

**PANEL RECOMMENDATIONS FOR
OPIOID ROUNDTABLE**



*Based on the Success of the Heroin Operations Team of the
Loudoun County Sheriff's Office*

Sheriff Michael L. Chapman

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INTRODUCTION

Perhaps there has been no greater counterdrug challenge through the years than the opioid epidemic facing the United States today. The opioid crisis was responsible for over 60,000 deaths nationwide last year alone. Clearly, any credible approach in combating this issue must involve education, prevention, enforcement, and treatment. Success cannot be achieved without attacking the problem through a holistic approach that involves all levels of government (local, state, and federal), alongside various community resources.

As a law enforcement agency, the Loudoun County Sheriff's Office (LCSO) is astutely aware of the importance to balance law enforcement with education and treatment for those afflicted by opioid dependency. The intersection of these elements requires close coordination and must address program content; required resources; costs; and defined expectations for success.

Also of concern is a need for treatment options. In most cases, treatment is not a function of law enforcement unless sheriffs are responsible for incarceration. In these cases, inmates may require counseling and/or drug treatment, as well as appropriate referrals to reintegrate into society once their sentences are completed. If not included in the program, drug dependency can (and likely will) lead to additional criminal behavior and a recycling through the criminal justice system.

HEROIN OPERATIONS TEAM "HOT" INITIATED

In early 2015, the LCSO observed a marked increase in drug overdoses and overdose deaths throughout the county. The LCSO had been very active with its drug enforcement initiatives, partnering with local counterparts and federal task forces which includes the Washington/Baltimore High Intensity Drug Trafficking Area (WB HIDTA). Further, the LCSO had been active in counterdrug education, mostly through its extensive engagement with the Drug Abuse Resistance Education (DARE) program. Despite these efforts, overdoses throughout the county increased.

To combat this growing problem, the LCSO decided to conduct a baseline assessment of its resources. The LCSO evaluated, from a community standpoint, exactly what resources existed in and around the county; what commitment we could receive from our local, state, and federal counterparts; and what resources existed that had not been utilized (e.g. Mental Health, Community Corrections, area judges, substance abuse professionals, Virginia Behavioral Health, etc.). The LCSO also assessed what programs could be initiated that went beyond simply arresting and incarcerating individuals.

As a result of this assessment, the LCSO established the Heroin Operations Team ("HOT") initiative {Exhibit 1}. Since its implementation, the HOT initiative has had overwhelming success. In 2017, the HIDTA committee identified Loudoun County as the ONLY jurisdiction in the Baltimore-Washington region to experience a *significant* decrease in

both overdoses and overdose deaths; down 11% in comparison to a region where overdose deaths exponentially grew, in some cases, well over 50% {Exhibit 2}.

HEROIN OPERATIONS TEAM H.O.T. WHEEL



*Loudoun's Whole-of-Government Approach
to Combat Heroin Overdose & Death*

Exhibit 1

The success of HOT is no doubt related to the whole of government, interagency approach which garners disciplines from across the spectrum. The program is designed to identify all area stakeholders, ascertain their connection to the problem, determine their respective capabilities, and incorporate these capabilities into an overall strategy for success.

