

# Emerald

SPECIAL EDITION

## Georgia Senate Runoff Election

### CANNABIS JUSTICE IS ON THE BALLOT



2021

PROHIBITION HITS  
DIFFERENT IN  
GEORGIA

NOW IS THE TIME  
FOR RESTORATIVE  
JUSTICE

GROWN IN  
GEORGIA

AN EQUITABLE  
INDUSTRY



***"Do not get lost in a sea of despair. Be hopeful, be optimistic. Our struggle is not the struggle of a day, a week, a month, or a year, it is the struggle of a lifetime. Never, ever be afraid to make some noise and get in good trouble, necessary trouble."***

**- Congressman  
John Lewis  
02/21/40 - 07/17/20**

PHOTOGRAPH BY CHRIS KLEPONIS /AFP VIA GETTY IMAGES



**LETTER FROM  
THE EDITOR**

# **CANNABIS JUSTICE IS ON THE BALLOT**

**FOR 50 YEARS**, federal government policy unfairly targeted poor communities of color for over-policing, leading to the creation of an industry that mass-incarcerated hundreds of millions of Black and Brown Americans. At the same time, cannabis culture pioneers facing life-and-death consequences created and maintained an industry which is conservatively estimated to generate \$50 billion in annual revenue in the United States alone. In 2020, the idea of legal cannabis sales smashed the Overton window by going from radical, past acceptable, and all the way to essential. Despite these facts, neither the needs of over-policed poor communities of color nor the expertise of Black and Brown pioneers in the legacy cannabis market has ever been a meaningful part of any legalization effort.

Cannabis prohibition has continually harmed poor communities of color by providing de-facto justification for perpetuating systemic racism and white supremacy for the past five decades. It was in this environment that Black and Brown people literally risked their lives to create and maintain what is now known as "the cannabis industry." If the government of the United States is truly serious about addressing the damage that prohibition has done to-and-in those communities, legalization of cannabis can only be part of the solution.

All over the country, cannabis voters understand this. In state after state, they have made it clear that they want lawmakers to create a process for legacy market providers to become respectable capitalists. Instead, state legislatures have created processes for respectable capitalists to replace legacy providers. When it comes to the federal government, however, there is reason to be optimistic that mistake won't be repeated.

About cannabis reform, the Biden/Harris administration has said, "This no time for half-stepping, this is no time for incrementalism." And in Congress, a bi-partisan majority in the House of Representatives made history by passing a bill that would effectively legalize cannabis federally by removing it from the Controlled Substances Act. Of course, the missing piece in this political trifecta is the Senate. That means the new battlefield in the fight for cannabis justice – and the Senate Majority – is Georgia, where cannabis voters could not have asked for two better candidates.

Progressive Jon Ossoff, who favors full nationwide legalization, intentionally centers the discussion around the morality of public policy when he condemns the "grave injustice" of some people serving prison time for non-violent cannabis crimes while others are getting rich. And support for decriminalization and bail reform from Pastor Raphael Warnock, whose congregation at Ebenezer Baptist Church is known to contribute offerings to get poor people out of jail, sends a powerful message that being against prohibition does not mean being in favor of drug use. Together, they show and prove cannabis reform is an issue that can unite the Democratic coalition.

With control of the United States Senate at stake – and with the "blue wave" that has been predicted for the past three election cycles yet to materialize – Democrats cannot afford to disregard cannabis voters. As the political divide has gotten wider and more locked-in, support for cannabis legalization has risen to an all-time high of 68% among Amer-

ican adults; with a small majority of weekly churchgoing conservative Republicans as the only group opposed to it. In the 2020 election, cannabis legalization efforts outperformed swing-state Democratic Senate candidates all across the country. And support among Gen X'ers and Millennials, who will be the largest and most influential group in the party for the foreseeable future, is as high as 75-80%. Getting this voting bloc to turn out could provide the decisive margin that flips Georgia in 2021; delivers seats in Florida, North Carolina, and Pennsylvania in 2022; and re-draws the Senate map for a generation.

But even with Democrats in the majority and Vice President Harris breaking any ties, ending federal prohibition will not be a light lift. Since 1971, America has spent almost \$1 trillion fighting the "War on Drugs." As a result, the prohibitionists in Congress are well-funded, well-organized, and dug in. Recent filings in South Dakota and Montana show that some are so committed to the cause of cannabis prohibition, they're willing to disregard democracy by challenging the will of the voters in court. And as recently as 2019, when more than 25% of all Americans lived in a state where cannabis is legal for adult consumption, law enforcement agencies made more arrests for simple cannabis possession than for all violent crimes combined.

Still, this is no pie-in-the-sky fantasy. One year ago, the President-elect said medical use of the plant should be legalized. He also said that the plant should be rescheduled to allow for research, no one should be in jail for its use, prior convictions should be automatically expunged, recreational use should be decriminalized federally, and recreational legalization should be decided by states. Last summer, the Biden-Sanders Unity Task Force recommended the same policies. Biden did some serious backsliding after clinching the nomination, and again after winning the election; but once Biden is inaugurated and the new Congress is sworn in, we will have the most pro-cannabis federal government in modern American history. With all that said, voters concerned about cannabis justice must remain engaged, and should not trust Congress and the White House to get federal legalization right. As the surprise 11th-hour changes to the MORE Act show, Washington politicians serve the interests of the wealthy and well-connected first.

