

May 28, 2021

Speaker Nancy Pelosi
1236 Longworth H.O.B
Washington, DC 20515



House Majority Leader Steny Hoyer
H-107, The Capitol
Washington, DC 20515

House Minority Leader Kevin McCarthy
2468 Rayburn H.O.B
Washington, DC 20515

Re: Co-Sponsor the MORE Act and Support Swift Passage in the House

Dear Speaker Pelosi, Majority Leader Hoyer, Minority Leader McCarthy, and Honorable Members of the U.S. House of Representatives:

We, the undersigned criminal justice, civil rights, drug policy, and advocacy organizations, write today to urge you to co-sponsor the Marijuana Opportunity Reinvestment and Expungement (MORE) Act of 2021 and support its swift movement to the House floor in June of 2021. The MORE Act ends federal marijuana prohibition, addresses the collateral consequences of federal marijuana criminalization, and takes steps to ensure the legal marketplace is diverse and inclusive.

Last year on December 4, 2020, the House made history when it passed the MORE Act, becoming the first Congressional chamber to vote favorably for a bill that would remove marijuana from the Controlled Substances Act list of drug schedules. The bill, which was overwhelmingly passed in a 228-164 vote, was backed by 120 House co-sponsors, including a strong contingent of House Leadership. The bill was also supported by a wide range of constituencies, including civil rights groups, law enforcement,¹ and regulators of marijuana programs across the country, among others.

The MORE Act is a necessary measure to improve the lives of individuals. **Despite the popularity of marijuana across the country, nearly every minute one person is arrested for marijuana possession.**² Mass criminalization and over-enforcement of drug law violations have devastated the social and economic fabrics of entire communities, while also tearing apart the lives of millions of individuals and families. The continued enforcement of marijuana prohibition laws results in more than half a million arrests in the U.S. every year,³ disproportionately impacting people of color. This means family separation when a jail or prison sentence is involved or when an immigration violation is in question. Criminalization of marijuana also means that these individuals continue to carry the

¹ Fair and Just Prosecution and Law Enforcement Action Partnership, Aug. 19, 2020,

<https://fairandjustprosecution.org/wp-content/uploads/2020/08/LEAP-FJP-MORE-Act-Letter.pdf>.

² Emily Earlenbaugh, "More People Were Arrested for Cannabis Last Year Than for All Violent Crimes Put Together, According to FBI Data," *Forbes*, Oct. 6, 2020, <https://www.forbes.com/sites/emilyearlenbaugh/2020/10/06/more-people-were-arrested-for-cannabis-last-year-than-for-all-violent-crimes-put-together-according-to-fbi-data/?sh=156819a3122f>.

³ FBI Uniform Crime Report, 2019, <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/persons-arrested>.

stain of a drug conviction record that affects a person's ability to find housing, participate in the political process, receive an education, secure work, and otherwise provide for their families. In the immigration system, specifically, marijuana criminalization continues to be a leading cause of deportation.⁴ A conviction for simple possession of marijuana can trigger mandatory detention provisions in the immigration system, so that people who would never face jail time under criminal laws face months or even years of detention under immigration laws. And while Black, Latino, and Indigenous people have carried the brunt of marijuana criminalization, they have been shut out of the regulated marijuana marketplace due to these very same criminal records in addition to financial barriers to entry.⁵

The MORE Act seeks to solve these problems through a comprehensive approach. The bill would declassify marijuana as a controlled substance under federal law, expunge marijuana convictions, and reduce marijuana sentences. The Congressional Budget Office estimates that the MORE Act would reduce time served by 73,000 person-years, over the 2021-2030 period, among existing and future incarcerated individuals.⁶ The bill would also place an initial five percent⁷ federal excise tax on marijuana sales at the manufacturer level in order to fund services in communities adversely impacted by drug prohibition and to build up Small Business Administration programming to support a more diverse and inclusive marketplace. The MORE Act would ensure that individuals are no longer banned from receiving federal benefits, like nutrition assistance from the Supplemental Nutrition Assistance Program (SNAP), due to marijuana activity. We believe that life-stabilizing support should not be denied because of drug use or a previous conviction – particularly as more states legalize marijuana and families increasingly need more support in the time of COVID-19. The bill would also prevent immigration consequences for marijuana activity. This is key especially for non-citizens who are in compliance with state marijuana laws but still suffer from federal consequences for marijuana activity.

