



State of New Jersey
CANNABIS REGULATORY COMMISSION

PHILIP D. MURPHY
Governor

P.O. BOX 216
TRENTON, N.J. 08625-0216

TAHESHA L. WAY
Lt. Governor

DIANNA HOUEYOU, *Chair*
SAMUEL DELGADO, *Vice Chair*
KRISTA NASH, *Commissioner*
MARIA DEL CID-KOSSO, *Commissioner*
CHARLES BARKER, *Commissioner*
CHRIS RIGGS, *Acting Executive Director*

RESOLUTION 2024-276
APPROVAL OF REQUEST FOR A DETERMINATION OF REHABILITATION BY
ADULT-USE CANNABIS BUSINESS EMPLOYEE

WHEREAS, the New Jersey Cannabis Regulatory Commission (“the Commission”), established pursuant to P.L.2019, c.153, known and cited as the “Jake Honig Compassionate Use Medical Cannabis Act,” (“Honig Act”) is charged with implementing the provisions of the Honig Act as well as P.L.2021, c.16, known and cited as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (“CREAMM Act”); and

WHEREAS, pursuant to N.J.A.C. 17:30-7.12, the Commission requires that any applicant seeking to be an owner, principal, employee, or volunteer of a cannabis business or testing laboratory must undergo a criminal history record background check and provide all requested information as may be required; and

WHEREAS, pursuant to N.J.A.C. 17:30-7.12, an applicant who is required to undergo a criminal history record background check shall submit to being fingerprinted in accordance with applicable State and federal laws, rules, and regulations. If an applicant refuses consent to a check of the criminal history record background information, the applicant shall be deemed unqualified as a license applicant or license holder; and

WHEREAS, pursuant to N.J.A.C. 17:30-7.12, the Commission shall not provide authorization for an applicant to participate as a license applicant or license holder in an adult-use cannabis business if a disqualifying conviction, as set forth in N.J.A.C. 17:30-7.12(d), is revealed during a check of the criminal history record background; and

WHEREAS, upon receipt of the results of the criminal history record background information, the Commission shall provide written notification to the applicant of the applicant’s disqualification to be an employee of an adult-use cannabis licensee, with the disqualifying conviction identified in the notice; and

WHEREAS, if an individual has been convicted of a disqualifying crime, the Commission will not disqualify the individual on the basis of such conviction if the individual has affirmatively demonstrated to the Commission by clear and convincing evidence of rehabilitation, in accordance with N.J.A.C. 17:30-7.12(e); and

WHEREAS, in determining whether sufficient evidence of rehabilitation has been provided, the Commission shall consider the factors set forth in N.J.A.C. 17:30-7.12(e):

- a) the nature and responsibility of the position which the convicted individual would hold, has held, or currently holds;
- b) the nature and seriousness of the crime or offense;
- c) the circumstances under which the crime or offense occurred;
- d) the date of the crime or offense;
- e) the age of the individual when the crime or offense was committed;
- f) whether the crime or offense was an isolated or repeated incident;
- g) any social conditions which may have contributed to the commission of the crime or offense; and
- h) any evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of those who have had the individual under their supervision; and

WHEREAS, in accordance with N.J.A.C. 17:30-7.12(g), any individual disqualified shall be given an opportunity to challenge the accuracy of the disqualifying criminal history record prior to being permanently disqualified from participation; and

WHEREAS, pursuant to N.J.S.A. 24:6I-36(d)(5), application materials submitted to the Commission are confidential and not public records; and

WHEREAS, the employee/applicant of adult-use cannabis businesses listed below received notice that the result of their criminal history background information check revealed a conviction for a disqualifying offense; and

WHEREAS, the adult-use cannabis business employee listed below was provided an opportunity to challenge the accuracy of their criminal history results or request a determination of rehabilitation from the Commission; and

WHEREAS, the notice set forth the required documentation that must be provided in order to be considered for a rehabilitation determination or to contest the accuracy of their conviction; and

WHEREAS, the employee submitted documentation in support of a finding of rehabilitation; and

WHEREAS, the Board of Commissioners has reviewed the documentation provided by the employee, and has found sufficient evidence to support a finding of rehabilitation;

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Cannabis Regulatory Commission, pursuant to N.J.A.C. 17:30-7.12(e), that the following adult-use cannabis business employee, de-identified by the last four (4) digits of their case number, has satisfied the requirements set forth in the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act and regulation, and the Commission has determined to approve their request for a rehabilitation determination:

Case Number for Subject Employees
4064

The Commission shall provide to the subject employee notice of the Commission's action herein and provide the employee an adult-use cannabis business identification card in accordance with N.J.A.C. 17:30-8.1.

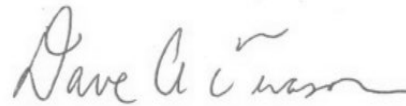
Submitted by:



Dianna Houenou, Chair

CERTIFICATION

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Cannabis Regulatory Commission at its meeting held on the 19th day of September 2024.



Dave Tuason, Chief Counsel

Vote on the Approval of This Resolution	Motion	Second	Yes	No	Abstain	Absent
Commissioner Barker		X	X			
Commissioner Del Cid-Kosso			X			
Vice Chair Delgado			X			
Chairwoman Houenou			X			
Commissioner Nash	X		X			