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Dear Committee Members,

My name is Sebastian Mesa, and I work as an assistant county attorney in Aitkin County, Minnesota. Thank you for considering SF 456 as introduced by Senator Utke. Our rural communities in Minnesota are facing a dangerous and damaging upsurge of substance abuse that threatens the public safety of thousands of Minnesotans. Our legislature has done great work combating this threat and drafting laws to protect our citizens from criminal activity as well as providing resources for, and recognizing the plight of, those attempting to recover from substance abuse addiction. It is important that these laws stay current and continue to appropriately address the perils posed by controlled substances.

Minnesota Statute §152.137 recognizes the danger of methamphetamine and its production, and rightly seeks to protect children and vulnerable adults, who cannot protect themselves, from its hazardous and harmful effects. However, in recent years, the introduction of fentanyl into our communities (and not just rural communities) has proven that drug to be even more dangerous and destructive than methamphetamine.

According to recent research from the University of Minnesota School of Public Health, while “...Minnesota’s fatal methamphetamine and fentanyl overdose rates were also significantly lower than the U.S. average in 2022, they increased significantly from 2019 to 2022. The methamphetamine overdose death rate more than doubled between 2019 and 2022, from 4.3 to 9.4 deaths per 100,000 people; its fentanyl overdose death rate roughly tripled between 2019 and 2022, from 5.7 deaths to 17.3 deaths per 100,000 people.”<sup>1</sup>

Fentanyl, without proper medical supervision and control, is a particularly insidious and toxic drug that can cause severe health issues, and even death, from incidental contact and exposure.

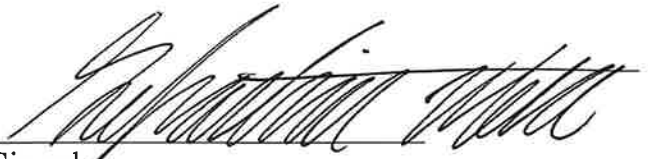
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<sup>1</sup> <https://www.sph.umn.edu/news/opioid-overdoses-soared-during-the-pandemic-spreading-to-previously-less-affected-groups-including-teenagers-and-the-elderly/#:~:text=The%20methamphetamine%20overdose%20death%20rate,17.3%20death%20per%20100%2C000%20people.>

Recently, I was given a heart-breaking case to charge and prosecute. This matter involved children living in dangerous and deplorable conditions and being exposed to fentanyl, which was carelessly kept in their room. One child grew so ill as to require three Narcan injections and was ultimately airlifted to Children's Hospital in Minneapolis. Were it not for the timely intervention of law enforcement and first responders, and the excellent medical care provided by Children's, this young child would have surely died. In charging out the offenses related to this incident, I found the legislative framework inadequate to the circumstances. Had the child been exposed to methamphetamine, I could have charged a felony offense but because it was fentanyl, which is currently not addressed by Minnesota Statute §152.137, the child's caretakers and guardians faced at most a gross misdemeanor charge for their neglect.

It is easy to see how the circumstances of this case can and will be repeated in coming years as our state struggles to contain and overcome the fentanyl crisis. This is a bipartisan concern, and we should not wait for tragedy after tragedy to spur us into action. The Aitkin County Attorney's Office urges this committee to advance and support Senator Utke's bill, SF 456.

Very sincerely,

  
Signed

1/31/25  
Date

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