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Sarauw Says Recreational Marijuana and Expungement Bills Finally Ready; Senate President Says Approval May Not Happen Until January

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Marijuana in a greenhouse. By. GETTY IMAGES

Senator Janelle Sarauw on Monday said her [recreational marijuana](#) and accompanying expungement measures are ready to be heard in Senate committees of jurisdiction after legal counsel released the final draft on Oct. 10.

“It has been a very cumbersome process to get these bills to where they are today,” she said in a release received by the Consortium Monday. According to the senator, the adult use legislation now contains provisions for opportunities “for those that have been ostracized by cannabis for so long, as well as those who may have otherwise been overlooked for inclusion in the industry for

one reason or the other." Ms. Sarauw said both bills were worked on by inside and outside counsel, community stakeholders, and input from senators in both the 33rd and 34th Legislature, as well as industry experts.

However, according to Senate President Donna Frett-Gregory, the measure will mostly likely be voted upon in January when the 35th Legislature is sworn in, pointing to the expansiveness of the proposed legislation, which she said needs the same treatment as the Government Employees' Retirement System Securitization bill. That bill's success in the Senate was preceded by the creation of subcommittees to help craft a measure that took into consideration all concerns and addressed them.

"Senator Sarauw never shared the bill with us," Ms. Frett-Gregory told the Consortium, adding that the Senate paid a vendor \$13,000 at Ms. Sarauw's request to help draft the measure, and that as of Monday senators had not seen the bill. "This is a big bill; this is just as serious as GERS. It's a very impactful measure, impacting every single person that chooses to live and work here," Ms. Frett-Gregory said about the massive, 71 page measure, ([accompanying expungement bill is here](#)) making a case that extensive and careful review must be allowed.

An email reviewed by the Consortium between the Senate president and Ms. Sarauw includes communication with Ms. Frett-Gregory speaking to the senator about an agreement reached among lawmakers that the entire Senate would be involved in the process of forming the bill.

"I would be remiss if I did not remind you that it was agreed upon in October of 2021 as a body that we would all meet to review and provide input on the proposed adult use cannabis legislation, similar to how we did with the GERS legislation," Ms. Frett-Gregory says, according to the email. "The institution paid the legal fees for the draft legislation which you promised would have been shared by the first week in November 2021, however to date we have not received the draft proposed legislation as promised by you." The fee mentioned in the email was referring to \$13,000 the Senate had paid for professional services sought by Ms. Sarauw for crafting of the legislation.

"The adult recreational cannabis legislation has a companion bill which is the cannabis expungement. I followed up with legal counsel on May 23 and today. They have indicated that they are still in the reviewing process as the bill is quite detailed and cumbersome," Ms. Sarauw responded in the email dated June 2, 2022.

On Monday, Ms. Sarauw pushed back sternly against the Senate president, referring to her comments regarding when the measure would be heard as gaslighting. "I think it's gaslighting at its highest. There is no evidence from this office where I have asked for the bill to be delayed at a certain time. What you see from my office is me saying it's in legal counsel; you're seeing me asking counsel where is the legislation, I would like to have it introduced sometime soon," Ms. Sarauw said, adding that Ms. Frett-Gregory is a supporter of the Bryan administration.

Ms. Sarauw has shown the Consortium email communication dated July 29, 2022, where the senator asks the Senate's legal counsel for an update on the measure, requesting that it be ready for this past August. "We will do everything possible to have it ready," the Senate's legal counsel office responded. "Thanks for your patience."

Ms. Sarauw has held authorship of the measure for several years. In December 2020, Senator Kurt Violet pleaded with his colleagues during a Committee of the Whole not to override Ms. Sarauw's authorship of the bill. In October 2021, Ms. Sarauw promised on the record that the measure would be on the Senate floor before the end of that year, however the promise was not fulfilled.

Each time, she has blamed the delays on the Senate's legal counsel being short staffed.

Relative to the latest version of the bill, Ms. Sarauw said the measure includes a hefty social equity component and supports a variety of local opportunities — a stark difference from the measure forwarded to the Senate by the Governor Albert Bryan, according to Ms. Sarauw, who added that Mr. Bryan's legislation was a special interest bill.

"One of the lessons learned on our trip to Colorado during the Legislative Cannabis Summit was that the industry costs a lot more in both human and financial resources when it's not structured and implemented properly," she said. "Industry experts told of the mistakes different states made, the consequences of those mistakes, and the corrective measures being taken to rectify them. "To ignore those lessons would be foolish."

Ms. Sarauw added, "As a political scientist, but most importantly as an elected representative of the people, it is my job to do the due diligence to protect the masses and the best interest of our residents by creating equity in opportunity. And that is exactly what this bill does." The companion legislation which speaks to the expungement of cannabis related convictions, was separated from the overall bill so that it is not contingent on the passing of, or the timeline of the adult use recreational bill. "It is beyond time that we level the playing field, so that persons with past convictions can have a clean slate and have the opportunity to enter into the industry legally as business owners."

She expressed confidence that the measure has the votes needed to pass the Senate and arrive on Governor Bryan's desk. She added, however, that the Bryan administration has not prepared the territory with the necessary infrastructure for a successful medicinal or recreational marijuana industry.

"And so, even when passed and signed into law, it will still take additional time to implement the Adult Use Recreational Cannabis legislation," she said. "Although there have been many politically driven false narratives about this cannabis legislation, I am proud of the work done to ensure that locals and minorities are not locked out of the industry and have an opportunity to participate in the economic potential of the industry – from farming, to dispensaries, to incentives for boutique labs, and micro energy providers."

The senator said the bill includes several aspects that once enforced "will see an industry that is inclusive, diverse, with a uniqueness that's exclusive to the creativity of Virgin Islanders; but most importantly, safe."

Additionally, the measure was crafted to create equal economic opportunities "for our people and a community that has been systematically disenfranchised," she said.

"The opening of the cannabis industry across states have made many very wealthy; we had to make sure that those opportunities were also available to our residents, and not just the affluent ones," Ms. Sarauw concluded.

Governor Bryan recently put pressure on Ms. Sarauw, appealing to the public to ask her about the measure. "Janelle Sarauw has been sitting on the cannabis legislation for two years, saying she has a piece of legislation. We've waited, she hasn't produced any legislation," [he said in September](#) during the USVI Community Business Forum.

Meanwhile, Mr. Violet, who is running for governor with Ms. Sarauw as his running mate, stated two weeks ago his opposition to the legalization of recreational marijuana, saying [he would vote against the measure](#).

