



Research Metrics to Assess Social Equity Provisions in MA

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Select Social Equity Provisions: Legislative

Provision	Legislative	Description
Legislative mandate to promote equitable participation	Legislative <u>M.G.L. c. 94G, §§ 4(a)(xxviii) – 4(a ½)(iv)</u>	Legislation requires the regulatory body for legal cannabis (Cannabis Control Commission “Commission”) to develop regulations which include, “procedures and policies to promote and encourage full participation in the regulated marijuana industry by people from communities that have previously been disproportionately harmed by marijuana prohibition and enforcement and to positively impact those communities.”
Past cannabis conviction does not exclude industry participation	Legislative <u>M. G. L. c. 94G, §§ (4)(a)(xxviii) – (a ½)(iii)</u>	Legislation states that “a prior conviction solely for a marijuana-related offense or for a violation...shall not disqualify an individual or otherwise affect eligibility for employment or licensure in connection with a marijuana establishment, unless the offense involved the distribution of a controlled substance, including marijuana, to a minor.”
Ownership restrictions	Legislative <u>M. G. L. c. 94G, §16</u>	Legislation states “No licensee shall be granted more than three marijuana retailer licenses, three medical marijuana treatment center licenses, three marijuana product manufacturer licenses or three marijuana cultivator licenses; provided, however, that a licensee may hold three marijuana retailer licenses, three medical marijuana treatment center licenses, three marijuana product manufacturer licenses and three marijuana cultivator licenses.”
Research requirements	Legislative <u>M. G. L. c., 94G, § 17(a)</u>	Legislation requires the Commission to develop a research agenda which includes, “ownership and employment trends in the marijuana industry examining participation by racial, ethnic and socioeconomic subgroups, including identification of barriers to participation in the industry.”

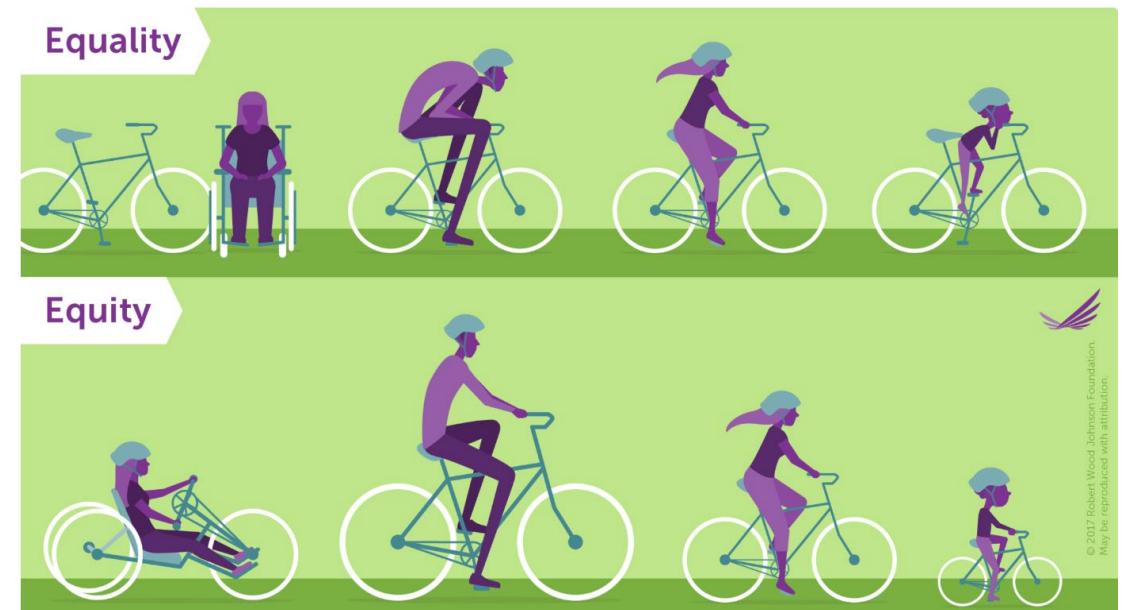
Select Social Equity Provisions: Regulatory

