Working with Overdose Lifeline to Influence State Policy: Syringe Decriminalization, Senate Bill 11, and A Day of Advocacy

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Background

Our Capstone group worked with Overdose Lifeline, an Indianapolis non-profit group that advocates for increased harm reduction solutions to prevent overdose deaths and disease transmission. On January 3, 2019, Sen. Mike Bohacek and Sen. James Merritt introduced Senate Bill 11, which acted to amend current Syringe Exchange Program (SEP) legislation. Specifically, SB 11 proposed to "establish and maintain a syringe exchange program registry" that would track SEP participants statewide. The bill required a "qualified entity" to create a database that contains SEP participant names, dates of birth, last four of SSNs, and other identifying information to be determined, but did not name that entity and left many other questions unanswered.

Methods

Overdose Lifeline requested several activities from the group throughout the semester. These included:

- Conducting multiple literature searches, all of which needed to be within the last five to eight years, in English, and the studies must have been conducted in the United States or Canada.
- Creating a policy matrix using legislation from other states on the decriminalization of syringe possession.
- Designing a policy brief that was used to inform a larger audience, including legislators, during an outreach day at the Indiana Statehouse, "Changing the Narrative: From a 'War on Drugs' to Public Health."
- Preparing questions for a panel discussion with subject matter experts, volunteering their time to help during the advocacy day, and encouraging one-on-one engagements with legislators.

Results

Currently, Indiana legislation explicitly states SEPs will provide syringe and needle distribution and collection "without collecting or recording personally identifiable information" of participants. However, SB 11 proposed to delete this language, while simultaneously implementing an SEP registry.

The purpose of SB 11 was to protect SEP participants from undue legal issues, should they be pulled over or searched outside of a county with SEP legislation. However, the proposed amendment did not refute the current Level 6 felony charge associated with possession of hypodermic needles or syringes – specifically those containing more than a residual amount of a controlled substance.

Harm Reduction in Indiana

CDC-Recommended Measures

- Authorize Syringe Exchange Programs
- Exempt syringes or needles from paraphernalia laws
- Decriminalize the possession of syringes obtained from a Syringe Exchange Program.
- Authorize Retail Sale of Syringes Without a Prescription
- Allow a syringe possessor to avoid prosecution if they disclose to police that they have paraphernalia

Next Steps

U.S. States with SEPs

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