

Dec. 18, 2020: Judicial Advocacy Update

Will the U.S. get its first supervised drug consumption site?

A few countries in Europe in the 1980s tried something new to reduce the harms associated with the use of illicit drugs: A supervised, hygienic facility where people could consume pre-obtained drugs, be monitored for overdoses, have access to counseling, and get referrals to health care and social services, including drug treatment.

Today, about 120 legally sanctioned supervised consumption sites operate in 11 countries globally, including Canada, Germany and Switzerland. Now there's a proposal for the first supervised consumption site to open in the United States, but the federal government filed a lawsuit to block it from opening in Philadelphia. They argue it violates a section of the Controlled Substances Act that was aimed at making it easier for police to arrest individuals who opened and used buildings to produce, sell, or use crack cocaine.

Medical experts disagree.

In an amicus brief, the Litigation Center of the American Medical Association and State Medical Societies joined the Pennsylvania Medical Society, Philadelphia County Medical Society and about a dozen other organizations to provide information to the U.S. Court of Appeals for the 3rd Circuit that years of evidence show that these facilities provide evidenced-based medical and health interventions that help save lives, offer access to necessary services, and provide support to people who use drugs.

A three-judge panel on the 3rd Circuit heard arguments from attorneys on both sides Nov. 16.

The brief cites a wealth of peer-reviewed studies that show supervised consumption sites:

- Minimize the risk of HIV, hepatitis C, and hepatitis B transmission.
- Increase referrals to drug treatment and other health services.
- Minimize public drug use.
- Improve public order and nuisance concerns such as improperly disposed syringes.
- Evidence also shows facilities don't increase crime or encourage those who have never taken drugs to begin doing so.

“Supervised consumption sites actually further the broad intents and purposes of the Controlled Substances Act, which include an emphasis on protecting public health,” the brief filed in the case, *United States of America v. Safehouse*, says.

Supervised consumption houses like the one proposed in Philadelphia, called Safehouse, “are a critical component of a comprehensive solution to addressing the harms of drug use” and have the potential “to act as a critical bridge between people who use drugs in Philadelphia and opportunities for treatment and social services,” the brief says.

[Read more here.](#)

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