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**Erie County Corrections Specialist Advisory Board**
**Old County Hall**
92 Franklin St., 4th Floor
Buffalo, NY 14202
Switchboard: 716/858-7500

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Legislator Howard Johnson, Chair
Public Safety Committee
Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

RE: Recommendation of the Erie County Corrections Specialist Advisory Board

Presented Before the Erie County Public Safety Committee

October 14, 2021

The Board thanks Legislator Johnson and the Public Safety Committee for holding today's important hearing on the subject of medically assisted treatment in the county jails. It is the position of the Board that a robust medically assisted treatment program is vital to serving the needs of prisoners affected by addiction.

Over the past year, the Board has facilitated discussion between the Erie County Sheriff's Office (ECSO), the Legislature, and the Erie County Department of Mental Health (ECDMH) regarding the implementation of a medically assisted treatment program in Erie County jails. The Board also submitted a letter to the Legislature last year recommending the implementation of such a program.

Last year, a subcommittee of the Advisory Board has met on a weekly basis to research, review and garner a better understanding of jail-based Medication Assisted Treatment programs. The sub-committee's explorative process included utilizing the members existing education, background and expertise, review of data collected from the ECSO Jail Management Division's Office of Correctional Health, and two interactive, virtual meetings with Captain James McGowan of the Monroe County Sheriff's Office to discuss the evolution of their MAT program, effects of the COVID-19 pandemic on lowered census as well as the strengths and weaknesses of ongoing program operation.

The Monroe County Sheriff's Office was sought out due to similarity in both capacity and proximity to Erie County, furthermore they have had a functioning MAT program since 2016. While we are aware that the jail had been operating a Vivitrol program; it is unclear if this remains operational. While we are aware that Vivitrol can be effective, it is a third line drug prescribed for persons with an opiate addiction. Methadone or Suboxone are scientifically proven more effective than Vivitrol. At this time all forms of MAT are not available to inmates in the county system.

This Board supports the action of the Legislature to allocate $1 million to the Erie County Department of Mental Health's 2020 budget to implement Medication Assisted Treatment (MAT) to individuals under the care and custody of the Erie County Sheriff's Office. Medication Assisted Treatment (MAT) is an evidence-based treatment for opioid use disorder (OUD) that uses FDA-approved pharmacotherapy in combination with counseling and behavioral therapies to treat substance use disorders. MAT is the recommended treatment approach of the New York State Office of Addiction Services and Supports (OASAS) that is widely used in our community and endorsed by the Erie County Opiate Epidemic Task Force. Seventy-five percent of people who were in prison or jail with an OUD experience a relapse to opioid use. Incarcerated persons who are released to the community are between 10 and 40 times more likely to die of an opioid overdose than the general American population; according to the Substance Abuse and Mental Health Services Administration (SAMHSA). Furthermore, in the document dated March 15, 2019 "Medication-Assisted Treatment in the Criminal Justice System: Brief Guidance to the States" SAMHSA indicated that "states are encouraged to support the adoption of a medical model of addiction and recovery across state and local behavioral health and justice system partners."

The current jail practice is to detox those with an opiate addiction who enter the facility. This includes those who are prescribed MAT are detoxed inappropriately and unnecessarily. While MAT is prescribed in the community it is not continued or offered to those in need when incarcerated in Erie County. We are concerned that this practice denies those in need of continued life sustaining medication. They are placed at risk of a return to substance use, possible overdose, and death. This Board views this as a liability for the County and Sheriff's Office.

While we are aware that the jail had been operating a Vivitrol program; it is unclear if this remains operational. While we are aware that Vivitrol can be effective, it is a third line drug prescribed for persons with an opiate addiction. The Board is aware that MAT is offered in several counties across New York and in fact our neighboring counties of Niagara and Monroe provide MAT. Monroe County has a robust program which we were educated on recently and we are also aware that Niagara County provides MAT. Niagara is continuing Methadone in their jail and often utilize a provider in Erie County. This provider is located less than 3 miles from the Erie County Holding Center.

Over the past several weeks, the Board has also facilitated more targeted discussion with the Legislature and the ECSO to ensure that the ECSO come up with a plan suitable to justify the Legislature's allocation of the aforementioned funds to begin a medically assisted treatment program in the jails. We expect such a plan to be submitted at today's hearing. If the plan meets with the Legislature's approval, we would urge this honorable body to proceed with any resolution or other action necessary to deliver the funds to ECSO, and, once this allocation is completed, we urge the ECSO to implement its plan and to begin offering medically assisted treatment as soon as possible. If the ECSO plan does not meet with the Legislature's approval, we respectfully request that the Legislature be specific as to where the plan falls short, and what is needed to receive legislative approval, so that the Board may continue to facilitate the creation of an effective MAT plan and get it implemented as soon as possible.

Thank you for your consideration of our recommendation.

Sincerely,

Miles Gresham, Chair

Cindi McEachon, Vice Chair