



KEY U.S FEDERAL MARIJUANA LAWS-CONTINUED

Written by Cannabis Training University (CTU)

All rights reserved



Here is a further look at key points with the Federal Cannabis Laws in the United States:
The U.S Federal Government Regulates Drugs through the Controlled Substances Act.



The DEA (Drug Enforcement Agency) are responsible for enforcing the Federal Drug Laws in the United States.

The DEA still at times enforces the Controlled Substances Act with legal medical marijuana patients, growers, and caregivers. (Although the likelihood is decreasing)

In 2012, nearly 800,000 people were arrested for marijuana related crimes in the United States.



In 2011 Attorney General Cole wrote a Memorandum

The United States Department of Justice has issued a series of memos for some guidance concerning cannabis laws and related charges.

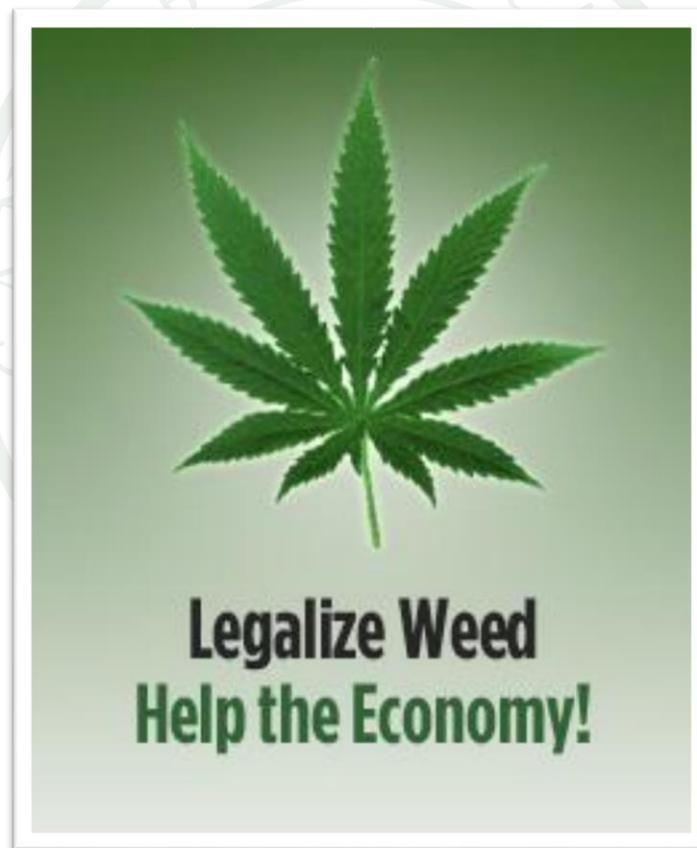
The first one was in 2009 from Deputy Attorney General David W. Ogden.



It stated that the Federal Government “will not focus federal resources in individuals whose actions are in clear and unambiguous compliance with existing state laws providing for the medical use of marijuana.”

In 2011 Attorney General Cole issued an updated memorandum that proclaimed that the federal government would not use their resources to arrest patients and caregivers who were acting in accordance with state cannabis laws.

Unfortunately this was not the case and instead many raids took place at state-licensed dispensaries even after this memorandum was released.





Fortunately, in 2013, after Colorado and Washington legalized marijuana recreationally the U.S Federal Government issued a much more promising response in regards to the matter that stated:

“The Department of Justice will allow states to regulate cannabis distribution as long as state regulations satisfy concerns about proximity to schools and other issues.”

This was a major step in the right direction for cannabis laws in America.

The 2013 memo was clear that although the Justice Department would be more accepting of state cannabis laws, it still had some areas of the laws that it would be enforcing, rightfully so, such as:

- Regulating and preventing the use and distribution of cannabis to those under the age of 18.
- Steering revenue from the sale of cannabis away from criminal enterprises like the Cartels from Mexico and other gangs in the United States.
- Not allowing marijuana to be transported from a legal state to a non-legal state.
- Keeping people from using the sale of marijuana as a cover-up for the sale of harder drugs like cocaine and heroin.
- Not allowing those who cultivate and distribute cannabis to have firearms on the premises.
- Preventing people from driving under the influence of cannabis.

THE DIFFERENCE BETWEEN SENTENCING GUIDELINES AND SENTENCING LAWS IN AMERICA:

“Sentencing Guidelines” are done by what is known as the **U.S Sentencing Commission**.

“Sentencing Laws” on the other hand are enacted by what we know as the **U.S Congress**.

Sentencing Guidelines are created to try to maintain a consistent policy in regards to sentencing laws.

