



MDDCSAM is the Maryland state chapter of the American Society of Addiction Medicine whose members are physicians and other health providers who treat people with substance use disorders.

HB 474 Criminal Procedure - Probation, Parole, and Pretrial Release

FAVORABLE

House Judiciary Committee March 7th, 2024.

Dear Chair Clippinger , Vice Chair Bartlett and members of the committee:

I am writing urging you to support this bill. As a health care provider with several years of experience caring for persons with substance abuse disorders in the community, I have many clients who have been involved with the criminal justice system. This bill prevents further harm to these individuals in addition to the trauma already inflicted by incarceration. Use of cannabis by adults in and of itself should not be a reason for revoking parole, probation, or pretrial release.

The bill will prevent unnecessary incarceration of non-violent offenders for the use of what is now a legal substance in the state of Maryland. This will reduce the financial burden on the state criminal justice system and free up human resources to address more serious crimes.

With less fear of being penalized for cannabis use, persons on probation and parole can develop better working relationships with their probation and parole officers who can provide more effective social support. It will hopefully foster more trust in the criminal justice system so those on parole or probation are more willing to disclose issues with the supervising officers who can then direct them to appropriate community resources.

It will avoid unintended consequences of incarceration such as loss of employment, educational opportunities, financial hardship, disruption of families and possible loss of housing.

Not punishing individuals for legal cannabis use will promote greater equality and help to redress what has often been a racially disparate system of justice in this country as the failed War on Drugs disproportionately affected persons of color.

This bill does not condone the use of cannabis while driving or participating in other hazardous activities. Driving while intoxicated is a separate issue. This bill seeks to address individuals who test positive for cannabis as part of their parole or probation visits but are not otherwise violating any laws.

We urge a favorable report.

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