

Where Treatment and Accountability Meet Justice



**The Minutes of the Meeting of the  
State Drug Treatment Court Advisory Committee  
October 18, 2018  
Richmond, Virginia**

**SUPREME COURT OF VIRGINIA  
Office of the Executive Secretary  
Richmond, Virginia**

## **State Drug Treatment Court Advisory Committee**

The Drug Treatment Court Advisory Committee (DTCAC) met at 10:00 am on Wednesday, October 18, 2018 in the 6<sup>th</sup> floor Courts Conference Center Room at the Supreme Court of Virginia. The Honorable Jack S. Hurley, Judge, Tazewell Circuit Court, Chair, presided.

The following members were present:

- Karl R. Hade, Executive Secretary, Supreme Court of Virginia
- Hon. Jack S. Hurley, Judge, Tazewell Circuit Court, Tazewell Drug Court
- Hon. Louise DiMatteo, Judge, Arlington Circuit Court, Arlington Drug Court
- Hon. Charles Sharp, Judge, Stafford Circuit Court
- Hon. Frederick Rockwell, Judge, Chesterfield County Circuit Court, Chesterfield/Colonial Heights Drug Court
- Hon. Sarah Rice, Judge, Franklin County Juvenile & Domestic Relations Court, Franklin County Juvenile Drug Court
- Charlene Motley, Commission on Virginia Alcohol Safety Action Program (VASAP)
- Maria Jankowski, Virginia Indigent Defense Commission (IDC)
- Cheryl Robinette, Drug Court Coordinator
- Susan Morrow, President, Virginia Association of Drug Court Professionals (VADCP)
- Hon. Judge Gary Hicks, Judge, Henrico County Circuit Court, Drug Court Judge
- Hon. David Carson, Judge, Twenty-Third Judicial Circuit
- Hon. Junius Fulton, Judge, Norfolk Circuit Court, Drug Court Judge
- Julie Truitt, Department of Behavioral Health and Developmental Services (DBHDS)
- Hon. Karl Leonard, Sheriff, Chesterfield County
- Nikki Clarke, Department of Social Services
- Hon. LaBravia Jenkins, Commonwealth's Attorney, City of Fredericksburg

The following guests were present:

- Hon. John Marshall, Judge, Henrico Circuit Court
- Gary Hughes, Director, Henrico Community Corrections

- Hon. David Lord, Commonwealth's Attorney Alexandria
- Liz Wixson, Director of Clinical and Emergency Services, Alexandria
- Eric Olsen, Commonwealth's Attorney, Stafford County
- Lori Trail, Drug Court Coordinator, Giles County Family Drug Court Docket
- Ashley Harrell, Senior Program Advisor, Department of Medical Assistance Services (DMAS)
- Susan Hart, Senior Policy Analyst, DMAS
- Keshawn Harper, DMAS

The following staff members were present:

- Paul DeLosh, Director, Department of Judicial Services, Supreme Court of Virginia
- Anna Powers, State Drug Court Coordinator, Department of Judicial Services, Supreme Court of Virginia
- Bre'Auna Beasley, Drug Court Analyst, Department of Judicial Services, Supreme Court of Virginia
- Lori Hogan, Administrative Assistant, Department of Judicial Services, Supreme Court of Virginia

## **WELCOME & INTRODUCTIONS**

Judge Hurley called the meeting to order and welcomed committee members, staff, and guests.

## **APPROVAL OF MINUTES**

Judge Hurley asked for any changes to the meeting minutes. After hearing no reply, he requested a motion to approve the minutes from the May 9, 2018 State Drug Treatment Court Advisory Committee meeting. A motion was made to approve the minutes as submitted. The minutes were unanimously approved.

## **PROGRAM PROCESS**

Judge Hurley invited Ms. Anna Powers to provide the statewide update on the progress and growth of the Virginia Drug Treatment Court Dockets. Several drug treatment courts have

either received federal funding or have participated in federal trainings. Ms. Powers reported that BJA awarded grants to various drug treatment courts for the next three (3) years. SAMSA awarded Rockingham and Richmond adult drug treatment court dockets \$300,000. Ms. Powers encouraged representatives from the Alexandria and Loudoun County Adult Drug Treatment Courts to apply for the 3 ½ day Adult Drug Court Planning Initiative (ADCPI) training conducted by National Drug Court Institute. The drug court programs that complete this training receive priority for federal grant awards. Ms. Powers also reported that Henrico, Prince George /Hopewell, and Richmond Adult Docket teams completed the Operational Tune-up training. Discussions regarding establishing a drug court have taken place in Nelson, Culpepper, Russell (juvenile) Counties, and Virginia Beach (district court). Lastly, Ms. Powers reported that the 2019 DMV grant has been awarded and planning for next year's training will begin in November.

### **HENRICO COMMUNITY ALTERNATIVE PROGRAM**

Judge Marshall and Mr. Gary Hughes discussed the Henrico Community Alternative Program. PowerPoint slides were distributed. The Henrico Community Alternative Program seeks to address the needs of those first-time drug offenders placed under the first offender 251 statute who violate pretrial probation with a positive drug screening. Also, Judge Marshall and Mr. Hughes reported that since contracting with AverHealth for drug testing, over 2,000 staff hours have been saved and clinicians are able to spend at least one (1) additional hour with each client per week.

