

**Camilla Day
6 Gerard Ct
Rockville, MD 20850**

TESTIMONY ON SB51 - FAVORABLE

**Criminal Procedure – Reasonable Suspicion and
Probable Cause – Cannabis**

TO: Chair Smith, Vice Chair Waldstreicher, and members of the
Judicial Proceedings Committee

FROM: Camilla Day

**My name is Camilla Day, and I am testifying in favor of
SB51 including with any sponsor amendments, as a
resident of Montgomery County’s District 17 and a
member of Adat Shalom Reconstructionist
Congregation in Bethesda, MD.**

While police are required to obtain a search warrant before
conducting a search, the smell of cannabis is currently used as an
exception to this constitutional right. Within the last few years,
officers in several states were found to have lied about smelling
cannabis, which is legal in Maryland, before conducting a search. Using
smell of cannabis to justify a search is clearly a loophole that can lead
to unfair searches. We need SB51 to end this loophole.

In addition, Black drivers are more likely to be stopped and searched
by police. For incidents involving Black drivers, probable cause
(including the odor of cannabis) was used to justify 67% of searches,
compared to 46% of incidents involving white drivers. Pulling drivers
out of their car because of the lingering odor of a legal substance adds
further danger to these stops. Banning odor searches would reduce
unnecessary, harmful interactions with the police.

**I respectfully urge this committee to return a favorable
report on SB51.**