



*Baltimore Harm Reduction Coalition mobilizes community members for the health, dignity, and safety of people targeted by the war on drugs and anti-sex worker policies. We advocate for harm reduction as part of a broader movement for social justice.*

## **Baltimore Harm Reduction Coalition 2021 Maryland General Assembly Legislative Agenda**

Baltimore Harm Reduction Coalition (BHRC) has four overarching priorities for community mobilization and policy advocacy from 2021-2025: 1) gain community reparation from over a century of harm, and freedom from criminalization; 2) end state-sanctioned surveillance policies that reduce opportunities and access for people who use drugs; 3) increase access, autonomy, and power for people targeted by drug war and anti-sex worker policies; and, 4) create and strengthen community-run spaces grounded in Harm Reduction. In 2021, BHRC will continue to advance these priorities by working towards the following legislative actions:

### **Authorize the establishment of Overdose Prevention Sites**

***Public Health - Overdose and Infectious Disease Prevention Services Program*** ([HB 396](#), [SB 279](#))

Overdose Prevention Sites (OPS) are legally sanctioned indoor spaces where people can consume their own drugs with immediate access to life-saving interventions, medical care, emotional support, and non-judgemental therapeutic relationships. Maryland has lost more than 10,000 people to overdose over the past 6 years, a number that continues to climb due to conditions arising from the COVID-19 pandemic. The General Assembly must authorize the establishment of OPS to reduce barriers to accessing critical resources. Decades of evidence show that community-run OPS reduce overdose fatalities and disease transmission, and are uniquely able to engage historically marginalized people who are most at risk of overdose.

### **Amend paraphernalia statutes and decriminalize safety**

***Criminal Law - Drug Paraphernalia for Administration - Decriminalization*** ([HB 372](#), [SB 420](#))

Maryland law criminalizes people who use drugs for possessing life-saving and disease-preventing tools. In 2016, the Maryland General Assembly voted to expand syringe services programs, creating an exception to paraphernalia laws for affiliates of a program. However, this has not sufficiently prevented police from using paraphernalia as pretext for stopping, searching, and seizing possessions based on suspicion of drug use. Maryland's paraphernalia laws must be amended to send a clear message to community members and police officers that the possession of supplies used to promote health is not a crime.

## **Decriminalize drug possession and drug use**

*Cannabis - Legalization and Regulation (Inclusion, Restoration, and Rehabilitation Act of 2021) ([HB 32](#))*

*Criminal Law - Use or Possession of a Controlled Dangerous Substance - De Minimis Quantity ([HB 488](#))*

BHRC supports efforts to gain community reparation from over a century of harm, and freedom from criminalization. Maryland must prioritize the health, dignity, and safety of people who use drugs, including systemic community healing after decades of over-policing and mass incarceration due to the war on drugs. Decriminalization of drug possession is the most effective action to reduce stigma associated with drug use because it enables people to feel safer about discussing their drug use with loved ones, service providers, and support networks. BHRC supports decriminalization and legalization efforts that include steps toward reparations, such as social equity provisions, housing assistance supports, and business licensing mandates.

## **Promote low-barrier access to legal protections, supportive services, and health care for people who use drugs and sell sexual services**

*Criminal Procedure - Medical Emergency - Immunity ([HB 212](#))*

*Human Relations - Discrimination in Housing - Reentry-Into-Society Status ([HB 560](#))*

*Mental Health Law – Petitions For Emergency Evaluation – Procedures ([SB 398](#) [HB 537](#))*

BHRC supports efforts that increase access to legal protections and quality services within supportive spaces designed by and for people engaged in drug and sex trades. Maryland must clarify its 2015 Good Samaritan law to protect victims of overdose or medical emergencies with the same immunity from arrest, charge and prosecution as those calling 911. The immunity protections should also be expanded to include misdemeanors, distribution charges, and outstanding warrants. Evidence demonstrates the efficacy of non-coercive policies and supportive community-based interventions to reduce overdose risk, build trust, strengthen community, and facilitate positive change. These interventions should be authorized and supported for those most targeted by the drug war, including all people at or near scenes of overdose and people incarcerated for drug-related charges. Additionally, as Maryland gains more access to COVID-19 related health care, community members made most vulnerable by the overdose epidemic must be prioritized to receive care including prevention and treatment.

## **End systemic oppression and invest in communities**

*Law Enforcement Officers' Bill of Rights - Repeal ([SB 627](#) [HB 151](#))*

*Johns Hopkins University - Police Department - Repeal ([SB 276](#))*

BHRC supports efforts to reduce police authority and works to defeat proposals and legislation that perpetuate stigma against people who use drugs and sell sexual services. Such legislation can include: increased penalties associated with drug and sex trades; restrictions to quality treatment and other social services; and, attempts to reduce autonomy or commit people into treatment against their will. In 2021 and beyond, BHRC supports community-led efforts to repeal: Criminal Law 5-101 - Maryland Controlled Dangerous Substances Act, Criminal Law 11-303 - Prostitution General, and related laws that oppress communities.