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Date: February 2, 2023

Re: SB 51 - Ban pretextual stop and search based on odor of cannabis

Position: SUPPORT

To: Senate Judicial Proceedings Committee

Dear Distinguished Committee Members,

Thank you for the opportunity to submit testimony in support of Senate Bill 51, which would ban stops and searches based on the odor of cannabis. My name is Debbie Ramsey and I am a retired detective, having served 12 years with the Baltimore Police Department. I represent myself as a law enforcement professional and as a speaker for the Law Enforcement Action Partnership (LEAP). I support SB 51 because it would help restore trust between police and the community.

LEAP is a nonprofit group of police, prosecutors, judges, and other criminal justice professionals who speak from firsthand experience serving in the justice system. Our mission is to make communities safer by focusing law enforcement resources on the greatest threats to public safety and working toward healing police-community relations.

Having spent the bulk of my career with the Baltimore Police Department working as a detective with the Criminal Investigation Drug Enforcement Section, I witnessed a large amount of resources devoted to cannabis-related arrests. I also saw that when police stopped people and searched their cars without finding anything, we turned more and more people against the police.

In particular, officers destroy community trust when we conduct probable cause searches based on the odor of cannabis, because it is an unreliable and unverifiable measure. The mere scent of cannabis cannot indicate the amount of time the odor has been present, where the odor came from, or if the odor is a result of unburnt or burnt marijuana. Additionally, there is no way to confirm or deny the presence of the odor after a search.

These searches damage public confidence in police because they fall disproportionately on Black drivers. Maryland [Race-based Traffic Stop Data](#) reveal that police are two times more likely to search Black drivers and their vehicles during traffic stops than white drivers. Black drivers are more likely to face probable cause searches, which are often justified by cannabis odor – for searches involving Black drivers, officers justified 67% using probable cause, compared to 46% of searches involving white drivers.

So I was encouraged to see Maryland lawmakers introduce Senate Bill 51, which would prevent officers from conducting stops and searches based solely on the odor of cannabis. SB 51 is common sense, particularly since possession of a personal use amount of cannabis has been decriminalized in Maryland. Therefore the odor of cannabis does not indicate a crime and should no longer provide reasonable suspicion or probable cause for stops and searches.

This legislation is a necessary step in maintaining the safety of Maryland residents and their confidence in law enforcement. Marylanders have a right to a personal use amount of cannabis, and should not be stopped and searched on the basis of the odor of a legal substance.

Thank you for the opportunity to share my perspective and experience in support of this bill.

Respectfully,

Debbie Ramsey
Retired Baltimore Police Department Detective
Speaker, Law Enforcement Action Partnership (LEAP)