



Office of the Special Narcotics Prosecutor For the City of New York

Bridget G. Brennan, Special Narcotics Prosecutor

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Statement by Special Narcotics Prosecutor Bridget G. Brennan Supporting Governor Cuomo's Proposal to Ban Fentanyl Analogs

Bridget G. Brennan, Special Narcotics Prosecutor for New York City, released the following statement from her office, which fully supports Governor Andrew Cuomo's proposal to make all deadly fentanyl analogs illegal in New York State. Governor Cuomo plans to call for legislation to ban the analogs in his 2020 State of the State.

"I commend the Governor's proposed ban on all fentanyl analogs and call upon the legislature to quickly approve it. Despite their nexus to hundreds of overdose deaths across the state, today many analogs remain legal to obtain and sell. If the legislature passes the proposal, we will be able to use all of our tools to seize dangerous opioid analogs before they ever hit the black market. We can also hold responsible those who are selling them for profit, and causing untold tragedy."

This past summer the Office of the Special Narcotics Prosecutor released a grand jury report documenting the impact of fentanyl analogs on the opioid epidemic in New York City. Fentanyl analogs are powerful and harmful synthetic opioids that are increasingly linked to overdose deaths in New York City. In New York City in 2018, fentanyl and fentanyl analogs were involved in 60% of all overdose deaths, a larger proportion than in past years. The report detailed public health risks associated with fentanyl analogs, as well as challenges posed to law enforcement agencies and the scientific community due to the high potency and legal status of these substances. The report issued two recommendations directed toward the New York State Legislature. First, adopt a "fentanyl analog statute" that effectively bans all forms of fentanyl analogs by classifying them as Schedule I drugs under New York's Public Health Law. Second, allocate additional funding for laboratories conducting analyses for controlled substances, including police labs and the offices of medical examiners.

In the wake of the grand jury report, New York City's five District Attorneys' Offices, along with the Office of the Special Narcotics Prosecutor, released a statement calling on New York State lawmakers to prohibit unregulated distribution of all fentanyl analogs. Fentanyl analogs are closely related to illicit fentanyl, an opioid drug 50 times stronger than heroin. Both illicit fentanyl and fentanyl analogs are created in laboratories outside of the United States. Fentanyl analogs are unpredictable and sold interchangeably with heroin. Drug buyers who are unaware of the contents of the substance they are ingesting are at greater risk of accidental overdose. This uncertainty creates a dangerous public health threat that Governor Cuomo's proposal would help to address.