

HB0556 Favorable with Amendments

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I support HB556 with amendments. This attachment has supporting information that contains my observations of how HB556 rates as a model cannabis legalization bill.

This model is not a comprehensive approach to the legalization of marihuana. This bill is primarily intended to facilitate the newly legal adult use of cannabis with a legal means to purchase cannabis. This bill does not repeal the prohibition of cannabis. The prohibition of cannabis has woven itself so deeply into the fabric of Maryland law that there are currently 6 other cross filed cannabis bills in front of the General Assembly and that only scratches the surface.

This model is a good model of what results when prohibition just retreats instead of surrendering. If the goal is stop arresting people for cannabis, why just move the goal posts? Raising the limits by the minimum is not changing the game. We should be playing an entirely different game. The War on Drugs is over. The people have spoken. Civil rights in this bill have only been partially addressed. This bill is mostly just a model for handling retail sales of cannabis and the design of this model ignores the testimony that Joe Bryce gave this body two years ago: look at the whole picture.

A model bill true to the history of the Free State would first acknowledge that the prohibition of cannabis was a successful con when it was first enacted in Maryland in 1935 and that the placement of cannabis on the Schedule 1 list in 1972 (after the Federal law prohibiting cannabis was ruled unconstitutional) was based on a lie (as confessed to by John Ehrlichman) intended to persecute minorities. Prohibition has succeeded in that goal spectacularly.

A model cannabis legalization bill would start by being a comprehensive repeal of prohibition instead of just legalization. It would not only be a comprehensive approach legislatively (systematically removing all aspects of prohibition from Maryland policy and law), it would also have support from everyone. It would be a whole of government approach including all branches of the criminal justice system (instead of against), all departments (including agriculture), all levels of government (including a slot for Federal legalization) and the minority political party. It would also be a whole of community approach, including many different types of communities ranging from the cannabis community to AAA to AARP to HBCUs. Finally, a model cannabis legalization bill would be an all of cannabis bill. The distinction between hemp and cannabis is completely arbitrary and scientific nonsense. When the law does not reflect reality, it is doomed to fail.

A model cannabis bill would systematically address the disparity in fines between alcohol, tobacco, legally prescribed narcotics, and cannabis so that we treat the underlying issues of nuisance, behavior in front of children, or danger to public health equitably. A model bill would be a unified statement from the criminal justice system that there will no longer be any searches for contraband (with or without knocks) and there will be no more arrests for possessing contraband. A model bill would release all prisoners of the drug war, especially the traffickers. Because the War on Drugs was corrupt.

A model bill would acknowledge the scientific advances in the last 30 years that have identified the Endocannabinoid System and its fundamental role in biology for all animals, not just humans. We've discovered something fundamental about how we work and it is time to spread the word whether one chooses to use cannabis or not. This is fundamental "how the world works" continuing education that everyone should get, or at least be offered. The truth about cannabis has been actively suppressed for the last 90 years. There is a lot of public education that needs to be done. A model bill would have a vision for how those conversations are going to take place and the funding to back it up. We have not even agreed on what to say about why we are doing this. Two years ago the question was asked "What will we tell our kids? If it's legal does that mean it is safe?". The simple answer to that question is that cannabis is medicine. It is not safe if you don't treat it that way. Water is not safe either. A model bill would comprehensively address how to safely use cannabis including discussions of dosing, substituting cannabis for opioid and over the counter drug use and how to secure cannabis products from children and pets.

We can not foretell what the outcome of this bill will be because all major decisions are being punted to chance or administrative decision. Take cultivation for example. The ATC could award the 20 standard licenses in the first round at up to 300,000 square feet of canopy space each or they could choose to issue 1 license for 10,000 square feet, or the lottery process could choose. The only guidance they have by statute is the intent to preserve the quantity of licenses available to be used in the future. Under this bill it is possible that I would never be allowed to apply for cannabis cultivation license because I am white and do not live in a disadvantaged area.

If you want a model bill, the cannabis community is willing to try again next year, starting on May 1. We're here to help if you will listen. We can be a model for the rest of the nation. We can do better.

Thank you,
Rusty Carr