

Law Enforcement's Response to the Opioid Epidemic

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Abstract

Law enforcement agencies across the country are facing an Opioid Epidemic. Law enforcement has recognized and accepted that in order to fight this epidemic, they play a vital role. The State of Florida has created numerous task forces and forums addressing the problem and establishing guidelines to fight the Opioid Epidemic. Creating a centralized reporting location would assist in compiling statistical information to be shared with all the various agencies in the State of Florida. The Ocala Police Department has issued NARCAN to all officers to be utilized on overdosing individuals and created an Amnesty Program for those same individuals to obtain treatment, if they choose. The program and the success of the program is supported by the officers. These programs statistics are maintained at the agency but could be reported to a central location to aid other agencies.

Introduction

Vicodin, oxycodone, hydrocodone, fentanyl, heroin, and cocaine are forms of opioids. The difference between these opioids are the first four can be obtained legally through prescriptions and the last two are common street drugs. Over the past few years, there has been a surge of opioid overdoses throughout the nation. If you turn on the news, open up the newspaper, or enter an internet search, you will find words like opioid crisis and opioid epidemic. Drug overdoses are responsible for more deaths in the nation than homicides. This epidemic has caused law enforcement to taking on new roles in their daily shifts.

Law enforcement officers have often been known to wear many hats during their career. They have taken on a new role across the nation when confronted with the battle against the opioid epidemic. Historically, law enforcement officers have arrested individuals that have been in possession of illegal narcotics. Today, law enforcement officers carry a form of naloxone among their arsenal of tools to treat individuals they encounter that may be experiencing an opioid overdose. Law enforcement officers are in the unique position to save lives by administering a drug that reverses the effects of opioids. Administering the drug naloxone gives medical personnel time to respond to the scene of a drug overdose and provide life saving measures to an individual.

Law enforcement agencies across the nation, including the State of Florida, have developed additional programs to fight the opioid epidemic. In 2017, the Ocala Police Department developed the Amnesty Program. This program allows individuals to come to the department, turn over any drugs they may have in their possession, ask for and receive assistance with entering a drug rehabilitation facility to aid with their fight with drug addiction. The individual will not be charged with possession of drugs and

members of the department will walk the individual through each step of the program, along with partnering members from different organizations crucial to the process. The Ocala Police Department also follows up with individuals that almost overdose to let them know what their options are and provide them with information on how to obtain assistance through drug treatment.

Although the Ocala Police Department created programs to fight the opioid epidemic, this epidemic has been going on since before 2014. Law enforcement agencies across the nation have been creating programs to address the opioid epidemic. In the last few years, drug overdose deaths have more than doubled.

What programs are being developed throughout the nation to address the opioid epidemic? Are these programs making an impact on the opioid epidemic? What can the Ocala Police Department do differently to be successful in the fight against the opioid epidemic?

Literature Review

In April 2017, Governor Rick Scott and Attorney General Pam Bondi set up workshops in Palm Beach, Manatee, Duval, and Orange counties to address the opioid epidemic across Florida. Law enforcement officials had been applying pressure to Governor Scott to declare a public-health emergency declaration in response to the growing number of deaths attributed to drug overdose deaths. Attorney General Bondi indicated that emergency declarations are for short term problems and the opioid epidemic is a long-term epidemic. From 2014 to 2015 synthetic opioids deaths increased 72.2 percent. In 2015, 3,228 deaths in Florida were caused by overdose. The goal of the workshops is to learn and collaborate with local leaders, law enforcement, health directors, treatment providers, and community members. (Turner, 2017)

After numerous state workshops in the State of Florida, on May 3, 2017, Governor Rick Scott issued a statewide public health emergency over the opioid epidemic. Executive Order 17-146 allows the State of Florida access to \$27 million in federal grant funding provided by the United States Department of Health and Human Services Opioid State Targeted Response Grant. This grant will provide prevention, treatment and recovery support services to local communities. Executive Order 17-146 also issues an order for Naloxone in response to the opioid epidemic. (Capozzi, 2017)

From 2015 to 2016, the State of Florida had a 46.3 percent increase in overdose deaths and from 2016 to 2017, a 5.9 percent increase in overdose deaths. In 2017, there were 70,237 drug overdose deaths in the United States. 47,600 of those deaths were Opioid related overdoses. (Centers for Disease Control and Prevention, 2018)

Fentanyl is an opioid lethal synthetic analgesic and it is often mixed with heroin. A new report released by the Florida Department of Law Enforcement found that there was a 97 percent increase in fentanyl related deaths in Florida. In 2015, there were 705 fentanyl deaths and in 2016 there were 1,390. Florida experienced a 35 percent increase in opioid-related deaths in 2016. There was an increase in deaths related to prescription drugs and street drugs. This puts a 22 percent increase in drug related deaths in Florida. (Ocasio, 2017)