In this Special Edition, we set out to make cannabis justice real to voters in Georgia – with Dan Ulloa highlighting the local impact of prohibition, Melissa Hutsell demonstrating some of the benefits of legalization for Georgians, and Lynneisha Watson laying out some concrete steps people can take to contribute to the cause. As outsiders, we've done what we can to provide helpful information and a fresh perspective on cannabis legalization. We're relying on our friends in Georgia to carry the load from here, and we're happy to offer this platform for local voices to share their views on what this election means to them.

A link will be pinned on *Emerald's* Twitter and Facebook pages, and we encourage readers in Georgia to offer their opinions on the election, the candidates, and the issues around cannabis legalization. We will take some of those responses and add them to the online edition in hopes of keeping this conversation moving forward.

The struggle continues...

*Kenny Mack*

**SPECIAL EDITION:**

# **GEORGIA SENATE RUNOFF**

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# PROHIBITION HITS DIFFERENT IN GEORGIA

**The War on Drugs has been a failure on multiple levels. Cannabis Prohibition has failed by the simple measure of how much unregulated cannabis is still available almost 50 years after President Nixon declared drug abuse to be “public enemy number one.” Cannabis is currently a Schedule I drug, meaning it is supposed to have no medicinal value and a high potential for abuse. According to the Drug Enforcement Administration (DEA), “Schedule I drugs, substances, or chemicals are defined as drugs with no currently accepted medical use and a high potential for abuse. Some examples of Schedule I drugs are: heroin, lysergic acid diethylamide (LSD), marijuana (cannabis), 3,4-methylenedioxymethamphetamine (ecstasy), methaqualone, and peyote.” For context, cocaine and methamphetamine are Schedule II drugs.**

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## THE FIRST PROHIBITIONISTS

This was not always the case. During the 19th century, cannabis was commonly used as medicine in the United States and Western Europe. Queen Victoria's doctor prescribed it to treat Her Majesty's migraines from menstruation. The U.S. *Pharmacopoeia*, the foremost authority on medicine, listed it as an official type of medicine in its editions published from 1851-1942.

However, the 1906 Pure Food and Drug Act required cannabis to be labeled on medicine bottles, and it slowly fell out of use. The problem was that many began to think it was as harmful as cocaine or heroin. Before the passage of the 1906 Act, drugs were largely unregulated in the United States. This led to the recognition that “snake oil,” which included various chemicals in a bottle sold as medicine, could be harmful.

More Mexicans began immigrating to the United States in the 1910s and were enthusiastic users of cannabis (which they called marihuana) for recreational purposes. Mexican-American immigrants brought it to New Orleans, a center of jazz music, and many famous jazz musicians subsequently became cannabis enthusiasts.

Cannabis was included when the cry came from prohibitionists to regulate opium. Moreover, Mexican immigrants faced a backlash against their arrival in the United States which made many oppose them and decried their “marijuana.” The cry for prohibition became louder, and states started making cannabis illegal in the 1910s.

In 1930, Harry Anslinger was appointed the first commissioner of the Federal Bureau of Narcotics (FBN) during the Hoover administration. Initially his job was to stamp out illegal heroin and cocaine, but this was a minor problem at the time. After alcohol became legal again in 1933, it seemed his already small bureau would shrink even further. So Anslinger seized on prevailing anti-cannabis sentiment, and fanned the flames.

The prohibitionist campaign smeared cannabis as something African-American musicians and Mexican immigrants used. They preferred the term “marihuana” to associate with the foreign Mexicans. Thus, the passage of 1937 Marihuana Tax Act instituted taxes and regulations — and some penalties for possession — on cannabis. Prior to the prohibitionist campaign, no one was using the term marijuana. It is unclear why the federal government chose the spelling “Marihuana” and not “Marijuana.” Because marijuana has such a racially charged history, the preferred nomenclature in the culture is cannabis.

The marijuana prohibitionist campaign faced almost no organized opposition. The only group that fought them was the American Medical Association (AMA) because of its history of medical uses. Ironically, the AMA now opposes all uses of cannabis. Two people were quickly arrested after the passage of the law to make an example, neither of whom were even aware that cannabis prohibition had been passed.

## THE WAR ON DRUGS

The 1970 Controlled Substances Act (CSA) made cannabis possession and distribution a serious crime. President Richard Nixon advocated for enforcement to include arresting hippies and leftist radicals for possession to hamper their movements. It was verified that this was his intention by his former senior domestic policy advisor John Ehrlichman when he said,

“The Nixon campaign in 1968, and the Nixon White House after that, had two enemies: the antiwar left and black people. You understand what I'm saying? We knew we couldn't make it illegal to be either against the war or black, but by getting the public to associate the hippies with marijuana and blacks with heroin, and then criminalizing both heavily, we could disrupt those communities. We could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the evening news. Did we know we were lying about the drugs? Of course we did.”

