



NEW YORK STATE SENATOR

Catharine Young

Laree's Law to Hold Drug Dealers Accountable for Overdose Deaths Passes Senate

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Albany, New York – With the heroin and opioid epidemic in New York State continuing to destroy futures and end lives, the State Senate has taken a step to crack down on dealers with passage of “Laree’s Law,” (S2761), a measure which would allow a charge of homicide if a death results from a drug sale. Senator Catharine Young (R,C,I – 57th District) is a co-sponsor of the measure which passed the house, 44 to 17, on Wednesday.

“The heroin and opioid epidemic is a public health crisis of unprecedented proportions. One of the contributing factors fueling both addiction and overdose deaths are the drug dealers who are lacing heroin with fentanyl to produce a more powerful high, creating a deadly concoction that can kill quickly. They are deliberately selling death for profit and they need to be charged accordingly,” said Senator Young, a member of the Senate Task Force on Heroin and Opioid Addiction.

“I’ve spoken with heartbroken families who’ve lost loved ones to fatal overdoses. I’ve also heard from district attorneys who want changes in state law to make it easier to prosecute dealers in users’ deaths. That is why this measure is critically important.”

Currently, a person who provides an illicit drug that results in the death of a user can typically only be charged with the criminal sale of a controlled substance. As a result, those involved in the illicit drug trade can escape prosecution for the death they caused. Laree’s Law is named in honor of Laree Farrell Lincoln, an Albany

County teenager who died of a heroin overdose in 2013 and whose mother, Patty Farrell, has been a strong advocate for holding drug dealers accountable for the true cost of their crimes.

In April 2017, Cattaraugus County District Attorney Lori Rieman obtained a guilty plea of criminally negligent homicide from a drug dealer charged with causing a users' death - the first time a dealer was held responsible for an overdose death in that county. That case involved a dealer who was selling heroin laced with fentanyl and who knew that the product was dangerous, causing users to lose consciousness. The district attorney successfully proved she knowingly and willfully sold the product despite its fatal potential.

The measure passed by the Senate would make it easier for district attorneys to prosecute these cases by establishing overdose-related homicide as a class A-1 felony, with a penalty of 15 - 25 years in prison.

"This measure is a step towards providing justice for families and true accountability for dealers who knowingly peddle lethally potent drugs," added Senator Young.

This legislation is intended to target mid- to 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.