

MOLLY HOLLISTER  
CHAIR

CLAUDE L. WINFIELD, FIRST VICE CHAIR  
AHSIA BADI, SECOND VICE CHAIR



JESÚS PÉREZ  
DISTRICT MANAGER

BRIAN VAN NIEUWENHOVEN, TREASURER  
BEATRICE DISMAN, ASST. TREASURER  
KATHY THOMPSON, SECRETARY  
AMELIA ACOSTA, ASST. SECRETARY

THE CITY OF NEW YORK  
MANHATTAN COMMUNITY BOARD SIX  
211 EAST 43<sup>RD</sup> STREET, SUITE 1404  
NEW YORK, NY 10017

**VIA E-MAIL**

January 23, 2019

Assembly Member Joseph R. Lentol  
Chair of the Codes Committee  
New York State Assembly  
Legislative Office Building, Room 632  
Albany, NY 12248

State Senator Liz Krueger  
Chair of the Finance Committee  
New York State Senate  
172 State Street  
Capitol Building, Room 416  
Albany, NY 12247

**Resolution Supporting New York State Senate Bill S1527 and Assembly Bill A1617  
which would create a system for the production, distribution, and adult non-  
medical use of marijuana**

At the October 10, 2018 Full Board meeting of Manhattan Community Board Six, the Board adopted the following resolution:

**WHEREAS**, marijuana is a level 1 controlled substance under current law;

**WHEREAS**, the federal code's criteria for Schedule I status of cannabis is being increasingly challenged by medical researchers and clinicians as well as legal, correctional, and criminal justice professionals concerned about the impact of arrests for marijuana possession on young men, particularly African-American and Hispanic inner city males;

**WHEREAS**, the main punitive benefit of current marijuana policy is that it discourages use;

**WHEREAS**, it might be expected, for example, that prohibition of marijuana would result in unavailability, yet that has not proved to be the case;

**WHEREAS**, 82% of high school students and young adults in their early twenties report that marijuana is "very" or "fairly" easy to obtain, and this is the very population whose use is most strongly disfavored. Moreover, there has not been a dramatic, or even significant, decline in marijuana use since the advent of marijuana prohibition;

**WHEREAS**, a person high in marijuana use can have temporary memory loss, decreased

muscle coordination, altered perception of time, changes in mood, and difficulty thinking or solving problems which can compromise driving and public safety;

**WHEREAS**, virtually every elected official who represents Community District Six at the City, State, and Federal level supports legalization or decriminalization in some fashion;

**WHEREAS**, the Manhattan District Attorney's office reports that 63 percent of New Yorkers support legalization of recreational marijuana use;

**WHEREAS**, the Manhattan District Attorney's office also reports that marijuana possession arrests "waste an enormous amount of criminal justice resources for no punitive, rehabilitative, deterrent, or other public safety benefit;"

**WHEREAS**, the Manhattan District Attorney's office further observes that the prohibition of recreational marijuana use is enforced in a racially disparate manner and is especially damaging to minorities, with 86% of arrestees for possession in New York City in 2017 being black or Hispanic;

**WHEREAS**, many New Yorkers, especially from within the black and Hispanic communities, are still facing consequences in housing, public housing such as NYCHA and Section 8, and employment for the non-violent offenses of sale, possession, or use of marijuana;

**WHEREAS**, conviction of a marijuana drug offense could result in immediate and permanent ineligibility for federal student aid;

**WHEREAS**, continued criminalization also means that those seeking to apply for legal immigration may have their applications denied and face deportation for this particular non-violent offense;

**WHEREAS**, racial disparities in policing and court systems in the United States has been described by Human Rights Watch as a failure to uphold this country's obligations to meet internationally-recognized standards of human rights;

**WHEREAS**, the United Nations Office of the High Commissioner for Human Rights has stated that health is a fundamental human right, and access to medicines is a key issue related to ensuring this right;

**WHEREAS**, marijuana use is already permitted for medical purposes in 30 states, including New York;

**WHEREAS**, the positive health effects of marijuana for people with a variety of conditions, including multiple sclerosis, nausea resulting from chemotherapy, seizure disorders, and Crohn's disease, are widely recognized in the medical community;

**WHEREAS**, marijuana is often sought by people dealing with chronic pain from headaches, cancer, glaucoma, or nerve pain, and can offer a beneficial alternative to prescription opioid medications;

