

TESTIMONY OF MICHAEL KEBEDE, ESQ.

Ought to Pass – LD 1517

An Act to Create Equity in the State’s Cannabis Industry

Joint Standing Committee on Veterans and Legal Affairs

January 24, 2024

Senator Hickman, Representative Supica and members of the Joint Standing Committee on Veterans and Legal Affairs, good morning. My name is Michael Kebede and I am Policy Counsel for the American Civil Liberties Union of Maine, a statewide organization committed to advancing and preserving civil liberties guaranteed by the Maine and U.S. Constitutions through advocacy, education, and litigation. On behalf of our members, we support LD 1517, which would make Maine’s cannabis industry fairer.

In 2016, the people of Maine decided to make landmark progress on cannabis legalization.¹ Their decision to join the growing number of legal states has been profoundly transformative. By merely acknowledging and systematizing what was already going on all over the state,² we have allowed Mainers to generate employment,³ tourist revenue,⁴ and economic benefit,⁵ all while ensuring that children use at lower rates.⁶ In sum, we have improved our communities.

¹ See An Act to Legalize Marijuana, I.B. 6 - L.D. 1701 (eff. Jan. 30, 2017) (codified as amended at 28-B M.R.S.A. § 101 et seq.).

² See National Estimates of Marijuana Use and Related Indicators – National Survey on Drug Use and Health, United States, 2002–2014, Ctr. for Disease Control and Prevention, (Sept. 2, 2016) at Figure 5 (noting that about 9% of people in the northeast used marijuana during the studied period. Available at, <https://www.cdc.gov/mmwr/volumes/65/ss/ss6511a1.htm#T3down>.

³ *Maine Has 400 Legal Cannabis Industry Jobs, Study Finds*, Ctr. Square (Jun. 1, 2020), https://www.thecentersquare.com/maine/maine-has-400-legal-cannabis-industry-jobs-study-finds/article_690ecd7c-9aa8-11ea-8b47-0f7bd38668f8.html.

⁴ Sam Wood, *Maine’s Tourist Attractions Include Lobster, Quaint Towns, Blueberries and Now, for Some, Weed*, Philadelphia Inquirer, <https://www.inquirer.com/business/weed/marijuana-maine-new-jersey-reciprocity-medical-card-20190716.html>.

⁵ See Patrick Whittle, *Maine Marijuana Shops Report Brisk Business Despite Pandemic*, ABC News (Jan. 9, 2021), <https://abcnews.go.com/US/wireStory/maine-marijuana-shops-report-brisk-business-pandemic-75149065>.

⁶ See Katelyn Newman, *Study: Teen Use of Marijuana Drops in States Where It Is Legal*, U.S. News & World Rep. (July 8, 2019), <https://www.usnews.com/news/healthiest-communities/articles/2019-07-08/study-teen-use-of-marijuana-drops-in-states-where-it-is-legal>; see also *Teen Odds of Using Marijuana Dip When States Legalize Recreational Use*, NBC News (July 8, 2019), <https://www.nbcnews.com/health/kids-health/teen-odds-using-marijuana-dip-when-states-legalize-recreational-use-n1027576>.

The only problem is that some of us have been left behind. Given the fact that people with criminal records face higher barriers to starting businesses, and the racially disproportionate rates at which the state arrests, charges, and convicts people of cannabis (and other) crimes, the barriers to economic success in the cannabis industry are stacked highest against people of color. The racial disparities in who is arrested for cannabis possession in Maine are startling: a 2020 ACLU study found that Black people in Maine were four times more likely than white people to be arrested for cannabis possession in 2018.⁷ In York County, Black people were more than twelve times more likely than white people to be arrested for cannabis possession.⁸ These disparate arrest rates do not reflect a disparate rate of possession of cannabis; instead, these rates reflect a racially disparate rate of police interactions with the public.

By supporting the participation in the cannabis industry of people with cannabis convictions, people from historically disinvested communities, and small legacy cultivators, this bill would help make the cannabis industry more equitable. We urge you to vote *ought to pass*.

⁷ *A Tale of Two Countries Racially Targeted Arrests in the Era of Marijuana Reform*, ACLU, July 1, 2020, at 68, https://www.aclu.org/sites/default/files/field_document/tale_of_two_countries_racially_targeted_arrests_in_the_era_of_marijuana_reform_revised_7.1.20_0.pdf

⁸ *Id.*