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Statement on Senate Bill 370
Drug Paraphernalia for Administration – Decriminalization
Senate Judicial Proceedings Committee

Position: Favorable

Maryland Nonprofits is a statewide association of more than 1800 nonprofit organizations and institutions. We urge you to report favorably SB 370 that will reduce fear and stigma around accessing sterile supplies that equip people to use drugs more safely, reducing risk of overdose and transmission of infectious diseases. This bill is essentially the same as Senate Bill 420 of 2021 which passed both houses but was vetoed by former Governor Hogan.

Maryland continues to lose thousands of community members a year to fatal overdose. Criminalizing people who use drugs is not helping. We must pursue alternatives to the war on drugs.

This bill decriminalizes the possession and use of drug paraphernalia to inject, ingest, inhale, or otherwise introduce in the human body a controlled dangerous substance (CDS). It also repeals the prohibition on possessing or distributing controlled paraphernalia under circumstances, which reasonably indicate an intention to use the controlled paraphernalia for purposes of illegally administering a CDS.

We must recognize the criminalization of substance use and paraphernalia often prevents people from seeking treatment and supportive services. Also, current drug paraphernalia laws create a disproportionate impact on people of color and further exacerbate inequities in treatment access. Evidence has shown that when there is less fear of punishment or arrest by police, individuals feel safer accessing treatment.

Senate Bill 370 will also reduce the collateral damage caused by incarceration, and by helping to ensure that people are accessing syringe service programs or carry and use lifesaving supplies that prevent overdose deaths and the spread of infectious diseases.

Decriminalizing paraphernalia will help prioritize health and safety over punishment and begin to reduce the harm caused by the war on drugs particularly in black and brown communities.

We urge you to give Senate Bill 370 a favorable report.

