

**IN THE UNITED STATES DISTRICT COURT
OF THE DISTRICT OF MASSACHUSETTS**

_____)	
GEOFFREY PESCE,)	
)	C.A. No. _____
Plaintiff,)	
)	
v.)	
)	
KEVIN F. COPPINGER, in his official)	
capacity as Essex County Sheriff,)	
AARON EASTMAN, in his official)	
capacity as Superintendent of the Essex)	
County House of Corrections - Middleton,)	
)	
Defendants.)	
_____)	

DECLARATION OF GEOFFREY PESCE

Pursuant to 28 U.S.C. § 1746, I, Geffrey Pesce, declare as follows:

1. I am 32 years old and live in Ipswich, Massachusetts.
2. My physician, Dr. Shorta Yuasa, has diagnosed me with opioid use disorder and has prescribed medication-assisted treatment (MAT) with methadone. Under this medication regime, I have been in active recovery from my opioid addiction for nearly two years. I do not use illegal drugs, I am employed full time as a machinist, I contribute financially to support my parents, and I am a responsible and caring father to my son. My son just started kindergarten this fall.
3. I am terrified that if I am unable to remain on my medication during my time at the Essex County House of Corrections – Middleton (Middleton HOC), I will lose control of my addiction, and I will relapse, overdose and die.

Life Before Active Addiction

4. I grew up in Ipswich, Massachusetts. From a very early age, I was drawn to everything mechanical. My grandfather was an engineer, and I used to spend a lot of time with him in his woodshop figuring

out how to take things apart and put them back together. That kind of thing just always made sense to me.

5. I graduated from Ipswich High School in 2004. My high school didn't have shop class, but I took every architecture class they offered. I also had jobs throughout high school, working on boats, snow mobiles, ATVs and other power sports equipment.
6. I went to Vermont Technical College for about a year and a half, and then began working full time, first in construction and then as a machinist. I enjoyed outdoor activities, and was able to purchase my own snowmobile, dirt bikes, jet skis and a boat.

History of Addiction

7. It was during my second machinist job that I was introduced to illegal drugs. I would go to the bar with my co-workers after work, and they would take oxycodone (oxy) while we were drinking.
8. I started to take oxy as well, and it quickly developed into an unstoppable addiction. For the next several years, my untreated addiction made life unbearable for me and my family. I was not able to control my actions or my psychological state, and I sold everything I had—including my cars, snowmobile, dirt bikes, jet skis and boat—to pay for my habit. Every day was consumed with finding enough money to buy more opioids. When oxy got too expensive, I started using heroin because it was cheaper.
9. In 2013, I had a baby with the woman that I was seeing. We were using at the time of the pregnancy, and we both tried to stop. I was desperate to get clean for my son, but my addiction was too strong, and my girlfriend and I both continued to use once he was born.
10. Around this same time, we were bouncing between my parents' house and her parents' house. Both of us were still using and my addiction made it very difficult to sustain long-term employment. It got so bad that the Department for Children and Family Services came to my parents' house and threatened to take away my son. Instead, my parents took guardianship over him and told me I could no longer live at their house. I could only see my son once or twice a week, which was devastating. But I still couldn't kick my addiction.

11. I overdosed on opioids at least half a dozen times during my years of untreated addiction. On several occasions, the paramedics needed to administer Narcan to save my life.
12. I tried to detox at least four times. I would stay in a treatment center for a week and then go straight to my drug dealers as soon as I was released because my cravings had not gone away. I tried Suboxone and Naltrexone but they weren't effective at reducing my need for opioids and left me feeling sick.
13. In the spring of 2016, I started taking benzodiazepines to try to lessen my desire for opioids. I took so many, however, that I had several grand mal seizures.

Path to Active Recovery

14. In late 2016, I overdosed on opioids three times in the span of less than 48 hours. I had never overdosed multiple times in a day before. I was scared for my life and realized that something had to change. That was when I went to the Danvers Detox clinic.
15. When I entered the clinic in December 2016, I told them that I had tried everything and nothing had worked, so I asked if I could enter their methadone treatment program. They gave me a prescription for methadone, I entered the methadone treatment program and everything changed. Since entering the methadone treatment program, I have been able to live my life free from incessant cravings for opiates.
16. I completed the 7-day detox program and the 10-day CSS (Clinical Stabilization Services) program at Danvers, before transferring to the Lynn TSS (Transitional Support Services) program and the Ryan House, which is a half-way house for those recovering from addiction. I stayed at the Ryan House for about six months. During that time I worked at the Home Depot, attended AA meetings twice-daily, and participated in group and individual therapy meetings.
17. When I left the Ryan House in July 2017, my parents agreed to let me move back in so long as I continued my treatment program and contributed to the household both financially and in day-to-day chores. I continue to receive methadone doses at the Danvers clinic, which I take orally by drinking a liquid that is like cough syrup. I also participate in group therapy two times a week and go to individual therapy every two to four weeks. I have been fully compliant with my methadone

treatment. I have not had a single negative drug screening. Until July 20, 2018, I had not missed a single appointment for my methadone dosing. Indeed, until that date, I was so successful in my treatment that I qualified to receive a three-day supply of methadone once a week so that I would not have to travel to the clinic over the weekend. That is still the only dose I have ever missed.

