

Advocacy Training for Cannabis Law Reform in Texas

Amarillo, Texas
January 9, 2016



Welcome to the Team!



Texans for Responsible
Marijuana Policy



Constituent advocacy is one of the most critical tools we have as a grassroots movement. Legislators and other community members need to hear from Texans like you who want to see sensible marijuana policies instituted.



Messaging

- Effective Arguments
- Dispel Common Myths
- Speaking to News Reporters
- Connecting/Meeting with Legislators



Take Action Now

- Register Yourself and Others to Vote
- Primary Election Opportunities
 - (Volunteering, Town Hall Events, etc.)
- Becoming a Delegate to State Party



2015 Legislative Recap

Unlike many other states, Texas does not allow ballot initiatives. The Legislature meets for 140 days every two years.



Unprecedented number of marijuana related bills introduced.



2015 Legislative Recap

Four significant bills saw movement:

- HB 2165, Repealing Marijuana Prohibition
- HB 507, Civil Penalties
- HB 3785, Medical Marijuana
- SB 339, Compassionate Use Act



Individual Advocates

Progress is only possible
because of advocates
like you!

Hundreds of Texans
visited their Capitol
to support marijuana
law reform



Individual Advocates



Advocacy is all about building relationships and effective communication (this includes listening and responding to concerns)

Where are we now?



Current Penalties for Marijuana

Offense	Penalty	Incarceration	Max. Fine
Possession or Cultivation			
2 oz or less	Misdemeanor	180 days	\$ 2,000
2 - 4 oz	Misdemeanor	1 year	\$ 4,000
4 oz to 5 lbs	Felony	180 days* - 2 years	\$ 10,000
5 - 50 lbs	Felony	2* - 10 years	\$ 10,000
50 - 2000 lbs	Felony	2* - 20 years	\$ 10,000
More than 2000 lbs	Felony	5* - 99 years	\$ 50,000
* Mandatory minimum sentence			

Texas NORML

<http://norml.org/laws/item/texas-penalties-2>



Current Penalties for Marijuana

Sale				
7 g or less for no remuneration	Misdemeanor	180 days		\$ 2,000
7 g or less	Misdemeanor	1 year		\$ 4,000
7 g to 5 lbs	Felony	180 days* - 2 years		\$ 10,000
5 - 50 lbs	Felony	2* - 20 years		\$ 10,000
50 - 2000 lbs	Felony	5* - 99 years		\$ 10,000
More than 2000 lbs	Felony	10* - 99 years		\$ 100,000
To a minor	Felony	2* - 20 years		\$ 10,000
* Mandatory minimum sentence				

Texas NORML

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Current Penalties for Marijuana

Hash & Concentrates			
Possession of less than 1 g	Felony	180 days - 2 years	\$ 10,000
Possession of 1 - 4 g	Felony	2 - 10 years	\$ 10,000
Possession of 4 - 400 g	Felony	2 - 20 years	\$ 10,000
Possession of more than 400 g	Felony	10 years - life	\$ 50,000
Manufacture or delivery of less than 1 g	Felony	180 days - 2 years	\$ 10,000
Manufacture or delivery of 1 - 4 g	Felony	2 - 20 years	\$ 10,000
Manufacture or delivery of 4 - 400 g	Felony	5 - 99 years	\$ 10,000
Manufacture or delivery of more than 400 g	Felony	10 years - life	\$ 10,000

Texas NORML

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Current Penalties for Marijuana

Paraphernalia			
Possession of paraphernalia	Misdemeanor	N/A	\$ 500
Sale of paraphernalia (first offense)	Misdemeanor	1 year	\$ 4,000
Sale of paraphernalia (subsequent offense)	Felony	90 days* - 1 year	\$ 4,000
To a minor	Felony	180 days* - 2 years	\$ 10,000
* Mandatory minimum sentence			
Miscellaneous			
Falsifying a drug test	Misdemeanor	180 days	\$ 2,000
A person's driver's license is automatically suspended on final conviction of a drug offense.			

