



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 1544		DATE: 2/22/2024	
COMMITTEE: Crime Prevention and Public Safety			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE C."HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: arniedienoff@yahoo.com	ATTENDANCE: Written		SUBMIT DATE: 2/22/2024 10:23 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

I am in Support of this Bill. Any one who purposely, knowingly or maliciously Delivers a Controlled Substance, they shall be held Accountable and Responsible for any harm or injury to the end-user. Drugs are wrong and bad for our entire State of Missouri. We NEED to rid our State of these awful drugs. We NEED to beef-up enforcement and Prosecution State-Wide. Let's get this Bill Passed, onto the Senate and onto the Governor Desk.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: LOCKE THOMPSON		PHONE NUMBER: 573-634-9180	
BUSINESS/ORGANIZATION NAME: MISSOURI ASSOCIATION OF PROSECUTING ATTORNEYS		TITLE: COLE COUNTY PROSECUTING ATTORNEY	
ADDRESS: 311 E. HIGH ST. #300			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/22/2024 12:00 AM	
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: GRACE IVERSON		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: grace.tedder97@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/21/2024 2:58 PM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

I urge the committee not to pass this bill. I'm concerned that this bill would actually exacerbate the problems it's trying to solve. We've seen that further criminalizing substance use and sales actually decreases public safety and health, and has greatly contributed to the overdose crisis - thus the common phrase "we can't arrest our way out of this." Additionally, the majority of people who sell illicit drugs also use drugs and many have substance use disorders themselves. I worry that this law would result in many friends and family members being charged with felonies due to sharing or selling drugs with loved ones, when they didn't know themselves how dangerous or potent those drugs were or that they would lead to a terrible accident. I urge the committee not to pass HB1544 and instead work on efforts we know to be effective in reducing overdose and other harms of substance use, like increasing access to treatment and recovery resources.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: KELLY GABLE		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: kngable@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/21/2024 10:40 PM
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: LAUREN GREEN		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: Lauren.M.Mackay@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/21/2024 3:44 PM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

I'm writing to express my opposition to HB1544. This bill seeks to address the harms of the illicit drug market and make our communities safer and healthier through increased criminalization which will likely have the opposite of its intended effect. This bill increases the charge level of delivery of a controlled substance based on what happens after the substance is ingested, putting individuals in prison for far longer terms than under present law. My primary concern is that this works against our shared goals of increasing public safety and health in our communities. Data from a 2018 Pew Charitable Trust study demonstrate that higher rates of drug imprisonment do not translate to lower rates of drug use, arrests or overdose deaths. We know both from the literature and from decades of experience, that we can't arrest our way out of this. Additionally, this legislation makes the assumption that people who use and sell drugs are distinctly different when, in fact, a recent study showed that 87.5% of individuals who sell drugs also use drugs with 43% of those individuals also meeting criteria for substance use disorder. This bill will further criminalize people with substance use disorder trapping them within the criminal justice system rather than providing them with access to resources, healthcare and support - both for substance use disorders and for gaining greater access to legal employment and other supportive services. Sending people to prison with a felony conviction will have the opposite effect, barring individuals from access to employment, housing and other services they could utilize to lead safer and healthier lives. I urge you to vote no on HB2700 / HB1544.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: NATHANIAL NOLAN		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: nolan.nathan@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/22/2024 9:17 PM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

My name is Nathaniel Nolan and I am an HIV and infectious disease physician in St. Louis, MO. I am also the founder and director of Street Med STL, a non-profit organization that provides care to unhoused people living on the streets of St. Louis. Since 2020, I have been making rounds to unhoused people in St. Louis, many of whom are deeply affected by the opioid and methamphetamine crises. In my clinical practice, I also care for many people who are struggling with addiction and its consequences. I write not only as a medical expert, but as someone who spends a significant amount of time working directly with the population most impacted by this legislation. I write in opposition to HB1544, which seeks to create a law penalizing those who distribute controlled substances that cause bodily harm. While I agree in spirit that we, as citizens of Missouri, should do everything in our power to curb the crisis of drug use in our communities, laws that seek to criminalize substance use have a long history of undermining public health efforts. Laws that criminalize substance use drive people away from potential avenues of treatment. These laws have the unintended consequence of prohibiting people from calling emergency medical services in healthcare crises, like overdoses. And they potentially penalize friends and family who are trying to help their loved ones in the only way they know how. Other states have written harsh laws that criminalize substance use and distribution. This has resulted in cases where people who call 911 for an overdose are charged with felonies, which disincentivizes individuals from seeking medical care and drives up fatal overdose episodes. If I were to give a relevant, and real-world example, an individual who buys fentanyl to use with a friend instantly becomes liable in the event of an overdose, which means they now have to think twice before calling 911 which at best delays life saving care and at worse results in fatality. In states where these laws are enacted, it is rarely large distributors (aka "dealers") that are penalized. Rather, individuals that buy (or sell) in relatively small quantities, frequently to support their addiction, are now faced with increased risk of encounters with the criminal-legal system, which costs tax-payer money, hurts those struggling with addiction, frequently puts them into a cycle of interactions with the criminal legal system and inhibits their ability to seek meaningful addiction treatment. In short, these policies cost taxpayers money, rarely improve outcomes for those who use drugs, and do little to curb overdose deaths. I am appreciative of the time and attention these issues are receiving in our state legislatures. We are fortunate to have thoughtful individuals working hard to enact policies that might improve care for those who use drugs. I unfortunately think this is a misguided policy that will not improve meaningful outcomes, like reducing overdose deaths or increasing access to care for substance use disorders.

Sincerely, Nathaniel Nolan, MD MPH MHPE



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: RACHEL WINOGRAD		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: rpwinograd@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/21/2024 6:26 PM
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This bill, though well-intended, will not have the effect of reducing drug use or overdose in Missouri, but will instead lead to more deaths, as well as more people filling our jails and prisons. We know from decades of policy examination and rigorous research that adding stricter penalties to drug use or selling does not work to deter these behaviors. If anything, it just makes it less likely people will call 911 for help when there is an overdose, because they fear being caught and charged with drug possession or selling. This is why Missouri legislators thankfully passed our 911 Good Samaritan Law a few years ago - so people could call 911 in the event of an overdose without worrying they would get in trouble for drugs. Passing this bill could undermine that important and life-saving legislation. Additionally, going to jail or prison itself increases one's risk for fatal overdose. In their first month following release, individuals are 128 times more likely to die of an overdose than the general population. For those who do not die, they will carry charges on their record that could prevent them from gaining meaningful employment or housing that could help them turn their lives around. Lastly, we must acknowledge that, given how toxic and unpredictable our drug supply is, many people do not know what drugs they are consuming, sharing, or selling! Punishing individual friends, girlfriends, boyfriends, neighbors, and other people who use drugs and may happen to share them or sell them to a peer will not help solve our overdose crisis, it will make it worse through ineffective punishment, isolation, and fear. Even if we think this will "only punish real drug dealers," we must acknowledge that is not a clean and clear group of people -- most people who sell drugs also use drugs and have their own addictions. Plus, if we arrest and incarcerate one low-level drug dealer, they are replaced that same day by someone else to do that job. This simply will not serve as a deterrent in that market. Please, if you truly care about saving lives from drug overdose, do not support this bill. There are more effective, humane, and evidence based strategies we should be pursuing than increasing criminalization... We've tried this as a country for over 50 years, and we know it does not work.