Analysis of U.S. Cannabis Industry, Legislation, and the Impact on Marginalized Populations

Christine Choi

Abstract

This essay analyzes the intersection between the United States quasi-legal cannabis industry and marginalized populations with a particular focus on state legislation and how certain policies have either restricted access to the cannabis industry via dominant narratives or have encouraged entry into the cannabis industry via equity programs. I argue that these latter policies can be considered counternarratives and, in doing so, become legitimated forms of master narratives within certain communities.

In addition, I argue that due to the long-lasting, detrimental racial consequences from the "war on drugs", individuals who were once targeted are now being socially stigmatized with a master status and face challenges in making the transition out of a formerly viewed "deviant career" and into the legalized cannabis industry. In this essay, I will analyze the legal and policy discourses of recreational marijuana. First, I will observe the racial influences and consequences of policy discourses. Second, I will examine California permits and licenses for cannabis businesses and in what ways their equity programs have achieved success and have failed. This essay seeks to examine not only how initial cannabis policies delimits business ventures amongst marginalized populations, but also to illuminate the racialized interactions between policies and minority populations.

Recreational cannabis has slowly but steadily been legalized across America. The legalization process brings about a new growing cannabis industry, which in turn brings in much needed revenue. Currently, cannabis' federal status remains under Schedule I categorization, but as states continue to pass legislation for both medical and recreational marijuana the rising

industry in California is expected to become the largest recreational market in the US (Weed, 2018, para. 10). The purpose of this paper is to examine how marginalized populations (i.e., black and Latino communities) have been impacted by state policies that have restricted access to the cannabis industry. Due to the long-lasting impact that the "war on drugs" had on marginalized populations, individuals in these communities who have been targeted are stigmatized with an identificatory master status and struggle with transitioning out of previously perceived "deviant career" into the legalized cannabis industry (Becker, 1963).

Dominant narratives surrounding the cannabis industry are focused on barring certain groups (i.e., formerly incarcerated cannabis felons/convicts, predominantly people of color) entry to the industry and maintaining the privileges of the dominant group. More recently, there has been a new focus on the negative impact that the "war on drugs" had on marginalized populations and how the rise of equity programs has provided valuable resources and opportunities for communities of color to gain access to the profitable industry. These new narratives of inclusion can be categorized as forms of counternarratives and help explain the recent pushback on dominant narratives in the cannabis industry.

In this essay, I will critically analyze the legal discourse of recreational marijuana. First, I will observe the racial influences and consequences of new policy discussions. Second, I will examine California permits and licenses issued for cannabis businesses in relationship to equity programs with varying success. Overall, this essay seeks to examine not only how initial cannabis policies restricts business ventures amongst marginalized populations, but also to shed light on the racialized discourse between policies and "deviant" minorities.

Dominant Narratives and their Consequences in the Cannabis Industry

Fisher (1984) asserts, "Public *moral* arguments is moral in the sense that is it founded on ultimate questions—of life and death, of how persons should be defined and treated, of preferred patterns of living" (emphasis in original) (p. 12). One may argue that the narratives surrounding the cannabis industry are interconnected to public moral arguments, as prospective entrepreneurs are barred from working and succeeding in the cannabis industry because of lingering racialized and recalcitrant beliefs in the legal system. Delgado (1999) argues that "the dominant group justifies its privileged position by means of stories, stock explanations that construct reality in

ways favorable to it" (p. 2438). With regards to the growth of the cannabis industry, the dominant group has created a dominant narrative about who is allowed to have access. Delgado (1999) clarifies the identity of the dominant group asserting that "all movements for change must gain the support, or at least understanding, of the dominant group, which is white" (p. 2440). Paralleling the identity of the dominant group, dominant narratives about the cannabis industry mainly benefit those already working in the industry, an industry that is "overwhelmingly white" (Rouse, 2018, para. 7).

The dominant group reflects institutionalized discrimination through accepted policies with "prohibitions on those with certain criminal convictions from working in the industry" and certain "'good moral character' clauses [which] give licensing authorities the ability to reject an applicant based on criminal history" (Howell, 2018, p. 1).

