



Legislative Testimony
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Written Testimony Supporting House Bill 6377, An Act Concerning Labor Peace Agreements and a Modern and Equitable Cannabis Workforce

Senator Kushner, Representative Porter, Ranking Member Sampson, Ranking Member Arora, and distinguished members of the Labor and Public Employees Committee:

My name is Kelly McConney Moore, and I am the interim senior policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in support of House Bill 6377, An Act Concerning Labor Peace Agreements and a Modern and Equitable Cannabis Workforce.

At the ACLU-CT, we believe in the complete decriminalization of cannabis – from cultivation to sale and delivery to possession and use. Our support for full decriminalization is strengthened by the racist history of enforcement of cannabis offenses in Connecticut.¹ Laws criminalizing cannabis impose the hardships of an arrest and arrest record, and often prison terms, on otherwise law-abiding people,² who are disproportionately young, poor, and people of color.³ Black people, particularly, have been harmed by this disparity. In 2010, prior to decriminalization, Black Connecticut residents were three times more likely to be arrested for cannabis possession than whites,⁴ despite similar rates of cannabis use to white residents.⁵ Criminalization of cannabis has been selectively enforced,

¹ See generally “The War on Marijuana in Black and White.” ACLU (Jun. 2013), available at https://www.aclu.org/sites/default/files/field_document/1114413-mj-report-rfs-rel1.pdf

² See, e.g., “Marijuana Arrests & Punishments.” ACLU, available at <https://www.aclu.org/other/marijuana-arrests-punishments>.

³ See generally “The War on Marijuana in Black and White.” ACLU (Jun. 2013), available at https://www.aclu.org/sites/default/files/field_document/1114413-mj-report-rfs-rel1.pdf

⁴ “The War on Marijuana in Black and White” at Tables 7 and 8. ACLU (Jun. 2013), available at https://www.aclu.org/sites/default/files/field_document/1114413-mj-report-rfs-rel1.pdf.

⁵ Center for Behavioral Health Statistics and Quality, “2016 National Survey on Drug Use and Health: Detailed Tables,” at Table 1.32B. Substance Abuse and Mental Health Services Administration (Sept. 7, 2017), available at <https://www.samhsa.gov/data/sites/default/files/NSDUH-DetTabs-2016/NSDUH-DetTabs-2016.pdf>.

and this enforcement has relied on entrapment, illegal searches, and other methods that violate civil liberties.⁶

Connecticut took a step in the right direction when it decriminalized adult possession of small amounts of cannabis and legalized medical cannabis. There is more to do, however. This bill works to create equity in the cannabis industry as a way to honor individual privacy rights, prevent discrimination, and remedy the disparate burdens that cannabis enforcement has placed on youth, communities of color, and poor communities throughout our state.

This bill contains a number of excellent provisions which make strides toward remediating the past harm to the people targeted by cannabis criminal laws. First, the bill explicitly forbids employment and licensure discrimination against people with arrests and convictions for cannabis or other drug offenses. This is critical to ensure that the racist legacy of cannabis laws and enforcement does not continue to expand into a profitable and growing industry. Instead of perpetuating and compounding problems, this provision instead starts to address the wrongs of the past and takes a step towards equity for people harmed by the war on cannabis. To create even greater equity, Connecticut should implement policies that also aim to reverse the harms of past cannabis-related convictions by prohibiting all discrimination on the basis of those convictions in hiring, housing, higher education, public accommodations, financial products, and proceedings regarding parental rights or child welfare. The Cannabis Equity Task Force is tasked with doing just that (among other tasks) and we encourage this Committee to recognize the importance of that provision.

Another positive aspect of the bill is the scope and goals of the Cannabis Control Commission. Because of the racist and harmful history of cannabis enforcement, the Cannabis Control Commission's explicit goal of "ensur[ing] equity in all aspects of the sector" is critical. This Commission should be given an even broad scope of authority

⁶ "The War on Marijuana in Black and White" at 91-95. ACLU (Jun. 2013), *available at* https://www.aclu.org/sites/default/files/field_document/1114413-mj-report-rfs-rel1.pdf

to act within that mandate. For example, the Commission should be given the authority to approve municipal zoning requirements relating to cannabis establishments, in order to ensure that towns in Connecticut are not perpetuating harms to already-harmed communities through unfair zoning of cannabis establishments.

The bill contains a number of other strong policies, such as preventing employers (who profit from the sale of cannabis) from regulating their employees' use of cannabis outside of work, and creating the Cannabis Equity Task Force with sufficient funding and crucial equity topics to investigate. Connecticut can make significant strides toward equity and liberty with a strong and equitable cannabis equity bill. House Bill 6377 is that bill.

The war on cannabis, like the war on drugs overall, was a failure that ruined millions of lives. It has torn apart families and decimated communities, all while acting as a vehicle for racial injustice. Connecticut can begin to rectify these harms by creating equity in the cannabis industry. The ACLU-CT thus strongly urges this Committee to support House Bill 6377.