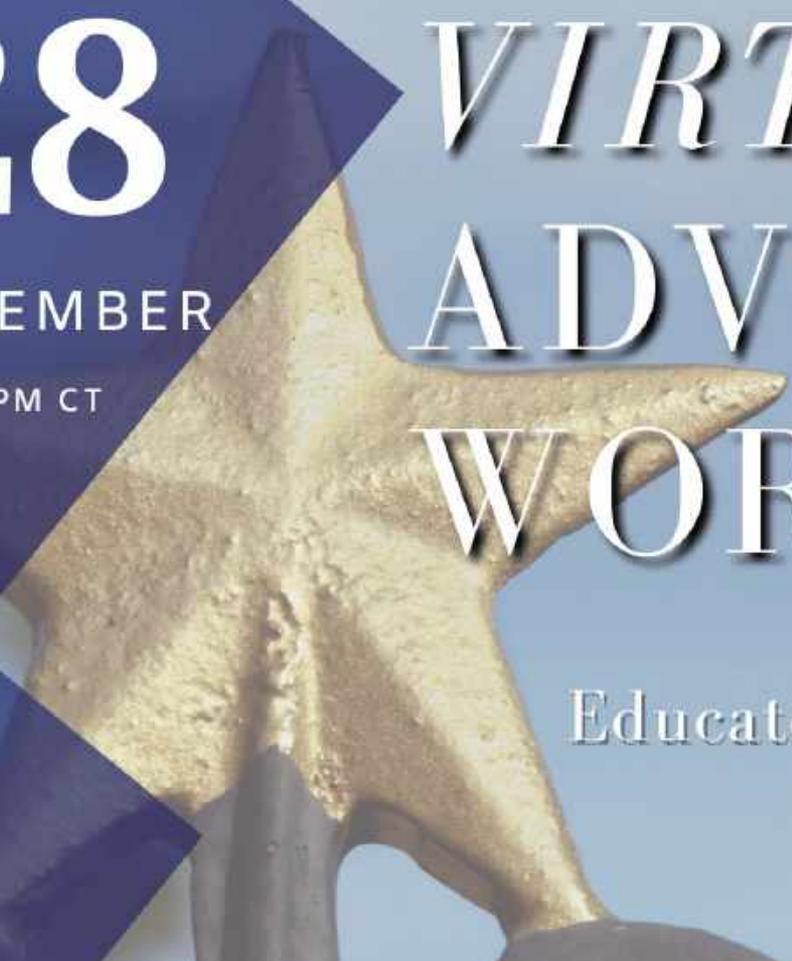




28

SEPTEMBER

12PM CT



VIRTUAL
ADVOCACY
WORKSHOP

Educate | Empower | Mobilize



**TEXANS FOR RESPONSIBLE
MARIJUANA POLICY**



TEXANS FOR RESPONSIBLE MARIJUANA POLICY



Coalition of Texans with Disabilities



Progress ★ Texas
The Voice for a New Majority



DPFT

The Drug Policy Forum of Texas



Grassroots Action!



Grassroots Action

Record number of bills introduced ranging from affirmative defense to full adult use legalization.

Thousands of calls and emails, hundreds of Texans visited the Capitol to advocate on lobby day and on their own.

Educational Exhibits

Legislative Briefings

Citizen Lobby Days

Resource Materials for Lawmakers

Facilitate Committee Hearing Testimony

Direct Actions



Political Timeline

October 5: Voter Registration Deadline

October 13-30: Early Voting (Extended!)

November 3: Election Day

November 9: Pre-filing Begins!

January 12: Our 87th Texas Legislature Convenes

May 31: Legislature Adjourns

Note: *Due to COVID-19, subsequent Special Sessions may be called by Governor Abbott.*



Texas Marijuana Policy

Advocacy Workshop

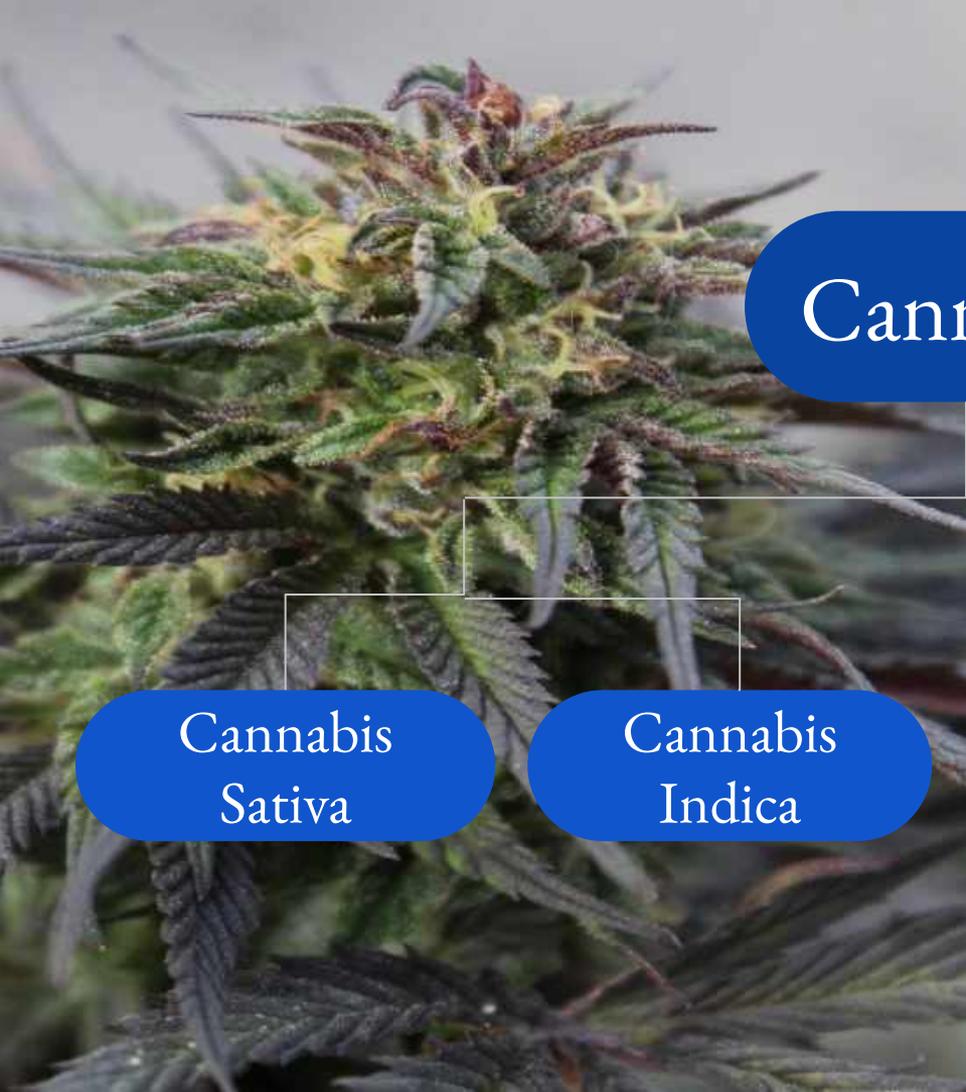
Cannabis 101	Decriminalization
Federal Policy	Texas Compassionate Use Program
Texas Hemp	Adult Use Legalization
2020 General Election	
87th Legislative Session	



