

February 25, 2021

VIA ELECTRONIC DELIVERY

Sheriff James Mendrick
501 N. County Farm Road
Wheaton, IL 60187

Dear Sheriff Mendrick:

The Kennedy Forum Illinois is a nonprofit organization under the umbrella of The Kennedy Forum whose mission is to eliminate stigma against people with mental health and substance use disorders (MH/SUDs) and increase access to evidence-based treatment for all who need it. It is in the spirit of this mission that we urge you to personally ensure Ms. Christine Finnigan is able to access her prescribed medication-assisted treatment (MAT) for Opioid Use Disorder (OUD) while in the custody of the DuPage County Sheriff.

Jails and prisons are constitutionally and morally obligated to provide inmates with adequate medical careⁱ – including care for MH/SUDs. If an inmate was ill with cancer or diabetes, they would be guaranteed access to medically necessary treatment. Inmates with substance use disorders are no different. They have the same right to the care necessary to treat their medical condition and remain on a path to long-term recovery. OUD is life-threatening medical condition, for which physician prescribed medication is medically necessary. Forcing inmates with OUD off of MAT is dangerous and unnecessarily puts their lives at risk. In fact, in late 2018, a federal judge affirmed the right to MAT for an individual with OUD under the federal American with Disabilities Act and the Eighth Amendment.ⁱⁱ

Our state – and our country – was in the midst of a mental health and addiction crisis before COVID even hit. And in 2020, Illinois saw a record number of opioid overdose deaths, including an increase of 17% in DuPage County.^{iii,iv} MAT is the gold-standard for treatment of OUD and research has shown that these medications are proven to save lives.^{v,vi} For example, the Rhode Island Department of Corrections has successfully implemented an effective MAT program that has drastically reduced overdose deaths amongst recently released inmates and “changed [the] lives” of inmates who have graduated from the program.^{vii}

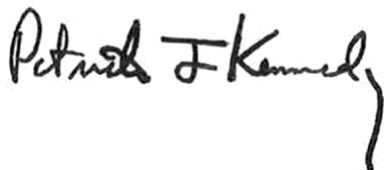
You have recognized that jails should seize every opportunity to help people with MH/SUDs get on a path to recovery.^{viii} If you truly believe this, then it is imperative to follow the science and provide inmates access to the treatment that is most effective.

The DuPage County Sheriff can be a national leader in this regard by guaranteeing that inmates with OUD have access to MAT while in its custody. We call upon you to allow Ms. Finnigan to continue her MAT and make progress on her path to recovery. Additionally, we urge you to ensure that *all* inmates with MH/SUDs in the custody of the DuPage County Correctional Facility have access to the care they need and deserve.



If you have any questions or would like to discuss this further, please contact David Applegate, Director of State Policy at The Kennedy Forum Illinois (dapplegate@thekennedyforum.org). Thank you for your consideration of this urgent matter.

Sincerely,



Patrick J. Kennedy
Former U.S. Representative (D-RI)
Founder, The Kennedy Forum



Cheryl Potts
Executive Director
The Kennedy Forum Illinois

About The Kennedy Forum

Founded in 2013 by former Congressman Patrick J. Kennedy (D-R.I.), The Kennedy Forum leads a national dialogue on transforming the health care system by uniting mental health advocates, business leaders, and government agencies around a common set of principles, including full implementation of the Federal Parity Law. Launched in celebration of the 50th anniversary of President Kennedy’s signing of the landmark Community Mental Health Act, the nonprofit aims to achieve health equity by advancing evidence-based practices, policies, and programming for the treatment of mental health and addiction. The Kennedy Forum’s [“Don’t Deny Me” campaign](#) educates consumers about their rights under the Federal Parity Law and connects them with essential appeals guidance and resources. To learn more about The Kennedy Forum, please visit www.thekennedyforum.org.

ⁱ *Estelle v. Gamble*, 429 U.S. 97, 103 (1976).

ⁱⁱ Marton, A. & de la Gueronniere, G., “Recent Court Actions Impacting the Substance Use Disorder Field,” *Legal Action Center*, 2019, <https://nasadad.org/wp-content/uploads/2019/06/6.6.19-Recent-Court-Actions-Impacting-SUD-Field.pdf>.

ⁱⁱⁱ “Opioid Overdose Deaths, Illinois Residents, 2020”, Illinois Department of Public Health.

<https://www.dph.illinois.gov/sites/default/files/Opioid%20overdose%20death%20demographics%202020%202.5.21.pdf>

^{iv} “Fatal Overdoses Spiked in DuPage County in 2020: Coroner.” (Feb 19, 2020) *The Patch*. <https://patch.com/illinois/wheaton/fatal-overdoses-spiked-dupage-county-2020-coroner>

^v “Medications for Opioid Use Disorder Saves Lives.” (2020). <https://www.nap.edu/catalog/25310/medications-for-opioid-use-disorder-save-lives>

^{vi} Duncan, A. & Connolly, B. “Opioid Use Disorder Treatment in Jails and Prisons.” (Apr 23, 2020). *Pew Trusts*. <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2020/04/opioid-use-disorder-treatment-in-jails-and-prisons>

^{vii} Vestal, C. “This State Has Figured Out How to Treat Drug-Addicted Inmates.” (Feb 26, 2020). *Pew Trusts*. <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2020/02/26/this-state-has-figured-out-how-to-treat-drug-addicted-inmates>

^{viii} Crosby, D. “Column: Art there ‘unintended consequences’ of doing away with the cash bail system?” (Feb 9, 2021). *The Chicago Tribune*.

<https://www.chicagotribune.com/suburbs/aurora-beacon-news/opinion/ct-abn-crosby-cash-bail-st-0210-20210210-r3tyjww3dnfkzgtf5rt347n34t4-story.html>

