



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senate approves legislation O'Mara co-sponsors to allow drug dealers to be charged with homicide: O'Mara, colleagues continue multi-pronged response to heroin and opioid crisis

THOMAS F. O'MARA March 21, 2018

| ISSUE: **COMBATING HEROIN AND OPIOID ADDICTION**



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**Albany, N.Y., March 21**—The State Senate today approved legislation co-sponsored by Senator Tom O'Mara (R,C,I-Big Flats), a member of the Senate Task Force on Heroin and

Opioid Addiction, that takes aim at heroin and opioid traffickers and dealers.

The legislation (**S2761**) would allow law enforcement to charge a drug dealer with homicide, a class A-1 felony carrying a penalty of 15-25 years in prison, if a person dies of an overdose of heroin or other opiate-controlled substance sold by that dealer. The measure targets mid- to high-level drug suppliers who profit from heroin sales.

“Awareness and education, prevention and treatment are fundamental responses. But so are tough laws and law enforcement, especially when it comes to heroin and opioid traffickers and dealers. I agree that we can’t arrest our way out of this crisis, but we shouldn’t hesitate to throw the book at the pushers and suppliers of deadly drugs,” said O’Mara.

Today’s action is part of an ongoing series of legislative measures the Senate has advanced to continually strengthen the state’s response to the heroin and opioid epidemic spreading throughout the Southern Tier and Finger Lakes regions, and statewide. It seeks to build on existing state-level laws, programs and services enacted over the past several years to strengthen awareness and education, prevention, and treatment and recovery efforts.

The Senate created its heroin task force in 2014 at a time when local police departments and addiction centers, including many across the Southern Tier and Finger Lakes regions, were pointing to the alarming rise in the availability and use of heroin. O’Mara has sponsored task force hearings at Elmira College and the Penn Yan High School. He said that since 2014, while the work of the task force has helped enact important new state-level laws and other responses, the heroin and opioid crisis has grown increasingly urgent. Consequently, task force members are continuing to develop legislative recommendations for preventing the drug’s spread and treating those addicted.

O'Mara credits the local input senators have received at the forums for driving increased state funding and new laws over the past four years. The task force has heard testimony from regional law enforcement officers, treatment professionals, recovering addicts and family members, social services and mental health professionals, and other experts about the range of complex challenges posed by heroin including addiction prevention and treatment options, awareness and education, drug-related crimes, and other community and public safety impacts.

O'Mara said, "This ongoing input from those on the front lines locally have targeted the necessary responses. We need to keep working, at every level of government, to keep our laws, programs and services ahead of this public health crisis. We can't let up for one second on the alarming threat of heroin, opioids, meth, synthetic substances, bath salts and other illegal drugs spreading throughout our communities. In particular, the growing heroin crisis is far too great a risk to spiral out of control and overwhelm individual lives along with local systems of health care, law enforcement, criminal justice and social services."