



# LAW ENFORCEMENT ACTION PARTNERSHIP

ADVANCING JUSTICE AND PUBLIC SAFETY SOLUTIONS

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Date: January 20, 2021

Re: SB 143 - Criminal Law – Marijuana – Possession and Possession With  
Intent to Distribute

Position: SUPPORT

To: The Maryland Senate Judicial Proceedings Committee

Distinguished Members of the Committee,

Thank you for the opportunity to testify today. I am here to represent myself, having spent my career as a criminal trial judge, and as a speaker for the Law Enforcement Action Partnership (LEAP). LEAP is a nonprofit group of police, prosecutors, judges, and other criminal justice professionals who speak from firsthand experience. Our mission is to make communities safer by focusing law enforcement resources on the greatest threats to public safety, promoting alternatives to arrest and incarceration, addressing the root causes of crime, and working toward healing police-community relations.

When I sat on the bench in the District Court of Tulsa, Oklahoma, case after case would come across my docket, and I had to decide how to administer justice in the best interest of my community. Over time, I saw how lives – how families and neighborhoods – were impacted by marijuana. In all my years working in the justice system, I never came across someone whose life was as irreparably damaged by using marijuana as it was by the legal punishment for its use.

It's time for us to stop burdening the justice system with marijuana possession cases. When police and prosecutors spend time on low-level charges, we are missing our chance to invest in serious cases and restore confidence in the justice system. Crime survivors have lost faith in the justice system's ability to serve them, and that's a travesty.

Passing SB 143 would reduce marijuana arrests, giving police, prosecutors, and judges more time to focus on the most serious offenses. In Chicago,

prosecutors have successfully reduced gun violence<sup>1</sup> by moving prosecutors off of misdemeanor dockets and into high-violence precincts where they can build cases against serial gun offenders.<sup>2</sup> We can do that, too.

Just as important, marijuana arrests cost us the public trust we need to do our jobs. With 600,000 marijuana arrests every year in the US, we have taught millions of families not to open the door for the police. We need to acknowledge that marijuana arrests are costing us dearly.

As a resident of Maryland, I'm proud to live in a state that's moved further than Oklahoma in recognizing the failure of our old marijuana policy. But a cornerstone of our democracy is acknowledging that we can always do better. We must change laws to fit the needs and best interests of our state. Right now, it's time to pass SB 143.

Thank you for your time and attention.

Judge Gordon McAllister (Ret.)  
District Court of Tulsa, Oklahoma  
Resident of Queenstown, Maryland  
Speaker for the Law Enforcement Action Partnership (LEAP)

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<sup>1</sup> "State's Attorney's Office program results in increase in repeat ...."

<https://chicagodefender.com/states-attorneys-office-program-results-in-increase-in-repeat-gun-charges/>. Accessed 6 Feb. 2020.

<sup>2</sup> "State's Attorney Foxx announces new unit to help combat gun ...." 15 Mar. 2017,

<https://wgntv.com/2017/03/15/states-attorney-foxx-announces-new-unit-to-help-combat-gun-violence-in-chicago/>. Accessed 6 Feb. 2020.