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Paul's Place

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Welfare Advocates

Marylanders Against Poverty

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TESTIMONY OF MARYLANDERS AGAINST POVERTY

HB 481 - Criminal Law - Drug Paraphernalia for Administration –
Decriminalization

FAVORABLE WITH SPONSOR AMENDMENT

House Judiciary Committee

February 15, 2022

Submitted by Julia Gross and Kali Schumitz, Co-Chairs

Marylanders Against Poverty (MAP) supports HB 481 with sponsor amendments to ensure that the bill matches the version passed by the Maryland General Assembly last year. HB 481, with sponsor amendment, will revise existing criminal law to remove items that could be used to consume drugs from what is considered drug paraphernalia, effectively decriminalizing possession of those items. The sponsor amendments provides the critical protection of decriminalizing the delivery or sale of paraphernalia because secondary distribution is a critical tactic in health care delivery, whether it's drug paraphernalia to at-home COVID-19 testing kits.

Decriminalizing paraphernalia, as this bill would do with sponsor amendment, is a critical harm reduction measure, particularly for the most vulnerable Marylanders – namely, those experiencing homelessness or housing insecurity. **Each year in Maryland, more than 30,000 people experience homelessness.** Leading researchers with the Aspen Institute and others have [documented the ways in which eviction cause homelessness and other forms of immense human suffering](#).

Without access to stable housing, it is unfathomable to expect an individual to succeed in treatment for substance use disorders. The criminalization of substance use and paraphernalia perpetuates homelessness and prevents individuals from seeking supportive services. When there is less fear or punishment or arrest by police, individuals feel safer accessing treatment. By decriminalizing paraphernalia and implementing harm reduction principles, individuals are more inclined to carry and use life-saving supplies—such as sterile needles and safer smoking kits—that prevent overdose deaths and the spread of infectious diseases.

This bill would show Maryland's commitment to reframing the way we view and treat substance use—as a public health issue, not a criminal one. This is a critical measure for Marylanders experiencing homelessness. MAP urges a favorable report with sponsor amendment on HB 481.

Marylanders Against Poverty (MAP) is a coalition of service providers, faith communities, and advocacy organizations advancing statewide public policies and programs necessary to alleviate the burdens faced by Marylanders living in or near poverty, and to address the underlying systemic causes of poverty.