



CITY OF WEST HOLLYWOOD

CITY HALL
8300 SANTA MONICA BLVD.
WEST HOLLYWOOD, CA
90069-6216
TEL: (323) 848-6460
FAX: (323) 848-6562

TTY: For hearing impaired
(323) 848-6496

CITY COUNCIL

JOHN HEILMAN
Mayor

JOHN J. DURAN
Mayor Pro Tempore

JOHN D'AMICO
Councilmember

LINDSEY P. HORVATH
Councilmember

LAUREN MEISTER
Councilmember

January 16, 2018

Hon. Dianne Feinstein,
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

**RE: ATTORNEY GENERAL JEFF SESSIONS' DECISION TO REVERSE CURRENT
FEDERAL ENFORCEMENT GUIDELINES RELATED TO MARIJUANA**

Dear Senator Feinstein,

I am writing on behalf of thousands of residents and business owners in the City of West Hollywood to express our serious concerns with Attorney General Jeff Sessions' decision to rescind Obama-era memorandums related to the enforcement of the Controlled Substance Act (CSA).

As you are aware, in 2009 and 2011 the United States Department of Justice (USDOJ) issued memorandums providing guidance to federal prosecutors regarding the enforcement of the CSA, specifically focused on state-approved medical and adult use cannabis marijuana laws.

In 2013, and in light of voter-approved ballot initiatives decriminalizing adult use of marijuana in states such as Colorado and Washington, Deputy Attorney General James Cole issued an updated guidance. The memo, which is known as the "*Cole memo*" acknowledged that marijuana is a dangerous drug while at the same time it established enforcement priorities. The memo, too, afforded prosecutors the discretion to focus resources on certain cases based on the aforementioned-priorities. These well-thought out guidelines included preventing revenues from the sale of marijuana from going to criminal enterprises, preventing the sale of marijuana to minors, preventing violence, the use of firearms in the cultivation and distribution of marijuana, etc.

The Cole memo also discussed, at great length, USDOJ's tradition to deferring enforcement of state narcotics laws to local law enforcement agencies, and step in only on certain grievous circumstances.





Hon. Dianne Feinstein
January 16, 2018
Page 2 of 2

AG Sessions' January 4, 2018 memo throws out the common sense balance established by the Obama DOJ between the federal government and states such as California, which have enacted a well-crafted regulatory scheme. AG Sessions' rescission of Obama-era memos disregards the will of the people who voted to allow the cultivation, production, sale, and use of marijuana by adults. A Gallup poll conducted in October 2017 shows that 64% of Americans favor the decriminalization of adult use of marijuana.

In 2016, California voters overwhelmingly supported the passage of Proposition 64, which legalized the cultivation, sale and consumption of marijuana by adults. In 2017, the California Legislature diligently worked to streamline regulations and provide for a regulatory framework so cities like West Hollywood could adopt its own ordinances and licenses local businesses willing to jump in on this burgeoning industry. The City of West Hollywood spent hundreds of hours to develop local rules and encourage business development. This work was done in conjunction with the entrepreneurs, the business community and law enforcement personnel.

AG Sessions' actions create an unwarranted level of uncertainty that is detrimental to this new industry and could potentially negatively impact our City, which has invested resources to get these new businesses off the ground. Federal prosecutions of new adult marijuana dispensaries could result in serious negative fiscal impact to cities.

We urge you to work with your colleagues in the U.S. Senate to reverse AG Sessions' actions, and to reinstate the "Cole Memo" guidance.

Respectfully,

John Heilman,
MAYOR

C: Members of the West Hollywood City Council