



February 10, 2022

Delegate Luke Clippinger
Chair, Judiciary
House Office Building
6 Bladen Street
Annapolis, MD 21401

Re: Support for HB0001 Constitutional Amendment – Cannabis – Adult Use and Possession

Dear Chairman Clippinger and Committee Members:

As the State's Attorney for Baltimore City, I strongly support HB0001 which allows for a referendum on the 2022 ballot to decide whether marijuana should be legalized. In January of 2019, my office joined a growing number of prosecutors nationally who no longer prosecute low-level cannabis cases. After a great deal of research and studying best practices across the nation, my office determined that there is no public safety value in the prosecution of cannabis, it's counterproductive to the limited resources that are available to law enforcement, and the discriminatory enforcement of these laws has exacerbated public trust among communities of color and the law enforcement communities that serve them.

Jailing people for cannabis possession is a vast and ongoing moral failure. Evidence shows that cannabis legalization is working across the United States. States that have legalized cannabis are not only saving money and protecting the public by comprehensively regulating cannabis for adult use, but profiting through the regulation of cannabis.

It must also be realized that legalization of marijuana must be accompanied by measures to correct the errors of the past and address the harms that marijuana criminalization has had on in particular Black communities. Evidence shows that racial and ethnic groups across the nation use marijuana at similar rates, but arrest data indicates that Black people are disproportionately and disparately impacted by arrests or incarceration for marijuana possession. In the city of Baltimore, prior to the decriminalization of 10 grams or less of marijuana, Black people were six times more likely to be arrested for the possession of marijuana. While many had hoped that decriminalization would offer a respite to communities of color, to the dismay of poor Black and Brown people, those flagrant racial disparities continued to exist in my city even after the decriminalization of less than 10 grams of marijuana to a civil infraction. In 2017, 95% of the citations issued by the Baltimore Police Department were issued to Black people and shockingly, 42% of the citations issued city-wide were issued in a singled district out of nine that cover the city, the Western District, which is where 95% of the residents in this District are Black and disproportionately impoverished.

STATE'S ATTORNEY
Marilyn J. Mosby



OFFICE of the STATE'S ATTORNEY for BALTIMORE CITY
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Understanding that racial injustice and discriminatory enforcement of these laws have led to legal, social, and economic marginalization of not just individuals but whole communities, I implore you to accompany marijuana legalization with programming that works to rectify the “wrongs of the past and present” by assuring funding to communities that have had to bear the brunt of the disparate impact marijuana criminalization created. Legalization of marijuana comes with a moral responsibility to ensure that racial and social justice are addressed. In addition to legalizing cannabis, there must be reinvestment in communities affected by the war on drugs and the need for an equitable and diverse marketplace; by providing local job training, re-entry, legal aid, literacy, youth mentoring and health education programs for communities most harmed by the war on drugs.

Since 2012, 18 states and the District of Columbia have legalized the personal use of cannabis for adults. Clearly, it’s time that the state of Maryland do the same. I strongly urge a favorable report on HB0001. Taxation and regulation of cannabis is successful throughout the county and will only benefit Maryland by providing revenue and increased access to jobs for residents.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Marilyn J. Mosby".

Marilyn J. Mosby
State’s Attorney for Baltimore City