



**Office of the City Attorney
City of Yakima**

MEMORANDUM

July 17, 2023

TO: Sara Watkins, City Attorney

FROM: Cynthia Martinez, Senior Assistant City Attorney

SUBJECT: Opioid Funds – Community Diversion Program

On July 18, 2023, Council will learn the amount of money the City will receive and have discretion to award from the state opioid settlement or proceeds from the state lawsuit. I have studied the permitted uses for the money and believe the money could be utilized to enhance the City of Yakima Community Diversion Program (CDP).

CDP is designed to address the root causes of criminal behavior which are often substance abuse and mental health issues. Participants also complete community service hours and a life skills program. CDP is a prosecution led initiative staffed by a multidisciplinary team comprised of defense attorneys, a part-time case manager, substance abuse and mental health service providers. When participants successfully complete the program, a graduation ceremony is held in the courtroom. When last assessed, seventy-seven percent of graduates remained crime free.

Municipal Court Judge Aryn Masters is interested in more court involvement with the program. This is great news because studies show that court involvement increases accountability and success rates. We are in the process of retooling the program to include more court oversight and to meet the needs of the potential Drug Possession and Use of Drug in Public cases expected as a result of the City adoption of the *Blake* fix RCWs. Although CDP has great partners in Comprehensive Healthcare and Triumph Treatment Center, we are exploring a partnership with the Recovery Navigator Program. The Recovery Navigator program is mentioned multiple times in the *Blake* fix legislation and is considered an evidence-based program to connect participants with opioid and substance abuse programs. We are meeting with Shereen Hunt of Merit Resources to discuss a potential partnership next week.

This memo is being drafted during a period of transition, but looking ahead I see two potential opioid abatement strategies that could enhance the Community Diversion Program. Each one is discussed below.

Strategy A1. TREAT OPIOID USE DISORDER - support treatment of Opioid Use Disorder (OUD) and any co-occurring SUD or Mental Health conditions, co usage, and/or co-addiction through evidence-based, evidence informed or promising programs or strategies that may include...

1. Expand the availability of treatment for OUD and any co-occurring SUD/MH conditions co-usage and or co-addiction, including all forms of Medication Assisted Treatment (MAT) approved by the US. Food and Drug Administration.

A certain percentage of CDP participant's benefits are on Medicare, which does not cover mental health treatment. Depending on the financial situation of the defendant, which is typically not adequate, the lack of coverage makes it difficult for the individual to complete the CDP program. It would be helpful to be able to grant participants the money for mental health treatment, which is almost always implicated with substance abuse issues.

Strategy D2. ADDRESS THE NEEDS OF CRIMINAL JUSTICE INVOLVED PERSONS – Address the needs of persons with OUD and any co-occurring SUD/MH conditions, co-usage, and or co-addiction who are involved or are at risk of becoming involved in the criminal justice system through evidence-based, evidence-informed or promising programs or strategies that may include...

2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction to evidence -informed treatment including MAT, and related services.

The City contracts with People for People to provide a part-time case manager. With the anticipated increase in participants due to newly adopted crimes, a full-time case manager may be warranted. As part of the retool of the program, the team has considered changing the role of the case manager to include being a more active liaison between the treatment providers and the court, or expanding duties to include care coordinator functions.

Both of these strategies would enhance the City of Yakima Community Diversion Program to better meet the needs of participants, and depending on the amount of the award of funds to the City, fit the permitted uses and may be funded from the opioid money.

Thank you for your consideration of these proposals.