The Police Executive Research Forum (PERF) conference was held and issued their third report addressing the opioid crisis. PERF conducted a survey in 2014 on the opioid crisis and because of that survey, found that only 4 percent of the respondents equipped officers with naloxone. Their survey in 2017, sent to the same agencies, found that 63 percent equipped officers with naloxone. Although agencies across the country have taken measures to address the opioid crisis, it does not seem to be making a significant impact. The PERF conference has police chiefs and other officials from across the country sharing their expertise with each other to help create guides and programs to follow to further impact the opioid crisis. (Wexler, 2017 pp 4-5)

Due to the number of drug related deaths, police officers are playing the role of social workers. Since violence is often associated with drug use, medical responders will wait to arrive on scene until police officers are present. Since police officers are the first to intervene, some cities are arming their police officers with Narcan, a form of Naloxone. This allows police officers to intervene and save lives. Between 1996 and 2014, the use of Narcan by people who are not medically trained, reversed 26,000 opioid overdoses. Narcan does not address the opioid epidemic, but since it is available, it is morally the right thing to do. (Rizer, Wade. 2017)

Criminalizing the addiction of drugs is not working. Placing drug addicts in jail is increasing the cycle of over-incarceration. Low level drug users are being targeted and it does not address the cause of the problem. Providing intervention to drug addicts has proven to decrease recidivism. Recognizing that drug abuse is a treatable disease and requires treatment is a different approach that communities can take to battle the opioid epidemic. Many communities are implementing a Law Enforcement Assisted Diversion (LEAD) program. (Sims, 2018)

The Law Enforcement Assisted Diversion program started in Seattle, Washington. This program provides police officers the discretion, at the time of their arrest, whether to arrest and book the individual or to divert the person to treatment. The University of Washington has partnered with Seattle to conduct research on the effectiveness of the program. (Wexler, 2017 pp 49)

Drug addiction is hard to beat and individuals that enter treatment often drop out of treatment before completion. When an individual is incarcerated, the jail is a good place for successful treatment. Jails could play an important role with drug addicts by providing treatment services to inmates, including medication assisted treatment that will address the cravings and withdrawals that inmates go through while incarcerated. While incarcerated, inmates are not exposed to the same temptations that they are exposed to on the streets. Treatment opportunities are more successful without facing the daily temptations that drug addicts face on the streets. (Wexler, 2017 pp 11)

The Federal Bureau of Prisons found that treatment programs that were designed and carefully implemented reduce relapse, criminality, recidivism, and inmate misconduct. It also found that these programs increase the offenders' stake in societal norms, increase offender's level of education, increase employment once returned to the community, and improve the health, mental health symptoms and conditions. (Sims, 2018)

The Essex County Sheriff's Department runs a 42-bed detox program that runs 28 days. The sheriff's department works with prosecutors, defense attorneys, and

judges. They plan to create additional partnerships with aftercare programs for when offenders are released from jail detox programs. (Wexler, 2017 pp 11)

A 90-day program is run by the State of Ohio that focuses on education, training, work, and substance abuse treatment. (Sims, 2018)

Collecting data and sharing information is key to addressing the opioid epidemic. Law enforcement is taking a Compstat approach to obtaining and sharing information to identify strategies for reducing overdose deaths. This approach enables a collaborative effort with law enforcement, prosecutors, fire and ems, public health, hospitals and treatment programs. (Wexler, 2017 pp 31)

Cincinnati police department uses the data to help deploy first responders to common overdose location and identifies trends in areas. The data collection is shared with hospitals and health officials to provide insight into the opioid epidemic. (Sims, 2018)

New York City has developed and started the RxStat Operations Group, which is comprised of 25 agencies. The agencies represented are law enforcement, health departments, homeless services, corrections, probation, parole, DEA, and medical examiners. The agencies meet quarterly and review overdose cases and how the situation was handled with each case. They identify problems and review policy and procedures, to identify what enhancements are recommended. Once the problems are identified, they meet with stakeholders that are pre-identified and work on resolving those issues. During the first meeting five cases were reviewed and identified 40 issues. During the second meeting, they identified 20 issues. During the third meeting, they identified 15 issues. This is not placing blame on stakeholders, it is merely coming together and fixing any associated issues addressing the opioid epidemic, (Wexler, 2017 pp 24-25)

The U.S. Attorney's Office have created task forces to join affected agencies in the fight against the opioid epidemic. (Perin, 2018)