On the surface, these dominant narratives seem sensible and even justifiable. Drawing from Fisher's (1984) concepts of narrative probability and narrative fidelity, the dominant narratives seem reasonable as the prevailing narrative of ex-criminals is negative and stigmatizing. Howell (2018) explains, "Restrictions on licensure for convicted criminals is justified because, according to regulators and law enforcement, it reduces the likelihood that the legal industry will be used for criminal enterprises by so-called bad actors" (p. 2). Additionally, states that have legalized cannabis for recreational use no longer have the Cole Memo (administered under the Obama administration) as a safety net, which arguably pressures states to keep their legal cannabis industry as "safe" as possible to avoid "unwanted attention" brought about by associating the industry with previous criminal convictions (Howell, 2018, p. 3). Thus, these legal dominant narratives constitute a form of "minority blockade" as well as a public moral argument.

As Delgado (1989) further explains, "There is a war between stories. They contend for, tug at, our minds… [there is a] dialectic of competition and rejection…[and] reality-creating potential of stories and the normative implications of adopting one story rather than another" (p. 2418). This war is exemplified through the struggle between dominant narratives and counternarratives. Dominant narratives within the cannabis community were mainly supportive of legislation that restricted access to the industry. These dominant narratives made peripheral sense seeming legitimate at a surface level and led to the complacency of those in the dominant group. Delgado (1989) argues that this complacency is "born of comforting stories…[and] is a

major stumbling block to racial progress" (p. 2438). This is inherently problematic, as equal access to the cannabis industry is still not a reality for many marginalized communities.

However, despite the seemingly logical appeals presented by those in the dominant group, such arguments bypass or ignore the racialized consequences of the "war on drugs". Delgado (1999) contends, "Traditional legal writing purports to be neutral and dispassionately analytical, but too often it is not…The supposedly objective point of view often mischaracterizes, minimizes, dismisses, or derides without fully understanding opposing viewpoints" (pp. 2440-2441). Delgado (1989) further argues that "implying that objective, correct answers can be given to legal questions also obscures the moral and political value judgments that lie at the heart of any legal inquiry" (p. 2441). Indeed, a dominant moral and political value system lies at the heart of the legal writing on cannabis legalization and cannabis regulation.

"Deviant Careers": Fighting a Social/Normative Stigma

Individuals with prior criminal convictions related to non-violent drug offenses attempting to enter the cannabis industry face difficulty as a conviction can reformulate a person's identity via a "master status" (Becker, 1963). Moreover, a "master status" (i.e., felon, ex-con, etc.) can constitute a stigma that is culturally reaffirmed. To make matters more challenging, the process of exiting these formerly deviant careers into the newly legalized industry becomes muddled by institutional discrimination and the reaffirmation of dominant narratives. In addition, these individuals can internalize a conviction stigma. Delgado (1989) argues, "A principal cause of the demoralization of marginalized groups is self-condemnation. They internalize the images that society thrusts on them—they believe that their lowly position is their own fault" (p. 2437). The dominant narratives about these individuals are typically negative, and the stigma surrounding the master status of ex-criminal has far-reaching consequences including the ability to influence how these individuals view themselves.

Sanders (2007) maintains that "the cognitive processes of transformation are affected by the interplay between agency and structural disadvantages" (p. 90). These same jobs that were once criminalized, stigmatized, and vilified are now considered profitable, respectable occupations in the cannabis industry with the only apparent difference being race. This creates a

systematic double standard that negatively impacts individuals of color while simultaneously rewarding the dominant group. This double standard is indicative of the racialized interactions between minority populations and policies within the American legal system. One group is punished while another is rewarded under the same law, and the racial inequity remains clear. In Sanders' (2007) case study of sex workers, she reasons that "individual resilience is located within a structured and social reality whereby trapping factors restrict movement out of sex work and make permanent removal from the deviant career a complex and lengthy process." p. 91. In a similar fashion, former cannabis dealers (i.e., those who used to regularly sell cannabis for profit) face related "trapping factors" when it comes to their departure from a "deviant career," especially if these individuals want to make the transition to a legitimate occupation within the cannabis industry.

