

# Philadelphia DAO Policy on Buprenorphine/ Suboxone Possession Arrests and/or Pending Cases



Effective Date: 1/28/2020

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Like nearly all other policies, it creates a presumption for all DAO staff to follow. Acting contrary to this presumption requires approval of the District Attorney or a First Assistant District Attorney. Any staff member who believes there is good reason in a particular case to act contrary to the presumption is welcome to seek their approval after advising their supervisor.

## **Prosecution**

For all pending cases in which mere possession of medications that contain Buprenorphine (e.g. Suboxone) is charged, that charge shall be withdrawn no later than the next court listing. If the case involves no other charge, the entire case should be withdrawn. If the case involves other charges, proceed on the other charges. This office will continue to prosecute Possession with the Intent to Deliver Buprenorphine and/or Delivery of Buprenorphine at this time.

## **Charging**

Charging shall be done consistently with the above policy---mere possession of medications containing buprenorphine shall be declined for charging.

This policy is consistent with other, thoughtful jurisdictions' efforts to prevent fatal overdoses and to reduce harm from America's opioid crisis. Buprenorphine based medications are primarily used to treat opioid substance abuse. Thank you for your hard work and cooperation.