



Opioids and the Courts News: Apr. 5, 2019

Task Force News

[State courts overwhelmed but making progress amid opioid epidemic](#)

Knoxville News Sentinel

Loretta H. Rush is chief justice of Indiana, and Deborah Taylor Tate is Tennessee state court administrator.

Last year, more Americans died of opioid overdoses than of many cancers, gunshot wounds or even car crashes. In fact, by at least one metric, the epidemic is more dire for Americans than was the Vietnam War. While an average of 11 Americans died per day during the 14 years the U.S. was involved in Vietnam, nearly 120 Americans died per day of opioid overdoses in 2018 alone.

As families write obituaries, death notices are printed, and flowers are delivered to grieving loved ones, an important part of the story has gone largely untold. At some point, if they survive, most opioid abusers end up in court. Perhaps they have been arrested for stealing to feed their habits or perhaps an agency has deemed them unfit parents. Whatever the reason, one fact remains: The state court justice system is now the primary referral source for addiction treatment in the country.

This reality has put enormous strain on our nation's state courts, many of which have been overwhelmed by growing dockets and shrinking resources. In a recent survey of chief justices and state court administrators, 55 percent ranked the opioid epidemic's impact on the courts as severe. The survey results are unsurprising, given the complexity of opioid cases. It takes an enormous amount of time to figure out what's best for people who are addicted, how to care for their children, and what resources are available for them. And those who are placed in a treatment program with court oversight may remain involved with the court for years.

While Congress has responded with appropriation increases in targeted funding for the states, almost none of it has been directed to the court system. Court leaders quickly realized the stress this epidemic brought to the courts as a "crisis within a crisis." This led to the establishment of the National Judicial Opioid Task Force in 2017 by the Conference of Chief Justices and the Conference of State Court Administrators to examine current efforts and to find solutions to address the epidemic. The task force started by developing five principles for state courts to use as a point of reference in addressing the crisis:

- The justice system is in the middle of this crisis and should lead the way in delivering solutions.
- Judges should use their positions [to bring together](#) leaders of government agencies and other groups to address the epidemic.
- Courts should ensure that opioid abusers get the treatment they need.



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- Interventions should be comprehensive and should include initial proper treatment, recovery services and appropriate placement of children.
- The courts should use data whenever possible to help them make good decisions.

With these principles in place, the task force has developed — and will continue to develop — practical information, tools and best-practice recommendations for state court judges and court administrators. It recently organized a comprehensive resource center to provide information to help courts understand the unique aspects of opioid-use disorder and to handle opioid-related cases more effectively.

To be sure, this isn't just a serious problem where we live in Indiana and Tennessee. Opioid addiction has rocked states throughout the country. In nine states, [the number of prescriptions](#) exceeds the number of residents. And a 2017 White House report estimated that the opioid crisis resulted in economic costs exceeding \$504 billion in the U.S. in a single year.

But there are examples of hope. The task force is working with court leaders across the country to identify promising state and local court programs that address the crisis. For example, a New York state court judge has developed an opioid intervention court that, within hours of arrest, links participants with treatment services. Kentucky has created treatment and recovery teams that combine best practices in courts, child welfare, treatment, and peer recovery. In Indiana, the Supreme Court hosted a statewide opioid summit, bringing together almost 1,000 community stakeholders from every one of the state's counties. Montana judges are using new technologies to address the complications of providing services in remote communities. And courts in Tennessee are focusing on the needs of pregnant women with addiction and have already seen a reduction in the number of babies born with neonatal abstinence syndrome.

Much work remains. But the National Judicial Opioid Task Force is dedicated to building on the successes of other courts and working collaboratively with local, state and federal partners to craft the responses and solutions that are required to combat this serious and complicated epidemic.

National

[Rural Courts, Sheriffs Convene with Feds to Combat Opioids](#)

Supreme Court of Ohio

In an effort to help courts, law enforcement, and treatment providers address addiction-related issues in these areas, the Bureau of Justice Assistance (BJA) – a branch of the U.S. Department of Justice (DOJ) – held a three-day workshop at the Thomas J. Moyer Ohio Judicial Center. The mission was to share ideas for each group to maximize their budgets and increase funding, staffing, and treatment.



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Joining the federal and regional representatives this week were sheriffs, judges, and treatment providers from across the Great Lakes region – Ohio, Michigan, Indiana, Illinois, Wisconsin, and Minnesota.

Given their smaller staffs and minimal contact with external specialists, attendees focused on the BJA's Comprehensive Opioid Abuse Program, giving them the opportunity to hear success stories and implement best practices.

"It's nice to collaborate with other communities, other colleagues who are in similar roles," said Judge Amy Gierhart, a circuit court judge in Tuscola County, Michigan.