- In 2013, the Heroin and Opioid Task Force was created to focus on solutions on four perspectives: law enforcement, education and prevention, healthcare policy and treatment. (Perin, 2018)
- In August 2017, the Opioid Fraud and Abuse Detection Unit was developed to collect data on who is prescribing and dispensing drugs to patients. (Perin, 2018)
- In January 2018, the Joint Criminal Opioid Darknet Enforcement Team was created to target the sale of online drugs. (Perin, 2018)
- In February 2018, the Prescription Interdiction & Litigation Task Force was created to go after the manufacturers and distributors of opioids. (Perin, 2018)

Several laws and bills have been passed to strengthen the fight against the opioid epidemic. In February 2018, fentalogs were designated as a Schedule 1 under the Controlled Substance Abuse Act. Under the Controlled Substance Abuse Act, Schedule 1 drugs are defined as having no acceptable medical use. (Perin, 2018)

In March 2018, Florida Governor Rick Scott, signed HB 21, which puts a three-day limit on most prescription drugs that treat acute pain. The bill also provides treatment opportunities, recovery support services, outreach programs and resources for law enforcement officers and first responders. Placing a three-day limit on

prescription drugs, limits the chance of drug addiction. Eighty to eighty-five percent of individuals dealing with a heroin or fentanyl addiction started with a legal prescription. If medically necessary, a seven-day prescription may be prescribed but the physician must state that it is medically necessary. The physician must also check the Florida Prescription Drug Monitoring Program for the patient's history. The bill adds \$53.6 million in funds to the budget to fight the opioid epidemic. (De Leon, 2018)

During the Police Executive Research Forum conference, ten concepts were developed and discussed to help addicted person through the long and difficult process of breaking free from the opioid epidemic. (Wexler, 2017 pp 9-14)

1. Provide training and equip officers with Naloxone. Distribute the drug to treatment centers, homeless shelters, and other locations that frequents drug addicts. (Wexler, 2017 pp 9-14)
2. Collect and share data. Keep track of all fatal and nonfatal drug overdoses. (Wexler, 2017 pp 9-14)
3. Use the data to detect early warning systems on the opioid epidemic. (Wexler, 2017 pp 9-14)
4. Use Compstat or similar methods to collect timely and accurate information and develop strategies based off of the information. (Wexler, 2017 pp 9-14)
5. Use our role as law enforcement officers to get drug addicts into treatment centers. Encourage officers to take a proactive role or develop teams to follow up with drug addicts to offer resources available to them or encourage them to go to a treatment center. (Wexler, 2017 pp 9-14)
6. Provide drug treatment while the drug addict is incarcerated, to include medicine to fight the withdrawals, educate them and counsel them. (Wexler, 2017 pp 9-14)
7. Target opioid dealers for enforcement. Be creative and strategic toward the goal of reducing overdose deaths. (Wexler, 2017 pp 9-14)
8. Focus on prevention by educating the public about the risks of becoming addicted to opioids. Most opioid addicts begin their addiction with legally prescribed medications. (Wexler, 2017 pp 9-14)
9. Create partnerships with health agencies, social services and treatment providers. This is not one entities problem. (Wexler, 2017 pp 9-14)
10. Protect your officers by creating protocols and train them on the proper use of protective gear to prevent exposure. Also recognize that constant exposure to traumatic experiences will affect the officer's well-being. (Wexler, 2017 pp 9-14)

Florida Attorney General Ashley Moody made one of her top priorities the opioid epidemic. Attorney General Ashley Moody created an Opioid Abuse Working Group – which is comprised of experts and community leaders who gather information and examples of best practices, across the State of Florida, to combat the opioid epidemic. (Office of the Florida Attorney General, 2019)

Methods

This research was conducted to identify how many law enforcement agencies in the State of Florida issue a form of Naloxone to officers and to identify what other programs law enforcement agencies have implemented to combat the opioid epidemic.

Data was gathered by contacting law enforcement agencies via telephone and by conducting research through their official website, Facebook page, and online newspaper articles. The questions asked or the information sought, were whether the department issued a form of Naloxone to their officers and if their department had developed any other program to fight the Opioid Epidemic.

