

Esther Introductory Remarks—Cannabis Trailer Bill Signing

Good morning. I am Esther Franco-Payne, Executive Director with Cabrini Green Legal Aid. Congratulations to the Cook County Board for creating a Commission to specifically focus on the implementation of cannabis. Over the last six months, we have observed the landscape as the implementation of the Illinois Cannabis Act has moved forward with the primary goal of creating equity for the people and communities devastated by the legacy of the War on Drugs.

Most important to the work at CGLA, is that people can now seek relief from their cannabis-related criminal records. The act allows for individuals to receive automatic expungement, pardons from the Governor, and also provides remedies for individuals and legal aid organizations, like CGLA, to provide records relief services that assists clients with overcoming significant barriers. As you may know, the process of expungement and sealing petitions is often extremely difficult, cumbersome and long. And it can sometimes take years before a person has worked up the courage and is willing to take the necessary steps to clear their record. Serving over 7000 individuals annually, we see the faces and we know the stories when clients are challenged and defeated. We are also at the frontline of many of those victories as CGLA files and receives favorable outcomes for over half of the expungements and sealings in Cook County, with over 3000 clients visiting our help desk alone. Additionally, the social equity components of the Illinois Cannabis Act will help hundreds of thousands of Illinoisans overcome those limitations, as this is the first legalization law that includes a clean slate component such as automatic expungement. According to the IL Sentencing Policy Advisory Council, over 250,000 records are eligible for automatic expungement AND another 250,000 or more are eligible to have their convictions pardoned by the Governor. To be clear, this does not happen overnight and the Governor has taken the initial first steps in pardoning 11,000 records across the state. Cook County State's

Attorney Kim Foxx, has also taken up the mantle on this reform by moving hundreds of records through the process of motion to vacate and expunge in Cook County – which also serves as an automatic remedy. This is a historical moment in time and this act demonstrates Illinois’ commitment to address the disproportionate impact the war on drugs has had on many of our communities.

As the expert legal aid focused on removing barriers for people with criminal backgrounds, we are excited to have leaders who care this about this issue. Not only is this the first automatic expungement provision in Illinois for adults and across the nation as it relates to cannabis legalization, this law should serve as an example for how we consider clean slate efforts that will relieve people of the collateral consequences associated with other low level offenses.

These groundbreaking social equity components make it clear that a fundamental principle here in Illinois, is that minor arrests and convictions should not prevent anyone from accessing stable housing and employment and serves as a blueprint for positive systems change. We are excited to be leading the nation on equity in this way.

Nonetheless, there are clear steps that Cook County leaders can take to ensure that implementation of the social equity components this act benefits community residents across Cook County:

1. Close to 300,000 individuals (over half in Cook County) will have to file their petitions for motion to vacate and expungement on their own if they have past convictions that are over 30 grams and up to 500. CGLA recommends that stakeholders ensure that there is a full collaboration with the courts to understand processes that will impact volume and allow for people to move through the court system more quickly. Currently the courts are at a one year

backlog of handling expungement and sealing cases and additional volume will only add to the wait time for individuals to receive their remedies.

2. Provide resources that will be available for county courthouses in the suburban districts – Markham and Maywood – to create additional access to records relief for those who live outside of the city of Chicago. Automated remedies would work well in the suburban districts as there is a significant lack of resources in the west and suburban districts for clients who are impacted by the criminal justice and resources directed from the county board would provide significant support.
3. As the cannabis industry grows there should be opportunities to expand businesses in the south and west suburban districts, particularly those that are lacking the economic development required for communities to thrive. We recommend inclusion of remedies at the county level that work with industry partners to provide access to jobs for people with criminal backgrounds in the south and west suburban areas of Cook County that are most disproportionately impacted.
4. Collaboration with the sheriff and city of Chicago public safety officials is necessary to collect data and ensure that people are not being overly stopped and frisked, arrested, or spending time in cook county jail for low level marijuana offenses, particularly as it relates to this landscape where bond reform is a huge effort.
5. Lastly, public awareness and an aligned communications strategy is key to assisting community members in understanding what this new law means and how they can fully benefit from the social equity components of this law.

Cabrini Green Legal Aid is happy to serve and collaborate, as our goal is to effectively provide access to justice!

We look forward to partnering with our Cook County stakeholders on the implementation of this act and the work of the Cannabis Commission and are excited about the opportunities that this legislation creates for all of us here in Cook County and the state of Illinois.

Thank you all!