

Safehouse v. U.S. et al., No. 21-276: Amicus Briefs filed in Support and Opposition to Safehouse in the United States Supreme Court

IN SUPPORT

GROUP	SIGNATORY	LAW FIRM	COUNSEL	SYNOPSIS
Fourteen Cities and Counties (14)	City of New York, NY City of Pittsburgh, PA City of Seattle, WA King County, WA Multnomah County, OR	Hogan Lovells US LLP	Catherine E. Stetson Virginia A. Gibson Stephen A. Loney Alexander B. Bowerman Caitlyn A. Mancuso Joseph Taylor Spoerl	Local public health officials fighting the opioid crisis need to know whether 21 U.S.C. § 856(a)(2) of the Controlled Substances Act prohibits overdose-prevention sites like Safehouse. That is an exceptionally “important question of federal law that has not been, but should be, settled by this Court.” Sup. Ct. R. 10(c). Among the Third Circuit panel majority, the dissent, the dissent of three judges from the denial of rehearing <i>en banc</i> , and the District Court’s decision, it is clear that well-informed legal opinions diverge regarding the proper interpretation of Section 856(a)(2) in the context of legitimate medical interventions.
	City of Austin, TX	City Attorney’s Office	Anne L. Morgan Meghan L. Riley	
	City of Albuquerque, NM	City Attorney’s Office	Esteban A. Aguilar, Jr.	
	City of Chicago, IL	City of Chicago	Celia Meza	
	King County, WA	King County Prosecuting Attorney’s Office	Howard Phillip Schneiderman	
	Multnomah County, OR	County Attorney’s Office	Robert E. Sinnott	
	City of Oakland, CA	City Attorney’s Office	Barbara J. Parker	
	City of Los Angeles, CA	City Attorney’s Office	Rodrigo A. Castrosilva Scott Kuhn Cesar J. Del Peral Steven De Salvo	
	City of New York, NY	Corporation Counsel of the City of New York	Georgia M. Pestana	
	City of San Diego, CA	City Attorney’s Office	Mara W. Elliott Kevin King	
	City of Seattle, WA	City Attorney’s Office	Peter S. Holmes John Schochet	
	Washtenaw County, MI	Washtenaw County Prosecuting Attorney’s Office	Eli Savit	
	City of Pittsburgh, PA	City Attorney’s Office	Yvonne S. Hilton	
	City and County of San Francisco, CA	City Attorney’s Office	Dennis J. Herrera	
City of Somerville, MA	City Solicitor’s Office	Francis X. Wright, Jr.		

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The District of Columbia and Ten States (11)	The District of Columbia	Office of the Solicitor General Office of the Attorney General	Karl A. Racine Loren L. Alikhan Caroline S. Van Zile Lucy E. Pittman	The Amici States are battling a nationwide opioid crisis that claims over 130 lives every day. The interpretation of section 856(a) is of exceptional national importance. Safe injection sites are a promising way for states to address this national crisis. The court should grant review because the third circuit’s decision curtails states’ power to act as laboratories of health policy and sows confusion.
	State of Delaware	State Attorney General Office	Kathleen Jennings	
	State of Illinois	State Attorney General Office	Kwame Raoul	
	Commonwealth of Massachusetts	Attorney General Office	Maura Healey	
	State of Michigan	State Attorney General Office	Dana Nessel	
	State of Minnesota	State Attorney General Office	Keith Ellison	
	State of New Mexico	State Attorney General Office	Hector Balderas	
	State of Oregon	State Attorney General Office	Ellen F. Rosenblum	
	State of Rhode Island	State Attorney General Office	Peter F. Neronha	
	State of Vermont	State Attorney General Office	Thomas J. Donovan, Jr.	
Commonwealth of Virginia	Attorney General Office	Mark R. Herring		
City of Philadelphia (2)	Mayor James Kenney Acting Health Commissioner Cheryl Bettigole	City of Philadelphia Law Department	Diana P. Cortes <i>City Solicitor</i> Jane L. Istvan Jennifer E. MacNaughton	Philadelphia desperately needs every effective tool available to contain its overdose epidemic. Safehouse offers a proven, life-saving medical service; it should not be criminalized
Current and Former Prosecutors and Law Enforcement Leaders, And Former Attorneys General and Department of Justice Officials (80)	Roy L. Austin , Former Deputy Assistant Attorney General, Civil Rights Division, U.S. Department of Justice; Former Deputy Assistant to President Obama for the Office of Urban Affairs, Justice and Opportunity (White House Domestic Policy Council) Diana Becton , District Attorney, Contra Costa County, California Wesley Bell , Prosecuting Attorney, St. Louis County, Missouri Buta Biberaj , Commonwealth’s Attorney, Loudoun County, Virginia Sherry Boston , District Attorney, DeKalb County, Georgia Chesa Boudin , District Attorney, City and County of San Francisco, California	Fair and Just Prosecution Pudlin & Schiller	Daniel Segal Matthew A. Hamermesh Hangley Aronchick Segal Miriam Krinsky Rosemary Nidiry Elizabeth Komar David Weiss Estela Dimas	80 current and former prosecutors and law enforcement leaders from around the nation filed an amicus brief highlighting the importance of harm reduction strategies, including overdose prevention sites, in addressing the overdose crisis and promoting public safety. Arguing that the criminalization of substance use has only exacerbated public health

