

**Special Meeting of the
Board of Commissioners**
February 1, 2016
Department of Corrections, Manchester, NH

Minutes of the Public Session
(Not Official until Approved by the Board and signed by the Clerk.)

Present: Comm. Ziehm, Comm. Holden, Comm. Pappas, J. Hardy, D. Hogan, R. Dobles, G. Fisher, W. Scurry, D. Ryan, C. Kirby, M. Castonguay, G. Wenger, C. Monier, and L. Stonner.

CALL TO ORDER

Comm. Ziehm called the meeting to order at 9:10 a.m.

PLEDGE OF ALLEGIANCE

Supt. Dionne led those present in the Pledge of Allegiance.

DISCUSSION – DRUG, OPIOID CRISIS

Mr. Wenger was recognized and opened the discussion by reviewing the process that has brought the group to the point of presenting a recommendation to the Board offering an opportunity to enhance the County's response to the opioid crisis. He explained that following the Drug Court discussions that took place at the end of the previous budget process, and at the Commissioners direction, a series of meeting took place including representatives of the Department of Corrections, Sheriff's Department, County Attorney's Office, and Legal Counsel. He noted that the focus of the discussions was to look at and study a County driven response to the crisis focused on the role and responsibilities of the County and its intersection with the crisis. He explained that today's meeting will provide an opportunity for the Board to learn about a program proposal, to consider options and opportunities for the County, and to consider the direction the Board will take moving forward. Mr. Wenger explained that should the Board determine to move forward, the program could possibly be operational by April 1st using funds available in the current budget. Moving forward he noted that the recommendation will be to create a new department budget for consideration during the FY 17 budget process. He indicated that the process to move the project forward will require initial Board approval followed by Executive Committee approval of the positions that are being requested and the costs associated with them.

Mr. Wenger reviewed previous diversion and re-entry programs that had been funded by the County noting that the program that was very similar to the project being presented today was eliminated in 2012 following a determination that it was not a core County responsibility. He reviewed the Re-entry Program operating within the County Attorney's office from 2008 to 2010 and the Alcohol & Drug Diversion Program operated out of the Human Services Department from 2010 to 2012. He noted that the Human Services program included a LADC (Licensed Drug & Alcohol Counsellor), Case Managers, and Five additional employees

Mr. Wenger noted that a grant-funded Drug Court was established in Nashua by the State that involves the participation of the Department of Corrections, County Attorney's office and the Sheriff's Department.

Supt. Dionne was recognized to introduce the program proposal. He thanked Attorney Kirby, Attorney Hogan, Mr. Wenger, Sheriff Hardy, Chief Deputy Fisher, D. Ryan, K. Broderick, and S. Mulligan who met several times to develop the proposal for a substance abuse treatment program for offenders at the DOC.

Supt. Dionne discussed the details of a proposed substance abuse program for offenders that are incarcerated. He noted that the State and County is in the midst of a drug crisis/epidemic and there are not enough treatment centers/programs and beds for offenders. He added that with the Board's approval, and that of the Executive

Committee, he will implement a 60-day in-house treatment program at the DOC. He added that the program will include continuing support through an aftercare program to follow the individuals into the community. Supt. Dionne explained that upon approval he will move forward and reach out to the agencies and shareholders that the program will work with to network and provide information and then kick off the program. The type of agencies and shareholders he foresees working with the program would include the Courts, Judges, Public Defenders, Private Counsel, Prosecutors, Treatment Centers, and leaders across the community. He added that he cannot make those contacts until the program, which will be called the “Substance Abuse Treatment Community for Offenders (SATCO),” is approved.

Supt. Dionne offered an overview of how he foresees the program operating. He explained that when the Court recommends SATCO, staff will evaluate and interview inmates for the 60-day program. He noted that initially, this will be a pilot program because it is not funded in the FY16 budget, but added that the funding should be available through a transfer to begin the program on approximately April 1st at an estimated cost of \$80,000 through the end of the current fiscal year. He explained that for the program to continue the employee positions must be approved by the Executive Committee and the program will need Executive Committee and Delegation support for funding the program in the FY 2017 budget and beyond.

Supt. Dionne informed the Board that he expects the funding needed for the next fiscal year to be between \$350,000 and \$360,000. He explained that the program would initially include 30 to 35 inmates in the 60-day program; the program will run Monday through Friday; the plan at this time is to utilize one of the housing units for the program. He added that the DOC is required to run separate programs for the men and the women.

Supt. Dionne noted that the goal is to run a successful 60-day program, and then those who meet the criteria will be fitted with a bracelet and provided assistance to search for a job, obtain safe housing, and attend follow up treatment at a treatment center. The bracelet would allow the DOC to know where the individual is at all times and will send an alarm when the person is not where he/she is supposed to be. Additionally, he noted that while an inmate is incarcerated, he/she loses his Medicaid, but once released after the 60-day program on the bracelet the Medicaid will be reinstated. He added that there will be a staff person who will assist the program participants to secure housing and employment, re-connect with Medicaid or Social Security, and connect with a treatment center. He noted that the DOC would have the option of following up with an individual for up to a year.

