

# Who is Joe Rannazzisi: The DEA man who fought the drug companies and lost

By **Scott Higham** and **Lenny Bernstein** October 15

Joe Rannazzisi is a man of strong passions who admits that he has a temper. For more than a decade, he was the frontman in the government's war against opioid abuse. As head of the Office of Diversion Control for the Drug Enforcement Administration, he was responsible for cracking down on doctors, pharmacies, drug manufacturers and distributors who did not follow the nation's prescription drug laws.

He said he worked hard to uphold the law, until he was pushed out by members of Congress and an industry campaign that he says has resulted in a weakening of the nation's drug laws at a time of unprecedented crisis.

The burly, tough-talking Long Islander is now a man in the news, appearing in The Washington Post and on "60 Minutes" this Sunday to give his views on how the DEA's war on opioids got derailed by pressure from Congress and the drug industry.

"You know all these people that died — happened on my watch," he told 60 Minutes. "The one thing I wanted to do, the one thing that I just thought would have the most impact, is to lock up, arrest one of these corporate officers.

"You arrest a corporate officer. You arrest somebody that's — that's involved in the decision process, knowing what the law is. If you make that arrest, then everybody sits up and takes notice because three-piece-suit guys just don't do well in prison. They don't."

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To industry and members of Congress, Rannazzisi was too tough and unrelenting, and communicated poorly about the laws the companies were supposed to follow.

In 2005, he came to DEA headquarters in Washington after a stint as an agent in Detroit, where he watched prescription drugs flood small towns and cities in the Midwest. He wanted to hold those in the distribution chain responsible.

“There were just too many bad practitioners, too many bad pharmacies, and too many bad wholesalers and distributors,” Rannazzisi recalled.

Joseph T. Rannazzisi was assigned to head the DEA’s Office of Diversion Control. He had both a law degree and a pharmacy degree and brought an aggressive approach to the diversion control office, which was seen as a backwater operation whose 600 investigators had toiled for years with little recognition.

Under Rannazzisi in the mid-2000s, the DEA repeatedly warned drug companies that they were shipping unusually large volumes of opioids to customers around the country. But the shipments continued.

The DEA soon began bringing enforcement actions against the nation’s largest drug distributors for failing to report those suspicious orders. The companies ended up paying hundreds of millions of dollars in fines.

Along the way, Rannazzisi made powerful enemies.

“They definitely didn’t like Joe Rannazzisi,” said Matthew Murphy, one of Rannazzisi’s chief lieutenants. “Not at all. He wasn’t viewed as a person that they could work with.”

Rannazzisi was unmoved by their complaints.

“We’re worried about their feelings being hurt because we were doing our job?” he said. “We were making them comply. We were holding their feet to the fire.”

In 2011, Rannazzisi was called to the Justice Department to brief then-Deputy Attorney General James M. Cole about a case he was pursuing against one of the nation’s largest drug distributors.

Rannazzisi was stunned. He had brought hundreds of these cases and had never been called to brief Cole, the second-most-powerful law enforcement official in the country.

The meeting was contentious, and Rannazzisi believed he was getting the subtle message to back off. Cole, now a lawyer in private practice, said he was not trying to pressure Rannazzisi.

A defiant Rannazzisi returned to the DEA determined to redouble his efforts.

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“Now this is war,” he recalled telling his staff. “We’re going after these people, and we’re not gonna stop. We’re just going to continue to move forward. And we don’t really give a damn any more what the department wants.”

Things came to a head in the summer of 2014. Members of Congress pressed for a meeting with the DEA to understand why Rannazzisi was so opposed to legislation proposed by Rep. Tom Marino (R-Pa).

At a conference call on July 2, Rannazzisi and congressional staffers clashed over the bill, which would have set higher standards for the DEA to take certain enforcement actions.

“We’re just trying to create a better relationship between industry and DEA,” a congressional staffer said.

“You’ll be protecting criminals,” one participant recalled Rannazzisi saying.

The congressional staffers were furious. “We can’t work with you,” one told the DEA.

The bill stalled in the Senate, but its sponsor, Marino, went after Rannazzisi.

“It is my understanding that Joe Rannazzisi, a senior DEA official, has publicly accused we sponsors of the bill of, quote, ‘supporting criminals,’ unquote,” Marino told Rannazzisi’s boss, then-DEA Administrator Michele Leonhart, at a hearing in September. “This offends me immensely.”

A week later, Marino and Rep. Marsha Blackburn (R-Tenn.) accused Rannazzisi of trying to “intimidate the United States Congress” and asked the Justice Department’s inspector general to investigate.

Rannazzisi said he never said the bill would protect criminals.

“I said that this bill is going to protect defendants that we have under investigation,” he said in a recent interview. “And if they don’t like the truth, well, I don’t know what to tell ’em.”

In 2015, the Justice Department named a new DEA chief who said he wanted to mend the rift between the agency and the drug industry, Chuck Rosenberg.

“Rosenberg wanted to paint a new face on the DEA for the Hill,” said Regina LaBelle, the chief of staff for the White House’s Office of National Drug Control Policy at the time. “He wanted to show them the softer side of the DEA, and he wanted to work with industry.”

In late 2015, with the inspector general’s investigation into his comments hanging over his head, Rannazzisi retired from the DEA after a 30-year career.

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The investigation went nowhere. But, Rannazzisi said, "It destroyed me."

In the spring of 2016, the law he had so opposed was passed by unanimous consent in the House and Senate, after the DEA had dropped its opposition to it.

With a few words, the new law changed four decades of DEA practice. Previously, the DEA could freeze drug shipments that posed an "imminent danger" to the community, giving the agency broad authority. Now, the DEA must demonstrate that a company's actions represent "a substantial likelihood of an immediate threat," a much higher bar.

"There's no way that we could meet that burden, the determination that those drugs are going to be an immediate threat, because immediate, by definition, means right now," Rannazzisi said.

Chief DEA Administrative Law Judge John J. Mulrooney II agreed.

In his article planned for the winter issue of the Marquette Law Review, Mulrooney wrote: "If it had been the intent of Congress to completely eliminate the DEA's ability to ever impose an immediate suspension on distributors or manufacturers, it would be difficult to conceive of a more effective vehicle for achieving that goal."

Today, Rannazzisi is a consultant for a team of lawyers suing the opioid industry. Separately, 41 state attorneys general have banded together to investigate the industry. Hundreds of counties, cities and towns also are suing.

"This is an industry that's out of control. If they don't follow the law in drug supply, and diversion occurs, people die. That's just it, people die," he said. "And what they're saying is, 'The heck with your compliance. We'll just get the law changed.'"

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