

# SOUND JUDGMENT

## Hello Judges

By Judge Rod Ring, (Ret.)  
ABA/NHTSA Judicial Outreach Liaison

I have made a couple of attempts to write an update on the COVID-19 virus and its effects on the Oklahoma court system. However, like everything else having to do with this virus, the information changes day-by-day. So, by the time you get this newsletter I was concerned that any update I included would be old news. Let me suffice by just saying that I wish you and your families health and sanity during this stressful time.

The first article I am including is written by Reggie Whitten, founding partner of Whitten Burrage Law firm in OKC. Many of you know Reggie either personally or by reputation but may not know of his family's story of addiction. Reggie has had a distinguished law career. He has been inducted into the Oklahoma Hall of Fame and the University of Oklahoma Order of the Owl College of Law Hall of Fame. His efforts in



the area of addiction education have taken him around the state and across the nation. Please follow the link to [www.fate.org](http://www.fate.org) for information about his programs and videos. I hope to get Reggie to make a presentation to you in the near future.

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A new study reveals that nearly half (47 percent) of people who use marijuana regularly and/or heavily experience cannabis withdrawal syndrome when they try to quit.

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The University of Phoenix recently announced Harris Poll findings regarding U.S. adults' perceptions of the COVID-19 pandemic.

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## Fighting Addiction Through Education (F.A.T.E)

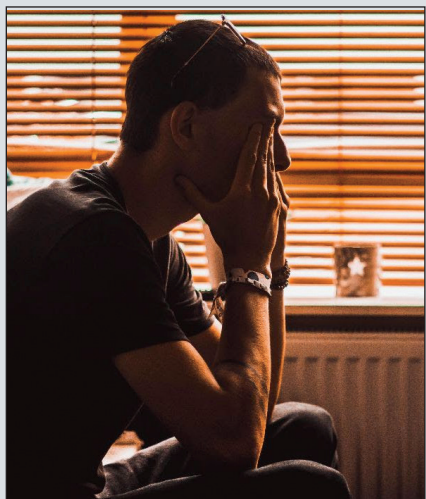
By Reggie Whitten,  
Founder of F.A.T.E., Whitten Burrage Law Firm, Oklahoma City

I lost my son, Brandon, to the opioid epidemic in 2002. Together, we battled his addiction for three years prior to his death. It was a continual cycle of ups and downs, on drugs and off drugs. During that time, I'm ashamed to say, I thought addicts were bad people making bad decisions, and that Brandon was just making the same bad choices. I practiced tough love because that's how I was raised, and it was reinforced by

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# Marijuana Withdrawal is Real, Study Shows



A new study reveals that nearly half (47 percent) of people who use marijuana regularly and/or heavily experience cannabis withdrawal syndrome when they try to quit. It is widely believed that the drug is not addictive, but this meta-analysis involving 23,500 participants sets that myth to rest.

Marijuana withdrawal symptoms include nervousness, anxiety, sleeplessness, depression, restlessness, and irritability. They can also include physical symptoms like stomach pain, shakiness, tremors, sweating, fever, chills, and headaches.

Experts have known for some time that marijuana is addictive, but it was confirmed in 2013 when the latest edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM-5) was published. The manual recognized cannabis withdrawal syndrome as a bona fide disorder.

Read US News article [here](#).

Read JAMA Network full text of the meta-analysis [here](#).



our family physician's advice. I didn't know that addiction is a disease and that recidivism is the norm. I also didn't know that currently the efficacy of a 30-day stay in rehab is less than 10%.

I've since learned Brandon needed much longer rehab stays, and that it takes at least 90 days for the brain to begin change in rehab. And I've also learned tough love is not the best way to handle loved ones fighting addiction.

Haunted by what my son told me just days before he died, ("Dad, no one ever told me I couldn't stop!"), I approached addiction like I approached lawsuits during my 40-year career: I had to learn as much as I could about addiction, and that required experts.

Since Brandon's death, I've met many addiction specialists, and I've read all the medical and scientific publications I can get my hands on to educate myself on the science of addiction. (We actually have some of the most educated and respected addiction experts here in Oklahoma.) I've learned addiction is a disease of the brain, and just like you can't tell an asthmatic sufferer to just breathe normally, you can't tell an addict to "just say no." But unlike cancer, asthma, or diabetes, addiction carries with it a stigma of shame.