But Nixon's decision to clamp down on drugs did not achieve the outcome he sought. During his administration, former President Jimmy Carter called on Congress to decriminalize cannabis federally. However, a backlash to the liberalization of society, including decriminalization, occurred. It coincided with the rise of the conservative movement.

Ronald Reagan led this movement against the liberalization of society, and rode it into the White House in 1980. While President, he was a great proponent of the War on Drugs and escalated it by creating harsher penalties and arresting far more people. The number of people in prison for cannabis crimes rose from 50,000 in 1980 to 400,000 in 1997. Concurrent with the escalation, First Lady Nancy Reagan's “Just Say No” campaign became popular all over the country.

Michelle Alexander goes into detail on the negative effect of cannabis prohibition. She argues it has created a class of second-class citizens in her book *The New Jim Crow*. She says that America's criminal justice system makes second-class citizens out of felons — most of whom are African American and Hispanic — and uses their criminal history to justify denying benefits that are key to climbing the economic ladder. Being arrested for possession and a subsequent felony can negatively affect one's ability to pay for college, get good-paying jobs, receive federal housing benefits, obtain a professional license, and even enter the military. Many individuals with felony records have been unable to find decent employment. Thus, in many ways, the new system resembles the old ways of Jim Crow segregation. Some estimate that one-third of African American men will go to prison within their lifetime.

## BLACK GEORGIANS PAY THE HIGHEST COST

Being “tough on crime” — including support for the War on Drugs — was popular for politicians in both parties as crime rose steadily for decades from the 1960s to the 1990s. The Violent Crime Control and Law Enforcement Act (aka the 1994 crime bill) passed with the bipartisan support of 296 Members of Congress; providing more than \$23 billion to increase local law enforcement budgets and build more prisons. Many believe that those federal dollars gave rise to the Prison Industrial Complex, leading to an explosion in the number of incarcerated individuals in the United States.

The injustice of legacy prisoners serving sentences for cannabis-related crimes while investors are getting rich is on display all over the country — particularly in Georgia, which the ACLU reports having the fifth highest arrest rate in the U.S. for cannabis possession. Black Georgians, according to the Marijuana Policy Project (MPP), are more than “three times more likely than whites to be arrested for marijuana possession.” Cities including Savannah, Atlanta, and Clarkson have all decriminalized possession of certain amounts of the plant, yet “more than 40,000 Georgians are arrested every year for marijuana possession,” finds MPP.

Disparities are much higher in places like Pickens County, Georgia. The ACLU finds Pickens County to have the highest racial disparities in cannabis arrests in the U.S. There, Blacks are nearly *100 times more likely than whites to be arrested for possession*. As a result, more than half of the prison population in Georgia is Black. According to data compiled by the Drug Policy Alliance, “nearly 73% of all people admitted [in Georgia] on marijuana charges in 2017 were Black despite making up only 32% of the total population.”

Despite the fact that cannabis arrests are at their lowest nationally, disproportionate cannabis arrest rates continue to rise in places like Catoosa County, Georgia. For instance, between 2010-2018, Catoosa County ranked among the “top 20” for growing disparities in these rates, according to the ACLU.

These figures in mind, it's no wonder that the state of Georgia is home to some of the world's largest prison populations — most of them jailed for simple drug possession.

# NOW IS THE TIME FOR RESTORATIVE JUSTICE

**“Restorative justice is a process to involve, to the extent possible, those who have a stake in a specific offense to collectively identify and address harms, needs and obligations in order to heal and put things as right as possible.”—Howard Zehr**



WRITER | KENNY MACK  
PHOTOGRAPHER | MARIA OSWALT

## THIS IS AMERICA

Despite the fact that cannabis is legal in some form in 35 states and the District of Columbia, harms are being done all over our country as poor communities of color are still being fatally over-policed because of the “War on Drugs.” From 19-year-old Ramarley Graham in the Bronx, to 21-year-old Trevon Cole in Las Vegas, to 43-year-old Keith Lamont Scott in Charlotte, encounters with police over low-level cannabis offenses continue to cost the next generation of Black and Brown men their lives.

We’ve all seen stories of officers like Jeronimo Yanez, who claimed the smell of cannabis made him fear for his life when he killed Philando Castile in front of his girlfriend and her (now-traumatized) daughter by stating, “I thought if he [Castile] has the guts and the audacity to smoke marijuana in front of the five-year-old girl...then what care does he give about me?” We’ve all heard about officers like Darren Wilson, who wasn’t indicted for killing 18-year-old Michael Brown after a grand jury heard the teenager’s cannabis use might have caused aggressive behavior. And we all know police are much more likely to target and arrest people living in poor communities of color for selling, possessing, and using the same drugs that people in other communities are selling, possessing, and using.

What we don’t often get is historical perspective to provide context for the criminalization of Black and Brown life – or the uneven and unequal enforcement of cannabis prohibition we’re experiencing today.

