



PATRICK TESTIN

STATE SENATOR

DATE: September 5, 2017
RE: **Testimony on 2017 Assembly Bill 335**
TO: Senate Committee on Judiciary 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 of 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 analog 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.

A substitute amendment was introduced and passed in the Assembly. The substitute was of a technical nature that simply deleted, renamed, and renumbered the analogs listed in the original bill. To be sure that the legislation is implemented correctly, there will be a technical amendment to AB 335. The purpose of the amendment is to properly number the certain analogs, if the Controlled Substance Board has made any changes to current statutes.



JOEL KLEEFISCH

STATE REPRESENTATIVE • 38TH ASSEMBLY DISTRICT

Testimony on the Fentanyl Bill, Assembly Bill 335 *Senate Committee on Judiciary and Public Safety*

Good morning, Chairman Wanggaard and members of the Committee. Thank you 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, 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 bill should have a significant impact on the manufacture and importation of fentanyl-related substances. Thank you for the opportunity to testify.