Provision	Regulatory	Description
Diversity plan	Regulatory <u>935 CMR 500.101(e)</u>	Regulation requires Marijuana Establishments to submit, as a part of licensure, a plan “to promote equity among minorities, women, Veterans, people with disabilities, and people of all gender identities and sexual orientation.” Plans must include measures to assess their success.
Positive impact plan	Regulatory <u>935 CMR 500.101(1)(a)</u>	Regulation requires Marijuana Establishments to submit, as a part of licensure, a plan to positively affect people or communities which fall into one or more of these five groups: (1) Past or present residents of defined geographic Disproportionately Impacted Areas (DIAs) (2) Participants in Economic Empowerment Priority program; 3. Participants in Social Equity Program; 4. Massachusetts residents with past drug convictions; and 5. Massachusetts residents with parents or spouses with drug convictions.
Disproportionately Impacted Areas (DIAs)	Regulatory <u>See definition section.</u>	Regulation defines geographic areas “which has had historically high rates of arrest, conviction, and incarceration related to marijuana” in order to encourage participation and inclusion of people in these communities.
Economic Empowerment Priority Review	Regulatory <u>See regulatory guidance.</u>	This certification gives priority license review, fee waivers, and reductions for certificate holders (n=122 certificate holders).. The deadline to apply is over (4/2/2018-4/16/2018).
Social Equity Program	Regulatory <u>See regulatory guidance.</u>	This ongoing program offers comprehensive training and technical assistance, including courses and mentorship for all levels of industry participants. A total of 872 participants participated in the program’s first three cohorts. Persons in the program also receive certain fee waivers and receive expedited application review. For specific eligibility criteria see Regulatory Guidance.
Expedited application review	Regulatory <u>See regulatory guidance.</u>	After priority applicants, the Commission reviews expedited applications. These include those applications from Social Equity Program Participants, minority-owned businesses, women-owned businesses, and veteran-owned businesses, plus other categories, with certain restrictions.
Disadvantage Business Enterprises (DBE)	Regulatory data collection	The Commission collects self-reported DBE-status for all licensees. See select open data here: https://masscannabiscontrol.com/open-data/



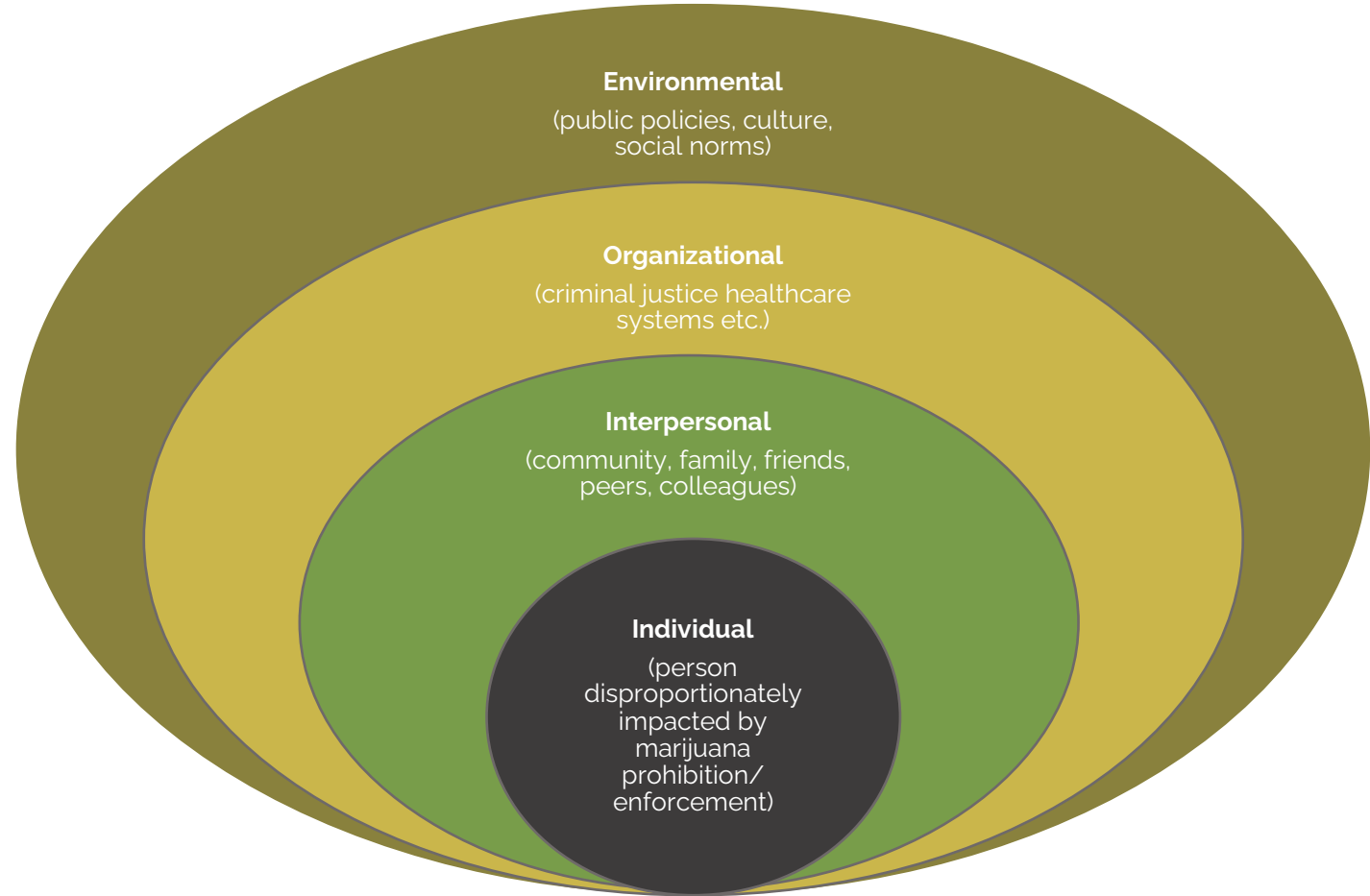
Opportunities for Addressing Inequalities with Legalization

