

File No. 190221

Committee Item No. 4

Board Item No. 16

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Comm: Public Safety & Neighborhood Services

Date: April 11, 2019

Board of Supervisors Meeting:

Date: April 23, 2019

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution - VERSION 2                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Public Correspondence                        |

#### OTHER

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <u>Committee Presentation Materials - April 11, 2019</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Assembly Bill 362 - February 4, 2019</u>              |
| <input type="checkbox"/>            | <input type="checkbox"/>            | _____  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | _____  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | _____  |

Prepared by: John Carroll

Date: April 5, 2019

Prepared by: John Carroll

Date: April 19, 2019

1 [Supporting California State Assembly Bill No. 362 (Eggman, Wiener, Friedman) - Three-Year  
2 Pilot Program for Supervised Drug Consumption]

3 **Resolution supporting California State Assembly Bill No. 362, introduced by Assembly**  
4 **Member Susan Eggman, authored by Senator Scott Wiener and co-authored by**  
5 **Assembly Member Laura Friedman, creating a three-year pilot program allowing San**  
6 **Francisco to implement an overdose prevention program through the operation of**  
7 **overdose prevention sites.**

8  
9 WHEREAS, On June 27, 2017, the San Francisco Board of Supervisors unanimously  
10 voted in favor of a resolution supporting Assembly Bill No. 186 authorizing the operation of  
11 supervised injection services (SIS) programs for adults; and

12 WHEREAS, Assembly Bill No.186 passed in both the Assembly and the Senate on  
13 August 21, 2018; and

14 WHEREAS, Former Governor Brown succumbed to the pressure of the federal  
15 government and sided with law enforcement's archaic national war on drugs rhetoric when he  
16 vetoed Assembly Bill No. 186 on September 30, 2018; and

17 WHEREAS, Former Governor Brown ignored the harm reduction approach advocated  
18 by public health experts who have been vocal about the benefits of unsanctioned safe  
19 injection sites in the United States; and

20 WHEREAS, Mayor Breed has been a firm advocate of safe injection sites and has  
21 been quoted saying, "I am committed to opening one of these sites here in San Francisco, no  
22 matter what it takes, because the status quo is not acceptable," and

23 WHEREAS, After Governor Brown's veto of Assembly Bill No. 186 Mayor Breed stated,  
24 "[d]espite this veto, we will still continue to work with our community partners on trying to  
25 come up with a solution to move this effort forward;" and

1           WHEREAS, In response to former Governor Brown's veto, on February 4, 2019,  
2 Assembly Member Eggman introduced California State Assembly Bill No. 362, a three-year  
3 pilot program allowing San Francisco to implement an overdose prevention program through  
4 the operation of a safe injection site; and

5           WHEREAS, California State Assembly Bill No. 362 is authored by Senator Scott  
6 Wiener, co-authored by Assembly Member Laura Friedman; and

7           WHEREAS, Existing law makes it a crime to possess specified controlled substances  
8 or paraphernalia and to use or be under the influence of specified controlled substances; and

9           WHEREAS, Existing law makes it a crime to open or maintain a place for the purpose  
10 of using, giving away, or storing, specified controlled substances; and

11           WHEREAS, California State Assembly Bill No. 362 would amend existing law and add  
12 section 11376.6 to the Health and Safety Code, to allow the City and County of San Francisco  
13 to approve entities within their jurisdiction to establish SIS locations for persons 18 years of  
14 age; and

15           WHEREAS, California State Assembly Bill No. 362 mandates a good neighbor policy  
16 that facilitates communication from and to local businesses and residences, to address any  
17 neighborhood concerns if an overdose prevention program location is created in the City and  
18 County of San Francisco; and

19           WHEREAS, San Francisco has an estimated 24,500 people who inject drugs (PWID)  
20 according to the San Francisco Department of Public Health; and

21           WHEREAS, Injection drug use in San Francisco is responsible for approximately 100  
22 deaths a year from overdoses; and

23           WHEREAS, According to the California Department of Public Health, drug overdose is  
24 a leading cause of accidental death in California; and

1           WHEREAS, According to the federal Centers for Disease Control and Prevention,  
2 in 2010 nearly 4,000 new cases of HIV were attributed to unsafe injections, and

3           WHEREAS, Heroin overdose mortality in the United States nearly tripled between 2010  
4 and 2014; and

5           WHEREAS, Many of the most marginalized and high risk drug users, who lack housing  
6 and other support systems, inject in public spaces without clean equipment or a readily  
7 accessible method of disposal; and

8           WHEREAS, An overdose prevention program is an evidence-based harm reduction  
9 strategy that allows individuals to inject or consume illicit drugs in a hygienic environment  
10 under the supervision of trained staff; and

11           WHEREAS, The overdose prevention program framework is centered in the philosophy  
12 of meeting people where they are free from judgment and social stigma; and

13           WHEREAS, Individuals can come into a clean, non-judgmental space where they are  
14 provided with a sterile needle to inject pre-obtained drugs under the supervision of health  
15 workers, who are ready to intervene if the patient overdoses; and

16           WHEREAS, An overdose prevention program is a holistic approach at tackling the  
17 opioid crisis by proactively engaging a highly vulnerable and difficult to reach population with  
18 compassion and treatment options; and

19           WHEREAS, Adopting a harm reduction strategy is not about enabling drug use--it's  
20 about saving the lives of those who are already vulnerable and addicted to drugs; and

21           WHEREAS, An overdose prevention program offers PWID an opportunity to engage in  
22 addiction treatment and other health and social services; and

23           WHEREAS, An overdose prevention program promotes safe disposal of syringes and  
24 decreases public health concerns like discarded syringes on the sidewalks and public spaces;  
25 and

1           WHEREAS, A 2010 study (Kral, et al.) entitled "Acceptability of a Safe Injection Facility  
2 among Injection Drug Users in San Francisco" showed that 85% of the 602 people who inject  
3 drugs that were surveyed said that they would use safe injection services, three quarters of  
4 whom would use it at least three days per week; and

5           WHEREAS, According to the San Francisco Department of Public Health, a cost  
6 benefit analysis of opening one SIS location could result in annual net savings of \$3.5 million  
7 in health care costs; and

