

**TESTIMONY IN SUPPORT OF SB 0849:
Criminal Procedure - Medical Emergency – Immunity**

TO: Hon. William C Smith Jr, Chair, and members of the Judiciary Proceedings Committee
FROM: Amanda Latimore, PhD, Faculty Johns Hopkins Bloomberg School of Public Health
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My name is Amanda Latimore and I am an epidemiologist and faculty member at the Johns Hopkins Bloomberg School of Public Health. I have over 15 years of experience working on health issues related to drug use, the last 5 of which have been focused on helping policy-makers like you and state and municipal governments across the US address the opioid crisis.

Maryland's current Good Samaritan Law is a good faith effort to reduce barriers to emergency medical care after overdose, based on the rationale that overdose bystanders will be more likely to call 911 if they are offered legal immunity. However, I led research which suggests that **many fears held by overdose bystanders are not addressed by the current law**. We interviewed overdose bystanders after Maryland's Good Samaritan Law was implemented and here's what they had to say:

*"Don't nobody want to go to jail. But at the same time, sometimes you feel like, "I'm trying to help somebody." At the same time you try to help them, you end up going to jail. So then it starts to the point where people don't want to help nobody, because instead of [the police] helping the person that [bystanders] called for, they[re] real busy on trying to see what [bystanders are] doing to take [them] to jail. You know, that's why a lot of people be like, "Man, I ain't telephon[ing] s**t."*

Drug possession is a deterrent for calling 911. People reported being interrogated about where they bought drugs and from whom, questioning about other crimes in the area, collecting IDs and running background checks, and conducting physical searches.

Oh, they'll run your name. They run everybody's name that's there. I had seen them come one time. Usually, the paramedics are called, whatever it is. The police usually come, too, and they'll search the car for drugs or whatever, 'cause there was an instance where I see somebody had drugs in the car and called 'cause somebody overdose. They come to search, see if they had any more drugs, and then they'll run everybody's name that was in that car, see who was who and if they gotta take anybody to jail or whatnot"

Threats of charges is a deterrent for calling 911. Several participants also feared arrest for outstanding warrants, and/or for trespassing on abandoned properties. They described police officers threatening them with manslaughter charges if they didn't talk. Sometimes these threats had to do with the drug supplier and sometimes these threats were an attempt to extract information for a completely different investigation, like a shooting.

"If they see that I'm on parole or probation and see my card or something you have some police that will use that to threaten you."

"You got to be careful of what you do when you help an OD person. Anything could happen that will get [police] to turn the attention on to you..."

Calling 911 during an overdose can be the difference between life and death. While the law was designed to alleviate fears of those seeking to help for someone who just overdosed, people remain widely fearful of arrest for drug or paraphernalia possession, homicide, outstanding warrants, and/or trespassing. Officers may be acting within the letter of the law, but some may not be acting in the SPIRIT of the law. This must be addressed through police education and policies that **treat the scene of an overdose like a medical event, not a crime**.

I urge you to support SB 0849.