



February 3, 2026

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

**RE: SUPPORT of Senate Bill 327  
(Criminal Law – Drug Paraphernalia and Controlled Paraphernalia Prohibitions – Repeal) - FAVORABLE**

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

The Drug Policy Alliance (DPA) strongly supports Senate Bill 327 (Criminal Law - Drug Paraphernalia and Controlled Paraphernalia Prohibitions - Repeal) which will repeal drug paraphernalia law and end penalties for drug paraphernalia. This is a common sense, evidence-based bill that prioritizes the health and safety of all Marylanders.

DPA is the leading organization in the U.S. working to address the harms of drug use and drug criminalization through policy solutions, organizing, and public education. We advocate for a holistic approach to drugs that prioritizes health, social supports, and community wellbeing. DPA opposes punitive approaches that destabilize people, block access to care, and drain communities of resources. We believe that the regulation of drugs should be grounded in evidence, health, equity, and human rights. In collaboration with other movements, we change laws, advance justice, and save lives.

History has shown that harsh penalties for drug paraphernalia do nothing to help people and only worsen tragic outcomes. The criminalization of drug paraphernalia increases the risks of overdose and preventable diseases like HIV and hepatitis, particularly impacting low-income people and communities of color.<sup>1</sup> The current drug paraphernalia laws also threaten to punish people who provide harm reduction services.

This bill would remove penalties for possessing and providing supplies that reduce the health and safety risks of drug use, allowing people to provide and access syringe service programs without fear of arrest.<sup>2</sup> This will improve public health and safety by ensuring people have access to resources that reduce their risk of overdose and infectious disease and increase their connections to substance use disorder treatment and other health services.

Ending penalties for drug paraphernalia would make Maryland's existing programs more effective. Current paraphernalia laws criminalize everyday items that are otherwise legal, such as syringes, spoons, scales, and small plastic bags. Under existing law, these items become illegal when they are associated with drugs, even when no drugs are present. Nineteen other states have removed all criminal penalties for the possession of syringes and needles.<sup>3</sup> By maintaining these penalties, Maryland is falling behind other states and evidence-based public health practices.

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<sup>1</sup> Davis, Corey S., Derek H. Carr, and Elizabeth A. Samuels. 2019. "Paraphernalia Laws, Criminalizing Possession and Distribution of Items Used to Consume Illicit Drugs, and Injection-Related Harm." *American Journal of Public Health* 109 (11): 1564–67. <https://doi.org/10.2105/ajph.2019.305268>.

<sup>2</sup> Jones, Christopher M. 2019. "Syringe Services Programs: An Examination of Legal, Policy, and Funding Barriers in the Midst of the Evolving Opioid Crisis in the U.S." *International Journal of Drug Policy* 70 (August): 22–32. <https://doi.org/10.1016/j.drugpo.2019.04.006>.

<sup>3</sup> Legislative Analysis and Public Policy Association. 2025. "Drug Checking Equipment, Needles/Syringes, and Drug Paraphernalia: Summary of State Laws." <https://legislativeanalysis.org/wp-content/uploads/2025/09/Drug-Checking-Equipment-50-State-Summary.pdf>.

We ask that the Senate Judicial Proceedings Committee give Senate Bill 327 a favorable report.

For more information about this position, please contact Kellen Russoniello at [krussoniello@drugpolicy.org](mailto:krussoniello@drugpolicy.org)

Sincerely,

A handwritten signature in blue ink, appearing to read "Kellen Russoniello".

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