

# News From The States

# EVENING WRAP

from States Newsroom

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*From Kate Queram*

GOT QUESTIONS? ASK KATE

I never have a pithy introduction for newsletters about criminal justice, or really even anything new to say. It is serious! It is a mess! It is a serious mess!

Which is, maybe, all I really need to say.



## The Big Takeaway

Let's start here: You get a ride home from work with your cousin, who makes a pit stop along the way to pick up some marijuana, then forgets to turn the headlights back on and gets pulled over by police. You're arrested and released on bond after 72 hours. You've never been charged with a crime, but now you're facing a felony and a misdemeanor. You get an attorney and prepare for court. And then, if you're lucky, someone steps in with another option: Pretrial diversion.



*Divert me, please. (Photo via the Alabama Reflector)*

**None of this was hypothetical for Michael Morrison**, who was offered a spot in a diversion program three months after his October 2021 arrest in Jefferson County, Alabama, [the Alabama Reflector reported](#). Launched in March 2022, the Reset Program offers low-level, non-violent offenders a chance to avoid prosecution and jail time by accepting rehabilitative services, from drug counseling to community service. Morrison was tapped after he'd been arrested, but the diversion process can begin earlier, with police summoning services to help low-level offenders instead of arresting them. More often, it starts in a courtroom, when a defendant pleads guilty and is sentenced to a treatment facility and a series of accountability measures instead of jail.

[Diversion programs](#) are lifelines for people like Morrison, but they're also a boon for local governments seeking to rein in the spiraling costs of incarceration. Every dollar invested in diversion initiatives saves between \$10 and \$25, usually by reducing jail populations, [lessening the likelihood of recidivism](#), or lightening court case loads.

**But they're not a cure-all.** Programs have limited space. Eligibility criteria

often exclude [defendants of color](#). Enrollment is expensive — in Alabama in 2020, [the median cost](#) was \$1,600 — and often includes hidden costs, like transportation and work absences. Workshops often meet in the mornings and afternoons, forcing participants to choose between court and professional and family obligations. Lawmakers have done little to eliminate those barriers. Last year, the Alabama legislature more than doubled enrollment fees for felony diversion programs in two counties, [increasing the cost](#) from \$850 to \$2,000.



*Alabama state Rep. Rhett Marques, the Republican who led that effort. (Photo by Stew Milne for Alabama Reflector)*

**Jefferson County does it differently.** The Reset Program is free and consists of a single one-day workshop, where participants reflect on their history with the criminal justice system, outline their goals and describe what they'd like to accomplish in the future. Once participants complete the program, their criminal records are wiped clean. That was the case for Morrison, who said Reset “enhanced what [he] already had” by helping him understand other people, adapt to social situations, and take control of his life.

**Control remains a mystery in Nevada,** where the Board of Medical



Examiners concluded last week that it has no jurisdiction over Dr. Kenneth Williams, who has served as the state prisons' medical director since August despite [not being licensed](#) to practice medicine in Nevada. Members of the board did not explain why it took three months to arrive at this conclusion — or how they were able to investigate the matter without said jurisdiction, [per the Nevada Current](#).

This probably goes without saying, but having the correct medical license is ([literally](#)) the minimum requirement for Williams' job, which oversees “clinic, pharmacy, nursing and mental health services” for [roughly 20,000](#) incarcerated people. In addition to being ([literally!](#)) unqualified for his \$217,000-salary position, Williams is also breaking the law; in Nevada, it's a felony to practice medicine without a state license.

**It doesn't appear that any of this was a secret to ... well, anyone, really.** Williams applied for his medical license in December, four months after he joined the Department of Corrections. The department's assistant director confirmed the move in February, saying that Williams was “currently ongoing to get his medical license” and was “working with” the Board of Medical Examiners.



*Just working on some unspecified medical stuff! (Photo by Getty Images)*

**Working on what? A scrapbook?** A birdhouse? Some other hobby project that falls within the board's apparently limited "jurisdiction?" Who knows? The board has yet to elaborate on the matter beyond a March 4 letter confirming its (non-jurisdictional) investigation, which it vowed to present to its own investigative committee once the "initial phase is completed." Reached by phone last week, the panel's chairman declined to elaborate on the details of that investigation beyond a repeated assertion that "we have no jurisdiction." The next day, the board's investigative chief sent a letter informing prison doctors that their complaints against Williams "do not constitute a violation of the Nevada Medical Practice Act."

"The Board has no jurisdiction over a Non-Licensee of the Board," the letter continued. "We will forward your complaint to the Attorney General's office for further review of the information and alleged violations."

The attorney general did not respond to a request for comment. The Department of Corrections declined to comment. The prison providers, though, had plenty to say.

"Williams is still ruling the roost and making life miserable for all of our prisoners," said one doctor who requested anonymity to avoid retaliation. "He doesn't approve anything and we're the ones that get stuck telling people, 'Sorry, you need to walk around with whatever the problem is.' How can we let him continue to do this when he doesn't have a license?"



*Limited visibility. (Photo by Getty Images)*

**Accountability is also on shaky footing in Oklahoma**, where lawmakers on Wednesday advanced a bill to shield from public scrutiny any entity that supplies or produces drugs used in the state's execution process. [The proposal](#), approved 6-1 by a House panel, would apply to basically anything that might identify, or make it easy to identify, pretty much anyone, including documents, records, photographs and other materials flagged by the head of the Department of Corrections, [the Oklahoma Voice reported](#).

Supporters of the legislation said it aimed to augment existing privacy laws, making it even more difficult for people to discern the identities of people and companies tasked with carrying out executions, including drug manufacturers and pharmacies.

