



September 4, 2013

Hon. Attorney General Eric H. Holder, Jr.
Hon. James M. Cole
US Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530-0001

Re: State Laws Legalizing Marijuana

Dear Attorney General Holder and Deputy Attorney General Cole:

We represent tens of thousands of people working in drug prevention, drug and mental health treatment, medicine, criminal justice reform, and millions of individuals and families in recovery from alcohol and drug dependence. We are united in our belief that the Department's decision to defer enforcement of the Controlled Substances Act (CSA) is a mistake. It will result in serious negative consequences, both economic and social, and will create several major obstacles to reducing drug use and its impacts in the United States:

- It will create large, for-profit, commercial marijuana wholesale and retail enterprises.
- It will promote expanded access to marijuana throughout communities.
- It will weaken youth perceptions of a drug that scientists unequivocally confirm harms the adolescent brain. We now know that regular marijuana use not only produces addiction, but it is significantly linked with reduced IQ later in life.
- It will compromise American diplomatic efforts contradicting long-standing international treaty obligations.

The Deputy Attorney General lists eight law-enforcement priorities that, if violated, will trigger federal action in legalization states.

How will the Department determine if a violation has occurred? For example:

- Precisely how many additional underage marijuana users, marijuana-related driving injuries and fatalities, marijuana-related school dropouts, and other marijuana-related public health and safety consequences will be required to trigger federal intervention?
- How will such consequences be measured?
- What measurements will the Department use to assess the damage done in Colorado, Washington, and other states that legalize marijuana?



SAM Smart Approaches to Marijuana

a project of the policy solutions lab

- Will the Administration increase funding in the President's FY 2015 budget to oversample federal surveys in legalization states and for additional prevention, treatment, enforcement, and recovery services that will be required to deal with increased problems? Currently state data systems are largely insufficient to provide the answers.
- Will the Administration solicit public comment to assess the implications and consequences of not enforcing the CSA?

Many of the Department's concerns – advertising to youth, increased marijuana use, environmental damage on public lands due to marijuana cultivation – have already occurred in Colorado, California, and Washington which have failed to enforce their own regulations. We gravely worry about the consequences to the nation of allowing states to openly defy federal law.

We would like a written response from DOJ on how you intend to monitor the consequences of this decision and what precise triggers will result in federal enforcement actions to close operations down. That way, we can work with drug control agencies to monitor the impacts of these new policies. To contact us, please email Project SAM, reachable at info@learnaboutsam.org.

Sincerely,



Patrick J. Kennedy
Co-Founder, Project SAM (Smart Approaches to Marijuana)



Kevin A. Sabet, PhD
Director, Project SAM (Smart Approaches to Marijuana)



Peter Bensinger
Former Administrator, Drug Enforcement Administration (DEA)



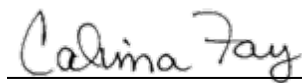
Ben Cort, CeDAR (Center for education Dependency Addiction and Rehabilitation),

 **SAM** Smart Approaches to Marijuana
a project of the policy solutions lab

University of Colorado Hospital



Dr. Robert L. DuPont, MD
Founding Director, National Institute on Drug Abuse (NIDA), President, Institute for Behavior and Health



Calvina Fay
Executive Director, Drug Free America Foundation (DFAF)



Stuart Gitlow, MD
President, American Society of Addiction Medicine (ASAM)



West Huddleston
President, National Association of Drug Court Professionals (NADCP)



Sharon Levy, MD, MPH
Asst. Professor of Pediatrics, Harvard Medical School
Director, Adolescent Substance Abuse Program
Children's Hospital Boston



Robert J. Lindsey
President, National Council on Alcoholism and Drug Dependence (NCADD)

 **SAM** Smart Approaches to Marijuana
a project of the policy solutions lab



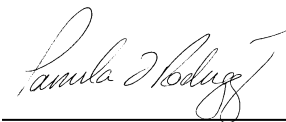
Howard Meitner
CEO, Phoenix House



Stephen J. Pasierb
President, the Partnership at Drugfree.org



John Redman
Executive Director, Community Alliances for Drug Free Youth (CADFY)



Pamela F. Rodriguez
President, Treatment Alternatives for Safer Communities (TASC)

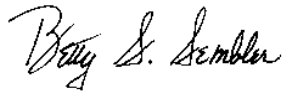


Sue Rusche
President & CEO, National Families in Action (NFIA)

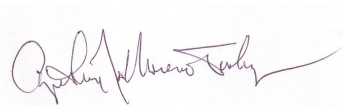


Howard Samuels
CEO, The Hills Treatment Center & CNN Contributor

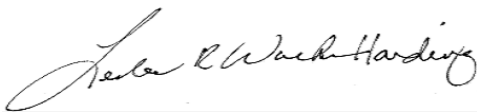
 **SAM** Smart
Approaches to
Marijuana
a project of the policy solutions lab



Betty Sembler
Founder and Chair, Save Our Society from Drugs, Inc.



Cynthia Moreno Touhy
Executive Director, National Association for Addiction Professionals (NAADAC)



Leslie R. Walker-Harding, MD
Former President, Society for Adolescent Health and Medicine

CC:

Jenny Durkan, United States Attorney (Western Washington)
Thomas Freiden, Director, Centers for Disease Control and Prevention
Thomas R. Insel, M.D., Director, National Institute of Mental Health
H. Marshall Jarrett, Director, Executive Office for United States Attorneys
Valerie Jarrett, Senior Advisor and Asst. to the President for Intergovernmental Affairs
Hon. R. Gil Kerlikowske, Director, White House Office of National Drug Control Policy
Hon. Michele Leonhart, Administrator, Drug Enforcement Administration
Loretta E. Lynch United States Attorney Eastern District of New York
Cecilia Muñoz, Director, White House Domestic Policy Council
Michael Ormsby, United States Attorney (Eastern Washington)
Mythili Raman, Acting Assistant Attorney General, Criminal Division
Ronald T. Rosko, Assistant Director, Criminal Investigative Division, Federal Bureau of Investigation
Kathleen Sebelius, Secretary, Health and Human Services
Nora Volkow, Director, National Institute on Drug Abuse
John Walsh, United States Attorney (Colorado)
Office of the Vice President