

March 6, 2020

The Honorable Luke Clippinger
Chairman, House Judiciary Committee
House Office Building, Room 101
Annapolis, MD 21401



**RE: OPPOSITION of House Bill 1378
(Criminal Law – Opioids – Distribution Causing Death of Minor)**

Dear Chair Clippinger and House Judiciary Committee members,

Baltimore Harm Reduction Coalition (BHRC), an advocacy organization that mobilizes community members for the health, dignity, and safety of people targeted by the war on drugs and anti-sex worker policies, opposes House Bill 1378 (Criminal Law – Opioids – Distribution Causing Death of Minor).

Enhanced criminal penalties such as the one proposed in this bill have simply not proven effective to deter drug-related crimes. To deter a behavior, the would-be criminal must not only know the law but must also be certain that they would be caught quickly and swiftly punished. Modern social science has shown that the case for deterrence theory is ambiguous and limited.

Additionally, establishing new penalties for drug-related scenarios effectively causes confusion regarding Maryland's Good Samaritan law which was passed by the General Assembly with the intent to relieve an individual's hesitation to call for help during a medical emergency. **The spirit of the Good Samaritan law is undermined when news headlines advertise a new increased penalty for someone involved in a drug-related emergency.** When this kind of confusion is introduced, people may hesitate to contact authorities in the midst of a life-or-death situation.

Lastly, due to the criminalization of drug use and possession, people who are more visible and accessible to law enforcement have historically been more criminalized than others involved in the drug trade. Therefore, while the intent of this legislation may be to convict high-level drug dealers, **this new penalty could in effect serve as another tool to criminalize people who use drugs, particularly those who are street-based or experiencing homelessness.**

BHRC respectfully requests the Committee give this measure an unfavorable report. Thank you for your consideration.

For more information about BHRC or this position, please contact Tricia Christensen at Tricia@BaltimoreHarmReduction.org