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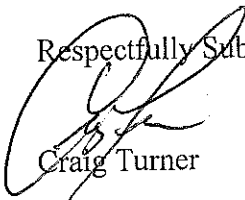
To: Members, State of Connecticut Finance, Revenue and Bonding Committee  
From; Craig Turner, Director: Wallingford Youth & Social Services

**Re: SB 1138: An Act Concerning Community Restoration**

Dear Committee Member,

Attached herein, please find my public testimony regarding SB 1138.

Respectfully Submitted,



Craig Turner

Good Morning,

I am here today to encourage you to oppose SB 1138 (An Act Concerning Community Restoration: To implement certain community restoration and revitalization efforts through community development corporations, community development credit unions and community impact zones, using tax revenue from the sale of cannabis and cannabis products and deposits in lieu of taxes.)

In reviewing federal guidelines, medical research and data, federal laws, state laws, position papers written by medical practitioner, medical researchers, regulatory officials, federal, state and local law enforcement officials, it is clear that the range of information regarding legalizing recreational use of marijuana encompasses one of the broadest continuum of, facts, figures, opinions and feelings that one person could examine regarding a single topic resulting in a lack of clarity and confusion To this reality, I offer the following comments.

To quote a quote, let me say, "I don't believe in fear mongering. I believe in listening. And paying attention and speaking honestly about the issues that are generated. I'm just hoping that there is a broader dialogue about these issues. I'm not a doctor, I'm not an expert on this, but the fact of the matter is I am grateful that at least from some corners there are people raising these issues. I may just sound repetitive, but I go back to my ask—that people slow down and be mindful of what we're doing because it has long-term consequences that we're already seeing.

This comment was given by Billy Williams, the Oregon US Attorney, appointed to chair to the Department of Justice's Marijuana Working Group, which is studying the outcomes of legal cannabis across the country. This group, formed in 2012 and comprised of US attorneys from across the country in areas with adult or medical-use cannabis laws, has largely conducted its work out of the public's view. According to Williams, this working group was formed so that US Attorneys could hear from each other about issues that they were facing when certain states voted to legalize marijuana in one form or another.

When the Cole Memo was replaced by the Sessions Memo, the discretion was left to individual US Attorneys to address the issues in their respective districts, based upon the law enforcement issues that come up. The common themes that fit into the priorities of this working group include, the efficiency of the state regulatory schemes; black market out-of-state diversion; the effects [of legalization] upon minors' consumption; public health-related issues; and in many states, certainly in Oregon, keeping track of what the environmental issues are that have resulted.

Williams' advice to lawmakers and regulators considering legalization? "Slow down, wake up, and get serious about what you're doing."

## AREAS OF CONCERN CITED BY ATTORNEY WILLIAMNS:

### 1. REGULATIONS:

#### Williams Comments:

Overproduction (every state is producing too much) and diversion out of state.

Oregon growers would have enough cannabis to supply Oregon's legal market for the next six and a half years, or something like that, in one year of harvest.

Well, first off, they're playing catch-up, obviously, in terms of effectively regulating it. I don't know if you're aware of the Oregon Secretary of State's audit, but, in terms of enforcement, it's woefully underfunded. They don't have enough inspectors. They don't have enough regulators. They don't have enough state law enforcement officers to effectuate strong criminal enforcement, let alone civil regulatory enforcement. So this has been a battle since day one for them. They don't fund it appropriately. And when you don't, people exploit it.

Williams: But as we go down the road, if you will, in the process, what I'm asking is that people be mindful and thoughtful about what they are doing because otherwise the lessons learned from alcohol to tobacco to opioids, the lessons learned from those products are lost. And so it's up to Congress to do whatever it's going to do. People have a voice in that. People vote and elect their representatives and vote on initiatives and things like that. But I can't tell you how many people in these meetings that I've attended over the last couple years, the private landowners who said—and I've heard this frequently—that they didn't think this is what they were voting for when they voted to legalize it. They thought they were simply voting to decriminalize it and they had no idea of the ramifications. And I think that's a pretty common theme.

