

#REFRAME THE BLAME



A toolkit for
the Last Will
and Testament
Project

INTRODUCTION

A coalition of drug user unions, harm reductionists, and other lovely people created this document for organizations and partners supporting the Last Will and Testament Project (LWTP). Together we can amplify messaging to combat the dissemination and increasing use of drug-induced homicide (DIH) laws through the media, our communities, and our networks of supporters.

The information and resources contained in this toolkit are designed and intended to be used as a guide to develop your organization's own LWTP campaign in your respective communities. This toolkit contains:

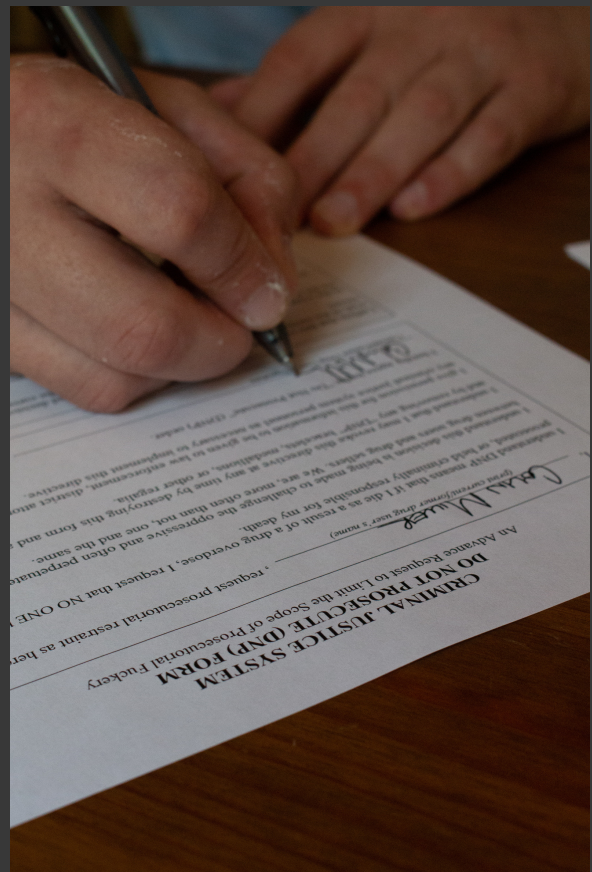
- An overview of the LWTP campaign and information on drug-induced homicide laws
- Instruction on messaging and how to address and approach your audience
- How to execute the collective action (i.e. signing of DNP Directive)
- How to engage the media
- LWTP Pamphlet
- Factsheet on DIH Laws
- Instructions on Writing a Press Release
- The Do Not Prosecute (DNP) Directive
- Facebook Banners
- Twitter Banners

We encourage you to personalize and localize your educational, collaborative, and direct-action efforts. How you utilize these tools could

contribute greatly to the success of your campaign. We also implore you to check out the incredibly detailed report that Drug Policy Alliance (DPA) recently published about DIH laws and their effectiveness at:

https://www.drugpolicy.org/sites/default/files/dpa_drug_induced_homicide_report_0.pdf

DPA's report will provide you with a bunch of really helpful information that will give you a better picture of how these kinds of laws affect people across the country and why they are ineffective. The report also outlines what may work better in accomplishing the goals of lower overdose death rates, better health for drug users, as well as other reasonably attainable objectives we should be pursuing in light of the current climate around drug use.



CAMPAIGN OVERVIEW

The focus of the LWTP campaign is to bring awareness to the increasing use of drug-induced homicide, felony-murder, depraved heart, and manslaughter laws being used nationwide in charging people who have provided drugs to people who have died of a drug overdose. This heavy-handed criminal justice approach relies on a number of myths that have found traction in the age of the “war on drugs”, such as there being little overlap between drug users and drug dealers, or that harsh criminal penalties for those who provide drugs are an effective deterrent against the sale and use of drugs.