Cannabis 101

with Jax Finkel





Cannabis

Cannabis
Sativa

Cannabis
Indica



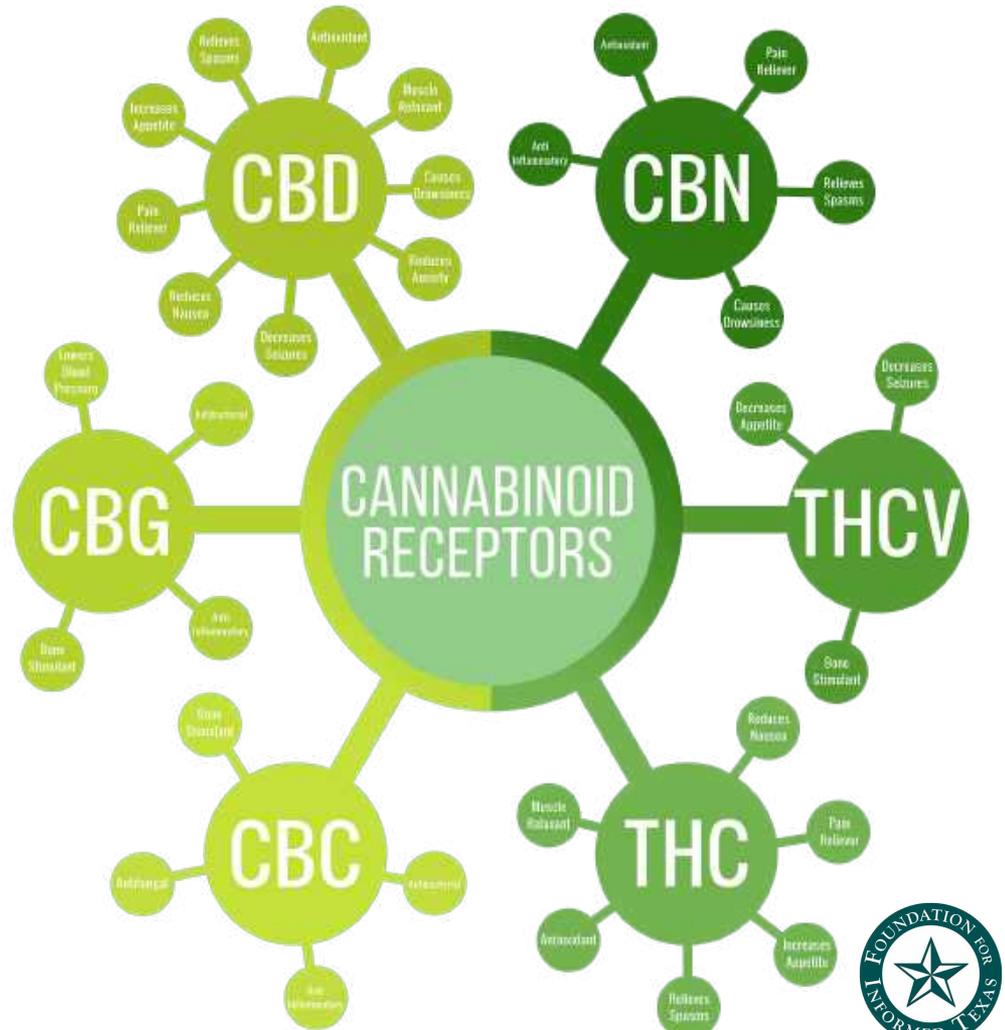
Cannabis
Ruderalis
(Hemp)



- **Cultivar** - formerly known as strain. Short for cultivated variety, and is defined as a plant that has been “created or selected intentionally and maintained through cultivation”. It’s used to reference the strain, breed, type.
- **Chemovar** - distinguished by terpene profile, cannabinoid presence and potency, and quantity of standard biomolecules like lipids and waxes



