To: Pennsylvania District Attorneys

Pennsylvania Police Chiefs

County Sheriffs

Dear District Attorneys, Chiefs, and Sheriffs,

We are all well aware that death from opioid overdose continues to ravage communities statewide. In 2014, 2,488 individuals, ranging in age from four months to 85 years, died in this manner, as reported by Pennsylvania county coroners, and for the devastated families of loved ones who have died, their lives will never be the same.

In November 2014, Act 139, "David's Law," became effective, allowing widespread access to the opioid overdose reversal medication, naloxone – also known by the trade name "Narcan™." With implementation of this law, substance use disorder and opioid overdose can now be addressed as the disease and serious public health issues they are. Since the beginning of December 2014, 40 lives have been saved in Delaware County alone. Clearly, we cannot address this serious epidemic simply by making arrests.

Through naloxone deployment initiatives that are occurring in Delaware County, as well as other areas in Pennsylvania and across the nation, various misconceptions about use of this medication are being dispelled. While it is often believed that Emergency Medical Services (EMS) are first on the scene of an overdose, officers in Delaware County were first at an overdose scene 40 times since last December and were able to administer naloxone. Of these cases, there were no reported instances of violent or aggressive behavior; rather, usual opioid withdrawal symptoms were noted. EMS was able to address medical issues upon arrival at the scene and some individuals had even thanked officers for saving their lives. Additionally, this statute includes solid liability protections for police and according to the National Health Law Project, there has not been one lawsuit filed anywhere in the United States as a result of law enforcement administration of naloxone. Furthermore, data indicates risky drug-using behavior has not increased since the program's inception. On the contrary, there are reports suggesting in communities where law enforcement is using naloxone, incidence of opioid overdose appears to decrease as heightened awareness of the dangers increase. Similarly, since taking this approach to overdose, improved relations and communication of critical investigative information has been noted between citizens and police officers.

We must save the lives of overdose victims before appropriate referral for substance abuse treatment can occur. Robust efforts are underway by the Department of Drug and Alcohol Programs and others to more adequately address warm handoff, or direct referral from the emergency department to the treatment

provider, post overdose survival. Treatment is likely the first necessary step for individuals to get the help they need and to begin the process of recovery.

An important provision of David's Law is immunity for those who call for help at the scene of an overdose. Overdoses rarely occur in isolation; yet, the fear of arrest has been a deterrent to bystanders in making the necessary call to 911. It is imperative that law enforcement officers uphold the spirit of this Good Samaritan provision so individuals will respond appropriately at the scene.

We cannot pick and choose who we serve and protect. As law enforcement officers, our mission is to serve the needs of the community, attain the highest quality of life for our citizens, and cause no harm. For this reason, we encourage all municipal police departments to engage in naloxone training and deployment initiatives and to honor the Good Samaritan provision of the law.

District Attorneys wishing to establish a county-wide naloxone initiative or municipal departments wishing to establish local initiatives are encouraged to seek out information regarding Act 139, "David's Law," at www.ddap.pa.gov and to access the currently available funding programs that will provide law enforcement agencies with free naloxone. The Pennsylvania District Attorneys Association (PDAA) and the Pennsylvania Chiefs of Police Association (PCPA) can be contacted respectively at (717) 238-5416 or (717) 236-1059 for more details about these funding opportunities.

Widespread deployment of naloxone and consistent application of the Good Samaritan law can be one of the most effective tools we have in the fight to reduce overdose death. Thank you for your continued dedication and partnership in addressing this very serious public health issue.

Sincerely,

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