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More Than 60 Criminal Justice Leaders Advocate for Overdose Prevention Sites as Critical to Saving Lives

PHILADELPHIA – Today 64 local, state and federal criminal justice leaders representing 27 states and the District of Columbia filed an amicus curiae brief in *United States v. Safehouse* (pending in the United States District Court for the Eastern District of Pennsylvania), supporting the nation’s first safe consumption site. Signed by current and former elected prosecutors, Police Chiefs and Sheriffs, and former U.S. Attorneys and Department of Justice officials, the amicus (“friend of the court”) brief supports the efforts by non-profit [Safehouse](#) to open in Philadelphia an overdose prevention site (“OPS”) – a proven tool that save lives, promotes community trust in the justice system and reduces the adverse impact of substance use disorder.

“For decades we have waged a war on drugs that has resulted in harm to individuals and communities; we need look no further than the opioid crisis that is taking Americans’ lives at an alarming rate for proof of these past failed approaches,” said **Miriam Krinsky**, Executive Director of [Fair and Just Prosecution](#), the organization that coordinated the brief. “Now, as more communities are ravaged by preventable overdose deaths, we must choose proven approaches that we know will save lives.”

The amicus brief was filed in response to the increasing tide of overdose deaths that are occurring across the country and reflects a growing recognition that different approaches are needed to save lives and open the door to treatment for those struggling with opioid use disorder. Signatories to the brief argue that “[d]istorting federal drug laws to prohibit an OPS or to prosecute its sponsors would undermine community trust in the justice system and faith in the fair and sensible application of our drug laws. Interpreting federal criminal law to bar empirically validated harm reduction measures would make no one safer; it would only impede cooperation between criminal justice agencies and the communities they serve.” They point to experiences across the globe establishing that harm reduction strategies, including overdose prevention sites, save lives, promote public trust in the justice system and are a more effective response to substance use disorder.

“As the elected prosecutor, I have a duty to protect the health and safety of every member of my community. Yet, when it comes to opioid use, we are hampered in that effort by a system that looks to outdated criminal justice responses, rather than the public health strategies we know work,” said **Philadelphia District Attorney Larry Krasner**, one of the 33 current elected prosecutors who signed on to the brief. “The war on drugs has caused nothing but stigma and a cycle of incarceration that forces people into the shadows, where fatal overdose is more likely. As deadly synthetic opioids keep flooding the streets of Philadelphia, the overdose epidemic will continue to mount, but we do not have to lose more lives to it. We can choose today to allow people to access the life-saving services that overdose prevention sites provide.”

Nationwide, [70,237](#) people died from drug-related overdoses in 2017, and since 1999, the [drug overdose death rate](#) in the United States has increased nearly four-fold. In Philadelphia, where Safehouse is seeking to

open the nation’s first overdose prevention site, there are an average of three opioid deaths per day—making the rate of overdose deaths about [triple the homicide rate](#).

Between 1981 and 2006, the [number of drug arrests](#) in the United States quadrupled to nearly two million per year. And according to the Brookings Institute, new [admissions](#) into state and federal prison in recent decades are largely due to drug offenses. Yet, [research](#) from The Pew Charitable Trusts demonstrates that these massive increases in drug arrests and drug-related incarcerations have not led to decreased drug use, arrests or overdose deaths. And overdose prevention sites have [overwhelming support](#) from the local community.

The group of signatories includes **District Attorneys Sherry Boston** (Decatur, GA), **Scott Colom** (Columbus, MS), **John Creuzot** (Dallas, TX), **Mark Dupree** (Kansas City, KS), **George Gascón** (San Francisco, CA), **Eric Gonzalez** (Brooklyn, NY), **Andrea Harrington** (Pittsfield, MA), **Larry Krasner** (Philadelphia, PA), **Rachael Rollins** (Boston, MA), and **Raúl Torrez** (Albuquerque, NM); **Prosecuting Attorneys Wesley Bell** (Clayton, MO) and **Dan Satterberg** (Seattle, WA); **State’s Attorneys Kim Foxx** (Chicago, IL), **Sarah George** (Burlington, VT), and **Marilyn Mosby** (Baltimore, MD); **Police Chiefs Chris Magnus** (Tucson Police Department, AZ) and **Tom Synan** (Newtown Police Department, OH); **Sheriffs Jerry Clayton** (Washtenaw County, MI) and **Steven Tompkins** (Suffolk County, MA); and **Former United States Attorneys Kenyen Brown** (Southern District of Alabama), **Kenneth Mighell** (Northern District of Texas), **Bill Nettles** (District of South Carolina), **Channing Phillips** (District of Columbia), **Carter Stewart** (Southern District of Ohio) and **Thomas P. Sullivan** (Northern District of Illinois). Those signing onto the brief include:

- **33** sitting elected prosecutors, including district attorneys, circuit attorneys, city attorneys, and state attorneys
- **16** current or former police chiefs or sheriffs
- **14** former attorneys general, district attorneys, U.S. Attorneys. and DOJ officials

“Harm reduction models – from needle exchanges to overdose prevention sites – are used the world over and have been proven to be cost-effective, and more importantly to save lives,” said **Chittenden County, Vermont State Attorney Sarah George**, who also signed on to the brief. “If we have any hope of stemming the loss of life due to the overdose crisis, not only in Philadelphia but across the country, we must first see people who use drugs with empathy and compassion and then implement life-saving approaches that meet people where they are. And we must not twist federal drug laws to foreclose public health responses that our communities want and need.”

Police Chief Peter Volkmann (Chatham, New York), another signatory on the brief, added, “As opioids pour into our communities, overdoses have become an epidemic that put an overwhelming strain on the limited resources of first responders, including law enforcement, thereby preventing us from addressing community interests that pose deeper public safety concerns. While the U.S. lags behind other countries in adopting harm reduction strategies, law enforcement agencies around the world have come to embrace these approaches because frankly, they save lives. The priority is always saving lives. Now, there needs to be a collaborative effort between society and law enforcement to address our devastating overdose crisis, and this must include overdose prevention sites.”

The brief was written by teams at **WilmerHale** and **Hangley Aronchick Segal Pudlin & Schiller**; it was organized and coordinated by [Fair and Just Prosecution](#), a non-profit organization dedicated to promoting a justice system grounded in fairness, equity, compassion, and fiscal responsibility, with assistance from the [Law Enforcement Action Partnership](#). The full list of 64 signatories is below and the amicus brief is available [here](#).

For any question about the brief or to speak to any of the signatories, please contact Miriam Krinsky at krinskym@krinsky.la or 818-416-5218.

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Fair and Just Prosecution is a national network of elected prosecutors working towards common-sense, compassionate criminal justice reforms. To learn more about FJP’s work, visit <http://www.fairandjustprosecution.org/> or follow us on Facebook [@FairAndJustProsecution](#).

List of Signatories

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