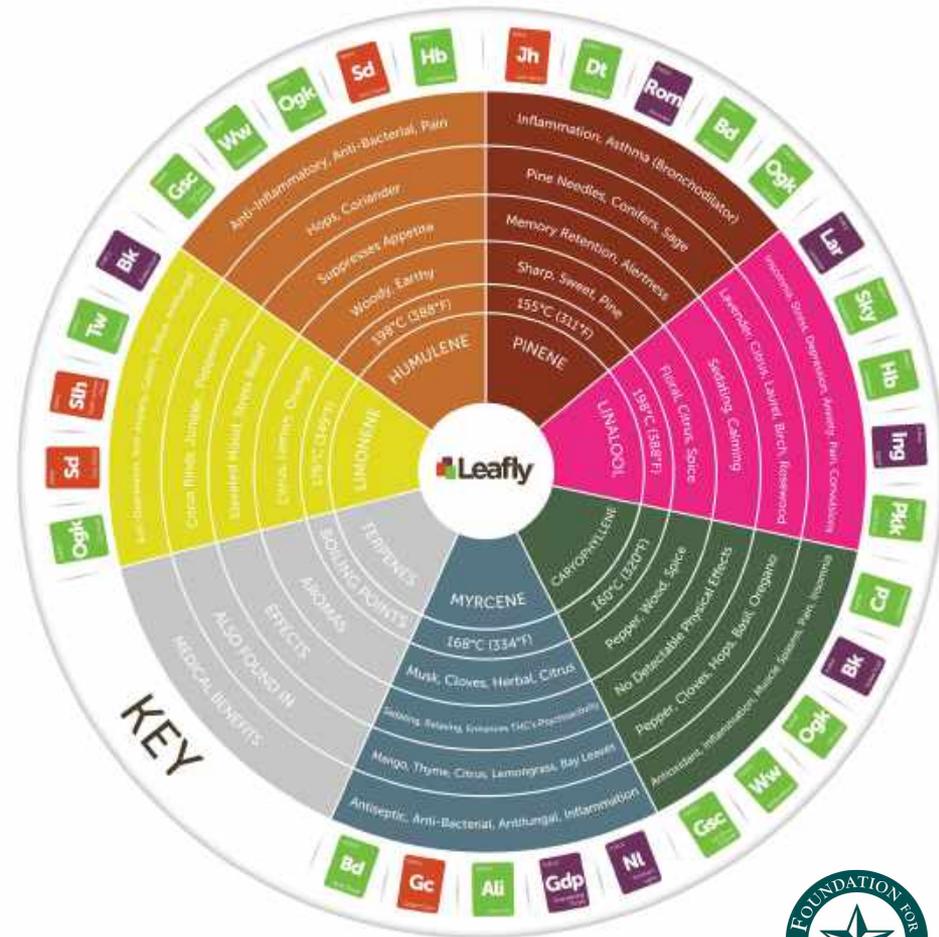
Cannabinoid - group of closely related compounds which include cannabidiol and the active constituents of cannabis. Examples: THC, CBD, CBN, THCV, CBC



Credit: https://www.inmedpharma.com/learn/cannabinoid_science/



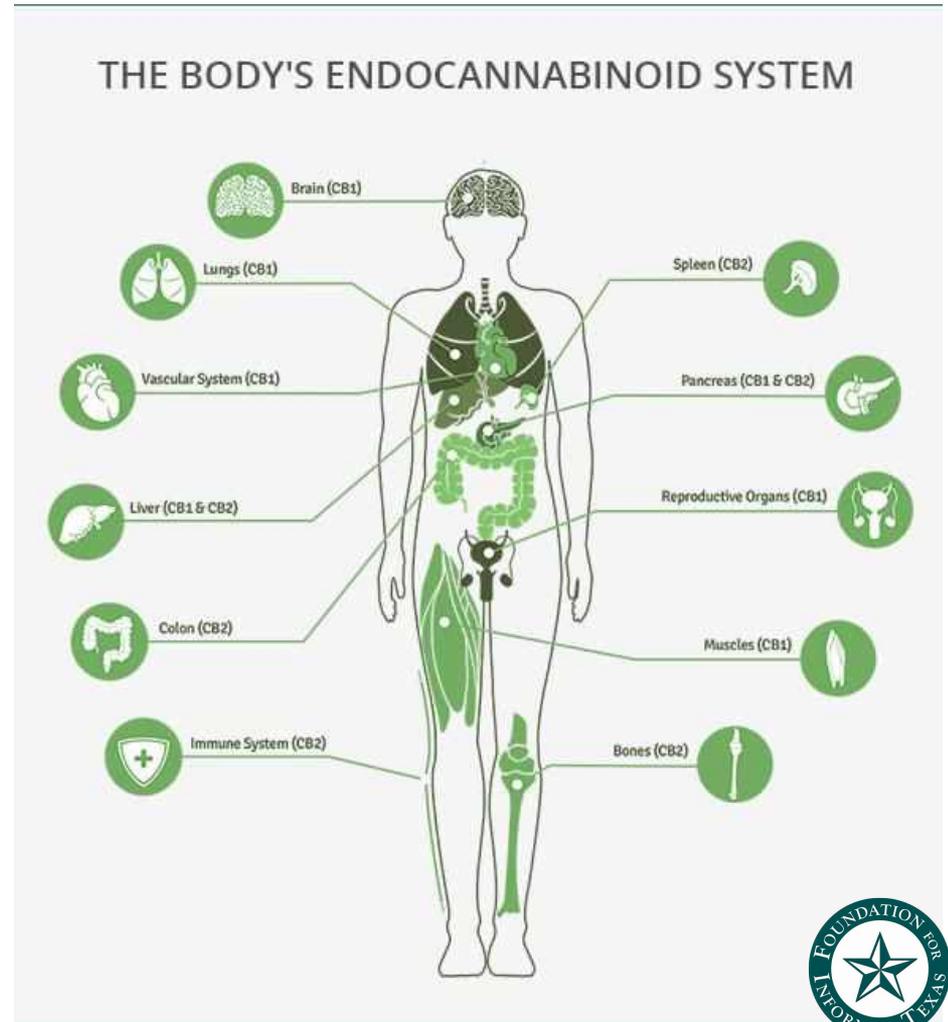
Terpene - organic compounds that create the aroma of plants (essential oil) that can affect how the body uptakes some cannabinoids and have their own therapeutic benefits. Examples: Limonene, Pinene, Caryophyllene



References
<http://stephill.com/resources/cannabinoid-and-terpenoid-reference-guide/>
<http://rclabz.com/learn/terpenes.html>



The **Endocannabinoid System (ECS)** interacts with these compounds to help bring homeostasis to multiple body systems. Cannabinoid receptors are present throughout the body, embedded in cell membranes, and are believed to be more numerous than any other receptor system.