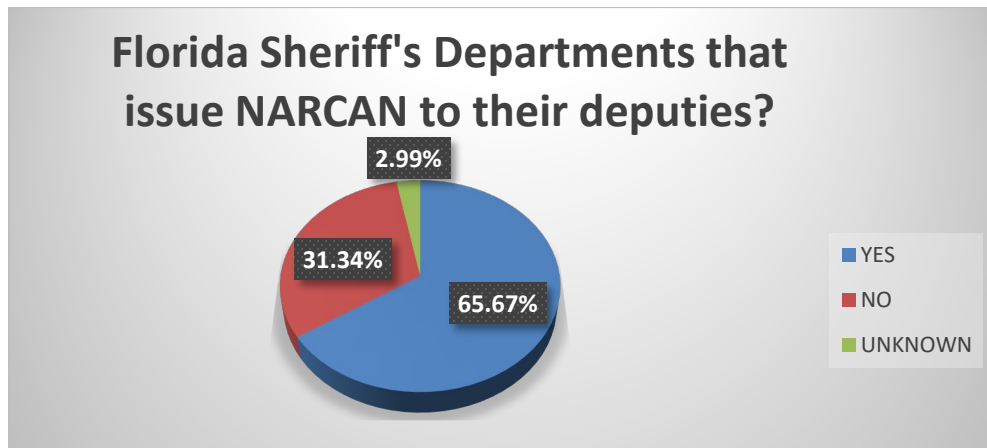
Data was also gathered within the Ocala Police Department to gather statistical data as to whether the current programs in place at the department are working. The survey was created to determine if the officer has utilized Narcan and if they feel the efforts that law enforcement officers are doing are working to fight the opioid epidemic.

The surveys were anonymous to encourage response and truthful opinions. A weakness in the data would be a result of agencies not responding to the survey; there are in excess of 300 law enforcement agencies in the State of Florida. Another weakness is a result of the law enforcement officers at the Ocala Police Department not remaining anonymous, despite assurances to the contrary.

Results

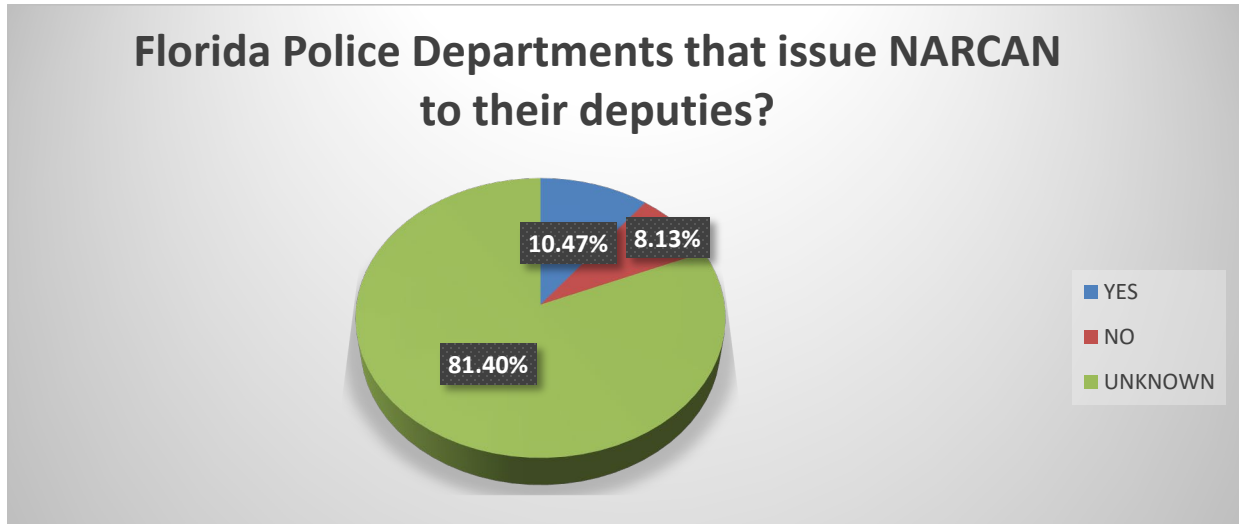
A survey was created to send out to all Law Enforcement agencies in the State of Florida. There are sixty-seven sheriff's departments and two hundred and fifty-eight police departments, for a total of three hundred and twenty-five law enforcement agencies in the State of Florida. Due to the number of agencies, I reduced my inquiry to two questions. Of the sixty-seven sheriff's department in the State of Florida, forty-four sheriff's department issue Narcan to their deputies to be administered to their deputies or the citizens. Twenty-one sheriff's departments do not issue a form of Naloxone to their deputies at all and I was unable to obtain information on two sheriff's departments.

TABLE 1: Sheriff's Department Narcan Issuance



There are two hundred and fifty-eight police departments in the State of Florida. Twenty-seven police departments issue NARCAN to their officers to be administered to their officers and citizens. Twenty-one do not issue their officers NARCAN. It is unknown what the remaining two hundred and ten police departments do.

