Syringe Service Program Laws

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SUMMARY
This map details the variation in state laws addressing syringe distribution, syringe possession, and laws authorizing for the operation of Syringe Service Programs (SSPs) as of August 1, 2019. This page highlights how states vary in the operation of SSPs and the laws surrounding the possession and distribution of syringes.

ABOUT SYRINGE SERVICE PROGRAM LAWS & THE DATA
When persons who inject drugs can be criminally charged for distributing or possessing syringes, they are more likely to share or reuse syringes. Sharing syringes is a leading cause of the spread of infectious blood-borne diseases like HIV/AIDS.

Historically, drug paraphernalia laws criminalized the distribution and possession of syringes and decreased access to sterile syringes. Over time, some states have decriminalized the free distribution of syringes and/or the simple possession of syringes by removing the mention of syringes or explicitly excluding syringes from their criminal drug paraphernalia laws, repealing drug paraphernalia laws altogether, or by creating exceptions to laws which allow syringes to be distributed in an effort to prevent the spread of blood-borne diseases.

Health departments and community organizations across the country have organized SSPs to provide sterile injection equipment to people who inject drugs. SSPs are sometimes authorized explicitly by law, while other times states utilize changes or absences in laws pertaining to objects used for injecting drugs to find legal bases for the operation of SSPs. In addition to providing sterile injection equipment, SSPs have also come to provide prevention and drug treatment services, as well as disease screenings and educational information.

This map identifies how states have chosen different ways to regulate syringes and SSPs. By noting variations in the laws, strengths and gaps in the legislation can be analyzed.

Some findings from the dataset include:

- Thirty-two states have explicitly authorized SSPs with an additional seven states otherwise removing legal barriers.
- Eighteen states have explicitly exempted SSP participants from laws prohibiting the possession of drug paraphernalia.
- Six states do not include syringes or injecting in their definition of drug paraphernalia while an additional three states explicitly exclude syringes from their definitions altogether. Alaska has no drug paraphernalia prohibitions at all.
This is a cross-sectional dataset and captures the law as it existed on August 1, 2019.

**NAVIGATING THE DATA**

There are two ways to navigate the data by clicking the **Filter** tab or the **Explore** tab — for each option, the data can be visualized in a map and table format or in jurisdiction profiles.

**Filter**
The dataset homepage will default to the Filter tab. Here, users may answer a series of questions to learn more about the characteristics of the laws. Answering more than one question will show all the jurisdictions that meet the combined criteria. Criteria selected will be listed above the questions, and can be removed by clicking the white X or by clicking “Reset” above the questions.

**Explore**
Users can access Explore by clicking the Explore tab in the bar above the questions. Using Explore, users will see the answers to one question across all jurisdictions.

The primary questions in this dataset are:

1. Does state law allow for the operation of SSPs?
2. Does state law explicitly authorize SSPs?
3. Does state law allow possession of syringes by SSP participants?
4. Does the state have a drug paraphernalia law?
5. Are SSPs operating in the jurisdiction?

**DISPLAYING THE RESULTS**

There are two display modes once criteria have been selected by using either the Filter or Explore tab — **Map** display mode and **Profiles** display mode.

**Map Display**
LawAtlas.org dataset homepages default to the map display mode. When querying the data using the Filter tab, all jurisdictions that meet the criteria selected will display in one tone of yellow. Those jurisdictions that do not meet the criteria selected will be colored gray. When querying the data using the Explore tab, the map will illuminate with colors from yellow to red that are associated with the various answer choices (the color-coding is defined by the key to the left of the map).

Below the map, a table will appear. Using the Filter or Explore tab to navigate the questions will change the display:

- Using the Filter tab, you can select an unlimited number of criteria and the applicable jurisdictions that meet the combined criteria will be displayed in the table below.
- Using the Explore tab, you can isolate a single criterion and the applicable jurisdictions will appear in the table below.
Profiles Display
The Profiles display presents the results of the criteria selected in a text-based format for each applicable jurisdiction. Using the Filter tab, jurisdictions that meet the criteria selected will display. Using the Explore tab, jurisdictions that meet the criterion selected will display. If no criteria are selected, the full profiles for each state will appear under both Filter and Explore.

Profile Legend
Within each Profile box, above the questions and answers, there are additional options and information useful in exploring the law:

<table>
<thead>
<tr>
<th>$$$</th>
<th>Toggle Legal Text – Selecting this option will show all the legal text used to answer questions for this jurisdiction.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Toggle Full Place Profile – Selecting this option will show all questions and answers for this jurisdiction, regardless of what was selected using the Filter or Explore tabs.</td>
</tr>
<tr>
<td></td>
<td>Toggle Size – Selecting this option will make the profile larger, but will not change the information displayed.</td>
</tr>
</tbody>
</table>

Map and Profile Legend
There are a few symbols to be aware of in both Map and Profiles display modes:

| § | Section Symbol – Clicking this symbol will open a window that displays excerpts from the law that correspond to the question and answer. |
| ⚠ | Caution Note – Clicking on this symbol will open a small window that displays text that describes important caveats about the question and answer. |

DATASET RESOURCES
Each dataset homepage includes the following resources available for download:

- Data: The Data file exports in CSV format and may contain two tabs. The “Statistical Data” tab contains the legal variables coded in the dataset, displayed as values defined in the accompanying Codebook. The “Summary Data” tab contains the legal variables coded in the dataset in text form, as well as the accompanying citations and any caution notes that may be included. Note: If there is only one tab available for download it will be the “Statistical Data” as described above.

- Codebook: The Codebook defines all of the coded variables in the dataset. The Codebook lists the question, question type, variable name, variable value and variable label. The Codebook should be used in conjunction with the Statistical Data extract.
• Research Protocol: The Research Protocol is a comprehensive document that outlines the entire methodology of the project, including the scope, inclusion and exclusion criteria, data collection methods, definitions, coding scheme decisions, as well as the quality control process.

• Summary Report: Trust for America’s Health has provided a policy brief on Syringe Access which contains a snapshot of important information from the dataset, as well as key contextual information on the law surrounding syringe access.

ADDITIONAL INFORMATION
• For more information on Syringe Exchange Programs, their locations, and information regarding their legality please visit amfAR: https://www.amfar.org/, the Kaiser Family Foundation: https://www.kff.org/, and NASEN: https://nasen.org/.

• Subject matter experts for this dataset include an employee of an operating SSP and an official at a local health department.

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