Credit: <https://strivingforhealth.com/what-is-the-endocannabinoid-system>



Cannabis Forms



Flower



Topicals



Concentrates



Tinctures



Ingestibles



Uptake Methods

- **Oral Mucosal** – Absorption through the lining of the mouth and under the tongue – effects are felt throughout the entire body.
- **Ingestion** – Absorption through oral ingestion. Cannabinoid molecules are absorbed in the intestinal tract and metabolized in the liver.
- **Inhalation** – Absorption through inhaling combusted or vaporized cannabis.
- **Transdermal** – Absorption through the skin.





Federal Policy

with Jax Finkel



Scheduling

Under the Controlled Substance Act (CSA), Cannabis with .3% or more THC is considered a Schedule 1 drug, the most restrictive category available under the law. As summarized by the DEA, “Schedule I drugs are the most dangerous drugs of all the drug schedules with potentially severe psychological or physical dependence.” This is because the current regulatory requirements in place are specific to cannabis, not to Schedule I or Schedule II drugs.

Reschedule - To change the level of scheduling for cannabis on the CSA

Cons:

- misrepresent the plant’s safety relative to other controlled substances
- Leaves the existing regulatory hurdles in place that severely and unduly limit scientist’s ability to conduct clinical research trials involving marijuana
- fails to provide states with the ability to fully regulate it free from federal interference.
- Pros: Possible to regulate for medicinal purposes (under the oversight of the FDA)

Deschedule - To remove from the CSA

Pros:

- complete decoupling of cannabis from the American War on Drugs protect states from federal enforcement
- allows private companies to develop their own specific and proprietary formulations of cannabis
- allows them to legally test these products in FDA-approved controlled trials – with the goal of bringing such products to market



Restricting Department of Justice Funding

Amendment to appropriations bill that bars the Department of Justice (DOJ) from spending money to prevent states and territories from "implementing their own laws that authorize the use, distribution, possession, or cultivation of marijuana." This helps protect state-approved medical cannabis and retail markets.



Research Restraints

- Conflicts between state and federal laws can come between scientists and their ability to legally obtain marijuana for research.
 - Cannabis researchers face the need to get approval from three federal agencies, and funding is limited.
 - Many applications to the DEA have been left pending all the way back to 2016
 - Applicants also have to be in compliance with US obligations under an international treaty, the Single Convention on Narcotic Drugs.
- Most studies on the therapeutic effects of cannabis have relied on synthetic formulations of specific chemicals made by cannabis plants, such as the cannabinoids tetrahydrocannabinol (THC)—the psychoactive component of cannabis—and cannabidiol (CBD).
 - A few researchers have looked at the efficacy of whole cannabis plants to treat chronic pain, but no clinical studies have been conducted on cannabis products purchased from state-authorized dispensaries.
- US researchers can only study the effects of cannabis using plant material grown by the University of Mississippi under contract with the National Institute on Drug Abuse (NIDA).
 - Researchers have complained for years about the quality and potency of the cannabis grown by the University of Mississippi, which is also not comparable to products purchased through state programs.



International:

Israeli chemist and professor Dr. Raphael Mechoulam revealed his earth-shattering research about the structure of THC and CBD in the early 1960's. Continuing to research the plant, he and a group of researchers recently revealed at a medical cannabis conference that they have created a way of stabilizing acids found within the living cannabis plant that can be used in medicine.

American:

Scottsdale Research Institute (SRI) and Dr Sisley are conducting controlled trials of smoked and vaporized cannabis, attempting to move whole plant flower through the entire U.S. Food and Drug Administration (FDA) drug development process.

Texas:

Compassionate Cultivation and Fluence will collaborate on research studies using Fluence's industry-leading LED lighting systems to gather new insights into sustainable cannabis production while delivering high-quality medical cannabis to Texans with qualifying conditions under the Compassionate Use Program.



VA Directive 2011-004

- Gave guidance to VA doctors on how to handle patients that are participating in a state-approved medical program.
- clarified that patients participating in State marijuana programs must not be denied VHA services
 - prohibited VA providers from completing forms seeking recommendations or opinions regarding a Veteran's participation in a State marijuana program
 - if a patient reports participation in a State marijuana program to a member of the clinical staff, that information is entered into the “non-VA medication section” of the patient's electronic medical record following established medical facility procedures for recording non VA medication use



Hemp

With Jax Finkel



2014 Farm Bill

- Defined industrial hemp as distinct from marijuana based on THC content
- Allowed pilot programs at institutions of higher education with the goal of to generate and protect research into hemp
- Farmers had to be certified by and registered with the State department of agriculture AND conducting research or a pilot program approved by the State department of agriculture
- By 2018, 16 states had programs



2018 Farm Bill

- Amended the federal Controlled Substances Act (CSA) of 1970 so that hemp plants containing 0.3 percent THC or less are no longer classified as a schedule I controlled substance under federal law
- Maintained the 2014 pilot programs for an additional year
- Removed hemp from the jurisdiction of the Justice Department and moved it to the U.S. Department of Agriculture (USDA)
- States that do not want to fall under USDA regulations have to create their own program and submit to USDA for approval



Texas Timeline

- **March 2019:** Texas Department of Health and Human Services (DHHS) amended the Texas schedule of controlled substances to remove hemp
- **June 2019:** Hemp Farming Act HB 1325 is signed by the Governor. The bill was authored by Representative King and sponsored by Senator Perry, passed unanimously in both chambers
- **January 2020:** USDA approves the Texas Hemp Program
- **March 2020:** Texas Department of Agriculture (TDA) adopts rules for growing hemp. Farmers are licensed and growing hemp.
- **July 2020:** Texas Department of State Health Services (DSHS) released the final rules that will govern the manufacture of consumable hemp products in Texas. Manufacturers can now apply for their license.
- **Coming Soon:** Retail licensing



Issues

THC Testing

- Law Enforcement Officers cannot distinguish legal hemp from illegal marijuana since you cannot tell the amount of THC by sight. It requires expensive testing.
- Many labs do not have the expensive testing equipment needed to test to the tenth of a percent, nor the accreditation.
- The Big Three and AG announce that a civil penalty of up to \$500 can be levied for transporting hemp without proper certification.
- Some localities are defunding THC testing and protocols as well as stopping the arrest or prosecution for personal possession of marijuana.