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	<p>Joseph Brann, Former Chief, Hayward Police Department, California; Former Director, Office of Community Oriented Policing Services (COPS), U.S. Department of Justice</p> <p>Aisha Braveboy, State’s Attorney, Prince George’s County, Maryland</p> <p>Kenyen Brown, Former U.S. Attorney, Southern District of Alabama</p> <p>Jim Bueermann, President, National Police Foundation; Former Chief, Redlands Police Department, California</p> <p>Chris Burbank, Vice President, Law Enforcement Strategy, Center for Policing Equity; Former Chief, Salt Lake City Police Department, Utah</p> <p>Mike Butler, Chief, Longmont Police Department, Colorado</p> <p>Kimberly B. Cheney, Former Attorney General, Vermont</p> <p>John Choi, County Attorney, Ramsey County (St. Paul), Minnesota</p> <p>Jerry L. Clayton, Sheriff, Washtenaw County (Ann Arbor), Michigan</p> <p>Dave Clegg, District Attorney, Ulster County, New York</p> <p>Scott Colom, District Attorney, 16th Judicial District, Mississippi</p> <p>Brendan Cox, Former Chief, Albany Police Department, New York</p> <p>John Creuzot, District Attorney, Dallas County, Texas</p> <p>Satana Deberry, District Attorney, Durham County, North Carolina</p> <p>Parisa Dehghani-Tafti, Commonwealth’s Attorney, Arlington County and the City of Falls Church, Virginia</p> <p>Brandon del Pozo, Former Chief, Burlington Police Department, Vermont</p> <p>Michael Dougherty, District Attorney, 20th Judicial District (Boulder), Colorado</p> <p>Mark Dupree, District Attorney, Wyandotte County (Kansas City), Kansas</p> <p>Kimberly M. Foxx, State’s Attorney, Cook County (Chicago), Illinois</p> <p>Neill Franklin, Major (Ret.), Maryland State Police and Baltimore Police Department, Maryland; Former Executive Director, Law Enforcement Action Partnership (LEAP)</p> <p>Gil Garcetti, Former District Attorney, Los Angeles County, California</p> <p>Kimberly Gardner, Circuit Attorney, City of St. Louis, Missouri</p>			<p>and eroded trust in the justice system, these criminal justice leaders assert that interpreting federal laws to bar empirically validated health-based interventions like harm reduction measures would “make no one safer [and] would only impede cooperation between criminal justice agencies and the communities they serve.” They also pointed to experiences in other parts of the world establishing that harm reduction strategies, including overdose prevention sites, save lives, promote public trust in the justice system and are a more effective response to substance use disorder.</p>

