



CITY OF SOMERVILLE, MASSACHUSETTS

CLERK OF COMMITTEES

March 6, 2019

REPORT OF THE PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

Attendee Name	Title	Status	Arrived
Jesse Clingan	Chair	Present	
Stephanie Hirsch	Vice Chair	Present	
Matthew McLaughlin	Ward One City Councilor	Present	

Others present: Maria T. Abascal - Clerk Magistrate - Somerville District Court, Sheila Casey - Trial Court - Boston, Marian Ryan - District Attorney - Middlesex County, Chief David Fallon - SPD, Doug Kress - HHS, Mary Cassesso - CHA, Wig Zamore, Cathy Betts - CHA, Meghan Kelly - District Attorney's Office, Patty Contente - SPD, Annie Connor - Legislative Liaison, Kimberly Wells - Assistant Clerk of Committees.

The meeting took place in the Committee Room and was called to order at 6:04 PM by Chairman Clingan and adjourned at 8:12 PM.

Approval of the February 5, 2019 Minutes

RESULT:	ACCEPTED
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205496: That the City Clerk invite the Clerk Magistrate of the Somerville District Court to meet with the Committee on Public Health and Public Safety to discuss drug courts.

Chair Clingan invited Middlesex District Attorney (DA) Ryan to explain drug courts. DA Ryan detailed that drug courts are designed for individuals who are at a high risk to re-offend. It is completely voluntary, and is also difficult, with 4 stages designed to be completed in 18 months to 2 years. The design is such that a judge, police officers, district attorneys and other involved parties would see the same individuals over time. This allows the planning and follow-up to remain consistent as defendants earn their way through the 4 steps. It is possible that a person could go to regular court and receive a less onerous sentence.

There are 7 drug courts in the 12 district courts in Middlesex County. The trial court has a 5 year plan for specialty courts. The state now has 25 drug courts and is shifting its focus to other specialty courts. The Lowell drug court is the only one that was not part of the state's plan but was created in response to community need. DA Ryan noted that they would be happy to allow a defendant to move their case to another drug court (e.g. Cambridge). Additionally, there has been a 4% decline in fatal overdoses across the state, but 12.6% in Middlesex County, due in large part to the collaboration across the county and hospital-based task forces that meet monthly.

Chair Clingan asked for clarification on how the decision is made about whether an individual is sent to drug court. DA Ryan shared that the arresting officers may suggest that a person is a good candidate, but the decision is the offender's. Nobody who wants to attend drug court will be turned away.

Sheila Casey, of the Executive Office of the Trial Court, added that there will be 10 drug courts opened this year, along with 2 other specialty courts. Ms. Casey noted that the courts are county based with the idea that they will draw from the entire county and that cases may be transferred. They are also trying to do work around providing transportation.

Caroline McGowan, a Somerville resident who works for CPCS, noted that most people in the system have a general awareness of the availability of drug courts and they are looking out for good candidates.

Chair Clingan introduced Kerry Caccavaro, North Suffolk Mental Health, who is a drug court graduate. Ms. Caccavaro shared that Cambridge drug court and the structure and support of the programs were more than what she could have received through another means. Ms. Caccavaro now works as a recovery coach and advocates for the changes that have been taking place in drug courts within the last 5 years to remove some of the rigidity, be more supportive, and promote rewarding participants for honesty and hard work. She was a candidate due to her history of drug use and the drug court probation officer was the one who suggested it.

Chair Clingan noted that he and others were not aware that cases could be transferred and inquired whether that changed anyone's mind. Michael Foster, Somerville resident, asked what differs between drug court and regular court, and why the structure is better. He noted that if drug courts are something that is obviously superior, it is something we should want in Somerville. DA Ryan responded that the consistency, level of supervision, and knowledge of the team are what make drug court work. Chair Clingan asked whether all drug courts follow the same protocol, and DA Ryan replied that the type and level of service is consistent in all drug courts.

Chair Clingan asked how many people arrested in Somerville end up in drug court, and DA Ryan said not many. Maria Teresa Abascal, of Somerville District Court, noted that she has not seen anyone transferred to Cambridge. The team concept is the same as in her previous work in Essex county, but is underutilized in this area. Chief Fallon noted that many may not be aware that this option is available.

A challenge of the drug court model is the lack of resources in treatment programs. Diversion is a priority, but the practicality of finding locations is a problem. Treatment resources must be built up.

DA Ryan noted that drug court is not the same as diversion. Diversion is for people that are early in the system. Drug court is for those who are high risk and high need, and often with former convictions. To address diversion, they are always looking for programs to work with, but the financial piece is enormous.

Councilor McLaughlin asked how to encourage the use of transfers to available drug courts. DA Ryan noted that it is a communications issue, and she encourages getting the word out. Councilor McLaughlin further asked if there is any data about the impact of drug courts on recidivism. DA Ryan noted that there are many studies and there is no question that for the right population, the drop in recidivism rate is dramatic. Councilor McLaughlin inquired as well about the case load and DA Ryan shared that they are not high, though they are much more time-intensive, as there is a long-term commitment. A typical DA in trial court has 240-250 cases, while a DA in drug court has approximately 30 cases. Councilor McLaughlin asked for clarification on where probation officers work, and it is for the trial court. It seems that probation officers and defense attorneys would be the

ideal individuals to suggest drug court. DA Ryan noted that it still must be for the clients who are motivated to make a change and for whom it would be a good fit.

