



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony of Senator Jill P. Carter
In Favor of SB 509 - Drug Paraphernalia for Administration -
Decriminalization -
Before the Judicial Proceedings Committee
On February 16, 2022.**

Chairman Smith, Vice Chair Waldstreicher, and Members of the Committee:

For a third straight year, I am introducing a bill - Senate Bill 509 - to repeal the prohibition of individuals using or possessing drug paraphernalia with the intent to inject, ingest, inhale, or otherwise introduce a controlled dangerous substance into the human body. This bill is part of a continued effort to improve public safety and decriminalize the serious illness of substance dependence.

We passed this bill out of the General Assembly last year, which Governor Hogan vetoed. In his veto letter, the Governor correctly identified the opioid epidemic as a crisis that we need to address and combat. However, the letter's assertion that paraphernalia decriminalization encourages the use and possession of drugs, and allows distributors of illegal substances to stockpile paraphernalia, is false. This assertion also ignores research that demonstrates the harm reduction benefits of paraphernalia decriminalization.

The goal of Senate Bill 509 is to increase both the public's safety and the safety of those suffering from substance dependence. When the possession of drug paraphernalia is a criminal offense, it places the public at risk because individuals are much more likely to improperly discard used supplies like hypodermic syringes on our streets and alleyways, and in our parks and playgrounds.

It also places our law enforcement officers in harm's way. Individuals subject to a search may fear arrest if they disclose the possession of drug paraphernalia, leading officers to conduct searches without knowledge of this hazard, therefore increasing the likelihood of officers being pricked with used needles.

Further still, the threat of infection is markedly higher for members of our community who are struggling with substance dependence. Research shows that the fear of arrest for possession of drug paraphernalia is coupled with a higher likelihood of relapse or sharing supplies for drug administration.

Taken together, it is not hard to see how the risk of transmitting infections like tetanus, HIV, and hepatitis C is not just limited to those engaged in drug use.

For these reasons, the criminalization of drug paraphernalia is not an appropriate response to the opioid epidemic crisis ravaging Maryland's communities. Decriminalizing the possession of drug paraphernalia is a logical path toward increasing public safety and aiding the victims of the opioid epidemic. In addition, it will also reduce arrests that have the potential of derailing recovery from substance dependence, the financial burden of which is needlessly harmful to our state and its residents.

As such, I urge this committee to give a favorable report on Senate Bill 509. Thank you.

Respectfully,



Jill P. Carter