



# Washington State Liquor and Cannabis Board

## Survey Findings Social Equity Rules Feedback

August 2024

### LCB Research Program

The Research Program at the Washington State Liquor and Cannabis Board (LCB) is a non-partisan, transparent resource focused on public health and safety outcomes related to the products, policy, and regulation of alcohol, cannabis, tobacco, and vapor products.

### Background

An online, anonymous survey was sent out to various stakeholders in July of 2024 to get feedback on the current draft rules for the Social Equity in Cannabis Program, WAC 314-55-570. The Research Program collaborated with LCB Policy and Rules, Licensing, and Communications to develop the survey.

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## Key Takeaways

This survey was used to get feedback from various stakeholders to inform the development of proposed rules for the Social Equity in Cannabis Program. The proposed rules were filed on Aug. 6, 2024 as [WSR 24-16-130](#).

**Participation Rates.** The online survey was open for one week and received 242 anonymous, valid, survey responses. Of the total 242 participants, 99 (41%) were classified as potential Social Equity in Cannabis ([E2SSB 5080](#)) applicants as they indicated they planned to apply, didn't know if they were eligible, or were undecided. Participants were recruited via internal and external email list-servs, website/blog posts, and an announcement at the LCB Board meeting on July 17, 2024.

**Impact.** Several questions had responses that were roughly split 50/50, suggesting LCB found a balance on some issues reflected by the split opinions. However, survey results did indicate a need for some improvement in the current draft rules. As such, there were several changes to the rules that were proposed based on the results of the survey. These proposed changes included:

- The number of points awarded on the scoring rubric for having a household income below the median household income in the state of Washington will be increased from 15 points to 30 points;
- The number of points awarded on the scoring rubric for an applicant convicted of a *non-cannabis-related* drug offense will be reduced from 15 points to 5 points;
- The number of points awarded on the scoring rubric for an applicant's family member convicted of a *cannabis-related* drug offense will be increased from 15 points to 20 points;
- The number of points awarded on the scoring rubric for applicants who owned a medical cannabis dispensary or collective garden before July 1, 2016 will be reduced from 10 points to 5 points for those *not* located in a DIA, and from 30 points to 25 points for those that *were* located in a DIA; and
- The use of affidavits, which were previously only allowed as supporting documentation for *cannabis-related* drug offenses, were expanded to include living in a DIA.

Those who may be interested can read a memo describing the [CR 102 rule changes](#).

**Summary and Acknowledgements.** Findings from the survey need to be interpreted with caution because it is uncertain the extent to which this survey reflects the larger opinions of stakeholders and the public throughout Washington. However, the survey had high participation rates given the length of time the survey was open. The LCB greatly appreciates those who were willing to take their time to provide feedback. Survey feedback allowed LCB to propose rule changes that reflected the majority opinions of survey respondents, particularly those who may apply to the SB 5080 Social Equity in Cannabis Program. Finally, LCB thanks the external partners who were willing to promote this survey to reach a broader audience and looks forward to continued collaboration.

## Introduction

The LCB Cannabis Social Equity program aims to reduce barriers and promote equity and participation in Washington State's adult-use cannabis market by those most harmed by the War on Drugs. The first round of social equity license applicants were part of the program under a state bill called Engrossed Second Substitute House Bill 2870 ([HB 2870](#)) which created the Social Equity in Cannabis Program.

In 2023, the legislature passed Engrossed Second Substitute Senate Bill 5080 ([E2SSB 5080](#)) expanding and improving the Social Equity in Cannabis program. The legislation modifies previous law, and rulemaking is underway to adjust current rules to align with changes to the law resulting from E2SSB 5080. The goal of the survey referenced in this document was to help inform LCB about the rules for implementing E2SSB 5080.

