



February 5, 2026

**Senate Judicial Proceedings Committee
TESTIMONY IN SUPPORT**

SB 327 - Criminal Law - Drug Paraphernalia and Controlled Paraphernalia Prohibitions - Repeal

Behavioral Health System Baltimore (BHSB) is a nonprofit organization that serves as the local behavioral health authority (LBHA) for Baltimore City. BHSB works to increase access to a full range of quality behavioral health (mental health and substance use) services and advocates for innovative approaches to prevention, early intervention, treatment and recovery for individuals, families, and communities. Baltimore City represents nearly 35 percent of the public behavioral health system in Maryland, serving over 100,000 people with mental illness and substance use disorders (collectively referred to as “behavioral health”) annually.

Behavioral Health System Baltimore strongly supports SB 327 - Criminal Law - Drug Paraphernalia and Controlled Paraphernalia Prohibitions - Repeal. Repealing the prohibition of the possession and use of drug paraphernalia would promote trust between harm reduction programs and people who use drugs while having a negligible impact on public safety. Maryland is falling behind other states in adopting this common sense approach. Close to 20 states have fully decriminalized syringe possession and two, Minnesota and Alaska, have no law prohibiting paraphernalia possession at all.¹ BHSB urges the General Assembly to join the Baltimore City Administration in supporting this legislation and to help Maryland use its scarce resources to save lives rather than punitive approaches such as arrest or prosecution for drug paraphernalia.

The number of overdose deaths in Maryland has recently declined but remains staggeringly high. Over 1,700 people died of fatal overdose in Maryland in 2024, including over 750 who died in Baltimore City.² The rate of overdose appears to have continued to decline in 2025, but the figures are not yet final. While these trends are encouraging, the state must continue to make preventing overdoses a top priority. Overdose remains one of the leading causes of death for young people and more work remains to be done.

SB 327 is an important step in the direction of putting overdose prevention first. Harm reduction services such as syringe service programs are among the effective overdose prevention strategies. These programs help individuals to reduce the harm of using drugs but also help build trusting relationship that often lead to considering treatment and recovery. The potential for arrest or prosecution for drug paraphernalia that is being returned to a harm reduction program breaks that trust and pushes people who use drugs further into the shadows. By eliminating that risk through decriminalizing drug paraphernalia, Maryland can help ensure harm reduction program remain safe spaces for the people who use them and better direct our state’s law enforcement resources to improve public safety.

The continued criminalization of drug paraphernalia only makes the delivery of effective, empathetic substance use treatment harder. At a time when the federal government is putting pressure on harm reduction programs and publicly opposing them, Maryland should stand up for evidence-based overdose prevention. **BHSB urges the Senate Judicial Proceedings Committee to support SB 327.**

For more information, please contact BHSB Policy Director Dan Rabbitt at 443-401-6142

Endnotes:

- ¹ Network for Public Health Law. *Harm Reduction Laws in the United States*. August 1, 2023. Available at: <https://www.networkforphl.org/wp-content/uploads/2024/10/50-State-Survey-Harm-Reduction-Laws-in-the-United-States.pdf>
- ² Maryland Department of Health Overdose Data Portal, available at: <https://health.maryland.gov/dataoffice/Pages/mdh-dashboards.aspx>