



# Office of Cannabis Management

**KATHY HOCHUL**  
Governor

**TREMAINE WRIGHT**  
Cannabis Control Board Chair

**JESSICA GARCIA**  
Board Member

**REUBEN R. MCDANIEL, III**  
Board Member

**ADAM W. PERRY**  
Board Member

**JEN METZGER**  
Board Member

**CHRIS ALEXANDER**  
Executive Director

## Meeting Minutes

<b>Title:</b>	New York State Cannabis Control Board Meeting
<b>Time &amp; Date:</b>	October 21, 2021
<b>Location:</b>	Virtual via Webcast

## Attendance

<b>Board Chair:</b>	Tremaine Wright
<b>Board Members Present:</b>	Jessica Garcia, Reuben R. McDaniel III, Jen Metzger
<b>Board Members Present (virtually):</b>	Adam W. Perry
<b>Board Members Absent:</b>	None
<b>Others Present:</b>	Chris Alexander, Axel Bernabe

## Agenda

- I. Call to Order
- II. Welcome & Chair Remarks
- III. OCM Employment Items
- IV. Consideration of Medical Cannabis Program Regulations
- V. Executive Director Report
- VI. Adjourn



Action Items

Table with 3 columns: Resolution No., Description, and Status. Row 1: Resolution No. 2021-05: Resolution Affirming the Executive Director's Staffing Recommendations. Row 2: Resolution No. 2021-06: Resolution to permit the Office of Cannabis Management to File the Proposed Regulations for the Home Cultivation of Medical Cannabis.

Notes & Comments

- Chair Wright commented that it remains illegal to distribute or sell cannabis. "Gifting" or transferring cannabis under the possession limit between adults who are 21 years or older without remuneration (money paid or service provided) is legal.
- "Gifting" does not include instances in which cannabis is given away at the same time as another transaction or when it is offered or advertised in conjunction with an offer for the sale of goods or services. This conduct is not legal and must stop.
Executive Director Chris Alexander provided an overview of expungement progress to date:
- The MRTA reformed New York State's criminal justice system and strives to end decades of disproportionate enforcement of New York's marijuana laws. One key aspect of this is expunging the records for people with previous convictions for activities that are no longer criminalized. Under the MRTA the expungement process is automatic and must be completed in two years.
- Under the MRTA, the expungement process is automatic and requires no additional action by the individual, however the relevant agencies have a two year timeframe to establish the necessary tools to execute that action. This is a similar timeframe that was provided to the expungement authorized by the 2019 legislation.
- There were approximately 198,000 record expungements accomplished as the part of the first round of marijuana expungement for the 2019 legislation.
- Building upon the 2019 measure, approximately 203,000 cannabis-related charges are presently being suppressed from criminal background searches and in process of being expunged. When completed, the actions of these measures will have expunged the records of over 400,000 New Yorkers - a reminder of the impact that cannabis prohibition had on so many lives.
- The Department of Corrections and Community Supervision, or DOCCS, also provided a clearer breakdown of the impact of the reforms to New York State's Criminal Procedure Law Section 440.46-a (1) on individuals that were in its custody or under supervision.



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- All individuals who were in custody for solely a marijuana conviction have been released from custody and have had those convictions expunged.
- 34 individuals remain in custody or under community supervision due to having additional crimes of conviction. In those cases, the marijuana conviction has been expunged but the additional crimes of conviction prevent their release. An additional 413 local probation or split sentences were vacated as a result of the MRTA.
- The Office will continue working with State and local partners to ensure a smooth process for this work.
- More information is available:  
<https://www.nycourts.gov/courthelp/criminal/marihuanaExpunge.shtml>