

M. President, today I want to discuss a major crisis in our country that must be addressed. Tragically, in the United States of America we now have 2.2 million people in jail. This is more people incarcerated than any other country on Earth—including China, which is a communist, authoritarian country four times our size. Further, at a time of large federal and state deficits, we are spending about \$80 billion per year in federal, state, and local taxpayer money to lock people up.

Our criminal justice system is broken and we need major changes in that system.

M. President, there is no debate in this country that violent and dangerous people must be locked up and they must be kept in jail and away from society. On the other hand, I would also hope that there is no debate that nonviolent people, people who have been convicted of minor crimes, should not have their lives destroyed, while they do time in prison, and create an arrest record which will stay with them for their entire lives.

In 2014, there were 620,000 marijuana possession arrests. That's one every minute. According to a [report](#) by the American Civil Liberties Union, there were more than 8 million marijuana arrests in the United States from 2001 to 2010, and almost nine in 10 were for possession.

Arrests for marijuana possession rose last year nationwide even as Colorado, Washington, Oregon, Alaska, and DC became the first states to legalize personal use of marijuana. And let's be clear that there is a racial component to this situation. Although about the same proportion of blacks and whites use marijuana, a black person is almost four times more likely to be arrested for marijuana possession than a white person.

In other words, as we try to understand why our prison population today is disproportionately black and Latino, one of the reasons is that because of overpoliced black neighborhoods, African-Americans are much more likely to be arrested than whites. Here's the simple truth: an upper

middle class white kid in Scarsdale, NY, has a much, much lower chance of being arrested for smoking marijuana than a lower-income black kid in Chicago or Baltimore. Those are just the facts.

M. President, too many Americans in this country have seen their lives destroyed because they have criminal records as a result of marijuana use. That's wrong. That has got to change.

Let's be clear: a criminal record could mean not only jail time, but much, much more. If a person has a criminal record, it will be much harder for that person later in life to get a job. Many employers simply will not hire somebody with a criminal record. If somebody has a criminal record, it may be impossible for them to obtain certain types of public benefits. It would be very, very hard to public housing. A criminal record stays with a person for his or her entire life—until the day he or she dies. A criminal record destroys lives.

M. President, right now under the Controlled Substances Act, marijuana is listed as a Schedule I drug—meaning that it is considered to be a drug that is extremely dangerous. In fact, under the Act, marijuana is considered to be as dangerous as heroin. Now I know that there are conflicting opinions about the impact that marijuana has. I am aware of that. But nobody that I know of seriously believes that marijuana is as dangerous as heroin. That is absurd.

The time is long overdue for us to take marijuana off of the federal government's list of outlawed drugs. In my view, at a time when Colorado, Washington, Oregon, Alaska, and the District of Columbia have already legalized the personal use of marijuana, every state in this country should have the right to regulate marijuana the same way that state and local laws now govern sales of alcohol and tobacco. Among other things, that means that recognized businesses in states that have legalized marijuana should be fully able to use the banking system without fear of federal prosecution.

In response to the initiatives that Colorado and other states have taken, the Obama administration has essentially allowed these states to go forward and to do what their people have chosen to do. That's a good step forward, but not good enough, because a new administration with a different point of view could simply go forward and prosecute these marijuana businesses despite what the people in these given states have chosen to do.

What I am saying today is not that the federal government should legalize marijuana throughout the country. This is a decision for the states. And I would hope that many of my colleagues, especially those who express support for states' rights and our federalist system of government; those who decry the power of the Big Bad federal government in undermining local initiatives, would support my very simple and straightforward legislation, which will be introduced next week. All that this legislation says is that if a state chooses to legalize marijuana, that state should be able to go forward without legal impediments from the federal government.

M. President, when we talk about the need for real criminal justice reform, there is a lot to be discussed.

And lastly, M. President, when we talk about criminal justice reform, I believe it is time for the United States of America to join almost every other Western, industrialized country on Earth in saying NO to the death penalty. Frankly, we should not be in the company of China, the world's leader in the use of the death penalty, Iran, Saudi Arabia, Iraq, Sudan, Yemen, Egypt, Somalia, and Jordan. Rather, we should be in the company of virtually every other major democratic society on Earth that understands that in a world of rampant violence and hatred, we must go beyond the doctrine of revenge--"an eye for an eye, a tooth for a tooth."

We are all shocked and disgusted by some of the horrific murders that we see in this country, seemingly every week. And that is precisely why we should abolish the death penalty. At a time of rampant violence and

murder, the State should not be part of that process. When people commit horrendous crimes, we should lock them up and throw away the key. But the State, in a democratic, civilized society, should itself not be involved in the murder of other Americans.