

From: "Henthorne, Betsy (OASG)" (b)(6)

To: "Cunha, Zachary (USARI)" (b)(6)

Subject: RE: RI Safe Injection Story

Date: Fri, 12 May 2023 03:21:49 -0000

Importance: Normal

Inline-Images: image001.png

Fascinating—thanks for sending. Nice to see you as well!

Betsy Henthorne | Chief of Staff
Office of the Associate Attorney General
office: (b)(6)
mobile: (b)(6)

From: Cunha, Zachary (USARI) (b)(6)

Sent: Monday, May 8, 2023 1:29 PM

To: Henthorne, Betsy (OASG) (b)(6)

Subject: RI Safe Injection Story

(b)(5) per EOUSA

Good to see you last week,
Zach



Zachary A. Cunha
United States Attorney
District of Rhode Island
Phone (b)(6)
One Financial Plaza, 17th Floor
Providence, RI 02903

From: "Bennett, Megan A. (OLA)" (b)(6)

To: "Evers, Austin (ODAG)" (b)(6)

Subject: Safe Injection Site Meeting Readout

Date: Thu, 4 May 2023 18:51:18 +0000

Importance: Normal

Attachments: 4.20.23_SIS_Meeting_Summary_Notes_(003).docx

Hi Austin,

You had expressed interest in receiving a readout from the meeting the USA-EDPA had with the elected officials in Philadelphia regarding safe injection sites.

Attached is the memo I provided to Carlos outlining the notes from that meeting.

Please let me know if you have any questions.

Thanks.

Megan A. Bennett
Office of Legislative Affairs
Department of Justice
(b)(6)



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, DC 20530

**MEMORANDUM FOR THE OFFICE OF THE ASSOCIATE ATTORNEY GENERAL,
OFFICE OF LEGISLATIVE AFFAIRS**

FROM: Megan Bennett, Office of Legislative Affairs

SUBJECT: Summary of April 20, 2023, meeting between the U.S. Attorney for the Eastern District of Pennsylvania and state and local elected officials regarding Safe Injection Sites in Philadelphia

PURPOSE: To provide an overview of comments of interest to the Department of Justice raised during meeting

DATE: May 3, 2023

In Attendance:

U.S. Attorney (USA) Romero
FAUSA Nelson Thayer
Civil Chief Gregory David
IGL, Megan Bennett (OLA)

State Representative Mike Driscoll
State Senator Jimmy Dillon
State Senator Tataaglione
State Representative Danilo Burgos
City Councilman Brian O'Neill
City Councilman Mark Squilla
City Councilman Sharif Street
City Councilman Quetcy Lozada
City Councilman At-Large Jim Harrity
State Representative Anthony Bellmon
State Representative Jose Giral
U.S. Representative Boyle's Chief of Staff, Scott Heppard

Summary of the Meeting

USA Romero opened the meeting talking about her own background. She said that she believes strongly in the democratic process, and it is important to her to hear from the elected officials. She said she wants to hear from them, understanding that they represent the views of their constituents. USA Romero stated that she lives in Philadelphia and has been a victim of crime.

She stated that she is dedicated to enforcing laws against guns and drugs; she highlighted that her office is engaged with DEA on Operation Overdrive. USA Romero noted that the Department does not endorse safe injection sites.

The elected officials went around the room and introduced themselves and talked about their position on safe injection sites. They were appreciative of the opportunity to explain their views to the USA. As a whole, all of the elected officials were opposed to safe injection sites.

The elected officials raised the below topics:

- The drug problem in Kensington is hard on families and businesses. Kids can't play outside because of the needles and prostitution.
- A visit to safe injection site in New York was concerning because it is across the street from a preschool. There was no zoning, no permitting necessary, and the site closes at 8:00 PM, which seems early to close for drug users. The New York site also gave out pipes. The lines at safe injection site in New York were long, people shooting up in line, and it appeared to be open-air drug market. There was a New York Post story that detailed how there was a person in a van selling drugs at the site openly. There are also almost 200 homeless addicts near the site. See <https://nypost.com/2023/04/15/dealers-sell-drugs-from-van-to-nearby-injection-site-clients/>.
- One official said that they initially thought they were supportive of the sites, but a visit to safe injection site in Toronto changed their mind on the subject. Needles were everywhere. Nearby stores had to secure merchandise because people would steal everything. Community members warned that he didn't want sites in his community. A staff member at the site said less than 4% of visitors to site as for help. If people get high and leave, they can still die. The site isn't open all the time, so they teach people how to safely inject the drugs. He knows the state says they'll offer help but said it won't be different than Toronto and the site wouldn't help addicts or community.
- Several officials stated that the Philadelphia Mayor Jim Kenney said he is supportive of safe injection sites. The officials noted that the Mayor does not speak for the rest of the elected officials and noted that the Mayor's term is ending in December 2023. One official said that only 27% of people in the city are in favor of the sites. People advocating for the sites are from outside the community.
- One official's district has the biggest concentration of drug and alcohol recovery facilities in the state. He said is in support of recovery facilities, but safe injections sites are different. He said the sites create a marketplace for drugs and violence and people still would not know if their drugs contained a lethal dose of fentanyl. He asked a representative from the proposed site whether they would ever transition to helping people get into recovery. For example, if the same person came in X number of times to take drugs, would they offer that person help? The proposed site representative responded that people should be able to take drugs. The recovery movement opposes these sites.
- One official lives near two of the biggest drug markets in Philadelphia; most murders happen within a three-block radius of these drug markets. Seniors are afraid to leave their houses. The official said the proposed safe injection site would close at 6 PM, which is too early to even be helpful. The official concluded that the neighborhood doesn't want it the site and the city doesn't want it.

- One official's office receives hundreds of calls from his constituents opposing safe injection sites.
- One official has drafted legislation prohibiting safe injection sites. She stated that the state legislature would preempt the city and take away the city's authority to allow safe injection sites.
- One official said the city already has treatment options with proven results.
- Several officials said the reports that they support safe injection sites are false; noting only the Mayor and the District Attorney are in support.

The USA closed the meeting by thanking the representatives and reiterating that it was important to her to hear their voices. The meeting then concluded.

From: "Bennett, Megan A. (OLA)" (b)(6)

To: "Henthorne, Betsy (OASG)" (b)(6)

Subject: Meeting readout

Date: Thu, 4 May 2023 18:31:40 +0000

Importance: Normal

Attachments: 4.20.23_SIS_Meeting_Summary_Notes_(003).docx

Hi Betsy,

Attached please find the memo transmitting the meeting notes from the USA meeting with the PA elected officials regarding safe injection sites.

Please let me know if you have any questions.

Thanks!

Megan A. Bennett
Office of Legislative Affairs
Department of Justice
(b)(6)

From: "Weinsheimer, Bradley (ODAG)" (b)(6)

To: "Wilkinson, Monty (USAE)" (b)(6)

Subject: RE: Draft email

Date: Wed, 12 Apr 2023 16:54:56 -0000

Importance: Normal

Attachments: email_DRAFT_mw.docx

(b)(5)

Thanks, Brad.

From: Wilkinson, Monty (USAE) (b)(6)

Sent: Wednesday, April 12, 2023 12:04 PM

To: Weinsheimer, Bradley (ODAG) (b)(6)

Subject: Draft email

Brad-

Attached is the draft email. Let me know if you have any thoughts. I have to go meet with the EARS staff. I will get on the other issues we discussed as soon as I return to my office.

Thanks,

Monty

Monty Wilkinson

Director

Executive Office for United States Attorneys

United States Department of Justice

(b)(6) (direct)

From: "Gupta, Vanita (OASG)" (b)(6)
To: "Romero, Jacqueline (USAPAE)" (b)(6), "David, Gregory (USAPAE)"
(b)(6)
Cc: "Miller, Marshall (ODAG)" (b)(6), "Henthorne, Betsy (OASG)"
(b)(6), "Robertson, Ashley E. (ODAG)"
(b)(6)
Subject: FW: Memo for AGAC
Date: Mon, 23 Jan 2023 14:56:11 -0000
Importance: Normal
Attachments: 2023.01.23_SCS_AGAC_Memo.pdf

Good morning, Jacqueline:

I know Betsy previewed for Greg that ODAG and OASG are on the AGAC schedule this week to discuss further the issue of safe consumption sites. Wanted to share a memo we just circulated with the AGAC for that discussion (I've also shared with Zach). I believe we'll be discussing Wed morning. Will circle back. Thank you again.

Vanita

From: "Gupta, Vanita (OASG)" (b)(6)
To: "Wilkinson, Monty (USAEO)" (b)(6), "Williams, Damian (USANYS) 6" (b)(6)
Cc: "Henthorne, Betsy (OASG)" (b)(6), "Miller, Marshall (ODAG)" (b)(6), "Robertson, Ashley E. (ODAG)" (b)(6), "Lan, Iris (ODAG)" (b)(6)

Subject: Memo for circulation to AGAC

Date: Mon, 23 Jan 2023 13:56:06 +0000

Importance: Normal

Attachments: 2023.01.23_SCS_AGAC_Memo.pdf

Monty and Damian –

Please see attached a memo about supervised consumption sites from ODAG and OASG about an issue that we are hoping to discuss with the AGAC on Wednesday morning. Damian is tracking but Iris and I will be calling you shortly, Monty, to give you more context. Given fact that Wednesday morning is but two days away and the AGAC USAs have full plates, we wanted to ask if you are able to circulate this memo to AGAC members this morning. Sorry for getting it to you later than anticipated.

Happy to discuss. I'll give you a call, Monty, after my 9am meeting.

Many thanks,
Vanita

From: "Miller, Marshall (ODAG)" (b)(6)

To: "Gupta, Vanita (OASG)" (b)(6)

Cc: "Henthorne, Betsy (OASG)" (b)(6), "Robertson, Ashley E. (ODAG)" (b)(6)

Subject: Re: draft memo

Date: Mon, 23 Jan 2023 13:50:10 +0000

Importance: Normal

Yes - asked Iris to call you. Best to send to Damien and Monty and ask for it to be distributed to the AGAC.

Do you think we should also send copies to Jacque and Zach?

Sent from my iPhone

On Jan 23, 2023, at 8:45 AM, Gupta, Vanita (OASG) (b)(6) wrote:

Should I do it? (and sorry for (b)(6))

I can send to Damian and ask that he circulate to AGAC, or to Iris to do the same and cc you

From: Miller, Marshall (ODAG) (b)(6)

Sent: Monday, January 23, 2023 8:45 AM

To: Gupta, Vanita (OASG) (b)(6)

Cc: Henthorne, Betsy (OASG) (b)(6); Robertson, Ashley E. (ODAG) (b)(6)

Subject: Re: draft memo

No. I was going to send first thing but (b)(6) .

Sent from my iPhone

On Jan 23, 2023, at 8:40 AM, Gupta, Vanita (OASG) (b)(6) wrote:

Has this gone to AGAC yet?

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Sunday, January 22, 2023 9:43 PM

To: Gupta, Vanita (OASG) (b)(6); Miller, Marshall (ODAG) (b)(6)

Cc: Robertson, Ashley E. (ODAG) (b)(6)

Subject: RE: draft memo

See attached in both PDF and Word.

From: Gupta, Vanita (OASG) (b)(6)

Sent: Sunday, January 22, 2023 9:43 PM

To: Miller, Marshall (ODAG) (b)(6); Henthorne, Betsy (OASG) (b)(6)
Cc: Robertson, Ashley E. (ODAG) (b)(6)
Subject: RE: draft memo

Talked to Damian and ran the SDNY language by him. Made one tweak per that convo with Betsy. He appreciated the heads up. Betsy will circulate the final.

Marshall, do you want to send to AGAC? If so, happy to have me and Betsy cc'ed. Or let me know if you want me to circulate or some other plan.

From: Miller, Marshall (ODAG) (b)(6)
Sent: Sunday, January 22, 2023 9:29 PM
To: Henthorne, Betsy (OASG) (b)(6); Gupta, Vanita (OASG) (b)(6)
Cc: Robertson, Ashley E. (ODAG) (b)(6)
Subject: RE: draft memo

Sure, I can skip the FBI meeting that morning if that's the only available time.

Defer to Vanita on timing of circulation – she was going to preview with Damien.

From: Henthorne, Betsy (OASG) (b)(6)
Sent: Sunday, January 22, 2023 8:07 PM
To: Miller, Marshall (ODAG) (b)(6); Gupta, Vanita (OASG) (b)(6)
Cc: Robertson, Ashley E. (ODAG) (b)(6)
Subject: RE: draft memo

+Ashley

Here is a clean version incorporating all the edits. Whenever we're ready, I can add a date (today or tomorrow?) and PDF.

Marshall: On timing, Iris and Karen told me over the weekend the only available time to meet with the AGAC on Wednesday is at 10am. I think there is some question of whether you could make that work. Winnie is looped in and I assume will respond tomorrow, but let me know if you can confirm sooner or want me to ask again if there is another time slot.

