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**TESTIMONY IN OPPOSITON TO 18-S 2279,  
RELATING TO HOMICIDE**

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The ACLU of Rhode Island strongly opposes this bill, which would impose a life sentence on any person who provides an unlawful controlled substance to a person, resulting in that person's death. For a number of reasons, this punitive legislation is extremely poor public policy and should be rejected.

1. The legislation undermines the state's Good Samaritan law. With the passage of strong Good Samaritan legislation and numerous other measures, the General Assembly has largely recognized that the opioid epidemic Rhode Island is facing is best dealt with as a public health issue, not a criminal matter. If this bill were to pass, a person who has provided drugs to somebody and sees them overdose will almost certainly think twice before calling for help, knowing that if the help is unsuccessful, he or she may face a lifetime in prison. The bill thus may, ironically, cause drug deaths rather than avert them.

2. This bill will not have any meaningful impact on the drug trade. It is the low-level drug dealer – who often will be addicted to drugs as well – who will face the harsh consequences of this bill, not major drug dealer.

3. As the Drug Policy Alliance cogently explains, laws like these “fundamentally misunderstand the dynamics of the average drug seller, treating people who use drugs and sellers as two distinct groups with different motives: drug sellers as sinister and people who use drugs as dupes. Overdoses are not caused by malice on the part of the drug seller. Overdoses are often the result of the circumstances in which a person is consuming, or unfamiliarity with a substance. In reality, the average person selling drugs struggles to make ends meet or sells drugs to supplement their own drug use. The line blurs even further when considering users who occasionally provide and use drugs with small groups of friends.” See <http://www.drugpolicy.org/blog/charging-drug-sellers-murder-if-someone-dies-overdose-will-ruin-lives-save-none>

For all these reasons and others you will hear, the ACLU opposes this bill.