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**Senator Nick Miller, Chair
PA Senate Democratic Policy Committee
Senator Sharif Street, 3rd Senate District**

Chairman Miller, Senator Street, Members of the Senate Democratic Policy Committee, thank you for the opportunity to testify today on modernizing the Commonwealth's adult-use cannabis laws, and for the Committee's sustained work advancing this conversation across multiple legislative sessions. My name is Oren Gur, and I am here on behalf of the Philadelphia District Attorney's Office testifying in support of a well-regulated adult-use framework. Pennsylvania is now the only state in its region without one—New York, New Jersey, Maryland, Delaware, and Ohio have all legalized. While we are more than a decade and a few billion dollars behind other states, we have the benefit of learning from their experience, and that will be my focus today. The question is not whether Pennsylvanians will access cannabis, but whether the Commonwealth will regulate that access, or keep ceding the market, the revenue, and the safety oversight to our neighbors.

By way of background: I hold a Ph.D. in Criminology, Law, and Justice from the University of Illinois at Chicago, with an interdepartmental concentration in Violence Studies. My dissertation examined drug use among graduate and professional school students, people training to become doctors, lawyers, scientists, practitioners, and business leaders. I served as an Assistant Professor of Criminal Justice at Penn State Abington from 2015 to 2019, teaching Drug Control Policy in Comparative Perspective and other criminal justice courses, and previously taught at Villanova University and the University of Illinois at Chicago. Since 2018, I have served as Director of Research and Policy Advisor, and since 2019 as founding Director of the District Attorney's Transparency Analytics (DATA) Lab, at the Philadelphia District Attorney's Office. I have worked on bail reform, sentencing reform, and gun violence, and our unit works closely with academic researchers. My prior legislative and administrative testimony—including to the Pennsylvania House of Representatives on gun violence as a public health crisis, to the Pennsylvania Commission on Sentencing, and to Philadelphia City Council—has focused on translating criminal justice and public health data into policy and practice. I am on the City of Philadelphia's OD Stat committee and Substance Use Data Group.

I'll address local context, criminal justice, public safety, and economic impacts, plus three issues I'd urge the Committee not to leave to rulemaking: revenue allocation (schools, transportation, housing, and research), cash/banking, and consumer data protection.

Local Context

Nearly \$5 billion in recreational cannabis sales in 2025 went to dispensaries in New York, Maryland, Delaware, New Jersey, and Ohio¹—much of it Pennsylvanians crossing the border. Meanwhile, Pennsylvania's own medical program (nearly 439,000 patients, 196 dispensaries, ~\$1 billion in sales as of June 2026)² shows the Commonwealth already knows how to run one well; that's a running start, not a start from zero.

Every neighboring state on that map offers a lesson. New Jersey and Maryland phased licensing carefully and converted existing medical operators, avoiding the worst oversupply problems. New York is the clearest cautionary tale: a slow licensed rollout paired with weak enforcement let thousands of illegal shops open before a task force had to clean it up after the fact³—Pennsylvania should fund enforcement from day one instead. Ohio and Delaware show that a mature medical program, like ours, can support a fast, controlled transition. Every one of these states has had to revisit its framework within a few years of legalization; I'd build in a mandatory two- and five-year legislative review rather than treat this as a one-time bill.

Criminal Justice Reforms

Simply legalizing adult use recreational cannabis is not enough. Pennsylvania must also consider additional criminal justice reforms to ensure that past harms from the War on Drugs are rectified and we are using evidence-based drug enforcement policies going forward.

