

# Safe Injection Facilities: Policy Recommendations for Maryland

These recommendations were informed by a multi-stakeholder harm reduction meeting held at JHSPH in October 2015

**S**afe injection facilities provide individuals who have drug use disorders a legally sanctioned, medically supervised environment to engage in injection drug use. Safe injection facilities may offer sterile syringes and other supplies such as bandages, give advice on safe injection, administer first aid and provide immediate medical attention in cases of overdose. They are also authorized to refer individuals to drug treatment and social support services.

## Summary of current Maryland state law

Safe injection facilities are not currently legal in Maryland. Possession and use of injection drugs, the most common of which is heroin, are illegal under Maryland criminal law.

## Research evidence

The first safe injection facility began operating in Switzerland in the 1980s. As of 2016, there are over 90 safe injection facilities located in Europe, Australia and Canada but none, currently, in the US.

Evaluations of safe injection facilities have shown:

- Safe injection facility use is associated with decreased needle sharing, a known risk factor for transmission of HIV, hepatitis C, and other infections.<sup>1,2,3,4</sup> Use of safe injection facilities is also associated with decreased public injection and increased safe syringe disposal.<sup>5</sup>
- A study on safe injection facilities in Copenhagen, Denmark found that 75 percent of participants reported increases in safe injecting practices, such as injecting in a less rushed manner and cleaning injecting sites.<sup>6</sup>
- Safe injection facilities serve those at highest risk for negative health consequences. Research shows that characteristics predicting the use of safe injection facilities included lower age, public injection drug use, homelessness, frequent unemployment, history

of incarceration, daily heroin or cocaine injection and recent nonfatal overdose.<sup>7</sup>

- Safe injection facilities are effective gateways for addiction treatment and primary medical care.<sup>8,9,10</sup> In an Australian study, clients at safe injection facilities were more likely than other injection drug users to report initiation of treatment for drug dependence.<sup>11</sup>
- Studies in Germany, Canada and Australia suggest safe injection facilities are associated with a reduction in injection drug overdose deaths.<sup>12,13</sup>
- Research suggests that implementation of safe injection facilities do not lead to increased drug use, increased crime or increased drug trafficking in the surrounding community.<sup>14,15</sup>

Additional research is needed to measure long-term costs and benefits as most safe injection facility programs analyzed to date have been pilot programs.

## Policy recommendations

- 1) Build a coalition to support local safe injection facilities involving drug users, parents and family members of active/deceased drug users, doctors, researchers, nonprofits, community groups, religious groups, treatment providers, police and health department officials.
- 2) Create exemptions from criminal drug possession, drug paraphernalia and nuisance penalties to make safe injection facilities in Maryland possible. A potential alternative pathway is to execute a Memorandum of Understanding (MOU) between local and state law enforcement and community stakeholders to allow the creation of safe injection facilities.
- 3) In the absence of available safe injection facilities, provide safe injection advice at needle exchange programs and upon distribution of naloxone. If safe injection facilities are implemented in the state, provide referrals to these facilities at needle exchange programs and upon distribution of naloxone.

## Implementation considerations

- As long as possession of injection drugs (e.g. heroin, cocaine, amphetamines) is illegal under Maryland law, people who use safe injection facility services will need to be exempt from such law.
- Even if safe injection facilities are authorized to operate under Maryland law, they may be subject to federal law enforcement under the Controlled Substances Act.
- Safe injection facilities will need to be exempt from nuisance abatement laws, which deem any property a nuisance if it is or has the reputation of being used for manufacture, distribution, storage, or concealment of a controlled dangerous substance. Under Maryland's law, owners and tenants can be sued and tenants can be evicted.<sup>16</sup>
- People participating in needle exchange programs and individuals receiving naloxone should be referred to safe injection facilities, if appropriate.
- Safe injection facilities should establish links, potentially including onsite services, to refer interested service users into drug use disorder treatment and other needed social services.

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