



TESTIMONY

**REGARDS DRUG TRAFFICKING,
HUMAN TRAFFICKING, AND
FENTANYL**

House Bill 88

November 12, 2025

TESTIMONY BEFORE

OHIO HOUSE OF REPRESENTATIVES

House Judiciary Committee

TESTIMONY BY

Cooper Smith

HOMELAND SECURITY AND IMMIGRATION DIRECTOR



Chairman Thomas, Ranking Member Synenberg, and Distinguished Members of the Committee:

Good morning. My name is Cooper Smith, Director of Homeland Security and Immigration at the America First Policy Institute (AFPI). I write today in strong support of House Bill 88—a decisive, America First response to the fentanyl invasion that is killing Ohioans at unprecedented rates and undermining our national security. As a former White House Liaison and Policy Advisor at the U.S. Department of Homeland Security (DHS)—where I advised senior leadership on personnel decisions, Executive Order implementation, and border security issues, I witnessed firsthand the devastating impact of unsecured borders and transnational criminal networks on American communities, veterans, and families. This crisis is not just a border or health issue—it is a deliberate act of chemical warfare waged by the Chinese Communist Party (CCP) and Mexican cartels against the American people. AFPI’s research, [detailed in our report *Stopping Chinese Fentanyl Requires a New Approach*](#), documents how the CCP subsidizes precursor chemical production, floods the market with fentanyl components, and uses Mexico as a transshipment hub to poison our communities. H.B. 88 confronts this threat head-on with tougher penalties, smarter enforcement, and real prevention—exactly the kind of state-level action needed to complement the Trump administration’s federal HALT Fentanyl Act.

The numbers are staggering and demand immediate action. In 2023 alone, [over 107,000 Americans died from drug overdoses](#)—70% involving synthetic opioids like fentanyl. In Ohio, fentanyl is now the [leading cause of death for adults aged 18–45](#), outpacing car crashes, cancer, and heart disease. Behind every statistic is a family destroyed, a community hollowed out, and a national security vulnerability exploited by foreign adversaries. [The CCP produces 90% of the world’s illicit fentanyl precursors](#), often state-subsidized, and ships them through Mexico, where cartels press them into counterfeit pills that end up in Ohio’s schools, neighborhoods, and veterans’ hospitals. **This is not accidental—it is a calculated strategy to weaken America from within.**

House Bill 88 strikes at the heart of this pipeline with 27 targeted penalty increases across fentanyl, heroin, cocaine, and methamphetamine trafficking. Under current law, trafficking less than one gram of fentanyl—a dose that can kill 500 people—is often treated as a low-level felony with minimal jail time. H.B. 88 elevates this to a second-degree felony (2–8 years) and trafficking 1–5 grams become a first-degree felony (3–11 years minimum). Bulk amounts trigger mandatory minimums up to 16.5 years. These are not just numbers, they are deterrents that will stop low-level dealers, disrupt mid-level distributors, and bankrupt cartel operations. The bill’s new fentanyl-related death specification is a game-changer. If a trafficker’s product causes a fatal overdose, they face a mandatory consecutive 5-year sentence—no plea bargains, no leniency. This holds suppliers accountable, not just users, and mirrors the moral clarity of President Trump’s approach: if you poison an American, you pay with your freedom.

H.B. 88 also recognizes that fentanyl trafficking and human trafficking are inseparable. This bill sets a first-degree felony for anyone who organizes, finances, or participates in an “organization or operation for trafficking in persons”—including those who use addiction to coerce victims into distribution. This RICO-style tool expands Ohio’s



corrupt activity statutes to include fentanyl enterprises, enabling asset forfeiture, pattern prosecutions, and long-term incarceration. Cartels will no longer hide behind layers of deniability.

Finally, H.B. 88 invests in prevention as national defense. By mandating fentanyl awareness education in K-12 schools and higher education, and designating August as Fentanyl Poisoning Awareness Month, Ohio is arming the next generation with knowledge to resist this poison. As [AFPI has argued, awareness is a force multiplier](#)—educating parents, teachers, and students disrupts demand and denies cartels their customer base.

Critics will claim this bill is “too tough” or “too costly.” But the cost of inaction is measured in thousands of Ohio graves. States that have implemented similar enhancements, Nevada, Florida, Texas, have seen double-digit declines in fentanyl seizures and overdose deaths. Ohio cannot afford to be a sanctuary for traffickers while surrounding states act.

The America First Policy Institute stands with law enforcement, prosecutors, and grieving families in urging a strong “yes” vote on H.B. 88. This is not just policy, it is patriotism. It is protecting our children, securing our borders, and sending a message to Beijing and the cartels: Ohio will not surrender.

Thank you for your leadership. I welcome your questions.

