



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
SACRAMENTO LEGISLATIVE OFFICE

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May 17, 2022

The Honorable Steven Bradford
Senate Public Safety Committee, Chair
1020 O Street, Room 545
Sacramento, CA 95814

ASSEMBLY BILL 1598 (DAVIES)
SUPPORT
Senate Public Safety Committee

Dear Senator Bradford:

The Los Angeles County District Attorney's Office is pleased to support Assembly Bill 1598 (Davies).

AB 1598 would exclude any testing equipment that is designed, marketed, used, or intended to be used, to analyze for the presence of fentanyl or any analog of fentanyl, ketamine, or gamma hydroxybutyric acid (GHB) from the definition of drug paraphernalia.

AB 1598 seeks to take preventative steps to protect individuals from unknowingly ingesting fentanyl or an analog of fentanyl. Most of the overdose and deaths caused by opioids have been linked to fentanyl which is often pressed into counterfeit pills and sold to unknowing buyers. One way to reduce the number of fentanyl overdoses and deaths is through the use of fentanyl test strips. Fentanyl test strips are cheap, portable, single-use tests that can detect the presence of Fentanyl within 5 minutes with 96-100% sensitivity and 90-98% specificity and can also detect most common analogs of fentanyl.

Under California law, fentanyl test strips are considered drug paraphernalia and therefore are illegal to possess. Colorado, Virginia and Maryland have amended their state paraphernalia laws to specifically exclude fentanyl test strips as a means of reducing fentanyl overdoses and deaths. AB 1598 aims to do the same.

AB 1598 would also help protect individuals from unknowingly ingesting ketamine or GHB. Ketamine and GHB are commonly used to commit sexual assaults by surreptitiously mixing these drugs into an alcoholic cocktail. Testing equipment has been developed that can detect the presence of these drugs in a drink. In order to combat sexual assault and to protect the public, AB 1598 would also exclude testing tools that can detect the presence of ketamine and GHB from the definition of drug paraphernalia.

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Excluding testing equipment that detects the presence of illicit narcotics like fentanyl, ketamine and GHB makes sense and will help protect the public at large.

Our Office is pleased to support this legislation to protect victims from unknowingly ingesting a date rape drug and to potentially reduce the number of accidental fentanyl overdoses and deaths.

If you have any questions or need additional information, please feel free to contact Daniel Felizzatto in my Sacramento Legislative Office at (916) 442-0668.

Very truly yours,

A handwritten signature in blue ink, appearing to read "George Gascón", written in a cursive style.

GEORGE GASCÓN
District Attorney

cc: Assembly Member Davies
Members, Senate Public Safety Committee
Eric Csizmar, Senate Republican Caucus