



C.L.E.A.R.

Hope begins here.

PROGRAM OVERVIEW

The Sussex County C.L.E.A.R. Program

Community Law Enforcement Addiction Recovery

<http://clearprogram.org>

<https://www.facebook.com/sussexcountyclear>

Recognizing that the opioid epidemic is both a public health and public safety issue, a group was formed in November 2015 to answer the question of “*Now What?*” when someone is reversed with Narcan. In Sussex County, every patrol car has naloxone. Essential follow-up after Narcan is administered was missing. While Sussex County ranks 17th in population in New Jersey, we ranked 8th in drug overdose deaths. Criminal activity is often associated with drug addiction. It is indisputable that substance use impacts the entire community on multiple levels and recovery is a solution that benefits everyone. We needed to do more than enforcement and prevention.

The stakeholder group was formed consisting primarily of Atlantic Health/Newton Medical Center, the Center for Prevention and Counseling, the Sussex County Police Chiefs’ Association, the Sussex County Prosecutor and several county social service organizations. We immediately recognized that the involved groups could do better working collaboratively. We’ve obtained resolutions from the County Freeholders and municipal governing bodies from across the County.

We partnered with groups such as the PAARI – the Police Assisted Addiction Recovery Initiative located in Massachusetts and learned from the procedures they were pioneering. We developed our own policies and procedures and began to pilot the CLEAR program in July 2016 with the Newton Police Department.

Working together throughout the process, the stakeholders recruited volunteer recovery coaches and, through generous donations, were able to provide them training in the CCAR training method (<https://ccar.us/>), a proven, evidence-based method of helping those with a substance use disorder into recovery. The Center for Prevention and Counseling utilized their professional staff to oversee the recovery coaches. Relationships were formed with several treatment centers that could often provide “scholarship” beds to those who were uninsured or underinsured. We followed a vetting process to ensure that any treatment center we refer to meets appropriate treatment standards and licensing requirements.

CLEAR recognizes that there is a treatment gap. Like they say, “we can’t arrest our way out of this epidemic”, it is also evident that a person shouldn’t have to commit a crime in order to be eligible

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for treatment when they can't afford it. CLEAR aims to improve access to treatment BEFORE a person is involved in the criminal justice system where they may receive treatment through probation or Drug Court. NJ Law supports the establishment of the CLEAR program with the LAW ENFORCEMENT ASSISTED ADDICTION AND RECOVERY REFERRAL PROGRAM | NJSA 30:6C-11 et seq. (2016).

CLEAR encourages those struggling with addiction to come to the Police Department, surrender any drugs or paraphernalia without fear of arrest or prosecution and meet with an Officer who will determine their eligibility for the program. Generally, screening for eligibility determines if they're wanted, if they're the target of an investigation, if they're a registered sex offender, if they're on probation or parole or if they may pose a danger to volunteers.

Once eligible, they meet with a recovery coach and are guided into appropriate detox and/or treatment with continued follow up contact into sustaining recovery. We also have family recovery coaches who have training to assist families of those struggling with addiction.

Since beginning in Newton in July 2016, hundreds of people contacted CLEAR for assistance, 54 individuals with a substance use disorder have been helped; connected to peer recovery coaches, accessed treatment and are working toward or are in recovery. Numerous families have been assisted with connection to family recovery coaches, helping to steer their loved ones into recovery.

The evidence based approach of the C.L.E.A.R. Program is effective and it is *clear* that the collaborative efforts of the professionals in law enforcement, healthcare, prevention agencies and social services is making a positive difference in Sussex County.

Recently, the C.L.E.A.R. Program was expanded to six additional police department in Sussex County, helping to multiply our outreach and effectiveness. We continue to seek funding for the program and to develop more relationships with treatment providers.

Additional projects that the Newton Police Department is involved with include the following:

- The #NotEvenOnce training program for High School students
<http://manchesterpolicenj.com/not-even-once/>
- Opioid Overdose Recovery Program (OORP)
http://www.state.nj.us/humanservices/dmhas/provider/funding/DMHAS_OORP_RFP_033017.pdf
- Law Enforcement Against Drugs (LEAD)
<http://leadrugs.org/>
- Project Medicine Drop
<http://www.njconsumeraffairs.gov/meddrop/Pages/default.aspx>

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C.L.E.A.R.

