



Changing Landscape of Substance Abuse and its Impact on Supervision

DCA Training Institute 2022

Presenters



Joselyn López

ICAOS Training Chair
Wisconsin Commissioner



Holly Busby

ICAOS Ex-Officio
Chief, National Institute of
Corrections, Community
Services Division



Jeremiah Stromberg

ICAOS Chair
Oregon Commissioner

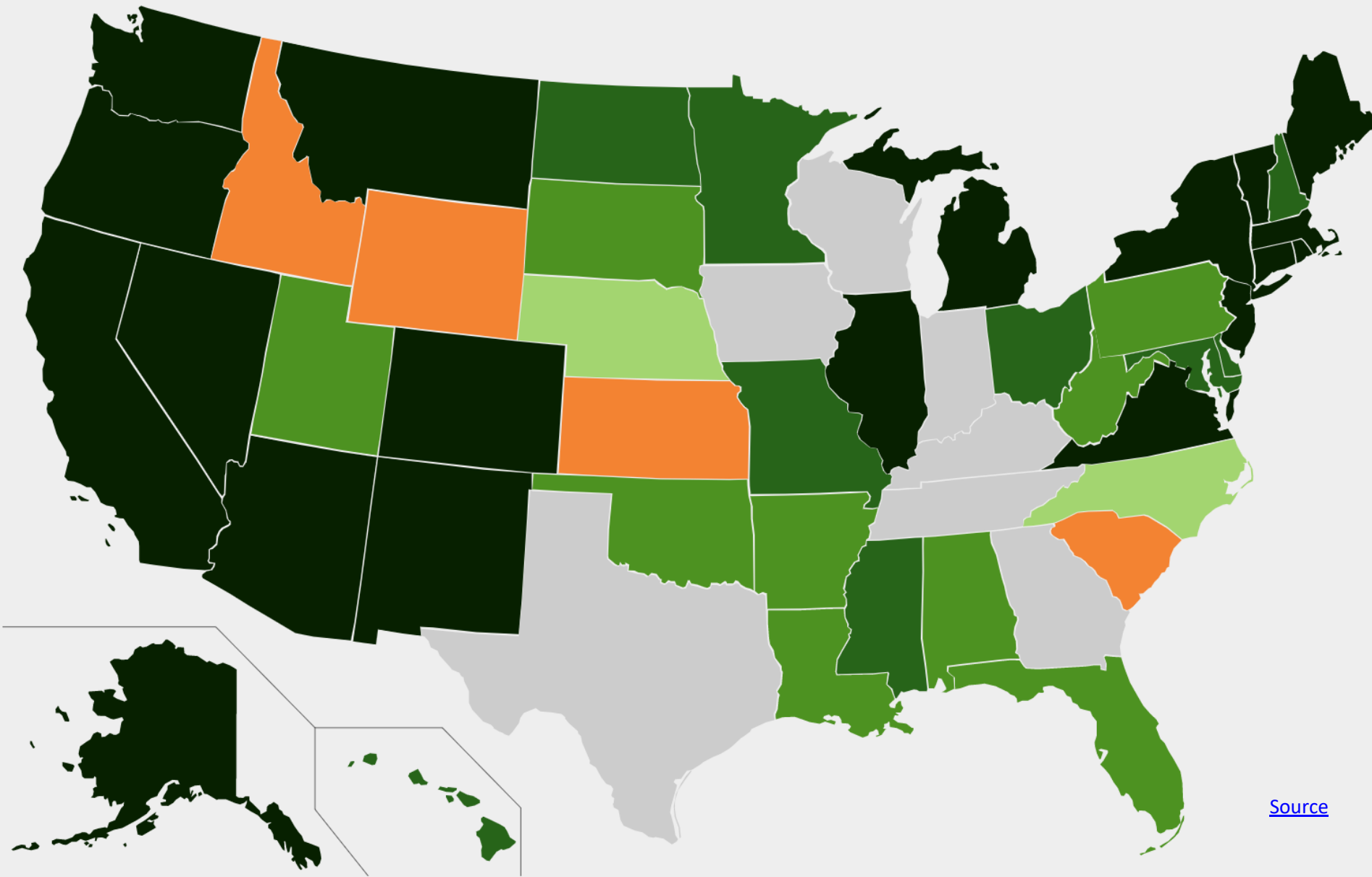


Mary Kay Hudson

ICAOS Rules Chair
Indiana Commissioner



● Legalized ● Medical and Decriminalized ● Medical ● Decriminalized ● CBD with THC Only ● Fully illegal

