



CANNABIS CONTROL COMMISSION

Public Commission Meeting

Tuesday, January 9, 2018

10:30 AM

Mass Gaming Commission
Public Meeting Space
101 Federal Street, 12th Floor
Boston, MA

DRAFT--FOR DISCUSSION PURPOSES ONLY

This presentation has not been reviewed or approved by the Cannabis Control Commission.



Cannabis Control Commission

01.09.18 Public Meeting

Agenda

- Call to Order
- Chairman's Comments & Updates
- Approval of Minutes from Previous Meetings
- Approval of Job Descriptions
 - Chief of Staff
 - Director of Research
 - Director of Investigations and Enforcement
 - Director of Government Affairs
 - Social Media Manager
- Guidance to Municipalities
- Definition of Disproportionately Impacted Communities
- Process for Appointing Committees Specified in Legislation or Draft Regulations
- New Business that the Chairman did not anticipate at time of posting
- Next Meeting date (if known)

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Cannabis Control Commission Job Description – Chief of Staff

PURPOSE OF THE JOB

- The Chief of Staff serves as the Executive Director’s principal aide and advisor and administers the operations of the Commission. The Chief of Staff provides leadership and supervision and manages a wide range of issues related to the Commission.

ESSENTIAL FUNCTIONS AND RESPONSIBILITIES

- Fosters the principles of the Commission’s mission statement among the staff and all stakeholders.
- Coordinates the execution of strategic initiatives and acts as the Commission’s liaison.
- Assists the Executive Director in developing strategic plans, public engagement plans, and standard operational procedures.
- Supports the Executive Director in overseeing all Commission operations, including planning, scheduling, and administration of all Commission activities.
- Organizes, attends, and/or participates in special events and promotions advancing Commission activities.
- Maintains a keen understanding of industry trends and makes appropriate recommendations regarding communication and operations strategy surrounding them.
- Manages and oversees Commission programming and outreach

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Cannabis Control Commission

Job Description – Director of Research

PURPOSE OF THE JOB

- Under the direction of the Executive Director, leads the Research Division by overseeing the Commission’s ambitious and robust exploratory agenda and ensuring all statutorily mandated reports are completed in a timely fashion.

ESSENTIAL FUNCTIONS AND RESPONSIBILITIES

- Plans and executes the Commission’s statutorily required research agenda;
- Collaborates with Commission staff as well as other state agencies and stakeholders to monitor, collect, and interpret data;
- Coordinates and forms partnerships with the Department of Public Health, the Department of Elementary and Secondary Education, the Department of Higher Education, the Executive Office of Public Safety and Security, and the Executive Office of Labor and Workforce Development, and other government agencies as needed;
- Ensures the Commission’s annual reports are accurate, thorough, and submitted on time;
- Advises the Executive Director and the Commission on best practices and research findings;
- Executes outreach initiatives to policy experts, industry boards, think tanks and others impacted by the Commonwealth’s cannabis policies, regulations, and laws;
- Develops reports, white papers, briefs, and graphics for research topics and projects;
- Collaborates with Commission staff to develop and execute an open-data concept utilizing information and data gathered and maintained by the Commission;
- Initiates special purpose research and independent projects as they relate to the Commission;
- Conducts research on past, current, and emerging trends related to cannabis policy.

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Cannabis Control Commission

Job Description – Chief of Investigations and Enforcement

PURPOSE OF THE JOB

- To oversee the investigations and enforcement division of the Cannabis Control Commission, which includes the evaluation of license applications and processes for marijuana establishments, conducting of background checks for establishments and agents as well as compliance with regulations relative to the operation of establishments in Massachusetts through enforcement and education.

ESSENTIAL FUNCTIONS AND RESPONSIBILITIES

- Foster the principles of the Commission's Mission Statement among the staff and all stakeholders.
- Oversee the evaluation of applications and the licensing of marijuana establishments.
- Work with stakeholder groups to understand the licensing, compliance and enforcement process.
- Manage the activities of the Investigations and Enforcement Division, including supervision of any licensing, enforcement, paralegal and support personnel.
- Manage enforcement of the Commission's regulations and participating in investigations, inspections, enforcement, and education actions to ensure compliance with applicable laws, regulations and policies.
- Oversee the registration of marijuana establishment agents and laboratory agents, and the issuance of registration cards.
- Manage any vendor relationships relative to the provision of investigative services.
- Oversee the management and development of training materials and programs for investigators, Commission personnel, and external constituencies.
- Assist the Executive Director in responding to inquiries about licensing, investigations and enforcement.
- Attend, present at and represent the Commission at public meetings, hearings and other appearances.
- Assist the Executive Director in the establishment of employment and administrative policies and procedures.
- Assist the Executive Director in the drafting of statutorily required reports as needed.