For example, it’s impossible to discount the impact that the practice of redlining has had on residential and commercial real estate markets in poor communities of color. Keeping property values artificially low provides a disincentive for investment, reduces economic activity in those neighborhoods, and negatively impacts the potential for creating generational wealth. With the budget framework for most cities and towns using real estate tax revenue to fund public services, that left infrastructure in decay, garbage uncollected, and turned large sections of the urban landscape into unhealthy, blighted food deserts with polluted air, dirty water, and a diminished quality of life.

These harms were compounded as the 50-year-long War on Drugs predictably resulted in the mass removal of working-age men from communities of color. Taken in combination with relentlessly negative portrayals in movies, TV, news, and advertising, this made Black and Brown men all-but-invisible in American life while being hunted by police in their own neighborhoods. It also left the next generation of Black and Brown kids with a striking absence of male role models in mass-media, or in their day-to-day lives.

## THIS IS RESTORATIVE JUSTICE

In the context of crime and punishment, restorative justice is all about needs and roles. Among its fundamental concepts is to view a crime as a violation of people and interpersonal relationships. It requires identifying stakeholders who were victimized by the crime, then centering the process around meeting their needs. This obligates the person in the offender role to be held accountable, to gain a complete understanding of the consequences of their violation, and to do as much as possible to make things right. Crucially, it also requires the offender to take responsibility for restoring whatever harm was done to the victims.

When it comes to five decades of systemic devaluation of real property, systemic disregard for residents and business owners, systemic extraction of manpower, and systemic dehumanization of millions of people in poor communities of color, doing restorative justice is more of a challenge. After all, if the “crime” is federal policy, and the offender is the Government of the United States of America, then there really can’t be any “punishment.” Guided by the principles of restorative justice, the next Congress and the Biden/Harris administration owes these communities answers to the following questions:

*Who has been harmed by cannabis prohibition?  
What was the nature and duration of that harm?  
Who benefited from the harm?  
What actions need to be taken to restore the harm done?*

The required taking of responsibility would necessarily be symbolic; with Congress and the President making some kind of statement about the consequences of prohibition by acknowledging that it has been enforced unequally, accepting that different community members have been impacted in different ways, and committing to action that meets the needs of stakeholder victims.

Accountability would mean acknowledging past harms, encouraging empathy and personal responsibility, and creating accessible systems of engagement with community members. This obligation would necessarily have to be met through federal cannabis policy that improves on the shortcomings in existing state laws, and creates an equitable interstate cannabis marketplace designed around the needs of stakeholder victims in communities most impacted by prohibition. Primarily, the needs of the people whose knowledge and expertise built, maintains, and controls a domestic job-creation juggernaut that will soon be bigger than the NFL.

Leadership must come from the federal government because the sad, immoral fact is that the economic and regulatory playing field in states where cannabis has been legalized is almost hopelessly tilted in favor of wealthy and well-connected operators. Given its support in Congress and the White House, the Marijuana Opportunity Reinvestment and Expungement Act (MORE) can serve as a starting point for developing federal policy that ensures an equitable marketplace and adequate restoration of over-policed communities.

## THIS IS THE TIME

Surely, a federal government which can address historic wrongs through anti-discrimination, fair housing, and affirmative action laws can do the same with regard to cannabis prohibition and its impact on people living in poor communities of color. To truly atone for a half-century of institutionalized racism and structural inequality, these neighborhoods can’t just be repaired, they must be restored. The creation of an equitable interstate cannabis marketplace would be a very big step in the right direction, but it won’t be easy.

The type of person who has worked their way into a career as a legislator or regulator usually doesn’t have a frame of reference to help guide their thinking on this issue. Most often, the view from the state capital or City Hall is through a prohibitionist lens which sees cannabis as the demon weed in a dangerous business run by violent Black and Brown criminals – and has no problem adding barriers to entry and costs of compliance that are so high as to make the industry inaccessible to anyone who isn’t wealthy or well-connected.

The reality is that most providers in the legacy cannabis market are not violent criminals. They’re more like a couple we all know, and who we’ll call Malik and Jalisa. These two are in a committed long-term relationship, they’re raising a family together, and they’re running their own small business (sourcing product, maintaining quality control, managing supply chain disruption, satisfying customers, and balancing the books) in a way that isn’t technically legal.

In state after state, people are coming out to support ballot measures forcing Governors and legislatures to change the law and legalize Malik and Jalisa’s business. The will of the voters is clear: Create a marketplace in which legacy providers can become respectable capitalists. But once lawmakers have been lobbied by law enforcement groups and big business, the inevitable (and undemocratic) result is a marketplace in which respectable capitalists can replace legacy providers.

This repeated state-level failure to see the voters’ will be done is a big part of the reason why federal cannabis policy must be rooted in restorative justice while being centered around the needs of people like Malik and Jalisa, their families, and the neighborhoods where they live. As victims of over-policing, these stakeholder groups deserve the chance to build (or re-build) community by caring for their neighbors in need without involving the heavy hand of law enforcement. They should also be able to rest assured that an even harsher and more unforgiving version of prohibition isn’t coming for them in the future.

