



LAW ENFORCEMENT LEADERS

To Reduce Crime & Incarceration

February 22, 2024

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden:

We are current and former police chiefs, sheriffs, federal and state prosecutors, and correctional officials from across the country dedicated to protecting public safety and reducing unnecessary arrests, prosecutions, and incarceration. We urge your Administration to reclassify marijuana from a schedule I to a schedule III substance under the Controlled Substances Act (CSA).

Public opinion on how the federal government should treat cannabis [has dramatically shifted](#) away from historic punitive approaches to cannabis use. By the end of this year, thirty-eight states will have established a form of legalized framework — medical, adult-use, or both — with strong voter and/or legislative support. We are concerned about how the direct conflict between state and federal laws that currently exists regarding the handling of cannabis makes it difficult for law enforcement to respond effectively to pressing public safety challenges.

This conflict between federal and state laws has also allowed an unregulated cannabis market to gain footing across the United States. The unregulated market is one that cultivates, manufactures, distributes, and sells cannabis without a government-issued license, permit, or approval. It effectively operates in the dark, outside of state-imposed guardrails and oversight. Alarmingly, we have seen cases in states like [California](#) and [Oklahoma](#) where sophisticated yet unlicensed operations are tied to organized criminal enterprises. This unregulated commerce thus poses a serious risk to public safety in communities around the country, through such connections to organized crime and the absence of oversight.

We believe that reclassification under schedule III would be an important step to help both federal and state law enforcement better prioritize limited public safety resources. They can focus efforts on working together to combat the harms that arise from unregulated cannabis markets. Moreover, rescheduling would also allow legal markets to compete on a level playing field potentially leading to greater reinvestments in critical programs that can bolster public safety. Therefore, we strongly urge the Drug Enforcement Administration to follow HHS's recommendation and reclassify marijuana as a schedule III

substance under the CSA. Such a move would advance public safety and promote more efficient and effective use of law enforcement resources across the country.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ronal W. Serpas', with a long horizontal stroke extending to the right.

Ronal W, Serpas, Ph.D.

Executive Director
Law Enforcement Leaders to Reduce Crime & Incarceration
Former Police Superintendent
New Orleans, Louisiana
Former Police Chief
Nashville, Tennessee
State Patrol, Washington

Art Acevedo

Former Interim Police Chief
Aurora, Colorado
Former Police Chief
Miami, Florida,
Houston, Texas
Austin, Texas
Former President
Major Cities Chiefs Association
Former National President
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Former Executive Fellow
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Former Secretary
Department of Corrections, Washington

Dean Williams

Former Executive Director
Colorado Department of Corrections
Former Commissioner
Alaska Department of Corrections

cc: The Hon. Merrick Garland, Attorney General, U.S. Department of Justice
The Hon. Xavier Becerra, Secretary, U.S. Department of Health and Human Services
The Hon. Anne Milgram, Administrator, Drug Enforcement Administration

February 16, 2024

Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington DC 20530

The Honorable Anne Milgram
Administrator
U.S. Drug Enforcement Administration
8701 Morrisette Drive
Springfield, VA 22152

Dear Attorney General Garland and Administrator Milgram,

On behalf of some of the nation's largest Veterans Service Organizations (VSOs), we write you to request that you expeditiously accept the recommendation of the U.S. Department of Health and Human Services (HHS) to reschedule cannabis to Schedule III. The undersigned groups fully support the reclassification of cannabis and eagerly await your final decision.

The men and women who served in the U.S. Armed Forces often face difficult physical and mental challenges upon returning home. As such, we hope that in treating the wounds of war – both visible and invisible – that our servicemembers and veterans would have access to the widest array of possible treatments. The recommendation by HHS to move cannabis to Schedule III reflects a growing acknowledgement of the accepted medical use and potential therapeutic benefits of cannabis products. As organizations dedicated to advocating for the well-being of our veterans, we believe the recommendation of Schedule III will open greater access to the alternative medicines that our nation's heroes demand and deserve.

While the U.S. Department of Veterans Affairs (VA) Veterans Health Administration (VHA) Directive 1315 currently dictates that services will not be denied to veterans who participate in state legal cannabis programs or acknowledge that they use cannabis, many veterans remain uncomfortable discussing cannabis use with their VA providers due to fear of retribution. Under current policy, veterans also cannot possess cannabis at VA facilities and the VA will not pay for any costs associated with medical cannabis. Further still, VA healthcare providers cannot help those under their care within the VHA to fill out applications for medical cannabis cards or to participate in regulated medical cannabis programs – even when they reside in a state with a legal program.

As the nation's largest healthcare provider, the VA can and must do better in providing treatment options to veterans – treatments that are readily available in 38 states around the country to millions of civilian Americans outside of the VHA. By accepting the recommendation that

cannabis be moved to Schedule III from HHS, the VA will be better positioned to integrate cannabis as an option in its pursuit of providing the best care possible for the veterans it serves. Expanding access to cannabis is strongly supported by the veteran community. According to a recent poll conducted by the Ohio State University, 60 percent of veterans support the full federal legalization of cannabis.¹ Medical cannabis as a treatment option has even more support, with 82 percent of veterans surveyed saying they want medical cannabis as a federally legal treatment option.² The federal government should not be denying the voice of its veterans nor their desire to have equal access to medical treatments afforded to their fellow citizens in states with legal programs are able to enjoy outside of the VHA system.

We understand that the administrative scheduling process involves several steps, but the sooner the DEA moves forward with a reclassification of cannabis, the sooner it could potentially be integrated into the VHA - our nation's largest healthcare system. A prompt acceptance of the HHS recommendation will allow the VHA to explore innovative approaches to healthcare that are directly targeted to the needs of the veteran community it is dedicated to serving.

We appreciate your commitment to public service and strongly believe that an acceptance of the HHS recommendation of Schedule III will lead to a more robust set of treatment options for our nation's veterans, including treatments found to not have many of the harmful side effects that result from current options. We look forward to your final decision soon.

Sincerely,

Allison Jaslow

Chief Executive Officer, Iraq and Afghanistan Veterans of America

Joseph Chenelly

National Executive Director, AMVETS

Ernesto P. Hernandez III

Executive Director, American G.I. Forum

Chanin Nuntavong

Executive Director, The American Legion

Donald D. Overton, Jr.

Executive Director, Blinded Veterans Association

Lindsay Church

Executive Director, Minority Veterans of America

¹ https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4690552

² <https://www.legion.org/sites/legion.org/files/legion/documents/Veterans%20and%20Medical%20Cannabis.pdf>