

**Pennsylvania Opioid Misuse and Addiction Abatement Trust
Dispute Resolution Committee Public Meeting
August 6, 2025 | 2:15 PM | Virtual**

MINUTES

DRC Member Attendees (6):

- Chair Tom VanKirk
- Tumar Alexander
- Commissioner Kevin Boozel
- Stuart Fisk
- Shea Madden
- Commissioner Robert Postal

DRC Members Not Attending (1):

- Senator Christine Tartaglione

Montgomery County Representatives:

- Lauren Hughes, Senior Assistant Solicitor

Adams County Representatives:

- Lindsey Ringquist, Assistant Solicitor
- Sherri DePasqua, CYS Assistant Administrator

Chester County District Attorney Representatives:

- Christopher de Barrena-Sarobe, District Attorney
- Julie Bookheimer, CFO, Chester County
- Kelsey Gvozdoch, Assistant Solicitor
- Jamie Johnson, SCA Executive Director
- Rachel Kramer, Opioid Settlement Coordinator
- Erik Walschburger, COO, Chester County
- Hon. Ann Marie Wheatcraft, President Judge of the Court of Common Pleas/Administrator of Treatment Courts

Other Attendees:

- Briana Anderson, Trust Administrator, CCAP
- Ashli Rudy, Trust Administrative Specialist, CCAP
- Jayson Wolfgang, Buchanan Ingersoll & Rooney
- Jordan Yeagley, Buchanan Ingersoll & Rooney
- Nathan McClellan, Representative of Senator Christine Tartaglione

Announcements by Chair Tom VanKirk

- This meeting of the Pennsylvania Opioid Misuse and Addiction Abatement Trust's ("Trust") Dispute Resolution Committee ("DRC") has been duly advertised as a public meeting in accordance with the Sunshine Act and is therefore open to members of the public as observers.
- Participation in this meeting is limited to the presenting Participating Subdivisions, as beneficiaries under the Amended Trust Order, and their designated representatives, the Trustees on the DRC, and those that the Trustees have invited in advance to take part.
- This meeting is being recorded, and the video will be available on the Trust's website along with the minutes from this meeting once approved by the DRC.
- An Executive Session was held today immediately prior to this public meeting for the purpose of receiving legal updates and legal advice.
- A quorum of Trustees on the DRC is present at this meeting.

Approval of Prior Meeting Minutes

Minutes from the DRC public meeting held on April 21, 2025, were circulated to Trustees in advance of this meeting. Chair Tom VanKirk indicated he would entertain a motion to approve the minutes. A motion to approve the minutes was made by Commissioner Robert Postal and seconded by Tumar Alexander. With no further discussion, the April 21, 2025, minutes were approved unanimously by the Trustees in attendance.

Appeal from Montgomery County Program Nos. 31 (PRO-ACT Reaching Out) and 32 (Qualitative and Quantitative Chemical Research on Public Health Risks and Harm Reduction Opportunities with Illicit Drug Markets and Materials)

Chair Tom VanKirk stated that, after reviewing the materials included in Montgomery County's appeal record for Program Nos. 31 and 32, it appeared that both remediation programs likely would have been approved by the Board of Trustees' ("Board") at their July 5, 2025, public meeting, if the Working Group had access to the additional information included in the appeal record at the time they made their recommendations.

Chair Tom VanKirk then asked Lauren Hughes, Montgomery County's Senior Assistant Solicitor, whether she consented to the DRC referring both programs back to the full Board with a recommendation for approval to be considered at the Board's upcoming public meeting on August 21, 2025.

Ms. Hughes stated that she had no objection to proceeding in that manner.

Chair Tom VanKirk then presented the following resolution:

RESOVLED, that, having reviewed the written information submitted by Montgomery County to the Pennsylvania Opioid Misuse and Addiction Abatement Trust's Dispute Resolution Committee, the Committee recommends that Programs 31 (PRO-ACT Reaching Out) and 32 (Qualitative and Quantitative Chemical Research on Public Health Risks and Harm Reduction Opportunities with Illicit Drug Markets and Materials) be referred to the full Board of Trustees of the Trust for review and further action. It is the recommendation of the DRC that these programs be approved by the full Board as compliant with the requirements of Exhibit E to the national opioid settlements.