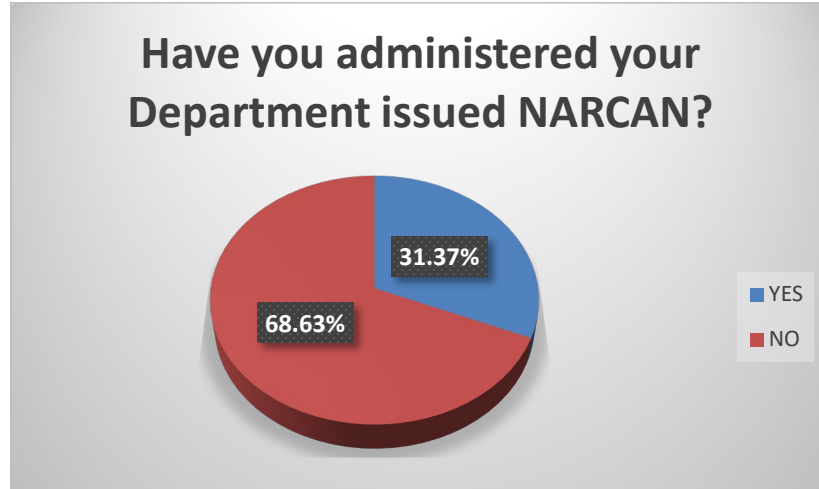
TABLE 2: Police Department's Narcan Issuance



The survey, "Law Enforcement's Response to the Opioid Epidemic" was sent to law enforcement officers employed by the Ocala Police Department. The survey was sent to 171 law enforcement officers. I received 103 responses, for a response rate of 60%. Of those 103 responses, some respondents chose to skip some questions in the survey.

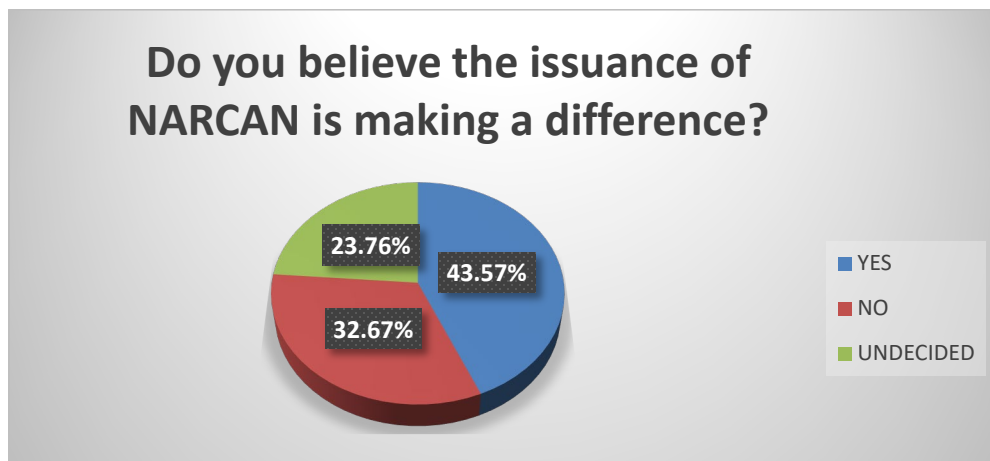
The first question on the survey asked participants if they have used their department issued Narcan. One person skipped this question. Thirty-two respondents (31.37%) stated that they had used their Narcan and seventy respondents (68.63%) had stated that they had not used their Narcan.

TABLE 3: Officers that used NARCAN



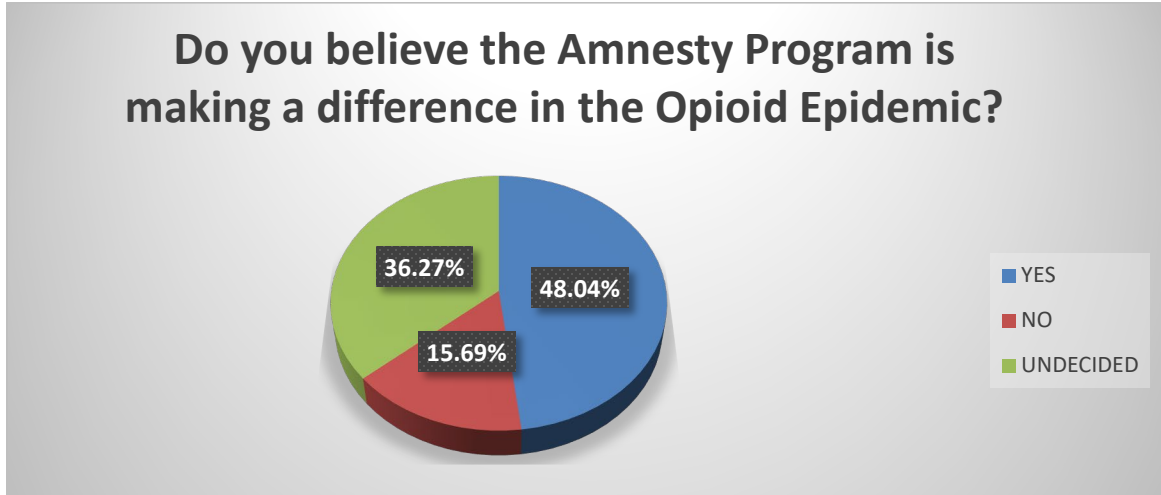
The second question asked participants if they believed the issuance of Narcan was making a difference against the Opioid Epidemic. Two participants skipped this question. Forty-four respondents (43.56%) reported that they believed the issuance of Narcan was making a difference, thirty-three respondents (32.67%) reported they do not believe the issuance of Narcan is making a difference, and twenty-four respondents (23.76%) are undecided.