From: Miller, Marshall (ODAG) (b)(6)
Sent: Sunday, January 22, 2023 7:16 PM
To: Gupta, Vanita (OASG) (b)(6); Henthorne, Betsy (OASG) (b)(6)
Subject: RE: draft memo

I'm ok with the modified version. Or we could change (b)(5), such as:

(b)(5)

From: Gupta, Vanita (OASG) (b)(6)
Sent: Sunday, January 22, 2023 6:54 PM
To: Henthorne, Betsy (OASG) (b)(6); Miller, Marshall (ODAG) (b)(6)
Subject: RE: draft memo

I'm good with the modified version.

You should just cite (b)(5)

Thanks for all the work on this

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Sunday, January 22, 2023 6:23 PM

To: Gupta, Vanita (OASG) (b)(6); Miller, Marshall (ODAG) (b)(6)

Subject: FW: draft memo

I would be inclined to keep this sentence (b)(5), but defer to you two: (b)(5)

(b)(5)

From: Klapper, Matthew B. (OAG) (b)(6)

Sent: Sunday, January 22, 2023 6:10 PM

To: Henthorne, Betsy (OASG) (b)(6); Gupta, Vanita (OASG) (b)(6)

Cc: Miller, Marshall (ODAG) (b)(6); Robertson, Ashley E. (ODAG)

(b)(6)

Subject: RE: draft memo

Minor edits tracked.

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Sunday, January 22, 2023 5:38 PM

To: Klapper, Matthew B. (OAG) (b)(6); Gupta, Vanita (OASG)

(b)(6)

Cc: Miller, Marshall (ODAG) (b)(6); Robertson, Ashley E. (ODAG)

(b)(6)

Subject: RE: draft memo

Clean version attached if helpful, which implements the change to (b)(5)

From: Klapper, Matthew B. (OAG) (b)(6)

Sent: Sunday, January 22, 2023 5:20 PM

To: Gupta, Vanita (OASG) (b)(6)

Cc: Miller, Marshall (ODAG) (b)(6); Henthorne, Betsy (OASG) (b)(6);

Robertson, Ashley E. (ODAG) (b)(6)

Subject: Re: draft memo

Thanks. Spoke w Marshall a few ago. Reviewing shortly.

Sent from my iPhone

On Jan 22, 2023, at 5:15 PM, Gupta, Vanita (OASG) (b)(6) wrote:

I am good with Marshall's edits. Re level of detail (b)(5) – I suggest (b)(5)

Matt, let us know if you'll be reviewing. We should aim, if possible, to circulate with AGAC asap.

From: Miller, Marshall (ODAG) (b)(6)
Sent: Sunday, January 22, 2023 4:59 PM
To: Henthorne, Betsy (OASG) (b)(6); Klapper, Matthew B. (OAG)
(b)(6)
Cc: Gupta, Vanita (OASG) (b)(6); Robertson, Ashley E. (ODAG)
(b)(6)
Subject: RE: draft memo

Some edits in the attached. Happy to et on a call this afternoon/evening if that would be helpful.

From: Henthorne, Betsy (OASG) (b)(6)
Sent: Sunday, January 22, 2023 1:55 PM
To: Miller, Marshall (ODAG) (b)(6); Klapper, Matthew B. (OAG)
(b)(6)
Cc: Gupta, Vanita (OASG) (b)(6); Robertson, Ashley E. (ODAG)
(b)(6)
Subject: draft memo

Marshall and Matt –

Attached is a draft memo to the AGAC regarding supervised consumption sites. Understanding there are many, many other pressing matters at the moment, our hope is to circulate this to the AGAC by midday tomorrow, in order for Marshall and Vanita to discuss with them Wednesday morning.

I can be available to discuss or implement edits virtually anytime.

Thanks,
Betsy

<2023.01.22 SCS AGAC Memo_draft mlm edits vg.docx>

From: "Miller, Marshall (ODAG)" (b)(6)

To: "Gupta, Vanita (OASG)" (b)(6), "Lan, Iris (ODAG)" (b)(6)

Cc: "Henthorne, Betsy (OASG)" (b)(6), "Robertson, Ashley E. (ODAG)" (b)(6)

Subject: Re: draft memo

Date: Mon, 23 Jan 2023 03:02:13 +0000

Importance: Normal

Hi Iris. What's the best/swiftest way to get a background memo on the safe consumption site issue to the AGAC so they have time to review before our meeting on the topic, which i think will now be on Wednesday at 10?

Sent from my iPhone

On Jan 22, 2023, at 9:42 PM, Gupta, Vanita (OASG) (b)(6) wrote:

Talked to Damian and ran the SDNY language by him. Made one tweak per that convo with Betsy. He appreciated the heads up. Betsy will circulate the final.

Marshall, do you want to send to AGAC? If so, happy to have me and Betsy cc'ed. Or let me know if you want me to circulate or some other plan.

From: "Miller, Marshall (ODAG)" (b)(6)

To: "Gupta, Vanita (OASG)" (b)(6)

Cc: "Henthorne, Betsy (OASG)" (b)(6), "Robertson, Ashley E. (ODAG)" (b)(6)

Subject: Re: draft memo

Date: Mon, 23 Jan 2023 03:00:03 +0000

Importance: Normal

I think we should send asap. I'll ping Iris about how to do it.

Sent from my iPhone

On Jan 22, 2023, at 9:42 PM, Gupta, Vanita (OASG) (b)(6) wrote:

Duplicative Material



From: "Gupta, Vanita (OASG)" (b)(6)

To: "Miller, Marshall (ODAG)" (b)(6)

Cc: "Henthorne, Betsy (OASG)" (b)(6)

Subject: RE: draft memo

Date: Mon, 23 Jan 2023 00:08:21 -0000

Importance: Normal

Marshall – Don't review yet. Betsy will circulate a clean copy first.

Also, I have reached out to Damian to touch base before we circulate. Stay tuned.

From: Miller, Marshall (ODAG) (b)(6)

Sent: Sunday, January 22, 2023 7:07 PM

To: Gupta, Vanita (OASG) (b)(6)

Cc: Henthorne, Betsy (OASG) (b)(6)

Subject: Re: draft memo

Will review shortly.

Sent from my iPhone

On Jan 22, 2023, at 6:53 PM, Gupta, Vanita (OASG) (b)(6) wrote:

Duplicative Material



From: "Henthorne, Betsy (OASG)" (b)(6)

To: "Gupta, Vanita (OASG)" (b)(6)

Cc: "Miller, Marshall (ODAG)" (b)(6)

Subject: Re: draft memo

Date: Sun, 22 Jan 2023 23:55:03 +0000

Importance: Normal

Sounds good. Will update and send final version as soon as (b)(6).

On Jan 22, 2023, at 6:53 PM, Gupta, Vanita (OASG) (b)(6) wrote:

Duplicative Material



From: "Klapper, Matthew B. (OAG)" (b)(6)
To: "Henthorne, Betsy (OASG)" (b)(6)
Cc: "Gupta, Vanita (OASG)" (b)(6), "Miller, Marshall (ODAG)" (b)(6), "Robertson, Ashley E. (ODAG)" (b)(6)

Subject: Re: draft memo

Date: Sun, 22 Jan 2023 23:29:47 +0000

Importance: Normal

(b)(5)

Sent from my iPhone

On Jan 22, 2023, at 6:17 PM, Henthorne, Betsy (OASG) (b)(6) wrote:

One question: Would you like to change (b)(5)
?

From: Klapper, Matthew B. (OAG) (b)(6)
Sent: Sunday, January 22, 2023 6:10 PM
To: Henthorne, Betsy (OASG) (b)(6); Gupta, Vanita (OASG) (b)(6)
Cc: Miller, Marshall (ODAG) (b)(6); Robertson, Ashley E. (ODAG) (b)(6)
Subject: RE: draft memo

Duplicative Material

From: "Miller, Marshall (ODAG)" (b)(6)

To: "Gupta, Vanita (OASG)" (b)(6)

Subject: Re: draft memo

Date: Sun, 22 Jan 2023 22:51:08 +0000

Importance: Normal

I think we should engage with Damien before we circulate. Can explain if you give me a call

Sent from my iPhone

On Jan 22, 2023, at 5:15 PM, Gupta, Vanita (OASG) (b)(6) wrote:

Duplicative Material



From: "Walker, Burden (OAG)" (b)(6)

To: "Henthorne, Betsy (OASG)" (b)(6)

Subject: Re: draft memo

Date: Sun, 22 Jan 2023 18:57:02 -0000

Importance: Normal

Thanks.

On Jan 22, 2023, at 1:55 PM, Henthorne, Betsy (OASG) (b)(6) wrote:

Burden – FYA. Happy to catch you up tomorrow if helpful.

From: Henthorne, Betsy (OASG)

Sent: Sunday, January 22, 2023 1:55 PM

To: Miller, Marshall (ODAG) (b)(6); Klapper, Matthew B. (OAG)

(b)(6)

Cc: Gupta, Vanita (OASG) (b)(6); Robertson, Ashley E. (ODAG)

(b)(6)

Subject: draft memo

Duplicative Material



From: "Henthorne, Betsy (OASG)" (b)(6)

To: "Miller, Marshall (ODAG)" (b)(6)

Cc: "Gupta, Vanita (OASG)" (b)(6), "Robertson, Ashley E. (ODAG)" (b)(6)

Subject: RE: draft memo

Date: Sun, 22 Jan 2023 18:56:15 +0000

Importance: Normal

Attachments: 2023.01.22_SCS_AGAC_Memo_draft_(redline).docx

Minus Klapper.

Marshall – attached is a redline to the last version you saw, if you're curious. Many thanks to Ashley for her input and great edits.

From: Henthorne, Betsy (OASG)

Sent: Sunday, January 22, 2023 1:55 PM

To: Miller, Marshall (ODAG) (b)(6) Klapper, Matthew B. (OAG)

(b)(6)

Cc: Gupta, Vanita (OASG) (b)(6) Robertson, Ashley E. (ODAG) (b)(6)

Subject: draft memo

Duplicative Material

From: "Gupta, Vanita (OASG)" (b)(6)

To: "Henthorne, Betsy (OASG)" (b)(6)

Subject: RE: new draft

Date: Sun, 22 Jan 2023 16:57:12 -0000

Importance: Normal

Attachments: 2023.01.21_SCS_AGAC_Memo_draft_(redline)_ar_vg.docx

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Sunday, January 22, 2023 9:17 AM

To: Gupta, Vanita (OASG) (b)(6)

Subject: FW: new draft

If you haven't reviewed yet, use this version (or you can look at the other one and see Ashley's edits in redline here). I am not positive about (b)(5), but think it's worth your consideration.

From: Robertson, Ashley E. (ODAG) (b)(6)

Sent: Saturday, January 21, 2023 6:54 PM

To: Henthorne, Betsy (OASG) (b)(6)

Subject: RE: new draft

I just gave it a quick skim, and think it looks great! I've suggested a few edits (on top of your redline) to (b)(5) so obviously feel free to take or leave.

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Saturday, January 21, 2023 4:01 PM

To: Robertson, Ashley E. (ODAG) (b)(6)

Subject: FW: new draft

If you have time to look quickly at this today, I would appreciate any thoughts or edits. It is with Vanita now and I expect to send to MM tomorrow morning latest. If you are not around, no worries at all! Thanks for talking it through with me yesterday.

From: "Henthorne, Betsy (OASG)" (b)(6)

To: "Gupta, Vanita (OASG)" (b)(6)

Bcc: "Henthorne, Betsy (OASG)" (b)(6) >

Subject: new draft

Date: Sat, 21 Jan 2023 21:00:00 -0000

Importance: Normal

Attachments: 2023.01.21_SCS_AGAC_Memo_draft.docx;
2023.01.21_SCS_AGAC_Memo_draft_(redline).docx

For your consideration. I think I am capturing (b)(5), so of course welcome any thoughts you have. I also struggled with (b)(5), in case you have any great ideas.

I'm going to ask Ashley to take a look as well if she has time, because she had some good ideas about how to do this (at least based on how I explained the goals to her).

I'm around if easier to discuss by phone.

Betsy Henthorne | Chief of Staff
Office of the Associate Attorney General
office: (b)(6)
mobile: (b)(6)

From: "Miller, Marshall (ODAG)" (b)(6)

To: "Maltby, Jeremy (ODAG)" (b)(6), "Forbes, Carlton (ODAG)" (b)(6)

Subject: FW: (b)(5)

Date: Thu, 29 Dec 2022 17:00:38 +0000

Importance: Normal

Attachments: (b)(5); 2022.12.2 (b)(5) per EOUSA

As discussed, attached are the (b)(5) per EOUSA and (b)(5)

(b)(5)

From: "Gupta, Vanita (OASG)" (b)(6)

To: "Williams, Damian (USANYS) 6" (b)(6) >

Subject: excerpts

Date: Mon, 23 Jan 2023 01:52:36 -0000

Importance: Normal

See below – Two excerpts from memo – am happy to discuss the memo before Wed morning too:

(b)(5)

(b)(5)

From: "Henthorne, Betsy (OASG)" (b)(6)

To: "Lan, Iris (ODAG)" (b)(6), "Winzenburg, Karen (USAEO)"
(b)(6)

Cc: "Brinkley, Winnie (ODAG)" (b)(6)

Subject: AGAC

Date: Sat, 21 Jan 2023 00:44:24 +0000

Importance: Normal

Iris, Karen – as the PADAG and Associate mentioned in a call to Iris earlier, they would like time with the AGAC on Wednesday to discuss supervised consumption sites. This can be in lieu of the Associate's currently scheduled time on Tuesday, and she can be available anytime on Wednesday. I am including here Winne Brinkley, who manages Marshall's schedule

Many thanks,
Betsy

Betsy Henthorne | Chief of Staff
Office of the Associate Attorney General
office: (b)(6)
mobile: (b)(6)

From: "Romero, Jacqueline (USAPAE)" (b)(6)

To: "Henthorne, Betsy (OASG)" (b)(6), "David, Gregory (USAPAE)" (b)(6)

Cc: "Netter, Brian (CIV)" (b)(6)

Subject: Re: AGAC

Date: Fri, 20 Jan 2023 19:18:50 +0000

Importance: Normal

Thank you for the update Betsy.

