



The Honorable Andrea Stewart-Cousins
Majority Leader, New York State Senate
172 State St, Albany, NY 12210

The Honorable Carl Heastie
Speaker, New York State Assembly
202 Legislative Office Bldg, Albany NY 12248

Dear Leader Stewart-Cousins and Speaker Heastie,

As New York is well-positioned to pass the most progressive legalization legislation in the country and show other states a successful model for equitable and just legalization, we urge you to legalize marijuana adult use marijuana in New York by **passing the Marijuana Regulation and Taxation Act (S.854/A.1248)** to ensure legalization has justice, reinvestment, and health and social equity at the core.

New Yorkers are more ready than ever to create a new paradigm for marijuana legalization that centers reinvestment, equity, and justice. Given New York's appalling history with racially biased marijuana enforcement, we need responsible legalization that doesn't leave out the New Yorkers targeted by marijuana overpolicing.

Any legalization effort that purports to be responsive to the devastation of the marijuana arrest crusade in New York must center social equity and direct tax revenue from sales toward the communities that are still reeling from decades of biased enforcement, which the Governor has recognized. And legislation must include specific language to resolve the devastating collateral consequences of marijuana criminalization in the fields of housing, employment, child welfare, and immigration.

The Marijuana Regulation and Taxation Act (S.854/A.1248) comprehensively meets these goals and would set a new national model by focusing benefits on those who have been harmed by prohibition. We urge the Legislature to elevate the Marijuana Regulation and Taxation Act (MRTA) over Governor Cuomo's competing proposal that maintains criminalization in marijuana enforcement while also not ensuring the benefits of legalization will be felt by the Black and brown communities that were impacted the most by marijuana prohibition.

Community Reinvestment

To legalize the right way, a significant portion of marijuana tax revenue must be reinvested in the communities that bore the worst of the arrest crusade and are now doubly ravaged by COVID-19 deaths, job losses, and business closures. Such a move would also be responsive to budget shortfalls as a result of COVID-19 and the resounding calls to shift resources away from criminalization and instead invest in building up communities holistically, including supporting community health initiatives.

Marijuana legalization in our state must be centered in economic and racial justice now more than ever, because we know the same communities targeted by the war on drugs are the ones with the least access to healthcare right now, the ones grappling with decades of the economic toll from criminalization, with low wages, unstable housing, and the ones losing jobs and loved ones at the same time -- the structural factors at play are wholly intertwined and our policy solutions must be as comprehensive as the damage that has been done to communities.

Ending Criminalization

We also demand that any movement on legalization removes criminalization associated with marijuana by eliminating the odor of marijuana as an excuse for a stop and search and addresses the lifelong consequences associated with prohibition, specifically the devastating effects of criminal enforcement on

communities of color in immigration, child welfare and other civil proceedings, housing, education, and employment, as the MRTA does. Legalization must also include robust expungement and resentencing and reclassification provisions, which the MRTA has and the Governor's bill lacks.

Social Equity

We demand that communities that have been most disproportionately harmed by cannabis prohibition have opportunities to participate in New York's newly-regulated cannabis industry at all levels, from employees to C-Suite executives, to business owners. We achieve this by building comprehensive equity measures now, by ensuring NYS requires a qualified Chief Equity Officer to oversee the social equity program, and bill language that specifies a goal of at least half of cannabis licenses being issued to social equity applicants. New York's social equity program must recognize the heavy capital demands of operating a cannabis business and offset these costs by offering zero or low-interest loans and business training and support services to social equity license holders, which the MRTA does through the incubator program. It is imperative that we create a cannabis industry that centers social equity applicants, New York small farmers, and small businesses in general over large corporate interests.

Medical Program Improvements

Reforming our medical cannabis program should merit the same focus as the development of New York's adult-use program. As we endeavor for social equity with cannabis, we cannot forget that health equity is social equity, an indelible lesson of this pandemic. The cannabis plant has become essential to the wellness and well-being of many New Yorkers. Patients must have access to cannabis first and foremost, financially, geographically and medically. "Access" means providing fact-based education about cannabis and information regarding our medical cannabis program. It means keeping the cost of cannabis medicine, including taxation, minimal for patients. It means creating a market of effective and diverse cannabis medicines that provide patients with the scientific information, just as with any other medication. "Access" means including whole, unprocessed flower in the medical program. It means locating dispensary and/or delivery programs in rural areas and moderate- and lower-income communities to service all patients. It means creating state-regulated access and patient-operated cooperatives to endure the availability and affordability of medical cannabis. "Access," in all its incarnations, is fundamental to true compassionate care.

