

Resolution
Drafted 1/25/2023

A resolution addressing the use of drug checking tools for harm reduction purposes

Whereas, the number of overdose deaths in the United States has increased to the highest of any 12-month period in history with over 88,000 people dying from an overdose in the United States between September 2019 and August 2020; and

Whereas, in 2021, the Centers for Disease Control and Prevention and the Substance Abuse and Mental Health Services Administration announced and encouraged the use of federal funding to purchase rapid fentanyl test strips to use as a tool to curb the significant increase in drug overdose deaths; and

Whereas, in 2021, the Montana state crime lab saw fentanyl-linked fatal overdoses increase more than 1,100 percent since 2017 (from 4 in 2017 to 49 in 2021); and

Whereas, in the first five months of 2022, the Montana state crime lab has already confirmed 34 deaths where fentanyl was involved; and

Whereas, in March of 2022, the Blackfeet Tribe declared a state of emergency after 17 drug overdoses – including four that were fatal – occurred in just one week; and

Whereas, treatment of substance use dependence requires a comprehensive public health approach to prevent unnecessary deaths; and

Whereas, drug checking tools (such as fentanyl testing strips or reagents) help identify the presence of certain substances (such as fentanyl) contained in the sample based on color and feature changes, and corresponding codes; and

Whereas, drug checking tools are a cheap and effective behavioral intervention for people who use drugs that can be used with minimal training; and

Whereas, the Missoula region is eligible for approximately \$223,000 from the Janssen (Johnson and Johnson) settlement in the first year, and approximately \$150,000 each year for the next 18 years; and

Whereas, people who use drugs should be informed about the composition of the drugs they plan on ingesting, to make decisions to not use a drug and/or prevent accidental poisoning and overdose; and

Whereas, the criminalization of drug checking tools is a dangerous barrier to ensuring people have informed decisions about choosing to ingest or not ingest a drug, which leads to accidental poisoning and overdoses; and

Whereas, various scientific studies have identified the distribution and use of fentanyl test strips as an effective public health intervention resulting in up to 77% of individuals whose drug tested positive for fentanyl taking steps to reduce their risk of an overdose, including changing how they use a drug, discarding their drug supply, not using alone, and keeping naloxone nearby; and

Whereas, the distribution of drug checking tools represents one of the few effective policies to reduce harmful outcomes related to drug use, to reduce fatal overdoses among people who use drugs and has proven to save lives; and

Now therefore be it resolved, in the event the Montana legislature changes the law regarding possession of the testing strips so that possession is no longer considered a misdemeanor, that the Mayor and City Council hereby declare that it shall be the policy of the City of Missoula that no department, agency, board, commission, officer or employee of the city, shall use any city funds or resources to assist in the enforcement of laws for the use or possession of drug checking tools; and

Be it further resolved, that the City of Missoula provide drug checking tools and education pamphlets to its residents through public health stakeholders in the government and community; and

Be it further resolved, that the City of Missoula do a public service announcement and provide clear signage to announce this policy and encourage people to seek out drug checking tools to bolster the health, well-being, and safety of all Missoulians.