



Washington State Liquor and Cannabis Board Meeting

Wednesday, September 25, 2024, 10:00 am

This meeting was held in a hybrid environment

Meeting Minutes

1. CALL TO ORDER

Chair Postman called the regular meeting of the Washington State Liquor and Cannabis Board to order at 10:00 am on Wednesday, September 25, 2024. Member Ollie Garrett and Member Jim Vollendroff were also present.

2. MEMORANDUM OF AGREEMENT AMENDMENT REVIEW AND CONSIDERATION – SPOKANE TRIBE OF INDIANS

Maria Conwell, DIDA, Tribal and Government Liaison

Dr. Marla Conwell: Good morning, Chairman, Members of the Board, everyone that's listening in the audience. I'm happy to present the Spokane Memorandum of Agreement for their liquor sales on reservation, and this is an umbrella MOA that is a renewal (HANDOUT 2). It began back in 2023, and we updated the dispute resolution as well as a number of other clauses as we have been doing with every compact and MOA as our agency has been mandated, so we got across the finish line, and I'm very excited to present it today to be hopefully approved.

Member Garrett made a motion to approve the amendment to the Spokane Tribe's Memorandum Agreement. Member Vollendroff seconded. The motion was approved.

3. CANNABIS RELATED RULEMAKING

Justin Nordhorn, Policy and External Affairs Director

Justin Nordhorn: Hi. Good morning, Chair Postman, Members Garrett and Vollendroff, and today I have updates before I get into the action item that's listed on the agenda. So, we had previously scheduled -- so I'm going to start off with an apology -- we had previously scheduled or had planned to schedule a public hearing today, with some illnesses, though, we got lost in the shuffle. We didn't get that on today's agenda. We are going to have to delay that by two weeks, and we'll reschedule that for October 9th, and we already communicated to put that on the board schedule, so apologies for that. We updated the website to reflect the updated dates, and we will extend the public comment period to October 9th as well. Everything is done, but we didn't get it on the agenda.

I also wanted to give a couple other timeline updates. So, for the Social Equity and Cannabis Program rule making, we are -- we had talked about having the CR 103 at one point in time coming out today as well as the THC, the rule making. The Social Equity in Cannabis, we are planning on doing a supplemental CR 102. We had a lot of feedback based on the public hearing and during the formal public comment period coupled with the evaluations and a survey, there needed to be some considerable opportunities for considering all of that feedback, and so we are planning on presenting that in October. We're not sure if it'll be on the 9th or 23rd yet, but we are planning on looking at a number of those issues that have been raised during the public hearing, and just to highlight a couple of those, one of those is around rubric.

Actually, there were several points within the rubric that we're looking at. Some of it was around some of the mobility issues. Some of it was around the title certificate holders, which relates to the petition today. So, all of those are still all under consideration as we are moving forward. On the THC rule making, we are delaying that by two weeks. It was going to come before you before the CR 103 today. We identified an issue fairly late, so we pushed that back and are working with the code reviser to make sure that we do this correctly. The original timing was to have the CR -- sorry, to have the THC rule making conclude before the Cannabis Medical -- not the excise tax -- it was the Medical Endorsement Rule, and they got flipped, and so since the Medical Endorsement Rules completed first, both of them had 314-55-080 open, so the changes we had to temporary change for the THC bill, we had the four more robust changes in the cannabis endorsement, and, so, if we were to move forward now with the CR 103, it would basically eliminate the previous rule set because it reverts back to the 080. We have to make sure that is removed from this particular 103 because it was addressed in the endorsement. We want to make sure that that's all corrected so we don't lose any of that, and so that will just be presented in two weeks to make sure that the Code Reviser has what they need, we have what we need, and that technical piece gets clarified.

ACTION ITEM 3A – Rules Petition Review and Consideration – Requesting to Amend WAC 314-55-570 to Remove Certificate Holders as Eligible for SE Program
Cassidy West, Policy and Rules Manager

Justin Nordhorn: So, moving into the action item for today, we have several requests that have come in around title certificate holders, and so I'm presenting a recommendation on the petition for rule making today (HANDOUT 3A). So, as a way of background, from July 30th, 2024 through September 17th, 2024, we received five separate petitions for adoption or amendment or repealing a state administrative code that were submitted to us requesting amendments to 314-55-570. All five petitioners requested the removal of title certificate holders from the Social Equity and Cannabis Program. The multiple petitions specifically requested the repeal of 314-55-570(1)(j) as well as 314-55-570(5), the two subsections within 314-55-570, and those allow the social equity title certificate holder to reinstate their retail license anywhere in the county that they hold their title certificate as well as the definition of title certificate holder.

