

Social Equity 2.0: Lessons From Recent State Developments

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Speakers:

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Moderator:

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TRANSCRIPT

Natalie Fertig: Okay, I'll start with Diana, sorry about that guys, we have Diana and she's going to kick it off for us. Diana, why don't you take it away.

Dianna Houenou: Thanks so much, Natalie and thank you to Shaleen, and everybody on the team for inviting me to participate today. I'm really excited to share some highlights from New Jersey's perspective.

Now, New Jersey is still very new. Our cannabis Regulatory Commission is just over two weeks old. So, we just launched, not long ago, we had our first public meeting on April 12, and then our second public meeting just last week. So we really are hitting the ground running here, but I wanted to share a little bit of insight into what it's like to launch a new agency in the public eye, how we work on managing expectations and how we hope to move forward as a unit. So, cannabis legalization in New Jersey really was the subject of a lot of conversation and debate for several years. And as the conversation continued, we found that the public really wanted to be a part of the process, which is great. As they, as they really should be. So there were dozens of legislative hearings on how to get this done. Eventually, the legislature leaned on going the ballot route, like many other states. And as soon as New Jersey, New Jersey has voted for legalization for adults, by a margin of more than two to one that really demonstrated the momentum behind us.

And so, the folks who were involved in launching this new agency, really had a tall task, because everybody, including the public really wanted things to get up and running as quickly as possible, and they wanted legal sales to begin. As we all did. And, but of course launching a

new agency is not easy, right, building everything out from the infrastructure, making sure people have emails, make sure you have staff, and can establish the protocols internally, is critically important. And so, we found that it is, there's a bit of a challenge to doing that work while also doing the substantive work that the people desperately want to see and that you as regulators also want to move forward as quickly as possible.

So, the key to doing that, really, in my perspective has been about managing expectations and trying to strike this balance between giving information to the public, and also having smaller conversations with important stakeholders to show that you are open to having, establishing these relationships with folks who are going to be essential to information sharing and, and also give them insight into your goals and your vision for how you move forward as a unit. So I found that managing expectations has been a critical component of rolling out this new agency, because, truth be told, like we're still we're still building out the infrastructure for the agency too.

So, trying to manage both the internal and external factors here has been, it's quite interesting but I never before I thought I would have to learn as much about employment rules and processes or draft an ethics code for people but you do learn a lot when you are trying to build out a regulatory agency from the ground up. From as far as other expectations that that I think are critical to really manage and communicate is what people can expect when on the ground, right, what can people expect when we come when the regulatory agency does begin its work, how will it be doing its information sharing, so that the community members have a sense that they, they know what's going on. They have an opportunity to participate should they want to and they have confidence in the people who are leading this effort.

We also, my role as chair of the Cannabis Regulatory Commission includes making sure that we as regulators are moving together, and we also want to make sure that we're collaborating with various stakeholders and constituents, so that we can move not just as one team of commissioners, but as a as a collective really in New Jersey. So, that means, establishing strong relationships with government officials at the local and state level. It means having engagement with educators, so that they understand what to expect. With legalization because a lot of educators have raised concerns, what does this mean for kids, what should we be telling kids, when should we involve parents. So doing a lot of that work in partnership is really going to be helpful in in letting community members feel like we as government agencies, really do have their best interests at heart, and are doing what we need to do to make sure that we maintain public safety, public health, and also promoting patient access to their medicine appropriately.

So, we New Jersey are, in the future will be issuing our proposed rules and regulations governing the adult use space, will also be overseeing the medical cannabis industry as well. And I'm really excited about the work that we're going to be doing. I think we've got a great team. In, in our leadership for instance here, and I'm really looking forward to continuing to collaborate with regulators from all over the country both former and current, so that we can understand what's working well in other states what ideas we can bring here to New Jersey and test out. And so that we can all continue learning together.

So that's just a little bit from, from the New Jersey perspective, again still very new, still have a lot of work ahead of us. But I'm really excited about the work that's going to happen and I encourage you all to tune in and would love to share updates as we as we reach major developments and major milestones.

Natalie Fertig: Thanks Diana, and now we're going to turn to Jason Ortiz and Jason, will you tell us a little bit about the role that you've played because you're not specifically focused on just one state. And then, talk to us a little bit about your experiences.

Jason Ortiz: Sure, absolutely. So my name is Jason Ortiz and I'm actually now the executive director of Students for Sensible Drug Policy which is a student focused nonprofit international nonprofit in 30 different countries around the world and over 100 chapters in the United States. And I am also the immediate past president of the Minority Cannabis Business Association that I spend roughly five years drafting nationwide model cannabis equity policies. And I'll start kind of at the beginning of like how I first got involved in cannabis policy. And it was actually when I was arrested in high school for simple possession, an experience many folks throughout the country also share with me unfortunately. But it was during that time, as a young person - I was 16 years old when I got in trouble - the aggressive nature of law enforcement for how, you know basically how they were treating me for something that at the time I fully didn't understand why they were so angry about it, but I learned a few very important terms that would shape the rest of my life. The school to prison pipeline, the war on drugs, and one that's most important now - selective enforcement.

And the idea of selective enforcement of laws is that police choose which communities they're going to aggressively enforce certain laws in and in which communities they're not going to aggressively enforce certain laws. And it was in that understanding that I realized that what I had done as an individual to consume cannabis wasn't something that was necessarily harming society but that other groups and society wanted to punish me and control me for that action for political reasons. And that was something that was shaped my experience for the rest of my life as far as why laws are the way they are, who pushes certain laws and who benefits from those laws and luckily I was also the beneficiary of drug policy activism in that, organizations, like SSDP and others, changed a really important law called the Higher Education Act Federal Aid Elimination Penalty. It's a very long title, basically, for a penalty in access to financial aid, where if you were arrested for cannabis or any drug, you cannot access financial aid at the time. Luckily, organizations like SSDP and MCBA and others, changed that law before I applied to college to say you only would be denied financial aid if you got caught while in college or while on financial aid. So I actually remember very clearly when I was filling out my financial aid form, I had to check a little box that said, Yes, I've been arrested for a drug crime. But here's the details of when it was, and I was able to access financial aid. So I was both the negative recipient of prohibition and cannabis policies but also the positive beneficiary of activism.

And so when I learned that timeline, I became a cannabis policy activist ever since then right and so that's where I found SSDP, learned about the war on all drugs, and also where I met one of my good friends who is also on this panel, Shaleen Title and got really interested in, not just in opposing bad laws but how do we draft positive laws. Bills we support, bills we like, and get our legislators of color to introduce them, so that we're not always competing with things we disagree with we're actually mobilizing our community for things we support. And this was in roughly 2015 or so we were discussing, it was actually the Ohio legalization bill at the time which failed that would have given a percentage of the industry to very random people including folks like Nicholas Lachey from 98 Degrees was one of the prominent owners there was going to get his name written into the state constitution.

And I remember going through that process again, this is not the legalization I was fighting in college. So, I asked you know, Shaleen, where can we find better policy. And we, you know,

start to shift this conversation into a positive space, and she recommended that I joined MCBA, Minority Cannabis Business Association, so that we could draft such law together, and actually bring people of color as stakeholders to the table to explain exactly what it is that we want, build consensus among people of color about what we want, and being able to have a unified language to express that in states throughout the country.

