



JOEL KLEEFISCH

STATE REPRESENTATIVE • 38TH ASSEMBLY DISTRICT

Testimony on the Fentanyl Bill, Assembly Bill 335

Assembly Committee on Criminal Justice and Public Safety

Thank you Chairman Spiros and members of the Committee for holding a hearing today on Assembly Bill 335, an important bill that will crack down on two extremely deadly drugs infiltrating our state: carfentanil and fentanyl. Many people know these drugs as the same drugs that Michael Jackson & Prince overdosed on.

This past summer, I had the honoring of leading a Coalition to Combat Heroin. The idea for this bill came from that coalition, and the idea was spearheaded by Dr. Tim Westlake, an emergency room doctor and the real expert on this legislation, who will be testifying shortly.

These drugs are extremely deadly: carfentanil is 5,000 times more potent than heroin. Carfentanil is 100 times more potent than fentanyl, and fentanyl is 50 times more potent than heroin. These drugs are becoming an all too common danger in our communities.

There has been a rise in fentanyl-related deaths in our state. Milwaukee County alone had a 120% increase in fentanyl-related deaths last year. Wisconsin is starting to see more and more fentanyl-related overdose cases, and sadly, oftentimes the users do not even realize that fentanyl has been mixed into their drugs, making the drugs they take more potent and deadly.

Further, drug manufacturers can easily alter these fentanyl drugs, creating synthetic fentanyl-analogs that make it difficult to prosecute the drug dealers and drug manufacturers.

This bill has been drafted to best address this synthetic fentanyl analog issue and make it easier to stop and prosecute the drug dealers and drug manufacturers.

This bill includes language that more clearly defines and clarifies what the known specific analogs are, and goes further into the specific classes of chemical modifications that are possible and have not yet been manufactured. This will improve the strength of analog enforcement, and so it will be a very helpful tool in stopping the fentanyl supply in our state.

This bill provides specific detailed language that will make prosecution less expert-dependent and intensive. The language names known dangerous analogs and gives explicit chemical structure identification to make it more clear for law enforcement what exactly analogs are, making it more easy and likely to pursue quick prosecution. This



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bill should have a significant impact on the manufacture and importation of fentanyl-related substances.

This bill has been drafted at the request of the Wisconsin State Coalition for Prescription Drug Abuse Reduction, and it has been drafted upon consultation with the chief chemist from the DEA Diversion Control Division.

Again, thank you for the opportunity to testify, I am happy to answer any questions you might have.



John Nygren

WISCONSIN STATE REPRESENTATIVE ★ 89TH ASSEMBLY DISTRICT

Co-Chair, Joint Committee on Finance

Assembly Committee on Criminal Justice and Public Safety

Chair, Representative John Spiros

Testimony by Representative John Nygren

June 1, 2017

Thank you Chair Spiros and members of the Assembly Committee on Criminal Justice and Public Safety for holding a public hearing on Assembly Bill 335.

Since 2013, we have worked together on 28 bills aimed at combating our state's opioid and heroin epidemic, 17 of which have already been signed into law. With strong bipartisan support, we have successfully laid a foundation to combat heroin and opioid addiction in Wisconsin. That said, there is still more work to be done.

We started addressing the issue of addiction by specifically focusing on heroin, but we quickly realized that addiction often begins with legally prescribed opioids. Assembly Bill 335 builds upon the work we have already done to fight addiction in Wisconsin by targeting the abuse of fentanyl.

Fentanyl is a synthetic opioid pain medication that can be up to 100 times more potent than morphine. Different variants of fentanyl can be even stronger. Carfentanil, for example, is often used to tranquilize large animals like elephants, and is said to be 10,000 times more powerful than morphine. Unfortunately, we are seeing these powerful drugs being used illicitly and contributing to overdose deaths in our communities.

According to data from across the country, it has become increasingly commonplace for opioids like heroin to be laced with fentanyl, effectively increasing the drugs' potency exponentially. Assembly Bill 335 will help combat the misuse and abuse of fentanyl analogs by adding them to the synthetic opioids category under Schedule I. With this change, individuals who illegally possess, use, and distribute these dangerous drugs will be subject to Felony charges.

More often than not, a person suffering from an opioid addiction has no idea how strong the drug they're buying off the street can be. If a person buys heroin, he or she doesn't necessarily know if it's laced with something more powerful, like fentanyl. Efforts like Assembly Bill 335 will help reduce the illicit fentanyl found on the street and, in turn, save lives. It is for this reason that I urge you to support this proposal today.

I appreciate the opportunity to testify before your committee on this important piece of legislation and I welcome any questions you may have at this time.

Regards,

John Nygren
State Representative
Assembly District 89



PATRICK TESTIN

STATE SENATOR

DATE: June 1, 2017
RE: **Testimony on 2017 Assembly Bill 335**
TO: Assembly Committee on Criminal Justice and Public Safety
FROM: Senator Patrick Testin

Thank you Mr. Chairman and committee members for hearing my testimony on Assembly Bill 335. This bill is intended to build upon our work of tackling Wisconsin's growing opiate epidemic.

When used properly under medical guidance, fentanyl has very specific benefits to those who are in serious pain. However, like all opiates, it has become a dangerous recreational drug, that has led to a sharp increase in deaths related to its use in Wisconsin.

In recent years, Wisconsin law enforcement officials have come in contact with synthetic fentanyl-analogs created by drug manufacturers across the country. These illegal drug manufacturers are altering the chemical make-up fentanyl to create a similar drug with a similar high. This has made it difficult for prosecutors to stop the manufacturing and sale of fentanyl-analogs here in Wisconsin.

To address this issue, Assembly Bill 335 provides language that will assist the law enforcement officials and district attorneys who charge and prosecute individuals who use and distribute these drugs. Under our bill, fentanyl-analogs are added to the synthetic opiate category under Schedule I. Those who possess fentanyl-analogs are guilty of a Class I felony and those who manufacture, distribute, or deliver a fentanyl analogy is guilty of a Class E felony.

The goal of this bill, along with Representative Nygren's HOPE agenda, is to ensure that Wisconsinites, especially the youth of our society, are driven away from dangerous drugs like these. With fentanyl-analogs becoming a Schedule I drug in Wisconsin, law enforcement officials can better tackle crime in our state and protect citizens from drug abuse.

Thank you again for allowing me to testify on Assembly Bill 335. I ask that you continue to support the work we have done to combat opiate abuse in Wisconsin, and support this bill moving forward. Following our testimony, there will be citizens testifying with real life examples of what fentanyl-analogs are, and what they can do to an individual.