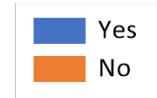


Reflects current laws
(Sept 2022)

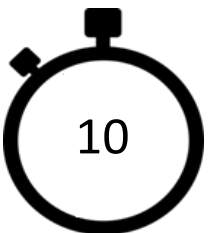
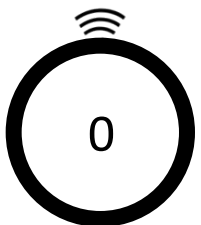
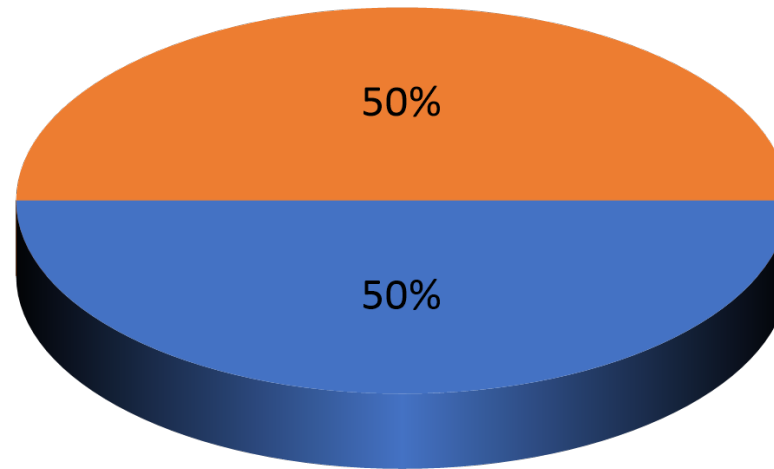
Does not include pending legislation or future dates when marijuana will be available for medicinal or recreational purposes.

[Source](#)

Do you know the difference between decriminalization and legalization?



1. Yes
2. No





Decriminalization

Decriminalization means that a once-banned drug is still prohibited by law, but the legal system will no longer prosecute or criminalize a person for carrying under a certain amount.

