

February 14, 2022



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TESTIMONY ON HB837- POSITION: OPPOSED UNLESS AMENDED TO
CONFORM WITH SB692
Cannabis Reform

TO: Chair Clippinger, Vice Chair Moon, and members of the Judiciary 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 support of HB837, Cannabis Reform, but only with amendments to conform with SB692, 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.

We thank the Chair and Vice Chair of this Committee and the other legislators who served on the House Cannabis Referendum and Legalization Workgroup last summer and fall. The Workgroup's hearings and deliberations provide an excellent baseline for the consideration of this bill and other actions that need to be moved forward. We especially applaud the leadership of Speaker Adrienne Jones in promoting this issue, including the proposed referendum on a Constitutional amendment but also including the other elements of her proposal.

JUFJ's support of this legislation stems from 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.

It is quite possible that enacting the cannabis-related package, whether as proposed by Speaker Jones or as may be put forward by others, related to the legalization of cannabis and cannabis related products would 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.

In order to achieve this critical benefit, however, it is *essential* that any legislation to create a legal system for possession and distribution of cannabis and related products must include –

- automatic vacating of all previous convictions for acts this legislation would make non-criminal, including a mechanism to enable resentencing for any conviction that includes both a cannabis-related act and other actions found to be crimes;
- ensuring that Black and Brown businesses play significant roles in order to obtain substantial benefits from the development of cannabis-related businesses; and
- using all or a very substantial part of the tax revenue resulting from a legalized cannabis distribution system as a form of reparations to redress the long history of harm to Black Americans, starting with slavery and extending through the Jim Crow era, the War on Drugs, and most recently in the racial discrimination and inequities embedded in our society and society's institutions.

In line with the above, JUFJ believes that SB692, introduced by Senator Jill Carter, contains all of the elements necessary to address the points noted just above.

Unfortunately, HB837 as currently drafted, falls somewhat short of achieving those goals. On the issue of whether a constitutional amendment is necessary, or preferable, to achieve cannabis legalization, JUFJ is prepared to support either such a constitutional amendment (as proposed in HBI) or a statutory legalization, as contemplated in SB692. Our primary concern is that the shift to recreational cannabis be done in the most equitable way possible.

Accordingly, we urge a favorable report of HB837 but only if it is amended to conform with SB692.

Thank you for the opportunity to provide this testimony.