

Policy Paper:

**An analysis of Drug Legalization for Rep. Robert Aderholt (R) of the 4th
Congressional District of Alabama**

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Issue Overview

The conversation of drugs in the United States has been a controversial issue since the mid-20th century. Drugs are substances other than food that affect the structure or function of the body.¹ Some of the most common drugs used in the United States include cannabis, narcotics, and psychedelics. These substances are commonly found all over and some can be accessed easier than others. Drugs are used by all classes and ages of society whether it be a millionaire celebrity to the homeless living on the streets. Due to these realities this issue has been in the discussions of public policy for a significant amount of time.

History of Issue

Ever since the late 1800s and early 1900s, drugs have been debated as to what extent they should be legal if at all. Narcotics were used heavily by the United States military in the late 1800s and early 1900s. These narcotics included cocaine and morphine. Morphine was used as a painkiller often thus hooking many soldiers on the drug and planting the seeds for opioid addiction. Eventually these practices were banned and soldiers were treated other ways after the addictive properties of these drugs were discovered. One of the biggest pieces of anti-drug legislation was passed in 1970 and this was the 1970 Controlled Substances Act which was signed into law by US president Richard Nixon.² This piece of legislation scheduled substances based on their addictiveness and uses to scientific study and brought the drug enforcement

¹ “Drug,” Merriam-Webster (Merriam-Webster), accessed December 1, 2020, <https://www.merriam-webster.com/dictionary/drug>.

² “CSA Schedules,” Drugs.com, accessed December 1, 2020, <https://www.drugs.com/csa-schedule.html>.

agency (DEA) into existence. The act was the opening shot for a battle that rages on into the modern day.

The war on drugs has been an ongoing event that has deeply affected the lives of many. The Controlled Substances Act created a hostile environment on the use of drugs and this was further enforced by president Ronald Reagan. Even today, the war on drugs affects over a million people. In 2018 there were 1.6 million drug related arrests, 86% of which were for possession of certain substances.³ Despite the many drug related arrests, the public has somewhat of a different opinion of how these people should be handled that differs from the harsh methods of the federal government. In a survey on the issue of drugs from the 2016 election, 83% of the voters favored rehabilitation over incarceration.⁴ Citizens believe it is better to help those that face addiction rather than throwing them in jail so that they can repeat the cycle. The public perspective on drugs has definitely evolved over time.

Political Party Positions

Republicans

The Republican party tends to be more against the relaxation of drug laws than not and tend to be in support of drug free communities. The 2020 Republican party platform referred to drugs as an epidemic in this country and that they want to see more drug free communities.⁵ This

³ “Drug Decriminalization,” Drug Policy Alliance, accessed December 1, 2020, <https://drugpolicy.org/issues/drug-decriminalization>.

⁴ 2020 Written by: fractl Last updated on November 3, “Political Parties on Drug Use,” DrugAbuse.com, November 4, 2020, <https://drugabuse.com/featured/political-parties-on-drug-use/>.

⁵ “The Republican Party Platform, 2020,” Ballotpedia, accessed December 1, 2020, https://ballotpedia.org/The_Republican_Party_Platform_2020.

stance is further supported by Republican president vice-president Michael Pence who said, “The drugs flowing over our southern border are resulting in addiction & substance abuse that is tearing rural communities apart.”⁶ One of the top Republican officials shows the support of getting rid of drug offenders and trying to keep communities together. The party also put forward legislation that would increase enforcement of drug laws with the drug-free communities pandemic relief act which would help make communities safer and take restrictive funding off the law enforcement. The Republican party along with their actions have interest groups that support their policies and beliefs.

The interest groups that would voice support for the Republican party would most likely be the ones that have anti-drug stances. These organizations have focused on protecting the youth of the United States from the addictive properties of certain drugs. An example of an interest group is the Tobacco-Free Kids Action Fund which actively promotes the boycott of nicotine and other substances. Also conservative religious groups seem to favor the Republican party’s stance as they don’t believe in the use of certain substances. The interest groups and the party itself have solidified stances and the opposing party has a different approach to the issue of drug legalization.