Legalization

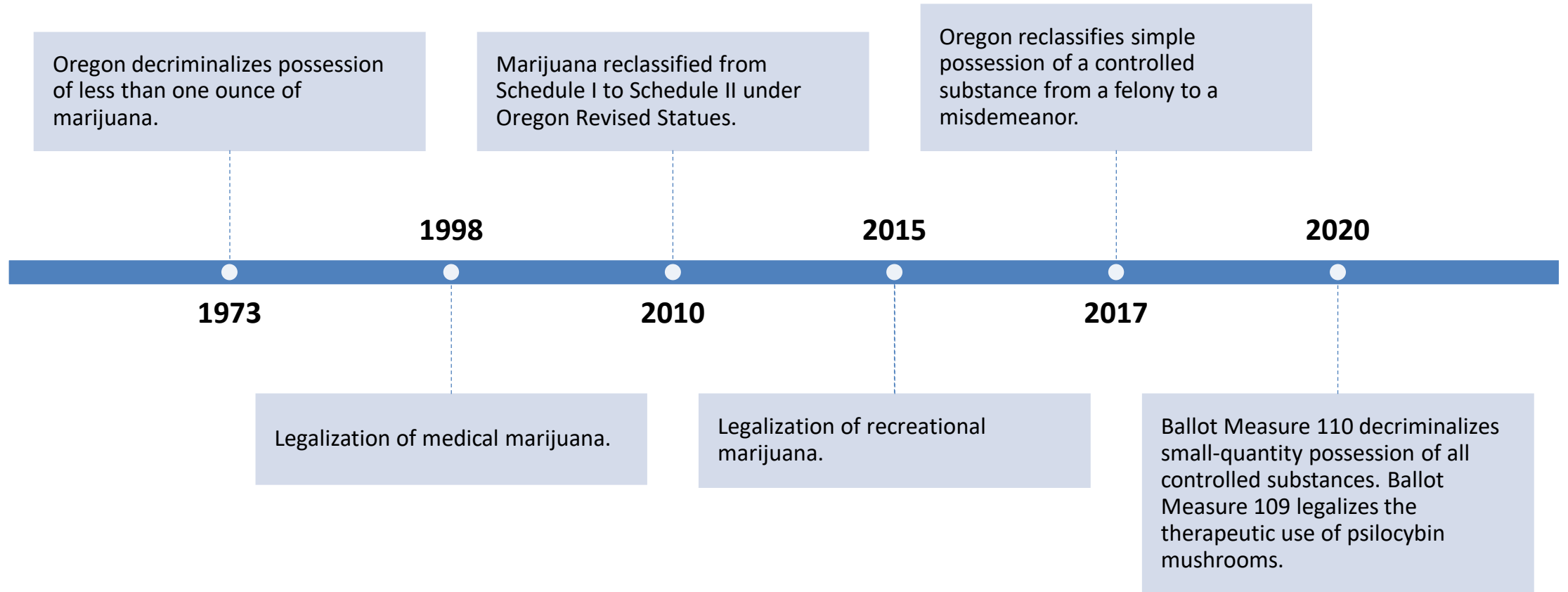
Legalization means that a once-banned drug is made legal, under federal or state law.