And so I was fortunate enough to work with Shaleen and roughly 30 other people of color, we had a policy summit in DC. It was actually a week after Trump got elected when we had that that event so we were a bit shaken up at the time exactly how politics was going to go, but we remained committed to equitable cannabis policy and roughly 30 folks met in DC. They were both cannabis activists, activists from other industries and activists from movements that had nothing to do with drug policy but maybe were experts in housing or environmental remediation or employment law, so that our cannabis policies did encompass a comprehensive approach to all of the collateral consequences of the war on drugs. And that moment was both very important for us as a movement to come together and learn from each other, but also being able to approach cannabis legalization completely differently than what we were seeing coming from the industry. And we decided that we wanted our bill to be comprehensive, where the industry tended to approach it in a very narrow manner they would be a very narrow legalization, small amounts of decriminalization. The idea was that if we make it too complicated, we will lose votes along the way right and that maybe was one approach at the time but we wanted to show that if we had comprehensive legislation and included lots of communities, there would be more support for our bills because those communities felt included. Not only that and drafting this policy of roughly 20 different organizations were represented.

So when we actually put out the policy, it already had buy in from all these different orgs in the space because they helped write it, and I think that buy in from different organizations and individuals based on stakeholder driven drafting of public policy, made it possible for MCBA model bill to be implemented and pushed throughout the country. And we were open and public with our language let folks critique it tell us what they thought was great or not so great and continue to iterate and improve on it as we went.

We eventually also authored a model municipal ordinance for municipal level changes, because as soon as we introduced the state level bill, everybody was like yeah and I also want to do this in my, my hometown right how do I get this to happen in Austin, Texas, and Oakland California in Hartford, Connecticut, everywhere folks were at. And it was at that moment we realized, while MCBA and all of us can't be everywhere in every state, there are people fighting for justice in every state and we can give them the tools they need to be successful. And one of those tools, was a model bill where they could say this is what we want, this is what people of color have gotten together to push and we want to see how we can do this in our hometown. And both the model ordinance and the model state bill meant that anyone, anywhere, that wanted to talk about equity policies for either their municipality or their state could take this bill, find a champion, get it introduced and change the discussion. And so I think that was vital to the success of both MCBA and work we've done with SSDP as far as cannabis legalization has gone, and we can see throughout the country the policies that were articulated in that original bill, and all of our updates are now becoming standard practice for any state that wants to legalize cannabis policy, you know. And definitely shout out to the folks of Supernova women and Oakland, the town the city of Oakland specifically, for really spearheading the idea of these equity policies that are now mandatory if you want to pass any bill in the States, moving forward

we saw both, Illinois, Massachusetts, New York, especially is one of the more recent ones that had a heavy amount of conversation on equity. And quite frankly, any bill that doesn't have equity is not going to be able to pass moving forward. I believe that legislators of color have begun to communicate with each other and work together to say, if there's no equity it's not happening.

And luckily in my home state here of Connecticut, we are exactly in that position right now there are two bills, one that is very focused on cannabis equity, that was drafted by myself and also state representative Robin Porter of New Haven, HB 6377, I encourage folks to look up the bill, check it out see if you like the language, there's a whole lot of press over it over the last few months, because we're competing with SB 888, which is governor Lamont bill that when it was first first introduced had equity in the title but didn't even define equity in the bill. And that was not something that was received well by the folks that were paying attention and so we've definitely been having a very concrete conversation on the details, but it is one in which the equity applicants are the go-to faction that must be appeased for legalization to happen, that is an incredibly different power position that we saw even five years ago and say Colorado right. And so to see the work of folks states all across the country working together, sharing ideas building on one another because that's clearly happening that the equity movement is building year by year getting stronger and stronger, and the policies are getting better and better.

Just as some quick wins I can talk about here in Connecticut. One of the big ones that we did was we eliminated any kind of jail time for youth. This was a conversation that was very hard heavy in New Jersey actually we're paying very close attention how that was going to shake out, but we wanted to make sure we followed New Jersey's lead and being very supportive of our young people and making sure that they have protections, and not just punishments and I think that's an important thing we talked about youth policy. Another thing that Connecticut did recently that I thought was really powerful as we included our tribal members those Native American tribes in our equity qualifiers and so that they can also access state-based programs to support travel businesses moving forward. But unfortunately, one of the things I've noticed also is while we may have won the narrative war, not all legislators fully understand what equity is, many of them think they do and we have very different understandings between myself and somebody who's you know maybe a suburban legislator in Northwest Connecticut, while they understand some amount of reinvestment has to go back into our communities that were overpoliced, when we say we want to own the industry you want to own the businesses moving forward, that's where the seems to be some more attention around how we do that. And who's allowed to own different businesses, how's the licensing process going to go, what is the timeline of who gets to go first, where does the money for support services go, how does investment happen, all of those really important ownership details are still, still fighting out in the public sphere what exactly equity means in that space, so much so that in the most recent iteration of the governor's bill they included a clause, that is affectionately known as the slave masters clause, but it is a specific piece of the definition actually, wouldn't say it is a piece of policy, but it's the definition of who can access equity programs, who will be an equity applicant - being a business that can apply to the equity programs for either financial support or technical assistance, whatever programs exist.

And for us, the way I define an equity applicant is somebody that has been directly impacted by the war on drugs so somebody who was arrested or incarcerated or someone who had a family member arrested or incarcerated, and we want to make sure that they can access those

programs. However, this the state of Connecticut decided to include major corporations in our definition of equity applicant, that would be, that is what they chose to do and it completely undermines, a lot of the other programs we have for equity. And so while there's still some wins, we have a lot more conversations to go, especially on the details of what equity and ownership means, but I'm, you know, really excited that we have regulators like Shaleen and Diana to be able to push that conversation forward so it's a little bit easier when I have the conversation here in Connecticut.

Natalie Fertig: Thanks Jason. So, we're going to move on to Shaleen last, but before we do I do want to say everyone that's joining us right now, if you guys have questions, feel free to put them in the Q&A chat box and we're going to get to those after Shaleen tells us a little bit about Massachusetts, and after we get through a couple of our, our other questions. So put them in there and we'll get to them. So Shaleen, please take it away.

Shaleen Title: Thank you so much. Thanks everyone for being here. Thank you so much, Diana and Jason for sharing your wisdom. I think it's really important that we keep having conversations like this with enough time to talk about equity and especially to talk about all of the different things that are being tried in different states and how it's going. Because when you try and just like have a little moment about equity and a broad thing about legalization you miss all the nuances to the point where it can almost be meaningless, you know for practical terms. So I really encourage people to keep having these kinds of events, reach out to the regulators, the past regulators and take advantage of the new group that we're forming Cannabis Regulators of Color Coalition, which is made to offer this kind of expertise particularly to the new states. It feels emotional watching Chairwoman Houenou talk about that first stage of starting an agency from scratch and being focused on equity, because it's really difficult, and I'm so glad that we're now at social equity 2.0, where the first day to try this or kind of passing on the torch to New Jersey in New York and Connecticut and these next states that will do it. And each time we will do better because we're learning so much more.

So I'll share from my experience, 2017 to 2020 with Massachusetts. The biggest thing that I learned was really about timing and order of operations, which doesn't sound that exciting, you know, but you, you come in I think knowing a lot of the barriers that people are going to be facing and a lot of this systemic issues that you'll have. But what we learned about timing is something I didn't know, going in. So, first of all, like Diana said there's intense pressure when you start out like very unrealistic pressure actually as to how long it'll take to start from scratch and build something at all, let alone with equity built in.

So, what you have when you're trying to work on cannabis and equity as a regulator is this intersection of three really difficult complex things. So first government, which has a very conservative top down bureaucratic approach typically everything is just done the way it was done before. And if you don't have a model to look at, there's a kind of paralysis. So you're dealing with that, then you're dealing with that, oh and you can't make any mistakes at all. If you're in government that's something I learned, right, if you're running your own business or you're an activist you can kind of take risks, but once you're in government and you have that scrutiny on you, you absolutely cannot make a mistake. And if you don't make a mistake nobody even notices right because that's just how it is supposed to be as a government person. So everything takes longer, everything is difficult, everything has more intense heat on it.

