



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 2700		DATE: 2/21/2024	
COMMITTEE: Judiciary			
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: 2/21/2024 11:55 PM
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: WARD COOK		PHONE NUMBER: 816-210-3278	
REPRESENTING: MISSOURI PROSECUTING ATTORNEY's ASSOCIATION		TITLE:	
ADDRESS: 311 E. HIGH ST., #300			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/21/2024 12:00 AM	
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: AMANDA GEBEL		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: amgebel@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/21/2024 6:12 PM
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As a person in long term recovery, there were many times when I was using that friends would share or exchange substances. Someone who is acting inside of those relationships but included in the terms of this Bill are not large level dealers or cartels. These are not people that the State should pursue as they are not willfully ending the life of another person- most times this is a friend or loved one that we are using with. The items proposed in this bill will further criminalize and vilify people who have a behavioral health condition and create a much greater volume of people who have to overcome felony convictions in order to have productive lives in recovery. The shame and guilt that could come from having this charge, a wrongful, detail-omitting declaration that you have killed someone you love when in fact, they were acting on symptoms of a behavioral health condition.



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WITNESS NAME			
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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 2:43 PM
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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 HB2700 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: GREGORY BOAL		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: Greg.Boal@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/21/2024 2:34 PM
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As a Paramedic in Missouri, I'm concerned that decreasing the amount of Fentanyl required to be charged with trafficking/distribution will undermine the Good Samaritan Law. The overdoses I respond to can be dangerous to First Responders when the person who overdosed or the person who called 911 believes they will be arrested. The Good Samaritan Law has helped lower the risk on scene tremendously, and I don't want to see my fellow First Responders put at risk because the Good Samaritan Law no longer applies to our patients or the people who called 911.



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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 3:36 PM
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I'm writing to express my opposition to (HB2700 / 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: 2/21/2024 9:36 PM
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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 also as someone who spends a significant amount of time working directly with the population most impacted by this legislation. I write in opposition to HB2700, 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 disincentives 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: RITHVIK KONDAI		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: rithvik.kondai@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/21/2024 9:44 PM
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I'm writing to express my opposition to (HB2700 / HB1544). Time and time again, our country has sought to punish and criminalize drug users and drug sellers in a hope to mitigate the escalating overdose crisis. The ongoing overdose crisis is just that, a major crisis that so many across the state are working to address. This bill seeks to address the harms of the illicit drug market and make our communities safer and healthier, but in doing so via increased criminalization, will likely do the opposite of its intended effect. We have seen that criminalization of drugs and people who have a Substance Use Disorder is not effective in reducing overdose deaths or removing drugs off the street. These bill increases the charge level of delivery of a controlled substance based on what happens after said substance is ingested, putting individuals in prison for far longer terms than under present law, due to a terrible accident rather than an actual intent to harm. Increasing the class of charges for distributing Schedule I or II controlled substances is not an effective strategy to thwart attempts at drug use or sale. If the threat of incarceration has not effectively prevented people from using drugs, why do we think it will work any better by increasing the penalties? Many people who sell drugs tend to do so to support their own drug usage. The lower level drug dealers, that this bill aims to target, are oftentimes mixing and cutting drugs on the same surface, leading to unintentional contamination of their drug supply. It is true that fentanyl and its analogues are very potent, so someone without a tolerance to opioids can suffer fatal consequences from ingesting just a miniscule amount of opioids. However, unintentional consumption of fentanyl is not a product of malicious intent from drug dealers, but rather an indictment on the state of our country's illicit drug market. The more intensely law enforcement cracks down on drug use and sale, the more potent drugs become, partially due to increased risks in transport and manufacture. Drug traffickers will be incentivized to find ways to minimize the size of their product while maximizing potency, which in turn can make the drug supply less predictable and more deadly. Since 1971, the United States has spent more than \$1 trillion on enforcing drug policy. More than 50 years later, we're still attempting to enforce practices and hope to see different outcomes. Increasing attempts to criminalize people leads to more distrust in law enforcement, and leads to more taxpayer money being spent on trapping people in an unending cycle of criminalization and recidivism. I sincerely urge you to vote no on this bill.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: AMY FITE		PHONE NUMBER: 573-751-0619	
BUSINESS/ORGANIZATION NAME: MISSOURI OFFICE OF PROSECUTING SERVICES		TITLE: GENERAL COUNSEL	
ADDRESS: 200 MADISON STREET, SUITE 1060			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65102
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/21/2024 12:00 AM	
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