Those petitioners included Peter Manning on July 30th of 2024, Mike Asai on July 30th, 2024,

Elijah Henry on August 8th, 2024, Paul Brice on August 18th, 2024, and Rick Lee on September 17th, 2024. Engrossed Second Substitute Senate Bill (E2SSB) 5080, amended RCW 69.50.335 to allow social equity applicants to locate their license in any city, town, or county that allows cannabis retail, cannabis producers, and cannabis processor business activities as applicable at the proposed locations, and that fell under RCW 69.50.335(1)(e)(i), and 5080 also provided permissive language allowing title certificate holders to apply for a social equity license, and that's under 69.50.335(2)(b). The petitioners expressed title certificate holders should not receive the same benefits as social equity applicants.

So, currently, we have a rule making project open and active for the implementation of E2SSB 5080 related to expanding and improving the Social Equity in Cannabis Program. The CR101 was filed as WSR 23-23-062 on November 8th, 2023. The CR 102 was filed as WSR 24-16-130 on August 6th of 2024. A public hearing was conducted on September 11th, and as a result of the public comments gathered during the formal comment period and public hearing, the LCB plans to develop a supplemental CR 102 to make additional changes to the previously presented draft rules.

So, the issue before us today is whether the LCB should initiate rulemaking to consider amending 314-55-570 to exclude the title certificate holders from the Social Equity in Cannabis Program. While many factors typically come into the analysis in deciding whether to accept or deny a petition, the LCB is currently engaged in rulemaking that is open for these direct regulations.

As such, the LCB is currently engaging in rule making for 314-55-570 to implement that Senate bill, and there's no need or benefit to accepting the five petitions as considerations are already active and ongoing for the same topic. So, for the reasons of the active open rule project, the Director's Office staff is recommending consistent with RCW 34.05.330(1)(b) that we deny the five petitions for adoption, repeal, or amendment of the rules submitted from July 30th, 2024 through September 17th, 2024, requesting the exclusion of social equity title certificate holders from the Social Equity in Cannabis Program, and I would like to also comment again that these are still under consideration in our supplemental CR 102 so denial of these petitions just means we are not reopening a rulemaking that's already open, but we are actively discussing these particular issues, so, with that, I ask the board to consider the denial of the five petitions.

Chair Postman: Thanks. Yeah. What you said in the very end I think is important. I just want to stress it's not just that we have the rules open, but we are talking about this very subject, and I think it's fair to say there's interest on the Board to addressing that issue.

Justin Nordhorn: Correct.

Chair Postman: And so we will be proceeding as if they were there anyhow, but because we haven't stated publicly what the end result will be, we're going to do it through regular rule making?

Justin Nordhorn: Correct.

Chair Postman: Okay. I think that's great. Okay. Is there a motion to accept the staff recommendation on the petitions related to certificate holders, to decline the petitions?

Member Vollendroff made a motion to accept staff recommendation and deny the petitions. Member Garrett seconded. The motion was approved.

**ACTION ITEM 3B – Board Adoption of CR 103 for Cannabis Payment Flexibility
Daniel Jacobs, Policy and Rules Coordinator**

Daniel Jacobs: Good morning, Chair Postman, Members Garrett and Vollendroff. This morning I'm here to request approval of the final rules CR 103 on Cannabis Payment Flexibility, and, if approved, the final rules will be filed today and effective October 26th (HANDOUT 3B). This project is amending WAC 314-55-115 on what methods cannabis licensees can use to purchase cannabis from other licensees, and it is the result of the petition that the Board accepted in March 2023. The CR 101 was filed on May 8th, 2024, and the survey with draft rule language was posted on the LCB website from June 3rd to July 8th, 2024 and emailed out via GovDelivery. The survey results indicate that the licensees who responded are generally supportive of the proposed rule changes. The CR 102 was filed on July 31st, and the public hearing was held September 11th.

Washington Administrative Code 314-55-115 identifies checks, prepaid accounts, debit or credit card, electronic funds transfer and using a money transmitter as methods that licensees can use to purchase cannabis from other licensees. The final rule changes clarify that just as with the other payment methods, there has to be a purchase order being done by an irreplicable invoice, both parties have to keep records consistent with other LCB requirements including relevant proof of mailing, and the check has to be mailed no later than the next business day following cannabis delivery, and there has to be deposited no more than five business days post-cannabis delivery.