So that's number one. And then number two is cannabis. If you're in the cannabis industry or movement, you know it is chaotic, everything is much more difficult than it's supposed to be because it's new, because it's a drug, because you're dealing with stigma, because of the federal status, of course. And so you have this intense complexity related just to the fact that you're dealing with cannabis, and all of people's extreme emotion that they bring to it with your constituents that maybe you don't have in other areas.

And then third, if you're trying to work on equity, you're dealing with racism, you're dealing with systemic racism you're dealing with intentional racism and you're dealing with all of the things that people of color deal with every day. But now it's combined with government and cannabis. And so really, Diana and me and like 10 other people are really the only people who have experienced what it's like to be at the center of those, those three things. So what we need to do is make sure we share the lessons that we've learned and pass it on to the future, especially in terms of this issue of timing.

So, there's something ridiculous that happened to the beginning of my term that people in Massachusetts might remember, which is that we were dealing with the opening of the stores, we were getting asked 1000 times a day why the stores aren't open yet. And I do, something happened, and I tweeted "chill the hell out". You all can all chill the hell out, and it was the number one story on state new service that day because I haven't realized I couldn't speak like that yet. And in hindsight, what I realize is I actually had the right idea, that's actually the message chill the hell out, because we are talking about building something from scratch, and we are talking about creating technical assistance and capital for communities that are starting from nowhere. And if you take the easy way out you will be allowing big corporations that are much better equipped and much more well-resourced who can do it way way way faster. That's, that's the quicker way to do it.

And so, you know, inspired by what Virginia was talking about fairly recently, this isn't the way that they went but at one point they were talking about at least stopping arrests. Right I would say stop arrests, allow home grow, allow gifting, and then chill out and give it like several years where we can figure out how to actually do this, you know build the technical assistance, build the capital, build the infrastructure that we need to do this fairly. And I think if you have homegrow and you stop the arrests, I think that's okay. So in the future I would love to see expectations managed and in particular looking at the data that we have, and so many other states that shows you can't really rush through this.

So, um, I also want to point out that when we're talking about timing and order of operations, you can't necessarily have a timeline because it's going to be different in other states. What I would do differently if I could, in hindsight is actually tie your goals together to each other in terms of timing rather than putting a timeline. So in other words, until these businesses that we want to support the farmers, the people of color, the legacy owners and operators until they open, then no one else can open and that way everybody's incentives are aligned. So that's what I would recommend at this point and it's not because I'm anti big business, honestly like I went into regulation, thinking that there should be room for big businesses and small businesses, and that's still how I feel but as a practical matter, it's just not playing out that way. Because if you put everybody on the same page it happens it rolls out the same way in every state so instead it should be those groups first, once they're operating and we've gone through all of these barriers that we can't even, we can't even see from the beginning, then we move on to everybody else. And no equity program, of course, just to conclude should, should be put in

place without limits on corporate domination. So that means limits on how many licenses one person or company can own or control, limits on predatory approaches to control other companies that might qualify for equity program, limits on attempts at monopolizing controlling the market, anti-competitiveness, price fixing, any of that. And then, investing in the enforcement of those limits. And then finally, creating credibility of the government agency so that when those things happen, people will be safe coming to you and reporting that to you, so that you can enforce those limits. So that's my initial advice of what we learned for social equity 2.0.

Thank you again for everyone who's on the panel and I look forward to discussing it further.

Natalie Fertig: Well thanks Shaleen. You guys brought a lot of great knowledge in in that section to this panel and I hope that everyone's learning a lot from listening to you guys.

We're going to start the Q&A section now, if I see that there are some questions already been submitted and that's fantastic. Some of them are better than the ones that I've thought of myself, which is very encouraging. So people keep submitting those and we'll try to get to as many of them as we can.

Before we get some of the Q&A questions though, I really wanted to ask you guys if each of you could tell us, you probably have a lot of things you could list in this so if you could pick one item that was unexpected. Whether, you know for Diana you're just starting to get into this regulatory process, Shaleen and Jason obviously you guys have gone through a number of regulatory processes, what was something that you did not foresee cropping up when trying to sort out equity within your state that you wish you'd known beforehand, maybe that someone had told you was going to happen, and that you would like to impart to other people who are maybe also moving forward with this in their own states.

Jason, you look very pensive I don't know if that means we should come to you first or last but we're going to go to you first.

Jason Ortiz: Sure, I was just trying to think of, you know, something that was really unexpected because in a weird way I was fortunate enough to be able to learn from all the other states. And so going into it I had very cynical expectations, right, of what I was going to be up against and so, you know, I think you know one thing that was a little surprising was just like how blatant some of the anti-equity efforts were copied from other states so like I was immediately able to recognize when things weren't going in the right direction.

And I'll say during COVID it was very difficult to figure out how we even mobilize pressure on the legislature and not that I'm like totally surprised by it but I was surprised at how powerful my social media could really be in a time when I wasn't able to knock on doors or really go to talk to folks in person, being able to create a stakeholder cohort that when whenever we said something loudly enough that legislators definitely heard us, we were able to address policy differences and recommendations how say in the public sphere. And it was impossible for us to deny, for the legislators to deny our efforts because we were putting it in front of all their constituents in a way that we hadn't really done prior to being forced to do it that way.

So in a positive way, social media really became our number one tool as far as tagging legislators putting their public pages on blast, being very specific and linking certain policies and identifying lines in the bills. And that's how we got to folks. There's an example of one time

somebody said that my tactics weren't really helping the cause, but that person who was the majority leader for the state of Connecticut, immediately called me within 20 minutes of me posting a very specific sort of critique of his policies and so it was surprising how effective and how immediately the legislator saw what we were saying, and would engage with me. And last thing I'm going to say, I actually had a legislator, put me in a meme, and respond to me like in kind using social media, and it kind of worked. My sort of anger at the situation wasn't as serious, we had a personal conversation, it was a good joke. It was a funny conversation that I had by all. So it was also surprising that legislators might respond in kind on social media so I think that is moving forward, activists really thinking through how they're going to use their social media and your legislators' social media pages will be a big tool moving forward.

Natalie Fertig: Thanks, Jason. Um, so before we keep going with this question, Toi has joined us and I would like her to take a second and introduce yourself and tell us who she is and her, you know, what she's been doing with social equity in the state of Illinois.

Toi Hutchinson: Oh, hello everybody I'm so sorry that I'm late. Time zone math was not my friend. Today, I'm actually in the capitol in Illinois working on some cleanup language to our social equity program right now so when you're running around trying to do nine things at one time with multiple legislators in a very polarized environment on a topic that should be pretty calm considering what it is, but is never calm, is always contentious.

So, I just am so sorry, I'm so happy to meet you, Diana, I'm so proud of you. Welcome to the everything. And I, so for those of you that are listening My name is Toi Hutchinson, I'm a former state senator here in Illinois, as one of the original original sponsors of our legalization efforts here which at the time was the first one in the country to go by legislative action. And our efforts included three pillars.

How do you change the industry, what do you do with the money, and then how do you reinvest in communities that were hardest hit by the very thing that we are now normalizing and legalizing. And that those three pillars created a 615-page bill we tried to do all at once. So we are now, we went legal on January 1 2020. And we had a pretty calm month January and February, and then COVID. And so all of our implementation activities were completely thrown upside down and put in a blender along with everything that normally comes with implementation of cannabis legalization in a, like a perfect storm.

