

**Testimony on Maryland [HOUSE OR SENATE] Bill NUMBER: HB1054**

**Bill Name:** Criminal Law - Use or Possession of a Controlled Dangerous Substance - De Minimis Quantity

**TO:** Delegate David Moon, Judiciary Committee (Vice-Chair), Rules and Executive Nominations Committee  
Delegate Jon S. Cardin, Judiciary Committee  
Delegate Luke Clippinger, Judiciary Committee (Chair), Rules and Executive Nominations Committee  
Senator Jill P. Carter, Judicial Proceedings Committee  
Delegate Andrea Fletcher Harrison, Economic Matters Committee, District 24  
Delegate Jazz Lewis, Appropriations Committee, District 24  
Senator Joanne C. Benson, Rules Committee (Chair), District 24  
Benjamin L. Cardin, U.S. Senator of Maryland  
Christopher Van Hollen, Jr., U.S. Senator of Maryland  
Anthony G. Brown, U.S. Representative, 4th Congressional District

**FROM:** Ms. Alfrieda Hylton, Progressive Maryland, Member, Prince George's County, Capitol Heights Maryland, District 24

**DATE:** March 3, 2022

**POSITION:** SUPPORT

**Thank you for the opportunity to submit written testimony. Progressive Maryland is a grassroots, nonprofit organization with 9 chapters from Frederick to the Lower Shore and more than 100,000 members and supporters who live in nearly every legislative district in the state. Also, there are dozens of affiliated community, faith, and labor organizations across the state that stand behind our work. Our mission is to improve the lives of working families in Maryland. Please note our strong SUPPORT FOR this bill.**

Ms. Alfrieda Hylton is a member of the Progressive Maryland Drug Policy Task Force and Reentry Work Group. She's a resident of Capitol Heights, Maryland, Prince George's County, District 24. Two of her older sons were driven from their jobs and families and pushed into the Federal prison system for "possession with intent to distribute" and both served approximately 16 years which contributes to racial and social class inequalities. The War on Drugs has been around for more than 50 years, and it hasn't been a war on drugs at all. It's been a war on people: people like her, and her family. Black people. The part where it was supposed to decrease drug use? That part failed.

In the nineties, her two older sons were driven from their jobs and families and pushed into the federal prison system for marijuana possession. This was at the peak of the drug war, and both were punished with the harshest possible sentences. Her sons served their time, but when they first came home, they were offered no jobs, no housing, and no compassion. With no other way to make a living, both ended up arrested again for the same reasons and even harsher sentences. They were caught in the trap that was set up for them to fail, a revolving door from the street to prison.

There were nobody cameras worn to document the excessive force from police when her sons were arrested, the police violated laws when they were stopped, searched, arrested, and convicted, her sons and so many others. There was never a warning when police invaded the privacy of her home. After serving sixteen years behind bars, her sons were finally released to come home. Because these years were spread out from their teens when they were first arrested into their early thirties, this War on Drugs has disrupted their adult lives. The criminalization of marijuana has been a terrible mistake, and the racially disparate enforcement of marijuana laws has only compounded this mistake, with serious consequences, particularly to the people of color communities. The War on Drugs has been a complete failure. African Americans and Latino people are far more likely to be criminalized than white people. It has torn apart families and communities, ruined individuals' lives, and acted as a vehicle for racial injustice.

**Recommendations:** End policies that exclude people with a record of arrest or conviction from key rights and opportunities. These include barriers to voting, employment, public housing, other public assistance, loans, financial aid, and child custody. I do agree with taking steps to regulate and legitimize the production, distribution, and use of

cannabis and its derivatives to include mental health assessment. The development of a more rational cannabis policy requires better evaluations of both the health consequences of regular cannabis use and of the costs and benefits of enforcing the existing prohibition on its use. End ineffective, racially-biased, and unjust criminal enforcement and it needs to decouple marijuana from vice and crime otherwise remains a federally controlled substance. The cannabis legalization framework should explicitly state that public health promotion and protection as its primary goals. Example of Inspiring Change: The Centre for Addiction and Mental Health (CAMH) is Canada's largest mental health teaching hospital and one of the world's leading research centers in its field. Instead, of a civil fine and prison confinement for first and, second-time offenses offer 6 months of community services, provide, and extend drug education, and drug treatment such as cognitive-behavioral therapy, contingency management, and motivational enhancement therapy. It reduces marijuana use, particularly among those involved with heavy use and those with more chronic mental disorders. Because people with marijuana use disorders, especially adolescents often also suffer from other psychiatric disorders. Rather than ban smoking marijuana or cannabis in a public place entirely expands places where smoking and vaping are allowed. This bill needs more clarity of what amount of cannabis is legal as opposed to less than 10 grams, it does not make sense when a person can get a fine for having in their possession of more than 1 ounce of marijuana.

**We urge a FAVORABLE report on BILL NUMBER SB833. TESTIMONY ON CANNABIS LEGALIZATION IN THE STATE OF MARYLAND**