



Opioids and the Courts News: May 31, 2019

National

[‘This Case Will Set A Precedent’: First Major Opioid Trial Opens In Oklahoma](#)

NPR

Brad Beckworth, an attorney working for the state, argued that Johnson & Johnson created an oversupply of the drugs, saying, “If you oversupply, people will die.” He argued that Johnson & Johnson created that oversupply, and that its drug representatives pushed opioids into the state and encouraged doctors to prescribe them.

Johnson & Johnson should be responsible for cleaning up the mess, the state claimed.

Lawyers for the company argued in their opening statements that, far from creating a “public nuisance,” as Oklahoma is arguing, their medication was critical for treating chronic pain.

“Janssen's conduct was not a nuisance,” said Larry Ottaway, representing Johnson & Johnson and its subsidiary Janssen Pharmaceuticals. “They provided medically necessary medications ... They were lawfully subscribed by doctors in the state of Oklahoma.”

The bench trial — with a judge and no jury — is the first of its kind to play out in court.

National

[New Jersey sues Sackler family for opioid epidemic](#)

CNN

The New Jersey attorney general’s office filed a lawsuit against members of the billionaire family behind pharmaceutical giant Purdue Pharma, alleging that the company’s marketing strategies overstated the benefits of their opioid drugs while also minimizing the health risks and downplaying their potential for addiction.

Florida

[Charlie Crist Goes to Bat for Veterans Treatment Court Programs](#)

Florida Daily

From his new spot on the U.S. House Appropriations Committee, U.S. Rep. Charlie Crist, D-Fla., helped secure \$25 million for Veterans Treatment Court programs.

Last week, Crist announced the funds were included in a \$375 million bill dealing with opioids that cleared the Appropriations Committee last week and is now headed to the House floor.



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“Our servicemembers answer the call of duty and risk their lives to protect our nation. Unfortunately, after military service, too many veterans experience mental health issues, substance abuse, and homelessness,” said Crist. “Treatment courts offer veterans facing nonviolent charges a second chance, keeping them out of jail and into the counseling, care, and support they need to heal.”

Louisiana

[US Drug Czar comes to New Orleans on fact-finding mission](#)

WWLTV.com

They agreed that drug courts work to get the addict treatment, rather than just prison time. But judges had concerns that reduced sentences and what they call ‘probation light’ takes away from the incentive for a person to do the hard work in drug court and treatment.

“To me, the whole idea is put them in treatment rather than incarceration, but if incarceration is so light that treatment is not attractive, they’re not going to do it,” said Judge Ellen Kovach, of the 24th Judicial Court.

Minnesota

[Professor shares promising research into treating drug addiction in the brain](#)

Republican Eagle

The discussion was a follow-up to the [Needles and Pills program](#) held in 2018 that brought together experts and community resources to address drug problems in Goodhue County. Efforts led to securing a nearly \$500,000 federal grant for a drug treatment court.

Kait Olmsted, the new drug court's administrator, was in attendance Wednesday to provide an update on the program since it started in mid-April. She said the aim is to provide a network of support for nonviolent drug offenders and reduce recidivism.

“We’re not going to send these defendants to prison — we are going to help,” Olmsted said, such as providing assistance with finding employment and housing.

The court can support 25 participants, and at least six spots have been filled so far, she said.

Olmsted added that the goal of the drug court over the next four years of the federal grant is to help as many participants as possible and make a case for continued state and county funding.



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Pennsylvania

[Bucks County DA: Opioid statistics don't tell full story of progress](#)

Philly.com

We've [created a pretrial diversionary program](#) for many people arrested on drug charges, where in exchange for getting immediate and successful treatment, their criminal charges will be dismissed. For those more persistently enmeshed in the criminal justice system due to substance abuse, the focus remains on getting them treatment either through Drug Court, while on supervision, or while they're in prison — whichever is most consistent with community protection.

There are still no easy solutions to the opioid crisis, but helping those addicted to get treatment while punishing the dealers is the most balanced approach for the criminal justice system to take.

Washington

[Walla Walla offers therapeutic options to offenders](#)

Walla Walla Union-Bulletin

When Ideal Option, which offers a comprehensive medication-assisted treatment program, opened a Walla Walla branch, Gregoire said it spurred him to add the program at the jail. He was pleased with the results, such as seeing how MAT had turned around lives in Adult Recovery Court.

In ARC — which began locally in 2017 — candidates attend court and have hearings on their recovery from drugs and alcohol rather than serve jail time. Only certain people qualify for the program, Gregoire said, such as those who are moderate- to high-risk reoffenders.

The state legislature authorized counties to access federal money for therapeutic courts in 2015. Walla Walla is one of 27 counties with such a program, according to the Washington Courts website. Judge Scott Wolfram presides over the court at 8:45 a.m. every other Tuesday.

Since [the inception of drug courts] 30 years ago, about \$9 billion has been saved nationwide, according to data from the American University School of Public Affairs Justice Programs Office, National Drug Court Resource Center, and National Institute of Justice.



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West Virginia

[West Virginia judges face growing number of child neglect cases](#)

The Daily Times

West Virginia's judges face similar problems in their courts — which most often are related to a growing number of child abuse and neglect cases and the state's opioid epidemic.

Judges from across the state gathered at Wheeling's Oglebay Park last week for the Spring Circuit Judges' Education Conference, which started Tuesday at Wilson Lodge and concluded Thursday. The conference was sponsored by the West Virginia Supreme Court of Appeals and the West Virginia Judicial Association.

The conference takes place twice a year, and serves as a place for the judges to network and discuss the mutual challenges they face each day, according to Supreme Court Chief Justice Beth Walker.

"The judges, like lawyers, have continuing education requirements," she said. "This is the most economical way to have 74 circuit court judges and five Supreme Court justices earn those requirements.

