



Legislative Testimony
765 Asylum Avenue, First Floor
Hartford, CT 06105
860-523-9146
www.acluct.org

**Written Testimony Supporting
House Bill 7371, An Act Concerning the Retail Sale of Cannabis**

Senator Fonfara, Representative D'Agostino, and distinguished members of the General Law Committee:

My name is David McGuire, and I am executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in support of House Bill 7371, An Act Concerning the Retail Sale of Cannabis, which would regulate the production and sale of marijuana in our state.

Connecticut's history of disproportionately arresting people for marijuana possession overall, and its disturbing track record of racial disparities in this enforcement, mean that communities continue to suffer from decades of prior marijuana criminalization. Black and Latino people in Connecticut disproportionately bore the brunt of marijuana criminalization and still disproportionately bear the brunt of citations now. Connecticut needs to implement real, meaningful reinvestment in these communities as part of the legalization of marijuana. The ACLU-CT therefore supports this bill, which would require the implementation of policies and procedures regarding the production and retail sale of marijuana to prioritize participation in the industry by people from communities that have been disproportionately harmed by marijuana prohibition and enforcement. These equity provisions would help remedy the disparate burdens that marijuana prohibition has placed on youth, communities of color, and poor communities throughout our state.

We support the creation of a Cannabis Control Commission and the requirements this bill imposes on such a commission. The requirement that two Cannabis Control Commissioners have a professional background of at least five years working in social justice or civil rights fields increases the chances that the commission will consider the needs of communities that have been disproportionately harmed by marijuana criminalization when developing and implementing policies and procedures.

The ACLU-CT also strongly supports the bill's requirement that the commission establish an "equity" applicant status for potential establishment owners. Equity applicants would include people from communities that have been disproportionately negatively impacted by the War on Drugs, as well as people who have past convictions for marijuana possession. The commission would be required to give preference to equity applicants by creating a lower fee

structure for them and allowing them to apply for licenses three months before other applicants. Marijuana legalization will not advance racial justice unless it has intentional, built-in racial justice policies, and this bill's establishment of an equity applicant status is an important racial justice policy.

The bill also requires the commission to create policies to allow people with an infraction or misdemeanor drug charge to participate in the marijuana industry. Providing these economic opportunities to people who have been hit hardest by marijuana criminalization and to people who are living with a criminal record is incredibly important. Laws criminalizing marijuana impose the hardships of an arrest and arrest record, and often prison terms, on people. Connecticut residents living with a criminal record face more than 600 legal and policy barriers to reentry into our communities and often face discrimination in the employment context. Although we believe that anyone with any level record of arrest or conviction for a marijuana-related offense should be included in this policy, allowing people who have a record of a marijuana-related infraction or misdemeanor to participate in the marijuana industry and giving priority to applicants who have a conviction related to a marijuana offense is one step toward helping people reintegrate, earn a living, and support themselves and their families.

Under this bill, the commission would also have to create policies requiring that all licensees in the marijuana industry establish and adhere to diversity policies. Marijuana establishments not owned by an equity applicant would be required to comply with a plan approved by the commission to reinvest or provide employment opportunities in communities that have been disproportionately harmed by the criminalization of marijuana possession. The bill would also require priority status for applicants who have experience in promoting economic empowerment in communities disproportionately impacted by marijuana prohibitions.

Communities of color have been disproportionately targeted in the enforcement of marijuana criminalization and should be prioritized as equity applicants and hires. In 2010, prior to decriminalization, Connecticut had the largest difference between the Black population and marijuana possession arrests out of all New England states. At this time, Black residents were three times more likely to be arrested for marijuana possession than whites. Following decriminalization, Black Connecticut residents were still three times more likely to be arrested for "drug abuse violations" than whites. In Connecticut, there were also disparities in marijuana citations between Latino and white residents. In Darien, police imposed nearly 25 percent of all marijuana citations on Latino people, despite the town's Latino population percentage of two percent. Provisions in this bill to give people with criminal records economic opportunities in the industry and to require a commitment to diversity in the industry would help communities of color.

If Connecticut is going to legalize marijuana, our state should do it right: by investing most in the people and communities hit hardest by the War on Drugs. We need meaningful policy solutions, written into statute, to guarantee that investment will happen. House Bill 7371 takes important steps to do just that, although we encourage the legislature to view the equity provisions included in this bill as a floor, not a ceiling, for the possibilities to create meaningful reinvestment in the people and communities who continue to suffer from marijuana-related arrests, convictions, and citations. It is critical, for example, that marijuana legalization also includes a clear automatic record relief policy to reduce the collateral consequences of living with a marijuana-related conviction. The ACLU-CT encourages the committee to support House Bill 7371.