Jac

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Friday, January 20, 2023 2:06:35 PM

To: Romero, Jacqueline (USAPAE) (b)(6); David, Gregory (USAPAE) (b)(6)

Cc: Netter, Brian (CIV) (b)(6)

Subject: AGAC

Jacqueline and Greg – wanted you both to be aware the AGAC is in town next week and we will be discussing (b)(5)

[REDACTED]

Betsy Henthorne | Chief of Staff
Office of the Associate Attorney General
office: (b)(6)
mobile: (b)(6)

From: "Henthorne, Betsy (OASG)" (b)(6)

To: "Robertson, Ashley E. (ODAG)" (b)(6), "BenAry, Michael (ODAG)" (b)(6)

Subject: FW: Update

Date: Fri, 20 Jan 2023 03:04:54 +0000

Importance: Normal

Attachments: (b)(5)

Inline-Images: image001.png

FYA

From: Henthorne, Betsy (OASG)

Sent: Thursday, January 19, 2023 10:04 PM

To: Miller, Marshall (ODAG) (b)(6); Gupta, Vanita (OASG) (b)(6)

Subject: FW: Update

Marshall, Vanita – FYI, per the below, Zach C. has shared with the CSS the (b)(5)

[REDACTED]

From: Cunha, Zachary (USARI) (b)(6)

Sent: Thursday, January 19, 2023 5:18 PM

To: Henthorne, Betsy (OASG) (b)(6)

Subject: Update

Betsy- I hope the New Year is off to a good start (although it feels like we're already several months in, given the pace of things). In follow up to our conversations in late December- the sense of the Controlled Substances Subcommittee at that point was that (b)(5) per EOUSA

[REDACTED]

Best,
Zach



Zachary A. Cunha

United States Attorney
District of Rhode Island
Phone (b)(6)

One Financial Plaza, 17th Floor
Providence, RI 02903

To: "Miller, Marshall (ODAG)" (b)(6), "Gupta, Vanita (OASG)"
(b)(6)

Subject: SCS

Date: Fri, 20 Jan 2023 03:00:40 -0000

Importance: Normal

Attachments: (b)(5) per EOUSA
(b)(5)

Marshall, Vanita --

Betsy Henthorne | Chief of Staff
Office of the Associate Attorney General
office: (b)(6)
mobile: (b)(6)

From: "Hinds, Stephanie (USACAN)" (b)(6)
To: "Henthorne, Betsy (OASG)" (b)(6)
Cc: "Nedrow, Jeff (USACAN)" (b)(6), "Colthurst, Tom (USACAN)" (b)(6), "Lo, Michelle (USACAN)" (b)(6), "BenAry, Michael (ODAG)" (b)(6)

Subject: Re: S.F.'s Tenderloin Center for people on the streets was a mystery for months. A tour only raised the curtain a little

Date: Wed, 18 Jan 2023 18:05:11 +0000

Importance: Normal

Inline-Images: image003.jpg; image004.jpg; image005.jpg; image002.png

Betsy—

I'll give you a call shortly to discuss.

Stephanie

Get [Outlook for iOS](#)

From: Henthorne, Betsy (OASG) (b)(6)
Sent: Tuesday, January 17, 2023 6:15 PM
To: Hinds, Stephanie (USACAN) (b)(6)
Cc: Nedrow, Jeff (USACAN) (b)(6); Colthurst, Tom (USACAN) (b)(6); Lo, Michelle (USACAN) (b)(6); BenAry, Michael (ODAG) (b)(6)
Subject: RE: S.F.'s Tenderloin Center for people on the streets was a mystery for months. A tour only raised the curtain a little

Hi Stephanie and team,

I learned today that DOJ has gotten outreach from Mayor Breed on this issue. Have you been in touch with them since we talked this summer? Do you have a sense of where things stand on the supervised consumption site issue? Would appreciate any insight. Happy to discuss by phone if easier.

Sara has left ODAG so I am looping my colleague Mike Ben'Ary, who has taken over this aspect of her portfolio.

Thanks very much and hope all is well with you.

All the best,
Betsy

Betsy Henthorne | Chief of Staff
Office of the Associate Attorney General
office: (b)(6)
mobile: (b)(6)

From: Solow, Sara (ODAG) (b)(6)
Sent: Tuesday, July 12, 2022 3:32 PM
To: Hinds, Stephanie (USACAN) (b)(6); Henthorne, Betsy (OASG) (b)(6)
Cc: Nedrow, Jeff (USACAN) (b)(6); Colthurst, Tom (USACAN) (b)(6); Lo, Michelle

(USACAN) (b)(6)

Subject: RE: S.F.'s Tenderloin Center for people on the streets was a mystery for months. A tour only raised the curtain a little

Thank you so much for providing this update. (b)(5)

We do not have any updates on our end at this time, but we are continuing to discuss things and will let you know if/when we do. If you end up meeting with the local team to discuss (b)(5) please keep us posted; maybe (b)(5).

Sara

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b)(6)
Other: (b)(6)

From: Hinds, Stephanie (USACAN) (b)(6)

Sent: Monday, July 11, 2022 8:42 PM

To: Solow, Sara (ODAG) (b)(6); Henthorne, Betsy (OASG) (b)(6)

Cc: Nedrow, Jeff (USACAN) (b)(6); Colthurst, Tom (USACAN) (b)(6); Lo, Michelle (USACAN) (b)(6)

Subject: RE: S.F.'s Tenderloin Center for people on the streets was a mystery for months. A tour only raised the curtain a little

Sara,

Thanks for following up with us on this issue. Within the past month, there have been some significant developments in San Francisco in its quest to open multiple safe consumption sites throughout the City. On or about June 16, SF announced that it would be closing its SF Linkage Center – the site that was borne out of the Mayor's Declaration of Emergency last December with the purported goal provide community access to health and human services to those in need. There were also reports that the site had also become a place where some can go and safely consume drugs. The following week after announcing the closure of the Linkage Center, SF announced the opening of a new drug sobering center (SoMa RISE) in a close by location where people on the street can temporarily ride out highs and could get connected to treatment. I've attached an article describing the site. We have not had the opportunity to fully engage SF officials in a discussion about these sites. I am curious about whether DOJ has finalized their views on these centers. I'm happy to schedule a meeting this week to discuss.

Best,
Stephanie

From: Solow, Sara (ODAG) (b)(6)

Sent: Monday, July 11, 2022 9:38 AM

To: Hinds, Stephanie (USACAN) (b)(6); Henthorne, Betsy (OASG) (b)(6)

Cc: Nedrow, Jeff (USACAN) (b)(6); Colthurst, Tom (USACAN) (b)(6); Lo, Michelle (USACAN) (b)(6)

Subject: RE: S.F.'s Tenderloin Center for people on the streets was a mystery for months. A tour only raised the curtain a little

Dear Stephanie – and team (minus OLA),

I wanted to check back in and inquire as to whether there have been any developments over the past month that we should be tracking – (b)(5)

(b)(5) We just wanted to check in and see if there were any recent developments -- if so, happy to hop on the phone. If not, no need.

Thank you!

Sara

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b)(6)
Other: (b)(6)

From: Hinds, Stephanie (USACAN) (b)(6)

Sent: Wednesday, June 8, 2022 1:57 PM

To: Solow, Sara (ODAG) (b)(6); Henthorne, Betsy (OASG) (b)(6);
O'Connell, Justin D. (OLA) (b)(6); Antell, Kira M. (OLA) (b)(6)

Cc: Nedrow, Jeff (USACAN) (b)(6); Colthurst, Tom (USACAN) (b)(6); Lo, Michelle (USACAN) (b)(6)

Subject: FW: S.F.'s Tenderloin Center for people on the streets was a mystery for months. A tour only raised the curtain a little

All,

Looking forward to our conversation tomorrow regarding San Francisco's efforts at opening a safe consumption site. Below is a recent article discussing the issue.

Best,
Stephanie

From: Colthurst, Tom (USACAN) (b)(6)

Sent: Friday, June 3, 2022 8:18 AM

To: Hinds, Stephanie (USACAN) (b)(6); Wawrzyniak, Katherine (USACAN) (b)(6);
Nedrow, Jeff (USACAN) (b)(6); Hopkins, Kimberly (USACAN) (b)(6); Lo, Michelle (USACAN) (b)(6)

Subject: S.F.'s Tenderloin Center for people on the streets was a mystery for months. A tour only raised the curtain a little

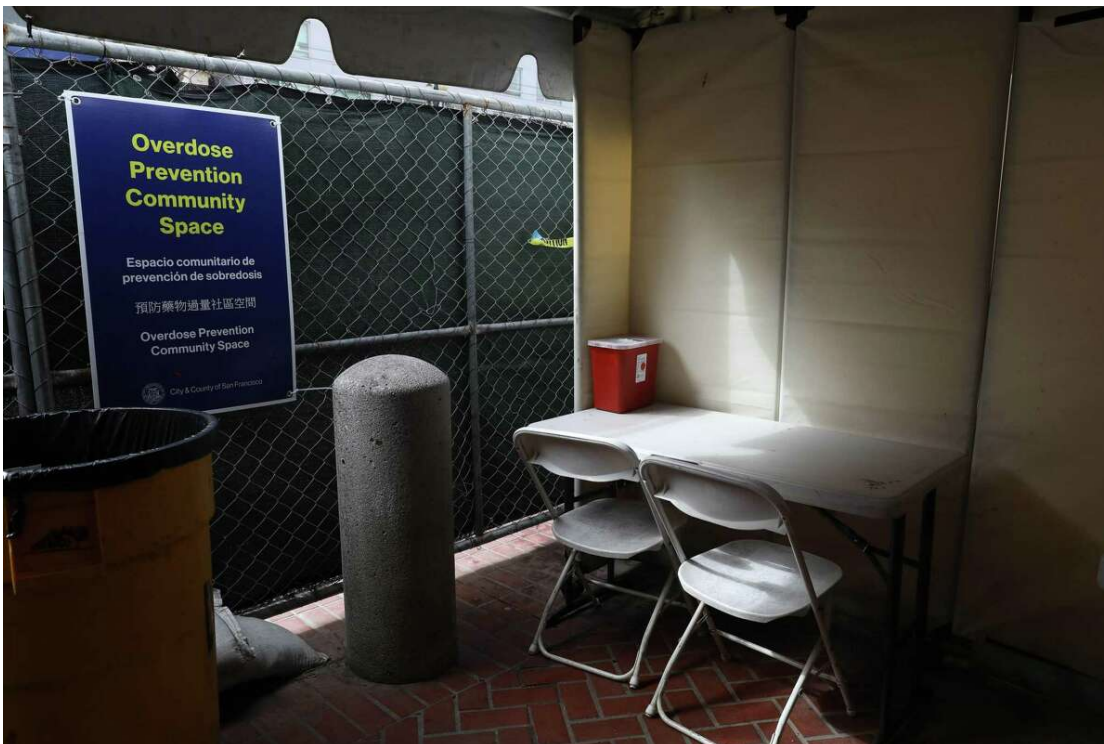
[BAY AREA//HEATHER KNIGHT](#)

S.F.'s Tenderloin Center for people on the streets was a mystery for months. A tour only raised the curtain a little

[Heather Knight](#)

June 2, 2022Updated: June 2, 2022 7:35 p.m.

[Comments](#)



A sharps container on a table in the overdose prevention space at the Tenderloin Center.



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Florida23cv145 - 00317

That's not what's happened at the Tenderloin Center — formerly known as the Linkage Center — in United Nations Plaza since Mayor London Breed hastily opened the service facility in January as part of her pledged crackdown on crime and drugs in the Tenderloin. The center, obscured behind tents and a tarp-covered fence, provides basic needs including showers and food, while aiming to connect people to services and housing.

On Thursday, after months of requests, Breed's Department of Public Health finally flung open the center's doors to members of the media — sort of. It provided a brief tour, but only before the facility opened to guests.

So journalists could see the offices, furniture, computers and harm reduction supplies, but they were unable to observe any interactions between staff and people in need.

And that's too bad, because a lot of good work appears to be happening inside the Tenderloin Center. City officials and nonprofit workers should be proud of what the center is trying to accomplish instead of secretive about it.

They should also understand that the public demands accountability over how money is spent dealing with the city's most crucial and high-profile challenges and whether the city is successfully connecting people to long-term care.

The center, which seems to be staffed by well-intentioned people offering valuable help, is not the problem. The problem is Breed, the police and the rest of city government providing an inadequate response to the miserable street conditions prompting so many people to need the center in the first place.

