



August 7, 2017

Los Angeles City Clerk's Office
Richard Williams – Legislative Assistant
200 N. Spring Street, Room 360
Los Angeles, CA 90012

Re: Council File No. 14-0366-S5 Proposed Requirements for Commercial Cannabis Activity in the City of Los Angeles

Dear Mr. Williams:

Community Health Councils (CHC), with input from the Healthy Kids Zone Work Group, respectfully writes to provide comments on the Proposed Requirements for Commercial Cannabis Activity in the City of Los Angeles. The Healthy Kids Zone Work Group exists to build strong, creative collaboration between schools, local governments, community organizations, businesses, parents, and families, to strategically leverage each other's assets, attract new resources, and put in place the policies, programs, and services needed to achieve health and resource equity necessary for community well-being and a high quality of life for all. For 25 years, CHC has been at the forefront of work to eliminate health disparities by promoting social justice and achieving equity in community and environmental resources to improve the health and well-being of under-resourced populations. Our dynamic network of coalitions is composed of neighborhood leaders, consumer advocates, healthcare and social service providers, and educational and faith-based organizations serving South Los Angeles.

With the licensing and introduction of commercial cannabis businesses permitted in the state as of January 1, 2018, it is commendable that the City of Los Angeles has taken the initiative to develop policies to ensure smooth implementation across the city. The legalization of cannabis consumption for adults 21+ in California will not only eliminate criminalization, which disproportionately impacts communities of color, but it will also provide a revenue stream for the state and local jurisdictions to implement strong public health education campaigns and identify ways to train law enforcement to better interact with our communities. While many components of the draft commercial cannabis requirements are commendable (such as restricting the number of Certificates of Compliance, prohibiting alcohol and cannabis from being consumed or sold at the same site, and creating strict rules around signage, smells, and advertising), it is crucial for the city to put the commercialization policy on hold until several key components are fully developed and vetted by communities across the city.

CHC along with our partners recognize the potentially positive and negative impacts that cannabis commercialization can have on the health and well-being of individuals and communities, and have identified the importance of developing comprehensive policies prior to implementation. It is through this lens that comments in this letter are provided. Specifically, we urge the city to provide clarity around the following issues: 1) how local and state taxes will be used to address public health and education concerns ; 2) how social equity is defined and will be implemented and enforced (including how the city will provide business and legal training/services to communities of color who may be interested in new business opportunities as well as address land use concerns); and 3) how police will receive sensitivity training to ensure nobody is being unlawfully criminalized for engaging in legal cannabis activities.

PRIORITIZE EDUCATION, PUBLIC HEALTH, AND PREVENTION SERVICES, ESPECIALLY FOR AT-RISK YOUTH.

1. ***Develop city-wide educational campaign in coordination with any county and state campaigns for all ages to understand the laws and consequences of consuming cannabis.*** Funding education, public health, and prevention services are a crucial first step to introducing recreational cannabis businesses to our city. While Proposition 64 decriminalizes cannabis consumption for adults 21+, the proliferation of cannabis businesses and homegrown products will increase the likelihood and ease for youth to gain access to this substance. There are already documented incidents of cannabis use in middle school aged

youth, which justify the need for cannabis education at all ages, especially in pre-teens. Studies have shown an increased prevalence of substance use in middle school aged youth who live in high stress environments, have been bullied, or suffer from depression.^{i ii iii iv} Communities living in South Los Angeles already suffer disproportionately with regards to health outcomes such as major depression and cardiovascular disease, access to health promoting resources,^v and access to safe and affordable housing;^{vi} making high stress environments inevitable for youth. The city should align with state policy which has stated will use taxes to “invest in public health programs that educate youth”^{vii} (pg. 1), and partner with local agencies and organizations to also develop campaign targeting youth requires a delicate balance to explain the harm and negative consequences of consuming cannabis before age 21.

2. **Set aside funding to screen at-risk youth and provide mental health and social services.** Additionally, funding must be set-aside for youth who do consume cannabis and other substances to provide them with the health resources necessary to prevent addiction and heavy drug use. The factors that drive most youth to consume illicit substances are often best addressed through mental health and social services, rather than through traditional rehabilitation programs. Ongoing research is beginning to show that there are holes in the available services for youth who have Medi-Cal or lack insurance to address the root causes of unhealthy substance use. Finally, the city should collaborate with LAUSD and community clinics to identify funding for screening efforts to identify at-risk youth and refer them to services. The first line of defense **must be** prevention and education rather than rehabilitation and criminalization.

