



NEW YORK STATE SENATOR

Chris Jacobs

Jacobs Votes For Law To Allow Charging Drug Dealers With Murder For Overdose Deaths

SENATOR JACOBS March 22, 2018

| ISSUE: **COMBATING HEROIN AND OPIOID ADDICTION, SENATE TASK FORCE ON HEROIN AND OPIOID ADDICTION**

(Albany, New York) - State Senator Chris Jacobs announced Senate approval of legislation (S2761) enabling law enforcement to charge drug dealers with homicide if a death results from the sale of heroin or an opiate controlled substance.

“We have had countless examples of drug dealers murdering in our community by knowingly selling heroin laced with deadly fentanyl,” said Jacobs. One notable dealer/murderer is Delean Hamilton, also known as the “Merchant of Death” for killing 10 Erie County residents in one day by selling these victims heroin that Hamilton knew was heavily laced with toxic fentanyl. Hamilton was sentenced to 8 years in prison. “I believe the ‘Merchant of Death’ and others like him should not just be sentenced for dealing, but also be sentenced for murdering as well,” said Jacobs.

The legislation is intended to target high-level drug dealers who profit from heroin sales, but does not punish co-users by providing a defense for those who bought and used the opiate with the deceased. New York State’s “Good Samaritan Law,” also shields individuals from charges related to an overdose if they attempt to help the individual and report the incident in a timely manner.

“New York State has established itself as a leader when it comes to education, prevention, treatment and recovery,” said Senator Jacobs. “We also need to take on the heroin epidemic from all sides, and that includes properly punishing the big business dealers that are bringing this poison into our communities.”

Jacobs is a Co-Chair of the Senate’s Heroin and Opioid Task Force and a co-sponsor of this legislation. Along with the record funding of \$265 million in the Senate’s budget plan last week, he said this bill represents yet another step in the ongoing commitment of the Senate’s Task Force to combat the heroin and opioid epidemic. “Given the seriousness of this public health crisis, I hope that the Assembly will join us in acting swiftly on this measure,” Jacobs concluded.

RELATED LEGISLATION

2017-S2761

- Introduced

- ◦ In Committee Assembly
 - In Committee Senate

- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ○ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Establishes the crime of homicide by sale of an opiate controlled substance

January 17, 2017

In Assembly Committee

Sponsored by **George Amedore**

Do you support this bill?