



U.S. Department of Justice

Andrew E. Lelling
United States Attorney
District of Massachusetts

Main Reception: (617) 748-3100

John Joseph Moakley United States Courthouse
1 Courthouse Way
Suite 9200
Boston, Massachusetts 02210

August 11, 2020

Kevin Coppinger
Sheriff
Essex County Sheriff's Department
20 Manning Ave
Middleton, MA 01949

Re: ADA Investigation of Essex County Sheriff's Provision of Medications for Opioid Use Disorder.

Dear Sheriff Coppinger,

As you know, our office opened an investigation to determine whether the Essex County Sheriff's Office complied with the Americans with Disabilities Act in not providing medications used to treat opioid use disorder (OUD) to individuals receiving that medication prior to entering the Sheriff's custody.

Since we opened our investigation, your office addressed the underlying issue of our concern. In September 2019, you opened your Medication Assisted Treatment Center where you administer all three FDA-approved medications for the use of OUD. The center includes offices for counseling and programs for ensuring that treatment continues post-release. Notably, in the center's first five months, you administered nearly 10,000 doses of medication for OUD and serviced the needs of 340 individuals with the capacity to serve many more.

In addition to continuing the medications of individuals who are already engaged in treatment—which was our office's primary focus—you took the proactive step of also evaluating whether to initiate individuals into treatment. When our office toured your facility in February, we were struck by the quality of the program, and by your full-throated endorsement of supporting the use of medications for addiction treatment within a correction setting. We were likewise struck by the program's success in preventing diversion, which you showed was miniscule.

Because your office has implemented a program that:

1. Does not change or discontinue a medication used to treat OUD except upon an individualized determination made by a qualified medical specialist that the treatment is no longer appropriate based on the person's current condition;
2. Does not use incentives, rewards, or punishments to encourage or discourage a person to receive any particular medication used to treat OUD while in the facility's custody; and
3. Does not deny health services, or services provided in connection with drug rehabilitation, to an individual on the basis of that individual's current illegal use of drugs, if the individual is otherwise entitled to such services;

the U.S. Attorney's Office will close its investigation of this matter.

This does not constitute a finding by the United States that Essex County Sheriff's Office is in full compliance of the ADA in regards to any other matter, nor does it affect the rights of private individuals to enforce their rights under the ADA. We ask that you countersign and return a copy of this letter to us, to demonstrate an acknowledgement of the reasons we have closed this matter.

As we have expressed before, we appreciate your cooperation in this matter, and applaud your proactive efforts. If you have questions or concerns, please do not hesitate to contact our office.

Sincerely,

ANDREW E. LELLING
United States Attorney