Written Testimony submitted by The National Organization for the Reform of Marijuana Laws (NORML)

To the Maryland House of Delegates Judiciary Committee
In Support of SB 127
April 3, 2018

The National Organization for the Reform of Marijuana Laws (NORML) supports the passage of Senate Bill 127, which amends minor marijuana possession penalties and further penalizes the use of cannabis inside a motor vehicle.

As approved by the Senate, SB 127 would replace criminal penalties with civil fines for those adults found to be in the possession of between ten grams and one ounce of cannabis. This change would make Maryland’s marijuana possession penalties consistent with those of numerous other states, such as Mississippi, New York, Nebraska, and Ohio – all of which treat offenses involving the possession of one ounce or more of cannabis as a non-arrestable offense.

Enacting SB 127 would spare thousands of Marylanders from criminal arrest, prosecution, and incarceration, as well as the emotional and financial hardships that follow -- including the loss of access to jobs, student loans, federal and state subsidies, and child custody rights. Though monetary sanctions would remain in place for violators of the law, offenders would no longer be saddled with the stigma and lost opportunities associated with a lifelong criminal record.

Studies by the National Academy of Sciences\textsuperscript{1} and others\textsuperscript{2} have consistently shown that the enactment of these alternative sentencing penalties, commonly known as ‘decriminalization,’ is not associated with increased marijuana use or access, particularly among young people. According to a 2018 analysis by the National Bureau of Economic Research, passage of Maryland’s 2014 decriminalization law

\textsuperscript{1} Marijuana and Medicine: Assessing the Science Base, 1999.  "In sum, there is little evidence that decriminalization of marijuana use necessarily leads to a substantial increase in marijuana use." (page 102)

\textsuperscript{2} http://norml.org/aboutmarijuana/item/marijuana-decriminalization-its-impact-on-use-2
shifted police priorities toward the prevention and enforcement of more serious crimes while having no adverse effect on marijuana use patterns.

Authors reported that the enactment of marijuana decriminalization in Maryland and in four other states (Massachusetts [decriminalized in 2008], Connecticut [2011], Rhode Island [2013], Vermont [2013]) “was associated with large and immediate decreases in drug-related arrests for both youth and adults. ... The sharp drop in arrest rates suggests that implementation of these policies likely changed police behavior as intended. ... Decriminalization was not associated with increased cannabis use either in aggregate or in any of the five states analyzed separately, nor did we see any delayed effects in a lag analysis, which allowed for the possibility of a two-year (one period) delay in policy impact. ... On the contrary, cannabis use rates declined after decriminalization. ... [T]he lag analysis suggested a potential protective effect of decriminalization.”

Passage of SB 127 is strongly supported by Marylanders. According to a 2017 statewide Goucher poll, 58 percent of residents support the total elimination of criminal penalties for adult use marijuana possession. Senate Bill 127 also enhances public safety by explicitly prohibiting the use of marijuana by a driver or occupant in a motor vehicle. While marijuana’s impact on psychomotor performance is subtle compared to that of alcohol, such behavior should nonetheless be discouraged. The enactment of such restrictions is a common-sense approach to deterring potential drugged driving behavior and promoting public safety.

In summary, Senate Bill 127 seeks to reduce government expenditures and promote public safety. This bill is supported by a majority of Maryland voters, and will have a positive impact on the quality of life for tens of thousands of Marylanders. For these reasons, NORML encourages members of the House to concur with their Senate colleagues and pass SB 127.

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