



WISCONSIN LEGISLATURE

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SB 101 Prioritizes Punishment over Prevention

SB 101 further criminalizes Addiction and Drug Users instead of addressing the Root Causes of Drug Overdose in our community

MADISON – Today, the Wisconsin Assembly passed SB 101, a punitive bill that criminalizes drug addictions, in a voice vote.

Representative Madison (D-10) issued the following statement:

“As lawmakers, we must act to prevent overdoses by moving Wisconsin towards a harm reduction model that prioritizes the preservation of life over punitive consequences. Under Wisconsin’s limited Good Samaritan Law, reckless homicide charges do not apply, resulting in a situation where well-meaning individuals can now be sentenced to 60 years in prison for using drugs with a person who overdoses. SB 101 does not solely focus on high level drug dealers or fentanyl - it applies to a broad range of schedule 1 and 2 drugs and provides a perverse incentive to leave a friend, family, or community member to die rather than call life-saving medical care.”

Representative Hong (D-76) issued the following statement:

“Unfortunately and devastatingly, SB 101 does not address the root causes of drug overdose and instead perpetuates the very issues that have gotten us to this point in the first place. The best solutions involve rehabilitation and prevention — only in those ways can we reduce the demand for illicit drugs and prevent future tragedies from occurring.”

Representative Clancy (D-19) issued the following statement:

“Last week, Representative Madison and I toured the Milwaukee Secure Detention Facility (MSDF). I’ve seen the insides of many institutions, and thought I was cynical already, but this one nearly broke me. The conditions there are unforgettable, but more importantly so were the conversations. I spoke with many folks trying to battle their addictions to opiates. Often, they had been incarcerated before, did not receive the support they needed to control their addiction, were released, did the drug again, and ended up back behind bars. This is madness.

We know the massive monetary and social costs of continuing to try to incarcerate ourselves out of this epidemic. We know that there is no data to suggest that adding more years on to a sentence helps our drug problem, or that it functions as a deterrent.

In the prior five legislative sessions, this body has passed 144 items which increased or created new crimes. If we’re serious about ending our drug problems, we need to invest in programs for people who we incarcerate, and to take preventative measures that stop drug use in the first place. This means

investing in mental health, broad investments in education and other initiatives that Republican's stripped from the Governor's recommended budget, like medication assisted treatment and treatment capacity expansion.

Severing more people from our community for longer after we have failed them, then providing them insufficient treatment and resources so that we return them to the same situation they came from, often jobless and worse off than before is not "tough on crime," it's tough on our community."

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