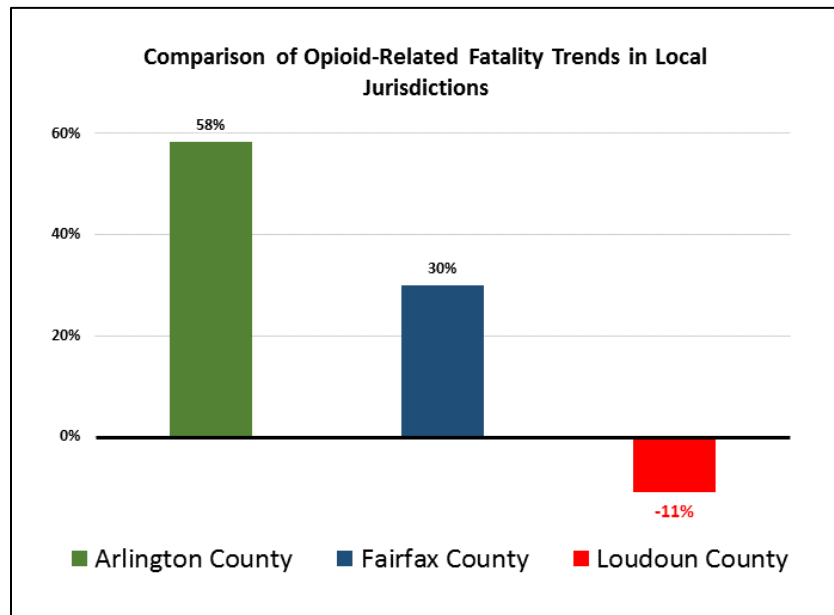


Exhibit 2

EDUCATION

As a result of HOT meetings, the LCSO moved forward on several initiatives. First, we enhanced our community outreach regarding this issue. The LCSO had already (upon the election of Sheriff Chapman in 2012) expanded its DARE program to middle schools. This was done to address the continued peer pressure children felt as they approached adolescence. Training LCSO's School Resource Officers (SROs) was a minimal cost, and enabled the SROs to have an even better connection to children at their schools simply because the SROs actively communicated with the children through regular instruction. The LCSO discovered that the value of training SROs and expanding DARE in middle schools only minimally impacted other SRO responsibilities. The DARE expansion has proven to be a win-win over the past six years.

In addition to the DARE expansion, the LCSO partnered with the Drug Enforcement Administration (DEA) in a variety of ways. First, the LCSO integrated drug prevention into its "Internet Safety Presentation" program. This initiative addressed current drug trends as well as the use of the internet to illicitly acquire drugs. This program, however, was not taught to the children, but to parents throughout the county in their respective high school clusters (which included parents from elementary and middle schools as well). In addition, the LCSO later incorporated the film, "Chasing the Dragon," into its high school clusters. This "no holds barred" film provides real life scenarios that show the devastating impact of drug addiction.

The LCSO also partnered with the DEA Education Foundation to temporarily secure the DEA Museum in Loudoun County. The LCSO held a grand opening with the Acting DEA Administrator, state and local political leaders, drug addicts and families who had lost loved ones, and leaders from various faith communities. A presentation was made to all county principals to conduct field trips to the museum and regular advertisement was conducted to increase public awareness of the museum. Most importantly, several forums were held at the museum which enabled attendees to share their personal stories – in order to help prevent others from suffering the same fate.

The LCSO also produced a video with several former top DEA officials to help promote the museum, each of whom described their perspective on the drug issue. The video was shared on the LCSO website and Facebook, as well as on the DEA's social media outlets. The LCSO also organized field trips to the museum with Loudoun County Public Schools and ensured that the students were entitled to school credit if they attended.

The LCSO also partnered with DEA for Project Purple. Project Purple involved a speaking engagement by Chris Herren, a former NBA star whose life was destroyed by heroin. He shares his ordeal in public and private venues. Most importantly, Herren has the unique ability to connect very well with teenage children and filled a Loudoun County high school auditorium.

PREVENTION

The LCSO realized it needed to do all it could to prevent deaths associated with overdoses. Consequently, the National Sheriffs' Association (NSA) became an early major partner in the HOT initiative by providing, via a grant from Purdue Pharma, naloxone to all LCSO field deputies (300+). Although Fire and Rescue initially expressed concern about the LCSO being equipped with naloxone (believed it to be mission creep), the LCSO, nonetheless, began a pilot program in 2016. The program was first designed to equip deputies in our more rural areas with naloxone in the event deputies arrived at an overdose scene prior to Fire and Rescue. Almost immediately, the LCSO experienced five incidents where this was the case and were able to save lives in each incident. Following this, and with the help of the NSA, all deputies were equipped. Subsequently, in the year and a half that followed, the LCSO has been credited with saving an additional 21 lives. This action has helped significantly reduce our overdose numbers.

