

Statement for the Record by
Massachusetts Attorney General Maura Healey

For the U.S. House of Representatives Committee on Oversight and Reform
Hearing on the Role of Purdue Pharma and the Sackler Family in the Opioid Epidemic
December 17, 2020

Chairwoman Maloney and Members of the Committee:

Thank you for holding this important hearing.

I am grateful for the opportunity to submit this statement on behalf of the families and survivors who have been calling for justice in the opioid crisis for so long.

For the mothers, fathers, and extended family who expended every effort to find treatment for a loved one, confronted the stigma of addiction, who spent sleepless nights worrying about a son or daughter, and who grieve for a life cut short.

For people in recovery, who struggled to find a treatment bed, who saw their peers overdose or die, and who have committed themselves to helping others.

These are our friends, colleagues, and neighbors, who have felt the loss in their own families and communities, and who have organized, protested, packed courthouses, and demanded answers.

In Massachusetts, and across the nation, they have channeled their grief, and their passion for justice and accountability, into inspiring action.

Today, I also speak directly to the families and survivors: We are listening to you. Attorneys General are listening. The Members of this Committee are listening. We learned from you that the opioid crisis is a matter of life and death.

When I ran for Attorney General, people across Massachusetts, in town after town, told me intensely personal stories about how their lives had been upended by the opioid epidemic. Stories of families who had suffered loss and had nowhere else to turn.

A crisis so deadly that, in Massachusetts, we lose more than five people a day.

Something had to be done. This crisis became my top priority.

I began investigations into the companies and executives that controlled the opioid industry. We built our case from the ground up. We studied death certificates; we questioned drug company sales reps; and we reviewed thousands of pages of documents that had been kept secret until we brought them to light.

In 2018, Massachusetts became the first state to sue members of the Sackler family and other directors and executives who controlled Purdue.

On that day, I was proud and humbled to be surrounded by family members who have been in this fight, and who continue the important work in our Commonwealth to address the damage of this opioid epidemic.

Since then, dozens of states have sued the Sacklers, and more than a hundred thousand people have filed claims for injuries caused by Purdue.

We are taking steps toward accountability, but what we have seen so far is nowhere near the accountability the public deserves. Here's what we need to do to finish the job.

First, accountability requires revealing the facts. The companies and executives that got rich from the opioid crisis relied on keeping the facts secret. They relied on settlements, confidentiality agreements, and court orders to withhold information from the public. Meanwhile, as important evidence was covered up, hundreds of thousands of Americans died. That secrecy is not acceptable.

The way to stop dangerous, illegal behavior is to expose it. We need to take millions of pages of evidence from companies like Purdue and put it on the internet. To protect ourselves as a society, we need elected officials, regulators, scholars, journalists, and the public to see what the perpetrators of the opioid epidemic did. The people who were hurt by opioid companies deserve to know the truth. And we need the executives who made the decisions at companies like Purdue to answer questions in public under oath.

Second, accountability requires consequences for individuals who break the law, not just fines paid by corporations. In 2007, when Purdue was convicted of misleading doctors about OxyContin, it got off by paying a fine. At that time, Congress held a hearing about Purdue and expressed concern that fining the company would not deter its executives from breaking the law. A Senator called the fine a "license for criminal misconduct."

Those Senators were right. It happened again. Now Purdue has admitted that it continued to commit crimes for another decade after that 2007 conviction. And what did the Justice Department do? It asked Purdue and the Sacklers to pay another fine. DOJ asked the Sacklers to pay back less than 2% of their reported wealth. No individual was charged, or put on trial, or sent to prison. That is not good enough.

When ordinary citizens break the law, they are held accountable. What happened here?

Purdue misused a corporate bankruptcy to block law enforcement against billionaires who are not bankrupt. That is not allowed in many bankruptcy courts across the nation, and it should not be allowed in any of them.

And the Justice Department prosecuted the company at the center of a national crisis without charging any actual people for the crimes. We need DOJ to do better than that.

Third, accountability requires that Purdue be shut down, not propped up by the government.

Federal law requires that criminal companies must be excluded from doing business with government health care programs. That punishment is an important way to deter crime, and to protect the public from convicted criminals.

In 2007, the federal government made an exception to let Purdue Pharma stay in business.

Now the Sacklers want special treatment again: they want Purdue's OxyContin business to be preserved as a public trust. They want state and local governments to be in the business of owning an opioid company.

That's offensive and wrong. Families in Massachusetts and across the nation are ready to see Purdue shut down for good. We do not need Purdue to become a government-sponsored opioid business.

Those are the three points that I want to emphasize to the Committee today.

As I said at the start, this is a matter of life and death and justice.

In 2007, prosecutors built a case against Purdue and its executives, but they were not allowed to take it to trial. Our nation paid the price, including thousands of people who should still be alive today.

What we do now matters. If we let powerful people cover up the facts, avoid accountability, or create a government-sponsored OxyContin business — that's not justice. This time, we have to get it right.

Respectfully,



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