



POSITION ON PROPOSED LEGISLATION

Bill: HB 488 Criminal Law – Decrim CDS

Position: Favorable

Date: February 2, 2021

The Office of the Public Defender supports HB 0488, which decriminalizes the possession of de minimis amounts of a controlled dangerous substance.

Unfortunately, overdoses have increased, in Maryland, during the public health crisis.¹ Marylander’s struggle with addiction demonstrates that simply caging drug dealers in jails has failed to save lives. Instead, this bill recognizes the drug addiction is not a criminal matter but a matter of Public Health.

In 2001, the county of Portugal decriminalized all drug possession. After decriminalization, drug overdose deaths decreased in Portugal. As well as the infection rate for HIV and Hepatitis. Portugal’s success with drug decriminalization provides Maryland a clear example of a better way to deal with drug addiction. For those reasons we support a favorable report on HB 488.²

1 <https://www.baltimoresun.com/health/bs-hs-overdose-rate-maryland-coronavirus-pandemic-20210113-rl13kzzv3jd6he2bf44wah5cbm-story.html>

2 <https://www.nytimes.com/2020/10/05/upshot/portugal-drug-legalization-treatment.html>