Commissioner Robert Postal made the motion as presented. Stuart Fisk seconded the motion. With no further discussion, the motion was approved unanimously by the Trustees of the DRC in attendance.

Appeal from Adams County Program No. 3 – Equipment to Support Recovery

Adams County was then invited to present its appeal regarding Program No. 3 (Equipment to Support Recovery). Lindsey Ringquist, Assistant Solicitor for Adams County, explained that the expenditures were used to acquire a baler for the Adams Rescue Mission ("ARM"), a faith-based nonprofit organization that has operated in the County for approximately 50 years. ARM supports individuals experiencing homelessness and addiction and operates a recycling program that employs individuals in recovery, providing job training and skills such as equipment operation, warehouse management, and interpersonal conflict resolution.

According to Ms. Ringquist, the opioid settlement funds ("OSF") were used to cover a portion of the cost of the new baler. Ms. Ringquist noted that the baler is essential for processing certain recyclable materials (*e.g.*, cardboard and newspaper), which generate approximately \$200,000 in annual revenue for ARM. This revenue funds additional recovery services including substance use and mental health counseling, mentoring, and coaching, housing, transportation, and medical care.

Ms. Ringquist stated that ARM is located less than one mile from the Adams County Adult Correctional Complex, and many individuals come to the organization directly after release. Ms. Ringquist reported that 48% of program participants in 2024 and 71.4% in 2025 identified as having OUD. Accordingly, the requested allocation of \$225,469 represents 48% of the total cost, based on the 2024 reporting period.

Ms. Ringquist shared that ARM is working to secure approximately \$50,000 in donations to support the purchase of the baler, in addition to OSF and an agreement with Hanover Borough totaling approximately \$130,000.

Tumar Alexander asked how much funding ARM receives from the County. Ms. Ringquist shared that, to her knowledge, ARM does not receive any County funding outside of OSF. Commissioner Kevin Boozel asked how much of the revenue generated by the baler goes back into programming

that supports individuals with OUD. Ms. Ringquist responded that all revenue supports programming, and, of those programs, ARM has documented that 48% of participants reported having OUD in 2024 and 71.4% in 2025. Commissioner Kevin Boozel then asked for clarification on the other funding sources for the purchase of the new baler. Ms. Ringquist shared that ARM is planning to run a fundraising campaign to raise an additional \$51,000 and is hoping to enter a subgrant partnership with Hanover Borough for an additional \$127,000.

Shea Madden asked for additional information regarding ARM's warm handoff programs. Ms. Ringquist explained that many of ARM's program participants come from jail, homelessness, or inpatient treatment. The individuals operating the baler are members of ARM's men's home, which has 30 beds. ARM also operates the Agape House, which is focused on supporting families. She added that participants are connected to services and general resources such as housing, transportation, and food assistance. Shea Madden then asked whether program participants are being connected to the appropriate next level of care. Ms. Ringquist stated that it was her understanding that ARM does assist with that process.

Stuart Fisk asked whether a lack of revenue from the baler would require ARM to cut programming. Ms. Ringquist responded that she believed that a reduction in programming would be likely, although ARM is always looking to expand programming and hopes to open a women's home in the future. Without the revenue from the baler, these plans could be significantly delayed. Commissioner Kevin Boozel asked if the Adams County Commissioners support the program and believe it complies with Exhibit E. Ms. Ringquist confirmed that they do.

The Trustees of the DRC had no further questions, thus concluding Adams County's presentation.

Chair Tom VanKirk then presented the following resolution:

RESOLVED, that, the Dispute Resolution Committee of the Pennsylvania Opioid Misuse and Addiction Abatement Trust hereby affirms the decision of the Board of Trustees that Adams County Program No. 3, Equipment to Support Recovery, is not compliant with Exhibit E. A "yes" vote would maintain the current denial by the Trust, whereas a "no" vote would reverse the decision by the Trust that the program is not compliant with Exhibit E.

