



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable Sandy Bartlett, Chair and
Members of the Judiciary Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Samira Jackson, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 10, 2026

RE: **HB 551 - Criminal Law - Drug Paraphernalia and Controlled Paraphernalia
Prohibitions – Repeal**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE HB 551**. This bill fundamentally undermines accountability in Maryland's drug enforcement framework. Currently, paraphernalia used to prepare, store, package, or ingest illegal controlled substances is criminally prohibited. Under the bill as presented, possession of these items would no longer be a crime, thus removing an important enforcement tool that helps law enforcement intervene before more serious harm occurs.

This bill's policy goes far beyond cannabis, which has been legalized in the state of Maryland. As written, it would decriminalize possession of paraphernalia used **to produce, prepare, propagate, compound, convert, or process** dangerous controlled substances, which includes methamphetamine, heroin, LSD, and fentanyl. While the production of these substances would technically remain illegal, the possession of the very tools necessary to manufacture them would not. This creates a clear and troubling inconsistency in the law and significantly weakens law enforcement's ability to prevent drug production and distribution before it escalates.

By removing the criminal status of these items, officers could observe clear indicators of illegal drug activity yet be legally prohibited from taking the next investigative steps necessary to protect public safety. This limitation reduces proactive enforcement, delays intervention, and increases risk to officers and communities alike. From a public safety perspective, this bill raises a simple and unavoidable question: why would an individual possess equipment designed to **manufacture** illegal controlled substances if not for the intent to do so? By removing criminal consequences for possessing these items, the bill invites exploitation, limits early intervention, and increases the risk of drug production activity occurring within Maryland communities.

Lastly, if the intent of this legislation is to reduce harm and protect individuals who suffer from mental health struggles and addiction, that policy goal should be addressed narrowly and transparently through syringe-specific or harm-reduction legislation. We support public safety measures and policies that seek to reduce harm for our community members that struggle with addictions issues. However, as drafted, this bill extends far beyond that purpose, broadly repealing prohibitions on paraphernalia associated with the production and processing of dangerous controlled substances. The scope of this repeal is far too expansive and creates unintended public safety risks that go well beyond harm reduction.

For these reasons, MCPA and MSA **OPPOSES HB 551** and urge an **UNFAVORABLE** committee report.