

Addiction Alternatives: Alternative Dispute Resolution Principles Applied to the Opioid Crisis

Bridge Initiative to Enhance Response to Opioid Crisis in Southern Ohio

Michael Lewis, JAMS Mediator and Arbitrator

Dr. William Miller, Senior Associate Dean of Research and Professor

Jane Tsai, Research Fellow, Divided Community Project

THE SUPREME COURT *of* OHIO **2020**
Dispute Resolution
Conference

Panelists

- Michael Lewis, Mediator, JAMS; Steering Committee, DCP; Successfully mediated and arbitrated hundreds of complex, multi-party, high profile matters
- Dr. William Miller, Senior Associate Dean of Research and Professor and Chair of Epidemiology in OSU's College of Public Health Public Health
- Jane Tsai, Guest Lecturer and Teaching Assistant for Dispute Systems Design course

Agenda

- *Introduction to Divided Community Project (DCP) Bridge Initiative and the Ohio Opioid Project*
- *Dispute Systems Design Approach*
 - *Engagement with Law Enforcement Leaders*
 - *Creating an Action Agenda in Jackson County*
- *Next Steps in Jackson, Pike, and Scioto Counties*

Divided Community Project

- We apply insights gained from law enforcement, government, and community leaders to support efforts to build resilient communities.
- We strengthen community efforts to transform division into action.
 - *Creative Power of Civil Unrest: keeping people safe while identifying and meaningfully addressing the reasons underlying community division.*
 - *Harnessing power of mediation techniques to support local leaders building resilient communities.*

The Bridge Initiative @ Moritz

- Connecting local leaders, including mayors, chiefs, advocates, as well as university leaders and students, with leaders who have addressed civil unrest and volatile conflict in their own communities.
- While every community and conflict is unique, community and city leaders may have insights and lessons learned that can help leaders in other communities.
- Offer experienced mediators with experience in community conflict, who, if requested and useful, can help mediate conflicts in a way that allows everyone to address the volatile conflict at hand, while also pivoting to addressing the longstanding underlying issues like racism and other forms of discrimination that helped lead to the conflict.



<https://images.app.goo.gl/VzyjBDrw4gTWqoTw7>

Ohio Opioid Project (OHOP)

- Teams at OSU College of Public health and UNC College of Public health received an NIH grant to work in 3 counties in southern Ohio: Jackson, Pike, and Scioto
- Worked for over 2 years in Jackson, Pike, and Scioto counties
- Identified Potential Areas for Intervention:
 - To assess the legal, health care, epidemiological, and social characteristics of opioid use and related issues.
 - To identify health service and program gaps and develop a service delivery plan to address these gaps.
 - To implement, assess, and monitor a service delivery plan to reduce morbidity related to opioid injection.

Dispute System Design Approach

- **Identify the headwinds and tailwinds of a collaborative process**
 - **Challenges** to reaching the goal of mutual respect and willingness to engage on finding at least some common ground in reaching a mutual goal
 - Factors **favoring success** in building mutual respect and getting them to work together to find some common ground in tackling the opioid problems
- **Identify stakeholders with process success and implementation in mind:** What is a list of stakeholders whose support or expertise would help to find common ground, implement the process for doing so, and support the process over time?
 - Who should be added to the stakeholder list because they might otherwise block the success of the process?
- **Map the stakeholders' interests, beliefs, and constraints:**
 - Distinguish between long-term and short-term interests.
 - Create a sense of the priority each places on each interest.
 - What are pertinent legal and practical constraints for each stakeholder?

Bridge Initiative Team for OHOP

- **Michael Lewis and Susan Carpenter:** Mediators who have worked domestically and internationally mediating complex multiparty disputes with a focus on community mediation.
- **Nancy Rogers:** Former Attorney General for State of Ohio, Former Dean of the Law School at Ohio State, Law Professor with Expertise in Dispute System Design
- **Becky Monroe:** Former Acting Director of USDOJ's CRS, Sr. Counsel in Civil Rights Division, Experience with law enforcement through legal services, USDOJ and WH.
- **OSU Law Students:** All students with advanced mediation training, divided into 3 teams (Jackson, Pike, and Scioto Counties)
- **Jane Tsai:** Guest Lecturer and Teaching Assistant, Dispute System Design Course

Conversations with Stakeholders

Identification of Stakeholders in Consultation with OHOP Team (Dr. Miller, Dr. Go, Chrissie Schalkoff, Adams Sibley, and Field Team Members Cathy Neal and Renee McDowell)

- Judiciary: Judges, Prosecutors, Defense Attorneys
- Education: Administrators (Superintendent), Teachers
- Treatment: MAT and Non-MAT Providers
- People in Recovery
- ADAMH Boards: Alcohol Drug Addiction and Mental Health Boards (plan, develop, fund, manage, and evaluate community-based mental health and addiction services.)
- Law Enforcement: Police and Sheriff
- Emergency Medical Services
- Fire Department
- County Commissioners
- Health Commissioners
- Economic Development: Chamber of Commerce, Diversification Initiatives, Unions, Major Companies

Conversations with Stakeholders

- **Identification of Other Sources of Experience and Information**
 - Dayton, Ohio: CAP Report, Public Health, Sheriff (Retired, Now State Senator)
 - Supreme Court of Ohio
 - International Association of Chiefs of Police: Subject Matter Experts & Law Enforcement Champions
- **Student Teams and Monroe Begin Conversations with Key Stakeholders in the Counties and Other Sources (30+)**
 - Telephone Conversations
 - In-Person Conversations
- **Goals of Conversations**
 - Identify what was and wasn't working more generally with respect to the opioid crisis.
 - Understand the interests beneath the different positions of agencies and organizations with respect to their approach to the work.
 - Identify themes and areas that were the most likely to produce opportunities for effective collaboration.
 - Identify strongly held positions where no likely compromise, but may lead to understanding common goals and collaboration on other issues

