



The State of Maryland

Executive Department

EXECUTIVE CLEMENCY

FULL PARDONS OF CERTAIN CONVICTIONS FOR CANNABIS POSSESSION

- WHEREAS, During the 2022 legislative session, the General Assembly passed a Constitutional amendment, subject to constitutional referendum, legalizing the use or possession of cannabis by an individual in the State who is at least 21 years old, and authorizing the General Assembly to provide for the use, distribution, possession, regulation, and taxation of cannabis within the State;
- WHEREAS, On November 8, 2022, Marylanders overwhelmingly approved the referendum, with over two-thirds of voters from across the State approving the measure;
- WHEREAS, Pursuant to the will of the People of Maryland, Article XX, Section 1 became part of the Maryland Constitution on July 1, 2023;
- WHEREAS, Pursuant to the authority granted in Article XX, Section 1, the General Assembly legalized possession of the "personal use amount" of cannabis, which is defined to include "an amount of cannabis that does not exceed 1.5 ounces" or "an amount of concentrated cannabis that does not exceed 12 grams";
- WHEREAS, No one should continue to suffer the effects of a conviction for conduct that is no longer a crime in the State of Maryland;
- WHEREAS, Despite the legalization of the personal use amount of cannabis, Marylanders have continued to face barriers to housing, employment, and educational opportunities as a result of possessing the personal use amount or lesser amounts of cannabis, sometimes decades ago;
- WHEREAS, Black Marylanders have been arrested, prosecuted, and convicted for possession of cannabis at disproportionate rates, and the lasting disproportionate impact of arrest and prosecution for cannabis possession is antithetical to the Maryland voters' overwhelming approval of the legalization of cannabis use and possession and to the fair and equitable administration of justice;

WHEREAS, To further my promise to leave no Marylander behind, I am exercising the pardon power vested in me by Article II, Section 20 of the Maryland Constitution to alleviate the impact of Maryland's former inequitable and outdated enforcement of laws criminalizing personal use and possession of cannabis;

WHEREAS, Pursuant to my pardon power, I asked the Maryland Judiciary to identify and compile a list of electronically available case records for individuals who were convicted of misdemeanor cannabis possession for conduct that occurred prior to January 1, 2023, including cases with a final disposition of probation before judgment, which the Judiciary has provided to me and from which I have identified the convictions eligible for pardon (the "Cannabis Possession Pardon List");

WHEREAS, The Judiciary will make an electronic notation in each identified electronically available case record on the Cannabis Possession Pardon List that the misdemeanor cannabis possession conviction has been pardoned pursuant to this Executive Action;

WHEREAS, In addition, I asked the Maryland Judiciary to identify and compile a list of electronically available case records for individuals who were convicted of misdemeanor use or possession with intent to use drug paraphernalia for conduct that occurred prior to January 1, 2023, in cases in which the only other charge in the case was for misdemeanor cannabis possession, including cases with a final disposition of probation before judgment, which the Judiciary has provided to me and from which I have identified the convictions eligible for pardon (the "Cannabis Paraphernalia Pardon List"); and

WHEREAS, The Judiciary will make an electronic notation in each identified electronically available case record on the Cannabis Paraphernalia Pardon List that the misdemeanor drug paraphernalia conviction has been pardoned pursuant to this Executive Clemency Order.

NOW, THEREFORE, I, WES MOORE, GOVERNOR OF THE STATE OF MARYLAND, having thought proper and fair the extension of clemency under the authority vested in me by the Constitution and the laws of Maryland, do hereby order, effective immediately:

Misdemeanor Cannabis Possession Convictions

- A. All individuals identified in the Cannabis Possession Pardon List, from information provided to me by the Maryland Judiciary, are granted a FULL PARDON of the misdemeanor cannabis possession offenses contained in the Cannabis Possession Pardon List, absolving these persons from the guilt of their criminal offenses and exempting them from any pains and penalties imposed upon them therefore by law.
- B. This Executive Clemency Order applies only to the misdemeanor cannabis possession offenses identified in the Cannabis Possession

Pardon List and shall not have the effect of pardoning any other charges or convictions.

- C. I hereby direct the Department of Public Safety and Correctional Services to develop a process to indicate on criminal background checks which individuals' convictions have been pardoned pursuant to this Executive Clemency Order.

Misdemeanor Cannabis-Related Drug Paraphernalia Conviction

- A. All individuals identified in the Cannabis Paraphernalia Pardon List, from information provided to me by the Maryland Judiciary, are granted a FULL PARDON of the misdemeanor drug paraphernalia offenses contained in the Cannabis Paraphernalia Pardon List, absolving these persons from the guilt of their criminal offenses and exempting them from any pains and penalties imposed upon them therefore by law.
- B. This Executive Clemency Order applies only to the misdemeanor drug paraphernalia offenses identified in the Cannabis Paraphernalia Pardon List and shall not have the effect of pardoning any other charges or convictions.
- C. I hereby direct the Department of Public Safety and Correctional Services to develop a process to indicate on criminal background checks which individuals' convictions have been pardoned pursuant to this Executive Clemency Order.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 17th Day of June, 2024.



Wes Moore
Governor

ATTEST:



Susan C. Lee
Secretary of State