Given the vast relief provided by the bill, we believe the MORE Act will help alleviate public health challenges caused by COVID-19 in jails and prisons by reducing the number of people who have contact with the criminal legal system and correctional facilities. Passage of the bill will also help ameliorate economic hardship caused by COVID-19 as the bill will minimize barriers to employment resulting from prior criminal history and will help generate new jobs. The provisions found in the MORE Act are common sense solutions to many of the problems plaguing our country right now. In fact, past polling indicates that this bill enjoys bipartisan support with a majority of voters supporting the bill's provisions.⁸ **Importantly, the MORE Act ends the federal criminalization of marijuana, aligning the public's view with federal law, but allows individual states the freedom to decide the course they want to take on marijuana.**

⁴ Human Rights Watch, "A Price Too High: US Families Torn Apart by Deportation for Drug Offenses," June 6, 2015, <https://www.hrw.org/report/2015/06/16/price-too-high/us-families-torn-apart-deportations-drug-offenses>.

⁵ Center for American Progress, "Using Marijuana Revenue to Create Jobs," May 20, 2019, <https://www.americanprogress.org/issues/criminal-justice/reports/2019/05/20/470031/using-marijuana-revenue-create-jobs/>.

⁶ Congressional Budget Office, "H.R. 3884, MORE Act of 2020," Dec. 4, 2020, <https://www.cbo.gov/publication/56882#:~:text=3884%20would%20increase%20the%20number,over%20the%202021%2D2030%20period.>

⁷ This tax rate will graduate to 8% over five years.

⁸ Data for Progress, Fair and Just Prosecution, and The Justice Collaborative Institute, Nov. 23, 2020, https://tjcinstitute.com/wp-content/uploads/2020/08/the_case_for_comprehensive_marijuana_reform.pdf.

Last year, the historic House vote on the MORE Act came on the heels of an election where five states—Montana, Arizona, South Dakota, Mississippi, and New Jersey—had marijuana reform on the ballot and each voted to loosen their marijuana laws. Since then, even more states have chosen to reform their marijuana laws. Most recently, New York and New Mexico passed marijuana legalization bills rooted in social justice bringing the total number of states that have legalized adult-use marijuana to 17, in addition to the District of Columbia, while 36 states and the District of Columbia have legalized medical marijuana.⁹ A recent Gallup poll shows that a record number of U.S. adults—68%—now support marijuana legalization.¹⁰ In short, the resounding shift in favor of marijuana reform demonstrates what we have been saying: marijuana justice is a winning issue and it is long past time for the federal government to catch up.

Finally, it is important to note that the version of the MORE Act that passed the House last year contained a provision that was added to the bill as part of the Rules Committee process before the floor vote. The provision added a potential exclusion, disallowing people with cannabis convictions from engaging in the federal permitting process. Because advocates and proponents of equity in the industry vehemently opposed this provision, it has since been removed from the bill.

The time to end federal marijuana prohibition is long overdue. **We urge you to co-sponsor the MORE Act and support its swift movement to the House floor in June.** For more information about anything contained in this letter, please contact Maritza Perez, Director of the Office of National Affairs of the Drug Policy Alliance, at mperez@drugpolicy.org.

Sincerely,

Alianza for Youth Justice
A Little Piece Of Light
A New PATH (Parents for Addiction Treatment & Healing)
ACLU
American Association of People with Disabilities
Americans for Democratic Action (ADA)
Asian Cannabis Roundtable
Autistic Self Advocacy Network
Bend the Arc: Jewish Action
Cannaware Society
Center for American Progress
Center for Community Alternatives
Center for Disability Rights
Center For Employment Opportunities
Center for Law and Justice
Center for Law and Social Policy (CLASP)
Center for Living and Learning

⁹ National Conference of State Legislatures, “State Medical Marijuana Laws,” April 14, 2021, <https://www.ncsl.org/research/health/state-medical-marijuana-laws.aspx#:~:text=ADULT%2DUSE%20UPDATE%3A%20As%20of,regulate%20cannabis%20for%20adult%20use.>

¹⁰ GALLUP, Nov. 9, 2020, <https://news.gallup.com/poll/323582/support-legal-marijuana-inches-new-high.aspx>.

