



## TESTIMONY IN SUPPORT OF HOUSE BILL 706

**TO:** Members of the House Judiciary Committee

**FROM:** Center for Criminal Justice Reform, University of Baltimore School of Law

**DATE:** February 9, 2024

The University of Baltimore School of Law’s Center for Criminal Justice Reform is dedicated to supporting community driven efforts to improve public safety and address the harm and inequities caused by the criminal legal system. The Center supports House Bill 706.

House Bill 706 decriminalizes the possession and distribution of paraphernalia closely associated with the personal consumption of controlled substances. While it also reduces penalties for the possession and distribution of paraphernalia used to manufacture, distribute, or dispense controlled substances, it does not further legalize or decriminalize any controlled substance. This is the kind of common sense criminal justice policy that removes barriers to treatment, housing, and employment, and facilitates harm reduction measures and evidence-based responses to drug abuse and addiction.

Substance use disorder is among our state’s most pressing public health challenges. The criminalization of paraphernalia associated with the personal use of controlled substances perpetuates poverty, exacerbates the medical complications of substance abuse, and discourages people from seeking treatment or supportive services. Furthermore, criminalizing paraphernalia does not prevent or reduce drug use, abuse, or addiction. Meaningfully addressing the twin addiction and overdose epidemics requires that we commit to evidence-based, proactive measures while eliminating out-of-date, counterproductive criminal legal measures.

In addition to other changes, House Bill 706 removes “hypodermic syringe, needle, or any other object or combination of objects adapted to administer a controlled dangerous substance by hypodermic injection” from the definition of “controlled paraphernalia.” An overwhelming body of research demonstrates that the criminalization of drug use has a negative effect on HIV prevention and treatment.<sup>1</sup> Decriminalizing the possession of syringes and needles is in line with current public health interventions in Maryland. Baltimore City supports a number of syringe services programs (SSPs), which distribute clean needles and collect used syringes to

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<sup>1</sup> *Making Drug Use a Crime Makes HIV Prevention, Treatment More Difficult*. Johns Hopkins Bloomberg School of Public Health. (2017, May 15). <https://publichealth.jhu.edu/2017/making-drug-use-a-crime-makes-hiv-prevention-treatment-more-difficult>.

reduce transmission of HIV and other infectious diseases associated with intravenous drug use.<sup>2</sup> Without the passage of House Bill 706, individuals who avail themselves of SSP's life-saving services are at risk of arrest, prosecution, and incarceration.

For these reasons, we urge a favorable report on House Bill 706.

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<sup>2</sup> *Community Risk Reduction Services*. Baltimore City Health Department. (2023, November 27). <https://health.baltimorecity.gov/hiv-std-services/community-risk-reduction>.