We only received one comment on the CR 101 asking about issues related to insufficient fund or NSF checks. WAC 314-55-115 already addresses NSF payments in Section 6 where it says NSF issues have to be corrected by 3:00 p.m. on the following business day after the NSF issue is reported; otherwise, it becomes an impermissible extension of credit. Additionally, impermissible extensions of credit are subject to penalties per Washington Administrative Code 314-55-523. Prior to and during the public hearing, we received one comment and testimony on behalf of WACA, which requested in their written comments to remove the deposit deadline. Removing the deposit deadline would be inconsistent with the other payment methods identified in WAC 314-55-115, all of which have a defined end point, and in rule making, we generally don't want to create internal inconsistency in our rules. Additionally, as part of the rulemaking, we strove to make it so that paying via check was on the same sort of level as the other payment methods. We worked really hard to not create a situation where paying via check might

be more favorable than another method or less favorable than another method. The petition argued that the current lack of explanation about using a check made pay via check less favorable, and so the sort of driving force behind this rule making was to clarify the conditions for paying via check.

We've clarified that keeping records of financial transactions includes proof of mailing when mailing checks. Although, we have not specified what that proof needs to be, if it's use of certified mailing, that's fine, but it doesn't have to be that. While proof of mailing is not explicitly required for other payment methods, that's because typically mailing is not used with the other payment methods. Following yesterday's Caucus, WACA clarified that from their perspective, the burden of timeliness should be entirely on the party mailing the check and not on the party waiting to receive the check, as from their perspective, the party waiting to receive the check, doesn't have any control of how long the mail takes. To clarify, the rule language already puts a burden of timeliness on the party mailing the check, but, again, we also have to have a deadline that the check needs to be deposited by.

Lastly, we're going to be conducting a retrospective review in October 2025 to examine corrective actions that arise from this rule change, and we will examine the results of that review during a Board Caucus to determine whether these rule changes result in an increase in corrective actions. We believe this retrospective review should address the concerns raised by WACA, and should the review demonstrate that, in fact, this rule change has resulted in an increase in corrective actions, then at that time, I'm sure we'll be more than happy to reopen this rule and address it at that time. Based on this, I'm hereby requesting approval of the CR 103 on Cannabis Payment Flexibility. Thank you, and I'm happy to answer any questions.

Member Garrett made a motion to adopt the CR 103 for Cannabis Payment Flexibility. Member Vollendroff seconded. The motion was approved.

*Chair Postman stood the meeting at ease at 10:17am.
At 10:18 Chair Postman reconvened the meeting.*

4. GENERAL PUBLIC COMMENT

Chair Postman invited citizens to address the Board regarding any issues related to LCB business. The Board heard from the following people:

Amirah Ziada: Good morning. I wanted to speak today to address specifically the decision that the LCB made to hire Kim Potter for a training. I want to thank the Board members for taking quick action to cancel that and recognize, you know, the harm that that could put on Black and Brown communities. I just want to kind of explain my thoughts, and so I first heard about it when the great gentleman from Black Excellence in Cannabis sent me the article about the decision. I remember asking him, like, do you think they knew? You know? I wanted to kind of understand how this decision came to be, and I just want to thank you guys for holding that Board Caucus

on the 17th because that really opened my eyes to what's going on at the top. I think that Ms. Wax was very kind of dismissive in not understanding the seriousness of the situation of what had happened. I believe that, you know, and I actually -- I watched it four times. I rewinded once, put the captions on to make sure I heard her correctly, and then I listened again and paused it because I wanted to make sure that what I heard her response to Board Member Garrett was when you asked the rightful question, right, that we're all thinking, you had no thought that this would be controversial? There was no thought that, like, this could be a problem, and her direct quote, besides the flippant remark about someone saying it to the "Seattle Times" was, "I do not believe this is a case of missed opportunity for us to analyze that decision prior to having it brought to our attention by the "Seattle Times," and I have not seen any evidence or conversation about that being the case." I think that direct quote right there tells me everything I need to know about the mindset and culture Enforcement and Education Division of the LCB. I think that we should find the person that reported it to the "Seattle Times" and give them an award. I think they preemptively saved lives of hundreds of Black and Brown liquor and cannabis license holders, and that's another question. These people enforce tax codes. They enforce laws. They give fines. They are not out there solving violent crimes. They are not out there breaking up robberies or saving people's lives. They are giving fines. I think we should find that guy, give him award, a promotion, so he can have Chandra Wax's job and Chandra Wax should resign immediately, and I think if we ignore that or don't do anything like that, we are validating that attitude and that culture in the enforcement agency, and I'm very, very upset.