### 2. BLACK MARKET SALES/PRODUCTION,

#### Williams Comments:

Steve Marks, who's been working on this with the Oregon Liquor Control Commission, and the governor's spokesperson about a year and a half ago told me their original thought was, 'Well, all the people who were manufacturing and distributing marijuana illegally would come into the fold of being a licensed producer once the state legalized it under state law. And, that way, the black market would go away.' Well, I'm sorry; it didn't work out that way. Not at all. There will always be people who are willing to engage in criminal enterprises for their own benefit and they don't want to have to pay state taxes on it and state licensing fees.

In Oregon and Washington State and Colorado, for instance, the themes are common in terms of a lack of enforcement on the regulatory side of the house by the state, and an incredible black market that varies from state-to-state in terms of the sources of it. They have some different dynamics going on in Colorado than we do here. My hope is that this group continues to be well-informed on what the issues are; the common themes. How do we help our law enforcement partners who are encountering and countering the issues at every level? By that I mean federal, state, local and tribal law enforcement.

### 3. HEMP/CBD

How are cops going to address this sort of look alike issue between hemp and marijuana?

Williams Comments;

I think the short answer is: It's challenging. It's something new. It's the law. We're going to be in compliance with the law. It is challenging. I'm thinking of the case from a week or so ago where the truckload was stopped over in Idaho. The driver had come from Oregon, I believe. And then there's been some media stories about the owner of the company, whoever is behind it, saying that it's hemp, they're going to sue. So I think that represents one of the new challenges that law enforcement will have to work on. And I'm sure in terms of being in compliance with the law on hemp that the industry would weigh in on ideas of how to make this less complex. But it's in the beginning of the process.

### 4. PUBLIC HEALTH-RELATED ISSUES;

Williams Comments:

This ties in to media coverage of people talking about the need to ask questions about, you know, Is marijuana as safe as we think? I remember as a kid watching commercials on TV of an actor dressed as a doctor smoking a Chesterfield or a Pall Mall or a Camel and talking about, you know, that it wasn't addictive and the health benefits of it. Well that was a lie, wasn't it? And what the author of Dreamland: The True Tale of America's Opiate Epidemic has pointed out in his terrific book—which includes histories related to heroin use, alcohol, and tobacco—is claims that were made by the industry behind the opioids and the mass marketing effort that went on and physicians buying in. And guess what? That was a lie too. And people made millions and billions of dollars off of lies. And so here we are. And all these claims are being made and educated people are just buying into it for their own either economic or personal or political reasons. And they're not asking these questions.

We do have conversations about CBD and the various products it's showing up in. There's a lot of alarm being raised by people not just in law enforcement but in communities asking is this good for you, let alone is it legal? There needs to be more attention focused on asking those questions because the public health is at risk if you're putting it in food and drinks and all kinds of products, from oils to lotions. Where is the scientifically accepted evidence and research to back up the claims that, one, there is a health benefit to it, and two, it

doesn't have a negative consequence to using it? What are the health risks? And I think the answer is: so little is known. People are making a lot of money off of these products and the science doesn't bear out what the claims are that are professing all these health benefits.

Senator Durbin from Illinois cautioned on Illinois adopting recreational marijuana. And I appreciate that pause, if you will, because I think other states need to pay attention to those that have been in this experiment now for a few years and haven't done a good job of regulating it. It's a battle cry, as it's been here in Oregon, of tax revenue and job creation. And my challenge to that continues to be: At what cost? What are all these collateral damage issues that are real to this state?

