



New York City's 2 Overdose Prevention Centers Saved 1,000 Lives Since Opening. Will The Feds Reward Them By Shutting Them Down?

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OnPoint NYC, the harm reduction organization tasked with opening and operating New York City's two overdose prevention centers (OPCs), announced that since the two centers (one in East Harlem and one in Washington Heights) launched on November 30, 2021, they had averted 1,008 overdoses. As of July 2023, more than 3,700 registered participants have used the centers nearly 84,000 times.

Unfortunately, the New York Times reports that Damian Williams, U.S. Attorney for Manhattan, responded to the news by implying he will take steps to close down the OPCs:

"I have repeatedly said that the opioid epidemic is a law enforcement crisis and a public health crisis," Damian Williams, the U.S. attorney for the Southern District of New York, said in a statement to The New York Times. "But I am an enforcer, not a policymaker." Until New York policymakers take action to authorize the supervised consumption sites, he said, they are operating in violation of federal, state and local law.

"That is unacceptable," he added. "My office is prepared to exercise all options — including enforcement — if this situation does not change in short order."

This is an ominous development. At a Cato online policy forum last March, Kailin See, the Senior Director of Programs for OnPoint NYC, told participants that the U.S. Department of Justice had sent inspectors to the two OPCs, who seemed pleasantly surprised at how they worked in the community. The Department of Justice has yet to act against the OPCs.

As I wrote in this Cato policy brief, OPCs have been around since the mid-1980s. There are now 147 government-sanctioned OPCs in 91 locations and 16 countries—including 38 in Canada, 14 in Switzerland (where the first OPC was opened in Bern in 1986), and 25 in Germany—preventing overdose deaths and the spread of HIV, hepatitis, and other diseases. But in this country, 21 U.S.C. Section 856, also known as the "crack house" statute, passed in the mid-80s, makes it illegal for entities to permit people to use prohibited drugs on their premises.

New York City's mayor defied federal law by authorizing OnPoint NYC to open the OPCs amid soaring overdose deaths during the winter of 2021. The National Institutes of Health announced in May that it will fund a study to assess the effect the OPCs have had on drug use, overdoses, and diseases.

And Rhode Island and Minnesota lawmakers have recently authorized OPCs in their states.

But as the saying goes, "No good deed goes unpunished." All this harm reduction progress can grind to a halt if the Justice Department decides to snuff out the OPCs.

In my policy brief, I called on Congress to repeal the "crack house" statute or "at an absolute minimum amend existing federal law so harm-reduction organizations can establish and run OPCs." Until Congress acts, no harm reduction organization seeking to save lives in its community can ever feel safe from law enforcement's wrath.

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