Center for Popular Democracy
Chicago Drug Users' Union
College and Community Fellowship
CURE (Citizens United for Rehabilitation of Errants)
DanceSafe
DC Justice Lab
Disability Rights Education & Defense Fund (DREDF)
Doctors for Cannabis Regulation
Dream Corps JUSTICE
Drug Policy Alliance
Ella Baker Center for Human Rights
Empire State NORML
Equal Justice Society
Fair and Just Prosecution
FedCURE.org
Federal Public & Community Defenders
Freedom Overground
Ground Game Los Angeles
Health Equity Alliance
Health in Justice Action Lab
Hudson Valley NORML
Human Rights for Kids
Human Rights Watch
IBW-ACTION
Immigrant Defense Project
Immigrant Legal Resource Center (ILRC)
Intercambios Puerto Rico
Interfaith Action for Human Rights
Jewish Council for Public Affairs
Just Futures Law
Justice Roundtable
JustLeadership USA
Katal Center for Equity, Health, and Justice
La Defensa
LatinoJustice PRLDEF
Law Enforcement Action Partnership
Lawyers' Committee for Civil Rights Under Law
Legal Aid at Work
Long Island Progressive Coalition
Los Angeles Regional Reentry Partnership
Maine People's Alliance
Matthew Shepard Foundation
Michigan Liberation
Michigan People's Campaign
Michigan United
Minorities for Medical Marijuana (M4MM)
MissionGreen
Mommieactivist and Sons

MomsRising
Movimiento en Respuesta al VIH Inc.
Multidisciplinary Association for Psychedelic Studies (MAPS)
National Action Network
National Association of Criminal Defense Lawyers
National Association of Social Workers
National Center for Lesbian Rights
National Council of Churches of Christ in the USA (NCC)
National Council on Independent Living
National Employment Law Project
National Homelessness Law Center
National Immigration Project (NIP-NLG)
Neighborhood Defender Service of Harlem
New Hampshire Youth Movement
New Jersey Citizen Action
New Jersey Harm Reduction Coalition
New York County Defender Services
NORML
NY Small Farma Ltd
NYU Wagner CannaPolicy
People's Action
Policing and Social Justice Project
PolicyLink
Prison Policy Initiative
Progressive Leadership Alliance of Nevada
Progressive Maryland
Reframe Health and Justice Consulting
Revolve Impact
Rights & Democracy New Hampshire
Rights & Democracy Vermont
River Valley Organizing
Roc NORML
Root & Rebound
Safer Foundation
Salvation and Social Justice
Service Employees International Union (SEIU)
Silent Cry, Inc.
Sistah Rogers
Social Justice Law Project
Southern Tier AIDS Program
SSDP Adler University Chapter
SSDP Arizona State University West Chapter
SSDP Bozeman
SSDP Brown University Chapter
SSDP Buffalo
SSDP Columbia University Chapter
SSDP Dubuque
SSDP International

SSDP Kentucky
SSDP Michigan State University Students
SSDP Minneapolis
SSDP MSU Denver
SSDP San Diego State University Chapter
SSDP Santa Clara University School of Law
SSDP UC Hastings College of Law
SSDP UC Irvine School of Law
SSDP University of North Texas Students
SSDP Virginia Tech
SSDP West Virginia University
SSDP Western Washington University
SSDP Willamette University Chapter
StoptheDrugWar.org
Students for Sensible Drug Policy
Substance Use Epidemiology Unit, Department of Epidemiology, Columbia University Mailman
School of Public Health
Texans for Responsible Marijuana Policy
Texas Criminal Justice Coalition
The Bronx Defenders
The Brotherhood Sister Sol
The Decarceration Collective
The Leadership Conference on Civil and Human Rights
The People's Harm Reduction Alliance
The Sentencing Project
The Taifa Group
The Weldon Project
Transgender Legal Defense and Education Fund
Transgender Resource Center of New Mexico
Truth Pharm
Tzedek Association
UndocuBlack Network
United Food and Commercial Workers International Union
United States Cannabis Council
Unlock the Box Campaign
Veterans Cannabis Coalition
VOCAL-NY
VOCAL-WA
Voices for Progress
Washington Office on Latin America (WOLA)
William C. Velasquez Institute
Women Grow
Working Families Party

CC:

Chairman Jerrold Nadler, House Judiciary Committee

Ranking Member Jim Jordan, House Judiciary Committee

Chairman Frank Pallone, Jr., House Energy and Commerce Committee

Ranking Member Cathy McMorris, House Energy and Commerce Committee

Chairman Richard Neal, House Ways&Means Committee

Ranking Member Kevin Brady, House Ways&Means Committee