## **5. TRACKING ENVIRONMENTAL ISSUES (WATER USE AND CONSUMPTION).**

### **Williams Comments**

You know, for instance, the livability. I met with landowners in Central Oregon; it's a very popular part of the state. A lot of outdoor recreation, farming, etc. But in the Bend area, they're having people out there who live next to these humongous marijuana production facilities and their wells have been going dry for the last couple of years. And they're spending thousands of dollars to dig deeper wells. And it's complicated by the fact that there are seven irrigation districts out there and three of those actually, as I understand it, fall under federal purview and it's unlawful to use federal water for the production of marijuana. But that's another story. And these people have felt like their concerns have fallen on deaf ears.

## **6. BANKING REGULATIONS**

### **Williams Comments:**

If people are engaged in state legalized marijuana production and distribution capacities, it's not safe for them if they can't use a bank.

### **Williams Final Comment;**

I just sound repetitive, but I go back to my ask—that people slow down and be mindful of what we're doing because it has long-term consequences that we're already seeing.

Respectfully Submitted,

Craig Turner, Director  
Wallingford Youth & Social Services  
6 Fairfield Blvd  
Wallingford CT

After Colorado voted to legalize marijuana in 2012, doctors in Denver noticed a surprising trend. Most people who visited the emergency room for cannabis-related complaints had smoked the drug. But those who ingested the drug were more likely to suffer more severe effects, including psychiatric symptoms and heart problems.

Edibles — marijuana-laced products such as brownies, cookies and gummy bears — are being associated with “medical complications that we never knew were associated with marijuana,” says neuroscientist Nora Volkow, director of the National Institute on Drug Abuse at the National Institutes of Health in Bethesda, Md., who was not involved in the study.

Out of 2,567 marijuana-linked visits to the ER in 2012–2016 at the University of Colorado Hospital in Denver, only about 9 percent — or 238 cases — involved edibles. But those cases involved proportionally more short-term psychiatric conditions, with 18 percent of edible users suffering symptoms such as anxiety and psychosis compared with about 11 percent of cannabis smokers, researchers report March 25 in *Annals of Internal Medicine*.

Heart issues were also more prevalent among ER visitors who had eaten edibles: Eight percent of those patients were diagnosed as having symptoms such as an irregular heartbeat, or even heart attacks. By comparison, only 3.1 percent of marijuana smokers in the ER had such heart symptoms. The study, however, describes only a correlation; it does not show that smoking or ingesting marijuana actually leads to these conditions.

Smoking marijuana, by contrast, was more likely to be linked with gastrointestinal issues, accounting for about 32 percent of all inhalation cases versus roughly 15 percent of the edible cases.

It’s unclear why different ailments are associated with different methods of getting high on THC, the psychoactive drug in marijuana. “These are new phenomena” for clinicians, says emergency physician Andrew Monte at the University of Colorado Hospital who led the research.

He and his colleagues suggest that many people may be unaware that smoking marijuana affects the body differently from eating the drug. Inhaled, THC moves swiftly from blood in the lungs to the brain, producing a high within minutes. Edibles, by comparison, can take a few hours to have an effect because the THC must first pass through the gut where it is absorbed into the bloodstream. So, some people may overconsume edibles because they don’t realize it takes time for the drug to kick in.

The issue of dosage is also murky. There are no federal regulations on what a single dose of marijuana should be, with the drug still illegal at the federal level and in 40 states (*SN*: 6/14/14, p. 16). Some states, including Colorado and

Washington, recommend a single edible serving to have no more than 10 milligrams of THC, and require that edible products be labeled to show both the total amount of THC in a product as well as how many servings are included. Still, the production of those products is not well monitored. So a single chocolate bar could contain almost no THC, or it might contain 100 milligrams — the maximum dose those states allow in a single edible — and that difference might not be clear to a consumer.

Edibles that have that much disparity in their THC concentrations are going to have significantly different effects on a person, Monte says. “That’s a recipe for disaster.”

Monte and his colleagues argue that the U.S. Food and Drug Administration should issue appropriate health warnings and guidelines for standard doses and packaging. “This is sort of a brave new world we’re living,” Monte says. Though edibles make up only a small part of Colorado’s cannabis market, accounting for only 0.32 percent of sales in 2014–2016, edibles are leading to more ER visits each year, the researchers say. (The study could not account for edibles that were homemade or purchased on the black market.)

