

TESTIMONY IN SUPPORT OF 19-S 472
AN ACT RELATING TO FOOD AND DRUGS – UNIFORM CONTROLLED SUBSTANCES ACT
April 9, 2019

The ACLU of Rhode Island supports S 472, which would reclassify simple drug possession from a felony to a misdemeanor charge. The national conversation around substance use disorder has increasingly begun to refocus on rehabilitative and constructive measures rather than incarceration, and we believe that this legislation is a critical step in that direction for Rhode Island.

The implications of a felony charge versus a misdemeanor are substantial, and greatly impact the ability for an individual to seek recovery services and move on with their life. A felony charge affects one's everyday life with a huge reach, impacting facets such as the occupational licensing and employment that an individual can procure, the housing an individual can apply for, and the way that one can pursue high education, as a felony charge serves as a disqualification for federal grants and funding programs. Widening access to these systems will serve to decrease recidivism, as an individual's criminal record will not automatically exclude them from the very structures they need to support their recovery.

It must also be noted that the impact of felony drug charges disproportionately affects communities of color and low-income communities. While we fully appreciate the important provisions contained within this bill and the impact they will have on Rhode Island's criminal justice system, we also believe that the bill should include a mechanism to retroactively decrease the charges of individuals who have been charged with a felony for possession in the past. This will increase opportunities for those communities which have been the target of over-policing and incarceration and is an important move for social and restorative justice.

Overall, we believe that this piece of legislation is a positive and essential step towards promoting recovery and reforming the criminal justice system in Rhode Island, and we urge its passage. Thank you for your consideration.