Texas NORML

<http://norml.org/laws/item/texas-penalties-2>



Texas Compassionate Use Program

Texas has acknowledged that cannabis is medicine!!

This program...

- allows some patients with epilepsy to access low-THC cannabis oil
- establishes cannabis businesses: Dispensaries, cultivators, and manufacturers
 - Licensing deadline: Sept. 2017
- is regulated by the Texas Department of Public Safety
- requires doctors to prescribe cannabis oil
 - Potential problem!



Jeff Blackburn

Amarillo based, state bar certified trial lawyer specializing in criminal and civil rights cases.



Goals for the 85th Legislative Session

Top Two Priorities:

Reducing penalties for low-level possession

Expand the Compassionate Use Program

- Include patients suffering from debilitating conditions
- Increase variety of cannabis strains
- Amend language from “prescription” to “certification” for legal purposes



Timeline Toward 2017

Feb. 1, 2016: Voter Registration Deadline

Feb. 16-26, 2016: Early Voting

March 1, 2016: Primary Election Day



Timeline Toward 2017

May 12-14, 2016: Republican State Convention

May 16-20, 2016: Primary Run-off Election Day

June 16-18, 2016: Democratic State Convention



Timeline Toward 2017

Nov. 8, 2016: General Election

Nov. 14, 2016: Pre-filing Period Begins

Jan. 10, 2017: 84th Texas Legislative Session Begins



Break

10 minutes



Jax Finkel

Executive Director
Texas NORML



Messaging

- Discussion Points
- Staying on Message
- Etiquette, Meeting with Legislators
- Speaking to the Media
- Facts and Figures



Discussion

Talking Points:

Proactive Discussion - key points and facts to convey.

These are the topics and facts that we want to bring up when given the opportunity to make our case.



When to use talking points:

- When writing, calling or visiting with a Legislator or their office staff
- When educating local governing authorities
- When participating in an interview, panel or seminar
- When bringing up cannabis law reform in general

Talking Point Examples

- Annually, 72,000 Texans are arrested for simple possession at an estimated cost of \$10,000 per arrest
 - During 2012, 90% of all burglaries, over half of all reported rapes, and a quarter of all murders went unsolved.
 - 40% of those arrests are for youth under the age of 21
 - The State of Texas spends about \$8,500 to educate one child for one year, ranked 44th in the Nation
- 47% of the U.S. population lives in a jurisdiction with access to medical marijuana
 - 76% of Texans think seriously ill people should have the right to use marijuana for medical purposes
 - States with medical marijuana have seen prescription opioid overdose rates decrease by 25%



Discussion

Rebuttals:

Reactive discussion - responses to typical arguments and statements made.

These may not be points we bring up but we need to be prepared to address them.



When to use a rebuttal

When addressing an official or their office staff's question or concern

When in a formal debate



Rebuttal Examples

Didn't we just legalize medical marijuana?

- Only high CBD oil for people with intractable epilepsy
- The most effective drug for one person might not work at all for another
- Marijuana contains about 80 active cannabinoids (including CBD &THC) and many of them contribute to marijuana's therapeutic effects

What about the children?

- a record can seriously limit a youth's educational opportunities and scholarship/grants, access to employment, professional advancement, and options for housing
- Lowered rates of use in Colorado
- Drug dealers do not ID
- Many sick children's parents would like to use cannabis as a first line of defense



Staying on Message is Important

Builds a bridge from their question to your response

We are able to clearly express the knowledge that we want to convey to our audience

Focus on one topic at a time

How to Stay on Message

Pick your topic and stick with it

Only bring up relevant facts to selected subject

Keep it simple

Have a few variants of your message

Remain clear and concise



Expressing Passion

- Relate to a personal story
- Don't let your passion get in the way of your point

Speaking with the Media

Preparation and Etiquette:

- Prepare for visit with talking points and notes
- Dress professionally
- Arrive early
- Keep your messaging in mind, have a few variants of your message prepared
- Framing the shot
- Keep in mind they are looking for sound bites
- Promptly follow up on any questions/requests they may make