Commissioner Kevin Boozel made the motion as presented. Tumar Alexander seconded the motion.

With no further discussion, the Trustees of the DRC then voted as follows:

Yeses (0)

Nos (5)

- Tumar Alexander
- Commissioner Kevin Boozel
- Stuart Fisk
- Shea Madden
- Commissioner Robert Postal

The result of the voting was to reverse the decision of the Board that Adams County Program No. 3 is not compliant with Exhibit E; this remediation program was, therefore, approved as compliant with Exhibit E.

Appeal from Chester County District Attorney Program No. 1 – Deputy District Attorney – Drug Court

The Chester County District Attorney’s Office (“DAO”) was then invited to present its appeal regarding Program No. 1 (Deputy District Attorney – Drug Court). Kelsey Gvozdich, Assistant Solicitor for Chester County, introduced District Attorney (“DA”) Christopher de Barrena-Sarobe and the Honorable Ann Marie Wheatcraft, President Judge of the Chester County Court of Common Pleas and Administrator of Chester County Treatment Courts.

Ms. Gvozdich explained that the remediation program was submitted under the title Deputy District Attorney (“DDA”) of Drug Court but is also referred to as DDA of Treatment Court. According to Ms. Gvozdich, the drug court program serves individuals with a SUD or those at high risk of developing a SUD and was the second program of its kind in Pennsylvania. The recovery court program began in 2007 and is an intensive drug and alcohol treatment-based program.

Ms. Gvozdich then shared that the Chester County DAO believed the remediation program to be compliant under multiple categories within Exhibit E.

Ms. Gvozdich asserted that since DAOs are beneficiaries of the Trust, they should be able to appropriately spend OSF on activities that assist the population intended to be served by these funds. She further emphasized that treatment courts play a very different role than criminal courts, describing them as problem-solving courts intended to provide alternatives for individuals with SUDs, including OUD and MH conditions. Ms. Gvozdich shared that prior to 2010, the DDA assigned to the treatment courts in Chester County also maintained a full trial schedule alongside treatment court responsibilities. Without OSF support, she stated, it is likely that the assigned DDA would have to resume carrying a full trial caseload in addition to treatment court duties.

Chair Tom VanKirk asked how the position had been previously funded. Ms. Gvozdich responded that it was a County-funded position, which is why the DDA had to also carry out regular responsibilities, such as maintaining a trial list. Chair Tom VanKirk then asked for clarification on whether the position was County-funded because Counties are obligated to ensure that DAOs are fully

funded. Ms. Gvozdich responded that this was presumably correct, but explained that, due to this funding structure, the admission process into treatment court was slower.

Chair Tom VanKirk then asked whether the DDA supported by this remediation program would ever be responsible for incarcerating individuals who violate program terms. Ms. Gvozdich responded that DDAs in the treatment court are not directly involved in prosecution, but that this DDA would make determinations regarding those individuals that should be invited to enroll in treatment programs versus those that should be prosecuted.

DA de Barrena-Sarobe added that the DDA participates in the decision-making process with the rest of the treatment court team regarding whether a participant should remain in a treatment court program. He explained that these decisions are guided by protecting the integrity of the treatment court programs.

DA de Barrena-Sarobe explained that the DDA of Drug Court is responsible for identifying eligible individuals, reviewing applications, and connecting people to treatment and/or referring those individuals for prosecution. The DDA may also identify potential participants who have not formally applied but come to their attention through other cases or office interactions

Chair Tom VanKirk asked why the position needs to be filled by a DDA rather than a social worker. DA de Barrena-Sarobe responded that, although the person in this role does not directly prosecute individuals, it is important that they have the experience and judgment needed to assess whether someone is an appropriate fit for a treatment court program or whether, alternatively, they should be prosecuted by the DAO.

Stuart Fisk asked what training and experience are required for the position and, specifically, whether the person would receive any additional training on working with individuals with OUD. DA de Barrena-Sarobe explained that the individual is expected to understand how the treatment court programs function and to collaborate closely with partners, including Chester County's Single County Authority and various treatment providers.

