# State Policy Priorities

<table>
<thead>
<tr>
<th>WHAT IS LEGALIZATION?</th>
<th>HOW SHOULD IT BE IMPLEMENTED?</th>
</tr>
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<tbody>
<tr>
<td>• State removal of most criminal penalties for activities involving cannabis and replacement of most penalties with regulations on commercial cannabis activity.</td>
<td>• Implementing a commercial market for cannabis is only part of legalization.</td>
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<td>• So far, 21 states &amp; DC have passed cannabis legalization for adult use.</td>
<td>• States must also include government-initiated processes for retroactive legal relief, with broad eligibility for those criminalized by prohibition.</td>
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## Retroactive Relief Components:

### Resentencing

Resentencing -- which involves individuals still serving their sentence -- can result in the reduction of a criminal sentence. Policies should have the following components:

- State-Initiated Process
- Broad Eligibility Scheme
- Presumption for Release
- Clear Guidance
- Enforceable Timelines
- Oversight & Reporting

### Record Clearance

Record clearance -- which involves individuals who have finished serving their sentence -- removes a specific event from an individuals' criminal record. Policies should have the following components:

- State-Initiated Process
- Broad Eligibility Scheme
- No Waiting Period
- No Discretionary Review
- Oversight & Reporting