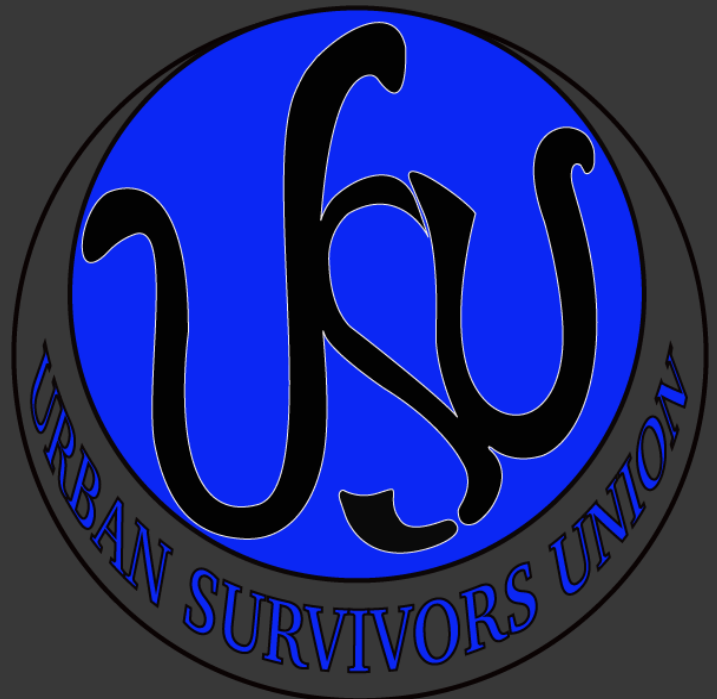
Drug use is a fact of many of our lives, as are related issues such as overdoses, health issues, and the myriad negative effects which result not from drug use itself, but rather from prohibition of drugs. While we struggle with these issues, our problems are made significantly worse by the system that often claims it wants to help us. As we sell drugs to and procure drugs for other people, often to support our own habits or to help a friend or loved one out, we risk being targeted AT THE SAME TIME as we endure the trauma of losing a friend or loved one to overdose.

The LWTP campaign seeks to call out and shine a light on the ineffective, harmful, and misguided strategy of utilizing drug-induced homicide and other laws to prosecute people who did nothing but engage in a mutually consensual transaction. It’s time to reframe the blame; to shift it onto the shoulders of those at the other end of the ridiculous sentences, the beatings, the harassment, and the culture of fear and stigma that marginalizes our brothers and sisters. We are worthy of love and respect, and we will not stand by as people are thrown into prisons in our names; as our legacies and

memories are turned into propaganda to further promote the very policies that were used to marginalize and oppress us while we were living.

In order to make a statement, we will sign Do Not Prosecute (DNP) orders (similar to Do Not Resuscitate/DNR orders) that state strongly that we have had enough, and should we die of an overdose, it is our wish that NO ONE be charged or prosecuted for anything in relation to our death. While these DNP orders are not legally binding due to the fact that the person being charged would be charged by the state where the overdose took place, there was a time when advance directives were not acknowledged by the courts either. It is through activism, applying pressure, and making people listen to and hear us that we can start the movement towards more sensible and effective drug policy as a nation and in our communities.

Collectively, we CAN and WILL make a difference.



MESSAGING

By resonating with target audiences, we hope to spark conversation and action around the use of drug-induced homicide and other laws in charging people for providing drugs to people that overdose. Our goal is to engage directly impacted people in direct action that makes a statement: we are not okay with anyone being imprisoned in our name, should we die.

Hashtags

We chose some hashtags that will unify our individual efforts on social media. Please incorporate them into Facebook and Twitter posts. Also feel free to do some spicy shit as well and add any hashtags that your organization rolls with + whatever other hashtags you want to add.

Primary:
#REFRAMETHEBLAME

Secondary:
#RESPECTMYLIFERESPECTMYDEATH

Project:
#LWTPProject

Position Statement

Position statements are designed to be used in their entirety or parsed as needed. This statement can be used on websites, in brochures, in the “about” section on a Facebook page, or anywhere else your little heart desires.

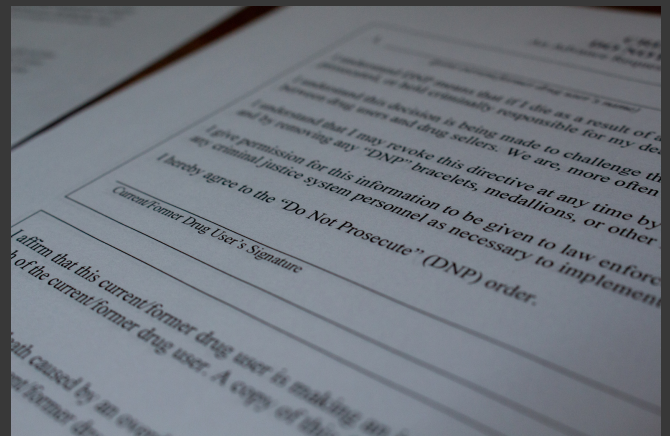
"The increasing use of drug-induced homicide and similar laws are part of an overly aggressive drug war policy which will only lend itself to increased drug-related harm. Those being punished with drug-induced homicide


and similar laws are often struggling with drug use themselves and need support, not punishment. Society cannot both employ criminal justice strategies AND treat drug use as a public health issue in any effective manner. There is ABSOLUTELY NO EVIDENCE that drug-induced homicide laws have any positive effect on rates of drug use, overdose, or drug availability.