CLEARLY DEFINE SOCIAL EQUITY AND POLICIES THAT WILL ENSURE IMPLEMENTATION AND ENFORCEMENT.

In an effort to prioritize social equity, the Chief Legislative Analyst and Chief Administrative Officer have been tasked with “a social equity analysis of cannabis regulations aimed at promoting equitable ownership and employment opportunities in the cannabis industry in order to decrease disparities in life outcomes for marginalized communities and to address the disproportionate impacts of the war on drugs in those communities.” (Council File No. 17-0653). To truly achieve equity through the permitting of cannabis businesses in the city, the social equity program must prioritize issuing Certificates of Compliance to individuals that have been the victims of over-policing and zealous prosecution. This prioritization must be in addition to the already prioritized local hire and transitional worker requirements that are described in the proposed policy (pg. 19).

1. **Remove business owner burdens and provide uniform policies on all cannabis businesses.** With 34 separate application requirements, it will be difficult for low-income entrepreneurs to even apply for a Certificate of Compliance without some assistance. Application requirements include providing details such as: business organizational structure (pg. 16, #8), financial information (pg. 17, #10), detailed diagrams of the proposed site (pg. 18, #16), detailed description and plan for hiring local residents and transitional workers (pg. 19, #18), and a staffing plan and organizational chart (pg. 19, #19)^{viii}. As such we urge the city to:
 - a. **Clearly define the social equity program (page 13).** While it is commendable that the city would like to prioritize a social equity program, the commercialization and licensing process should be delayed until this program is clearly defined and vetted by community stakeholders. We have learned through other public processes that different stakeholders perceive and define equity differently and based on their own unique perspectives (for example, geographic equity). Having a clear and agreed upon definition of social equity can ensure that all city residents understand who and what is being prioritized. This definition needs to be based on evidence of factors such as race/ethnicity, income, and health disparities and prioritize individuals and communities that have been disproportionately impacted by overzealous policing and prosecution as a result of marijuana policies; thus, beginning to address the inequities that have plagued certain groups, such as African Americans.
 - b. **Establish clear protocols and city-wide percentages for hiring local and transitional workers (page 19).** Requiring new businesses to hire a percentage of local (at least 30%) and transitional workers (at least 10%) can provide new economic opportunities for vulnerable populations;

however, the city should also implement a standard hiring and job training policy and program rather than require each individual business owner to determine their own protocol for hiring local and transitional workers (item #18, pg. 19). This practice can create inconsistent protocols across businesses and communities. Lastly, cannabis industry employees will need to be properly trained on the state and local laws and safety protocols to prevent the unintentional occurrence of illegal activities. Additionally the cities definition of “transitional workers” should include those from communities who have been overly criminalized by marijuana policies.