Brook Davies: Hi. Good morning, Chair Postman, Board Members Garrett and Vollendroff. My name is Brook Davies, and today I'm here on behalf of the Washington CannaBusiness Association. I just wanted to further clarify our concerns with the flexible payment terms, CR 103 that was just adopted, and I do appreciate Daniel updating his comments to better reflect what our concerns were. I think you all understand those. WACA's very supportive of the deadline to mail the check one day after the delivery. We also understand and support the need to close the transaction as soon as possible and within five days. Our concern is solely based on placing the burden on the person receiving the check to have to deposit that check within five days because there are circumstances that could be out of their control, and as you know, we advocated for a long time about, you know, consistent enforcement, making sure that the rules are very clear, and we all understand so that we don't end up in situations where they are enforced inconsistently, and so even if somebody put a check in the mail one day after delivery, there's a number of things that happen out of the licensee that is receiving that check's control. The mail could be lost. It could be delivered to the wrong address. It could be addressed wrong. A number of things could happen that make it so that the person on the receiving end is not able to deposit it within five days. Those are our concerns. I think it could have been addressed in rule language. Director Nordhorn and I talked about possible solutions, maybe creating a system where the person receiving a check would report if they have not received it within five days to make sure they are trying to close that transaction as soon as possible, so I hope that in the annual review, this can be something that is looked at specifically because, again, we want transactions to be closed as soon as possible. Absolutely support, you know, the limited terms of mailing it one day after. It's just really making sure that somebody that's just sitting there by

the mail waiting for a check is not at risk of receiving some sort of violation for something out of their control. I appreciate the Board's consideration, and we'll continue to work with staff to hope that, you know, we can review this in a year and make sure that's not happening. Thank you.

Akberet Manning: My name is Akberet Manning, and I want to say thank you for allowing me to share my opportunity with the LCB. I applied for a license in 2015, and I was declined, and I recently just found out that white people that had no qualification got approved and got licensed in operating businesses. I also experienced with the LCB that a lot of Black businesses in my area, south Seattle area, got shut down, raided and shut down. We were one of those businesses just to find out white business owners are operating businesses in the areas that we had licenses that we got shut down for. I think that the LCB is a very racist organization. It's there to help white people, and I think that things need to be changed. Rules need to be changed to fit everybody. Thank you.

Caitlein Ryan: Good morning. My name is Caitlein Ryan, the Executive Director for the Cannabis Alliance, and I'm here this morning to address two issues. First, I'm here to request some check-in data on the Medical Cannabis Tax Exemption. We know we had an infamous session with regulated substances and gaming recently. We were hoping we might be able to get some very specific data on how the rollout and impact of the rollout has gone out there. We would love to see the aggregate percentage of sales receiving the exemption, number of stores in the top 15% of the sales receiving the exemption, of those top 15% of stores, what percentage of their sales represent the exemptions, number of stores participating and what we are seeing in an increase in patient registrations. We understand that this is going to have to be done in relationship with the Department of Health, but I think it will help as we are sort of keeping track of this as it evolves. We're also, side note, just sort of curious about any enforcement actions or challenges with the online authorizations, if there have been any, and how those are going.

I'm also here this morning to address the hiring of Kim Potter. I believe there is understanding from the Board that this decision was harmful to the community, and that it has contributed to a further erosion of trust in the LCB. I'm going to sort of echo the sentiment that the Caucus discussion yesterday felt a little bit unsatisfying, and I'm here to call for ongoing transparency in your investigation, not just in how this happened in the first place, but the need for transparency and also accountability moving forward. Accountability not just internally, but accountability also externally with the partners that LCB works with, particularly if there was sort of unclear information that contributed to this decision. I think most importantly the part that really is going to be critical here is transparency and repair. Clarity in and open discussion of how the LCB is working to ensure this type of thing can't happen again, and, frankly, openly owning the action and working to create full systems to prevent something like this happening in the future is going to be a really important part of the repair following this injury to the community around you. Thank you.

Sekani Perkins: Okay. Good morning to the LCB. My name is Sekani Perkins, owner of The Gas Station, LLC and co-founder of BPIC - Black Pioneers in Cannabis. Firstly, I'd like to

commend my fellow social equity in cannabis cohorts for being steadfast in the battle for inclusion and equalities; however, the recent issue with Kim Potter has only been the tip of the iceberg. I'd like to share a little bit of pertinent information with the Board. Let me all know if you can hear this clearly.

"Unidentified Speaker: John, who stated that he was asked to go to a meeting. A friend of his, who I have independently verified, wants me to keep their identity private because they are actually afraid.

