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NEWS FOR IMMEDIATE RELEASE

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AG Schimel Continues to Fight Opioid Epidemic through Prevention, Treatment, and Enforcement

AG Schimel continues investigation into pharmaceutical companies, lobbies Congress for access to addiction treatment

MADISON, Wis. – Attorney General Brad Schimel continues to direct the Wisconsin Department of Justice (DOJ) to fight the opioid epidemic with a three-pronged approach: prevention, treatment, and enforcement.

“Years ago, I first saw the opioid epidemic take hold in Waukesha County. As district attorney, I met with parents, community advocates, elected officials, pharmacists, doctors, and law enforcement to come up with solutions to the drug epidemic,” said Attorney General Schimel. “As Attorney General, I have continued this fight. Last year, opioids killed 827 people in Wisconsin¹ and we must continue prioritizing prevention, treatment, and enforcement.”

Prevention

“We cannot arrest our way out of the opioid epidemic,” said Attorney General Schimel. “We will not be able to regain control unless we curb the demand for opioids. Prevention has been at the center of my strategy to stem the opioid epidemic.” There are several proven avenues to successful drug abuse prevention. Attorney General Schimel has brought together key experts and employed a multidisciplinary approach that has had measurable success.

1. In September 2015, Attorney General Schimel launched [Dose of Reality](#), a nationally recognized prevention campaign designed to raise awareness about

¹ <https://www.dhs.wisconsin.gov/wish/opioid/index.htm>

prescription drug abuse and its effect on the opioid epidemic. The campaign has prevention messages for the medical community, students, coaches, parents, educators, employers, and seniors and caregivers. This award-winning campaign has been adopted in Nebraska, Maine, and Minnesota as well as many community, faith-based, medical, and educational organizations.

2. DOJ has also partnered with the U.S. Drug Enforcement Administration (DEA) for Drug Take Back Day, a nationwide event to prevent drug diversion and abuse by getting all unwanted and unused prescription and over-the-counter drugs out of medicine cabinets and safely destroyed. Since October 2015, Wisconsinites have successfully disposed of nearly 360,000 pounds of unused medications.
3. In order to prevent and deter pharmacy robberies, DOJ and the Pharmacy Society of Wisconsin developed a training for local law enforcement and pharmacists. The Pharmacy Robbery Prevention and Response training, is provided to pharmacies by law enforcement and teaches pharmacists, pharmacy technicians, clerks, and other pharmacy personnel how to deter a robbery; what to do when a robbery occurs; and what to do after a robbery occurs.
4. With fentanyl cases in Wisconsin increasing, law enforcement are exposed to potentially dangerous unidentified powders. To prevent accidental overdoses, Attorney General Schimel recently directed the state crime lab to permit law enforcement officers to perform their own field tests at the lab, instead of at an uncontrolled location. Under the trained guidance of state crime lab technicians, law enforcement is now able to proactively protect itself from potentially lethal powders.
5. In order to prevent incentives in the health care industry that increase opioid-prescribing, Attorney General Schimel joined a coalition of 37 states and territories [urging health insurance companies](#) to examine financial incentives that contribute to the opioid epidemic in Wisconsin. In a letter addressed to industry trade groups and major insurance providers, the attorneys general urge insurers to review their coverage and payment policies that create opioid-prescribing incentive structures across the insurance industry. Partnering with insurance providers to identify problematic policies and encouraging

reforms would spur increased use of non-opioid alternatives for treatment of chronic, non-cancer pain.

6. As a national leader on the opioid epidemic and educational resources, Attorney General Schimel and DOJ expert staff regularly serve as instructors for the National Attorneys General Training and Research Institute. They share Wisconsin's successful opioid epidemic prevention and harm reduction techniques with other states. Attorney General Schimel also hosted his attorneys general colleagues in Milwaukee in October 2016 for a conference to discuss a state attorney general's role in fighting the opioid epidemic, offering DOJ's efforts as a model.

Treatment

"After 26 years as a prosecutor, I can say, without reservation, that treatment courts are the best thing the criminal justice system has ever done, and it's not only me that believes that," said Attorney General Schimel. "The fact is, the DAs, police, social workers, public defenders and everyone in between - we all agree. We are finally recognizing that we cannot 'incarcerate our way out of problems' related to addiction. Yes, jail and prison are sometimes necessary parts of our approach to punish the crime that is driven by addiction, but confinement alone will not change a person's disease or their behavior. Treatment courts combine accountability and an opportunity to earn a second chance by demonstrating commitment and hard work. This approach ultimately makes our communities safer and healthier."

DOJ provides critical support to the state's treatment alternatives and diversion program; has increased access to lifesaving opioid antidotes; and lobbied Congress to increase access to addiction treatment.

1. To increase treatment options, DOJ's treatment alternatives and diversion (TAD) program offers offenders the opportunity to enter diversion or treatment court programs, which typically involve drug and/or alcohol treatment and other risk reduction services as a safe alternative to jail or prison confinement. Through 2018, these programs will be funded in 51 counties and two tribes, with more than \$6 million provided annually to support these local programs. DOJ is also improving TAD by working with criminal justice partners to develop standards and provide training for programs, and by developing a comprehensive reporting system that will support collection of participant-level data from these programs, gathering data that will help to evaluate and inform both current and future programs.