TABLE 4: Is NARCAN Making a Difference



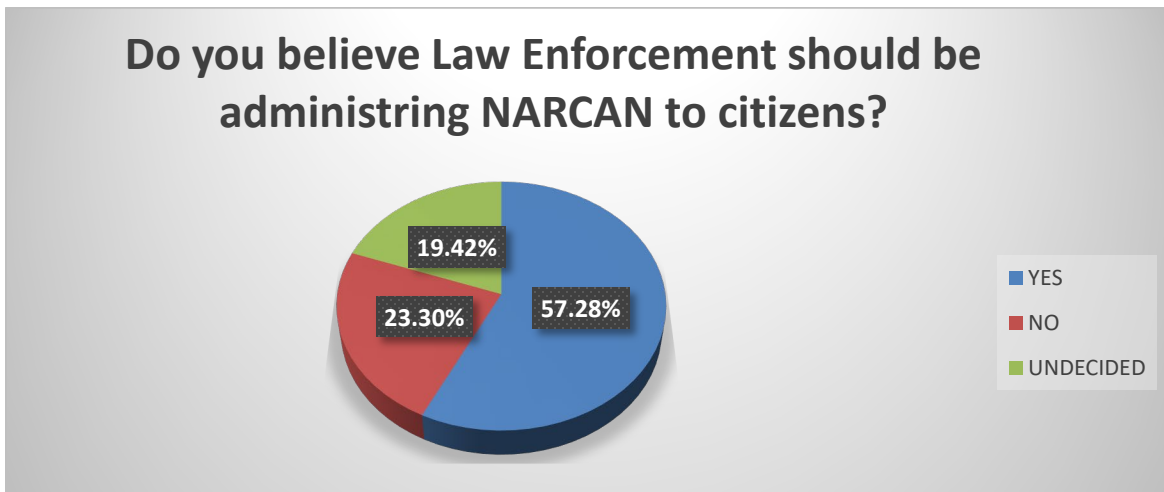
The third question asked respondents if they believed the Ocala Police Department's Amnesty Program was making a difference against the Opioid Epidemic. One person skipped the question. Forty-nine respondents (48.04%) believe that the Ocala Police Department's Amnesty Program is making a difference, sixteen respondents (15.69%) do not believe the Amnesty Program is making a difference, and thirty-seven respondents (36.27%) are undecided.

TABLE 5: Amnesty Program



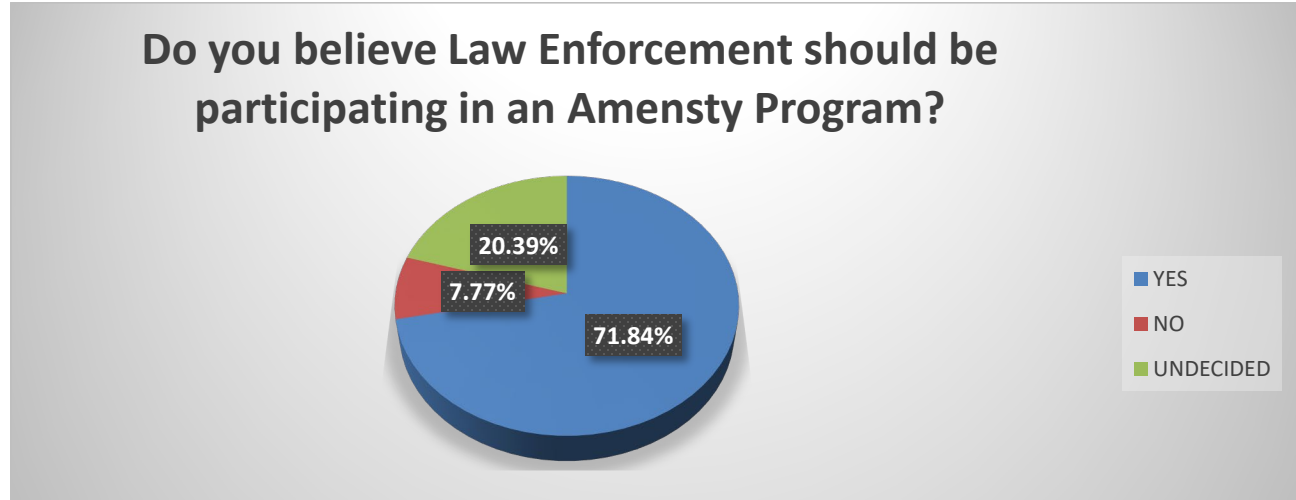
The fourth question asked participants if they believe that Law Enforcement Officers should be administering Narcan to citizens. Fifty-nine respondents (57.28%) believe that Law Enforcement Officers should be administering Narcan to citizens, twenty-four respondents (23.30%) believe that Law Enforcement Officers should not be administering Narcan to citizens, and twenty respondents (19.42%) are undecided.