Issues

Smokable Hemp Product Ban

- The DSHS rules explicitly prohibit the manufacture, processing, distribution, or retail sale of consumable hemp products for smoking.
- Smoking Definition: Burning or igniting a consumable hemp product and inhaling the resultant smoke, vapor, or aerosol.
- This does not include loose flower but rather pre-rolls, vape cartridges or anything marketed for smoking/vaping.
- FIX: Businesses suing the state followed by a legislative correction.
 - Lawsuit: Crown Distributing, LLC v. Texas DSHS (D-1-GN-20-004053)



Possession of Marijuana

“Marihuana” -- Statutory name for cannabis with more than .3% THC.

Current State Law

- Up to two ounces of marijuana: Class B misd. punishable by imprisonment of up to six months and a fine of up to \$2,000.
- Between 2-4 ounces of marijuana: Class A misd., punishable by imprisonment of up to 1 year and a fine of up to \$4,000.
- Four ounces or more of flower or any amount of oil or concentrated products: Felony!

Number of arrests: More than 60,000 Texans arrested for marijuana possession in 2017.

Conviction Rates:

An estimated 66% of those charged are CONVICTED. A drug conviction for marijuana creates a permanent criminal record and carries significant and lasting collateral consequences.



Possession of Marijuana

Penalty/Collateral Consequence	Class B Misdemeanor (Current Law)	Class C Misdemeanor	Civil Penalty
Fine	Up to \$2,000	Up to \$500	Up to \$250
Arrest	Yes	Yes	No
Jail Time	Up to 180 Days	No	No
Permanent Criminal Record	Yes	Yes	No
Drivers License Suspension¹	Yes	Yes	No
License To Carry Suspended² (7yrs.)	Yes	Yes	No
Court Appointed Attorney	Yes	No	No
Financial Aid Affected³	Yes	Yes	No
Military Service Jeopardized⁴	Yes	Yes	No
Naturalization Jeopardized⁵	Yes	Yes	No
Housing Options Limited⁶	Yes	Yes	No
Professional Licensing Affected⁷	Yes	Yes	No
Work Visa Denied⁸	Yes		No

Local Enforcement

Austin - Most recent and far-reaching.

Dallas - El Paso - Houston - San Antonio - Corpus Christi -
Fort Worth?

- Diversion programs, using prosecutorial discretion.
(Started in Houston.)
- Cite/Summons - law since 2007, but rarely used until recent years.

Testing: Legal Cannabis vs Illegal Cannabis



However...

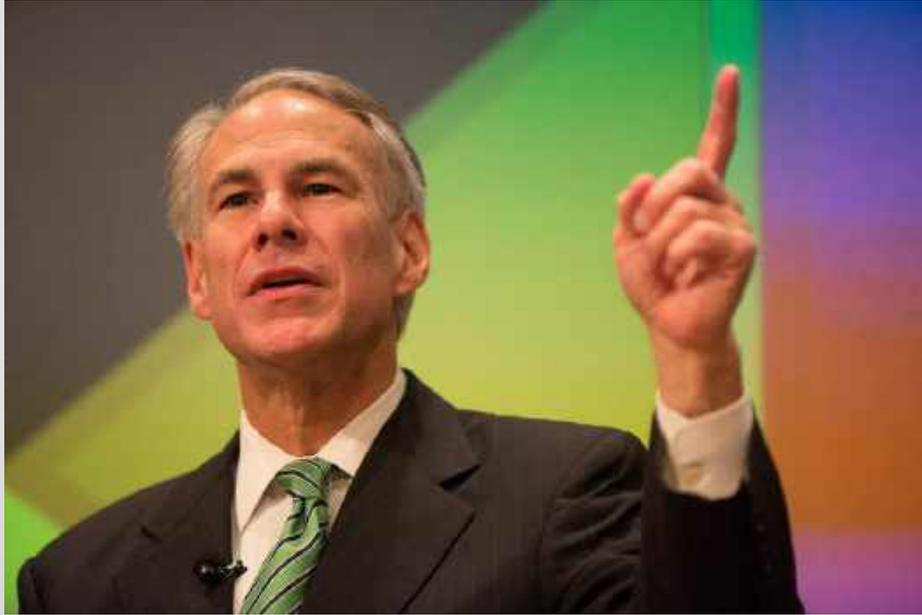
45,000 people *still arrested* for possession in 2019.

Recent Report: San Antonio still arresting 65% of those in possession of small amounts of marijuana.

ALARMING: In Dallas, 90% of those arrested are Black or Hispanic!

Get involved locally by connecting with elected officials.





"I don't want to see our jails
stock piled with people who
have possession of small
amounts of marijuana."

Governor Greg Abbott
9/28/18



Possession of Marijuana

What passed the House in 2019?

For up to 1 oz. of marijuana, Rep. Joe Moody's bill would have instituted...

- Class C Misdemeanor, \$500 fine
- No arrest
- Opportunity to avoid conviction with drug education course, similar to defensive driving for speeding tickets.

This bill passed overwhelmingly with bipartisan support, but was killed in the Senate.



Possession of Marijuana

Penalty Reduction Policy Objectives

- One ounce or less of marijuana would be punishable by fine only.
- Individuals should not be arrested or jailed for possession of a small amount of marijuana.
- The offense should not generate a criminal record, which can follow a person for life and jeopardize employment prospects, housing, and educational opportunities.
- Twenty-seven states and Washington, D.C. have enacted laws to stop jailing their residents for possession of small amounts of marijuana.



Texas Compassionate Use Program

Low-THC Medical Cannabis Access

The Texas Compassionate Use Program (T.CUP) was established in 2015. The Legislature expanded the program in 2019, providing access to low-THC cannabis for those with a few medical conditions.

[Here's an overview of the program under current law:](#)

Limited Patient Access

- Dosing is restricted to .5% THC, but there are no restrictions on other cannabinoids and terpenes.
- Patients with the following qualifying conditions may participate in the program:
 - All epilepsy and seizure disorders,
 - Multiple sclerosis or spasticity,
 - Terminal cancer or incurable neurological disorders (Alzheimer's, Parkinson's, etc.),
 - Autism or Amyotrophic lateral sclerosis (ALS).
- Three dispensary locations with statewide delivery is available.
- Limited public list of participating physicians.