# KNOW YOUR CANDIDATES

## Warnock and Ossoff Stand on Cannabis



- ✓ BAIL REFORM
- ✓ AUTOMATIC EXPUNGEMENT
- ✓ DECRIMINALIZATION
- ✓ DE-SCHEDULING
- ✓ MEDICAL LEGALIZATION
- ✓ RECREATIONAL LEGALIZATION

Reverend Raphael Warnock (left), pastor at Ebenezer Baptist Church in Atlanta, is running against Republican Senator Kelly Loeffler, supports decriminalization.

According to the University of Georgia's (UGA) student-run newspaper, *The Red and Black*, "Warnock is passionate about issues of racial equality, from criminal justice and police reform to the still-present educational and residential segregation in America."

In September 2020, Warnock said, if elected, he "would work to decriminalize marijuana [and] fight for bail reform. His congregation at Ebenezer Baptist often contributes offerings to bail poor people out of jail."

Jon Ossoff (right), on the other hand, supports nationwide legalization.

Ossoff, who is running against Republican Senator David Perdue, told CNBC:

"The fact that there are people doing time for nonviolent marijuana-related offenses while others are getting rich in the cannabis industry is a grave injustice. I'll fight for outright cannabis legalization, an end to incarceration for nonviolent drug offenses and expungement of records for nonviolent cannabis offenses."



# GROWN IN GEORGIA

**There are more than 300,000 people currently working in America’s hemp and cannabis industry. That’s more than the number of workers mining coal, brewing beer, and manufacturing textiles combined. Job gains in emerging cannabis markets range from a whopping 180% in Nevada, to an incredible 470% in Maryland, and an unfathomable 700% in Florida. The three highest revenue-generating states (California, Washington, and Colorado) have each earned more than \$1 billion in lifetime cannabis tax revenue, with Oregon’s \$275 million and Nevada’s \$167 million rounding out the top five.**

WRITER | MELISSA HUTSELL  
PHOTOGRAPHER | SEAN PAVONE

**FIFTEEN STATES HAVE** so far fully legalized cannabis with another 36 legalizing it for medicinal purposes. Georgia, however, is not one of those states.

## FACTS ON THE GROUND

Currently, only products that contain 5% or less of THC can be used, cultivated, processed and distributed in Georgia. This effectively limits the use of medical cannabis to CBD-based products, or those primarily made with hemp. Georgia regulations allow a limited number of patients with certain qualifying disorders — of which there are about 20 — to use cannabis medicinally. Those include late stage or severe conditions including cancer, HIV, and epileptic disorders. Public health advocates, including the Drug Policy Alliance, are critical of Georgia’s cannabis policies. Specifically, the Alliance finds that:

“While this law represents a rejection of federal prohibition on marijuana, denying access to the whole marijuana plant leaves the vast majority of patients without relief. Following a criminal justice approach, instead of a public health-focused approach, had led to devastating consequences in Georgia — including the country’s largest population under correctional control, vast racial disparities across its criminal justice system, and a rapidly rising overdose death rate.”

The state’s medical cannabis policies are a step in the right direction for criminal justice advocates. But, they are “grossly out of step with public opinion,” both at the national and state level, according to the Marijuana Policy Project (MPP). For example, research from fact tank, the Pew Research Center, shows a majority of Americans support legalization. Furthermore, “two-thirds of Georgians believe cannabis possession should be legal,” finds MPP.

Georgians have a lot to gain from either statewide or federal drug reform. For example, research from the ACLU finds that, “overall, the relaxing of marijuana laws, whether by legalization or decriminalization, coincides with lower average arrest rates for both sales and possession.”

To be clear, decriminalization differs from legalization. While the latter fully legalizes cannabis, decriminalization replaces criminal penalties (like jail time) with fines. In 2011, “California reclassified marijuana possession as an infraction instead of a misdemeanor, leading to a significant decline in misdemeanor marijuana arrests, which plunged from 54,849 in 2010 to 7,764 in 2011 — a decrease of more than 85%,” finds the Drug Policy Alliance.

However, arrest rates are lowest (about eight times lower) in fully legal states, the Alliance reports.

## BILLIONS IN BENEFITS

In addition to decreasing arrest rates, pro-cannabis policies could generate hundreds of millions (if not billions) in tax revenue every year for the state. Think tank, Reform Georgia, says Georgia could earn up to \$500 million in tax revenue from commercial cannabis each year. That figure, explains the organization, is “based on the revenue generated in other states [including Colorado] and adjusted for Georgia’s population.”

Since 2014, Colorado has earned more than \$1 billion in tax revenue from commercial cannabis sales. However, the state’s population — and by extension, its consumer market — pales in comparison to Georgia’s. For instance, Colorado’s population is 5.75 million. Georgia, the ninth most populated state in the US, has more than 10.6 million. With nearly twice the population, the Peach State’s cannabis economy has potential to eclipse Colorado’s.

That revenue, reports Reform Georgia, could be re-distributed to education, healthcare and infrastructure. For example, more than \$90 million was distributed to the Colorado Department of Education (CDE) between 2017-2018, reports the CDE. Those funds supported literacy programs, school construction, grants, and more.