COMMUNITY LAW ENFORCEMENT ADDICTION RECOVERY

It is well-established that drug use and addiction is a major problem that impacts all of us on multiple levels; individuals, families and communities bear the many ill-effects that it has on our safety, health and the economy. The alarming reality of the heroin/opiate epidemic, in particular, has created an urgent need to work together to reverse these trends.

We also recognize that for any anti-drug program to be effective, strong enforcement must be supported by an effort to reduce the demand for illegal substances and this is best accomplished through continued prevention education along with improved access to treatment and recovery support.

The mission of the **Sussex County C.L.E.A.R. Program** is to form a collaborative network of professionals in our community who will facilitate medical intervention, improved access to treatment and recovery support for those struggling with drug addiction who seek assistance, without fear of arrest or prosecution, in order to make a positive difference in the quality of life for individuals, families and our entire community.

Visit clearprogram.org for more information.



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The Sussex County C.L.E.A.R. Program is pleased to announce that 6 more Police Departments throughout Sussex County will be accepting C.L.E.A.R. participants. Since beginning in Newton in July 2016, 54 individuals struggling with a substance use disorder have been helped; connected to peer recovery coaches, accessed treatment and are working toward or are in recovery. Numerous families have been assisted with connection to family recovery coaches, helping to steer their loved ones into recovery.

The evidence based approach of the C.L.E.A.R. Program is effective and it is *clear* that the collaborative efforts of the professionals in law enforcement, healthcare, prevention agencies and social services is making a positive difference in Sussex County. The Center for Prevention and Counseling has been an invaluable partner in the development of the C.L.E.A.R. Program and management of the volunteer recovery coaches. Atlantic Health System as well as other organizations, businesses and treatment providers who have given their support has been crucial, and the leadership and support of the Sussex County Police Chiefs' Association and our County Prosecutor, Francis Koch, has been vital in this effort.

Since piloting C.L.E.A.R. in Newton over the past year, the program has been further refined and recovery coaches have been recruited and trained. Training was provided in September to Law Enforcement Officers from each of the departments new to the C.L.E.A.R. Program, and through October, policies and procedures were implemented in each department to make them ready to perform intake screening for C.L.E.A.R. Program participants. We emphasize that all departments support and refer individuals to this program and it is available to all residents who can go to any of the below listed, conveniently located police agencies.

Vernon Police Chief Randy Mills – C.L.E.A.R. started 11/6

"The Vernon Police Department is excited to start the C.L.E.A.R. Program in an attempt to help our community. In just the past week we have lost two more lives to opioid related deaths. These unnecessary deaths can be prevented, and we look forward to being part of the solution."

Hardyston Police Chief Bret Alemy - C.L.E.A.R. started 11/6

"Our department is proud to join with other law enforcement within our county as we continue to bridge the gap between addiction and recovery through collaborative efforts within both the law enforcement and the healthcare communities. Identification of addiction and offering a pathway to hope where there was literally none, serves not only the addict, but our entire community by way of reduced crime, lower overall healthcare costs and of course, personal health and productivity."

COMMUNITY LAW ENFORCEMENT ADDICTION RECOVERY

Sparta Police Chief Neil Spidaletto - C.L.E.A.R. started 11/7

"Sparta Police Department is proud and committed to be part of the C.L.E.A.R. Program. This epidemic has affected all areas of our society. If we can provide assistance in offering help through the Center for Prevention and Counseling to those that are seeking help, Sparta Officers will provide this support. I am more than happy to work with Chief Richards and other Chiefs in this county to try make a difference for those struggling with addiction, their families and our community."

Andover Police Chief Eric Danielson - C.L.E.A.R. starts 11/13

"The Andover Township Police Department continues to support efforts to help community members combat substance use disorders by providing an avenue for assistance. We are pleased to be a part of a solution to a growing epidemic and feel the partnerships developed have given us an opportunity to better serve our community and those around us."

