JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

TESTIMONY IN SUPPORT OF SENATE BILL 0088:
Criminal Procedure - Automatic Expungement -
Pardoned Conviction of Possession of Cannabis

TO: Chair William Smith and Members of the Senate Judicial Proceedings Committee

FROM: Ioana Stoica, Policy Advocate

DATE: Wednesday, February 1, 2023

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates policies and programs to increase the skills, job opportunities, and incomes of low-wage workers and job seekers in Maryland. **JOTF strongly supports Senate Bill 0088** as a means of automatically expunging pardoned possession of cannabis convictions and thus opening doors to employment, housing, and public assistance, especially for individuals who have been significantly and disproportionately affected by unjust enforcement of cannabis possession laws.

A criminal record can be both the cause and consequence of poverty and has detrimental effects on the employment prospects for the 25% of working-age Marylanders with a record. The Collateral Consequences Resource Center estimates that there are over 1100 consequences of having a criminal record, including barriers to employment, housing, education, public assistance, and occupational licensing.

Anything that occurs after an arrest is documented on an individual's criminal record and, in Maryland, will remain publicly visible via Maryland Case Search until the charges and dispositions are expunged. 70% of employers in Maryland will conduct a background check on *all* of their job applicants and will deny employment on the basis of the appearance of a record, regardless if the individual was found guilty or not. For this reason, if we desire to ensure solid access to employment for all workers- especially for those whose convictions are unconditionally pardoned by the Governor, it is imperative that the General Assembly vote favorably on Senate Bill 0088.

According to the ACLU, marijuana arrests account for over half of all drug arrests, and arrest data revealed significant racial bias. Despite individuals of different races using cannabis at roughly equivalent rates, the rate of arrest for our black residents is almost four times higher. In

Maryland, 59% of all marijuana arrests have been of black individuals. The legacy of discriminatory enforcement is reflected in our state's incarceration trends: 52% of people in our jails and 69% of people in our prisons are black, although black individuals constitute only 31% of all state residents. The resulting criminal histories, and the long waiting periods for expungements, limit job opportunities of many black job seekers.

In 2022, after years of intense debate, the State of Maryland and our residents took a strong stand to decriminalize marijuana, and we commend legislators for working diligently this Legislative Session to implement the will of the people of our state. We urge you to begin by passing this important bill, which would ease the burden of seeking and paying for expungement for individuals who have already been disproportionately targeted and disenfranchised by our unjust system.

JOTF strongly surges a favorable report for Senate Bill 0088.

For more information, contact:
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