



The Leadership Conference
on Civil and Human Rights

December 3, 2020

Dear Representative:

On behalf of The Leadership Conference on Civil and Human Rights (“The Leadership Conference”), a coalition charged by its diverse membership of more than 220 national advocacy organizations to promote and protect civil and human rights in the United States, **we urge you to vote “yes” on H.R. 3884, the Marijuana Opportunity Reinvestment and Expungement (MORE) Act.** In the face of the COVID-19 pandemic and the escalating urgency of addressing systemically unjust law enforcement practices, marijuana reform is an effective first step to address criminal justice, racial justice, and public health.

The MORE Act is bipartisan legislation supported by the [Marijuana Justice Coalition](#), of which The Leadership Conference is a part. Since first convening in 2018, the Marijuana Justice Coalition has worked tirelessly to advance the MORE Act – the most sweeping piece of marijuana reform ever considered by the U.S. Congress. Last year, shortly after the bill’s introduction, more than [100](#) national and state organizations collectively urged the House of Representatives to swiftly advance the MORE Act, and on August 13, 2020, more than [130](#) organizations urged congressional leadership to bring this bill to the House floor for a vote this fall.

Just over a year ago, the House Judiciary Committee made history when it advanced the MORE Act out of committee on November 20, 2019, becoming the first congressional body to favorably report a marijuana descheduling bill.¹ While legislation to unravel the harms perpetuated by systemic racism and overcriminalization has always been necessary, it has never been more essential than it is now. The circumstances of 2020 – a global pandemic and repeated instances of police violence against people of color and those protesting the corresponding lack of police accountability – have shone a bright light on the discriminatory nature of American policing, harms of mass incarceration, and collateral consequences of the failed War on Drugs. Our present situation has made marijuana reform an all the more relevant and pressing issue, and the MORE Act remains the most effective and equitable way forward.

For far too long, our country has relied on mass criminalization, racially biased policing practices, and the over-enforcement of drug laws to replicate and reinforce patterns of racial and economic oppression in a criminal-legal system that denies millions of people legal equity and human rights. The policies associated with America’s failed War on Drugs –

¹ Claire Hansen, Comprehensive Marijuana Legalization Bill Passes House Committee in Historic Vote, USA News, Nov. 19, 2019, <https://www.usnews.com/news/national-news/articles/2019-11-20/comprehensivemarijuana-legalization-bill-passes-house-committee-in-historic-vote>.

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including the continued enforcement of marijuana prohibition laws – has torn apart the lives of millions of individuals and their families and has devastated the social and economic fabrics of communities of color. Each year, the enforcement of marijuana prohibition laws results in more than 600,000 arrests, disproportionately impacting people of color.² When a jail or prison sentence is involved, these arrests tear families apart – but even in cases where no sentence is levied, individuals find themselves marked with a drug conviction record that affects their ability to work, find housing, and otherwise provide for their families. Marijuana law violations also produce harsh consequences and drive family separation in our immigration system, where in 2013, simple marijuana possession was the most common cause of deportation for a drug law violation³ and one of the top drivers of deportations overall.⁴

The MORE Act takes significant steps to address these and other consequences of federal marijuana criminalization in a way that will have a real impact on individuals and communities. First, the act removes marijuana from the Controlled Substances Act (descheduling). This will decriminalize marijuana at the federal level while still enabling states to set their own regulatory policies – and do so without threat of federal interference. Descheduling will also end federal arrests for marijuana possession or use and protect noncitizens from the immigration consequences they currently face as the result of either their personal marijuana activity or their employment in state-legal marijuana marketplaces. The MORE Act also prevents the federal government from denying individuals federal benefits, student financial aid, or security clearances required to obtain government jobs on the basis of marijuana use. Additionally, and most importantly, the MORE Act provides for the expungement and resentencing of marijuana offenses. Not only is this a critical step in beginning to rectify the decades of federal marijuana criminalization, but it will also serve to further the public health and human rights needs we presently face. As COVID-19 continues to spread through prisons and jails, the adoption of policies to decarcerate individuals has never been more urgent. The MORE Act’s resentencing provisions will reduce the number of incarcerated individuals and the bill’s other provisions will mitigate the economic hardship of the pandemic on communities of color by reducing barriers to employment and federal assistance resulting from prior criminal history.

In addition to these necessary reforms, the MORE Act will promote economic and racial justice by ensuring that the communities of color that have borne the brunt of marijuana criminalization receive the economic benefits resulting from decriminalization. By imposing a modest federal excise tax on marijuana sales at the manufacturer level, the MORE Act establishes a fund to directly provide social and legal services to those communities most harmed by the War on Drugs. It also addresses the barriers to entry in the regulated marijuana marketplace that Black and Latinx individuals face due to prior criminal records and financial constraints. According to current estimates, less than one percent of the marijuana

² 2017 Crime in the United States, FBI, <https://ucr.fbi.gov/crime-in-the-u.s/2017/crime-in-the-u.s.-2017>

³ The Drug War = Mass Deportation: 250,000 Deported for Drug Offenses in Last 6 Years, Drug Policy Alliance, Apr. 9, 2014, <https://www.drugpolicy.org/blog/drug-war-mass-deportation-250000-deported-drug-offenses-last6-years>.

⁴ A Price too High, Human Rights Watch, Jun. 16, 2015. <https://www.hrw.org/report/2015/06/16/price-too-high/usfamilies-torn-apart-deportations-drug-offenses>.

industry is owned or operated by people of color.⁵ The Small Business Administration programming included in the MORE Act would change this by facilitating a diverse and inclusive legal marketplace through investments in equitable state licensing programs and loans to socially and economically disadvantaged individuals.

Now more than ever, the MORE Act is needed to provide a meaningful step towards achieving racial and economic justice. Ending the federal criminalization of marijuana will begin to rectify the wrongs of our present criminal-legal system and lead the way towards a fundamental refocusing of our efforts to create genuine public safety on community-based, rather than criminalization-focused, policies. The MORE Act's various provisions will alleviate public health and economic challenges arising from COVID-19 and provide critical investments in the communities that need them most. The Act's provisions will also set us on a path toward future economic equity and success through its creation of hundreds of thousands of new jobs and crucial new revenue generation for states and localities as their state marijuana regulatory programs flourish.

While we have worked tirelessly to move this important legislation through Congress, it is important we note our significant concerns with the manager's amendment adopted by the Rules Committee, which limits the MORE Act's expungement provisions to only certain individuals with marijuana convictions. This amendment undermines the bill's overarching premise that marijuana prohibition laws have been a discriminatory and incorrect approach for decades, and we therefore look forward to working with Congress to address these concerns in the future. For these reasons, we urge you to vote "yes" on H.R. 3884, the Marijuana Opportunity Reinvestment and Expungement (MORE) Act. If you have any questions, please contact Sakira Cook (The Leadership Conference) at cook@civilrights.org or Maritza Perez (Drug Policy Alliance) at mperez@drugpolicy.org.

Sincerely,



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