

HB283 Criminal Law - Kratom – Prohibition
House Judiciary Committee

Feb 4, 2020

OPPOSE

MDDCSAM, the Maryland-DC Society of Addiction Medicine, opposes criminalizing Kratom by listing it under Schedule I in Maryland. Although we share proponents' concerns about unknown risks and unknown purity, we feel this is likely to cause harms more severe than the use of Kratom itself.

Kratom is derived from a plant indigenous to Southeast Asia, widely used for stimulant and analgesic effects, and as an herbal and dietary supplement. It is not scheduled by the federal DEA.

A person who violates provisions of Maryland law regarding a Schedule I or Schedule II drug is guilty of a felony, and on conviction is subject to imprisonment of up to 20 years or a fine of up to \$15,000 or both. Especially considering the widespread use of Kratom, this seems draconian.

There is a risk of tolerance, withdrawal, problem use and dependence. A relatively small number of deaths have been reported in people positive for Kratom, almost always with the presence of other drugs. Risks appear to be relatively minor compared with risks of prescription opioids and other substances.

There are anecdotal reports of Kratom reducing pain, and reducing opioid use, although reliable evidence is lacking. Listing Kratom on Schedule I would make research difficult.

Alternatives to criminalizing Kratom could potentially include registration of Kratom sellers, or regulation of labeling and testing.

Unfortunately, harsh penalties are not effective at reducing drug use. Criminalization has the disadvantage of causing significant harms including fines, arrests, incarceration, life-long criminal records, the growth of criminal black markets, as well as significant criminal justice expenditures.

References:

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