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	<p>George Gascón, District Attorney, Los Angeles County, California; Former District Attorney, City and County of San Francisco, California; Former Chief, San Francisco Police Department, California; Former Chief, Mesa Police Department, Arizona</p> <p>Sarah F. George, State’s Attorney, Chittenden County (Burlington), Vermont</p> <p>Diane Goldstein, Executive Director, Law Enforcement Action Partnership (LEAP)</p> <p>Joe Gonzales, District Attorney, Bexar County (San Antonio), Texas</p> <p>Deborah Gonzalez, District Attorney, Western Judicial Circuit (Athens), Georgia</p> <p>Eric Gonzalez, District Attorney, Kings County (Brooklyn), New York</p> <p>Mark Gonzalez, District Attorney, Nueces County (Corpus Christi), Texas</p> <p>Andrea Harrington, District Attorney, Berkshire County, Massachusetts</p> <p>Robert J. Hoffman, Former Chief, Plainfield Police Department, Connecticut</p> <p>Peter Holmes, City Attorney, Seattle, Washington</p> <p>John Hummel, District Attorney, Deschutes County, Oregon</p> <p>Natasha Irving, District Attorney, 6th Prosecutorial District, Maine</p> <p>Melinda Katz, District Attorney, Queens County, New York</p> <p>Justin F. Kollar, Former Prosecuting Attorney, County of Kaua’i, Hawaii</p> <p>Lawrence S. Krasner, District Attorney, Philadelphia, Pennsylvania</p> <p>William Lansdowne, Former Chief, San Diego Police Department, California; Former Chief, San Jose Police Department, California; Former Chief, Richmond Police Department, California</p> <p>Rebecca Like, Second Deputy Prosecuting Attorney, County of Kaua’i, Hawaii</p> <p>James Manfre, Former Sheriff, Flagler County, Florida</p> <p>Beth McCann, District Attorney, 2nd Judicial District (Denver), Colorado</p> <p>Isaiah McKinnon, Former Chief, Detroit Police Department, Michigan</p>			

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	<p>Daniel Meloy, Former Chief, Colerain Township Police Department, Ohio</p> <p>Spencer Merriweather, District Attorney, Mecklenburg County, North Carolina</p> <p>Brian Middleton, District Attorney, Fort Bend County, Texas</p> <p>Stephen Mills, Former Chief, Lindsay Police Department, Oklahoma</p> <p>Marilyn Mosby, State’s Attorney, Baltimore City, Maryland</p> <p>Bill Nettles, Former U.S. Attorney, District of Vermont</p> <p>Jody Owens, District Attorney, Hinds County, Mississippi</p> <p>Jim Petro, Former Attorney General, Ohio</p> <p>Ira Reiner, Former District Attorney, Los Angeles County, California Former City Attorney, Los Angeles, California</p> <p>Rob Reyes, Former Chief, U.S. Department of Veterans’ Affairs Police Department</p> <p>Rachael Rollins, District Attorney, Suffolk County (Boston), Massachusetts</p> <p>Jeff Rosen, District Attorney, Santa Clara County, California</p> <p>Stephen Rosenthal, Former Attorney General, Virginia</p> <p>Dan Satterberg, Prosecuting Attorney, King County (Seattle), Washington</p> <p>Ronal Serpas, Former Superintendent, New Orleans Police Department, Louisiana; Former Chief, Metropolitan Nashville Police Department, Tennessee; Former Chief, Washington State Patrol, Washington</p> <p>Harry L. Shorstein, Former State Attorney, 4th Judicial Circuit (Jacksonville), Florida</p> <p>Daniella Shorter, District Attorney, 22nd Judicial District, Mississippi</p> <p>Carol Siemon, Prosecuting Attorney, Ingham County (Lansing), Michigan</p> <p>David Soares, District Attorney, Albany County, New York</p> <p>Norm Stamper, Former Chief, Seattle Police Department, Washington</p> <p>David Sullivan, District Attorney, Northwestern District, Massachusetts</p>			

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	<p>Tom Synan, Chief, Newton Police Department, Ohio</p> <p>Betty Taylor, Former Chief, Winfield Police Department, Missouri</p> <p>Jennifer Tejada, Chief, Emeryville Police Department, California</p> <p>Tom Thompson, Former Chief, Kettering Health Network Police Department, Ohio</p> <p>Steven Tompkins, Sheriff, Suffolk County (Boston), Massachusetts</p> <p>Raúl Torrez, District Attorney, Bernalillo County (Albuquerque), New Mexico</p> <p>Cyrus R. Vance, District Attorney, New York County (Manhattan), New York</p> <p>Peter Volkmann, Police Commissioner, City of Hudson, New York</p> <p>Mike Ward, Former Chief, Alexandria Police Department, Kentucky</p> <p>Andrew Warren, State Attorney, 13th Judicial Circuit (Tampa), Florida</p> <p>Law Enforcement Action Partnership (LEAP)</p>			