

SR-139

Submitted on: 4/10/2022 10:05:53 AM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Evan Lam	Testifying for Qan LLC.	Support	Written Testimony Only

Comments:

Aloha to the Senate Hawaiian Affairs Committee.

My name is Evan Lam. I'm submitting testimony today from my hometown of Waimea on Hawai'i Island. I've been a cannabis and sustainability entrepreneur in California during the process of legalization and have worked and participated in multiple parts of the legal cannabis industry. Currently, I'm an entrepreneur in Hawai'i Island working on waste management issues.

I support SR 139 because the history of the cannabis prohibition is systematically damaging (especially to Native Hawaiians and other Polynesian groups) and the future of cannabis in Hawai'i must help heal those wounds. The world of legalized cannabis trade and the history of punitive cannabis prohibition in Hawai'i are not seperable. To allow incoming policy changes to suffer under this illusion only further harms the long term economic viability of the industry and the multiple generations who have already suffer disproportionate harms. We have seen the meth epidemic spiral out of control after Green Harvest and are still paying the public and private costs of the large scale failure of the "War on Drugs."

Legalization will face even greater chances of failiing and harming more people if the policy doesn't acknowledge and proactively work with it's damaged relationship to prohibition.

I strongly encourage the legislature to do the research and education necessary to include social equity issues in it's awareness and considerations of legalization. Hawai'i can have a place in the global movement towards the legalization of cannabis but it must responsibly and proactively address these present issues. I do not see a future for myself and similarly minded entrepreneurs in Hawai'i without substantial action on this issue.

Aloha,
Evan

SR-139

Submitted on: 4/10/2022 9:19:09 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Anthony	Testifying for Hawai'i Cannabis Hui	Support	In Person

Comments:

The Hawai'i Cannabis Hui has been meeting weekly for over a year now, specifically on social equity issues. The Hui includes cannabis activists, 329 patients and caregivers, hemp farmers, Native Hawaiians and other Hawai'i kama'aina--even some licensed dispensaries are participating and supporting the social equity initiative.

This Senate Resolution SR139 marks the first time that the Legislature acknowledges the particular importance of this issue. **Cannabis legalization should only be considered in the context of justice for Native Hawaiians and other victims of the war on drugs**, not the other way around. The time to begin this discussion is now.

Who should benefit from the economic opportunities from legalizing the sale of cannabis to adults? The billion-dollar big money interests who are hellbent on raking in cannabis profits on the continent--and who are banking on federal legalization to lock in their stranglehold on the new industry? (The "industry" that used to be the medical/adult use cannabis liberation movement...)

What about the individuals, families, and communities that have suffered and been devastated by decades of the war on drugs and its racist mass incarceration? Shouldn't some--or all--of this opportunity go to them? (See a longer definition of social equity below my signature block.)

Every new state that legalizes has taken social equity a step further. New York is the latest. They just issued their first licenses to convicted felons--and they are finding funding to help them launch their new businesses. **Hawai'i can go even better in providing economic empowerment and social equity for Native Hawaiians and other victims of the war on drugs.**

This resolution calling for a study now on the issue, before the legislative session starting next year, is the first step on the road to proper framing of the cannabis legalization issue: **Ethical Issues of Social Equity in Cannabis Legalization First; Business and Regulatory Issues Second.** *Not all legalization is good legalization.* California's system is failing badly. **Let's take the time to do it right in Hawai'i.**

Hawai'i must consider social equity first in legalizing cannabis. It only makes sense that the first opportunities in this newly decriminalized industry should go to people who suffered most

from its criminalization--ironically and cruelly, *the First People of this 'aina*. And the existing medical and hemp growers should also be given a chance to share their skills and passion in agriculture with other patients and responsible adult consumers. Any other approach is as *hewa*, as sinful, as the war on drugs itself. **Social equity is the only pono way, the only compassionate and just way, to legalize cannabis.**

The resolution is self-explanatory. For all the reasons given in the Whereases, reproduced below for convenience, The Hui respectfully urges the Committee to approve the Resolution, SR139 (SD1).

WHEREAS, the current Hawaii medical cannabis dispensary program system fails to provide a social equity framework, through no fault of the current operators who are operating under current rules designed in a previous era of cannabis law and policy; and

WHEREAS, the war on drugs has been acknowledged throughout the United States (see Michelle Alexander's seminal historical analysis in her award-winning treatise, "The New Jim Crow" republished 2020) and in Hawaii (see the 2010 Office of Hawaiian Affairs report on "The Disparate Treatment of Native Hawaiians in the Criminal Justice System") to have been and to still be a racist campaign devastating and destroying immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, the mass incarceration that began with the war on drugs, and includes cannabis prohibition, continues to destabilize immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, cannabis prohibition has deprived impacted individuals' access to higher education, housing, and employment, and of liberty, property, and the right to vote; and

WHEREAS, to counter the effects on individuals, families, and communities, almost all state adult use and medical cannabis legalization programs now contain or are built around social equity considerations, including without limit, exclusive licensing, technical assistance, and capital investment in businesses owned by social equity qualified individuals; and

WHEREAS, while the term "social equity" in the cannabis industry most often refers to the efforts to create an equitable industry, social equity programs should encompass all pillars of equity to ensure the efforts to redress the harms of cannabis prohibition are as broad as the harms; now, therefore,

Respectfully submitted on behalf of the Hawaii Cannabis Hui,

Jas Anthony

James Anthony

What is meant by "Social Equity?"

“Equity” is defined as the quality of being fair and impartial: equity of treatment. Per the Minority Cannabis Business Association (MCBA), it defines “social equity” in the cannabis industry using four pillars that encompass the breadth of the restorative policies necessary to adequately address the harms of cannabis prohibition on impacted communities and create an equitable and just cannabis industry.

- Equitable access & resources which promotes the inclusion and success of minorities.
- Equitable reinvestment for those communities most negatively impacted by the War on Drugs.
- Equitable justice restoring basic rights of citizenship to those with non-violent cannabis offenses.
- Equitable access to safe legal cannabis products without risk of social benefits or immigration status.

The mass incarceration that began with the War on Drugs, and includes cannabis prohibition, continues to destabilize Black, Latino, Indigenous, and other communities of color. Cannabis prohibition has deprived impacted individuals’ access to higher education, housing, employment, and the right to vote. To counter the effects on both individuals and communities, many states and localities have developed and implemented cannabis “social equity programs” with, or following, the legalization of adult use or medical cannabis.

SR-139

Submitted on: 4/11/2022 12:36:12 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maggie Dorsey	Testifying for Hawaii Patients Union	Support	Remotely Via Zoom

Comments:



Hawaii Patients Union | PO Box 303 Mountain View, HI 96771

COMMITTEE ON HAWAIIAN AFFAIRS

Senator Maile S.L. Shimabukuro, Chair

Senator Jarrett Keohokalole, Vice Chair

Tuesday, April 12th, 2022 1:00pm

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY HOW SOCIAL EQUITY HAS BEEN IMPLEMENTED IN THE CANNABIS INDUSTRY AROUND THE NATION AND WAYS SOCIAL EQUITY COULD BE IMPLEMENTED IN THE STATE OF HAWAII TO BENEFIT NATIVE HAWAIIANS AND OTHER VICTIMS OF THE WAR ON DRUGS, AND DIRECTING THE DEPARTMENT OF HEALTH'S OFFICE OF MEDICAL CANNABIS CONTROL AND REGULATION TO STUDY HOW TO INCLUDE THE EXISTING LEGAL GROWERS AND HEMP LICENSEES, INCLUDING NATIVE HAWAIIANS AND THOSE ON HAWAIIAN HOME LANDS, TO BE ELIGIBLE TO TEST AND SELL CANNABIS AND HEMP DIRECTLY TO OTHER PATIENTS, AND TO LICENSED DISPENSARIES.(PROPOSED SD1)

On Behalf of Patients Who Rely on Medical Cannabis and Members of the Hawai'i Patients Union, We Are Calling For Strong Support of SR139.