### **VIRGINIA ASSOCIATION FOR DRUG COURT PROFESSIONALS**

Ms. Susan Morrow reported on the most recent Virginia Association for Drug Court Professionals (VADCP) meeting, which was held on October 17, 2018. Approximately 12 members and guests were present, and their lobbyist, Mr. Ron Jordan provided a legislative update. The VADCP will hold a strategic planning meeting on November 30, 2018 at the Indigent Defense Commission, and Mr. Jordan will facilitate. Judge Hurley encouraged members of the new drug treatment courts to join VADCP.

### **MEDICAID EXPANSION IMPACT FOR DRUG COURT DOCKETS**

To address concerns regarding the impact of Medicaid Expansion for drug treatment

court dockets, Judge Fulton introduced two employees from the Department of Medical Assistance Services. Highlights from the audiovisual presentation included the following:

- The expanded Medicaid coverage will begin on January 1, 2019.
- An estimated 400,000 additional Virginians, between 19-65 years of age) will be provided coverage.
- Virginians with drug convictions and/or charges are not prohibited from receiving coverage.
- Incarcerated Virginians may apply for Medicaid coverage while in jail.
- To receive reimbursements, providers must be licensed as a Medicaid provider.

## **COMMITTEE REPORTS**

### **EXECUTIVE COMMITTEE**

Judge Hurley invited members of the Virginia Drug Treatment Court Advisory Committee to participate in the Executive Committee meetings. The Executive Committee meets by phone at least once per month. The Committee aims to ensure that we monitor progress, continue the flow of information especially related to legislative happenings, funding and sustainability. The next Executive Committee meeting is scheduled for October 26, 2018 at 8:30 a.m. by conference call. He encouraged those interested in participating to contact Ms. Powers.

### **OPERATIONS COMMITTEE**

Judge DiMatteo shared information about the Alexandria Adult, Giles County Family, and Loudoun County Adult Drug Treatment Courts and their respective applications. Members of each drug court team were encouraged to provide additional information.

- **Alexandria Adult Drug Court Application**

Judge DiMatteo commended the Alexandria team on a thorough application. Because the Alexandria Adult Drug Treatment Court did not receive a federal implementation grant, the program will begin the implementation process with in-house resources and admit a maximum of five (5) participants. Judge DiMatteo encouraged the Alexandria team to contact her drug court docket and other surrounding drug court dockets for advice and resources. Ms. Powers also suggested that each member of the Alexandria team visit surrounding drug treatment court dockets.

Judge DiMatteo recommended the application to establish an Adult Drug Treatment

Court in Alexandria for approval. Judge Hurley posted a motion to approve the application. The motion passed unanimously.

- **Giles County Family Drug Court Application**

Ms. Lori Trail reported on behalf of the Giles County Family Drug Court. Ms. Trail reported that Giles County is implementing a pilot, due to concerns from the county. While the opioid epidemic has been contained, methamphetamine use has drastically increased. The family drug treatment court will work to keep families together while addressing the increased drug use.

Judge DiMatteo recommended approval of the application to establish a Family Drug Treatment Court in Giles County. Judge Hurley posted a motion to approve the application. The motion passed unanimously. Anna Powers suggested that members of the Giles County team visit surrounding family drug treatment court dockets.

- **Loudoun County Adult Drug Court Application**

Judge DiMatteo reported that the Loudoun County Adult Drug Treatment Court team was unable to attend the committee meeting. After a brief discussion, Judge DiMatteo recommend the provisional approval of the Loudoun County application contingent upon the team participating in ADCPI training and visiting surrounding drug treatment court dockets to ensure that best practices are implemented.

Lastly, Judge DiMatteo introduced the new Drug Court Dockets and emphasized the importance of developing, implementing, and evaluation programs that are aligned with national best practices.

## **PLANNING & DEVELOPMENT COMMITTEE**

Judge Fulton discussed the sustainability formula and the potential impact of funding cuts on existing drug treatment court dockets. Judge Hurley proposed a recommendation to establish the Sustainability Funding Committee as an official adhoc committee. Judge Hurley also requested all committee members to send any questions or comments about the sustainability formula to Ms. Anna Powers.

## **EVALUATION COMMITTEE**

Judge Sharp shared statewide highlights from fiscal year 2018. The number of active

participants in the adult, DUI, and family drug treatment courts increased, while the number of juvenile participants decreased. The overall graduation rate increased from the rate reported in fiscal year 2017, while the termination rate decreased. Adult recidivism rates decreased, while DUI recidivism rates increased from the prior fiscal year figures. Lastly, the cost savings generated by drug treatment court dockets increased by 13% in fiscal year 2018. The Evaluation Committee will meet in November to review and approve the 2018 Drug Treatment Court Annual Report.

#### **NEXT MEETING**

Judge Hurley reminded members that the next committee meeting is scheduled for Wednesday, May 8, 2019 at 2:00 PM. The second committee meeting of 2019 is scheduled for Thursday, October 17, 2019 at 2:00 PM.

Judge Hurley thanked everyone for coming. The meeting was adjourned.

Respectfully submitted,

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Hon. Jack S. Hurley, Judge