Volkow agrees that the FDA should weigh in on these issues. Without standardization, “you’re just jeopardizing the health of these individuals,” she says.

## Citations

A. Monte *et al.* Acute illness associated with cannabis use, by route exposure. *Annals of Internal Medicine*. Published online March 25, 2019. doi:10.7326/M18-2809.

## COLE MEMO

On August 29, 2013, the Department of Justice published a memorandum authored by Cole which described a new set of priorities for federal prosecutors operating in states which had legalized the medical or other use of marijuana.<sup>[5]</sup> The "Cole memo" followed a 2009 memorandum from Deputy Attorney General David W. Ogden directing U.S. Attorneys in the Western United States to "not focus federal resources in your States on individuals whose actions are in clear and unambiguous compliance with existing state laws providing for the medical use of marijuana".<sup>[6]</sup> The 2013 memorandum represented a significant shift of government priorities away from strict enforcement of federal cannabis prohibition and toward a more hands-off approach in the case of "jurisdictions that have enacted laws legalizing marijuana in some form and that have also implemented strong and effective regulatory and enforcement systems to control the cultivation, distribution, sale and possession of marijuana." Indeed, Cole's memo went so far as to state that "a robust system may affirmatively address [federal] priorities by, for example, implementing effective measures to prevent diversion of marijuana outside the regulated system and to other states, prohibiting access to marijuana by minors, and replacing an illicit marijuana trade that funds criminal enterprises with a tightly regulated market in which revenues are tracked and accounted for." Since that date, although federal prosecutions have continued in some legalizing states (notably in the Kettle Falls Five case), the overall number of federal marijuana prosecutions in such states has declined.

## SESSIONS MEMO

January 4, 2018 (CNN) Attorney General Jeff Sessions on Thursday rescinded a trio of memos from the Obama administration that had adopted a policy of non-interference with marijuana-friendly state laws.

The move essentially shifts federal policy from the hands-off approach adopted under the previous administration to unleashing federal prosecutors across the country to decide individually how to prioritize resources to crack down on pot possession, distribution and cultivation of the drug in states where it is legal.

While many states have decriminalized or legalized marijuana use, the drug is still illegal under federal law, creating a conflict between federal and state law. Thursday's announcement is a major decision for an attorney general who has regularly decried marijuana use as dangerous.

In a written statement Thursday, Sessions called the shift a "return to the rule of law" but he did not go as far as some advocates had feared he might, stopping short of explicitly directing more prosecutions, resources or other efforts to take down the industry as a whole.

"In deciding which marijuana activities to prosecute under these laws with the department's finite resources, prosecutors should follow the well-established principles that govern all federal prosecutions," Sessions said in a memo to all federal prosecutors. "These principles require federal prosecutors deciding which cases to prosecute to weigh all relevant considerations of the crime, the deterrent effect of criminal prosecution, and the cumulative impact of particular crimes on the community."



The former senior Justice Department official behind the decision to harmonize federal prosecutions with state legalization efforts during the Obama told CNN in a phone interview Thursday that it's uncertain how Sessions' new memo will play out at the state level.

"The whole point was to do what we could to maintain some control in this area," said Jim Cole, former deputy attorney general and now a partner at Sidley Austin in Washington.

Marijuana legalization by the numbers

Back in 2013, as an increasing number of states began to legalize marijuana, Cole released a directive to federal prosecutors that essentially adopted a policy of non-interference with marijuana-friendly state laws.

In what became colloquially known as the "Cole memo," the department recognized that the drug was still illegal under the federal Controlled Substances Act but gave federal prosecutors permission to focus their resources elsewhere, so long as the states didn't threaten other federal priorities, such as preventing the distribution of the drug to minors and targeting cartels.

