Neuroscience and Cannabis: Implications for Law and Policy

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LEGAL LANDSCAPE: FEDERAL

- Under the Controlled Substances Act of 1970, cannabis is classified as a Schedule I drug, "with no currently accepted medical use and a high potential for abuse."
- Other drugs in this category include heroin and LSD

Source: www.DEA.gov
In March 2022, the U.S. Senate unanimously passed the *Cannabidiol and Marihuana Research Expansion Act* to streamline application process for cannabis researchers. The house vote bill passed by 82% with all House Democrats and 126 Republicans voting in favor.

In April 2022, the bipartisan PREPARE Act was introduced (Preparing Regulators Effectively for a Post-Prohibition Adult-Use Regulated Environment Act) to establish a commission to make recommendations about Federal regulation of cannabis.


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**LEGAL LANDSCAPE: STATES**

MEDICAL USE

- 37 States
- + Washington DC, Puerto Rico, Guam, the Northern Mariana Islands, and the US Virgin Islands

Source: National Conference of State Legislatures

RECREATIONAL USE

- 18 States
- + Washington DC, Guam, and the Northern Mariana Islands

Source: National Conference of State Legislatures
RECREATIONAL USE

- Recently, a bipartisan bill introduced in the Rhode Island legislature to legalize cannabis
- South Dakota passed a ballot referendum to legalize recreational cannabis which was struck down by the South Dakota Supreme Court in 2021.

THE WAR ON DRUGS AND MASS INCARCERATION

**Male Incarceration Rates of Sentenced Prisoners Under State and Federal Jurisdiction per 100,000 Population, 1925–2016**

- President Nixon Declared a “War on Drugs” in 1971 and the US Male Incarceration Rate Increased Almost 5X
MARIJUANA ARRESTS

- In 2018, police conducted more arrests for marijuana than for all violent crimes combined.
- Nearly 90% of marijuana arrests are for possession only.


EXTREME RACISM IN ENFORCEMENT OF DRUG LAWS

Studies indicate that Black and Latinx individuals experience discrimination at every stage of the criminal justice system, including increased likelihood of:
1. Stopped or detained
2. Searched
3. Arrested
4. Charged
5. Charged with mandatory minimums
6. Convicted
7. Harsher sentences
EXTREME RACISM IN ENFORCEMENT OF DRUG LAWS

- In every state, Black people are more likely to be arrested for marijuana possession than White people, including in states that have legalized marijuana.


Black individuals are jailed at rates 13.4 times higher than Whites

- In some states, 90% of drug prisoners are Black and as much as 57 times more likely than Whites to serve prison time for drug crimes

- Nearly 80% of people held in federal prison are Black or Latino

EXTREME RACISM IN ENFORCEMENT OF DRUG LAWS

Child welfare disproportionately targets Black and Brown parents.

Women of color are far more likely to be screened for drug use at birth. In some states, women who test positive for cannabis at birth are arrested and their children are removed and placed in foster care.

CONTACT INFORMATION

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