



**Draft Minutes of the Social Equity in Cannabis Task Force
Disproportionately Impacted Communities Workgroup
April 13, 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

Cherie MacLeod, Co-Lead and Task Force Member

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:

Rick Dimmer, City of Seattle

Alison Holcomb, ACLU

Guests and Other Participants:

Throughout the meeting, approximately 29 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:

Christy Curwick Hoff

Joe Radermacher

Elise Rasmussen

Anzhane Slaughter

Cherie MacLeod, Co-Lead, called the public meeting to order at 4:01 p.m. and read from a prepared statement (on file). Staff shared the Zoom protocol, conversation norms, and reviewed the agenda. Co-Lead MacLeod facilitated introductions of members.

1. BRIEFING—LESSONS LEARNED FROM OTHER STATE SOCIAL EQUITY PROGRAMS

Christopher Poulos, Co-Lead, introduced the agenda item and Paula Sardinias, Social Equity in Cannabis Task Force Co-Chair. Co-Chair Sardinias gave her presentation (on file). During her briefing, she highlighted that the ACLU study on disproportionate effects of the war on drugs has informed the creation of social equity plans across many states. She made clear that impacts have been felt not just on immediate family members, but on extended family, friends, and foster parents/guardians. She spoke about challenges other states faced in legislation when using race as a determining factor in social equity programs (e.g., being deemed unconstitutional in Ohio). She spoke about using a matrixed approach to identifying those who should be deemed eligible for participation

in a social equity in cannabis program, including not just how they have been effected by the war on drugs, but also factors such as income/poverty level, location, and even recent challenges such the COVID-19 pandemic. She also spoke to most data pointing to the black male being disproportionately affected across indicators.

Yasmin Trudeau asked if the definition of “family” has come into question in other programs. Paula Sardinias replied regarding the possible use of the Paid Family Leave Act definition of “family” as the standard for this program. She also commented that not everyone needing support has been arrested, but still have proximity to the effects of the war on drugs. Members discussed the timeframe parameters for eligibility based on living in a disproportionately impacted area and Christy Hoff shared that amendments to HB 1443 currently removed timeframes, allowing the Task Force flexibility in making recommendations to LCB based on best available data.

2. SMALL GROUP BREAKOUTS

Co-Lead, Chris Poulos said they would be breaking up into two small groups. He would lead a “Social Equity Applicant” small group focused on refining eligibility and prioritization criteria and thinking about the process they would recommend to LCB for accepting applications. Co-Lead MacLeod said she and Michelle Cadigan, Workgroup Member, would be leading the “Disproportionately Impacted Area” small group focused on data and indicators to recommend to LCB to identify geographic areas designed as DIAs. Staff provided instructions to members and public participants and everyone broke up into their respective small groups.

Social Equity Applicant Small Group

Co-Lead, Chris Poulos opened the small groups session by introducing the topics of discussion. Anzhane Slaughter, Task Force Staff, posed the question to the group: How are we going to define “family” as we seek to identify applicants that have been affected by the war on drugs? She provided an overview of other states/cities policies and definition of “family.” She also provided various WA RCW definitions of “family” from Domestic Violence, Parental Visitation, Indian/Tribal, and Paid Family Leave laws.

- After discussion, the group broadly concurred that the term “family” should remain broadly defined, using the Paid Family Leave Act definition as a standard and ensuring “fictive kinship” is taken into account. In addition, evaluation should be conducted to determine if there is a culturally relevant definition which Tribes use in RCW 26.10.11.
- The group also came to general consensus that the requirement to provide documentation to prove relation to a family member that has been disproportionately affected should remain minimal, if required at all. Many felt that requiring this documentation would become a barrier to entry for many who should be eligible for this program. The group also agreed that using the word “may” to describe when documentation should be required leaves the process open to discrimination and should be avoided.

- Finally, the group came to a consensus that the honor system should be considered sufficient for this purpose. Applications could use a simple check box as a means of recording a relationship with a family member disproportionately affected. Another option would be to require a simple two- to three-sentence explanation of the person's relation.

Disproportionately Impacted Area Small Group

Michele Cadigan, Workgroup Member, said the focus for this workgroup is to define the "geographic unit of analysis" that will be used in this program. She went over the options (largest area to smallest area): county, census tracts, or census block groups. Member Cadigan shared [this resource](#) with the group that geospatially shows socioeconomic data. You can look at poverty, median household income, etc. She shared how census tracts in rural environments are bigger than more urban areas because tracts are based on population size. Member Cadigan said that it is important to consider "micro-segregation," or that there may be multiple segregated communities within a single census tract.

- The group generally agreed that census tracts make the most sense as a starting point for evaluating applications. However, deeper evaluation of broader data points to capture micro segregation and other factors could be used to further narrow the applicant pool to ensure the licenses go to the right people.
- Although timeframe and decade need to be taken into account due to how gentrification has affected communities, it may be possible to use census blocks to further evaluate the applicant pool appropriately.
- The group discussed the potential of having multiple maps based on time period; 1980's, 1990's, and 2000's. Another option would be to make the timeframe flexible, depending on the geographic area. A factor would be the cost associated with developing and maintaining the map(s) that will be used for the program. A budget proposal for map development may need to be prepared, possibly for funding through the supplemental budget next year.
- Finally, the group discussed additional considerations that need to be taken, such as how the Blake decision will affect eligibility through commutations. Identifying what thresholds do NOT qualify is also needed, namely when evaluating income or poverty level.

3. REPORT OUT FROM SMALL GROUPS

Social Equity Applicant Small Group: Anzhane gave the report out detailing the presentation she gave as well as the following discussion. The group favored the broader definition of family found in the Paid Family Leave Act, minimal requirements to provide proof through documentation, and relying on the honor system and a basic description of relation to those disproportionately affected by the war on drugs.

Disproportionately Impacted Area Small Group: Co-Lead MacLeod gave the report out detailing the presentation given by Member Cadigan and the follow up discussion.

The group favored using census tracts as an initial screening tool and census blocks to further prioritize applicants during the process. The group felt that having maps that can be tailored by time period would also help to identify those who need to be prioritized as applicants, noting that there are differences in decades from the 1980's through the 2000's.

4. NEXT STEPS

Christy said that the next meeting of the workgroup was scheduled for Monday May 3 from 4-7 p.m. She said they would likely stay in small groups for that meeting to continue their work and that staff would be in contact via email with any additional information. She said the Licensing Workgroup is scheduled to stand up Wednesday April 21st from 1-4 p.m. She said a Technical Assistance & Mentorship Workgroup is tentatively scheduled to start May 11th and invited community members to become involved in those workgroups as well.

ADJOURNMENT

Co-Leads Poulos and MacLeod thanked community for their participation and adjourned the meeting at 7:00 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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