Byram Police Chief Pete Zabita - C.L.E.A.R. starts 11/13

"The Byram Township Police Department is pleased that we're able to unite with the other police departments in the county to provide this service to our residents. Every effort must be made by our government agencies and our residents to combat the current opioid crisis in our communities."

Franklin Police Chief Eugene McInerney - C.L.E.A.R. starts 11/15

"Now more than ever, education and assistance need to be provided to those suffering from addiction as well as their families. The opioid crisis, recently nationally recognized as one of the greatest threats to our society and our nation's youth, needs to be aggressively addressed. The Franklin Borough Police Department is enthusiastically committed to the success of the C.L.E.A.R. Program, as it is a phenomenal tool in step with the Franklin Borough Police Department's commitment to preserving the quality of life in the community we serve."

Sussex County Prosecutor Francis Koch

"The expansion of the C.L.E.A.R. Program into the additional six (6) police departments in Sussex County is a momentous occasion. This expansion will now make the incredibly successful C.L.E.A.R. Program even more accessible to all residents in Sussex County. The C.L.E.A.R. Program is a vital tool in our fight against the opioid epidemic. Although C.L.E.A.R. alone will not solve the epidemic, it is one of the essential building blocks for a community to address it. I am excited to be a partner in this program and I look forward to working with all of the police departments and the community to encourage individuals with substance use disorders to come in and help them find their road to RECOVERY."

SUSSEX COUNTY C.L.E.A.R. PROGRAM MISSION STATEMENT

It is well-established that drug use and addiction is a major problem that impacts all of us on multiple levels; individuals, families and communities bear the many ill-effects that it has on our safety, health and the economy. The alarming reality of the heroin/opiate epidemic, in particular, has created an urgent need to work together to reverse these trends.

We also recognize that for any anti-drug program to be effective, strong enforcement must be supported by an effort to reduce the demand for illegal substances and this is best accomplished through continued prevention education along with improved access to treatment and recovery support.

The mission of the **Sussex County C.L.E.A.R. Program** is to form a collaborative network of professionals in our community who will facilitate medical intervention, improved access to treatment and recovery support for those struggling with drug addiction who seek assistance, without fear of arrest or prosecution, in order to make a positive difference in the quality of life for individuals, families and our entire community.

Please visit the website at <http://clearprogram.org/> to learn how to get help and learn how you can help be part of the solution to this community crisis.

FOR FURTHER INFORMATION, PLEASE CONTACT:

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Chief Michael Richards

Newton Police Department | President of Sussex County Police Chiefs' Association

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30:6C-11 Findings, declarations relative to substance abuse recovery assistance.

1. The Legislature finds and declares that:
 - a. According to the Centers for Disease Control and Prevention, the rate of heroin and opioid-related deaths in the United States has nearly tripled since 2010.
 - b. New Jersey's overdose death rate is currently more than three times the national rate, and overdose is the leading cause of accidental death in the State.
 - c. Data show that treatment for heroin and opioid addictions have become spread evenly across all of the State's demographics.
 - d. Increasing access to treatment without fear of arrest or law enforcement action is essential to persuade those who suffer from addiction to receive the treatment they need.
 - e. In certain parts of the State and in other jurisdictions, increased access to treatment has resulted from collaborative efforts of law enforcement, community professionals, and volunteers providing support to those who need additional assistance in seeking treatment.
 - f. The establishment of law enforcement assisted addiction and recovery referral programs would provide additional support necessary to assist many of those who need treatment by encouraging those suffering from heroin and opioid addiction to seek recovery; helping to distribute life-saving drugs to prevent and treat overdoses; and connecting people suffering from heroin and opioid addiction with treatment programs and facilities.

L.2016, c.58, s.1.

30:6C-12 Establishment of law enforcement assisted addiction and recovery referral program.