Unidentified Speaker: I understand, I understand.

Unidentified Speaker: I'm not going to say what their gender is. I'll use the gender neutral, "they," and so this friend of John's was thinking of getting into the business and was invited to a meeting with a number of people and didn't want to go alone and asked John to accompany them. So, they are in this meeting, and Christopher Hurst at the time was the Chair of, I believe it was actually the Gaming and Oversight Committee with the House of Representatives, the State House of Representatives, Washington State, but the Gaming and Oversight Committee had been charged at that point with the cannabis situation, and Christopher Hurst, in this meeting -- and he even, you know, it was fascinating, you know --"

Chair Postman: That just shut down. Sekani, you froze.

Sekani Perkins: Can you hear me?

Chair Postman: We can hear you, but we're having a hard time hearing the tape in the room here. And some are having a hard time hearing the tape in the room here, so if you could speak up a little bit, and we'll try to turn the volume up on this end, if we can.

Sekani Perkins: "Unidentified Speaker: Because, you know, black market does [indistinct] illegal, underground, etc., but considering what this story is, I find sort of the double entendre to be really interesting. So he said we have a ten-year plan to get the black market out of cannabis. We're going to overregulate the hell out of them, run them like hamsters on a wheel until they go broke, and then bring in one or two large corporations, like Merck, to take over the whole industry.

Chair Postman: You just have a little time left, so if you could summarize that?

Sekani Perkins: Okay. That was basically it. I'll send it to the pertinent people that need that.

Chair Postman: Great.

Sekani Perkins: Was that my time?

Chair Postman: You got 20 seconds left if you want to wrap up.

Sekani Perkins: Okay. Thanks, yeah, I'll send it to the folks that need that recording. It's over a hour long.

Sekayi Perkins: I'm Sekayi Perkins, cofounder of Black Pioneers in Cannabis and current social equity advocate lottery winner for my store, Green Wall Street LLC in Walkin County. First of all, I want to address the sentiments of my colleagues and members share about a current, I guess you want to say an elected, a selected position held by Kim Potter. We were extremely disappointed with her position that she was appointed by Senator Wax. Myself and other members found that to be almost a slap in the face given the fact that the obviously insensitivity that our communities have been targeted by a war on drugs and systematic, you know, genocide racism, or what have you, to have somebody to appoint or allocate funding for us that's almost like blatantly disrespect.

I believe that to combat that, we should start a protocol where we implement a task force or an oversight committee for social equity for and by social equity advocates. We should have our own vote of who we want and who we decide who we would like to allow to at least have trial and error on our behalf. We tried it already with Launch. We were disappointed with Launch. We were half and half with our -- I'm sorry -- I'm sorry -- with FMFG -- We were half of us were pleased with her. I know that Black Pioneers in Cannabis were happy with her. As far as the other organizations, not so happy, but I just wanted to leave with this analogy. How would you feel if somebody that's a professional athlete does not teach another player as opposed to analyst.

David Rose: Okay. I kind of want to address the Kim Porter [sic] situation. I just want to touch on something because I think it's so important that, you know, we go through the rudest things because I think in the meetings we always touch the surface of the situation, and I think Ms. Porter [sic], you know, she got away with something, and I just want to let her know something, and I wish she could hear this. You know, I'll let the Lord work, the Lord speak for this one on Acts 13:1. There were in the church of Antioch certain prophets and teachers that were Simeon and Barnabus that were called nigger. So, Ms. Porter [sic], she thought she just killed an average black man, but she didn't know she killed a Hebrew Israelite. That's the problem, you know, and I think here in the meetings that we have, we are treated that way. Like, with the N-word, and I think the lack of respect that I see for the council team to hire her is really appalling, and, also, you know, I agree with what Sekayi said, we need an oversight on the Board because you guys don't represent us in a way that we need to be represented. I second a motion that, you know, that we need to have someone like Paula up there, you know, to kind of balance this somewhat, you know, because the oversight, this is 1492, it looks the same. We get people up there who pretend to represent us, but they don't represent us, and at this speed that we're going, nothing's changing. I mean, can you imagine if we hire somebody who killed one of you guys like that? You know, if she killed a Jewish person, would you hire her? It's disgusting, man. I hope you guys know how disgusting this is. That's all I have to say today.