A big part of the dialogue between the federal representatives and local agencies are systemic issues that many times prevents courts, sheriff's departments, and treatment agencies from receiving available federal and state funds. Last year, the [DOJ awarded \\$320 million](#) to combat the opioid crisis. Of that, more than \$16 million went to Ohio.

In smaller communities, sheriffs not only lack administrative support or understanding on how to apply for grants, but also are more involved in the day-to-day policing of their communities, from responding to calls and working investigations. For them, a big goal is simplifying the bureaucratic process.

"Folks from the federal government can take back to [legislators] to rewrite some of the strings-attached grant funding – or different sorts of things of that nature – to help those of us in rural communities be able to fund programs or potentially hire people to implement programs," said Paulding County Sheriff Jason Landers.

Having grown up in northwest Ohio, he's seen the gravity of addiction in many forms impacting all sectors of the socioeconomic spectrum. Following the proven methods that coincide with a communal effort of policing, incarceration, and treatment, the sheriff simply wants to maximize what his department can do to help those dealing with the dark depths of addiction.

"To keep folks that truly want to be recovered on a better path of staying sober and living that productive life, and getting them back into society, working, to become good parents again, to become good children again," Landers said.

National

[A History Of Opioids In America](#)

NPR

The opioid crisis is awful but not entirely new. We've heard the recent numbers. The federal government reports that more than 130 people die from opioid-related overdoses per day. We've been through something like this before, and that is the subject of the latest episode of NPR's history podcast Throughline. It is hosted by Ramtin Arablouei and Rund



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Abdelfatah. And they learned about the first opioid crisis in American history, which happened back in the 19th century.

National

[A Visual Journey Through Addiction](#)

New York Times

Why do people start taking opioids and why can't they stop? Through interviews with users and experts, The New York Times created a visual representation of how these drugs can hijack the brain.

Maine

[In effort to prevent overdose deaths, state plans to put 'NaloxBoxes' in public buildings](#)

Press Herald

Chief Justice Leigh Saufley of the Maine Supreme Judicial Court said, "we have to stop thinking of addiction recovery and addiction prevention as limited to a particular area of government."

"The opioid addiction problem affects every aspect of government and it affects everything that goes on in the court system," Saufley said. "It's affecting work and families and housing."

Maine

[Mills administration gets full cabinet involved in opioid fight](#)

WCSH

The man leading Maine's fight against opioid drug addiction says there have been some positive signs, but there is still a long way to go.

Gov. [Janet] Mills joined opioid director Gordon Smith on Wednesday for the first meeting of a special drug abuse prevention and recovery cabinet. It includes the Governor's regular cabinet -- the commissioners of all state agencies -- plus the Attorney General, the Chief Justice, and two members of the public who have faced addiction issues themselves.

Michigan

[In 54B Drug Court, the Emphasis Is on Healthy Recovery](#)

East Lansing Info

The East Lansing Drug Court was implemented in 2016 due in large part to the collaborative efforts of Ingham County courts and prosecutors and a \$120,000 grant award from the State Court Administrator's Office. The court, which is housed at 54B District



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Court on Linden Street, tries to enhance the public safety and community welfare by reducing recidivism among felony and misdemeanor drug offenders.

According to Amy Iseler, chief probation officer at 54B District Court, individuals are notified when they are eligible to graduate, but are not required to unless they feel ready....According to Iseler, participants in the program clinically have to meet a diagnosis of a severe substance use disorder for opioids, stimulants or sedatives, and cannot be a violent offender.

Minnesota

[Carver County to pursue federal drug court grant](#)

SW News Media

The Carver County Attorney's Office will submit an application on April 16 for a federal grant in the amount of \$500,000 to implement a drug treatment court in Carver County beginning in 2020, according to a press release from the Carver County Attorney's Office.

The federal government has made up to \$95 million in grant funds available to local jurisdictions nationwide to implement or augment treatment courts, including adult drug courts, veterans court, co-occurring disorder courts, tribal healing courts, and DWI courts. The grants are sponsored by the U.S. Department of Justice, Office of Justice Programs, and the Bureau of Justice Assistance.

New York

[New York Sues Sackler Family Members and Drug Distributors](#)

New York Times

As investigators closed in on Purdue Pharma, the maker of the opioid painkiller OxyContin, more than a decade ago, members of the family that owns the company began shifting hundreds of millions of dollars from the business to themselves through offshore entities, the state of New York alleged in a lawsuit on Thursday.

The [legal complaint](#), released at a news conference by the state attorney general Letitia James, was heavily redacted. Even so, it contains striking details alleging systematic fraud not only by the Sacklers but by a group of large but lesser-known companies that distributed alarming amounts of prescription painkillers amid a rising epidemic of abuse that has killed hundreds of thousands of people nationwide.