Supt. Dionne explained that the DOC is currently holding several inmates on drug-related charges including 33 females that are pre-trial, 6 females that have been sentenced for drug charges, 70 males that are pre-trial and 25 males that have been sentenced. Supt. Dionne explained that there are 95 males and 35 females who may qualify and could be assessed for the program if the proposal is approved; there are 134 inmates who are at the facility for drug related charges. He emphasized that these numbers do not include those who have been sentenced for other charges, such as robbery, whose offense was also related to substance abuse but is not a drug charge.

Supt. Dionne explained that he program will be initially staffed by the following positions; Program Director, Case Manager, Lead LADC (Licensed Drug & Alcohol Counsellor), LADC and Job Development Specialist. He requested the Board’s approval of the following new positions required for the program:

- 1-Case Manager
- 1-Lead LADC (Licensed Drug & Alcohol Counsellor)
- 2-LADC’S
- 1-Job Development Specialist who will help the inmate with insurance, employment, and housing before release

Supt. Dionne distributed a Draft SATCO Proposal and policies that relate to the program.

In response to a question from Comm. Pappas regarding Medicaid and health insurance, Supt. Dionne explained that while the individuals are incarcerated, there is no Medicaid coverage. It will kick in again once they leave the DOC (as long as they are compliant with the program and remain in the community). He explained that many inmates also have mental health issues and many are repeat offenders.

Discussion ensued about the drug crisis in New Hampshire and how the media has given the issue more coverage this year, and it was noted that the politicians are certainly more aware of the issue.

Supt. Dionne noted that last year; \$28,000,000 that was intended to address drug and alcohol issues in the State was diverted out of those programs in order to balance the State's budget. He added that the State continues to pass expenses down to the County.

Supt. Dionne added that while the State is proposing Drug Courts in all the Counties, it is only proposing funding for 2 years and a concern is that the State will make the Counties responsible for funding those Drug Courts after the 2-year period. He explained that it is his belief that the State is responsible for all the Courts, including the Drug Courts, and it makes much more sense for the County to operate the SATCO program at the DOC that will have more program content and a component that includes follow up and monitoring that goes beyond that of the Drug Courts. A key factor to consider is that the SATCO program will be part of the County's operation while the State Drug Courts are controlled by the State.

Supt. Dionne introduced R. Dobles, LADC, who spoke about the details of the 60-day program.

Mr. Wenger noted that he sees this as a program that will be available to individuals at an earlier stage of the substance abuse cycle. He noted that the Drug Court involves individuals who are multiple offenders or high risk/high need whereas individuals in the SATCO program will be seen earlier in the abuse cycle than those participating in the Drug Court.

Supt. Dionne spoke about Manchester's Police Chief testifying before the Senate to address the drug crisis; he added that the "Comprehensive Addiction & Recovery Act" that is before Congress would fund opioid abuse prevention and education nationwide in the amount of \$70,000,000 a year and would expand the use of Narcan and fund treatment programs for incarcerated addicts. He added that he anticipates that there will be funds available in the next year to help fund the proposed program.

Supt. Dionne observed that he estimates that the Drug Court in Nashua has experienced approximately 645 sanction days at his facility in the last 8 months; he explained that sanction days are issued when an inmate violates any of the Drug Court rules. He added that inmates have served those 645 days at the DOC; however, those inmates were sentenced to the State Prison. He added that it is his belief that since the inmates are serving a State Prison sentence, and it is a felony Drug Court that is State controlled, they should be returned to the State Prison to serve the sanction days and not to the County's jail; another example of costs being passed down to the County.

Comm. Holden reported that she and Comm. Ziehm attended a walk-through of Harbor Homes. She added that she learned that Nashua Mental Health does not have the staff that it did formerly.

Supt. Dionne added that there is a lack of counselors as well as a lack of beds and funding, and counselors have been leaving for more reliable jobs.

Comm. Holden observed that aftercare is an important part of the proposed program.

Supt. Dionne noted that at a recent meeting when Mayor Gatsas was present, the Mayor stated that he had 70 jobs available for recovering addicts; the Superintendent noted the he will follow-up on that promise. Supt. Dionne added that he also has relationships with companies that hire inmates when they are released.

Ms. Dobles spoke about the SATCO program. She explained that it will be a 60-day program with a strict follow up component and added that the program would provide the following components:

- treatment for substance abuse in addition to a mental health component (addressing high risk behaviors, relapse prevention, and self-help groups to develop group cohesion and mutual support)
- Seeking Safety, which is an evidence-based program that follows up on substance abuse and has a trauma component
- Nurturing Parenting
- Anger Management
- Self-Care (hygiene, nutrition, sleep patterns)
- Healthy Relationships

Ms. Dobles explained that a housing specialist will help program participants obtain housing, but noted that it is a challenge because housing is limited in the area.

