Hb0927 Criminal Law – Use or Possession of a Controlled Dangerous Substance – De Minimis Quantity Christine L. Miller, Ph.D. Neuroscientist and author, <u>ORCID</u> Idlewylde, MD 21239 cmiller@millerbio.com

Unfavorable

1) The sponsors of this bill should provide data from Baltimore's decriminalization of drugs by State's Attorney Marilyn Mosby. That policy did not *appear* to result in a decrease in use or a decrease in addiction rates in the city, and the type of violent crimes commonly associated with drug use did not go down but went up.

2) By facilitating drug possession, this bill could make it more difficult for users who are homeless to be accepted into a homeless shelters many of which are drug/alcohol free or require drug testing, for example: https://hruth.org/get-help/shelter-options/ https://hruth.org/get-help/shelter-options/ https://https//https://https://https//https//https://https://https://https://https/

3) The amounts of cannabis specified as meeting the requirements for a civil citation do not appear to be consistent with the law that has legalized cannabis use

4) Possession of a de Minimus amount MAY result in the court ordering drug treatment (or it may not), and there are no provisions as to what will happen if the person doesn't show up for treatment; there is no mechanism to enforce treatment.

Decriminalization of drugs in Oregon has not resulted in more treatment: https://onlinelibrary.wiley.com/doi/abs/10.1002/adaw.33565 https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4275672

5) There is every reason to believe that the quality of life will decrease in Maryland as it has for cities in other states that have decriminalized most recreational drugs:

MAJOR CITIES THAT HAVE DECRIMINALIZED ALMOST ALL DRUGS AND THE ADVERSE CONSEQUENCES AS DESCRIBED IN NEWS REPORTS

SAN FRANCISCO

"How San Francisco Became a Failed City, The Atlantic, Jun 2022"

https://www.theatlantic.com/ideas/archive/2022/06/how-san-francisco-became-failed-city/661199/ "In addition to the supervised drug-use facility in the plaza, San Francisco has a specially sanctioned and city-maintained slum a block from City Hall, where food, medical care, and counseling are free, and every tent costs taxpayers roughly \$60,000 a year. People addicted to fentanyl come, too, because buying and doing drugs here is so easy. In 2014, **Proposition 47, a state law, downgraded drug possession from a felony to a misdemeanor, and one that Boudin said he wouldn't devote resources to prosecuting.**

This approach to drug use and homelessness is distinctly San Franciscan, blending empathy-driven progressivism with California libertarianism."

https://abc7news.com/sf-drug-crisis-tenderloin-homeless-video-use/12044189/

"Video shows severity of SF's drug crisis as children try to navigate past users"

https://www.prospectmagazine.co.uk/world/san-franciscos-drug-crisis-democrats

September 22, 2022 "San Francisco's drug crisis is a problem for Democrats"

"Liberal efforts to tackle homelessness and drug problems appear to have failed. What next for America's most famous liberal city?"

LOS ANGELES

https://www.dailymail.co.uk/news/article-11703875/Ex-Skid-Row-drug-addict-slams-Californias-politicians-not-incentivizing-people-sober.html

"Jared Klickstein, a recovering drug addict, who spent time living on Skid Row and in prisonCalifornia politicians are getting the issue wrong. 'People need to be incentivized to get sober. And right now they're being incentivized to kind of do whatever they want - do fentanyl in the streets, commit crimes to support their habits - and it's just not going to fix anything,' he said.There are at least 69,144 homeless people in Los Angeles County currently, according to <u>data</u> from the city of West Hollywood. That figure is nearly double the number - <u>36,165</u> - recorded less than five years ago in 2019.

"Overdoses, not COVID-19, drive spike in LA homeless deaths"

https://www.kcra.com/article/overdoses-not-covid-19-drive-spike-in-la-homeless-deaths/39815177

"Los Angeles County is home to the Skid Row neighborhood, notorious for poverty and **drugs** and where LA's homeless population was once largely confined. Now, rows of tents, cardboard shelters, battered RVs and makeshift plywood structures are familiar sights throughout the nation's second-most populous city."

https://www.latimes.com/california/story/2022-08-03/six-starbucks-los-angeles-area-storespermanently-close

"Six Starbucks stores across L.A. area permanently close "

"I'm so sad," said Blair, who works near the former Hollywood and Vine store. "It's my favorite Starbucks That store is <u>one of six Los Angeles locations</u> that permanently shuttered at the end of July due to "a high volume of challenging incidents that make it unsafe to continue to operate," according to a Starbucks spokesperson, who cited the ongoing mental health crisis, **drug use** and chronic homelessness as contributing factors."

https://www.foxla.com/news/community-city-reacts-to-santa-monica-is-not-safe-sign

"Community, city reacts to 'Santa Monica is not safe' sign"

