

**Statement of Senator Patrick Leahy (D-Vt.),
Ranking Member, Senate Judiciary Committee,
Hearing on “Deadly Synthetic Drugs: The Need to Stay Ahead of the Poison Peddlers”
June 7, 2016**

Synthetic designer drugs present a significant challenge to our communities. For years, law enforcement officials have struggled to stay a step ahead of the criminals who produce synthetic marijuana and bath salts – chemical cocktails that can have unknown and often devastating consequences. The criminals who manufacture these synthetic drugs are constantly modifying the formula in order to produce technically new drugs that are not included in our criminal code, making it exceedingly more difficult for law enforcement to hold them accountable.

In recent years, synthetic opioids have emerged as an increasing and all too often deadly threat. In Vermont, for example, the number of overdose deaths involving fentanyl, a synthetic opioid, increased by over 50 percent from 2014 to 2015. Emergency rooms have reported waves of addicts overdosing when fentanyl hits a town. Many users have no idea that fentanyl has been mixed in with their supply. Nor do they know just how dangerous the substance is, and that it can require up to several doses of naloxone to overcome an overdose, if the user can be saved at all.

We must work to reduce the impact of new and devastating drugs on our communities. We should carefully consider what additional tools the law enforcement community needs to combat these challenges. Making sure our drug laws can keep up with sophisticated manufacturers is an important step. So are strong interdiction efforts. Just last month, the President signed into law Senator Feinstein’s Transnational Drug Trafficking Act, which will make it easier for the Justice Department to prosecute major traffickers who ship synthetics and related chemicals into the United States.

We also know that addiction is at the root of every new drug crisis. One important lesson from the failed war on drugs is that supply will relentlessly chase demand fueled by addiction—regardless of penalty. If we are serious about ending the harmful and dangerous impact of these substances that tear at the very fabric of our society we must invest in ways to break the power of addiction.

For far too long, the knee-jerk legislative response to each new drug crisis has been punitive. In a desire to be “tough on crime,” we blindly assigned long, arbitrary terms of imprisonment that could not distinguish between kingpins and low-level offenders. We ignored effective treatment options and pushed addicts further underground and away from recovery. Such policies were misguided and we have paid a heavy price—lives have been wasted and families torn apart, while our prison population soared to levels once thought unimaginable. These policies reflected a complete misunderstanding of the problem of addiction.

After years of work, I am encouraged by the strong, bipartisan support for criminal justice reform and legislation that treats addiction like the public health crisis that it is. The Comprehensive Addiction and Recovery Act, or CARA, demonstrates a shift away from reliance on overly simplistic and counterproductive mandatory minimums toward a commitment to

evidence-based education, prevention, treatment, and recovery efforts. But CARA by itself will not pull our communities out of addiction.

Congress cannot pretend that solving a problem as large as addiction costs nothing. Through the appropriations process and upcoming conference on CARA, Congress must prove it is truly committed to getting ahead of this public health crisis. The time has come to put real dollars behind the rhetoric and fully fund the evidence-based programs that are proven to actually reduce addiction.

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