8           WHEREAS, According to the San Francisco Department of Public Health, research has  
9 found that opening just one SIS location has widespread public health benefits and annually  
10 could prevent 3.3 HIV and 19 Hepatitis C infections, reduce hospital stays by 415 days, and  
11 facilitate 110 people entering assisted-outpatient treatment; and

12           WHEREAS, A 2014 review (Potier, et al.) entitled "Supervised Injection Services: What  
13 has been Demonstrated? A Systematic Literature Review" showed that an overdose  
14 prevention program can operate and fulfill their harm reduction objectives without enhancing  
15 drug use or drug trafficking; and

16           WHEREAS, This new approach towards harm reduction is needed because the City  
17 and County of San Francisco is suffering from a public health crisis with the opioid epidemic;  
18 and

19           WHEREAS, There are approximately 120 SIS currently operating in twelve countries  
20 around the world in Australia, Canada, Denmark, France, Germany, Luxembourg, the  
21 Netherlands, Norway, Spain and Switzerland to reduce overdose death and injury; and

22           WHEREAS, Other cities in the United States are advocating for the opening of SIS in  
23 their cities, including Seattle, Baltimore, Boston, Denver, Ithaca, New York City, Philadelphia,  
24 and Portland; and

1           WHEREAS, If approved, the measure would create a 3-year pilot program that remains  
2 in effect until January 1, 2026, making San Francisco the first of such sanctioned sites in the  
3 country; now, therefore be it

4           RESOLVED, That the City and County of San Francisco Board of Supervisors urges  
5 the California Legislature and Governor Newsom to support and pass California State  
6 Assembly Bill No. 362; and, be it

7           FURTHER RESOLVED, That the City and County of San Francisco Board of  
8 Supervisors directs the Clerk of the Board to transmit this Resolution to the California State  
9 Legislature and Governor Gavin Newsom.

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**ASSEMBLY BILL**

**No. 362**

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**Introduced by Assembly Member Eggman**  
(Principal coauthor: Senator Wiener)  
(Coauthor: Assembly Member Friedman)

February 4, 2019

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An act to add and repeal Section 11376.6 of the Health and Safety Code, relating to controlled substances.

LEGISLATIVE COUNSEL'S DIGEST

AB 362, as introduced, Eggman. Controlled substances: overdose prevention program.

Existing law makes it a crime to possess specified controlled substances or paraphernalia. Existing law makes it a crime to use or be under the influence of specified controlled substances. Existing law additionally makes it a crime to visit or be in any room where specified controlled substances are being unlawfully used with knowledge that the activity is occurring, or to open or maintain a place for the purpose of giving away or using specified controlled substances. Existing law makes it a crime for a person to rent, lease, or make available for use any building or room for the purpose of storing or distributing any controlled substance. Existing law authorizes forfeiture of property used for specified crimes involving controlled substances.

This bill would, until January 1, 2026, authorize the City and County of San Francisco to approve entities to operate overdose prevention programs that satisfy specified requirements, including, among other things, the provision of a hygienic space supervised by healthcare professionals, as defined, where adults who use drugs can consume preobtained drugs, sterile consumption supplies, and access to referrals

to substance use disorder treatment. The bill would require the City and County of San Francisco, prior to authorizing an overdose prevention program in its jurisdiction, to provide local law enforcement officials, local public health officials, and the public with an opportunity to comment in a public meeting. The bill would require any entity operating a program to provide an annual report to the city and county, as specified. The bill would exempt a person from, among other things, civil liability, professional discipline, or existing criminal sanctions, solely for actions or conduct on the site of an overdose prevention program for adults authorized by the city and county.

This bill would make legislative findings and declarations as to the necessity of a special statute for the City and County of San Francisco.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 11376.6 is added to the Health and Safety  
2 Code, to read:

3 11376.6. (a) Notwithstanding any other law, the City and  
4 County of San Francisco may approve entities within their  
5 jurisdiction to establish and operate overdose prevention programs  
6 for persons 18 years of age or older that satisfy the requirements  
7 set forth in subdivision (c).

8 (b) Prior to approving an entity within their jurisdiction pursuant  
9 to subdivision (a), the City and County of San Francisco shall  
10 provide local law enforcement officials, local public health  
11 officials, and the public with an opportunity to comment in a public  
12 meeting. The notice of the meeting to the public shall be sufficient  
13 to ensure adequate participation in the meeting by the public. The  
14 meeting shall be noticed in accordance with all state laws and local  
15 ordinances, and as local officials deem appropriate.

16 (c) In order for an entity to be approved to operate an overdose  
17 prevention program pursuant to this section, the entity shall  
18 demonstrate that it will, at a minimum:

19 (1) Provide a hygienic space supervised by healthcare  
20 professionals where people who use drugs can consume  
21 preobtained drugs. For purposes of this paragraph, "healthcare  
22 professional" includes, but is not limited to, a physician, physician  
23 assistant, nurse practitioner, licensed vocational nurse, registered



1 nurse, psychiatrist, psychologist, licensed clinical social worker,  
2 licensed professional clinical counselor, mental health provider,  
3 social service provider, or substance use disorder provider, trained  
4 in overdose recognition and reversal pursuant to Section 1714.22  
5 of the Civil Code.

6 (2) Provide sterile consumption supplies, collect used  
7 hypodermic needles and syringes, and provide secure hypodermic  
8 needle and syringe disposal services.

9 (3) Administer first aid, if needed, monitor participants for  
10 potential overdose, and provide treatment as necessary to prevent  
11 fatal overdose.

12 (4) Provide access or referrals to substance use disorder  
13 treatment services, medical services, mental health services, and  
14 social services.

15 (5) Educate participants on the risks of contracting HIV and  
16 viral hepatitis.

17 (6) Provide overdose prevention education and access to or  
18 referrals to obtain naloxone hydrochloride or another overdose  
19 reversal medication approved by the United States Food and Drug  
20 Administration.

21 (7) Educate participants regarding proper disposal of hypodermic  
22 needles and syringes.

23 (8) Provide reasonable security of the program site.

24 (9) Establish operating procedures for the program, made  
25 available to the public either through an internet website or upon  
26 request, that are publicly noticed, including, but not limited to,  
27 standard hours of operation, a minimum number of personnel  
28 required to be onsite during those hours of operation, the licensing  
29 and training standards for staff present, an established maximum  
30 number of individuals who can be served at one time, and an  
31 established relationship with the nearest emergency department  
32 of a general acute care hospital, as well as eligibility criteria for  
33 program participants.

