

House Bill 706
Criminal Law - Drug Paraphernalia for Administration - Decriminalization - FAVORABLE

February 9, 2024

The Honorable Luke Clippinger
Chairman, House Judiciary Committee
Room 101, House Office Building
Annapolis, MD 21401

Dear Chair Clippinger and members of the House Judiciary Committee,

I am a retired educator and a lifelong resident of Maryland. I am in favor of decriminalizing the possession of drug paraphernalia because doing so would save lives and reduce the spread of infectious disease while minimizing the burden on our criminal justice system.

I see no reason to continue to delay this important and sensible step toward fixing a broken system. We know that criminalizing possession of paraphernalia—as with all drug-related arrests—disproportionately targets marginalized communities, creating barriers to health care and curtailing life-affirming opportunities.

It is hard to understand the reluctance to prioritize health and safety over criminalization particularly in light of the fact that punitive measures have failed to reduce the prevalence of drugs or the number of addictions and, instead, have given us mass incarceration, loss of productivity, homelessness, disease, and untreated addictions.

We will not overcome the tragic loss of life until we embrace harm reduction strategies. Literally every major health organization in the world urges low barrier access to all initiatives that prioritize safe drug use—with clean syringes as a primary example. Yet Maryland, year after year, despite its comparatively high overdose and HIV rates, continues to support roadblocks to these life-saving programs.

In January 2024, I attended a two-day workshop put on by the National Academies of Sciences, Engineering, and Medicine on harm reduction services and related research. Sponsored by the Federal Government Office of National Drug Control Policy, the event featured a wide array of experts—research scientists, public health providers, medical professionals, and leaders of organizations such as the National Institute of Drug Abuse (NIDA), SAMHSA, and the CDC. The running theme: Harm reduction and treatment exist on a public health continuum with availability of services impeded by drug policies steeped in stigma rather than research and a collaborative approach to patient-centered care.

Here in Maryland, we have shifted on some measures and not others. Naloxone, for example, has gained acceptance and has proven to save the lives of people who use drugs. But a person who seeks his own safety by using a clean needle (a sign that he cares about his own health) is subject to arrest and jail time.

It frightens me to hear that some legislators "don't like harm reduction" because it makes no sense. According to Health and Human Services ([hhs.gov](https://www.hhs.gov)), "Harm reduction is critical to keeping people who use drugs alive and as healthy as possible." Those who can't subscribe to this simple principle should rethink their commitment to serving the people.

Harm reduction is about respect, public health, and human rights. How many more people are we willing to lose until such time that we understand punitive measures for people who need help are inhumane and just plain wrong?

Respectfully submitted,

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