Learning From Our Past:
Removing Marijuana From the Federal Controlled Substances Act and Allowing States to Actively Regulate Adult Sales and Distribution to Reduce Burdens on the Criminal Justice System and Better Control for Abuse Via Proven Public Health Strategies

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- Acknowledging that there are over 500,000 arrests for marijuana possession annually, and estimates indicate that marijuana prohibition costs state and federal governments roughly $20 billion per year.
- Recognizing and focusing on the actual harms of marijuana use and concentrating resources on controlling access by young people and other vulnerable populations.
- Removing from the criminal justice system the thousands of adult marijuana “offenders” — freeing up law enforcement resources to focus on crimes of violence and against property.
- Using regulation and taxation to account for and recoup the actual costs of marijuana use, both to the user and society.
- Allocating taxes on adult marijuana sales to fund voluntary and proven drug and alcohol treatment programs.
- Recognizing that marijuana use has been ubiquitous and “sanctioned” in American culture for some time, but only for communities with the resources to avoid arrest or conviction.
- Treating marijuana like alcohol for adults and providing for both non-criminal penalties for young offenders and proper education campaigns to discourage youth use.
- Allowing physicians to use marijuana as a substitute for traditional painkillers as a means to curb the demand for more addictive and potentially lethal opioid-based pharmaceuticals.

Robert J. Capecchi is an attorney, analyst, coalition builder, policy advocate, writer, and public speaker. He has played a role in decriminalizing marijuana possession under Rhode Island and Delaware law, enacting Minnesota’s medical marijuana program, and legalizing marijuana in Colorado, Oregon, and Washington, D.C.