34 (10) Train staff members to deliver services offered by the  
35 program.

36 (11) Establish a good neighbor policy that facilitates  
37 communication from and to local businesses and residences, to  
38 the extent they exist, to address any neighborhood concerns and  
39 complaints.

1 (12) Establish a policy for informing local government officials  
2 and neighbors about the approved entity's complaint procedures,  
3 and the contact number of the director, manager, or operator of  
4 the approved entity.

5 (d) An entity operating an overdose prevention program under  
6 this section shall provide an annual report to the city and county,  
7 that shall include:

8 (1) The number of program participants.

9 (2) Aggregate information regarding the characteristics of  
10 program participants.

11 (3) The number of hypodermic needles and syringes distributed  
12 for use onsite.

13 (4) The number of overdoses experienced and the number of  
14 overdoses reversed onsite.

15 (5) The number of persons referred to drug treatment.

16 (6) The number of individuals directly and formally referred to  
17 other services and the type of service.

18 (e) Notwithstanding any other law, a person or entity, including,  
19 but not limited to, property owners, managers, employees,  
20 volunteers, and clients or participants, shall not be arrested,  
21 charged, or prosecuted pursuant to Section 11350, 11364, 11365,  
22 11366, 11366.5, or 11377, or subdivision (a) of Section 11550,  
23 including for attempt, aiding and abetting, or conspiracy to commit  
24 a violation of any of those sections, or have their property subject  
25 to forfeiture, or otherwise be penalized solely for actions or conduct  
26 on the site of an overdose prevention program approved by the  
27 City and County of San Francisco pursuant to subdivision (a).

28 (f) Notwithstanding any other law, a person or entity, including,  
29 but not limited to, property owners, managers, employees,  
30 volunteers, and clients or participants shall not be subject to civil,  
31 administrative, disciplinary, employment, credentialing,  
32 professional discipline, contractual liability, or medical staff action,  
33 sanction, or penalty or other liability solely for actions or conduct  
34 on the site of an overdose prevention program approved by the  
35 City and County of San Francisco pursuant to subdivision (a).

36 (g) This section shall remain in effect only until January 1, 2026,  
37 and as of that date is repealed.

38 SEC. 2. The Legislature finds and declares that a special statute  
39 is necessary and that a general statute cannot be made applicable  
40 within the meaning of Section 16 of Article IV of the California

- 1 Constitution because of the unique needs of the City and County
- 2 of San Francisco.

