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House Bill 81 Provides Relief to People Convicted of Low-Level Marijuana Possession

Despite leading early on cannabis reform, Alaska has fallen behind in addressing the lasting consequences of past marijuana laws. A decade after legalization, many Alaskans still carry criminal records for low-level marijuana possession. At least 24 other states have already taken action to seal or expunge marijuana-related records.

Too often, low-level offenses come with a lifelong punishment.

- In the interest of public safety, it may sometimes be necessary to track and provide information to the public about an individual's criminal history. But there is no evidence that individuals convicted only of marijuana possession pose a credible threat to public safety.
- A blanket policy of lifelong criminal records runs counter to the notion that penalties should be proportional to the severity of an offense, especially considering that recreational use of marijuana has been legal in Alaska since 2014.

Criminal records can present barriers to employment, housing, and other basic needs.

- Individuals with criminal records face significant difficulty engaging in productive activities, such as finding a job, securing housing, obtaining occupational licenses, and accessing financial services.
- Nearly 90% of employers nationwide conduct background checks on job applicants
- Research suggests that job applicants with criminal convictions are approximately 50% less likely to receive a callback.
- A 2019 study examining Michigan's petition-based sealing process found that, on average, people were 23% more likely to be employed and earned 23% more in wages within one year of having their records sealed.

House Bill 81 is a small but necessary step toward fairness in Alaska.

- The legislation would prohibit agencies from releasing criminal records related to cases where a defendant was convicted of possessing less than one ounce of marijuana.
- Before January 1, 2028, people must request to have their conviction record withheld. After January 1, 2028, all eligible records will be automatically withheld. Without an automated process, data from other states show that less than 10% of eligible individuals take action to have their records sealed.
- While being a relatively small step compared to the actions of other post-prohibition states, HB 81 will provide much needed relief to many Alaskans.

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