Ms. Abascal added that drug court is post-adjudication. The underlying legal case is over at the point at which it is offered. Ms. Casey added that there was no expansion money requested for this coming fiscal year. It will likely take a year or two to see the gaps in the drug courts, but any expansion will still depend on funding from the legislature.

Councilor Hirsch asked Ms. McGowan to share information on the ease of transfer with the public defenders. Ms. McGowan noted that Cambridge also has the Recovery court and the Homeless court and the expertise on those related issues is a large benefit. DA Ryan added that those specialty courts are not filled, and have a great deal of success.

Councilor Hirsch wondered if there is a map of options and resources for individuals at different stages of addiction and recovery. There is an initiative called the Community Justice Project working to outline the criminal justice system at all the points where someone touches it. The report should be out within a month. There will likely be a follow-up group to create an action plan. The DA's office has partnered with American Institutes for Research to highlight the gaps in Middlesex County. For example, we are rich in detox beds, but poor in treatment beds, particularly for women with children. The next step will be to identify resources to address the gaps.

Councilor Hirsch and Councilor McLaughlin suggested a resolution for promoting awareness of the drug courts and updating the Council on the number of residents making use of the resource of drug court. Councilor McLaughlin moved and Councilor Hirsch seconded that the Committee adopt a "Resolution *that the Somerville Police and Somerville Public Health Department promote the drug court system and monitor cases of transfer and eligible candidates from Somerville to the court in Cambridge*".

It was unanimously approved.

Patty Contente, of the Somerville Police Department, noted that there are difficulties in counting overdoses and overdose deaths because we do not have access to hospital data, and many of these instances are not reported through Police or Fire departments. Chief Fallon added that there is state data that are available. Mr. Kress noted that this data are not current. DA Ryan added that there is a map of fatal overdoses that is maintained through partnership with ambulance companies, which has enabled them to respond quickly to surges across the county.

RESULT:

WORK COMPLETED

205697: That the Administration update this Board on a municipal ID program for all residents, including any input from local immigrant advocacy groups, residents and non-profit organizations.

RESULT:

KEPT IN COMMITTEE

205826: That the Administration consider, as part of its facilities planning process and its ongoing development of programs like 311, libraries, recreation and neighborhood policing, ways to establish multi-purpose neighborhood-based service centers.

Councilor Hirsch noted that this would be akin to a 311 version 2.0 and would entail a great deal of IT functions, but asks that the administration be aware of potential opportunities.

RESULT:

WORK COMPLETED

205828: That the Administration update this Board on maintaining bus shelters or installing new shelters, such as the #90 bus stop at Assembly Square.

Ms. Connor will request further information from Mr. Rawson and provide an update. Councilor Hirsch noted that this could be done in conjunction with the MBTA's plans to move certain bus stops. Wig Zamore shared that there is discussion about linking the stops better with the T station and shifting the routes. Mr. Zamore also noted that when there are lights out at bus stops, the bus driver often drives past and suggested that the MBTA install special lights at the bus stops to indicate that there are passengers waiting.

RESULT:

KEPT IN COMMITTEE

206856: That the Administration consider a public information effort to inform the community about code violations that impact public safety, such as improper lead paint removal.

Ms. Connor shared that there has not been an education campaign about lead paint, but Communications is aware and will look into it when resources allow. Councilor Hirsch added that it could be part of the ResiStat newsletter, letting residents know what to look for and how to report issues. Mr. Zamore added that much of the lead that still exists is found on infrastructure, so it may be helpful for City staff to monitor work done and be aware that it may be an issue.

RESULT:

KEPT IN COMMITTEE

206585: That the Administration share a more comprehensive set of goals related to air quality based on CAFEH study results, when or if available.

Mr. Zamore commented that there has been cooperation from City staff and the Board of Health around air filtration. Some documents about noise pollution will be produced shortly, and some of the potential barriers may help address air pollution as well. Councilor Hirsch asked about options such as filtration systems and walls. Mr. Zamore noted that the neighbors would be involved in any decisions about barriers.

Councilor Hirsch commented that retro-fitting air filtration systems for older buildings could be an issue. Councilor McLaughlin noted that he put in an order to sue the state to compel them to provide air filtration systems from homes along Interstate 93. Chair Clingan asked who would assess the homes and Mr. Zamore responded that the expertise and implementation is just developing and is often uneven. There is also some disagreement around how hard to push developers to include such systems. The potential health implications and premature deaths make a compelling case to be a leader on this. Councilor McLaughlin agreed that the evidence is significant.

Ms. Connor noted that the City is working with Tufts and the Somerville Transportation Equity Partnership to study the highway area, so there is a multi-pronged approach rather than one set of goals. Mr. Zamore also noted that there may be some national partners to consider for assisting with this work and advocacy.

RESULT:

KEPT IN COMMITTEE

207276: That the Administration provide any analysis, considerations, or existing practices

for reducing ordinance violation fines for lower-income households.

Ms. Connor noted that this would be allowed legally. The administration and operation would need to be considered, and probably would not take place at the issuance of the violation, but it would be possible. Ms. Connor added that additional actions, e.g. getting rid of late fees, are an option that could be easier to administer. Councilor McLaughlin also commented that it would be helpful to have a less formal option than the appeals process. Councilor Hirsch noted that it could be based on other qualifications that require income verification.

RESULT:	KEPT IN COMMITTEE
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Handout:

- Drug Courts (with 205496)