Additionally, the LCSO united again with HIDTA in a program entitled "OD Map." With the participation of area state and local law enforcement, and in some cases, Fire and Rescue, OD Map tracks overdoses in real time. As all overdose cases are treated as a drug crime (to include both the distributor and user), the LCSO immediately reports any overdose activity to the OD Map website. This website tracks the overdose occurrences and designates them on area maps. That information is relayed to all participants across the region to identify locations where heroin/opioids are being consumed. That information can then instantly be relayed to our citizens via Facebook, Instagram, Twitter or NextDoor, a community-based social media information forum. OD Map integrates the need to administer criminal justice with reducing the overall availability of opioids that plague abusers; thereby, limiting the demands placed upon preventive and rehabilitative partners.

With the assistance from Loudoun County Mental Health Substance Abuse and Developmental Services (MHSADS), the LCSO continues to ensure that anyone incarcerated as a result of drugs receives the treatment they need. This includes both mental health and substance abuse treatment. Additionally, it is LCSO policy to ensure that all substance-afflicted inmates have the appropriate medical and rehabilitative service referrals when they are released from incarceration.

The LCSO is also actively involved with the Leadership Loudoun Opioid Epidemic Program Day. The program, in a classroom setting, tasked attendees with developing a program to help teach adolescents about the dangers of opioids. A panel of Fire and Rescue and LCSO personnel answered questions and provided valuable support information on opioid abuse prevention and education among adolescents. The discussion centered on the access our youth have to opioids and how to limit this availability. In addition, the discussion addressed the continuance of the LCSO's drug takeback program and provided addresses of the Sheriff's substation locations equipped with drop-off receptacles.

ENFORCEMENT

As part of the enforcement campaign, interdiction efforts by LCSO personnel selected specific locations to target drug/criminal activity in Loudoun County. As a result, over 130 traffic/suspicious vehicle stops were conducted. The efforts resulted in 33 narcotic arrests. One arrest recovered of ½ kilo of ketamine, 5000 Xanax pills, a pound of marijuana, and cash. Other drugs recovered during the operation included heroin, marijuana, suboxone, Vicodin and crack/cocaine and six additional criminal charges to include a weapons violation. The arrests led to credible intelligence regarding heroin drug sources operating in the region.

As part of this round up, a neighboring jurisdiction allowed low level first time offenders to forgo arrest and incarceration if they decided to immediately sign up for the diversion “treatment” option. This strategy, unfortunately, was met with only limited success. Of the 33 people arrested, only a handful signed up for the program, and only a few attended more than one of the required series of meetings. The second year this was attempted, even less success was reached – the arrest numbers were similar, but only one arrestee signed up for the treatment option. It appeared as though the arrestees were more likely to risk serving a minimal amount of time (if any) rather than committing to a program to help them kick the problem.

SIGNIFICANT ENFORCEMENT SUCCESS

While local enforcement efforts were successful overall, the LCSO experienced significant success when partnering with federal counterparts and utilizing federal statutes to target distributors. Because threshold amounts in the federal system are high, the LCSO, working with the DEA, pursued distributors who dispensed drugs that caused the death of the user. As most overdose deaths involved only small amounts of heroin laced with fentanyl, the LCSO, working with federal counterparts, began utilizing the 21 U.S Code 841 (Possession with Intent to manufacture, distribute or dispense), to charge distributors for causing the death of the person who overdosed.

This strategy resulted in several successes which included charging a distributor who caused the fentanyl overdose death of the 26-year-old daughter of one of our deputies. In a joint effort led by the DEA in Orlando, FL – in conjunction with the Orange County Sheriff’s Office, the suspect, who resided in Pennsylvania, was identified, arrested and charged with the deaths of several overdose victims. The suspect had utilized the “dark web” to sell fentanyl to more than 1000 customers nationwide and was linked to 19 other overdose fatalities across the country. His member “customers” were supplied kilogram quantities of fentanyl. The federal trial was the first such federal “death” case for narcotics conspiracy and distribution of controlled substance analogues for the Middle District of Florida. On April 27, 2018, the defendant was sentenced to “Life Imprisonment” for the death of the 26 year old.