Aloha Chair, Shimabukuro and Vice-Chair Keohokalole, and members of the Committee on Hawaiian Affairs. Mahalo for the opportunity to testify in SUPPORT of this resolution.

My name is Maggie Dorsey, I am a 329 patient and a mother to three. I have a health condition that requires me to medicate with cannabis grown by my home growers and local small compliant farmers.

I am sharing my strong support for this resolution. The study must be done and the changes must be made. The father of my children has a misdemeanor on his record for possession of cannabis. He was profiled walking home. Stopped. Searched and then arrested. This has caused him to be able to obtain jobs he has the required degrees for. It has presented challenges in our lives I do not wish on others.

I find it extremely crucial this study be done. The war on drugs is an absolute racist policy that has been proven to fail in various studies. We can do better here in Hawai'i and for her people.

Legacy growers deserve protection, Native Hawaiians deserve to be able to safely grow, trade, and sell their crops without risking destroying their lives. The people who grow my medicine do not deserve to risk it all to help me provide a decent life for my keiki. I strongly urge you to approve SR 139 SD1. It would be of great asset to the people of Hawai'i.

Mahalo for your time,

Maggie Dorsey

SR-139

Submitted on: 4/11/2022 12:43:39 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
DeVaughn	Testifying for Marijuana Policy Project	Support	Remotely Via Zoom

Comments:

My name is DeVaughn Ward, and I am the senior legislative counsel at the Marijuana Policy Project, the largest marijuana policy reform organization in the United States. As you may know, MPP has been working to improve marijuana policy for more than 25 years.

I am here today to testify regarding in strong support of SR 139, SD1.

Last year the legislature passed, and Gov. Ige signed Act 169 into law. Act 169 (Gov. Msg. 1271) charges the Office of Medical Cannabis Control and Regulation with considering the impacts of legalization of cannabis through a taskforce with recommendations to be made for the 2023. Later this month, the Department of Health will convene the first task force meeting and consider a legalization model for Hawaii and the potential impacts on the state.

“Equity” is defined as the quality of being fair and impartial: equity of treatment. MCBA defines “social equity” in the cannabis industry using four pillars that encompass the breadth of the restorative policies necessary to adequately address the harms of cannabis prohibition on impacted communities and create an equitable and just cannabis industry.

- **Equitable industry** promotes the inclusion and success of minorities in the cannabis industry through equal access to opportunities and resources.
- **Equitable communities** empower and support the communities most impacted by the War on Drugs through community reinvestment, corporate responsibility initiatives, and social programing.
- **Equitable justice** reduces arrests and imprisonment for non-violent cannabis offenses and restores basic rights of citizenship to individuals with non-violent cannabis offenses.
- **Equitable access** ensures safe legal cannabis products are available to immigrants, veterans, seniors, and disabled persons without risk of loss of benefits or immigration status.

The mass incarceration that began with the War on Drugs, and includes cannabis prohibition, continues to destabilize Native Hawaiian, Black, Latino, Indigenous, and other communities of color. Cannabis prohibition has deprived impacted individuals access to higher education, housing, employment, and the right to vote. To counter the effects on both individuals and communities, many states and localities have developed and

implemented cannabis “social equity programs” with, or following, the legalization of adult use or medical cannabis. New York, Connecticut, and New Jersey, which all passed legalization bills in 2021, included some form of social equity within their cannabis laws. California, Oregon and Washington, all have adopted social equity measures into their cannabis regulatory frameworks as well. Boston and Los Angeles have also adopted local social equity ordinances.

In sum, SR 139, SD1 will work in tandem with the Act 169's taskforce as they study how to best implement adult-use cannabis in Hawaii. Social equity is a critical component in any robust cannabis marketplace and I urge the committee's passage of SR 139.

Sincerely,

DeVaughn L. Ward, Esq. (he/him)

Senior Legislative Counsel

Marijuana Policy Project

Honolulu, HI

(808) 445-6229

dward@mpp.org



Hawaii Patients Union | PO Box 303 Mountain View, HI 96771

COMMITTEE ON HAWAIIAN AFFAIRS

Senator Maile S.L. Shimabukuro, Chair

Senator Jarrett Keohokalole, Vice Chair

Tuesday, April 12th, 2022 1:00pm

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY HOW SOCIAL EQUITY HAS BEEN IMPLEMENTED IN THE CANNABIS INDUSTRY AROUND THE NATION AND WAYS SOCIAL EQUITY COULD BE IMPLEMENTED IN THE STATE OF HAWAII TO BENEFIT NATIVE HAWAIIANS AND OTHER VICTIMS OF THE WAR ON DRUGS, AND DIRECTING THE DEPARTMENT OF HEALTH'S OFFICE OF MEDICAL CANNABIS CONTROL AND REGULATION TO STUDY HOW TO INCLUDE THE EXISTING LEGAL GROWERS AND HEMP LICENSEES, INCLUDING NATIVE HAWAIIANS AND THOSE ON HAWAIIAN HOME LANDS, TO BE ELIGIBLE TO TEST AND SELL CANNABIS AND HEMP DIRECTLY TO OTHER PATIENTS, AND TO LICENSED DISPENSARIES.(PROPOSED SD1)

On Behalf of Patients Who Rely on Medical Cannabis and Members of the Hawai'i Patients Union We Are Calling For Strong Support of SR139.

Aloha Chair, Shimabukuro and Vice Chair Keohokalole and members of the Committee on Hawaiian Affairs. Mahalo for the opportunity to testify in SUPPORT of this resolution.

The United Way defines Social equity as "impartiality, fairness and justice for all people in social policy. Social equity takes into account systemic inequalities to ensure everyone in a community has access to the same opportunities and outcomes."

This resolution is a great start on our journey to reconcile the past and move forward as a single voice for equity and justice for patients. Passing this resolution may also protect recreational Cannabis users from undue harm caused by over regulation. It will not prevent you from making the mistakes of the past.

So let's acknowledge a problem exists. During the last 20+ years of Hawai'i's medical Cannabis program a state task force heard warnings about the social inequalities patients were experiencing. When we marched on the federal building in Hilo, we were again ignored. Warnings would come from everywhere about the failures of vertical market schemes. The state chose to implement a

plan completely out of line with the will of the people. Testimony stopped, voices were silenced, heavy regulation ensued, 8 out of 63 dispensary investment teams were chosen by 4 people. 55 investment teams lost and everyone without 8 million dollars to invest were excluded.

The leader of the first patient organization in Hawaii was arrested and found innocent 4 years later by a local jury. This could still happen today. The DEA can arrest anyone in Hawaii for any Cannabis testing over .3% thc. Distribution of Cannabis between licensed patients is allowed under state law. But we still lack the social equity required to build a fair and well-regulated medical program.

As a founding member of Lau Ola, I wrote the inventory control and management plan that helped Lau Ola win one of those licenses. The bad news is a background check revealed I had a Cannabis charge on my record from 30 years ago. The charges were dropped. But 30 years later this background check would be used to prevent me from a job at the dispensary. This is why I support automatic records expungement for Cannabis related offenses. No one should ever be arrested for plant medicine. No leader should be trusted that cannot support patient rights. Let this truly be the Kingdom of Education.

I believe the information collected from this report will help Kanaka Maoli and others who are experiencing an unjust system. Please also look closely at HCR132 to help patients resolve federal conflicts with the medical Cannabis program.

Thank you again for the opportunity to share this information and support this important resolution.