Texas Compassionate Use Program

Participating Physicians must be Specialists

- To participate, a physician must be board certified in a medical specialty relevant to the treatment of the patient's particular medical condition

Business Licensing and Regulation

- The Department of Public Safety (DPS) is the regulating authority for our state's medical cannabis program. Rules are developed and maintained by the Public Safety Commission, which is comprised of five members appointed by the governor.
- Three businesses are currently licensed by DPS to cultivate, manufacture/process, and dispense low-THC cannabis. To ensure reasonable statewide access, dispensaries may deliver medicine throughout the state and the department may issue additional licenses. Licensing fees for licensed businesses are nearly \$500,000 for the first two years and more than \$300,000 every two years for renewal. Details about the rules and regulations can be found on the DPS website.



Compassion Should be Inclusive

Expand the Texas Compassionate Use Program

Allow safe and legal access to cannabis for those with debilitating medical conditions.

Allow doctors to determine appropriate dosing for individual patients.



Texas Compassionate Use Program

Establish patient protections to eliminate the threat of being to arrest, prosecution, or penalty in any manner, or denial of any right or privilege, including any civil penalty or disciplinary action by a court or occupational or professional licensing. Parental rights should never be denied and students cannot be subject to any form of discipline solely because of possession or use of their medicine.

Authorize independent laboratories that would be licensed and regulated, providing consumer protection with regard to potency and contaminants.

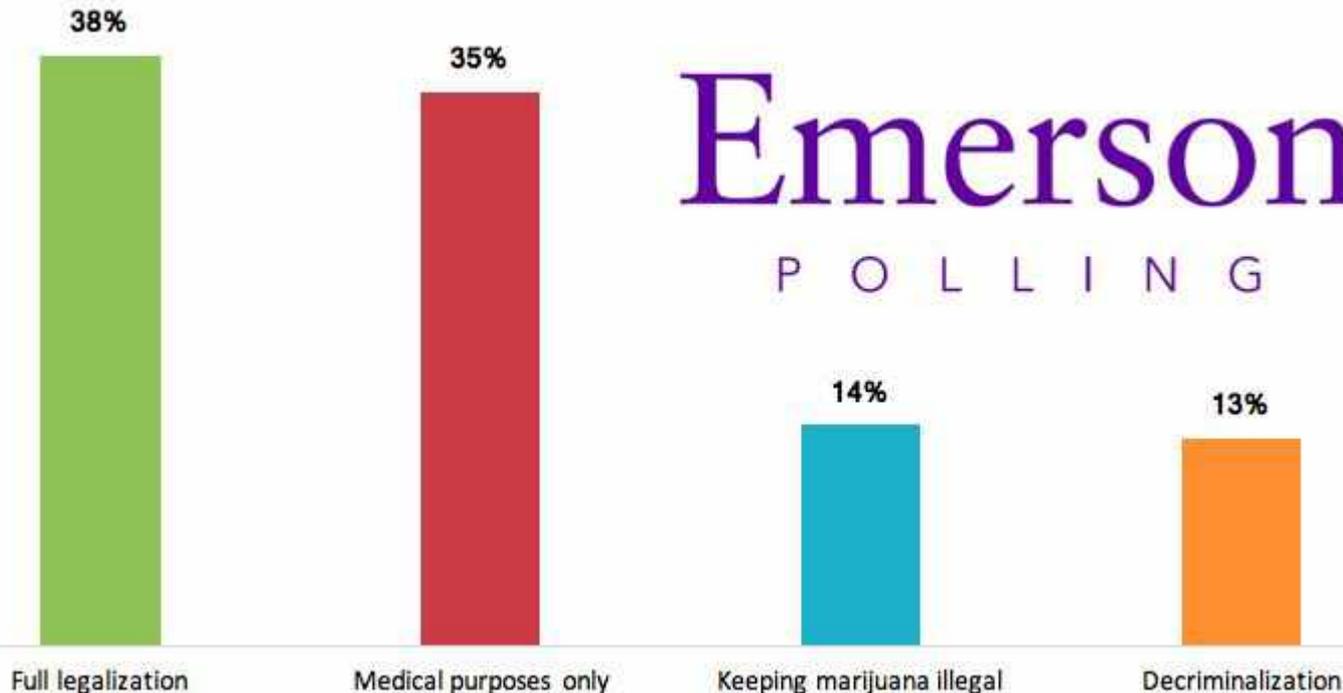
Protect physicians by allowing them to certify patients through the state registry, rather than “prescribing” cannabis, an action that would jeopardize their registration with the DEA/their ability to prescribe controlled substances. Also, ensuring they may not be denied any right or privilege or be subject to disciplinary action solely for making a written or oral statement that, in the physician’s professional opinion, the potential benefits of the use of cannabis would likely outweigh the health risks; or participating in research programs.



Public Polling - 86% Support Reform

Which of the following marijuana policies do you favor?

Texas, April 25-28, MM, RV, n=799, +/- 3.4%



Adult Use Legalization

Marijuana is safer than alcohol; possession should not be criminalized in Texas

- Marijuana is less toxic, less addictive, and less harmful to the body. It does not contribute to violent and reckless behavior. Adults should not be criminalized or incarcerated for choosing to use the safer substance.

Save tax-funded resources for serious crime

- State law enforcement officials report that there were nearly 63,000 arrests or citations in Texas in 2018 for marijuana possession.
- During the same year, 90% of all burglaries — including home invasions — and 86% of all motor vehicle thefts went unsolved by law enforcement.
- Money spent enforcing current laws and arresting, jailing, and supervising people should instead be devoted to pursuing serious criminals.



Adult Use Legalization

Marijuana prohibition has caused far more harm than marijuana ever could, not only for those arrested and prosecuted, but for their families and our communities.

According to national polls — including Pew, Gallup, and CNN — more than 60% of Americans support legalizing marijuana for adults' use.

Legalizing marijuana for adult use (21+) would save our state millions in public safety expenses (arresting officers, prosecutors, court time, probation officers, testing labs.)

