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To: Members of The House Judiciary Committee
From: Carrie J. Williams, Chair, Legislative Committee, Criminal Law and Practice
Section
Date: 2/17/23
Subject: HB247—Criminal Procedure-Medical Emergency-Immunity
Position: **Support**

The Legislative Committee of the Criminal Law and Practice Section of the Maryland State Bar Association (MSBA) Supports HB247—Criminal Procedure-Medical Emergency-Immunity.

This bill clarifies Criminal Procedure § 1-210 to make clear that a person experiencing a medical emergency is immune from arrest, charge, or prosecution for drug or alcohol possession offenses if the evidence of those offenses was obtained as a result of the person seeking or receiving medical assistance. The current language of the bill provides immunity for the person who seeks medical help but is ambiguous with regard to immunity for the person who receives medical assistance. Fear of criminal prosecution should not deter people experiencing a medical emergency after using drugs or alcohol from seeking medical attention.

For the reasons stated, we Support HB247—Criminal Procedure-Medical Emergency-Immunity. If you have questions about the position of the Criminal Law and Practice Section's Legislative Committee, please feel free to address them to me at carriej.williams@gmail.com.

Additional information can also be provided by Shaoli Katana at MSBA - shaoli@msba.org.