

MARIJUANA: Where Will the Money Go?

Pass an Ordinance in Prince George's County that Centers Reparations in the Local Community Reparations and Reinvestment Fund (Bill Number CB-88-2023)

BACKGROUND

The dangerous “war on drugs” and the criminalization of marijuana has facilitated the over-policing and mass incarceration of Black and Brown people for decades. Thousands of people are arrested in Maryland every year for marijuana-related violations, the majority of them Black.

Back in 2010, Black people were nearly 3 times more likely to be arrested for marijuana possession, despite lower rates of lifetime usage than white people and similar rates of past year usage.¹ Today in Maryland, Black people are more likely to be arrested for marijuana possession, and once arrested, are disproportionately convicted.

Once convicted, Black people receive longer sentences than white people for both misdemeanor and felony marijuana offenses.² The collateral consequences of this targeted over-criminalization not only effect the mental, financial, and emotional wellbeing of Black people who are targeted, but also affect their families and wider community networks.³

COMMUNITY REPAIR AND REINVESTMENT FUND

In 2022, the Maryland General Assembly created the *Community Repair and Reinvestment Fund (HB 837)*. **This fund will receive at least 35 percent of the state tax revenue from the new recreational cannabis market.**



The purpose of this fund is to provide resources to communities most directly impacted by the “war on drugs” through a reparations framework.

Under *HB 837*, each county and Baltimore city must adopt a local ordinance outlining the process for distributing the funds and where the funds should go.

Reparations are about providing the investments necessary for Black people to be able to build the institutional structures to practice freedom.

The *Community Repair and Reinvestment Fund* presents an opportunity to invest in grassroots community organizations that are working to serve the community but may not have traditional 501(c)(3) organization status, a fully operational administrative infrastructure, or the technical assistance they need to navigate the process to receive public dollars.

Organizations will be able to better serve their communities within a more robust network and ecosystem of Black-led institutions that have the ability to meet their own needs without relying on institutions outside the community. A community controlled board would be able to establish this network.

We urge the Prince George’s County Council to pass an ordinance that establishes a permanent community-controlled Board made up of members who have rigorous expertise in reparations and the impact of the “war on drugs” to decide how the money will be spent and to oversee local implementation of the fund.

LEARN MORE: aclu-md.org/marijuana

WHY THE REPARATIONS FRAMEWORK?⁴

Drawing on the philosophy behind reparations, which has historical roots in the Black freedom struggle in the United States, the Community Repair and Reinvestment Fund provides a form of redress for the harms caused by the “war on drugs” and marijuana prohibition. It was a recognition of these harms that helped drive Marylanders to organize around marijuana legalization.

To repair and rebuild communities destroyed by marijuana criminalization, and to collectively move on from this dark period in our state’s history, the reparations framework must be placed front and center in local implementation efforts.

The structure of the Board, if effectively organized, will create meaningful mechanisms for the community to have the power to drive where the Board invests the fund in Prince George’s County.

At its core, the Community Reinvestment and Repair Fund is a reparative program. However, the success of the fund depends on the participation of people with the unique knowledge about the needs within their communities caused by decades of criminalization and disinvestment.

SOURCES:

¹ <https://www.aclu.org/wp-content/uploads/legal-documents/1114413-mj-report-rfs-rel1.pdf>, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8477268/>

² https://msccsp.org/Files/Sentencing_Snapshot/Issue7.pdf

³ <https://nij.ojp.gov/topics/articles/hidden-consequences-impact-incarceration-dependent-children>

⁴ <https://www.aclu-md.org/en/publications/cannabis-advocacy-toolkit>