Of special significance to the case referenced above, is the investigation met the criteria set forth by the DEA as being part of a global, operational program known as the Domestic Cartel Initiative (DCI). A target identified as a DCI elevates the status of the investigation to warrant

Organized Crime Drug Enforcement Task Force (OCDETF) funding and resources. This special category of investigation recognizes that a drug distributor operates in a way that severely impacts the quality of life for a local or regional community. Maximum sentences are sought on DCI members.

Additionally, the LCSO has aggressively coordinated other recent notable investigations that have produced positive results. One such investigation targeted a resident of Centreville, Virginia, suspected of providing a dose of heroin to an individual which resulted in the individual's death. Further investigation by the LCSO in partnership with the Fairfax County Police Department (FCPD) evolved into a significant undercover operation that entailed conducting several purchases of heroin. The case linked the primary suspect to a high-level, notable dealer in the Washington, D.C. area who was under investigation by the FBI. Working in unison, the case was presented to the Office of the Attorney General's Multi-Jurisdictional Grand Jury which led to a two count indictment for distribution. The eventual prosecution led to a 15-year sentence for the suspect.

In another successful example, an LCSO Detective assigned to WB HIDTA conducted an investigation on an out-of-state based drug transportation group. The suspect had traveled cross country to New York. The LCSO detective, working with the DEA/New York office, established a series of surveillances that ultimately led to a search warrant in Bronx, NY, that netted additional arrests, the seizure of 31 kilos of narcotics (fentanyl, heroin and cocaine), and significant drug proceeds.

Another cooperative investigation with the DEA was initiated following the death of a person suspected of ingesting cocaine. An analysis of the deceased's blood confirmed the presence of cocaine, fentanyl and morphine. Further investigation revealed the identity of the supplier who was arrested, charged and is now serving 15 years for causing the drug user's death.

PRESCRIPTION DRUGS

In another multi-faceted initiative that proved successful, the LCSO conducted a three week pro-active "Pill" investigation. This investigation targeted the illegal sale and distribution of opioid and prescription drugs within the county as well as those legal entities (doctors & pharmacies) who may be illegally dispensing or knowingly filling fraudulent scripts. This pro-active operation addressed criminal activity related to prescription pills in six categories.

- 1- Targeted addresses suspected of receiving packages from the Dark Web
- 2- Local pharmacies with abnormally high sales in synthetic opioids
- 3- Doctor's and/or doctor offices potentially over prescribing synthetic opioids
- 4- Street level "pill" distribution cases
- 5- Street level interdiction by uniformed personnel
- 6- Roll Call Training for uniformed deputies

Initiative #1 – Dark Web

The LCSO's Tactical Enforcement Unit (TEU) targeted addresses potentially receiving packages from the Dark Web. These addresses were turned over to and coordinated with the United States Postal Inspector for mail covers. TEU is continuing to investigate and monitor these addresses via trash pulls, surveillance, and use of mail covers. TEU will continue to work jointly with US Postal Inspectors (USPS) on any potential controlled deliveries. The LCSO identified 32 potential addresses suspected of receiving synthetic opioid "pills" via the Dark Web. Out of these locations, detectives within TEU initiated nine active cases requiring further investigation.

Initiative #2 – Pharmacies

LCSO detectives made contact with 56 pharmacists to identify any new prescription fraud cases. The purpose of these visits is to establish a professional working relationship with pharmacy owners and pharmacists to identify potential new prescription fraud cases. During the three week Pill Initiative, detectives developed three new cases involving prescription fraud for Xanax and other synthetic opioids. Additionally, TEU detectives worked jointly with the DEA to send undercover deputies into three pharmacies with "fake" prescriptions for oxycodone. Of the three pharmacies, one filled the fake prescription and two were denied. TEU detectives have an active case on a pharmacy based on this operation and will continue pro-active operations on other pharmacies.

Initiative #3 – Doctors

Similar to Initiative #2, undercover TEU detectives worked jointly with the DEA Tactical Diversion Squad and visited several doctors within the community seeking pain killers, specifically Oxycodone or Xanax. Of the doctors visited, two willingly prescribed prescriptions to the undercover deputy with little-to-no personal information. The detective said he was "from out of town," had no driver's license, and after a short conversation was prescribed 30 Adderall tablets. Multiple cases are pending.

