

Holder orders changes in federal drug prosecutions

Written by Australian Business

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In recent years, public opinion has begun to change about marijuana. Once regarded as a dangerous gateway drug, a handful of states have now made it legal to possess and use the drug for medicinal purposes. Two states, Colorado and Washington, even allow its recreational use. Nevertheless, the possession and use of [marijuana](#) remains a crime in most states, including Texas, and is still illegal under federal law.

Recently, U.S. Attorney General Eric Holder directed U.S. federal prosecutors across the country to turn their focus away from casual marijuana users and to concentrate primarily on cartels and large scale criminal trafficking enterprises. The Attorney General's move comes shortly after Congressional leaders announced plans to call him before the Judiciary Committee to question him about federal law enforcement plans in states that have legalized small amounts of marijuana.

Holder's announcement is part of a larger effort by federal law enforcement to prioritize the use of federal resources for the prosecution of serious crimes. Among other things, these priorities include preventing the sale of marijuana to minors, stopping the trafficking of marijuana into states where the drug remains illegal and making sure that the sale of marijuana is not used as a cover for the distribution of other, more serious drugs.

The Attorney General has also announced changes to the ways in which federal prosecutors will approach charging those accused for some drug crimes. Specifically, Holder has directed federal prosecutors to charge nonviolent, non-habitual offenders with no ties to organized crime in such a way as to avoid strict mandatory minimum sentencing guidelines in the event of a conviction. In some cases, these guidelines require judges to sentence individuals, some of whom have never been previously charged with a crime, to decades behind bars. The result is a system that is not only unfair, but extremely expensive. Indeed, the federal government spends billions of dollars each year on prisons.

To be clear, the recent moves by the Attorney General do not mean that the possession or transport of marijuana is no longer a crime. Instead, they indicate that the federal government is attempting to take a more focused, nuanced approach to the war on drugs, where the emphasis will be on stopping large scale trafficking operations and those with ties to organized crime. Only time will tell whether this new approach will work as intended, but many experts are optimistic that this new common sense approach will be successful.

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