



August 19, 2020

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
United States Capitol
Washington, DC 20515

The Honorable Steny Hoyer
Majority Leader
U.S. House of Representatives
United States Capitol
Washington, DC 20515

cc:

Rep. Jerry Nadler, Chair, House Judiciary Committee
Rep. Frank Pallone, Chair, House Energy & Commerce Committee
Rep. Collin Peterson, Chair, House Agricultural Committee
Rep. Bobby Scott, Chair, House Education & Labor Committee
Rep. Richard Neal, Chair, House Ways & Means Committee
Rep. Raúl M. Grijalva, Chair, Natural Resources Committee
Rep. Carolyn Maloney, Chair, House Oversight & Reform Committee
Rep. Nydia Velazquez, Chair, House Small Business Committee

Dear Speaker Pelosi and Majority Leader Hoyer:

As individuals and organizations composed of current and retired law enforcement professionals, including police officers, judges, prosecutors, and others, we publicly endorse the Marijuana Opportunity and Reinvestment (MORE) Act ([H.R. 3884](#)). As front-line public safety experts, we believe that responsible regulation and control of marijuana will be more beneficial to society than prohibiting and criminalizing it. The COVID-19 pandemic shines a bright light on why this kind of reform is as urgent as ever as a matter of public health, safety, and better use of much needed resources. **We write to you today to request that you swiftly bring this critical legislation to the House floor for a vote in September.**

Last fall, the House Judiciary Committee made history by supporting the MORE Act and becoming the first Congressional body to vote in favor of de-scheduling marijuana. Indeed, legalizing, regulating, and controlling marijuana at the federal level is an opportunity to repair and strengthen the relationships between us and the people we serve; to shift public resources toward the most serious crimes; to reduce the size and influence of the illicit market; and to usher in an era of health-centered approaches — rather than criminal punishment — for people who use drugs.

A significant driver of public distrust in law enforcement is our focus on low-level marijuana arrests. As the most visible part of the justice system, we police are already met with animosity every day. Our effectiveness and morale should not suffer unnecessarily. If marijuana had never been criminalized, many more Americans would greet us with warmth and cooperation rather than fear and malice. Without the trust of the people we serve, we lose a valuable crime-fighting resource. When community members refuse to talk to us, fail to present

evidence or even to report crime, our jobs become much more difficult. Legalizing marijuana will help alleviate this tension and allow us to focus on our shared priorities: responding to emergencies and curbing serious crime.

The resources used to enforce marijuana law violations could be shifted and used to more effectively tackle serious and violent crimes. Americans were arrested for marijuana [seven million times](#) between 2001 and 2010, the vast majority of which were just for possession. Even as more states legalize marijuana, police made more than [663,000 marijuana arrests](#) — 92% of them for possession — last year alone. Meanwhile, homicide and sex crimes units struggle to get evidence examined in a timely manner. While that evidence sits in storage for years collecting dust, predators roam free to harm more innocent people. This misallocation of resources is disgraceful. By legalizing marijuana at the federal level, we will send a message to every police department in this country about our real priorities. Our allegiance lies with crime survivors and would-be victims, not with marijuana prohibition. By focusing on serious crime and creating safe neighborhoods — rather than arresting people for a drug most Americans think should be legal — we will be able to solve more crimes and earn back the trust of our communities.

Regulation reduces youth access and keeps adult consumers safe. Criminalizing marijuana has been a boon to the illegal market where there are no regulations, product testing, etc. Resourceful teenagers do not usually have trouble accessing marijuana when it is illegal. Underground sellers do not have to obtain age verification before making a sale and may sell other far more dangerous substances. Legalizing marijuana shrinks the size of the market available to teens, which simultaneously reduces their exposure to criminal activity in general.

A profitable underground market supports the high demand for marijuana, much as it did during the prohibition of alcohol in the 1920s and '30s. Calling marijuana a “controlled” substance is illusory; where it is illegal, we have no control. We cannot ensure the purity of the product, require the use of childproof containers, or determine who can buy and sell it. Over time, marijuana legalization will drive out the underground market, just as alcohol bootleggers disappeared after repealing alcohol prohibition. Right now, the underground market still flourishes because marijuana is legal in some places and not others. The most impactful way to take marijuana profits away from criminal organizations and reduce youth access is to regulate marijuana similarly to how we regulate alcohol and cigarettes.

We believe that public health interventions for problematic drug use are superior at improving health outcomes than are legal consequences. For too long, the responsibility of dealing with nuisance drug use has been relegated to law enforcement. We do not have the tools, training, or time to be drug counselors for problematic use.

When someone struggles with alcohol addiction, they need access to treatment and other supports that help stabilize a person’s life. Elements like access to housing, nutritious food, and viable employment can help a person struggling with addiction on their road to recovery. When a person who struggles with alcohol misuse abuses a loved one or causes a car accident, we do not arrest them for possessing alcohol; we arrest them for the action that caused harm. Marijuana users should be treated no differently. Just as a majority of alcohol users enjoy responsibly, so do a majority of marijuana users.

Driving while intoxicated on any drug will always be illegal. As law enforcement professionals, we support robust training for police in how to perform roadside impairment tests. Whether marijuana is legal is irrelevant to this work because the law has not stopped millions of people from consuming it for thousands of years. Three years after Colorado and Washington legalized marijuana, there was [no statistically significant difference](#) in the number of fatal automotive accidents compared to states where it is illegal.

The sky has not fallen in states that have legalized. Research indicates that in states where marijuana is already legal, youth use is [either stable or declining](#); living near a dispensary [does not influence](#) teens' perception of marijuana or use rates; marijuana-related activity by cartels has [declined significantly](#); and legalization may have contributed to police effectiveness and [higher clearance rates](#) for violent crimes, property crimes, motor vehicle thefts, and burglaries.

The MORE Act provides a clear path forward that rights the wrongs of prohibition, and will significantly help law enforcement forge better relationships with the people we serve and bring justice to families of serious, violent crimes. We ask that Members of Congress support this critical piece of legislation and ensure that it is swiftly brought to the House floor for a vote in September.

Sincerely,

Organizations

Law Enforcement Action Partnership
National Black Police Association
Fair and Just Prosecution

Individuals

J.H. Barr
Municipal Prosecutor
Township of Clark, NJ

Buta Biberaj
Commonwealth's Attorney
Loudoun County, VA

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Former Sergeant and Terrorism Liaison Officer
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Assistant U.S. Attorney for the Central District of California (1987-1988; 1990-2002)
Chair, Solicitor General's Criminal Appellate Advisory Group (2000-2002)

Former Special Agent David Long
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Clackamas County Sheriff's Office, OR

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