**WHEREAS**, there is evidence suggesting that marijuana can be beneficial to some people coping with Post-Traumatic Stress Disorder (PTSD), ASD, anxiety and other mental health issues;

**WHEREAS**, there are cases where US Army veterans have been deported for a marijuana offense, even if they possessed and used the marijuana in an effort to treat their combat-related PTSD;

**WHEREAS**, New York State Senate Bill S1527 and Assembly Bill A1617, The Marijuana Regulation and Taxation Act, would legalize, regulate and tax marijuana under state law along lines similar to the state's current system regulating alcohol;

**WHEREAS**, New York State Senate Bill S1527 and Assembly Bill A1617 will require the clear labeling of THC content; and will require edibles to not look enticing to children, and be clearly labeled with correct instruction so as to prevent overconsumption;

**WHEREAS**, New York State Senate Bill S1527 and Assembly Bill A1617 makes 21 the minimum legal age for marijuana possession and consumption;

**WHEREAS**, New York State Senate Bill S1527 and Assembly Bill A1617 subjects all public facilities to the same anti-smoking requirements established by the Clean Indoor Air Act;

**WHEREAS**, New York State Senate Bill S1527 and Assembly Bill A1617 allows communities to opt out of retail sale for off-premises consumption through a referendum process similar to what is now in place for alcohol sales;

**WHEREAS**, New York State Senate Bill S1527 and Assembly Bill A1617 allows communities to opt in to allow retail sales for on-premises consumption through a vote of the local legislature, in addition to the local community board in the case of New York City;

**WHEREAS**, New York State Senate Bill S1527 and Assembly Bill A1617 establishes an excise tax of fifteen percent of price at time of transfer, plus a fixed amount depending on the form of the marijuana, and allows localities the option of imposing an additional five percent sales tax on retail sales;

**WHEREAS**, New York State Senate Bill S1527 and Assembly Bill A1617 directs a portion of the state tax revenue collected to be directed to re-entry programs, substance abuse programs, and job training programs in low-income, high unemployment communities;

**WHEREAS**, there have been shows of support for legalization from:

- The Progressive Caucus of the New York City Council, which includes Council Members Keith Powers, Ben Kallos, and Carlina Rivera;
- The New York State Democratic Committee;
- Manhattan Borough President Gale Brewer;
- Public Advocate Letitia James;
- Comptroller Scott Stringer;
- Manhattan District Attorney Cyrus Vance;
- Mayor Bill de Blasio;
- Governor Andrew Cuomo; and
- U.S. Senators Kirsten Gillibrand and Chuck Schumer;

**THEREFORE, BE IT RESOLVED** that Manhattan Community Board Six (CB6) supports and endorses the "Marijuana Regulation and Taxation Act," NYS legislation sponsored by Assembly Member Crystal Peoples-Stokes (A1617) and Senator Liz Krueger (S1527) which, if

enacted, would alleviate many problems for New Yorkers while raising hundreds of millions of dollars in sales tax revenues which could be used to support needed programs.

**BE IT FURTHER RESOLVED** that CB6 urges our elected officials to incorporate language into this current and future legislation that:

- Crafts a permitting and licensing process that favors prospective small business owners, especially those who have received non-violent criminal records for use, sale, or possession of marijuana, over the interests of large corporations;
- Directs a portion of taxation proceeds to a wellness program in NYS schools to educate children and young adults concerning the nature and consequences of marijuana use and encourage NYS teens to make healthy choices for their bodies and mind;
- Has an active dialog and input from Law Enforcement into the continuing crafting of this bill;
- Gives law enforcement additional support to successfully enforce black market sales to minors;
- Calls for the automatic expungement of all marijuana use, sale, and possession offenses from the criminal records of all New Yorkers;
- Places warning labels on all products containing marijuana.

**VOTE: 29 in Favor 5 Opposed 3 Abstention 0 Not Entitled**

Best regards,



Cody Osterman  
Assistant District Manager

Cc: Hon. Brad Hoylman, New York State Senator  
Hon. Richard N. Gottfried, New York Assembly Member  
Hon. Dan Quart, New York Assembly Member  
Hon. Harvey Epstein, New York Assembly Member  
Hon. Crystal D. People-Stokes, New York Assembly Member  
Carin van der Donk, Chair, CB6 Housing, Homeless, & Human Rights Committee  
Elvy Barroso, Chair, CB6 Health & Education Committee