2. ***Provide business education and legal services for low-income individuals interested in new business opportunities.*** Communities in South Los Angeles are concerned about introducing an overconcentration of cannabis businesses that may disproportionately harm their communities without providing economic benefits.
 - a. In order to reduce this risk, the city should identify funds or an existing economic development public entity to provide business education and legal services for low-income individuals and those from communities of color who may be interested in pursuing new cannabis business opportunities. As discussed in the Rules, Elections, and Intergovernmental Relations Committee on March 8, 2017,^{ix} while cannabis businesses can be very lucrative, equity cannot be achieved without a clear plan of action to give low- and middle-income individuals the chance to participate in new business opportunities. Other states have not prioritized equitable business opportunities, and this gives Los Angeles the chance to be a leader on this issue. Given the negative documented relationship between the penal system and communities of color, which over criminalizes marijuana use, marijuana policies that enhance community relations and possibilities for improved economic wellbeing should be prioritized.^x Additionally, individuals with criminal records will need legal services to identify small business loans, real estate, and other important elements to starting a new business.
 - b. As described in the city’s definition, transitional workers already face barriers to employment and the city must find ways to provide employment opportunities for this population, while also establishing clear protocols that will protect them from harms or legal issues that may arise from working in the cannabis industry, including stigmatization.
3. ***Make sure land use policies protect not only sensitive populations, but also all vulnerable communities.*** While the city has proposed to prohibit cannabis businesses within 800 feet of schools, daycares, other youth centers, public parks, public library, alcohol and drug rehabilitation facilities, or other cannabis business, our communities would like to see the land use regulations strengthened further. The city must address several concerns:
 - a. **Relocate existing dispensaries outside of the 800-foot radius.** Several dispensaries currently exist very close to schools, including as close as across the street from campuses. Existing cannabis businesses should not be exempt from the 800-foot guidelines.
 - b. **Include tobacco/smoke shops and liquor stores in the 800-foot radius zoning rule.** Our communities are already burdened with an overconcentration of tobacco and liquor retailers and a lack of health promoting resources such as full services grocery stores.^{xi} Including these land uses in the proposed zoning ordinance will reduce the risk of concentrated nuisance land uses in vulnerable communities.
 - c. **Ensure all land uses are in compliance with the Plan for a Healthy LA and Community Plans.** In areas such as South Los Angeles, which are classified as having the “greatest health disparities,”^{xii} the proposed cannabis land use ordinance must be vetted against the city’s Health Element to guarantee that land uses are promoting “short-term and long-term health improvements.”^{xiii} Additionally, planners should prioritize neighborhood serving uses and health promoting resources such as full service grocery stores over cannabis businesses.

d. Provide the community opportunity for public hearings on all proposed cannabis businesses.

Communities must be permitted a public review and comment period on all proposed cannabis businesses to ensure that this is the best land use for any parcel. Cannabis businesses should not be treated differently from other land use proposals.

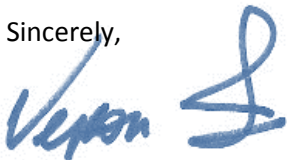
IDENTIFY BEST PRACTICES AND TRAIN LAW ENFORCEMENT TO PREVENT RACIAL AND AGE DISCRIMINATION.

For years, criminal policies and procedures around marijuana have systematically destroyed Black and Brown lives and communities in disproportionately high numbers; therefore, progressive policies must specifically target and amend these injustices, not only through new business and workforce development opportunities, but by retraining law enforcement as well.

1. **Work in coordination with LA County and the State of California to identify and implement law enforcement best practices.** Communities of color, especially men of color, are disproportionately criminalized and mistreated by law enforcement across not only the city, but also the nation.^{xiv xv} While it is illegal to drive under the influence of cannabis, there is no validated way to chemically test for this,^{xvi} raising the risk that law enforcement may improperly prosecute innocent people. Police should be required to participate in sensitivity training at least annually^{xvii} to keep our communities safe from both the harms of driving under the influence and of racial discrimination and police abuse.
2. **Develop regulations in conjunction with LAPD to address safety issues.** While the draft regulations require business owners to address issues such as graffiti, trash, and loitering, there must be coordination between the city, LAPD, and business owners to regulate and promptly address safety issues. The city must also clarify the role of the Neighborhood Liaison, which is currently defined as an employee of each individual business, but does not specify how this position will interact with law enforcement, neighborhood councils, or other stakeholders. The city must clarify this role and formalize the relationship between private businesses and public entities to ensure strong cohesion and mitigate community harms.
3. **Do not criminalize youth.** Youth who use cannabis and other substances need access to resources to address the issues that drive them to substance use in the first place. Rather than criminalizing youth and sending them to forced substance abuse treatment programs, the city should identify therapeutic services and mentorship programs to help youth cope with challenging life circumstances.

We appreciate your diligent consideration of these recommendations and continued engagement with diverse stakeholder groups throughout the city to ensure that the decriminalization of cannabis activities in the City of Los Angeles is done with a focus on true social equity, protection of public health, and prioritization of prevention services for at-risk youth. If you have any questions about this letter or would be willing to meet with our partners to discuss these concerns please do not hesitate to reach out to our Senior Policy Analyst, Jaqueline Illum at (323) 295-9372 or jillum@chc-inc.org.

Sincerely,



Veronica Flores, MA
Chief Executive Officer

Additional Signers

- Healthy Kids Zone Taskforce
- The Los Angeles Trust for Children's Health

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