

2020 First Extraordinary Session

SENATE CONCURRENT RESOLUTION NO. 12

BY SENATOR WARD

COURTS. Creates the Drug and Specialty Courts Commission.

1 A CONCURRENT RESOLUTION

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

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

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

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

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

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

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

7           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
8 create the Drug and Specialty Courts Commission to study and evaluate the utilization of  
9 opioid settlement funds for the expansion and optimization of drug and specialty courts in  
10 Louisiana and to recommend any legislative changes necessary to provide for early  
11 intervention and treatment of citizens of Louisiana with substance abuse disorders who  
12 become involved in the criminal justice system in Louisiana as a result of such substance  
13 abuse disorders.

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

16           (1) The speaker of the Louisiana House of Representatives, or his designee.

17           (2) The president of the Louisiana Senate, or his designee.

18           (3) The attorney general, or his designee, who shall serve as chair, and one additional  
19 member appointed by the attorney general from his staff.

20           (4) The chief justice of the Louisiana Supreme Court, or her designee.

21           (5) The executive director of the Louisiana District Attorneys Association, or his  
22 designee.

23           (6) The president of the Louisiana Sheriffs' Association, or his designee.

24           (7) The executive director of the Police Jury Association of Louisiana, or his  
25 designee.

26           (8) The president of the Louisiana District Judges Association, or his designee.

27           BE IT FURTHER RESOLVED that a majority of the membership of the commission  
28 shall constitute a quorum. The commission shall meet at the call of the chair or upon an  
29 affirmative vote of a majority of the members. All members shall be notified in writing of  
30 all meetings at least five days before the date on which a meeting of the commission is

1 scheduled.

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

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

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

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

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

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

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

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

27 BE IT FURTHER RESOLVED that the commission shall prepare and submit a  
28 report of its findings and policies and legislative recommendations to the speaker of the  
29 House of Representatives and the president of the Senate no later than February 1, 2021, and  
30 any further reports or recommendations thereafter as requested by the legislature or as

1 advised by the commission.

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

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

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Alan Miller.

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DIGEST

SCR 12 Engrossed

2020 First Extraordinary Session

Ward

Creates 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.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the  
original bill

1. Adds the following members to the commission:
  - a. The executive director of the Police Jury Association of Louisiana,  
or his designee.
  - b. The president of the Louisiana District Judges Association, or his  
designee.