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HB 556
Criminal Law – Drug Paraphernalia for Administration - Decriminalization
Hearing of the House Judiciary Committee
February 11, 2025
1:00 PM

FAVORABLE

The Public Justice Center (PJC) is a not-for-profit civil rights and anti-poverty legal services organization which seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. Our Health and Benefits Equity Project advocates to protect and expand access to healthcare and safety net services for Marylanders struggling to make ends meet. We support policies and practices that are designed to eliminate economic and racial inequities and enable every Marylander to attain their highest level of health. The **PJC supports HB 556**, which would reduce penalties for offenses involving drug paraphernalia and controlled paraphernalia; narrow the definition of “controlled paraphernalia” to exclude certain items commonly used to consume drugs; and other provisions that would effectively decriminalize possession of certain drug paraphernalia.

Approximately 20% of people in jails and prisons across the United States are incarcerated for a drug offense, and millions more are under community supervision for these charges. Criminalization of drug use has negatively affected the health and well-being of people who use drugs and their communities. Removing criminal sanctions is central to harm reduction as it mitigates these negative consequences of drug use and supports the health of our community members.

Injection drug use is still the most common means of Hepatitis C transmission, a disease that kills more Americans than any other infectious disease. Research supports that Hepatitis C has a disproportionate impact on non-Hispanic American Indian/Alaska Native and non-Hispanic African Americans who have the highest reported rates of chronic Hepatitis C infections at 66.9 cases per 100,000 people.¹ Maryland has made progress towards eliminating Hepatitis C, but linking individuals with a substance use disorder to care rather than the criminal justice system is vital to achieving the state’s goal to reduce acute Hepatitis C infections among people who use drugs by

¹ CDC, Viral Hepatitis, <https://www.cdc.gov/hepatitis/statistics/2021surveillance/hepatitis-c.htm> (last visited on January 31, 2025).

90% by 2030.² In New York City, for example, passage of a law that permitted legal syringe distribution was associated with a reduction in HIV prevalence from 54% to 13% and hepatitis C prevalence from 90% to 63% among people who inject drugs³.

HB 556, if passed, would reduce overdose deaths, reduce the spread of HIV and Hepatitis C infections, and improve health outcomes for people with substance use disorders and those they interact with. PJC believes that this bill will simplify Maryland's paraphernalia laws and clarify that possession of harm reduction supplies to prevent infectious disease is not a crime.

For these reasons, the Public Justice Center urges the **House Judiciary Committee to issue HB 556 a favorable report**. Thank you for your consideration of our testimony. If you have any questions, please contact Ashley Woolard at 410-625-9409 x 224 or woolarda@publicjustice.org.

² Maryland Department of Health, *Maryland State Viral Hepatitis Elimination Plan Framework 2022-30*, <https://health.maryland.gov/phpa/OIDPCS/AVHPP/Documents/Maryland%20Viral%20Hepatitis%20Elimination%20Plan%20Framework%202022-2030.pdf> (last visited on February 7, 2025).

³ Des Jarlais, Don C., et al., *Reductions in hepatitis C virus and HIV infections among injecting drug users in New York City*, 19 AIDS S20 (2005), https://journals.lww.com/aidsonline/abstract/2005/10003/reductions_in_hepatitis_c_virus_and_hiv_infections.5.aspx.