O

# AB 362: Overdose Prevention Sites

SAN FRANCISCO HEALTH COMMISSION  
April 11, 2019

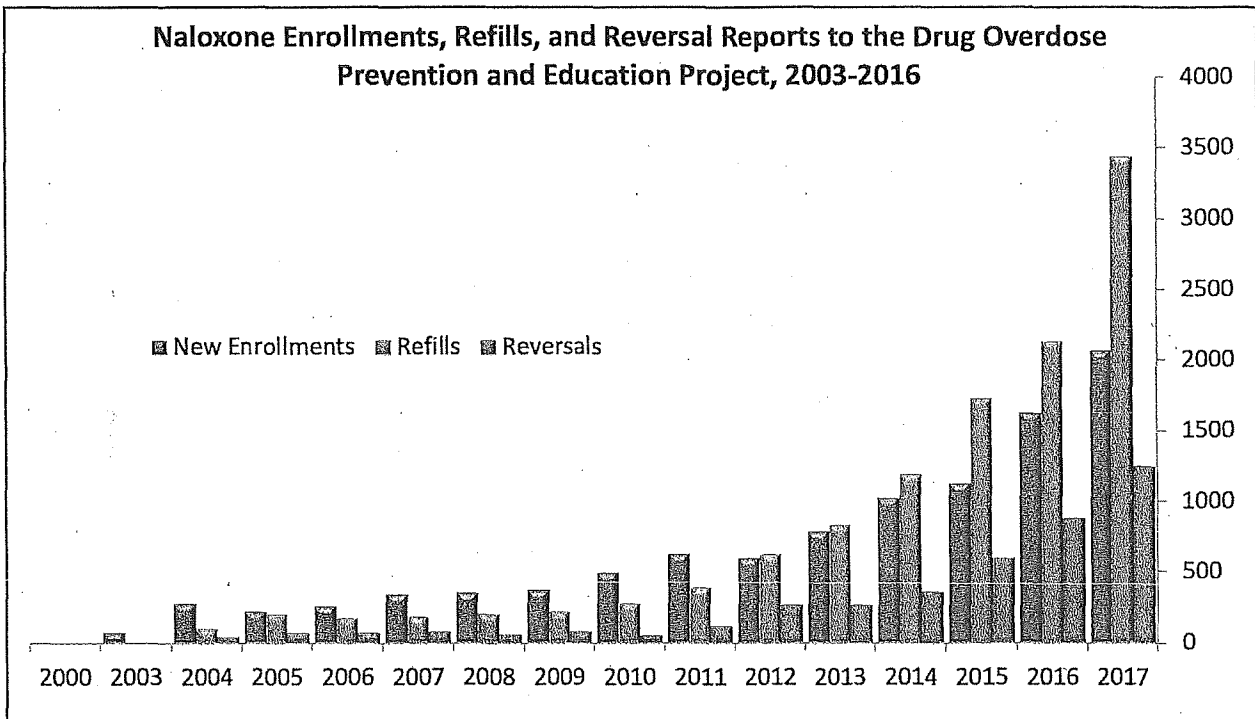


SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH



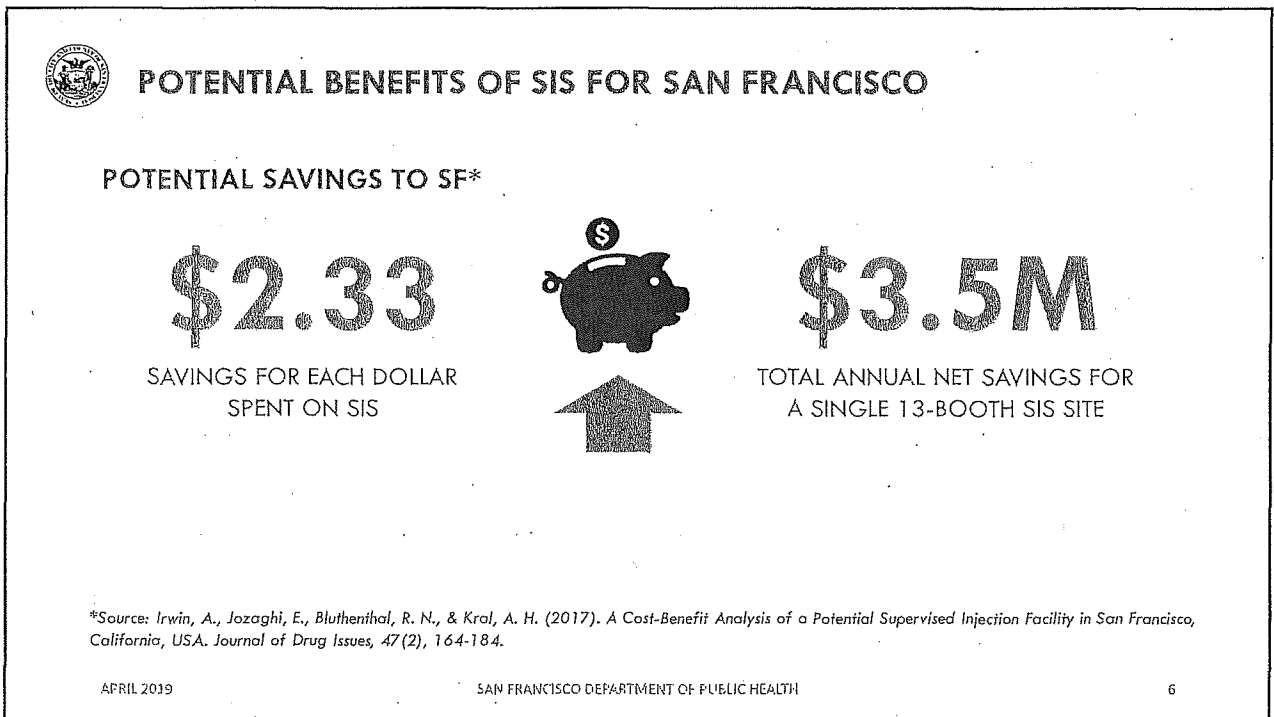
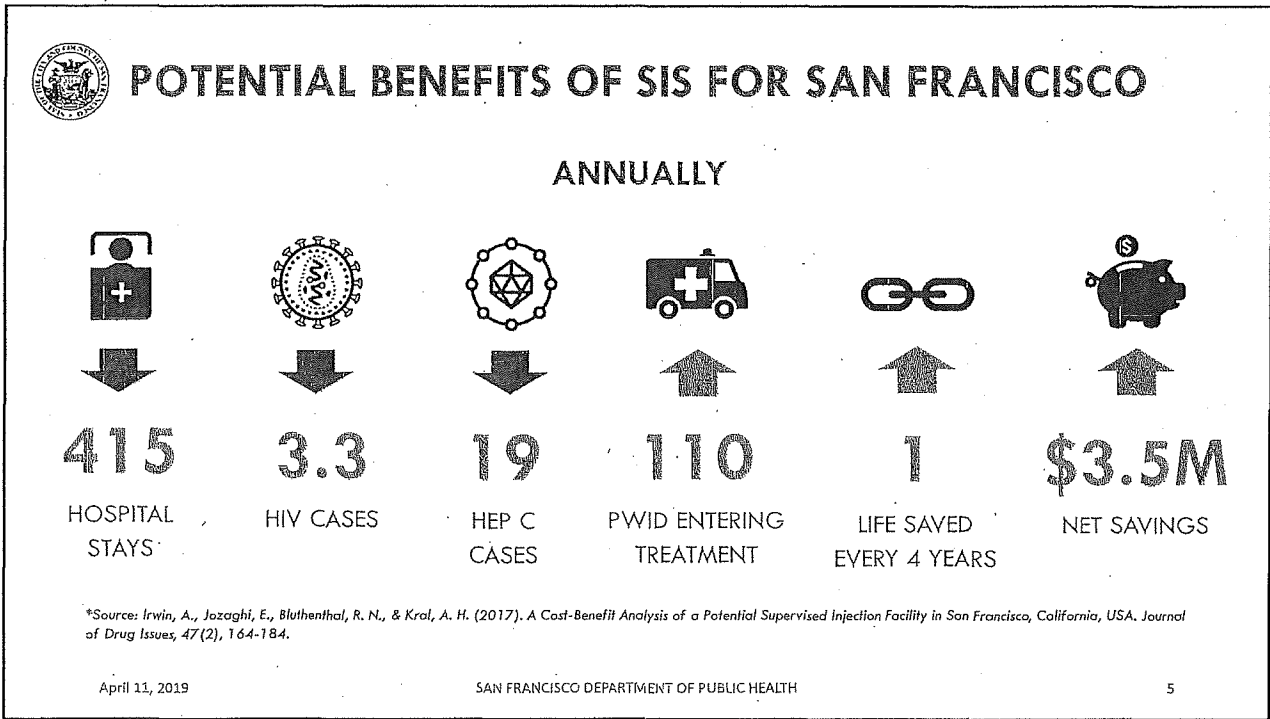
## INJECTION DRUG USE IN SF