This stigma is escalating the largest man-made epidemic of our lifetime (the opioid epidemic), and I'd argue it's the number one problem we face as a society – it kills hundreds, if not thousands, of Oklahomans every year, destroys families, increases unemployment, fills up our jails and prisons and there is no vaccine coming in the next 12 to 24 months. Not only are addicts reluctant to seek help, but others are less likely to help those in need. Friends and family will hold bake sales to raise money for those fighting cancer, but those same friends and family don't know what to do and often turn their backs on someone suffering from addiction.

After learning all of this, I decided education is the key. That's why I created F.A.T.E., (Fighting Addiction Through Education), and travel the state speaking at schools and civic groups sharing what I've learned. I also produced *Killing Pain*, a docuseries that highlights the opioid epidemic here in Oklahoma. Streaming at [killingpain.com](http://killingpain.com), *Killing Pain* consists of seven episodes that put a face on the epidemic, explains how we got here, and educates on the biology of addiction. Hopefully, it will become a useful resource for all Oklahomans, and help us fight this epidemic.



# US Adults are Most Concerned About Experiencing Increased Anxiety as a Result of COVID-19

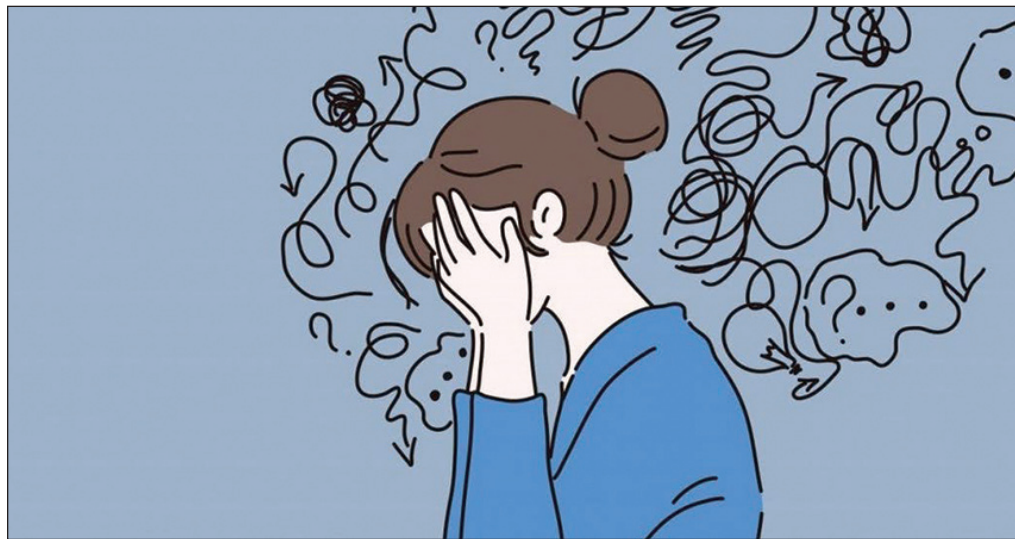
The University of Phoenix recently announced Harris Poll findings regarding U.S. adults' perceptions of the COVID-19 pandemic. The survey found more than two in five (41%) of Americans say they are most concerned about experiencing increased anxiety; more so than not being able to pay their bills (33%), reduced job salary/work hours (26%), or losing their job/not being able to get a new job (22%).

Respondents expressed other mental health concerns as well. More than 2 in 3 Americans (68%) say they feel like everything is out of their control right now and more than half (56%) say they are balancing more now than ever before during this pandemic.

Although Americans report feelings of being overwhelmed and anxious, they also express feelings of gratitude and hope with 65% saying they are thankful for their health, family and friends. Americans are also looking toward the future when social distancing guidelines are lifted. The survey found nearly 2 in 5 (38%) are optimistic that the country will come out of this pandemic stronger than ever and 30% are making plans for a post-pandemic future.

Still, many Americans are worried about the long-term mental health repercussions of being quarantined. The vast majority of Americans (84%) say that if the social distancing continues longer than they expect, it will have an impact on their mental health.

"While many people are currently feeling anxiety, there can be several ways to maintain good mental health by making small behavior changes," said Dr. Dean Aslinia, counseling department chair at the University of Phoe-



nix. "Instead of texting or emailing, make a phone call or use video chat to build a more meaningful connection. Build activity in your day by trying something new or setting a goal for yourself to start a new project. Remember, it is okay to seek professional help, if your negative feelings persist. Many mental health practitioners are offering virtual counseling sessions so you can have someone to talk to without leaving the house.

## WHAT ARE RESPONDENTS DOING TO IMPROVE THEIR MENTAL HEALTH?

If there is a silver lining in social distancing, the survey suggests that many people are engaging in activities to maintain connections and improve their mental health.

