



OPIOID OPERATIONAL COMMAND CENTER

Wes Moore, Governor · Aruna Miller, Lt. Governor · Emily Keller, Special Secretary of Opioid Response

March 7, 2023

The Honorable William C. Smith
Chair, Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, Maryland 21401

RE: Senate Bill 532 – Criminal Law – Overdosing in Public – Prohibition – Letter of Opposition

Dear Chair Smith and Committee Members:

The Opioid Operational Command Center (OCCC) respectfully submits this letter of opposition for Senate Bill (SB 532) – Criminal Law – Overdosing in Public – Prohibition. This bill criminalizes the experience of an overdose medical emergency in a public setting, imposing fines and proposing diversion alternatives.

By authorizing legal action against a person who experiences an overdose, SB 532 contradicts the Good Samaritan Law (Annotated Code of Maryland, Criminal Procedure §1-210), which protects individuals experiencing or responding to an overdose from criminal and civil liability. The intent of the Good Samaritan Law is to encourage individuals to call 911 when they witness or respond to an overdose. The threat of arrest at or after a medical emergency has been shown to deter people from seeking help, which could lead to greater loss of life to drug overdoses in Maryland.^{1,2}

If you would like to discuss this further, please do not hesitate to contact Teresa Heath, OCCC Deputy Director at teresa.heath@maryland.gov or (443) 381-9289.

Sincerely,

Emily Keller
Special Secretary of Opioid Response

¹ <https://doi.org/10.1016/j.drugpo.2021.103426>

² <https://doi.org/10.1080/08897077.2017.1387213>