



OPIOID OPERATIONAL COMMAND CENTER

Wes Moore, Governor · Aruna Miller, Lt. Governor · Emily Keller, Special Secretary of Opioid Response

February 17, 2023

The Honorable Luke Clippinger
Chair, House Judiciary Committee
Room 101, House Office Building
Annapolis, MD 21401-1991

RE: House Bill 927 - Criminal Law – Use or Possession of a Controlled Dangerous Substance –
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Dear Chair Clippinger:

The Opioid Operational Command Center (O OCC) respectfully submits this letter of support for HB927. In order to destigmatize substance use disorder and acknowledge it as a health issue, we must decriminalize possession for personal use. Criminalizing the possession of small amounts of drugs reinforces the idea that people who use drugs deserve to be punished, rather than being offered treatment for their substance use. Further, there is no evidence that the threat of arrest or incarceration reduces drug use.

The United States has criminalized drug possession and use for many years, and this approach has not resulted in fewer drug-related deaths or healthier communities. A study found that individuals being released from incarceration were 12.7 times more likely than the general population to die in the two weeks following their release, with drug overdose being the leading cause of death.¹ Portugal as a country decriminalized personal drug possession in 2001 and this policy has been associated with positive health outcomes such as decreased infectious disease transmission and overdose deaths, increased uptake in drug treatment and importantly, no major increase in illicit drug use in the general population.²

These laws also disproportionately impact people of color, especially in Black communities. While there have been some improvements in the disparate rate of Black adults represented in drug arrests, Black adults are still disproportionately affected by drug arrests. In 2019, Black adults accounted for 12% of the US population, but 27% of drug arrests.³

¹ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4834273/>

² <https://www.jstor.org/stable/43610822>

³ <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2022/02/drug-arrests-stayed-high-even-as-imprisonment-fell-from-2009-to-2019>

If you would like to discuss this further, please do not hesitate to contact Teresa Heath, OCCC Deputy Director at teresa.heath@maryland.gov or (443) 381-9289.

Sincerely,

A handwritten signature in black ink that reads "Emily Keller". The signature is written in a cursive style with a large initial "E" and a long, sweeping underline.

Emily Keller
Special Secretary of Opioid Response