

Governor Justice,

We are writing to urge you to veto Senate Bill 334.

At your press conference Monday, when asked if you had concerns about SB 334, you stated that you believed that “everyone came together” to develop something with a “good scientific balance” that will “aid and help the public in every way.”

Governor, you have been misinformed.

SB 334 does not strike a balance. This legislation will all but eradicate syringe service programs in West Virginia. Senate Bill 334 would require syringe service programs to operate in a manner in direct contravention of CDC guidance, guidance which is based on 30 years of peer-reviewed science.

SB 334 is premised on fear and stigma. West Virginians need leadership grounded in compassion and science.

We write to you as doctors, nurses, pharmacists, physician assistants, aides, psychologists, social workers, counselors, recovery coaches, advocates, and researchers. We come from every corner of the healthcare field. But we also write to you as West Virginians.

By requiring city councils and county commissions to write a statement of support in order for a syringe service program to exist, the state is putting critical public health decisions in the hands of elected politicians. It is no secret that syringe service distribution and harm reduction are controversial topics in the state right now. Requiring elected officials to put their name on a “stamp of approval” for syringe service programs in their communities is effectively sentencing almost all of these life-saving programs to die.

Even if a few harm reduction programs were able to remain standing after the passage of this bill, the requirement of a West Virginia ID is a barrier that many participants, who are vulnerable and may be unhoused, will be unable to meet. The requirement serves no other purpose than to keep people from accessing life-saving services. It is cruel and unconscionable.

What we will see is that when syringe service programs disappear, so too does a key conduit to other life-affirming services, including HIV testing, naloxone, referrals to support and recovery, and education on healthy practices. Harm reduction saves lives.

West Virginia has been seen as a model nationwide for our rollout of the COVID-19 vaccine and our response to the pandemic. You wisely listened to public health professionals and the CDC when leading the state on these issues.

This is no less a public health crisis. People in this state are dying from HIV and other bloodborne diseases transmitted by injection drug use. Many, many, more will die if this cruel legislation is enacted into law. As you may know, when former Vice President Pence was

governor in Indiana, his anti-harm reduction policies led directly to an HIV outbreak that affected more than 230 people in a small, rural town of 4,000. He had to reverse course and issue an emergency order to provide for sterile syringe distribution.

If this goes into law, you will no doubt be in the same position. Just as the CDC tells us that wearing a mask will protect both ourselves and our neighbors, it tells us that low barrier, evidence-based harm reduction programs save lives. We know you believe in science and that you care for the health of every Mountaineer. Veto this bill.

Sincerely,

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