Personal cultivation

Personal cultivation, or home grow, is an essential feature of any well-rounded cannabis legalization program. Of the 15 states and Washington D.C. that have adult-use programs, all but 2 allow adults to grow their own cannabis. The overwhelming majority of other adult-use states have recognized an adult's right to grow a limited number of plants for their own consumption, and New York State should be no different. The plant allowance under the MRTA is in step with other jurisdictions and will not undercut the newly-regulated cannabis market; this allowance produces too small of a flower yield as to create an unlicensed cultivator, and the time, space, and patience required to grow cannabis ensures that only a fraction of adults will actually undertake personal cultivation activities. It is also crucial that New York allow home cultivation, especially for our most vulnerable patients; for their maximum medicinal efficacy they need to control the conditions, nature and consistency of their medicine through home cultivation, rather than depending on dispensary products that may follow cannabis market trends and not prioritize patients' medicinal concerns.

Environmental

Social equity and climate justice are also inextricably linked. It is the same communities disproportionately harmed by the war on drugs that bear an unequal share of the negative consequences of environmental degradation and climate change – communities of color, immigrants, low-income individuals and non-native English speakers. Large-scale industrial indoor cultivation is one of the most energy intensive industries in the country, dumping massive amounts of greenhouse gas emissions into our air, with energy use so excessive it will nullify the state's commitment to reduce carbon emissions 85% by 2050. We call upon lawmakers to prioritize these issues in the MRTA, from excessive greenhouse gas emissions to the health impacts from harmful chemicals to ecological destruction from packaging waste. By prioritizing climate resiliency and ecological sustainability, and supporting small craft cultivators and microbusinesses using environmentally-regenerative practices, the MRTA can help ensure that the worst impacts of climate

change and environmental destruction are not also borne by those who have already suffered discrimination and marginalization.

Given New York's history of draconian enforcement, we must be bold and innovative in creating justice and equity within marijuana legalization. New York must now lead the nation in legalizing adult-use marijuana swiftly with policy that is responsive to the massive problems generated by criminalization through equity and community reinvestment.

We urge you to do everything you can to pass the Marijuana Regulation and Taxation Act (S.854/A.1248) now.

Thank you,

1199 SEIU
32BJ SEIU
A Little Piece Of Light
All That Jive NYC
Asian Cannabis Roundtable
The Bronx Defenders
Brooklyn Defender Services
Brooklyn Movement Center
Canna Haven Buffalo
Cannaclusive
CannaCultural
Cannaware Society
Castetter Cannabis Group
CEASE
Center for Appellate Litigation
Center for Community Alternatives
Chinese-American Planning Council (CPC)
Citizen Action
Colored Girls Bike Too
Communities United for Police Reform
Community Service Society of New York
Cooperation Buffalo
Democracy at Work Institute
Doctors for Cannabis Regulation
Drug Policy Alliance
DRUM - Desis Rising Up & Moving
Empire State NORML
Faith in New York
Families for Freedom
Five Borough Defenders
Genesee Co-op FCU
Green Worker Cooperatives
High Mi Madre! LLC
Housing Works
Immigrant Defense Project
Justice Committee
Katal Center for Equity, Health, and Justice
LatinoJustice PRLDEF
Long Island Progressive Coalition
Long Island Social Justice Action Network
Make The Road New York
NAACP New York State Conference
New Economy Project

New Hour for Women and Children
New York Cannabis Growers & Processors Association
New York City Network of Worker Cooperatives
New York Immigration Coalition
New York Working Families Party
Nobody Leaves Mid-Hudson
NY Small Farma
NYC Network of Worker Cooperatives
NYC NORML
NYPIRG
NYU Wagner CannaPolicy
Partnership for the Public Good
Public Science Project
Rise Up Kingston
Roc NORML
S.T.R.O.N.G. Youth, Inc.
Sister Diaspora for Liberation
South Asian Fund For Education, Scholarship and Training Inc (SAFEST)
South Bronx Overall Economic Development Corp (SoBro)
Students for Sensible Drug Policy
Students for a Sensible Drug Policy - Buffalo
TakeRoot Justice
TLBK, LLC (formerly Tainted Love BK)
Treatment Action Group
VOCAL-NY
WESPAC Foundation, Inc.
WNY NORML
Youth Represent