2. The Director of the Division of Mental Health and Addiction Services in the Department of Human Services, in consultation with the Attorney General, shall provide for the establishment, upon the request of the department or force, of a law enforcement assisted addiction and recovery referral program in accordance with section 5 of P.L.2016, c.58 (C.30:6C-15). In providing for the establishment of these programs, the director shall:
 - a. prescribe by regulation requirements for a law enforcement department to establish, or otherwise authorize the operation within that department, of a law enforcement assisted addiction and recovery referral program;
 - b. develop and implement guidelines for the recruitment and training of law enforcement officers and personnel, volunteers, and treatment providers to participate in the program, provided that law enforcement officers may refer or transport program participants to a program volunteer or to a treatment provider for substance abuse recovery services, health care services, including mental health services, medication-assisted drug treatment services, and other substance abuse treatment services but shall not be involved in the provision of such services;
 - c. support and facilitate, to the maximum extent practicable, the linkage of law enforcement assisted addiction and recovery referral programs to facilities and programs that may provide appropriate substance abuse recovery services, health care services, including mental health services, medication-assisted drug treatment services, and other substance abuse treatment services to program participants;
 - d. coordinate with law enforcement officials, personnel, and program volunteers to ensure that individuals seeking to participate in the program are treated with respect, care, and compassion;

e. establish eligibility requirements for participation in the program which shall include, but not be limited to, the provisions of P.L.2016, c.58 (C.30:6C-11 et seq.);

f. develop and implement procedures for determining eligibility to participate in the program, including, but not limited to, conducting a wanted person check pursuant to section 1 of P.L.2003, c.282 (C.30:4-91.3c) on each potential program participant; and

g. provide procedures for maintaining the confidentiality of information pertaining to the identity, diagnosis, treatment and health information of any program participant.

L.2016, c.58, s.2.

30:6C-13 Participation upon approval by governing body.

3. Upon approval by the governing body of the county or municipality, as the case may be, a county police department or force established pursuant to N.J.S.40A:14-106 or municipal police department or force established pursuant to N.J.S.40A:14-118 may participate in a law enforcement assisted addiction and recovery referral program established in accordance with P.L.2016, c.58 (C.30:6C-11 et seq.). Law enforcement officers participating in a law enforcement assisted addiction and recovery referral program established pursuant to this section may refer or transport program participants to a program volunteer for support, guidance and assistance, and may transport program participants to a treatment provider for substance abuse recovery services or health care services, but shall not otherwise be involved in the provision of such services.

L.2016, c.58, s.3.

30:6C-14 Determination of eligibility for participation.

4. a. For any individual who enters a law enforcement department seeking to participate in a law enforcement assisted addiction and recovery referral program, the chief law enforcement officer or a designee shall determine if the individual is currently under a sentence of probation. If an individual is determined to be on probation, any placement pursuant to the program shall be coordinated with the individual's probation officer.

b. An individual shall be ineligible to participate in the program if:

(1) the individual is required to register as a sex offender pursuant to section 2 of P.L.1994, c.133 (C.2C:7-2);

(2) the individual has an outstanding arrest warrant or pending criminal charges;

(3) the individual is under 18 years of age and does not have the consent of a parent or guardian; or

(4) the chief law enforcement officer or a designee expresses the reasonable belief that the officer, personnel, or others could be seriously harmed by the individual.

c. If at any time the individual is determined to be in need of medical assistance, the law enforcement officer or personnel shall immediately seek emergency medical assistance for the individual.

L.2016, c.58, s.4.

30:6C-15 Compliance with requirements.

5. A law enforcement assisted addiction and recovery referral program established pursuant to P.L.2016, c.58 (C.30:6C-11 et seq.) shall comply with the following requirements:

a. Individuals who voluntarily enter a law enforcement department and request help with their addiction pursuant to the law enforcement assisted addiction and recovery referral program shall immediately be screened for eligibility to participate pursuant to the criteria set forth in section 4 of P.L.2016, c.58 (C.30:6C-14).

b. Eligibility for participation is specifically and exclusively limited to individuals who voluntarily enter a law enforcement department to request assistance with their addiction.

c. All law enforcement personnel having contact with an individual who enters a law enforcement department and requests assistance pursuant to the program shall be professional, compassionate, and understanding at all times.

