

## **Answers to Arguments in Favor of HB 7715A**

**This is just a tool for judges to use, and gives them discretion on the length of the sentence they impose.**

Judges already have the tools they need. In the case that prompted this bill, the judge was able to sentence the drug dealer to 40 years in prison, with 20 to serve - a virtual life sentence for many. A few more decades in prison won't stop overdoses, but they will mean the end of any chance at rehabilitation. While the bill does not impose a mandatory life sentence, the sentences that will be imposed, as evidenced by the number of drug offenders already in prison under current laws, are often likely to be harsh.

**We have an opioid overdose epidemic in this state.**

That's exactly why we need smart, thoughtful policies around drug abuse - ones that take the realities of drug use into account. The War on Drugs was punitive, and here we are still facing an epidemic. Rhode Island and the country agree that we should treat drug addiction as the disease it is.

**Drug dealers should go to prison.**

Sure. But they already do. And this bill won't affect large-scale drug dealers; it will target the low-level dealers and drug users who share with friends. They're the ones most likely to be caught for distribution, and the ones most likely to have to weigh calling for help during an overdose with the possibility of life in prison.

**How are low-level offenders going to go to prison?**

Low-level drug dealers and people addicted to drugs are frequently the ones delivering drugs to their friends and people they know. If they and their friend agree to split the cost of a hit, and their friend dies, they can go to prison for life. If they're asked by their drug dealer - in exchange for drugs or lower prices - to deliver to someone who dies, they can go to prison for life. The bill doesn't even require someone to know they're transporting drugs containing fentanyl or other deadly substances, but still holds them responsible for the death of someone to whom they intended no harm.

**The bill exempts them from life in prison if they call during an overdose.**

Not really. In order to be exempt from prosecution they first have to prove they didn't intend to defraud anyone by calling for help, a tough standard to prove. And in the critical moments of an overdose, nobody should be weighing whether they have enough evidence that they're not lying about their motives. We passed the Good Samaritan Act to encourage people to call during drug overdoses, but this bill undermines that law completely.

**What should I tell families whose loved ones have died?**

No family member should have to lose someone to an overdose. Families whose loved ones have died of addiction are speaking out against this bill, and asking you to make sure people have a chance to survive and get on the right path. They are joined by sixteen community, public health, and drug recovery groups and more than sixty medical professionals, researchers, and advocates, who have called on the General Assembly to treat drug addiction as the disease it is and to reject this bill. We are asking the same.