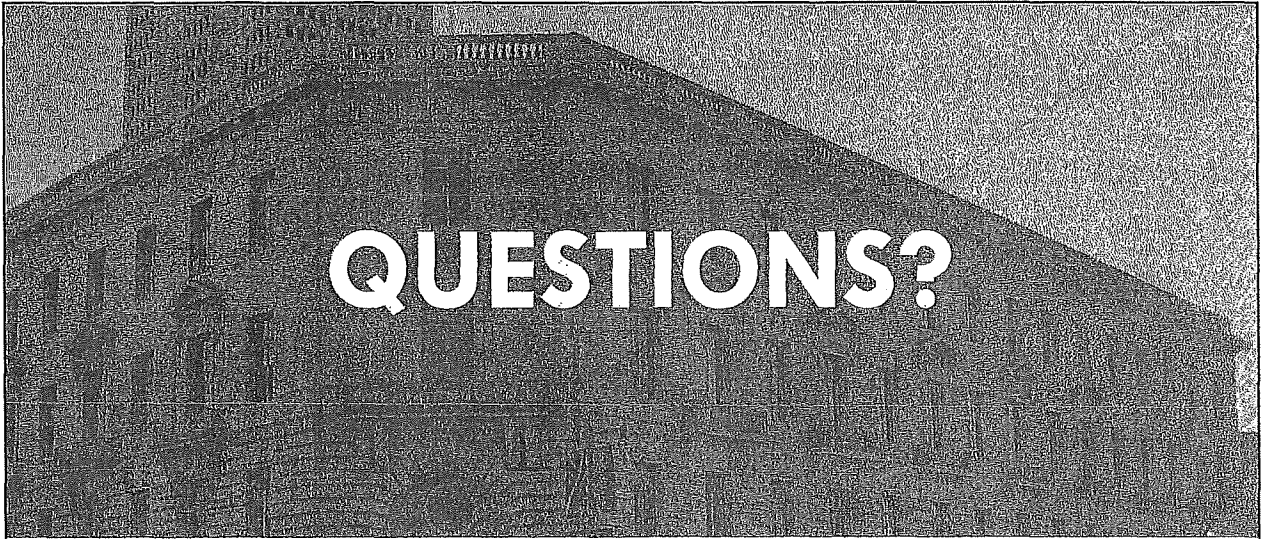
- Estimated 24,500 people who inject drugs in SF
- SF has continued to see overdoses from heroin, methamphetamine, and fentanyl poisoning
- People who inject drugs are at-risk for
  - unhealthy substance use
  - acquisition and transmission of HIV and hepatitis C
  - serious physical and mental health conditions
  - premature death



## SAFE INJECTION SERVICES

- Professionally supervised facilities where drug users can inject pre-obtained drugs in safer conditions
- Service models:
  - Integrated
  - Specialized
  - Mobile





SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH

APRIL 2019

SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH

7

Board.of.Supervisors@sfgov.org.

Supervisor Rafael Mandelman (District 8) <MandelmanStaff@sfgov.org>,  
Supervisor Catherine Stefani (District 2) <Catherine.Stefani@sfgov.org>,  
Supervisor Shamann Walton (District 10) <Shamann.Walton@sfgov.org>,  
Supervisor Gordon Mar (District 4) <Gordon.Mar@sfgov.org>,  
Supervisor Vallie Brown (District 5) <Vallie.Brown@sfgov.org>,  
Supervisor Matt Haney (District 6) <Matt.Haney@sfgov.org>,  
Supervisor Hillary Ronen (District 9) <Hillary.Ronen@sfgov.org>,

April 10, 2019

San Francisco Board of Supervisors  
Public Safety and Neighborhood Services Committee  
attn: Supervisors Rafael Mandelman, Catherine Stefani, Shamann Walton

San Francisco Board of Supervisors  
attn: Clerk of Board of Supervisors  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689  
(415) 554-5184  
(415) 554-5163 - fax  
E-mail: Board.of.Supervisors@sfgov.org

Re: Vote NO on File No. 190221 [Supporting California State Assembly Bill No. 362  
(Eggman, Wiener, Friedman) - Three-Year Pilot Program for Supervised Drug  
Consumption]. Sponsors: Matt Haney , Shamann Walton, Hillary Ronen, Vallie Brown  
Thursday, April 9, 2019, 10:00am

Dear Supervisors Mandelman, Stefani, Walton,

Please register my OPPOSITION to the proposed Three-Year Pilot Program for Supervised Drug Consumption. "Drug consumption" is a misnomer – the reality is operation of tax-payer subsidized injection sites for illegal drugs for drug addicts.

Your agenda states "This legislation would create a three-year pilot program allowing San Francisco to implement an overdose prevention program through the operation of safe injection sites." (Safe injection sites = SIS.)

Your committee is charged with public protection, public health and public safety: "The Public Safety and Neighborhood Services Committee shall be referred measures related to public works, infrastructure, traffic and parking control, parks and recreation, utilities, **PUBLIC PROTECTION**, delinquency prevention, **PUBLIC HEALTH**, emergency services, seniors, the



disabled, children and their families, as well as measures related to the City's coordination, strategies, policies, programs, and budgetary actions surrounding PUBLIC SAFETY.”

This resolution is the antithesis (direct opposite) of public protection, public health and public safety. This legislation makes a mockery of public protection, public health and public safety.

My objections are as follows:

*Illegal drug use and addiction are increasing because of SF policies*

There are about 24,500 drug injection users, aka addicts in San Francisco. (SF Chronicle, 01/30/19, “Addicts outnumber high school students”), and the number has increased since the last study in 2012. This estimate represents 2.45% of the overall daily population of about 1 million people, including residents, tourists, and commuters. According to the article, there is an opioid epidemic, last year there were 193 drug overdose deaths, and the city handed out a record 5.8 million free syringes (about 500,000 more than in 2017), but the Department of Health handed out about 2 million more syringes than it got back, meaning 3.8 syringes were discarded, probably on city streets.

These statistics show that the city’s policies in dealing with drug addicts is not working. The city’s generous and too-liberal policies are encouraging more drug use, and more drug addicts to come to San Francisco, rather than treating and/or discouraging drug use. The city’s policies are clearly enabling illegal drug use and endorsing drug addiction. Further, these policies have led to unintended consequences of visible in-your-face drug use on city streets (so very noticeable at Civic Center especially) and excessive used needle debris throughout all neighborhoods in San Francisco.

*Another city bureaucracy, more waste of tax-payer dollars*

The proposed pilot program would create another city bureaucracy, with more waste of tax-dollars, while insulting the hard-working tax-paying citizens of San Francisco and their children, who are forced to see addicts shooting up in public, and forced to try to avoid used needles and human filth (urine, feces, vomit) everywhere.

*No guarantee addicts will even go to a “safe injection site”*

Creating a Safe Injection Site (SIS) is no guarantee that a zonked-out drug addict will actually go there to inject drugs. Drug addicts get their drugs because they need a fix right now, and inject right now, and get high right now, and drop their needle on the street right now – they are not going to go catch MUNI to take them to some drug-injection site run by the city (as if MUNI would even arrive on schedule to do so). In the meantime, the employees will be sitting around for hours with nothing to do, while getting paid a princely sum by the hard-working taxpayers of San Francisco, and while taxpayers foot the bill for yet another bureaucracy with emergency and

getting stuck by a dirty infected needle or stepping in a puddle of human urine or a pile of human feces or vomit.

