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Governor Bryan Signs Adult Use Cannabis Legislation Into Law *Governor also issues proclamation approving pardons for persons convicted of simple possession of marijuana*

U.S. VIRGIN ISLANDS — On Wednesday, January 18, Governor Albert Bryan Jr. signed into law the Virgin Islands Cannabis Use Act (Act 8680), which allows for the legal use by adults for medicinal, sacramental and other uses and also regulates the production, distribution and use of cannabis.

The law also provides additional economic opportunities for Virgin Islanders and creates additional revenue for the Government of the Virgin Islands.

During a signing ceremony of the measure passed by the 34th Legislature, Governor Bryan also issued a proclamation that allows persons convicted of simple possession of marijuana to apply for a pardon through the Virgin Islands Department of Justice.

“From the beginning of the Bryan-Roach Administration, we have worked towards the legalization of the adult use of cannabis, and today, with the hard work of the members of the 34th Legislature and prior Legislatures and the efforts of my team, we are finally here and finally signing into law the Virgin Islands Cannabis Use Act,” Governor Bryan said. “This Act incorporates key aspects of my original proposal, such as one streamlined regulatory scheme for both medicinal and adult use, enforcement powers for the Office of Cannabis Regulation, entrepreneurship and job opportunities for Virgin Islands residents, and the creation of a revenue stream to help fund critical Government initiatives and operations.”

The Act also improves upon Governor Bryan's original proposal with the inclusion of a robust social equity program and expansion of the expungement opportunities for marijuana-related arrests and convictions with Act 8679.

The Governor thanked Senator Donna Frett-Gregory, the president of the 34th Legislature, for bringing key stakeholders together to travel to Denver to learn about the cannabis industry firsthand.

"By traveling to Denver and meeting and speaking with individuals involved in all aspects of the industry from regulators, to law enforcement officers, to cultivators, manufacturers and dispensary owners, it is my hope that the individuals involved with the roll-out of this industry have learned best practices and what to avoid as we work to create this industry in the Virgin Islands," Governor Bryan said.

The Governor urged all Virgin Islanders to act now to seize all the opportunities available under the Act and said the Office of the Governor with funding appropriated by the 34th Legislature and working with the various departments and agencies, will work towards the automatic expungement of the simple possession of marijuana to those who are eligible and provide entrepreneurship and job training to the community to those who seek a role in this new industry.

"We are bringing the opportunities to you, but you must also do your part to seize these opportunities. It is my goal to make sure many of us who have been negatively impacted by the criminalization of cannabis are afforded every opportunity to participate in this new and legal cannabis industry," Governor Bryan said.

As of 2020, more than 7 million people have been arrested for marijuana violations and of that number, millions have been convicted of simple possession, which oftentimes affects one's ability to obtain funding for education, secure public housing and to obtain employments. Those arrests and convictions for simple possession have disproportionately affected people of color.

On October 6, 2022, President Joe Biden pardoned federal convictions for simple possession for all United States citizens and lawful permanent residents, taking a major step to reform cannabis policy and to restore justice to those negatively impacted by the criminalization of the use of marijuana.

"The Bryan-Roach administration supports the reform of Cannabis policy and the restorative justice effects that go hand-in-hand with that reform," Governor Bryan said. "Today, I proclaim that all criminal convictions for the simple possession of marijuana under the Virgin Islands Code are fully and completely pardoned. My office estimates that approximately 300 individuals have been convicted of the simple possession of marijuana in the last 20 years."

Individuals who have been convicted of the simple possession of marijuana should contact the Department of Justice to obtain a pardon application, complete that application, and return the completed application to the Department of Justice to ensure that they receive the pardon.

For those convicted of simple possession of up to 2 ounces of marijuana, their conviction will be automatically expunged under the Virgin Islands Cannabis Use Act and the Expungement Act that accompanies the Cannabis Act.

Pardons are different from expungements. A pardon forgives the crime for which you are being pardoned and restores some of the educational and economic opportunities that may have been lost, but it does not clear that conviction from your record.

The Governor said persons who are not eligible for automatic expungement, may still be automatically expunged later as the Auto-Expungement Task Force works on making recommendations for future automatic expungements.

“However, the best way to ensure the expungement of your records for marijuana related convictions and any other eligible convictions is to file a petition with the Court seeking that expungement. Don’t wait for the opportunities to come to you, go out and grab them,” Governor Bryan said.

The Bryan-Roach Administration is investing in the Territory’s people, infrastructure and future through transparency, stabilizing the economy, restoring trust in the government and ensuring that recovery projects are completed as quickly as possible. Visit transparency.vi.gov

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