Democrats

The Democratic party, unlike the Republicans, favors the relaxation of drug laws and focusing on rehabilitation rather than incarceration. The 2020 Democratic party platform

⁶ “The Voter's Self Defense System,” Vote Smart, accessed December 1, 2020, <https://justfacts.votesmart.org/public-statement/1350613/tweet-the-drugs-flowing-over-our-southern-border-are-resulting-in-addiction-substance-abuse-that-is-tearing-rural-communities-apart-honored-to-visit-riverstone-health-clinic-to-discuss-ways-our-administration-can-help-states-like-montana-support-the-recovery-of-our-fellow-americans>.

discusses how the party is in favor of rehabilitation rather than incarceration and how they want to eliminate arrests for minor possession of substances such as cannabis.⁷ The party also wants to focus on mental health rehabilitation to help prevent drug abuse in the first place. They believe that rehabilitation is better because it will help the abuser get over the problem rather than going to prison still stuck with it and coming out with it. The Democrats believe this a more effective solution to help communities recover and promote a less law and order drug society.

Many pro-cannabis interest groups support the Democratic party's position. These groups have focused on relaxing the drug laws and creating a more forgiving environment around these substances. Also these groups promote the scientific study of substances for medicinal use, such as cannabis for arthritis and psychedelics for mental health. These groups also do a good job of getting their supporters to vote for the Democrats as they favor their interests. One of these groups is the National Organization for the Reform of Marijuana Laws which is trying to shift the public opinion on marijuana. Overall, the goal of these groups is to shift the public opinion to the point results are produced by congress.

Interest Groups

There are many interest groups in the United States that either support or against the legalization of certain substances. One controversial substance that has many interest groups surrounding it is cannabis. One big interest group that supports the legalization of cannabis is the National Organization for the Reform of Marijuana Laws. They are trying to shift public opinion

⁷ Democrats, accessed December 1, 2020, <https://democrats.org/where-we-stand/party-platform/>.

towards the super majority support of legalized recreational marijuana.⁸ Another interest group that is the opposite of the NORML is the Tobacco-Free Kids Action Fund. This organization aims to reduce tobacco usage in the United States and try to prevent young people from using addictive substances.⁹ Both of these groups try to influence public opinion and congress to get what they want. Overall, there are many factors that influence congress's lawmaking tendencies on this issue.