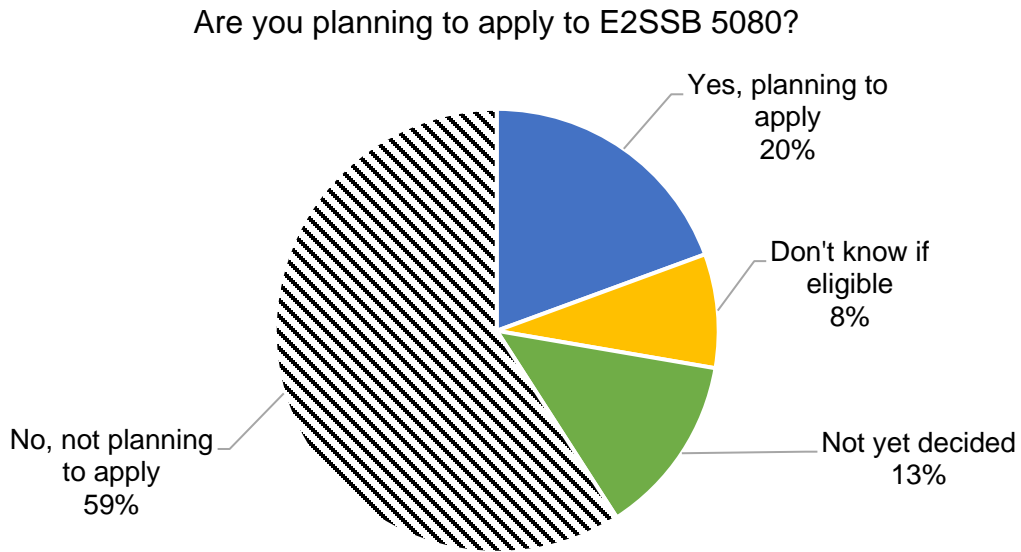
## Survey Overview and Recruitment

The goal of this anonymous survey was to get feedback on draft rules related to the Cannabis Social Equity Program (WAC 314-55-570). Given the rulemaking timeline, the survey was open for one week, between July 11 and July 18, 2024. The survey was posted and distributed through several LCB channels including GovDelivery, Social Equity Blog, and on the LCB public website. An announcement was also made at the July 17 LCB Board meeting. To further promote this survey, several agencies and organizations asked to post the survey on their respective listserv/communications pages. Department of Commerce, Office of Minority and Women Business Enterprise, and the Cannabis Alliance confirmed they had distributed the survey for stakeholders to view.

## Respondents

There was a total of 242 valid survey responses. The term *valid* describes responses that were not repeats (e.g., the same person took the survey again) and/or bots. Out of the total 242 valid responses, 60% (146) completed the entire survey. Depending on how the questions were answered, respondents may not have received all questions in the survey. All questions were also voluntary, meaning that respondents could skip any question they wished. As a result, the total number of responses differed for each question. Of the total 242 participants, 99 (41%) were classified as potential E2SSB 5080 applicants as they indicated they 'planned to apply,' 'didn't know if they were eligible,' or were 'undecided.' *Figure 1* illustrates the respondents who were considered 'Potential 5080 Applicants.'

Figure 1. Potential 5080 Applicants

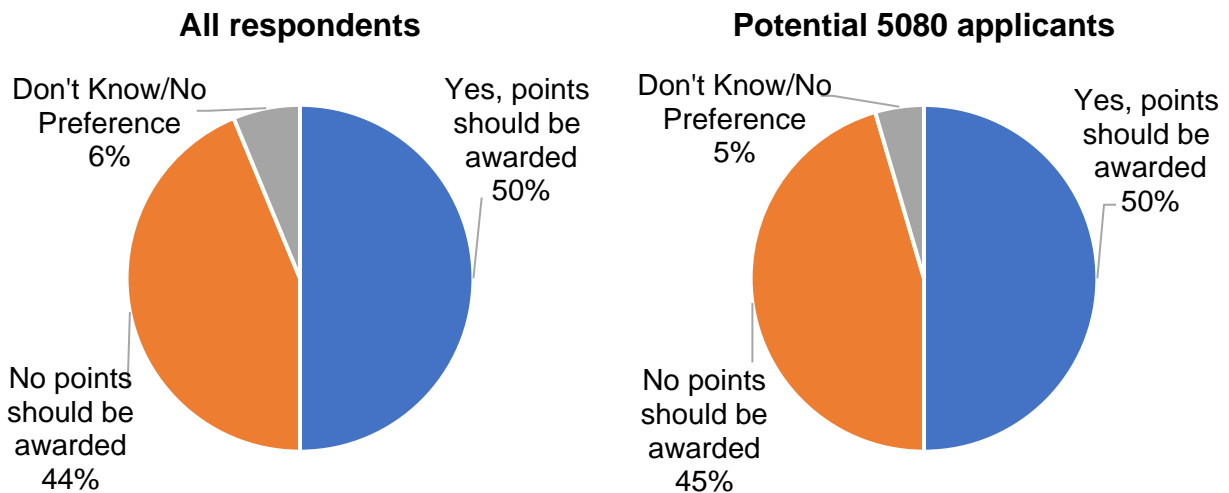


## Main Findings

**Disproportionately Impacted Area (DIA).** Half (50%) of all respondents (and 50% of potential E2SSB 5080 applicants) felt that applicants who lived in a DIA for one to five years *should* be awarded points on the rubric.