Etiquette:

When Speaking with Officials

- Research the Official
- Prepare for visit with talking points, notes and facts/handouts
- Dress professionally
- Arrive early
- Be respectful and courteous
- Thank them for their time
- Promptly follow up on any questions/requests they may have



Meeting with Legislators

- Texas Senators and Representatives are in charge of state law, decided in Austin, Texas, every legislative session.
 - Penal Code
 - State-granted medical marijuana program
- U.S. Congressmen and Senators (Cornyn & Cruz) go to Washington, D.C., to impact federal policy.
 - FDA and DEA approved testing of marijuana
 - Banking regulations
 - Legality of crossing state lines



Meeting with Legislators

To find your State Representative and State Senator go to

<http://www.capitol.state.tx.us/>

or Google:

“Texas Legislature Online.”

The screenshot displays the Texas Legislature Online website interface. At the top, a navigation bar includes links for Home, My TLO, House, Senate, Legislation, Search, Committees, and Calendars. The main content area is divided into several sections:

- Texas House:** A list of links including Home, Speaker of the House, Members, Committees, Committee Meetings, Calendars, Current Amendment, Journals, News, House Research Organization, and Kids House.
- Texas Senate:** A list of links including Home, Lieutenant Governor, Members, Committees, Committee Meetings, Calendars, Journals, News, Senate Research Center, and Senate Kids.
- Search Legislation:** A search box with a dropdown menu set to "84(R) - 2015" and a "Go" button. Below it are "Additional Searches" for Text Search, Statutes, Bill Lookup, Constitution, Bill Search, Reports, Amendments, View Votes, Sections Affected, Administrative Code, and Legislative Archive System.
- How Do I...:** A list of questions such as "Find list of filed bills?", "Follow the status of a bill?", "Contact my legislator?", "Find how a legislator voted?", "Find when hearings are scheduled?", "View the text of a bill?", and "Testify at a House committee hearing?".
- My TLO:** A list of services including "Track Legislation with Bill Lists", "Receive Bill and Meeting Alerts", "Subscribe to RSS Feeds", and "View Content on Mobile Device".
- Related Links:** A link to the "Legislative Reference Library".
- Access Mobile Version of TLO:** Information about mobile access via iPhone, iPad, or other mobile devices, with a note that some features may not be accessible on all mobile devices.
- Legislative Activity:** Links for Video Broadcasts, Today's Calendars, Today's Meetings, Today's Filed Bills, and Today's Votes, with options for House and Senate.
- Legislative Process:** Links for "How a Bill Becomes Law", "How to Follow A Bill", "Dates of Interest", and "End of Session Deadlines".
- Who Represents Me?:** A form to enter an address to find the representative, with fields for Address, City, and ZIP Code, and buttons for Submit, Redistricting, and Privacy Policy.



Texas U.S. Senators

U.S. Senators represent the entire state. Texas' current U.S. Senators are [Senator John Cornyn](#) and [Senator Ted Cruz](#).

Texas U.S. Representatives

Congressional District 20--Congressman Joaquin Castro
[Texas Congressional Member Websites](#)

Texas State Senator

Texas State Senate District 26--[Senator José Menéndez](#)
Capitol Office: CAP 35.3
Capitol Phone: (512) 463-0126
Capitol Address: P.O. Box 12068, Capitol Station
[Austin, TX 78711](#)
District Address: 101 W. Nueva Street, Suite 809
San Antonio TX 78205
Phone: (210) 733-6604
[State District Offices](#)

During session

Out of session

Texas State Representative

Texas State House District 116--[Representative Trey Martinez Fischer](#)
Capitol Office: CAP 1W.3
Capitol Phone: (512) 463-0616
Capitol Address: P.O. Box 2910
Austin, TX 78768
District Address: 4242 Piedras Dr. East,, Ste. 111
San Antonio TX 78228
Phone: (210) 737-7200

