



## **Maryland Addiction Directors Council**

**House Judiciary Committee**

**February 18, 2025**

### **House Bill 1398 - Criminal Law - Distribution of Heroin or Fentanyl Causing Serious Bodily Injury or Death (Victoria, Scottie, Ashleigh, and Yader's Law)**

#### **OPPOSITION**

Maryland Addiction Directors Council (MADC) represents substance use disorder (SUD) and dual recovery outpatient and residential providers across Maryland. MADC members provide over 2,000 residential treatment beds across the State and advocate for quality SUD and Dual Recovery outpatient and residential treatment. MADC wants to express our firm **opposition** to House Bill 1398, which would not prevent overdose, deter drug distribution, or reduce the prevalence of fentanyl in the drug supply. **Instead, this bill would discourage people who use drugs from reporting overdoses while increasing state costs through lengthy prison sentences.** We strongly urge colleagues in the General Assembly to reject misguided bills such as House Bill 1398.

The overdose epidemic has ravaged communities across Maryland for years. **Approximately 2,500 people have died of a fatal overdose each year since 2018**, and while there are promising signs that fewer overdoses have occurred in recent months, this remains an unbearable tragedy. Understandably, grieving families and an alarmed public demand action, and we agree. Preventing this unconscionable loss of life must be a top priority for the state. **And though House Bill 1398 may be well-intentioned, it would be counterproductive to the state's efforts to prevent fatal overdoses. Investing in access to comprehensive treatment and preventive services for all Marylanders is a more effective and efficient use of limited state resources.**

DIH laws aim to deter drug distribution through enhanced criminal penalties for drug distribution that leads to a fatal overdose. **House Bill 1398 proposes adding an additional prison sentence of up to 20 years**, on top of the potential 30-year prison sentence that already exists for distributing heroin and fentanyl. Criminal penalties of up to 50 years in prison will not have an appreciable deterrent effect when prison sentences of 30 years have not. The logic of adding longer and longer prison sentences to address an intractable problem like drug addiction has been tried before and has failed every time, leading only to mass incarceration that disproportionately impacts communities of color and ballooning state prison costs.

*(over)*

**What Maryland needs is to invest further in overdose prevention strategies that work. Maryland has been a leader in adopting widespread naloxone distribution, the use of medications for opioid use disorder, peer recovery supports, and more.** And we are finally starting to see the impact of these interventions through a reduction in fatal overdoses. With an infusion of opioid restitution dollars for these effective programs, Maryland could finally turn the page on this epidemic. **We implore our elected leaders to invest in what works and to reject these failed strategies from the past.**

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "K. Blalock".

Kristy E. Blalock, LCPC, LCADAS, MAC, NCC, BCPC, CADS  
Maryland Addiction Directors Council  
Secretary