- **Checked in with a loved one** – 60%
- **Increased my exercise** – 35%
- **Limited my news consumption** – 30%
- **Performed acts of kindness for others** – 29%

"It is encouraging to see some people take this time to practice habits that will improve their mental health, said Dr. Aslinia. "Feelings of anxiety are not solely due to isolation or social distancing. The everyday choices we make including technology overuse, impersonal interactions and engaging with people that are unhealthy for us, all lead to anxiety. If something good can come from this pandemic, we can hopefully recognize the need for intentional behaviors that maintain and improve our mental health."

## SUMMARY:

- As many as two in five Americans report concerns about experiencing increased anxiety in the wake of coronavirus.
- 68% of people feel like everything is out of their control.
- 38% of Americans report feeling optimistic about the country's recovery, believing we will come out of the pandemic stronger than before.

## NHTSA IN ACTION

# NHTSA's National Drug-Impaired Driving Initiative

In 2018, NHTSA launched its [If You Feel Different, You Drive Different campaign](#) to educate Americans about the dangers of driving while impaired by drugs, and to promote safer choices. Any time you consume a substance that makes you feel different, you aren't safe to drive. Impaired driving isn't a mistake; it's a crime.

Those who drive under the influence of alcohol or drugs,

whether obtained legally or illegally, pose a danger to themselves, their passengers, and other road users.

NHTSA, under the leadership of Secretary of Transportation Elaine L. Chao, is determined to put an end to impaired driving—to save lives. Remember, impairment is impairment, no matter the substance.

# Growing Number of State Supreme Courts Meet Remotely

Late one Saturday night earlier this month, the Kansas Supreme Court released an order in an attempt to curb COVID-19. The order received much attention in Kansas and elsewhere, not just because the pandemic dominates the news cycle and not just because it is unusual for a state supreme court to conduct business on a weekend.

News of the order also informed a national audience – several national media outlets reported on it – that state supreme courts continue to work, meeting remotely with the aid of videoconferencing and teleconferencing software.

In fact, 20 state supreme courts and other courts of last resort have met remotely during this time, mostly hearing oral arguments and sometimes ruling on urgent matters, as the Kansas Supreme Court did, and 14 other states and territories have made plans to do so.

One of the first to do so was the North Dakota Supreme Court, which on March 24, for the first time ever, heard oral arguments using a videoconferencing app. The technology allowed the justices to participate as they normally would, asking lawyers questions and making comments. “Most of the lights were out Monday at the North Dakota Supreme Court as part of social distancing caused by the COVID-19 pandemic,” the court said in a statement. “But the justices conducted business never-



theless -- simultaneously from locations all over the state.”

Ohio Supreme Court justices began meeting remotely – from their individual chambers – on April 7, hearing four oral arguments.

“We are dedicated to continue the court’s business with minimal disruption,” Chief Justice Maureen O’Connor said in a statement. “We are using the latest technology

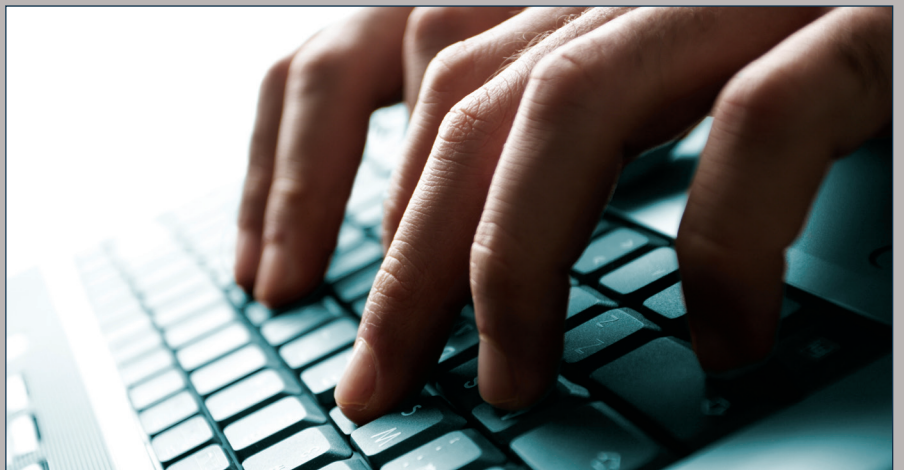
that makes remote oral arguments possible. It is important for the Supreme Court to do what every court in Ohio is asked to do: conduct business ...and do so consistent with their essential functions.”