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Cannabis Control Commission

Job Description – Director of Government Affairs

PURPOSE OF THE JOB

Under the direction of the Executive Director, leads the government relations functions of the Commission and serves as a liaison across all levels of government.

ESSENTIAL FUNCTIONS AND RESPONSIBILITIES

- In collaboration with the Executive Director, Commissioners, and other senior staff, develop and manage strategy for strengthening relationships with local, state, regional, and federal officials—especially those who represent communities of disproportionate impact— and government agencies, and increase their understanding of and support of the Commission.
- Communicate and advocate the Commission’s priorities and mission to officials and staff.
- Monitor legislation and policy activities; update and advise the Executive Director, Commissioners, and senior staff about relevant proposals and actions, and analyze potential impacts on the work of the Commission.
- Monitor the Commonwealth’s budget development process and advocate for the Commission’s priorities.
- Coordinate government relations strategy with other relevant stakeholders, including the Executive Director and Commissioners.
- Develop a wide range of materials in support of the Commission’s work, including, but not limited to, legislative summaries, talking points, facts sheets, testimony, and letters.
- Provide technical assistance to the Executive Director and Commissioners on government relations issues.
- Assist with the development and implementation of special projects, including, but not limited to, legislative reports as required by law.

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Cannabis Control Commission

Job Description – Social Media Manager

PURPOSE OF THE JOB

- Under the direction of the Communications Director, manages the digital functions related to the Commission's communications and marketing strategy, enhances public engagement, and performs data analytics.

ESSENTIAL FUNCTIONS AND RESPONSIBILITIES

- In collaboration with the Executive Director, Commissioners, and other senior staff, develop and manage digital channels to boost communication and outreach to Marijuana Establishment applicants, licensees, municipalities and the public.
- Communicate and advocate the Commission's priorities and mission using creativity, consistent branding, cutting edge technology, and web optimization techniques.
- Monitor the Commission's digital channels, including, but not limited to its website, email, blogs, and social media, and prepare public responses as needed.
- Develop and coalesce the Commission's web presence and overall marketing strategy.
- Innovate solutions to increase web traffic and social media engagement.
- Ensure best web practices are followed and regularly propose opportunities to improve user experience.
- Prepare a wide range of materials in support of the Commission's work, including, but not limited to, a website, data dashboard, digital brochures/newsletters and other applications or publications as needed.
- Provide technical assistance to the Executive Director and Commissioners on content management, data analytics, and multimedia objectives.
- Ensure that digital channels are accessible to variety of users, including mobile platforms and ADA compliance.
- Assist with the development and implementation of special projects, including, but not limited to, public awareness campaigns, digital marketing and advertising.

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Cannabis Control Commission

Legislative Mandates

Econ Empowerment Priority Review for Applicants

The law requires the Commission to prioritize review and licensing decisions for applicants for retail, manufacture, or cultivation licenses who “demonstrate experience in or business practices that promote economic empowerment in communities disproportionately impacted by high rates of arrest and incarceration for offenses under *[the Controlled Substances Act]*.”

Equity Program for Applicants

The law requires the Commission to adopt procedures and policies to promote and encourage full participation in the marijuana industry by people from communities that have been disproportionately harmed by *marijuana prohibition and enforcement* and to positively impact those communities.



Cannabis Control Commission

Areas of Disproportionate Impact

Issue:

How does the Commission define “areas of disproportionate impact” for the purposes of the econ empowerment priority review and the equity program?

Our Decision from December:

- Use “*areas of disproportionate impact, as defined by the Commission*” for drafting purposes.
- Identify locations as areas of disproportionate impact using a modified, race-neutral version of the analysis used by Oakland, San Francisco, and Los Angeles.
- Specifically focus on arrest data, location data, and economic data.
- Areas of disproportionate impact may be cities, towns, or smaller geographic units.
- At January 9 CNB meeting, discuss and vote on analysis for identifying areas of disproportionate impact based on data available at the time.