Figure 2. Points for Living in DIA for 1-5 Years

**Should applicants who lived in a Disproportionately Impacted Area (DIA) for 1-5 years be awarded any points?**



**Arrests and Convictions.** More than half (57%) of all respondents (and 56% of potential applicants) said points should only be awarded for *cannabis-related* drug offenses.

The majority (63%) of all respondents (and 59% of potential applicants) said that the number of points an applicant receives on the scoring rubric should remain the same regardless of the number of *cannabis-related* arrests or convictions an individual had.

Of potential 5080 applicants, a majority (58%) said they were arrested or convicted of a cannabis offense and have documentation that specifies it was *cannabis-related*. Conversely, 13% said they would NOT be able to provide documentation that specifies cannabis while 22% said this would not apply to them.

Figure 3. Cannabis vs. Other Drugs

**Should points be awarded only for arrests or convictions due to a *cannabis* offense?**

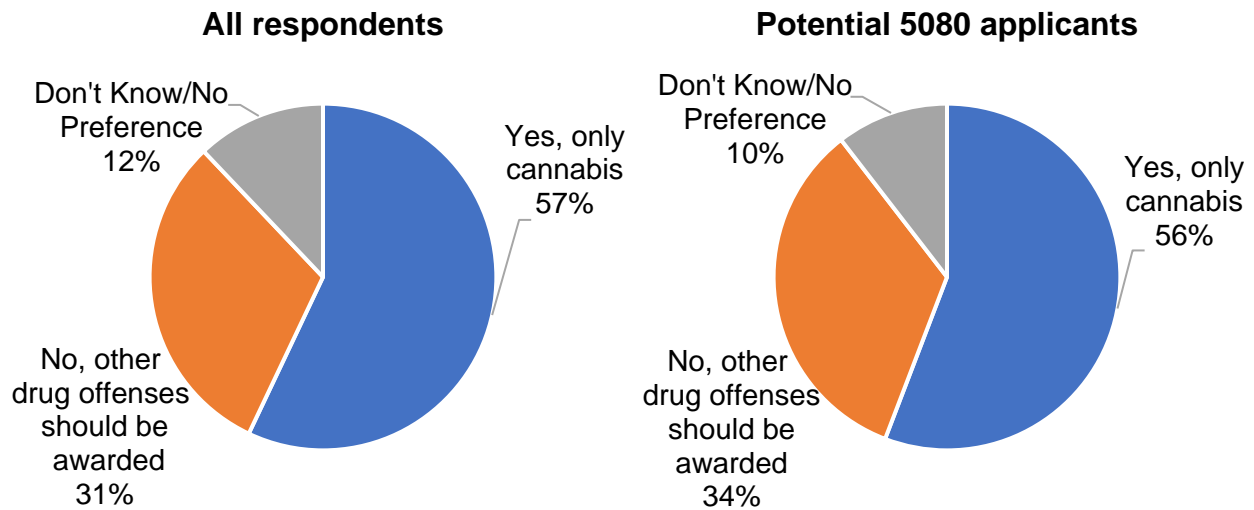


