



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.

SB143 Criminal Law – Marijuana – Possession and Possession With Intent to Distribute
Senate Judicial Proceedings Committee January 20, 2021

FAVORABLE

I am Joseph Adams, MD, FASAM, an internist and addiction medicine physician who participated in drafting the policy statement on cannabis by the American Society of Addiction Medicine (ASAM) released in October 2020.

ASAM’s policy strongly supports decriminalization for cannabis possession and goes much further, stating, “Cannabis use and possession should be decriminalized, and civil fines and fees should be eliminated whenever possible. A range of non-mandatory civil penalties to enforce restrictions such as age, place of use, quantity limits and others may be needed, however. Contingencies such as referral for clinical assessment or educational activities are preferred as alternatives to civil penalties. There should be no mandatory minimum penalties, which disproportionately punish people of limited means.” (www.asam.org/advocacy/find-a-policy-statement/view-policy-statement/public-policy-statements/2020/10/13/cannabis)

Addiction medicine physicians and other healthcare providers are well aware that the majority of people who use cannabis do not have resulting discernable harms, and do not develop cannabis use disorder. **The greatest harms appear to be those imposed unnecessarily through harsh civil and criminal penalties** for marijuana possession.

For those with substance use disorders due to cannabis or other substances, healthcare providers work with care managers and counselors to **support employment as an important part of recovery.**

A criminal record hinders these efforts, often serving as an insurmountable barrier to employment, possibly for life. Criminal as well as civil penalties for substance use are antithetical to our efforts to help people become productive, positive influences within their families and communities.

A large group of people use cannabis recreationally, without harms, **not unlike the social use of alcohol, and often with fewer harms than daily tobacco use.** Our society’s record of criminalizing cannabis use has unfair, disproportionate and profound impacts on racial minorities and **is not actually effective in reducing its use.** These policies can actually contribute to crime and unemployment.

Currently **the charge of “possession with intent to distribute” does not require evidence of intent to distribute,** but is based simply on possession of relatively small amounts of marijuana.

We respectfully urge a favorable report.