Law Enforcement Engagement

Outreach to Law Enforcement Leaders in Jackson, Pike, and Scioto Counties

- 3 County Sheriffs
- Between 2-3 Police Chiefs or Designees per County
- Ohio State Highway Patrol Sergeant

Dedicated Meeting for Law Enforcement Leaders Only

- **Chief Dan Meloy (ret.)** to share information about new resources and services available at no cost to law enforcement leaders addressing the opioid crisis with funding from the Ohio Department of Mental Health and Addiction Services (OHMAS). What worked for him and didn't work when he was in Colerain Township and more recently in work he has been leading addressing the opioid crisis in different parts of Appalachia.
- **Representative Plummer (R)**, Ohio House District 40 who retired as Sheriff in Montgomery County, Ohio, and is now serving in the state legislature to talk about his experience leading his department and community in the response to the opioid crisis when he was Sheriff as well as his current work to get legislation passed that would meet the needs of communities across Ohio.

Jackson County, Ohio Stakeholders

- Pastor – United Methodist Church
- Director – YMCA
- Supervisor, Social Services, Job and Family Services
- Superintendent of Schools
- Judge, Municipal Court, Drug Court
- Judge, Court of Common Pleas
- Jackson PD, Chief and Sergeant
- Wellston PD, Chief
- Sheriff, Jackson County
- County Prosecutor (attempt)
- County Health Commissioner
- Treatment Providers (MAT and non-MAT)(attempts)
- Public Defender
- Executive Director, ADAHMS Board
- County Commissioner
- Former Coordinator at YMCA, High School Coach
- High School Counselor
- Emergency Medical Services

Jackson County: Common Goals & Interests

- Prevention efforts – focus on reducing risk to youth.
- Facilitate flow of information between leaders and the public, especially about treatment options and community events.
- More effective methods of rehab, including access to treatment, post-treatment social services support, and optimizing the legal process.
- Build community support and awareness for those suffering from Substance Use Disorder.
- Discuss opportunities for acquiring additional resources for the community.

Jackson County: Community Meeting Agenda

- 5.30 pm **Welcome and introductions**
 Review goals and agenda for meeting
 Ground rules for meeting
- 5.40 pm **Overview of interests identified by Meeting Participants**
 - Identify two key interests or concerns for you/your organization

Possible Topics of Conversation May Include, But Not Limited to: *Prevention and Education (Youth); Effective Information Sharing re: Ongoing Work, Resources Already Available, Treatment, Rehabilitation; Building Community Support/ Addressing Stigma; Addressing Resource Shortage (space, financial, transportation, personnel); Identifying Opportunities to Obtain New Resources*

- 6.10 pm **Explore options to address identified issues**
6.40 pm **Evaluate action proposals**
7.00 pm **Plan next steps**
7.20 pm **Summary of meeting outcomes and stakeholder commitments**
7.30 pm Adjourn

Meeting Outcomes:

- Come up with new ideas and partnerships.
- Identify specific action steps and set deadlines to achieve next steps.
- Identify metrics for successful outcomes.

Jackson County: Next Steps Identified

Next Step: Offering increased training opportunities and/or technical assistance (via 5-10 minute calls to get advice/expertise) to teachers and school staff to give them tools to constructively recognize and address mental health issues in youth, symptoms of neglect, and the presence of instability, possibly due to opioid related issues in a child's home life.

People who offered to help with this include: ADAMHS Board, Teacher, Former Y Director

Next Step: Bringing information about social services to the community by "meeting the community where they are at." Including possibly partnering with the Fair Board or Community Block Parties to disseminate information at those events.

People who offered to help with this include: ADAMHS Board, Teacher, Former Y Director, Local Lawyer

Jackson County: Next Steps Identified

Next Step: Identifying Resources/Raising Awareness of Crisis at the Capitol and Beyond: Working with students/young people so they can share their experience of the crisis and raise awareness among people with resources. Looking to models Anna and Robin identified (disposable cameras to kids, potentially using problem-based learning with students to ask them to develop websites/video regarding their experience. This video could be shared with state representatives and governor, elsewhere to raise awareness and document the need for resources in Jackson County.

People who offered to help with this: ADAMHS Board, Teacher, Former Y Director, Local Lawyer, Social Worker, Job

Jackson County: Next Steps Identified

Next Step: Identifying Grant Opportunities and Responding to Request for your Perspective/Agency's Needs to include in Grant Applications: Anna Spittler offered to help draft grant applications if people see opportunities, provided that everyone at the meeting respond to requests for their perspective/needs to include in an application. At OSU, we are also trying to identify resources here to see if there are people who could support the grant identification process at no charge.

People who offered to help with this: Law enforcement leaders indicated that they will review some potential grant/resource assistance that may be available for law enforcement. Former Y director offered to write grants if other leaders offered to contribute to the process. All participants agreed to respond to request for information.

Next Steps for Collaboration Work

- Law Enforcement Leaders: Follow up on free resources, offering additional facilitation support through retired Police Chief from Maine, and identification of additional grant opportunities.
- Jackson and Pike: Follow up meetings in February on action items identified, working with OHOP to identify support for grant making.

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