Sanders (2007) further asserts that although critics of former sex workers have acknowledged "the importance of 'internal driving forces' such as 'capabilities and interests' and 'adaptation and coping strategies' in their exit model, the dismissal of the prominence of structural, cultural, and legal factors in determining processes of change is problematic" (p. 76). In the same vein, former cannabis dealers must combat comparable structural, cultural, and legal factors when attempting to cross over from the cannabis black market to the legalized and regulated cannabis market. Furry (2017) contends that:

> The larger population who also have felony convictions face many of the same types of stigma that come with having been incarcerated—lack of access to jobs, lack of access to housing and welfare support—without necessarily having had the experience of spending time behind bars (para. 5).

Racial Implications for the Cannabis Industry

Drawing upon the socio-historical factors in regard to the relationship between black communities and the prison-industrial complex, the statistics suggest that from a baseline point racial disparities are still present. Furry (2017) affirms:

> New research led by a University of Georgia sociologist on the growth in the scope and scale of felony convictions finds that, as of 2010, 3 percent of the total U.S. population and 15 percent of the African-American male population have served time in prison.

People with felony convictions more broadly account for 8 percent of the overall population and 33 percent of the African-American male population (para. 2).

This statistic, while not specifically referring to cannabis convictions, is still indicative of our current racial climate and the lasting consequences of the "war on drugs". Furry (2017) furthers this point, explaining, "Estimates reflect racial disparities in felony convictions during era of mass incarceration" (para. 1). These racial disparities are present in different systemic forms of discrimination, including those attempting to gain entry into the cannabis industry. According to Lewis (2016):

> Nobody keeps official statistics on race and cannabis business ownership. But based on more than 150 interviews with dispensary owners, industry insiders, and salespeople who interact with a lot of pot shops, it appears that fewer than three dozen of the 3,200 to 3,600 storefront marijuana dispensaries in the United States are owned by black people — about 1%. (para. 6).

Although there are no hard numbers to support this racialized disparity in the cannabis industry, one can see the correlation between felony convictions amongst African American populations and those who are barred access into the cannabis industry. Rouse (2018) claims, "Researchers at Marijuana Business Daily, an industry news site based in Denver, found that 81 percent of cannabis business owners were white, while less than 4 percent were black." (para. 15). These reports further support the ways in which racial bias and institutionalized discrimination can impact a multitude of areas (home, school, work, etc.) in communities of color.

According to Berke (2018), "Ten states and Washington, DC have now legalized marijuana for recreational use for adults over the age of 21" (para. 7). In terms of who can obtain a marijuana business license, all states have restrictions based on criminal conviction history (Howell, 2018, p. 7). Many states including Alaska, Colorado, Massachusetts, Nevada, and Oregon have restrictions on both business owners and their employees (Howell, 2018, pp. 8-10). This means that in these states everyone wishing to enter the legal cannabis industry, no matter the capacity, must pass the criteria set by state legislation.

In addition to the restrictions, African Americans may be hesitant to enter the recreational cannabis industry due to the substance's current federal illegal status (White & Holman, 2012, p. 82). The "war on drugs" has left many people of color wary to enter the gray-area that is the

cannabis industry, as many who have been negatively impacted are still reeling from the consequences of the targeted campaign against marginalized populations (White & Holman, 2012, p. 82). This hesitation translates to less minority populations taking advantage of the economic boon provided by the growing cannabis industry, which leads to further disparity amongst minority-owned cannabis businesses and the rest of the industry (Rouse, 2018, para. 14). Lewis (2016) further explains, "First-mover advantage, they call it. That means that anyone who doesn't make the risky leap to violate federal law and get involved now will miss out, forever" (para. 9). According to Weed (2018), "Many industry-watchers believe the state will realize its full potential of $7 billion in yearly cannabis sales over the next five years as issues are worked out" (para. 7). Additionally, Hackman (2017) asserts, "There is an obvious chasm between the number of people of color who have been jailed for simple possession during the "war on drugs" and the number of white men who are starting to make millions in profit from the industry" (para. 5). In the economic game of state-regulated cannabis, states are cashing in on the cannabis industry as bigger corporate companies take notice of the potential profit. The window of possible economic prosperity for marginalized populations within the cannabis industry grows smaller with each passing year (Berke, 2018, paras. 10-26).

