



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