Underscoring the federal conflict at the state capitol:

<https://www.bigislandvideonews.com/2019/05/07/video-bill-passes-decriminalizing-marijuana-in-hawaii/>

Mahalo nui,
Brent Norris
801-896-7656

[Next Month's Meeting](#)

 Hawaii Patients Union

HawaiiPatientsUnion.com

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LATE



Environmental Caucus of The Democratic Party of Hawai'i

To: The Honorable Maile S.L. Shimabukuro, Chair
The Honorable Jarrett Keohokalole, Vice Chair
Committee on Hawaiian Affairs

Re: **SR 139, SD 1 RELATING TO SOCIAL EQUITY IN CANNIBUS INDUSTRY**

Hearing: Tuesday, April 12, 2022, 1:00 p.m., Conference Room 016, via Videoconference

Position: **Strong Support**

Aloha, Chair Shimabukuro, Vice Chair Keohokalole, and Members of the Hawaiian Affairs:

The Environmental Caucus of the Democratic Party of Hawai'i stands in strong support of SR 139, SD1. This measure would request the Legislative Reference Bureau to study how social equity has been implemented in the cannabis industry around the Nation and ways social equity could be implemented in the State of Hawaii to benefit Native Hawaiians and other victims of the war on drugs, and directing the Department of Health's Office of Medical Cannabis Control and Regulation to study how to include the existing legal growers and hemp licensees, including Native Hawaiians and those on Hawaiian Home Lands, to be eligible to test and sell cannabis and hemp directly to other patients, and to licensed dispensaries.

The "war on drugs" has resulted in a racist campaign that devastates and destroys immigrant, indigenous, and low-income individuals, families, and communities. To counter these effects, almost all state adult use and medical cannabis legalization programs contain social equity considerations including, but not limited to, exclusive licensing technical assistance, and capital investment in businesses own by social equity qualified individuals.

The State of Hawaii should develop and implement social equity programs to combat the negative effects of the war on drugs programs that have disproportionately impacted on immigrant, indigenous, and low-income individuals, families, and communities, especially in the area of automatic criminal record expungement for cannabis related crimes.

We believe this proposed resolution to be highly beneficial; accordingly, we respectfully request that this resolution be passed by your committee.

Mahalo for the opportunity to testify,

Melodie Aduja and Alan B. Burdick

Co-Chair, Environmental Caucus of the Democratic Party of Hawai'i

LATE

TO: Committee on Hawaiian Affairs

FROM: Kai Luke, Cannabis Society of Hawai'i

RE: SR139 (In Strong Support)

HEARING DATE: April 12, 2022 (at 1:00 PM)

Aloha, Chair Senator Maile S.L. Shimabukuro, Vice-Chair Senator Jarrett Keohokalole, and Members of the Committee, thank you for hearing our testimony in support of SB139 SD. On behalf of patients who rely on medical cannabis and members of Cannabis Society of Hawai'i we need this bill passed.

I am Kai Luke, born and raised in Kailua Hawai'i. I am part Native Hawaiian and I identify as Native Hawaiian. I have been involved with Cannabis for more than 25 years. In 2002 proposed OHA with a Hemp shirt program initiative and since 2017 have worked for Licensed Dispensaries as Budtender, Cannabis Product Specialist, Post Processing Lead, Inventory Controller, Inventory Manager & Operational Excellence, Dispensary Store Manager and Logistics, and currently Business Development Manager for a state with over 200k medical patients.

Unfortunately, locals and people of Hawaiian ancestry are minorities, and we need the help of bills and measures like this to help provide a platform for us to be heard and to create change together. Please consider passing SR139 SD1 to investigate the current lack of inclusion in the Cannabis Industry and program in Hawai'i.

The economic development of Hawaiian people count on opportunities like this to provide a pathway for including underserved and should be written in future bills.

With the current system in place providing no tax benefits to Hawaiians, Education, Environment, Cultural Preservation, I worry that continuing the current path will cancel Hawaiian Culture and people.

Please consider creating a Task force all inclusive of previous workers of the current industry to help provide new framework for moving forward.

Cannabis Society of Hawai'i which includes patients, non-patients, current workers of dispensaries, previous workers of dispensaries, and other interested parties involving medical cannabis use and adult use, aim to see fair access to industry and market in Hawai'i.

Any chance to further this conversation will be appreciated.

Kai Luke / Cannabis Society of Hawai'i / cannabissocietyofhawaii@gmail.com

LATE

SR-139

Submitted on: 4/12/2022 12:36:06 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Randy Gonce	Testifying for Hawaii Cannabis Industry Association	Support	Written Testimony Only

Comments:

HICIA supports this reso as it supports new data and research the cannabis industry in Hawaii to include social equity.



Akamai Cannabis Consulting

3615 Harding Ave, Suite 304

Honolulu, HI 96816

TESTIMONY ON SENATE RESOLUTION 139 SD1 PROPOSED

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY HOW SOCIAL EQUITY HAS BEEN IMPLEMENTED IN THE CANNABIS INDUSTRY AROUND THE NATION AND WAYS SOCIAL EQUITY COULD BE IMPLEMENTED IN THE STATE OF HAWAII TO BENEFIT NATIVE HAWAIIANS AND OTHER VICTIMS OF THE WAR ON DRUGS, AND DIRECTING THE DEPARTMENT OF HEALTH'S OFFICE OF MEDICAL CANNABIS CONTROL AND REGULATION TO STUDY HOW TO INCLUDE THE EXISTING LEGAL GROWERS AND HEMP LICENSEES, INCLUDING NATIVE HAWAIIANS AND THOSE ON HAWAIIAN HOME LANDS, TO BE ELIGIBLE TO TEST AND SELL CANNABIS AND HEMP DIRECTLY TO OTHER PATIENTS, AND TO LICENSED DISPENSARIES.

By
Clifton Otto, MD

Senate Committee on Hawaiian Affairs
Senator Maile S.L. Shimabukuro, Chair
Senator Jarrett Keohokalole, Vice Chair

Tuesday, April 12, 2022 at 1:00 PM
State Capitol, Room 016 & Videoconference

Thank you for the opportunity to submit testimony in **SUPPORT** of this measure.

Please consider the simple amendments below (underlined) to include a necessary review of the negative impact that the ongoing conflict between the state and federal regulation of marijuana is having upon producers and end users of cannabis in Hawaii, who must violate federal drug law to engage in the state authorized use of cannabis.

WHEREAS, the current Hawaii medical cannabis dispensary program system fails to provide a social equity framework, through no fault of the current operators who are operating under current rules designed in a previous era of cannabis law and policy; and

WHEREAS, the war on drugs has been acknowledged throughout the United States (see Michelle Alexander's seminal historical analysis in her award-winning treatise, "The New Jim Crow" republished 2020) and in Hawaii (see the 2010 Office of Hawaiian Affairs report on "The Disparate Treatment of Native Hawaiians in the Criminal Justice System") to have been and to still be a racist campaign devastating and destroying immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, the ongoing conflict between the state and federal regulation of marijuana continues to devastate the lives of those who must violate federal drug law to engage in the state authorized use of cannabis in Hawaii; and

WHEREAS, the mass incarceration that began with the war on drugs, and includes cannabis prohibition, continues to destabilize immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, cannabis prohibition has deprived impacted individuals' access to higher education, housing, and employment, and of liberty, property, and the right to vote; and

WHEREAS, to counter the effects on individuals, families, and communities, almost all state adult use and medical cannabis legalization programs now contain or are built around social equity considerations, including without limit, exclusive licensing, technical assistance, and capital investment in businesses owned by social equity qualified individuals; and

WHEREAS, while the term "social equity" in the cannabis industry most often refers to the efforts to create an equitable industry, social equity programs should encompass all pillars of equity to ensure the efforts to redress the harms of cannabis prohibition are as broad as the harms; now, therefore,