"They have a hard enough job as it is without third parties ... trying to access that information, picket their home, make death threats to their families or things like that," said state Rep. Rande Worthen, the Republican who authored the bill. "That's what we're trying to prevent."

Some Democrats were hesitant to endorse drug-related confidentiality measures after a series of botched executions, including a 2014 lethal

injection that took nearly an hour due to a loose IV. Republicans dismissed those concerns, noting that the type of drug would remain public information. The bill goes next to the House.

## Semi-public

- [Georgia shields execution sights and sounds from public view when carrying out lethal injection](#)
  - [Kansas mother hurt by lighter plea deal for man who repeatedly raped her child](#)
  - [\(Maine\) Slate of gun safety bills introduced after Lewiston shooting advance to full legislature](#)
  - [South Dakota's prisons have collected \\$1.25 million for calls, messages since 2021](#)
- 



State of Democracy

U.S. House Speaker Mike Johnson (R-La.) on Thursday notified Senate Majority Leader Chuck Schumer to expect articles of impeachment against Department of Homeland Security Secretary Alejandro Mayorkas on April 10, [our D.C. bureau reported](#).

“We call upon you to fulfill your constitutional obligation to hold this trial,” Johnson said in a [letter](#) to Schumer. “The American people demand a secure border, an end to this crisis, and accountability for those responsible. To table articles of impeachment without ever hearing a single argument or reviewing a piece of evidence would be a violation of our constitutional order and an affront to the American people whom we all serve.”





*AFFRONT (Photo by Jennifer Shutt/States Newsroom)*

**Look, I know this isn't funny, but I still have to chuckle** at Johnson getting all preachy about “constitutional obligations” and “accountability for those responsible” and the “American people we serve.” Because: This is Mike Johnson. Mike *Johnson*. Mike Johnson, [known election denier](#)! Mike Johnson, who voted against [certifying Joe Biden's victory](#) even *after* the Jan. 6 attack on the U.S. Capitol! Mike Johnson, [ardent supporter](#) of Donald Trump, a four-time indicted currently doing his very best to [avoid answering](#) for defying his *constitutional obligations*! Mike Johnson, leader of not one but *two* [baseless](#), [partisan](#) impeachment inquiries! It's not funny, but it's also kind of funny. Because: *Mike Johnson*.

Anyway. The impeachment trial is not optional — the Senate is [required to do it](#) under both its [own rules](#) and the [U.S. Constitution](#), which are the sorts of things that matter to the rule-following Democrats who control the chamber. In that light, Johnson's letter was probably unnecessary, or at least unnecessarily *pointed*, which is probably why Schumer responded with what I will describe as big “per my last email” energy.



“As we have said previously,” he wrote, “after the House impeachment managers present the articles of impeachment to the Senate, Senators will be sworn in as jurors in the trial the next day.”

Mayorkas will almost certainly be acquitted, both because he has not broken the law and because conviction requires a two-thirds vote, which Republicans cannot possibly swing. But at least we all had fun. In the end, maybe the real impeachment is the friends we made along the way.

## Not Mike Johnson

- [Court approves new Michigan House district map](#)
  - [Montana Supreme court rules voter restriction laws passed in '21 unconstitutional](#)
  - [Undated Pennsylvania mail-in ballots should not be counted, appeals court rules](#)
  - [Federal court allows South Carolina to keep 1st District voting lines for '24, gerrymandering lawsuit continues](#)
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## From The Newsrooms

### LABOR

- [Los Angeles promised to hire 200 Black workers from a job training program. That hasn't happened.](#)
- [\(Maryland\) The Baltimore bridge collapse is an immigration story](#)
- [Disabled workers can be paid less than the minimum wage. Some states want to end that.](#)
- [No 'working class' in Utah Legislature? Lawmakers beg to differ — but are there enough?](#)

### REPRODUCTIVE RIGHTS

- [Florida Supreme Court frustrates hopes for rulings on abortion-rights, recreational cannabis amendments](#)
- [Kansas Senate Democrats'](#)
- [Maryland lawmakers scramble to push bills providing grants to abortion clinics](#)
- [Missouri looks to mirror Arkansas law that forced Planned](#)

[attempt to protect IVF in Kansas  
voted down](#)

[Parenthood to turn away patients](#)

## SCHOOLS

- [Pilot program aims to help more  
Nebraska K-12 para-educators  
become teachers](#)
- [South Carolina House GOP passes  
bill banning DEI in college hiring,  
firing and admission](#)
- [Youngkin administration reviews  
race, DEI syllabi for some Virginia  
university courses](#)
- [Wisconsin schools to ask voters to  
fund over \\$1 billion next week](#)



## One Last Thing



*Just drink through it sir (Screenshot via the Florida Phoenix)*

Failed presidential candidate Ron DeSantis is back in Florida, coping with

his failings by making it easier for everyone to buy [enormous bottles of wine](#). Under [a bill](#) signed by the governor at a wine shop on Thursday, Floridians will be able to buy wine in 15-liter bottles. (That is not a typo. It is not 1.5 liters. It is 15 liters. FIFTEEN. ONE-FIVE. That is FOUR GALLONS.)

“Prior to signing this bill, a bottle like this was not able to be sold in the state of Florida,” DeSantis said, pointing to some comically large bottles of hooch. “We want our businesses to thrive, we want our consumers to be happy, and if that means that they want to buy and sell a big ol’ bottle of wine like this, then by golly they’re going to be able to do that in the state of Florida.”

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