18. I have found a job that I enjoy as a full time machinist. I enjoy what I am doing and work long hours, and my manager trusts me to complete tasks that no one else can do. They even gave me a key to the building. It is one of those jobs that I like going to every morning, and I am now able to provide financial assistance to my parents and support for my son.
19. As a result of my treatment with methadone, my relationship with my entire family has changed. I help out around the house and my parents trust me again. They leave their wallet around me without worrying that I will steal from them. My son is my entire life. He loves a lot of the same outdoors activities that I do, and we spend our afternoons mountain biking, walking in the woods and driving remote control trucks.
20. My ability to be there for my son is particularly important to me because his mother is not a regular part of his life. To the best of my knowledge, she never calls to speak with him and she does not come to my parents' house to visit him.
21. Methadone has taken away all of my cravings to get high. It just works. I have never experienced any adverse side effects from methadone. I know while I am on it, I am not going to go back to what I was doing before. I am not engaging in any of the risky behaviors that were typical during periods of active addiction. I can hold a job and care for my family. I am in control of my symptoms and cravings. I can be the person I want to be.
22. My methadone prescription helps me maintain a high degree of emotional and physical stability, and I have never felt at risk of overdose.
23. I know, however, that there is more work that I need to do. I still need to learn more coping mechanisms and other tools to help ensure my long-term recovery. I am not yet ready to come off of methadone and fear that doing so will put my health and safety at serious risk.

July 19, 2018 Incident

24. Before entering into active recovery, I was charged with operating a motor vehicle under the influence of a drug (2nd offense) in early 2016. I took responsibility for my mistake and entered a guilty plea on September 13, 2017. As a result, I received a 60-day sentence that was suspended until March 13, 2019 and my driver's license was suspended or revoked for 2 years until March 13, 2019.
25. Since I have moved back home, my parents typically drive me to the Danvers Detox clinic for my scheduled methadone doses. However, on July 19, 2018, my mother was unexpectedly unable to drive me due to the death of our next-door neighbor. I was desperate not to relapse, and I knew how important it was to my treatment not to miss a single dose. As a result, I made the mistake of driving myself to the clinic. I was pulled over for driving six miles per hour over the speed limit, and charged with operating a motor vehicle with a license suspended or revoked for operating under the influence of alcohol or drugs. I was taken into custody and held overnight until the afternoon of July 20, 2018. The morning of July 20, 2018, was my first ever missed methadone dose. Methadone is meant to last two days, so I felt alright, but I was anxious all night about whether I would go into withdrawal or relapse.

Lack of Treatment at Middleton HOC

26. I accept responsibility for my driving offense and expect to plead guilty in Ipswich District Court on September 24, 2018. I understand that this plea will carry a mandatory minimum sentence of 60-days. Because my sentence arises from a case in Ipswich District Court, I expect to serve my sentence at Middleton HOC. I also understand that Middleton HOC has a policy against providing any form of medication-assisted treatment, including methadone, to any of its inmates.
27. If I do not have access to my prescribed medication in prison, I will go through a lengthy, painful, and dangerous withdrawal. Based on prior experience, I know that withdrawal has serious physical and psychological consequences. I have gone through withdrawal before, and it is unbelievably painful. It is so bad that you almost wish that you were dead. Even now, just the fear of having to go through withdrawal again has made me very anxious, and I have had difficulty sleeping over the past few

weeks.

28. Because I was so afraid, I voluntarily began to taper down my methadone dosage to lessen the severity of the abrupt withdrawal when I eventually enter Middleton HOC. When I began my methadone treatment, my doctor increased my dosage up to 120 mg per day, which remained stable for nearly two years. In August, I began tapering down to 20 mg per day. At that point, I began to feel sick. By mid-afternoon I would feel irritable, fatigued, and anxious. I also began to have trouble sleeping at night. I have since increased my dosage back up to 50 mg per day. Given how poorly I felt at 20 mg per day, however, I am even more worried about the withdrawal symptoms I will experience if I have to cease my treatment entirely.
29. I am also very worried about relapsing while I am at Middleton HOC. I know that illegal drugs are available at Middleton HOC. When I spent the night at Middleton HOC in July, men who shared the cell with me told me that people had already offered them Suboxone since they had entered the facility. I am afraid that someone will offer me an opioid when I am in withdrawal and craving any kind of relief and that I will be unable to say no. I don't want to lose control again and re-enter active addiction. It nearly destroyed my life.
30. Finally, I am terrified of relapsing and potentially overdosing upon my release. Given my decreased tolerance following years of treatment, and the extraordinary potency of opioids today, I know this is a serious possibility.
31. I have first-hand knowledge of this risk. Before I went into treatment for the last time, I lived with a roommate who was also using prescription opioids. During my time in treatment, he was sentenced to Middleton for six months. He overdosed and died within weeks of his release. He had four sons. I don't want to do the same thing to my son.
32. As a result of my methadone treatment, I finally got my life back. I don't want to lose all of the progress that I have worked so hard to achieve and go back to ground zero, or even worse, die. I am afraid for my safety and my life if Middleton HOC withholds medicine that I know I need. My son is the most important thing to me and I want to be there for him as his father. His mother is already out

of the picture and I don't want him to lose another parent.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on September 18, 2018

A handwritten signature in cursive script, appearing to read "Geoffrey Pesce", written over a horizontal line.

Geoffrey Pesce