

January 31, 2018

The Honorable Jeff Sessions
United States Attorney General
Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

Attorney General Sessions,

We write as local elected officials from across the United States to share our concern regarding the signal you have sent with your rescission of the Cole Memorandum and related Department of Justice guidance. Local and state governments, including many of ours, have been working under the direction of the Cole Memo since 2013 as our jurisdictions license and enforce cannabis regulations. The Cole Memo outlined important public safety protections while providing clear direction to our jurisdictions.

The policy set forth in the Cole Memo was intended to ensure public safety - that cannabis stays out of the hands of children and not get diverted across state lines. It also directed states to closely monitor cannabis businesses to ensure that unsavory individuals were not operating in the legal marketplace. The guidance documents also provided a path for banking, helping to curtail the public-safety risks of an all-cash industry. Local governments were given the assurance by the Department of Justice that the enforcement of prohibition-era federal cannabis laws would not be prioritized if we followed the directives of the Cole Memo.

Your decision earlier this month to revoke the Cole Memo eliminated these safeguards, which were put in place to protect public safety in our communities. Your decision also created uncertainty for our local governments by leaving federal enforcement decisions up to each individual U.S. Attorney, resulting in what could be selective and unfair enforcement. Of greatest concern, however, is the sheer confusion felt by local officials who now face governing in a chaotic environment. While it may have been the intention to spark uncertainty for legal cannabis license holders across the nation, it also created significant confusion for local governments in thirty-one states and territories where they have comprehensive programs regulating the licensing, land-use, enforcement, and taxation of this industry.

The signatories on this letter have varying opinions about the legalization of cannabis generally. And, for many of us, our views have evolved over time. Ultimately, though, we all agree that we must follow the directive of our citizens; and that states must have the right to chart their own course on cannabis. Americans have gone to the ballot box in states and communities several times supporting legalizing cannabis for medical or adult use. Most recent polling indicates that more than ninety percent of Americans support legalizing medical cannabis; and six in ten, including a majority of both Democratic and Republican respondents, support legalizing cannabis for adult use. Notably, polls have also found that more than seventy percent of Americans want the federal government to respect all state marijuana laws. This nation's beginnings can be traced to a ragtag bunch of renegades tossing tea into the Boston Harbor because a large distant government wasn't listening to its populace. In this case, the public wants this decision left up to states and localities. And, similarly, our bottom line is that we believe this is simply a states' rights issue. Each state should be able to decide for themselves their own policies regarding cannabis.

We do agree with you on one critical item: the discrepancy between state and federal law regarding cannabis is a legitimate concern. To address this concern, we suggest the convening of a bipartisan and bicameral task force to explore aligning federal and state cannabis laws. While this task force is convening, we would request that the Department of Justice not initiate new enforcement actions in

situations where operators are following state and local regulations. This would provide certainty to the basic operations of local governments across the country.

We welcome your feedback or questions; and we hope that we can work together to help solve this problem. Solving problems is exactly what local governments are doing across this country every day.