Figure 4. Number of Cannabis Arrests/Convictions

**Should points increase with more cannabis-related arrests or convictions?**

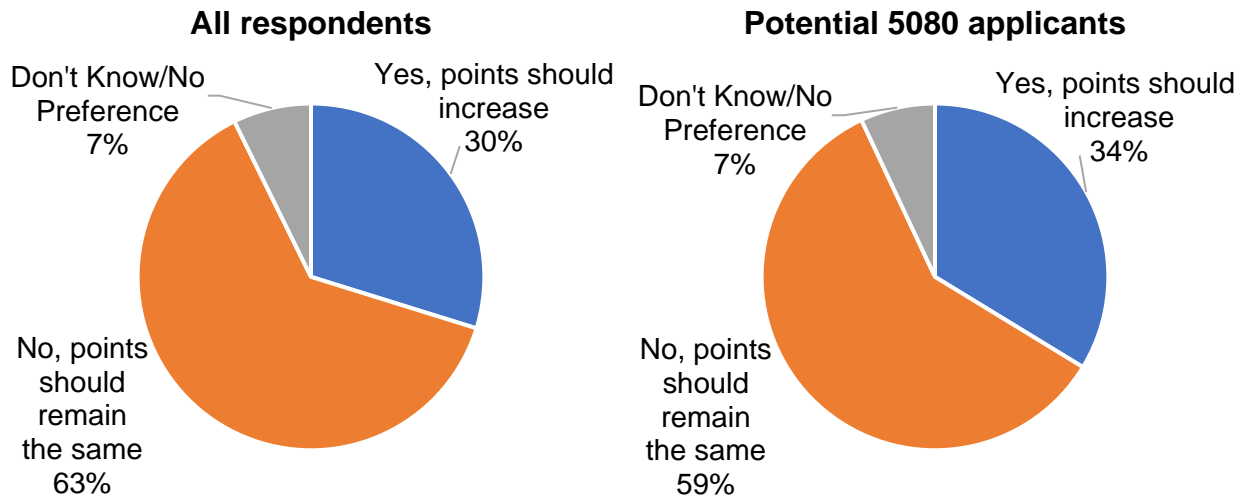
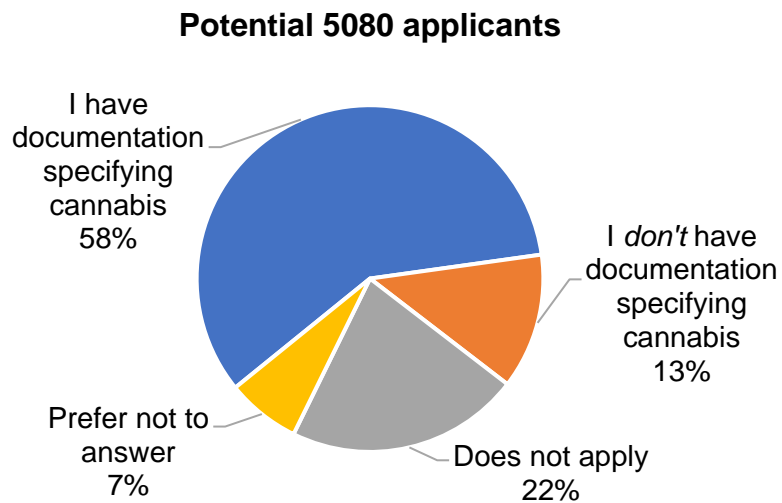


Figure 5. Applicant Documentation Ability

**If you were arrested/convicted of a cannabis offense, do you have documentation that specifies it was cannabis-related?**



**Sentencing.** Half (50%) of all respondents (but only 37% of potential applicants) said that points should *not* be awarded on the scoring rubric for home confinement due to a cannabis-related conviction. About half (53%) of all respondents (and 59% of potential applicants) felt points should *not* increase with more time served in jail/prison for a cannabis-related drug offense.

Figure 6. Home Confinement

**Should any points be awarded for home confinement due to a cannabis-related offense?**

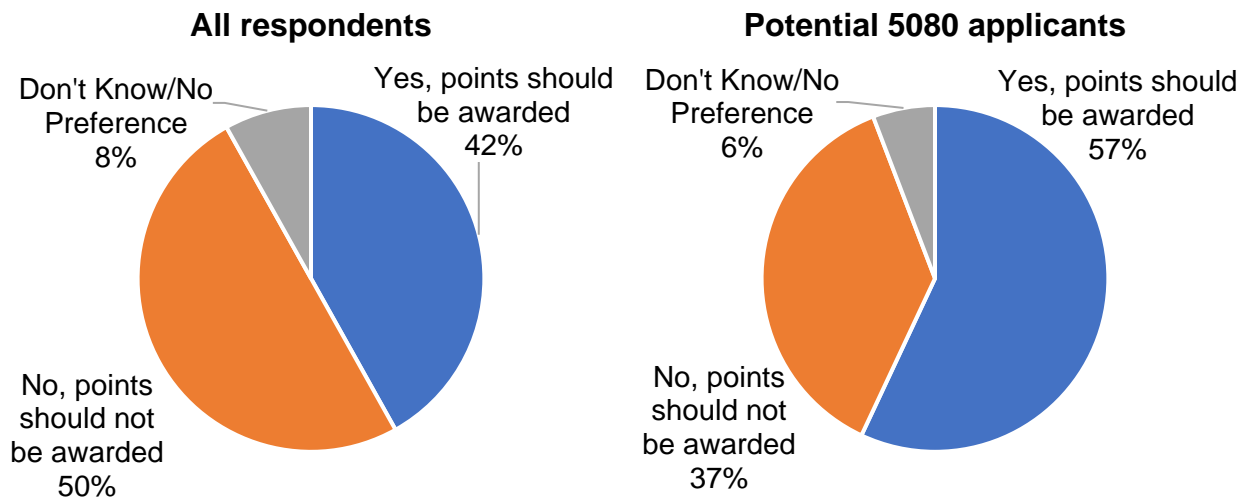
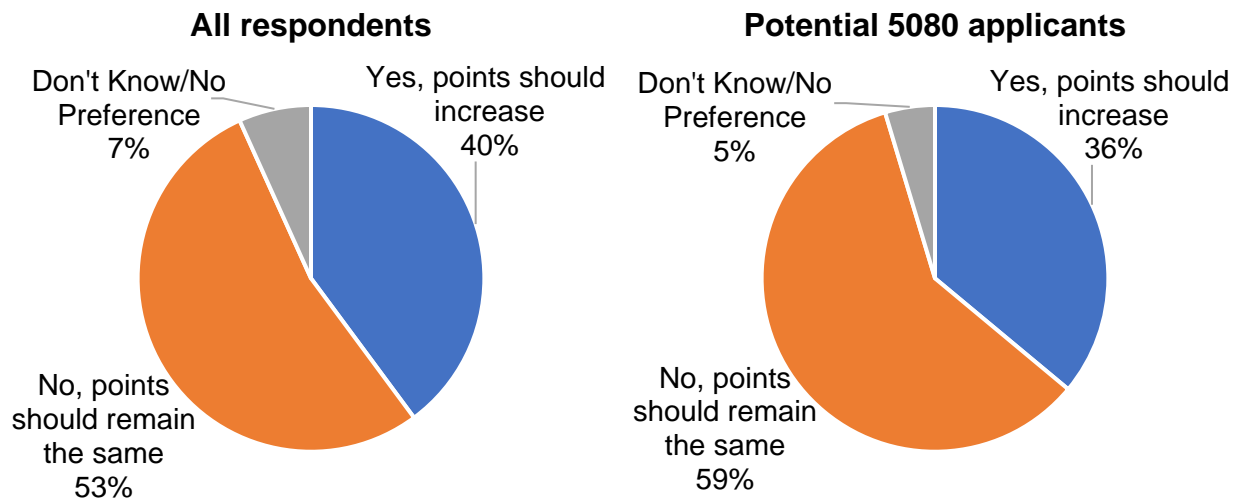


