

# The Opioid Crisis and Children: The Critical Role of Law Enforcement

Catching Up With COSSAP, October 2020

The opioid crisis has expanded across the United States. After opioid deaths declined in 2018, U.S. drug deaths in 2019 surged to a record 71,000, and 2020 numbers are on track to surpass those.<sup>1</sup> The COVID-19 pandemic has contributed to this increase because of stay-at-home orders and the pandemic's economic effects, which have left more caregivers who are using/misusing substances physically isolated and contributed to reductions in in-person substance abuse treatment. Because most people who need treatment tend to have less access to health insurance, the effects of these dual crises on the substance-using population are particularly difficult.

The opioid crisis, particularly its effect on children, presents an ongoing profound challenge. Drug-endangered children, as identified by the National Alliance for Drug Endangered Children (National DEC),<sup>2</sup> are those at risk of suffering physical or emotional harm as a result of illegal drug use, possession, manufacturing, cultivation, or distribution. They may also be children for whom substance misuse by anyone in their households interferes with the need to provide a safe, nurturing environment. Drug-endangered children are at risk of immediate and long-term physical and/or emotional harm because of the misuse of substances in their household that impacts effective parenting/caregiving.<sup>3</sup> About nine million children grow up exposed to a parent/caregiver (or household member) with a substance use disorder (SUD).<sup>4</sup> These children are more likely to experience abuse and/or neglect, develop a substance use disorder, and become involved in the justice system.<sup>5</sup>

Growing up in an environment with drug use also increases children's exposure to many socioeconomic, behavioral, and cognitive challenges.<sup>6</sup>

The challenge in these situations is early identification and intervention, before a crisis situation has developed, to reduce children's exposure to continued substance use by a parent/caregiver/household member and its impact on their lives. Many law enforcement organizations already take actions referred to as law enforcement-led deflection (or law enforcement-led diversion)<sup>7</sup> to combat the opioid epidemic. Deflection involves moving people towards community-based treatment, housing, services, and case management and, if applicable, away from potential involvement with the justice system. National DEC's philosophy advances widening law enforcement's scope to do more to address the children affected by adult caregivers involved with substance misuse; this makes efforts to protect drug-endangered children key in deflection efforts so that affected children are identified and helped. Acting in the best interests of children and families, law enforcement and community-based organizations can work in coordination to respond to children at risk and/or in need.

## Five Pathways

The spectrum of the **five pathways**<sup>8</sup> associated with deflection offers an alternative to traditional enforcement methods for individuals with an SUD or the dilemma of having to wait for an acute behavioral health crisis to

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necessitate contact with the police department. Offering a significant opportunity during situations in which children may be victims of or showing signs of drug endangerment is critical for law enforcement officials, who often have the opportunity to encounter drug-endangered children. Police officers can use their position to make a difference in the lives of these children in three important ways.

## Turn Every Encounter Into an Opportunity

Every year, police officers have approximately 44 million encounters with citizens that involve no cause for arrest.<sup>9</sup> Police can translate these into opportunities to protect our youngest victims of substance abuse. Indicators of possible risks may include exposure to drug use, drugs in the home, or parents/caregivers who are absent, inattentive, or appear to be involved in drug-related activities.<sup>10</sup> However, when indicators of possible physical/sexual abuse, neglect, or mental or emotional impairment of children are present as the long-term effects of living in dangerous or traumatic environments,<sup>11</sup> officers need to understand the importance of their role as mandatory reporters to assess safety and need for intervention and services. Coordinating these systems can be beneficial to children and families in need.

In many cases, just making eye contact at the child's level and offering a kind word can make a world of difference and build the trust that many children do not enjoy with the adults in their lives. One step some child advocates recommend in approaching vulnerable children is the "seven Cs" approach, which helps children be aware of and articulate problems in their households—without the sense of guilt or shame that often pervades these environments.<sup>12</sup>

## Deflection Allows for Early Identification and Intervention

Because law enforcement officers often return to the same places multiple times for the same situation, they know that early intervention is important: The earlier they can recognize and address an at-risk child and facilitate needed assistance or care, the better. Establishing trust with children

can be extremely helpful in identifying possible drug-related risks. Remember, drug-endangered children love their parents and may protect them, no matter how adversely parental actions may affect them. Speaking kindly to and maintaining positive interaction with children can go a long way towards getting them proper care and treatment at an early stage to mitigate the effects of their exposure to dangerous or traumatic environments.

Many law enforcement organizations are involved in multidisciplinary initiatives that advance early identification/intervention. An example is a National DEC promising practice developed by the West Virginia DEC Alliance, called Handle with Care (HWC),<sup>13</sup> designed to enable police officers to quickly recognize possible trauma and help direct children to appropriate services. One HWC program in Martinsburg (Berkeley County), West Virginia, ensures that all children exposed to trauma, including substance misuse events, receive appropriate interventions without interrupting school progress—and gives police officers protocols to notify the school of any endangering incident.<sup>14</sup> A similar countywide initiative with funding from the FY 2017 Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) provides outreach to middle and high schools to help mitigate the harm to students affected by substance use, either from personal use or household exposure, and intervention for those who may be misusing drugs. A FY 2019 COSSAP grantee in Jacksonville (Onslow County), North Carolina, established a continuum of care for children and families of individuals with opioid use disorders, including a school-based psychologist. These are excellent examples of how any of the elements of the National DEC Roadmap and Toolkit can benefit and change the trajectory of these children's lives.

