

State representatives file bills to combat opiate crisis and motor vehicle related Offenses

Working in concert with State Representatives Christopher Markey and Antonio Cabral, Bristol County District Attorney Thomas M. Quinn III announced the filing of three new pieces of legislation aimed at fighting the ongoing opiate abuse crisis, cracking down on reckless driving and creating a new criminal statute for leaving the scene of automobile crashes that result in serious bodily injury.

Rep. Chris Markey recently filed House Bill 3407 on District Attorney Quinn's behalf to specifically add trafficking in Fentanyl to the list of crimes for which prosecutors can move to hold a defendant for up to 120 without bail under the state's dangerousness statute.

"There is no doubt that Fentanyl has led to the increase in opiate-related overdose deaths. Clearly, trafficking in Fentanyl presents a danger to the community," said District Attorney Quinn. "Our office should be able to ask the court, when warranted, to hold someone trafficking Fentanyl as a danger to the public. Right now there is no legal authority for us to make this request. This must be amended"

Rep. Markey said he believes this piece of legislation is a "common sense solution to a major problem."

"Drug dealers are intentionally mixing Fentanyl with illicit drugs, which make them far more potent and increasingly more fatal as a result. The callous actions of these drug dealers have directly contributed to the loss of thousands of lives across the state and adversely impacts entire neighborhoods

and families,” Rep. Markey said. “In our continuing efforts to add penalties to individuals illegally using Fentanyl, this legislation will strengthen the dangerousness hearing statute by including this dangerous drug into the process. I am pleased to join with the District Attorney’s office in drafting this timely and important bill.”

Rep. Markey also recently filed House Bill 3423 after consultation with District Attorney Quinn. The legislation changes the crime of reckless operation of a motor vehicle by making it a felony punishable based on the severity of the harm. The bill will create three levels of harm.

A. Reckless operation—no injury to another, 5 years in the state prison maximum sentence if it is a Superior Court case, or 2 $\frac{1}{2}$ year in the House of Corrections maximum sentence if it is a District Court case.

B. Reckless operation—serious bodily injury, 10 years in the state prison maximum sentence if it is a Superior Court case, or 2 $\frac{1}{2}$ year in the House of Corrections maximum sentence if it is a District Court case.

C. Reckless operation—resulting in death, 20 years in state prison maximum sentence.

“Reckless operation of a motor vehicle is a serious crime that endangers lives and the safety of people on the roadways every day. This dangerous conduct must be treated as such,” District Attorney Quinn asserted. “That is why I proposed this bill to make reckless driving a felony with increased punishments, particularly when motor vehicle fatalities occur as a result of reckless operation of a motor vehicle. This is much more serious than a simple motor vehicle accident.”

Rep. Cabral recently filed House Bill 3275, which creates a new criminal statute for leaving the scene of serious bodily injury. The proposed new crime would carry a five year maximum state prison term if the case is in the Superior Court or a

2.5 year maximum house of corrections term if the matter is in the district court.

"I look forward to working with DA Quinn to advance this bill through the legislative process," said Rep. Antonio F.D. Cabral. "The bill will prevent this behavior and provide much-needed justice for the victims of these crimes."

There is currently no statute that covers leaving the scene of a crash-causing serious bodily injury in Massachusetts, meaning that when it occurs, it is only punishable under the general leaving the scene of an accident criminal statute with a maximum punishment of two years in the house of correction.

"In almost every collision, a driver knows they have potentially caused injury to someone, whether they be a pedestrian or the operator of the other motor vehicle. Generally speaking, people leave the scene of car crashes after they have been drinking alcohol," said District Attorney Quinn. "This amendment falls in line with the law relating to leaving the scene of an accident with death resulting. I would like to thank Rep. Markey and Rep. Cabral for working with our office and for filing these bills on my behalf."