

# **Governor's Task Force on Prescription Drug and Heroin Abuse Enforcement Workgroup**

**Patrick Henry Building, Conference Room 3  
1111 East Broad Street, Richmond, Virginia  
November 12, 2014**

## **FINAL MEETING MINUTES**

### **Attending Members:**

Co- Chair: Michael Herring, Commonwealth's Attorney, City of Richmond  
Co- Chair: James Cervera, Chief of Police, Virginia Beach  
Keith Alger II, Commonwealth's Attorney, Page County  
Shawn Buckner, Senior Recovery Coach, SAARA of NOVA  
Senator Charles 'Bill' Carrico, Sr., Senate of Virginia  
Trevor Chapmon, MD, Section Chief, Carilion Clinic Physical Medicine  
Kim Craig, Executive Director, Staunton-Augusta Rescue Squad  
Francine Ecker, Director, Department of Criminal Justice Services  
Colonel David Hines, Sheriff, Hanover County  
Judge Jerrauld Jones, Norfolk Circuit Court  
Anna Powers, Drug Treatment Court Coordinator, Supreme Court of Virginia  
Carole Pratt, DDS, Virginia Department of Health  
Ray Tarasovic, Chief of Police, City of Richmond  
Tonya Vincent, Deputy Secretary of Public Safety

### **Other Attendees:**

William Hazel, Secretary of Health and Human Services, observed a portion of the meeting.  
Eric English, Deputy Chief, Richmond City Police

### **Not Present:**

Nancy Parr, Commonwealth's Attorney, City of Chesapeake  
Honesty Liller, CEO, The McShinn Foundation  
John Jones, Executive Director, Virginia Sheriff's Association

### **Welcome & Introductions:**

Co-chair Herring convened the meeting at 3:20 p.m. and welcomed Workgroup members. Workgroup members introduced themselves.

### **Next Meeting Date:**

The next Workgroup meeting will take place December 2, 2014, from 12:00 p.m. to 4:00 p.m. at a location to be determined, in Richmond, VA.

### **Executive Order 29 or Enforcement Workgroup Identified Issue Areas:**

- 1. Identify and promote evidence-based best practices and strategies across the criminal justice system to address public safety risks and treatment needs of individuals with opioid addiction**

Discussion:

- a. Task Force seeks a measurable reduction in deaths from prescription drug and heroin abuse.
- b. Could overdose immunity laws reduce the number of overdose-related deaths by encouraging people to seek medical help?
- c. How do law enforcement and courts distinguish social from predatory heroin dealers?
- d. Focus enforcement on “dealer of death” (dealer who sold heroin to person who overdosed) and provide criminal immunity for both the person in need of medical assistance and the person who sought help (Good Samaritan)?
  - a. Use existing sentencing guidelines as equalizer
  - b. Use accommodation defense
- e. Prince William County Police Department includes its Community Services Board counselors on its drug sweeps to offer treatment vs. jail to arrestees.
- f. Are evidence-based practices for cocaine transferrable to heroin?

*ACTION STEPS for Dec. 2 meeting*

- a. Fran Ecker will identify successful, evidence-based practices in VA including Crisis Intervention Teams; Prince William County Police Department and Winchester’s strategies; Illinois model, etc.
- b. Chief Tarasovic and Sheriff Hines will coordinate:
  - i. information collected by Workgroup members on evidence-based practices and strategies relevant this issue
  - ii. information collected by Workgroup members on other states’ Good Samaritan laws

## **2. Interstate collaboration**

Discussion:

What percent of illegal drugs are coming into Virginia from other states?

*ACTION STEPS for Dec. 2 meeting*

- a. How many Virginians are picked up on drug charges in DC? This data may be available from regional meetings
- b. Deputy Secretary Vincent will ask Dept. of State Police to report on high intensity drug trafficking areas in Virginia e.g., Richmond, Roanoke, Tidewater region.

## **3. Training in the use of life saving interventions**

Discussion:

- a. Use of Narcan (Naloxone) - VA law enforcement not authorized to carry or use Narcan
- b. Small, rural agencies not able to implement Crisis Intervention Team model

*ACTION STEPS for Dec. 2 meeting*

- a. Kim Craig and Sheriff Hines will report on life saving interventions

## **4. Expanded alternatives to incarceration, including drug courts**

Discussion:

- a. Drug Courts were described as problem-solving courts that combine low sanctions (short-term jail time) with frequent intervention from interdisciplinary teams of treatment specialists
- b. Drug Courts described as successful for the appropriate candidates (high-risk/high need) and cost effective
- c. Noted that Virginia does not have a statewide mechanism for diversion
- d. Questioned how to reach General Assembly members opposed to drug courts
- e. Additional considerations include:
  - a. Mental Health Courts
  - b. assisting individuals on re-entry following incarceration
  - c. day reporting centers
  - d. mental health treatment for addicted individuals
  - e. use of asset forfeiture money to fund drug courts

*ACTION STEPS for Dec. 2 meeting*

- a. Anna Powers and Michael Herring will bring information to Workgroup on alternatives to incarceration including details on Prince William County's Crisis Intervention Team model.

**5. Cross-system collaboration to improve access to and the availability of treatment**

Discussion:

- a. Detox without drug treatment is not successful
- b. Develop a Drug User Registry similar to Virginia's Sex Offender Registry
- c. Prescription Monitoring Program (PMP)
  - a. Use of PMP, originally designed for physicians and now used by pharmacists too, is not mandated for either group. Will this be addressed in 2015 General Assembly?
  - b. Unintended consequence of PMP is that physicians are not prescribing narcotics at all.
- d. Varied opinions re: law enforcement access to PMP
  - a. Provide LEOs with limited (reactive) vs. full (proactive) access to PMP
  - b. LEOs access to PMP
    - i. How are they trained to use PMP properly?
    - ii. What legal issues are there?
    - iii. What use restrictions would there be?
    - iv. How is confidentiality maintained?
    - v. Would LEOs use PMP to snoop/fish for information?
  - c. Commonwealth's Attorney could get a warrant to use PMP reports as case evidence
  - d. LEOs probably would not gain much value from PMP
  - e. Do not offer access to LEOs

*ACTION STEPS for Dec. 2 meeting*

- a. Several Workgroup members will report on cross-system collaborations in their jurisdictions including Chief Tarasovic and Sheriff Hines.

**Meeting Adjourned**

Mr. Herring adjourned the meeting at approximately 4:00 p.m.