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Areas of Disproportionate Impact

Data Analysis

- We worked with Dr. Jon Gettman, a statistician and criminal justice expert.
- His report, *Impact of Drug and Marijuana Arrests on Local Communities in Massachusetts*, is on our website under Public Documents distributed 12/11/17.
- A city or town's index score was based on the following key variables:
 - Arrest data (2/3 of weight)
 - Population size, poverty level, unemployment rate (1/3 of weight)
- The lists on page 7 and 8 of the report are the top 50 areas of disproportionate impact for drug arrests and marijuana arrests.



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Areas of Disproportionate Impact

Analysis of Neighborhoods within Larger Cities

- Not all neighborhoods within larger cities have been disproportionately impacted.
- Dr. Gettman's addendum to his report on this topic will be on our website under Public Documents distributed today 1/10/2018.
- It was not possible to duplicate the same analysis at the city/town and neighborhood level, due to lack of consistent data.
- The location of the arrest is a problematic indicator because of areas with high volumes of transient traffic that have high concentrations of arrests (for example, downtown Boston) are not necessarily the residences of communities disproportionately impacted.



Cannabis Control Commission

Areas of Disproportionate Impact

Recommendation:

Use unemployment rate to determine areas of disproportionate impact within larger cities.

Figure 2. Marijuana Arrest Rates and Unemployment in Largest 25 Massachusetts Cities

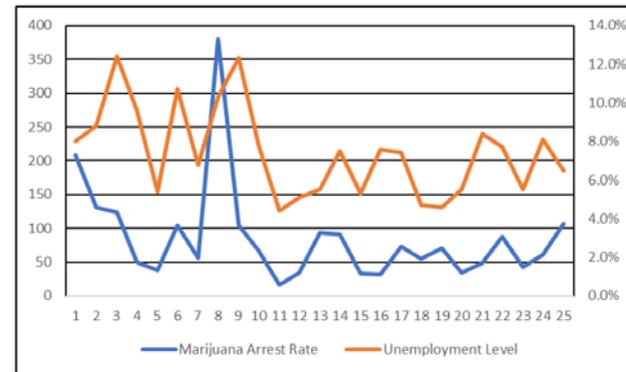
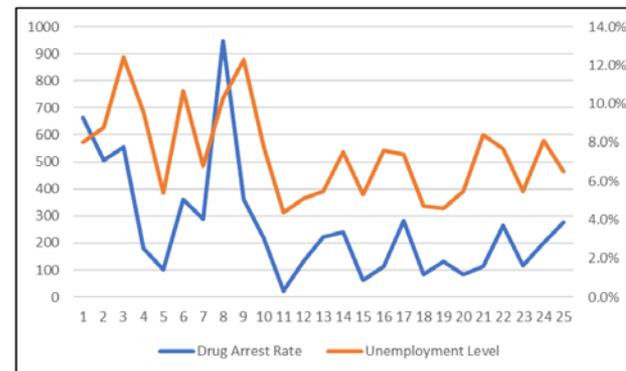


Figure 3. Drug Arrest Rates and Unemployment in Largest 25 Massachusetts Cities





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Areas of Disproportionate Impact

Decision Points

- How many areas of disproportionate impact should we designate, given limited resources?
- Which cities should be subdivided into neighborhoods?
- Should we maintain two separate lists for communities disproportionately impacted by marijuana arrests and drug arrests, or merge them?
- Should applicants be subject to an income or net worth requirement in order to qualify for priority review or the equity program?



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Areas of Disproportionate Impact

How many areas of disproportionate impact should we designate, given limited resources?

- Report identifies 50 communities most impacted by marijuana and drug arrests, respectively.
- **Recommendation:** Designate the cities with the top 20 index scores from each list (including smaller units in the cities with a population over 100,000) as areas of disproportionate impact.



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Areas of Disproportionate Impact

Which cities should be subdivided into neighborhoods?

Recommendation:

Use unemployment rate as an indicator of areas of disproportionate impact within cities with a population over 100,000.

