

Testimony of Newtown Police Chief Tom Synan to the House Criminal Justice Committee

November 19, 2020

Dear Chairman Lang, Vice Chair Plummer and Members of the House Criminal Justice Committee:

Thank you for the opportunity to weigh in on SB3 which I support.

Some people have argued that SB 3 should set the quantity tier for automatic trafficking lower than it is, but on the street, it can get cloudier. We have a young man, the third generation of the family that died in my community from addiction. He does not sell drugs but has a heavy addiction to fentanyl and methamphetamine. It is common for us to find 5-10 grams of fentanyl on him. With his daily habit of over 1 gram a day of fentanyl this supply lasts him about one week. He does not sell what he possesses and does not sell drugs to support this habit.

I was one in the beginning of the changeover from heroin to fentanyl and carfentanil that believed a person would not be able to survive these amounts and would not want to do these amounts. I have changed my view based on my experience that there are people under a heavy addiction to these powerful drugs that not only seek those amounts but do so in order to not get "dope sick". Unfortunately, they are so addicted to these powerful drugs, built up such tolerances that you and I would not be able to handle, that they literally need these drugs and amounts to survive.

If the law is based solely on the amount one possesses this young man although purely addicted may be construed as a dealer.

In my experience, the best way to tell the difference and make sure we are able to identify and charge traffickers is not by relying on quantity tiers but by looking at whether the circumstances of the crime suggest they were intending to sell. In my experience, the things I look to are: What was the nature of the officer interaction, interrogation and evidence? Was this a random traffic stop that found a few grams of drugs or was it an investigation based on tips that a person was dealing drugs? Did the person possess items known to be used for drug dealing such as several Ziplock bags, scales? What is the history of the person, do they have a drug trafficking history or known to be a user? These are also issues that may be able to be vetted in the court process to help "dig deeper" into what is really going on.

Senate Bill 3 lets law enforcement use those factors to tell possessors from sellers - and charge sellers with trafficking - by creating the new possession with intent trafficking offense. This new tool, and the reclassification of low-level possession, will help law

enforcement reduce the flow of drugs on the street by stopping actual 'dealers' and making sure people who are just addicted receive help. We should be open to a few extra steps to ensure we get it right so we can help those in need, while stopping those that prey on the addicted purely for money.

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