

**HOW
AARON
ROMANO
MADE
CANNABIS
LAW HIS
COTTAGE
INDUSTRY**



Marijuana is a budding business in a number of states. Will the new attorney general kill the buzz? One enterprising lawyer on the front lines of the legalization fight hopes not.

By **Lindsay Podraza**
and **Larry Teitelbaum**

Aaron Romano L'98 projects a utopian vision of the legalization of marijuana. To him, cannabis is not a gateway to more dangerous drugs but rather a bridge to a more enlightened and connected society. His position is at odds with new U.S. Attorney General Jeff Sessions, an avowed foe of the normalization of pot.

In a pre-election interview several months ago, Romano, an attorney who has become an expert in marijuana business law, predicted that cannabis would be legal within five years — a plausible notion reinforced when voters in California, Maine, Massachusetts and Nevada approved the recreational use of marijuana on Nov 8. However, on that same night the nation elected Donald Trump president, and Romano's optimism has since faded.

Sessions has criticized the FBI and the U.S. Department of Justice for failing to enforce federal prohibition, and he now holds the authority to overturn state law and arrest growers, retailers and users. (Newspaper reports indicated that Sessions does not intend to intervene, but a spokesman signaled in February that the Trump administration has a more favorable disposition to medical than to recreational marijuana.)

Said Romano: "I don't think the federal government can step in and roll back medicinal use. There's far too much support in the states. I do think they (the Justice Department) have the resources to roll back recreational use in some states."

That said, the federal government will find it harder, if not impossible, he asserted, to shut down the industry in states which permit individuals to grow their own marijuana. One of those states is Colorado, which joined Washington in 2012 as the first state to legalize recreational marijuana.

Don Mares L'82, who is executive director of the Denver Department of Human Services, said that they simply do not know how the new administration will treat Denver's highly regulated marijuana market. But Mares does share Romano's view that it would be difficult to shut down the marijuana industry in Colorado. First, he said, the state does not know the number of nor can identify individual growers, who are not required to register for a license. Second, legalization remains popular,

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Attorney at Law

with roughly 66 percent support in Denver. Third, sales of marijuana generate significant revenue. *The Denver Post* reported that sales reached approximately \$1 billion statewide last year, with cities and towns using that money for everything from scholarships for low-income residents to capital improvements.

Today, medical marijuana is legal in 28 states and recreational pot in eight states. Both medical and recreational marijuana are legal in the District of Columbia. Business is booming. According to the ArcView Group, a marijuana industry consulting firm, legal marijuana sales were \$6.7 billion in 2016. And there are projections that the market could grow to nearly \$22 billion by 2020.

“It’s a huge economy that exists worldwide... it really is this expression of true market economics,” Romano said. “It’s sort of like a Libertarian paradise.”

You won’t find Romano in a marijuana haven like Colorado. Rather, he works from home in Bloomfield, Conn., site of his eponymous law firm. He lives on a farm, and while he’s helped several people set up marijuana growing businesses, or “grows,” the only thing in his garden is vegetables.

“Caffeine’s a drug, and I don’t do coffee,” Romano said. “I stay away from everything.”

He returned to his native Connecticut in 2003 after abandoning his private practice in St. Thomas, Virgin Islands. He had previously been an assistant attorney general in the Northern Mariana Islands and a public defender in Philadelphia. For several years, he’s been a member of the National Organization for the Reform of Marijuana Laws (NORML) and serves as legal counsel for the Connecticut chapter.

“You have to be radical in order to be a member of this organization and declare your opposition to

drug prohibition and the desire to legalize marijuana,” Romano said.

“Marijuana can, just like anything else, be over-used ... If someone wants to use (it), they shouldn’t be jailed for that.”

Calls related to marijuana law started coming into this office in 2012, when medical cannabis was legalized in Connecticut. The prior year, marijuana had been decriminalized in the state, and Romano had held community events that educated locals about what decriminalization — as opposed to legalization — meant. (Personal use of less than one half ounce of marijuana carries a fine of up to \$150.)

While medical marijuana became legal, there wasn’t necessarily a legal way to obtain it in Connecticut. That’s when Romano’s expertise with NORML came in handy for the advent of a new state industry: growing weed. “It’s not like you can go into a regular business firm and get the same kind of advice,” he said.

He’s worked with a range of people involved in the business, from helping farmers set up licensed grows, to working with doctors on the legal parameters of marijuana prescription, to explaining the legality of dispensaries to landlords.

Romano’s expertise isn’t just being sought in Connecticut, but across the country. “The market in Connecticut is somewhat limited because of the way the law is structured,” he said. “Many people consult with me from out of state.”

Romano said he has been lobbying for Connecticut to classify cannabis as an agricultural crop so that farmers can benefit; only four companies are licensed to grow indoors at present. He advocates as well for the licensing of small and minority businesses.





PHOTO: JULIE BIDWELL

Culturally and legally, we are a long way from *Reefer Madness*, the 1936 cult film that warned of the dangers of marijuana. The War on Drugs began in the Nixon Administration following congressional passage of the Controlled Substances Act in 1970. That legislation created classifications for drugs, placing marijuana, along with heroin, in Schedule I, reserved for drugs with a high potential for abuse and for which there is no accepted medical use.

Although Romano doesn't indulge in marijuana himself, and thinks that young adults should be shielded from it while their brains are still developing, he is positively euphoric about the transformative potential of cannabis on the country, should it become legal nationwide.



Against a rising tide of opposition from the federal government, Aaron Romano L'98 is trying to normalize the use of marijuana in the United States.

Romano suggested a thought experiment where marijuana is the substance of choice in social settings. Imagine, he said, if Congress did not pass the Dangerous Drug Act in 1934, which criminalized marijuana, and alcohol was illegal instead.

"I think you'd have a very different world because people's perceptions would be very different and priorities that we'd set would be very different, too," Romano said. "I think there'd be more of a focus on values, on art. I think there would be a value on cuisine, on farming. People would be aware and be more connected to one another and the earth."

That scenario is not about to play out anytime soon. Romano will be satisfied if attorney general Sessions leaves existing state laws in place. ♣