- Boston
- Worcester
- Springfield
- Lowell



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Areas of Disproportionate Impact

Should we maintain two separate lists for communities disproportionately impacted by marijuana and drug arrests, or merge them?

Recommendation:

Merge them into one list. Taking the top 20 communities from each list (with one tie for last place), and subtracting 12 duplicate communities that appear on both lists, we end up with a list of 29 cities/towns. This includes four cities that will be subdivided into neighborhoods.



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Areas of Disproportionate Impact

Should applicants be subject to an income or net worth requirement in order to qualify for priority review or the equity program?

Recommendation:

Use the same income limits as the Mass. Children's Medical Security Plan/Health Safety Net: 400% of federal poverty level.

| Family Size | Annual Income |
|-------------|---------------|
| 1 | \$48,240 |
| 2 | \$64,960 |
| 3 | \$81,680 |
| 4 | \$98,400 |



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Cannabis Control Commission Working Groups

Energy and Environmental Standards Working Group

- Established pursuant to Section 78 of Chapter 55 of the Acts of 2017.
- Membership:
 - Executive Director of the Cannabis Control Commission;
 - Commissioner of Energy Resources;
 - Commissioner of Environmental Protection; and
 - Commissioner of Agricultural Resources.
- Priorities:
 - Ways to reduce energy and water usage in marijuana industry;
 - Mitigating other environmental impacts; and
 - Annual energy audits, efficiency measures, conservation measures; and best practices.
- No deadline for reporting, but working group is intended to guide the Commission's regulations, so should be prepared in advance of final regulations.
- Subject to open meeting law.
 - Should consider expanding the group to include representatives of the industry, the utility companies, and environmental policy experts.
 - Environmental League of Massachusetts
 - MA Clean Energy Center
 - Clean Water Action

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Cannabis Control Commission Working Groups

Special Commission on Operating Under the Influence and Impaired Driving

- Established pursuant to Section 50 of Chapter 55 of the Acts of 2017.
- Membership:
 - 13 members
 - Executive Director of the Cannabis Control Commission (chair);
 - Attorney General or designee;
 - Secretary of Public Safety and Security or designee;
 - Colonel of the State Police or designee;
 - President of MA Chiefs of Police Association or designee;
 - President of the District Attorney's Association or designee;
 - President of MA Bar Association or designee;
 - President of ACLU of MA or designee;
 - CEO of AAA of Southern New England or designee;
 - President of the NAACP New England Area Conference or designee;
 - President of the MA Medical Society or designee;
 - 1 person appointed by Secretary of Health and Human Services (medical and physiological expertise);
 - 1 person appointed by the Governor (member of the public with expertise in scientific research on or technological development in testing capabilities).
- Priorities: Study the scientific types of testing and data, medical types of testing and data, possible new forms of testing, the civil liberties of operators, social economic aspects of testing, the admissibility of evidence of impaired driving in court proceedings, the burden on law enforcement, the current status of law within MA, the training of law enforcement, intrusiveness of tests, costs analysis of testing, the current threshold for determining impairment, and the rate of success in stopping impaired drivers.
- Report due by January 1, 2019.

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Cannabis Control Commission Working Groups

Smoking Working Group

- Established as part of the Commission’s policy deliberations.
- Should find appropriate balance from industry, public health, and employee representation.
- Exploration should also include vaping.
- Deadline of July
- Should also consider indoor air quality specifically.
 - Seek input from Massachusetts Public Health Association;
 - Seek input from labor unions;
 - Seek input from DOR (tobacco licenses);
 - Should seek input from advocates – American Heart Association, American Cancer Society.

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Cannabis Control Commission Working Groups

Citizen Review Committee

- Established pursuant to the Commission's draft regulations.
- 9 members, appointed by the Executive Director by January 31, 2018.
- 2-year terms.
- Intended to provide guidance regarding the Commission's Social Equity Program and to make recommendations regarding the use of Community Reinvestment Funds.
 - Each Commissioner shall nominate 2 individuals to serve on the Citizen Review Committee, the Chair of the Commission shall nominate 1 individual.
 - Given that the Committee is created via regulation and is intended to advise the Commission, it would therefore be subject to Open Meeting Law.

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Tuesday, January 16, 2018

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