While there are no official statistics yet, with the rise of legal cannabis and its subsequent industry in America, the anecdotal evidence has demonstrated that many have rushed into the market to claim their share of the cannabis gold rush. However, several obstacles lie in wait for marginalized populations looking to take advantage of cannabis' legalized status. Due to the gray-area of cannabis in legalized states, most cannabis entrepreneurs are "overwhelmingly white" (Rouse, 2018, para. 7).

Furthermore, there are various reasons why minority populations are implicitly denied entry into the cannabis industry. The first reason is that most states have barred those with a criminal record from entering the industry (Hackman, 2017, para. 13). In 2013, Pew Research Center found that black men were six times more likely to be incarcerated than white men (Drake, 2014, para. 3). This disproportionate number reflects the racial consequences of the "war on drugs" and the prison-industrial complex as well as the disparity between the plethora of white people thriving in the cannabis industry and other minority populations attempting to do the same. The second reason is that most states have high economic barriers to enter the industry with application fees, license fees, and startup fees (Hackman, 2017, para. 14). This issue is

compounded by the fact that banks deny loans to these businesses and even refuse to open accounts for those working in the cannabis industry due to its federal status (Hackman, 2017, para. 17).

In addition, the application process may be restrictive and selective as those with connections and/or wealth have a greater advantage (Hackman, 2017, para. 17). Looking at the wealth disparity in America where the median wealth in white households is 13 times that of black households in 2013, it becomes clear that the policies are stacked against marginalized populations (Kochhar & Fry, 2014, para. 2). The third reason is that communities of color are often hesitant to start a business selling a drug that many in their own communities have been targeted and criminalized for (Hackman, 2017, para. 18).

Counterstories and Other Framing Tactics in State Legislation

According to Delgado (1999), "An outgroup creates its own stories, which circulate within the group as a kind of counter-reality" (p. 2412). These stories, as identified by Delgado (1999), are known as counterstories and "aim to subvert…ingroup reality" (p. 2413). As such, narratives surrounding the cannabis industry, those in the out-group (i.e., marginalized populations that are restricted access to said industry) have created counternarratives that have helped shift the discussion towards racial disparities in the cannabis community. In addition, per Delgado (1999), these counternarratives helped shape public perception, which had an impact on legislation that was codified into state law.

The role of counterstories and framing has had a tremendous impact on state legislation, as Fisher (1984) asserts, "Narration comes closer to capturing the experience of the world, simultaneously appealing to the various sense, to reason and emotion, to intellect and imagination, and to fact and value" (pp. 14-15). In 2018, the California Cannabis Equity Act was passed and is currently one of the most in-depth pieces of legislature when it comes to the impact of institutionalized discrimination on minority populations. The California Cannabis Equity Act of 2018 argues that:

> Persons convicted of a cannabis offense and their families suffer the long-term consequences of prohibition. These individuals have a more difficult time entering the newly created adult-use cannabis industry due, in part, to a lack of access to capital,

business space, technical support, and regulatory compliance assistance. (California Cannabis Equity Act of 2018).

Codified into Californian legislation, there is a clear acknowledgment of the challenges that minority populations face indicative of shifting public attitudes. One may interpret Fisher's (1984) words as a possible reason as to how and why these counternarratives have now been accepted by mainstream society and codified into law, as the legislation truly "captur[es] the experiences of the world" of those in Californian communities. Fisher (1984) argues that "Any story, any form of rhetorical communication, not only says something about the world, it also implies an audience, persons who conceive of themselves in very specific ways" (p. 14). This is shown through the California Cannabis Equity Act of 2018, which contends, "It is the intent of the Legislature in enacting this act that the cannabis industry be representative of the state's population, and that barriers to entering the industry are reduced through support to localities" (Section 2, G). Fisher (1984) contends that "from the narrative paradigm view, the experts are storytellers and the audience is not a group of observers but are active participants in the meaning-formation of the stories" (p. 13). The counterstories provided by Californian official legislation allows for community members to see themselves and their circumstances constructed and perceived in ways that they believe to be true.