Could generate \$1 Billion in tax revenue per biennium.



General Election 2020

Important Dates

Register Deadline: October 3

Early Voting: October 13-30

Election Day: Tuesday, November 3



Register to Vote

Deadline: October 3

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

REGISTER TO VOTE | WHO, WHAT, WHERE, WHEN, HOW | MILITARY & OVERSEAS VOTERS | VOTERS WITH DISABILITIES | YOUR RIGHTS | FAQ | RESOURCES

Search Go

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Register to Vote

Register to Vote

- Where to Get an Application
- Filling out the Application
- Need ID?
- Your Voter Registration Card
- Did You Change Something?
- You Must Register By...

Register to Vote

Are you already registered?

- To confirm your voter registration status, visit our [Am I Registered](#) application.
- If you moved from one place to another in the same county, you can change your information online at the [Secretary of State's Voter Registration Name/Address Change](#) website.

Ways to Register

To register to vote in Texas, simply complete a voter registration application and return it to your county election office at least 30 days before the upcoming election date. To complete an application, you may:

1. Complete an application using the [SDS ONLINE VOTER REGISTRATION APPLICATION](#). Simply fill in the required information, print, sign and mail directly to your county election office.
2. Request a [PRINTED APPLICATION](#). Our office will mail a voter registration application to the address provided.
3. Contact or visit your local [VOTER REGISTRAR](#) to complete the voter registration process.



Polling Locations



REGISTER TO VOTE	WHO, WHAT, WHERE, WHEN, HOW	MILITARY & OVERSEAS VOTERS	VOTERS WITH DISABILITIES	YOUR RIGHTS	FAQ	RESOURCES
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Who, What, Where, When, How

Who

When

Where

How

What

★ WHERE

[Where To Vote](#)

Where To Vote

On your Voter Registration certificate, you will see a precinct number. Your residence is located in a specific "precinct" or area within the county where you will vote on Election Day. In some cases, precincts may be combined to accommodate joint local elections.

Where can I vote during the early voting period?

Voting during the early voting period couldn't be easier and more convenient! **Registered and eligible voters may vote at ANY early voting location located in the county of residence.** Whether you are at home, work or out running errands, you will be able to find a polling place near you. Early voting locations will be populated in our search site "[My Voter Page](#)" two days prior to the first day of early voting. You may want to contact the "[Early Voting Clerk for State and County Elections](#)" in your county for early voting locations. Also, many newspapers publish early voting polling locations.

Note: Polling place hours vary at each early voting location.

It's Election Day, and I'm registered and ready to vote. Where do I go? What are the hours for voting on election day? Where can I find my precinct number on my voter registration certificate?

On Election day, if your county participates in the [Countywide Polling Place Program \(CWPP\)](#), you can vote at any location in your county of registration. If your county does not participate in the CWPP, you can only vote at the voting precinct assigned to you. Your residence is located in a specific "precinct" or area within the county where you will vote on Election Day. In some cases, precincts may be combined to accommodate joint local elections. *You can find your voting precinct location by using our search site "[My Voter Page](#)", which will be populated with voting sites two days prior to election day. Many newspapers publish Election Day polling locations as well. Election Day voting hours are **7:00 a.m. to 7:00 p.m.** at all polling places statewide. For questions regarding polling places, always consult your [County Elections Office](#). **Your voting precinct number (Pct. No.) is located next to your year of birth on your voter registration certificate.

[Like](#) 2.3K [Tweet](#) [Share](#) 100



Voter Identification

Here is a list of the acceptable forms of photo ID:

- Texas Driver License issued by the Texas Department of Public Safety (DPS)
- Texas Election Identification Certificate issued by DPS
- Texas Personal Identification Card issued by DPS
- Texas Handgun License issued by DPS
- United States Military Identification Card containing the person's photograph
- United States Citizenship Certificate containing the person's photograph
- United States Passport (book or card)

More information: <https://www.votetexas.gov/faq/>



Vote by Mail

“Absentee Voting”

➤ **Q. Can anybody vote early by mail (also referred to as “absentee voting”)?**

A. Only specific reasons entitle a registered voter to vote early by mail (no longer called absentee voting). You may request a ballot by mail if you:

1. will be away from your county on Election Day **and** during the hours that early voting is conducted;
2. are sick or disabled;
3. are 65 years of age or older on Election Day; or
4. are confined in jail.

More information: <https://www.votetexas.gov/faq/>



We surveyed Texas candidates
running for US Congress and
our State Legislature.

Here's where they stand!



Texas Marijuana Policy Voter Guide

2020 General Election Edition

Early Voting
October 13–30

Election Day
November 3



The voter guide was compiled, published, and funded by **Texas for Responsible Marijuana Policy**, a broad coalition of organizations, activists, and community leaders dedicated to promoting honest, fact-based dialogue regarding marijuana use and the negative effects of its criminalization.



Texas NORML originated the guide in 2012, and we appreciate their continued help in producing this year's guide.

General Election 2020

Get Involved

- Share the Texas Marijuana Policy Voter Guide
- Follow Candidates on Social Media
 - Engage Respectfully and with Links to Resources
- Attend Virtual or In-Person Campaign Events
- Volunteer to Phone Bank or Blockwalk



87th Texas Legislative Session

With Jax Finkel



Recap: 86th Legislative Session - 2019

Record number of bills introduced ranging from affirmative defense to full adult use legalization. Thousands of calls and emails, hundreds of Texans visited the Capitol to advocate on lobby day and on their own.

