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To: Members of the House Judiciary Committee
Re: House Bill 324 – Criminal Law – Marijuana – Possession and Possession with Intent to Distribute
From: Bobby Zirkin, On Behalf of CannaMD d/b/a ReLeaf Shop

Dear Delegate Moon,

Thank you for the opportunity to present this letter of support for HB 324 - Criminal Law – Marijuana – Possession and Possession with Intent to Distribute. I write on behalf of CannaMD d/b/a ReLeaf Shop. ReLeaf Shop is a medical cannabis dispensary located and serving patients in Baltimore City. ReLeaf Shop was founded by medical professionals and strives to deliver the best patient experience for those who need medical cannabis.

On behalf of the owners of ReLeaf Shop, we want to extend our sincere thanks to Delegate Moon for his steadfast commitment to this important issue. We have seen the incredible success of the medical cannabis industry in providing important patient care through the use of cannabis. And states across the nation are moving toward full recreational legalization. It is well documented that the criminalization of marijuana has a significant disproportionate impact on minority communities, and it is also counterproductive to effective law enforcement and public safety.

Senate Bill 364 was signed into law in April of 2014 and became active October of 2014. The 10-gram threshold was based on a prior bill arbitrarily setting a new “de minimus” definition to distinguish between criminal sentences. There was no rationale for setting the amount at 10 grams. In fact, most states that have threshold amounts distinguishing criminal and civil penalties use the 1-ounce threshold. Maryland is the lowest amount of any state that has chosen to create a civil penalty.

Possession with Intent to Distribute marijuana has unfortunately been used as a way around the civil fine attached to possession. Even with an amount lower than the 10-gram threshold, individuals may be charged with PWID under a totality of the circumstances review.

It seems fair that if an individual is possessing an amount of marijuana so low that it is a civil offense, that there should be a greater indicia of selling to be charged with the serious crime of PWID.

Once again, thank you to Delegate Moon for his work in this area of law. Should you have any questions, please feel free to contact me at any time.

Bobby Zirkin
On Behalf of CannaMD d/b/a ReLeaf Shop