Capt. Scurry noted that aftercare will be a great benefit for the participants; they will have better monitoring and supervision and their lives will be more structured. He added that family intervention is a part of the issue; many individuals have lost their family support but once they are “back on track,” the family support is likely to return.

Sheriff Hardy noted that he also believes that Drug Courts should be funded by the State. He commended the Superintendent and his team for the work done to develop the program proposal. He added it is his belief that this would be an effective program that targets offenders early on and would be a positive use of County funds, and it would result in greater success and be a very effective compliment to the State’s Drug Court.

Comm. Ziehm noted that she favored the accountability that is part of the program and added that it should contribute to the program’s success.

Comm. Holden noted that perhaps it is time for the State to face up to its responsibilities and not continue to use the Counties as a crutch. She stressed the importance of the Representatives wearing their County hat as well as the State hat and added that this is a better program for Hillsborough County residents as opposed to funding programs that are controlled by the State.

Comm. Pappas asked about marketing the program. Supt. Dionne explained that he would meet with the stakeholders and added that he would prefer to have the program recommended by the Court. Comm. Pappas asked how “detox” would fit into the program. D. Ryan, DOC Nurse, explained that the inmate would typically remain on detox for up to 10 days before being admitted to the program.

Comm. Ziehm asked about follow-up after the 60-day program. Supt. Dionne explained that after the in-house program, the inmate would be considered to be on “Alternative Home Incarceration” with a bracelet; but would still be considered to be under the DOC’s supervision until they complete their sentence. The inmates would be able to go out to work and if they returned home, DOC staff would go out to supervise them and conduct random drug tests, additionally the inmates would be required to come to the Jail on Thursdays to provide their schedule for the coming week. He added that the bracelet would alert the DOC staff if the inmate is not where he/she is supposed to be.

Mr. Wenger explained that after the Board has the opportunity to consider the program and the discussion that has taken place, and it will be asked to:

- authorize the Superintendent to continue pursuing the program;
- approve the assignment of the Program Director, noting that this responsibility will be incorporated into the role of any existing position;
- approve the creation of five new positions and the four associated Position Descriptions:
 - 1-Case Manager
 - 1-Lead LADC (Licensed Drug & Alcohol Counsellor)
 - 2- Clinician LADC'S
 - 1-Job Development Specialist

In response to a question from Comm. Ziehm, R. Dobles, LADC, explained that the Lead LADC would be the person who would answer to Capt. Scurry, Program Director, and would help develop the program, and make sure it is running smoothly as well as providing supervision to the other LADC'S.

Capt. Scurry explained that the Case Manager would assess the inmates to determine their needs and the type of program they should be referred to. The Case Manager will develop a plan and work with Ms. Dobles or one of the Clinicians to determine the direction staff will take with the inmate. The Job Development Specialist will work to help the inmate secure a job and housing on the outside once they are ready for the follow-up program; the Job Development Specialist will also work with the inmate to re-enroll in Medicaid, Social Security and other benefits, as appropriate.

Mr. Wenger noted that Board approval is needed to further pursue the program and to create the positions (which would also require Executive Committee approval). He explained that it could possibly start by April 1st; he recommended funding the program through the Department of Corrections for the current year and developing a separate SATCO Budget for this program for FY 2017 and forward with a goal of support for the program in the future.

Discussion ensued relative to the approval process and the hope that the Executive Committee would support the program for current and future fiscal years.

Mr. Wenger spoke about the costs to the County associated with its current participation and support role in the operation of the of the Nashua Drug Court program including;

- Housing inmates, most frequently carrying State Prison sentences, while serving sanction days at the DOC;
- additional time commitments of the County Attorney required for Drug Court cases and the associated loss of time to attend to other cases resulting in increasing caseloads;
- additional travel required by the Sheriff's Department to transport participating individuals,
- additional cost to the DOC for medical exams, etc.

Mr. Wenger noted that once the Superintendent has approval, he can begin networking with the stakeholders.

Supt. Dionne reported that Chief Justice Nadeau and Judge Brown have asked to meet with him, but he suggested that the meeting should occur at a Board of Commissioner's Meeting. The Board favored the meeting being held during a Board of Commissioner's meeting and agreed to invite Chief Justice Nadeau and Judge Brown to a Board meeting.

The Board agreed to take the proposal under advisement and to address the recommendation at its meeting the following Wednesday.

ADJOURN

There being no further business to come before the Board, a motion to adjourn was entertained.

Motion:

To adjourn the meeting. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

The meeting adjourned at 10:16 a.m.

Approved on March 16, 2016

Comm. Toni Pappas, Clerk
Hillsborough County Board of Commissioners

Date