BE IT RESOLVED by the Senate of the Thirty-first Legislature of the State of Hawaii, Regular Session of 2022, that the Legislative Reference Bureau is requested to prepare, by November 1, 2022, a comprehensive report on social equity programs in the context of regulated adult use cannabis programs in various U.S. state and local governments, including critiques of these programs such as that of the Minority Cannabis Business Association (MCBA) titled, "National Cannabis Equity Report 2022"; and

BE IT FURTHER RESOLVED that the report is requested to include consideration of exclusive licensing, technical assistance, and capital investment in businesses owned by social equity qualified individuals, and other elements of existing social equity programs; producer/consumer cooperative models; and automatic criminal record expungement for cannabis related crimes in crafting an adult use regulated cannabis legalization program within the larger context of adhering the benefits of this new industry to Native Hawaiians and other victims of the war on drugs, and potentially by requiring such businesses to operate in the form of Sustainable Business Corporations with specified public benefit goals and purposes and annual public reporting requirements benchmarked to meeting minimal levels of public benefit including social equity as a condition of licensing, as well as consideration of the negative impact that the conflict with federal drug law is having upon producers and end users of cannabis in Hawaii; and

BE IT FURTHER RESOLVED that the Department of Health's Office of Medical Cannabis Control and Regulation (OMCCR) is requested to prepare, by November 1, 2022, a comprehensive report on how to include the existing legal growers and hemp licensees, under chapter 329, Hawaii Revised Statutes, including Kanaka Maoli and those on Hawaiian Home Lands, as eligible to test and sell cannabis and hemp directly to other patients, or to licensed dispensaries; and

SR139 – Written Testimony – Otto

April 12, 2022

Page 4

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Governor, Attorney General, Director of Health, Deputy Director of Health Resources Administration, Chair of the Board of Trustees of the Office of Hawaiian Affairs, and representatives of the medical cannabis dispensaries.

Aloha.

SR-139

Submitted on: 4/10/2022 5:51:46 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lanakila Rodrigues	Individual	Support	Written Testimony Only

Comments:

The resolution is self-explanatory. For all the reasons given in the Whereases, reproduced below for convenience, I respectfully urge the Committee to approve the Resolution, SR139 (SD1).

WHEREAS, the current Hawaii medical cannabis dispensary program system fails to provide a social equity framework, through no fault of the current operators who are operating under current rules designed in a previous era of cannabis law and policy; and

WHEREAS, the war on drugs has been acknowledged throughout the United States (see Michelle Alexander's seminal historical analysis in her award-winning treatise, "The New Jim Crow" republished 2020) and in Hawaii (see the 2010 Office of Hawaiian Affairs report on "The Disparate Treatment of Native Hawaiians in the Criminal Justice System") to have been and to still be a racist campaign devastating and destroying immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, the mass incarceration that began with the war on drugs, and includes cannabis prohibition, continues to destabilize immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, cannabis prohibition has deprived impacted individuals' access to higher education, housing, and employment, and of liberty, property, and the right to vote; and

WHEREAS, to counter the effects on individuals, families, and communities, almost all state adult use and medical cannabis legalization programs now contain or are built around social equity considerations, including without limit, exclusive licensing, technical assistance, and capital investment in businesses owned by social equity qualified individuals; and

WHEREAS, while the term "social equity" in the cannabis industry most often refers to the efforts to create an equitable industry, social equity programs should encompass all pillars of equity to ensure the efforts to redress the harms of cannabis prohibition are as broad as the harms; now, therefore,

SR-139

Submitted on: 4/10/2022 6:11:49 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
jason hanley	Individual	Support	Written Testimony Only

Comments:

WHEREAS, the current Hawaii medical cannabis dispensary program system fails to provide a social equity framework, through no fault of the current operators who are operating under current rules designed in a previous era of cannabis law and policy; and

WHEREAS, the war on drugs has been acknowledged throughout the United States (see Michelle Alexander's seminal historical analysis in her award-winning treatise, "The New Jim Crow" republished 2020) and in Hawaii (see the 2010 Office of Hawaiian Affairs report on "The Disparate Treatment of Native Hawaiians in the Criminal Justice System") to have been and to still be a racist campaign devastating and destroying immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, the mass incarceration that began with the war on drugs, and includes cannabis prohibition, continues to destabilize immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, cannabis prohibition has deprived impacted individuals' access to higher education, housing, and employment, and of liberty, property, and the right to vote; and

WHEREAS, to counter the effects on individuals, families, and communities, almost all state adult use and medical cannabis legalization programs now contain or are built around social equity considerations, including without limit, exclusive licensing, technical assistance, and capital investment in businesses owned by social equity qualified individuals; and

WHEREAS, while the term "social equity" in the cannabis industry most often refers to the efforts to create an equitable industry, social equity programs should encompass all pillars of equity to ensure the efforts to redress the harms of cannabis prohibition are as broad as the harms; now, therefore,

SR-139

Submitted on: 4/10/2022 8:37:44 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

Support

SR-139

Submitted on: 4/10/2022 9:59:20 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Wendy Gibson-Viviani	Individual	Support	Written Testimony Only

Comments:

TO: Committee on Hawaiian Affairs

FROM: Wendy Gibson-Viviani RN/BSN, Cannabis Nurse Educator

RE: SR139 (In Strong Support)

HEARING DATE: April 12, 2022 (at 1:00 PM)

Dear Chair Senator Maile S.L. Shimabukuro, Vice-Chair Senator Jarrett Keohokalole, and Members of the Committee,

I am Wendy Gibson-Viviani, a healthcare professional (PTA/RN/BSN) who has lived and worked in Hawai'i for 29 years. For the past 8 years, I've been studying medical cannabis research and laws, acting as a Cannabis Nurse Educator and a medical cannabis patient advocate.

I support SR139 because:

- Former President Nixon's War on Drugs was based on racism. He ensured that Marijuana/cannabis and heroin were placed into the Schedule I drug category of the Controlled Substances Act, so that Anti War protestors and blacks would be heavily punished.
- Racial disparities in arrests have been prevalent for 50 years.

- According to the 2011 Report of the Global Commission on Drug Policy June 2011
 - "The global war on drugs has failed, with devastating consequences for individuals and societies around the world."

- According to OHA's 2010 report "The Disparate Treatment of Native Hawaiians in the Criminal Justice System":

- Native Hawaiians do not use drugs at drastically different rates from other races or ethnicities but **go to prison for drug offenses more often** than people of other races or ethnicities. They face disparities of treatment in **every phase** of engagement in the criminal justice system including higher rates of pretrial detention and harsher sentences and probationary terms.
- According to HCR112 (passed in 2021), this overrepresentation in the state prisons and jails can be **construed as “racism”**, which constitutes a “Public Health Crisis”.

I am hopeful that as Hawaii moves forward toward Adult-Use cannabis legislation, legislators will prioritize building a framework that includes social equity for those most harmed by the War on Drugs – especially Native Hawaiians. I envision a day when a large number of Kanaka Maoli (including those on Hawaiian Home Lands) will be eligible to legally grow, test and sell both types of cannabis (that’s Hemp and the Drug Type).

There are now 18 states, and D.C. that have implemented Adult-Use cannabis programs. At least nine states have successfully integrated social equity practices into their programs. If we have a Task Force, we can learn what is working (and what is not working) in Arizona, Colorado, Illinois, Massachusetts, Michigan, New Jersey, New York, Vermont and Washington. For example, in New York, 50% of the licenses have to be directed to social equity applicants.

Please consider passing SR139 so the many aspects of adult-use legalization may be further explored by a Task Force and that we can have the best possible Adult-Use cannabis program.

Thank you for this opportunity to submit testimony in support.

