

January 28, 2020

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



**House Bill 193 - Criminal Law – Use or Possession of a Controlled Dangerous Substance – De Minimis Quantity - FAVORABLE**

Dear Chair Clippinger and House Judiciary Committee members,

Baltimore Harm Reduction Coalition (BHRC), an advocacy organization that mobilizes community members for the health, dignity, and safety of people targeted by the war on drugs and anti- sex worker policies, supports House Bill 193 (Criminal Law – Use or Possession of a Controlled Dangerous Substance – De Minimis Quantity.)

This bill changes the penalty of possession of small amounts of controlled substances from a criminal offense to a graduated civil offense. The bill uses similar language as the Maryland law that makes possession of marijuana a civil offense, and extends those rules to heroin, amphetamines, cocaine, and several other substances. HB193 does not legalize any substances, nor does it sanction distribution. Instead, it seeks to divert people into social services rather than entry into the criminal justice system.

Our current drug laws criminalizing possession of substances do more harm than good for residents of Maryland. **More than 80% of arrests for drug law violations are for possession charges – not manufacturing or sale.** And for many people who use drugs, disruption of arrest and punishment creates barriers to accessing social services. We have seen firsthand the damage that involvement in the criminal legal system has on our neighbors. **Arrest is not a pathway to wellness, and fear of arrest often keeps people from seeking help.** HB193 is a step in the right direction to end the harmful war on drugs.

Furthermore, numerous reports have illuminated that drug laws are applied unevenly to Maryland residents based on race and class status. **Black Marylanders, especially those living in lower income neighborhoods, are more likely to be charged, prosecuted, and punished more harshly for drug-related offense.** This is especially concerning given that Marylanders of every race use drugs at comparable rates. The reality that these penalties are most often applied in a racially disproportionate way should increase our urgency in correcting the current law.

BHRC respectfully requests the Committee give this measure a **favorable report**. Thank you for your consideration. For more information about BHRC or this position, please contact Tricia Christensen at [Tricia@BaltimoreHarmReduction.org](mailto:Tricia@BaltimoreHarmReduction.org).