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POSITION ON PROPOSED LEGISLATION

BILL: SB 762 Drug Paraphernalia for Administration – Decriminalization

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: March 7, 2023

The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on Senate Bill 762.

Criminalizing drug addiction makes Maryland less safe.

Senate Bill 762 would decriminalize drug paraphernalia for administration. The criminalization of addiction generally, and paraphernalia for administration specifically, drives individuals using drugs further into the shadows—making it less likely that Marylanders struggling with addiction will seek out the help that they need.

In addition, criminalizing paraphernalia for administration makes drug use more dangerous. This is because it limits access to means to reduce the risk of overdose and infection by blood-borne diseases. Senate Bill 762 is a crucial measure to reduce the harm of the opioid epidemic.

Maryland has moved past the outdated, unscientific beliefs that addiction is a choice or a moral failing. Addiction is a health problem that must be treated as such. The Maryland General Assembly has recognized this fact and acted on this knowledge by providing opportunities for sentencing modification and drug treatment for individuals in the criminal system due to addiction. We at the Office of the Public Defender have seen the immense benefits these laws have had in helping our clients and their families lead safer, healthier, and more fulfilling lives.

Senate Bill 762 would continue the General Assembly's mission to address the issue of drug addiction productively and to make Maryland an even safer and healthier state. Decriminalizing drug paraphernalia for administration will decrease the risks of drug overdose and decrease the stigma and fear that prevents so many from accessing treatment for drug addiction.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on Senate Bill 762.

Submitted by: Government Relations Division of the Maryland Office of the Public Defender.

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