We, the people who are most affected by all aspects of drug use and the “war on drugs”, will not stand by while our brothers and sisters are locked up, abused, and dehumanized in our names. Longer sentences have done nothing to stem the tide of drugs for the last 40+ years. In fact, numerous changes in laws resulting in harsher penalties for drug-related offenses over the years has led to a 1,101% increase in the number of people incarcerated for drugs from 1980 to 2016. Doubling down on ineffective drug policy will not fix anything. "

(Smaller) Position Statement

Shorter position statements are designed to be used in their entirety or broken up into memorable snippets. They can be the basis for social media posts, scrawls on bathroom walls, or whatever. Simply take the primary position statement above and cut it down to a more digestible length.





TAKE A STAND AGAINST DRUG-INDUCED HOMICIDE LAWS

#reframetheblame

Key Messages and Talking Points

The following messages provide a foundation for all social media posts, inquiries, or in-person talking points for supporters. Feel free to use them in combination with your own organization's messaging:

- Drug-induced homicide laws do nothing to deter people from selling or using drugs. A recent study across all 50 states found no discernable relationship between drug imprisonment rates and drug use or overdose deaths. In fact, both drug use and overdose rates have risen significantly since the 1970's, as has the prison population.
- Drug-induced homicide laws subvert Good Samaritan laws intended to save lives, contributing to an increased rather than a decreased number of overdoses. The possibility of being charged with homicide

discourages people from calling for help when someone overdoses.

- Many of the current and pending drug-induced homicide laws are intended to target "professional" drug dealers, creating a false dichotomy between drug users and drug sellers. People who use drugs are often involved in selling them as well, resulting in these kinds of laws being used to target the very people they are supposed to be protecting.
- Locking people up costs a whole lot of money. This same money could be used in a variety of ways that would be more useful in helping people mitigate potential harms related to their substance use including increasing access to treatment (especially MAT), funding harm reduction programs, increasing access to naloxone, and expanding educational programming around substance use.

How to Reach People

The following are only suggestions. We suggest that you integrate your own ideas as well as the ideas of people in your organizations and community as much as possible. Share these suggestions with your team and see what else you come up with. Having brainstorming sessions can be incredibly helpful, as others often can see what we cannot. Always consider your capacity and that of your organization before you set your outreach ideas in motion

- Create localized LWTP campaign tools and provide standardized website images, banners, etc. for supporters to utilize on their own social media, or disseminate those provided with this toolkit.
- Develop content for local organizations' newsletters.
- Engage EVERYBODY YOU CAN on social media.
- Collaborate with other organizations on co-branded assets.
- Post a sample social media matrix/editorial calendar.
- Celebrate successes publicly.
- Encourage staff and volunteers to document, publish, and disseminate impact stories demonstrating the impact their work is making.
- Engage elected officials via social media.
- Approach elected officials with numbers and statistics, personal experiences, and facts.
- Visit legislators at their offices.

- Attend community events that policymakers attend and utilize key messaging to engage them.

- Build and solidify relationships from a position of strength. Remember, you are a valuable resource for elected officials. You have the experience, expertise, data, and stories that are essential to creating well-informed policy around substance use.



Steve "Gator" Daniels AKA Brother Malik, Co-Founder
Twin City Harm Reduction Collective and Southern Harm
Reduction Pioneer

EXECUTING THE COLLECTIVE ACTION

Planning an event can be stressful, but a #reframetheblame event should be pretty light weight, especially if you fold it into another harm reduction event. For example, the initial rollout of the LWTP campaign was on Overdose Awareness Day (August 31st) 2018, allowing organizations to simply add the messaging, actions, and content to events they were already holding for Overdose Awareness Day. You could also merge an event with a community training, event, or hold it as a stand-alone action. Use the following steps as a basic guideline:

- First, hold an interest meeting to gauge local interest. Focus on inviting current and former drug users, but it may be beneficial to include some allies and accomplices to get a broader perspective. If there is interest, decide on a date (see below for some suggested dates) to hold the event and get to work!
- Have planning meetings regularly and determine how the group of people organizing the event will communicate (regular calls, emails, etc.). Make copies of the tools you want to use and start distributing them in the community in order to begin to educate people about the issues and the campaign. Focus first on natural allies: drug users' unions, harm reductionists, sentencing/prison reform groups, social justice groups, community organizing groups, etc. Education is key for this event and for the larger LWTP campaign.
- Start planning your media campaign. Refer to the next two sections, "Engaging the Media" and "Leveraging Social Media" as guides for the campaign. Make a list of local media that you want to contact regarding the event and

contact media outlets you may have worked with in the past. Reaching out personally is the best way to ensure you have a local media presence. Set up local event pages online and be sure to send a press release letting the press know about the event. Some people utilize a social media matrix to remind their team to post on social media and/or blog regularly about the event. A social media matrix is a chart your group can use to remind everyone to post regularly. Use the hashtag #reframetheblame to unify.

- Host a learning day and/or have a web training. Educate your group about drug-induced homicide laws and the LWTP campaign. Work with members and have people tell short personal stories when they are relevant. Personal experiences are powerful, and it is important to practice telling our stories. Try to ensure that everyone involved understands what the purpose of the LWTP campaign is on a deep level.



- Determine if you want any guest speakers, especially those who have a personal connection to or experience with drug-induced homicide or similar laws. During the event set up a table or space where people can come and sign their DNP Order. We recommend that you have some time to discuss this and the meaning of the DNP Order with the group as well. Doing this can be a powerful experience for current and former drug users.

Suggested Dates for Your Event

While you could hold your event on any day really, it might be strategic to try and link it up with some of these days to maximize the impact:

- May 7th - International Harm Reduction Day
- June 2nd - International Sex Worker Saying
- June 21st - International Remembrance Day
- July 28th - World Hepatitis Day
- August 31st - International Overdose Awareness/Remembrance Day
- September 8th - International Recovery Day
- November 1st - International Drug User Day
- December 1st - World AIDS day
- December 17th - International Day to End Violence Against Sex Workers

Drug Policy Alliance (DPA)/Harm Reduction Coalition (HRC) Conferences, and/or any harm reduction, criminal justice reform, or related conferences or summits would be great places to host an action/event for the LWTP campaign. Just set up a table, organize some people, and BAM!



Jess Tilley, Executive Director
New England Users Union



Colin Miller, Executive Director/Co-Founder
Twin City Harm Reduction Collective

ENGAGING THE MEDIA

Reaching out to media can feel a bit intimidating, being an area many of us know little about. Luckily, it's not nearly as daunting a task as it may seem to be initially. Just follow the guidelines in this section, and please contact us if you have any issues or questions. Also, this toolkit has a sample press release that you can use, so don't worry about having to write a bunch of stuff. To reach the media:

- Use the following "Writing Your Press Release" section to write a press release
- Create a list of media outlets that includes local TV stations, public radio stations, newspapers, and local papers. For each media outlet, have at least one specific contact: their name, position title (i.e. editor), direct email, and phone number. Also add people involved in harm reduction, drug user organizing, public health, substance use disorder treatment, etc. This may include bloggers, writers, activists, etc.
- Email the press release to everyone on the list. The subject should read "Media Release – (Title of release)".



Rebecca Brooks, Board Member
Urban Survivors Union

- Two days after the media release has been sent, call all of the journalists on the list and ask if they received the release. If they have, ask if they would like any further information. If they have not seen it or say they did not receive it, simply resend it and follow up again. Don't give up if you don't get through right away. Journalists may receive hundreds of press releases every day; just keep calling and be persistent.

Writing Your Press Release

Follow this format to write a press release tailored to your own event. Many press releases are never seen, so make sure you have all the essential items on the press release and that the headline grabs the reader's attention.

Every press release should contain the following:

- **Headline:** The headline should read like one in a newspaper: "Drug Users Signing Advance Directives to Fight Drug-Induced Homicide Laws" or something else that grabs the reader's attention
- **Summary:** Activists from around the country are fighting the rapid increase of prosecutions in drug-related homicide cases.
- **Event Location:** Anytown USA Harm Reduction Headquarters
- **Event Time:** Month, Day, Year
- **Event Manager:** put the name of the organization hosting the event
- **The Body:** This is where you really get to tell the story of your event. It should be about 2 paragraphs. You should talk about your target audience, any speakers, or activities happening at this event. Lay out the

significance of the day you are holding the event on and why it is important to attend. State if there is any cost to attending this event, dress code, parking restrictions, age restrictions, etc. You will want to make clear to anyone attending what they are actually attending.