Current Practices

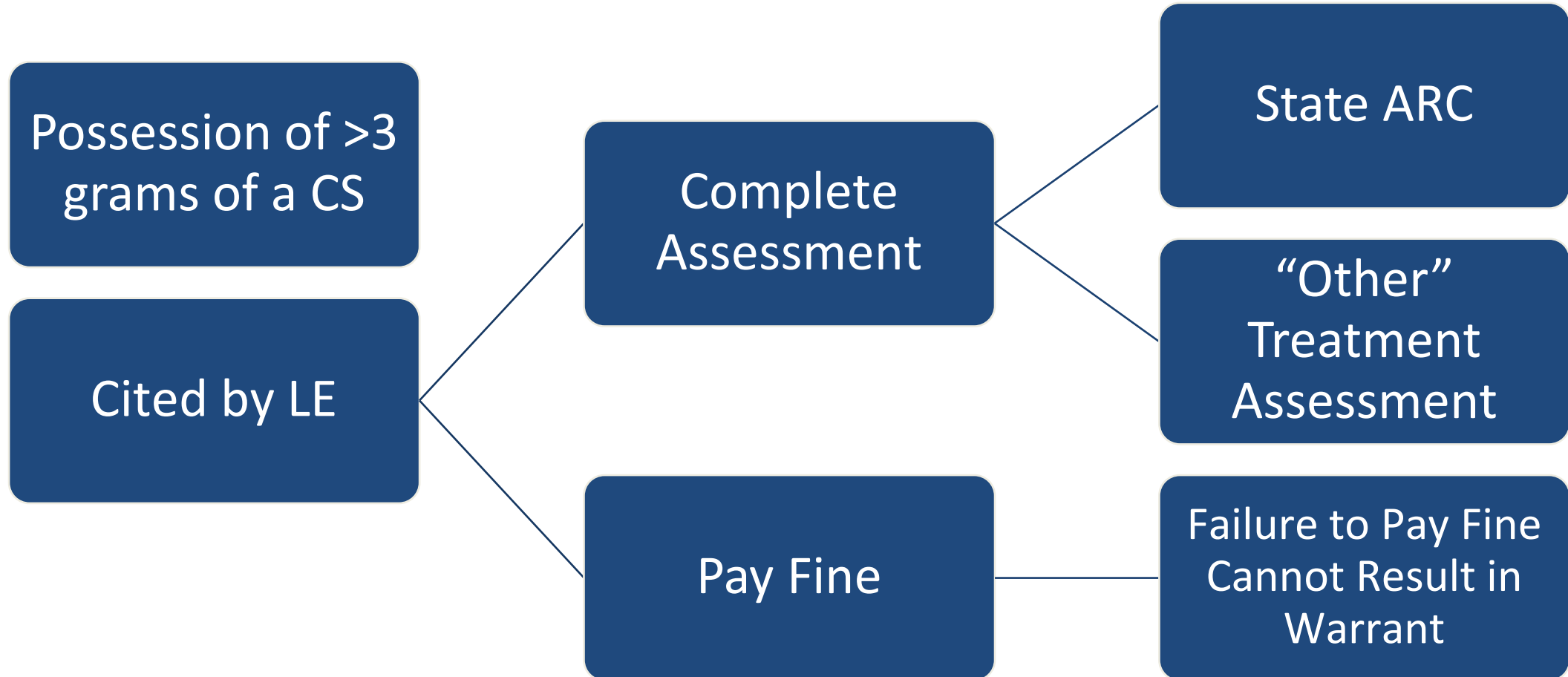


Oregon

History of Legislation



Ballot Measure 110 Process





Oregon's State Assessment Recovery Centers (ARC)

Evidence Informed
Practices.

Trauma and culturally
responsive
programming.

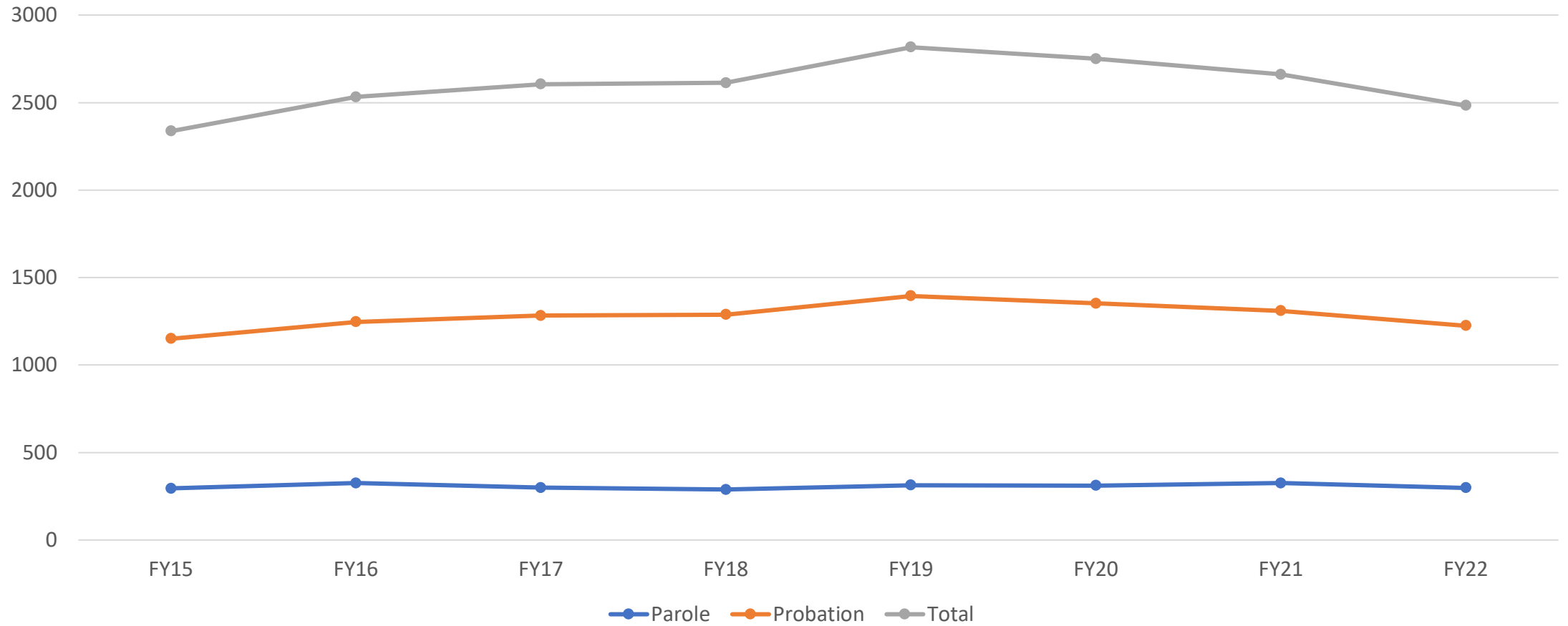
Patient centered and
non-judgmental.