Daniel Brown: Hello. My name is Daniel Brown, General Manager of Paper Leaf, retail cannabis. I did not get the memo we were not speaking about the sample policy today, so I'm here hoping to speak about that for a minute. I wanted to urge you guys to reconsider the rule changes. Quarterly tracking is a little difficult for all the point-of-sale systems that I've spoken

with. No one really has that set up. It would be on the stores, themselves, and I don't think they do that very well. Also, getting rid of the designation for a buyer to have more than a normal employee, I carry 85 brands in my shop. If I can only get 60 samples a year, I can't even try one sample per vendor that I carry. It's dangerously low, and it's going to encourage parking lot samples, and I know that's not what you guys want. So, I don't know what the solution is, but I strongly urge you to reconsider or open that conversation up again. I like that you're thinking of the bud tenders and getting them a whole size unit so producer processors don't have to make a custom unit. I think that's all great. It's really just hindering the buyer to do their job. I think that's -- it's dangerous, and it can open up exactly what you don't want. Those are my comments. Thank you very much.

Christopher King: Great morning. Before we get to Kim Potter, Kim Potter, the manslaughterer of Dante Wright, who was hired by the underlings of this Board, okay, with no checks and balances by the Board, mind you. Before we get to that, we're going to talk about what Sekani Perkins was talking about, that's my co-producer discussing the discussion that was had where it was made clear the ten-year plan was to bring everybody out from underneath the black market, regulate the heck out of them, and then basically, you know, strangle them, and pass it off to big pharma like Merck. Who is with Merck? Chris Christopherson. Isn't that something? Okay. Yeah. That was in the lawsuit with John Novac and me when we sued a long time ago. That's what's true. But let's turn back now to this, and Chair Postman's continued abuse of my First Amendment rights and privileges. Okay? And not just my brothers black & brown. Whenever we criticize someone at this agency, when we ask a question, Mr. Postman won't answer our questions, but when we criticize someone in the agency for doing things we know are manifestly illegal and racist, he waits until after we are done talking and then browbeats us in the comments by saying how dare we criticize these hard working staff who are so thoughtful and working so hard for social equity and all this and all that. Well, Chair Postman, was this -- was this your staff that are hard working for equity? Was this the same staff that hired Kim Potter? I'm wondering. There's a lot of requests pending. I don't want to take a year like it does with you guys to get any documents. You understand me? I'm tired of that, and I'm tired of you following in behind us and criticizing us when we are right. There were no safeguards here, and on TV you got up and you said, oh, it was -- how could you not see it was a good choice. It was worse than that. It was a vile choice. I work with law enforcement all the time. You know the best law enforcement entirely. I could have got a number of cops to talk and help lead this seminar beside this shit. Ridiculous. Now, I'm going to ask you -- don't you look at me funny like that. I'm properly presenting this right now. I'll throw my flier down if I want to. I'm presenting in the crowd, and I have not threatened anybody, okay? No, I haven't. I have not raised my voice, so let me finish, okay? Now, this thing did not happen in a vacuum.

You get three strikes. First, I502, strike. Swing and a miss. Then you had 2870, swing and a miss. And now you've got Kim Potter, okay, three strikes, and you're out, guys. The Board needs to be removed. We need people from the community on this Board. We need a voice of responsibility on this Board and accountability because you heard a number of people, even white people, tell you there's no such thing here. When I'm finished this time, I'm going to take my dramatic pause, and I hope that you reflect on things instead of criticizing me again,

Mr. Postman. I don't need to hear from you today. I don't need to be taught.

Peter Manning: Yeah. Good afternoon, Chair Postman, Board Member Vollendroff and Board Member Ollie Garrett. I would like to start off by saying a wise man once said you'll know a tree by the fruit it bears. Meaning, if a tree bears bad fruit, it's a bad tree. This agency has always beared bad fruit when it pertains to black and brown. Ollie Garrett, Will Lukela, you're symbolism without substance. I'll explain this further. I am president of Black Excellence in Cannabis. I have four executive members under me. If there's an email or proposal, they run it by me first. Nothing gets done without my approval. As an organization, that is how we do it. So, for Sara [sic] Wax to make a decision to hire Kim Porter [sic] that unjustly killed a black man by the name of Dante Wright, a young man, was highly insensitive to the Black and Brown community, more so the Black community. What possibly could she teach the LCB about dealing with black people other than the thing that LCB is prone to do with black people in a certain kind of way, suspicious, unfair, and racist. This was all an insult to our leadership. This was an insult to our leadership at Black Excellence in Cannabis and should be an insult to the leadership of the black leadership of the LCB. That is white supremacy speaking that snubbed their nose at Will Lukela and Ollie Garrett. Not to go to them to ask them how their community would feel and Sara [sic] Wax works for you guys. She didn't think your black authority was enough to question her white supremacy authority. That's why she hired Kim Porter [sic]. That smirk that she had on her face when you guys were questioning her, that's the smirk of a white racist. Ollie, that's what I mean by being symbolism without substance. I would never let anyone speak ill of black people when it comes to cannabis in Washington. I haven't since 2010. I haven't since 2014. I haven't since 2016. And 2025 is the same. I'm not going to give up or go away until this thing is made right. I've been in the fight since 2010 and 2011 about black inclusion in the cannabis industry and the racist policies of LCB have always been there in my hairs, my crosshairs. We need to make this right, and I -- I -- are we going to get an apology from the LCB? You apologized to the gays, you apologized to the Natives. Where is our apology?

