

Rhode Island Cannabis Advisory Board



Presentation by
Social Equity Officer and
Cannabis Advisory Board
Chair Ron Crosson

September 13, 2024



Market Participation Subcommittee

A subcommittee on market participation to develop recommendations on minority and veteran-owned businesses, local agriculture and growing cooperatives.

R.I. Gen. Laws § 21-28.11-6(h)(4)

Members:

- **Chair** Ronald Crosson
- Dr. Mary Archibald
- Angela Bannerman-Ankoma
- Angelyne Cooper-Bailey, Esq.
- Michael DiLauro, Esq.
- Ana Novais, designee, Executive Office of Health and Human Services
- Matthew Santacroce, designee, Department of Business Regulation

Met on: ➤ 2/15/2024
➤ 3/11/2024
➤ 4/25/2024
➤ 7/18/2024
➤ 8/1/2024
➤ 8/29/2024

Social Equity Subcommittee

A subcommittee on social equity to develop recommendations on remedying the harm to individuals directly and adversely impacted by the past enforcement of cannabis-related laws.

R.I. Gen. Laws § 21-28.11-6(h)(5)

Members:

- **Chair** Ronald Crosson
- Dr. Mary Archibald
- Angela Bannerman-Ankoma
- Angelyne Cooper-Bailey, Esq.
- Michael DiLauro, Esq.
- Ana Novais, designee, Executive Office of Health and Human Services
- Matthew Santacroce, designee, Department of Business Regulation

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Matters presented to the Cannabis Advisory Board

1. How many criteria should be required for an area to be considered a “disproportionately impacted area,” based on the July 11, 2024 Cannabis Advisory Board meeting presentation on the DIA data analysis conducted by the Office of Health and Human Services.
2. What additional factors and/or considerations should be evaluated when certifying applicants as social equity applicants.
3. Provide considerations for the distribution of funds from the Social Equity Assistance Fund, in accordance with R.I. Gen. Laws § 21-28.11-31.

Statutory mandate involving the Cannabis Advisory Board when determining disproportionately impacted areas

The commission shall, with recommendations from the cannabis advisory board and the chief equity officer, issue guidelines to determine how to assess which communities have been disproportionately impacted and how to assess if someone is a member of a community disproportionately impacted.

R.I.G.L. § 21-28.11-3, “Definitions”

Statutory mandate involving the Cannabis Advisory Board when considering additional factors for qualifying social equity applicants

“In consultation with the cannabis advisory board, identification of factors to be evaluated in the approval and certification of social equity applicants and establishment of procedures and policies to promote and encourage full participation in the regulated cannabis industry by people from communities that have previously been disproportionately harmed by cannabis prohibition and enforcement.”

Statutory mandate involving the Cannabis Advisory Board for the Social Equity Assistance Fund

“In consultation with the cannabis advisory board, the commission shall promulgate rules and regulations establishing the criteria, eligibility, qualifications and process for administering the disbursement of funds from the social equity assistance fund.”

R.I.G.L. § 21-28.11-31(d), “Social Equity Assistance Program and Fund”

CAB Recommendations

Disproportionately Impacted Areas:

- ▶ Motion to recommend to the Cannabis Control Commission, that at least three or more of the statutory criteria be met for a municipality to be considered a DIA
- ▶ Vote: Unanimous
 - ▶ (8 out of 11 voting members present on 9/12/2024)

CAB Recommendations

Additional factors for Social Equity Applicants:

In creating the Social Equity Assistance Program and Fund, RIGL 21-28.11-31, the General Assembly made findings that acknowledged the reality that certain communities, especially communities of color, have been disproportionately impacted by the past enforcement of cannabis related laws. The Rhode Island Cannabis Act attempts to right those wrongs through consideration of various socioeconomic factors, without explicitly naming race.

The United States Supreme Court has made clear that the use of race as a criterion for entry into any governmental program will receive the highest level of constitutional scrutiny. This constitutional precedent cannot be ignored.

Therefore:

1. The Cannabis Advisory Board recommends that the Cannabis Control Commission should heed the findings of the General Assembly as outlined in RIGL 21-28.11-31 and when evaluating and certifying applications for a social equity applicant, be mindful of the well-known and documented truth that certain communities, especially communities of color, have carried the brunt of the adverse consequences due to the past enforcement of cannabis-related laws.
2. The Cannabis Advisory Board also recommends that the Cannabis Control Commission, in accordance with current constitutional, federal and Rhode Island laws, provide race/ ethnicity as an additional factor and/or consideration to be evaluated when certifying applicants as social equity applicants, which reflects the realities that minority communities have been disproportionately adversely impacted by the past enforcement of cannabis-related laws.

► Vote: 7-0-1

CAB Recommendations

Social Equity Assistance Fund:

- ▶ Motion to recommend to the Cannabis Control Commission, that the Social Equity Assistance Fund be purposed primarily towards solving access to capital issues that social equity applicants face to the extent that it is possible. In addition, the Board recommends that the Cannabis Control Commission ensures the availability of technical assistance and ensures comprehensive outreach about the availability of this program to communities which have been disproportionately, adversely impacted by the past enforcement of cannabis-related laws.
- ▶ Vote: Unanimous

Questions?

