

February 3, 2026

The Honorable William C. Smith, Jr.
Chairman, Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
11 Bladen St., Annapolis, MD 21401

Senate Bill 327 – SUPPORT

Criminal Law - Drug Paraphernalia and Controlled Paraphernalia Prohibitions - Repeal FAVORABLE

Dear Chair Smith, Vice Chair Waldstreicher, and Senate Judicial Proceedings Committee Members,

I am a lifelong Marylander and am in strong support of repealing the prohibition of paraphernalia and eliminating the penalties that are counter to our commitment to prioritize health and safety throughout our communities. The current practice of paraphernalia prohibition not only over-utilizes law enforcement for nonviolent offenses, but it hurts those at risk, creating barriers to needed resources and undermining their capacity to take care of themselves.

My passion for promoting health care over punishment, and my insight into the suffering and neglected needs of people with a substance use disorder, stems from the path I walked with my son who died of a mixed drug overdose in 2017. I loved and admired my son, and I know his death was preventable.

Struggling with disabilities all of his life, my son was socially awkward and insecure about his future. Sadly, in his twenties, he discovered that drugs eased his pain. It is nothing short of heartbreaking to know that most people who fall into chaotic drug use are doing just that—escaping pain, be it poverty or some other misfortune. In our case, getting needed help was impossible. In fact, he was mistreated and shamed at every turn. Health care was out of the question. Kindness was seen as coddling.

Thankfully, recent years have brought progress. There is greater awareness that health-centered policies save lives and that punitive measures have failed to reduce the harms of drug use. We know too that criminalizing possession of paraphernalia—as with all drug-related arrests—disproportionately targets marginalized communities. We must recognize that our practice of disempowering the vulnerable, removing resources from them, and isolating them has failed.

Here in Maryland, we have shifted on some measures. Naloxone, for example, has gained acceptance and has proven to reduce overdose. We also know that syringe programs are highly successful in saving lives, promoting voluntary treatment, and reducing disease transmission. Yet a person who seeks his own safety by obtaining a clean needle (a sign that he cares about his own health) is subject to arrest, with current policies causing confusion for police and penalizing people based on circumstances beyond their control.

Recovery from addiction is possible, but the most effective programs are underutilized due to fear of arrest on the part of those in need, and stigma on the part of lawmakers. Literally every major health organization in the world urges low barrier access to all initiatives that prioritize safe drug use—with access to clean supplies as a primary. Yet Maryland, year after year, despite its overdose and HIV rates, continues to allow roadblocks to these life-saving programs, proven effective regardless of whether the benefit is measured in humanitarian or economic terms.

I urge you to support this legislation.

Respectfully submitted,

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