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## SENATE RESOLUTION

REQUESTING THE DRUG POLICY FORUM OF HAWAII 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.

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

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

16  
17           WHEREAS, the mass incarceration that began with the war on  
18 drugs, and includes cannabis prohibition, continues to  
19 destabilize immigrant, indigenous, and low-income individuals,  
20 families, and communities; and

21  
22           WHEREAS, cannabis prohibition has deprived impacted  
23 individuals' access to higher education, housing, and  
24 employment, and of liberty, property, and the right to vote; and  
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1 WHEREAS, to counter the effects on individuals, families,  
 2 and communities, almost all state adult use and medical cannabis  
 3 legalization programs now contain or are built around social  
 4 equity considerations, including without limit, exclusive  
 5 licensing, technical assistance, and capital investment in  
 6 businesses owned by social equity qualified individuals; and  
 7

8 WHEREAS, while the term "social equity" in the cannabis  
 9 industry most often refers to the efforts to create an equitable  
 10 industry, social equity programs should encompass all pillars of  
 11 equity to ensure the efforts to redress the harms of cannabis  
 12 prohibition are as broad as the harms; now, therefore,  
 13

14 BE IT RESOLVED by the Senate of the Thirty-first  
 15 Legislature of the State of Hawaii, Regular Session of 2022,  
 16 that the Drug Policy Forum of Hawaii is requested to prepare, by  
 17 November 1, 2022, a comprehensive report on social equity  
 18 programs in the context of regulated adult use cannabis programs  
 19 in various U.S. state and local governments, including critiques  
 20 of these programs such as that of the Minority Cannabis Business  
 21 Association (MCBA) titled, "National Cannabis Equity Report  
 22 2022"; and  
 23

24 BE IT FURTHER RESOLVED that the report is requested to be  
 25 prepared in the style of a Legislative Reference Bureau report,  
 26 objectively providing options to the Legislature in a criteria  
 27 matrix format; and  
 28

29 BE IT FURTHER RESOLVED that the report is requested to  
 30 include consideration of exclusive licensing, technical  
 31 assistance, and capital investment in businesses owned by social  
 32 equity qualified individuals, and other elements of existing  
 33 social equity programs; producer/consumer cooperative models;  
 34 and automatic criminal record expungement for cannabis related  
 35 crimes in crafting an adult use regulated cannabis legalization  
 36 program within the larger context of adhering the benefits of  
 37 this new industry to Native Hawaiians and other victims of the  
 38 war on drugs, and potentially by requiring such businesses to  
 39 operate in the form of Sustainable Business Corporations with  
 40 specified public benefit goals and purposes and annual public  
 41 reporting requirements benchmarked to meeting minimal levels of



1 public benefit including social equity as a condition of  
2 licensing; and  
3

4 BE IT FURTHER RESOLVED that the Department of Health's  
5 Office of Medical Cannabis Control and Regulation (OMCCR) is  
6 requested to prepare, by November 1, 2022, a comprehensive  
7 report on how to include the existing legal growers and hemp  
8 licensees, under chapter 329, Hawaii Revised Statutes, including  
9 Kanaka Maoli and those on Hawaiian Home Lands, as eligible to  
10 test and sell cannabis and hemp directly to other patients, or  
11 to licensed dispensaries; and  
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13 BE IT FURTHER RESOLVED that certified copies of this  
14 Resolution be transmitted to the Governor, Attorney General,  
15 Director of Health, Deputy Director of Health Resources  
16 Administration, Chair of the Board of Trustees of the Office of  
17 Hawaiian Affairs, and President of the Drug Policy Forum of  
18 Hawaii.

