



## Documentation – Candidate Stances

2020 Presidential Candidates on Marijuana: stances and policy provisions

### FULL LEGALIZATION

- Tulsi Gabbard – end federal prohibition
  - Representative Gabbard introduced [H.R. 1588](#) (3/7/2019) titled, “Ending Federal Marijuana Prohibition Act of 2019”
  - H.R. 1588 is intended to end prohibition and “[to](#) limit the application of federal laws to the distribution and consumption of marijuana, and for other purposes.”
- Bernie Sanders – legalize marijuana through EO within first [100 days](#), plan to do first day. His plan will eventually approve permanent legislation
  - Senator Sander’s plan [states](#) he will, “immediately [issue] an executive order that directs the Attorney General to declassify marijuana as a controlled substance”
- Elizabeth Warren – supports legalization
  - In addressing the war on drugs, Senator Warren’s website [asserts](#), “this failure has been particularly harmful for communities of color, and we need a new approach. It starts with legalizing marijuana and erasing past convictions.”

### DECRIMINALIZATION

- Joe Biden – supports decriminalization
  - Biden’s [Justice plan](#) decriminalizes marijuana.
- Michael Bloomberg – has a strong anti-cannabis history but has come out and said he supports decriminalization.
  - Bloomberg recently released his [criminal justice plan](#) (2/18/20) which touches on marijuana. Under his plan he would “de-criminalize the use and possession of marijuana nationwide.”
- Bernie Sanders – [co-sponsored](#) the Marijuana Freedom and Opportunity Act (S. 1552). The act decriminalizes marijuana and removes it from the Controlled Substances Act.

- Elizabeth Warren – she supports decriminalization but she also specifically supports full legalization
  - Supports overall federal legalization but has also indicated her support for the Marijuana Freedom Opportunity Act within her new [plan](#). Under this act, marijuana would be decriminalized at the federal level. This [act](#) does not mention anything about full legalization and mainly focuses on decriminalization.
- Bill Weld
  - Weld has [stated](#), “there’s almost no logical argument against” descheduling marijuana.

## MEDICAL USE

- Joe Biden
  - Plan [states](#), “he will support the legalization of cannabis for medical purposes.”
- Michael Bloomberg
  - Has not voiced his support for medical marijuana. At one time, [stated](#) on WOR Radio, “medical, my...come on. There’s no medical. This is one of the great hoaxes of all time.”
- Tulsi Gabbard
  - Gabbard is on record [stating](#), “I believe firmly in every person’s freedom to make their own choices, and that people should not be thrown in jail and incarcerated or made into criminals for choosing to smoke marijuana whether it be for medicinal and non-medicinal purposes.”
  - Also supports [H.R. 712](#) “VA Medicinal Cannabis Research Act of 2019” which “[directs] the Secretary of Veterans Affairs to carry out a clinical trial of the effects
- Bernie Sanders
  - [Plan](#) does not mention medical marijuana or voice support for specifically medical marijuana, patients, or the research contributing medical marijuana or veterans. Sanders has been on record as a [co-sponsor](#) for a House bill (H.R. 2618) that would have legalized and regulated medical marijuana.
- President Donald Trump
  - Has [indicated](#) that he would most likely support the STATES Act if it were to be approved by Congress. The STATES Act would allow states to enact their own medical marijuana laws and prevent federal intervention.
- Elizabeth Warren
  - [Plans](#) to “fight for veterans’ right to access marijuana” and believes “the VA should proactively engage in researching medical cannabis, for veterans who suffer from conditions including chronic pain and post-traumatic stress disorder.”
  - [Calls](#) to remove the barriers preventing federal research into medical marijuana and its potential benefits and drawbacks of medical marijuana of cannabis on

certain health outcomes of adults with chronic pain and post-traumatic stress disorder, and for other purposes.”

- Most likely Warren believes legalizing marijuana means it will allow individuals to access it medically, nullifying medical programs specifically and consolidating them into one program. For example, her [plan](#) states, “legalizing marijuana is about more than just allowing recreational use, or the potential medical benefits, or the money that can be made from the new market.”
- Bill Weld
  - Weld strongly [supports](#) the STATES Act and believes the bill is the one of the best form legislations currently on the Hill.

