



March 8, 2022

The Honorable Will Smith
Chairman, Senate Judicial Proceedings Committee
2 East Wing, Miller Senate Office Building
Annapolis, MD 21401

Senate Bill 784 - Criminal Law - Use or Possession of a Controlled Dangerous Substance - De Minimis Quantity - FAVORABLE

Dear Chair Smith and Senate Judicial Proceedings Committee members,

Baltimore Harm Reduction Coalition (BHRC) is an advocacy organization that mobilizes community members for the health, dignity, and safety of people targeted by the war on drugs and anti-sex worker policies. As a certified Overdose Response Program, Naloxone distributor, and syringe service program, we have provided essential health care services across the state for years. To supplement the life-saving services provided by us and dozens of harm reduction programs across the state, BHRC supports Senate Bill 784 (Criminal Law - Use or Possession of a Controlled Dangerous Substance - De Minimis Quantity).

The criminal justice approach to drug use, possession and distribution is a crisis to our public health and humanity. Over 145 years of criminalizing people who use drugs has devastated communities across the country. BHRC supports SB784 and broader efforts to gain community reparation from over a century of harm, and freedom from criminalization. Maryland must prioritize the health, dignity, and safety of people who use drugs, including systemic community healing after decades of over-policing and mass incarceration due to the war on drugs. **Decriminalization of drug possession is the most effective action to reduce stigma associated with drug use because it enables people to feel safer about discussing their drug use with loved ones, service providers, and support networks.**

An aspect of being targeted by the racist drug war is that our community and loved ones are also facing an increasingly deadly overdose epidemic. During 2020, as the deadly COVID-19 pandemic flooded the U.S., drug and alcohol related intoxication deaths in Maryland reached a staggering 2,799 fatalities. Overdose fatalities have steadily increased among Black Marylanders since 2012, increasing 16% from 2019-2020.¹ The rate of overdose among Black Marylanders in 2020 mirrors national trends, as Black overdose rates overtook White for the first time since the 1990's.² These trends illustrate that overdose – and how our social structures respond to drug use – continues to be a racial justice issue.

¹ Maryland Department of Health (June 2021). Unintentional Drug- and Alcohol-Related Intoxication Deaths* in Maryland 2020 Annual Report.

² Friedman JR, Hansen H. Evaluation of Increases in Drug Overdose Mortality Rates in the US by Race and Ethnicity Before and During the COVID-19 Pandemic. JAMA Psychiatry. Published online March 02, 2022. doi:10.1001/jamapsychiatry.2022.0004

Maryland legislators have taken laudable steps to reduce the devastation of the overdose crisis, but they do not go far enough to halt the overdose epidemic. The General Assembly has approved measures to expand access to the life-saving medication Naloxone, increase behavioral health treatment, and establish syringe services programs throughout the state. While these essential policies have increased opportunities for health and safety, the situation remains dire.

In the midst of multiple intersecting public health crises, Marylanders deserve decriminalization and legalization efforts that include steps toward reparations, such as social equity provisions, housing assistance supports, and business licensing mandates. We ask that the Judicial Proceedings Committee give SB784 a favorable report.

For more information about Baltimore Harm Reduction Coalition or our position, please contact our Director of Mobilization, Rajani Gudlavalleti at rajani@baltimoreharmreduction.org