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**HB0706**

February 13, 2023

**TO:** Members of the Judiciary Committee

**FROM:** Nina Themelis, Director of Mayor's Office of Government Relations

**RE:** House Bill 706 – Drug Paraphernalia for Administration - Decriminalization

**POSITION: FAVORABLE**

Chair Clippinger, Vice Chair Bartlett, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** House Bill (HB) 706.

HB 706 repeals the prohibition against persons possessing or distributing certain items used to administer drugs, including hypodermic syringes or needles. In Baltimore City, the Baltimore City Health Department (BCHD) and seven community-based organizations provide “syringe service programs” (SSPs). These SSPs distribute and collect millions of syringes each year to help ensure people who use drugs use clean syringes (rather than re-use old ones), thereby reducing transmission of HIV and other bloodborne infections. SSPs also provide substance use disorder counselling, linkage to treatment, case management, HIV and STI testing, reproductive health services, overdose education, education about how to safely dispose of syringes, and more. BCHD’s SSP has served over 2,000 patients since 2018.

While current statutes governing SSPs in Maryland protect clients from being found guilty of violating Section 5-619 of the Criminal Law Article, clients of Baltimore City SSPs routinely share that they worry about potential harassment from law enforcement if stopped while possessing syringes. Repealing the prohibition of drug paraphernalia possession will help alleviate concerns from SSP clients and bring state law into accordance with current public health best practices.<sup>i,ii</sup>

Drug paraphernalia laws were implemented with the intent to reduce or stop illicit drug use. Such laws can actually increase harm by preventing people who use drugs from accessing services and using sterile syringes.<sup>i,iii</sup> These laws can also lead to increased syringe litter and unsafe conditions within the community when individuals who use drugs are afraid to return used syringes to an SSP program or dispose of them in a safe disposal container. Repealing the prohibition of controlled drug paraphernalia will allow SSPs and other evidence-based harm reduction interventions to work more effectively and, most importantly, allow individuals with substance use disorder to reduce harm to themselves and the communities they interact with and live within.

For these reasons, the BCA respectfully requests a **favorable** report on HB 706.

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<sup>i</sup> Stancliff, S., Agins, B., Rich, J. D., & Burris, S. (2003). Syringe access for the prevention of blood borne infections among injection drug users. *BMC public health*, 3, 37. <https://doi.org/10.1186/1471-2458-3-37>

<sup>ii</sup> Davis, C. S., Carr, D. H., & Samuels, E. A. (2019). Paraphernalia Laws, Criminalizing Possession and Distribution of Items Used to Consume Illicit Drugs, and Injection-Related Harm. *American journal of public health*, 109(11), 1564–1567. <https://doi.org/10.2105/AJPH.2019.305268>