addiction and offer compassionate solutions and treatment options for those affected. To this end, the work of Mississippi’s remarkable drug court program has been instrumental in providing an alternative to incarceration for persons struggling with drug addiction and a means for providing the treatment necessary to break the cycle of addiction.



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## New York

[Opioid-Related Deaths Continue to Decline in Erie County](#)

Spectrum News

[Health Commissioner Dr. Gale] Burstein said another major factor in the decline is the opioid intervention court, something Buffalo is the first in the country to have.

The court allows people facing charges or jail time to instead work with the court, seek treatment, and report to a judge for 90 days.

Once completed, the charges can be dropped.

## Ohio

[What will success look like? Front-line fighters envision the opioid epidemic's demise](#)

Cincinnati Enquirer

- Judge Robert Peeler, Warren County Common Pleas judge who runs a drug court using evidence-based treatment for participants. "Success, from my standpoint, would be more education. Success would start with them being able to say, 'I gotta do better for myself. I can do that for myself.'"

## Pennsylvania

[EDITORIAL: More work needed before probation reform bill can be celebrated as reform](#)

Philadelphia Inquirer

Yesterday, the Judiciary Committee of the Pennsylvania House of Representatives advanced a bill to reform the state's probation system. The bill was the result of months of bipartisan work and advocacy groups on both sides of the aisle.

...

Further, the amended bill allows judges to decide on their own volition that as part of the terms of probation, the person can no longer use a prescription medication of any kind. That would include medication for opioid-use disorder, such as methadone and buprenorphine; that is problematic, considering that despite proven efficacy, some judges view these treatments as "replacing one addiction with another."