



CITY OF NEWPORT BEACH

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February 16, 2024

The Honorable Thomas J. Umberg
California State Senate
1021 O Street, Room 6530
Sacramento, CA 95814

RE: Senate Bill 21 (Umberg): Controlled Substances City of Newport Beach – Notice of Support

Dear Senator Umberg:

As the Mayor of the City of Newport Beach, I write to express the City's support for Senate Bill 21, also known as Alexandra's Law. As proposed, SB 21 will establish the California Fentanyl Admonishment — a tool to help law enforcement in the prosecution of fentanyl trafficking and related deaths.

Fentanyl is a synthetic opioid that is 50 to 100 times stronger than morphine. Pharmaceutical fentanyl was developed as a pain management treatment, typically provided to cancer patients and applied in a patch on the skin. However, illegally made Fentanyl, sold through illegal drug markets, is linked to the most recent cases of overdoses and deaths. It is often mixed with heroin or other drugs, with and without the user's knowledge.

According to the U.S. Department of Justice, the opioid crisis has significantly worsened since Fentanyl entered the illicit drug market. Specifically, Fentanyl was the number-one cause of death last year for people ages 18 to 45, outpacing suicides, automobile accidents, and COVID-19-related deaths. Fentanyl causes a fatality approximately every seven to eight minutes, and in 2021, it was linked to 64 percent of total drug fatalities.

In California, Driving Under the Influence (DUI) offenders are read an advisory in court to inform them that repeated offenses resulting in death can be charged as manslaughter or murder. SB 21 models this platform by establishing a statewide Fentanyl Admonishment to be issued to fentanyl dealers and traffickers whose actions result in death.

The admonishment required by SB 21 will help law enforcement and prosecutors establish implied malice in cases of drug-induced death resulting from fentanyl sold or furnished by a previously convicted dealer or trafficker. Ongoing conversations have strengthened SB 21 by helping to ensure that it narrowly applies to those profiting from the fentanyl trade, does not inadvertently target those struggling with substance use disorder, and implements a concrete drug diversion and/or treatment program for defendants.

For these reasons, the City of Newport Beach supports SB 21.

Sincerely,



Will O'Neill
Mayor

Cc: Newport Beach City Council
Senator Janet Nguyen
Assembly Member Diane Dixon