Partnership to End Addiction | THE ACTION LAB at Northeastern University

Drug-Induced Homicide (DIH) Laws Fact Sheet

Drug-induced homicide (DIH) laws are increasingly being used to respond to the opioid crisis.

We understand the pain of families who have lost a loved one to overdose and why they, along with the broader public and leaders, may want to respond forcefully through DIH laws and other means. But research shows DIH laws fail to deliver justice or safety and often have unintended consequences. This fact sheet outlines key facts about DIH laws and their impact.

What are DIH laws?[1]

- Laws that establish a criminal charge to hold a person legally responsible for another person's fatal overdose resulting from drugs that they supplied, without specific intent to cause death or direct involvement in administering the drugs.
- As of May 2024, 33 states and D.C., Guam, and the U.S. Virgin Islands have drug-induced homicide laws.

DIH laws fail to deliver justice or safety

DIH laws/prosecutions...

- do not deter drug dealing or use.[2]
- deter help-seeking and undermine Good Samaritan laws.[3-5]
- are rarely brought against large-scale dealers and often target the victim's family/friends/partners, who may have addiction themselves.[2]
- are deployed unfairly.[2]
- can distract/take limited resources away from effective overdose prevention efforts.[2]

What's needed instead

- Education for prosecutors, policymakers and the public to combat myths and stigma.[6]
- Increased messaging on Good Samaritan laws.[3]
- A public health approach to substance use/addiction.
- Resources and supports for grieving families.

Sources listed on back

DIH laws have unintended consequences

DIH laws/prosecutions...

- Deter people from calling 911 or seeking help for an overdose.[3-5]
- Cause more people with addiction to go to jail/prison, where they are unlikely to get treatment and have greater overdose risk.[2, 7-10]
- Lead people with addiction to avoid seeking treatment or help for fear/mistrust of health care and law enforcement systems.[2-5]
- Divert resources from evidence-based overdose prevention strategies.[2]
- Disrupt drug supplies, which can increase overdose risk.[11-12]

Check out the DIH Family Guide:

Sources:

1. Legislative Analysis and Public Policy Association. (2024). *Good Samaritan and Fatal Overdose Prevention and Drug-induced Homicide: Summary of State Laws*. https://legislativeanalysis.org/good-samaritan-fatal-overdose-prevention-and-drug-induced-homicide-summary-of-state-lawsgood-samaritan-fatal-overdose-prevention-and-drug-induced-homicide-summary-of-state-laws/
2. Beletsky, L. (2019). America's Favorite Antidote: Drug-Induced Homicide in the Age of the Overdose Crisis. *Utah Law Review, 2019,* No. 4 , Article 4. https://dc.law.utah.edu/cgi/viewcontent.cgi?article=1219&context=ulr
3. Rouhani, S., Schneider, K.E., Rao, A., Urquhart, G.J., Morris, M., LaSalle, L., & Sherman, S.G. (2021). Perceived vulnerability to overdose-related arrests among people who use drugs in Maryland. *International Journal of Drug Policy*, *98,* 103426. https://doi.org/10.1016/j.drugpo.2021.103426
4. Pamplin, J.R., Rouhani, S., Davis, C.S., King, C., & Townsend, T.N. (2023). Persistent Criminalization and Structural Racism in US Drug Policy: The Case of Overdose Good Samaritan Laws. *American Journal of Public Health, 113*(S1): S43–S48. https://doi.org/10.2105/AJPH.2022.307037
5. Carroll, J.J., Ostrach, B., Wilson, L., Dunlap, J.L., Getty, R., & Bennett, J. (2021). Drug induced homicide laws may worsen opioid related harms: An example from rural North Carolina. *International Journal of Drug Policy, 97*, 103406. https://doi.org/10.1016/j.drugpo.2021.103406
6. Morrissey, B., El-Sabawi, T., & Carroll, J. J. (2024). Prosecuting overdose: An exploratory study of prosecutorial motivations for drug-induced homicide prosecutions in North Carolina. *International Journal of Drug Policy, 125*, 104344. https://doi.org/10.1016/j.drugpo.2024.104344
7. Balawajder, E.F., Ducharme, L., Taylor, B.G., Lamuda, P.A., Kolak, M., Friedmann, P.D., Pollack, H.A., & Schneider, J.A. (2024). Factors Associated With the Availability of Medications for Opioid Use Disorder in US Jails. *JAMA Network Open, 7*(9): e2434704. doi:10.1001/jamanetworkopen.2024.34704
8. Pew Charitable Trusts. (2018). *More Imprisonment Does Not Reduce State Drug Problems*. https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2018/03/more-imprisonment-does-not-reduce-state-drug-problems
9. Binswanger, I.A., Stern, M.F., Deyo, R.A., Heagerty, P.J., Cheadle, A., Elmore, J.G., & Koepsell, T.D. (2007). Release from Prison — A High Risk of Death for Former Inmates. *The New England Journal of Medicine*, *356*(2). https://doi.org/10.1056/NEJMsa064115
10. Ranapurwala, S.I., Shanahan, M.E., Alexandridis, A.A., Proescholdbell, S.K., Naumann, R.B., Edwards Jr, D., & Marshall, S.W. (2018). Opioid Overdose Mortality Among Former North Carolina Inmates: 2000-2015. *American Journal of Public Health, 108*(9): 1207–1213. https://doi.org/10.2105/AJPH.2018.304514
11. Ray, B., Korzeniewski, S.J., Mohler, G., Carroll, J.J., del Pozo, B., Victor, G., Huynh, P., & Hedden, B.J. (2023). Spatiotemporal Analysis Exploring the Effect of Law Enforcement Drug Market Disruptions on Overdose, Indianapolis, Indiana, 2020-2021. *American Journal of Public Health, 113*(7): 750–758. https://doi.org/10.2105/AJPH.2023.307291
12. Kral, A.H., Humphrey, J.L., Schwab, C., Lambdin, B.H., Ray, B. (2025). Law Enforcement Drug Seizures and Opioid-Involved Overdose Mortality. *JAMA Network Open, 8*(3): e251158. doi:10.1001/jamanetworkopen.2025.1158