According to Scheufele and Tewksbury (2007), "Frames, in other words, become invaluable tools for presenting relatively complex issues…efficiently and in a way that makes them accessible to lay audiences because they play to existing cognitive schemas" (p. 12). This point by Scheufele and Tewksbury (2007) is exemplified in the shift in the linguistic shift of legislation. In 2017, Massachusetts passed "An Act to Ensure Safe Access to Marijuana," which allows disproportionately affected populations easier access into the regulated marijuana industry ("An Act to Ensure Safe", 2017). This legislation allows those with prior cannabis possession charges to seal their records, which could have an enormous impact on minority populations attempting to enter the cannabis industry, as well as society at large ("An Act to Ensure Safe", 2017). Section 77 legislation asserts:

> (c) If, upon completion of the study, the commission determines that there is evidence of discrimination or barriers to entry in the regulated marijuana industry, the commission shall adopt diversity licensing goals that provide meaningful participation of communities disproportionately affected by cannabis prohibition and enforcement, including minority

business enterprises, women business enterprises and veteran business enterprises. (An Act to Ensure Safe Access to Marijuana).

The diction used in legislature is supported by public discourse, with a focus on terms like: "meaningful participation", "diversity", "disproportionately affected", and "discrimination" "barriers". By re-framing the narrative surrounding the cannabis industry, communities with these equity programs have accepted the counterstory with enough support to rewrite legislation to be inclusive of marginalized populations. These counternarratives may also lead to Massachusetts providing one of the first statistics about the intersection of race and cannabis businesses.

In Oregon's Senate Bill 364, Section 2 declares that this "2015 Act [is] necessary for the immediate preservation of the public peace, health and safety" (S. 364, 2015). While the legislation was in relation to requiring courts to consider marijuana offenses committed before 2013 to be classified as if they occurred in 2013, when determining if the individual is eligible for order setting aside conviction, the legislation uses buzz words that frames the legislation in a certain light. Such words include: "necessary", "preservation", "public peace", "health and safety", which mirrors the urgency of the situation and validates the issues of local communities. The importance of communities being supported by and represented in legislation cannot be stressed enough. Delgado (1989) argues, "Counterstories, which challenge the received wisdom, [build consensus, a common culture of shared understandings, and deeper, more vital ethics] as well" (p. 2414).

Scheufele and Tewksbury (2007) further this perspective, "Framing, from [McCombs's] perspective, means making aspects of an issue more salient through different modes of presentation and therefore shifting people's attitudes" (p. 15). Legislation is an extremely effective way to legitimate frames that then influence and shift public attitudes. The California Cannabis Equity Act of 2018 helps frame the conversation toward a more accurate counterstory:

> (c) During the era of cannabis prohibition in California, the burdens of arrests, convictions, and long-term collateral consequences arising from a conviction fell disproportionately on Black and Latinx people, even though people of all races used and sold cannabis at nearly identical rates. The California Department of Justice data shows that from 2006 to 2015, inclusive, Black Californians were two times more likely to be arrested for cannabis misdemeanors and five times more likely to be arrested for cannabis

felonies than White Californians. During the same period, Latinx Californians were 35 percent more likely to be arrested for cannabis crimes than White Californians. The collateral consequences associated with cannabis law violations, coupled with generational poverty and a lack of access to resources, make it extraordinarily difficult for persons with convictions to enter the newly regulated industry.

By publicly presenting the stories of marginalized populations that are restricted from entering the cannabis industry via mass media tactics, public perception has shifted towards a more sympathetic attitude, which have had an impact on when and why these counterstories are solidified into law. At the very least, counterstories of the local communities have definitively influenced state legislation regarding cannabis equity programs.

