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### PRESS RELEASE

#### **NEW FENTANYL ADVISEMENT OF MURDER CHARGES FOR NARCOTICS TRAFFICKERS**

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Napa County District Attorney Allison Haley announced today:

It is the intention of the Napa County District Attorney's Office to now give a Fentanyl Advisement at the time of plea or sentencing in cases that involve the manufacture, possession for sale, sales or transportation of a controlled substance. The advisement warns convicted defendants of the dangers of fentanyl and informs them that they could be charged with murder if they sell drugs laced with fentanyl to someone and that person dies as a result of ingesting it.

The new policy is in response to a national epidemic of overdose deaths from fentanyl. Fentanyl is a synthetic opioid intended to treat severe pain and is 50 to 100 times more potent than morphine. Some drug dealers are now mixing fentanyl with heroin, cocaine, methamphetamine and MDMA because it is a cheaper option. Others sell fentanyl as counterfeit oxycodone or alprazolam pills to increase its euphoric effects. The drug consumer often has no idea what they are taking and the results are deadly. Even a tiny dose of fentanyl, as little as two milligrams, the size of two grains of salt, is a fatal dose to most people. According to the CDC, more than 36,000 people died in the United States from overdoses involving synthetic opioids in 2019. In California from 2018 to 2019 there was a 90% increase in drug overdose death rates involving synthetic opioids. Statistics suggest an acceleration of overdose deaths during the COVID-19 pandemic.

The new advisement has precedent. It is similar to a *Watson* advisement that is given to drivers convicted of DUI. It creates a legal record that the driver is aware of the extreme danger that driving under the influence of alcohol or drugs poses to that person and others. If they are involved in another DUI in the future and that DUI leads to an accident that kills someone, they have been warned of the consequences and can be charged with murder.

The new advisement will not affect the way narcotics cases are handled by the office. Under California law, offenders who simply possess controlled substances for personal use are eligible for a wide variety of diversion programs. However, those who sell illegal drugs will continue to be prosecuted and will now be on notice of the dangers of fentanyl and the legal consequences that come with it.

Any questions may be directed to Assistant District Attorney Paul Gero.