### Federal crime status

Further, it remains a federal crime to manage and maintain sites where illicit narcotics are used and distributed. Federal law makes it a felony, punishable up to 20 years in prison, fines and forfeitures of the property, to knowingly operate a place for the purpose of unlawfully manufacturing, distributing or using a controlled substance (illegal drug). An "injection site" is no more than a drug den, akin to the opium dens of the 1800's. Drug injection sites normalize illegal drug use and all drug use and facilitate addiction and promotes the idea that government thinks drugs, illegal and legal, can be used safely.

### CONCLUSION

Having "safe injection sites" will do nothing to promote Mayor Breed's desire for a "solution to get people off the streets and into treatment." "Safe injection sites" will just continue and perpetuate the problem, while the politicians wring their collective hands, and hard-working taxpaying citizens need to fear walking the streets of San Francisco, for what they might step in or on, and fear taking MUNI or BART for what they might sit on. At the same time, Mayor Breed is endorsing developing programs similar to "safe injection sites" where people could smoke or inject methamphetamine in an environment where they have immediate access to care if something goes wrong. (SF Chronicle, 02/08/19, "Answers elusive as meth toll rises.") Drug addicts should be in in-patient treatment facilities, not on city streets.

Prior Governor Brown vetoed similar legislation last year, saying, "enabling illegal and destructive drug use will never work. The community must have the authority and the laws to require compassionate but effective and mandatory treatment." (SF Chronicle, 02/05/19, "Renewed push for safe sites for drug injectors.")

It is time to clean up San Francisco and make it safe, clean and healthy for everyone. Stop helping drug addicts maintain their degenerate, dangerous habit.

Our elected and appointed officials should not be scofflaws. You should respect and uphold the Constitution of the Unites States. You should set an example for the general populace. VOTE NO!

We do not want our standard of living and our quality of life reduced to the lowest common denominator while San Francisco tries to be "trendy" and "cutting edge." We do not want to expose our children and families to drugs of any kind. We do not want our communities trafficking in illegal drugs. And we do not want our government supporting and encouraging actions that harm public safety.

No responsible parent or citizen would vote yes on this legislation. It is the height of hypocrisy to make cigarette smokers and soda drinkers pariahs, yet encourage illegal drug use and drug injections to turn the population into drug addicts, sprawled on the streets of San Francisco in pools of filth with their used needles nearby, causing a huge public risk. VOTE NO!

Thank you for your consideration of my letter.

Very truly yours,  
Lou Ann Bassan  
3338 Noriega Street  
San Francisco, CA 94122  
415.753.8315  
louann.bassan@gmail.com

cc: Supervisor Gordon Mar (District 4) <[Gordon.Mar@sfgov.org](mailto:Gordon.Mar@sfgov.org)>,  
Supervisor Vallie Brown (District 5) <[Vallie.Brown@sfgov.org](mailto:Vallie.Brown@sfgov.org)>,  
Supervisor Matt Haney (District 6) <[Matt.Haney@sfgov.org](mailto:Matt.Haney@sfgov.org)>,  
Supervisor Hillary Ronen (District 9) <[Hillary.Ronen@sfgov.org](mailto:Hillary.Ronen@sfgov.org)>



**AB 362 Resolution Hearing**  
Public Safety Committee  
San Francisco City Hall | RM 263  
Thursday, April 11th  
10am - 12pm

## Talking Points

We created these basic talking points to aid you in giving your public comment. You will only have a minute or two to speak, so please keep your public comment short and concise.

Please share why you think Overdose Prevention Services are needed in San Francisco and why you support them. There are also fact sheets available that provide statistics about Overdose Prevention Services in case you would like to incorporate those into your public comment ([Drug Policy Alliance SCS Fact Sheet](#), [Yes to SCS Fact Sheets](#)).

### 1. We need Overdose Prevention Services

1. Describe the need in your own words: Talk about overdose deaths, the impact of HIV/HCV, public drug use, syringe litter, concerns about the health of people who use drugs.
2. Homelessness and the eviction crisis in SF pushes people to the streets & until we can house everyone, we need to meet their health needs on the streets

### 2. Overdose Prevention Services WORK.

1. OPS prevent overdose death, HIV, HCV, soft tissue infections.
2. Connect people with services, especially treatment
3. They have existed for over 30 years in over 11 different countries
4. Reduce public drug use and syringe litter
5. OPS do not increase crime in surrounding areas
6. These interventions treat people with dignity and respect
7. OPS saves money by preventing the need for preventable medical interventions

### 3. There is broad public support in San Francisco for these public health interventions.

1. Name your organization & why it supports OPS
2. Mayor, DA, Sheriff all support these public health interventions
3. Chamber of Commerce, SF Travel support
4. 77% public support in recent Chamber of Commerce poll
5. People who use drugs **\*strongly\*** support these services and will use them

**Carroll, John (BOS)**

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**From:** Board of Supervisors, (BOS)  
**Sent:** Friday, April 12, 2019 12:29 PM  
**To:** BOS-Supervisors; Carroll, John (BOS)  
**Subject:** FW: VOTE NO on drug injection sites; VOTE NO on File No. 190221, resolution to support drug sites

**Categories:** 190221

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**From:** F Reynolds <freynolds@hotmail.com>  
**Sent:** Wednesday, April 10, 2019 10:50 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Brown, Vallie (BOS) <vallie.brown@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>  
**Subject:** Fw: VOTE NO on drug injection sites; VOTE NO on File No. 190221, resolution to support drug sites

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April 10, 2019

San Francisco Board of Supervisors  
Public Safety and Neighborhood Services Committee  
attn: Supervisors Rafael Mandelman, Catherine Stefani, Shamann Walton

San Francisco Board of Supervisors  
attn: Clerk of Board of Supervisors  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689  
(415) 554-5184  
(415) 554-5163 - fax  
E-mail: [Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

Re: Vote NO on File No. 190221 [Supporting California State Assembly Bill No. 362 (Eggman, Wiener, Friedman) - Three-Year Pilot Program for Supervised Drug Consumption]. Sponsors: Matt Haney, Shamann Walton, Hillary Ronen, Vallie Brown  
Thursday, April 9, 2019, 10:00am

Dear Supervisors Mandelman, Stefani, Walton,

Please register my OPPOSITION to the proposed Three-Year Pilot Program for Supervised Drug Consumption. "Drug consumption" is a misnomer – the reality is operation of tax-payer subsidized injection sites for illegal drugs for drug addicts.