As I interviewed staff outside the center Thursday after the brief tour, a barefoot, filthy woman hustled down the sidewalk, sobbing. Another woman screamed threats at the top of her lungs. Drug dealing, fencing of stolen goods and fentanyl smoking went on as usual in the plaza as people rushing to work tried to ignore the devastation.

Here's what I can tell you: The center is open from 8 a.m. to 8 p.m. every day — except Thursday, when it doesn't open until 11 a.m. for staff meetings. Visitors enter on Market Street, where they briefly check in at a front table, telling a staff member their preferred name, what they're seeking and whether they're housed.

They can leave their belongings safely monitored and then visit the rest of the building, no questions asked. They can eat healthy food, do laundry, take showers and talk to counselors.

There's a row of offices where city staff can connect people to housing and treatment, as well as contact their probation or parole officers. There's also a living room with couches, art supplies and computers.

Outside, in a patio surrounded by tarp-covered fencing and covered in tents, sits an area that's garnered controversy: a circle of plastic chairs where people can use drugs, as well as 10 plastic tables where people can inject drugs. Boxes for the safe disposal of needles sit on the tables, and a cart full of harm reduction supplies rests to the side.

When the center opened, the city didn't share publicly that there would be a drug-use area. It was only discovered when Michael Shellenberger, an author-turned-gubernatorial candidate who has criticized the center, jumped the fence and spread the word.

City officials would have been far smarter to follow the lead of New York City and open a real supervised consumption site indoors and in a clinical setting. At the sites in New York, the first two in the country, journalists, neighbors and others can tour the sites and talk to anyone who's willing to share their stories.

After all, saving lives is something to be proud of — not something to be hidden away. The Tenderloin Center, too, is saving lives — and reports reversing scores of overdoses, which is essential in a city that sees a body or two taken to the morgue every day, struck down by drugs.

Donna Hilliard, executive director of Code Tenderloin, one of the nonprofits staffing the Tenderloin Center, said city officials should be more open with the media and the public about what's going on at the center. She said she's frustrated by the secrecy and wished the media could see the center when it's open and serving guests.

Asked why it's taken city officials so long to grant such a limited tour, she said, "I don't know, but it's been driving me crazy! Just let them in! Then they'll see what's going on."

So what is going on? As Hilliard described it, a lot of heart-breaking, yet essential, work.

She said about 500 people use the center each day, many of them staying for several hours. She described the patio as loud, but not chaotic, and a place where people can discard shame about their drug use and form connections with staff who can help them.

She's seen people of all ages and races use the space, as well as veterans, seniors, disabled people and women who are victims of human trafficking. She said that in a city with far too few treatment beds, emergency room doctors are releasing people with mental health issues and drug addictions to the center in hospital gowns and bracelets.

She said she's seen women arrive at the center naked after being raped on the streets or fleeing their pimps. Others show up in extreme distress after not sleeping or eating for days.

While Hilliard doesn't have a problem with the fact that people are using fentanyl, heroin, meth and crack cocaine on the patio, she said she doesn't understand why city officials take such a hands-off approach to the open-air drug markets dotting the area, with dealers occupying corners 24/7.

"You can travel anywhere else in the world, and you don't see it like you see it in San Francisco," she said. "It's crazy."

While it's easy for fentanyl dealers to prey on people with addictions, it's much harder to connect people to help. In the center's first five months, more than 49,000 visits have taken place, but there have been just 53 connections to substance-use treatment. And just 21 connections to mental health services. It's unclear if there's overlap in those groups.

Services include methadone treatment, psychiatric care, therapy, crisis stabilization beds and other forms of help, said Alison Hawkes, a spokesperson for the Department of Public Health. The center doesn't track whether the connections are successful and long-term.

The center has also made 900 placements into shelters and 150 placements into permanent supportive housing, said Emily Cohen, a spokesperson for the Department of Homelessness and Supportive Housing. That doesn't mean 1,150 people have received beds, Cohen pointed out, since some people might get multiple short-term shelter placements in the course of five months or receive a shelter bed and then a permanent room.

Almost all of the visitors have received basic necessities like food, showers, laundry and a place to rest.

Also squishy is just how much this center costs. The Chronicle has tried for weeks to nail down an exact figure, but even the city controller's office hasn't been able to definitively provide one. On Thursday, Hawkes said the mayor's

new budget includes \$10.6 million to fund the center for the second half of this year. It's still unclear how much the first six months cost.

Supervisor Hillary Ronen, chair of the board's budget committee, said the board has approved a \$75,000 monthly lease on the space through the end of 2022, but hasn't yet approved funding the services. She said she's glad so many people are accessing basic services, but she hasn't yet seen proof that will lead to long-term help for drug addictions and mental illness.

She said she's worried the money and attention has been pulled from Mental Health SF, legislation passed three years ago to reform the city's broken mental health care system that included a far more robust treatment center. That center still doesn't exist.

"I feel like we have a problem in this city that we don't just create a vision and stick with it and fully implement it," she said. "We're constantly changing directions."

Krista Gaeta, interim director of the center, said it takes time to build relationships to move beyond providing meals and showers to something more life-changing. But she thinks the Tenderloin Center will get there.

"It's about giving people hope there's something on the other side," she said.

I could see hope inside the center. It's the despair on the other side — past the tarp-covered fence — that needs fixing.

*Heather Knight is a San Francisco Chronicle columnist.
Email: hknight@sfchronicle.com Twitter: [@hknightsf](https://twitter.com/hknightsf)*

Written By

[Heather Knight](#)

Reach Heather on

Heather Knight is a columnist working out of City Hall and covering everything from politics to homelessness to family flight and the quirks of living in one of the most fascinating cities in the world. She believes in holding politicians accountable for their decisions or, often, lack thereof - and telling the stories of real people and their struggles.

She co-hosts the Chronicle's TotalSF podcast and co-founded its #TotalSF program to celebrate the wonder and whimsy of San Francisco.

[VIEW COMMENTS](#)

From: "Solow, Sara (ODAG)" (b)(6)
To: "Hinds, Stephanie (USACAN)" (b)(6), "Antell, Kira M. (OLA)" (b)(6)
Cc: "Lan, Iris (ODAG)" (b)(6), "Folk, Anders (ODAG)" (b)(6), "Nedrow, Jeff (USACAN)" (b)(6), "Henthorne, Betsy (OASG)" (b)(6), "Wong, Norman (USAE0)" (b)(6), "O'Connell, Justin D. (OLA)" (b)(6)
Subject: RE: Mayors Safe-Injection Response
Date: Fri, 20 May 2022 14:23:12 +0000
Importance: Normal
Attachments: FINALforPub - USDOJ Letter on Overdose Prevention Programs(1694718).pdf; 2022.02.15-OUT-Breed-opioid-related_overdoses_and_deaths_plaguing_our_country.pdf; San_Francisco_response_to_USDOJ_3.1.2022.pdf

Here is what I am tracking

- April 2021 letter from Mayor Breed (and other mayors) to AG on this issue
- Feb 2022 response from DOJ's OLA to Mayor Breed, reiterating our "guardrails" comment that we had also given to the press
- March 2022 response from Mayor Breed and City Attorney asking for follow up. (b)(5)

There may be earlier correspondence, or correspondence outside of OLA, but the above are the basic back and forths that I am aware of.

Sara

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b)(6)
Other: (b)(6)

From: Hinds, Stephanie (USACAN) (b)(6)
Sent: Friday, May 20, 2022 10:18 AM
To: Antell, Kira M. (OLA) (b)(6)
Cc: Solow, Sara (ODAG) (b)(6); Lan, Iris (ODAG) (b)(6); Folk, Anders (ODAG) (b)(6); Nedrow, Jeff (USACAN) (b)(6); Henthorne, Betsy (OASG) (b)(6); Wong, Norman (USAE0) (b)(6); O'Connell, Justin D. (OLA) (b)(6)
Subject: Re: Mayors Safe-Injection Response

Thank you for checking. If it helps limit the search, I'm mostly interested in letters from any San Francisco or other NDCA local officials.

Thanks

Sent from my iPhone

On May 20, 2022, at 7:14 AM, Antell, Kira M. (OLA) (b)(6) wrote:

We are happy to have someone take a look. Do you have the names of the individuals to whom letters would have been sent, the names of the SF government offices that would have received them, or who would have signed the letters? I do not think all of them went through OLA so we would need to search the correspondence management system.

From: Hinds, Stephanie (USACAN) (b)(6)
Sent: Friday, May 20, 2022 10:12 AM
To: Solow, Sara (ODAG) (b)(6)
Cc: Lan, Iris (ODAG) (b)(6); Folk, Anders (ODAG) (b)(6); Nedrow, Jeff (USACAN) (b)(6); Henthorne, Betsy (OASG) (b)(6); Wong, Norman (USAEO) (b)(6); O'Connell, Justin D. (OLA) (b)(6); Antell, Kira M. (OLA) (b)(6)
Subject: Re: Mayors Safe-Injection Response

Thank you

Sent from my iPhone

On May 20, 2022, at 7:11 AM, Solow, Sara (ODAG) (b)(6) wrote:

Thanks so much. I am not sure that I personally have all of that correspondence in one place. I am cc'ing Justin and Kira from OLA, who I am hoping can help us find/circulate all letters that DOJ sent back-and-forth with San Francisco in the past few years, regarding safe injection sites.

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b)(6)
Other: (b)(6)

From: Hinds, Stephanie (USACAN) (b)(6)
Sent: Friday, May 20, 2022 10:03 AM
To: Solow, Sara (ODAG) (b)(6)
Cc: Lan, Iris (ODAG) (b)(6); Folk, Anders (ODAG) (b)(6); Nedrow, Jeff (USACAN) (b)(6); Henthorne, Betsy (OASG) (b)(6); Wong, Norman (USAEO) (b)(6)
Subject: Re: Mayors Safe-Injection Response

Sara,

Looking forward to our meeting later this morning. In advance of the meeting, I was wondering if you would consider sending us a copy of the correspondence between the department and the local officials here that started this conversation a year ago? Just FYI— this morning there was an article in a local paper that referenced a letter

our office sent in March 2020 under the previous administration to local officials “threatening” legal action if the city opened one of the sites. We have not been formally approached to address the issue since then.

Talk to you soon.

Stephanie

Sent from my iPhone

On May 18, 2022, at 2:38 PM, Solow, Sara (ODAG) (b)(6) wrote:

Thank you! WebEx would be great if you can send out

Sent from my iPhone

On May 18, 2022, at 5:01 PM, DelaPena, Adrienne June (USACAN) (b)(6) wrote:

Hi Sara,

Thank you for providing your availability. Let’s schedule the meeting for Friday, 5/20 at 9:30 a.m. – 10:00 a.m. (PT) / 12:30 p.m. – 1:00 p.m. (ET). We can also start earlier at 9:00 a.m. if you would like a full hour meeting. Please let me know, otherwise, I will send out a Webex invite for 9:30 a.m.

Thank you,

Adrienne

Adrienne Dela Pena

Executive Secretary to the U.S. Attorney

U.S. Attorney’s Office, NDCA

450 Golden Gate Avenue, 11th Floor

San Francisco, CA 94102

T: (b)(6)

From: Solow, Sara (ODAG) (b)(6)

Sent: Wednesday, May 18, 2022 5:23 AM

To: Hinds, Stephanie (USACAN) (b)(6); Wong, Norman (USAEO) (b)(6)

Cc: Lan, Iris (ODAG) (b)(6); Folk, Anders (ODAG) (b)(6); Nedrow, Jeff

(USACAN) (b)(6); Henthorne, Betsy (OASG) (b)(6); DelaPena,

Adrienne June (USACAN) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Hi! Betsy and I are both free during the two slots below -can we pick one of them?

- Friday, 5/20
 - 9:30 a.m. – 10:00 a.m. **FREE 12:30-1pm ET**

- 11:00 a.m. – 1:00 p.m.
- 3:00 p.m. – 4:00 p.m.
- Monday, 5/23
 - 10:00 a.m. – 11:00 a.m. FREE 1-2pm ET
 - 1:30 p.m. – 4:00 p.m.

Sara A. Solow
 Senior Counsel
 Office of the Deputy Attorney General
 U.S. Department of Justice
 Cell: (b)(6)
 Other: (b)(6)

From: Hinds, Stephanie (USACAN) (b)(6)
Sent: Tuesday, May 17, 2022 8:53 PM
To: Solow, Sara (ODAG) (b)(6); Wong, Norman (USAEO) (b)(6)
Cc: Lan, Iris (ODAG) (b)(6); Folk, Anders (ODAG) (b)(6); Nedrow, Jeff (USACAN) (b)(6); Henthorne, Betsy (OASG) (b)(6); DelaPena, Adrienne June (USACAN) (b)(6)
Subject: RE: Mayors Safe-Injection Response

Hi Sara,

Unfortunately, I'm not available tomorrow. I do, however, have some available time on Friday and early next week as indicated below. I've also copied my executive assistant on this email if those times don't work for you.

Best,
 Stephanie

(ALL PACIFIC STANDARD TIME ZONE)

- Friday, 5/20
 - 9:30 a.m. – 10:00 a.m.
 - 11:00 a.m. – 1:00 p.m.
 - 3:00 p.m. – 4:00 p.m.
- Monday, 5/23
 - 10:00 a.m. – 11:00 a.m.
 - 1:30 p.m. – 4:00 p.m.
- Tuesday, 5/24
 - 9:30 a.m. – 10:00 a.m.
 - 1:30 p.m. – 2:30 p.m.

