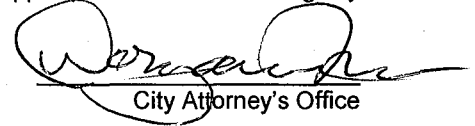


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Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 87633 C.M.S.

INTRODUCED BY MAYOR LIBBY SCHAAF AND
COUNCILMEMBER NIKKI FORTUNATO BAS

RESOLUTION IN SUPPORT OF AB 362 – OVERDOSE PREVENTION PROGRAMS (EGGMAN) AND REQUEST THAT, IN ADDITION TO THE CITY AND COUNTY OF SAN FRANCISCO, THE BILL BE AMENDED TO GIVE THE CITY OF OAKLAND DISCRETION TO AUTHORIZE QUALIFIED ENTITIES TO OPERATE OVERDOSE PREVENTION PROGRAMS IN THE CITY OF OAKLAND

WHEREAS, in 2016, an estimated 5.6 percent of people ages 12 years and older (79,186 people) misused opioids in Alameda County and one percent of people (14,254 people) had an opioid use disorder (OUD), defined as opioid abuse or dependence; and

WHEREAS, according to the California Department of Public Health, drug overdose is a leading cause of accidental death in California, and in 2013, California hospitals treated roughly one overdose every 45 minutes, while heroin and opiate use continue to rise; and

WHEREAS, deaths from accidental overdose in Alameda County disproportionately occur among African American residents; 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 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 are homeless or in insecure housing and are forced to inject in public or semi-public spaces, such as streets, parks, mass transit, or bathrooms, and the lack of privacy compromises the health, well-being, and safety of the injection drug user and the surrounding community, with discarded syringes posing a health hazard, and overdose fatalities increasingly occur in public or semi-public spaces; and

WHEREAS, Overdose Prevention Programs, or Supervised Consumption Services (SCS), have been utilized in Vancouver, Sydney, and approximately 120 other cities around the world to reduce overdose death and injury, decrease public health concerns like discarded syringes and public injection, reduce the transmission of infectious diseases, and provide entry to treatment for this most marginalized group; and

WHEREAS, in 2017, Seattle and the surrounding King County announced a plan to establish several SCS in the area as a pilot test to address overdose and drug use in the community; in 2018, local government officials in Philadelphia, San Francisco, and New York City announced plans to open sites in their cities; and additionally, legislation has been introduced in California, Colorado, Maryland, Massachusetts, Missouri, New York and Vermont to allow SCS; and

WHEREAS, research has shown that these programs *do not* encourage additional drug use or increase crime in the surrounding area, and potentially save millions of dollars in healthcare and incarceration costs, and for these reasons, the American Medical Association endorsed piloting these sites in June 2017; and

WHEREAS, the Oakland Fire Department and Emergency Ambulance Services reported utilizing over 800 Narcan opioid overdose treatment interventions since 2013; and

WHEREAS, in 2018 the OAK 3-1-1 system recorded 569 service requests for needle collection/disposal and \$143,000 was expended on the biohazard contract for collection of needles and human waste; and

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

WHEREAS, California State Assembly Bill 362 (Overdose Prevention Programs) introduced by Assembly Member Eggman and co-authored by Assembly Members Weiner, Friedman, Chiu, and Wood, would authorize the City and County of San Francisco Board to approve qualified entities to operate overdose prevention programs where adults may use controlled substances under supervision of staff trained to prevent and treat overdose, prevent HIV and hepatitis infection, and facilitate entry into drug treatment and other services; and

WHEREAS, Assembly Bill 362 prescribes minimum requirements for operation of overdose prevention programs; now, therefore, be it

RESOLVED: That the City of Oakland hereby endorses AB 362 and urges the California State Legislature and Governor Gavin Newsom to support its enactment into law; and be it

FURTHER RESOLVED: That the City Council of the City of Oakland requests that the authors amend the bill to include that the same discretion granted to the City and County of San Francisco be granted to the City of Oakland to authorize overdose prevention programs in the City of Oakland; and be it

FURTHER RESOLVED: That the following public agencies and community organizations support this legislation including the California Association of Alcohol and Drug Program Executives, California Society of Addiction Medicine, Drug Policy Alliance, Harm Reduction Coalition, HealthRIGHT 360, San Francisco AIDS Foundation, American Academy of HIV Medicine's California/Hawaii Steering Committee, American Civil Liberties Union of California, California Psychiatric Association, California State Council of the Service Employees International, City and County of San Francisco, Coalition on Homelessness, San Francisco, Ella Baker Center for Human Rights, Glide Foundation, Health Officers Association of California, Larkin Street Youth Services, San Francisco Public Defender, and Service Employees International Union California among others; and be it

FURTHER RESOLVED: That The Oakland City Council hereby directs the City Clerk to convey a copy of the Resolution to the State Legislature and Governor Gavin Newsom.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAY 21 2019

PASSED BY THE FOLLOWING VOTE:

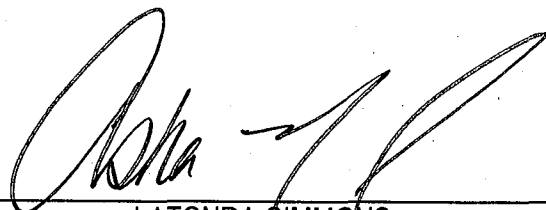
AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN *8*

NOES - *0*

ABSENT - *0*

ABSTENTION - *0*

ATTEST:



LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California