Figure 7. Number of Cannabis Arrests/Convictions

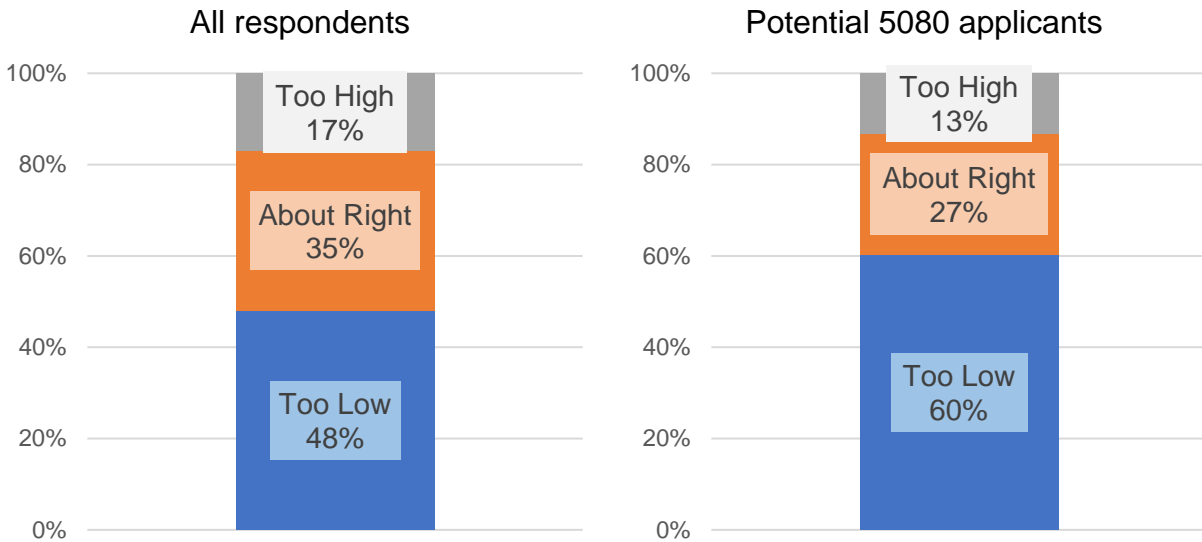
**Should points increase with more time served in jail/prison due to a cannabis-related offense?**



**Income.** Almost half (48%) of all respondents (and 60% of potential applicants) said that awarding 15 points on the scoring rubric for having a household income less than the median household income in Washington was 'Too Low.'