From: Solow, Sara (ODAG) (b)(6)
Sent: Tuesday, May 17, 2022 2:56 PM
To: Hinds, Stephanie (USACAN) (b)(6); Wong, Norman (USAEO) (b)(6)
Cc: Lan, Iris (ODAG) (b)(6); Folk, Anders (ODAG) (b)(6); Nedrow, Jeff (USACAN) (b)(6); Henthorne, Betsy (OASG) (b)(6)
Subject: RE: Mayors Safe-Injection Response

Dear Stephanie,

Thank you so much for following up with us on this. We very much want to speak with you and your team on this. (b)(5)

(b)(5) I am also looping my colleague, Betsy, from the Associate Attorney General's Office, so that she can be part of our discussion.

Might we be able to connect over webex or Teams at some point tomorrow or Thursday? What times work on your end? I could do tomorrow noon-1:45 pm EST, or Thursday morning, 10 a.m.-2 pm EST. Anything in those windows work?

Sara

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b)(6)
Other: (b)(6)

From: Hinds, Stephanie (USACAN) (b)(6)
Sent: Tuesday, May 17, 2022 1:05 PM
To: Wong, Norman (USAEO) (b)(6); Solow, Sara (ODAG) (b)(6)
Cc: Lan, Iris (ODAG) (b)(6); Folk, Anders (ODAG) (b)(6); Nedrow, Jeff (USACAN) (b)(6)
Subject: RE: Mayors Safe-Injection Response

Thank you, Norm. Sara, thank you for reaching out to our office for feedback on this issue. This has been something that has been percolating locally for a while. (b)(5)

(b)(5) I would love to arrange for a meeting/call with you (and/or others from your team) and me, my FAUSA (copied here) and others from my staff on this issue. San Francisco is ground zero for fentanyl trafficking and overdoses. Last December, the mayor of San Francisco issued a state of emergency order for the Tenderloin district in San Francisco (where the USAO sits) to address the steady rise in overdose death and crime. In connection with that initiative, San Francisco opened up a Center (the Linkage Center) in the Tenderloin to provide access to health and human services. (b)(5)

(b)(5) I look forward to engaging with you on this.

Best,
Stephanie

From: Wong, Norman (USAEO) (b)(6)
Sent: Tuesday, May 17, 2022 9:32 AM
To: Solow, Sara (ODAG) (b)(6)
Cc: Lan, Iris (ODAG) (b)(6); Folk, Anders (ODAG) (b)(6); Hinds, Stephanie (USACAN) (b)(6)
Subject: RE: Mayors Safe-Injection Response

Hi Sara,
I've previously been in touch with USA Stephanie Hinds on this issue, so she may be your best contact. I'm adding her directly to this email.
Norm

From: Solow, Sara (ODAG) (b)(6)
Sent: Tuesday, May 17, 2022 10:34 AM
To: Wong, Norman (USAEO) (b)(6)
Cc: Lan, Iris (ODAG) (b)(6); Folk, Anders (ODAG) (b)(6)
Subject: FW: Mayors Safe-Injection Response

Dear Norm,

Can you put me in touch with someone at ND Cal – perhaps the FAUSA? The mayor and city attorney's office has reached out to us, primarily through OLA, to see if we will engage with them on their plans to open a safe injection site. I am not sure where things stand locally; i.e., I don't know if their city council passed a bill on this, or plans to, or what. Before responding, we wanted to reach out to the USAO and see if they have any views.

Thank you!
Sara

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b)(6)
Other: (b)(6)

From: Henthorne, Betsy (OASG) (b)(6)
Sent: Wednesday, April 27, 2022 9:28 PM
To: Solow, Sara (ODAG) (b)(6)
Subject: FW: Mayors Safe-Injection Response

Hey Sara – OLA just followed up on this, which I was supposed to catch you up on. We met last month regarding a request from the SF mayor to meet about safe consumption sites and (b)(5)

Thoughts?

From: Henthorne, Betsy (OASG)
Sent: Wednesday, March 30, 2022 1:36 PM
To: Solow, Sara (ODAG) (b)(6); Antell, Kira M. (OLA) (b)(6); O'Connell, Justin D. (OLA) (b)(6)
Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG) (b)(6); Calce, Christina M. (OLA) (b)(6); Rossi, Rachel (OASG) (b)(6)
Subject: RE: Mayors Safe-Injection Response

All good Sara—I'll give you a call later to catch you up.

From: Solow, Sara (ODAG) (b)(6)
Sent: Wednesday, March 30, 2022 1:23 PM
To: Antell, Kira M. (OLA) (b)(6); O'Connell, Justin D. (OLA) (b)(6); Henthorne, Betsy (OASG) (b)(6)
Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG) (b)(6); Calce, Christina M. (OLA) (b)(6); Rossi, Rachel (OASG) (b)(6)
Subject: RE: Mayors Safe-Injection Response

Apologies – I have been in a lengthy OLA prep for a briefing tomorrow and it is still ongoing. I apologize for not being able to join at 1 pm. I was presenting and couldn't email. Please let me know if you have all landed on something here.

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b)(6)
Other: (b)(6)

-----Original Appointment-----

From: Antell, Kira M. (OLA) (b)(6)
Sent: Wednesday, March 30, 2022 8:57 AM
To: Solow, Sara (ODAG); O'Connell, Justin D. (OLA); Henthorne, Betsy (OASG)
Cc: Mastropasqua, Kristina (PAO); Loeb, Emily M. (ODAG); Calce, Christina M. (OLA); Rossi, Rachel (OASG)
Subject: Mayors Safe-Injection Response
When: Wednesday, March 30, 2022 1:00 PM-1:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Can we meet briefly to discuss this and other similar requests?

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6)

Phone Conference ID: (b)(6)

[Find a local number](#) | [Reset PIN](#)

[Learn More](#) | [Meeting options](#)

From: Solow, Sara (ODAG) (b)(6)
Sent: Tuesday, March 29, 2022 9:29 PM
To: Antell, Kira M. (OLA) (b)(6)
Cc: O'Connell, Justin D. (OLA) (b)(6); Henthorne, Betsy (OASG)
(b)(6); Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily
M. (ODAG) (b)(6); Calce, Christina M. (OLA) (b)(6); Rossi, Rachel
(OASG) (b)(6)
Subject: Re: Mayors Safe-Injection Response

I think we had decided to meet with San Fran. It should prob be Betsy, me, and someone from local USAO, because that is how we've spoken to the 3 places where we have had conversations to date. Betsy and I will confirm and get back to you.

Sent from my iPhone

On Mar 29, 2022, at 9:05 PM, Antell, Kira M. (OLA) (b)(6) wrote:

+ Rachel

We have received a similar inquiry from Padilla. It would be helpful for OLA to hear an update on this. I'll look for a time tomorrow or Thursday.

Kira Antell

(b)(6)

On Mar 29, 2022, at 6:44 PM, O'Connell, Justin D. (OLA) (b)(6) wrote:

All,

Today we received a request from San Fran to meet on the issue of supervised consumption sites. See attached.

Has there been a decision on how/if to further engage on this issue?

Looking for some guidance on how OLA should respond to the request for a meeting.

Thanks,

Justin

From: Solow, Sara (ODAG) (b)(6)

Sent: Wednesday, March 9, 2022 9:58 AM

To: O'Connell, Justin D. (OLA) (b)(6); Henthorne, Betsy (OASG)

(b)(6)

Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG)

(b)(6); Calce, Christina M. (OLA) (b)(6); Antell, Kira M. (OLA)

(b)(6); Kassabian, Tamara (OLA) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Thanks for sharing. Betsy and I will discuss as to whether we should reach out to them and further engage.

Sara A. Solow

Senior Counsel

Office of the Deputy Attorney General

U.S. Department of Justice

Cell: (b)(6)

Other: (b)(6)

From: O'Connell, Justin D. (OLA) (b)(6)

Sent: Wednesday, March 9, 2022 9:43 AM

To: Henthorne, Betsy (OASG) (b)(6); Solow, Sara (ODAG) (b)(6)

Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG)

(b)(6); Calce, Christina M. (OLA) (b)(6); Antell, Kira M. (OLA)

(b)(6); Kassabian, Tamara (OLA) (b)(6)

Subject: RE: Mayors Safe-Injection Response

FYI, this morning we received the attached response from Mayor Breed and the San Fran City Attorney to our safe-injection sites response.

From: O'Connell, Justin D. (OLA)

Sent: Tuesday, February 15, 2022 10:23 AM

To: Henthorne, Betsy (OASG) (b)(6); Solow, Sara (ODAG) (b)(6)

Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG)

(b)(6); Calce, Christina M. (OLA) (b)(6); Antell, Kira M. (OLA)

(b)(6); Kassabian, Tamara (OLA) (b)(6)

Subject: RE: Mayors Safe-Injection Response

All,

FYSA, this response went out this morning (it got a little delayed as we had to tracked down current contact info for the signatories). Thanks everyone for their help getting this done.

Best,

Justin

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Tuesday, February 8, 2022 12:02 PM

To: O'Connell, Justin D. (OLA) (b)(6); Solow, Sara (ODAG)

(b)(6)

Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG)

(b)(6); Calce, Christina M. (OLA) (b)(6); Antell, Kira M. (OLA)

(b)(6); Kassabian, Tamara (OLA) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Great—thank you!

From: O'Connell, Justin D. (OLA) (b)(6)

Sent: Tuesday, February 8, 2022 11:58 AM

To: Henthorne, Betsy (OASG) (b)(6); Solow, Sara (ODAG) (b)(6)

Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG)

(b)(6); Calce, Christina M. (OLA) (b)(6); Antell, Kira M. (OLA)

(b)(6); Kassabian, Tamara (OLA) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Thanks for checking in Betsy. Nothing further needed from this group – we were just checking with DEA on the revised language, but will get the response out asap. And will make sure to send copies to this group when they go out.

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Tuesday, February 8, 2022 11:51 AM

To: Solow, Sara (ODAG) (b)(6); O'Connell, Justin D. (OLA)

(b)(6)

Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG)

(b)(6); Calce, Christina M. (OLA) (b)(6); Antell, Kira M. (OLA)

(b)(6); Kassabian, Tamara (OLA) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Justin—do you need anything more from us? And would you circulate copies of the letters once they go out? Thanks.

From: Solow, Sara (ODAG) (b)(6)

Sent: Monday, February 7, 2022 10:46 AM

To: O'Connell, Justin D. (OLA) (b)(6); Henthorne, Betsy (OASG)

(b)(6)

Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG)

(b)(6); Calce, Christina M. (OLA) (b)(6) Antell, Kira M. (OLA)

(b)(6); Kassabian, Tamara (OLA) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Sounds good to me

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b)(6)
Other: (b)(6)

From: O'Connell, Justin D. (OLA) (b)(6)

Sent: Saturday, February 5, 2022 5:01 PM

To: Henthorne, Betsy (OASG) (b)(6)

Cc: Solow, Sara (ODAG) (b)(6); Mastropasqua, Kristina (PAO)

(b)(6) Loeb, Emily M. (ODAG) (b)(6); Calce, Christina M.

(OLA) (b)(6); Antell, Kira M. (OLA) (b)(6); Kassabian, Tamara

(OLA) (b)(6)

Subject: Re: Mayors Safe-Injection Response

Yes. There were three or four signatories to the letter who are no longer in office — including the two you note below.

On Feb 5, 2022, at 3:56 PM, Henthorne, Betsy (OASG) (b)(6) wrote:

Thanks. Are we leaving off de Blasio since he's out of office? What about the Somerville mayor?

Sara—(b)(5)

From: O'Connell, Justin D. (OLA) (b)(6)

Sent: Saturday, February 5, 2022 3:50 PM

To: Henthorne, Betsy (OASG) (b)(6)

Cc: Solow, Sara (ODAG) (b)(6); Mastropasqua, Kristina (PAO)

(b)(6); Loeb, Emily M. (ODAG) (b)(6); Calce, Christina

M. (OLA) (b)(6); Antell, Kira M. (OLA) (b)(6); Kassabian,

Tamara (OLA) (b)(6)

Subject: Re: Mayors Safe-Injection Response

Mayor London Breed (San Fran)
Mayor Libby Schaaf (Oakland)
City Attorney Barbara Parker (Oakland)
Mayor Edward Gainey (Pittsburg)
Mayor James Kenney (Philly)

On Feb 5, 2022, at 3:43 PM, Henthorne, Betsy (OASG) (b)(6) wrote:

Thanks Sara. Justin, would you mind confirming the list of people this letter is going out to?

From: Solow, Sara (ODAG) (b)(6)
Sent: Saturday, February 5, 2022 9:30 AM
To: Henthorne, Betsy (OASG) (b)(6)
Cc: O'Connell, Justin D. (OLA) (b)(6); Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG) (b)(6); Calce, Christina M. (OLA) (b)(6); Antell, Kira M. (OLA) (b)(6); Kassabian, Tamara (OLA) (b)(6)
Subject: Re: Mayors Safe-Injection Response

Ignore, got it. I think this is great - let's do it (Betsy's draft)

Sent from my iPhone

On Feb 5, 2022, at 9:29 AM, Solow, Sara (ODAG) (b)(6) wrote:

Apologies can someone reattach the letter ? I am having trouble searching my inbox for some reason

Sent from my iPhone

On Feb 4, 2022, at 5:57 PM, Henthorne, Betsy (OASG) (b)(6) wrote:

Thanks Justin! ODAG should please weigh in as well.

