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New Rockefeller Institute Policy Brief Examines the Conflicted State of US Marijuana Policy

U.S. Attorney General Jeff Sessions's Recent Actions Put the Justice Department on a Collision Course with Many States over Legalization

Albany, NY — The Rockefeller Institute of Government has released a [new policy brief](#) examining the growing separation between states and the federal government on the issue of marijuana policy under Attorney General Jeff Sessions.

While many states have moved toward legalization of both medicinal and recreational marijuana in recent years, Sessions' Department of Justice has moved toward more stringent enforcement of federal law, under which marijuana remains illegal. In January, Sessions reversed a U.S. Justice Department directive, known as the "Cole memo," which allowed legal marijuana to expand in the states with little interference from the federal government. He has also expanded the powers of federal agency forfeiture, a little-discussed move that could have significant implications for state-legalized marijuana businesses.

"Given that many states have recently legalized recreational and medical marijuana, and states like New York have recently announced they are exploring liberalizing their marijuana laws, the recent actions by the federal government to move from a laissez-faire approach to a directly obstructive position will affect how the industry develops and operates in these states," said Rockefeller Institute President Jim Malatras. "Our expert researchers will be examining this change and its consequences closely."

In this new brief, Rockefeller Institute Researcher and Chief of Staff Heather Trela outlines the history of marijuana legalization, the major developments since the 2016 election, and issues to watch in the coming year.

[Read the full report.](#)

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About the Rockefeller Institute of Government

The Nelson A. Rockefeller Institute of Government is the public policy research arm of the State University of New York. The Institute conducts fiscal and programmatic research on American state and local governments. Journalists can find useful information on the Newsroom page of our Web site, www.rockinst.org.

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