



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

SPONSOR TESTIMONY IN SUPPORT OF HB0927

(CRIMINAL LAW -

USE OR POSSESSION OF A CONTROLLED DANGEROUS SUBSTANCE - DE MINIMIS
QUANTITY)

Delegate Sheila Ruth

February 24, 2023

There is a saying, often misattributed to Albert Einstein, that insanity is doing the same thing over and over and expecting different results. Over 50 years of mass incarceration in the so-called war on drugs have not reduced substance use or made us safer. Instead, it has destroyed lives and devastated communities, disproportionately harming Black people and people of color. [Research has shown](#) that arrest and incarceration do not act as a deterrent to drug use.

Addiction is a public health crisis, not a crime. People with substance use disorders need treatment, not incarceration.

The human costs of addiction for those afflicted with it and their loved ones can be devastating. Arrest adds to that burden and sets people suffering from substance use disorders up for a cyclical lack of success, with many losing their job, experiencing estrangement or forced separation from family, and then the added trauma of incarceration. After release from prison they may be unable to find work, and many relapse to substance use.

If harm reduction is truly the aim of our justice system, it's time to turn away from these genuinely harmful policies, which do nothing to improve public safety or reduce drug use, and to treat addiction and substance use as the public health crises that they are.

HB927 decriminalizes the possession of very small "personal use" amounts of controlled substances, making it a civil offense with a fine of not more than \$100. In addition to the fine, the court may refer a person under 21 for substance use or mental health assessment and/or treatment. If the individual requests a trial on the citation, the court is directed that the case should proceed in drug court.

HB927 is one small but important step forward in treating substance use as a health issue and minimizing the harm caused by contact with the criminal justice system. I ask for a favorable report on House Bill 927.