Harm reduction model.

Services must be
provided without
employing coercion,
shame, or requiring
abstinence.

Initial minimum
funding of \$57 million
for all centers.

Oregon Incoming Transfers FY15-FY22



Oregon Supervision of Compact Clients

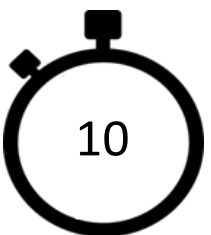
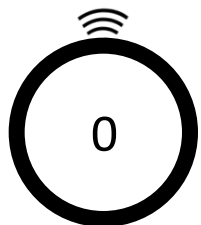
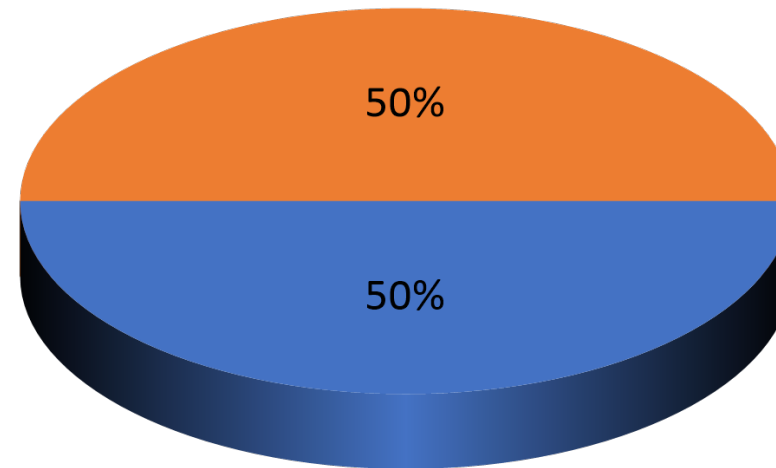
- Accepts all drug possession offenses that meet Compact eligibility
- Funding continues to be provided to Supervise, Sanction, and Serve this population
- Conditions related to “no possession or use” and “complete SUD program” are enforced
 - If no such conditions apply, the individual will be afforded the same responses as all other state citizens



For states that have not decriminalized, have your supervision policies changed in recent years regarding client's drug use?



