

General Law Committee JOINT FAVORABLE REPORT

Bill No.: HB-6698

AN ACT CONCERNING DRUG POLICY, SUBSTANCE ABUSE AND PEER SUPPORT SERVICES AND MANDATORY MINIMUM SENTENCES FOR

Title: CERTAIN DRUG-RELATED CRIMES.

Vote Date: 3/7/2023

Vote Action: Joint Favorable Substitute

PH Date: 2/21/2023

File No.:

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

SPONSORS OF BILL:

General Law Committee

Co-Sponsors:

Rep. Tom Delnicki, 14th Dist.

REASONS FOR BILL:

The opioid crisis continues to be pervasive in our state. This bill will implement new legislation in the hope of helping Connecticut assist its citizens with this tragic situation. This bill will establish an Office of the Chief Drug Policy officer. It would also expand the current navigator pilot program to a state-wide peer navigator program that would be funded by Opioid Settlement Fund. Many drug overdoses are caused by illegally manufactured and sold opioids, this bill would make mandatory minimum terms of imprisonment for manufacturing and selling certain substances.

Proposed Substitute Language

This substitute language adds words to for consistency, clarity and accuracy.

Section 1 (c)(5) added use after substance for internal consistency and (d) was rewritten to clarify. Section 3 (a)(1) (H) was moved to clarify the provision that applies concerning the employment status of persons serving as designees; Section 4 had changes for accuracy as well subsections were rewritten for clarity.

RESPONSE FROM ADMINISTRATION/AGENCY:

William Tong, Attorney General, State of Connecticut

Attorney General William Tong recommends the committee take no action on Section 3 of HB6698. Last year a settlement was reached with CVS, Walmart and Walgreens to pay to these states and municipalities who investigated and sued them for their irresponsible dispensing of medications that fueled the opioid epidemic. As part of these settlements CVS, Walmart and Walgreens are subject to court-ordered injunctive relief to ensure they clean up the way they dispense the medications. Attorney General Tong supports peer navigator programs, they are evidence based and make a difference to anyone struggling with substance abuse. The Office of the Attorney General recommends that Opioid Settlement Advisory Committee make the determination as to whether these programs receive these hard-fought funds.

NATURE AND SOURCES OF SUPPORT:

House Republican Office, State of Connecticut

State House Republicans support this bill. According to the Center for Disease Control and Prevention (CDC) 75% of drug overdose deaths in Connecticut had at least one chance for an intervention. Drug overdoses that caused death in Connecticut the CDC found 93% of the deaths involved at least one opioid, 84% of these deaths involved illegally manufactured Fentanyl's. After talking to constituents, the House Republican Caucus supports the measure in HB6698 and considers them necessary steps in helping Connecticut and its residents better combat opioid addiction. The proposal will establish Office of Chief Drug Policy Officer to centralize Connecticut's efforts to prevent opioid addiction. Reducing duplicate efforts and working with state agencies and other addiction prevention entities make services and the use of funds more effective. Peer Navigation Pilot Program was created under Public Act 21-113, before expanding on this program municipalities who wish to participate in the opportunity can do so. We can better assist the entire state with curbing opioid addiction by providing our municipalities with the necessary tools. Also, repeat offenders who sell and manufacturer these dangerous drugs should face a mandatory five-year sentence.

Kellie and Scott Choquette, For Cameron

Kellie and Scott Choquette are in support of this bill. Both serve on the Board of Directors of the not-for-profit, For Cameron. For Cameron seeks to bring attention to the crisis of Fentanyl and lessen the stigma around addiction and increase the availability of treatment and recovery services. In 2018, the Choquette's lost their son Nathan to an accidental fentanyl poisoning. Nathan was full of life and did not want to die, many things were elusive to Nathan as he struggled with mental health issues for many years leading up to his death. Given insurance protocols and spending caps, Nathan often was released from programs too early and after weeks his struggles would start again. They would like the Peer Navigator Programs expanded, mandatory minimum sentences for individuals who knowingly sell fentanyl-laced substances and they would like the creation of a Chief Drug Policy Officer that is appointed and is accountable to the Governor. Current bureaucracy has underperformed with limited resources, as the resources increase accountability and results must be ensured.

Fiona Cullinan Firine, Co-Founder and President of For Cameron, Inc.

Ms. Firine supports this bill. Ms. Firine supports the expansion of a Peer Navigator Program with funding coming from Opioid settlements and overseen by The Office of the Chief Drug Policy Officer. Peer Navigator Programs are effective and a positive step towards getting people the help they need with mental health and addiction services. There should be a mandatory five-year prison term for those who manufacture and sell these drugs. The Office of the Chief Drug Policy Officer should be appointed and accountable to the Governor and they should coordinate and streamline CT's endeavors to prevent addictions.

Lisa Deane, demand ZERO

Ms. Deane supports this bill. Ms. Deane lost her son in 2018 due to fentanyl poisoning. She would like the creation of a Chief Drug Policy Officer to be appointed by the Governor. Prevention, education, awareness, harm reduction and law enforcement must be coordinated in order to help with addiction. Mandatory sentencing for those knowingly selling fentanyl-laced substances should also be in place. Peer Navigator programs are also important to help those with mental illness and substance abuse.

Libby Makela-Johnson

Ms. Makela-Johnson supports this bill. Ms. Makela-Johnson lost her 22-year-old daughter Maija to acute fentanyl and codeine intoxication. For five years Maija struggled with her addiction and Ms. Makela-Johnson could not save her child. Substance abuse disorder is a disease and until it is consistently treated as such, people like Maija will continue to die. Lives depend on this bill passing the legislature.

NATURE AND SOURCES OF OPPOSITION:

Jessica Zaccagnino, Policy Counsel, American Civil Liberties Union of Connecticut (ACLU-CT)

Ms. Zaccagnino writes in opposition to Section 34 of HB6698. It is recognized that substance abuse is an illness to be treated and not to be criminalized and punished. Police and other criminal legal system actors are not the appropriate people to handle public health needs of substance abuse. Mandatory minimums take away discretion from judges and give it to prosecutors who can use mandatory sentences to frustrate constitutional rights and make racial disparities worse in the criminal legal system. Judges across the nation have spoken out against minimum sentences which do not appear to have any significant deterrent effect.

Reported by: Bonnie Gray, Assistant Clerk

Date: 3/29/2023