



128 Dorrance Street, Suite 400
Providence, RI 02903
Phone: (401) 831-7171
Fax: (401) 831-7175
www.riaclu.org
info@riaclu.org

ACLU OF RI POSITION: SUPPORT

TESTIMONY ON 24-H 7315, RELATING TO FOOD AND DRUGS – UNIFORM CONTROLLED SUBSTANCES ACT March 21, 2024

The ACLU of Rhode Island supports this measure, which would make the possession of small amounts of certain controlled substances a civil violation.

The overcriminalization of controlled substances – and the disproportionate impact that this has had in particular on BIPOC communities – is a foundation of our current mass incarceration crisis. In addition to the significant and harmful racial disparities in our criminal justice system that enforcement of controlled substance offenses has perpetuated, it is simply bad public health policy to harshly punish individuals who are experiencing a substance use disorder.

A punitive approach to controlled substances has not resulted in a lessening of use nor has it positively impacted the proliferation of these substances in our communities. Rather, the enormous investment that has been made in law enforcement for this purpose should and would be better spent directly providing tangible resources for communities that have been harmed by overcriminalization and ensuring that individuals who would like to seek treatment for substance use issues can do so in non-stigmatizing and non-carceral formats.

Aside from the reasons listed above, this change in the law additionally would saddle fewer individuals with the significant collateral damage that flows from a felony charge, including difficulties accessing employment and housing. Our state and nation's approach to the criminalization of controlled substances has only served to marginalize certain communities and needs to be made less punitive. We therefore support passage of legislation like this that will help alleviate those consequences.

Thank you for your consideration.