



The path toward marijuana legalization began in California with the passage of Proposition 215 in 1996, allowing medical cannabis usage. Over time, various other states followed suit by passing similar measures legalizing medical cannabis until today where most states permit some form of medical marijuana use. Since Colorado and Washington first legalized recreational cannabis usage in 2012 via ballot initiatives, more states have moved towards full-scale decriminalization and regulation of adult-use marijuana despite federal prohibition.

This discrepancy between federal law and state legislation creates an environment ripe for legal disputes and policy debates concerning drug enforcement strategies and individual liberties.

## **Examination of Federal Laws on Marijuana**

This federal prohibition creates significant legal challenges for states that have legalized marijuana in some form. For instance, businesses operating legally under state laws are often unable to access banking services due to financial institutions' fears of violating federal drug trafficking laws. Individuals using or possessing marijuana even within the bounds of their state's law can potentially face federal charges if targeted by federal authorities. This clash between state legalization efforts and stubbornly unyielding federal laws leads to inconsistency in enforcement and ongoing uncertainty regarding cannabis-related activities.

## **State Legislation and Variances in Marijuana Laws**

While some states have chosen to decriminalize marijuana possession entirely as part of their approach to legalization – reducing penalties for small-scale possession to fines rather than jail time – others continue to enforce criminal penalties even while allowing legal sales. For instance, South Dakota has simultaneously passed measures legalizing both medicinal and recreational cannabis use yet continues to punish unauthorized possession harshly. These discrepancies highlight the diverse range of attitudes toward marijuana across different regions in America.

## **Conflicts between Federal and State Marijuana Laws**

On the other hand, those arguing for strict enforcement of federal prohibition point out that marijuana remains classified as a Schedule I substance under the Controlled Substances Act (CSA), categorizing it alongside drugs like heroin, LSD, and ecstasy. This classification not only criminalizes its use on a national level but also suggests a high potential for abuse with no accepted medical use – an assertion increasingly challenged given widespread acceptance of medical cannabis across various states. The tension between these two positions fuels ongoing debate over how to reconcile divergent state and federal approaches to marijuana regulation.

# **Impact of Legal Discrepancies on Law Enforcement and Judiciary**

For the judiciary, these legal discrepancies pose unique challenges as well. Judges presiding over cases involving marijuana must weigh both sets of laws, leading to unpredictable outcomes and potential disparities in sentences for similar offenses across different jurisdictions. In some instances, federal courts have refused to hear cases involving state-legal cannabis businesses, while others have upheld the supremacy of federal law over conflicting state statutes. These issues underscore the urgent need for reconciling divergent marijuana laws at different levels of government.

## **Potential Solutions for Resolving Federal-State Law Conflicts on Marijuana**

Another solution involves passing legislation at the federal level to protect individuals and businesses in states where marijuana is legal from federal prosecution. The STATES (Strengthening the Tenth Amendment Through Entrusting States) Act proposed in 2019 aims to do just this by amending the CSA to exempt individuals or corporations in compliance with state or tribal laws from certain provisions of CSA related to marijuana activities. Whether through reclassification or protective legislation, there are ways forward toward harmonizing conflicting federal-state law regarding cannabis legalization.