"The memo set out harms we saw associated with marijuana" but essentially said that otherwise "let's let the states deal with this," Cole told CNN. "Given a non-perfect situation, we figured this was the best way to deal with it."

The new memo likely "reduces the level of comfort in the industry until it sees how US attorneys actually implement it," Cole added. "Each US attorney now gets to decide what will and will not be prosecuted. We'll have to see how it plays out. ... There was a previously a higher level of reliability that you could operate your industry if you followed certain rules. That's not necessarily being destroyed, but it is being thrown into question."

The US Attorney's Office in Colorado released a statement Thursday saying there are no plans to change marijuana prosecutions:

"Today the Attorney General rescinded the Cole Memo on marijuana prosecutions, and directed that federal marijuana prosecution decisions be governed by the same principles that have long governed all of our prosecution decisions. The United States Attorney's Office in Colorado has already been guided by these principles in marijuana prosecutions -- focusing in particular on identifying and prosecuting those who create the greatest safety threats to our communities around the state. We will, consistent with the Attorney General's latest guidance, continue to take this approach in all of our work with our law enforcement partners throughout Colorado."



U.S. Department of Justice


Office of the Deputy Attorney General

The Deputy Attorney General

Washington, D.C. 20530

August 29, 2013

MEMORANDUM FOR ALL UNITED STATES ATTORNEYS

FROM: James M. Cole   
Deputy Attorney General

SUBJECT: Guidance Regarding Marijuana Enforcement

In October 2009 and June 2011, the Department issued guidance to federal prosecutors concerning marijuana enforcement under the Controlled Substances Act (CSA). This memorandum updates that guidance in light of state ballot initiatives that legalize under state law the possession of small amounts of marijuana and provide for the regulation of marijuana production, processing, and sale. The guidance set forth herein applies to all federal enforcement activity, including civil enforcement and criminal investigations and prosecutions, concerning marijuana in all states.

As the Department noted in its previous guidance, Congress has determined that marijuana is a dangerous drug and that the illegal distribution and sale of marijuana is a serious crime that provides a significant source of revenue to large-scale criminal enterprises, gangs, and cartels. The Department of Justice is committed to enforcement of the CSA consistent with those determinations. The Department is also committed to using its limited investigative and prosecutorial resources to address the most significant threats in the most effective, consistent, and rational way. In furtherance of those objectives, as several states enacted laws relating to the use of marijuana for medical purposes, the Department in recent years has focused its efforts on certain enforcement priorities that are particularly important to the federal government:

- Preventing the distribution of marijuana to minors;
- Preventing revenue from the sale of marijuana from going to criminal enterprises, gangs, and cartels;
- Preventing the diversion of marijuana from states where it is legal under state law in some form to other states;
- Preventing state-authorized marijuana activity from being used as a cover or pretext for the trafficking of other illegal drugs or other illegal activity;

- Preventing violence and the use of firearms in the cultivation and distribution of marijuana;
- Preventing drugged driving and the exacerbation of other adverse public health consequences associated with marijuana use;
- Preventing the growing of marijuana on public lands and the attendant public safety and environmental dangers posed by marijuana production on public lands; and
- Preventing marijuana possession or use on federal property.

These priorities will continue to guide the Department's enforcement of the CSA against marijuana-related conduct. Thus, this memorandum serves as guidance to Department attorneys and law enforcement to focus their enforcement resources and efforts, including prosecution, on persons or organizations whose conduct interferes with any one or more of these priorities, regardless of state law.<sup>1</sup>

Outside of these enforcement priorities, the federal government has traditionally relied on states and local law enforcement agencies to address marijuana activity through enforcement of their own narcotics laws. For example, the Department of Justice has not historically devoted resources to prosecuting individuals whose conduct is limited to possession of small amounts of marijuana for personal use on private property. Instead, the Department has left such lower-level or localized activity to state and local authorities and has stepped in to enforce the CSA only when the use, possession, cultivation, or distribution of marijuana has threatened to cause one of the harms identified above.

