



U.S. Department of Justice

Rachael S. Rollins
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

March 10, 2022

By Email

Sheriff Joseph McDonald, Jr.
Plymouth County Sheriff's Office
24 Long Pond Road
Plymouth, MA, 02360

Re: Resolving the U.S Attorney's Office ADA Compliance Review of the Plymouth County Sheriff's Office

Dear Sheriff McDonald:

As you know, in October 2018, the United States Attorney's Office for the District of Massachusetts ("USAO") opened a compliance review under Title II of the Americans with Disabilities Act of the Plymouth County Sheriff's Office (the "Sheriff's Office") focused on whether the Sheriff's Office offered all three forms of medications used to treat Opioid Use Disorder ("OUD"). These medications include buprenorphine, methadone, and naltrexone. Specifically, we focused on whether the Sheriff's Office maintained treatment of these medications used to treat OUD for those individuals in Sheriff's Office custody who were identified as already being prescribed these medications at intake.

It is our understanding that, since this review began, the Sheriff's Office began the process of securing the ability to provide all three forms of medication. We understand that this required working with your medical vendor and gaining the necessary approvals from the state's Department of Public Health. We recognize that the Sheriff's Office has put in considerable work to make this happen and commend you on your commitment.

Therefore, this Letter of Resolution provides notice that we intend to close our review if the Sheriff's Office provides evidence in the next eight months that it has established a method to maintain the medications for individuals in the Sheriff's Office custody who are already undergoing treatment at intake. If, during the next eight months, it becomes apparent that it may take longer to complete this process, let us know and we will work with you on a reasonable extension.

The USAO's decision to close its investigation of this matter is conditioned upon a number of factors, including but not limited to:

1. The Sheriff's Office 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. The Sheriff's Office 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;
3. The Sheriff's Office 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, though the Sheriff's Office may deny participation in a drug treatment program to individuals who engage in the illegal use of drugs while they are in the program; and,
4. The Sheriff's Office will notify the USAO of any material alterations to its policy for providing medications used to treat OUD for the next year.

Please send documentation that you have established a method to maintain medications used to treat opioid use disorder at intake by November 10, 2022.

If you are willing to undertake the actions outlined in this letter, which are required to resolve the above-referenced matter in accordance with the requirements of Title II of the ADA, please provide written confirmation by signing this letter in the space provided below and return it to us by email within 21 days of the date of this letter.

This offer of resolution is limited to the issues described above and does not address the resolution of any other alleged violations of the ADA or other federal laws that may exist or arise.

Thank you, again, for your continued cooperation, collaboration, and partnership. We are committed to bringing this matter to a prompt resolution and trust that you will find everything in this letter reasonable, including the time frames for modifications.

Sincerely,

/s/ Gregory J. Dorchak
Gregory J. Dorchak
Assistant U.S. Attorney
Civil Rights Unit

THE PLYMOUTH COUNTY SHERIFF'S OFFICE ACKNOWLEDGMENT & AGREEMENT

The Plymouth County Sheriff's Office will provide evidence in the next eight months that it has established a method to maintain medications used for Opioid Use Disorder for individuals in the Sheriff's Office custody who are already undergoing treatment at intake in accordance with paragraphs 1-4 of this letter. The person signing below is authorized to act on behalf of the Plymouth County Sheriff's Office.

3/10/22
Date


Signature

Patrick C. Lee, General Counsel
Printed Name and Title