Figure 8. Household Income

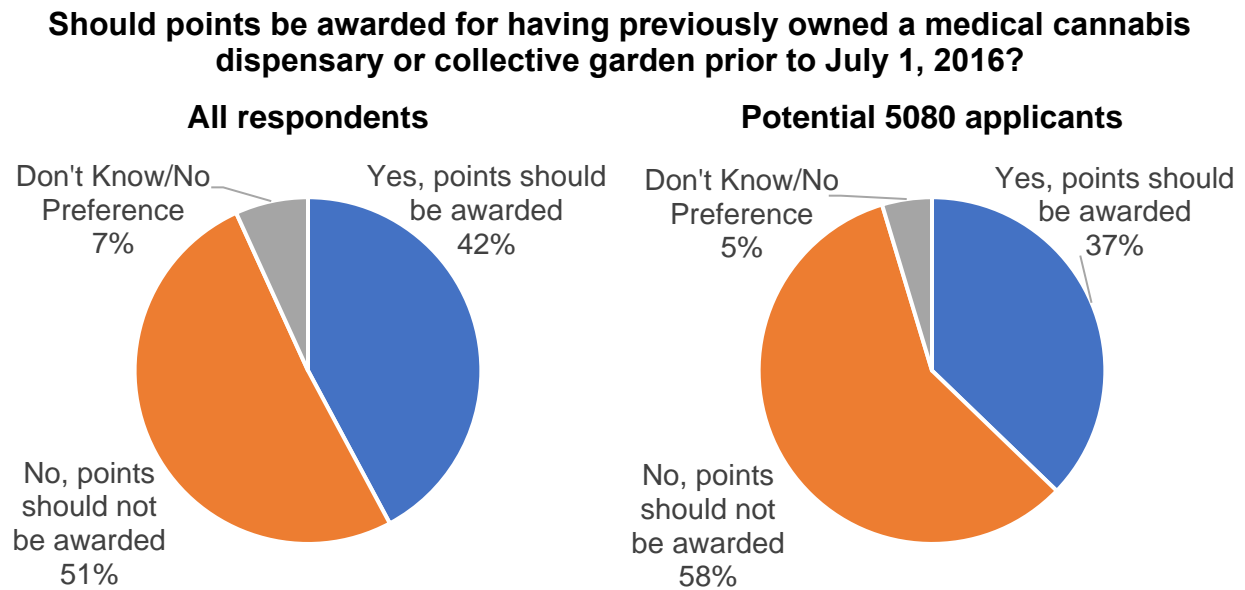
**Awarding 15 out of 255 total possible points (~6% of total score) for those whose median household income is less than the median household income in the state of Washington would be:**





**Previous Ownership of Medical Dispensaries.** About half (51%) of all respondents (and 58% of potential applicants) felt that points should *not* be awarded for having previously owned a medical cannabis dispensary or collective garden prior to July 1, 2016.

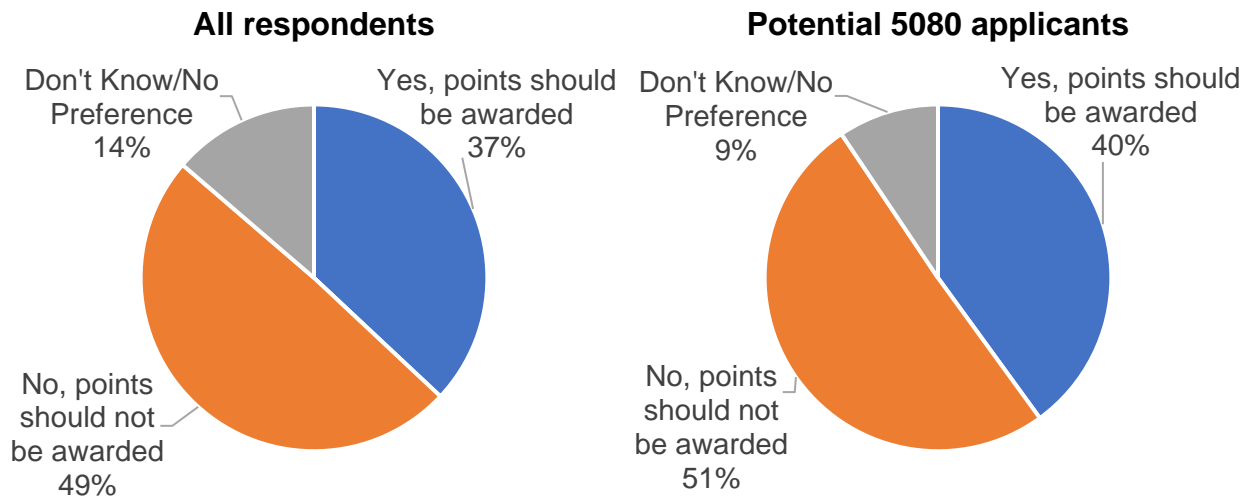
*Figure 9. Previous Ownership of Medical Dispensaries*



**HB 2870 Applicants.** About half (49%) of all respondents (and 51% of potential applicants) said points should *not* be awarded to those who applied for a license under HB 2870 but were not selected to move forward.

