



# Maryland Alliance for Sensible Drug Policy

LIVED EXPERIENCE. REAL SOLUTIONS.

March 5, 2026

The Honorable J. Sandy Bartlett  
Chair, House Judiciary Committee  
101 Taylor House Office Building  
Annapolis, Maryland 21401

**RE: HB1309 – Commission to Review and Assess Racial Disparities in the State  
Criminal Justice System – FAVORABLE**

Dear Chair Bartlett, Vice Chair Davis, and members of the committee:

I'm submitting this testimony in strong support of HB 1309 on behalf of the Maryland Alliance for Sensible Drug Policy (MASDP), a state-wide advocacy group lead by people with lived or living experience with substance use. The purpose of this bill is to address racial disparities within the criminal justice system throughout the state of Maryland. MASDP supports this goal, however, we will focus our testimony on one area: racial disparities in the enforcement and prosecution of drug crimes.

The “War on Drugs” has historically served as a gateway to the justice system, and racial disparities exist throughout the process, including selective policing, arrests, charging decisions, and sentencing practices that concentrated punishment in Black and Brown communities, even when rates of drug use are similar across all racial groups.<sup>1</sup> As a result, drug crimes do not lead to just individual convictions, they also affect entire communities that endure the prolonged effects of increased surveillance, incarceration, and supervision, along with the collateral consequences of lost opportunities for employment and stable housing that follow criminal justice involvement.

## **Lived experience**

For many of our members, the racist impact of the War on Drugs is not abstract concept, it is lived every day. It is getting stopped and searched for simply walking home. It is seeing friends battling addiction repeatedly arrested, only to be released back into society with few job prospects, unstable housing, and an elevated risk of overdose. It is watching family members try to provide support to an addicted loved one who has been arrested on a drug charge, while also juggling

treatment costs, court fines, probationary requirements, and the ever-present fear of returning to prison if their behavior does not meet expectations of the carceral system.

## Supporting evidence

The data makes it clear what people with lived or living experience with drugs have been saying for decades – the “War on Drugs” does land evenly on all communities. Black and brown communities sacrifice more than white ones.

- **State level drug arrests:** Peer reviewed research found that 84% of people arrested for drug related charges in Baltimore were Black, even though they make up only 60% of the city’s population. The researchers found that these racial disparities got worse during a period when the overall number of drug related arrests declined.<sup>2</sup>
- **State level drug sentencing:** The Maryland State Commission on Criminal Sentencing Policy found that 63.4% of defendants sentenced in felony drug cases were Black, even though only third of Maryland’s population identify as Black or African-America.<sup>3</sup>
- **Federal enforcement:** The Bureau of Justice Statistics reported that 77% of defendants in federal opioid cases were Black and Hispanic, even though they represent only 33% of the US population.<sup>4</sup>

## Request

For these reasons, MASDP respectfully requests a **FAVORABLE** report on HB 1309. Thank you for your consideration. MASDP is available as a resource to the Committee and to the Commission, including connecting you with Marylanders directly impacted by drug enforcement disparities who are willing to share their experiences and recommendations.

Sincerely,

Thomas Higdon  
Executive Director

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<sup>1</sup> SAMHSA. (2023). *Highlights by Race/Ethnicity for the 2022 National Survey on Drug Use and Health*.

<https://www.samhsa.gov/data/sites/default/files/reports/rpt42731/2022-nsduh-race-eth-highlights.pdf>

<sup>2</sup> Rouhani, S., Tomko, C., Silberzahn, B. E., et al. (2023). Racial disparities in drug arrest before and after de facto decriminalization in Baltimore. *American Journal of Preventive Medicine*, 65(4), 560–567.

<https://www.ajpmonline.org/article/S0749-3797%2823%2900174-5/fulltext>.

<sup>3</sup> Maryland State Commission on Criminal Sentencing Policy. (2023). *An assessment of racial differences in Maryland guidelines-eligible sentencing events (July 2023; updates through December 19, 2023)*.

[https://msccsp.org/Files/Reports/Sentencing\\_Racial\\_Differences\\_Assessment\\_July2023.pdf](https://msccsp.org/Files/Reports/Sentencing_Racial_Differences_Assessment_July2023.pdf).

<sup>4</sup> Bureau of Justice Statistics. (2024, February 29). Heroin, fentanyl, and other opioid offenses in federal courts, 2021 (press release). <https://bjs.ojp.gov/press-release/heroin-fentanyl-and-other-opioid-offenses-federal-courts-2021>.