

Minutes

Special Commission on Substance Addictions Treatment in the Criminal Justice System

Date: Friday, April 10, 2015

Time: 10:30am

Location: Two Center Plaza, Boston, MA

Commission Members Present:

Brian Sylvester	Co-chair and Director of Inter-Agency Initiatives, Bureau of Substance Abuse Services (BSAS) Representative
Harry Spence	Co-Chair, Court Administrator for the Executive Office of the Trial Court
Mark Larsen, Esq.	Committee for Public Council Services (CPCS) Representative
Randy Hunt	House of Representatives
John Verner	Attorney General's Office Representative
Clifford Robinson	Deputy Commissioner, Department of Mental Health (DMH) Representative
Carol Higgins O'Brien	Commissioner, Department of Correction (DOC) Representative
Katherine Chimel	Deputy Commissioner, Department of Correction (DOC) Representative
Cheri Rolfe	Secretary, Executive Office of Public Safety and Security (EOPSS)
Matthew McKenna	Department of Veterans' Services

Remote Participation:

Marsha Kazarosian	President of Mass. Bar Association
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Visitor Attendees:

Sheila Casey	Trial Court Specialty Courts Administrator
Georgia Critsley	Trial Court Intergovernmental Relations Senior Manager
Edward Callahan	Veterans Court Program Director
Kevin Riley	Trial Court Representative Research & Planning
Shawna Andersen	Research & Planning Specialist, Mass. Parole Board
Meghan Perry	Recovery Coach, Gosnold, Inc.
Louellyn Lambros	Scituate FACTS
Katie Nicolas-Malvey	Veterans Affairs
Mary Hogan Sullivan	Trial Court Director of Specialty Courts
Don Purington	Team Leader/Peer Support Specialist, Department of Veterans' Services

I **Call to order:** at 10:37 a.m. by Co-Chair Brian Sylvester.

II **Quorum:** 10 voting members present and 1 voting member via remote participation

Introductions: The meeting was called to order by Co-Chair Brian Sylvester who recapped highlights from the February meeting. Co-Chair Sylvester then asked Commission Members and guests to introduce themselves, at which time Marsha Kazarosian joined us via remote participation.

Judge Mary Hogan Sullivan, Director of Specialty Courts spoke briefly about pilot data collection program in the Dedham drug session court, stating that the collected data will assist the Court in determining effectiveness. Representative Hunt then discussed moving forward with the Commission's statutory charge by focusing on a determination of many individuals are being served by the court system in terms of the substance addicted, how many more could be served, and what resources are needed. Mark Larsen suggested conducting a survey to determine what types of treatment are available on a local level as local judges are more likely to know what treatment is available in their jurisdictions.

Co-Chair Spence then suggested that Department of Public Health could pull together a list of what treatment resources are available but determining the demand for such resources is a more complicated task. Co-Chair Spence suggested a Working Group be formed to draft a work plan on how to move

forward as well as collecting the data needed for the Commission's year-end report. It was agreed that a Working Group consisting Co-Chairs Spence and Sylvester, Representative Hunt, Georgia Critsley and Linda Holt would meet as a Working Group and provide it to the Commission for review by July's meeting.

Presentation-Veterans Treatment Courts/Specialty Courts- Co-chair Sylvester introduced guest speakers and presenters for Veterans Treatment Services, Ed Callahan, Matt McKenna, Katie Nichols and Don Purington.

Edward Callahan opened with an overview of Veterans Treatment Courts. Veterans Treatment Courts began in 2008 in Buffalo, New York. Massachusetts began their first treatment court in 2012. The Valor Act was established to provide support to Veterans and their families. To be qualified for services under the Valor Act, veterans must have a history of military service which is defined by statute and has no prior adult convictions in/out of state, nor any open cases, warrants or appeals. An assessment is done within 14 days and a possibility of being granted a 90 day treatment by the Court.

Massachusetts currently has two Veterans Treatment Courts up and running in Dedham and Boston. Both require an assessment to determine eligibility for services. The parameters of Veterans Treatment Courts vary from court to court, but they generally serve veterans who have been charged with a criminal offense, who are at high risk for re-offending, and who have significant mental health/substance issues. Once they are found eligible, they must enter and complete the program, which could last 12- 24 months; the program also includes drug testing up to 2 to 3 times a week. The Trial Court plans to open two more Veterans Treatment Courts in Holyoke and Framingham. With these additional courts and the proper implementation of the Valor Act, any veteran seeking treatment services will be able to do so across the Commonwealth.

The purpose for programs such as the Veterans Justice Outreach (VJO) or the Statewide Advocacy for Veterans' Empowerment (SAVE Team) is to avoid unnecessary criminalization of mental illness and extended incarceration among Veterans. VJOs cannot provide legal service. The outreach specialists are responsible for their assessment, case management and also as a liaison.

Matt McKenna then provided the Commission with an overview of the Save Team and other jail diversion programs. The Save Team provides full coverage of peer support and case management services across the Commonwealth for veterans involved in the justice system. The Save Team advocates for veterans who are not able to obtain the benefits they have earned due to institutional or personal barriers. They also provide veterans with access to benefits and services that could be beneficial and support their needs and their families. The Save Team provides a central intake system for any veteran identified in the court system. This program is available to any veteran. Many Veterans who are currently active do not take advantage of this service because by law it must be reported to the Department of Defense ("DOD"), therefore, many seek private sector treatment.

The last option of service is Katie Nicholas provided an overview of the Veterans Justice Outreach Program ("VJOP"). This program is available to any justice involved Veteran once they are VJO eligible. This could be a veteran in a local jail, one being monitored by a court, or diverted from arrest into mental health or substance abuse treatment. There is a 90 minute screening process and assessment which entails a CORI check and VA record review. The VJO specialist will also establish a treatment plan and make subsequent referrals. After the assessment, they are able to determine the veteran's critical needs and whether they are clinically appropriate for treatment and must comply with those treatment plans.

These programs cannot be mandated by the Court; however, the VA can provide appropriate services based on the clinical need for those veterans that are eligible and involved in the criminal justice system. Veterans involved in other court matters such as civil, divorce or bankruptcy are not eligible for the VJO program.

Following the presentations, Representative Hunt asked how the peers are paid and whether there are enough resources. Matt McKenna responded that funding is provided from the Valor Act (legislature), Mission Grant, ISA, DPH or through the Trial Court. The resources provided are not enough, but with the limited services they are able to provide on call peers 24 hours a day. Those

peers are able to provide assistance or navigate veterans to the proper resources such as financial assistance, homeless shelters, mental health treatment or detox services.

Co-Chair Sylvester then asked what services are provided in the Veterans Court to maintain such a low recidivism rate. Ed Callahan responded that the Veterans Justice Observer (“VJO”) members follow the model of the Buffalo, New York program. The goal is to provide justice for veterans across the commonwealth.

Other Business: Each member will try to visit a drug court session and share their feedback at the June meeting.

New Business: John Verner suggested that the Commission visit a few Specialty/Veteran Court sessions to get a better view on what goes on in the courtrooms and the process. The Commission agreed that Donna Hall, Secretary for the minutes, would email this list to the Commission.

Adjournment: Co-Chair Spence reviewed the March minutes and it was voted upon and unanimously approved. He then declared the meeting adjourned by unanimous consent.

Meeting adjourned at 12:01pm