



PUBLIC SAFETY POLICY COMMITTEE

Thursday, January 26, 2023

10:00 a.m. – 2:00 p.m.

Register for this meeting:

<https://us06web.zoom.us/j/81319104747?pwd=VC92d0puRDg0SG5HSDIzR2hldHV2UT09>

Immediately after registering, you will receive a link and confirmation email to join the meeting.

AGENDA

I. Welcome and Introductions

Speakers: Chair, Ray Marquez, Councilmember, Chino Hills
Vice Chair, Claudia Frometa, Mayor, Downey
Cal Cities President Ali Sajjad Taj, Councilmember, Artesia
Cal Cities Executive Director and CEO Carolyn Coleman

II. Public Comment

III. General Briefing

IV. Proposition 47 Panel Discussion

Informational

Speakers: Jonathan Feldman, Legislative Advocate, CA Police Chiefs Association
Rachel Michelin, President, CA Retailers Association

V. Legislative Agenda (Attachment A)

Action

Speaker: Elisa Arcidiacono, League of California Cities
Caroline Cirrincione, League of California Cities (CARE Court Update)

- Fentanyl Policy Statement

VI. [Cal Cities 2023 Strategic Priorities](#)

Informational

VII. Adoption of 2023 Work Program

Action

To inform the work program, please fill out this [brief survey](#) in advance of this meeting.

VIII. Budget Update/Legislative Wrap-up and Outlook

Informational

Speaker: Elisa Arcidiacono, League of California Cities

IX. Adjourn

Next Meeting: Thursday, March 16, 10:00 a.m. - 2:00 p.m.

A list of all the Cal Cities Public Safety bills can be found [here](#).

Brown Act Reminder: The League of California Cities' Board of Directors has a policy of complying with the spirit of open meeting laws. Generally, off-agenda items may be taken up only if:

- 1. Two-thirds of the policy committee members find a need for immediate action exists and the need to take action came to the attention of the policy committee after the agenda was prepared (Note: If fewer than two-thirds of policy committee members are present, taking up an off-agenda item requires a unanimous vote); or*
 - 2. A majority of the policy committee finds an emergency (for example: work stoppage or disaster) exists.*
- A majority of a city council may not, consistent with the Brown Act, discuss specific substantive issues among themselves at Cal Cities meetings. Any such discussion is subject to the Brown Act and must occur in a meeting that complies with its requirements.*

**Public Safety Policy Committee
Legislative Agenda
January 2023**

Staff: Elisa Arcidiacono, Legislative Representative, Public Safety
Caroline Cirincione, Legislative Representative, Community Services

1. Policy Statement

Issue

The Legislature is considering a host of bills in 2023 to respond to the state's mounting substance use crisis. This legislation largely focuses on preventing youth overdoses caused by fentanyl use and increasing criminal penalties for distributors, which would fall under the purview of the Cal Cities Community Services and Public Safety Policy Committees. Due to the responsibility of counties to provide public behavioral health services in California, Cal Cities has an absence of policy on this emerging issue. A new policy must be adopted to guide Cal Cities' staff in engaging on these critical matters.

Overview

Fentanyl is a highly potent synthetic opioid that has contributed to a significant increase in opioid overdoses in California. According to the [Department of Public Health](#), in 2012, California suffered 82 deaths attributed to fentanyl overdoses, and in 2021 that number jumped to almost 6,000. Fentanyl deaths also accounted for more than 80 percent of all drug-related deaths among California's young people in 2021, making it the fastest-growing cause of death for young people in our state. Most of these young victims ingested the fentanyl accidentally, thinking they were using something less dangerous.

There are two types of fentanyl: pharmaceutical fentanyl and illicitly manufactured fentanyl. However, most recent cases of fentanyl-related overdoses are linked to illicitly manufactured fentanyl, which is distributed through illegal drug markets for its heroin-like effect. It is often added to other drugs because of its extreme potency, which makes drugs cheaper, more powerful, more addictive, and more dangerous. Since there is no official oversight or quality control, these counterfeit pills often contain lethal doses of fentanyl, with none of the promised drug.

Additionally, the passage of Proposition 47 in 2014 decriminalized simple drug possession, removing the threat of jail time or drug programming. Trends across the state now illustrate a significant drop in people choosing to go to drug court, in part because of the penalty reduction. According to [CalMatters](#), without the threat of accountability, people have simply stopped showing up. Some regions have shown a reduction in drug court participation by 86 percent since 2014. Meanwhile, we have since seen the death rate from fentanyl continue to rise.

