



January 18, 2022

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

House Bill 190 (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. To supplement the life-saving services provided by us and dozens of harm reduction programs across the state, BHRC strongly supports House Bill 190 (Criminal Procedure - Medical Emergency - Immunity).

HB190 is an essential next step in strengthening the public health and safety impact of Maryland's 2015 "Good Samaritan" law. If passed, this bill 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; and, 2) expand immunity to cover all misdemeanor offenses and possession with intent to distribute (below high-level volume as determined by law).

"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 around them.** Concurring with this deep mistrust of law enforcement, BHRC cannot in good conscience rely on the existing Good Samaritan law until our community members who may experience overdose or be present at the scene of an overdose are protected with the immunities listed in HB190.

In the midst of this deep community-level fear of police, our neighbors and loved ones are also facing an increasingly deadly overdose epidemic. During 2020, amidst the deadly COVID-19 pandemic drug and alcohol related intoxication deaths in Maryland reached a staggering 2,799 fatalities.¹ **Maryland legislators have taken laudable steps to reduce the devastation of the**

¹Maryland Department of Health (Jan 2020). Unintentional Drug and Alcohol-Related Intoxication Deaths in Maryland Annual Report 2020.

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 HB190 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