

May 26, 2021

The Honorable Bill Ferguson
President of the Maryland Senate
H-107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 420 – *Criminal Law – Drug Paraphernalia for Administration – Decriminalization*.

Our administration has taken historic action to combat the opioid epidemic that has devastated communities across Maryland. In 2016, and as a result of a recommendation from the Heroin and Opioid Emergency Task Force, I was proud to sign legislation that authorized any county in Maryland to establish an opioid-associated disease prevention and outreach program. In 2017, I was the first governor in the nation to declare a State of Emergency in response to the heroin, opioid, and fentanyl crisis that ravages our state. I also created the Opioid Operational Command Center, which promotes and coordinates a comprehensive response to the crisis in Maryland at the state and local level.

Our state experienced an increase in opioid-related deaths in 2020, after beginning to stabilize in 2018 and decrease in 2019 for the first time in over a decade. The COVID-19 pandemic complicated every aspect of our lives and unfortunately it likely exacerbated the rate of fatal overdoses around the country. Although we have made tremendous progress, the COVID-19 pandemic has proven that much more work needs to be done to effectively turn the tide of substance use disorder.

SB 420 is a dangerous bill that completely erases the illegality of certain controlled dangerous substance paraphernalia by legalizing the delivery, sale, manufacturing, and possession of these dangerous and damaging items. This is an ill-advised policy change that does nothing to remove drug dealers from our streets or reduce opioid-related fatalities, and instead encourages the use and possession of paraphernalia associated with drug use. If enacted, this bill would permit drug dealers to stockpile large quantities of paraphernalia, such as needles and syringes, and sell it to vulnerable individuals suffering from addiction. Additionally, by legalizing drug paraphernalia, law enforcement would no longer be able to cite or fine

an individual for housing large amounts of syringes or other items that would enable someone to inject controlled dangerous substances.

There is a valid argument for decriminalizing the possession of certain paraphernalia for medical professionals and individuals who are participating in safe syringe service programs and authorized to distribute certain items, but that is not this bill. Current law could have easily been clarified without fully legalizing these items.

At a time where opioid use and fatalities are at an all-time high, we must focus on effective outreach and prevention, expanding access to treatment resources, and prosecuting drug dealers who are terrorizing our communities. This bill does nothing to achieve these goals or help individuals seek or receive substance abuse treatment.

Our administration will never waver in our commitment to respond to this crisis and save lives. We will continue to use an all-hands-on deck approach and pursue solutions that reduce opioid addiction and deaths without needlessly endangering the lives of Marylanders.

For these reasons, I have vetoed Senate Bill 420.

Sincerely,

Lawrence J. Hogan, Jr.
Governor