- Agency Info: Urban Survivors Union is a national drug user union supporting the rights of people who use drugs.
- Contact Information: Key Contact for the event, website, email address, phone number



Louise Vincent, Executive Director
Urban Survivors Union

Press Release Do's and Don'ts

DO'S

- Strong Start, Strong Language, Active Voice.
- Use your verbs!
- Don't use slang or jargon and watch those exclamation points!
- Identify a point person where readers can direct all inquiries.
- Make the press release newsworthy/interesting.
- Send the event info in a timely manner- If you send too early no one will come.
- Keep it around 300 to 500 words, and don't forget to have someone check your spelling and grammar!

DON'TS

- Don't use common phrases or clichés
- Don't give away everything. Leave them with questions about the event and leave them wanting more but remember to show them where to go get it.
- Don't use bullet points or long lists- these don't belong in a press release.
- Don't use a bunch of weird punctuation
- All caps are not good for professional credibility

LEVERAGING SOCIAL MEDIA

Social media is an excellent way to get the word out about your organization during the LWTP campaign. During the campaign, be sure to utilize the campaign hashtags and share your efforts and those of your community as widely as possible. This will give widespread visibility to our collective efforts as well as to your organization's work.

Use Social Media to Garner Media Attention

In some cases, people you engage on social media platforms may be an indirect method to reaching local reporters and other people that can help to disseminate information about the LWTP campaign. It can be hard to predict how messaging we put on social media platforms can spread to community leaders and other people we may have engaged with prior to beginning the campaign, so we never know when someone might notice a personal mention of the campaign rather than responding to a press release in their email inbox. These days, many reporters "discover"

stories on social media as well as through official channels. Local media coverage is important, and story placement can be quite valuable. A mention in the local newspaper or a segment on TV can give the LWTP campaign effort wider reach and credibility. Press releases, alerts, op-eds and letters to the editor are all important tactics to utilize if at all possible.

Engage Your Supporters

Reach out to your most engaged supporters through personal messages, thank them for their past support and encourage them to help advance the LWTP campaign. Be sure to share with your partners your boilerplate language to use in their own posts.

Your target audience operates their own communication networks through their personal social channels. Multiply 50 key supporters sharing the LWTP campaign message by the hundreds of people in their individual networks and you've generated considerable reach, awareness and mobilization for the LWTP campaign.

These guidelines will help prompt your friends and followers to connect with their hundreds of Facebook friends and Twitter followers.

#reframetheblame

**CRIMINAL JUSTICE SYSTEM
DO NOT PROSECUTE (DNP) FORM**
An Advance Request to Limit the Scope of Prosecutorial Fuckery

Purpose

Facebook

Short posts with photos or videos work best on Facebook. Instead of using this platform as an event board, encourage conversation with followers. Ask them to share their own stories about their lives and the lives of those they have known and loved. Engage people who may disagree but try to avoid getting into arguments or going at someone too hard. Stick to the facts and let them speak for themselves. Keep things respectful and take the high road; don't allow people to bring you down to their level. Sometimes agreeing to disagree is the best thing that we can do. Use the hashtag #reframetheblame to unify LWTP campaign efforts.

Facebook Best Practices

Instruct people within your own organization and any supporters to:

- Post in the late afternoon to increase engagement.
- Use appropriate hashtags.
- Incorporate links to related content like the Drug Policy Alliance report on drug-induced homicide laws.
- As often as possible, use visual or interactive content like photos and videos.
- Include a call to action asking people to get involved and share, like, or comment on the post.
- Ask questions in posts to encourage engagement.
- When someone does share, like, or comment, respond to them and foster a dialogue.

- Consider conducting Facebook Live during events.

Twitter

Twitter is an excellent platform to disseminate information in real time and to engage people in what's happening with your campaign. Remember, a hashtag is essentially a searchable term, created by placing a pound sign (#) in front of a word or phrase. #reframetheblame should be included to unify LWTP campaign efforts, but feel free to invent your own. Be careful not to use too many hashtags per Tweet, as the message can get blurred with overuse.

