

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: HB-5297

AN ACT CONCERNING THE DECRIMINALIZATION OF POSSESSION OF

Title: SMALL AMOUNTS OF PSILOCYBIN.

Vote Date: 3/26/2024

Vote Action: Joint Favorable Substitute

PH Date: 3/6/2024

File No.:

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SPONSORS OF BILL:

Judiciary Committee

CO-SPONSORS OF BILL:

Rep. David Michel, 146th Dist.
Rep. Travis Simms, 140th Dist.

REASONS FOR BILL:

Psilocybin has been proven to be an effective therapeutic for various mental illnesses. This bill would decriminalize small amounts of psilocybin not exceeding half an ounce.

SUBSTITUTE LANGUAGE:

The substitute language eliminates the drug education program requirement and makes a technical change requested by the Judicial Branch in section 3.

RESPONSE FROM ADMINISTRATION/AGENCY:

External Affairs Division, State of Connecticut Judicial Branch: The Judicial Branch did not state their stance on this bill but offered testimony requesting language changes. First, in section 2(c), clarification is needed on whether there would be penalties for failing to complete the program referenced as well as on whether a person would be referred to the program if they've already paid the two tickets. Next, they asked if line 32 was meant to use the word "more" instead of "less" because in section 2, beginning line 11, it states that the possession of less than one-half ounce of psilocybin would be deemed okay and in section 3, line 32, it states instead that less than one-half ounce would be a class A misdemeanor.

NATURE AND SOURCES OF SUPPORT:

Aaron Aaron: He testified in support of this bill, stating Colorado, Massachusetts and Oregon have all passed successful legislation on decriminalization.

Joseph Raymond Accettullo, Connecticut for Accessible Psychedelic Medicine (CAPM): He testified in support of this bill but would like additional language to be included on personal cultivation and sharing, as it would give more people access to medicinal and therapeutic treatment.

Dr. Jessica Chichester: She testified in support of this bill. She explained her personal experience of living with mental health challenges and how her introduction to psilocybin was the first time a treatment has ever offered her any relief.

John Cline, PhD: He testified in support of this bill and provided comments on what would improve it. He stated the current bill does not include enough language regarding the personal consumption of psilocybin and stated that there should be language added to allow the growing, sharing, and gifting of psilocybin.

Victor Constanza, Founder of Connecticut for Accessible Psychedelic Medicine (CAPM): He testified in support of this bill. While he supports decriminalization of psilocybin, he stated there needs to be some language changes. He stated there should be language added for the protection of citizens to include allowing home growing and gifting/sharing, and the deletion of penalties.

Danielle DeVito: She testified in support of this bill and provided personal comments on how the effects of this substance have vastly improved her mental health and helped treat her clinical depressive, chronic PTSD, and anxiety.

Samuel L. Evans, BSW, MSW, LMSW, CAPM: He testified on behalf of CAPM and on the changes they want made to the bill. They think that the implementation of fines against individuals should be removed as this would prevent people from seeking out this medicinal treatment. They also stated that some individuals use this substance for religious and/or spiritual practices and they need protective rights. They would like language added to allow for home growing and sharing. They believe this bill will garner a lot of public interest and increase the amount of people seeking out and obtaining the substance and would likely be unaware that the decriminalization bill includes such harsh penalties.

Sarah Gersten, Executive Director, Legal Counsel, Last Prisoner Project: She testified in support of this bill and stated that additional language should be added to ensure that individuals with similar or related criminal offenses be acknowledged and made eligible to have their record of those charges expunged.

Melissa A. Keilty, BSW, MSW, LMSW, CAPM: She testified on behalf of CAPM with comments regarding amendments that should be added to the bill before it passes. They would like fines removed from the bill and would like language added to allow home growing and sharing.

Jaime Lier: They testified in support of this bill, stating that decriminalization would remove a burden from our justice system and off marginalized communities where those who are most affected by unnecessary fines and incarceration live. They also stated that decriminalization would improve a public response to how we can help drug users seek out education, support, and recovery.

Duncan Markovich, Founder/Owner, Better Ways: He testified in support of this bill and stated that the bill should include some amendments. He believes the bill should seek to eliminate any fines or penalties, should include language regarding the expunging of records, should include more on rights for home growing, and include the addition of government education and awareness.

Rafael Rosario, Senior Manager, Communications and Development, Connecticut Coalition to End Homelessness: He testified in support of this bill, stating that this would redirect our legislation and legal system toward finding solutions for more important social issues like affordable housing and education.

Audrey Rotunda, CAPM: She testified in support of this bill and stated that there are existing laws that should be reviewed for amendments that will protect people from being penalized when they are seeking out safe, necessary medical treatment options.

Brittany Sidler: She testified in support of this bill. She stated the positive effects using this type of therapy has had on her substance abuse and mental health problems.

Robert J. Stek, PhD: He testified in support of this bill but believes language should be added that decriminalizes home growing.

Diana Torres, RN: She testified in support of this bill. She provided a personal story to explain the trauma she has endured, including physical, sexual, and emotional abuse, and how she has experienced the transformative healing properties of psilocybin.

Jess Zaccagnino, Policy Counsel, ACLU-CT: She testified in support of this bill and stated that she supports any efforts being made that would decriminalize drugs. She stated that we should be funding substance abuse prevention, research, and education programs.

NATURE AND SOURCES OF OPPOSITION:

Representative Vincent J. Candelora, House Republican Leader, CGA: He testified in opposition to this bill. He stated his opposition is based on the experiences of other states that have recently passed legislation on the decriminalization on the possession of small amounts of psilocybin. He stated that Oregon passed a similar bill in 2020 and they are now seeking to re-criminalize it in 2024 due to negative consequences it has had on people with addiction and substance abuse problems as well as on general public health.

Lisa P. Capitani, MBA, BSN, RN: She testified in opposition to this bill. She provided her personal story of experiencing a traumatic brain injury as an adult that led to her development of PTSD, having an improper treatment done during brain surgery, and after having to rely on heavy pain medications. She explained how these problems worsened over time until she finally found care and relief in plant medicine. She stated that the bill should require the

inclusion of language to reflect true decriminalization. It should include language decriminalizing the personal possession, growing, sharing, and use; language regarding how an agency would handle enforcement of drug prohibitions differently; language regarding the protection of healthcare workers in their practices; and language that provides public education on the matter.

Dr. Linda Dalessio: She testified in opposition to this bill based on her experience in the medical field and seeing the negative effects drug use has and is having on today's youth. She stated that passing this bill would only contribute to more funding for other dangerous state programs.

Representative Tracy Marra, CGA: She testified in opposition to this bill, stating that the FDA should complete their review of the illegal substance and establish their safety recommendations on its use before the state considers passing this bill.

Mollie McGurk: She testified in opposition to this bill, stating that the language regarding fines and penalties against growers and users is misleading and it restricts public access to psilocybin. She strongly advocates for true decriminalization of psilocybin.

Deacon David Reynolds, Associate Director for Public Policy, Connecticut Catholic Public Affairs Conference: He testified in opposition to this bill, stating that more research is needed before the state should consider this.

Lou Rinaldi: He testified in opposition to this bill, stating that the bill seems to favor the interest of big corporations.

Josiah Schlee: He testified in opposition to this bill, stating that this seems rushed, and he does not agree with its language on growing rights and criminal punishment.

Reported by: Cathleen Collins

Date: 3-22-24