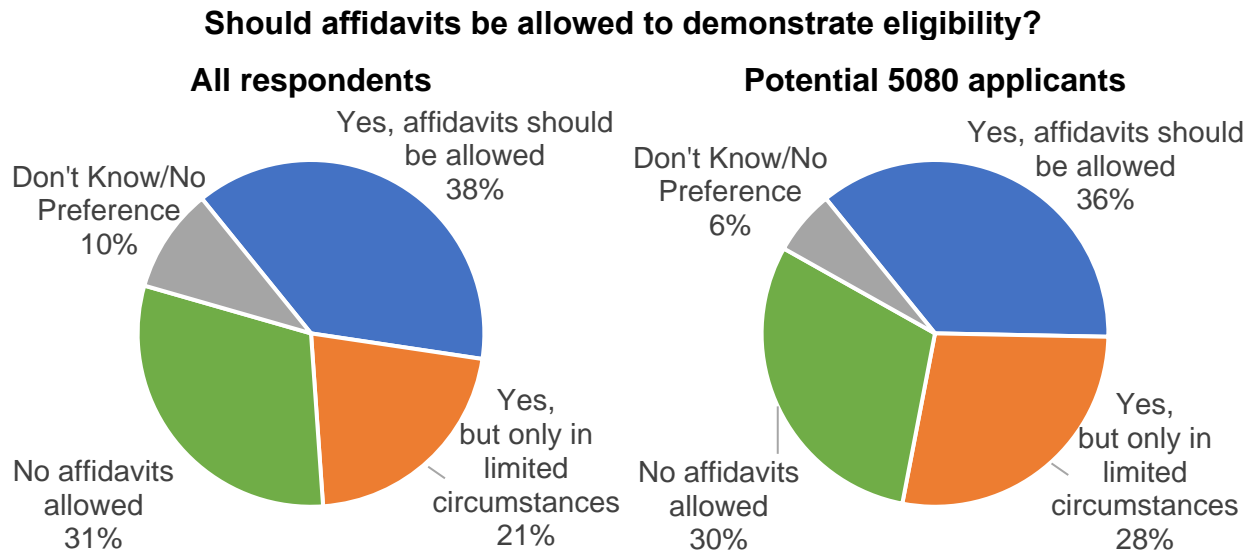
Figure 10. Points for HB 2870 Applicants

**Should those that applied for a license under HB 2870 but were not selected to move forward be awarded points?**



**Affidavits.** More than half (59%) of all respondents (and 64% of potential applicants) reported affidavits should be allowed in some instances. There was majority support (65%) among all respondents (and 64% of potential applicants) to allow applicants to use affidavits to verify residence in a DIA and about half (49%) of all respondents (and 43% of potential applicants) supported the use of affidavits to verify an arrest was cannabis related.

Figure 11. Affidavits



**License Mobility.** Slightly over half (53% and 50% respectively) of all respondents (and 48% and 38% of potential applicants) believed that HB 2870 licensees and Title Certificate Holders who have been unable to secure a location should be allowed to move their license.

