Resolution supporting California State Assembly Bill No. 362, introduced by Assembly Member Susan Eggman, authored by Senator Scott Wiener and co-authored by Assembly Members 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.

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

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

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

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

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

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

Supervisors Haney; Walton, Ronen, Brown, Mandelman
BOARD OF SUPERVISORS
WHEREAS, In response to former Governor Brown’s veto, on February 4, 2019, Assembly Member Eggman introduced California State Assembly Bill No. 362, a three-year pilot program allowing San Francisco to implement an overdose prevention program through the operation of a safe injection site; and

WHEREAS, California State Assembly Bill No. 362 is authored by Senator Scott Wiener, co-authored by Assembly Members Laura Friedman David Chiu, and Jim Wood; and

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

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

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

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

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

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

WHEREAS, According to the California Department of Public Health, drug overdose is a leading cause of accidental death in California; and
WHEREAS, According to the federal Centers for Disease Control and Prevention, in 2010 nearly 4,000 new cases of HIV were attributed to unsafe injections, and

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

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

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

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

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

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

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

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

WHEREAS, An overdose prevention program promotes safe disposal of syringes and decreases public health concerns like discarded syringes on the sidewalks and public spaces; and
WHEREAS, A 2010 study (Kral, et al.) entitled "Acceptability of a Safe Injection Facility among Injection Drug Users in San Francisco" showed that 85% of the 602 people who inject drugs that were surveyed said that they would use safe injection services, three quarters of whom would use it at least three days per week; and

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

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

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

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

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

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

Supervisors Haney; Walton, Ronen, Brown, Mandelman
BOARD OF SUPERVISORS
WHEREAS, If approved, the measure would create a 3-year pilot program that remains
in effect until January 1, 2026, making San Francisco the first of such sanctioned sites in the
country; now, therefore be it

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

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

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

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

5/3/2019

File No.
190221