

**Disability Rights Maryland**

House Environmental &amp; Transportation Committee

January 26, 2021

**SB 279 – Public Health - Overdose and Infectious Disease Prevention Services  
Program**

POSITION: SUPPORT

Disability Rights Maryland (DRM – formerly Maryland Disability Law Center) is the federally designated Protection and Advocacy agency in Maryland, mandated to advance the civil rights of people with disabilities. DRM works to decriminalize disability through the creation and expansion of voluntary behavioral health services centered on civil rights, and thereby decrease inappropriate criminal justice involvement for people with disabilities.

DRM **supports** SB 279 as a common-sense approach to save lives during an opioid crisis, and preserves the civil rights of persons with disabilities by connecting them to voluntary services to support their long-term recovery.

There is strong correlation between mental illness and substance abuse. Studies have found that about half of adults of those who experience a mental illness during their lives will also experience a substance use disorder and vice versa.<sup>1</sup> SB 279 saves lives by providing a safe consumption space with trained professionals to prevent death AND also provides connection to voluntary recovery and prevention services for persons experiencing these types of behavioral health disabilities. Too frequently, the lack of connections to voluntary services results in the criminal justice system filling the gaps in services. Persons with behavioral health disabilities involved in the criminal justice system experience horrendous outcomes including segregated incarceration, short-term expensive emergency room visits, enrollment in coercive programs and services, or long-term institutionalization.

Overdose prevention sites as authorized by SB 279 use voluntary approaches to engage with persons with behavioral health disabilities in recovery. Such approaches are proven to be an effective method to engage people with behavioral health disabilities with recovery as coercive methods<sup>2</sup> and ensure the civil liberties of person with disabilities. SB 279 would stem the tide of mass incarceration of persons with behavioral health disabilities, especially those of color, and provide voluntary services that would contribute to long-term recovery and preserve the dignity and civil rights of persons with disabilities.

For all of these reasons, DRM urges a **favorable** report on SB 279.

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<sup>1</sup> NIDA. "Part 1: The Connection Between Substance Use Disorders and Mental Illness." *National Institute on Drug Abuse*, 28 May. 2020, <https://www.drugabuse.gov/publications/research-reports/common-comorbidities-substance-use-disorders/part-1-connection-between-substance-use-disorders-mental-illness> Accessed 22 Jan. 2021.

<sup>2</sup> Kisely, Steve R et al. "Compulsory community and involuntary outpatient treatment for people with severe mental disorders." *The Cochrane database of systematic reviews* vol. 3,3 CD004408. 17 Mar. 2017, doi:10.1002/14651858.CD004408.pub5



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