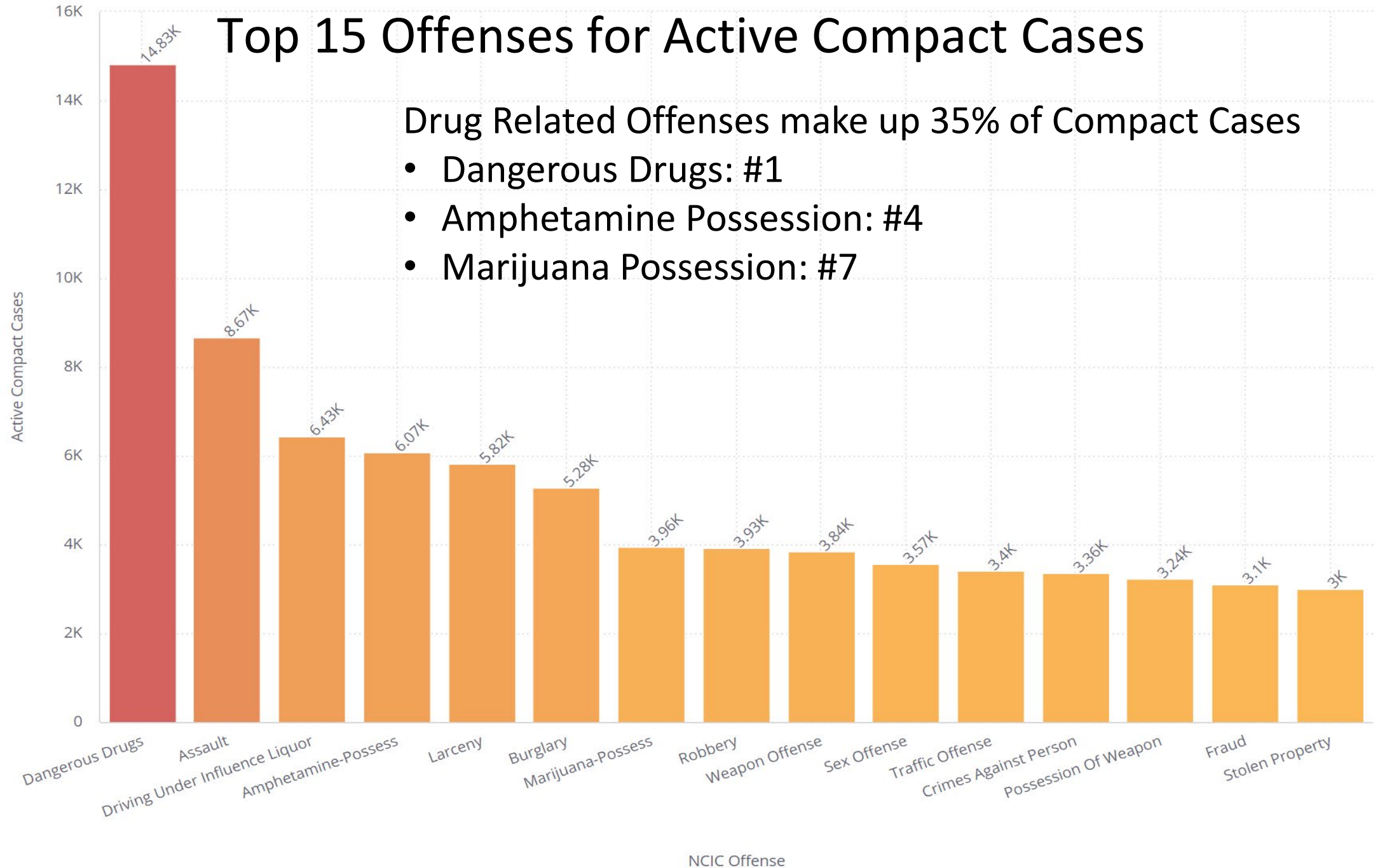
1. Yes
2. No



Top 15 Offenses for Active Compact Cases

Drug Related Offenses make up 35% of Compact Cases

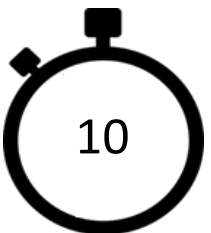
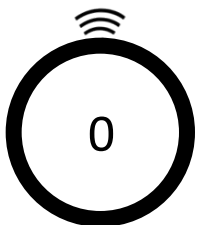
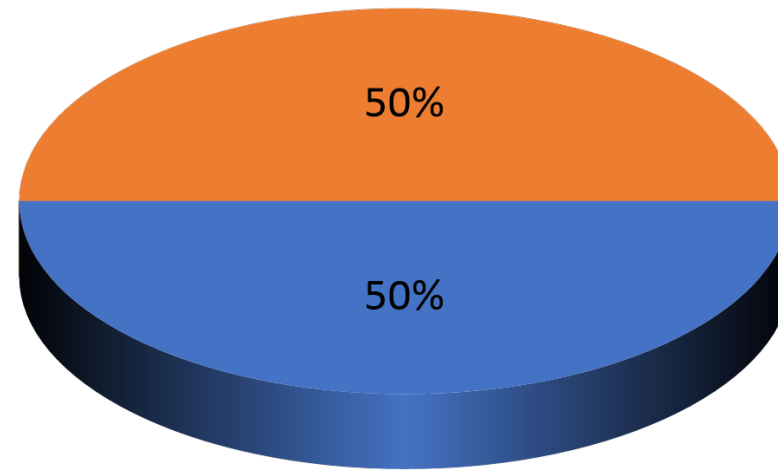
- Dangerous Drugs: #1
- Amphetamine Possession: #4
- Marijuana Possession: #7



