

TL:DR version

The argument for two more licenses is a conflation of: Pot is legal, it is here to stay, let's be first movers, get the tax revenue and use it for good and address social inequity at the same time. We break this into five questions and provide answers.

What do we want to accomplish with WA08? We are not trying to restrict adult access. We are after protecting our underaged population, specifically that segment that absent normalization of marijuana use, would not otherwise experiment with pot.

Using "social equity" as the argument to issue two more licenses is a red herring. The SB should not try to fix a mistake they made by increasing the number of licenses. Each existing retailer has promised to deliver on a diversity and inclusion plan. Let's first understand if they've lived up to that and if not, let's help them to live up to it.

The tax revenue is important, but it should be balanced with other policy goals, like the health of our community. This is a new industry, the health effects are not as yet known, we should start small, learn how to administer what we have before adding more.

We should expand education in our schools and establish a baseline so that the DPH can understand the impact of marijuana licensing on our community and specifically on our teenagers.

Frequently Asked Questions

1. What do you hope to accomplish with this warrant article? Marijuana was legalized so that it would no longer be on the black-market, it will provide tax revenue that can be used for good purposes, and we can address historical inequality.

The purpose of WA08 is not to try to roll back or restrict adult access to recreational marijuana.

But, the lawful recreational marijuana industry is new and has the potential to cause disproportionate damage to our underaged and marginalized population. And, according to the CDC, the health consequences of long-term use are not yet known with certainty. This is especially important for teenagers since marijuana causes disproportionate harm to the developing brain.

More recreational retailers and the advertising we are seeing in Brookline has the potential to "normalize" the consumption of marijuana and unduly influence teenagers.

It's true that there is a segment of the teenage population that will try marijuana, whether it's legal or illegal. But, there is also a segment of the teenage population that would not – absent visible retailers, advertising, gummy and vaping products, overt adult use - otherwise consider trying marijuana.

The purpose of WA08 (and WA09) is to pause licensing long enough for the entire community to have a chance to discuss and agree what, beyond tax revenue, we'd like and how best to manage and navigate the introduction of this new industry.

2. The Select Board would like to award two more licenses in order to address social equity. And maybe we can just limit the award of the two new licenses to applicants that are certified under the State procedure to be social equity candidates.

The State law was written so that licensing was only available to social equity candidates for a period of time before others could apply. But the Select Board decided to award FOUR licenses to non-social equity candidates. These licensees promised to deliver on a diversity and inclusion plan that was included in their application.

Before issuing two new licenses, the Town should first understand whether the existing licensees have actually delivered on their diversity and inclusion promises. If they have, what lessons can be learned and shared? If they have not, what can the Town do to help them to achieve their goals?

We should first understand how to work with the existing licensees in this new industry to deliver on the diversity and inclusion goals before issuing new licenses and possibly ending up with six licensees who might not be delivering on D&I promises and on top of that, we have no framework through which to understand what is actually happening or any ability to influence the outcome or to ensure that social equity candidates can share in equity ownership of the licensed entities.

3. Me and all my friends tried marijuana when we were young, what's the big deal? Teenagers will try it regardless of what we do. And it's better if they buy the pot in Brookline than elsewhere.

Marijuana when we were young (in the 80s for the author of the FAQs) is not the marijuana that is available today. Although it might be true that because of regulation, the marijuana grown today has fewer impurities, it also means that the levels of THC are much higher, making for a more potent drug. And, there are now a variety of products – including gummy bears, vaping, candy – that many of us in this Town attacked when introduced by the tobacco industry.

Because legalization of recreational marijuana is relatively recent, studies are only now starting to provide data with respect to the impact of recreational marijuana on our teenage population. The early data is showing that 1/6 teenagers becomes addicted. And that the effect on the developing brain is very harmful. What if that was your child, or your niece, your nephew, your grandchild or your neighbor's child?

Normalization of marijuana in our Town will affect our teenagers. We have a duty to follow the science and to try to protect those who are most vulnerable.

4. We need the tax revenue. Better that Brookline grab first mover advantage.

It is true that the retail shops provide tax revenue to the Town of Brookline. In the last twelve months, almost \$1mm. That is a significant sum of money. But that money does not go to the general fund, it is placed into a stabilization fund and the Cannabis Mitigation Advisory Committee recommends spending.

And revenue alone does not provide the full picture. The revenue is accompanied by expense. Before we add retail licenses, we should understand the full profit and loss to the Town. The FY22 budget identifies ~\$950,000 of spending in FY21 that was funded by the Host Community Agreements (“HCA”) for expenses related to pot. In addition, we cannot be sure that two more licenses won't simply cannibalize sales from the existing licensees. On the other hand, added competition is almost certainly to result in more advertising.

And is revenue our only policy goal? If so, then why has the Town decided to restrict tobacco sales? We have in the past balanced revenue with other social goals such as community health.

5. Instead of restricting licensing of retail licenses, we should increase education to prevent underage use, it's the only answer.

The Town of Brookline website states:

“The Brookline Department of Public Health provides substance abuse education and prevention programming in schools and throughout the community. Education and awareness efforts focus on tailored messaging for children, young adults, adults, and seniors. In addition, the Town of Brookline is currently developing a research portfolio to better understand the impact of marijuana on the town. “

We checked with Dr. Jett. He said that currently, education only occurs in the High School. The DPH has requested that the school system increase the footprint to the middle school “at least two years ago” but this has not happened.

The State law also requires retailers to provide data to the Towns in which they operate. We have not received this data. And the DPH does not have the resources to develop a plan and to gather data to establish a baseline, much less to collect and analyze data on an on-going basis to understand the impact that retail sales of recreational marijuana might be having on the health of our community, and specifically with respect to under-aged use.

Let's implement education and a data analysis framework BEFORE we issue new licenses.

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