Although these guidelines can often be increased due to the addition of certain circumstances, such as the use of firearms, being too close to a school zone, or the involvement of minors with the case.

Federal Sentencing Guidelines look at many factors such as:

- If the defendant had any prior convictions
- How much cannabis was involved
- Were there any firearms present at the time of arrest?

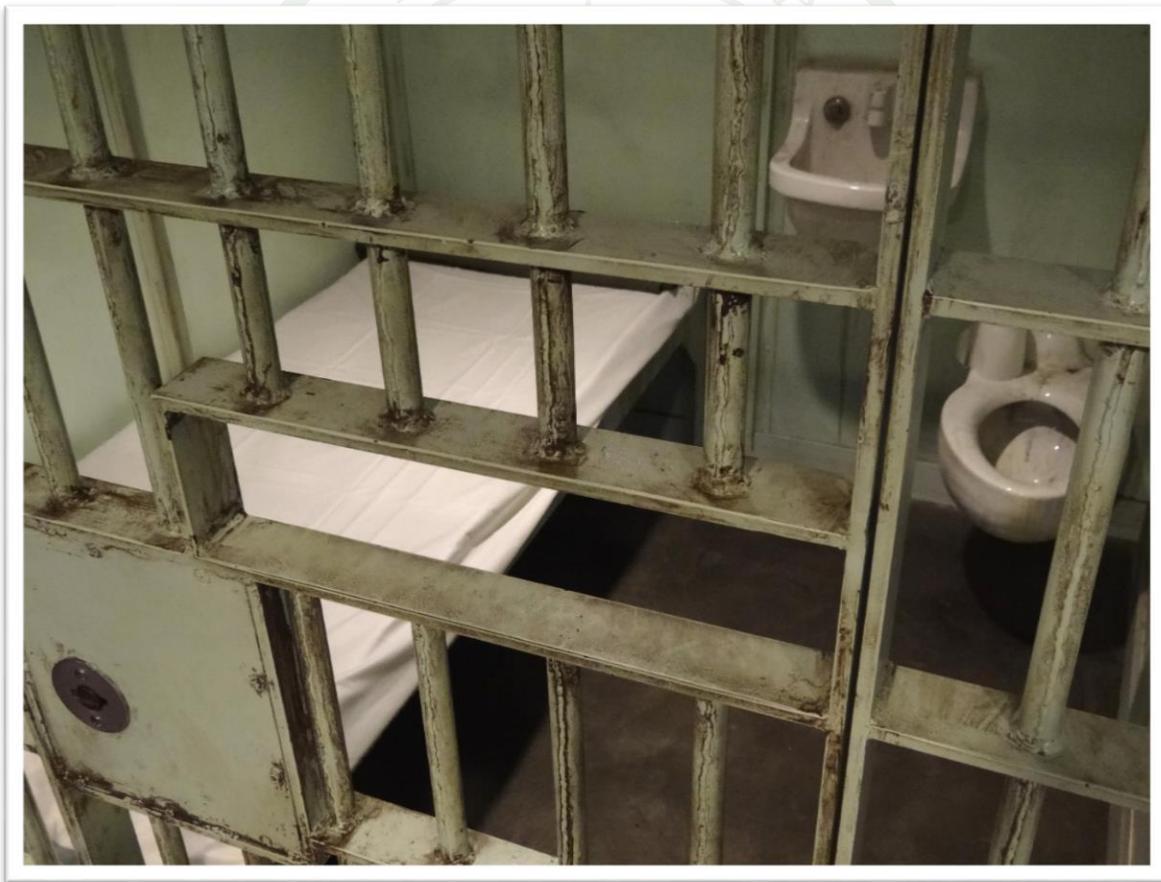


Not each federal guideline leads to a mandatory jail sentence, although all guidelines are eligible for imprisonment.

Although Federal cannabis laws in America are slowly moving in a better direction, there are still some very outdated and ridiculous mandatory minimum sentences in regards to cannabis such as:

-A 5-Year Mandatory Minimum Prison Sentence for the Cultivation of 100 Cannabis Plants or Possession of 100 kgs.

(A 10-Year Mandatory Minimum for those with a prior felony drug conviction)



Further Points About Key Federal Cannabis Laws:

- It is important to keep cannabis away from schools since Drug Free School Zone Laws can more than double the sentences received in federal court.
- Firearms and cannabis do not mix! Those who carry firearms and engage in the sale or distribution of cannabis are increasing their chances for prosecution.
- The Federal Government can and will take property from people who are engaging in illegal sale or distribution of cannabis through what is known as “Civil Asset Forfeiture.”



REMEMBER! FIREARMS AND CANNABIS DO NOT MIX

www.theCTU.com