



*Laura Subin, Esq., director, Vermont Coalition to Regulate Marijuana
Testimony on H.170
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The Vermont Coalition to Regulate Marijuana continues to support H. 170, including the changes reflected in the most recent draft.

H. 170 reflects a balanced approach that takes seriously the need to reform penalties for marijuana possession so that they are more consistent with the widely held view that adults possessing small amounts of marijuana for personal use does not create harms that amount to a compelling state interest- especially when balanced against individual privacy and autonomy rights.

As you have heard in testimony, even opponents of marijuana policy reform generally agree that decriminalization of one ounce or less was a successful policy reform. It greatly reduced the waste of criminal legal resources on marijuana possession prosecutions and it did not significantly add to existing public health or public safety problems. In fact in regard to teen use - one of the most frequently cited concerns about marijuana legalization- according to the Department of Health, there has actually been a statistically significant decline in the period since decriminalization.

Decriminalization did, however, bring with it some unintended consequences. It led to confusion for law enforcement and the public as to whether even the smallest trace of marijuana still justified warrantless searches and seizures. Thousands of individuals continued to be stopped and cited for marijuana violations and we have reason to believe that those stops may have had a disproportionate impact on people of color. Fines associated with marijuana violations also impacted the poorest Vermonters the most, amounting to most of a week's pay for someone making minimum wage.

Removing all penalties for this lowest possession threshold addresses these problems. Allowing for limited home cultivation by adults for personal use also offers a legal way for consumers to access what will become legal for them to possess. It is another logical next step in marijuana policy reform.

Many members of the Coalition I represent would like to see further expansion of legal possession limits so that marijuana laws would continue to become more equitable in relation to alcohol laws. However, I appreciate and understand the clear, measured approach that led this committee to the limit thresholds included in the most recent draft of the bill. Removing all penalties for what had been decriminalized, creating civil penalties for what had been the lowest level misdemeanors and making additional incremental adjustments from there makes sense. It is an appropriate follow up action to what is, again, almost universally viewed as successful reform.

The newest version also successfully addresses some potential for unintended consequences by repealing delinquency provisions.

H. 170 continues to be an important piece of criminal justice reform legislation. It would make our marijuana policy fairer and more consistent. It is worth adopting and adopting now for those reasons alone. There would though be critically important additional benefits to adopting this legislation. It would move Vermont forward towards more honest dialogue regarding substance use and abuse and would help Vermonters have greater faith in the integrity of our public policies. In these ways it is a reform that will support- not stand in the way of- other possible reforms that may be considered by the appropriate committee in the future such as increasing spending on substance abuse prevention and treatment and highway safety.