Your agenda states "This legislation would create a three-year pilot program allowing San Francisco to implement an overdose prevention program through the operation of safe injection sites." (Safe injection sites = SIS.)

Your committee is charged with public protection, public health and public safety: "The Public Safety and Neighborhood Services Committee shall be referred measures related to public works, infrastructure, traffic and parking control, parks and recreation, utilities, PUBLIC PROTECTION, delinquency prevention, PUBLIC HEALTH, emergency services, seniors, the disabled, children and their families, as well as measures related to the City's coordination, strategies, policies, programs, and budgetary actions surrounding PUBLIC SAFETY."

This resolution is the antithesis (direct opposite) of public protection, public health and public safety. This legislation makes a mockery of public protection, public health and public safety.

My objections are as follows:

*Illegal drug use and addiction are increasing because of SF policies*

There are about 24,500 drug injection users, aka addicts in San Francisco. (SF Chronicle, 01/30/19, "Addicts outnumber high school students"), and the number has increased since the last study in 2012. This estimate represents 2.45% of the overall daily population of about 1 million people, including residents, tourists, and commuters. According to the article, there is an opioid epidemic, last year there were 193 drug overdose deaths, and the city handed out a record 5.8 million free syringes (about 500,000 more than in 2017), but the Department of Health handed out about 2 million more syringes than it got back, meaning 3.8 syringes were discarded, probably on city streets.

These statistics show that the city's policies in dealing with drug addicts is not working. The city's generous and too-liberal policies are encouraging more drug use, and more drug addicts to come to San Francisco, rather than treating and/or discouraging drug use. The city's policies are clearly enabling illegal drug use and endorsing drug addiction. Further, these policies have led to unintended consequences of visible in-your-face drug use on city streets (so very noticeable at Civic Center especially) and excessive used needle debris throughout all neighborhoods in San Francisco.

*Another city bureaucracy, more waste of tax-payer dollars*

The proposed pilot program would create another city bureaucracy, with more waste of tax-dollars, while insulting the hard-working tax-paying citizens of San Francisco and their children, who are

forced to see addicts shooting up in public, and forced to try to avoid used needles and human filth (urine, feces, vomit) everywhere.

*.o guarantee addicts will even go to a “safe injection site”*

Creating a Safe Injection Site (SIS) is no guarantee that a zonked-out drug addict will actually go there to inject drugs. Drug addicts get their drugs because they need a fix right now, and inject right now, and get high right now, and drop their needle on the street right now – they are not going to go catch MUNI to take them to some drug-injection site run by the city (as if MUNI would even arrive on schedule to do so). In the meantime, the employees will be sitting around for hours with nothing to do, while getting paid a princely sum by the hard-working taxpayers of San Francisco, and while taxpayers foot the bill for yet another bureaucracy with emergency and health care services available – a total and complete waste of money.

Drug addicts need mandatory in-patient treatment in medical facilities, not coddling and endorsement of their illegal drug use. Use the emergency and health care services available at the many hospitals and clinics in San Francisco.

*Public protection, public health and public safety for ALL people in SF, not just addicts*

The 4.45 million needles handed out in fiscal year 2015-2016 were at a cost of \$523,363 (SF Chronicle, 05/09/18, “City gives out needles that litter the street”) – paid for by our hard-earned tax-dollars. That article notes that the program originally was billed as a “needle exchange”, i.e., one-for-one, but that there never have been strict rules for returns, and the number has steadily climbed. The city distributes 400,000 needles monthly, retrieves about 246,000 monthly through its “syringe access site” and city crews pick up about 8,000 needles per month, plus 12,640 needles per month when it cleans out homeless hot spots and encampments. The bottom line is that about 150,000 needles per month go uncollected. It is time to institute a strict one-on-one needle exchange immediately and focus on the public protection, public health and public safety of the 1 million people in San Francisco every day.

Health officials maintain that the unlimited syringe access program actually lowers the risk that a used needle on the street carries disease. “When clean needles are available, there is less sharing, less disease transmission, and the discarded needles are less likely to be infectious,” according to Rachel Kagan. (SF Chronicle, 05/09/18, “City gives out needles that litter the street”). Excuse me? A drug addict with an infectious disease who throws a used needle on the sidewalk is still throwing an infectious needle on the sidewalk. There is no logic to saying new clean needles are less infectious – it all depends where the needle was put. And it is ridiculous that the city is more concerned about transmission of diseases between 2.45% of the population rather than transmission of disease to the innocent, unsuspecting 97.5% of the population who risks stepping on and sitting on needles while walking around or taking public transportation.

It is ridiculous that so much attention is being paid to a small percentage of people who have chosen a degenerate lifestyle, while forcing hard-working taxpayers to subsidize a degenerate, dangerous, and filthy habit. And to keep adding insult to injury, tax-payers are now footing the bill for \$750,000 a year to pay the AIDS Foundation to hire 10 people to pick up used needles (SF

Chronicle, 05/09/18, "City gives out needles that litter the street") – that is \$75,000 per year per person to clean up after 2.45% of the population.

There are so many things wrong with this situation.

It is time to focus on the needs of the hard-working tax-paying citizens of San Francisco and their children, and to focus on their public protection, public health and public safety – focus on the 97.5% of the people who just want to go about their daily lives without having to worry about getting stuck by a dirty infected needle or stepping in a puddle of human urine or a pile of human feces or vomit.

### *Federal crime status*

Further, it remains a federal crime to manage and maintain sites where illicit narcotics are used and distributed. Federal law makes it a felony, punishable up to 20 years in prison, fines and forfeitures of the property, to knowingly operate a place for the purpose of unlawfully manufacturing, distributing or using a controlled substance (illegal drug). An "injection site" is no more than a drug den, akin to the opium dens of the 1800's. Drug injection sites normalize illegal drug use and all drug use and facilitate addiction and promotes the idea that government thinks drugs, illegal and legal, can be used safely.