During session

Out of session



Before You Call

- Who is the legislator?
- How have they voted?
- What committees do they sit on?
- Which committees are important to us?
 - House: Criminal Jurisprudence, Public Health
 - Senate:
 - Criminal Justice
 - Health & Human Services



Before You Call

Look into the official you will be visiting

- review their biography
- review the types of bills they have authored or co-sponsored
- check out their social media

Use this knowledge to connect with officials and customize your talking points



What to Say When You Call

- Ask for the scheduler.
- Say you are a constituent who would like to meet the Rep./Sen. when they are in-district.
- Typically they will ask for the topic you are calling about or have you send an email.



What to Say When You Call

If you want to discuss medical marijuana or decriminalization / legalization of marijuana, say:

“I’ve been in the district for ___ years and have never met with Rep./Sen. _____. I’d like some time to speak briefly about health / criminal justice related issues and drop off some materials.”



What to Say When You Call

- It is not uncommon for the office staff to drop the ball. It's okay to be aggressive with a 2nd, 3rd, 4th call.
- You may have to schedule a couple weeks out.
- Other ways to get in touch with the legislator:
 - Sign up for their campaign email list
 - Sign up for the County GOP & Democratic email lists
 - “Like” them on Facebook / Twitter to catch their events



What to Expect in Your Meeting

- Expect 30-60 minutes.
- Introduce yourself and explain in a personal way why the issue is important to you.
- Ask how the legislator feels about it.
- Listen.
- Prepare questions to get the legislator talking rather than talking the whole time.
- Legislators want to know how this issue affects them – a.k.a. what it is we're asking them to do.



What to Expect in Your Meeting

- What is your “ask?”
- Make a note of any questions the legislator has so you can follow-up with an email.
- Look to creating a relationship rather than convincing them of your way in the course of one meeting.



Break

10 minutes



Election Calendar

- Primary Elections – March 1, 2016
- Primary Run-off – May 16-20, 2016
- General Election – November 8, 2016
- First Day of Session – January 10, 2017
- Last Day of Session – May 29, 2017

All of your State Representatives are running for office.
Half of the State's Senators..



Register to Vote

- Fill out a Texas Voter Registration Application
- Print it, sign it, and mail it to:

Melynn Huntley

Potter County Elections Administrator

900 South Polk, Suite 320
P.O. Box 9618
Amarillo, TX 79105-9618

Phone: 806-379-2299
(for Potter County)



Townhalls, Campaign Events

- Register and keep an eye on campaign events in the area
- Attend and introduce yourself to legislator
- Ask them a question either privately or publicly about marijuana policy...even if you have to stand around and wait for your turn.
- Many times there are other political people at the event. Go to enough events and you will remember people.



Building a Relationship

- Every state representative is running for office
- Campaign staff often double as office staff
- Volunteers are not easy to come by
- You can volunteer for campaign or party



Building a Relationship

- Traditional means of winning an election:
 - Phone banking (can sometimes do from home)
 - Block walking
 - Placing campaign signs
 - GOTV
 - Sign-waving on election day



Voting Matters!

In Fact.....

- You might even want to participate as a Republican or Democratic delegate.
- Requires a commitment to associating (to some degree) with the party
- You can be a delegate from the precinct convention level to the national convention level.



Platform Process

- One of the things you can affect as a delegate
- Platform is a presentation of the principles that define the political party. They are an amalgamation of resolutions sent up from the grassroots of the party and voted on by leadership in the party. (Platform Committees)
- Send resolutions from precinct convention to senate/county convention to state convention.



Republican

Democratic

Precinct Convention	March 1, 2016	March 1, 2016
SD/County Convention	March 19, 2016	March 19, 2016
State Convention	May 12-14, 2016	June 16-18, 2016
National Convention	July 18-21, 2016 Cleveland, Ohio	July 25-28, 2016 Philadelphia, PA

Questions?

Texans for Responsible Marijuana
Policy



Thank you for coming!

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