## Addiction Is Not Just About an Individual But About a Family

When addressing addiction, it is critical to shift some focus away from the individual to how the situation affects children in the home. This is central to a law enforcement-driven program in Plymouth County, Massachusetts, in

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existence since 2007, that has helped minimize the effects of substance abuse on children of a community experiencing dramatic growth in overdoses and drug-related deaths, realizing an 80 percent decrease in suspendable issues and a 43 percent decrease in overall office referrals at three pilot schools.<sup>15</sup> This initiative has also informed the expansion of the community's deflection program, Plymouth County Outreach, a COSSAP grantee (FY 2018) and mentor in the first-responder diversion mentoring initiative.<sup>16</sup>

Police and law enforcement organizations, along with other first responders, can make a difference in recognizing when our youngest and most vulnerable are likely to or have already become victims of the opioid crisis. Assessing and acting on the risks outside of the arrest framework is necessary at times. National DEC is a recognized expert in the drug-endangered children field and provides a comprehensive range of resources and services to assist professionals, including law enforcement officers, in identifying drug-endangered children at the earliest point possible, responding to the risks they may be facing, and connecting them to intervention and services so that healing can begin.

The Police, Treatment and Community Collaborative (PTACC) (<https://ptaccollaborative.org/>) Children and Families Strategy Area is another important resource to address those affected by substance abuse. Incorporating values built around behavioral health, housing, social services, and faith communities that take the lead in deflection activities, in partnership with law enforcement and first responders, PTACC partners highlight the important roles that a variety of organizations and agencies can play in addressing the needs of children and families affected by substance abuse. Addressing the challenges these children and their caregivers face will help them to avoid criminal justice involvement, chronic health conditions, limited education, and other consequences that result from the trauma of living with familial addiction.

## End Notes

<sup>1</sup>National Center for Health Statistics, U.S. Centers for Disease Control and Prevention (2020): Provisional drug overdose death counts. <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>

<sup>2</sup>National Alliance for Drug Endangered Children. <https://www.nationaldec.org/the-problem>

<sup>3</sup>National Alliance for Drug Endangered Children

<sup>4</sup>Substance Abuse and Mental Health Services Administration (2017). *Children living with parents who have a substance abuse disorder*. [https://www.samhsa.gov/data/sites/default/files/report\\_3223/ShortReport-3223.html](https://www.samhsa.gov/data/sites/default/files/report_3223/ShortReport-3223.html)

<sup>5</sup>Child Welfare Information Gateway (2006). Long-term consequences of child abuse and neglect. Washington, DC: U.S. Department of Health and Human Services. [www.childwelfare.gov/pubs/factsheets/long\\_term\\_consequences.cfm](http://www.childwelfare.gov/pubs/factsheets/long_term_consequences.cfm)

<sup>6</sup>National Alliance for Drug Endangered Children

<sup>7</sup>In many jurisdictions, these programs may be known as deflection, pre-arrest diversion, first responder-led diversion, co-responder programs, or law enforcement/police-assisted diversion, among others. For this brief, "deflection" will be employed. For more information, see <https://www.cossapresources.org/Focus/Diversion>

<sup>8</sup>Police Treatment and Community Collaborative (2017). *Pre-arrest diversion: Pathways to community*. [https://ptaccollaborative.org/wp-content/uploads/2018/07/PTACC\\_visual.pdf](https://ptaccollaborative.org/wp-content/uploads/2018/07/PTACC_visual.pdf)

<sup>9</sup>Estimate based on U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics (2015). Contacts between police and the public. <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=6406>

<sup>10</sup>National Alliance for Drug Endangered Children and Office

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of Community Oriented Policing Services (COPS Office), U.S. Department of Justice (2013). *Drug endangered children: Guide for law enforcement*. <https://cdpsdocs.state.co.us/safeschools/Resources/COPS%20Community%20Oriented%20Policing%20Services/COPS%20Drug%20Endangered%20Children%20Guide%20for%20Law%20Enforcement.pdf>

<sup>11</sup>Wisconsin Alliance for Drug Endangered Children (2020). *Identifying DEC Children*. <http://www.wisconsindec.org/identifying-dec-children.html>

<sup>12</sup>Moe, J. (2019). The seven Cs. *Counselor Magazine*, National Association for Children of Addiction. <https://www.counselormagazine.com/en/article/the-seven-cs>

<sup>13</sup><http://handlewithcareww.org/index.php>

<sup>14</sup>United Hospital Fund and Milbank Memorial Fund (2019). The ripple effect: The impact of the opioid epidemic on children and families. <https://www.milbank.org/publications/the-ripple-effect-the-impact-of-the-opioid-epidemic-on-children-and-families/>

<sup>15</sup>Plymouth County Childhood Trauma Initiative. <https://plymouthda.com/community-initiatives/childhood-trauma-initiative/>

<sup>16</sup>COSSAP, The Law Enforcement/First Responder Diversion and Referral Mentoring Initiative. <https://www.cossapresources.org/Learning/PeerToPeer/Diversion>

