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ACLU OF RI POSITION: SUPPORT

TESTIMONY ON 25-H 6026, RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT March 25, 2025

The ACLU of Rhode Island supports this bill, which would reclassify the possession of 28 grams or less of certain drugs as a misdemeanor instead of a felony, where the current threshold is 10 grams. This country's overly punitive approach to drug use has clearly been a failure, and so any effort to minimize the harmful impact of felonization is an important step forward in dealing with this critical societal issue.

Felony convictions serve as barriers to treatment, employment, housing, social support, and economic stability. The law's current arbitrary 10-gram cap results in too many felony convictions for mere possession. Preliminary research that was cited a few years ago when a similar bill was being considered indicated that that 40% of Rhode Islanders arrested for possessing drugs had an amount in the 10-28 gram range. The law's current low gram weight figure is completely unnecessary since law enforcement always has the power to arrest and charge individuals with "possession with intent to distribute" if there is evidence that the amount of drugs in the person's possession – whether 10 or 28 grams – is not solely for their own use.

With passage of the first statewide law authorizing the establishment of harm reduction centers and other positive policy steps that have taken a public health approach to substance use, Rhode Island has made significant strides in addressing illegal drug use. Passage of this bill would mark another step in that direction, and continue our state's progress in treating addiction for what it is: a health issue that deserves a treatment-based response.

For all these reasons, the ACLU supports passage of this legislation.