

HB 81 Written Testimony

3-6-25

Stuart Relay

From: Mary Boggie [REDACTED]
Sent: Thursday, March 6, 2025 7:53 AM
To: House State Affairs
Subject: In support of HB 81, which would prevent public access to minor marijuana conviction records

Follow Up Flag: Follow up
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March 6, 2025

Re: In support of HB 81, which would prevent public access to minor marijuana conviction records

Dear Chair Carrick and Distinguished Members of the State Affairs Committee,

We are writing to strongly urge your support for HB 81, legislation that will improve the lives of Alaskans by preventing public access to their records for conduct that is now legal. Under this bill, individuals who were 21 or older and convicted of possessing less than one ounce of marijuana — without any other charges in the same case — can request that their records remain private. This simple yet crucial reform will help eliminate the undue stigma attached to past marijuana offenses and allow affected individuals to fully participate in society.

No one should be denied employment, housing, or educational opportunities for conduct that is no longer considered a crime. The collateral consequences of a criminal record are profound and often lifelong. One survey found that over 92% of employers conduct background checks, and 55% of people with records report difficulty securing employment, maintaining a job, or earning a living wage. Additionally, individuals with criminal records experience a permanent earnings loss of an estimated 16% annually. These barriers do not serve justice; rather, they push individuals into cycles of poverty and instability, harming communities and the economy.

Expunging past marijuana offenses is not just about fairness, it is also about racial and social justice. Numerous studies have shown that marijuana laws have historically been enforced disproportionately against marginalized communities, despite similar usage rates across racial and socioeconomic groups. In Alaska, where marijuana is now legal, it is imperative that we take steps to right the wrongs of past enforcement disparities by ensuring that outdated convictions no longer restrict a person's future opportunities.

Most other legalization states have already recognized the need for this reform and have taken action. In many cases, they have gone further by providing for state-initiated or "automatic" expungement or sealing, instead of requiring petitions to be filed as HB 81 does. As of today, multiple legalization states have implemented state-initiated expungement processes, automatically clearing certain marijuana-related criminal records. These states include Illinois, Michigan, Minnesota, Missouri, New Mexico, Rhode Island, Vermont, and Virginia. These policies have demonstrated positive outcomes, helping individuals reintegrate into society, secure stable employment, and contribute positively to their communities.

HB 81 represents a fresh start for Alaskans who have been unfairly held back due to their records. By passing this bill, Alaska will join a growing number of states that recognize that individuals should not be burdened for life by a conviction for an act that is now legal. This is a matter of basic fairness, economic justice, and racial equity.

We urge you to stand on the right side of history by supporting HB 81.

Thank you for your time and consideration.

Sincerely,

Mary Boggie Karen O'Keefe
Public Policy Associate Director of State Policies
Marijuana Policy Project Marijuana Policy Project

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