



JOHN SPIROS

State Representative • 86th Assembly District

Assembly Bill 776

January 28, 2016

Testimony from Rep. Spiros

Good morning and thank you Mr. Chairman and members of the Assembly Committee on Criminal Justice for allowing me to have the opportunity to talk to you today regarding Assembly Bill 776, a bill that would allow a permit issued to a state crime laboratory to authorize the laboratory to possess, manufacture, or use a controlled substance without specifying the name or schedule assignment of the controlled substance.

Assembly Bill 776 is trailer legislation to 2013 Act 351, which expanded the definition of synthetic drugs, which are also commonly known as bath salts, plant food, K2, and spice. The enactment of last session's legislation has helped law enforcement to react to these drugs and hold offenders accountable. However, justice is being delayed due to bureaucratic red tape placed on the Crime Lab.

The chemical compounds in synthetic drugs are constantly changing, and this requires the Wisconsin State Crime Laboratory to purchase new analytical samples on a regular basis for testing purposes. Current law requires the Crime Lab to go to the Controlled Substances Board to receive authorization to purchase these samples, however this process can take 6-8 weeks while cases sit untouched.

Under this bill, the Crime Lab would be given a streamlined process to purchase the samples needed for testing, but would still be required by current administrative code to supply an inventory of controlled substances in its possession in their annual application.

Let's remove this bureaucratic red tape and allow the Crime Lab to do their job, which will allow law enforcement and prosecutors to take off the streets criminals who are peddling these dangerous drugs.

This bill was drafted with the support of the Wisconsin Department of Justice, and has the support of Attorney General Brad Schimel.



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DEPARTMENT OF JUSTICE**

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To: Members of the Assembly Committee on Criminal Justice & Public Safety

From: Michael Austin, Government Affairs Director
Wisconsin Department of Justice

Date: January 28, 2016

Subject: Support for Assembly Bill 776

Thank you Chairman Kleefisch and committee members for the opportunity to present written testimony to you on Assembly Bill 776.

First, I'd like to thank Representative Spiros and Senator Harsdorf for working with the Department of Justice to bring forward this legislation. I'm here today with Sandy Koresch who is the Controlled Substances Technical Unit Leader at the Wisconsin State Crime Lab. She will be available to answer any technical questions you might have on this proposal.

As Representative Spiros shared with you, Assembly Bill 776 is a trailer bill to 2013 Wisconsin Act 351 which strengthened our laws to fight back against dangerous synthetic drugs. While this bill has made some progress for law enforcement, it unfortunately it has caused delays in processing at the Crime Lab due to bureaucratic red-tape.

The manufacturers of synthetic drugs are highly sophisticated and in an effort to stay ahead of law enforcement they are constantly changing the chemical makeup of these drugs. This requires our State Crime Lab to purchase small samples of these substances for comparison purposes but only after we get approval from the Controlled Substances Board.

The Crime Lab has routinely had to wait 6-8 weeks to process samples in cases while awaiting approval from the Controlled Substances Board. This causes delays for law enforcement including over two-months in one case in Northern Wisconsin that was seeking to issue a search warrant.

Again, thank you for your consideration of Assembly Bill 776 and we are happy to answer any questions.