

**“Fentanyl Analogues: Perspectives on Classwide
Scheduling”**

**Committee on the Judiciary
U.S. House of Representatives
Subcommittee on Crime, Terrorism, and Homeland Security**

Tuesday, January 28, 2020

10:00 a.m.

2141 Rayburn House Office Building

Testimony of Donald A. Holman – Dad and Impacted Parent

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Chairman Nadler, Ranking Member Collins of the House Judiciary Committee and Chairwoman Bass, Ranking Member Ratcliffe, and Members of the Subcommittee on Crime, Terrorism, and Homeland Security, thank you for inviting me to testify today and share my personal story as well as my perspective on Classwide Scheduling for Fentanyl Analogues.

My Name is Don Holman.

I am not a Scientist, Politician, Lawyer, or Doctor...I am just a Dad who wants to share my personal story with you of my son Garrett.

Garrett's 21st birthday was on February 17, 2017, but he never saw it. He died on February 9th just 8 days prior from his third synthetic overdose in 2 months. Garrett is a statistic of the current Opioid Crisis and makes up less than 1% of the victims that died that day from Overdose in the US.

Garrett was born and grew up in Lynchburg, VA living in the same house most of his life with my wife, Bobbie and I and his sister Kristen. He established friendships in Grammar school that carried through High school and spent endless hours playing Football, Basketball, and lacrosse as well as Wake boarding in the summer and snowboarding in the winter.

I would prefer to spend time talking about all the good qualities and the person Garrett really was but that would take a long time. Garrett was diagnosed at an early age with ADHD and took medication to help him concentrate in school. One of the side effects of ADHD medication is loss of appetite which presented an issue for someone athletic that enjoyed playing sports. As Garrett grew older, he resisted taking the medication part because he didn't like the way it made him feel, and part because emotionally he felt it was what everyone else wanted not

what he needed. I now know that Garrett started self-medicating early in High School and like so many he was introduced to Marijuana and convinced that it was a natural alternative to the ADHD Medication. As parents, we were not aware, and it wasn't until the 11th Grade that his behavior really started to concern us due to several incidents of him getting into trouble. However, he had many more good days than bad, and it seemed to be just a rebellious stage or at least we hoped.

Our focus was to make sure he kept his grades up so he could graduate High School and hoping he would mature so he could go to college. With constant pressure and push he was able to graduate and even get accepted to Liberty University for the Fall Semester. Once he got out of High School, he struggled with the transition from child to Young adult. He never adapted to College and ended up dropping his classes that semester. As parents we went through so many different scenarios, trying to set boundaries and rules to trying to get him treatment for Anxiety and Depression. He was very strong minded and as a result of defiance and bad decisions started to get into legal trouble. He quickly fell into a downward spiral and soon the focus was on keeping him from a felony conviction and going to jail.

Like so many parents, we would make excuses for Garrett's behavior to friends, family, and coworkers but never reveal the extent on which his illness had progressed. This is where the Stigma plays a tough role in the person afflicted as well as the Family that supports them. Mental Illness, Substance Abuse, and Addiction are not things that people want to talk about or other people want to hear. I never gave up hope and I was proud of my son. I did not want to imply that he was any more than a little wild and would settle down soon and be on track.

Unfortunately, meeting legal obligations took precedence over any treatment for Mental Health or Substance Abuse. He was under a lot of pressure but the whole time still struggling

with the need to escape reality. He needed medication for Anxiety but due to his legal issues and his tendency to abuse, he was never diagnosed or treated properly. Finally, someone told him about a Synthetic Opioid that would not show up on a drug test and that is all he heard.

Sometime in November 2016 he ordered a synthetic Opioid U-47700 online and it was delivered to the apartment by the mail carrier. So today, the mail carrier can inadvertently be the new drug dealer

This was the beginning of the end.

Garrett overdosed the first time in early December 2016, and I had to perform CPR until the paramedics arrived to administer Naloxone and transport him to the Hospital. Once he awakened in ICU it was obvious that this was not the wakeup call, we had hoped, so he was forced into a mental health evaluation by his Mom and me. He was only required to stay 5 days. From there he reluctantly went into a 30-day in-house treatment program but a week after he got out, he overdosed the second time and once again I called 911 then performed CPR until Paramedics arrived and revived him. I forced him into a second evaluation, but the judge decided he did not belong in a mental health facility and released him on Feb 6, 2017. His final overdose was three days later on Feb 9, 2017. His cause of death was determined accidental as a result of mixed drug use. He had taken the synthetic Opioid U-47700 and Xanax.

You will never be prepared to lose a child. Garrett's death has pulled our whole family apart and we are each working to deal with his loss a different way. I am not sharing my story because I have all the answers, I am sharing because I am sure I am not alone, and I would like to do my part to make it easier to have the conversation. You may read a headline about the opioid epidemic and see information about Heroin, or Fentanyl laced Heroin or maybe over

prescribing of Pain medication. All of which are relevant and still carry the negative stigma and in many cases the opinion that a person addicted made a choice and deserves what they got. My son's Synthetic Opioid exposure was less than 2 months. He did not have time to hit bottom. At 20 years old, I do not believe my son deserved to die for his initial bad choices.

