

ACLU OF RI POSITION: SUPPORT

**TESTIMONY ON 23-H 5044,
AN ACT RELATING TO HARM REDUCTION CENTER ADVISORY COMMITTEE
AND PILOT PROGRAM
February 28, 2023**

The ACLU of RI strongly supports this legislation and its goal of extending for two years the time for the creation and maintenance of harm reduction centers in the state. Since no such center is up and running yet, it is critical to ensure that enough time passes to evaluate the success of such a program before allowing it to sunset.

In supporting passage of this law two years ago, we noted that it would be an extremely important step forward in addressing the state's spiraling opioid overdose crisis. We know that the current punitive law enforcement approach to the drug problem simply isn't working and, instead, bears responsibility for too many avoidable overdose deaths. Providing drug users with a safe and medically supervised environment, as this law does, can not only reduce the death toll from drug overdoses but can also serve as a critical entry-point for offering and affording people treatment. Passage of this bill is necessary to prevent this important program from failing before it even starts.

We would like to suggest two minor amendments to the bill. First, it adds language on Page 2, lines 20-22 to authorize DOH to amend its regulations governing harm reduction centers to address the smoking of pre-obtaining substances. Our concern is that its specificity could be read as suggesting the agency cannot further amend its current regulations in any other way. We know that is not the intent, especially since the actual establishment of the program may demonstrate the need for revising the regulations that the Department has already promulgated. To avoid any unintended interpretation of this amendment, we would suggest simply adding at the end of line 22 the words "**or any other matter related to this program.**"

Second, we would suggest changing the sunset date of March 1, 2026 to **July 1, 2026**. This will ensure there is sufficient time for the General Assembly in 2026 – if it has not already extended or made permanent this program – to consider its extension. As this committee knows, it is rare for the General Assembly to act on legislation in the first two months of the session. Moving the sunset date back a few months into later in the session merely recognizes that fact. It is also a good argument for passage of this bill this year rather than waiting until 2024.

Thank you for considering our views.