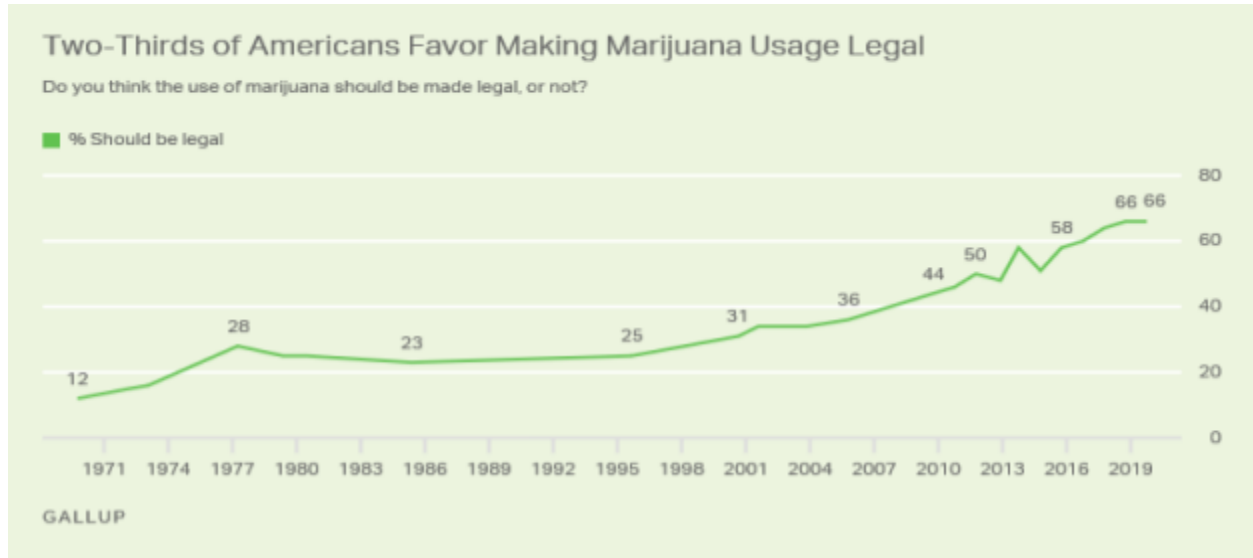
Public Opinion of the 4th District

Over the decades Americans have had a shifting opinion on the legality of certain substances, mainly cannabis. Today, around two-thirds of Americans favor making the use of cannabis legal.¹⁰ The trend has been that younger generations tend to favor it while older generations that opposed the legalization in earlier surveys still made up a good chunk of those that opposed it. One of the most recent surveys was conducted in 2019 and found trends that reflect the shifting demographics in the nation.

⁸ NORML State Policies Coordinator Carly Wolf, Norml, and NORML Deputy Director Paul Armentano, "Working to Reform Marijuana Laws Since 1970," NORML, November 30, 2020, <https://norml.org/>.

⁹ "About Us," Campaign for Tobacco-Free Kids, November 12, 2020, <https://www.tobaccofreekids.org/about>.

¹⁰ Jeffrey M. Jones, "U.S. Support for Legal Marijuana Steady in Past Year," Gallup.com (Gallup, November 23, 2020), <https://news.gallup.com/poll/267698/support-legal-marijuana-steady-past-year.aspx>.



Jones, Jeffrey M. "U.S. Support for Legal Marijuana Steady in Past Year." Gallup.com. November 23, 2020.

<https://news.gallup.com/poll/267698/support-legal-marijuana-steady-past-year.aspx>.

Methodology

Methodology ¹¹	Americans ¹²	4th Congressional District of Alabama ¹³
Date(s) Conducted: October 1-13, 2019 Universe: Americans Sample Size: 1,526 adults 18yrs+ Sample Error: +/- 3% Interviewing Method: Done via telephone	Voter Registration as of Feb 28, 2020: - Republican: 28.87% - Democrats: 39.66% - Decline to State: 29.09% Median Income: \$68,703 Racial and Ethnic makeup: 60.1% White, 18.5% Hispanic, 13.4% Black, 5.9% Asian, 1.3% Native American	Voter Registration 2018 Election: 231,915 - Republican: 184,255 79.77% - Democrats: 46,492 20.13% - Decline to State/Independent: 222 .10% Median Income: \$47,531 Racial and Ethnic makeup: 86.8% White, 7.3% Black, 6.9% Hispanic, 4.7% Asian, 4.7% Native American

¹¹ Jones, Jeffrey M. "U.S. Support for Legal Marijuana Steady in Past Year." Gallup.com. November 23, 2020. <https://news.gallup.com/poll/267698/support-legal-marijuana-steady-past-year.aspx>.

¹² "Alabama's 4th Congressional District," Wikipedia (Wikimedia Foundation, December 23, 2022), https://en.wikipedia.org/wiki/Alabama%27s_4th_congressional_district.

¹³ Center for New Media & Promotion (CNMP), US Census Bureau. "My Congressional District." Census.gov. January 25, 2017. <https://www.census.gov/mycd/?st=01&cd=04>.