Legalization has also proven to be a job engine in legal states. In fact, the industry is among the fastest-growing markets in the U.S., reports *Forbes*, employing more than 500,000 people full time in 2018.

## GEORGIA-GROWN HEMP

Georgia’s agricultural industry is one of the state’s largest, reports the Georgia Farm Bureau. “Nearly two-thirds of Georgia’s 159 counties are primarily engaged in agriculture. One-in-seven Georgians is employed in agriculture, forestry or related fields,” finds Reform Georgia. Currently, HB 324, passed in 2019, allows Georgia farmers to grow industrial hemp, which can be used for CBD oil, rope, paper, pet products, fuel and more. That gives Georgia farmers access to the multi-billion dollar U.S. hemp industry.

In an interview with the *Atlanta Journal-Constitution*, Don Barden, CEO of bioscience company, GA Xtracts in Union Point and Watkinsville, says, “the ultimate goal is for hemp grown in the state of Georgia to be the next Idaho potatoes, California raisins or Vidalia onions.” That could create numerous economic benefits for the state, and create jobs beyond the agricultural sector. In fact, Barden told the publication that GA Xtracts hired 200-250 people this summer to help with processing.

Halcyon Organics, South Georgia’s first nutraceuticals company, reports that, “a well-regulated medical cannabis program will create new jobs for hard-working, tax-paying Georgians. From horticulturists cultivating plants, to labs testing the safety of the medicine, to employees at dispensaries, regulated medical cannabis will create thousands of new, high-paying jobs in our state.”

But, as it stands, the state only has a limited medical market. As such, it is missing out on millions of potential tax revenue dollars, and thousands of jobs.

## A GLOBAL RESEARCH HUB

Georgia’s current medical cannabis program, which allows low-THC products, catalyzed cannabis research within the state — and legalization could open the floodgates further.

For instance, when Georgia Gov. Brian Kemp signed House Bill 324 in 2019, he granted UGA the ability to study and grow low-THC varieties of cannabis, reports *The Black and Red*. As a result, UGA received a \$3.5 million grant to study the effects of medical cannabis on chronic pain from the National Institute on Drug Abuse in 2019, reports *UGA TODAY*.

In an interview with the publication, one of the study’s researchers, David Bradford, explains that it will break new ground for Georgia. “Researchers have been able to document reductions in aggregate prescription use, especially opioids, after states implement [medical cannabis],” Bradford says. But scientists don’t know how this affects their healthcare decisions in the long term.

“We’ll be the first to systematically evaluate that, and hopefully can give Georgia and other policymakers some idea of what to expect as we continue to roll this policy out in the state,” Bradford adds.

Georgia is a world hub for health innovation. It’s home to top tier global research institutions, including the Center for Disease Control and Prevention (CDC), the Task Force for Global Health, and the American Cancer Society. According to *The Red and Black*, legalizing “medical marijuana sales represents an important step in improving the state’s ability to care for those with long term pain and opens the state to a burgeoning market.”



# AN EQUITABLE INDUSTRY

**Currently, America finds herself in a space of revolution. In terms of the cannabis industry, five more states legalized the plant to some degree during the 2020 election. Mississippi, for example, became the 34th state in the country (and the second in the South) to legalize medicinal cannabis. Founder and president of the Alliance for Sensible Markets, Adam Smith says that allowing an interstate cannabis market to develop would “spur investment expansion and jobs.” In an interview with Marijuana Moment, Smith says “Let’s set up the industry in the newly legalizing states in a way that reflects reality and reflects what the future of this industry is so we can actually grow the industry without wiping a whole bunch of people out.”**

WRITER | LYNEISHA WATSON  
PHOTOGRAPHER | D L THARPE PHOTOGRAPHY

## INDUSTRY POTENTIAL

The cannabis industry is a business in which someone who is willing to work hard, follow the rules, show up early, and lead by example should be able to build a dignified career doing satisfying work. New jobs and opportunities in an equitable interstate cannabis industry can act as the foundational means of economic support for working people. This newly-formed sector would have the ability to offer folks a prevailing wage, health insurance, family and medical leave, as well as retirement benefits. Basically, it would provide a sustainable pathway for disproportionately-impacted communities to utilize cannabis as a tool to repair the damages that have been inflicted upon them – and to create new kinds of role models for young people in those neighborhoods.

Original Equity Group (OEG), a San Francisco based social purpose corporation building pathways to equity in the cannabis ecosystem, says that legislators should be focused on elevating those who have been the most harmed by the War on Drugs. OEG is focused on ensuring that social equity applicants have access to business training, job opportunities, safe funding, and strategic partnerships. They are responsible for advocating for San Francisco’s cannabis social equity program and helping create a foundation and framework for the enterprising Black and Brown people looking to benefit from the industry.