So, right now, we've had some wonderful criminal justice reform efforts that have actually worked across the state, and we have gotten rid of just under 500,000 arrest records. We pardoned almost 20,000 felony convictions. We are still working through those those convictions that are layered, when it's not just low hanging fruit when it's not just a cannabis conviction, but it might be combined with something else and you have to untangle those things so we're learning about how just how very records actually are and where they exist and how many different levels you need to go through to truly wipe someone's record, so that even private security companies can't find out this information.

And we just released \$32 million into neighborhoods done by maps and zones that were hardest hit by the war on drugs and I cannot tell you how amazing this work is, how humbling this work is and how difficult and complicated and layered this work is because the people who it matters to the most come from collective trauma and pain connects connecting to this. So, it is. It's, it's actually, it's actually amazing to be in a situation so I will, in my introduction end with this.

I left the Senate, I now work directly for the governor is a senior advisor on all things cannabis control. And I know that this is like for those states coming after us and the ones who experienced it beforehand. It's like when you put the jackhammer in the ground the first time. And it's required to break new ground you have to put the jackhammer in the ground the first time. And that means it's loud, it's noisy, it's messy there's rocks and debris that will throw back up in your face and you cannot be afraid of that, because the only way to break new ground is to put the jackhammer in the ground the first time.

So sometimes when people are all coming around and I think about what this truly means in terms of changing and undoing almost 90 years of horribly failed drug policy that was very specific as to who it targeted and who would who would hurt that right now all of us are birthing new we're birthing a new industry. And that means we're in labor and labor hurts, contractions are necessary. And the only way through it, is to push. So I'm here, I'm sorry I'm late. But I'm here. I am so proud to be with you guys, because it is the hardest things I have ever done, but also one of the things that I am probably, and will be for the rest of my life, will be most proud of.

Natalie Fertig: Well, panel's over. No, I'm kidding. That was a fantastic thank you so much. I very much also as a reporter covering this can also identify with the birthing analogy, it's a very good way to talk about it.

So the question that we were discussing, when you popped in was what unforeseen challenges have you faced in developing the equity programs, either the equity program itself, or in dealing with how to expunge records, which I know Illinois has dealt with both of those. I'm going to give you a second to think about that question and go to Shaleen or Diana Did either of you think of something while we were, while we're waiting? You're both nodding your heads, Diana do you want to go.

Dianna Houenou: Sure. So I think one of the things that has really stuck out the most is really how, how far and how quickly the social equity conversation actually has changed over the last few years, because in each state this was years-long campaign.

So before running the Cannabis Regulatory Commission, I was a policy advisor and associate counsel in the governor's office before then I was an advocate. And it was in that role where I was pushing for legalization for adults, and it was in that role that I met Jason Ortiz and Shaleen, right, at the MCBA conference, down in Atlanta. And these are years long efforts, but it has surprised me how quickly the social equity component has, has sped up and become a requirement, and a far reaching requirement like Jason mentioned earlier. Right, initially years ago when we talked about equity, some folks were, some people were perfectly content with just like letting equity be, let's just stop the arrests, and that's the equity provision, some folks were perfectly content with just letting equity be will stop the arrest, and we will prohibit any consideration of prior criminal entanglement. Right.

But, in a very short period of time, it has become so much more than that in the public discourse, and it has really become these mandates for aggressive reinvestment in communities, and restoring communities, making them whole again. And really, acknowledging the fact that it's not just like that cannabis legalization isn't going to cure or solve systemic oppression, it's not going to topple 90 years of damage that was done by the war on drugs or red line, the damage done by redlining and excluding aspiring entrepreneurs from business loans.

But, so I'm pleasantly surprised at how willing communities are to really do this work thoroughly and demanding nothing less. And I'm, I'm, can only imagine what future states will bring to the table as as that becomes the baseline, like the bare minimum. Right. And folks really strive to go above and beyond and think of new creative, innovative ideas on how we can do justice, and how we can actually do real equity, because equity is not synonymous with quality at the outset, right equity is a way to get to equality eventually. And I think that really goes to what Shaleen was talking about earlier in terms of, you know, the timing of letting businesses start. And what is the right thing to do here.

When it comes to, so before I move over to the expungement piece, now our next public meeting of the commission is actually next week. And that is a meeting where we're going to be focusing just on social equity and soliciting ideas from the public about what they want to see in social equity programs, what the needs are for these underrepresented groups in the cannabis industry. Because our legislation, it actually gives us a pretty blank slate, and we can create any kind of equity programs that we want to. Which is great, we're not, we don't have some of the restrictions that others faced. But it's a blank slate. So we've got a, you've got to fill, fill it with something. And I'm excited to see what the public comes back to us with, because they they deserve a say and what what programs we put in place here.

And in terms of expungements, you know, I think one of the challenges that New Jersey had is the, the ability to quickly, expunge everybody's record. There was, there was a willingness, there certainly was a willingness to do that work but in Jersey a lot of the records are on paper right and, and filing cabinet somewhere. That's right, especially at the local level, at the state level it's a lot easier because things have been transferred to more electronic files and, but it's still, it's still not a flip of the switch. And so we, we legislators and government agencies were willing to insert language into the statute that really put the onus on the government to expunge the records of individuals and not require those individuals to have to lift a finger. Right and we also did away with any application fee or petition fees, as well, because we know that can be, has been a burden for a lot of people. But now the trick is, how do we make sure that at the local level, especially the, the expungement happens in a timely fashion. And that way we can get the so that we can get these notices out to these individuals to let them know that that they don't have to fear for, they no longer have to fear about being held back, because of their records. And so the that that work is still ongoing. And it's led by the judiciary, the court system and the Attorney General's office. So the commission doesn't have a direct role with that, but that was something that I was happy to see was willing to embrace with open arms. We just wanted to make needed to make sure we found a way to get it done and dedicate some money to getting it done.

Natalie Fertig: Yeah, and that was actually, before we hop over to Shaleen for her to answer this question on the line of expungements. I wanted to ask Toi really quickly this is something that you guys dealt with in Illinois. And you, correct me if I'm wrong, you had Code for America write a program that would go through and expunge a lot of these records, but was that comprehensive? Did that deal with all of the records? Or like Diana said, is there local records that you're still trying to, how are you guys, how are you guys working with that?

Toi Hutchinson: Yeah, Diana just nailed it. Because you, what is so complicated, and I always like to explain it like this, because it is as complicated and layered as cannabis itself is. Tthe criminal justice system has so many different layers and most people don't understand how, how many layers there are and where they all exist, and how many people have their own

individual authority in, within their jurisdiction. So we had Code for America because we had a very, very progressive State's Attorney in Cook County, who latched on to this right away helped us right that part of the statute, leaned in, Kim Fox in in Cook County here in Illinois leaned into that big time. And we were in a situation where the majority of a lot of these arrests are Cook County specifically, largest county in the state. We have 102 counties, we have 102 different state attorneys, and they aren't all Kim Fox. There's there are a bunch of them that are like you broke the law, it was illegal when they did it, there's no reason we need to go back and undo this and they actively fight against some of these things.

The paper records are significant because you find those in the smaller areas, sometimes the rural areas, who also have hostile states attorneys and court systems that don't want to work with this, who now just don't have the money to do this, don't have the manpower to do this, don't have the time to do this don't have... Dealing with them, the, the level of politics that will be inserted across the state as diverse as Illinois, like I said, we have a, it's 12 and a half million people, it's 102 counties, and the Greater Chicago metropolitan area that tends to make Illinois known as a blue state obscures how much red we actually have. So the rest of the state has a heck of a lot more purple than you ever imagined because, you know, they all, a lot of those counties when you go outside of that area look more like each other than they'll ever look like the Greater Chicago metropolitan area, which is you know very just urban and suburban and tends to be pockets of progressivity when it comes to criminal justice reform. So I'm always looking for my, I'm looking for my independents, I'm looking for my libertarians, I want government to get out of our way. I'm looking for all those folks to create relationships with when you come to the criminal justice space like, I don't care if you're coming because you realize it's too expensive, the way we did it. Or if you're coming because you realize we've been essentially lynching black and brown bodies. How you get to the conversation I don't care. Just come to the conversation.

