



Working to Reform Marijuana Laws

Testimony of Carly Wolf

**State Policies Coordinator, National Organization for the Reform of Marijuana Laws (NORML)
to the Judiciary Committee**

**in Support of LB 546: Adopt the Marijuana Control Act and the Marijuana Conviction Clean Slate Act
and LR2CA: Constitutional amendment to legalize cannabis for persons twenty-one and older and to
require legislation**

February 19, 2021

I wish to thank the Chair and members of the Committee for holding a hearing on this important matter and for considering my testimony.

My name is Carly Wolf, State Policies Coordinator with The National Organization for the Reform of Marijuana Laws (NORML) – a Washington, DC based advocacy organization that opines in favor of evidence-based marijuana policy reforms.

I am providing testimony in favor of LB 546 and LR2CA, which seek to disrupt the illicit marijuana market by regulating and licensing retail sales to adults with a focus on equity, and facilitate “clean slate relief” for those with certain past marijuana convictions.

Now more than ever, there exists tremendous public support for ending our nation's nearly century-long experiment with marijuana prohibition and replacing it with a taxed and regulated adult use marketplace. Almost seven in ten US adults, including majorities of all age groups, believe that the use of “marijuana should be made legal” according to nationwide polling data provided by Gallup.

Licensing the marijuana marketplace will bring overdue controls to this market. Voters don't desire replacing decades of criminalization with a marijuana free-for-all. They're aware of the reality that marijuana possesses some potential risk and potential for abuse, particularly among young people. It's precisely because of this reality that NORML believes society must regulate its use, production, and dispensing accordingly. By contrast, we believe that advocating for the plant's continued criminalization and proliferation of the black market does nothing to offset risks; it compounds them.

Marijuana prohibition drives markets underground and abdicates control to those who typically operate outside the boundaries of law. Regulation, by contrast, allows for lawmakers to establish legal parameters regarding where, when, and how an adult cannabis market may operate. Legalization also provides oversight regarding who may legally operate in said markets and provides guidelines so that those who do can engage in best practices.

Such regulations already exist for alcohol and tobacco – two substances that are far more dangerous and costly to society than is the adult use of cannabis. The imposition and enforcement of tobacco and alcohol regulations, coupled with public awareness campaigns highlighting these products' risks and





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acknowledging the distinctions between their use versus abuse, has proven effective at reducing the public's overall consumption of these substances, especially among teens.

A legal environment in which marijuana is criminalized is not conducive to imposing such common sense, evidence-based practices. A pragmatic regulatory framework that allows for the legal, licensed production and retail sale of cannabis to adults, but restricts and discourages its use among young people best reduces the risks associated with the plant's use or abuse, and provides an environment whereby consumers can best learn the skills and knowledge to readily delineate between the two behaviors. That is why the majority of Nebraska voters welcome the opportunity to bring necessary and long-overdue regulatory controls to the marijuana market, and why they support lawmakers' efforts to move in this direction.

Legalizing marijuana is a matter of justice, and racial justice in particular. The American Civil Liberties Union research report, *A Tale of Two Countries: Racially Targeted Arrests in the Era of Marijuana Reform* (2020) concludes: "On average, a Black person is 3.64 times more likely to be arrested for marijuana possession than a white person, even though Black and white people use marijuana at similar rates. Just as before, such racial disparities in marijuana possession arrests exist across the country, in every state, in counties large and small, urban and rural, wealthy and poor, and with large and small Black populations."¹

Findings in a recent ACLU report show that in Nebraska in 2018, over 8,700 individuals were arrested for marijuana law violations. Of those arrested, 90 percent of defendants were charged with possession only. Arrests for the possession of marijuana in the state made up half of all drug arrests in 2018.

Black people in Nebraska are more than three times as likely to be arrested for marijuana-related violations as are white people. In places like Buffalo County, Blacks are almost nine times as likely to be arrested for marijuana possession than whites.

It is time for Nebraska to become a leader in sensible cannabis policy. Public sentiment and common sense demand that lawmakers move forward to enact necessary and long overdue changes in state-level marijuana policies to achieve the repeal of marijuana prohibition so that the responsible, adult use of cannabis is no longer subject to arrest and criminal penalty.

I urge members of the Committee to support the passage of LB 546 and LR2CA, to end the criminalization of cannabis consumers.

¹ <https://www.aclu.org/report/tale-two-countries-racially-targeted-arrests-era-marijuana-reform>