Wendy Gibson-Viviani RN/BSN

Cannabis Nurse Educator. Patient Advocate

Kailua

Sources

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OHA’s 2010 Report “The Disparate Treatment of Native Hawaiians in the Criminal Justice System”

https://static.prisonpolicy.org/scans/10-09_exs_disparatetreatmentofnativehawaiians_rd-ac.pdf

Hawaii HCR112 (2021) Racism as a Health Crisis

https://www.capitol.hawaii.gov/session2021/bills/HCR112_.HTM

Press Herald: New York’s First Marijuana Sales Permits will go to people with convictions (March 2022)

<https://www.pressherald.com/2022/03/14/new-yorks-first-marijuana-sales-permits-will-go-to-people-with-convictions/>

Marijuana Policy Project -- Social Equity Policies in Adult-Use Legalization Laws

[https://www.mpp.org/issues/legalization/social-equity-policies-in-adult-use-legalization-laws/#:~:text=Jay%20Inslee%20signed%20a%20bill,\(read%20a%20summary%20here\).](https://www.mpp.org/issues/legalization/social-equity-policies-in-adult-use-legalization-laws/#:~:text=Jay%20Inslee%20signed%20a%20bill,(read%20a%20summary%20here).)

SR-139

Submitted on: 4/11/2022 12:06:52 AM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark Tamosiunas	Individual	Support	Written Testimony Only

Comments:

The current Hawaii medical cannabis dispensary program system fails to provide a social equity framework and should be changed for best interests. Therefore, I support HR139 and I am requesting the Legislative Reference Bureau to study how social equity can be implemented in the cannabis industry around the nation and ways social equity could be implemented in Hawaii to benefit 329 card holders, Native Hawaiians and other victims of the "War on drugs" and directing the Department of Health's office of medical cannabis control and regulation to study how to include the existing legal growers and hemp licensees, including native hawaiians and those on hawaiian home lands, to be eligible to test and sell cannabis and hemp directly to other patients and to licensed dispensaries.

SR-139

Submitted on: 4/11/2022 6:48:18 AM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Don Finlaw	Individual	Support	Written Testimony Only

Comments:

The resolution is self-explanatory. For all the reasons given in the Whereases, reproduced below for convenience, I respectfully urge the Committee to approve the Resolution, SR139 (SD1).

WHEREAS, the current Hawaii medical cannabis dispensary program system fails to provide a social equity framework, through no fault of the current operators who are operating under current rules designed in a previous era of cannabis law and policy; and

WHEREAS, the war on drugs has been acknowledged throughout the United States (see Michelle Alexander's seminal historical analysis in her award-winning treatise, "The New Jim Crow" republished 2020) and in Hawaii (see the 2010 Office of Hawaiian Affairs report on "The Disparate Treatment of Native Hawaiians in the Criminal Justice System") to have been and to still be a racist campaign devastating and destroying immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, the mass incarceration that began with the war on drugs, and includes cannabis prohibition, continues to destabilize immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, cannabis prohibition has deprived impacted individuals' access to higher education, housing, and employment, and of liberty, property, and the right to vote; and

WHEREAS, to counter the effects on individuals, families, and communities, almost all state adult use and medical cannabis legalization programs now contain or are built around social equity considerations, including without limit, exclusive licensing, technical assistance, and capital investment in businesses owned by social equity qualified individuals; and

WHEREAS, while the term "social equity" in the cannabis industry most often refers to the efforts to create an equitable industry, social equity programs should encompass all pillars of equity to ensure the efforts to redress the harms of cannabis prohibition are as broad as the harms; now, therefore,

SR-139

Submitted on: 4/11/2022 8:13:20 AM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Me Fuimaono-Poe FNP-BC	Individual	Support	Remotely Via Zoom

Comments:

Thank you for hearing testimony on this critical measure,

My name is Me Fuimaono-Poe I am a family nurse practitioner in Honolulu. I am a certifying provider for our medical cannabis program. Since 2016 I have created access for over 10,000 patients in our state. If you were to come to my clinic, you would see a large variety of people who use cannabis as medicine. Many of those people have also been victims of the failed war on drugs.

Creating a pathway for Native Hawaiians and Oceania and people who have been victims of the war on drugs to participate in what could potentially be a billion-dollar industry is paramount.

Having social equity applicants at the front of the line with access to funding can change the way our cannabis industry thrives. Even with medical use, Native Hawaiians and Polynesians who participate in the program face stigma and have their activity called illicit by the current Dispensary owners and their conglomerates. When I got to meetings or decision-making about cannabis in our state, there were typically very few multigenerational locals and almost zero Native Hawaiians. This has to change. And it won't change organically. It has to be done through legislation like this bill.

Thank you for your time,

Me Fuimaono-Poe

SR-139

Submitted on: 4/11/2022 9:08:05 AM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jerome Brynda	Individual	Support	Written Testimony Only

Comments:

I support this bill

SR-139

Submitted on: 4/11/2022 9:28:03 AM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Ng	Testifying for Hawaii Cannabis Hui	Support	In Person

Comments:

As the cannabis industry in Hawaii continues to grow and reach its inevitable path of legalizing cannabis it is a must that there is a framework that looks at social equity issues that address the inequities Kanaka Maoli and other local victims from the war on drugs have faced. The current state of the industry is not equitable in its current form. There is no amjor presence of Kanaka or locals in the current indusry on the ownership or worker level this must be changed. The regressive policies from the War on Drugs, the Green Harvest era that have negatively impacted local people, Native Hawaiians, recent immigrants, Polynesians, low income folks has perpetuated generational trauma for communities that use cannabis as medicine and also as a community resource for economic empowerment. We must reverse this and start to heal communities and provide the opportunities for participation in the cannanbis industry. We must make this cannabis industry Pono and focused on Aloha Aina and the people of Hawaii Ne.

I as well as the other members of the Hawaii Cannabis Hui support SR 139 and the formation of a social equity framework that will provide a vessel to right the injustices in our communities that cannabis has created. We will be a resource for knowledge and have a vast experience in the cannabis industry that will be helpful to guide the process.

Mahalo

SR-139

Submitted on: 4/11/2022 10:41:43 AM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Megan Talley	Individual	Support	Written Testimony Only

Comments:

Aloha and thank you for taking the time to review this testimony.

I have worked in the cannabis and hemp industry in Hawaii for 7 years. I have watched other states begin to legalize and create recreational programs, much through trial and error, sloppily for some and more graceful through others. Hawaii has the opportunity to legalize correctly - through the lens and framework of social equity and social justice, avoiding some of the pitfalls that other states have faced. We have the opportunity to give great and necessary consideration to the Native Hawaiian population as well as those who have been disproportionately and continuously affected by the war on drugs. It goes without saying that colonial and plantation mentalities continue to plague Hawaii, therefore, by supporting and empowering marginalized communities first, we can become more secure, sovereign, sustainable and resilient. I also urge the legislature to build a committee of industry professionals to support the development and sub-sequential roll-out of the recreational program. The DOH is ill equipped to support this endeavor with its limited "practical" experience and application in the industry. Red-tape and fear bog down this State in regards to cannabis legislation, but the time is now(!) to consider the economic and social benefits of legalization by allowing the creation of a **true** agricultural industry that will, no doubt, flourish.

Thank you,

Megan Talley Womble

I support SR139 because the legislature must consider social equity issues when legalizing cannabis. For too many decades, local people, Native Hawaiians, recent immigrants, Polynesians, low income folks, and others have been victimized by the racist and stupid policy of the war on drugs. You can't arrest your way out of a public health drug problem even if there is one--and cannabis is safer than alcohol! It is beyond ironic that states on the continent are making rich people richer selling pot while black and brown people are still sitting in prison for the same thing--and are then denied entry to the new legal industry by systemic regulatory and financial barriers. Hawaii must consider social equity first in legalizing cannabis. It only makes sense that the first opportunities in this newly decriminalized industry should go to people who suffered most from its criminalization. And the existing medical growers should also be given a chance to share their skills and passion in agriculture with other patients and responsible adult consumers. Any other approach is as hewa, as sinful, as the war on drugs itself. Social equity is the only pono way, the only compassionate and just way, to legalize cannabis.