I do not have all the answers, I just think everyone needs to be asking the questions and working together to fight this Crisis.

Looking back, when I first saw my son in the funeral home, I became enraged and all I could think was that this is unacceptable, and I am angry! I immediately exclaimed I needed to talk to the President and let him know what happened because I felt it was a case of National Security that needed attention at the highest level of our Government. That fire I felt from that day until now has not diminished and I don't think it ever will.

In the last three years I have become very close friends with several Parents that have also lost a child to Overdose. I have participated in Round table meetings with Gov Christie, the First Lady Melania Trump and have talked with the US Surgeon General. I have a close relationship with the Director of the ONDCP and continue to communicate with DEA, CBP, and HSI.

I truly believe that everyone has something, and I constantly meet people that for some reason will share their story with me. There is no one solution or silver bullet but if we all work together and listen to each other, we can establish tools and resources that will collectively save lives.

My understanding of this hearing is a focus on testimony to help determine if the temporary Classwide Scheduling on Fentanyl Analogs should be extended for an additional 15 months. The simple, only answer to that is YES it should, and we should not be here at the last

hour debating it. Also, within the next 15 months we need to pass SOFA or something similar to make it permanent.

Garrett was a good looking, bright, intelligent, and athletic young man who had dreams and hopes just like everyone else his age. His struggles were not a death sentence until he was made aware of a synthetic Opioid that he could order online from China and have delivered to the house by mail. Since then I have learned that because of Synthetic Analogues both Fentanyl and other Synthetics, were a challenge to declare illegal until each slight variation was identified and scheduled.

Since that time with the temporary ban on all Fentanyl like analogues, DEA and Law enforcement have been able to aggressively bring these high-tech criminal drug traffickers to justice. The most important accomplishment and the one that makes me feel like Garrett's death may not have been in vain, is that China is now with the US in similar scheduling for Fentanyl Analogues. If we back off our stance against Fentanyl Analogues, then China and other countries may follow, and the result will be catastrophic because criminals are watching and waiting for this to happen. Instead of reducing the current ban, my hope is that we not only extend the current Scheduling ban for Fentanyl Analogues, but we make it permanent and do the same thing for all Synthetic Opioids.

We hear a lot about the Health issues around Substance abuse and efforts to increase Treatment and Recovery which are so important and do save lives and give those struggling the chance for a future. However, the reality we hear less about is that there are people in this world that see Fentanyl and especially the unscheduled Fentanyl Analogues as an opportunity to make a tremendous amount of money with absolutely no regard for human life. Without the classwide

scheduling, they are able to produce, distribute, and kill with less risk of being caught and held accountable.

I have tried to look at any justifiable reason that might make sense to not make this Classwide Scheduling permanent or at a minimum approve the 15-month extension. I refuse to believe that Politics play any role in the decision not to approve the extension. No matter what the political climate is in DC, first and foremost we are all Americans and we are all human beings. So far, I have not read any scientific studies that indicate being of a certain sex, race, religion, or political party makes you or anyone in your family exempt from tragedy as a result of the Opioid Crisis.

In the case of mandatory minimums, I am sensitive to the fact that there may be situations where they need to be considered but not today, not here, and not in relation to Fentanyl. I went from fighting to keep my son out of jail to two days before I lost him, fighting to get him into jail to save his life, I failed both times and now he is gone.

If someone is arrested and charged with distribution of Fentanyl or a Fentanyl Analogue, I understand there are provisions to evaluate the person to be sure they are not someone using and selling to support an addiction as opposed to someone selling solely for profit. In my opinion, instead of debating this issue, let's continue to focus on jail and prison reform where anyone being arrested is treated like a human being and efforts are in place to rehabilitate and return to society as a proud person with the skills to succeed and not return to prison. I have recently visited a correction facility in Mass where Sheriff Cocchi has a program to do this. He even allows adult males not charged with a crime into his facility for treatment if it is determined they are a danger to themselves.

If my son would have been caught and because of mandatory minimums, put in jail for an extended period of time, he may have had a chance and could be alive today. I would be fine visiting him in jail and if he was receiving treatment for mental Health and Substance Abuse, his chances of fulfilling his dreams would be a reality. Today, someone using or selling Fentanyl or one of the Analogues is very likely to kill themselves or someone else.

Conclusion

I ask that you please extend Classwide Scheduling ASAP and let's continue to work towards a permanent solution that will continue to give law enforcement an effective tool while also minimizing any concerns.

Please allow this to be the issue that everyone reaches across the aisle and puts Americans and American lives First.

I would like to thank the Committee, the White House, ONDCP, HHS, CBP, HSI, DOJ and DEA for everything you do to combat the Opioid Crisis. Each step forward is a step closer to resolving this issue which will not only save thousands of American lives but will also ensure family and friends of those lost will not have to bear the pain and loss of losing a loved one to overdose. I would also like to remind you that myself along with other parents and siblings like me that have lost a loved one, are here to help in the fight. Take advantage of that resource so we can beat this together. Thank You!



Garrett and his sister Kristen



Garrett



Garrett High School Graduation



Garrett doing what he loved!



Image of envelope mailed to the house from China with Synthetic Opioids