Maine Makes It Legal to Possess Syringes

A decriminalization law in Maine allows people to have syringes. It's an effort to combat rising overdose deaths and hepatitis C cases.

October 22, 2021 By Trent Straube

It's no longer a crime in Maine to possess syringes and other drug paraphernalia, thanks to a new law that went into effect this month, reports the Maine Beacon. Harm reduction advocates view this as a big win in battling overdoses.

Before this law was passed, anyone who possessed 11 or more syringes—even unused ones—could be charged with a Class D crime and face up to 354 days in jail and a $2,000 fine. What's more, those charges could apply to people operating syringe exchanges—the very folks trying to decrease overdoses, get injection drug users into treatment and lower the rates of hepatitis B and C as well as HIV. All three viruses can be spread through shared needles.

"Most Mainers agree that punitive drug laws don't work and people who use drugs need access to safety, not criminal punishment, stigma and heightened risk of illness and death due to preventable illnesses," Whitney Parrish, policy and advocacy director with Health Equity Alliance (HEAL), which provides harm reduction services to people in Maine, told the newspaper. "We need a public health response to a public health crisis, and this law is a transformative step toward rejecting our failed responses to drug use, rooting policies in pragmatism and what works, and decriminalizing safety—and people who use drugs."

As Hep reported two months ago, over 94,000 people died of drug overdoses in the United States in 2020, the highest number ever recorded—although that figure is expected to increase once more data arrive—compared with 48,126 overdose deaths for the year ending January 2015.

In 2020, Maine experienced its highest rate of overdose deaths—504—and the state is on a pace to surpass that number in 2021. As the Press Herald reported, hepatitis C cases in Maine have been surging in recent years.

HEAL noted that fear of criminal penalties keeps people who inject drugs from seeking treatment and employing harm reduction techniques, such as not sharing needles.

"We know that having laws in place that discourage the acquisition and use of clean needles

increases the spread of infections and diseases like HIV and hepatitis and do not help people break free from an addiction," the bill's sponsor, Representative Genevieve McDonald (D–Stonington) said in public testimony for the bill, according to the Beacon.

Hepatitis refers to inflammation of the liver. There can be many causes, but hepatitis C virus can result in a lifelong infection, mild to serious scarring of the liver (fibrosis and cirrhosis, respectively), liver cancer, liver failure and death. The good news is that hep C is curable in most cases. To learn more, see the Hepatitis C section of Hep magazine's Hepatitis Basics, which includes an introduction to viral hepatitis as well as other forms of hepatitis and liver disease, such as non-alcoholic fatty liver disease (NAFLD), non-alcoholic steatohepatitis (NASH), alcoholic liver disease, autoimmune hepatitis and primary biliary cholangitis (PBC). And for a collection of articles in POZ about the intersection of hep C virus and HIV, click the hashtag #Hepatitis C.

HIV, in contrast, is a virus that attacks the immune system. Over several years, the immune system becomes depleted, and the body isn't able to fight infections, leading to an AIDS diagnosis. Although there is no cure for HIV, many safe and effective treatments—often just one pill a day—are available. The medications help people living with HIV enjoy long and healthy lives and keep them from transmitting the virus to others. For more, see the Basics of HIV/AIDS in POZ.com, a sister publication of HepMag.com.

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