



National District Attorneys Association

99 Canal Center Plaza, Suite 330, Alexandria, Virginia 22314

703.549.9222 / 703.836.3195 Fax

www.ndaa.org

November 10, 2015

The Honorable Charles Grassley
Chairman
Senate Judiciary Committee
135 Hart Senate Office Building
Washington, DC 20510

The Honorable Patrick Leahy
Ranking Member
Senate Judiciary Committee
437 Russell Senate Office Building
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Leahy,

On behalf of the National District Attorneys Association (NDAA), the largest prosecutor organization representing 2500 elected and appointed District Attorneys across the United States as well as 40,000 assistant district attorneys, I write to reiterate our members' support for S. 524, the Comprehensive Addiction and Recovery Act, and urge the Senate Judiciary Committee to consider this important piece of legislation, which contains many provisions designed to address the dangerous rise in use of heroin and opioids across our country.

First and foremost, S. 524 expands efforts to educate the public about the danger of heroin and other opioids, prevent such abuse, and promote treatment and recovery through grants to state and local governments and other nonprofit organizations. According to the National Institute on Drug Abuse (NIDA), between 2001 and 2013, there was a five-fold increase in the number of overdose deaths due to heroin. More recently, the New York Times published an article with the staggering statistic that "Over all, drug overdoses now cause more deaths than car crashes, with opioids like OxyContin and other pain medications killing 44 people a day". Public awareness of the dangers of these drugs and the enormous costs born by families and communities with the loss of loved ones must be the first step in a campaign to curb abuse and provide the treatment necessary for individuals to return to their communities as productive citizens.

In order to support individuals who need treatment, rather than incarceration, and get the help that they need, the bill provides for alternatives to incarceration where an individual with a substance use disorder, mental illness, or co-occurring disorder is eligible for pre and post-booking diversion. Unfortunately, jails in this country have become defacto mental institutions, with mentally ill inmates constituting up to a third or higher of a facility's population. A prime example of this success is jail diversion program in Bexar County, Texas, where now more than 4,000 individuals are diverted from jail, saving the county at least \$5 million in jail costs each year, and almost \$4 million in cost savings from emergency room admissions. These types of programs can work, and states and localities are leading the way in the field.

A third important component of the bill is a provision providing for the creation and development of law enforcement demonstration projects to prevent opioid and heroin overdose deaths. Part of these demonstration projects provides for the purchase and carrying of naloxone by law enforcement officers to reverse overdoses at the scene of emergency calls for service. In many jurisdictions across the country, local prosecutors are using state and local funds to outfit officers with the powerful antidote, with very high success rates in saving lives. For example, all 21 county prosecutors in New Jersey are using asset forfeiture funds to purchase naloxone that is administered as a nasal spray. Since the start of the program in July 2014, over 852 lives have been saved as result of officers administering naloxone, lives that likely would have been lost otherwise.

These are just a few of the reasons why we strongly support the Comprehensive Addiction and Recovery Act and applaud the cosponsors of the legislation, including Senators Whitehouse, Klobuchar, Coons, Schumer, Franken, Feinstein, Hatch, Graham, and Blumenthal of the Judiciary Committee among others. The legislation now has 20 cosponsors in the Senate and enjoys the support of over 100 organizations across the country. We look forward to working with you in the weeks and months to come to see this important legislation passed into law and holding a hearing to examine the merits of the bill is a good first step in that direction.

Respectfully,

A handwritten signature in black ink that reads "William Fitzpatrick". The signature is written in a cursive style with a large, stylized initial "W" and "F".

William Fitzpatrick
President
National District Attorneys Association