The enactment of state laws that endeavor to authorize marijuana production, distribution, and possession by establishing a regulatory scheme for these purposes affects this traditional joint federal-state approach to narcotics enforcement. The Department's guidance in this memorandum rests on its expectation that states and local governments that have enacted laws authorizing marijuana-related conduct will implement strong and effective regulatory and enforcement systems that will address the threat those state laws could pose to public safety, public health, and other law enforcement interests. A system adequate to that task must not only contain robust controls and procedures on paper; it must also be effective in practice. Jurisdictions that have implemented systems that provide for regulation of marijuana activity

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<sup>1</sup> These enforcement priorities are listed in general terms; each encompasses a variety of conduct that may merit civil or criminal enforcement of the CSA. By way of example only, the Department's interest in preventing the distribution of marijuana to minors would call for enforcement not just when an individual or entity sells or transfers marijuana to a minor, but also when marijuana trafficking takes place near an area associated with minors; when marijuana or marijuana-infused products are marketed in a manner to appeal to minors; or when marijuana is being diverted, directly or indirectly, and purposefully or otherwise, to minors.

must provide the necessary resources and demonstrate the willingness to enforce their laws and regulations in a manner that ensures they do not undermine federal enforcement priorities.

In jurisdictions that have enacted laws legalizing marijuana in some form and that have also implemented strong and effective regulatory and enforcement systems to control the cultivation, distribution, sale, and possession of marijuana, conduct in compliance with those laws and regulations is less likely to threaten the federal priorities set forth above. Indeed, a robust system may affirmatively address those priorities by, for example, implementing effective measures to prevent diversion of marijuana outside of the regulated system and to other states, prohibiting access to marijuana by minors, and replacing an illicit marijuana trade that funds criminal enterprises with a tightly regulated market in which revenues are tracked and accounted for. In those circumstances, consistent with the traditional allocation of federal-state efforts in this area, enforcement of state law by state and local law enforcement and regulatory bodies should remain the primary means of addressing marijuana-related activity. If state enforcement efforts are not sufficiently robust to protect against the harms set forth above, the federal government may seek to challenge the regulatory structure itself in addition to continuing to bring individual enforcement actions, including criminal prosecutions, focused on those harms.

The Department's previous memoranda specifically addressed the exercise of prosecutorial discretion in states with laws authorizing marijuana cultivation and distribution for medical use. In those contexts, the Department advised that it likely was not an efficient use of federal resources to focus enforcement efforts on seriously ill individuals, or on their individual caregivers. In doing so, the previous guidance drew a distinction between the seriously ill and their caregivers, on the one hand, and large-scale, for-profit commercial enterprises, on the other, and advised that the latter continued to be appropriate targets for federal enforcement and prosecution. In drawing this distinction, the Department relied on the common-sense judgment that the size of a marijuana operation was a reasonable proxy for assessing whether marijuana trafficking implicates the federal enforcement priorities set forth above.

As explained above, however, both the existence of a strong and effective state regulatory system, and an operation's compliance with such a system, may allay the threat that an operation's size poses to federal enforcement interests. Accordingly, in exercising prosecutorial discretion, prosecutors should not consider the size or commercial nature of a marijuana operation alone as a proxy for assessing whether marijuana trafficking implicates the Department's enforcement priorities listed above. Rather, prosecutors should continue to review marijuana cases on a case-by-case basis and weigh all available information and evidence, including, but not limited to, whether the operation is demonstrably in compliance with a strong and effective state regulatory system. A marijuana operation's large scale or for-profit nature may be a relevant consideration for assessing the extent to which it undermines a particular federal enforcement priority. The primary question in all cases – and in all jurisdictions – should be whether the conduct at issue implicates one or more of the enforcement priorities listed above.