Figure 12. License Mobility for HB 2870 Applicants

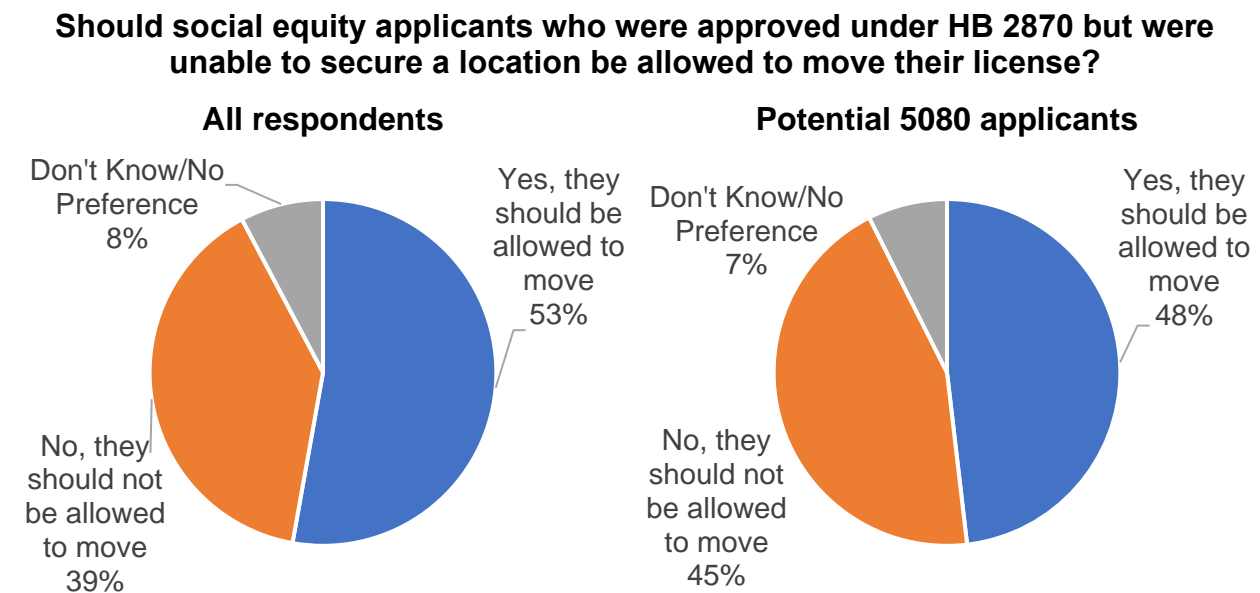
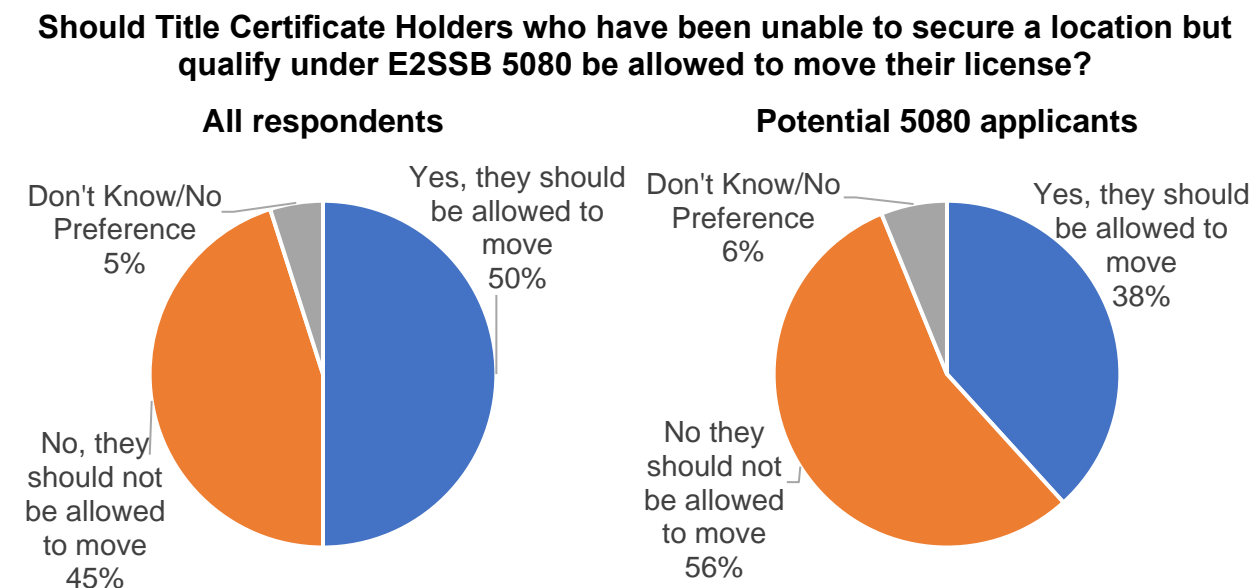


Figure 13. License Mobility for Title Certificate Holders



## Summary

LCB was interested in getting feedback about potential rule changes to the upcoming E2SSB Cannabis Social Equity program. As a result, the LCB Research Program conducted an anonymous, voluntary, online survey in collaboration with the Policy and Rules and Licensing teams. Overall, the proportion of respondents who agreed with the current proposed draft rules varied across specific topics. There were several areas where a roughly 50/50 split was seen for level of agreement. There were also several people across each category who reported either 'not knowing' or 'not having' a preference. These survey results were used to help inform proposed changes to draft rules, which were filed on August 6, 2024 as [WSR 24-16-130](#).

LCB strives for continuous improvement and feedback help drive improvement. Below are several ways to provide feedback:

- Subscribe to [Gov Delivery](#) for alerts and updates.
- Respond to online and anonymous surveys when they are sent out.
- Participate in Board meetings, which happen twice a month on Wednesdays from 10 to 11 a.m. You can find the schedule on the [Board's webpage](#).
- Attend stakeholder sessions to participate in the rule development process.