SR-139

Submitted on: 4/11/2022 12:43:56 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Keli'iho'omalua	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am a 3rd generation cannabis cultivator and entrepreneur of Kanaka Maoli descent from the district of Puna (Kaimu/Kalapana) on the Big Island. Coming from a rural area there has been severe lack of opportunity and employment. Due to this my grandfather and extended family began growing cannabis as a means to support the family financially as it was one of the only opportunities available to them. I have seen countless family and community members impacted by the war on drugs via arrests, repossession of land/resources, incarceration, and crop destruction.

Growing up I learned the tricks of the trade from my family and formalized it into a career in the medicinal and recreational cannabis industry. My career has since taken me to many places including: Canada, California, Oregon, Denmark, and New Zealand where I know work as a cultivation Manager for New Zealands most prolific cannabis company. Unfortunately, due to the racist war on drugs, the oligopolistic Hawai'i medicinal cannabis regulation, and inaction I have continuously had to take my expertise abroad instead of investing it in Hawai'i.

As a community Kanaka Maoli, have been impacted more than any other ethnic group in Hawai'i by the war on drugs. We have many in our community that already possess the skill required to operate cannabis businesses and this industry could be a tool of economic empowerment for our community. The opportunity should rightfully be afforded to the Native Hawaiian community via a strong social equity program supported by state funding.

Over the past year, I have also joined a hui aimed at creating a robust cannabis social equity program in Hawai'i. I am writing to as an individual citizen and as a member of the Hawaii Cannabis Hui.

The Hawaii Cannabis Hui has been meeting weekly for over a year now, specifically on social equity issues. The Hui includes cannabis activists, 329 patients and caregivers, hemp farmers, Native Hawaiians and other Hawaii kama'aina--even some licensed dispensaries are participating and supporting the social equity initiative.

This Senate Resolution SR139 marks the first time that the Legislature acknowledges the particular importance of this issue. **Cannabis legalization should only be considered in the**

context of justice for Native Hawaiians and other victims of the war on drugs, not the other way around. The time to begin this discussion is now.

Who should benefit from the economic opportunities from legalizing the sale of cannabis to adults? The billion-dollar big money interests who are hellbent on raking in cannabis profits on the continent--and who are banking on federal legalization to lock in their stranglehold on the new industry? (The "industry" that used to be the medical/adult use cannabis liberation movement...)

What about the individuals, families, and communities that have suffered and been devastated by decades of the war on drugs and its racist mass incarceration? Shouldn't some--or all--of this opportunity go to them? (See a longer definition of social equity below my signature block.)

Every new state that legalizes has taken social equity a step further. New York is the latest. They just issued their first licenses to convicted felons--and they are finding funding to help them launch their new businesses. **Hawaii can go even better in providing economic empowerment and social equity for Native Hawaiians and other victims of the war on drugs.**

This resolution calling for a study now on the issue, before the legislative session starting next year, is the first step on the road to proper framing of the cannabis legalization issue: **Ethical Issues of Social Equity in Cannabis Legalization First; Business and Regulatory Issues Second.** *Not all legalization is good legalization.* California's system is failing badly. **Let's take the time to do it right in Hawaii.**

Hawaii must consider social equity first in legalizing cannabis. It only makes sense that the first opportunities in this newly decriminalized industry should go to people who suffered most from its criminalization--ironically and cruelly, *the First People of this 'aina*. And the existing medical and hemp growers should also be given a chance to share their skills and passion in agriculture with other patients and responsible adult consumers. Any other approach is as *hewa*, as sinful, as the war on drugs itself. **Social equity is the only pono way, the only compassionate and just way, to legalize cannabis.**

The resolution is self-explanatory. For all the reasons given in the Whereases, reproduced below for convenience, The Hui respectfully urges the Committee to approve the Resolution, SR139 (SD1).

WHEREAS, the current Hawaii medical cannabis dispensary program system fails to provide a social equity framework, through no fault of the current operators who are operating under current rules designed in a previous era of cannabis law and policy; and

WHEREAS, the war on drugs has been acknowledged throughout the United States (see Michelle Alexander's seminal historical analysis in her award-winning treatise, "The New Jim Crow" republished 2020) and in Hawaii (see the 2010 Office of Hawaiian Affairs report on "The Disparate Treatment of Native Hawaiians in the Criminal Justice System") to have been and to

still be a racist campaign devastating and destroying immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, the mass incarceration that began with the war on drugs, and includes cannabis prohibition, continues to destabilize immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, cannabis prohibition has deprived impacted individuals' access to higher education, housing, and employment, and of liberty, property, and the right to vote; and

WHEREAS, to counter the effects on individuals, families, and communities, almost all state adult use and medical cannabis legalization programs now contain or are built around social equity considerations, including without limit, exclusive licensing, technical assistance, and capital investment in businesses owned by social equity qualified individuals; and

WHEREAS, while the term "social equity" in the cannabis industry most often refers to the efforts to create an equitable industry, social equity programs should encompass all pillars of equity to ensure the efforts to redress the harms of cannabis prohibition are as broad as the harms; now, therefore,

Respectfully submitted on behalf of the Hawaii Cannabis Hui,

-Robert M. Keli'icho'omalu

What is meant by "Social Equity?"

"Equity" is defined as the quality of being fair and impartial: equity of treatment. Per the Minority Cannabis Business Association (MCBA), it defines "social equity" in the cannabis industry using four pillars that encompass the breadth of the restorative policies necessary to adequately address the harms of cannabis prohibition on impacted communities and create an equitable and just cannabis industry.

- Equitable access & resources which promotes the inclusion and success of minorities.
- Equitable reinvestment for those communities most negatively impacted by the War on Drugs.
- Equitable justice restoring basic rights of citizenship to those with non-violent cannabis offenses.
- Equitable access to safe legal cannabis products without risk of social benefits or immigration status.

The mass incarceration that began with the War on Drugs, and includes cannabis prohibition, continues to destabilize Black, Latino, Indigenous, and other communities of color. Cannabis prohibition has deprived impacted individuals' access to higher education, housing, employment, and the right to vote. To counter the effects on both individuals and communities, many states

and localities have developed and implemented cannabis “social equity programs” with, or following, the legalization of adult use or medical cannabis.

Mahalo nui loa,

-Robert M. Keli'ihomalu

LATE

SR-139

Submitted on: 4/11/2022 3:54:53 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kapuakea Isaak	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing to add my testimony in support of SR139 requiring that Hawai'i's pot legalization include social equity for victims of the war on drugs. This is a chance to utilize legal sales of cannabis to help provide opportunity and support to those who have suffered most from it's criminalizations.

Mahalo,

Kapuakea Isaak

LATE

SR-139

Submitted on: 4/11/2022 5:56:03 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Aimee Donzis	Individual	Support	Written Testimony Only

Comments:

I support SR139 because the legislature must consider social equity issues when legalizing cannabis. For too many decades, local people, Native Hawaiians, recent immigrants, Polynesians, low income folks, and others have been victimized by the racist and antiquated policy of the war on drugs. You can't arrest your way out of a public health drug problem even if there is one-and cannabis is proven to be safer than alcohol! It is not rational, fair or ethical that states on the continent are making rich people richer by selling cannabis while black and brown people are still sitting in prison for the same thing--and are then denied entry to the new legal industry by systemic regulatory and financial barriers. Hawaii must consider social equity first in legalizing cannabis. It only makes sense that the first opportunities in this newly decriminalized industry should go to people who suffered most from its criminalization especially, in Hawaii where the devastating impact to local people from the enforcement of Operation Green Harvest is still palpable. Those leftover traumas from raids, incarceration, and understandable fears still reverberate throughout the islands and its people. The existing medical growers should also be given a chance to share their skills, knowledge and passion in agriculture with other patients and responsible adult consumers. Any other approach is as hewa, as devastating, as the war on drugs itself. Social equity is the only pono way, the only compassionate and just way, to legalize cannabis and begin healing the community from the negative impact of past, antiquated laws and enforcement of those out-of-date laws. It's as good for business opportunities for local people as it is pono. Please do what's best for Hawaii and the People of Hawaii. We all deserve a better, safer future. Mahalo piha for your consideration of passing SR139.

