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Hon. Andy Beshear
Governor of Kentucky
Office of the Governor of Kentucky
700 Capital Ave., Ste. 100
Frankfort, KY 40601

VIA ELECTRONIC MAIL

Governor Beshear:

Kentuckians are dying every day due to drug overdoses. HB215, in a misguided attempt to address our opioid epidemic, seeks to increase penalties for individuals who import or traffic in fentanyl. However, study after study indicates that enhanced criminal penalties do not save lives.

In fact, HB215, and the law it amends, KRS 218A.1410, is a perfect case study of the fact that enhanced penalties do not work. Passed in 2015, KRS 218A.1410 initially prohibited the importation of heroin. That same year, 1,248¹ Kentuckians died of an overdose. In 2017 the law was amended to include the importation of fentanyl, carfentanil, and their derivatives. That year 1,565 Kentuckians died of an overdose. Now in 2022, it is being amended once again. However, in 2020, 1,964 Kentuckians died of an overdose, and last year, over 2,200 Kentuckians died of an overdose.²

Enhanced penalties do not save lives. Only treatment does that.

In his second book, entitled "*The Least of Us*" Sam Quinones (author of *Dreamland*), describes the dangers that are upon us, i.e., the age of synthetic opioids. He recounts his travels across this country, including Kentucky, recalling stories of tragedy and woe, but also stories of hope. He notes, "our best defense, perhaps our only defense [against the drug epidemic], lies in bolstering community." *Community equals recovery.*

This issue is personal. I am a person in long-term recovery and have buried too many of my friends over the last few years. HB215 would not have prevented a single one of them from overdosing.

Instead of increased penalties we should focus on the real issue, substance use disorder. Since HB215 will not save lives, and simply



increase our incarcerated population, I humbly ask you to **VETO** this piece of legislation.

I urge you to continue to advocate for treatment instead of incarceration. Recovery leads to safer communities for all Kentuckians.

Thank you for your consideration of this request.

Sincerely,

Kungu Njuguna
Policy Strategist