Initiative #4 – Street-level pill investigations

Detectives within TEU conducted numerous purchases of pills from approximately 19 different street distributors. Collectively, hundreds of various pills including Xanax, Roxicodone, Adderall and Oxycodone were purchased. Several criminal cases are still pending.

Initiative #5 – Street level interdiction

Members of the LCSO Special Operations Section (SOS) conducted over 125 interdiction-related traffic stops and seized over 200 various prescription pills that were illegally possessed. Several of these stops resulted in arrests (6) as well as additional search warrants on residences (3).

Initiative #6 – Roll call training

Detectives within TEU conducted numerous roll call trainings for LCSO deputies on prescription fraud and the link between the distributor, abuser, doctor and pharmacy. Detectives trained deputies on specific criminal violations and how to conduct street level interviews on suspected criminal cases.

As a result of this successful three week operation, TEU plans to continue several of the above initiatives. Additionally, LCSO Detectives will continue to partner with USPS Inspectors and the DEA on suspected Dark Web deliveries, illegal distribution within pharmacies and doctor offices.

TREATMENT

For the law enforcement community, treatment is the last resort when education, prevention and enforcement have failed. With the exception of programs for those incarcerated (under sheriffs' offices), treatment generally falls outside of the spectrum of law enforcement.

In November 2017, President Trump declared the opioid crisis a national public health emergency under federal law. At the same time, the President's Commission on Combating Addiction and the Opioid Crisis published its report. The report primarily focuses on treating opioid addiction and marginally addresses enforcement efforts in combating the problem.

The Commission's report also discusses the notion of "drug courts" for each of the federal judicial districts. As federal thresholds require distributor amounts for a defendant to be charged, this recommendation is difficult to understand. User amounts of drugs are typically addressed at the local level where drug courts are most applicable. However, the success of local drug courts seems to have mixed results.

In Loudoun County, for example, the drug court was disbanded in 2012 following the election of a new slate of Board of Supervisor members. The success of the drug court was marginal because entry in the program didn't occur until well after a person became addicted to or dependent upon drugs. Unlike first time offenses for "driving under the influence," which have very serious and expensive consequences, first time drug offenses did not. Most first time drug offenders receive "probation before judgement." They are not issued serious sentences until they are on the road to dependency or addiction.

The commission's report also seems to support long-term, detoxification programs. Although medication may abate the effects opioids have on a user, they can be very costly. One such program involves a monthly injection that reduces drug urges – at a cost of approximately \$1000 per injection. This expense is more than most local jurisdictions can absorb and may not be necessary. In several forums the LCSO has been involved with that included former addicts, the mere fact that the users were not able to get drugs while in prison was the very reason that they were able to get off drugs and turn their lives around.

In order to better gauge the problem at hand, the Commission's report does make the valuable suggestion that the Drug Abuse Warning Network (DAWN) be reinstated. This organization used to track emergency room visits nationally – an important component in understanding the overall impact of drug use, addiction and overdoses. Restarting this program will enable the entire community countering this drug problem to better understand the extent of the problem and determine what may or may not be working.

SUMMARY

One hundred seventy-five people die each day from drug overdoses and the number continues to rise. However, in Loudoun County, our totals are decreasing. This is because the LCSO has taken a holistic and multi-faceted approach.

As a law enforcement organization, the LCSO feels strongly that there must be accountability across the spectrum for all involved with the distribution, dispensing, use, and abuse of opioids. Drug law enforcement is a key – and underestimated component – in countering the problem. This is why it is imperative that federal funding for state and local task forces continues.

Education and prevention are also critically important, along with constant, vigorous messaging. Although the President's Commission looks to the Office of National Drug Control Policy to be the key messenger, it is important to recognize that many resources that can help deliver the counterdrug message already exist. In Loudoun, for example, delivery methods include our DARE program, community meetings, and various social media platforms such as Instagram, Twitter, and Facebook. As professionals in the fight against this problem, we all need to identify all of our essential stakeholders, utilize the resources we already have, continue to acquire additional resources, and apply ingenuity with energy to attack this problem on all levels.