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United States Senate

WASHINGTON, DC 20510-3205

April 22, 2018

The Honorable Jeff Sessions
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Sessions,

I am requesting a meeting with individuals and myself whose lives have been irreparably harmed because of non-violent marijuana arrests. We share the goals of reducing drug use and targeting drug traffickers, however, I believe we should have an open discussion and listen to those who have been arrested for possessing small amounts of marijuana, to learn how mistakes in their youth turned into a lifetime of barriers to finishing their education or obtaining employment.

It is an American principle that, no matter the law, it should be applied equally to all people, regardless of their race or background. Sadly, as you will hear from my constituents, for decades, the so-called "War on Drugs" has not been pursued with equality. A young white man at college who is caught with a small amount of marijuana has almost no risk of being arrested or prosecuted for marijuana possession, while a young black man in the same situation has a much higher risk. This is not just a theory; the data collected over the last 40 years have borne this out. The American Civil Liberties Union analyzed arrest and conviction data for marijuana possession since 2001 and found that while marijuana usage between black Americans and white Americans is generally the same, black Americans are, on average, three times more likely to be arrested for it. In addition, by 2010, half of all arrests of black citizens were for marijuana possession.

The effects of these arrests and convictions last a lifetime. Men and women who were incarcerated are unable to vote, do not qualify for public housing, and have difficulty finding employment. The stigma associated with these arrests stifles future opportunities for a generation of black Americans. While this country cannot erase the damage caused by 40 years of policies designed to target black Americans, we can implement new policies that will reverse some of their harsh consequences.

I would like to sit with you and my constituents and discuss the effects of rescinding the Cole memo, as well as our desire to see the memo re-instated. This discussion is even more important at a time when three-fifths of States in this country have legalized marijuana in some form and do not consider marijuana usage a serious crime. We need to come together to find a way to modernize our drug laws to ensure that criminals that pose a violent threat are targeted, and laws are applied equally, and compassionately, to all people.

I eagerly look forward to your response.

Sincerely,



Kirsten Gillibrand
United States Senator