



Working to Reform Marijuana Laws

My name is Carly Wolf, State Policies Manager for The National Organization for the Reform of Marijuana Laws (NORML). I wish to thank the Chair and members of the Committee for considering my testimony in favor of House Bill 1201. NORML is supportive of legislative efforts to remove criminal penalties for the possession of personal use quantities of cannabis by adults.

House Bill 1201 amends state law so that the possession of up to one ounce of marijuana is classified as a civil rather than as a criminal offense -- punishable by a ticket of up to \$50.

Legislation enacted in 2019 reclassified the possession of up to one-half ounce of cannabis and/or the personal possession of marijuana-related paraphernalia for a first-time offender from a criminal misdemeanor, punishable by up to 30 days in jail, to a criminal infraction -- punishable by a fine but no possibility of jail time.

Nonetheless, under the law, offenders are still saddled with the stigma and lost opportunities associated with a lifelong criminal record -- despite lacking the possibility of jail time. By contrast, the enactment of HB 1201 would continue to discourage marijuana abuse while halting the practice of permanently criminalizing thousands of otherwise law-abiding citizens of North Dakota.

Decriminalizing low-level marijuana offenses will ensure that minor marijuana possession offenders, many of them young people, are not saddled with a criminal record and the lifelong penalties and stigma associated with it.

The American Civil Liberties Union research report, *A Tale of Two Countries: Racially Targeted Arrests in the Era of Marijuana Reform* (2020) concluded: "On average, a Black person is 3.64 times more likely to be arrested for marijuana possession than a white person, even though Black and white people use marijuana at similar rates. Just as before, such racial disparities in marijuana possession arrests exist across the country, in every state, in counties large and small, urban and rural, wealthy and poor, and with large and small Black populations."¹

Findings in this same report show that in North Dakota in 2018, almost 2,700 individuals were arrested for marijuana law violations. Of those arrested, 94 percent of defendants were charged with possession only. Arrests for the possession of marijuana in the state made up almost half of all drug arrests in 2018.

Black people in North Dakota are more than five times as likely to be arrested for marijuana-related violations as are white people. In places like Morton, Black people are almost

¹ <https://www.aclu.org/report/tale-two-countries-racially-targeted-arrests-era-marijuana-reform>





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ten times as likely to be arrested for marijuana possession than white people. North Dakota ranks 7th in the nation for largest racial disparities in marijuana arrests.

If lawmakers truly wish to reap the societal and fiscal benefits of decriminalization, and truly wish to significantly reduce the number of North Dakota adults adversely impacted by a criminal record, then I urge members of the committee to support the passage of HB 1201, to fully decriminalize the possession of up to one ounce of cannabis by adults.