- Educational Exhibits
- Legislative Briefings
- Resource Materials for Lawmakers
- Direct Actions

Two Bills Passed:

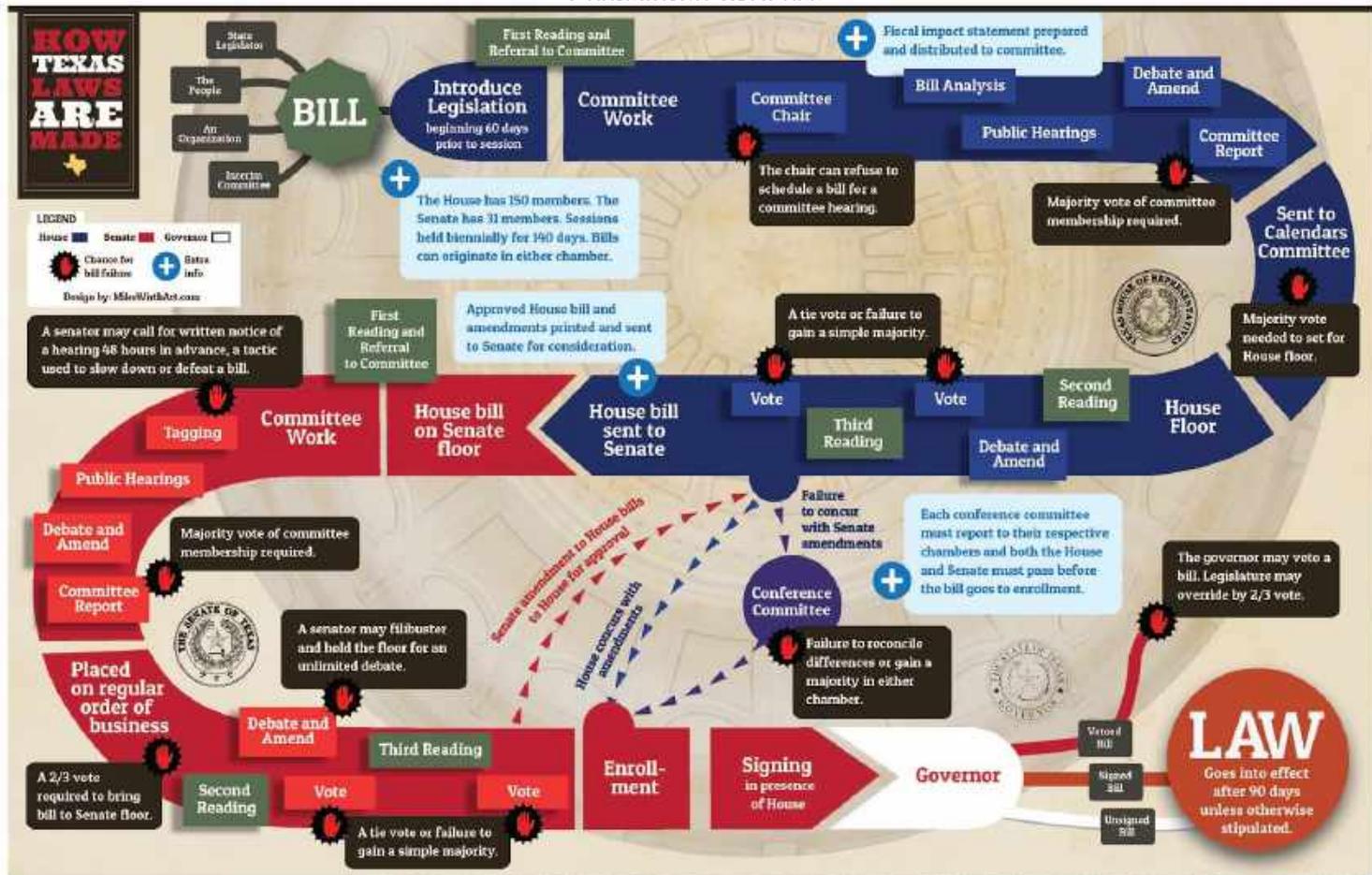
- Texas Hemp Program
- Limited Expansion to TCUP

Interim Charges:

- Defining Intractable Neurodegenerative Disorder (Completed)
- Monitoring and making recommendations relating to the “Vaping Crisis”/ EVALI (Paused)
- Implementation of the Hemp Program (Delayed due to the pandemic)



Legislative Process



Advocate Worksheet

Identify which Texas State Senator and Texas Representative represents you.

Make note of their:

- In-District Office Address
- Capitol Building Room #
- In-District and Capitol Phone Numbers
- Email

Research:

- What Committees that sit on
- What types of bills they typically author or support
- Any personal connection



Meeting with Legislators

- Call the In-District or Capitol Office to schedule a meeting
- Prepare your introduction and talking points
 - Make your message personal by sharing your perspective as constituent, even if it's just that you are a taxpayer who wants to see resources used more efficiently. Personal and professional experience are important to share.
- Bring resource materials to leave behind, including a 1-2 page testimonial with your personal story and contact information.
- Remain polite and professional even if you don't receive the responses you're hoping for.
- Always express gratitude for their time and service to your district.
- After meeting, follow up as needed



Etiquette

Basics:

1. Dress professionally, as though you were going to church or an interview for an office job, and arrive 5-10 minutes early.
2. Have your talking points and notes prepared, including handouts or resources to leave with the office.
3. Consider and ask about some of the concerns your legislator may have regarding the specific type of marijuana legalization you are going to discuss. Have counterpoints to common misconceptions in your back pocket in case they are brought forth. If you do not have the knowledge or resources to address your legislator's concern, please make note of their concern, do research on the subject, and follow up. If you say you will follow up with info, you must do so!



Etiquette

Always:

1. Be courteous and respectful (without gushing).
2. Clearly and simply state the purpose of your visit. If it's about a certain bill, identify it correctly.
3. Use specific examples, a personal story, and evidence to support your position.
4. Represent yourself as a voter and constituent of the district. You want your message to count individually.
5. State what you want done, or recommend a course of action.
6. Thank the member or their staff for taking the time to meet with you.
7. When addressing your legislator, address them as “Representative/Senator Last Name.”



Etiquette

Never:

1. Use vulgarity, profanity, or threats. The first two are just plain rude, and the third one can get you a visit from the Secret Service. Simply stated, don't let your passion get in the way of making your point.
2. Say that you will follow up with information and fail to do so. This shows a lack of reliability.



Contact Us!



HFazio@TxMJPolicy.org



ExecutiveDirector@InformedTexas.org



**TEXANS FOR RESPONSIBLE
MARIJUANA POLICY**