

Marijuana Series: Senator Gillibrand Advocates for Marijuana Reform

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Author: Brian P. Sharkey

Over the past several months, Senator Kirsten Gillibrand, a Democrat from New York, has advocated for reform of federal marijuana policy. First, in early January, as soon as news reports began to circulate that Attorney General Jeff Sessions planned to rescind Obama-era guidance concerning how federal prosecutors should approach marijuana laws, Senator Gillibrand issued a press release announcing her opposition. In that press release, Senator Gillibrand declared that the Attorney General's plans were "a direct attack on patients. Parents should be able to give their sick kids the medicine they need without having to fear that they will be prosecuted. Veterans should be able to come home from combat and use the medicine they need without having to fear they will be prosecuted." Senator Gillibrand also explained that "[t]his is about public health, and it's about reforming our broken criminal justice system that throws too many minorities in prison for completely nonviolent offenses. I urge my colleagues to join me in fighting this shortsighted decision and supporting my broadly bipartisan bill, the CARERS Act, to keep the federal government out of the way when doctors and patients decide that medical marijuana is the best treatment for them."

A little over one month later, on February 14, Senator Gillibrand announced that she was co-sponsoring S.1689, the Marijuana Justice Act, a bill that would legalize marijuana. The legislation, which was introduced by Senator Cory Booker of New Jersey, would not only remove marijuana from the list of controlled substances, but would also expunge marijuana possession convictions. Commenting on her decision, Senator Gillibrand stated in a press release that "[m]illions of Americans' lives have been devastated because of our broken marijuana policies, especially in communities of color and low-income communities[.] ... Just one minor possession conviction could take away a lifetime of opportunities for jobs, education, and housing, tear families apart, and make people more vulnerable to serving time in jail or prison down the road." Moreover, Senator Gillibrand stressed that "[l]egalizing marijuana is a social justice issue and a moral issue that Congress needs to address, and I'm proud to work with Senator Booker on this legislation to help fix decades of injustice caused by our nation's failed drug policies."

In that same press release, Senator Booker expressed his appreciation for Senator Gillibrand's action, as he remarked that "I'm thrilled Senator Gillibrand has joined me in this movement to make our justice system more fair." He also declared that "[l]egalizing marijuana isn't a matter of if it's a matter of when[.] ... The War on Drugs has been a war on people, especially people of color and low-income individuals[.] The Marijuana Justice Act would reverse this trend by not only legalizing marijuana, but by also helping to address the damage the War on Drugs has inflicted on communities disproportionately impacted by marijuana enforcement."

Two weeks later, Senator Gillibrand criticized the pharmaceutical industry with respect to marijuana on Twitter. Specifically, she tweeted that "Big pharma keeps pushing back against legalizing medical marijuana because, in many cases,

they want to continue to sell addictive drugs and dominate the market for drugs that address chronic pain. That's wrong. It is time to rework our cannabis laws."

On March 27, Senator Gillibrand issued a press release announcing the inclusion of a provision in the Omnibus Appropriations package that prohibits the use of federal funds by the Department of Justice to interfere with the implementation of medical marijuana laws that have been adopted in 29 States and the District of Columbia. In the press release, Senator Gillibrand declared that "I am pleased that this provision is included in the Omnibus Appropriations package so that the Department of Justice cannot interfere with states' rights to implement their medical marijuana laws[.] ... Parents should be able to give their sick children the medicine they need without having to fear that they will be prosecuted. Veterans should be able to come home from combat and use the medicine they need without having to fear that they will be prosecuted. I will continue to urge my colleagues to pass my bipartisan legislation, the CARERS Act, so that the children and families who desperately need this medicine can finally access it without fear."

Lastly, on March 30 Senator Gillibrand tweeted the following message: "You cannot discuss criminal justice reform without talking about decriminalizing marijuana. It is a moral and a social justice issue."

While reform of marijuana laws remains a very hot topic at the State level, particularly in New Jersey, it is also a focus of attention at the federal level. While Attorney General Sessions has made it clear that marijuana is illegal and he will not pretend otherwise, many members of Congress, including Senators Booker and Gillibrand, are working to change that reality.