



**July 2019**

## **WESTERN STATES SHERIFFS' ASSOCIATION OPPOSES DRUG IMPORTATION LEGISLATION**

**WHEREAS;** the Western States Sheriffs' Association (WSSA) represents the county sheriffs of eighteen states: Arizona, California, Colorado, Idaho, Kansas, Missouri<sup>1</sup>, Montana, Nevada, New Mexico, North Dakota, Nebraska, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming; and

**WHEREAS;** the Sheriffs' Western States Sheriffs' Association are on the frontlines of combatting crime in their communities and are responsible for the safety and well-being of their citizens; and

**WHEREAS;** the Sheriffs' of the Western State Sheriffs' Association have noticed an increase in counterfeit drug interdictions and incidences of counterfeit prescription opioid medications with often deadly results in our member states;<sup>2</sup> and

**WHEREAS;** the Sheriffs' of Western States Sheriffs' Association are concerned that counterfeit drugs, increasingly laced with fentanyl, are slipping into their member states through the Northern and Southern borders undetected at the ports of entry; and

**WHEREAS;** even Sheriffs not sharing a border with a foreign country have been threatened by counterfeit fentanyl-laced pills;<sup>3</sup> and

**WHEREAS;** the DEA has similarly seen this trend, reporting that due to the sale of fentanyl-containing counterfeit pills, the scope of individuals exposed to fentanyl has increased significantly;<sup>4</sup> and

**WHEREAS;** the DEA has also reported that there is a relationship between fentanyl-containing counterfeit pills with sudden outbreaks of overdose deaths;<sup>5</sup> and

---

<sup>1</sup> Missouri and Kansas became WSSA members in June of 2019

<sup>2</sup> McIntire, E. (June 2018). *A family tragedy, a public warning*. The Daily Sentinel. Retrieved from [https://www.gjsentinel.com/news/western\\_colorado/a-family-tragedy-a-public-warning/article\\_14778f8e-744d-11e8-a998-10604b9ffe60.html](https://www.gjsentinel.com/news/western_colorado/a-family-tragedy-a-public-warning/article_14778f8e-744d-11e8-a998-10604b9ffe60.html); AZ Family News Staff. (2017, March 21). *32 deaths in metro Phoenix attributed to fake Oxy pills*. Phoenix 3TV/CBS 5. Retrieved from <http://www.azfamily.com/story/34967208/32-deaths-in-metro-phoenix-attributed-to-fake-oxy-pills>; Murphy, V. and Roe, B. (October 2018). *The battle against fentanyl: Accused drug dealer charged in connection with woman's death*. Retrieved <https://www.lasvegas-now.com/news/local-news/the-battle-against-fentanyl-accused-drug-dealer-charged-in-connection-with-womans-death/>

<sup>3</sup> Holzfaster, S. (June 2019). *DEA warns of dangers of counterfeit opioids*. Retrieved <https://fox42kptm.com/news/local/dea-warns-of-dangers-of-counterfeit-opioids>; Tourangeau, A. (June 2019). *South Deerfield man arrested for allegedly selling fentanyl filled counterfeit drugs in Kansas*. WWLP.com. Retrieved from <https://www.wwlp.com/news/crime/south-deerfield-man-arrested-for-allegedly-selling-fentanyl-filled-counterfeit-drugs/>

<sup>4</sup> Drug Enforcement Administration (DEA). *2018 National Drug Threat Assessment*. Pages 21-37. Retrieved from <https://www.dea.gov/sites/default/files/2018-11/DIR-032-18%202018%20NDA%20final%20low%20resolution.pdf>

<sup>5</sup> Drug Enforcement Administration (DEA). *2018 National Drug Threat Assessment*. Pages 21-37. Retrieved from <https://www.dea.gov/sites/default/files/2018-11/DIR-032-18%202018%20NDA%20final%20low%20resolution.pdf>

**WHEREAS;** accidental exposure to even minimal amounts of fentanyl can be enough to cause an overdose<sup>6</sup> and therefore endanger the health and safety of law enforcement officers, their K-9 companions and other first responders, as the DEA has repeatedly warned and publicized;<sup>7</sup> and

**WHEREAS;** former FBI Director Louis Freeh concluded in his report that prescription drug importation proposals would open the U.S. drug supply to illegitimate products, adulterated and counterfeit drugs;<sup>8</sup> and

**WHEREAS;** drug importation will likely become another loophole for criminals to exploit, importing drugs that are substandard, adulterated, misbranded, and even counterfeit;<sup>9</sup> and

**WHEREAS;** if these drugs are not intercepted, they will become an interior enforcement issue for state and local law enforcement and endanger patient safety and law enforcement; and

**WHEREAS;** no drug importation policy provides any additional resources to state or local law enforcement, which will be detrimental particularly to our rural communities; and

**WHEREAS;** drug importation would, accordingly, worsen the opioid crisis, open up the U.S. pharmaceutical supply chain to adulterated and counterfeit drugs, further burden law enforcement, and endanger the safety of officers and other first responders;

**THEREFORE;** the membership of the WSSA urges Congress to not endanger America's citizens and law enforcement, while looking for meaningful legislation to address drug pricing; and

**FURTHERMORE;** the Western States Sheriffs' Association agree that drug importation is ill-conceived and will create additional drug trafficking in our country; and

**FURTHERMORE;** the Western States Sheriffs' Association cannot support any policy with such a public health and public safety risk; and it is therefore

**RESOLVED;** Sheriffs stand to protect and enforce the frontier and oppose any legislation, regulation, or Administrative action that would legalize the importation of prescription drugs, which would open our nation's borders to counterfeit drugs, exacerbate the opioid crisis, exhaust law enforcement resources and endanger the public health, law enforcement and first responders.

---

<sup>6</sup> DEA. (n.d.). *Fentanyl: A briefing guide for first responders*. Retrieved from [http://dig.abclocal.go.com/wls/documents/DEA\\_Fentanyl\\_Publication.pdf](http://dig.abclocal.go.com/wls/documents/DEA_Fentanyl_Publication.pdf)

<sup>7</sup> DEA. (2016, June 10). *DEA warning to police and public: fentanyl exposure kills*. Retrieved from <https://www.dea.gov/divisions/hq/2016/hq061016.shtml>

<sup>8</sup> Freeh, Sporkin, and Sullivan LLP; Freeh Group International Solutions, LLC. (2017). *Report on the potential impact of drug importation proposals on U.S. law enforcement*. Retrieved from <https://www.iacc.org/media/report-on-the-potential-impact-of-drug-importation-proposals-on-u-s-law-enforcement>

<sup>9</sup> Freeh, Sporkin, and Sullivan LLP; Freeh Group International Solutions, LLC. (2017). *Report on the potential impact of drug importation proposals on U.S. law enforcement*. Retrieved from <https://www.iacc.org/media/report-on-the-potential-impact-of-drug-importation-proposals-on-u-s-law-enforcement>