There was (and in certain communities, still is) a disconnect between communities and their local legislation, that translated to harmful frames that encouraged barriers rather than access. Scheufele and Tewksbury (2007) argue that "…a weak frame can backfire among certain individuals, leading them to move in a direction that is opposite to the one promoted by the frame" (p. 14). Drawing from Scheufele and Tewksbury (2007), we can assert that the dominant narratives were weak frames, since they only reflected the dominant group's ideologies rather than the actual attitudes of local communities. It's because of this gap that counterstories have been able to become their own master narratives within certain communities (i.e., cannabis communities, canna-industry communities, black communities, etc.), and that these master narratives are institutionalized via legislation, which ultimately represents the views of white and dominant groups.

California's Current State Policies on Cannabis

California counternarratives encourage minority populations to enter the cannabis industry through equity programs. California's legislation addresses the lasting consequences that the "war on drugs" had on marginalized communities. Oakland, Sacramento, Los Angeles, and San Francisco have all passed programs or legislation that recognizes the "failed efforts of the war on drugs and the devastation cannabis criminalization had on minority and underserved communities" (Graham, 2018, para. 1). Mock (2018) asserts, "Cities across California and other states are upping the racial equity quotient in various ways, in what looks like a race to the top

for seeking true racially and economically inclusive outcomes" (para. 3). In this way, California is legitimizing these counternarratives through the legislation and by extension, are able to shift societal opinion in a favor of marginalized communities.

In 2018, Governor Jerry Brown signed into law the California Cannabis Equity Act (SB 1294). This act allows local jurisdictions to apply for funding in the form of grants, which the money can then be used for business loans, capital improvements or licensing fee waivers (Graham, 2018, para. 4). In addition, the grants would also provide technical assistance, as well as administration to support local equity programs and their subsequent participants (Graham, 2018, para. 5).

With the introduction of Proposition 64 in 2016, California approved recreational marijuana (McGuinnes, 2017, para. 1). In addition, the proposition allows nonviolent offenders (ex-cons, parolees, and current inmates) to petition state courts to modify or fully expunge their criminal records (McGuinnes, 2017, para. 2). While in theory, this component can have major and beneficial implications for marginalized populations, this process has since shown how difficult the path to expunging one's record can be (McGuinnes, 2017, para. 9). In order to expunge or reduce one's cannabis convictions, one must obtain a copy of his/her records at a courthouse, fill out varying forms based on county, and then file those forms with a court and send them to the correct district attorney" (McGuinnes, 2017, para. 9). According to McGuinnes (2017), "The time it takes to fulfill these requests is unpredictable at best" (para. 10). In addition, the law's provisions are so new that some judges don't fully understand how they work, which in turn puts responsibility onto petitioners to instruct "skeptical or hesitant judges on the finer points of the law" (McGuinnes, 2017, para. 14). This process can also prove to be quite costly, with one woman spending $25,000 to get her record expunged (McGuinnes, 2017, para. 19). On top of all the existing problems, "many of the people who stand to benefit the most from the new law may not even be aware that they have the opportunity to take advantage of it," according to McGuinnes (2017), which ultimately impacts minority populations in America (para. 17).

In 2018, San Francisco announced that "it would wipe out or reduce the sentencing for all cannabis-related crime convictions, misdemeanors, and felonies, dating back to 1975" (Mock, 2018, para. 1). This expansion on Proposition 64 eases the process by saving money, time and resources, allowing qualifying populations to have their criminal records expunged or reduced

automatically. However, this program only benefits those in the city of San Francisco. Those outside of San Francisco must continue to face a tedious process.

According to Hackman (2017), "Oakland's city council voted on a set of regulatory measures for medical cannabis dispensaries in what is referred to as an equity permit program" (para. 38). These rules would allocate at least half of new cannabis business permit holders, issued by the city at a maximum rate of eight permits a year, to equity applicants (Hackman, 2017, para. 40). Hackman (2017) informs:

> Applicants must earn less than 80% of the city's median income; and they must either have been residents of police beats disproportionately targeted by law enforcement in recent decades, or they must have been sent to prison on cannabis charges within the last 20 years. (para. 40)