LATE

SR-139

Submitted on: 4/11/2022 6:09:25 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Beau Holly	Individual	Support	Written Testimony Only

Comments:

Aloha, I'm a small time grower and cannabis dispensary worker named Beau Holly. I am I suport of this bill for many reasons. I believe small farms should be able to have a chance to provide a product to the community as well as big corporations. Would be beneficial for middle class individuals with the talent and space to be able to supplement their income as side buisness. It would bread strength within the cannabis community and more unity.

Sincerely

Beau j Holly

LATE

SR-139

Submitted on: 4/11/2022 6:16:27 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alex Wong	Individual	Support	Written Testimony Only

Comments:

Aloha,

It is imperative for the benefit of future generations of Hawaiians and working class residents to maintain their ability to grow their own medicine without infringement from the government or law enforcement. The medical cannabis program currently run by the Department Of Health should not be affected by any ulterior political or economic motives behind the agenda to legalize "recreational" cannabis. The plant shall be free for personal use and consumption and nothing less.

Furthermore, if cannabis is going to be legally commodified, the State of Hawaii shall ensure that it provides fair prioritization of the establishment of locally-owned and operated cannabis related businesses, research, and entrepreneurial endeavors, and prohibits/minimizes the ability for foreign and out-of-state ownership in the emerging industry. For every time a foreign or out-of-state entity, corporation, or person leases land, or sells a good or service in Hawaii, that money spent LEAVES the islands. This is economically unsustainable and a detriment to the people of Hawaii.

Do the right thing. Protect local commerce. Protect the Hawaiian economy by ensuring that it is independent and free from outside control and manipulation. Mainland corporate cannabis is not welcome in Hawaii. We can do it ourselves. We can ensure a quality product for our own population and the tourist population as well.

Mahalo nui loa,

Alex Wong

LATE

SR-139

Submitted on: 4/11/2022 6:18:20 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sean Boyd	Individual	Support	Written Testimony Only

Comments:

I support SR139 because the legislature must consider social equity issues when legalizing cannabis. We must consider the legacy farmers who have suffered over the years due to the unjust laws around cannabis. Additionally, we should learn from mistakes made in other states, and be sure to collect more OBJECTIVE data before unilateral expansion of the current monopolistic model which does not provide less expensive access to medicine nor healthy competition. The current model is designed to accelerate valuations in which shareholders can cash out immediately by being acquired. This is not in the best interest of Hawaii, it's people, it's patients nor the legacy growers that should have the opportunity to participate in this industry with minimal barriers.

For too many decades, local people, Native Hawaiians, recent immigrants, Polynesians, low income folks, and others have been victimized by the racist and antiquated policy of the war on drugs. Hawaii must consider social equity first in legalizing cannabis. It only makes sense that the first opportunities in this newly decriminalized industry should go to people who suffered most from its criminalization especially, in Hawaii where the devastating impact to local people from the enforcement of Operation Green Harvest is still palpable. Those leftover traumas from raids, incarceration, and understandable fears still reverberate throughout the islands and its people. The existing medical growers should also be given a chance to share their skills, knowledge and passion in agriculture with other patients and responsible adult consumers. Any other approach is as hewa, as devastating, as the war on drugs itself. Social equity is the only pono way, the only compassionate and just way, to legalize cannabis and begin healing the community from the negative impact of past, antiquated laws and enforcement of those out-of-date laws. It's as good for business opportunities for local people as it is pono. Please do what's best for Hawaii and the People of Hawaii. We all deserve a better, safer future. Mahalo piha for your consideration of passing SR139.

LATE

SR-139

Submitted on: 4/11/2022 6:22:48 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alfred Medeiros	Individual	Oppose	In Person

Comments:

Aloha, my name is Alfred Keaka Hiona Medeiros and I'm a Kānaka Maoli born and raised on the island of O'ahu and I'm also a 329 Cannabis Farmer. As I like the direction in this resolution and what it states, I have my reservations on many things...from how this will take care of Kānaka Maoli and Native Hawaiians as stated and also what stipulations are there for the small craft cannabis farmers. I think more needs to be discussed and a better resolution/bill needs to be put together with a collective of people, especially with input from the Native Hawaiian Community and Cannabis Community, as this one almost was swept under the radar and we'd have no say...once again! I will be speaking in person on this and explain why I ****OPPOSE**** of this, until more further discussions. Mahalo for your time and I hope you understand why myself and many Kānaka are against this resolution.

LATE

SR-139

Submitted on: 4/11/2022 6:22:56 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michelle Tippens	Individual	Support	Written Testimony Only

Comments:

The resolution is self-explanatory. For all the reasons given in the Whereases, reproduced below for convenience, I respectfully urge the Committee to approve the Resolution, SR139 (SD1).

WHEREAS, the current Hawaii medical cannabis dispensary program system fails to provide a social equity framework, through no fault of the current operators who are operating under current rules designed in a previous era of cannabis law and policy; and

WHEREAS, the war on drugs has been acknowledged throughout the United States (see Michelle Alexander's seminal historical analysis in her award-winning treatise, "The New Jim Crow" republished 2020) and in Hawaii (see the 2010 Office of Hawaiian Affairs report on "The Disparate Treatment of Native Hawaiians in the Criminal Justice System") to have been and to still be a racist campaign devastating and destroying immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, the mass incarceration that began with the war on drugs, and includes cannabis prohibition, continues to destabilize immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, cannabis prohibition has deprived impacted individuals' access to higher education, housing, and employment, and of liberty, property, and the right to vote; and

WHEREAS, to counter the effects on individuals, families, and communities, almost all state adult use and medical cannabis legalization programs now contain or are built around social equity considerations, including without limit, exclusive licensing, technical assistance, and capital investment in businesses owned by social equity qualified individuals; and

WHEREAS, while the term "social equity" in the cannabis industry most often refers to the efforts to create an equitable industry, social equity programs should encompass all pillars of equity to ensure the efforts to redress the harms of cannabis prohibition are as broad as the harms

LATE

SR-139

Submitted on: 4/11/2022 7:22:49 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lucas Murillo	Individual	Support	Written Testimony Only

Comments:

Greetings,

Today, we search for equity, leveling the playing field so that we can tip the scales back to a relative balance in our communities. The facts are out there and the research has been done that the criminal justice system works in a fashion that disproportionately has negative affects on individuals who are non-white. The disadvantages are manifested in cannabis prohibition still to this day. They not only set individuals back within their own life time, it compounds generationally throughout non-white communities, the path out of poverty becomes impossible when a man who might of been the sole source of income, is sent to prison for a non-violent cannabis charge. This perpetuating wheel of injustice brings our island community down as a whole. With a felony on your record, you'll have many social obstacles, you're aspirations of career, organizing your life, your name, is over, all in the name of protecting a political agenda made in order to slow progression in non-white communities.

On the other hand, you have the advent of Federal Cannabis legalization, where, those who've had a generational advantage, namely white, caucasian, European descendant, non-indiginous, are getting their first opportunity to capitalize in this industry, absolutely guilt free. Many of these men and women who are the foundation of cannabis culture, cultivation, keepers of genetics (for medicinal value), were incarcerated because the law//system targeted them, and now are easily outcompeted because of their inherited past criminal history.