TABLE 6: Law Enforcement Administering NARCAN



The fifth question asked participants if they believed that Law Enforcement should be participating in the Amnesty Program. Seventy-four respondents (71.84%) believed that Law Enforcement should participate in the Amnesty Program, eight respondents (7.77%) believed that Law Enforcement should not participate in the Amnesty Program, and twenty-one respondents (20.39%) are undecided.

TABLE 7: Amnesty Program



The sixth question was an open-ended question that asked participants if they believed that the Ocala Police Department should be taking a different role in the Opioid Epidemic. The respondents were afforded the opportunity to provide input, allowing them to share their opinion. Seventy-one respondents (68.93%) left comments. The respondents expressed their frustration with the State Attorney’s Office not prosecuting the drug users, believe that administering NARCAN is making the epidemic worse by saving lives and allowing them to reach another high and believe that law enforcement should only use NARCAN for accidental exposure to law enforcement or citizens. Numerous comments were left expressing their belief that the Ocala Police Department is doing more than other agencies and would like to see an increase in the Multi-Agency drug unit and additional education to adolescents. Overall, respondents feel the Ocala Police Department is doing an exceptional job.

Discussion

The first part of my research and survey focused on determining how many law enforcement agencies in the State of Florida issue a form of Naloxone to their deputies/officers. It was also to determine whether or not the agencies that did issue a form of Naloxone to their deputies/officers, were able to utilize the Naloxone for their deputies/officers, for citizens, or for both.

The information I learned was promising but, incomplete. The manner in which I was able to obtain it, was frustrating.

During my research, I learned that May 2017, then Governor Rick Scott declared a state-wide public emergency and signed Executive Order 17-146, which included the issuance of Naloxone to first responders.

In 2017, The Police Executive Research Forum met and established ten guidelines for law enforcement to follow to fight the Opioid Epidemic. The first guideline

was to provide Naloxone to first responders, and the second guideline was to collect and share data.

In 2019, Florida Attorney General Ashley Moody formed an Opioid Working Group and one of the tasks is to gather information and examples of best practices.

The information I was looking for to complete my research was not readily available. I found out of date law enforcement websites, incorrect email, incorrect telephone numbers, and telephone directories that were not functional. Based off of Executive Order 17-146, I should be able to find a list of every agency in the State of Florida that issues Naloxone to their deputies/officers. Also based off of Executive Order 17-146, every law enforcement agency in the State of Florida should have issue Naloxone to their deputies/officers.

There are sixty-seven sheriff's offices in the State of Florida. Forty-four of those sheriff's offices issue Naloxone to their deputies. The Naloxone is for the use on their deputies and the citizens in their jurisdiction. Twenty-one sheriff's offices do not issue Naloxone and two sheriff's offices are unknown.

There are two hundred and fifty-eight police departments in the State of Florida. Based on my research, I was only able to learn that twenty-seven police departments issue their officers Naloxone. The Naloxone is for the use on their officers and the citizens in their jurisdiction. Twenty-one police departments do not issue Naloxone. Two hundred and ten are unknown.

Some other programs identified are the Orange County Heroin Task Force, The Jacksonville Sheriff Opioid Heroin Task Force, and Volusia County Sheriff's Office teaming up with SMA Behavioral Health Services and treatment. These programs were developed to educate the public, secure and provide treatment for opioid users and target Heroin traffickers. Other agencies have pill disposal sites located in the building, enabling individuals to dispose of prescription medication at a secure location.

