



Maryland Chiefs of Police Association Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable Luke Clippinger, Chair and
Members of the House Judiciary Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Samira Jackson, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 18, 2025

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

POSITION: **SUPPORT**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) SUPPORT HB 1398. This bill would prohibit an individual from distributing heroin or fentanyl that results in the death or serious bodily injury of another. It increases the penalty for the distribution of fentanyl and fentanyl mixtures to not exceeding 20 years and would allow for the prosecution of a person to be brought in the County where the drug violation occurred or in the County where the death or serious injury from the drug occurred.

Substances cut or laced with fentanyl are now the leading cause of overdose deaths. What were once counterfeit pills taken by accident have grown into a market where individuals are purposefully making and dealing fentanyl pills and selling them to individuals who are willing purchase them. This legislation recognizes this new landscape and puts penalties in place to deter such behavior. Individuals who deal fentanyl know these pills may kill individuals, yet they are still very willing to sell them. As such, there should also be consequences for their actions.

Many times, fentanyl pills are bought in one jurisdiction and ingested in another. This cross jurisdictional matter could affect where charges are brought and where the prosecution occurs. This bill attempts to address these issues by allowing prosecution in either jurisdiction.

Families across Maryland have dealt with heartbreaking situations of loved ones dying due to fentanyl overdose. HB 1398 imposes accountability on the bad actors who deal fentanyl and provides justice for the family.

MCPA and MSA strongly **SUPPORT** HB 1398 and urge the Committee to give the bill a **FAVORABLE** report.

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