

HON. STACY A. MAYER  
CIRCUIT COURT  
JUDGE  
BALTIMORE COUNTY  
CHAIR

HON. RICHARD SANDY  
CIRCUIT COURT  
JUDGE  
FREDERICK COUNTY  
VICE-CHAIR



KELLEY O'CONNOR  
ASSISTANT STATE COURT  
ADMINISTRATOR  
GOVERNMENT RELATIONS  
AND PUBLIC AFFAIRS  
P: (410) 260-1560

## MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

### MEMORANDUM

**TO:** House Judiciary Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq., Staff  
410-260-1523  
**RE:** House Bill 1398  
Criminal Law – Distribution of Heroin or Fentanyl Causing Serious Bodily  
Injury or Death (Victoria, Scottie, Ashleigh and Yader's Law)  
**DATE:** February 5, 2026  
(2/18)  
**POSITION:** Oppose only as to the provision on page 2, lines 29 through 31

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The Maryland Judiciary has no position on the policy aims of this legislation and only opposes the provision on page 2, lines 29 through 31, which requires that a sentence imposed shall be consecutive. The Judiciary traditionally opposes legislation that includes mandatory provisions as they intrude on judicial discretion. The Judiciary believes it is important for judges to weigh the unique facts and circumstances for each individual case when imposing a sentence. Mandatory provisions prevent the judge from considering those unique factors. Recognizing that lawmakers are responsible for enacting penalties for crimes, judges are mindful of various mitigating factors in crafting a sentence that most appropriately fits the individual defendant and the crime.

cc. Hon. Chris Tomlinson  
Judicial Council  
Legislative Committee  
Kelley O'Connor