



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
SACRAMENTO LEGISLATIVE OFFICE

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June 28, 2023

The Honorable Anthony Portantino
Senate Appropriations Committee, Chair
State Capitol, Room 412
Sacramento, CA 95814

ASSEMBLY BILL 701 (VILLAPUDUA)
SUPPORT

Dear Senator Portantino:

The Los Angeles County District Attorney's Office is pleased to support Assembly Bill 701 (Villapudua).

AB 701 applies the existing weight enhancements that increases the penalty for trafficking controlled substances containing heroin, cocaine base, and cocaine to fentanyl.

AB 701 specifically provides that a person convicted of specified crimes involving possession of a substance containing fentanyl for the purpose of sale/distribution, or for sale/distribution of a substance containing fentanyl, shall receive the following enhanced punishments:

- a) If the substance exceeds one kilogram by weight, the person shall receive an additional term of three years;
- b) If the substance exceeds four kilograms by weight, the person shall receive an additional term of five years;
- c) If the substance exceeds 10 kilograms by weight, the person shall receive an additional term of 10 years;
- d) If the substance exceeds 20 kilograms by weight, the person shall receive an additional term of 15 years;
- e) If the substance exceeds 40 kilograms by weight, the person shall receive an additional term of 20 years; or,
- f) If the substance exceeds 80 kilograms by weight, the person shall receive an additional term of 25 years.

Drug overdoses have increased dramatically in recent years. In California, the number of deaths involving opioids, and fentanyl in particular, has increased significantly over the course of the last decade. Between 2012 and 2018, while opioid-related overdose

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deaths increased by 42%, overdose deaths related to fentanyl specifically increased by more than 800%—from 82 to 786.

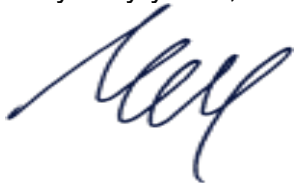
According to the Center for Disease Control, fentanyl has a heroin-like effect on the body yet is up to 50 times more potent than heroin while also being more addictive and more dangerous. Its availability in the illicit drug market has flourished in recent years, and it can kill even in small doses. In fact, synthetic opioids such as fentanyl are responsible for more than 150 deaths each day, not to mention the number of overdoses which do not result in death thanks to timely medical intervention.

AB 701 would not impact low level street drug dealers. The minimum amount of fentanyl needed for this bill to apply is 1 kilo. A kilo of fentanyl pills is enough for between 36,000 and 92,000 personal-use dosages, and a kilo of fentanyl powder would be enough to manufacture approximately one million pills—which would provide between 4 and 10 million usages. AB 701's application is targeted at and limited to high-level dealers, and not mere users, low-level street dealers, or people who occasionally share the drug with others.

It is imperative that California act to combat the illicit fentanyl trafficking devastating our communities.

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 Villapudua