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U.S. Attorney's Office

District of Colorado

FOR IMMEDIATE RELEASE

Tuesday, December 4, 2018

Joint Statement of the U.S. Attorney's Office and the Denver Field Office of the Drug Enforcement Administration regarding the City and County of Denver's Proposal to Create Supervised Locations to Inject Heroin and Other Illegal Drugs

DENVER -- The Denver City Council recently passed an ordinance that proposes establishing supervised use sites, where drug users would be allowed to lawfully inject heroin and other illegal drugs in a facility operated by a governmental organization or a nonprofit. This proposal still has a number of steps to go before it becomes a reality. In the meantime, there are a few things Coloradans should know.

Foremost, the operation of such sites is illegal under federal law. 21 U.S.C. Sec. 856 prohibits the maintaining of any premises for the purpose of using any controlled substance. Potential penalties include forfeiture of the property, criminal fines, civil monetary penalties up to \$250,000, and imprisonment up to 20 years in jail for anyone that knowingly opens, leases, rents, maintains, or anyone that manages or controls and knowingly and intentionally makes available such premises for use (whether compensated or otherwise). Other federal laws likely apply as well.

Second, there is no evidence that such sites actually reduce the number of drug-related deaths or make it more likely that users will seek help for their addiction or mental health issues. Indeed, a recent review of one facility in Vancouver found that the overdose death rate in the immediate vicinity of the facility was actually the highest in the city. This may be due in part to the fact that while these facilities are touted as being "safe" because of the availability of opioid antagonists (e.g., Naloxone or Narcan), these facilities are not actually limited to opioid users. Those injecting methamphetamine, cocaine, or other drugs for which there is no counteragent are also welcome to use the facility. The Denver facility likewise would welcome users of any drug, not just opioids.

Third, these facilities actually increase public safety risks. Just like so-called crack houses, these facilities will attract drug dealers, sexual predators, and other criminals, ultimately destroying the surrounding community. More importantly, the government-sanctioned operation of these facilities serves only to normalize serious drug usage – teaching adults and children alike that so-called "safe" drug usage is somehow appropriate or can actually be done "safely." The type of drug use contemplated here is always life-threatening behavior.

Finally, we note that nothing in this statement should be read as casting aspersions on the laudable motives of those seeking to improve our communities and free Coloradans from the scourge of drug addiction. The U.S. Attorney's Office and the Denver Field Office of the Drug Enforcement Administration support all methods of legal intervention to address the opioid and methamphetamine crisis in Colorado, and in fact work hard to facilitate them every day.

But these efforts must comply with federal law. Efforts that do not comply with federal law risk action by the U.S. Attorney's Office using any and all federal remedies available.

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Updated December 4, 2018