Sent from my iPhone

On Feb 4, 2022, at 5:56 PM, O'Connell, Justin D. (OLA) (b)(6) wrote:

Thanks Betsy.

Your suggested edits look good to OLA.

We will run the new language by DEA, and then hopefully get this out soon.

Have a great weekend.

Best,

Justin

From: Henthorne, Betsy (OASG) (b)(6)
Sent: Friday, February 4, 2022 3:38 PM
To: Mastropasqua, Kristina (PAO) (b)(6); Solow, Sara (ODAG) (b)(6)
Cc: O'Connell, Justin D. (OLA) (b)(6); Loeb, Emily M. (ODAG) (b)(6); Calce, Christina M. (OLA) (b)(6); Antell, Kira M. (OLA) (b)(6); Kassabian, Tamara (OLA) (b)(6)
Subject: RE: Mayors Safe-Injection Response

Hi all,

Having thought about this a little more, (b)(5)

Proposal attached—let me know what you all think.

(And belated thanks to you Justin, for putting together the original draft.)

Thanks,
Betsy

From: Mastropasqua, Kristina (PAO) (b)(6)
Sent: Wednesday, February 2, 2022 11:01 AM
To: Henthorne, Betsy (OASG) (b)(6); Solow, Sara (ODAG) (b)(6)
Cc: O'Connell, Justin D. (OLA) (b)(6); Loeb, Emily M. (ODAG) (b)(6); Calce, Christina M. (OLA) (b)(6); Antell, Kira M. (OLA) (b)(6); Kassabian, Tamara (OLA) (b)(6)
Subject: RE: Mayors Safe-Injection Response

(b)(5)
Thanks!

Kristina Mastropasqua
Spokesperson, Office of Public Affairs
Department of Justice
(b)(6)

From: Henthorne, Betsy (OASG) (b)(6)
Sent: Wednesday, February 2, 2022 9:14 AM
To: Solow, Sara (ODAG) (b)(6)
Cc: O'Connell, Justin D. (OLA) (b)(6); Loeb, Emily M. (ODAG) (b)(6); Calce, Christina M. (OLA) (b)(6); Antell, Kira M. (OLA) (b)(6); Kassabian, Tamara (OLA) (b)(6); Mastropasqua, Kristina (PAO) (b)(6)
Subject: Re: Mayors Safe-Injection Response

Thanks Sara and Justin.

(b)(5)

Sent from my iPhone

On Feb 2, 2022, at 9:07 AM, Solow, Sara (ODAG) (b)(6) wrote:

+Betsy (OASG) and Kristina (PAO)

Justin, nice to meet you and thank you for drafting this. What is written in here is all correct and fine – but (b)(5)

Betsy and Kristina, please let me know if you feel differently. (b)(5)

Thoughts, Betsy and Kristina?

Sara

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b)(6)
Other: (b)(6)

From: O'Connell, Justin D. (OLA) (b)(6)
Sent: Tuesday, February 1, 2022 9:15 PM
To: Solow, Sara (ODAG) (b)(6)
Cc: Loeb, Emily M. (ODAG) (b)(6); Calce, Christina M. (OLA) (b)(6); Antell, Kira M. (OLA) (b)(6); Kassabian, Tamara (OLA) (b)(6)
Subject: Mayors Safe-Injection Response

Hi Sara,

I understand that you are responsible for the drug/DEA portfolio in ODAG. I'm a new OLA detailee responsible for, amongst other things, IGA. Nice to meet you.

Attached is a final draft response to a letter from several mayors (and a city attorney) expressing support for supervised safe-injection sites. This was reviewed and ok'd by DEA. Since the letter was addressed to the AG, however, the response is under my signature as IGL.

Please let us know if you need anything further to sign off on this response.

Thanks,

Justin

Justin D. O'Connell | Counsel

U.S. Department of Justice | Office of Legislative Affairs

(b)(6) | (b)(6)

<DOJ's Proposed Response to Mayors (5) DRAFT 2-1-22 (OLA jdo thk proposed edits).docx>

<FINALforPub - USDOJ Letter on Overdose Prevention Programs(1694718).pdf>

OFFICE OF THE MAYOR
SAN FRANCISCO

LONDON N. BREED
MAYOR



OFFICE OF THE CITY ATTORNEY
SAN FRANCISCO

DENNIS J. HERRERA
CITY ATTORNEY

April 21, 2021

Honorable Merrick Garland
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave, NW
Washington, DC 20530

Re: Support for overdose prevention program

Dear Mr. Attorney General:

As Mayors of cities committed to preventing overdose deaths, we write to express our strong support for the opening of supervised overdose prevention programs to address the serious public health concern of opioid-related overdose deaths. To that end, we urge you to issue a public statement on behalf of the U.S. Department of Justice ("DOJ") to institute a new policy that deprioritizes federal enforcement of the Controlled Substances Act ("CSA") against medically supervised overdose prevention programs. And we request that the DOJ reverse the position of the prior administration that the CSA prohibits evidence-based medical programs aimed at preventing drug overdoses and connecting individuals to drug treatment. This shift in federal policy will pave the way for harm reduction programs to open, saving countless lives and assisting in efforts to successfully connect people to recovery programs for their addictions, reduce needles on our streets, and promote healthier and safer communities in cities across the nation.

There is a serious national epidemic of opioid addiction and overdose deaths. In 2019, over 1.6 million Americans suffered from substance use disorders related to prescription opioids, heroin, and synthetics such as fentanyl. During the 12 months ending in May 2020, the Centers for Disease Control and Prevention reported a 98% increase in synthetic opioid involved deaths in 10 western states including California. (*See Substance Abuse and Mental Health Services Administration, Key Substance Use and Mental Health Indicators in the United States: Results from the 2019 National Survey on Drug Use and Health*, HHS Publication No. PEP20-07-01-001, NSDUH Series H-55 (2020); Centers for Disease Control and Prevention, *Overdose Deaths Accelerating During COVID-19*, Dec. 17, 2020, www.cdc.gov/media/releases/2020/p1218-overdose-deaths-covid-19.html.)

According to new data published by the Centers for Disease Control and Prevention, more than 87,000 Americans died of drug overdoses between September 2019 and September 2020, the highest ever recorded since the opioid epidemic began in the 1990s. (*See Ahmad FB, Rossen LM, Sutton P. Provisional drug overdose death counts. National Center for Health Statistics. 2021, <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>*.) In 2020, exacerbated by the COVID-19 pandemic, the number of overdose fatalities soared due to fear, stress, job loss,

isolation and limited access to support services. Synthetic opioids, such as illicitly manufactured fentanyl, are a primary driver in overdose deaths nationally. While all of our cities invest in a continuum of behavioral health care services including prevention and treatment services for substance use disorders and provide and administer thousands of life-saving doses of naloxone each year, these tools are insufficient to help everyone who needs them.

Overdose prevention programs are a proven tool that will reduce deaths and help end the addiction and overdose epidemic. Also known as supervised consumption programs, overdose prevention programs allow individuals to inject or consume illicit drugs in a hygienic environment under the supervision of trained staff while they are provided with opportunities to engage in other health and social services that encourage treatment. In addition to providing clean injecting equipment, safe injection education, and referrals to treatment or other parts of the care continuum, these programs would administer oxygen and emergency medical care. Monitoring for overdose is a key element of supervised consumption, particularly pertinent to fentanyl, because onset of overdose can be rapid and waiting for emergency medical service assistance could mean the difference between life or death. Overdose prevention programs will be critical to reducing the number of overdose deaths and saving hundreds of lives each year. State legislatures are recognizing the promise of this policy and ten other states have introduced legislation permitting the operation of supervised overdose prevention programs including Arizona, California, Colorado, Illinois, Maryland, New Hampshire, New Jersey, New Mexico, New York and Rhode Island.

Internationally, such programs have shown strong success in reducing harm and encouraging people to accept services. There are approximately 100 programs currently operating in over 65 cities and ten countries around the world (Switzerland, Germany, the Netherlands, Norway, Luxembourg, Spain, Denmark, France, Australia, and Canada). A study of a facility in Vancouver, Canada found that there was a 35% reduction in mortality within 500 meters of the facility within three years of opening, and 46% of clients entered treatment during the same time period. (See Marshall, B.D., et al., *Reduction in overdose mortality after the opening of North America's first medically supervised safer injecting facility: a retrospective population-based study*, Lancet, 2011, pp. 1429-37; DeBeck, K., et al., *Injection drug use cessation and use of North America's first medically supervised safer injecting facility*, Drug Alcohol Dependence, 2011, 113(2-3): p. 172-6.) A new study suggests that documented criminal activity decreased rather than increased in the area around an unsanctioned safe consumption site in the five years following opening. (See Peter J. Davidson, et al., *Impact of an unsanctioned safe consumption site on criminal activity, 2010–2019*, Drug and Alcohol Dependence, 2021.) Safe consumption programs have also been shown to reduce perceived safety and neighborhood disorder associated with public injection of drugs and to reduce injection-related litter in the surrounding area.

The Trump administration opposed these harm reduction programs and took the position that such programs would violate the “crackhouse” provision of CSA. Based on that position, the DOJ filed suit to block a Philadelphia non-profit from opening such a site, and issued public statements condemning efforts by other cities. The district court in the Philadelphia lawsuit held that harm reduction efforts do not violate the CSA, but unfortunately the Third Circuit Court of Appeals reversed, siding with the Trump administration. See *United States v. Safehouse*, 408 F.

Supp. 3d 583 (E.D. Pa. 2019); *United States v. Safehouse*, 2021 WL 97622 (3d Cir. Jan. 12, 2021). The issue may be further litigated in the Third Circuit and elsewhere.

We urge you to reevaluate the DOJ's position on the question of whether the CSA prohibits medically supervised overdose prevention programs, and to issue a public statement explaining that it does not. Even if you are not prepared to issue a public conclusion on the legal question interpreting the CSA, we urge you to issue a policy deprioritizing enforcement of the CSA against operators and clients of overdose prevention programs as a national policy. The threat of federal enforcement is one of the greatest disincentives to opening and operating these life-saving programs in San Francisco and elsewhere, and we ask that you end that threat.

With overdose prevention programs in place, cities will be better able to address the needs of individuals suffering from addiction and save countless lives. These medically supervised sites help people get into treatment and do not perpetuate criminality. They are a sensible harm reduction tool that is key to stopping the epidemic plaguing this country. As Mayors, we see this tool as critical to addressing the urgent crisis of overdose deaths occurring in our cities. We appreciate your consideration of these issues and look forward to your response so that we can immediately move forward with authorizing these programs and begin saving lives.

Sincerely,



London N. Breed
Mayor of San Francisco, CA



Dennis J. Herrera
City Attorney of San Francisco, CA



Libby Schaaf
Mayor of Oakland, CA



Barbara J. Parker
City Attorney of Oakland, CA



Bill de Blasio
Mayor of New York City, NY



James F. Kenney
Mayor of Philadelphia, PA



William M. Peduto
Mayor of Pittsburgh, PA



Joseph A. Curtatone
Mayor of Somerville, MA



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

February 15, 2022

The Honorable London N. Breed
Office of the Mayor
City of San Francisco, California
1 Dr. Carlton B. Goodlett Place
Room 200
San Francisco, CA 94102

Dear Mayor Breed:

This responds to your letter to the Department of Justice (Department) dated April 21, 2021, expressing your support for supervised consumption sites as a method of addressing the opioid-related overdoses and deaths plaguing our country. The Department is committed to doing all we can to prevent such tragedies. Identical responses are being sent to the other signatories on your letter.

As acknowledged in your letter, the Department has pending litigation involving supervised consumption sites. Although we cannot comment on pending litigation, the Department is evaluating supervised consumption sites, including discussions with state and local regulators about appropriate guardrails for such sites, as part of an overall approach to harm reduction and public safety.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Justin M. Donnelly".

Justin M. Donnelly

Counsel and Intergovernmental Liaison

OFFICE OF THE MAYOR
SAN FRANCISCO

LONDON N. BREED
MAYOR



OFFICE OF THE CITY ATTORNEY
SAN FRANCISCO

DAVID CHIU
CITY ATTORNEY

March 1, 2022

Justin D. O'Connell
Counsel and Intergovernmental Liaison
United States Department of Justice
Office of Legislative Affairs
950 Pennsylvania Ave, NW
Washington, DC 20530

Re: Supervised Consumption Sites

Dear Mr. O'Connell:

Thank you for your letter of February 15, 2022, indicating that the Department of Justice ("Department") is evaluating supervised consumption sites as part of an approach to harm reduction and public safety. As you know, San Francisco strongly supports the opening of such overdose prevention sites to address the serious public health crisis of opioid-related overdose deaths. We are encouraged that the Department is considering creating a path for states and municipalities to implement this life-saving, harm reduction policy. In your letter, you mention that the Department is discussing appropriate guardrails for supervised consumption sites with state and local regulators. San Francisco is eager to participate in these discussions. We have an important perspective to offer given our work studying this public health policy, and we hope for the opportunity to assist the Department with its evaluation.