These measures would also allow non-equity applicants to be given priority for the other half of permits available in exchange for helping equity applicants with free rent or real estate (Hackman, 2017, para. 41). However, again, as these programs struggle to go from theory to practice, there are criticisms of Oakland's equity program (Taylor, 2018, para. 1). According to Taylor (2018), "to get the equity program off the ground, the city moved what it calls general applicants to the front of the permit line if they 'incubated' equity applicants by providing them with 1,000 square feet of free business space" (para. 6). This is to encourage equity applicants and general applicants to collaborate and work together, as the space must be provided for three years (Taylor, 2018, para. 7). As Taylor (2018) reports, some equity participants are facing challenges when it comes to actually receiving this business space, which can impact equity participants' sales and their ability to grow cannabis (para. 8). For those already deeply invested in this program, this can bode trouble for their businesses and is the exact opposite of what the equity program wants to achieve (Taylor, 2018, para. 27). According to Taylor (2018), this is another example of "how structurally flawed the implementation of the program" has been (para. 13). According to Mock (2018):

> Los Angeles also has a cannabis social equity program that prioritizes business permits for people with low incomes, who have lived in an area ravaged by the drug war, have criminal records (because of past weed prohibition), and who plan to hire at least half of their workforces from local residents. (para. 5)

In addition, the city wants to do a "two-to-one match between equity businesses and the grandfathered companies they need to catch up with" (Mock, 2018, para. 5).

In 2017, Sacramento approved the creation of a Cannabis Opportunity, Reinvestment and Equity program (CORE) (Mock, 2018, para. 6). The program was officially adopted by the city of Sacramento and waives permit fees on dispensaries (Clift, 2018, para. 4). This equity program, according to Mock (2018), is similar in fashion to existing equity programs in San Francisco, Los Angeles, and Oakland (para. 6). The narrative of the program is a recognition of the disproportionate impact that the "war on drugs" had on communities of color. The program seeks to set aside permits for people "who are living below federal poverty levels and have been impacted by the drug war" and "expunge the records of business-seekers who have past drug crime convictions", while also "offering…business and technical assistance" (Mock, 2018, para. 6). Since 2014, the number of city-permitted dispensaries has been capped at 30, and none of those dispensary owners are black (Clift, 2018, paras. 2-3). Because of the current cap, no new dispensaries in Sacramento can be opened when the CORE program begins (Clift, 2018, para. 4). Sacramento's city council considered "lifting the cap on the number of cannabis dispensaries allowed to operate in the city" (Clift, 2018, para. 1). However, according to Clift (2018), however, even if the council voted to increase the cap, it would "probably be 2020 before any new dispensaries opened" (para. 10).

Conclusion

As Berke (2018) asserts, "The United States is gradually becoming the land of the red, white, and green" (para. 1). Looking at the pattern of acceptance and legalization, it won't be long until the entire nation legalizes cannabis in some form. By focusing on the cannabis industry's dominant narratives and their consequences, we are able to understand how dominant narratives were once accepted without question and why we should keep on the path of the emerging counternarratives.

This analysis of the cannabis industry has reaffirmed Delgado's (1989) theory of dominant narratives. They are extremely effective in establishing themselves as easily digestible and credible stories. Additionally, this case analysis has shown how these stories are able to persuade and convince the dominant group to believe in them and how these narratives can

become codified into legislation. With that in mind, there must be a renewed focus on the narratives that play a large role in public discourse and legislation. By paying attention to counterstories, we can understand how marginalized groups can counteract complacency in dominant groups in an effective manner. Delgado (1989) teaches us that "counterstories can quicken and engage conscience" (p. 2415). If we as the American public can remember such counterstories and engage with them in positive ways, we will be able to acknowledge this collective recollection of a convoluted and painful past, while ensuring equal access to the U.S. cannabis industries.

While many of the existing equity programs are commendable in theory, California continues to struggle to successfully implement and enforce the stipulations of the programs. Some critics are concerned that the incentives that these programs flaunt could prompt companies to help minority-owned businesses for the wrong reasons (Mock, 2018, para. 8). Despite this, the rest of America can and should look to California for similar program models that would address the consequences of a racially disproportionate industry and the impact of the "war on drugs" on marginalized populations.

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