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Date: February 10, 2025

Re: SB 0604: Distribution of Heroin or Fentanyl Causing Serious Bodily Injury or Death

Position: OPPOSE

To: The Maryland Senate: Judicial Proceedings Committee

Distinguished Members of the Committee,

My name is Diane Goldstein, and I served for 21 years with the Redondo Beach Police Department in California. I am also the Executive Director of the Law Enforcement Action Partnership (LEAP), a nonprofit group of police, prosecutors, judges, and other criminal justice professionals who speak from firsthand experience. Our mission is to make communities safer by focusing law enforcement resources on the greatest threats to public safety, promoting alternatives to arrest and incarceration, addressing the root causes of crime, and working toward healing police-community relations.

I am writing today to express my opposition to SB 604 because I know, both professionally and personally, that punitive approaches to drug policy do not reduce overdose deaths or improve public safety. My brother died from an overdose, and I understand the devastating impact addiction can have on individuals and families. Like many who have lost loved ones, I want solutions that will save lives. However, SB 604 will not accomplish that goal. Instead, it will push drug use further underground and burden the criminal justice system with individuals who need treatment rather than incarceration.

Research consistently demonstrates that laws like SB 604 fail to reduce overdose or address addiction and instead create unintended consequences that make the crisis worse. [A 2024 report by the Drug Policy Alliance](#) found no evidence that increasing criminal penalties for drug distribution has reduced overdose deaths. Instead, these policies drive people away from life-saving resources, increase fear of seeking

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medical help, and divert law enforcement resources.

While overdose deaths have declined in the past year, this is not the result of harsher drug laws. According to Centers for Disease Control and Prevention (CDC) data, [overdose deaths in the U.S. decreased by approximately 14% from June 2023 to June 2024](#). [Experts credit this decline](#) to expanded access to naloxone, increased addiction treatment availability, and harm reduction initiatives, not punitive drug policies. If we want to build on this progress, we must invest in what works.

Another major concern with SB 604 is that it fails to target the root of drug trafficking networks and instead disproportionately penalizes individuals who sell drugs to sustain their addictions. An article in the *American Criminal Law Review* (2023) highlights that [similar laws have not been effective in dismantling large-scale drug supply chains](#). Instead, they primarily result in the incarceration of individuals who are often substance users themselves.

This bill would impose severe penalties on individuals regardless of their intent or knowledge. A person would not have to know that the drugs they sold contained fentanyl, nor would they have to intend harm to be charged with a serious felony. Someone selling a small amount to support their addiction could receive the same sentence as a high-level trafficker.

I know that fentanyl is a specific concern for lawmakers, and understandably so. But this synthetic opioid has become so widespread in the illicit drug supply that these penalties could apply to anyone involved in selling drugs. The U.S. Drug Enforcement Administration (DEA) reports that [fentanyl is now a dominant component of the street opioid market](#), no longer just an occasional contaminant. It is frequently mixed into other substances without the seller or user's knowledge, making it nearly impossible for individuals at the lowest levels of distribution to know what they are selling.

[Decades of punitive drug policies have not reduced overdose deaths](#) or dismantled drug trafficking networks. If increased criminal penalties were an effective solution, we would not still be facing the crisis today. SB 604 will not improve public safety or prevent fatal overdoses.

Rather than repeating past approaches that have failed, Maryland should focus on proven strategies. Expanding access to treatment, investing in harm reduction services, and strengthening community-based interventions have been shown to save lives and improve public health outcomes. These approaches address the root causes of substance use rather than cycling individuals through the criminal justice system.

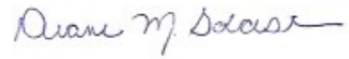
For these reasons, I urge you to oppose SB 604 and instead support policies that focus on prevention, treatment, and public safety,

Thank you for your time and consideration.

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Respectfully,

A handwritten signature in blue ink, appearing to read "Diane M. Goldstein".

Lt. Diane Goldstein (Ret.)
Redondo Beach Police Department
Executive Director, The Law Enforcement Action Partnership