### *CONCLUSION*

Having "safe injection sites" will do nothing to promote Mayor Breed's desire for a "solution to get people off the streets and into treatment." "Safe injection sites" will just continue and perpetuate the problem, while the politicians wring their collective hands, and hard-working taxpaying citizens need to fear walking the streets of San Francisco, for what they might step in or on, and fear taking MUNI or BART for what they might sit on. At the same time, Mayor Breed is endorsing developing programs similar to "safe injection sites" where people could smoke or inject methamphetamine in an environment where they have immediate access to care if something goes wrong. (SF Chronicle, 02/08/19, "Answers elusive as meth toll rises.") Drug addicts should be in in-patient treatment facilities, not on city streets.

Prior Governor Brown vetoed similar legislation last year, saying, "enabling illegal and destructive drug use will never work. The community must have the authority and the laws to require compassionate but effective and mandatory treatment." (SF Chronicle, 02/05/19, "Renewed push for safe sites for drug injectors.")

It is time to clean up San Francisco and make it safe, clean and healthy for everyone. Stop helping drug addicts maintain their degenerate, dangerous habit.

Our elected and appointed officials should not be scofflaws. You should respect and uphold the Constitution of the Unites States. You should set an example for the general populace. VOTE NO!

We do not want our standard of living and our quality of life reduced to the lowest common denominator while San Francisco tries to be "trendy" and "cutting edge." We do not want to expose our children and families to drugs of any kind. We do not want our communities trafficking



in illegal drugs. And we do not want our government supporting and encouraging actions that harm public safety.

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Thank you for your consideration of my letter.

Very truly yours,

Wm Fred Reynolds  
3400 Noriega Street  
San Francisco, CA 94122

cc: Supervisor Gordon Mar (District 4) <[Gordon.Mar@sfgov.org](mailto:Gordon.Mar@sfgov.org)>,  
Supervisor Vallie Brown (District 5) <[Vallie.Brown@sfgov.org](mailto:Vallie.Brown@sfgov.org)>,  
Supervisor Matt Haney (District 6) <[Matt.Haney@sfgov.org](mailto:Matt.Haney@sfgov.org)>,  
Supervisor Hillary Ronen (District 9) <[Hillary.Ronen@sfgov.org](mailto:Hillary.Ronen@sfgov.org)>

## Carroll, John (BOS)

---

**From:** Board of Supervisors, (BOS)  
**Sent:** Friday, April 12, 2019 12:29 PM  
**To:** BOS-Supervisors; Carroll, John (BOS)  
**Subject:** FW: VOTE NO on drug injection sites; VOTE NO on File No. 190221, resolution to support drug sites

**Categories:** 190221

---

**From:** Lou Ann Bassan <louann.bassan@gmail.com>  
**Sent:** Wednesday, April 10, 2019 10:27 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Brown, Vallie (BOS) <vallie.brown@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>  
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### Board.of.Supervisors@sfgov.org,

Supervisor Rafael Mandelman (District 8) <MandelmanStaff@sfgov.org>,  
Supervisor Catherine Stefani (District 2) <Catherine.Stefani@sfgov.org>,

Supervisor Shamann Walton (District 10) <Shamann.Walton@sfgov.org>,  
Supervisor Gordon Mar (District 4) <Gordon.Mar@sfgov.org>,  
Supervisor Vallie Brown (District 5) <Vallie.Brown@sfgov.org>,  
Supervisor Matt Haney (District 6) <Matt.Haney@sfgov.org>,  
Supervisor Hillary Ronen (District 9) <Hillary.Ronen@sfgov.org>,

April 10, 2019

San Francisco Board of Supervisors  
Public Safety and Neighborhood Services Committee  
attn: Supervisors Rafael Mandelman, Catherine Stefani, Shamann Walton

San Francisco Board of Supervisors  
attn: Clerk of Board of Supervisors  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689  
(415) 554-5184  
(415) 554-5163 - fax

E-mail: [Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

Re:

Vote NO on File No. 190221 [Supporting California State Assembly Bill No. 362 (Eggman, Wiener, Friedman) - Three-Year Pilot Program for Supervised Drug Consumption]. Sponsors: Matt Haney, Shamann Walton, Hillary Ronen, Vallie Brown  
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Thank you for your consideration of my letter.

Very truly yours,  
Lou Ann Bassan  
3338 Noriega Street  
San Francisco, CA 94122  
415.753.8315  
[louann.bassan@gmail.com](mailto:louann.bassan@gmail.com)

cc: Supervisor Gordon Mar (District 4) <[Gordon.Mar@sfgov.org](mailto:Gordon.Mar@sfgov.org)>,  
Supervisor Vallie Brown (District 5) <[Vallie.Brown@sfgov.org](mailto:Vallie.Brown@sfgov.org)>,  
Supervisor Matt Haney (District 6) <[Matt.Haney@sfgov.org](mailto:Matt.Haney@sfgov.org)>,  
Supervisor Hillary Ronen (District 9) <[Hillary.Ronen@sfgov.org](mailto:Hillary.Ronen@sfgov.org)>


# Introduction Form

By a Member of the Board of Supervisors or Mayor

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BOARD OF SUPERVISORS  
SAN FRANCISCO

2019 FEB 26 PM 3:52

Time Stamp  
or meeting date

BY 

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor  inquiries"
- 5. City Attorney Request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Use check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Haney; Walton; Ronen; Brown

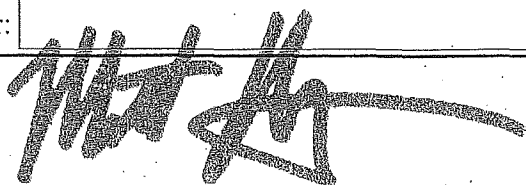
Subject:

[Supporting California State Assembly Bill 362 (Eggman and Wiener) - 3-year pilot program: Supervised Drug Consumption Program]

The text is listed:

Resolution supporting California State Assembly Bill 362, introduced by Assembly Member Susan Eggman and authored by Senator Scott Wiener and Assembly Member Laura Friedman, creating a 3-year pilot program allowing San Francisco to implement an overdose prevention program through the operation of safe injection sites (SIS).

Signature of Sponsoring Supervisor:



For Clerk's Use Only