- Arrests and Penalties
- *Addressing Previous Cannabis Offenses
- *Licensing Preferences
- *Diversity in the Cannabis Workforce
- Government Revenues
- Health



Individual to Community Level Impact

- Economic, educational, and mental health impacts faced by those who are disproportionately stopped, arrested, and/or incarcerated for drug charges extends to entire families and communities.



M.G. L. c. 94G, § 17: Commission Research Agenda

Section 17. (a) The commission shall develop a research agenda in order to understand the social and economic trends of marijuana in the commonwealth, to inform future decisions that would aid in the closure of the illicit marketplace and to inform the commission on the public health impacts of marijuana. The research agenda shall include, but not be limited to:

- (i) patterns of use, methods of consumption, sources of purchase and general perceptions of marijuana among minors, among college and university students and among adults;
- (ii) incidents of impaired driving, hospitalization and use of other health care services related to marijuana use, including a report of the state of the science around identifying a quantifiable level of marijuana-induced impairment of motor vehicle operation and a report on the financial impacts on the state healthcare system of hospitalizations related to marijuana;
- (iii) economic and fiscal impacts for state and local governments including the impact of legalization on the production and distribution of marijuana in the illicit market and the costs and benefits to state and local revenue;
- (iv) ownership and employment trends in the marijuana industry examining participation by racial, ethnic and socioeconomic subgroups, including identification of barriers to participation in the industry;
- (v) a market analysis examining the expansion or contraction of the illicit marketplace and the expansion or contraction of the legal marketplace, including estimates and comparisons of pricing and product availability in both markets;
- (vi) a compilation of data on the number of incidents of discipline in schools, including suspensions or expulsions, resulting from marijuana use or possession of marijuana or marijuana products; and
- (vii) a compilation of data on the number of civil penalties, arrests, prosecutions, incarcerations and sanctions imposed for violations of chapter 94C for possession, distribution or trafficking of marijuana or marijuana products, including the age, race, gender, country of origin, state geographic region and average sanctions of the persons charged.



