Testimony of Sarah Gersten
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before the Connecticut Committee on Labor and Public Employees
on HB 6377
in SUPPORT
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Thank you, members of the Connecticut Committee on Labor and Public Employees, for providing me with the opportunity to submit written testimony in support of HB 6377. I am testifying today on behalf of the nonprofit organization The Last Prisoner Project, where I serve as the organization’s Executive Director and General Counsel.

The Last Prisoner Project (LPP) uses a multifaceted approach to address both the disparities in sentencing for cannabis offenses, as well as the collateral consequences of cannabis-related arrests and convictions. LPP works to redress these disparities through policy reform, legislative advocacy, and impactful direct service programs. Our legal efforts seek to ensure the release of nonviolent cannabis offenders from incarceration, and our reentry programs and anti-recidivism efforts aim to assist those coming out of incarceration rebuild their lives. We thank the Connecticut Legislature for allowing me the opportunity to testify on behalf of HB 6377.

We believe that the creation of a truly equitable cannabis workforce must pivot upon ensuring that any state that chooses to legalize cannabis push forward laws and regulations that aim to
create a diverse and equitable industry. As a resident of Connecticut and a member of the cannabis community, I am in full support of the provisions in the proposed legislation that would work to ensure social and restorative justice for those most harmed by the War on Drugs, as well as protect workers within the cannabis industry in Connecticut.

In my capacity as a representative of LPP, however, I will focus more narrowly on the importance of the provisions specifically focused on ensuring justice-impacted individuals can access valuable entrepreneurial and employment opportunities in the state-regulated cannabis industry.

Any state that is now profiting off of a legal and regulated cannabis industry has a moral and ethical imperative to ensure that the individuals and communities disproportionately impacted by the discriminatory enforcement of our cannabis policies are afforded every opportunity to benefit from a state-sanctioned industry. This is why the language contained in Section 12 of HB 6377, which would ensure community members with adverse criminal histories cannot be subject to discrimination for past offenses, is a critical part of efforts to create a diverse and equitable cannabis industry in Connecticut. It would be unconscionable if those who have suffered the devastating effects of cannabis prohibition, most notably the overwhelming number of collateral consequences that accompany a cannabis arrest or conviction, no matter how low-level, were then barred from now accessing these valuable business opportunities.

We know that the (already-debilitating) effects of a criminal record are exacerbated for people from marginalized communities, who have been for decades subject to needless over-policing and significantly more draconian sentences. In both inception and application, America’s War on Drugs — which has been propped up and perpetuated by marijuana prohibition — should be conceptualized as an issue of race and class discrimination. After all, people of color are overwhelmingly more likely to be arrested and charged with marijuana possession, despite the fact that consumption rates are virtually indistinguishable amongst different racial and ethnic groups. This racially-biased application of cannabis law enforcement is starkly apparent in
Connecticut, where data shows that the state’s Black residents are more than three times as likely to be arrested for marijuana possession than their white peers, despite equal rates of usage.

Our work has proven to us that there is a critical need for the type of reform found in HB 6377. Over the past year, LPP has developed vocational training that creates pathways to employment (both within and outside of the cannabis industry) for justice-involved individuals. However, one of the biggest barriers to the successful implementation of these programs is the legally-sanctioned discrimination faced by individuals with cannabis-related arrests and convictions when they attempt to seek gainful employment.

Another barrier to success for these justice-impacted individuals is the lack of workforce development programs and training designed specifically for those who have interacted with the criminal legal system. That is why the creation of community reinvestment grants, per the provisions of Section 2 of the HB 6377, would play a critical role in helping ensure many of these impacted individuals are not only legally allowed to participate in the industry, but are also able to access the tools and resources they need to become successful, responsible cannabis industry operators and employees. By specifically including language that would facilitate participation by justice-impacted individuals, as well as the inclusion of provisions that would fund these much-needed workforce development programs, HB 6377 rightfully works to repair the harms of the War on Drugs by prioritizing an equitable and restorative justice-focused industry.

In Connecticut, like in many states across the country, it is fundamentally unjust that those with past cannabis convictions would likely be barred from participating in and deriving economic benefits from the legal cannabis industry. By allowing justice-impacted individuals to participate in the industry, while simultaneously empowering underserved communities with the resources necessary for cannabis industry success, we can help countless people rebuild their lives and communities, while simultaneously strengthening the state’s workforce and economy.

Thank you for your consideration.