



Global Alliance for  
Cannabis Commerce



**MCBA**  
MINORITY CANNABIS BUSINESS ASSOCIATION



**NATIONAL  
CANNABIS  
ROUNDTABLE**



US CANNABIS COUNCIL

Tuesday, January 18, 2022

The Hon. L. Louise Lucas  
Senate of Virginia  
900 E. Main St.  
Richmond, Virginia 23219

The Hon. C. Todd Gilbert  
Virginia House of Delegates  
900 E. Main St.  
Richmond, Virginia 23219

The Hon. Thomas K. Norment, Jr.  
Senate of Virginia  
900 E. Main St.  
Richmond, Virginia 23219

The Hon. Eileen Filler-Corn  
Virginia House of Delegates  
900 E. Main St.  
Richmond, Virginia 23219

Dear Majority Leader Lucas, Minority Leader Norment, Speaker Gilbert, and  
Minority Leader Filler-Corn,

On behalf of the cannabis industry and the hundreds of thousands of employees, investors, and advocates we represent across the country, we write to request that you prevent a potential injustice by ensuring all Virginias receive a second chance in any bill to establish a regulatory framework for adult-use cannabis in the Commonwealth. We do not always have the same preferences as organizations when it comes to other issues in the cannabis space but we all unanimously concur that it is vital *every* state takes the necessary steps to remedy the harms of cannabis prohibition. We have consistently reaffirmed that we will not leave behind those who have been arrested, convicted, and incarcerated for cannabis in our pursuit of profit.

Data from the Federal Bureau of Investigations shows that more than 220,000 Virginians have been arrested for cannabis offenses in the past 10 years and information provided this week by the Virginia Department of Corrections shows

that at least 570 individuals are currently incarcerated in the Commonwealth's prisons solely or partially for a cannabis conviction.<sup>1</sup>

We commend you for including various expungement provisions in the previously passed Senate Bill 1406 but are dismayed by the fact that this bill lacks any form of relief for individuals who are currently involved in the criminal justice system for cannabis offenses.<sup>2</sup> If Virginia's leaders have decided that the possession and distribution of cannabis should now be legal this should be reflected both in how we apply our laws going forward and the relief provided to those who are currently facing the harms of cannabis prohibition.

The injustice presented by simultaneously continuing to incarcerate one person and allowing someone else with the same prior conviction to be treated as if they never violated the law is obvious. This lack of relief is not a mere harmless oversight or something that should be disregarded merely because an agreement on this topic is politically difficult to reach. This lack of action directly calls into question the rule of law and our views of justice in America.

The good news is that you still have an opportunity to remedy this injustice. We urge you to include sentencing relief for these individuals in any reenacted or adopted version of any legislation to legalize the adult use and sale of cannabis in Virginia. Our teams and several partners with expertise in the criminal justice space stand ready to assist you in framing a potential bipartisan compromise on this important issue.

Randal Meyer  
Executive Director  
Global Alliance for Cannabis  
Commerce (GACC)

Aaron Smith  
Executive Director  
National Cannabis Industry  
Association (NCIA)

Amber Littlejohn  
Executive Director  
Minority Cannabis Business  
Association (MCBA)

Steven W. Hawkins  
President & CEO  
United States Cannabis Council  
(USCC)

Saphira Galoob  
Executive Director  
National Cannabis Roundtable (NCR)

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<sup>1</sup> Federal Bureau of Investigation, *Crime Data Explorer: Arrest* – Virginia, Department of Justice (2021), <https://crime-data-explorer.fr.cloud.gov/pages/explorer/crime/arrest>; January 10<sup>th</sup>, 2022 Hearing Before the Cannabis Oversight Commission, 2022 Va. Gen. Assemb. (2022) (statement of Dr. Tama S. Celi, Research Chief, Virginia Department of Corrections).

<sup>2</sup> Proposed § 19.2-392.2:1 and § 19.2-392.2:2 in S.B. 1406 (2021).

CC:

The Hon. Glenn Youngkin  
Governor of Virginia  
State Capitol, Third Floor  
Richmond, Virginia 23219