Legalizing cannabis without considering expunging criminal records for non-violent drug crimes , re-examining cases heavily influenced by incarceration related to cannabis, not creating a pathway of success for indiginous communities to compete in a market so heavily regulated that it is too expensive to do business, while at the same time opening the market to mainly those with a clear generational advantage and those not affected by the "war on drugs" would be blatantly *racist*.

I am in full support of this bill, I hope you will join the people of Hawaii in supporting this bill too.

Thank you for your time.

LATE

SR-139

Submitted on: 4/11/2022 7:57:01 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rebecca Mccarley	Individual	Oppose	Written Testimony Only

Comments:

I oppose this resolution. It is too broad in application and susceptible to corruption as it is currently written. I have several questions for the legislation to consider:

1. How does this help the Native Hawaiian people?
2. Like HH award requirements, would there be a blood quantum to participate?
3. As blood %'s dwindle, would steps be in place to prevent the land from being rezoned, then leased/sold to the highest bidder before giving proven lineal decendents of Native Hawaiian ancestry first priority regardless of blood quantum and financial state? (ie corporations like Cookies (a California based cannabis company already in a Hawaii dispensary when laws prohibit sales over state lines??), Jungle Boys coming in and leasing or purchasing HH?---these are just for examples/context)
4. How does this help the small/legacy farmer's?
5. What is the definition of a small farm?
(The size of the farm? The number of plants, in what stages?)
6. If the law states you can only caregive for 1 other person (except in the case of minors), how would Native Hawaiian farmers compete with known businesses (NOT a state owned dispensary) who already have established 1000+ 329 patients? With the current state laws 1-1 patient to caregiver?
7. Would this research also include amending the current 329 laws for the benefit of Native Hawaiians, legacy farmers and caregivers?

I personally believe that these are 2 issues that should be addressed separately.

Native Hawaiians deserve LAND BACK. Not leased lands. And if they want to farm cannabis, lease their OWNED Hawaiian land, it is their God-given right, PERIOD. Lands for generations of self-sustainability per cultural practice. All. Of. It.

Then for the farmers, whether cannabis or otherwise, their right to grow their own food and medicine for themselves, their entire family and their community, and for them to have an EQUAL opportunity and a level playing field with cash-cow corporate entities who can afford lobbyists and weild heavy financial influence.

It starts with changing the laws, not creating new barriers and further dividing the Native Hawaiian and cannabis communities.

I again OPPOSE SR 139 SB 1 as it is currently written.

LATE

SR-139

Submitted on: 4/11/2022 10:01:54 PM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Simmons	Individual	Support	Written Testimony Only

Comments:

Aloha and thank you for your time on what to me is a very important issue. I write this as a long time cannabis activist/patient/grower/caregiver and as someone who has been negatively affected by the war on drugs.

It is refreshing to see this conversation with intentions to right some of the wrongs caused by the war on drugs and to give Native Hawaiians, Patient Farmers and Hemp Farmers the opportunity to serve patients and provide dispensaries with more options.

The current dispensary system is not good for patients. Cannabis is medicine but not all cannabis strains are good for all ailments. Variety is needed to cover all bases but currently most dispensaries grow only varieties that yield high, have bag appeal and high thc content. From a business perspective I get some of that but patients deserve options to better serve their medical needs. Competition is good for the consumer in this case being the patient. Social Equity licenses provide more options and should make medicine more affordable for patients as well. Cost and quality are a big factor in the current failing dispensary sales. The tapering off from the good start in sales is from unsatisfied patients that refuse to return to an establishment they feel is failing to meet their medical needs. Expanding the current dispensaries and allowing more plants/retail locations would only further self destruct the already failing system. Major change is needed and some of the proposed language in sr139 can be the vector for that change.

There are some things I would love to see clarified:

Native Hawaiians deserve to be 1st in line for opportunities in Hawaii. What qualifies someone to be Native Hawaiiin under this proposed language?

Does a Native Hawaiiin have to be an existing legal grower or just simply Native Hawaiiin to qualify for the social equity?

Does a Native Hawaiiin living on Homelands automatically qualify for social equity regardless of current legal grower status?

There's no mention of a tax within this wording. Would there be a tax between a patient grower and another patient?

What defines a person negatively impacted by the war on drugs under this proposal? Someone only convicted of a cannabis charge or any drug war victim in general? I personally feel anyone negatively impacted by war on drugs should be included.

Regarding testing the current over restrictive testing requirements unfortunately force the dispensaries to put good medicine through an ozone remediation process. This process robs the medicinal terpenes from the flower during the remediation. Terpenes are also responsible for smell and flavor. Patients are deprived of a full spectrum medicine in the name of "safety". I'm all for testing requirements but our current testing requirements are not good for patients or the dispensaries and would not be good for social equity licenses either. Are you willing to revisit the testing requirements to better suit patient needs and allow sungrown medicine to have a chance at passing with full terpene profile still intact?

Concerning Financial assistance and capitol investments help. In other states that had good intentions with implementing social equity licenses they failed to close loopholes that allowed multi state operators to own portions of or outright purchase the social equity licenses. What can we do to prevent this from happening in Hawaii?

Thanks for your time and consideration, Andrew Simmons

SR-139

Submitted on: 4/12/2022 2:16:17 AM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Kaleiohi	Individual	Support	Written Testimony Only

Comments:

The resolution is self-explanatory. For all the reasons given in the Whereases, reproduced below for convenience, I respectfully urge the Committee to approve the Resolution, SR139 (SD1).

WHEREAS, the current Hawaii medical cannabis dispensary program system fails to provide a social equity framework, through no fault of the current operators who are operating under current rules designed in a previous era of cannabis law and policy; and

WHEREAS, the war on drugs has been acknowledged throughout the United States (see Michelle Alexander's seminal historical analysis in her award-winning treatise, "The New Jim Crow" republished 2020) and in Hawaii (see the 2010 Office of Hawaiian Affairs report on "The Disparate Treatment of Native Hawaiians in the Criminal Justice System") to have been and to still be a racist campaign devastating and destroying immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, the mass incarceration that began with the war on drugs, and includes cannabis prohibition, continues to destabilize immigrant, indigenous, and low-income individuals, families, and communities; and

WHEREAS, cannabis prohibition has deprived impacted individuals' access to higher education, housing, and employment, and of liberty, property, and the right to vote; and

WHEREAS, to counter the effects on individuals, families, and communities, almost all state adult use and medical cannabis legalization programs now contain or are built around social equity considerations, including without limit, exclusive licensing, technical assistance, and capital investment in businesses owned by social equity qualified individuals; and

WHEREAS, while the term "social equity" in the cannabis industry most often refers to the efforts to create an equitable industry, social equity programs should encompass all pillars of equity to ensure the efforts to redress the harms of cannabis prohibition are as broad as the harms; now, therefore. Mahalo

Andrew Kaleiohi

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SR-139

Submitted on: 4/12/2022 11:31:41 AM

Testimony for HWN on 4/12/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Regina Peterson	Individual	Support	Written Testimony Only

Comments:

Hawaiian Language is the first language of these lands. Our language has been almost stripped away from our people and because of that a lot of our people have forgotten who they are as a people of these lands. In the Hawaiian language there is life!!! And the Hawaiian language should be recognized in every space at every place. As the now so called leaders of these lands, even if you do not speak the language, it is extremely important that you be the start of helping to heal our people and help all of us, including yourselves, to be better stewards of these lands, and it can start with the language. Our kings and queens before you, would have it no other way, for they were inclusive leaders, not exclusive. Having the Hawaiian language displayed in your offices and on your letterhead stationaries will not hurt you, but only help you in showing that you have respect for the indigenous language of the ancestors of these lands. Ola ka 'olelo Hawai'i ma'ō a ma'ane'i. The Hawaiian language shall live everywhere!!! Do the right thing with right intentions for all!!!