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SB0370/HB0556

January 29, 2025

TO: Members of the Judicial Proceedings Committee

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

RE: Senate Bill 370 – Drug Paraphernalia for Administration - Decriminalization

POSITION: Support

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 370.

SB 370 removes syringes from the list of controlled paraphernalia and reduces penalties for persons found in possession of certain controlled substances. This is not just a criminal justice bill – it is a public health bill. From our front-line work, we know that **paraphernalia criminalization can deter people from accessing important public health programs and services that are proven to reduce injection drug use and HIV infection**. At the same time, paraphernalia criminalization also does not solve the issues of substance use and overdose.

The Baltimore City Health Department (BCHD) is one of eight organizations operating “syringes services programs” (SSPs) in Baltimore City. SSPs, which have been legal in Maryland for more than 30 years, provide people with sterile syringes and collect used ones. They also provide other services, including referrals to substance use disorder treatment, overdose prevention and response education, wound care, peer support, HIV and syphilis testing, reproductive health services, and more.

- SSP participants are **5x more likely to enter drug treatment** and **3.5x more likely to stop injection drug use**.ⁱ
- In 1994, when Baltimore City's first SSP opened, injection drug users accounted for 63% of new HIV infections in the city. As of 2022, they accounted for less than 10%.ⁱⁱ This is due in no small part to the fact that people can now access sterile syringes to keep themselves and their partners safe.
- 30+ years of evidence shows that SSPs **do not increase overdoses or drug use**. They also help prevent overdose deaths.ⁱ
- Studies show that **SSPs reduce syringe litter**.^{iii,iv} Over the past ten years, BCHD's SSP clients have returned **nearly 10 million syringes**.^v

Although 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 fear potential harassment from law enforcement if stopped while in possession of legal syringes. While the current law intends to discourage drug use, it instead could deter people from accessing services proven to reduce injection drug use and improve the health and safety of those they serve. As such, the BCA respectfully requests a **favorable** report on SB 370.

ⁱ Centers for Disease Control and Prevention. (2024). Syringe Services Programs. Retrieved from <https://www.cdc.gov/syringe-services-programs/php/index.html>

ⁱⁱ Center for HIV Surveillance, Epidemiology and Evaluation, Maryland Department of Health. (2023). Baltimore City Annual HIV Epidemiological Profile 2022. Retrieved from <https://health.maryland.gov/phpa/OIDEOR/CHSE/SiteAssets/Pages/statistics/Baltimore-City-Annual-HIV-Epidemiological-Profile-2022.pdf>

ⁱⁱⁱ National Association of Counties. (2023). Syringe Services Programs: A NACo Opioid Solutions Strategy Brief. Retrieved from <https://www.naco.org/resource/syringe-services-programs-naco-opioid-solutions-strategy-brief>

^{iv} National Harm Reduction Coalition. (2021). Let's Talk Syringe Litter. Retrieved from <https://www.njlm.org/Archive/ViewFile/Item/1593>

^v Baltimore City Health Department Data