So the fact that we got to go through the counties, the court system, the clerk's, which is different than the Illinois State police records and go through each of those layers, and then put dollars in so that when a person identifies as someone who is eligible for this, or they don't even know they're eligible for this, then you can treat the whole person, because you'll find very often that as much as we hear cannabis as the gateway drug, I would say nope that's alcohol or cigarettes that's not cannabis. It is the gateway conviction. It is your introduction into the criminal justice system, it is the thing that gets you off your porch and opens the door and have a bunch of other things and like when you get introduced to it like that, then the charges and things start rolling and stacking which is why some of these records are so complicated. So the, the fact that it's not all in one place, it's not like a governor can walk in here or legislature to walk in and be like, you know what, it's all gone now. That's not the way it works.

And it is a constant reminder to people that undoing 90 years of this, the reason, the reason it's called systemic and structural racism is because it's built into the fabric and the structure of our systems and dismantling that requires multiple bites at the apple. Constant staying on top of it. We all have to understand the systems produce what they are designed to produce. So where we see in this country it was designed that way, we have to acknowledge that it was designed that way. And the only way to change the output is to actually dismantle that system, you can't do it with one bill. You can't do it with one governor, you can't do it with one State's Attorney. This is a movement. It's a movement.

And it's a, it's a thing, unfortunately that we've still sitting in its place, where Congress has turned a blind eye for too long, for too long. So if all of our states are little laboratories of democracy, that's what I used to call them when I was president of the National Conference of State Legislators. Little laboratories of democracy, we can come, I'm so excited to see what states do because we, we now, together, those of us that are taking this plunge, have created the floor. I'm happy to negotiate a floor. Don't give us a ceiling, because we got to undo a whole lot. A whole lot.

Natalie Fertig: Definitely, and we'll get more into the federal conversation a little bit later as well um before we get there though, last but not least, Shaleen could you give us one thing from Massachusetts and the very complex process of establishing the equity and the social empowerment programs in Massachusetts, that really was unforeseen for you?

Shaleen Title: The thing that shocked me was the wide variety between how municipalities handle this, because the law basically laid it out, you can ban stores or you can have them, you know, and then a couple other decisions you could make, but what happened in real life was at one end of the spectrum there's a federal trial going on right now. Shocking allegations as to what the mayor did in exchange for local approval, you know like, I wouldn't even describe it, but the craziest things you can imagine, all the way on the other end of the spectrum in Boston, where at the beginning there was a very opaque system where the mayor was just kind of deciding whoever was going to get those you know ad hoc. And people in Boston said we're not willing to allow this like you need to redo this and make it racial justice focused process, and they stopped, they completely started from scratch, the City Council passed an entire equity program and they did that because their residents wanted it. And similar in Cambridge and Somerville and a few other places. So it was just like a wild variety.

And I'll just add that another piece of advice for people in hindsight is I wish I would have written a model ordinance. I was trying to get you know I tried to get it like done some up but sometimes you just need to, to do things yourself, even if you are an activist organization, just write a model ordinance yourself have some lawyers help you with it and put it out there and people will use it.

Natalie Fertig: Right, I, I have a lot of my own questions but we are getting some fantastic Q&A questions in here as well. So I'm going to start to intersperse some of the things that we're hearing from our viewers. One of the great questions that I've seen here sorry I'm running through to grab it. We've got one, one viewer who says that they're currently working with lawmakers in North Carolina to advance medical marijuana and possible adult use marijuana legislation, and they said that it's flat out horse trading.

Is there any language regarding social equity and small business ownership, that we should not compromise on? There are eight different bills right now and a lot of them have very different proposals and they go from being, and this is what they say, being Bernie, Bernie-level thoughtful to, you know, state corporate controlled, you know, and we've seen that in a lot of states you go from a very, very detailed equity programs all the way to just legalize it and then walk away. What from your guys's experience, are things that people should not ever be compromising on?

Dianna Houenou: I'm happy to jump in.

Natalie Fertig: Yeah, whoever wants to.

Dianna Houenou: I am a native Tar Heel myself. So, I hope North Carolina gets there. But I would say, I would say to the viewer, leverage the, the variety of voices that you have. Right, Toi talked about leveraging libertarians, and other uncommon bedfellows who may be able to help you advance the ball a little further and bring bring the, the, the, the edges into the space that you need them to be in. That's just a tip from like the advocacy perspective, right, like use that to your advantage.

I think, you know, it's going to be tough. And especially if you're trying to do both medical and adult use all at once it's going to be tough to, I think another viewer had made a point about how the medical programs are often not as infused with equity as adult use programs are and most of them were not built to right they were, they were, they were brought into the states, years ago, and the the conversation around them was usually never about black and brown people getting access to medical cannabis.

Toi Hutchinson: So... Diana, when you say that was, we were pretty much, initially too, we're pretty much talking about patients.

Dianna Houenou: Yeah, it was like...

Toi Hutchinson: At that time it was pretty much like don't let people who are dying be treated like criminals, we didn't have the language across the country to talk about who had been shut out and locked out as a result of this.

Dianna Houenou: Yeah, and the image of patients were usually like white girls or white adults. So, all that plays a huge role. But I raised this because it's important to understand the dynamics around the medical cannabis space, and making sure that that is also done from an equity perspective, because there are black and brown people who also need medicine, who faced a ton of obstacles and getting to the doctor, getting paying for a patient card, etc. And then also, the adult use fight is its own beast in and of itself, because a lot of a lot of lawmakers still view it as a gateway drug. And in North Carolina, North Carolina got a whole lot of rural areas too, right so you'll be hitting, hitting those counties where there's a lot of, I would say lowercase c conservative thinking around how we go about doing that work. Everything from the mountains to the beach and to the flatlands and the hog farms like and politics have a strong hold in some areas, but I would say, partner with local groups and organizations that are fighting in those communities for, for justice on other things as well. Have their back, and they'll also have yours.

Jason Ortiz: Yeah, so I'm lucky to have I spent a few years in North Carolina and doing anti-death penalty work there for a long time. And it's true, especially about the sort of blue cities in rural red other spaces, right, you have Raleigh and Durham, and between Raleigh Durham and Asheville there's all state there of folks that you do want on board and who are also impacted by the war on drugs. So for me, one of the most important things and it's been a fight that's happened the entire process is the definition of equity applicants. Right, really being able to clearly identify who can access these programs, and what programs those people will be able to access is vital to the success of the program. So that a few years from now, when we look back on the program and see who benefited from this who's still in business, those people are the ones that we intended to benefit. One of the things that we are constantly struggling with is how wide to make the definition of equity applicant, and include more communities, versus how narrow we make the equity applicants so that the people that do join the program have sufficient resources. And so, one problem is that starting a business is tremendously costly, right, and so

if you have 100,000 equity applicants, in order to make sure that they're all able to be remotely successfully, to spread those resources very thin. And so personally, while politically it is more easy to include lots of people because lots of communities will then support that particular piece, I've been pushing to narrow the definition of equity applicant to those specifically impacted by the war on drugs. So folks arrested or incarcerated or had a family member arrested or incarcerated.

