

# the guardian

## Jeff Sessions nomination sparks fears among legal marijuana advocates

*Donald Trump's choice for attorney general worries those who use the drug for chronic conditions and raises concern over racial disparities in policing*

Baynard Woods

November 22, 2016

Laurie Gaddis voted for Donald Trump, but she had second thoughts when the president-elect nominated Jeff Sessions, the rightwing Alabama senator who has said the nation should go back to a Reagan-era drug policy, for attorney general.

“My concern with Sessions being attorney general is he’s so anti-marijuana, and that’s scary for us because it seemed like Trump was for marijuana,” Gaddis said in a cabin on a lake in Evergreen, Colorado, just outside of Denver. “I’m worried about our freedoms in this industry and our progress.” If confirmed by the Senate to the position, Sessions would oversee federal prosecutions and the federal Drug Enforcement Agency (DEA).

Gaddis said she voted for Trump because of his anti-establishment stance, although she did express concerns over his misogynistic statements and Sessions’ alleged history of racist remarks. But because she has multiple basal cell carcinoma, she considers the issue of marijuana a matter of life and death.

Because of the patchwork of state laws currently governing marijuana, Gaddis, who is from Arizona, says she has recently lived between Colorado and Oregon as what she calls a “medical marijuana refugee”. She says her illness, a form of skin cancer, stems from the fact that her father was sprayed with agent orange during the Vietnam war, and she treats it solely with a marijuana extract that she makes.

“I have never gone through radiation, chemotherapy. I’ve never allowed them to cut on me and here I am 10 years later, alive,” she said. “So I kind of know about how effective cannabis is.”

In recent years, 28 US states have voted for some form of legal marijuana, including California on 8 November, but federally it remains a schedule 1 drug, which means according to the DEA it has no medicinal value and its use can be criminally prosecuted.

Neither of Obama’s attorneys general, Eric Holder or Loretta Lynch, have enforced federal pot laws in states that have voted for legalization since 2013. But Sessions has a long record as an

anti-pot crusader and in April, on the floor of the Senate, he said: “Good people don’t smoke pot.”

Gaddis said if he decided to strictly enforce federal marijuana laws, she would go back to “being illegally alive again”.

“You have the choice of being illegally alive or legally dead. Given those choices ...” she said, and faded off for a moment before adding: “Sessions scares me.”

Gaddis is not the only one with conflicted feelings. “We are currently getting very mixed signals when it comes to the future of marijuana legalization under President Trump’s incoming administration,” said Erik Altieri, the executive director of the National Organization for the Reform of Marijuana Laws (NORML). “Trump promised to remain hands-off when it came to states moving towards legalization. However, his appointment of a lifelong prohibitionist, Senator Jeff Sessions, is a cause for concern.”

The National Cannabis Industry Association noted: “Senator Sessions has long advocated for state sovereignty, and we look forward to working with him to ensure that states’ rights and voter choices on cannabis are respected.”

The appeal to states’ rights harks back to the era of segregation – yet in the case of the war on weed, racial concerns are far from being eliminated.

In 2013, the American Civil Liberties Union released a comprehensive study on the disparity in the number of marijuana arrests by race, finding that nationally, African Americans were nearly four times as likely to be arrested for marijuana as white people, although usage rates are similar.

“The correlation between racist views and sentiment and institutional racism and the drug war goes back a very long time and we should be very concerned when someone who has openly expressed these kinds of sentiments is trying to be the top law enforcement official in the country,” said Bill Piper of the Drug Policy Institute. Sessions has been accused of making racist remarks, which he has denied.

Trump’s attorney general nominee, who was rejected for district judgeship for alleged racist remarks, supports civil forfeiture and nonviolent drug prosecutions, experts say

Jonathan Blanks of the libertarian-leaning Cato Institute agrees. “It’s just very disturbing to see that here we have an attorney general nominee who really wants to crack down on crimes that are typically enforced against minority communities much harsher than they are in white suburbia,” he said.

In Colorado, only 4.3% of the population is black, yet African Americans accounted for 8% of the pot arrests before legalization. The racial disparity surrounding marijuana may have continued into the legal marijuana industry, where according to a Buzzfeed investigation only 1% of the marijuana licenses go to African Americans.

Wanda James, a black entrepreneur and pioneer in Colorado’s cannabis industry, said that neither Trump nor Sessions would keep her from investing in the industry. “I’m expecting our lawyers to stand up because right now we’re not just talking a business or an industry,” she said.

“We’re talking social justice, we’re talking medicine, we’re talking jobs, we’re talking tax revenue, we’re talking school construction.”