

# Vera Institute of Justice

## Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/recent-wins-on-marijuana-signal-a-change-in-drug-policy-nationally>

### Public Facing Advocacy Writing

This election season, many Americans overwhelmingly voted in favor of marijuana reform.

[California](#), [Maine](#), [Massachusetts](#), and [Nevada](#) approved the legalization of recreational marijuana, while voters in [Arkansas](#), [Florida](#), and [North Dakota](#) approved new medical marijuana initiatives. Montana also voted to ease restrictions on its [already existing medical marijuana law](#). Although marijuana use is increasingly more accepted (with public approval [greater](#) for medical rather than recreational use), its approval follows a long history of stigma.

In 1970, Richard Nixon signed the [Controlled Substances Act](#) to regulate the manufacture, import, possession, use, and distribution of substances by classifying them into five Schedules. Cannabis was classified as a [Schedule I](#) drug, or a drug with no currently accepted medical use and a high potential for abuse, along with ecstasy, peyote, and heroin. Although acceptance of marijuana among the public has dramatically increased, the drug remains classified under Schedule I the Drug Enforcement Administration (DEA)s most restrictive drug category.

By the 1980s and 1990s a new era of tough-on-crime drug policies including Ronald Reagans [Anti-Drug Abuse Act](#) and Bill Clintons [Violent Crime Control and Law Enforcement Act](#), which promised harsher punishment for drug offenses and established mandatory minimum sentences for drug possession helped lead to the epidemic of mass incarceration we see today. By the mid-1990s, the fight against marijuana had already cost \$30 billion at the federal, state, and local levels; and upwards of four million people had been arrested for crimes involving marijuana. 250,000 of those arrests led to felonies, resulting in at least one year in prison.

Almost [50 percent](#) of people in federal prisons are currently serving time for drug crimes, 9.5 percent of whom are there for offenses involving marijuana. People serving mandatory minimums for federal marijuana offenses may not be eligible for parole, and such [sentences](#) can range from days to years to life in prison. Even after jail or prison, the history of conviction will continue to strain a persons access to employment, housing, loans, education, and other opportunities.

Yet, the outcome of this election season demonstrates a national effort to decriminalize marijuana use. A decade ago, [60 percent](#) of U.S. adults opposed the legalization of marijuana, while only 32 percent supported it. Now, those statistics are nearly the opposite: 57 percent of American adults support legalization, while 37 percent think it should be illegal. Public opinion continues to change as the legalization of medical and recreational marijuana expands across red and blue states, reflecting a nationwide desire not only for drug policy reform, but to end the stigma around drug use in America.

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