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**Testimony to the Senate Judiciary Committee
In Support of SB419**

February 6, 2024

Chairperson Warren and Committee Members:

Our associations support SB419. This bill two important things. One is that it adds, “any fentanyl-related controlled substances”. Second is that proposes adding to the crime of aggravated child endangerment the causing or permitting a child to be in an environment where the person knows or reasonably should know that any “drug paraphernalia or toxic materials, compounds or mixtures are stored or used for the purpose of manufacturing or attempting to manufacture any fentanyl-related controlled substance.”

This is a commonsense approach to our fentanyl crisis. Too often the victims of fentanyl poisoning are children who have no idea what they have found and decide to eat. While this just addresses one aspect of the fentanyl crisis, protecting our children from accidental overdoses should be high on our list of priorities.

It is also important to remember those who possess these illicit drugs are already committing a crime. Committing those crimes in a manner that also puts children at risk is certainly an aggravating factor and truly endangers any children that are present.

Children overdosing after finding illicit drugs is a nationwide problem. But it is also a Kansas problem. The evidence of this can be found in the 2022¹ and 2023² reports from the Kansas Child Death Review Board. That reports show there were 11 child deaths in Kansas related to fentanyl in 2020 and 9 more in 2021. It is notable that in 2017 through 2019 there were none. Keep in mind that data is just the deaths, not those that were successfully treated by someone on-scene with Naloxone, or those transported to a hospital emergency room for a fentanyl overdose.

We urge you to move this bill forward favorably.

Chief Darrell Atteberry
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Kansas Association of Chiefs of Police

¹ See page 50 of the 2022 report of the Kansas Child Death Review Board: https://ag.ks.gov/docs/default-source/reports/scdrb/2022-scdrb-annual-report.pdf?sfvrsn=bac7a21a_2

² See page 76 of the 2023 report of the Kansas Child Death Review Board: https://www.ag.ks.gov/docs/default-source/reports/scdrb/2023-scdrb-annual-report-final.pdf?sfvrsn=e98abf1a_4