Research Goals for Equity

1. Quantify equity in the industry

- Collect demographics of those in the industry
- Identify barriers and facilitators to entry

2. Understand consumer behaviors and outcomes

- Baseline cannabis use
- Histories of cannabis arrests

3. Collaborate with other scientists and policymakers

- How do other states/territories combat inequity?
- Use insights from other states to inform our best practices



Select Publications

- **Social Equity**

- *Identifying Disproportionately Impacted Areas by Cannabis Prohibition in Massachusetts*– [Report](#)
- *Special Report: A Baseline Review and Assessment of the Massachusetts Cannabis Industry's Required Positive Impact Plans*– [Report](#)
- *Using National Incidence Based Reporting System (NIBRS) to Examine Racial and Ethnic Disparities in Cannabis Violations*– [Manuscript](#)
- *Participation in the Massachusetts Adult-Use Cannabis Industry by Race/Ethnicity and Gender Across Job Titles*– [Conference Presentation](#)
- *Racial Equity in Cannabis Policy: Diversity in the Massachusetts Adult-Use Industry at 18-months*– [Manuscript](#)

- **Cannabis Research Metrics**

- *Special Report: Evaluation the Impact of Cannabis Legalization in Massachusetts: State of the Data*– [Report](#)
- *Evaluation of Availability of Survey Data about Cannabis Use*– [Manuscript](#)
- *A scoping review of data sources for the conduct of policy-relevant substance use research*– [Manuscript](#)
- *Building Evidence-Based Prevention Mechanisms into Cannabis Legalization Policy and Regulations*– [Commentary](#)
- *Cannabis policy heterogeneity and effects on research—complexity expected*– [Commentary](#)
- *Contextualizing Cannabis Outcomes*– [Commentary](#)
- *Unexpected Public Health Emergencies—A Descriptive Analysis of Trends in the Massachusetts Medical-Use and Adult-Use Cannabis Markets*– [Conference Presentation](#)



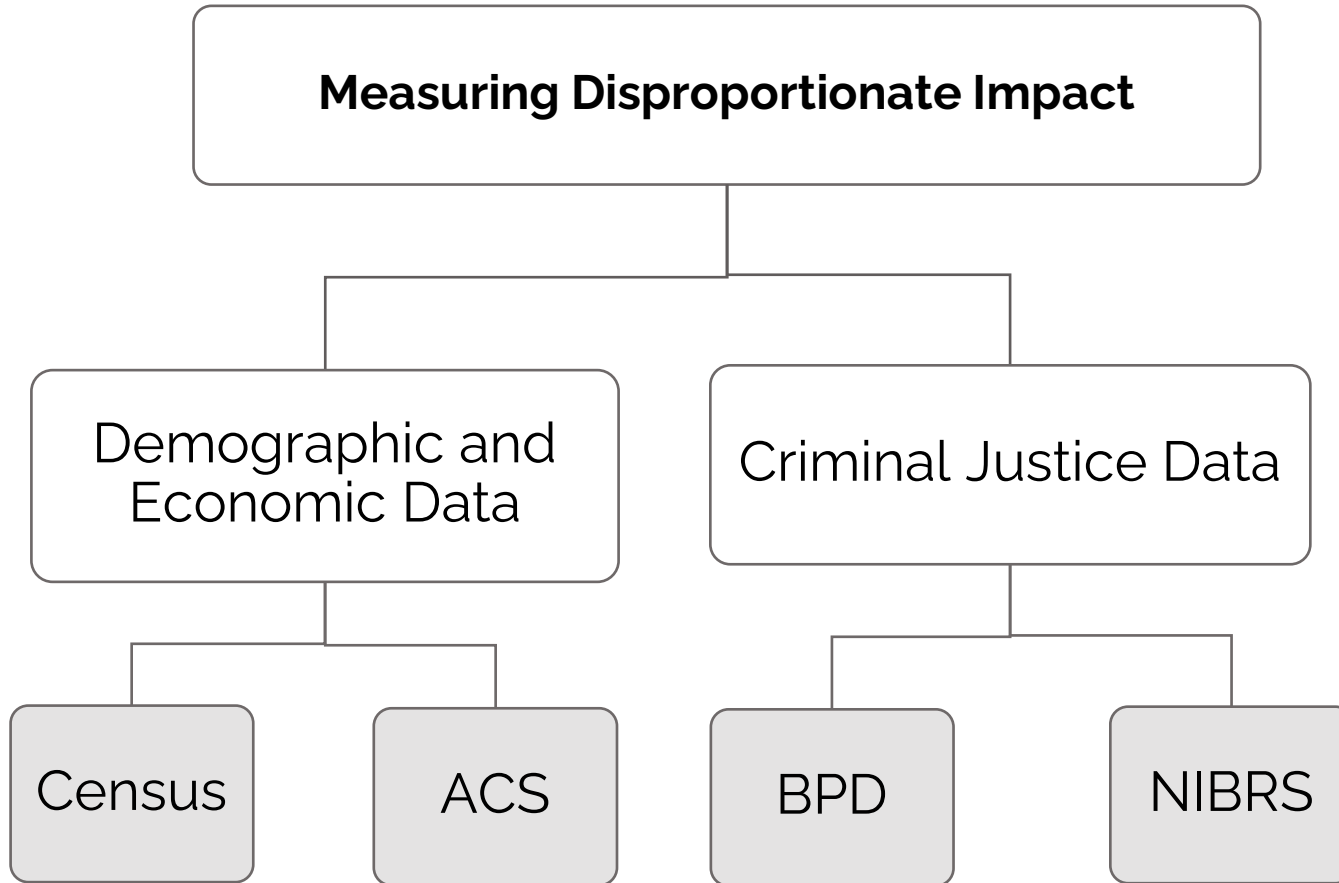
Identifying Areas Disproportionately Impacted by Cannabis and Drug Prohibition