And in that fight, we are talking about what did we really do as a state that has police forces? Who did we hurt, who did we target, what was the actual damage done, and how do we quantify the damage done in order to make sure our investment is sufficient to heal the damage? And so, I think that goes to the core of legalization the core of what we're trying to do with community investment is really specifically identifying who was harmed, and the scale of the harm, so that we can appropriately fix it. But it's something that at every turn people will want to add more people and this people, different definitions.

One thing that does come up a lot, right, is including women or minority owned businesses, and because that tends to be a specific definition that already exists in state law. However, if you do that you will have lots of relatively wealthy white women that will be able to get cannabis licenses through the equity program and our poor and people of color communities black and brown men will be pushed out of equity programs by those folks that have significantly more resources. And so we do have to push back on the idea that equity programs are here to solve all problems for all people that have ever been harmed in society, and that we're talking about the war on drugs, specific communities where specific policies like red lining and various other very specific laws and practices put into place affected our communities, and remain committed that we're going to focus on those communities right now, in this particular bill. If we want to talk about helping other people, that's great. We can talk about lots of different ways to economic empowerment better than we're currently doing it, but when it comes to cannabis legalization and cannabis equity programs, I think one of the things I really pushed to not waver on is the definition of equity applicant.

Toi Hutchinson: That is the best answer to that question. It's what we're working on right now. It's why, it's why I was late to this call. The bill that we're working on right now adds a level that's justice involved. And it is like, you can take race neutral criteria to come up with the people who are most impacted by the war on drugs. You know 55% Black, 24% Latinx nationally we know this. But typically if you have more than one of those things together, you're more than likely black or brown. You're more than likely somebody in that targeted thing. Now, you don't have to necessarily be black around to have a conviction, or to have somebody in your family have a conviction, or live in a DIA, but typically if you you got all three of those, that wouldn't mostly, that just, it wasn't, that, that's not that's, that's mostly people who look like me. So, in that, in that space like kind of narrowing and narrowing those things down while you're also drafting in order to have it stand up in court, is a very, it's a, it's an interesting thread to, it's an interesting needle to thread.

But the major point that Jason just made is that equity is not diversity in this space. Equity is not analogous to diversity. And what we're having and people like co-opting the term equity and putting it in the diversity space. It's not about women, and all kinds of other minorities, or veterans or any of those things. It's not what it is, it is who was most impacted by the prohibition of the activity that we are now normalizing and legalizing. That is what it is. And you draw that nexus, you create your criteria, and you cannot waver. You can grow, you can kind of expand

but you cannot waiver because there have been plenty of people who don't ever want to see this happen. And the, the fight about that will be targeting a group of people who may not have that much businesses sense, you may not you know have, they're not highly resourced they're not highly.

It's also why we charged the major, the MSOs in Illinois the fees that funded our \$31 million revolving loan programs so we could redirect that money to people who are going to need those initial startup costs. The, tying the silos together so that it's not just about "yay, you got a license". Will you be able to stay in this industry and compete, what are the conditions on the ground to allow you to stay in there and compete. These are not, these these are. And that's why you can't fall, you can't waver on what the definition of these folks are that you're trying to treat, because we will figure out really quickly that social equity doesn't necessarily mean black or brown. Because you can't exclude folks from this, it is still America. We still have this court system this judiciary system, but we do have to expand conditions to allow folks who've always structurally been locked up and locked out of this, an opportunity to get in and then when they get in there the resources that they need to stay. So that those definitions...

It's almost like, we have to learn the lesson that they did for a really long time. They didn't draw bills and draft legislation and say this is, this is so black people can't have that. You don't see that in the statute anymore. But it's very specifically drawn, so black people can't have it.

So we need to understand the power of words, and things like shall and may and where comments are. And what those, what what those demographic numbers are and how you map and how you track, they know how to do that. We have to know how to do that. Because the only way we're going to fight this cannabis war, we have to know how to use the game that was not created by us, not created by us actually designed to keep us out, so that we can actually fully participate. This is real business, real life, real world. And there are people who don't mean us well, no matter how hard we try, so chess not checkers.

Shaleen Title: Let me jump in real quick on that.

Natalie Fertig: Please.

Shaleen Title: Um, I just want to note for social equity 2.0, you now have the data from Massachusetts California and so many other places, that is not good data, so you can move from the restrictions that we had with zero data to now being able to show this is an industry that is at best very disproportionately favoring white people and not diverse enough and not really reaching its goals, so we need to do more. So, take that into account when you write your laws, don't just copy ours.

And real quick. I love that question about what our one deal breaker should be that's a great way to think. I think the one deal breaker, not to be a broken record is, don't allow corporations to get too big, put strict limits on that. And the nice thing is, we have language in Massachusetts that evolved over the years, that's one of the few things that I would say you can just copy it wholesale. So anybody on the call, feel free to contact me I will send you that language.

Natalie Fertig: I think, I do want to say Shaleen it's been really interesting to watch Massachusetts program. I was just getting into cannabis reporting when, you know, Massachusetts program started and I remember some of the early headlines where ooh, they've created this equity program and it's not working. But to your point earlier about giving it time to

breath. What we're seeing now is more, still not a lot, but more of those equity applicants in Massachusetts have been getting into the program would you say that, that some of those, those limits, because it just took a long time for dispensaries to open in Massachusetts period. Compared to what's going on in Arizona now where it's just like everything's open. Right. It's a very different situation, can you tell the group, the call a little bit more about how limiting those licenses overall ended up kind of creating an easier pathway eventually for equity applicants to open dispensaries?

Shaleen Title: Yeah, I would say we still haven't figured out successfully you know how to make it work for equity applicants, but the rate at which equity economic empowerment and people of color, women, veteran owned businesses is rapidly accelerating. Like it's not enough but the rate is rapidly accelerating and what is important about those limits, is kind of saved us that we had them in place, because the bigger corporations got as big as they could get very very quickly and then they had to kind of pause there, while we have all of this time to help the other companies to just get started you know that are starting from so much further back. So you know I would have done it differently. Of course, if I could, but I still think like having those limits in place saved us and that's why I say it's the one thing that you know it's a deal breaker if it's not there.

Natalie Fertig: While we're talking about equity we did have one question, which is, can someone talk about equity that is not ownership or licensing, licensing-specific in this space?

Diana Houenou: Money. Yeah. Where the money goes. Right? That's a big one, and that's what Toi was talking about with the, with the \$30, \$31 million. And so, where revenue goes is also equity, like where you do, how you do and where you do your outreach is equity. How you help people get into the industry or get into the workforce is equity. And the partners that you work with, to support initiatives like racial justice initiatives that aren't cannabis related is still equity. Right like we as cannabis regulators can still be partners with educators and helping advance education equity, even if it's not cannabis related. And we can still help advance public health equity work particularly after COVID, and and helping to rectify some of the, the health inequities, even if it's not cannabis related, we can still do that work.

But also, private individuals, private entities have a role to play here they have a responsibility to help government undo the damage that has been done by the war on drugs, just as much as government operators do.

Toi Hutchinson: So yeah, I was only, go ahead Jason, go ahead.

Jason Ortiz: The way I look at it is it three prongs, so there's ownership and licensing, there's Community Investment of tax revenue and then there's reentry services and decriminalization. Right, so one of the first things is, you know, the non-ownership piece is stop putting people in prison. Right and so the level at which we decriminalized certain activities, not just simple possession but sales and cultivation, this is a big one. What often gets left out of the conversation is that we may legalize possession, but we don't necessarily end the war on our communities when it comes to sales of cannabis. Even in the governor's bill in Connecticut, if I were to sell one gram of cannabis after this bill passes, it's still a felony. And so, we have to make sure we're actually decriminalizing all aspects of the war on drugs, when it comes to cannabis and the various collateral consequences, employment, educational, housing, parenting. All of those are non-criminal justice impacts that we have to address in our bills to make sure we do that.