d. If, at the time of requesting assistance pursuant to the program or upon being accepted to participate in the program, an individual who is in possession of a controlled dangerous substance, controlled dangerous substance analog, or drug paraphernalia and advises a law enforcement officer of that possession and voluntarily surrenders the substance, analog or paraphernalia to the law enforcement officer shall not be arrested, charged, prosecuted or convicted for:

(1) obtaining, possessing, using, being under the influence of, or failing to make lawful disposition of a controlled dangerous substance or controlled substance analog pursuant to subsection a., b. or c. of N.J.S.2C:35-10;

(2) acquiring or obtaining possession of a controlled dangerous substance or controlled substance analog by fraud pursuant to N.J.S.2C:35-13;

(3) unlawfully possessing a controlled dangerous substance that was lawfully prescribed or dispensed pursuant to section 9 of P.L.1999, c.90 (C.2C:35-24); or

(4) using or possessing with intent to use drug paraphernalia pursuant to N.J.S.2C:36-2 or for having under his control or possessing a hypodermic syringe, hypodermic needle, or any other instrument adapted for the use of a controlled dangerous substance or a controlled substance analog pursuant to subsection a. of N.J.S.2C:36-6.

The materials shall be collected and secured for later destruction in accordance with established procedures.

e. A person shall not question the individual in an effort to collect intelligence, determine the origins of any controlled dangerous substance, controlled dangerous substance analog, or drug paraphernalia relinquished by the individual, or take any other action which may discourage individuals from seeking to participate in the program without fear of arrest or law enforcement action; provided, however, that nothing in this subsection shall preclude the individual from voluntarily providing information concerning the origins of any controlled dangerous substance, controlled dangerous substance analog, or drug paraphernalia relinquished by the individual.

f. The law enforcement officer or personnel having initial contact with the individual shall immediately notify the chief law enforcement officer or designee that an individual is requesting assistance with the individual's addiction.

- g. The chief law enforcement officer or designee shall initiate intake procedures and inform a program volunteer that an intake is occurring and request the volunteer to respond to the law enforcement department. The individual shall be notified of the volunteer's estimated arrival time.
- h. The volunteer shall provide emotional support and guidance to the individual, explore treatment options, and attempt to identify a program or facility which can assist the individual. If possible, the volunteer shall remain with the individual until the individual has been formally admitted to treatment, including at the law enforcement department, hospital, or intake location for the treatment facility.
- i. If the volunteer, after contacting all possible sources of treatment, is unable to place the individual, the volunteer shall give the individual a plan to continue attempting to obtain assistance prior to the individual leaving the law enforcement department. The volunteer shall make every effort to find a safe place for the individual upon departure.
- j. Participation in the program shall be voluntary. If an individual subsequently elects not to request assistance or continue with the program, the individual shall be permitted to depart.
- k. If at any time during participation in the program or attempting to participate in the program an individual who has relinquished a controlled dangerous substance, controlled dangerous substance analog, or drug paraphernalia withdraws the request for assistance or elects to discontinue participation in the program, the individual shall not be charged with a crime or offense for possessing the items they have already relinquished.
- l. Information pertaining to the identity, diagnosis, treatment or health of any program participant shall be confidential and shall not be disclosed to any person except to the extent that it may be necessary to carry out the purposes of P.L.2016, c.58 (C.30:6C-11 et seq.), or upon the express consent of the program participant, or as otherwise required by law or court order.

L.2016, c.58, s.5.

30:6C-16 Immunity from liability.

- 6. a. A county or municipal entity, official or employee that approves participation in a law enforcement assisted addiction and recovery referral program in accordance with P.L.2016, c.58 (C.30:6C-11 et seq.), shall not, as a result of any acts or omissions, be subject to any criminal or civil liability related to approval of participation in the law enforcement assisted addiction and recovery referral program.
- b. A county or municipal law enforcement department, chief law enforcement officer, officer or personnel, volunteer or treatment provider, that participates in good faith in a law enforcement assisted addiction and recovery referral program in accordance with P.L.2016, c.58 (C.30:6C-11 et seq.), shall not, as a result of any acts or omissions, be subject to any criminal or civil liability related to participation in the law enforcement assisted addiction and recovery referral program.

L.2016, c.58, s.6.