- **Impaired-driving standards.** No tetrahydrocannabinol (THC) blood level reliably tracks impairment (Colorado/Washington's 5 ng/mL standard has drawn scientific criticism⁴); Pennsylvania should invest in drug-recognition training instead of an arbitrary per-se limit.
- **Automatic expungement, not delayed sealing.** Pennsylvania's Clean Slate law does automatically seal many low-level cannabis convictions with no petition needed—but only after a multi-year waiting period⁵, and sealing isn't expungement: the record still exists and remains visible to law enforcement. True expungement here still requires a pardon or a court petition. California and Illinois, by contrast, cleared past cannabis records immediately upon legalization, with no waiting period.⁶
- **Retroactive relief.** New York's Marijuana Regulation and Taxation Act (MRTA) proactively resentenced and resealed cases for people still under supervision—not just closed convictions.⁷
- **Restorative reinvestment.** Illinois dedicates 25% of adult-use tax revenue, ongoing, to communities most affected by enforcement (its Restore, Reinvest, Renew, or R3, program)⁸; I'd urge a similarly recurring, not one-time, commitment here.

¹ [Marijuana Policy Program, Press Release.](#)

² [Pennsylvania Department of Health, Medical Marijuana Program.](#)

³ [New York Office of Cannabis Management](#)—enforcement against unlicensed retail.

⁴ [AAA Foundation for Traffic Safety, "An Evaluation of Data from Drivers Arrested for Driving Under the Influence in Relation to Per Se Limits for Cannabis"](#) (2016).

⁵ Pennsylvania Clean Slate Act (Act 56 of 2018), as amended by Act 36 of 2024—[PA General Assembly consolidated statutes.](#)

⁶ [California DOJ, AB 1793 cannabis conviction relief](#); [Illinois Criminal Justice Information Authority](#)

⁷ [New York Office of Cannabis Management—MRTA.](#)

⁸ [Illinois R3 \(Restore, Reinvest, Renew\) Program.](#)

- **Enforcement against unregulated products.** A July 2025 Inquirer investigation found unregulated Philadelphia smoke shops selling cannabis contaminated with mold and toxic chemicals⁹—exactly the risk New York's slow rollout created and Pennsylvania can avoid by funding enforcement upfront.

Community and Public Safety

While the science shows that legalizing adult use cannabis improves public health and safety, additional measures should be taken to ensure that the supply of adult use cannabis remains safe to PA consumers.

- **A dedicated Cannabis Control Board**, on the model of New Jersey's or Maryland's¹⁰, consolidates licensing, testing, and enforcement under one accountable regulator rather than splitting it across agencies.
- **Seed-to-sale tracking and mandatory lab testing** (Colorado's Marijuana Enforcement Tracking Reporting Compliance, or METRC, model)¹¹ keeps untested product out of the legal market.
- **Opioid overdose deaths:** early research linked medical cannabis laws to lower opioid deaths, but a 2026 systematic review found the evidence now inconsistent¹²—I would not sell this bill on curbing the opioid crisis. Its safety case rests on displacing the illicit market, not on opioid mortality.
- **Non-fatal overdoses:** a 2026 study did find medical and recreational cannabis laws associated with 15% and 12% reductions in non-fatal opioid poisonings.¹³
- **Research on use by youth:** Colorado's 2025 Healthy Kids Survey found teen use down 56% since before legalization¹⁴—legalization has not driven youth use up.

Economic Impacts

Pennsylvania has already lost out on billions in potential revenue, but when the markets do open up we need to ensure that the economic benefits are shared with those who have been historically impacted by the war on drugs, and communities see the most benefit from the potential windfall legalization would produce.

- **Local control with a deadline:** Each county should be able to decide if they want stores selling recreational cannabis. But they need a deadline. Without one, 60% of California's municipalities opted out years later¹⁵; Illinois and New Jersey set fixed opt-out windows instead.

⁹ Max Marin & Ryan W. Briggs, "[Pennsylvania's unregulated hemp stores are booming, but tests show products are rife with toxic and illicit chemicals](#)", The Philadelphia Inquirer (Aug. 4, 2025).

¹⁰ [New Jersey Cannabis Regulatory Commission](#); [Maryland Cannabis Administration](#).

¹¹ [Colorado Marijuana Enforcement Division](#)—METRC tracking system.