- Develop a method to empirically assess historical impact of cannabis prohibition and the “War on Drugs” on Massachusetts communities
 - Expand upon a prior study by including more areas and longer time period
- Apply the method to generate a “disproportionate impact (DI) score” for different places in Massachusetts
- Rank all* areas in Massachusetts according to the score
- Unit(s) of analysis: Municipality; Census tract (within the 5 largest cities)

Conceptualization of Disproportionate Impacts (DI) from Drug Prohibition

- Goal: Build a relatively simple model that recognizes complex interplay between:
 - Criminal justice system contact
 - Race/ethnicity
 - Relative economic deprivation
- Needed to capture the concept of DI using data available for as much of Massachusetts as possible
- Sought to go as far back in time as data would allow

Data Sources and Study Period



Arrests between years	No. of Municipalities reporting	Population data source(s)
2000-2004	246	2000 Decennial Census
2005-2009	284	2000 Decennial Census
2010-2014	292	2010-2014 ACS 5-year set and 2010 Decennial Census
2015-2017	295	2013-2017 ACS 5-year set and 2010 Decennial Census

Variables

- ***Number of drug-related arrests:*** Average annual counts of all drug-related arrests were computed using NIRBS and BPD data.
- ***Rate of drug-related arrests per 100,000 residents:*** The average annual count of drug arrests within an area, divided by the number of adult residents per 100,000 in that area.
- ***Percent of Black and/or Latino residents:*** Residents identifying as Black or African American (of any ethnicity) or Hispanic/Latino (of any race). Includes juveniles.
- ***Poverty status:*** Percent of persons below the federal poverty level within a geographic unit (e.g., city/town, census tract, etc.).