2. In 2018, local law enforcement participating in a DOJ-led pilot program will be able to divert non-violent offenders with substance use issues to a treatment option, thanks to [legislation](#) signed into law by Governor Scott Walker in July.
3. Opioid-related overdoses are less likely to be fatal if naloxone, also known as Narcan®, a lifesaving opioid antidote, is accessible. DOJ has increased access to naloxone by negotiating with drug manufacturers Amphastar Pharmaceuticals and Adapt Pharma, Inc, to make naloxone available at a discounted rate to Wisconsin first responders, government agencies, and community-based organizations. DOJ's Training & Standards Bureau also provides local law enforcement support in developing naloxone use guidelines, overdose response strategies, and fentanyl field testing training.
4. Attorney General Schimel has also called on Congress to increase access to treatment. In October 2017, the attorney general sent a [letter](#) to Congress, along with a bipartisan coalition of 39 other state attorneys general, calling on Congress to pass the Road to Recovery Act, legislation that changes federal law to make treatment for drug addiction more affordable and accessible for Americans who most need it by eliminating a decades-old Medicaid rule that limits residential treatment options.

Enforcement

“Every day, DOJ investigators are leading or assisting with the take down of major drug trafficking operations. We are supporting local law enforcement’s efforts to stop the illegal drug trade and flow of controlled substances into our communities, and investigate the actions of legitimate organizations whose actions may have exacerbated the opioid epidemic or violated state consumer protection law,” said Attorney General Schimel. DOJ has taken enforcement action in order to dismantle the criminal networks that bring heroin and fentanyl to Wisconsin communities; and is investigating pharmaceutical companies whose practices may have had a role in prolonging or creating the opioid epidemic.

1. DOJ’s Division of Criminal Investigation (DCI) has partnered with local and federal law enforcement to capture drug traffickers, and recently increased investigative resources when Governor Scott Walker signed [2017 Wisconsin Act 35](#), which added four new agents to the division to investigate heroin trafficking crime networks.

2. In addition to supporting local law enforcement in local investigations of drug traffickers, last year DCI seized more than 660 grams of heroin and fentanyl, and nearly 1,000 doses of opioid pills, such as Oxycodone, Percocet, and Vicodin. Recently, DCI executed two major law enforcement operations with the DEA in southeastern Wisconsin that led to the seizure of more than two kilos of heroin, 33 grams of fentanyl, and the arrest of 30 drug traffickers.
3. DOJ also supports local law enforcement's efforts to dismantle these drug trafficking networks by administering U.S. Department of Justice funds to drug task forces across the state. 18 drug task forces, covering 56 counties and eight tribes in Wisconsin, are provided more than \$1.7 million annually in federal and state grant funding to enforce drug laws. Another \$1.5 million in grant funding has been used to create a statewide anti-heroin task force, which provides funding to local and state law enforcement agencies for overtime for heroin/opiate investigations and testing equipment related to opioids in the state crime lab. DCI agents also train local law enforcement in drug overdose investigations.
4. Currently, DOJ is working with a bipartisan coalition of attorneys general to [investigate what role the opioid manufacturers](#) may have played in creating or prolonging this epidemic and are utilizing investigative tools, including subpoenas for documents and testimony, to determine the appropriate course of legal action to address the ongoing opioid epidemic. Most recently, investigative subpoenas were served for documents and information, also known as Civil Investigative Demands, on Endo, Janssen, Teva/Cephalon, Allergan, and their related entities, as well as a supplemental Civil Investigative Demand on Purdue Pharma.
5. DOJ is also leading a 42-state lawsuit against Indivior and MonoSol RX, the manufacturer of Suboxone, a prescription drug used to treat opiate addiction. The lawsuit alleges the companies engaged in a scheme to block generic competitors and cause purchasers to pay artificially high prices. It is among the largest ever litigated multistate antitrust case.

Improving Data Quality

“As public safety challenges, like the opioid epidemic, continue to grow in communities across the state, DOJ and local law enforcement agencies must find

ways to stretch a dollar. DOJ's robust collection of opioid data will help law enforcement better prioritize and use scarce resources," said Attorney General Schimel.

1. Through collaboration with the Wisconsin Department of Health Services (DHS), using funds provided by the Centers for Disease Control and Prevention (CDC), DOJ is working with local counties and tribes to develop overdose fatality review projects in Wisconsin. These projects will provide in-depth review and analysis of overdose deaths to identify potential areas of intervention and prevention that could help reduce future overdoses and overdose fatalities. This project has launched in Kenosha, Milwaukee, and Sauk counties; the project is currently expanding to three additional locations.
2. DOJ is also working in collaboration with the Medical College of Wisconsin and other partners under the Healthier Wisconsin Partnership Program to aggregate data into a connected technology system that would link data from multiple criminal justice systems with data from medical examiners/coroners and the Office of Emergency Management. Connecting this data will provide additional background and context on opioid-related incidents and will help to examine the patterns across systems to support intervention and prevention strategies.

Among the other partners already mentioned, many other state agencies have joined the attorney general in the fight against opioid abuse through opioid-related programs and initiatives, including the Department of Agriculture, Trade and Consumer Protection; Department of Natural Resources; Department of Military Affairs; Department of Safety and Professional Services; and DHS. Lieutenant Governor Rebecca Kleefisch has also been key in bringing together all of Wisconsin's stakeholders to fight the opioid epidemic through the Governor's Task Force on Opioid Abuse. Representative John Nygren has championed critical legislation that was then signed by Governor Scott Walker. Other critical partners include the DEA, Medical College of Wisconsin, Medical Society of Wisconsin, Pharmacy Society of Wisconsin, Wisconsin Chiropractic Association, Wisconsin Hospital Association, and Wisconsin Dental Association. The successful collaboration of Wisconsin's many able hands, has a powerful effect on reducing the harms of the opioid epidemic in our state and subsequently our nation.