



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony of Senator Jill P. Carter
In Favor of SB 784
– Criminal Law - Use or Possession of a Controlled Dangerous
Substance - De Minimis Quantity–
Before the Judicial Proceedings Committee
On March 7, 2022**

Chairman Smith, Vice Chair Waldstreicher, and Members of the Committee:

Senate Bill 0784 makes possession of small quantities of drugs from a criminal offense to a civil offense. Passage of the bill would transition Maryland from being a state that criminalizes addiction to one that remedies it through treatment and assessment.

According to an October 2021 report published by the [Sentencing Project](#), Maryland is one (1) of only 12 states where over half of the prison population is Black. This alarming reality is undergirded by incarcerating drug users who possess small quantities of drugs and are in active addiction. [In 2019, over 4,810 Baltimoreans were in Maryland prisons, accounting for one third of the state's prison population – 60 percent of whom were incarcerated for drug-related offenses.](#) It is no secret that there are major disparities in drug sentencing, and that criminalizing drug use instead of acknowledging it as a public health issue is a problem that needs solving.

Senate Bill 0784 humanizes drug-users. It recognizes that drug use is a health crisis and that it takes a public health approach to fight the

ever-growing drug overdose epidemic. Since the 1980s, drug sentencing has hardened, yet drug use continues to rise and its effects continue to have a palpable impact on our communities. Between 1980 and 1985, [the first-ever large representative epidemiological survey](#) of the U.S. population was done to identify various mental illnesses, including addiction. It found that 6.1 percent of Americans could be diagnosed with a substance use disorder linked to illegal drugs. The second time such a [survey](#) was done, between 2000 to 2005, the rate was 10.3 percent.

[Our country now sees over 100,000 fatal drug overdoses annually.](#) Clearly, current drug policy is failing. Decades of data demonstrates that treatment works. [Since decriminalizing drugs in Oregon, the number of people who sought out treatment in that state increased in just a year.](#) This is the outcome that Senate Bill 0784 could produce. Instead of incarcerating drug users, we must support them on their path to recovery, so that they might become healthy, productive citizens.

For these reasons, I urge a favorable report on Senate Bill 0784.

Respectfully,



Jill P. Carter