Analysis

The national poll, “Should Marijuana Be Legal?” conducted in 2019 demonstrated the shifting public opinion on the marijuana legalization. The poll showed that legalization was favored more by Democrats than Republicans thus supporting the party’s stances on the issue. The poll also showed that 82% of liberals were in favor of legalization compared to the 48% of conservatives.¹⁴ However, according to the national voter registration there are more registered Democrats than registered Republicans with 39.66% compared to 28.87%.¹⁵ This can influence the results as there could have been more Democrats that responded than Republicans. Also, in the United States, conservatives tend to lean Republican and liberals tend to lean Democratic which influences the policies of the parties.

Based on the national trend of how party allegiances voted in the poll, it seems the 4th congressional district of Alabama would not be in high favor of marijuana legalization. 79.77% of the voters in this district are registered Republicans and only 20.13% are registered Democrats.¹⁶ Republicans tend to be more conservative so this area seems to have more of a conservative mindset which could indicate they might not support this idea. Christianity and religion is big amongst conservatives which influences their anti-drug beliefs and religion has a

¹⁴ Jeffrey M. Jones, “U.S. Support for Legal Marijuana Steady in Past Year,” Gallup.com (Gallup, November 23, 2020), <https://news.gallup.com/poll/267698/support-legal-marijuana-steady-past-year.aspx>.

¹⁵ Jeffrey M. Jones, “U.S. Support for Legal Marijuana Steady in Past Year,” Gallup.com (Gallup, November 23, 2020), <https://news.gallup.com/poll/267698/support-legal-marijuana-steady-past-year.aspx>.

¹⁶ US Census Bureau Center for New Media & Promotion (CNMP), “My Congressional District,” Census.gov, January 25, 2017, <https://www.census.gov/mycd/?st=01>.

big presence in the southern states. Overall, the 4th congressional district would not likely support the relaxation or legalization of United States drug laws based on voter data.

Options

Option 1 H.R.7595

A solution to the issue of drug legalization put forth by the Republican party is the Drug-Free Communities Pandemic Relief Act. This bill would remove the funding limit on enforcement of drug laws in communities to make them safer.¹⁷ The bill gives law enforcement more of the resources they need to keep drugs and drug offenders off the streets. Many anti-drug interest groups. Groups such as the Tobacco-Free Kids Action Fund would support this option as it could tackle addicting substances and let law enforcement do what they need to. This could also get support from many conservative parents who don't want their kids exposed to addictive and dangerous substances. This solution comes with both pros and cons.

Pros

This bill has the power to dissuade drug users from using drugs on the streets due to the increased enforcement. This bill gives the resources needed to win the war on drugs and give the enforcement much more freedom. It would clear many ravaged communities and make them safe again and kids could go out in the streets and play rather than be kept inside due to many drug abusers wandering around. Also, if enforcement is high it could eventually eliminate drugs off the streets which is important since with the pandemic the chance to abuse substances is higher.

¹⁷ Harley Rouda, "Text - H.R.7595 - 116th Congress (2019-2020): Drug-Free Communities Pandemic Relief Act," Congress.gov, July 13, 2020, <https://www.congress.gov/bill/116th-congress/house-bill/7595/text?r=7>.

With this bill that could be eliminated and not start another mini epidemic in the big one that is already occurring. The pros to this bill have convincing properties and many Republicans would agree with this argument.

Cons

This bill could also not do any help to the issue as it focuses on incarceration rather than rehabilitation. The United States prison system is already over capacity due to over incarceration even with minor offences. With this bill there is more law enforcement therefore there will be more drug related arrests even for minor possession instances and that will add to the problem of overcrowded prisons. Also, sending drug addicts to prison does nothing for them as they still go to prison with that addiction and don't receive help to overcome that addiction. The prisons have underground networks that let inmates have access to the substances they are addicted to which increases the problem. After serving their time the inmates leave prison still with an addiction and the likelihood that they could end up in prison again for the same offence. Rehabilitation seems like a better option rather than fear and over incarceration. The cons of this bill would most likely be put forth by the Democratic party as the reasons fit their platform.

