



overdosepreventionpac@gmail.com
overdosepreventionpac.com

July 23, 2019

Commissioner Steven Pare
Commissioner of Public Safety
325 Washington Street
Providence, RI 02903

Dear Commissioner Pare:

In the past month, at least seven Rhode Islanders have tragically died from overdoses in the city of Providence. These deaths only highlight the need to address this epidemic as the public health crisis that it is in order to make progress in saving lives.

Regrettably, however, your police department openly and immediately cited last year's strongly opposed – but ultimately enacted – drug-induced homicide bill known as “Kristen’s Law” to investigate these deaths as murders. Instead of first focusing on increasing access to life-saving medication, treatment, or recovery supports, this law enforcement approach only promotes a legacy of ineffective, fear-based tactics. Because of our deep concerns about this approach, we would welcome the opportunity to talk with you about it.

During the debate over “Kristen’s Law,” medical, treatment, recovery, and public health experts provided compelling testimony and evidence that a criminal justice approach to a chronic illness is not only the wrong approach: it is a dangerous one. They pointed out that this type of legislation undoes the beneficial protections of the state’s Good Samaritan law, where people calling 911 in the event of an overdose have immunity from arrest, a protection intended to ensure that they do not hesitate in calling for emergency medical support. Drug homicide laws such as “Kristen’s Law” undermine this protection and give some people doubt in calling 911 for fear that they might be charged with murder, especially if they were sharing substances.

While many supporters of Kristen’s Law insisted that its use would be limited to drug “kingpins,” your Department’s immediate invocation of the law only confirms the fears of those of us who worried about its broader use. The highest risk of fatal overdoses are from mixing substances, especially when fentanyl is included. At the individual level, there is no purity test or “ingredients list” on black market substances. Drugs are cut repeatedly with adulterants before they get to the streets. If a person uses multiple substances (including alcohol, widely used and entirely legal) leading up to an overdose, who is to blame? At what point up the supply chain do we call someone a “murderer”?

Proponents of a continued “tough on crime” approach insisted that this legislation was necessary to stop people from selling drugs that contribute to untimely deaths. Yet, states that heavily use drug-induced

homicide laws, such as Pennsylvania and Ohio, have seen a higher increase in overdose death rates than the country as a whole. There is simply no evidence that these laws work. In fact, our decades of supply side, “tough on crime” laws clearly have not worked given the crisis we are in. Based on your legislative testimony regarding the Attorney General’s “drug reclassification” bill, we know you recognize the critical need to address these drug-related issues more as public health than criminal matters, as well as the ways in which the criminalization approach has not always been the best approach.

In the absence of any evidence that these recent deaths in Providence were premeditated, treating them as homicides is likely to do more harm than good. We therefore strongly urge you and the police department to reconsider this counterproductive approach and treat overdoses as what they are: medical emergencies.

In that regard, we would appreciate the opportunity to meet with you and discuss this request in more detail and answer any questions you may have about it. Annajane Yolken is serving as the contact for all the signatories, and her contact information can be found below.

Thank you for your consideration of this request.

Sincerely,

Annajane Yolken, MPH, Executive Director
Protect Families First
401-541-5933 annajane.yolken@gmail.com

Haley McKee, Co-Chair
Substance Use Policy, Education, and Recovery PAC

Lisa Peterson, Chief Operating Officer
VICTA

Michelle McKenzie, MPH, Director
Preventing Overdose and Naloxone Intervention (PONI)

Linda Hurley, MA, CAGS, LCDCS, President and CEO
CODAC Behavioral Healthcare

Monica Smith, Executive Director
Rhode Island Communities for Recovery Efforts (RICARES)

Steven Brown, Executive Director
American Civil Liberties Union of Rhode Island

cc: The Hon. Jorge Elorza, Mayor
Chief Hugh Clements, Jr.
Major David Lapatin
Ellen Cynar
Obad Papp
Aaron Regunberg