



Legislation Text

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Res. No. 314

Resolution calling on the United States Congress to pass and the President to sign amendments to the Len Bias Law, known as the Anti-Drug Abuse Act of 1986 H.R.5484, to ensure that family members or associate drug users are not criminalized for calling emergency services in a crisis.

By Council Member Lee

Whereas, The Len Bias Law provisioned in the Anti-Drug Abuse Act signed by President Ronald Reagan on October 27, 1986, provided a mandatory 20-year minimum and maximum life prison sentence as well as a fine of up to \$2 million for drug distribution cases that resulted in a person's death or serious injury; and

Whereas, Many states passed their own versions of the Len Bias Law to be used when sentencing people convicted of state drug distribution offenses; and

Whereas, Some state laws include mandatory sentencing guidelines, while others permit prosecutors to charge someone with reckless homicide for distributing drugs that result in a user's death; and

Whereas, Data published by the Centers for Disease Control and Prevention indicate that drug use is increasing with more Americans dying of overdose than in any point in modern history; and

Whereas, The Office of National Drug Control Policy started spending more money on treatment and prevention in 2021 than on interdiction and law enforcement; and

Whereas, Overdose Prevention Centers ("OPC's") operated by OnPoint NYC in New York City has been offering drug users with safe, supervised places to use drugs while also connecting them to services that promote health, including harm reduction, medical attention, mental health therapy, drug treatment, and social

supports; and

Whereas, People who use illegal drugs frequently worry that by dialing 911 for an overdose, they will be detained and prosecuted; and

Whereas, Some states have instituted ‘911 Good Samaritan laws’ that provide legal protections for individuals who call for emergency assistance in the event of a drug overdose; and

Whereas, Amending the Len Bias Law, known as the Anti-Drug Abuse Act of 1986 H.R.5484, would empower others, particularly fellow drug users to save the life of a person who has overdosed; and

Whereas, Exploring evidence-based solutions such as treatment, rather than incarceration for addiction to address root causes such as harm reduction will improve lives instead of destroying them; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Congress to pass and the President to sign amendments to the Len Bias Law, known as the Anti-Drug Abuse Act of 1986 H.R.5484, to ensure that family members or associate drug users are not criminalized for calling emergency services in a crisis.

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