## STATE-LEVEL LEGISLATION

- Joe Biden – supports decriminalization but leaves it up to the states to decide whether to legalize
  - His [plan](#) supports the overall legalization of cannabis for medical purposes at the federal level, but “decisions regarding legalization for recreational use up to the states.”
- Michael Bloomberg – wants to leave it up to the states
  - Bloomberg’s new plan chooses to “de-criminalize the use and possession of marijuana nationwide” which would happen at the federal level. Prior to his plan, he [wanted](#) to let the states decide how to legalize without federal intervention.
- Tulsi Gabbard
  - Gabbard has proposed [H.R. 1588](#), Ending Federal Marijuana Prohibition Act of 2019, which would amend the CSA and [enable](#) states to enact their own pieces of marijuana reform.
- Bernie Sanders – has voiced his support in the past for States to enact their own legislation.
  - Sanders has [stated](#), “what the federal government can do is say to the state of Colorado that if you choose to vote to legalize marijuana, we will allow you to do that without restrictions.”
- President Donald Trump
  - Has [publicly stated](#) his support for the STATES Act which would enable states to decide how to implement their own laws and amend marijuana within the CSA
- Elizabeth Warren – proposed the STATES Act and voiced her support for this proposal in her newly released [plan](#)
  - Warren and Senator Cory Gardner (CO – R) proposed the [STATES Act](#) which would prevent federal interference into states that had already legalized and developed their own marijuana laws. Essentially the act would strengthen states’ rights and give more authority to states over federal law.

- Bill Weld
  - [Supports](#) the STATES Act and believes it's the best act because it keeps the federal government out of business.

## SENTENCING REFORM

- Michael Bloomberg – doesn't want to incarcerate people for marijuana-related offenses, but doesn't really expand on this
  - Under his recent criminal justice [agenda](#), Bloomberg will "propose a new federal sentencing structure to reverse an overly punitive legacy [and will] commute all existing sentences" related to marijuana.
- Tulsi Gabbard – Sentencing reviews and potentially reducing sentencing
  - Gabbard co-sponsored the Marijuana Justice Act of 2019 ([H.R. 1456](#)) which would review sentences for individuals convicted of a Federal criminal offense involving marijuana. A court may also reduce sentences under this act.
- Bernie Sanders – marijuana plan would review and resentence currently incarcerated individuals.
  - His plan [indicates](#), "[the] review will include re-sentencing for all currently incarcerated with marijuana convictions."
- Elizabeth Warren – sentencing reform
  - Warren has [called](#) for the "abolition of certain mandatory minimum sentences" that impact people suffering from addiction.

## EXPUNGEMENT/CLEMENCY

- Joe Biden – supports automatically expunging all prior cannabis convictions
  - Biden's [website](#) states, "as president, he will decriminalize cannabis use and automatically expunge prior convictions."
- Michael Bloomberg
  - Bloomberg states in his new criminal justice [agenda](#) that his plan will "expunge all records."
- Tulsi Gabbard – expunge past convictions
  - Gabbard co-sponsored the Marijuana Justice Act of 2019 ([H.R. 1456](#)) which requires that "each Federal court shall issue an order expunging each conviction for a marijuana use or possession offense entered by the court before the date of enactment of [the] Act."
- Bernie Sanders – Expunge past convictions of marijuana related offenses
  - Sanders's plan on his website states, "[he will] vacate and expunge all past marijuana-related convictions." All past convictions will be expunged and he [plans](#) to use the California model (Code for America) to make this happen. Federal funding will be provided to states and cities to "develop and operate the expungement determination process."
- Elizabeth Warren – erasing past convictions

- Warren's websites [states](#) that in addition to legalizing marijuana, her plan will "[erase] past convictions." Specifically, Warren supports the MORE Act and the expungement provisions found within the bill. Her new [plan](#) states Warren will "prioritize an accessible expungement process for federal convictions for marijuana use and possession and incentivize states that do the same."

## **SOCIAL JUSTICE/SOCIAL EQUITY**

- Tulsi Gabbard – people that have been disproportionately “aggrieved” may bring a civil action in an appropriate district court of the US
  - Gabbard co-sponsors The Marijuana Justice Act of 2019 (HR 1456) which would enable an individual the “[right of action](#).” This means “an individual who is aggrieved by a disproportionate arrest rate or a disproportionate incarceration rate of a State may bring a civil action in an appropriate district court of the United States.
  - Under the Marijuana Justice Act of 2019 ([H.R. 1456](#)) which Gabbard co-sponsors, the bill would establish a “community reinvestment fund.” The fund grants to communities impacted by the war on drugs for programs engaged in, “job training, reentry services, expenses related to expungement convictions, public libraries, community centers, programs and opportunities dedicated to youth, health education programs, and other programs of special purpose.”
- Bernie Sanders – create a grant program to reinvest revenue in the “Minority Business Development Agency” to provide grants for entrepreneurs of color who continue to face discrimination
  - Sanders's [plan](#) to legalize marijuana also involves “[providing] formerly incarcerated individuals with training and resources needed to start their own businesses and worker owned businesses.”
  - His [plan](#) would “ensure that revenue from legal marijuana is invested in communities hit hardest by the War on Drugs, especially African-American and other communities of color.” Some of this investment would come in the form of a Minority Business Development Agency that would provide grants from “a \$20 billion [program to] entrepreneurs of color who continue to face discrimination in access to capital.”
- Elizabeth Warren
  - She [endorses](#) Senator Cory Booker's Marijuana Justice Act which “[creates] a fund of at least \$500 million annually to repair damage done to communities that have been unjustly targeted by marijuana enforcement.” This is mentioned within her new plan and part of her effort to support already drafted federal proposals.
  - A large portion of her plan seeks to reverse harms created for communities impacted by disproportionate arrests/incarceration of marijuana-related enforcement.

