



**House Judiciary Committee
March 30, 2023**

**Senate Bill 546
Criminal Procedure - Medical Emergency - Immunity**

Support

Amid the COVID-19 pandemic, the pre-existing opioid overdose death fatality crisis has worsened. In Maryland, the number of opioid-related deaths increased by 20% between 2019 and 2020, and data indicates a continued increase in 2021. Maryland must focus on proven effective harm reduction strategies to save lives.

The Maryland Affiliate of the National Council on Alcoholism and Drug Dependence (NCADD-Maryland) supports Senate Bill 546 to expand the state's "Good Samaritan Law" that is meant to encourage people to call for help when someone is experiencing an overdose or other substance-related medical emergency.

Drug overdoses continue to be a serious public health challenge in Maryland and across the country. In 2014, Maryland enacted a Good Samaritan law to encourage people to call for help when someone is facing a medical emergency due to drugs or alcohol. This is a life-saving measure, with a State-sponsored public education campaign whose message is "Don't run - call 911." But people will not call 911 if they believe they will be arrested because of their involvement.

Maryland's law currently provides protection from arrest, charge and prosecution for certain specific crimes:

- Possession of a controlled dangerous substance
- Possession or use of drug paraphernalia
- Providing alcohol to minors

Senate Bill 546 will build on our existing law to do two things:

- 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 the current protections against probation or parole violation for the person who calls help to include the person experiencing the overdose or medical emergency.

At its most fundamental level, the problem is that overdose scenes are treated as crime scenes instead of health crisis scenes. We understand that police want to investigate and find upstream volume dealers. But this approach creates fear and distrust among people who use drugs. Until we shift the framework through which we approach overdoses to one where providing a public health intervention is paramount, there will always be people too scared to call for help. And the death toll will continue to rise. We urge your support of Senate Bill 546.