



January 26, 2021

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

House Bill 212 (Criminal Procedure - Medical Emergency - Immunity) - FAVORABLE

Dear Chair Clippinger and House Judiciary Committee members,

Baltimore Harm Reduction Coalition (BHRC) is 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. As a certified Overdose Response Program, Naloxone distributor, and syringe service program, we have provided essential health care services across the state for years. Over the past year, BHRC provided over one million safer drug use supplies, including hundreds of naloxone kits to people we meet across Baltimore at our eight community-based outreach sites, and across Maryland via our state-authorized mail-order naloxone program. To supplement the life-saving services provided by us and dozens of harm reduction programs across the state, BHRC strongly supports House Bill 212 (Criminal Procedure - Medical Emergency - Immunity).

This bill is an essential next step in strengthening the public health and safety impact of Maryland's 2015 "Good Samaritan" law. If passed, HB212 will: 1) clarify that the victim of the overdose or medical emergency is provided the same immunity from arrest, charge and prosecution as the person calling for help; 2) expand immunity to cover all misdemeanor offenses and possession with intent to distribute (below high-level volume as determined by law); and, 3) prohibit a person from being detained or prosecuted in connection with an outstanding warrant of another non-violent crime if the only reason the police are involved is because of someone calling to save someone's life.

"Good Samaritan" laws exist across the world with the purpose of encouraging people to call for help when someone is facing a medical emergency due to drugs or alcohol. Maryland's existing Good Samaritan law is a life-saving measure with a State-sponsored public education campaign whose message is "don't run – call 911." However, **we have heard from community members, naloxone trainees, and syringe service program participants time and again -- they will not call 911 if they believe police will arrest, harass, or harm them or those they love.** Concurring with this deep mistrust of law enforcement, BHRC cannot in good conscience rely on the existing Good Samaritan law until our loved ones who may experience overdose or be present at the scene of an overdose are protected with the immunities listed in this proposed bill HB212.

In the midst of this deep community-level fear of police, our community and loved ones are also facing an increasingly deadly overdose epidemic. During the first nine months of 2020, amidst the

deadly COVID=19 pandemic drug and alcohol related intoxication deaths in Maryland reached a staggering 2,025 fatalities.¹ **Maryland legislators have taken laudable steps to reduce the devastation of the overdose crisis, but they do not go far enough to halt the overdose epidemic.** The General Assembly has approved measures to expand access to the life-saving medication naloxone, increase behavioral health treatment, and establish syringe services programs throughout the state. While these essential policies have increased opportunities for health and safety, the situation remains dire.

In the midst of multiple public health crises, Marylanders deserve access to trustworthy protection and life-saving services such as a stronger Good Samaritan law. We ask that the Judiciary Committee give HB212 a favorable report.

For more information about Baltimore Harm Reduction Coalition or our position, please contact our Director of Mobilization, Rajani Gudlavalleti at rajani@baltimoreharmreduction.org

¹Maryland Department of Health (Jan 2020). Unintentional Drug- and Alcohol-Related Intoxication Deaths* in Maryland Data update through 3rd quarter 2020.