



# **Attorney General Raoul Supports States' Efforts To Enact Public Health Policies That Prevent Opioid Overdoses**

July 7 2020 11:40 AM

Chicago – Attorney General Kwame Raoul joined a coalition of 10 attorneys general in supporting the ability of states to enact public health policies that can prevent opioid overdoses and save lives.

In an amicus brief filed in *United States v. Safehouse* before the U.S. Court of Appeals for the 3rd Circuit, Raoul and the coalition oppose the federal government's effort to stop Safehouse, a Pennsylvania nonprofit, from operating a life-saving safe injection site intended to prevent opioid overdose deaths. Raoul and the coalition argue that it is crucial for states to maintain authority to enact public health solutions that serve the best interests of their residents.

“Opioid addiction has devastated lives, families and communities throughout Illinois and across the country,” Raoul said. “States, including Illinois, are entitled to enact public health policies to protect their residents and help fight the opioid epidemic and must be able to act in ways they believe best serve their residents. I will work to ensure states can continue to provide life-saving healthcare solutions to residents.”

Safehouse is a Philadelphia-based nonprofit that plans to operate a medically supervised safe injection site. This medical supervision saves lives because death can occur within minutes of using heroin or fentanyl, a dangerous synthetic opioid—sometimes too quickly for emergency responders to arrive on the scene.

According to the Centers for Disease Control and Prevention, 128 Americans die each day from an opioid overdose. Opioid deaths have been on the rise in the United States since 1999, based largely on the proliferation of opioid prescriptions. The death toll now totals nearly 450,000.

In the brief, Raoul and the coalition argue that states have the legal right to regulate the practice of medicine that would allow medical interventions like safe injection sites because:

- States have a well-established role in enacting public health and safety programs: States are on the front lines of the opioid crisis and have historically enjoyed broad powers regarding healthcare protections for their residents. For example, many states have implemented Good Samaritan laws, which encourage victims and bystanders to seek help for those experiencing a drug overdose by offering limited immunity from drug-related charges. States have also implemented syringe exchange programs which provide drug users with clean needles to prevent the spread of diseases. It is crucial that states and localities maintain the flexibility to act quickly to adopt public health solutions that address their residents' needs.
- Federal law does not prevent states from enacting innovative public health solutions: The federal government is seeking to prevent the use of safe injection sites, arguing that the use of illegal drugs on their premises violates the Controlled Substances Act (CSA). However, the CSA, which includes criminal penalties, was intended to help law enforcement target drug use—not to prohibit life-saving public health interventions like safe injection sites.

Raoul urges anyone who believes they or a loved one may be addicted to opioids to seek help by calling the Illinois Helpline for Opioids and Other Substances at [833-2FINDHELP](tel:833-2FINDHELP), which operates 24 hours a day, seven days a week.

Joining Raoul in the the amicus brief are the attorneys general of California, Delaware, Michigan, Minnesota, New Mexico, Oregon, Vermont, and Virginia.