

Opening Statement of Randall L. Woodfin
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Before the House Oversight and Reform
Subcommittee on Civil Rights and Civil
Liberties

“Developments in State Cannabis Laws
and Bipartisan Cannabis Reforms at the
Federal Level”

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Chair Raskin, Ranking Member Mace, and members of the Subcommittee, good morning and thank you for this opportunity to testify on this important issue of reforming our cannabis laws.

I serve as mayor of the city of Birmingham, Alabama. A 75% black city with a storied legacy of fighting for civil rights. I accepted this invitation to testify because I believe that mayors have a unique voice and role to play in ending the prohibition of cannabis that has taken far too high a human toll on Black and Brown communities. I also want to use this opportunity to urge Congress to pass during this lame duck session common sense reforms that will expunge criminal records, normalize banking and financial services, and expand our ability to research cannabis.

As Mayor, I've taken action on this issue by using my pardon power to pardon over 23,000 individuals charged with possession of cannabis in the City of Birmingham. I've also encouraged our state government to take action on moving forward with cannabis decriminalization and the expungement of past convictions. I have commended Alabama's efforts to move forward with a medical cannabis program, and would urge Alabama to go a step further in providing full adult recreational use for many of the reasons I will explain in further detail below.

Mayors across our country have a meaningful role to play as many of us continue to push for cannabis legalization. As mayors, many of us can deprioritize the enforcement of minor cannabis offenses, use our executive authority for pardons, eliminate from consideration prior cannabis convictions from employment applications for city employment, utilize municipal courts to process pardons and help residents pursue record expungements, provide diversion opportunities for cannabis-related arrests through our municipal courts, and embrace cannabis as both the moral imperative and economic development opportunity that we know it can be.

As Mayor, I work closely with law enforcement in my city, and some of them disagree with me on this issue. I understand and respect their perspective, but I believe that our position on issues like cannabis legalization should be guided by the facts and the science.

There is no evidence that legalization leads to appreciable increases in any form of crime.

There is no evidence of increased drug use by teens in states that have already legalized cannabis.

If anything, legalization actually frees up law enforcement's resources to pursue violent crime – a priority for every Mayor in the country. And, legalization provides state and local governments with sales taxes, business license fees, and property taxes that we can use to reinvest in our communities.

And while mayors can do a lot, we can't do it all. We need help from Washington. The Biden Administration made a good first step in urging the Department of Justice and Health and Human Services to consider rescheduling or descheduling cannabis. I firmly believe that descheduling is the best path forward – both as a matter of science and as a matter of policy – and I hope that the Administration comes to a similar conclusion in a timely fashion.

If cannabis is descheduled, it will make the legal status of cannabis clear across the country - effectively legalizing and disproportionately benefitting the Black and Brown communities that have paid the human costs of the War on Drugs. Descheduling also frees up capital for small businesses to participate in the cannabis industry by normalizing banking relationships and allowing for products like SBA loans to be used to support the growth of cannabis entrepreneurship.

Any such relief for the cannabis industry should also come with robust restorative justice provisions. The Biden Administration took the right first step. It should be followed up with the Department of Justice aggressively processing the thousands of delayed clemency petitions for the thousands of Americans that have been unjustly incarcerated.

There are other ways to incorporate equity considerations into this space, including: (i) research partnerships that give our land grant HBCUs the same opportunity that the University of Mississippi has had for decades to

research the medical uses of cannabis and license their research to pharmaceutical partners; (ii) providing special capital access programs for home grow, microbusinesses and collectively-owned cannabis co-ops and employee-owned cooperatives that allow less-resourced communities to create collectively-owned cannabis businesses; (iii) requiring that states incorporate minimum social equity provisions if they are to avail themselves of the benefits of federal legalization; (iv) leveraging entities like the Small Business Administration and the Minority Business Development Agency to provide capital access and technical assistance to minority-owned cannabis firms; and, (v) common sense banking reforms like the SAFE Act accompanied by allowances in Treasury programs like the Emergency Capital Investment Program that allows Minority Depository Institutions to use mission-driven capital from Treasury to support minority-owned cannabis firms.

Mayors can do a lot, but they can only do so much. The state-by-state patchwork leaves too many Americans out of reach from the promise presented by ending the federal prohibition on cannabis. Congress must **act now** during this lame duck session to get SAFE Plus done – because we need expungements, normalized banking and capital markets access, and more research now. And Congress must push the Administration to act **quickly** on descheduling cannabis effectively ending the federal prohibition – opening states like Alabama to the opportunity and promise of cannabis legalization that we see in other states. And Congress must push the Department of Justice to process far more clemency petitions such that every American unjustly incarcerated, is released and given an opportunity to participate in this new industry.

Thank you again for the opportunity to testify, and I look forward to answering your questions.

