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Senate Judicial Proceedings Committee

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Senate Bill 604 – *Criminal Law – Distribution of Heroin or Fentanyl Causing Serious Bodily Injury or Death (Victoria, Scottie, Ashleigh, and Yader's Law)*

POSITION: OPPOSE

The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, opposes Senate Bill 604. “Drug-induced homicide” (DIH) laws aim to deter drug distribution through enhanced criminal penalties for drug distribution leading to a fatal overdose. This legislation proposes adding an additional prison sentence of up to 20 years, on top of the existing 30-year sentence for distributing heroin and fentanyl. Criminal penalties of up to 50 years in prison will not have a significant deterrent effect when 30-year sentences have not. The logic of increasing prison sentences to address drug addiction has been tried before and has failed, leading only to mass incarceration that disproportionately impacts communities of color and increases state prison costs. Harsher penalties have never been shown to be effective, and judges and prosecutors already have the tools to enhance charges and increase sentencing.

Instead, MedChi encourages the State to bolster community-based programs, public education campaigns, and expanded treatment and recovery services to raise awareness about opioid misuse and provide support for individuals recovering from addiction. By focusing on both prevention and treatment, Maryland can reduce the impact of the opioid crisis, while promoting public health and safety. We urge an unfavorable vote.

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