¹² "[Association between state cannabis laws and opioid outcomes: A systematic review](#)," Drug and Alcohol Dependence (2026).

¹³ "[The association between state cannabis legalization and non-fatal opioid poisonings among adults with employer-sponsored insurance in the United States](#)," Preventive Medicine Reports 2026;66:103497.

¹⁴ [Colorado Department of Public Health & Environment, Healthy Kids Colorado Survey](#).

¹⁵ [California Department of Cannabis Control](#) municipal licensing data, via [Cannabis Business Times](#).

- **Small business and equity investment:** proposed funding (~\$25M) should be a floor—Illinois' equity licensees struggled without capital access; Massachusetts' state-seeded loan fund did better.¹⁶
- **Jobs:** our 196 existing medical dispensaries are a head start Michigan didn't have, and Michigan still built a \$1.8B/year market.¹⁷
- **Revenue allocation for public priorities:** how this money is spent matters as much as how much is raised—see below.
- **Restorative reinvestment:** communities most impacted by enforcement should see a recurring share, not a one-time grant—as discussed above.

Prevention: Three Critical Issues

Three issues are easy to leave to rulemaking, and hard to fix later.

1. Revenue allocation for public priorities. How this money is spent matters as much as how much is raised.

- **Schools.** Colorado dedicates a guaranteed share of cannabis revenue to schools—its Building Excellent Schools Today (BEST) fund, roughly 33% of total distributions in fiscal year 2024-25 (FY24-25), with \$40.1M to school construction and another \$43.2M to programming and personnel that year.¹⁸
- **Transportation.** Michigan takes a different approach, sending 35% of its cannabis revenue to schools and another 35% specifically to its Transportation Fund for road and bridge repair.¹⁹
- **Housing.** Illinois' R3 program directly finances housing assistance, eviction defense, and community reentry housing²⁰, and Denver raised its special marijuana sales tax from 3.5% to 5.5% in 2018 specifically to fund affordable housing—generating roughly \$8M a year, nearly \$39M for housing programs through 2022.²¹ This matters beyond funding, too: the 1988 Thurmond Amendment²² lets landlords deny housing to anyone with a past drug distribution conviction—including old cannabis distribution convictions—regardless of rehabilitation or time elapsed, with no consideration of the usual factors like income or rental history. My office is releasing a report next month, *Housing Denied: Quantifying the Impacts of the Thurmond Amendment in Pennsylvania*,²³ examining this locally. State Rep. Josh Siegel's HB 1492²⁴ would repeal the amendment's effect at the state level and recently passed committee; automatic cannabis expungement, discussed above, would compound that relief by removing the underlying conviction entirely for those it affects.

¹⁶ [Massachusetts Cannabis Control Commission, Social Equity Program](#).

¹⁷ [Michigan Cannabis Regulatory Agency](#)—Marihuana Regulation Fund distribution data.

¹⁸ [Colorado Legislative Council Staff, "Update: Marijuana in the State Budget" \(2025\)](#).

¹⁹ [Michigan Cannabis Regulatory Agency](#)—Marihuana Regulation Fund distribution data.

²⁰ [Illinois R3 \(Restore, Reinvest, Renew\) Program](#).

²¹ [Denver Department of Excise and Licenses—Marijuana Information](#).

²² Fair Housing Amendments Act of 1988 (the "Thurmond Amendment"), [42 U.S.C. § 3607\(b\)\(4\)](#).

²³ Philadelphia District Attorney's Office, *Housing Denied: Quantifying the Impacts of the Thurmond Amendment in Pennsylvania* (forthcoming, October 2026)—not yet publicly linkable.

²⁴ [PA HB 1492, 2025-2026 Regular Session](#)—LegiScan bill tracker.

- **Research.** Pennsylvania already has its own research base to build on—10 Academic Clinical Research Centers, 50 funded studies²⁵—while Colorado has separately committed roughly \$27M to cannabis-specific research.²⁶

HB 1200 as passed sends 50% to a broad community-reinvestment account (which includes housing among many competing uses, but no protected share), 10% to substance-use treatment, and 30.5% to the General Fund²⁷—no dedicated, Colorado-style earmark for schools, transportation, housing, or research. I'd urge the Committee to build these in explicitly rather than let them compete for space.

