**WHAT IS LEGALIZATION?**

- State removal of most criminal penalties for activities involving cannabis and replacement of most penalties with regulations on commercial cannabis activity.
- As of Fall 2022, 19 states & DC have passed cannabis legalization for adult use.

**HOW SHOULD IT BE IMPLEMENTED?**

- Implementing a commercial market for cannabis is only part of legalization.
- States must also include government-initiated (automatic) processes for retroactive legal relief, with broad eligibility for those criminalized by prohibition.
- Though 19 jurisdictions & Washington DC have passed some level of retroactive relief, only 8 states have included elements that are government-initiated thus far.

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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:

- **Automatic 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:

- **Automatic Process**
- **Broad Eligibility Scheme**
- **No Waiting Period**
- **No Discretionary Review**
- **Oversight & Reporting**