



**Minutes of the Social Equity in Cannabis Task Force
Disproportionately Impacted Communities Workgroup
March 24, 2021
Virtual Meeting**

Workgroup Members Present:

Michelle Cadigan, University of Washington

Darlene Conley, Industry Representative

Alexes Harris, University of Washington

Lacrecia Hill, Cannabis Equity Advocate

Alison Holcomb, ACLU

David Mendoza, Task Force Member

Christopher Poulos, Co-Lead and Task Force Member

Sarah Ross-Viles, Public Health Seattle & King County

Yasmin Trudeau, Task Force Member

Workgroup Members Absent:

Will Hausa, Commission on African American Affairs

Cherie MacLeod, Co-Lead and Task Force Member

Guests and Other Participants:

Lane Polozola, Attorney General's Office

Throughout the meeting, approximately 20 members of the public joined and participated. The workgroup thanks all of those who attended and shared their time, expertise, and lived experience to help shape this important work.

Staff Support:

Judy Edwards

Melanie Hisaw

Christy Curwick Hoff

Elise Rasmussen

Christopher Poulos, Co-Lead, called the public meeting to order at 4:01 p.m. and read from a prepared statement (on file).

**1. DISCUSSION: KEY TAKEAWAYS & REFLECTIONS FROM WORKGROUP
HOMEWORK**

Elise Rasmussen shared that her last day with the Task Force is March 31 – she has accepted another position with the State Department of Health. She said we heard from about half of the members and this discussion would allow those who didn't get a chance to complete the homework to share their thoughts. Members and public participants discussed the overall purpose of the Task Force, the specific populations that should be the focus, whether the program is a form of reparations, and what success would look like.

Sarah Ross-Viles, Workgroup Member, volunteered to help code the qualitative data to develop a summary of themes. Elise said the summary document could be used as a reference of guiding principles that members could refer back to as they continued with the work.

2. BRIEFING FROM THE ATTORNEY GENERAL'S OFFICE

Yasmin Trudeau, Workgroup Member, introduced the agenda item. She shared the role of the Attorney General's Office (AGO) was to be helpful and wanted to be clear that nothing they can offer in today's discussion can be considered legal guidance. She added that they would not be reviewing specific recommendations. Lane Polozola, Attorney General's Office, shared the strict scrutiny standards that courts consider when government entities allocate benefits or burdens on the basis of race. He said that strict scrutiny standards apply even when a policy is specifically meant to benefit certain groups. Two primary questions used to determine whether strict scrutiny standards are met are: (1) whether there is a compelling government interest in using a racial classification and (2) whether the means the law chose are narrowly tailored. Chris Poulos, Workgroup Co-Lead said that if the workgroup and ultimately the task force includes race-conscious measures in their recommendations, they will be scrutinized under these strict standards.

3. DISCUSSION: SOCIAL EQUITY IN APPLICANT ELIGIBILITY & PRIORITIZATION CRITERIA

Christy Curwick Hoff said the purpose of this agenda item is to talk through how the Liquor and Cannabis Board (LCB) will operationalize the program and apply applicant eligibility and prioritization criteria in order to begin identifying equity gaps and barriers. She shared a presentation (on file). Discussion items and themes included the following:

- Whether eligibility criteria should be based on cannabis specific convictions or broader drug convictions. Several members offered support for criteria based on drug convictions more generally due to the targeting of the war on drugs. Members also discussed limitations of data for place of arrest. Participants also discussed potential changes that could be made based on HB 1443.
- How to define "family member" for the eligibility criteria of having a family member convicted of a cannabis (or drug) offense. Several members supported the idea of having a broad definition of family especially since the war on drugs split up families. Members also discussed the need to be mindful of who the program is meant to benefit and unintended consequences.
- Whether additional eligibility and/or prioritization criteria should be recommended. Members discussed options such as including specific race-conscious measures or whether to prioritize former dispensary owner.
- Whether there was value in having two phases of eligibility, such as an initial phase based on statutory criteria and a second phase to further narrow the pool. Members discussed how social equity programs in other states have secondary criteria based on income. Participants discussed how there will likely be a large

pool of applicants so additional edibility and/or prioritization criteria can help prioritize.

- What information should be submitted in the social equity plan, which will be the way applicants can make their case that they should be issued a license. Participants discussed a suggestion to have applicants take a class or have a business plan as a way of setting applicants up for success. Participants discussed equity implications of that suggestion and the desire to avoid creating any additional barriers. Many participants agreed that technical assistance may be needed for some in the application process but that it shouldn't be a special requirement just for social equity applicants.
- The process LCB would use to accept applications. Members and participants discussed some pros and cons to different approaches: (1) first come, first serve, (2) lottery, (3) open application window.
- Additional requirements LCB has for applicants, including criminal history background checks and financial reviews.

4. NEXT STEPS

Christy Curwick Hoff said that staff would use the guidance shared during the meeting to modify the workplan. She said the workgroup will likely break up into smaller groups and that staff would follow up with members via email before the next meeting.

ADJOURNMENT

Co-Lead Poulos, adjourned the meeting at 6:59 p.m.

To request this document in an alternate format or a different language, please contact Kelie Kahler, Washington State Board of Health Communication Manager, at 360-236-4102 or by email at kelie.kahler@sboh.wa.gov TTY users can dial 711.

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