Twitter Best Practices

Instruct people within your own organization and any supporters to:

- Include calls to action or ask a question
- Post pictures and videos whenever possible
- Post links and encourage retweets
- Ask your community questions about their engagement with the LWTP campaign and related issues (criminal justice and drug policy reform, access to treatment, etc.)
- Retweet posts in which your organization, hashtag or event is mentioned, and reply if you wish to start a dialogue.
- Live-tweet any events you hold during the LWTP campaign



NEED ANY HELP OR ASSISTANCE?

Any of the following people will be happy to answer any questions regarding this campaign and/or provide any assistance needed to support groups or persons involved with this campaign:

Louise Vincent, MPH, Executive Director
Urban Survivors Union
(336) 669-5543
louise@urbansurvivorsunion.org

Rebecca Brooks, Board Member
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(541) 808-4871
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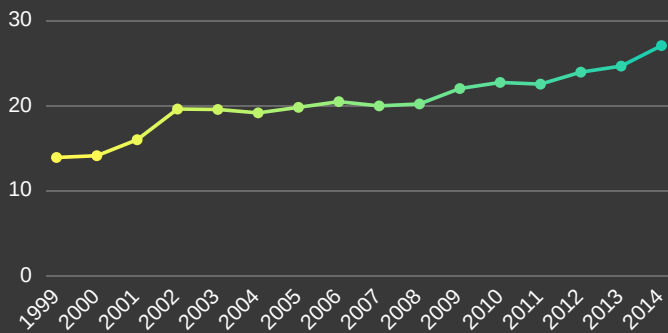
Jess Tilley, Executive Director
New England Users Union
(413) 312-8143
invein23@gmail.com

Colin Miller, Executive Director/Co-Founder
Twin City Harm Reduction Collective
(336) 695-6097
colinwassonmiller@gmail.com

ASK YOURSELF:

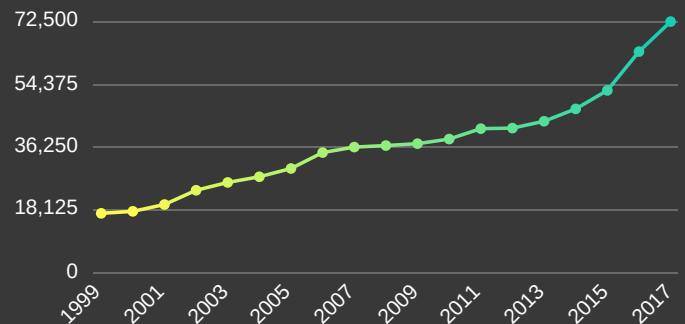
If a 1,101% increase in people incarcerated for drugs since 1980 has occurred at the same time as the number of overall drug users and overdose death rates are rising...

Estimated Number of Users of Illegal Drugs in the United States (in millions)



(Source: Office of National Drug Control Policy, National Drug Control Strategy: Data Supplement 2016, Table 1, https://obamawhitehouse.archives.gov/sites/default/files/ondcp/policy-and-research/2016_ndcs_data_supplement_20170110.pdf)

Number of Total Overdose Deaths in the United States



(Source: National Institute on Drug Abuse, Overdose Death Rates, <https://www.drugabuse.gov/related-topics/trends-statistics/overdose-death-rates>)

How does anyone expect more of the same to do anything different?

If I die of an overdose, I demand that no one be prosecuted for my death. If you grieve for me and you seek vengeance, channel that rage to work to end the War on Drugs. It is criminalization that is killing us, not fellow drug users and low-end dealers struggling just like us to survive. It is the drug warriors who condemn us to death. I will not be a symbol for them - a white woman whose life's work is forgotten so that her death may be leveraged to continue to wage a racist, classist war on people. Because it is the white faces of drug users like me which are often held up to justify these laws, and it is black and brown drug users like many drug users who are more often convicted and sentenced. If I die, I refuse to be wielded as a weapon against other marginalized drug users in my community.

Caty Simon, Drug User

WE WILL NOT STAND BY AS PEOPLE ARE THROWN INTO PRISONS IN OUR NAMES; AS OUR LEGACIES AND MEMORIES ARE TURNED INTO PROPAGANDA TO FURTHER PROMOTE THE VERY POLICIES THAT WERE USED TO MARGINALIZE AND OPPRESS US WHILE WE WERE LIVING.

**#RESPECTMYLIFERESPECTMYDEATH
#REFRAMETHEBLAME**



**TWIN CITY HARM
REDUCTION COLLECTIVE**

