

HB 1378 – Criminal Law – Opioids – Distribution Causing Death of a Minor  
Beth Schmidt  
6608 Freedom Avenue, Sykesville, MD 21784  
410-456-9918  
Beffers67@gmail.com

**Position: Oppose**

My eldest son, Sean died of a 100% pure fentanyl overdose six years ago on December 16<sup>th</sup>. It was just 2 days after his 23<sup>rd</sup> birthday. The two individuals that were with my son did not call 911 right away, we aren't sure why, they were probably scared. I wanted nothing more than to punish those two individuals when my son died. I was very angry and I was very broken, but I soon realized that neither one of them filled that capsule with fentanyl. They were not responsible, they were simply two other individuals in active addiction, and any one of them could have gotten that lethal dose.

Since my son's death we have worked tirelessly to expand the language and the knowledge of the Good Samaritan law so that people know that they are protected when calling for help when they witness an overdose, and having the knowledge of this protection encourages them to make that phone call to 911 to get someone there to help the person that is suffering the overdose.

HB 1378 completely undermines the Good Samaritan law and will have unintended negative consequences. Although I truly believe that the sponsors of this bill have very good intentions, I believe that without some changes to the language, people will be discouraged from making that phone call. They will be afraid that they will be looked at as the one that supplied that lethal drug (maybe they were) and that they will go to jail for up to 30 years.

We have to pay very close attention to the unintended misunderstandings and misinterpretations of this bill. People are going to hear that people are being imprisoned for 30 years and that's going to make them stop making those phone calls to 911. They're not going to hear that the law has an immunity clause for those who call for help.

No one wants fentanyl off the streets more than a mother that has buried her child to fentanyl. Even if the intent is to punish the kingpin and the intent is to punish the corner dealer, this bill is not going to do this. It will most likely hurt young people who are in active addiction themselves. They need our help, not incarceration for 30 years.

Please oppose HB 1378.