For the map and to get more information go to the National Center for State Courts website at <https://www.ncsc.org/>.

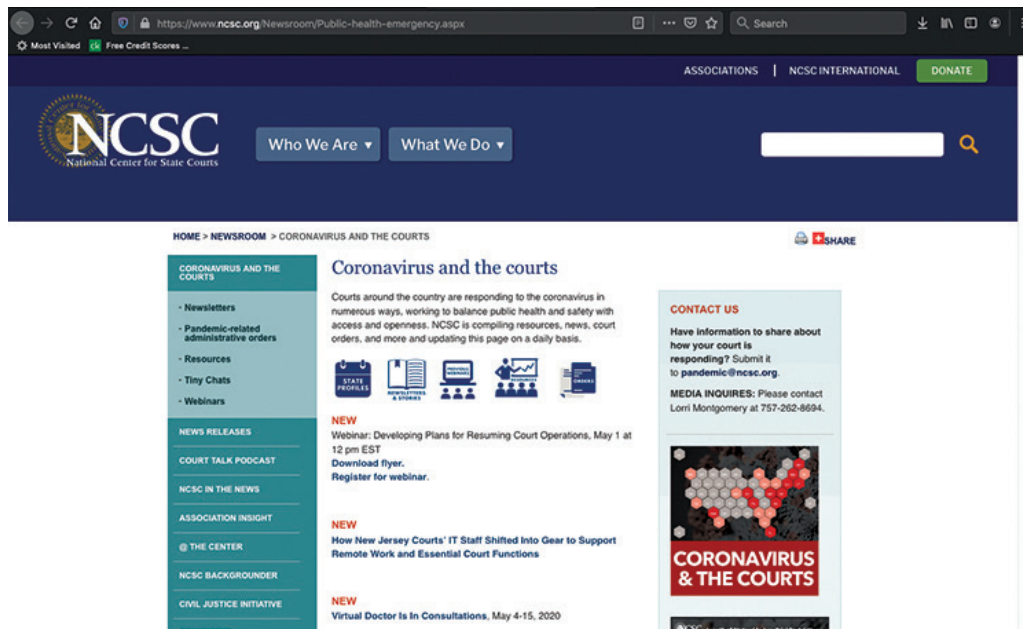
## SUBMISSIONS/ COMMENTS

Please send your submissions  
or comments to:

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# NCSC Helps Courts Prepare for Public Health Emergencies



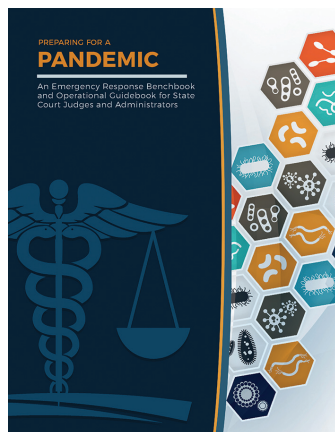
The coronavirus may not have been labeled a pandemic yet, but the rapid spread of the virus is a good enough reason for court officials to plan for how they would deal with one. Fortunately, there's no need to reinvent the wheel.

NCSC has updated its [public health emergency page](#), which offers many resources for court administrators and judges. The page features [Preparing for a Pandemic](#), a blueprint for developing a plan to combat a pandemic, as well as resources from last year's [National Pandemic Summit](#) at the University of Nebraska Medical Center, home to the nation's largest bio-containment unit.

The information on the page also applies to public health emergencies other

than pandemics, which are relatively rare. It applies, for example, to influenza, which has killed between 12,000 and 61,000 Americans per year since 2010. The flu pandemic of 1918, which killed about 675,000 Americans and tens of millions worldwide, caused courts to close in the [District of Columbia](#), [Tennessee](#), and [Kentucky](#), among other places, but public health emergencies rarely lead to court closings.

Despite that, public health emergencies sometimes impact the courts, and court officials need to know how to react to them. Court administrators need to know how to keep their courts operating efficiently when some of their employees are sick and can't work. And judges must know what to do when they are called upon to order quarantines for individuals infected with contagious diseases. A quarantine



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order related to a nurse in Maine who was exposed to the Ebola virus in Africa in 2014 made [national headlines](#).

Preparing for a Pandemic addresses the legal bases for actions the government may take and provides a ready-reference for a judge confronting issues that thankfully are extremely rare as they relate to things like a quarantine," said William Raftery, senior Knowledge and Information Services Analyst [with what organization?].

If you have questions about this or resources to share, email NCSC at [Knowledge@ncsc.org](mailto:Knowledge@ncsc.org).