

February 6, 2018

Subject:
State Regulation of Marijuana



To the Colorado Congressional Delegation:

The Honorable Michael Bennet
The Honorable Cory Gardner
The Honorable Diana DeGette
The Honorable Jared Polis
The Honorable Scott Tipton

The Honorable Ken Buck
The Honorable Doug Lamborn
The Honorable Mike Coffman
The Honorable Ed Perlmutter

On January 4th, United States Attorney General Jeff Sessions announced that the Justice Department had rescinded, effective immediately, the Obama administration guidelines – known as the Cole memorandum – which outlined public safety protections and directed US attorneys to not interfere with those compliant with state marijuana laws.

While the AG's actions were not altogether unexpected, they do clash with pledges previously made by President Donald Trump during his 2016 presidential campaign, as well as with comments made by Sessions during his Senate confirmation process. At that time, Sessions acknowledged that the guidelines laid out in the memo were "appropriate."

Colorado residents voted overwhelmingly to legalize adult-use recreational marijuana in 2012. Since that time, we have shown the world that marijuana can be successfully regulated in a safe and effective manner. Legal statewide marijuana markets have provided an economic boost to our state – leading to increased tax revenues, tourism, and home values. At the same time, these laws have not been associated with serious adverse public health consequences. Teen marijuana use has significantly fallen in recent years, as have opioid related hospitalizations and deaths.

Sessions has clear intentions to facilitate the dismantling of the United States' marijuana industry despite its widespread, accepted legal status. One in five Americans reside in a state where the adult-use of recreational marijuana is legalized in statute and the majority of Americans reside in a state where the use of medical marijuana is legally authorized. The most recent nationwide polling data compiled by Gallup shows 64 percent of US adults support the legalization of adult-use recreational marijuana. Quinnipiac University found that 71 percent believe that states, not the federal government, should set marijuana policy.

It is time for members of Congress from Colorado and other states where marijuana has been legalized to step up and defend the rights of their constituents – many of whom rely on these policies for their health and welfare. To accomplish this, marijuana must be removed from the Controlled Substances Act. States need to be given the power and flexibility to establish their own marijuana policies free from federal interference.

Our Attorney General is unwilling to respect the will of voters, does not recognize states' rights, and has readily eliminated safeguards that protected our communities. Congressional action is necessary to protect the sovereignty of states like Colorado and ensure that marijuana businesses and consumers will be free from undue federal interference.

Sincerely,