



**Testimony in Favor of Senate Bill 833, with amendments Cannabis - Legalization and Regulation**

**TO:** Chair Senator Delores G. Kelley and Vice Chair Senator Brian J. Feldman, and Members of the Finance Committee; and Chair Senator Guy Guzzone and Vice Chair Senator Jim Rosapepe, and Members of the Budget and Taxation Committee

**FROM:** Thomas Higdon, on behalf of The People's Commission to Decriminalize Maryland

I live in Reisterstown in the 10th district. I am survivor of addiction and the “war on drugs.” Currently, I chair the Drug Policy work group of The People's Commission to Decriminalize Maryland. The Commission is grateful to Senator Feldman for sponsoring SB 833, which addresses many important issues that are neglected in the bill passed by the House (HB 827). However, the Commission believes that there are several areas where SB 833 can be improved, and we encourage the following changes:

1. Currently, the bill only vacates past convictions and dismisses charges for possession of cannabis under two (2) ounces. We recommend that the bill be amended to address convictions and charges for all possession, regardless of amount, as well as cultivation, and distribution.
2. Currently, the bill directs only 25% of cannabis revenue to the Community Investment and Repair Fund. Given the decades of harm caused by cannabis prohibition, we recommend the bill be amended to increase this to at least 60%.
3. Currently, the bill does not allow a defendant to seek a new trial for any crime if the conviction was based on evidence discovered after a search in which probable cause was based on the presence of cannabis/odor/paraphernalia. Given how often cannabis has been used as a pretext for an otherwise unconstitutional search, we believe this must be addressed in any legalization framework.
4. Currently, the bill makes it a civil offense to use cannabis in public places where tobacco, a substance with at least 70 known chemicals to cause cancer, can be smoked. This means that cannabis will remain a pretext for police to harass people from marginalized communities. We recommend that the bill be amended to allow smoking in any public space where tobacco is allowed, subject to local restrictions.

As a person in recovery, I have seen and experienced the devastating impact of prohibition policies. It is now clear that every harm we traditionally associate with drug use is actually caused, or exacerbated, by these prohibition policies. Cannabis legalizations represents a once in a generation opportunity to begin undoing these harms and restoring our communities. For these reasons, the Peoples Commission to Decriminalize Maryland urge this committee to support SB 833, with amendments.