2. **Cash-intensive operations and banking.** Because cannabis remains federally illegal, most dispensaries operate largely in cash—a real robbery risk. The federal Secure and Fair Enforcement (SAFE) Banking Act has stalled in the Senate for years, and Schedule III rescheduling didn't fix this.²⁸ Pennsylvania's Act 56 (2022, HB 331) gives state-chartered banks legal cover to serve cannabis businesses²⁹, but that's a floor: Colorado's Division of Banking actively recruits and supports state-chartered banks and credit unions, rather than merely permitting it.³⁰ I'd recommend Pennsylvania do the same, plus require secure cash-management protocols for licensees.
3. **Consumer data protection.** This deserves its own attention, not a footnote to licensing. Cannabis point-of-sale (POS) and seed-to-sale vendors have a real breach history (THSuite in 2020 exposed ~85,000 records³¹; MJ Freeway twice in 2016–17³²). Pennsylvania's medical program already protects individually identifying patient data well under Section 302(a)—even keeping it off police databases since 2018³³—but that protection stops at the state's own system and doesn't reach private POS vendors, for either program. I'd recommend extending Section 302(a)'s confidentiality to an adult-use system, plus a data-minimization and anti-sale rule and breach-notification standard for vendors, following Oregon, Alaska, and Colorado.³⁴

Closing

I was teaching comparative drug policy a decade ago, when the first states beyond Colorado and Washington began legalizing. I've had ten years to watch this play out elsewhere—and ten years to watch Pennsylvania not catch up.

²⁵ [Pennsylvania Department of Health, Medical Marijuana Clinical Research Program](#).

²⁶ [Colorado Department of Public Health & Environment, press release on medical marijuana research grants](#) (2025).

²⁷ [PA HB 1200 fiscal note](#), House Appropriations Committee.

²⁸ [SAFE Banking Act of 2026, H.R. 9471, 119th Congress](#).

²⁹ [PA HB 331 \(2021-2022\), signed as Act 56 of 2022](#)—LegiScan bill tracker.

³⁰ [Colorado Division of Banking, "Roadmap to Cannabis Banking"](#).

³¹ [THSuite data breach reporting \(2020\)](#).

³² [MJ Freeway data breach reporting \(2016–2017\)](#)

³³ Pennsylvania Medical Marijuana Act, 35 P.S. § 10231.302(a)—[PA General Assembly](#); Pennsylvania Department of Health JNET removal (2018).

³⁴ [Oregon](#), [Alaska](#), and [Colorado](#) cannabis consumer-data statutes.

Pennsylvania does not have the luxury of deciding whether an adult-use cannabis market will exist around it; that market already surrounds us on every border. The choice before this Committee is whether the Commonwealth regulates it, taxes it, keeps it out of the hands of minors, and repairs the harm decades of enforcement caused in the communities that bore its weight—or continues to let that decision be made for us by New York, New Jersey, Maryland, Delaware, and Ohio.

Pennsylvania is behaving like a county with no dispensaries surrounded by counties that do—except when a county opts out, the tax revenue still stays in Pennsylvania. When our whole state opts out, it doesn't come back.

I appreciate the chance to highlight lessons learned from our neighbors and other states on criminal justice, safety, and economic impact. Beyond that, I focused on three areas worth strengthening to help prevent crime and improve public health and services: clear, dedicated investment in schools, transportation, housing, and research; addressing the cash-flow risks this industry creates; and building in real consumer data protections. And we should build in a way to check back—to iterate as we learn what's working and what isn't, rather than treating this as a bill we write once and never revisit.

Thank you again for the opportunity to testify, and I'm happy to answer any questions from the Committee.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Oren M. Gur', is written over the typed name.

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