



OFFICE OF THE DISTRICT ATTORNEY
TWENTIETH JUDICIAL DISTRICT

Michael T. Dougherty, District Attorney

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Contact: Shannon Carbone
303-441-3804
scarbone@bouldercounty.org

**Press Release – District Attorney’s Office
Strongly Supports Fentanyl Bill Signed by Governor Jared Polis**

Today, Governor Polis signed House Bill 22-1326, Fentanyl Accountability and Prevention. Our office strongly supported this bill and we are pleased to see it becoming part of the laws of the State of Colorado.

People are dying today, tomorrow, and every day this week due to fentanyl. In supporting this bill, our priority was to keep people from being killed by fentanyl. The fentanyl crisis has ravaged our state. For example, in 2020, 540 people died from fentanyl. That number continues to climb, in Colorado and throughout the nation. HB 22-1326 represents real and important action to combat the fentanyl epidemic in Colorado.

Key provisions of HB 22-1326 include:

- Ensuring that every death is fully investigated so that individuals responsible for causing death are held responsible
- For the dealers that do kill people through their distribution of this terrible drug, the penalties in state statute will now better reflect the seriousness of their crimes
- Providing for more serious sentences for drug dealers to hold them accountable for distribution offenses and reduce the supply of fentanyl
- Keeping people from using drugs with fentanyl in them, whether they are knowingly doing so or are being poisoned. The law provides robust funding for raising awareness, providing testing kits, and providing treatment for those in the throes of addiction. And, for some, the new law compels individuals to complete treatment
- For those charged with felony possession of fentanyl, that person could provide evidence at trial and only be convicted of a drug misdemeanor offense versus a drug felony if the individual did not know fentanyl was in the drug
- For people held in jail on fentanyl-related offenses, they can be released with naloxone or a prescription for other medication to help with opioid-use disorders.

HB 22-1326 also includes significant resources on the part of the state to fight the fentanyl epidemic. This includes:

- \$6 million for a harm-reduction grant program. Nonprofits, public health or tribal agencies, law enforcement, and health care organizations could apply for grants, and the funding could be used for training about preventing overdoses and to helping divert people from the criminal justice system
- \$19.7 million to purchase of naloxone
- \$600,000 to purchase tests to detect fentanyl in drugs to be available for users
- \$10 million for treatment centers for drug users and those in crisis
- \$7 million for a grant program for law enforcement agencies to investigate deaths or serious injuries caused by fentanyl and for stopping drug distribution.
- \$3 million to county jails to provide medication-assisted treatment and providing users with a referral to a treatment provider when they are released.

While there has been significant controversy and discussion about the possession of fentanyl becoming a drug felony, HB 22-1326 focused on important changes for treatment and for holding dealers and murderers accountable. Our office strongly supported this bill from the start because Colorado needs more serious sentences for distribution and distribution resulting in death, as well as more education and treatment.

For drug possession offenses, our office will continue to handle possession cases in the same fashion as we have for years.

District Attorney Michael Dougherty strongly supported this bill and stated, “We needed to take serious action to fight the fentanyl epidemic in our state, especially for the families of victims. This bill represented an important, direct step in the right direction. It allows this office to hold distributors more accountable for preying on others’ addictions and to hold fully responsible those individuals that cause these tragic deaths. Also, the people of Colorado are being provided significant support and drug treatment, which is long overdue. I support this comprehensive approach to help our communities survive the fentanyl crisis.”