



Connecticut Coalition to Regulate Marijuana
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Co-Chair, Sen. Gary Winfield

Co-Chair, Rep. Steve Stafstrom

Judiciary Committee

LOB, Room 2C

TESTIMONY IN SUPPORT OF HB 5019 – AN ACT CONCERNING FAIR FUTURES FOLLOWING
ERASURE OF CRIMINAL RECORDS

Dear Co-Chairs and Members of the Judiciary Committee:

My name is DeVaughn Ward, and I am the senior legislative counsel at the Marijuana Policy Project, the largest marijuana policy reform organization in the United States. MPP supports HB 5019, which would automatically erase marijuana possession convictions prior to October 1, 2015. However, MPP recommends that other cannabis records — not just possession offenses — be eligible for expungement or erasure.

Connecticut could allow anyone serving a sentence for a cannabis offense to petition to the existing sentence review board. Then, the review board could consider if resentencing would serve the interests of justice, taking into account that cannabis is being legalized and the history of racial disparities in cannabis enforcement. MPP also encourages adding a provision to prohibit parole and probation revocation for using or testing positive for cannabis, as was the case under in last year's marijuana legalization proposal¹. There could be an exception if there is a finding specific to the individual that the condition is warranted to protect the public.

As you may know, a conviction for possession of even a small amount of marijuana can lead to a lifetime of harsh consequences (also called collateral sanctions) and result in denial of educational opportunities, housing, employment, and professional licenses. Unequal enforcement means these punitive collateral consequences disproportionately affect people of color. As MPP and others in the national cannabis reform movement have gained momentum in our quest to regulate and tax marijuana like alcohol, we have also fought to remove the long lasting, residual harm — the massive burden the war on cannabis has placed on lives through criminal histories.

For most citizens, it does not make sense for cannabis to be treated as a legal product accessible by adults, yet individuals still be denied housing, an education, or employment

¹ SB 1085 (2019)

because of a history of prior use. Thus legalization, regulation and expungement of prior offenses go hand in hand.

We also know that it is already happening, and the results are profound. Where at one time expungement had limited impact, it is now on a scale never seen before. Earlier this decade we may have seen expungements for hundreds or even a few thousand people. We are now learning just how big that scale can go, with Illinois implementing a legalization law MPP co-drafted that is expected to expunge close to 740,000 records. California is also expunging hundreds of thousands of records. In the past year, Pennsylvania² and New Jersey³ both enacted measures to provide for large-scale, automatic expungement.

With this bill, the citizens of Connecticut, many who may have marijuana related convictions, would be offered a clean slate. We support this approach but would recommend including all cannabis offenses.

Sincerely,

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² Faith Karimi, "Pennsylvania is sealing 30 million criminal records as part of Clean Slate law," *CNN*, June 28, 2019. <https://www.cnn.com/2019/06/28/us/pennsylvania-clean-slate-law-trnd/index.html>

³ Nila Bala, "Why other states should follow the lead on New Jersey clean slate law," *The Hill*, January 10, 2020.