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OFFICE OF THE ATTORNEY GENERAL**

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**Testimony of Attorney General Kris Kobach
Written Proponent for SB 419
House Committee on Corrections and Juvenile Justice
March 6, 2024**

Chairman Owens and Members of the Committee:

I urge you to support SB 419, which amends state statute to increase the criminal penalties when bodily harm to a child occurs when a child is in environments associated with fentanyl-related controlled substances.

Our law enforcement partners tell the Attorney General's Office that they are encountering fentanyl more than ever before. It is 50 times more powerful than heroin, and 100 times more potent than morphine. It poses an increasing threat to Kansans and particularly to young people.

The proposed legislation makes it an aggravated child endangerment felony to knowingly allow a child to be in an environment where a person is distributing or manufacturing fentanyl or to be in an environment where drug paraphernalia or toxic chemicals are being stored or used for the purpose of manufacturing fentanyl.

Illicit drug manufacturers are making fentanyl attractive to children by manufacturing it in bright colors. The Drug Enforcement Agency reported that it had seized brightly-colored, rainbow fentanyl in 26 states as of last August. The bright pills are made to look like candy, but it's also been seized in forms including powder and blocks that resemble sidewalk chalk. You can imagine how a toddler or young child might mistake rainbow fentanyl for candy or a harmless Flintstone vitamin.

A tiny dose of fentanyl is lethal for an adult. Two milligrams is considered a lethal dose in adults. That's roughly the size of 10-15 grains of table salt. A much smaller dose can seriously injure or kill a child.

The most recent Kansas data on child mortality showed that 11 kids died in drug-related instances in 2021, the latest date for which data is available. Nine of those deaths were fentanyl deaths. In comparison, zero children died from fentanyl from 2017 to 2019.

Our law enforcement partners have seen drug crises before, and the peak of a drug crisis typically follows a familiar pattern. Based on their experiences, law enforcement tell the Attorney General's Office that the fentanyl crisis hasn't yet peaked.

I urge you to pass this bill to protect children and to provide prosecutors with an additional tool to combat fentanyl.

Sincerely,

A handwritten signature in black ink that reads "Kris W. Kobach". The signature is written in a cursive, flowing style.

Kris W. Kobach
Kansas Attorney General