“A fair interstate cannabis industry would be one that would give priority licensing and access to Black and Brown people,” says Ed Brown, one of the co-founders of OEG. “The ability to move products from state to state [allows] access to real generational wealth; where household Black and Brown brands can be built. We are talking about stolen wealth. Marijuana has been illegal to date, but a legal market – with non-typical cannabis business owners – stands to create billions. Interstate commerce must be on the minds of legislators who are now creating policy.”

## FEDERAL POLICY

Recently, a bi-partisan majority in the House of Representatives passed a bill to “decriminalize cannabis and expunge convictions for non-violent cannabis offenses that have prevented many [Black and Brown] Americans from getting jobs, applying for credit and loans, and accessing opportunities that make it possible to get ahead in our economy,” according to a Dear Colleague letter from House Majority Leader Steny Hoyer.

The Marijuana Opportunity Reinvestment and Expungement Act (MORE) will also federally deschedule cannabis, expunge the records of those with prior marijuana convictions, and impose a federal five percent tax on sales revenue which would then be reinvested in people impacted by the drug war. Many cannabis activists still feel like the MORE Act doesn’t go far enough to truly undo the damage done to – and in – poor communities of color, or to create opportunity for legacy market providers. To be rooted in restorative justice, any federal law would need to contain language similar to the first-of-its-kind Cannabis Business Permitting Ordinance, which provides a limited window for the city of Cambridge, Massachusetts to license social equity and economic empowerment applicants exclusively:

“To help people from communities not yet benefiting from [Massachusetts’] cannabis industry... [During] a two-year moratorium [only] individuals and businesses certified by the Massachusetts Cannabis Control Commission (CCC) in 2018 as economic empowerment applicants would receive permits to open recreational cannabis businesses in Cambridge. These individuals or businesses have a connection to communities disproportionately affected by past marijuana law enforcement practices. After two years, Cambridge’s three existing medical marijuana facilities – Sira Naturals, Revolutionary Clinics and Healthy Pharms Medical Cannabis Dispensary – could apply for permits.”

After a challenge in Superior Court, a temporary injunction stopped the Ordinance from taking effect. Recently, the Massachusetts Appeals Court rejected the idea that companies which sought to serve the city’s medicinal cannabis patients are entitled to some kind of first-mover advantage in the recreational/adult-use market; with Associate Justice Joseph M. Dikoff dismissing Revolutionary Clinics CEO Keith Cooper’s argument about irreparable economic harm as having “no basis.”

Compared to the fifty-year War on Drugs, a two-year headstart might be a reasonable restriction in a court of law, but it doesn’t go far enough to be considered restorative justice in the court of public opinion. Cannabis voters are counting on the Biden/Harris administration and the next Congress to think bigger and do better.

## MOVING FORWARD

Right now, the primary focus should be on making sure that everyone, especially Black and Brown people, is allowed to benefit from the abundance of the cannabis plant. Of course, this will require leadership from the federal government. As they consider how to ensure an equitable interstate cannabis marketplace, Congress and the White House must embrace the expertise of legacy market providers, and reject the prohibitionist lens that still sees these cannabis industry pioneers as violent criminals-in-waiting. In order to create a pathway for the kind of legacy-to-legal transition that voters across the country are demanding, federal policy must be centered around the needs of the people and communities who have been most harmed by five decades of prohibition. Through a reimagining of the relationship minorities have with this plant – particularly by providing access to safe spaces and resources – we can enable Black and Brown people to change the narrative around cannabis for themselves, and expand their experiences beyond incarceration into equity and ownership.

For years, advocates and activists in the cannabis rights movement have worked to make the industry more equitable by looking at the people-plant relationship through a restorative justice lens, which requires empathy and the willingness to listen to the needs of communities most impacted by prohibition. Cannabis organizations that are fighting for social equity and social justice continue to call for legislators to see this issue through new eyes:

# STATEMENT OF PRINCIPLES ON FEDERAL MARIJUANA REFORM

## THE MARIJUANA JUSTICE COALITION



For decades, marijuana prohibition has devastated the lives of millions and disrupted the economic and social fabric of communities. The continued enforcement of marijuana prohibition laws results in over 600,000 arrests annually, disproportionately impacting people of color who are on average almost 4 times more likely to be arrested for marijuana possession than their white counterparts, despite equal rates of use across race. Additionally, simple marijuana possession was the fourth most common cause of deportation for any offense and the most common cause of deportation for drug law violations.

An ever-growing majority of American voters—68% percent—support marijuana legalization, according to a 2018 Center for American Progress and GBA Strategies poll. Even higher, 73% of American voters support the automatic sealing of marijuana offenses.

The nation has moved beyond the question of 'should we legalize marijuana?', and is now grappling with 'how do we legalize?' Thirty-three states plus the District of Columbia have adopted laws allowing legal access to medical marijuana with 11 states plus the District of Columbia allowing legal access to recreational marijuana. Nationwide, the communities that have been most harmed by marijuana prohibition are benefitting the least from the legal marijuana marketplace.

Individuals who have suffered from the impact of a marijuana arrest or conviction are still languishing from the thousands of unique collateral consequences of over-enforcement of marijuana laws—collateral consequences that include difficulty securing or maintaining employment, housing, federal financial aid, nutritional assistance, the ability to vote, a valid driver's license, and harsh immigration-related consequences for noncitizens.