Do you think decriminalization affects the number of early discharges of supervision for the compact population?



1. Yes
2. No



Adven 5mg THC / 10mg CBD Capsules

Store Below 25°C

BN: R [REDACTED]

Keep out of sight and reach of children

Manufactured by [REDACTED] River

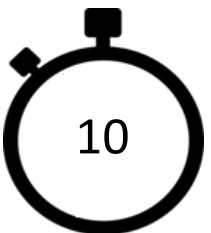
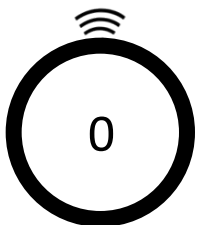
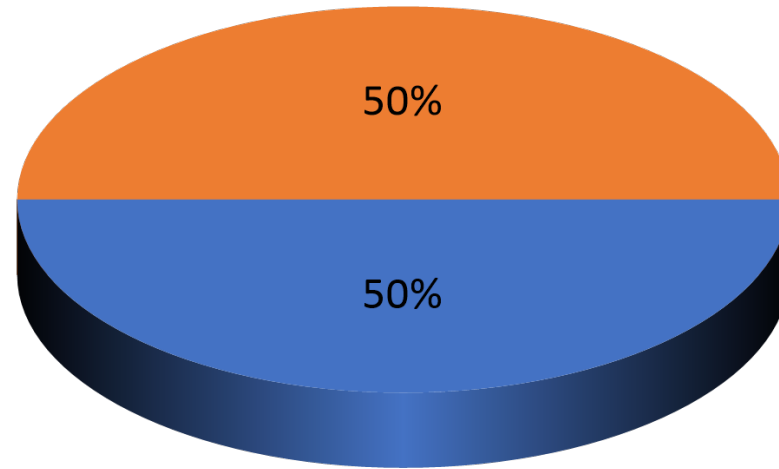
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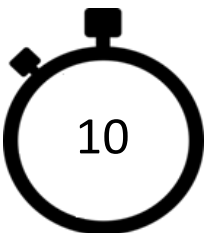
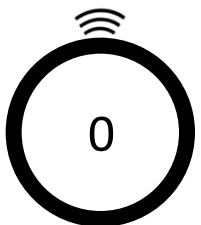
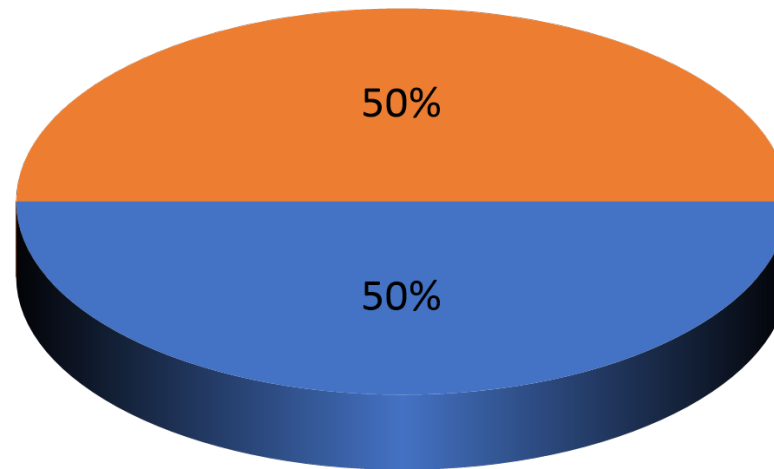
Would a client be permitted to use medical marijuana in a receiving state even if the sending state's order prohibits it?

