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**TESTIMONY ON HB837- POSITION: UNFAVORABLE**  
**Cannabis Reform**

**TO:** Chair Kelley, Vice Chair Feldman, and members of the Finance Committee

**FROM:** Bruce H. Turnbull, on behalf of Jews United for Justice

**My name is Bruce H. Turnbull. I am a resident of District 16. I am submitting this testimony in opposition to HB837, Cannabis Reform, on behalf of Jews United for Justice (JUFJ) and on my own behalf.** JUFJ organizes 6,000 Jews and allies from across Maryland in support of state and local social, racial, and economic justice campaigns.

JUFJ's opposition to this legislation stems from the fact that it fails to promote our core goal of promoting racial equity and racial justice. This is a core goal because we believe in the Jewish teachings that every person is made in the Divine image, that we must love our neighbor as ourselves, and that destroying one life destroys the whole world. Those and other Jewish (and human) values drive our work in relation to our legal system in many ways.

I previously submitted testimony in support of SB692 because we believe that it is quite possible that enacting SB692 could be the single action that would have the largest benefit for racial equity and justice in our state, more than any other single action this legislature could take. Convictions for cannabis possession and trafficking have disproportionately and unfairly impacted communities of color, Black and brown. Making possession and trafficking a matter of a legally regulated system, and not subject to criminal penalties, would reduce the unfair burdens of our legal system on people from those communities.

Enactment of HB837, however, would fail to achieve these critical goals. This is the case for the following reasons.

- **By allowing police searches based on the odor of marijuana, HB837 fails to protect Black and brown Marylanders from being disproportionately and unnecessarily targeted and searched by police.** This would facilitate law enforcements' disproportionate interactions with Black people, inevitably leading to more violations of Black people's rights and dignity.
- **By authorizing criminal penalties, rather than civil penalties, for possession of cannabis with an intent to sell, HB837 leaves Black people vulnerable to criminal convictions despite the "legalization" of cannabis.** In doing so, HB837 would favor corporate sellers. Without eliminating these penalties, Black people will be subject to existing arrest patterns. Legalization legislation must subject unauthorized sales to a civil penalty in the same way as operating a business without the appropriate license.

- **Expunging or vacating must be available for all of the previous convictions for various marijuana-related offenses. Failing to do so leaves Black people saddled with continued lack of access to employment, public benefits, and exposure to higher levels of incarceration than their white counterparts.** Without coverage of all such previous convictions to be expunged or vacated, many people will continue to suffer from continued time in jail or prison and, even upon release, from the collateral effects of such convictions. Those convicted of selling even small amounts of cannabis would be denied any opportunity to have their sentence reconsidered, harming them and their communities.
- **HB837 must treat smoking of marijuana in public as it does smoking cigarettes in public.** Otherwise, poor Black and brown people will continue to face unfair and unnecessary enforcement interactions with police.

**In line with the above, JUFJ believes that HB837 does not contain the elements necessary to address racial injustice of current law.** If HB837 is enacted, we fear that the effort will be well-intentioned but a failure - continuing to cause the incarceration of too many Black and brown people and perpetuating the “extra-legal” sales and distribution system that now exists.

Our primary concern is that the shift to recreational cannabis be done in the most equitable way possible. Accordingly, **we urge a unfavorable report of HB837.**

Thank you for the opportunity to provide this testimony.