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Testimony from the Maryland State Chapter of the National Organization for the Reform of
Marijuana Laws (NORML)

In Regard to:
HB0083 (Criminal Procedure –Automatic Expungement –Possession of Marijuana)

We Support Automatically Expunging Marijuana Records

Maryland NORML has no paid staff – we are entirely energized by more than 5,000 Maryland citizens committed to ending marijuana prohibition and establishing a regulated cannabis commercial market for adults who chose to use marijuana responsibly. On behalf of our membership and other Marylanders who want to see public policies designed to reduce harm and establish a more just and inclusive society.

Our current law enforcement approach makes every arrest a life sentence. Criminal records associated with marijuana possession plague individuals throughout the remainder of their life. We are familiar with barriers such records impose on employment, housing, education, parental rights, access to more lenient and restorative reentry programs, and other essential services and personal freedoms. However, the harmful legacy of these records has an even more damaging effect on our sisters and brothers because it undermines our sense of hope for redemption; it destroys our confidence that the instruments of government are there to lift us up and makes us distrustful of public institutions and the people vested with authority over certain aspects of our life here in the “free state.”

The harmful impact of these arrest records damages the individual, their family, and the entire society for no apparent public interest. Data show that children raised by adults with criminal records face real challenges - negative consequences are found in the children’s cognitive development, school performance, and even employment outcomes in their adulthood. (see “Removing Barriers to Opportunity for Parents With Criminal Records and Their Children: A Two-Generation Approach” Washington Center for American Progress, 2015)



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States across the country are taking action to enact automatic expungement legislation, and Maryland must enact this legislation to make sure our policies are not among the most draconian in the nation. Federal legislation to deschedule marijuana currently under consideration – such as the Marijuana Opportunity Reinvestment and Expungement Act recently approved by the House Judiciary Committee – envision federal resources to help states remove marijuana records, so this proposed legislation is compatible with national trends.

Forcing individuals who have already been burdened by their entanglements with our criminal justice system to independently navigate the complex record-clearing process to petition for their record expungement can prove extremely challenging, often requiring expensive legal assistance and the payment of court fees. This places record expungement out of reach for most of us. This legislation will help tens-of-thousands to move on with their lives and signal to law enforcement that we are changing the way to relate to marijuana consumers in Maryland. Rather than driving consumers to legal points-of-sale by deploying police and officers of the court, we are rapidly moving to establish a responsible adult use program where anyone with a valid identification can legally purchase marijuana and marijuana products. It is time to begin this important public policy reform, and HB0083 is a critically important place to start.

Thank you for your time and consideration.

Luke Jones, Maryland NORML