



Willamette Law Students for Sensible Drug Policy (LSSDP) cannot be more supportive of House Bill 3112. Willamette LSSDP is part of an international organization dedicated to reforming drug policy from a criminal based approach to a sensible health-based strategy. Oregon has long been at the forefront of this effort by being one of the first states to decriminalize and then legalize cannabis. Additionally, Oregon just recently became the first state to decriminalize all drug possession. As an organization, we are proud to be in a state that has been a leader in ending the War on Drugs. However, we believe that in order to move past the War on Drugs, the state must take affirmative steps to repair the harm done to communities most impacted by the War on Drugs. Specifically, the state must right the wrongs disproportionately felt by Black, Indigenous, and Latinx communities. The Oregon Cannabis Equity Act provides a once in a generation opportunity at redemption.

Willamette LSSDP has helped with this effort since 2019. That year, our organization drafted a policy proposal to create a state level cannabis equity program, and we lobbied this proposal to over 30 Oregon legislators before the 2020 session. This effort ultimately led to the introduction of House Bill 4088 during the 2020 session. Despite this first bill not passing during the last session, we were excited to come back strong in 2021. While we expected to not come back to work on this legislative effort prior to the 2021 session, the world change during the spring and summer of 2020. The police killings of George Floyd and Breonna Taylor sparked a movement for racial justice that members of our organization have not seen in our lifetime. To do our part in supporting this movement, we went back to work on cannabis equity legislation.

Willamette LSSDP in partnership with the NuLeaf project reached out to legislators this past summer to establish a workgroup to redraft House Bill 4088. This work group was ultimately led by Representative Akasha Lawrence Spence. Through her leadership, and with support from the cannabis industry, a work group of over 60 members was created to draft this groundbreaking legislation. Willamette LSSDP was very excited to be a part of this group and we consulted with the county's leading cannabis law experts for their input to help draft this bill. We believe that this hard work has resulted in House Bill 3112 being the best cannabis equity bill in the country.

In order to ensure that Oregon's cannabis equity program does not suffer from the shortfalls that have been documented in nearly every state and municipality with a cannabis equity program, this bill needs to use race conscious language to give communities most impacted by the War on Drugs eligibility to qualify for newly created equity licenses. This race specific language is something that was not used in House Bill 4088 in 2020. During bill drafting this past summer, our work group began crafting qualification schemes using race neutral language. These criteria schemes included factors such as "low income" and "resident of a disproportionately impacted area." It was only after a good faith consideration of these alternatives, and researching the effectiveness of other cannabis equity programs, that we decided to go forward with using race specific language.

To determine whether such race-specific language is needed and would comply with constitutional requirements, Willamette LSSDP authored a nearly 100-page legislative report that has been submitted to this committee in the form of written testimony. By compiling evidence regarding the discriminatory intent behind cannabis prohibition, and the disparate impact of enforcement, we believe that a compelling governmental interest in remedying past discrimination is present. Additionally, we believe that Oregon has a compelling interest in increasing market diversity. Numerous studies have shown that the United States economy has lost trillions of dollars over the past decades due to a lack of business diversity and because of the racial wealth gap. Oregon will become a national production leader once federal legalization is realized, and the legislature needs to pass the Oregon Cannabis Equity Act to maximize future market efficiency and tax revenue. We also took great care in bill drafting to narrowly tailor this legislation. We accomplished this by allowing any individual with a prior cannabis record to qualify for an equity license, and we are requiring the governmental body overseeing the program to annually review the race specific language to determine whether it is still needed to accomplish equity.

Members of Willamette LSSDP have come together as a group of future lawyers dedicated to using the legal system to create a more just society. The Oregon Cannabis Equity Act will accomplish this goal and we are in complete support.

Thank you, Brett Mulligan