

1 [Supporting California State Assembly Bill No. 362 (Eggman, Wiener, Friedman, Chiu, Wood)
2 - Three-Year 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 Members Laura Friedman, David Chiu, and Jim Wood creating a three-year**
6 **pilot program allowing San Francisco to implement an overdose prevention program**
7 **through the operation of 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 Members Laura Friedman David Chiu, and Jim Wood; 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
25

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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City and County of San Francisco

**Tails
Resolution**

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 190221

Date Passed: April 23, 2019

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

April 11, 2019 Public Safety and Neighborhood Services Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

April 11, 2019 Public Safety and Neighborhood Services Committee - RECOMMENDED AS AMENDED

April 23, 2019 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

April 23, 2019 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

File No. 190221

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 4/23/2019 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

Unsigned

**London N. Breed
Mayor**

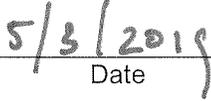
5/3/19

Date Approved

I hereby certify that the foregoing ordinance, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.



Angela Calvillo
Clerk of the Board



Date

File No.
190221