The state has focused on increasing the availability and affordability of naloxone in an effort to reduce opioid overdose deaths. Naloxone is a life-saving medication used to reverse an opioid overdose, including heroin, fentanyl, and prescription opioid

medications. Naloxone works by blocking the opioid receptor sites, reversing the toxic effects of the overdose. An appropriate dose of naloxone acts in less than two minutes and completely eliminates all signs of opioid intoxication to reverse an opioid overdose.

There are several state programs that focus on increasing the distribution of this medication. For example, the Department of Health Care Services created the [Naloxone Distribution Project](#) to provide free naloxone to several organizations, including first responders, community organizations, libraries, and more, to distribute within communities. Additionally, anyone can get naloxone from a pharmacy or from a local organization that has a naloxone distribution program. Once in possession of this medication, free training videos are available through the [Department of Public Health](#) on administering naloxone properly. If naloxone needs to be administered, California's Good Samaritan law protects those giving emergency medical care at the scene of a medical emergency.

[Governor Gavin Newsom](#) has also expanded the state's efforts and resources to address the opioid epidemic. California's National Guard increased the size of their force by 166 new guard members to support the Governor's initiative to reduce fentanyl in communities. This has helped the state increase seizures of fentanyl. In 2022, California law enforcement, with support from the California National Guard, seized 28,765 pounds of opioids, a 594 percent increase compared to the amount seized in 2021. It is believed that the amount of fentanyl seized in 2022 potentially saved hundreds of millions of lives, according to the [Federal Drug Enforcement Agency](#).

Role of Local Governments

Local communities confront the realities of the opioid epidemic each day through the increasing toll on first responders, educators, child welfare agencies, criminal justice, public safety officials, health professionals, and community organizations, among others.

According to the [National League of Cities](#), some of the most promising strategies to combat the substance use crisis in our cities is through combining access to treatment, harm reduction, recovery, and prevention efforts with resources targeted through the effective use of data sharing and focused on evidence-based programs and approaches. In addition, successful coordination of services and collaboration among city, county, and state leaders are key to breaking down silos and stretching scarce resources.

State Budget Allocations

Building on the 2022 Budget Act opioid response investments, the proposed budget includes an additional \$93 million in Opioid Settlement Funds over four years beginning in 2023-24 to support youth and fentanyl-focused investments for the Department of Health Care Services and the Department of Public Health, including:

- **Fentanyl Response:** Proposes \$79 million for the Naloxone Distribution Project to increase distribution to first responders, law enforcement, community-based organizations, and county agencies.
- **Fentanyl Grants:** Proposes \$10 million for grants to increase local efforts in education, testing, recovery, and support services to implement Chapter 783, Statutes of 2022 ([AB 2365](#)).

- **Fentanyl Test Strips:** Proposes \$4 million to support innovative approaches to make fentanyl test strips and naloxone more widely available.

The proposed budget also proposes \$3.5 million in ongoing Proposition 98 funds to provide all middle and high school sites with at least two doses of naloxone hydrochloride or another medication to reverse an opioid overdose on campus.

Additionally, the proposed budget includes key adjustments related to the behavioral health workforce. Addressing the state's toughest challenges also requires a dedicated, diverse, and highly skilled staff making these investments instrumental in addressing the substance use crisis. Specifically, the proposed budget:

- Delays \$130 million General Fund for the California 25x25 Community Health Worker Initiative Grant program to \$65 million in 2024-25 and 2025-26.
- Maintains \$1 billion to the Department of Health Care Access and Information to strengthen and expand the state's health and human services workforce to increase nurses, community health workers, and social workers, as well as support new individuals coming into the workforce in behavioral health.