You may contact Deputy City Attorney Bradley Russi at (b)(6) or (b)(6), or the Mayor's Policy Director Andres Power at (b)(6) if the Department wishes to engage with San Francisco. Mr. Russi or Mr. Power will connect you with San Francisco's public health experts. We look forward to a collaborative and productive partnership. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "London N. Breed".

London N. Breed
Mayor of San Francisco

A handwritten signature in blue ink that reads "David Chiu".

David Chiu
City Attorney of San Francisco

cc: Dr. Grant Colfax, Director, San Francisco Department of Public Health

From: "O'Connell, Justin D. (OLA)" (b)(6)

To: "Antell, Kira M. (OLA)" (b)(6)

Subject: Fwd: Mayors Safe-Injection Response

Date: Sat, 21 May 2022 01:26:00 +0000

Importance: Normal

Happy to do as she suggests - in fact already spoke with EOUSA about doing so earlier today - (b)(5)

[REDACTED] Hopefully we will get that clarity on our next call so I can better assist them going forward.

FWIW, based on my IGL and USAO experience (even if it's only been 5 months), (b)(5)

Begin forwarded message:

From: "Henthorne, Betsy (OASG)" (b)(6)

Date: May 20, 2022 at 8:35:32 PM EDT

To: "O'Connell, Justin D. (OLA)" (b)(6)

Cc: "Solow, Sara (ODAG)" (b)(6), "Mastropasqua, Kristina (PAO)"

(b)(6), "Loeb, Emily M. (ODAG)" (b)(6), "Calce,

Christina M. (OLA)" (b)(6), "Antell, Kira M. (OLA)"

(b)(6)

Subject: Re: Mayors Safe-Injection Response

Others should feel free to disagree, but (b)(5)

[REDACTED]

Thanks Justin.

Sent from my iPhone

On May 20, 2022, at 4:34 PM, O'Connell, Justin D. (OLA) (b)(6) wrote:

Thanks, I'll resend the invite for the following week.

EOUSA has been involved with this issue and are aware of the correspondence. (b)(5)

[REDACTED]

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Friday, May 20, 2022 2:54 PM

To: O'Connell, Justin D. (OLA) (b)(6); Solow, Sara (ODAG) (b)(6)

Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG)

(b)(6); Calce, Christina M. (OLA) (b)(6); Antell, Kira M. (OLA)

(b)(6)

Subject: RE: Mayors Safe-Injection Response

Thanks Justin. Happy to connect, but will have to be the following week. Sarah and I had a call with the USAO that covers San Francisco earlier today. They are planning to reach out to the Mayor's Office, so there is nothing more we need to do from this building.

On a related note: (b)(5)

[REDACTED]

Betsy Henthorne | Acting Chief of Staff

Office of the Associate Attorney General

office: (b)(6)

mobile: (b)(6)

From: O'Connell, Justin D. (OLA) (b)(6)

Sent: Friday, May 20, 2022 1:54 PM

To: Solow, Sara (ODAG) (b)(6); Henthorne, Betsy (OASG) (b)(6)

Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG)

(b)(6); Calce, Christina M. (OLA) (b)(6); Rossi, Rachel (OASG)

(b)(6); Antell, Kira M. (OLA) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Sara and Betsy,

Hope you are well. I put time on the calendar – Tuesday, May 24th at 3 – for you, Kira, and me to catch up on the status of the Philly case, other outreach efforts, and to discuss next steps on how to respond to San Fran.

Best,

Justin

From: O'Connell, Justin D. (OLA)

Sent: Friday, May 6, 2022 4:33 PM

To: Solow, Sara (ODAG) (b)(6); Henthorne, Betsy (OASG) (b)(6)

Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG)

(b)(6); Calce, Christina M. (OLA) (b)(6); Rossi, Rachel (OASG)

(b)(6); Antell, Kira M. (OLA) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Sara and Betsy,

Do you have any further updates on convos with state/locals on safe consumption sites? (b)(5)

[REDACTED]

San Fran (Mayor's Office and City Attorney) just left me a voicemail to see if the Department was ready to engage on the topic. Haven't called them back yet, because I wanted to make sure I heard the latest before doing so.

Let me know.

Best,

Justin

From: Solow, Sara (ODAG) (b)(6)

Sent: Wednesday, March 30, 2022 1:23 PM

To: Antell, Kira M. (OLA) (b)(6); O'Connell, Justin D. (OLA) (b)(6);

Henthorne, Betsy (OASG) (b)(6)

Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG)

(b)(6); Calce, Christina M. (OLA) (b)(6); Rossi, Rachel (OASG)

(b)(6)

Subject: RE: Mayors Safe-Injection Response

Duplicative Material

[REDACTED]

From: "Hinds, Stephanie (USACAN)" (b)(6)
To: "Antell, Kira M. (OLA)" (b)(6)
Cc: "Solow, Sara (ODAG)" (b)(6), "Lan, Iris (ODAG)" (b)(6), "Folk, Anders (ODAG)" (b)(6), "Nedrow, Jeff (USACAN)" (b)(6), "Henthorne, Betsy (OASG)" (b)(6), "Wong, Norman (USAEO)" (b)(6), "O'Connell, Justin D. (OLA)" (b)(6)

Subject: RE: Mayors Safe-Injection Response

Date: Fri, 20 May 2022 15:05:01 +0000

Importance: Normal

Possible names of officials or cities represented are:

- SF Mayor London Breed
- Oakland Mayor Libby Schaaf
- SF Supervisor Matt Haney
- SF City Attorney David Chiu
- CA AG Rob Bonta
- San Francisco, Oakland, San Jose

These are the major cities represented in my district.

Thanks,
stephanie

From: Antell, Kira M. (OLA) (b)(6)
Sent: Friday, May 20, 2022 7:24 AM
To: Hinds, Stephanie (USACAN) (b)(6)
Cc: Solow, Sara (ODAG) (b)(6); Lan, Iris (ODAG) (b)(6); Folk, Anders (ODAG) (b)(6); Nedrow, Jeff (USACAN) (b)(6); Henthorne, Betsy (OASG) (b)(6); Wong, Norman (USAEO) (b)(6); O'Connell, Justin D. (OLA) (b)(6)
Subject: RE: Mayors Safe-Injection Response

Do you have names for or offices of those individuals? Without more, we may not be successful.

From: Hinds, Stephanie (USACAN) (b)(6)
Sent: Friday, May 20, 2022 10:18 AM
To: Antell, Kira M. (OLA) (b)(6)
Cc: Solow, Sara (ODAG) (b)(6); Lan, Iris (ODAG) (b)(6); Folk, Anders (ODAG) (b)(6); Nedrow, Jeff (USACAN) (b)(6); Henthorne, Betsy (OASG) (b)(6); Wong, Norman (USAEO) (b)(6); O'Connell, Justin D. (OLA) (b)(6)
Subject: Re: Mayors Safe-Injection Response

Duplicative Material

From: "Antell, Kira M. (OLA)" (b)(6)

To: "Solow, Sara (ODAG)" (b)(6)

Subject: RE: Mayors Safe-Injection Response

Date: Fri, 20 May 2022 14:15:29 +0000

Importance: Normal

Me neither.

From: Solow, Sara (ODAG) (b)(6)

Sent: Friday, May 20, 2022 10:15 AM

To: Antell, Kira M. (OLA) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Me personally – no clue

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b)(6)
Other: (b)(6)

From: Antell, Kira M. (OLA) (b)(6)

Sent: Friday, May 20, 2022 10:14 AM

To: Hinds, Stephanie (USACAN) (b)(6); Solow, Sara (ODAG) (b)(6)

Cc: Lan, Iris (ODAG) (b)(6); Folk, Anders (ODAG) (b)(6); Nedrow, Jeff (USACAN)

(b)(6); Henthorne, Betsy (OASG) (b)(6); Wong, Norman (USAEO)

(b)(6); O'Connell, Justin D. (OLA) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Duplicative Material



From: "Hinds, Stephanie (USACAN)" (b)(6)
To: "Solow, Sara (ODAG)" (b)(6)
Cc: "Lan, Iris (ODAG)" (b)(6); "Folk, Anders (ODAG)" (b)(6); "Nedrow, Jeff (USACAN)" (b)(6); "Henthorne, Betsy (OASG)" (b)(6); "Wong, Norman (USAE0)" (b)(6)
Subject: Re: Mayors Safe-Injection Response
Date: Fri, 20 May 2022 14:08:50 +0000
Importance: Normal

Clarification: this wasn't a recent article— it is from March 2020.

Sent from my iPhone

On May 20, 2022, at 7:02 AM, Hinds, Stephanie (USACAN) (b)(6) wrote:

Duplicative Material



From: "Colangelo, Matthew (OASG)" (b)(6)

To: "Henthorne, Betsy (OASG)" (b)(6)

Subject: RE: Mayors Safe-Injection Response

Date: Thu, 19 May 2022 02:59:37 -0000

Importance: Normal

thanks

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Wednesday, May 18, 2022 10:59 PM

To: Colangelo, Matthew (OASG) (b)(6)

Subject: RE: Mayors Safe-Injection Response

I think you're right. Will make sure we clarify.

Betsy Henthorne | Acting Chief of Staff

Office of the Associate Attorney General

office: (b)(6)

mobile: (b)(6)

From: Colangelo, Matthew (OASG) (b)(6)

Sent: Wednesday, May 18, 2022 11:29 AM

To: Henthorne, Betsy (OASG) (b)(6)

Subject: RE: Mayors Safe-Injection Response

thanks – based on this chain, I'm not sure (b)(5)

[REDACTED]

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Tuesday, May 17, 2022 11:43 PM

To: Colangelo, Matthew (OASG) (b)(6)

Subject: FW: Mayors Safe-Injection Response

FYSA

From: Solow, Sara (ODAG) (b)(6)

Sent: Tuesday, May 17, 2022 5:56 PM

To: Hinds, Stephanie (USACAN) (b)(6); Wong, Norman (USAEO) (b)(6)

Cc: Lan, Iris (ODAG) (b)(6); Folk, Anders (ODAG) (b)(6); Nedrow, Jeff (USACAN)

(b)(6); Henthorne, Betsy (OASG) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Duplicative Material

From: "Solow, Sara (ODAG)" (b)(6)

To: "Henthorne, Betsy (OASG)" (b)(6)

Subject: RE: Mayors Safe-Injection Response

Date: Tue, 17 May 2022 14:34:22 -0000

Importance: Normal

Sounds good; I just emailed norm to put me in touch w/their FAUSA

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b)(6)
Other: (b)(6)

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Monday, May 16, 2022 11:21 PM

To: Solow, Sara (ODAG) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Latest is attached. Maybe the first thing to do is reach out to the local USAO and see if they have a view? We would want to include them in any such conversation anyway. Can you check with Norm?

Betsy Henthorne | Acting Chief of Staff
Office of the Associate Attorney General
office: (b)(6)
mobile: (b)(6)

From: Solow, Sara (ODAG) (b)(6)

Sent: Monday, May 16, 2022 9:08 AM

To: Henthorne, Betsy (OASG) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Apologies – circling back to this now – where did we land with this?

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b)(6)
Other: (b)(6)

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Wednesday, April 27, 2022 9:28 PM

To: Solow, Sara (ODAG) (b)(6)

Subject: FW: Mayors Safe-Injection Response

Duplicative Material

From: "Henthorne, Betsy (OASG)" (b)(6)

To: "Solow, Sara (ODAG)" (b)(6), "Folk, Anders (ODAG)"
(b)(6), "Colangelo, Matthew (OASG)"
(b)(6)

Subject: FW: Mayors Safe-Injection Response

Date: Mon, 9 May 2022 01:50:29 +0000

Importance: Normal

Hi all – see below. San Francisco has been asking for a meeting on supervised consumption sites. (b)(5)

[REDACTED]

From: O'Connell, Justin D. (OLA) (b)(6)

Sent: Friday, May 6, 2022 4:33 PM

To: Solow, Sara (ODAG) (b)(6); Henthorne, Betsy (OASG) (b)(6)

Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG)

(b)(6) Calce, Christina M. (OLA) (b)(6); Rossi, Rachel (OASG)

(b)(6); Antell, Kira M. (OLA) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Duplicative Material

[REDACTED]

From: "O'Connell, Justin D. (OLA)" (b)(6)

To: "Henthorne, Betsy (OASG)" (b)(6)

Subject: Re: Mayors Safe-Injection Response

Date: Tue, 26 Apr 2022 22:40:00 +0000

Importance: Normal

Hi Betsy,

Hope you are well. Any word from Sara on this? I'm happy to reach out to her directly as I'm sure you are swamped.

Let me know.

Best,

Justin

On Apr 11, 2022, at 6:30 PM, O'Connell, Justin D. (OLA) (b)(6) wrote:

Any word on this? Sorry for the delayed bump up.

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Thursday, March 31, 2022 9:27 PM

To: O'Connell, Justin D. (OLA) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Thanks so much for checking. I have not, but we're touching base on this tomorrow early afternoon and I will circle back with you after that. If you haven't heard from me by EOD/Monday, please feel free to bug me again!