Option 2 H.R.3884

A solution to the issue of drug legalization put forth by the Democratic party is the Marijuana Opportunity Reinvestment and Expungement Act of 2019. This bill focuses on the decriminalization of cannabis and helping those severely affected by the war on drugs.¹⁸ It would also have an effect on the Controlled Substances Act as it would deschedule cannabis and take it

¹⁸ Jerrold Nadler, "Text - H.R.3884 - 116th Congress (2019-2020): MORE Act of 2020," Congress.gov, December 7, 2020, <https://www.congress.gov/bill/116th-congress/house-bill/3884/text>.

off the list since as of now it is a schedule I substance. Many pro-cannabis interest groups would support this bill as it helps their causes. The National Organization for the Reform of Marijuana Laws would very much favor this bill as it could help their goal in shifting public opinion and congress. It also helps with their goal of helping those arrested for minor cannabis possession offenses. Many liberal groups and younger generations would most likely support this bill. There are also pros and cons to this piece of legislation.

Pros

This bill would help those wrongly affected by the war on drugs and it could also help create a new source of revenue for the federal government due to its taxable qualities. This bill would help create more space in our overcrowded prisons by releasing those caught with minor possession crimes concerning cannabis. It would also make the police less likely to make arrests involving cannabis possession as the decriminalization status. This bill allows dispensaries to become a safe and reliable place to obtain the substance and hopefully reduce the black market trade of cannabis. Dispensary cannabis is tested and is safer than buying off the streets, and the bill would encourage people to do that. The dispensaries could all create jobs for many people and these businesses would be tracked by the Bureau of Labor Statistics so that they could be taxed. A new federal cannabis could be instituted thus generating new revenue for the government. The pros of this bill are in favor of the Democrats and would gain their support.

Cons

The decriminalization of cannabis could let it run rampant on the streets and its properties as a gateway drug could cause many other significant issues. Cannabis is used as a gateway drug

which has the potential to worsen the opioid epidemic as people would try new even more addictive substances. Also, younger people would have easier access to cannabis with the mindset that it is legal and we can use it without consequence. The dispensaries would create an easy place for people to fuel a cannabis dependency and could cause homelessness as their earnings go towards the cannabis industry. The industry would profit off vulnerable people who think they need the substance when they truly don't. The cons of this bill would most likely be emphasized by the Republican party as it fits their party platform of making communities safer and drug free.

Conclusion

Solutions to the issue of drug legalization could be discovered through the initial steps of decriminalization. Due to cannabis's less addictive properties than other substances such as opioids, the government could conduct a trial and error approach to see how the public does with one substance that is not as dangerous. If the abuse of substances increases, then the government could roll back the laws, however, if it goes well then the government could look into and invest in the descheduling of other substances such as psychedelics for their research potential in mental health. Many psychedelics such as LSD and psilocybin have been found to have many mental health benefits and this could help with high rates of anxiety and depression among United States adults. This idea could work, however other ideas could also work.

The other solution to the issue could be the tightening of regulations and possibly cracking down on states that are relaxing too many of their laws. The federal government can

push forward the communities bill and invest in a country wide sweep by the FBI and DEA.

Also, increases in incarceration would show substance users the true consequences of their abuse and dissuade them from using drugs. The government has the power and resources to do this and establish many drug free communities to win the war on drugs.

Drug legalization is a significant issue in the United States today, yet there are many ways to approach solving it. Some options may be more effective than others and it all comes down to what kind of culture we want surrounding drugs. It's dependent if we want to show people that prison awaits them if they use drugs or that they know they could receive help with their abuse problem if they need it. The solution is going to take both of the major political parties coming together and working to agree on an answer. The solutions put forth by both parties could be mixed together to form the best solution. The war on drugs hasn't decreased drug usage, it has created a lucrative black market that has allowed many people to get rich. Overall, drug legalization is a United States problem that could go on for generations to come or congress can use their extensive power to solve the issue using ideas put forth by both political parties.

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