Sincerely,

Pueblo Board of County Commissioners, CO
Boulder County Board of County Commissioners, CO
Cortez City Council, CO
Trinidad City Council, CO
Gilpin County Board of County Commissioners, CO
La Plata County Board of County Commissioners, CO
Town of Parachute Board of Trustees, CO
Park County Board of County Commissioners, CO
Pitkin County Board of County Commissioners, CO
Routt County Board of County Commissioners, CO
San Miguel County Board of County Commissioners, CO
Tobe Allumbaugh, Crowley County Commissioner, CO
Fred Anderson, Town of Parachute Trustee, CO
Jason Anderson, Saguauache County Commissioner, CO
Bob Archibeque, City of Cortez Councilmember, CO
Kathleen Bailey, Mountain View Council Member, CO
Shenna Bellows, State Senator, ME
Joe Benning, State Senator, VT
Kendra Black, Denver City Council, CO
Mia Boehrer, Mountain View Council Member, CO
Adam Ellsworth, Mountain View Council Member, CO
Brad Blake, La Plata County Commissioner, CO
Mike Brazell, Park County Commissioner, CO
Ed Brown, Pueblo Councilman Pueblo, CO
Susan Buckholz, State Representative, VT
Mark Cardenas, State Representative, AZ
Jill Carlson, City of Cortez Councilmember, CO
Mark Carmel, Pueblo West Board Member, CO
Kathy Chandler-Henry, Eagle County Commissioner, CO
Robin Chesnut-Tangerman, State Representative, VT
Steve Child, Pitkin County Commissioner, CO
Patti Clapper, Pitkin County Commissioner, CO
Ken Clark, State Representative, AZ
Selene Colburn, State Representative, VT
Hilary Cooper, San Miguel County Commissioner, CO
Timothy Corrigan, Routt County Commissioner, CO
David Deen, State Representative, VT
Joe DiSalvo, Pitkin County Sheriff, CO
Cindy Domenico, Boulder County Commissioner, CO
Mark Dowaliby, Park County Commissioner, CO
Richard Elsner, Park County Commissioner, CO
Ron Engles, Gilpin County Commissioner, CO
Julie Fahey, State Representative, OR
Ryan Fecteau, State Representative, ME

David Frockt, State Senator, WA
Deb Gardner, Boulder County Commissioner, CO
Diana Gonzalez, State Representative, VT
Rusty Goodall, Trinidad Council Member, CO
Chris Gorsek, State Representative, OR
Frank Grant, Crowley County Commissioner, CO
Megan Green, City of St. Louis Alderwoman, MO
Karen Griego, City of Trinidad Council Member, CO
Sandy Haas, State Representative, VT
Terry Hart, Pueblo County Commissioner, CO
Cari Hermacinski, Routt County Commissioner, CO
Daniel Hernandez, State Representative, AZ
Kris Holstrom, San Miguel County Commissioner, CO
Mary Hooper, State Representative, VT
Lindsey Horvath, West Hollywood Council Member, CA
Jonathan Houck, Gunnison County Commissioner, CO
Mathew Hunter, City and Borough of Sitka Mayor Pro Tem, AK
Linda Isenhardt, Gilpin County Commissioner, CO
Elise Jones, Boulder County Commissioner, CO
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Ty Keel, City of Cortez Mayor Pro- Tem, CO
Kevin Knox, City of Sitka, Assembly Member, AK
Walter Kumiega, State Representative, ME
Gwen Lachelt, La Plata County Commissioner, CO
Glenn Levy, Mountain View Mayor, CO
Carlos Lopez, Trinidad Council Member, CO
John Loschke, Town of Parachute Trustee, CO
Orly Lucero, City of Cortez, Councilmember, CO
Ronnie Maez, Archuleta County Commissioner, CO
Anthony Mattie, Trinidad Council Member, CO
Joan May, San Miguel County Commissioner, CO
Bill McCamley, State Representative, NM
Roy McClung, Town of Parachute Mayor, CO
Shawna McLaughlin, City of Cortez Councilmember, CO
John Messner, Gunnison County Commissioner, CO
Michelle Miles, Trinidad Council Member, CO
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Doug Monger, Routt County Commissioner, CO
Dominick Moreno, State Senator, CO
Lisa Morzel, Boulder Council Member, CO
George Newman, Pitkin County Commissioner, CO
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Travis Sproles, Town of Parachute Trustee, CO
Connie Sullivan, Lyons, Mayor, CO
Ben Tisdell, Ouray County Commissioner, CO
Gail Watson, Gilpin County Commissioner, CO
Sam Weaver, Boulder City Council Member, CO
Julie Westendorff, La Plata County Commissioner, CO
Juanita Williams, Town of Parachute Mayor Pro-Tem, CO
Gregory Young, Fulton County Board of Supervisors, NY
David Zuckerman, Lt. Governor, VT