I included the lack of information that I have obtained because one of the guidelines and a key to resolving any epidemic would be to share information. My inability to obtain the information was not a failure on my part, but on the part of each department that did not make it available or share it with other agencies.

The second focus of my research was to learn what the Ocala Police Department law enforcement officers feel about the use of NARCAN on citizens and on the role they play in the Ocala Police Department Amnesty Program.

Through the survey, I learned that thirty-two officers have utilized their NARCAN on a citizen. This number seemed low to me, considering the Ocala Police Department has had twenty-nine NARCAN saves this year.

Forty-four law enforcement officers believe that the issuance of NARCAN is making a difference and fifty-nine law enforcement officers believe that they should be administering NARCAN to citizens. Thirty-three officers do not believe NARCAN is making a difference and twenty-four don't feel they should be administering NARCAN. The remaining officers are undecided as to whether NARCAN is making a difference or if they should be administering NARCAN. Some of the comments received from the officers feel that administering NARCAN is providing the user a free pass at being charged and enabling them to continue their abuse. Others believe that if we save one person, then the program is worth it.

The majority of the law enforcement officers at the Ocala Police Department believe the issuance and use of NARCAN is making a difference and believe we should be providing this service to the community.

The Ocala Police Department started their Amnesty Program in 2017. Since the inception of the program, ninety-five clients have entered the program. Forty-nine law enforcement officers believe the Amnesty Program is making a difference and seventy-four law enforcement officers believe we should participate in the program.

It is believed that the Ocala Police Department is doing more than any other law enforcement agency and we are doing an exceptional job.

The success rate is unknown at this time, only because the program is geared towards each individual client.

Recommendations

Law Enforcement has recognized that there is an Opioid Epidemic. There are various Task Forces and Forums that have been established to fight the Opioid Epidemic. The Opioid Epidemic has been acknowledged by the U.S. Attorney General, two Florida Attorney Generals, and two Florida Governors. Not only have law enforcement recognized the problem, they have established that they play a vital role in fighting the epidemic.

Guidelines have been established by the various Task Forces, Forums, and Panels. What's missing from these guidelines is mandatory reporting of information or even a centralized location to report this information.

The Federal Bureau of Investigation (F.B.I.) and the Florida Department of Law Enforcement (F.D.L.E.) have mandatory information reported to them annually. The issuance and use of Naloxone can be reported to one or both of these agencies. Additional information could also be reported, such as, prescription drop off locations, Amnesty Programs, and what's working and what's not working.

Providing once central location to report information, will allow information to actually be shared. It will also provide statistical information that will enable us to educate the public.

The Opioid Epidemic cannot be won alone. Law Enforcement must share their failures and their success. This will enable law enforcement to become successful in the fight against the Opioid Epidemic.

Lieutenant Sandra Duryea has been in Law Enforcement for 23 years with the Ocala Police Department. She began her career in 1996 and has served as a patrol officer, a Field Training Officer, a Drug Agent, and a Major Crimes Detective. After being promoted to Sergeant, she supervised in the Community Policing Bureau, Field Training Program, Property Crimes, Sex Crimes, Economic Crimes, Intel Unit, Accreditation, and Training Department. She has served as a Watch Commander and is currently assigned and oversees the Technical Service Section. She has an Associate's degree in Business Administration with Legal Emphasis from Webster College.

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Appendix A

Telephone Questions

Introduction:

Hello, my name is Sandra Duryea and I am a Lieutenant with the Ocala Police Department, located in Marion County Florida. I am attending the FDLE Senior Leadership training and am completing a research paper that I am hoping you can help me out with completing. Would you be willing to answer two questions for me, for my research?

Questions

Does your agency issue NARCAN, or a form of Naloxone, to the deputies/officers?

Yes

No

If yes, is the NARCAN, for use on the deputies/officers, citizens or both?

Deputies/officers

Citizens

Both

Appendix B

Survey Questions

Introduction:

I am attending the Florida Law Enforcement Senior Leadership training and completing a research paper on Law Enforcement's response to the Opioid Epidemic. Your participation in this very brief survey will aid me in this research paper. Thank you.

Questions:

Have you administered your department issued NARCAN?

- Yes
- No

Do you believe the issuance of NARCAN is making a difference against the Opioid Epidemic?

- Yes
- No
- Undecided

Do you believe the Amnesty Program is making a difference against the Opioid Epidemic?

- Yes
- No
- Undecided

Do you believe Law Enforcement should be administering NARCAN to citizens?

- Yes
- No
- Undecided

Do you believe Law Enforcement should be participating in an Amnesty Program?

- Yes
- No
- Undecided

Do you believe the Ocala Police Department should be taking a different role in the Opioid Epidemic? Comment below: