

House Bill 1057

Task Force to Study the Use and Possession of De Minimis Quantities of Controlled Dangerous Substance - FAVORABLE

February 16, 2024

The Honorable Luke Clippinger
Chairman, House Judiciary Committee
Room 101, House Office Building
Annapolis, MD 21401

Dear Chair Clippinger and members of the House Judiciary Committee,

I am a lifelong resident of Maryland. My advocacy work, my investment in this legislation, and my insight into the suffering and neglected needs of people with a substance use disorder, stems from the path I walked with my son, who died of a mixed drug overdose in 2017. I loved and admired my son, and I know his death was preventable.

House Bill 1057 gives me hope for reducing the number of arrests and the impact on people who never recover from the consequences. My son had disabilities, he struggled in school and was socially awkward. I am sure he initially found that drugs eased his pain. Instead of the health-centered care he desperately needed, he was shamed and even incarcerated at one point for a relapse, where he was physically abused, consistently hungry, and robbed. He was innately sweet-natured and sensitive, and his being dehumanized and mistreated only magnified his self-doubt, dimmed his hopes for employment, and eroded his respect for criminal justice.

For more than 50 years, the war on drugs has shaped public opinion and justified our stance that those who use drugs are lesser people and are, in fact, criminals. This has brought mass incarceration, increasingly deadly substances, skyrocketing overdose deaths, loss of productivity, homelessness, disease, and untreated addiction. The impact on the lives of real people, often vulnerable people who need support, is heart wrenching.

History tells us that punitive policies do not motivate change, and that people subjected to mistreatment do not heal. Inflicting shame on individuals, and simultaneously fostering widespread societal stigma, has driven those who suffer into isolation and fear, exacerbating their problems with mental and physical health. This practice of disempowering the vulnerable, removing resources from them, and shaming them has failed. We must break this vicious cycle and think logically about how to help people move beyond destructive habits. Evidence shows us that criminal convictions diminish the likelihood of voluntary treatment and long-term wellness.

The idea that we devote substantial taxpayer dollars to criminalizing those who do not violate the rights of others when this practice has never diminished the prevalence of illicit drugs, the number of people suffering from addiction, or the death toll that has quadrupled in recent years—is hard to understand. We will never be a drug free society, but we can affect change, and be a far healthier society.

If we are comfortable with jails and prisons (where dehumanization is routine, and outright abuse, all too frequent), but are uncomfortable with alternative approaches which have proven to promote recovery, we have to examine why. How do we continue to justify a criminal justice response when the research tells us there is no relationship between drug imprisonment rates and drug use or overdose deaths? How many more people are we willing to lose until such time that we understand punitive measures for people who need help are inhumane and just plain wrong?

My son deserved to live. I would give anything to have him back, but absent that possibility, I work to spare others his fate.

Respectfully submitted,

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