

SENATE CONCURRENT RESOLUTION NO. 12

BY SENATOR WARD

A CONCURRENT RESOLUTION

To create the Drug and Specialty Courts Commission to study and evaluate the utilization of opioid settlement funds for the expansion and optimization of drug and specialty courts in Louisiana.

WHEREAS, the state of Louisiana and its citizens have been, and continue to be, plagued by an epidemic related to the overuse and abuse of opioids, causing countless deaths, health issues, addiction to opioids and other substances, as well as increased criminal activity related thereto; and

WHEREAS, the state of Louisiana is currently involved in litigation and negotiations with numerous manufacturers and distributors of opioid products as a result of the damage and injury to the state of Louisiana and its citizens caused by these opioid products; and

WHEREAS, the state of Louisiana expects to receive substantial funds from the settlement of opioid litigation to mitigate the damage and injury to the citizens of Louisiana and to protect and improve the health and safety of the citizens of Louisiana; and

WHEREAS, the state of Louisiana has, and continues to utilize, drug and specialty courts throughout the state to provide early intervention, counseling, and treatment for citizens with substance abuse disorders which have contributed to the commission of certain crimes; and

WHEREAS, the early intervention and treatment modalities utilized by Louisiana drug and specialty courts have shown great success with providing treatment for substance abuse disorders, improving outcomes for participants, and reducing recidivism among participants; and

WHEREAS, the strong correlation between substance abuse disorders and criminal activity require any settlement funds be targeted to address these issues.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby create the Drug and Specialty Courts Commission to study and evaluate the utilization of

opioid settlement funds for the expansion and optimization of drug and specialty courts in Louisiana and to recommend any legislative changes necessary to provide for early intervention and treatment of citizens of Louisiana with substance abuse disorders who become involved in the criminal justice system in Louisiana as a result of such substance abuse disorders.

BE IT FURTHER RESOLVED that the commission shall be composed of the following members:

- (1) The speaker of the Louisiana House of Representatives, or his designee.
- (2) The president of the Louisiana Senate, or his designee.
- (3) The attorney general, or his designee, who shall serve as chair, and one additional member appointed by the attorney general from his staff.
- (4) The chief justice of the Louisiana Supreme Court, or her designee.
- (5) The executive director of the Louisiana District Attorneys Association, or his designee.
- (6) The president of the Louisiana Sheriffs' Association, or his designee.
- (7) The executive director of the Police Jury Association of Louisiana, or his designee.
- (8) The president of the Louisiana District Judges Association, or his designee.
- (9) One specialty court judge selected from the veterans, mental health, or re-entry courts appointed by the chief justice of the Louisiana Supreme Court.
- (10) One drug court judge appointed by the chief justice of the Louisiana Supreme Court.
- (11) One staff member of the Louisiana Supreme Court Drug and Specialty Court Office.
- (12) One member of the Louisiana Public Defender Board.
- (13) The executive director of the Louisiana Highway Safety Commission, or his designee.

BE IT FURTHER RESOLVED that a majority of the membership of the commission shall constitute a quorum. The commission shall meet at the call of the chair or upon an affirmative vote of a majority of the members. All members shall be notified in writing of

all meetings at least five days before the date on which a meeting of the commission is scheduled.

BE IT FURTHER RESOLVED that meetings of the commission shall take place at the Louisiana State Capitol, or upon a vote of the majority of the commission members, such meetings may be conducted by video conference when circumstances necessitate the conduct of such meetings in that manner. The first meeting of the commission shall take place no later than August 1, 2020. The Department of Justice shall provide staff support for the commission.

BE IT FURTHER RESOLVED that the duties of the commission shall include but not be limited to all of the following:

(1) Evaluate the data received by the Louisiana Supreme Court Drug and Specialty Court Office with regards to the operation and results of the drug and specialty courts in Louisiana.

(2) Evaluate and develop a plan for increasing the number of individuals screened for eligibility and suitability for drug and specialty court programs in Louisiana.

(3) Analyze the resources necessary for, and costs associated with, increased screening and increased utilization of drug and specialty court programs as well as the sources requiring those resources.

(4) Recommend the amount of funds necessary and the recipients of those necessary funds for the increased screening and utilization of drug and specialty court programs in Louisiana.

BE IT FURTHER RESOLVED that the commission may request and collect relevant and necessary data and information to accomplish its purposes from state and local government agencies, including courts.

BE IT FURTHER RESOLVED that the entities and court systems from which such information and data is requested may, to the extent feasible, provide such information and data to the commission at no cost.

BE IT FURTHER RESOLVED that the commission shall prepare and submit a report of its findings and policies and legislative recommendations to the speaker of the House of Representatives and the president of the Senate no later than February 1, 2021, and

any further reports or recommendations thereafter as requested by the legislature or as advised by the commission.

BE IT FURTHER RESOLVED that the commission shall cease to exist upon an affirmative vote of the members, but no later than June 1, 2021.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to each of the commission members and the appointing entities provided in this Resolution.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES