Victims of the opioid crisis

Facing Purdue brings pain, closure

BY JENNIFER PELTZ AND GEOFF MULVIHILL • Associated Press

NEW YORK — Kara Trainor composed herself, looked into a camera and began to speak to the drugmakers she holds responsible for two decades of suffering that has extended from her to a son born dependent on opioids.

Three members of the family that owns OxyContin maker Purdue Pharma watched silently or listened to the virtual court hearing as Trainor described giving birth to a baby who rapidly plunged into withdrawal — "the screaming will haunt you for the rest of your life" — and what it's been like to raise him. At 11, he still uses a sippy cup and diapers.

Trainor and others who have suffered from or lost relatives to opioid addiction had waited years for this moment: a direct, if virtual, confrontation with members of the Sackler family in court over the consequences of the painkiller that made them a fortune while helping fuel a deadly drug epidemic. The opportunity finally came for about two dozen victims or their relatives at an extraordinary bankruptcy court hearing Thursday.

Some emerged exhausted, others angry, others relieved, and all unsure whether the Sacklers, who weren't allowed to respond during the session, had been moved. Still, several people who gave statements said they valued being able to speak for their lost loved ones and show solidarity, and that they had gotten a grain of resolution.

"I can feel, as a mother, that my son was seen and heard by the family," said Trainor, of Kalamazoo, Michigan, who got an OxyContin prescription at 21 and soon became addicted. She's now 40, in recovery and working with others who struggle with drug abuse.

"It's going to be part of my healing and part of a closure of 20 years," she said, "finally being able to be heard."

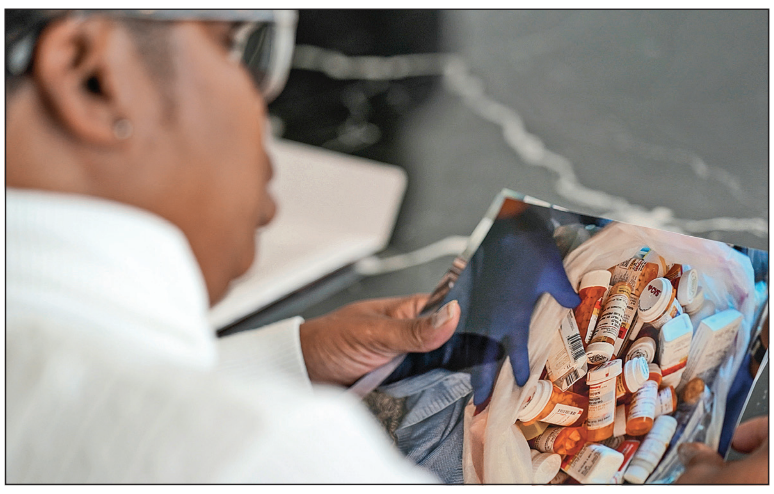
The hearing, highly unusual for U.S. Bankruptcy Court, was suggested by a mediator who helped broker a potential settlement of thousands of lawsuits against Purdue. If it wins final approval, the deal will generate $10 billion or more to fight addiction and overdoses, with the Sacklers chipping in as much as $6 billion in exchange for protection from civil lawsuits. Up to 149,000 people who have struggled with addiction or who lost loved ones to it are due to split $750 million under the settlement.

One after another, victims logged in from Hawaii to New Hampshire on Thursday with accounts of surgeries and illnesses that led to OxyContin prescriptions, followed by dependency, despair, rounds of drug-abuse treatment, personal and financial ruin and, all too often, death by overdose or suicide.

Vitaly Pinkusov described waking up to find his 32-year-old wife's body cold in their bed. Kristy Nelson played a recording of her frantic 911 call reporting that her son was unresponsive. Stephanie Lubinski recounted how her husband went into their basement and shot himself in the chest.

Seth Wenig/AP

Dede Yoder looks at a photo of her son, Chris Yoder, after making a statement during a hearing March 10 in New York. People who lost loved ones or years of their own lives to opioid addiction are getting their first and perhaps only chance to confront members of the Sackler family who own OxyContin maker Purdue Pharma. Thursday's virtual court hearing is being run by a U.S. Bankruptcy Court judge.



Tiffinee Scott shows photographs to reporters, including one of the many pill bottles her daughter had accumulated before her death, after making a statement during a hearing March 10 in New York. Scott said "After Tiarra's passing, I collected countless pill bottles — filling a king size bed in a bag."

Former Purdue president and board chairman Richard Sackler listened by phone, a sore point for some victims who found it disrespectful that he didn't face them. His son, David Sackler, and another family member, Theresa Sackler, appeared on camera, appearing attentive but showing little reaction.

"They just sat there, alone but stone-faced, and never changed their expression, never," a frustrated Lubinski of Blaine, Minnesota, said afterward.

The Sacklers have never unequivocally apologized. They released a statement last week saying they had acted lawfully but "regret" that OxyContin "unexpectedly became part of an opioid crisis that has brought grief and loss to far too many families and communities."

OxyContin, a pioneering extended-release prescription painkiller, hit the market in 1996, while Purdue and other drug companies funded efforts to suggest that prescribers consider opioids for a wider range of pain conditions than previously thought appropriate. Purdue asserted that far fewer than 1% of people prescribed opioids developed addictions, though there weren't rigorous studies to support the claim.

Waves of fatal opioid overdoses followed, from prescription drugs, heroin, and most recently fentanyl and similar drugs. Purdue documents made public in lawsuits appear to show family members at times downplaying the crisis.

Tiffinee Scott asked the Sacklers whether they had ever revived one of their children from an overdose, as she did for her daughter before finally losing her to an overdose at age 28. Tiarra Renee Brown-Lewis had been prescribed OxyContin for sickle cell disease pain, the mother said.

"Shame on you," she told the Sacklers, though she said later that she hadn't expected a reaction from people she sees as heartless. To her, the point of the session was the impact of the families' unity and their joint message.

"For once, we felt to have a sense of power over privilege, as it pertains to the Sacklers," she said.

After her 21-year-old son, Chris Yoder, died from an overdose, Dede Yoder used to swear at the Sacklers as she drove by Purdue's headquarters in Stamford, Connecticut, near her Norwalk home. She's felt vindicated by the bankruptcy case and public scrutiny of the Sacklers.

"Being part of this court record is very important, and my son's story being part of the record," she said after making her statement during the hearing.

Ryan Hampton of Las Vegas found "a level of catharsis" in testifying Thursday about the years of addiction, overdoses and periods of homelessness he endured after a knee injury. But it bothered him that victims and their relatives were delivering a message that, in his view, should come from authorities.

Like several of those who testified, he wants the Sacklers to be criminally charged. There's no sign that will happen, although seven U.S. senators last month asked the Department of Justice to consider it. Purdue Pharma, meanwhile, has twice pleaded guilty to criminal charges.

Cheryl Juaire, meanwhile, is looking ahead to the potential for money to flow to addiction treatment programs and "start to heal this country." Juaire, of Marlborough, Massachusetts, lost two adult sons, Corey Merrill and Sean Merrill, who died just last June.

Jill Cichowicz, who lost her twin brother, Scott Zebrowski, hopes that Thursday's uncommonly personal hearing "sets the tone for future companies, and they understand the ramifications of their actions."

For a long time, she had thought about what she might say to the Sacklers if she ever got the chance.

"And then, when you're actually in the room facing them, eye-to-eye, you're not as angry. You're hurt," said Cichowicz, of Richmond, Virginia. "It was a sense of closure, but in the same sense, I'm still suffering, being hurt by their actions."

Contract

Continued from A1

On Friday, the executive board of AFSCME Local 3997 sent an open letter to county commissioners asking that it "rectify this obvious inequity."

"We are aware you have awarded special privileges in the form of an additional 2% salary adjustment to the Deschutes County Sheriff Employees Association," the letter says. "This is in direct opposition to the position that was maintained during AFSCME bargaining less than a year ago; that AFSCME-represented employees could not receive a benefit that differed from other contracts. Our membership has faced unprecedented crises in the last several years, including providing quality services during a pandemic. AFSCME represented employees are intensely aware of this show of contempt for our hard work."

Big spending

Being agreeable to the demands of his union represents an about-face for Sheriff Nelson, who's quarreled with the union in the past.

