



ORANGE COUNTY SHERIFF'S DEPARTMENT

SHERIFF-CORONER DON BARNES

OFFICE OF THE SHERIFF

January 24, 2022

The Honorable Cathy McMorris Rodgers, Ranking Member
House Committee on Energy and Commerce
Washington, DC 20515

The Honorable James Comer, Ranking Member
House Committee on Oversight and Reform
Washington, DC 20515

RE: Impacts of Fentanyl on Local Communities

Dear Representatives McMorris Rodgers and Comer:

Thank you for your January 11, 2022 open letter to law enforcement regarding the influx of fentanyl into local communities. I appreciate your attention to this issue and willingness to take action. Before the pandemic, our nation's most pressing public health crisis was the opioid epidemic. Unfortunately this problem has not gone away and drug-related deaths continue to increase. A significant contributing factor to these deaths is the illicit sale of fentanyl. As you requested in your letter I would like to share our local statistics as well as an example of a recent seizure.

In Orange County our fentanyl-related deaths have increased nearly 1100% from 37 in 2016 to 432 in 2020. In that same period statewide fentanyl-related deaths in California increased over 1800% from 201 to 3,946. Thus far in 2021 there have been 512 fentanyl deaths in Orange County, with 402 pending toxicology investigations that could be fentanyl related.

The amount of fentanyl in our community is also reflected by the amount of fentanyl seized by my department. In 2021, Orange County Sheriff's Department investigators seized 104.6 pounds of fentanyl, which equates to 22 million lethal doses. An example of a typical seizure took place on September 28, 2021 near the San Diego-Orange County border. A sheriff's deputy conducted a traffic stop on the I-5 Freeway (a major transportation corridor). The deputy used his drug detection K9 to sniff the vehicle. The K9 was alerted to the odor of narcotics inside the vehicle. During the investigation, the deputy was able to locate hidden compartments in the floorboards of the vehicle which contained 38 bundles of methamphetamine (81.4 pounds) and 9 bundles of blue "M/30" fentanyl pills (30.4 pounds or 105,000 pills). The use of the hidden compartments is common for narcotics being transported from Mexico into the United States. The suspect was arrested for narcotics related charges and booked into jail.

Our deputies make numerous stops and seizures throughout the year, but we know that large amounts of narcotics continue to be trafficked into our community. Lack of security at our border, lack of enforcement resources, and inadequate consequences for drug trafficking are all significant contributing factors to the continuing flood of fentanyl.

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Locally we are working to address this problem by bolstering both enforcement and education. In 2021 we began issuing advisements to all those arrested for selling narcotics. The advisement states that if a dealer sells, furnishes or distributes drugs to someone, and that person dies as a result of using the drugs, the dealer can be charged with murder. This action makes clear that those engaged in furthering the drug epidemic will face consequence for their careless treatment of life.

Stopping the influx of fentanyl is not a battle fought solely through enforcement efforts, but also through proactive outreach and education focused on prevention. This school year we launched a new drug education program for middle school students entitled "Above the Influence." This drug education curriculum is taught by deputies to students in the classroom. The lessons are contemporary and engaging. The department remains committed to providing this education to as many schools as possible.

I also encourage you and your colleagues to invest additional resources into stopping the flow of illicit drugs into our communities. This can best be accomplished by fulfilling the federal government's responsibility to secure the border. The lack of enforcement at our border is a gift to the drug cartels. The federal government's failure at our border is endangering so many communities. Fixing this issue would be the biggest contribution Congress could make to ending the fentanyl crises.

I also ask Congress to increase funding to the High Intensity Drug Trafficking Area Program (HIDTA). HIDTA helps fund collaborative efforts among federal, state and local law enforcement aimed at disrupting drug trafficking and production. The funding is specifically targeted to those areas of the country most impacted by drug trafficking. Orange County is included in the Los Angeles HIDTA. As you can see from the amounts below, funding for HIDTA operations has remained relatively flat for Orange County over the past five years:

FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
\$1.1 million	\$1.2 million	\$1.23 million	\$1.25 million	\$1.24 million

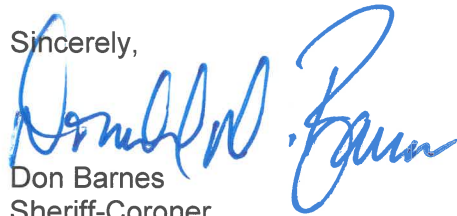
These funds are utilized to support our Regional Narcotics Suppression Program (RNSP), a multi-agency team of law enforcement personnel dedicated to interdicting drugs and stifling the activity of the drug cartels. In calendar year 2020 RNSP teams were responsible for the seizure of 2,395 pounds of illegal narcotics resulting in 66 arrests.

Each dose of drugs taken off the street is a potential life saved, however we know that our seizures represent only a portion of the narcotics flowing into the community. Our resources are outmatched. In fact, over the last five years we have seen a decline of nearly 20% in personnel assigned to RNSP, going from 43 total staff in 2017 to 35 staff members in 2021. While my department has kept a total of 25 personnel assigned to RNSP, a lack of financial resources have forced federal agencies to reduce the number of personnel assigned to RNSP by 50%. Similarly municipal police departments have cut their contribution by 46%. This staff reduction has resulted in the elimination of one full team of RNSP investigators, leaving only three teams available for the extensive workload.

Significantly increasing funding for HIDTA will bolster local law enforcement efforts and provide the necessary tools needed to stop the cartels. A meaningful appropriation for HIDTA combined with the resources invested in treatment and education will help our nation succeed in meeting one of the most significant public safety and public health challenges of our time.

Thank you again for proactively seeking law enforcement input. Please do not hesitate to reach out if I can provide further input on this significant public safety challenge.

Sincerely,



Don Barnes
Sheriff-Coroner