

To the Members of the Senate Judicial Proceedings Committee:

I am a resident of Anne Arundel County and live in District 33A. Before I became a trauma-informed therapist, I taught Urban Anthropology to police officers at The American University. I am a member of Showing Up for Racial Justice Annapolis and Anne Arundel County.

I am testifying in support of [SB0051](#) **Criminal Procedure - Reasonable Suspicion and Probable Cause - Cannabis**, which removes the suspected odor of cannabis, and a few other cannabis-related issues, as providing probable cause for warrantless searches.

Privacy rights enshrined in the Fourth Amendment to the U.S. Constitution protect individuals from “unreasonable searches and seizures.” Now that Marylanders have voted to legalize recreational marijuana, it is unreasonable to search individuals or groups based on the odor of a legal substance.

Maryland had about 24,540 murders from 1980 to 2019. Eventually about 16,677 of those were solved. Approximately 7,863 unsolved murders remain on the books in Maryland.¹ Wouldn't law enforcement personnel and resources be better spent in trying to solve these violent crimes rather than making routine traffic stops and checking for the odor of cannabis? Wouldn't it be more reasonable to bring some resolution to the families of these murder victims?

The 14th Amendment to the Constitution provides “equal protection under the law.” Nothing is equal in Maryland or the nation when it comes to marijuana criminalization:

- Despite marijuana being used at about the same rates by Black and white people, Black and Brown people are disproportionately targeted during stops and frisks, because of their race, leading to greater rates of arrests and convictions.²
- Black citizens and other People of Color are much more likely to be stopped for small traffic infractions.³ They have their cars searched more often if the police believe there is an odor of cannabis.⁴
- One rigorous study of ten cities across the country found that white and Black drivers spend the same amount of time in their respective neighborhoods. However, police center their enforcement of speeding in small areas that are

¹ [Uncovered: Unsolved Maryland Murders.](#)

² [A Tale of Two Countries: Racially Targeted Arrests in the Era of Marijuana Reform](#)

³ [OLO Report 2022-12 Analysis of Data Montgomery County \(MD\) Traffic Violations Dataset](#)

⁴ [Cops Told the 'Smell of Cannabis' Doesn't Justify Stop and Search](#)

more often in neighborhoods of People of Color, leading to more stops in those communities.⁵

- Even in states that have decriminalized and/or legalized recreational marijuana the disparities continue to exist.⁶

The chances of police misconduct increase when small infractions, such as traffic violations, are combined with racial profiling. This puts People of Color at risk – not just of a search, but of their own lives. Think of how Tyre Nichols was beaten to death by police in Memphis.

Our elected officials should take a racial equity lens, in light of the evidence, and consider the privacy rights of all Marylanders and the importance of equal treatment under Maryland law. Racial profiling must be stopped. The passage of SB0051 would be one important step in that direction.

I strongly recommend that you support SB0051.

Thank you for your time, service, and consideration.

Sincerely,

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⁵ [Police stop Black drivers more often than Whites. We found out why.](#)

⁶ [Racial Disparities in the Wake of Cannabis Legalization](#)