

HB 193 Criminal Law - Use or Possession of a Controlled Dangerous Substance - De Minimis  
Quantity

House Judiciary Committee

Hearing Jan 28, 2020

**SUPPORT**

MDDCSAM is the Maryland state chapter of the American Society of Addiction Medicine whose members are physicians and other health providers who treat people with substance use disorders.

The criminalization of drug possession is the largest driver of arrests in the United States. Of 1.6 million annual drug arrests in the U.S., over 80% are for possession only.

There is no evidence that arrest or incarceration reduces drug use. It appears that the opposite may be true. It is not clear why we as a society persist in using our resources to arrest people for possession of small quantities of drugs. Perhaps some are under the mistaken impression that it helps in some way. Maybe we are punitive and want people with substance use disorders to pay for what is deemed by some as their moral failings.

Whatever the reason, it is clear that this approach is destructive, and disproportionately affects black and brown people. The ripple effect from the separation of families and the disconnection of community social networks is devastating.

The state addresses the cycle of drug use and poverty by funding the important work of job readiness counseling. The irony is that the state also expends criminal justice resources leading to criminal records that create almost insurmountable barriers to employment, education and housing.

This bill would complement the goals of the Justice Reinvestment Act, as well as successful LEAD programs (Law Enforcement Assisted Diversion), both of which divert drug offenses from the criminal justice system.

When Portugal decriminalized small amounts of all illicit drugs, HIV infection rates plummeted, and overdose deaths dropped by over 80 % in the 15 years after decriminalization.

Portugal's law has not led to increases in overall drug use. It has decisively lowered problematic drug use and improved health outcomes. We urge the committee's support of HB 193.

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