



Town of Amherst Joins Counties in Opioid Lawsuit

Amherst officials feel they need to go after pharmaceutical firms, just as local counties have done, in order to actually recover costs for town police and other services to help cope with the opioid epidemic.

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Published: 11:08 PM EST March 5, 2018

Updated: 11:08 PM EST March 5, 2018

AMHERST, NY - The Town of Amherst is joining other local governments in going after the pharmaceutical industry for harmful effects of the opioid epidemic linked to addictive painkillers.

The Town Board announced their plans for a lawsuit during a meeting Monday night.

Erie County actually filed a similar lawsuit back in February of last year. So why did Town leaders feel they needed to go with their own lawsuit? 2 on Your Side went looking for answers.

Amherst Police Chief John Askey phrased it this way: "We're seeing it every day." Askey says the opioid epidemic and its affects are that pervasive in Western New York's largest town, with the numbers and costs mounting for the town and its services.

Askey cites the year 2006 when the crisis from addictive prescription pain pills and heroin started building. He says there were two overdose deaths back then. And then ten years later in 2016 there were 14 deaths reported in the town.

That goes along with increased calls for use of life saving Narcan by police and then a jump in suspected OD related calls to police. Askey adds "The services of the town have been strapped. We're responding to many

more overdoses, overdose investigations where individuals have passed away as a result of the drug. And we feel it's important that the town hold the entities accountable that have caused this."

So that's why the town has struck out on its own to hire a New York City based law firm Napoli Shkolnik to file suit in Erie County State Supreme Court to go after pharmaceutical firms and distributors as well as others who helped suggest and market the pain medication.

This, again, even after Erie County filed suit in February of last year and many other counties have followed suit. It follows the similar successful government lawsuits against tobacco companies over the smoking health impact back in the late 1990's.

"From a town perspective we cannot afford to sit back and wait...because what the tobacco litigation proved to people...when you sat back and waited...you weren't treated fairly at the table when they started dividing up the monies," said Town Attorney Stanley Sliwa.

But with so much government focus on big pharma already from the White House to a town's leaders, we asked Amherst Supervisor Brian Kulpa if this isn't also just a good popular political play. He responded, "We have a specific set of damages caused by opioid abuse in this town."

This Amherst lawsuit is on a contingency basis with no upfront costs to taxpayers. It will be filed later this week and perhaps consolidated with other such cases, including the one filed by Erie County, to be heard by a judge on Long Island.

Pharmaceutical firms say they are aware of concerns and are working in collaboration to find solutions. They also defend their products and claim they carry clear warning labels. They also cite the need to treat chronic pain while seeking ways to stem addiction.

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