"There's sex workers here," said John Alle, who is also with the Santa Monica coalition. "There's **drug dealing in the open**, 8, 9 a.m. in the morning, 10, 11 p.m. at night. We have four to five people dying a month in the alleys from overdoses of fentanyl."

https://www.latimes.com/california/story/2023-02-24/overdose-deaths-on-metro-trains

"Rise of **drug overdose deaths** and crime pushes Metro to weigh more security" "A view of a mural of the slain rapper Nipsey Hussle as a train on the Metro K Line zooms by during a test run in South Los Angeles. An alarming rise in crime on L.A. County transit trains and buses is prompting Metro to request more safety officers." (Mel Melcon / Los Angeles Times)

https://www.latimes.com/california/story/2023-01-10/county-state-of-emergency-homelessness "L.A. County poised to declare state of emergency over homelessness crisis"

PORTLAND

https://www.kgw.com/article/news/local/the-story/oregons-drug-decriminalization-flaws/283-6b5c022f-f437-4476-ba44-c6d163ca6d7b

Experts offer harsh assessment of Oregon's drug decriminalization policy so far

But many people see **the measure as a contributor to the state's drug addiction problem**, and some argue it should be repealed......So on the one hand, we have highly rewarding drugs which are widely available. On the other hand, little or no pressure to stop using them. Under those conditions we should expect to see exactly what Oregon is experiencing. Extensive drug use, extensive addiction and not much treatment seeking

https://www.eou.edu/voice/2022/06/04/approaching-two-years-of-drug-decriminalization-in-oregon/

Approaching two years of Drug Decriminalization in Oregon

"Oregon Measure 110, the Drug Decriminalization and Addiction Treatment Initiative was an initiative introduced on the ballots in November 2020......Since then, drug-related arrests have gone down, but little progress has been made in recovery efforts. With substance abuse disorders being so prevalent in Oregon, it has become a public issue that is too large to ignore.The high percentage of the Oregon population with substance abuse disorders is a public problem as it creates not only financial costs but also social and health-related costs. According to the Oregon Alcohol and Drug Policy Commission, state spending on substance more than quadrupled since 2005—consuming nearly 17% of the entire state budget in 2017. Less than 1% of those funds, however, were used to prevent, treat, or help people recover from substance misuse. The majority of those dollars went to pay for escalating health and social consequences created by the lack of investment in prevention, treatment, and recovery.......Almost two years after the fact, Oregon's measure 110 continues to fall-short in terms of rehabilitation efforts."

https://www.foxnews.com/media/military-veteran-exposes-alleged-portland-drug-encampmentoutside-front-door-absolutely-atrocious

Portland, Oregon, residents are sounding the alarm on <u>drugs, crime and homelessness</u> in the city and say liberal policies are to blame for the dangerous decline in public safety.

Readers respond: Portland's deterioration

https://www.oregonlive.com/opinion/2022/09/readers-respond-portlands-deterioration.html

Published: Sep. 22, 2022, 6:00 a.m.

"I moved to Portland to join a progressive community that prioritized sustainability, openmindedness and a steadfast support of local businesses and artisans. This was the Portland that was – a beacon of a supportive, free and vibrant way of life.

That Portland was founded on ideals that longtime residents held dear – welcoming all, preserving natural beauty, cultivating a prosperous local economy. It was primed to grow into a great American city.

Every day Portland deteriorates by allowing crime, dangerous on-street living conditions and government ineptitude to overshadow these ideals. Every day that beacon is dimmed. We need to ask ourselves: Is the Portland that is yet to come the one that we want? *Jay Nelson, Portland*"

SEATTLE

https://www.washingtonpost.com/local/public-safety/no-charges-for-personal-drug-possessionseattles-bold-gamble-to-bring-peace-after-the-war-on-drugs/2019/06/11/69a7bb46-7285-11e9-9f06-5fc2ee80027a_story.html

No charges for personal drug possession: Seattle's bold gamble to bring 'peace' after the war on drugs....Many people who once would have been locked up are now immediately offered help. It is a profound shift that builds on efforts launched here in recent years to divert low-level drug offenders into treatment and other programs to assist with recovery.

https://www.city-journal.org/feckless-in-seattle

"<u>Citing</u> persistent violence, including a homicide directly in front of its main building, Amazon recently announced that it was temporarily relocating its Seattle staff to a new location"

https://www.theguardian.com/artanddesign/gallery/2022/mar/21/homelessness-and-violence-on-therise-in-seattle-in-pictures

Seattle faces dire challenges, including homelessness and rise in violent crime - in pictures

"A homeless man, 24, holds a piece of aluminum foil he used to smoke fentanyl. Drug addiction is endemic in Seattle's large homeless community"

VANCOUVER

https://www.youtube.com/watch?v=PT8OU8Yhs_s