1. Yes
2. No



Are sending states revoking supervision when treatment in the receiving state fails?

1. Yes
2. No



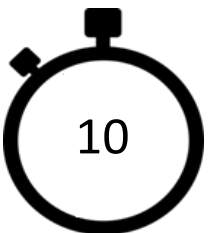
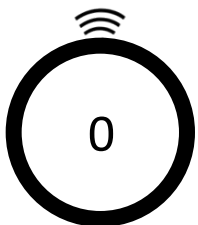
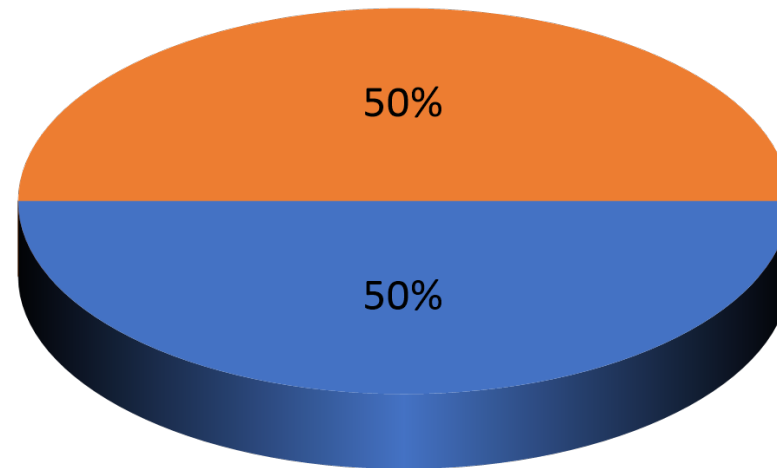


Rule Considerations

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correct conduct in
Parliament and
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of laws (eg M
court. Notary
to the law. can

Do the Commission's rules adequately address how to handle cases involving states with different laws?

1. Yes
2. No



Violation Scenario

- › Client transferred in Aug 2019, had numerous violations for drug use and failed to comply with treatment
- › Client absconded in March 2021
- › April 2021, client was apprehended on new charges and sending state's warrant
- › In consultation with the receiving state's court, judge allowed the client to furlough to treatment contingent on the sending state cancelling its warrant
(Successful completion of treatment would determine whether the client would return to jail/court in the receiving state on the new charges)
- › Sending & receiving state agreed that treatment was in the best interest of client. Retaking did not occur.
- › Once a bed was available, the sending cancelled its warrant and receiving state resumed supervision
- › Treatment was completed successfully, and client remains on supervision in receiving state

Transfer Scenario

- › Jan 2022 client convicted of felony possession of marijuana & sentenced to 1 year probation
- › Client lived in receiving state at the time of sentencing & qualifies as 'Resident' (RI's approved) for mandatory transfer
- › Client has a medical card in the receiving state
- › Multiple transfers (over the course of 6+ months) rejected due to medical marijuana discovery during investigations
- › Receiving state indicates client must have written permission (signed by the sentencing judge in sending state) to use medical marijuana as condition to approve transfer
- › Sending state unable to obtain permission as medical marijuana is not available in the sending state, but would not revoke for use
- › As of mid-Aug, client remains in receiving state without an approved transfer and less than 5 months remaining of supervision

Medical Scenario

- › Client had prior compact case (also for drug possession) from July 2020 to Aug 2021
- › Sept 2021 obtained new drug possession charge resulting in conviction and new transfer in May 2022
- › July 2022 receiving state officer inquired about the use of medical marijuana as receiving state clients are permitted to use.
- › Sending state refused to approve per conditions of supervision.



Harm Reduction
Practices



Facilitating Behavior
Change



Public safety balance



Have conversations in
your region meeting

