



## Fentanyl Deaths Are Up, But GOP Ads Mislead by Blaming ‘Open Borders,’ Migrants Crossing Illegally

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Republicans are spotlighting a real issue — many Americans are dying from fentanyl overdoses — but misleading voters about how the powerful synthetic opioid enters the country illegally.

Fentanyl, a prescription painkiller that is also made illegally, is similar to morphine but 50 to 100 times more potent.

Ads ahead of the Nov. 8 elections charge that President Joe Biden and other Democrats have "open border" policies that are responsible for the increased inflow of fentanyl and fatal overdoses.

An ad tweeted Oct. 26 by Republican Blake Masters, who is challenging Democratic Sen. Mark Kelly in the high-profile Arizona Senate race, claims "Biden Democrats created the worst border crisis in American history" and that fentanyl overdose deaths in Arizona "are surging." The ad is from the Make America Great Again super PAC affiliated with former President Donald Trump.

An ad from the Florida Republican Party claimed that Democrat Charlie Crist, a former U.S. representative running against Republican Gov. Ron DeSantis, "voted to support Biden's open border policies" and "fentanyl is killing Americans at record levels."

Most illegal fentanyl is smuggled into the U.S. from Mexico, the U.S. Department of Homeland Security and independent experts say, and fentanyl overdose deaths in the U.S. have been rising for several years.

But the ads wrongly suggest that immigrants are the ones mainly responsible for transporting large quantities of the drug.

The claim that the U.S. has "open borders" also ignores that there are about 20,000 Border Patrol agents, most stationed at the southwest border to enforce immigration laws. It also dismisses the existence of border barriers, surveillance technology and other tools to limit who, and what, comes into the United States.

And experts say that the vast majority of the fentanyl is not brought into the country by immigrants crossing the border in between ports of entry, but by drug traffic organizations smuggling it through legal checkpoints.

"Most fentanyl is seized at legal border crossings smuggled in all sorts of cargo, it is not carried on the backs of migrants," said Sanho Tree, director of the Drug Policy Project at the Institute for Policy Studies. "Drug traffickers deal with professionals, not amateurs, and they prefer U.S. citizens."

### **Data on fentanyl coming into the U.S., overdoses**

The amount of fentanyl coming into the U.S. illegally, mainly from Mexico, has increased in recent years.

The West Virginia Republican Party recently claimed that more fentanyl "crossed the border" in July and August under Biden than in 2019 under Trump. We rated that Mostly True.

Federal data backed up the numbers part of the claim. But it's unclear whether the change is attributable to Biden's policies, and impossible to know whether the rise was because of more smuggling attempts or better targeting and interdiction by law enforcement.

The nation is grappling with a surge in opioid deaths, and fentanyl is a key factor driving up those fatalities.

In 2020, more than 56,000 people ages 18 and older died in synthetic opioid-related incidents and in 2021, the figure rose to nearly 70,000, according to the federal Centers for Disease Control and Prevention. Fentanyl comprises approximately 90% of the synthetic opioids category, according to the CDC.

Katharine Neill Harris, a fellow in drug policy at Rice University's Baker Institute for Public Policy, noted that CDC figures show fatal overdoses from synthetic opioids, primarily fentanyl, began to spike around 2014, more than six years before Biden took office.

### **Republican ads' misleading claims**

America's Voice, a group advocating for a pathway to citizenship for immigrants in the country illegally, in an August report identified 360 ads that "fear-monger about Democrats' alleged 'open border' policies" and 330 ads that "deploy dog-whistles around drugs and immigration." Republicans have "three main attack lines: open borders, fentanyl and 'invasion,'" the report said.

We found that some ads blame Biden in claiming that people crossing the border illegally are responsible for the influx of fentanyl.

Sen. Mike Crapo, R-Idaho, whose re-election is considered a safe bet, portrays in a TV ad a person jumping over a wall and loading sealed bags into a vehicle's trunk.

In the ad, Crapo said Biden's "open borders have threatened our neighborhoods and our children's safety. Fentanyl-related deaths have increased right here in Idaho. Gang members transport fentanyl and other dangerous drugs into our schools and communities."

In the toss-up Nevada U.S. Senate race, Republican challenger Adam Laxalt accused Biden and Democratic Sen. Catherine Cortez Masto in a TV ad of "causing a crisis of human trafficking, crime and lethal opioids."

Other ads target Democratic candidates without mentioning Biden.

In the Washington U.S. Senate race, which campaign watchers say favors Democratic Sen. Patty Murray, Republican challenger Tiffany Smiley claimed in a TV ad that fentanyl is killing kids in Washington because Murray "kept our borders open and defunded our police."

And Texas Gov. Greg Abbott, challenged by Democratic former U.S. Rep. Beto O'Rourke, features a Texas sheriff in a TV ad saying that fentanyl is coming over the Texas border and "O'Rourke supports open borders." The governor's race is rated as favoring Abbott.

Desantis, Masters and Abbott have made similar claims during debates.

In the race for Ohio's open Senate seat between Republican J.D. Vance and Democratic Rep. Tim Ryan, Vance claimed in an interview that Biden is intentionally opening borders so that fentanyl will kill so-called MAGA (Make America Great Again) voters, those who support Trump. Campaign watchers say the race favors Vance.

Some Democrats have pushed back.

In the toss-up race for the open governor's seat in Arizona, Democrat Katie Hobbs, who is running against Republican Kari Lake, ran a TV ad with two sheriffs pledging a plan to secure the border. One of them says: "Katie Hobbs will deliver whatever resources are needed to keep you safe, my team safe, our state safe."

### **Border Patrol data counters claims of 'open borders'**

The attack ads suggest that the Mexico border is completely open for entry into the U.S. and give the impression that Biden has directed Border Patrol agents to stop guarding the border. That's not so.

U.S. Customs and Border Protection data tells us that Border Patrol agents recorded more than 2.2 million encounters with migrants in the fiscal year that ended in September. But that doesn't mean that 2.2 million people entered the country. That's because the data counts events, not individuals. For example, a Border Patrol agent could have encountered the same person three times.

Many of the people encountered are also quickly expelled by authorities, either under immigration law or under the scope of a public health policy known as Title 42. (The Trump administration instituted Title 42 in March 2020 to curb COVID-19's spread in the U.S.)

That's not to say that there aren't people who come in undetected, and it is possible that some do come in carrying illicit fentanyl.

However, federal data shows that fentanyl and other drugs seized by immigration authorities at the southwest border are commonly found in privately owned vehicles entering through legal ports of entry and in tractor-trailers, where smugglers try to conceal illegal drugs with legal cargo.

Seizures of fentanyl at the southern border have increased steadily since 2016, before Biden became president in January 2021.

### **Assessing Biden's policies**

Experts said the inflow of illegal fentanyl and fatal fentanyl overdoses continues to be major problems, but they didn't attribute it to Biden administration policies.

"I think the fair statement is that the problem has gotten much worse on his watch. I don't know that anyone else could have done better," said Carnegie Mellon University professor Jonathan Caulkins, whose research interests include interventions related to drugs and crime.

Biden's policies have not worsened the fentanyl situation, said Vanda Felbab-Brown, senior fellow in the Center for Security, Strategy and Technology in the Foreign Policy program at the Brookings Institution think tank. She said the administration "has put in place significantly better measures to expand treatment than the Trump administration and both began allowing critical overdose-reversal medications."

David Bier of the libertarian Cato Institute, author of a September report on fentanyl, advocated for more addiction treatment programs and "harm-reduction" policies such as medication-assisted treatment.

"To develop these policies," Bier wrote, "policymakers need to ignore the calls to blame foreigners for our problems."