



June 20, 2017

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The Honorable Susan Eggman
California State Assembly
State Capitol
Sacramento, CA 95814

RE: AB 186 – Oppose

Dear Assemblymember Eggman:

On behalf of the California District Attorneys Association (CDA A), I regret to inform you that we are opposed to your measure, AB 186. This bill would allow local governments in eight counties to establish safe drug consumption sites, wherein individuals could use controlled substances without facing any criminal sanctions.

While we appreciate that the intent of the bill is to provide a space where people who use drugs can do so under the watchful eye of healthcare professionals who may also educate and connect them with addiction treatment services, we are concerned about the impact this drug activity would have on crime in the areas surrounding these sites. Beyond the drug and theft crimes that are often committed by individuals with substance abuse issues, those individuals themselves may become attractive targets for other criminals who would take advantage of these geographic clusters of impaired victims.

In addition to these general concerns, we believe that proposed Penal Code section 11376.6(d) is drafted so broadly that it could be interpreted that an individual who participates in one of these programs could never be arrested for drug possession, even outside of the designated program site. This subdivision provides that a person “shall not be arrested, charged or prosecuted...or otherwise be penalized solely for involvement in a safer drug consumption services program..”. Nowhere in that language does it limit this safe harbor to the area on or around the program site. An individual possessing heroin five miles away could avoid arrest simply by alleging that he or she intended to consume those drugs at the program site.

I greatly appreciate your consideration of our concerns. If you would like to discuss these issues further, please do not hesitate to contact me.

Very truly yours,

Sean Hoffman
Director of Legislation