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Judiciary Committee

*Chair*  
Civil Law and Procedure  
Subcommittee



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THE MARYLAND HOUSE OF DELEGATES  
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**HB 193**  
**SUPPORT**

**Use or Possession of a Controlled Substance – De Minimis Quantity**

HB 193 makes specified violations relating to the use or possession of specified de minimis quantities of specified controlled dangerous substances a civil offense rather than a misdemeanor. This legislation has been introduced several times in the previous years and now is before the judiciary committee again.

The growing consensus across the United States from civic, secular, academic, public safety, and religious organizations is that drug addiction and abuse is a public health crisis and not a criminal offense. Effective address and remedy to this crisis require diversion, treatment, and rehabilitation rather than arrest, conviction and incarceration.

Persons with addiction disorders overpopulate Maryland's prison systems. Once a person has received a criminal conviction, he or she faces extraordinary hurdles to re-integrate back into mainstream life. A person with a criminal conviction faces discrimination in housing, in employment, in service on jury duty and in eligibility for federal assistance for food stamps, job training and housing.

Additionally, the "war on drugs" began in the late 1960's but African-American communities continue to be disproportionately affected by criminal laws related to controlled substances. The legacy of the inherent racism of the so-called war on drugs continues to linger on.

Now, in 2020 states across the country are battling the opioid epidemic by focusing on it as a public health crisis. For example, Oklahoma successfully sued the manufacturers of opioids in 2019 by proving the manufacturers had violated the state's public nuisance law. Incarcerating individuals with addiction disorders will not change or improve their ability to recover from addiction. It's time Maryland moved forward in improving its response to what is now understood nationwide to be a public health crisis I urge you to support this bill to improve Maryland's response to addiction, to the opioid epidemic and to allow thousands of Marylanders to change their lives.