



**MARYLAND
LEGAL AID**

Advancing
**Human Rights and
Justice for All**

House Bill 0034

Cannabis Reform

In the House Economic Matters and House Ways and Means Committees

Hearing on February 17, 2023

Position: FAVORABLE With AMENDMENT

Thank you for the opportunity to testify on this important bill, which is a major and much needed step toward undoing the harms of the failed war on drugs. Maryland Legal Aid (MLA), as the largest provider of civil legal services in our State, supports the bill and requests a friendly amendment to dedicate 10% of cannabis tax revenue to the Maryland Legal Services Corporation (MLSC). MLSC grantees including MLA provide vital legal services to the residents of communities most impacted by this failed war, including the racially and economically disproportionate enforcement of cannabis prohibition.

As many of you know, MLA is a nonprofit law firm that last year alone provided free legal services to more than 80,000 low-income and vulnerable Marylanders. Our 12 offices serve residents in each of Maryland's 24 jurisdictions and handle a range of fundamental civil legal matters, including housing, family law, public benefits, bankruptcy, debt collection, and criminal record expungements. Our clients with cannabis arrests and convictions face challenges in each of these arenas and more—challenges that will not disappear simply because we have legalized cannabis. Ongoing support of civil legal services will make the promise of HB 556 real for our most vulnerable residents.

Civil Legal Aid: A Cost-Effective Anti-Poverty Tool to Achieve Social Equity that Delivers Results

Providing legal services to people and families who live in impacted communities is not only the right thing to do. It is an effective anti-poverty strategy that will achieve greater social equity, address the harm of our failed drug policies, and provide a return on investment for all Maryland residents. Studies have shown that civil legal aid provides \$6 of benefit for every \$1 dollar spent.

Ongoing Harms from Disproportionate Enforcement of Cannabis Prohibition

The impacted communities the bill seeks to address are our client communities – the communities MLSC grantees serve – which face disproportionate harms due to decades of over-policing and underinvestment as a result of the war on drugs. Cannabis may be legal now, but tens of thousands of people still face legal peril because of it. We can't just ignore that.

Those harms adversely impact our clients' lives every single day, resulting in urgent civil legal issues such as:

- Higher rates of eviction and/or foreclosure and higher instances of unsafe, unhealthy, and unstable housing
- Predatory lending and illegal consumer practices that drain intergenerational wealth
- Disproportionate school discipline fueling the school-to-prison pipeline
- Complex family law issues, including child custody and increased state involvement
- Expungement assistance
- Wage theft
- Lack of access to basic services and supports like unemployment insurance, social security benefits, veterans' benefits and food stamps

Providing Civil Legal Aid Ensures that No Marylander is Left Behind

Our clients targeted and impacted by cannabis prohibition deserve legal assistance and representation to address their most fundamental, basic needs. Additionally, civil legal aid issues are not unique to urban areas. MLSC has grantees across the entire state, from Western Maryland to the Eastern Shore and everywhere in between, to ensure no Marylander is left behind.

With legal help, people can access decent housing, jobs, food, and critical family supports to thrive. Research shows that the provision of legal services not only helps an individual with their legal case, it leads to more long-term solutions and helps to address systemic social ills.

While it is true that the cannabis bill provides for expedited expungement of certain cannabis-related records, expungement assistance alone doesn't fix all the missed economic, educational, wealth-building, and social opportunities of a criminal record. Nor does it address the legal issues and harms residents of disinvested communities face, including those listed above.

The Ongoing Challenge: Filling the Justice Gap

On average, MLA attorneys and other MLSC grantees are *the lowest paid* publicly funded, public interest lawyers in our state.

Despite our collective best intentions, we cannot help our communities without staff to do the work. This is where our aspirations to be a society that provides equal justice for all too often falls short. The justice gap is real and the consequences for people living in poverty are stark when a person must face the legal system alone because they don't have the money to pay a lawyer, and there are not enough legal aid lawyers to step in that gap.

MLA is deeply committed to addressing the urgent access-to-justice crisis by delivering the high-quality legal services its clients need and deserve. To accomplish this, MLA must be able to hire excellent new staff members and retain its experienced staff.

However, due to national labor shortages, the highest inflation rate in over 40 years, and rising state and federal salaries that have well outpaced MLA salaries, MLA has had significant difficulties filling vacancies and retaining its staff. Nonprofit legal services provider organizations, like ours, have not been able to keep pace with other publicly funded, public interest lawyers such as those in the Office of the Public Defender or the Office of the Attorney General.

Parity with these other publicly funded, public interest lawyers is essential to assure MLA and other MLSC grantees can meet the legal needs of people living in impacted communities. With a history of compressed salaries, MLA has lost ground recently, even with its peers – publicly funded, public interest lawyers working for the state. We routinely lose interested and talented applicants due to salary constraints as a result. Of course, we fully support the salary increases for our fellow social justice fighters; our client populations overlap significantly, and our work is complementary. But that means there should be consistent, equitable access to representation when our clients, sadly, move between their criminal, civil, and other challenges.

Parity also means equity in hiring. Low pay means that talented advocates are excluded because they can't afford to do this important work. Employees who have access to generational wealth or live in two-income households may be able to afford to accept a lower legal services salary but many employees who are first-generation—lawyers or college graduates—cannot afford to do so particularly when public interest work for the state pays significantly higher salaries and still offers public loan forgiveness. That also can mean that our lawyers don't look like our communities, which harms our ability to connect with and represent clients.

MLA Urges a Favorable Report with the Proposed 10% Amendment for MLSC

Maryland Legal Aid asks the committees to report this bill favorable with a friendly amendment to provide 10% of cannabis tax revenues to MLSC. We stand ready to be a resource to the committees and to provide any further information or assistance needed.

Respectfully submitted,

Vicki Schultz

Executive Director, Maryland Legal Aid