Legislative Package

A host of bills have been introduced this year to combat the substance use crisis. Cal Cities is tracking the following measures:

- **[AB 18 \(Patterson\)](#) Controlled substances.**
This measure requires a person who is guilty of selling fentanyl, peyote, and various other opiates and narcotics to receive a written advisory of the danger of manufacturing or distribution of controlled substances and that, if a person dies as a result of that action, the manufacturer or distributor can be charged with voluntary manslaughter or murder.
- **[AB 19 \(Patterson\)](#) Pupil health: opioid antagonists.**
This measure requires each individual public school operated by a school district, county office of education, or charter school to maintain at least two doses of naloxone hydrochloride or another opioid antagonist for purposes of those authorizations.
- **[AB 24 \(Haney\)](#) Emergency response: opioid antagonist kits.**
This measure requires a person or entity that owns, manages, or is responsible for a bar, gas station, public library, or single-room occupancy hotel in a county that is experiencing an opioid overdose crisis to acquire and post an opioid antagonist kit, which includes an instructional poster and opioid antagonist nasal spray, in areas that are readily accessible only by employees, including, but not limited to, a break room, and to restock the opioid antagonist kit after each use.
- **[AB 33 \(Bains\)](#) Fentanyl task force.**
This measure states the intent of the Legislature to enact legislation to create a fentanyl task force to identify and address the fentanyl crisis as part of the opioid epidemic in this state.
- **[SB 10 \(Cortese\)](#) Pupil health: opioid overdose prevention and treatment.**
This measure adds a new requirement for the training programs for school staff on the use of emergency opioid antagonists to treat an opioid overdose, with the recommended training following specified standards and criteria by July 1, 2024.

- **[SB 13 \(Ochoa Bogh\)](#) Controlled substances.**
This measure requires a person who is guilty of selling fentanyl, peyote, and various other opiates and narcotics to receive a written advisory of the danger of manufacturing or distribution of controlled substances and that, if a person dies as a result of that action, the manufacturer or distributor can be charged with voluntary manslaughter or murder.
- **[SB 19 \(Seyarto\)](#) Anti-Fentanyl Abuse Task Force.**
This measure creates the Anti-Fentanyl Abuse Task Force to undertake various duties relating to fentanyl abuse, including collecting and organizing data on the nature and extent of fentanyl abuse in California and evaluating approaches to increase public awareness of fentanyl abuse
- **[SB 44 \(Umberg\)](#) Controlled substances.**
This measure requires a person who is guilty of selling fentanyl, peyote, and various other opiates and narcotics to receive a written advisory of the danger of manufacturing or distribution of controlled substances and that, if a person dies as a result of that action, the manufacturer or distributor can be charged with voluntary manslaughter or murder.
- **[SB 62 \(Nguyen\)](#) Controlled substances: fentanyl.**
This measure imposes an additional term, and authorizes a fine against, a defendant who is convicted of possessing for sale or purchasing for purposes of sale a substance containing fentanyl.

Existing Cal Cities Policy:

As noted below, [Cal Cities Summary of Existing Policy and Guiding Principles](#) does include policies related to substance use, healthy cities, and smoking and tobacco control. However, the existing policy does not mention the Cal Cities' position on combating the substance use crisis or preventing and reducing overdoses.

- **Public Safety:**
Cal Cities supports the promulgation of policies and the use of resources to increase collaboration between first responders and health agencies for incidents involving people living with mental illness or experiencing substance use disorders.

Cal Cities supports resources for increased training and education for first responders to serve people living with mental illness or experiencing substance use disorders as well as increased multidisciplinary collaboration.

- **Community Services:**
Cal Cities encourages California cities to help parents make healthy family choices; create healthy schools; provide access to healthy and affordable foods; and adopt city design and planning principles that promote physical activity.

Cal Cities encourages cities to involve youth, especially middle and high school students, with city health-related programs.

Cal Cities supports legislation that limits the ability of minors to obtain tobacco and tobacco products, including electronic cigarettes and vapor products

Proposed Addition:

The proposed addition would fall within the Public Safety and Community Services sections of the Summary of Existing Policy and Guiding Principles document. If approved by the committee and Board, the following policy would be added:

Substance Use

Cal Cities supports additional funding and resources to address the substance use crisis through appropriate prevention and intervention efforts, educational awareness campaigns, and increased access to life-saving overdose treatment aids such as naloxone.

Staff Comments:

Cal Cities staff believes the policy detailed above will provide needed clarity to the Public Safety and Community Services section of Cal Cities Summary of Existing Policy and Guiding Principles. This policy will ensure that Cal Cities can play an integral role in advocating to address the substance use crisis throughout the state.

Staff Recommendation:

Cal Cities staff recommends **adopting** the proposed policy.

Committee Recommendation:**Board Action:**