

March 6, 2026

The Honorable Sandy Bartlett
Chair, House Judiciary Committee
Taylor House Office Building, Room 100
6 Bladen St., Annapolis, MD 21401

RE: OPPOSITION of HB1386 - Criminal Law - Distribution of Heroin or Fentanyl Causing Death or Serious Bodily Injury (Victoria, Scottie, Ashleigh, and Yader's Law) - UNFAVORABLE

Dear Chair Bartlett and Committee Members:

As an individual resident of Baltimore City, I strongly **oppose** HB1386 – Criminal Law - Distribution of Heroin or Fentanyl Causing Death or Serious Bodily Injury (Victoria, Scottie, Ashleigh, and Yader's Law).

HB1386 prohibits the unlawful distribution of heroin, fentanyl, and their analogues, the use of which results in the death or serious bodily injury of another. A violator would be guilty of a felony and subject to imprisonment for up to 20 years, to be served consecutively to any other sentence. Each person who transfers possession of the substance may be subject to prosecution. A prosecution under the bill may be brought in the county where the violation occurred or the county where the death or serious bodily injury occurred.

The proposed legislation is a well-intentioned response to the overdose crisis that has devastated families and communities across Maryland. Drug overdose is the leading cause of injury death statewide, claiming four Marylanders each day ([MDH Dashboard](#), [CDC WONDER](#)). While we continue to lose too many of our loved ones to overdose, Maryland's significant investments in proven solutions have driven a downward trend in drug overdose deaths since 2021 ([Office of Gov. Moore](#)). I urge the General Assembly to continue Maryland's focus on evidence-based solutions like targeted naloxone distribution, medication-assisted treatment, and 911 Good Samaritan laws ([CDC 2018](#)).

Although HB1386 seeks to prevent overdose death, drug use, and drug distribution through an enhanced criminal penalty, evidence suggests it will have the unintended consequence of increasing fatal overdoses statewide. The proposed legislation will undermine Maryland's Good Samaritan law, passed in 2014 to protect those who seek medical assistance in an overdose emergency ([Md. Code Ann., Health General §13-3101 - 13-3109](#)). Harsher penalties will exacerbate the fear of arrest that discourages bystanders from calling 911 for an overdose ([Footer et al 2022](#)). Overdoses that would have been reversed by EMS would go unattended. With EMS reversing more than 6,000 overdoses per year, Maryland cannot afford to miss these opportunities to save lives ([MDH Dashboard](#)). To continue Maryland's significant strides in overdose prevention, we must prioritize saving lives and encouraging vulnerable individuals to report overdoses.

While the deterrent effect of HB1386 would be negligible, the cost of lengthy prison sentences would be substantial. The Maryland Department of Legislative Services estimated a previous iteration of this proposal would result in 8 additional incarcerated individuals per year, with a \$75,000 annual cost to the State per person ([Md. DLS 2025](#)). Under these assumptions, by 2037, this bill will have cost the state an additional \$39.6 M. The proposal would divert finite state resources from proven overdose prevention interventions to incarceration.

Today, for each fatal overdose in Maryland, nine nonfatal overdoses require emergency care ([MDH Dashboard](#)). A decrease in help-seeking during overdose emergencies would increase the ratio of fatal to nonfatal overdoses, significantly increasing the burden of the overdose crisis. In 2025, the estimated cost of fatal and nonfatal overdose to Maryland was \$15.1B, including \$14.7B in statistical life lost, \$239M in medical care, \$83M in quality of life lost, and \$65M in work lost ([CDC WISQARS](#), [MDH Dashboard](#)). Maryland cannot afford to lose more of our loved ones.


HB1386 hopes to render the drug landscape less lethal by deterring the manufacturing and distribution of highly potent pills ([MCPA/MSA 2025](#)). Increased criminal penalties for drug-related crimes do not deter drug use, drug-related crimes, or overdose deaths ([Pew 2017](#), [Morrissey et al 2024](#)). On the contrary, increased criminalization contributes to higher drug potency, indicating this legislation will have the opposite effect ([Beletsky and Davis 2017](#)).

Supporters of prior bills sought additional prosecutorial tools to dismantle drug distribution networks and seek justice for overdose victims by holding drug sellers accountable ([MSAA 2025](#), [Md. OAG 2025](#)). I ask the General Assembly to seek justice for overdose victims by ending overdose death through proven public health interventions.

Maryland must focus on proven prevention and treatment interventions rather than increased criminal penalties. **I urge the House Judiciary Committee to give HB1386 an unfavorable report.**

For more information about this position, please contact Zoe Renfro at zoe.renfro@gmail.com.

Sincerely,



Zoe Renfro, MPH

Resident of Baltimore City, Maryland