Nelson's spokesman, Sgt. Jayson Janes, declined to speak by phone with The Bulletin and only responded to some questions in writing.

DeBone and Adair are reliable votes for Nelson. Adair took time while explaining her vote on the contract to praise Nelson's recent $2 million purchase of more than two dozen vehicles, primarily full-size trucks, that will allow every patrol deputy a take-home car.

"I know it was a rather large purchase but I think that it was important in today's world," she said. "I think that the message to our community is that they're working for us and they're out there."

The new sheriff's office contract contains three conditions considered especially attractive to staff:

- Lowering the earliest allowable retirement eligibility from 30 years of service to 25.
- A new promotion "step" for all job classifications at the office.

With nearly every county job, there are six pay steps on the way to a position's maximum allowable salary. The new sheriff's office contract adds a seventh step, allowing all sheriff's office employees a chance to receive an additional raise of up to 5%.

- For all staff, a cost of living raise of 3.5%, plus, for sworn deputies, an additional 2% wage adjustment.

Cost of living adjustments are applied each year to every county position to help keep wages in line with rising costs of living in Deschutes County. The range is generally no lower than 1.5% and no higher than 3.5%.

Joe Kline/Bulletin file photo

Deschutes County Sheriff Shane Nelson

Funding for the 2% wage adjustment will come from the sheriff's budget, which is primarily funded by two levies, a countywide jail levy and a rural patrol levy, plus, for more than a decade, a $3 million allotment from the county's transient room tax.

The rural patrol levy is set at a rate below what's allowable in state law, meaning the commission could ask voters to increase it.

Commissioner Tony DeBone said it's voters who should be thanked for the wage adjustment, for passing the rural patrol tax.

"We have the money to do this," DeBone said. "It was a vote of the people that put us in this spot to be able to fund this."

Chang countered that the sheriff's office only has room in its budget because of the $3 million in hotel tax funds. And last year, Nelson came to the commission to ask for an additional $300,000 in transient room tax to address a shortfall in his budget.

Sheriff's spokesman Jayson Janes told The Bulletin the office is looking at getting more of the transient room tax instead of increasing the rural patrol tax rate in the future.

Countywide staffing problems

The county commission has heard increasingly over the past year from department heads facing stark realities. In the past three weeks alone, they've heard from the planning department, behavioral health and 911. Other hard-hit divisions are said to be finance, administration and fairgrounds.

At the planning department, aka Community Development, a 13% vacancy rate this fiscal year coincides with a major influx of new residents as well as design and land-use applications.

Director of Community Development Peter Gutowski came to the commission to ask for higher pay for an administrative assistant. He described difficulty finding qualified planners and building inspectors and warned the county could become a bottleneck in the land-use process, impeding the addition of adding critically needed new housing.

On Feb. 23, Janice Garceau, head of the county behavioral health department, told commissioners a staffing shortfall has kept the Stabilization Center from quickly responding to people in mental health crisis.

Last year, the commission approved one-time bonuses in an effort to retain crisis mental health workers, considered one of the biggest staffing needs at the county.

Those bonuses have not yet proved effective, according to Kathleen Hinman, director of county human resources.

"Our vacancy rate has been higher than usual and the number of applications per recruitment has been declining since 2019," Hinman told The Bulletin. "It doesn't appear to be getting worse, but we aren't seeing great improvement either."

The county is now involved in labor negotiations with the employees of Deschutes 911, which is dealing with a 16% vacancy rate. The union has already asked for the 2% wage adjustment in its negotiations, 911 director Sara Crosswhite said during Wednesday's meeting.

With the sheriff's office receiving a 2% bonus wage adjustment, AFSCME Local 3997 will certainly use the fact in its next bargaining, according to Oregon AFSCME representative Brenda Johnson.

AFSCME Local 3997's new contract features a new way to calculate cost of living adjustments, which is considered a win for the union.

"Our last bargaining session with Deschutes County was a hard-fought battle," Johnson said. "Now with the Sheriff's Department receiving a 2% COLA, this can be ... used in our next bargaining. This would be a great motivator for our membership to see any discrepancies in the way one local is treated compared to another local."

Reporter: 541-383-0325, gandrews@bendbulletin.com