Despite the fact that the harms of marijuana prohibition have not been borne equally across the nation and across specific populations, people of color are woefully underrepresented in the marijuana industry. Historically disproportionate and racially biased arrests and convictions make it particularly difficult for Black and Brown people to enter the legal marijuana marketplace, as most states bar these individuals from participating because of their record. The Administration recently threatened that it will deny naturalization to lawful permanent residents, the great majority of whom are people of color, if they are employed in the industry. Other barriers include exorbitant licensing fees and the need for large amounts of capital before gaining a license.

Ending prohibition on the federal level presents a unique and desperately needed opportunity to rightfully frame legalization as an issue of criminal justice reform, equity, racial justice, economic justice, and empowerment, particularly for communities most targeted by over-enforcement of marijuana laws.

As Congress considers the end of marijuana prohibition, the Marijuana Justice Coalition believes that any legislation that moves forward in Congress should be comprehensive. The provisions set forth below are agreed upon by the undersigned criminal justice, drug policy, civil rights, and anti-poverty groups as principles that should be considered as a part of any moving marijuana reform efforts in Congress:

- **Descheduling marijuana, as maintaining marijuana on the Controlled Substances Act serves to preserve federal criminalization and enforcement.**
- **Criminal justice reform provisions (e.g. expungement, resentencing).**
- **Provisions eliminating barriers to access to public benefits (e.g. nutrition assistance, public housing, etc.) and other collateral consequences related to an individual's marijuana use or previous arrest or conviction.**
- **Provisions eliminating unnecessarily discriminatory elements for marijuana use, arrests and convictions, including drug testing for public benefits or marijuana use as a reason for separating children from their biological families in the child welfare system.**
- **Provisions that ensure that marijuana use or participation in the marijuana industry does not impact the immigration status of noncitizens nor their ability to naturalize.**
- **Marijuana tax revenue be directed to local units of government and community-based organizations to reinvest in individuals and communities most impacted by the war on drugs, particularly through programming that helps eliminate the collateral harms of marijuana prohibition, especially for individuals with systemic and structural barriers to employment and/or living in high-poverty communities.**
- **Marijuana tax revenue be directed to support entrepreneurs from communities directly impacted by the war on drugs with a process to provide them with the requisite capital to develop cannabis businesses, and encourage emerging licensing programs to be inclusive and reflective of their communities.**

### Signed by the members of the Marijuana Justice Coalition:

ACLU • Center for American Progress • Center for Law and Social Policy • Drug Policy Alliance  
Human Rights Watch • Immigrant Legal Resource Center • JustLeadershipUSA  
Lawyers' Committee for Civil Rights Under Law • Leadership Conference on Civil & Human Rights  
National Association of Social Workers • National Council for Incarcerated and Formerly Incarcerated  
Women and Girls • NORML • Students for Sensible Drug Policy  
United Food and Commercial Workers International Union • Veterans Cannabis Coalition



January 5, 2021

*Include your name and return mailing address.*

The Honorable Senator \_\_\_\_\_

Russell Office Building  
Washington, D.C. 20510

Dear Senator,

It is time for the United States Government to join the rest of the world in acknowledging the benefits of cannabis by removing it from the list of Schedule I Controlled Substances. As a voter who supported you in the election, I urge you to ignore the outdated, unscientific arguments of prohibitionists; and use federal legalization as a policy tool to promote sustainable economic growth in poor communities of color while empowering the people most harmed by prohibition to create generational wealth in the cannabis industry.

When it comes to getting nationwide legalization right, federal leadership is irreplaceable because the uneven playing field resulting from a patchwork of state-level legalization schemes is unsustainable. But in passing the MORE Act, the House of Representatives made several last-minute changes which will effectively cement legacy market providers' status as second-class citizens with regard to equity, ownership, and access to the investment capital needed to become licensed operators in the industry that they created. Even worse, communities most harmed by prohibition were specifically excluded from receiving any of the benefits of legalization. This has to be unacceptable.

Due to the fact that the enforcement of federal law was itself a harm done to real people and real communities, the Senate must ensure that any new law is focused on the needs of the same people and the same communities. Until such time as the current ownership disparity in the cannabis industry (where more than 80 percent of all licensed operators are white) is resolved, the principles of restorative justice demand that federal cannabis policy is centered around legacy market providers, social equity and economic empowerment applicants, as well as the communities they call home. It is critically important for the Senate to pass nationwide legalization that will:

- Prioritize licensure or permitting with meaningful day-one equity for people in communities most harmed by prohibition
- Allocate revenue specifically for the restoration of communities and people
- Remove restrictions on legacy market providers, and provide services to facilitate licensure or permitting
- Ensure access capital, and prevent a federal first-mover advantage for existing operators

As your constituent and a voter who cares deeply about cannabis justice, I encourage you to keep up this fight in Congress – and I pledge to stand with you in support.

*Sincerely,*

Georgia Voter



# HERE ARE GEORGIANS WORKING TO GET OUT THE VOTE

