

Bill Would Create New Charge For Opioid Dealers: Death By Distribution

By Administrator

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Representative Dean Arp (R-Union) and Senator Harry Brown (R-Onslow) filed a bill today that would create a new charge known as death by distribution for drug dealers who supply lethal drugs that result in overdose deaths.

Current state laws limit prosecutors' ability to charge drug dealers in overdose cases with first- or second-degree murder. Typically, such cases result in involuntary manslaughter charges, which can carry a sentence of just 10 to 20 months.

Under Arp and Brown's bill, House Bill 474 and Senate Bill 375, a death by distribution charge could be brought against a drug dealer where death results from their distribution of an opioid, methamphetamine or cocaine.

Simple death by distribution would come with a sentence roughly the same as the sentence for voluntary manslaughter – 3 ½ to 7 ½ years. For aggravated death by distribution, for drug dealers with prior convictions, the sentence would be 8 to 17 years – the same sentence as second-degree murder.

Unlike first- or second-degree murder charges, death by distribution would not require prosecutors to prove malice, or intent to kill.

"With the recent surge in drug deaths due to opioids such as fentanyl, prosecutors have told us that they need another weapon in their arsenal to deter drug dealing," Arp said. "This won't take away from our efforts to provide drug treatment and education, but it will ensure that anyone who is working against us by supplying lethal drugs to vulnerable people will be treated like the murderers they are."

Brown emphasized the need for this bill in North Carolina to fight the growing opioid epidemic.

"Law enforcement has told us that they need another tool in their toolbox to combat this scourge," Brown said. "We must do everything we can to stop the people who prey on that

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human weakness for profit.”