## BUSINESS STRUCTURING

- Bernie Sanders – [Ensure](#) legalized marijuana does not turn into big tobacco.
  - His plan will “incentivize marijuana businesses to be structured like nonprofits, [ban] tobacco/cigarette corporations from participating in marijuana industry, [and] institute market share and franchise caps to prevent consolidation and profiteering.”
- Elizabeth Warren
  - Warren’s [plan](#) would enable competition, fair access to resources, prevent big corporation takeover, and ensure union strength.

## BANKING

- Bernie Sanders
  - Sanders [presumes](#) that by declassifying marijuana it will eliminate barriers to the banking and will allow entrepreneurs adequate access to banking services.
- President Donald Trump
  - President Trump [believes](#) he most likely will support the STATES Act which would address the financial issues created by federal prohibition.
- Elizabeth Warren – [proposed](#) the STATES Act which “[addresses] financial issues caused by federal prohibition.”
- Bill Weld
  - [Supports](#) the STATES Act which addresses “financial issues caused by federal prohibition.”

## SAFETY/ HEALTH STANDARDS

- Bernie Sanders – Prohibit products and labels that target young people
  - Sander’s [plans](#) to “regulate safety by granting the federal government regulatory authority.” He would “partner with USDA to establish safety inspection and quality control process for growers and producers.”
- Elizabeth Warren – [must](#) be 21 to purchase marijuana unless for medical purpose
  - Within Warren’s cannabis plan she [states](#), “we’ll protect consumers by closely regulating the safety and marketing of marijuana products.”

## CSA DE/RESCHEDULING

- Joe Biden – supports rescheduling cannabis as a schedule II for researchers to study
  - Within Biden’s [Justice plan](#) he proposes to, “reschedule cannabis as a schedule II drug so researchers can study its positive and negative impacts.”
- Tulsi Gabbard – remove cannabis from controlled substances schedule

- Gabbard co-sponsored [H.R. 1456](#) which “amends the Controlled Substances Act to provide for a new rule regarding the application of the Act to marihuana, and for other purposes.” Under this bill, marijuana would be removed from schedule of controlled substances.
- Bernie Sanders – remove marijuana from CSA
  - Sanders’s website [states](#) he plans on, “removing it from the Controlled Substance Act.”
- President Donald Trump
  - President Trump [believes](#) he most likely will support the STATES Act which amends the Controlled Substances Act in regards to marijuana.
- Elizabeth Warren – co-sponsored the STATES Act which would amend CSA and enable legal marijuana
  - Elizabeth was one of two main sponsors for the [STATES Act](#) which alters/removes marijuana from the Controlled Substances Act.
  - In her new plan, Warren [states](#) that within the first 100 days she will direct specific agencies to “begin the process of delisting marijuana via the federal rule-making process.”
- Bill Weld
  - [Believes](#) that there is almost no argument against descheduling marijuana and this would solve many problems like banking if this was reduced.

## VETERANS

- Joe Biden – [supports](#) rescheduling to allow VA to research the use of medical cannabis to treat veteran-specific health needs
- Tulsi Gabbard – co-sponsored [VA Medicinal Cannabis Research Act of 2019](#) (H.R. 712) which authorizes Department of Veterans Affairs to undertake a clinical trial on the effects of cannabis on veterans suffering from chronic pain and post-traumatic stress disorder (PTSD)
- Bernie Sanders – co-sponsored a bill protecting veterans access to medical marijuana.
  - Sanders has co-sponsored [S. 445](#), Veterans Medical Marijuana Safe Harbor Act, which enables/protects veterans “to use, possess, or transport medical marijuana” and allows for veterans to discuss medical marijuana with their physicians.
- Elizabeth Warren
  - Her [plan](#) would boost research for medical marijuana’s impact on veterans PTSD and chronic pain affecting their lives. She would also increase access and prohibit any barriers preventing veteran usage (actual access, employment barriers, and VA backed loans).

For more information, contact [depc@osu.edu](mailto:depc@osu.edu).