



New Federal Immigration Guidance Says Stoners Lack ‘Good Moral Character’

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Today the U.S. Citizenship and Immigration Services (USCIS) agency, which processes citizenship applications and is part of the Department of Homeland Security, released a policy alert saying that consuming state-legal marijuana could still be grounds for denying someone's citizenship application.

"Since 1996, a number of states and the District of Columbia have enacted laws to decriminalize ... both medical and non-medical (recreational) marijuana in their respective jurisdictions," reads USCIS's alert. "However, federal law classifies marijuana as a 'Schedule I' controlled substance" meaning its sale or possession is a still a violation of federal law.

Therefore, says the agency, admissions of past marijuana use—even if said use occurred in a state or country where it was legal—could be a bar to establishing an applicant's "good moral character," a requirement immigrants need to meet in order to become citizens.

With the policy alert, smoking pot explicitly joins the many other vices that could be used to deny aspiring Americans full citizenship. Current federal policy also considers polygamists, adulterers, prostitutes, and "habitual drunkards" to be unworthy of naturalization.

As the Cato Institute's David Bier points out, the new policy goes further than just barring immigrants who've been convicted of marijuana offenses or otherwise admitted to consuming it.

Reads the USCIS policy alert, "even if an applicant does not have a conviction or make a valid admission to a marijuana-related offense, he or she may be unable to meet the burden of proof to show that he or she has not committed such an offense."

"In other words, even if an immigrant attempting to become an American has never been convicted of using marijuana and won't admit doing so, they could still be denied U.S. citizenship," writes Bier.

Deeming stoners to be "immoral" is obviously a pretty antiquated view, particularly given the fact that a full 65 percent of Americans think marijuana should be legal. And while a lot of progress has been made on that front on the state and local level, USCIS's policy alert is a helpful reminder that federal prohibitions are still doing a lot of damage.