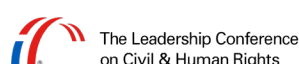


Statement of Principles on Federal Marijuana Reform

THE MARIJUANA JUSTICE COALITION



For decades, marijuana prohibition has devastated the lives of millions and disrupted the economic and social fabric of communities. The continued enforcement of marijuana prohibition laws results in over half a million arrests annually, disproportionately impacting people of color who are on average almost 4 times more likely to be arrested for marijuana possession than their white counterparts, despite equal rates of use across race.¹ Additionally, simple marijuana possession was the fourth most common cause of deportation for any offense and the most common cause of deportation for drug law violations.²

A recent Gallup poll shows that a record number of U.S. adults—68%—now support marijuana legalization.³ Past polling indicates even higher support for criminal justice reform with 73% of American voters supporting the automatic sealing of marijuana offenses.⁴

The nation has moved beyond the question of ‘should we legalize marijuana?’, and is now grappling with ‘how do we legalize?’ More than 40 percent of Americans now live in states where marijuana is legal.⁵ But nationwide, the communities that have been most harmed by marijuana prohibition are benefitting the least from the legal marijuana marketplace.

Individuals who have suffered from the impact of a marijuana arrest or conviction are still languishing from the thousands of unique collateral consequences of over-enforcement of marijuana laws— collateral consequences that include difficulty securing or maintaining employment, housing, federal financial aid, nutritional assistance, the ability to vote, a valid driver’s license, and harsh immigration related consequences for noncitizens.⁶

Despite the fact that the harms of marijuana prohibition have not been borne equally across the nation and across specific populations, people of color are woefully underrepresented in the marijuana industry.⁷ Historically disproportionate and racially biased arrests and convictions make it particularly difficult for Black and Brown people to enter the legal marijuana marketplace, as most states bar these individuals from participating because of their record. Other barriers include exorbitant licensing fees and the need for large amounts of capital before gaining a license.

Ending prohibition on the federal level presents a unique and desperately needed opportunity to rightfully frame legalization as an issue of criminal justice reform, equity, racial justice, economic justice, and empowerment, particularly for communities most targeted by over-enforcement of marijuana laws.

As Congress considers the end of marijuana prohibition, the Marijuana Justice Coalition believes that any legislation that moves forward in Congress should be comprehensive. The provisions set forth below are agreed upon by the undersigned criminal justice, drug policy, civil rights, and anti-poverty groups as principles that should be considered as a part of any moving marijuana reform bill in Congress:

- **Descheduling marijuana, as maintaining marijuana on the Controlled Substances Act serves to preserve federal criminalization and enforcement.**
- **Criminal justice reform provisions (e.g. expungement, resentencing).**
- **Provisions eliminating barriers to access to public benefits (e.g. nutrition assistance, public housing, etc.) and other collateral consequences related to an individual’s marijuana use or previous arrest or conviction.**
- **Provisions eliminating sanctions for lawful marijuana use when it comes to employment, pre-employment, or random drug testing in the workplace.**
- **Provisions eliminating punishment for marijuana use, including arrests and convictions, and drug testing for public benefits or marijuana use as a reason for separating children from their biological families in the child welfare system.⁸**
- **Provisions that ensure that marijuana use or participation in the marijuana industry does not impact the immigration status of noncitizens nor their ability to naturalize.**
- **Provisions directing marijuana tax revenue to local units of government and community-based organizations to reinvest in individuals and communities most impacted by the war on drugs, particularly through programming that helps eliminate the collateral harms of marijuana prohibition, especially for individuals with systemic and structural barriers to employment and/or living in high-poverty communities.**
- **Provisions directing marijuana tax revenue to entrepreneurs from communities directly impacted by the war on drugs with a process to provide them with the requisite capital and support to develop cannabis businesses, and encourage emerging licensing programs to be inclusive and reflective of their communities.**

Signed by the members of the Marijuana Justice Coalition:

American Civil Liberties Union • Center for American Progress • Center for Law and Social Policy •
 Doctors for Cannabis Regulation • Drug Policy Alliance • Human Rights Watch •
 Immigrant Legal Resource Center • JustLeadershipUSA • Lawyers’ Committee for Civil Rights Under Law •
 Minorities for Medical Marijuana • National Association of Social Workers •
 National Council for Incarcerated and Formerly Incarcerated Women & Girls •
 National Immigration Project of the National Lawyers Guild • NORML • Students for Sensible Drug Policy •
 The Leadership Conference on Civil & Human Rights • Veterans Cannabis Coalition



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