Mike Asai: Before my time starts, I just want to say I'm here, my cousin in Dallas, Ronny, I love you, he had a stroke, and my heart is real heavy. Still with my mom recovering. I said, before my time start, please.

Chair Postman: We can restart, please.

Mike Asai: Good morning. You know who I am, my name is Mike Asai with Black Excellence in Cannabis. I'm a pioneer of Emerald City Collective unjustly shut down by the City of Seattle and LCB's help. Brothers and sisters, please listen to me. First, let's lift up the Wright family in our hearts, Dante Wright's life was stolen by a system that's never valued Black lives. Black Excellence in Cannabis stands firmly with his family. We will not forget Dante. We will not allow his murder to be swept under the rug.

Now, let's get right to this. The Washington State Liquor and Cannabis Board has shown us, once again, that it is not an ally to our community. They hired Kim Potter, a convicted murderer, who killed a young man, unarmed black man, 20 years old, and for what? To further disrespect

us? To remind us that this system doesn't give a damn about black life? We're calling it out. We're calling her out. Sandra [sic] Wax, Chief Enforcement Officer is a liar, a coward, and a racist. She's no friend of justice, no friend of Black Excellence in Cannabis. We tried time and time again to engage her in dialogue hoping for good faith, but what did we get in 2022? Canceled meetings. Dodged conversations. She ran from us like a coward because she didn't want to face the truth, and now the truth is out. She had the audacity to claim she didn't know who Kim Potter was. Well, we're not buying it. That lie is part of the playbook. Protecting white supremacy one falsehood at a time. This is how the system works. Whites protecting whites. Always at the expense of black and brown lives. This is the Washington State Liquor and Cannabis Board. This is how they operate. We demand Sandra [sic] Wax's immediate firing. We demand removal of anyone upholding this corrupt, racist system. September 17th exposed the truth. Her smirk and dismissive attitude during the Board Caucus speaks volumes. You can't hide behind lies anymore. This agency is built on racism since the 1930s. It has used its power to block black and brown communities from wealth, and that should be ours.

This was not a mistake. This was not ignorance. It was calculated move to lock us out. Make no mistake about it. The LCB is a police department in disguise. They may not kill us with bullets, but they kill us with policies. They kill us by denying its access to wealth. They kill our future. They are killing black and brown generational wealth every single day, and we will no longer pretend like we don't see it. We see it. We feel it. We're going to fight it. I have two more paragraphs. Please let me finish. To Director Lukela, let me speak directly to you. You can keep protecting these people, but know this, they will never protect or respect you. You are just a tool to them. They are guards of lights. We have offered solutions time and time again, Black Excellence in Cannabis brought answers to the Board's doorstep and they've ignored us at every turn. That's fine. We're not here to ask anymore. We are here to demand. We're here to speak truth to power, and dismantle the system of racism, and we will not be silenced until we see justice. Ollie, myself and many other black and brown pioneers did not obtain a license in 2016, 2015, 2016 because of the color of our skin. To date, we have zero black-owned retail stores in doctor, Jr., Dr. King Jr. County. Thank you for the person who called the Seattle Times. Any more whistleblowers, come contact Black Excellence in Cannabis

Paul Brice: All right, Paul Brice, retailer, Happy Trees, I've been having technical difficulties. I just now was able to log on maybe five, ten minutes ago, missed most of the meeting, and I'm out here in Prosser and wanted to say, long time been inside with the LCB as a retailer, and I am the most fined, attacked pot shop in the State of Washington, and it's no doubt because it's the color of my skin. You know who I am. I've been a pioneer this decade in the News Tribune or magazines, a pioneer in the industry. The decade before you guys chased me in the medical days when I was at T-Tunnel Alternative Medicine Tacoma. There's no way you don't know who I am. You know exactly who I am, and there's a reason, you know, why I was taxed so much.