Constructing the Ranking

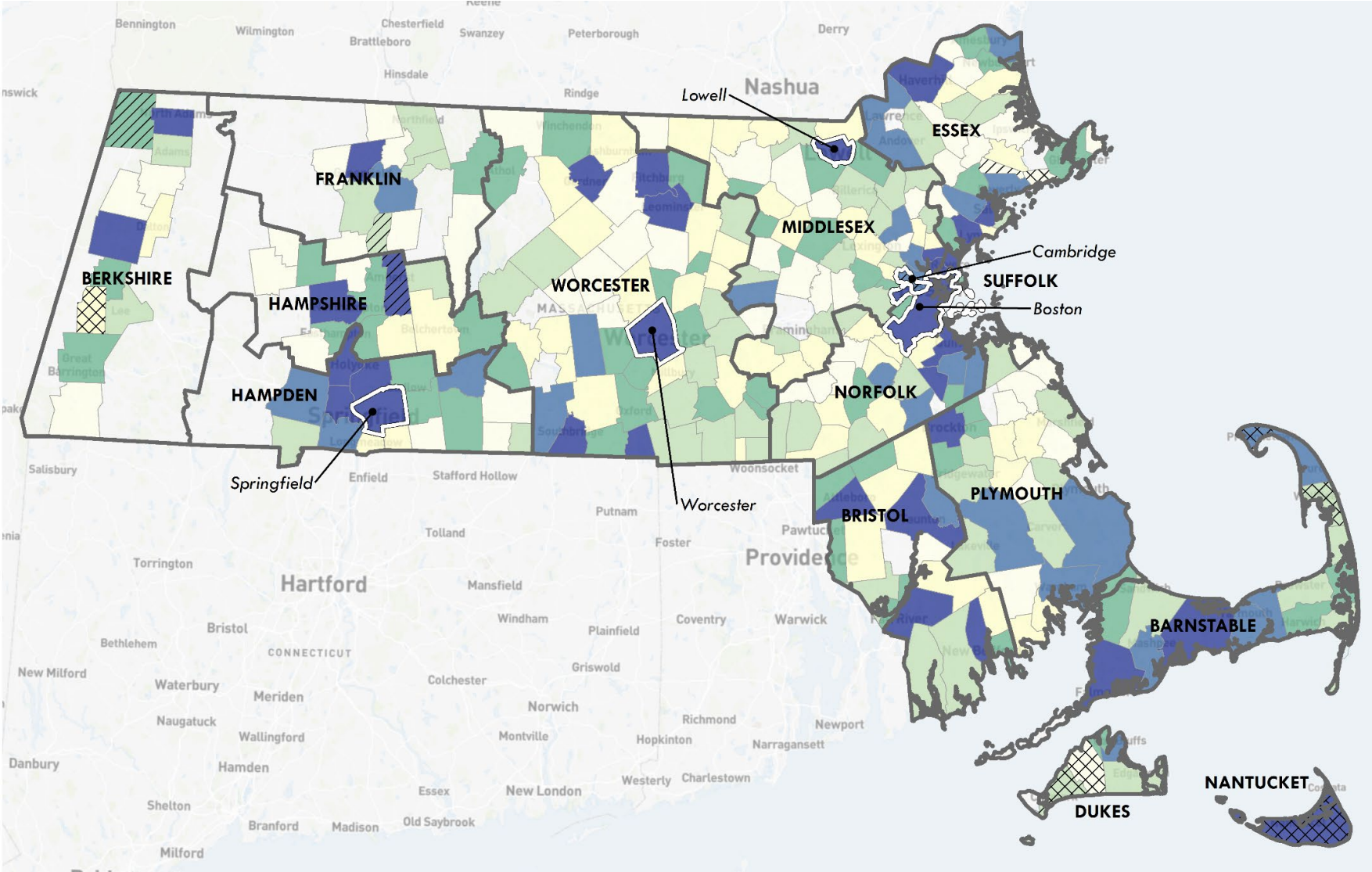
- Municipalities and census tracts were ranked based on their final DI score (0 = lowest impact; 100 = highest impact). Areas were placed into six tiers based on percentiles:
- The five largest cities were excluded from the municipal level ranking and ranked separately (i.e., census tract).
- Municipalities (n= 279 of 351)
- Census tracts (n = 290 of 305 in 5 largest cities)

Tier	Percentile
Tier 1	Top 10 percent
Tier 2	Top 11 to 20 percent
Tier 3	Top 21 to 40 percent
Tier 4	Top 41 to 60 percent
Tier 5	Top 61 to 80 percent
Tier 6	Top 81 to 100 percent

