



MIKE DeWINE

OHIO ATTORNEY GENERAL

Administration
30 E. Broad St., 17th Floor
Columbus, OH 43215
614-728-5458
www.OhioAttorneyGeneral.gov

January 30, 2018

The Honorable Nathan Manning
Chairman, House Criminal Justice Committee
77 S. High St, 12th Floor
Columbus, OH 43215

Dear Chairman Manning,

Thank you for the opportunity to provide a letter in support of Senate Bill 1, sponsored by Senator LaRose, that would clarify and increase penalties for the distribution and possession of illicit fentanyl and fentanyl-related compounds.

By now, it is no secret that we are facing the worst drug epidemic of our lifetime. What has made this opioid crisis more devastating has been the drastic increase in overdose deaths due to synthetic opioids – especially fentanyl. The Bureau of Criminal Investigations (BCI), which I oversee as Ohio Attorney General, continues to see more cases of fentanyl and fentanyl-related compounds in our crime labs, and the drug submissions to BCI are increasingly more complex and deadly.

As you know, fentanyl is a synthetic opioid that is up to 50 times more powerful than heroin, and is used during anesthesia, for severe chronic pain, or to treat terminally ill patients. We must remember that when the current statute dealing with penalties for fentanyl offenses was written, it was structured as a pharmaceutical issue – not a “street drug” issue. The General Assembly must update the statute to reflect the current times, and I believe Senate Bill 1 accomplishes this.

The American Society of Crime Laboratory Directors (ASCLD) recently issued an urgent public alert regarding the dangers posed by drugs currently sold on America’s streets and in our neighborhoods. In the first six months of 2017, there was a 19% increase in opioid submissions to crime labs as compared to all of 2016. In 2016 crime labs identified 22 different types of fentanyl. Between 2012 and 2016, laboratories across the country have witnessed a 6000% increase in fentanyl cases. If you extend that timeframe by one more year, in Ohio, we have gone from 27 reported fentanyl cases in 2012 to 3,746 reported cases in 2017.

With the cases from law enforcement skyrocketing due to increased use on the streets, along with the recent decision by the Ohio Supreme Court (*State v. Pountney*), it is critical that the General Assembly update the statutes to make it clear to judges, prosecutors, and defendants how fentanyl-related crimes are to be treated under the law.

I strongly urge swift passage of Senate Bill 1 through the Ohio House of Representatives. Thank you for your leadership and the opportunity to address this important issue.

Very respectfully yours,

Mike DeWine
Ohio Attorney General