From: O'Connell, Justin D. (OLA) (b)(6)

Sent: Thursday, March 31, 2022 5:19 PM

To: Henthorne, Betsy (OASG) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Hey Betsy,

Just wanted to see if you connected with Sara – and, if so, we are good to make the call to San Fran along the lines we discussed yesterday.

Let me know.

Best,

Justin

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Wednesday, March 30, 2022 1:36 PM

To: Solow, Sara (ODAG) (b)(6); Antell, Kira M. (OLA) (b)(6); O'Connell, Justin D. (OLA) (b)(6)
Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG) (b)(6); Calce, Christina M. (OLA) (b)(6); Rossi, Rachel (OASG) (b)(6)
Subject: RE: Mayors Safe-Injection Response

Duplicative Material

To: "Colangelo, Matthew (OASG)" (b)(6)

Subject: RE: Mayors Safe-Injection Response

Date: Wed, 30 Mar 2022 19:19:14 -0000

Importance: Normal

(b)(5)

From: Colangelo, Matthew (OASG) (b)(6)

Sent: Wednesday, March 30, 2022 6:57 AM

To: Henthorne, Betsy (OASG) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Since we have met with state or local officials from Philadelphia, NY, and Rhode Island who asked to meet, I think we ought to (b)(5)

Let me know if you want to talk this over.

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Tuesday, March 29, 2022 8:11 PM

To: Colangelo, Matthew (OASG) (b)(6)

Subject: FW: Mayors Safe-Injection Response

Thoughts?

From: O'Connell, Justin D. (OLA) (b)(6)

Sent: Tuesday, March 29, 2022 6:44 PM

To: Solow, Sara (ODAG) (b)(6); Henthorne, Betsy (OASG) (b)(6)

Cc: Mastropasqua, Kristina (PAO) (b)(6); Loeb, Emily M. (ODAG)

(b)(6); Calce, Christina M. (OLA) (b)(6); Antell, Kira M. (OLA)

(b)(6)

Subject: RE: Mayors Safe-Injection Response

Duplicative Material

From: "O'Connell, Justin D. (OLA)" (b)(6)

To: "Loeb, Emily M. (ODAG)" (b)(6)

Subject: RE: Mayors Safe-Injection Response

Date: Wed, 9 Feb 2022 16:45:48 +0000

Importance: Normal

Will do. Yes, DEA cleared the language.

From: Loeb, Emily M. (ODAG) (b)(6)

Sent: Wednesday, February 9, 2022 11:45 AM

To: O'Connell, Justin D. (OLA) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Can you loop with Peter? I think its all good but he was in a conversation I was not about this issue. I'm fine if he is.

DEA cleared, correct?

From: O'Connell, Justin D. (OLA) (b)(6)

Sent: Wednesday, February 9, 2022 11:42 AM

To: Loeb, Emily M. (ODAG) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Emily,

Circling back on this – (b)(5)

Let me know.

Thanks,

Justin

From: O'Connell, Justin D. (OLA)

Sent: Tuesday, February 8, 2022 3:34 PM

To: Loeb, Emily M. (ODAG) (b)(6)

Subject: RE: Mayors Safe-Injection Response

(b)(5) ?

From: O'Connell, Justin D. (OLA)

Sent: Tuesday, February 8, 2022 3:27 PM

To: Loeb, Emily M. (ODAG) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Here you go.

From: Loeb, Emily M. (ODAG) (b)(6)

Sent: Tuesday, February 8, 2022 3:13 PM

To: O'Connell, Justin D. (OLA) (b)(6)
Subject: RE: Mayors Safe-Injection Response

Can you send me the latest draft?

From: O'Connell, Justin D. (OLA) (b)(6)
Sent: Tuesday, February 8, 2022 3:06 PM
To: Loeb, Emily M. (ODAG) (b)(6)
Subject: RE: Mayors Safe-Injection Response

We were running the revised language by DEA (really just giving them a heads up re the changes), but the letter should go out soon (b)(5) I'll circulate the response as sent to the larger group after it goes out.

From: Loeb, Emily M. (ODAG) (b)(6)
Sent: Tuesday, February 8, 2022 3:00 PM
To: O'Connell, Justin D. (OLA) (b)(6)
Subject: RE: Mayors Safe-Injection Response

Hi Justin: What is the status of the draft here?

From: O'Connell, Justin D. (OLA) (b)(6)
Sent: Friday, February 4, 2022 5:59 PM
To: Henthorne, Betsy (OASG) (b)(6)
Cc: Mastropasqua, Kristina (PAO) (b)(6); Solow, Sara (ODAG) (b)(6);
Loeb, Emily M. (ODAG) (b)(6); Calce, Christina M. (OLA) (b)(6) Antell,
Kira M. (OLA) (b)(6); Kassabian, Tamara (OLA) (b)(6)
Subject: RE: Mayors Safe-Injection Response

Duplicative Material



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable London N. Breed
Office of the Mayor
City of San Francisco, California
1 Dr. Carlton B. Goodlett Place
Room 200
San Francisco, CA 94102

Dear Mayor Breed:

This responds to your letter to the Department of Justice (Department) dated April 21, 2021, expressing your support for supervised consumption sites as a method of addressing the opioid-related overdoses and deaths plaguing our country. The Department is committed to doing all we can to prevent such tragedies. Identical responses are being sent to the other signatories on your letter.

As acknowledged in your letter, the Department has pending litigation involving supervised consumption sites. Although we cannot comment on pending litigation, the Department is evaluating supervised consumption sites, including discussions with state and local regulators about appropriate guardrails for such sites, as part of an overall approach to harm reduction and public safety.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

Justin D. O'Connell
Counsel and Intergovernmental Liaison



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Libby B. Schaaf
Office of the Mayor
City of Oakland, California
1 Frank H. Ogawa Plaza
Oakland, CA 94612

Dear Mayor Schaaf:

This responds to your letter to the Department of Justice (Department) dated April 21, 2021, expressing your support for supervised consumption sites as a method of addressing the opioid-related overdoses and deaths plaguing our country. The Department is committed to doing all we can to prevent such tragedies. Identical responses are being sent to the other signatories on your letter.

As acknowledged in your letter, the Department has pending litigation involving supervised consumption sites. Although we cannot comment on pending litigation, the Department is evaluating supervised consumption sites, including discussions with state and local regulators about appropriate guardrails for such sites, as part of an overall approach to harm reduction and public safety.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

Justin D. O'Connell
Counsel and Intergovernmental Liaison



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Barbara J. Parker
Office of the City Attorney
City of Oakland, California
1 Frank H. Ogawa Plaza
6th floor
Oakland, CA 94612

Dear Ms. Parker:

This responds to your letter to the Department of Justice (Department) dated April 21, 2021, expressing your support for supervised consumption sites as a method of addressing the opioid-related overdoses and deaths plaguing our country. The Department is committed to doing all we can to prevent such tragedies. Identical responses are being sent to the other signatories on your letter.

As acknowledged in your letter, the Department has pending litigation involving supervised consumption sites. Although we cannot comment on pending litigation, the Department is evaluating supervised consumption sites, including discussions with state and local regulators about appropriate guardrails for such sites, as part of an overall approach to harm reduction and public safety.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

Justin D. O'Connell
Counsel and Intergovernmental Liaison



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Edward C. Gainey
Office of the Mayor
City of Pittsburgh, Pennsylvania
414 Grant Street
5th floor
Pittsburgh, Pennsylvania 15219

Dear Mayor Gainey:

This responds to your letter to the Department of Justice (Department) dated April 21, 2021, expressing your support for supervised consumption sites as a method of addressing the opioid-related overdoses and deaths plaguing our country. The Department is committed to doing all we can to prevent such tragedies. Identical responses are being sent to the other signatories on your letter.

As acknowledged in your letter, the Department has pending litigation involving supervised consumption sites. Although we cannot comment on pending litigation, the Department is evaluating supervised consumption sites, including discussions with state and local regulators about appropriate guardrails for such sites, as part of an overall approach to harm reduction and public safety.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

Justin D. O'Connell
Counsel and Intergovernmental Liaison



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable James F. Kenney
Office of the Mayor
City of Philadelphia, Pennsylvania
City Hall, Room 215
Philadelphia, PA 19107

Dear Mayor Kenney:

This responds to your letter to the Department of Justice (Department) dated April 21, 2021, expressing your support for supervised consumption sites as a method of addressing the opioid-related overdoses and deaths plaguing our country. The Department is committed to doing all we can to prevent such tragedies. Identical responses are being sent to the other signatories on your letter.

As acknowledged in your letter, the Department has pending litigation involving supervised consumption sites. Although we cannot comment on pending litigation, the Department is evaluating supervised consumption sites, including discussions with state and local regulators about appropriate guardrails for such sites, as part of an overall approach to harm reduction and public safety.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

Justin D. O'Connell
Counsel and Intergovernmental Liaison

From: "Loeb, Emily M. (ODAG)" (b)(6)

To: "Hyun, Peter (OLA)" (b)(6)

Subject: FW: Mayors Safe-Injection Response

Date: Tue, 08 Feb 2022 21:01:43 -0000

Importance: Normal

Attachments: DOJ's_Response_to_Mayors_(5)_re_Overdoes_Prevention_Programs_-_final.docx

Hi – (b)(5)

[REDACTED]

From: O'Connell, Justin D. (OLA) (b)(6)

Sent: Tuesday, February 8, 2022 3:27 PM

To: Loeb, Emily M. (ODAG) (b)(6)

Subject: RE: Mayors Safe-Injection Response

Duplicative Material

[REDACTED]

From: "O'Connell, Justin D. (OLA)" (b)(6)
To: "Henthorne, Betsy (OASG)" (b)(6)
Cc: "Mastropasqua, Kristina (PAO)" (b)(6), "Solow, Sara (ODAG)" (b)(6), "Loeb, Emily M. (ODAG)" (b)(6), "Calce, Christina M. (OLA)" (b)(6), "Antell, Kira M. (OLA)" (b)(6), "Kassabian, Tamara (OLA)" (b)(6)

Subject: RE: Mayors Safe-Injection Response

Date: Fri, 4 Feb 2022 22:59:02 +0000

Importance: Normal

Sounds good! Emily/Sara, let us know if you have any thoughts.

From: Henthorne, Betsy (OASG) (b)(6)
Sent: Friday, February 4, 2022 5:58 PM
To: O'Connell, Justin D. (OLA) (b)(6)
Cc: Mastropasqua, Kristina (PAO) (b)(6); Solow, Sara (ODAG) (b)(6); Loeb, Emily M. (ODAG) (b)(6); Calce, Christina M. (OLA) (b)(6); Antell, Kira M. (OLA) (b)(6); Kassabian, Tamara (OLA) (b)(6)
Subject: Re: Mayors Safe-Injection Response

Duplicative Material

From: "Henthorne, Betsy (OASG)" (b)(6)

To: "Colangelo, Matthew (OASG)" (b)(6)

Subject: RE: Mayors Safe-Injection Response

Date: Thu, 3 Feb 2022 03:17:55 +0000

Importance: Normal

Same!!!! And yes, sounds good. I'm free before our 9:45 if you get out of the morning meeting in time. If not, we can catch up later.

From: Colangelo, Matthew (OASG) (b)(6)

Sent: Wednesday, February 2, 2022 10:17 PM

To: Henthorne, Betsy (OASG) (b)(6)

Subject: RE: Mayors Safe-Injection Response

(b)(5)

Let's discuss this briefly tomorrow? I probably don't disagree but I'd like to talk it over for five minutes.

From: Henthorne, Betsy (OASG) (b)(6)

Sent: Wednesday, February 2, 2022 11:04 AM

To: Colangelo, Matthew (OASG) (b)(6)

Subject: FW: Mayors Safe-Injection Response

FYI – (b)(5)

Let me

know if you disagree.

From: Solow, Sara (ODAG) (b)(6)

Sent: Wednesday, February 2, 2022 9:08 AM

To: O'Connell, Justin D. (OLA) (b)(6)

Cc: Loeb, Emily M. (ODAG) (b)(6); Calce, Christina M. (OLA) (b)(6);

Antell, Kira M. (OLA) (b)(6); Kassabian, Tamara (OLA) (b)(6)

Mastropasqua, Kristina (PAO) (b)(6); Henthorne, Betsy (OASG)

(b)(6)

Subject: RE: Mayors Safe-Injection Response

Duplicative Material

From: (b)(6) Betsy Henthorne (OASG)

To: "Solow, Sara (ODAG)" (b)(6)

Cc: "O'Connell, Justin D. (OLA)" (b)(6), "Loeb, Emily M. (ODAG)" (b)(6), "Calce, Christina M. (OLA)" (b)(6), "Antell, Kira M. (OLA)" (b)(6), "Kassabian, Tamara (OLA)" (b)(6), "Mastropasqua, Kristina (PAO)" (b)(6) >

Subject: Re: Mayors Safe-Injection Response

Date: Wed, 2 Feb 2022 09:09:56 -0500

Importance: Normal

Thanks Sara and Justin. I haven't reviewed the response, but (b)(5)

Sent from my iPhone

On Feb 2, 2022, at 9:07 AM, Solow, Sara (ODAG) (b)(6) wrote:

Duplicative Material