Chair Tom VanKirk asked whether the DDA of Drug Court is the person who decides whether an individual will enter treatment court or be prosecuted. DA de Barrena-Sarobe explained that the DDA would serve in this role and that such decisions are made collaboratively by the treatment court team.

Commissioner Robert Postal then inquired about the financial allocation for the position, specifically what portion of the \$52,464.96 was related to the DDA's salary. DA de Barrena-Sarobe explained that he was unsure of the exact percentage during the reporting period but noted that since taking office in 2024, the position has been funded at an 80% level, accounting for 20% related to additional responsibilities or occasional on-call duties. Ms. Gvozdich added that during the July 1 to December 31, 2024, reporting period, the \$52,464.96 represented 50% of the salary,

but that the allocation was subsequently adjusted to an 80/20 split.

Judge Wheatcraft provided historical context, noting that she was involved with Chester County's Drug Court when it was first established in the early 2000s. At that time, there was only one treatment court program, and she was able to handle her full-time prosecutor duties while also managing treatment court responsibilities.

Commissioner Kevin Booze expressed concern about the title and responsibilities of the position, noting that the inclusion of "District Attorney" in the name could create confusion when evaluating other remediation programs involving DAs for compliance with Exhibit E. He was willing to entertain the possibility of providing the DAO an additional opportunity to clarify, including by submitting a revised name and job description, that the individual in the DDA role would not exercise prosecutorial discretion. DA de Barrena-Sarobe indicated he would be open to submitting additional materials to reflect the role's function more accurately.

Shea Madden asked whether the DDA of Drug Court serves as the gatekeeper for submitting treatment court applications to the committee. DA de Barrena-Sarobe confirmed that this role involves determining which track individuals should be considered for, including whether a person should enter the treatment court process or be routed through prosecution.

Chair Tom VanKirk emphasized the importance of making clear that the individual in the role does not exercise prosecutorial discretion. He explained that these distinctions are significant, as not every Participating Subdivision approaches these positions from the same perspective. In response, DA de Barrena-Sarobe expressed a willingness to submit additional materials that would more accurately reflect the role.

The Trustees had no further questions, thus concluding Chester County District Attorney's presentation of Program No. 1. At 3:25 PM, the members of the DRC went into Executive Session to seek the advice of legal counsel.

The DRC returned from Executive Session at 3:40 PM. A quorum of Trustees of the DRC was still present.

Chair Tom VanKirk addressed DA de Barrena-Sarobe, stating that the members of the DRC intended to affirm the determination of the Board of Trustees that the program was not compliant with Exhibit E. He stated that the expenditure of OSF on salaries for individuals that exercise prosecutorial discretion were determined by the Board to be law enforcement and, as such, impermissible expenditures under Exhibit E. That said, and rather than denying the DDA program as non-compliant with Exhibit E at this meeting, the DRC was willing to allow the DA to submit additional information to establish that prosecutorial discretion was not being exercised by the DDA. The objective would be to fully clarify the responsibilities of the position and explicitly state that it does not involve prosecutorial discretion. Chair Tom VanKirk stated that if DA de Barrena-Sarobe agreed, the DRC would delay its vote on whether to affirm or reverse the Board's decision

until they had an opportunity to review the revised materials. If not, the vote would proceed as planned.

DA de Barrena-Sarobe indicated his willingness to submit additional materials. He stated that the only discretion being exercised in this position pertains to decisions on approving or denying individuals for entry into a diversion program and/or being prosecuted. Chair Tom VanKirk followed up to ask whether those decisions are made independently or as part of a team. DA de Barrena-Sarobe responded that while they are often made as part of a team, there are instances when they are made independently.

Chair Tom VanKirk raised a broader concern about future continuity, noting that while DA de Barrena-Sarobe currently holds the position, that may not be the case in the coming years, emphasizing the importance of a revised job title and description that clearly outlines the scope of the position.

Chair Tom VanKirk emphasized that the DRC's final recommendation would be based on the outcome of that revised job title and description.

Chair Tom VanKirk thanked everyone for attending. With no new business to address, the meeting was adjourned at 3:44 PM.