



HB 193 Criminal Law - Use or Possession of a Controlled Dangerous Substance - De Minimis Quantity  
Del Cardin, lead sponsor            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 disorder to pay for their moral failings.

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

The state has a counterproductive approach to this crisis, funding efforts to help people out of the cycle of drug use, poverty and unemployment, while simultaneously impeding their job prospects with a criminal record.

Our taxpayer dollars for criminal justice do the most harm to the people who need the most help.

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 drug use. It has decisively lowered problematic drug use and improved health outcomes.

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