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May 15, 2024

The Honorable Umberg
California State Capitol
1021 O Street
Sacramento, CA 95814

**Re: SB 21 (Umberg): Controlled Substances
Notice of Support**

Dear Senator Umberg,

We write today on behalf of the Cities Association of Santa Clara County (CASCC), a Joint Powers Authority, an association of fourteen cities of the county and the elected representatives of more than 1.8 million Bay-Area residents. Since 1990, the city representatives have been gathering to discuss and find consensus and solutions for regional issues. The cities of our association are diverse and include cities of a few thousand people and a city of a million people.

On Thursday, May 9, the CASCC Board of Directors, at the recommendation of the Legislative Action Committee (LAC), voted to support Senate Bill 21.

A recent study by the Center for Disease Control (CDC) names fentanyl the deadliest drug in the United States. Fentanyl is often disguised as other synthetic opioids or drugs, then sold on the street to users who are unaware that fentanyl is a key ingredient. Users who unknowingly ingest these substances believing they are taking a less powerful drug are much more susceptible to overdose or even death. When abused, fentanyl affects the brain and nervous system and is 50 times stronger than heroin and 100 times stronger than morphine.

With respect to deaths resulting from driving under the influence (DUI), the California Supreme Court held in *People v. Watson* (1981), 30 Cal.3d 290, 298, in affirming a second-degree murder conviction, that “when the conduct in question can be characterized as a wanton disregard for life, and the facts demonstrate a subjective awareness of the risk created, malice may be implied.” To codify this notion, California Vehicle Code §23593 was implemented in 2004 to require that courts read an admonishment to anyone convicted of reckless driving or DUI to inform them of the state’s ability and intent to charge a repeated future offense with manslaughter or murder.

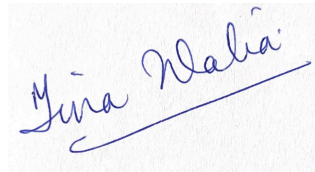
Existing law makes it unlawful to sell, traffic, or transport specified opiates and opiate derivatives including fentanyl. SB 21 authorizes a defendant who is charged with those offenses the ability to undergo a treatment program in lieu of a jail or prison sentence if certain conditions are met. This seeks to maximize the access to rehabilitative and treatment programs for Californians.

For these reasons, the CASC is pleased to support SB 21.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neysa Fligor", with a stylized, flowing script.

Neysa Fligor
President, Cities Association of Santa Clara Co.
Councilmember, City of Los Altos

A handwritten signature in blue ink, appearing to read "Tina Walia", with a stylized, flowing script.

Tina Walia
Chair, CASC Legislative Action Committee
Councilmember, City of Saratoga