As with the Department's previous statements on this subject, this memorandum is intended solely as a guide to the exercise of investigative and prosecutorial discretion. This memorandum does not alter in any way the Department's authority to enforce federal law, including federal laws relating to marijuana, regardless of state law. Neither the guidance herein nor any state or local law provides a legal defense to a violation of federal law, including any civil or criminal violation of the CSA. Even in jurisdictions with strong and effective regulatory systems, evidence that particular conduct threatens federal priorities will subject that person or entity to federal enforcement action, based on the circumstances. This memorandum is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any party in any matter civil or criminal. It applies prospectively to the exercise of prosecutorial discretion in future cases and does not provide defendants or subjects of enforcement action with a basis for reconsideration of any pending civil action or criminal prosecution. Finally, nothing herein precludes investigation or prosecution, even in the absence of any one of the factors listed above, in particular circumstances where investigation and prosecution otherwise serves an important federal interest.

cc: Mythili Raman  
Acting Assistant Attorney General, Criminal Division

Loretta E. Lynch  
United States Attorney  
Eastern District of New York  
Chair, Attorney General's Advisory Committee

Michele M. Leonhart  
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Drug Enforcement Administration

H. Marshall Jarrett  
Director  
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Ronald T. Hosko  
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Federal Bureau of Investigation



Office of the Attorney General  
Washington, D. C. 20530

January 4, 2018

MEMORANDUM FOR ALL UNITED STATES ATTORNEYS

FROM: Jefferson B. Sessions, III  
Attorney General

A handwritten signature in black ink, appearing to read "Jeff Sessions", written over a horizontal line.

SUBJECT: Marijuana Enforcement

In the Controlled Substances Act, Congress has generally prohibited the cultivation, distribution, and possession of marijuana. 21 U.S.C. § 801 *et seq.* It has established significant penalties for these crimes. 21 U.S.C. § 841 *et seq.* These activities also may serve as the basis for the prosecution of other crimes, such as those prohibited by the money laundering statutes, the unlicensed money transmitter statute, and the Bank Secrecy Act. 18 U.S.C. §§ 1956-57, 1960; 31 U.S.C. § 5318. These statutes reflect Congress's determination that marijuana is a dangerous drug and that marijuana activity is a serious crime.

In deciding which marijuana activities to prosecute under these laws with the Department's finite resources, prosecutors should follow the well-established principles that govern all federal prosecutions. Attorney General Benjamin Civiletti originally set forth these principles in 1980, and they have been refined over time, as reflected in chapter 9-27.000 of the U.S. Attorneys' Manual. These principles require federal prosecutors deciding which cases to prosecute to weigh all relevant considerations, including federal law enforcement priorities set by the Attorney General, the seriousness of the crime, the deterrent effect of criminal prosecution, and the cumulative impact of particular crimes on the community.

Given the Department's well-established general principles, previous nationwide guidance specific to marijuana enforcement is unnecessary and is rescinded, effective immediately.<sup>1</sup> This memorandum is intended solely as a guide to the exercise of investigative and prosecutorial discretion in accordance with all applicable laws, regulations, and appropriations. It is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any party in any matter civil or criminal.

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<sup>1</sup> Previous guidance includes: David W. Ogden, Deputy Att'y Gen., Memorandum for Selected United States Attorneys: Investigations and Prosecutions in States Authorizing the Medical Use of Marijuana (Oct. 19, 2009); James M. Cole, Deputy Att'y Gen., Memorandum for United States Attorneys: Guidance Regarding the Ogden Memo in Jurisdictions Seeking to Authorize Marijuana for Medical Use (June 29, 2011); James M. Cole, Deputy Att'y Gen., Memorandum for All United States Attorneys: Guidance Regarding Marijuana Enforcement (Aug. 29, 2013); James M. Cole, Deputy Att'y Gen., Memorandum for All United States Attorneys: Guidance Regarding Marijuana Related Financial Crimes (Feb. 14, 2014); and Monty Wilkinson, Director of the Executive Office for U.S. Att'ys, Policy Statement Regarding Marijuana Issues in Indian Country (Oct. 28, 2014).