The other piece that is very important is where is the reinvestment money is going to go, which communities are going to get it and for what purposes can they use it. And again, this is where we have to be really clear in our definitions of who was impacted. Here in Connecticut we are pushing for there to be a very specific grant system where community organizations or municipalities, apply for projects that are in service of equity. This is, in large part to prevent money going to law enforcement. We've seen in lots of different states that money that is very clearly specified needs to go to communities impacted by over incarceration, somehow that money ends up in law enforcement hands. And we saw it in Portland, unfortunately, was a movement to address that. And so when we think about outside of ownership, not only were individuals targeted for arrest as a person, entire communities were targeted for mass arrests and mass disruption. So, how do we make sure that that part of it is also addressed, we pull people out of schools, and we throw young black and brown people in prison and pulled them out of schools. So let's reinvest in the education, right. If we may have people lose their houses because of cannabis crimes, let's talk about home ownership.

If we're talking about healthcare and why it is that impacted communities have, you know, disproportionately negative outcomes with things like COVID, let's invest in providing health care and services for everybody in those communities. Those have nothing to do with ownership but the reality is the war on drugs disrupted all those different facets of our lives. And so, the state, in my opinion it's the state that, the corporations have some responsibility too, but the government has a responsibility to invest that revenue at bare minimum to heal the damage done but really we have an opportunity to reimagine, how states and governments do Community Investment and what we're able to build out of this.

And so I think as activists, we do have a responsibility to go beyond just undoing the harm, right, taking the knife out, but actually talking about how are we going to take this moment to revolutionize how we do community investment. How we do oversight of government investments and create institutions and processes that can last a generation to make sure that we never make this mistake again.

Toi Hutchinson: You just made my soul sing. Like, thanks guys, like Jason go, because what you just described is our community reinvestment program. We, it's one out of every \$4 goes to that. And for those things, for job training, for mental health, or substance abuse, for violence interruption, for like. That's the whole point like every, it's one thing to say who are the people who are most impacted. Who are the people who are most impacted? Those people come from communities, which means you can't have people most impacted without communities most impacted and you can't really get to justice without both of those things. Like what does it look like on the block, on the hood, on the porch? Like that is, these are for people who never who are never going to touch, it is not about touching the plant or starting a business or anything. It's just about living your life, freely and be able to participate in the entire economic stream. So our community reinvestment project, I don't know which I'm more proud of. I think what I'm most proud of is that they're connected. You can't take, you can't undo any of these things. While we're fighting for the licensure, we're also reinvesting the money and we're also working on undoing you know the harms to the individual. Because you really, that that is, they have to all be connected and that whole, and then you can't talk about equity without talking about all of those things. Like licensure is, also why it's important is like, who's going to do the legal work, who's going to do the HVAC, who's building out the dispensaries, who's the one doing all the

marketing? Who's it... And when you change ownership, then you start to see different, the ecosystem of the supply chain changes, because there's a whole ecosystem connected to this.

Conversely, you know like, how do you get people who can't, you can't access banks and raise money so like where do you get the money to help people actually start that's why we have a revolving loan program. And then, I don't care what happens to you if you're going back to the same broken neighborhood, we just see nothing but disinvestment and being passed over this entire time so the people who live there aren't worth investing in. Then from here on out in the state of Illinois, every time those every time we see those receipts. I'm connecting it to the plan. And that plan is going to be connected to the community. Because we're the legacy that that thing was whole built on top of. So community reinvestment is... Thank you, Jason.

Natalie Fertig: You guys we've got about 15 minutes left. I want to just apologize to all of the participants who sent us more than 20 fantastic questions that were never going to be able to hit you guys are awesome and if you can convey any of these questions to these very busy people they may have time to respond at another date and hopefully there can be more of these conversations in the future. But I do want to talk about federal legalization really quick before we end this conversation.

Obviously, Senator Schumer is working on a bill right now, the MORE act in the House passed last December, a lot of these bills do have equity components, but they do also still leave a lot of this up to states. As people from the states that have been working in the equity space, what would you like to see from the federal government what would be the biggest change aside from, you know, descheduling cannabis from the Controlled Substances Act, what would be the biggest change or help or things that the federal government could do to empower equity in your state? Shaleen, I haven't heard from you just in like five minutes or so, so maybe if you want to take a go at that first and then we can work our way around.

Shaleen Title: Sure, and thank you for your reporting Natalie because that's where I get a lot of my information about what's happening at the federal level. Um, well, I lose a lot of my longtime allies and colleagues in the legalization movement when I talk about this and I am sorry for alienating you all when I say this, but I don't think that we are ready for federal legalization yet. Because I have not seen a plan for how it would happen where overnight we don't lose all of the progress that we've made in the states. This very fragile progress that we have like given so much blood and sweat for with all the people in our states together.

If we don't find a way to preserve that we're going to lose it. And I think a lot of people who are watching what happens in the states you know and finding it uninspiring, you know, understandably, don't understand how much worse it could get. The companies that are looking at getting involve Walmart, Amazon, Uber, and then companies like big tobacco, that are forming federal lobbying groups that are convicted racketeers that have lied to their customers about their products. We haven't seen that happen you know, and I can say as regulators, we're worried about public health and public safety, of course, but we haven't seen the kinds of things that have happened with tobacco. And they potentially could, like there's nothing special about cannabis that would protect, inherently protect it from being mixed with other substances, being made addictive or whatever should happen for profit. So I think we need to have a plan for that and to protect our state's progress before we're ready to move on with federal legalization. But the great thing is, Senator Schumer and others, Senator Booker Senator Wyden, they've been

very clear that, that is what they want to do. And so what we need to do is make our plan, get on the same page, and then do it.

Natalie Fertig: Sorry, is there something from your perspective that a federal law could do to at least maybe provide some time, or, like, what would that look like in federal legal language to protect state equity programs?

Shaleen Title: Yes, I think that's going to take a lot of smart people thinking about it but I think that what you could do is allow states to pretty much keep the program that they have so in other words not allow interstate commerce in their state at least for some time, or until some particular goal is reached.

Jason Ortiz: So I would like to see the federal government fund local social equity programs. The, one of the biggest benefits of the federal government is they have a tremendous amount of resources and money that they could use to support various types of efforts. And one of the previous bills by Corey Booker actually would have penalized police departments that continue to have racially disparate impacts and I think those types of carrots of funding, either pulling funding or adding funding to different programs, is a good space for the federal government. But I would agree with Shaleen that we have a lot of conversations that we need to have before we're ready for federal legalization.

And one thing that federal representatives could do is a Truth and Reconciliation Commission on the war on drugs. I think at a federal level, we really need to come to terms with what our government did to our own communities and deal with that first. So that as we're dealing with federal legalization, we're having the conversation in that context, not in the context of how quickly can we get big tobacco to start selling cannabis which is where it's going at the moment. And I also share the concerns there, where we have companies that are now going you know transnational, there's nothing that would lead me to believe they're going to be equitable in the way they engage in this particular market when the history of tobacco is not exactly, you know, without its own racist history. So, but I think before any of that happens someone like Senator Schumer could authorize or organize a Truth and Reconciliation Commission so folks like Shaleen and Toi, can actually speak to the nation about where we are in these different policies. But we got to come to terms with what we did first because I think people underestimate the damage that was done not just by local police departments, by federal agencies, and the damage we did to other countries. And I think if we do that and we have a serious conversation, the sentiment that comes from that will help us build better federal policy.

