



STATE OF RHODE ISLAND

**560 Jefferson Boulevard
Warwick, Rhode Island 02886**

Cannabis Control Commission

Open Meeting Minutes

DATE: Friday September 13, 2024

TIME: 1:00 PM

PLACE: Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02886

MEMBERS PRESENT: Chair Kimberly R. Ahern, Esq.
Commissioner Olayiwola Oduyingbo, Esq.

MEMBERS ABSENT: Commissioner Robert B. Jacquard, Esq.

OTHERS PRESENT: Michelle Reddish, MS, MPH, Administrator, Cannabis Office
Mariana Ormonde, Esq., Chief of Legal Services, Cannabis
Control Commission
Kelsey McQueeney, Administrative Officer, Cannabis Control
Commission
Carla Aveledo, Esq., Policy Liaison and Legal Support, Cannabis
Control Commission

Chairperson Ahern called the meeting to order at 1:04 pm.

The first item of business was:

Introductory remarks from Chairperson Ahern, which included:

- Chair Ahern provided a brief review of regulatory presentations and how the Commission receives recommendations from the Cannabis Advisory Board.
- Review the process of conditional approval of regulation presentations.
- Thanked Advisory Board Chair Ron Crosson, members of the Board and subcommittee members that worked on their topics.

The next item of business was:

Review and discussion on regulatory recommendations proposed by the Cannabis Advisory Board to the Commission regarding proposed future social equity program requirements, which included:

- Carla Aveledo, Policy Liaison and Legal Support, along with Advisory Board Chair Ronald Crosson provided an overview of the subcommittee meetings and full Cannabis Advisory Board meetings on prior issues presented that led to the recommendations brought to the Commission regarding proposed future social equity program requirements.
- The Cannabis Advisory Board presented the following recommendations to the Commission:
 1. That at least three or more of the statutory criteria be met for a municipality to be considered a disproportionately impacted area.
 2. 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:

- a. 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.
- b. 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.

3. 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.

Discussion ensued at the end of the presentation, which included:

- Commissioners requested Chair Crosson's thoughts on the Social Equity Assistance Fund, as someone who works with small businesses.
- Reviewed the Social Equity Fund amount in comparison to nearby states who have much larger funds.
- Discussed potential funding schemes and ways to ensure the funds are not used all at once.
- Highlighted the Community College of Rhode Island Cannabis Workforce Development training seminar.
- Discussed feedback on data presented on disproportionately impacted areas.
- Discussed the Rhode Island Cannabis Act and its use of socioeconomic factors in determining disproportionately impacted areas.
- Commissioners asked Chief of Legal Services to review the legal analysis that was presented to the Advisory Board Social Equity and Market Participation subcommittees.

The next item of business was:

Public Comment:

Three people provided public comment, which included:

- Noted that some states may include ethnicity as a factor, but unsure of the legal repercussions.
- Appreciated the work and discussions on social equity.
- Reiterated the need to get these retailers and social equity licenses up and running sooner rather than later.
- Noted the intentional and engaging process regarding social equity.
- Encouraged that monies should be provided to organizations that can help assist

with technical assistance and training.

- Encouraged the Commission to continue to lead with courage when it comes to the inclusion of race and ethnicity within the social equity program.
- Noted the racial distinctions and impacts with respect to those most harmed by cannabis prohibition.
- Inquired about probation and parole violations related to cannabis enforcement.
- Recommended potential provisional licensing.
- Raised concerns about technical assistance and training with respect to the speed of establishing a business on the market.

Adjournment:

Upon motion made by Chair Ahern and duly seconded by Commissioner Oduyingbo, it was unanimously

VOTED: To adjourn the meeting at 2:07 pm.

Next Meeting Date: September 20, 2024.