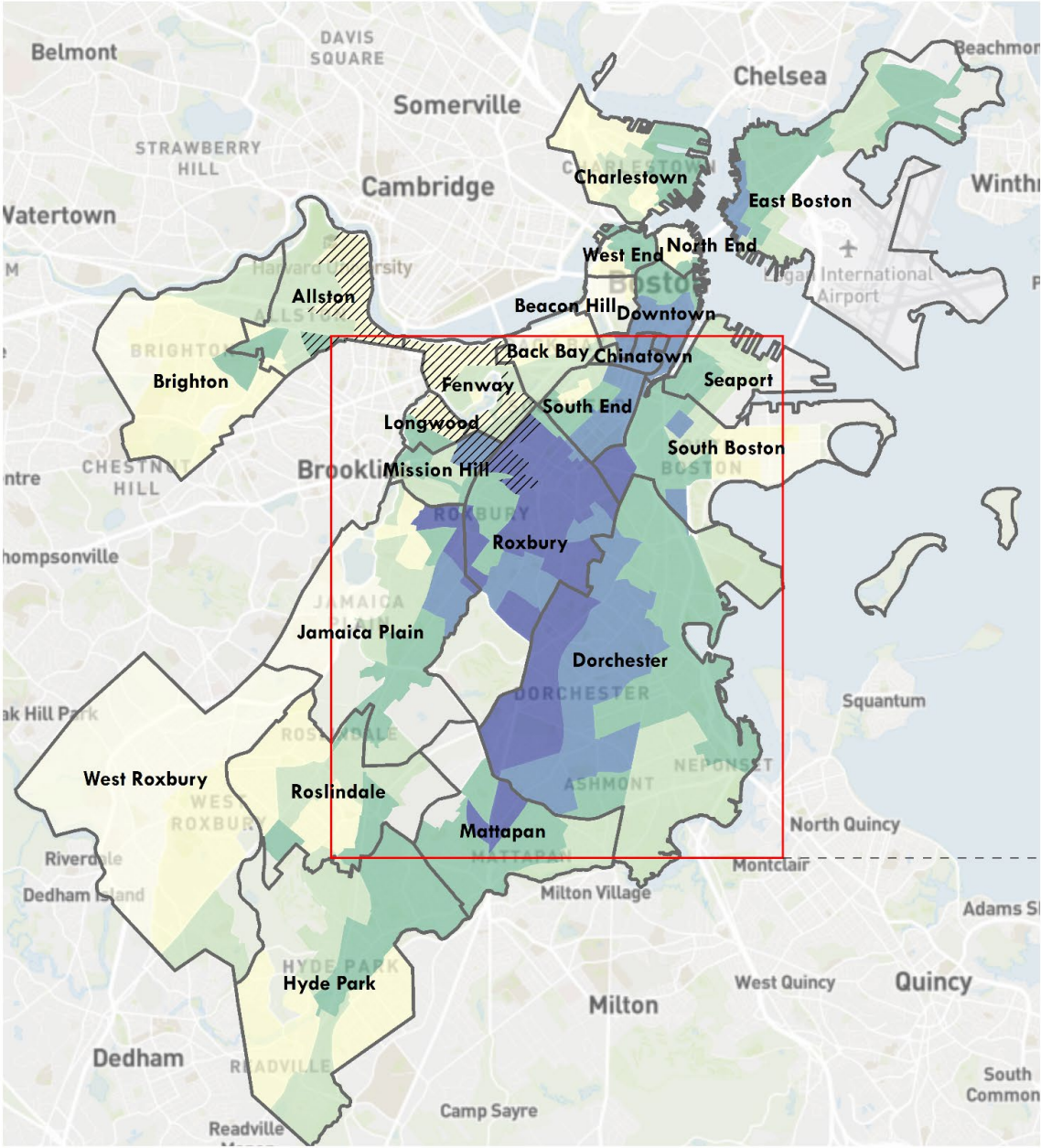
Municipalities by DI Score Tier

Disproportionate Impact Tier (Score Range)

- Tier 1 (78.7 - 99.5)
 - Tier 2 (69.6 - 78.6)
 - Tier 3 (52.7 - 68.5)
 - Tier 4 (41.0 - 52.6)
 - Tier 5 (30.2 - 40.9)
 - Tier 6 (7.0 - 30.1)
- Five largest cities (scored separately)
- Counties
- Student population > 20%
- High seasonality flag



Boston Census Tracts by Impact Tier



Disproportionate Impact Tier (Score Range)

- Tier 1 (83.2 - 94.8)
- Tier 2 (74.8 - 83.1)
- Tier 3 (54.6 - 74.7)
- Tier 4 (41.2 - 54.5)
- Tier 5 (23.9 - 41.1)
- Tier 6 (5.8 - 23.8)
- Student population > 50%

