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SB0327

February 5, 2025

TO: Members of the Judicial Proceedings Committee

FROM: Nina Themelis, Director of Mayor's Office of Government Relations

RE: Senate Bill 327 – Criminal Law - Drug Paraphernalia and Controlled Paraphernalia Prohibition – Repeal

POSITION: Support

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 327.

This is a priority bill for the BCA. It repeals the prohibition on possessing drug paraphernalia. This will *not* encourage drug use. Rather, **it will facilitate participation in public health programs and services that are proven to reduce injection drug use and HIV infection.** The current paraphernalia laws are a known barrier for people seeking help.

The Baltimore City Health Department (BCHD) is one of eight organizations operating an “OADPOP,” or “opioid-associated disease prevention and outreach program” (also called “syringe services program” or “needle exchange”) in Baltimore City. OADPOPs, which have been legal in Baltimore City for more than 30 years and statewide since 2016, provide people with sterile syringes and collect used ones. They also provide referrals to substance use disorder treatment, on-site overdose prevention and response education, wound care, peer support, HIV and syphilis testing, reproductive health services, and more.

- According to the CDC, OADPOP participants are **5x more likely to enter drug treatment** and **3.5x more likely to stop injection drug use.**ⁱ
- 30+ years of evidence shows that OADPOPs **do not increase overdoses or drug use.** They **do help prevent overdose deaths.**ⁱ
- OADPOPs are cost-effective. In fact, in 2015, they saved Indiana taxpayers **\$120M** by stopping the spread of HIV and Hepatitis C during a large outbreak in the state.^{ii,iii}
- **OADPOPs reduce syringe litter.**^{iv,v} Over the past ten years, BCHD's OADPOP clients have returned **nearly 10 million syringes.**^{vi}
- In 1994, when Baltimore City's first OADPOP opened, injection drug users accounted for 63% of new HIV infections in the city. As of 2022, they accounted for less than 10%.^{vii} This is due in no small part to the fact that people can now access sterile syringes to keep themselves and their partners safe.

Although Maryland statutes governing OADPOPs protect clients from being found guilty of violating § 5-619 of the Criminal Law Article, which prohibits possession of syringes and other paraphernalia, clients – and potential clients – of Baltimore City OADPOPs routinely share that they fear potential harassment from law enforcement if stopped while in possession of syringes. While the current law intends to discourage drug use, it instead deters people from accessing services proven to reduce injection drug use and improve public health and safety. As such, the BCA respectfully requests a **favorable** report on SB 327.

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- ⁱ Centers for Disease Control and Prevention. (2024). Syringe Services Programs. Retrieved from <https://www.cdc.gov/syringe-services-programs/php/index.html>
- ⁱⁱ National Institute on Drug Abuse. (2021). Syringe Services Programs. Retrieved from <https://nida.nih.gov/research-topics/syringe-services-programs>.
- ⁱⁱⁱ Sights E, Ray B, Watson D, Huynh P, Lawrence C. (2018). The Implementation of syringe services programs (SSPs) in Indiana: benefits, barriers, and best practices. IUPUI Richard M. Fairbanks School of Public Health. Retrieved from https://fsph.iupui.edu/doc/research-centers/SSP_Report_20180516.pdf
- ^{iv} National Association of Counties. (2023). Syringe Services Programs: A NACo Opioid Solutions Strategy Brief. Retrieved from <https://www.naco.org/resource/syringe-services-programs-naco-opioid-solutions-strategy-brief>
- ^v National Harm Reduction Coalition. (2021). Let's Talk Syringe Litter. Retrieved from <https://www.njlm.org/Archive/ViewFile/Item/1593>
- ^{vi} Baltimore City Health Department Data
- ^{vii} Center for HIV Surveillance, Epidemiology and Evaluation, Maryland Department of Health. (2023). Baltimore City Annual HIV Epidemiological Profile 2022. Retrieved from <https://health.maryland.gov/phpa/OIDEOR/CHSE/SiteAssets/Pages/statistics/Baltimore-City-Annual-HIV-Epidemiological-Profile-2022.pdf>