



# Maryland Alliance for Sensible Drug Policy

LIVED EXPERIENCE. REAL SOLUTIONS.

February 3, 2026

The Honorable Chair Smith,  
Senate Judicial Proceedings Committee  
2 East Miller Senate Office Building  
Annapolis, Maryland 21401

## **RE: SB327, Criminal Law – Drug Paraphernalia and Controlled Paraphernalia Prohibitions – Repeal (FAVORABLE)**

Dear Chair Smith, Vice Chair Waldstreicher, and members of the committee:

I'm submitting this testimony in **strong support of SB327** on behalf of the Maryland Alliance for Sensible Drug Policy, a state-wide member-based advocacy group lead by people with lived or living experience with substance use.

### **Lived experience shows paraphernalia prohibitions cause harm**

For many Marylanders, paraphernalia prohibitions mean they reuse, share, or throw supplies away in unsafe places. The results are predictable: more infections, more injuries, more fear of seeking help, and more harms that spill into the community. We asked our members to share their personal experiences and a few themes emerged:

- **Criminalization pushes people to reuse or share supplies even when they know the risks.**

"During COVID it felt seemingly impossible to find clean syringes/supplies. Because I was in the thick of my addiction, I was going to use substances, regardless of the supplies that were available. The only option on one particular evening, was to use a dull needle that belonged to someone that was diagnosed with Hep-C. I knew that this person Hep-C, and I knew that this needle was dull, and yet I put it into my body regardless. I still have permanent nerve damage to this day because of that experience, due to digging around in my arm with a dull needle."

– Person in recovery and Overdose Prevention Coordinator in Montgomery County.

- **Paraphernalia stigma does not stay neatly confined to drug use.**

"The police were rude, they did not even treat me as a human. I am diabetic and at that time I was using insulin with syringes. I have never been an IV drug user, so the thought of being interrogated about them was never on my mind. I felt humiliated."

– Person in Recovery and Certified Community Health Worker in Talbot County

- **People avoid health care and treatment when carrying supplies feels legally risky.**

“I desperately needed medical attention, but I did not want to go to a clinic because I was afraid of getting caught with my paraphernalia; even if it meant that I was going to receive help for my condition.”

– Person in Recovery and Behavioral Health Service Specialist in Baltimore City

- **People dispose of supplies unsafely when they think they might be searched.**

“I was always afraid about being stopped with paraphernalia on me. I would toss it at the first hint of trouble, often in parks or alleys, even along the sidewalk, where anyone – including children – could have found it. I still think about that possibility years later.”

– Person in recovery living in Baltimore County

This is what SB0327 can change. Not by pretending drug use is risk-free. But by removing a criminal penalty that reliably makes drug use more dangerous for the individuals and the public.

### **The research aligns with our lived experience**

The lived experience of our members aligns with research, which shows that criminalizing paraphernalia creates a predictable chain reaction: people avoid carrying sterile supplies because they’re afraid of being arrested, which makes reuse and sharing more likely and increases the risk of HIV and hepatitis transmission.<sup>i</sup> Those same legal barriers can also make syringe services programs less effective.<sup>ii</sup> Repealing paraphernalia prohibitions helps reverse those harms by making it safer and simpler for people to carry and obtain personal-use supplies and for programs to distribute them without legal gray areas.<sup>iii</sup>

For these reasons, the Maryland Alliance for Sensible Drug Policy respectfully requests a **FAVORABLE report on SB0327**. Thank you for your time and consideration.

Respectfully submitted,

Thomas Higdon  
Executive Director  
Maryland Alliance for Sensible Drug Policy

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<sup>i</sup> Centers for Disease Control and Prevention. (n.d.). Access to clean syringes. Health Impact in 5 Years (HI-5). Retrieved February 3, 2026, available at [https://archive.cdc.gov/www\\_cdc\\_gov/policy/hi5/cleansyringes/index.html](https://archive.cdc.gov/www_cdc_gov/policy/hi5/cleansyringes/index.html); Davis, C. S., Carr, D. H., & Samuels, E. A. (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), 1564–1567, available at <https://doi.org/10.2105/AJPH.2019.305268>.

<sup>ii</sup> CDC (n.d.) supra; Fernández-Viña, M. H., Prood, N. E., Herpolsheimer, A., Waimberg, J., & Burris, S. (2020). State laws governing syringe services programs and participant syringe possession, 2014–2019. *Public Health Reports*, 135(1\_suppl), 128S–137S, available at <https://doi.org/10.1177/0033354920921817>

<sup>iii</sup> Davis, et al. (2019), supra; Fernández-Viña, et al. (2020), supra.