

HI071_Louise Weissman_FWA
Date of Hearing: March 30, 2023

Louise Weissman
Greenbelt, MD 20070

TESTIMONY HB#/I071: FWA
Criminal Law and Procedure - Cannabis
Fines for Smoking in Public, Stops, and Searches

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judiciary Proceeding Committee

FROM: Louise Weissman

My name is Louise Weissman. I am a resident of District 22 in Greenbelt. I am submitting this testimony in support of HB1071_FWA, Criminal Law and Procedure - Cannabis, Fines for Smoking in Public, Stops, and Searches.

I am a member of Oseh Shalom in Laurel, MD, and a Jews United For Justice District 22 Co-Captain. As a 31 year resident of Prince George's County, I have heard about encounters between law enforcement and our residents, especially those who are Black and Brown, that escalate because of the real or perceived odor of cannabis. I have heard the stories on a few occasions.

During the November 2022 elections Maryland voters enthusiastically supported the measure to legalize adult use and possession of marijuana after our state legislators took affirmative action during the 2022 session. This was a tremendous step forward in repairing harms done by the "War on Drugs," which more aptly should be called a war on Black and Brown people. But unfortunately, there are still dangerous and egregious loopholes in the law and tools that can be used by police officers to initiate stops and searches.

Police encounters that begin based on the odor of marijuana undermine the right to privacy and violate the 4th Amendment. The tactic is used to justify racial profiling, intrusive searches, and police escalation. Marylanders should not fear police interactions because of the lingering odor of a now-legal substance. It is only a logical extension of the State's legislators' action and voter approval last year, that Maryland lawmakers this year ensure law enforcement can no longer use this loophole.

Additionally, I strongly believe the "exclusionary rule" must be codified into the bill. If the exclusionary rule is not codified, the bill will be unenforceable and will not deter the police from conducting illegal searches.

I respectfully urge this committee to return a favorable report on HB107_FWA