



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony of Senator Jill P. Carter
In Favor of SB0420 - Criminal Law - Drug Paraphernalia for
Administration - Decriminalization
Before the Judicial Proceedings Committee
on February 11, 2021**

Mr. Chairman, Vice Chair, and Members of the Committee:

Senate Bill 420 no longer makes it a criminal offense to possess syringes or other items commonly used to prepare and consume illegal drugs. Specifically, it decriminalizes possession of drug paraphernalia used to inject, ingest, inhale, or otherwise introduce into the human body a controlled dangerous substance by removing such devices from the definition of drug paraphernalia. In addition, the bill reduces the penalty for a second violation from 4 years of imprisonment and a fine of \$25,000 down to 1 year of imprisonment and a fine of up to \$1,000.

Research shows that those who fear arrest for paraphernalia are much more likely to share and reuse supplies. But, if it is legal to possess drug administering materials, drug users will be safe to get clean paraphernalia rather than reuse their supplies. They would rather run the risk of infections such as HIV, tetanus, and hepatitis than hazard an arrest.

Because possessing such paraphernalia is illegal, there is intense pressure to ditch used supplies immediately rather than hold on to

them until they can be disposed of properly. Dumping used materials on the street puts the general public at risk.

The first thing a police officer asks someone they are about to search is, “Do you have any needles or anything else that can stick me?” If possessing drug paraphernalia, like a needle, is illegal, it is less likely one will admit to it. This puts the officer in harm’s way.

People involved in syringe service programs are still getting arrested and charged. Even if such cases charged under the current law are typically dismissed, the process of being arrested and charged itself is the punishment. It is enormously disruptive to the person arrested. Having to go to court takes them away from their treatment. Having to meet with their attorney can cause them to miss a dose of buprenorphine. Recovery is a frail process. Any disruption could derail it entirely. Additionally, unnecessarily going through the court process ends up putting needless financial burden on the State.

Ultimately, Senate Bill 420 is about improving our public health and safety by decriminalizing drug addiction.

As such, I urge this committee to give a favorable report on SB0420. Thank you.

Respectfully,

A handwritten signature in blue ink that reads "Jill P. Carter". The signature is written in a cursive, flowing style.

Jill P. Carter