

HB 1378 Criminal Law – Opioids – Distribution Causing Death of Minor

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Position: **OPPOSE**

Thank you for giving me the opportunity to share my story with you, and why I am opposing HB 1378. There is no doubt the sponsors of this bill have good intentions. Yes, we need to enforce and even improve laws and regulations that allow kingpins and drug distributors to addict and kill our youth. And today, because of all of the publicity on the local, state and federal levels, in large part because of the outcry from families across the state and across this country, we are finally taking this seriously and giving our substance use issue the attention it deserves.

In 2013, I lost my 23-year-old son Jacob Paddy to a heroin overdose. Like so many others, he had struggled with a substance use disorder that began as a teen following a bicycle accident. My story, my family's story, is much like those of thousands of families across the country – the stories that are now written in books and seen in movies.

Within months after Jacob's death, I, along with other families, lobbied successfully for the Good Samaritan Law that would protect the person who made a 911 call to save a friend from an overdose. My son overdosed alone in the bathroom of his home, so the Good Samaritan Law would not have saved him. However, I know many others that it would have saved and my concern is that HB 1378 may weaken the Good Samaritan Law, even if not the bill's intent. It has been a challenge getting the information out in the communities about not being arrested if you call for help, and dispelling the myths. Despite the immunity clause in HB 1378, it will present an even greater challenge. People are far more likely to know of the penalty and not the exception written into the law. Besides, who would want to risk it? By passing this bill, you will have undermined all of the hard work and efforts, and people will once again not call for medical emergency assistance out of the very real fear of being arrested. And there is no doubt overdose deaths will continue to rapidly rise.

On a more personal note, the young man who sold my son the heroin that killed him is serving 10 years in federal prison because of Jacob's death. When Jacob died, I made a commitment to go after the seller and see that he or she was punished, having no idea that it was a friend of my son's, a young man who was himself addicted to substances. How could this be? Sitting in that courtroom and listening to the statements from my family, the family of the young man being sentenced and the young man himself was almost as painful as the death of my son. Two friends from good families destroyed by heroin – one dead and the other whose life is changed forever.

Will any person stay behind with an overdose friend if they think for one minute that they could go to prison for 30 years? Please remember that at a greater issue is how we stop substance use in the first place, and have the necessary resources to treat it once it occurs. Harm reduction efforts, and continuing education, are definitely a step in the right direction – but we need to continue and never stop fighting for our loved ones.

Thank you for your time and I hope that after hearing my testimony in opposition of this bill you strongly reconsider HB 1378 and vote unfavorably.