Being a part of the program or being in the program and a lot of the reasons why I'm even here is because I don't want to see what happened to me happen to any other black or brown person in the industry. I could spend the next -- I don't know how many Board meetings with only having three minutes to go over each frivolous incident you guys tried to charge me to just try to

run me out of this industry. I just want to make sure that this does not happen to the rest of the black or brown. Not very prepared, I'm out in Prosser four hours from where I live from Tacoma. Just opened Happy Trees, got to have the planning department in here as well, but one of the things I wanted to say, there's all of these store fronts, you know, for social equity, we are trying to make these successful. You know, not enough money was given. This is, like, the inside of the store. You know, you got to have a nice store. You got to actually try to have some success to have these stores going. You know, you guys do not want to see black or brown inclusion. You guys say it when you guys feel it sounds good to make a spotlight on what we are doing, but then we see behind your guys' intent to just have none of that intention. As a matter of fact, all you're trying to figure out is how to take what was run through legislation and pretend that you guys are pioneers. [indistinct] how this is going to -- how it will affect making decisions, and you are watering down the Social Equity Program and award the ones that this was not intended to help. Like, that's 100% absolutely what you guys have been doing, and for five years, it's always been LCB's practice of through the whole Social Equity Program that we don't -- we're not answering no questions here, we're just here to listen. Well, that time to listen... [indistinct] all you guys have done. Thank you.

Sami Saad: Thank you so much. Thank you, I apologize for the misunderstanding. A lot of people, they don't know who I am. I'm here at 12 Green, LLC, fighting for civil rights for 19 years, I represent 65,000 Washingtonians, and I own the first medical cannabis in Washington State since 2009-2010. We met with the Social Equity Group, and that's why here on King 5 News they had me there and as named -- [indistinct] The community fight back is Sammy Saad. It's right there. I want to show it to you in person. The person out there speaking is Ollie Garrett, no disrespect for Miss Ollie Garrett, but you promised me you will help. You didn't help. We went through the LCB. Peter said the right thing, this is not for us. We oppose it. I make it fail, and because of me and Peter, it became more than one license, and we came here, and Sammy Saad is out, and I get the Social Equity License, but that's through the 12 Green, and if I don't fall in all the categories, following all of that, I would never get it. I didn't get it because I had shops since 2019. Much respect for you, much respect for you. I'm from Sudan originally. We have war in Sudan. They said the president is not our president. The fight is fight between two generals. My son is being killed there. I don't want to have my son here. I'm not against anyone, but I don't like the toxic thing like what happened to Elon Musk to happen to my son. That's my decision, I'm Muslim. They call me, the LCB, they say to me, "you need to destroy your application." That's what happened after 2016, "you're not going to get no license." Still having a hard time, and now they want to take the license. We have license in Washington, in Seattle, the Seattle, in the highest point, and now you guys want to bring certificate holder to take our license from Seattle to force us out. They have many stores that's now being leased. This is not about far away from a school a thousand feet, but if you look at it, a certain program, you will never get no store. We cannot find a store in all of Seattle. Peter cannot. I cannot, Mike Asai cannot. I'm coming here today to unite all of us together. I love you Ms. Ollie Garrett, but you hurt me, you hurt my son. I'm the last to speak, King 5 News, allow me because the community needs to know this is about what Black people don't have. In my own country, they said the president is not the president, and that's not fair. Because of gold -- I own a gold mining company. I'll show you. I'm a millionaire, if you believe me or not. I'm Sudanese. I'm not the

best one. I'm American too. African-American, they were from Sudan. Sudan is black. When I'm from that region, I'm not separating myself, I'm a newcomer, but at the same time, I'm a victim of this. My son is being killed. My father's being killed. My mom is somewhere else, her back is broken. We have war over there. Do not vote for Democrat. Do not vote for Kamala Harris because they're using you. She's using us too, Ollie Garrett. Before that, I heard from people, they told us –[indistinct] She said, if you give my daughter license, a certain percent, she'll help Kevin Shelton. This is not fair. We need those pioneers, no rubric. Just 26 license for pioneers, the other 26 license for the other people. If you don't get the pioneer, it's not fair. We need to get our license.

7. ADJOURN

Meeting adjourned at 11:06 am.

Minutes approved this 8th day of October 2025



Jim Vollendroff
Board Chair



Ollie Garrett
Board Member



Peter Holmes
Board Member

Minutes Prepared by: Deborah Soper, Administrative Assistant to the Board

LCB Mission - Promote public safety, public health, and trust through fair administration, education, and enforcement of liquor, cannabis, tobacco, and vapor laws.
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