

MARYLAND ALLIANCE FOR JUSTICE REFORM

Working to end unnecessary incarceration and build strong, safe communities



To: Chair Luke Clippinger and House Judiciary Committee members
From: Phil Caroom, MAJR executive committee

Feb. 16, 2021

Maryland Alliance for Justice Reform (MAJR - www.ma4jr.org) strongly supports HB 32 / SB 708 plans for legalization, safe regulation, public education, and tax revenues finding historic evidence shows this will provide substantial net benefits to public safety, public health and taxpayer savings. We also recognize that recent polls show strong public support both in [Md. \(57%\)](#) and [nationwide \(67%\)](#) for such action.

The historic evidence: Marijuana possession wasn't always illegal in the U.S. [In 1937, a federal excise tax was charged; in 1951, a federal penalty for possession of up to two years first was imposed. When federal "controlled dangerous substance"\(CDS\) schedules were created in 1970, marijuana was classed as Schedule I for drugs "having a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use of the drug or other substance under medical supervision."](#) (Maryland law, of course, already has declared that classification to be wrong.) [Many previous recommendations to decriminalize marijuana have been made by various governmental commissions--notably including an early one, in 1972, rejected by President Richard Nixon.](#)

Public safety and public health benefits: [As with Prohibition of alcohol in the 1920s and 1930s, criminalization of marijuana has led to proliferation crime cartels, violent crime among drug dealers, increasingly strong and toxically impure products, stigma for seeking related healthcare, much higher government costs for law enforcement and incarceration, and loss of massive potential tax revenue.](#)

Disparate racial impact in criminal justice enforcement: Another serious problem with marijuana's criminal status involves systemic racism: [While studies show that white and black Americans use the drug at similar rates, blacks are arrested, charged and incarcerated at multiple times greater rates than whites. One estimate is that 88% of all marijuana possession arrests are made against blacks. The resultant economic and social costs to families and communities](#) are unacceptable and should be eliminated.

Taxpayer savings and revenue benefits available for public education and other needs: Marijuana decriminalization still would leave enforcement problems and negative impacts on families and communities. Decriminalization and regulation, as has long been done with alcohol sales, is the answer. [In Massachusetts—a state comparable in size to Maryland, first year tax revenues on legal marijuana sales reached nearly \\$400 million.](#) Huge savings also would be used by reduction of current governmental law enforcement and incarceration costs. Such revenue is sorely needed in Maryland and could be used for crime prevention and education.

Other states' examples: [Eleven U.S. states have legalized marijuana use recreationally and 33 have legalized medical marijuana use. Some estimate that the cascade of legalization could reach 40 U.S. states in the coming year. Notably, Maryland's neighbor Virginia already has decriminalized up to one ounce of marijuana, eff. 7/1/20, subject to a \\$25 fine and no incarceration; complete legalization legislation is under consideration.](#)

Ample evidence-based studies have compared the legal systems established in U.S. states that have legalized marijuana, identifying best practices to regulate product safety, minimize juvenile use, anticipate traffic and health concerns, and maximize tax revenues.

Status of the legislation

[Maryland's legislative leaders have conducted a multi-year study of other U.S. states' experience with marijuana legalization and](#) HB 32/ SB 708 constitute the well thought-out result. MAJR, again, strongly urges support for this long overdue public policy change.

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PLEASE NOTE: Phil Caroom files this testimony for MAJR and not for the Md. Judiciary.