Toi Hutchinson: I think that's just, that's perfect, all of that, because they all like, you guys like take sentences out of my head. But the thing too, like, in acknowledging that, it's also so that we don't see, because you get to watch every single line of something they put in there. And we cannot afford to have federal legalization that even, like, to Shaleen's point, wipes out what it is that we're doing on the ground. So, if you're thinking about banking, and you don't embed equity principles in banking you still have a whole population of people who are largely unbanked. So now we're going to have banking laws that opened it so we're like, yeah now cannabis companies can access banks. But the people we're targeting to get into ownership still can't access those banks.

If we don't embed those principles into every single decision we make as it relates to this, we don't embed equity into it we miss opportunities. Down to like, it was wonderful when it passed the House of Representatives, the MORE Act, but it had a line in there that specifically bans

felons from being able to own. We have to, we have to be on top of all of those things. Otherwise, every single equity program we're attempting, which can never be fixed... Bottom line, I think that, that kind of encapsulates it, you can't fix what you don't see, which is why, the point Jason has just made, you cannot fix that you don't see. So we're all jumping up and down going this is, this is the thing that's going to fix it when we have not identified....

You know, like we need the federal government to come from the, from the standpoint of you can't help me, you can't love me, you can't work for me, you can't fight for me if you don't see me. So you we can't, we can't keep coming up with you know blind policies. Smart public policy addresses real data, real information based on what actually happened, so that we can truly, actually dismantle it.

Natalie Fertig: Diana did you want to add anything else to that conversation?

Diana Houenou: I don't think there's anything else to add. All right, well, because we're sort of in this federal conversation, you mentioned banking Toi and that's one of the biggest conversations on Capitol Hill right now is there is this bill that would just open up banking. It really wouldn't fix all of the problems, but it would make banking a little bit easier and I know that the MBCA has come out pretty strongly for the banking bill. But between federal legalization and banking I think there's a perception amongst people, and especially amongst federal lawmakers, that like we have to forget about banking we need to move forward for federal legalization for equity and for fixing the war on drugs.

Would you, are there any argue counter arguments that you might make to that? Are they may be not thinking about the whole picture?

Toi Hutchinson: I think the biggest thing that I did that I've come across and I'm sure, almost all of us on this panel have come across this is that we talked to a lot of policymakers everywhere across the country they have a whole lot of opinions based on very limited information. Because this is a big topic. It's a really big, complicated topic, it's a big hairy beast. And so, when you pull back one layer then you realize that there's like nine that you didn't even know you just realize you just didn't even touch.

And so, you'll have folks who feel really, really strongly like we should just legalize, or we should deschedule or we should even, when the president says we need more information, we need a little bit more research, I was like, then stop only taking one strain from one university from 1950 something, like we got a million... There's a lot of resources happening that they're just not listening to. So we want to, if we really were to take on banking... If anyone comes and says we don't need to talk, we just need to legalize the whole thing. One, you risk wiping out all of the equity measures that are so critically important to changing the face of this industry, because its corporatizing by the minute, by the minute. And if you don't, if you aren't willing to dig in and do the work to understand what is really at stake. Yes, banking will make it easier, yes banking speaks to the whole ecosystem because you'll have companies like who makes seed and dirt and the agribusiness that goes into hemp and all kinds of other things that are happening right now where there's some you know tenuous relationships with how you earn that money. Like that's why it's not just cannabis companies saying we need to banking. It's the whole, it's, it's everybody who could receive money from working with these entities that need banking solutions.

But what we need are also banking solutions that that that I deal with this population of people who were shut out, who, who come to this unbanked anyway. A lot of people who are working have banks. So if I have a new equity business, why do they need to spend three times the amount of money than anybody else just to have a checking account. Just to have a checking account. Like there's going to be multiple layers of racist behavior, exclusionary behavior, specifically to these folks that we're trying to prop up to get into this industry, that if it's not dealt with on that level then we're also continuing to do harm.

And so, I don't need people arguing about cannabis policy by headline. Like this is what the last horrible newspaper report said. Like if you're gonna join this movement, join this movement because there's a lot of work to be done and you cannot do it on the first three, the first three lines of a story. And you know, like, and don't kind of go underneath the surface. This is that's what I mean when I say like it's, this is big. This is big and it requires, it requires our best policy minds to undo and dismantle really, what's structural about this.

I cannot underscore that enough, that every time we, there is no simple solution to 90 years of the drug policy we've had in this country, there is no simple fix. There's, no one bill it's going to do it. So just acknowledge that. You know, this is an ongoing thing, do you think it wasn't easy to do what they do but they did it, they did it over time they did it a decade after decade after decade, state by state, community by community, block by block, person by person. And that's how we have to come at all the fixes.

Diana Houenou: And just build upon that, for us in New Jersey the question of whether to legalize was a relatively simple one, the equity was the hardest. The hardest pieces to get right. Right, and even something as singular, nuanced as what do we do about kids, so that kids are still saying that we're not criminalizing kids but we're not promoting use by kids but even that one issue, took three months to figure out. Right, so it's, I say like, I say to people you need to understand that the, the, this isn't going to be fixed in a year, it's not going to be fixed in two years, the war on drugs was a decades long effort that was intentional and fierce and we need to be just as dedicated, just as fierce and in it for just as long if not longer to help, help do, do some affirmative good.

Shaleen Title: Absolutely. Well said. I want to repeat what Natalie said it wouldn't turn to the questions. These are really thoughtful questions, my colleagues at the Drug Enforcement and Policy Center we are copying and pasting all the questions so we can save them for, for future work so thank you for asking them. As a closing thought I just want to know someone I think nodded to this earlier, but people are coopting these talking points, and it's a massive pet peeve of mine to see people calling for corporate monopolistic laws and saying this is for patients, or this is for people who are being arrested. And I think we all need to call out that behavior when we see it. And honestly, we're a lot better I think at communicating, you know than the people making those statements usually. So I encourage everybody to do that and to not paint this entire movement with a broad brush, whether it's one end or the other.

Jason Ortiz: I'll just say quickly for all the non-regulators in attendance, for folks that are organizing the push, right is, we have to make sure we identify our champions and shout out to a representative Robin Porter for being the equity champion in Connecticut and supporting them. Like a lot of times we see folks that are in elected office as they're all the ones making bad policy, but it's that's not true. They're very specific ones that are helping, and very specific ones that are hurting so find the ones that you can support because you're going to need them

to get things done, but also be unapologetic with the people that are clearly addressing the corporate side of things over the people.

Now is not the time to be subtle, or soft on what we're doing, we have the public opinion with us. So, all the activists out there just feel empowered to address things openly and clearly, we have the momentum and we have the policy to make it happen. So anyone anywhere, feel free to reach out about how to do that, check out what's happening in Connecticut we've been pretty aggressive there, but also just use the tools at your disposal and no matter where you are, ask your local officials, how are we going to ensure a cannabis equity, wherever we are?

Natalie Fertig: Alright, well, thank you guys so much for being here for this panel. If you just joined us from Twitter or something and you kind of just stumbled upon this, you should feel very lucky because you just got to hear some of some of the top minds in this issue in America, discuss what's going on in their states. I have been very felt lucky to just be here to moderate this conversation so thank you guys so much for having me. Thanks to everyone for tuning and in, and thank you panelists for sharing your fantastic knowledge. Yeah, I think that's it for us. So, thanks everybody.

Jason Ortiz: Thank you! Si se puede. We'll see you all in the streets.

Toi Hutchinson: Yay!

Jason Ortiz: Take care everybody.

Toi Hutchinson: Bye bye.