



**FOR IMMEDIATE RELEASE**

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**Immigration Impact of Legalizing Marijuana:  
Immigrant Legal Resource Center Report Finds Proposition 64 Offers Crucial Immigration Benefits**  
*Potential to Protect Immigrants from Deportation in Mind as Californians Prepare to Cast Their Votes*

**SAN FRANCISCO, CA** — Today the Immigrant Legal Resource Center (ILRC) released [a report](#) providing a legal and policy analysis of the immigration impact of California’s Proposition 64, known as the Adult Use of Marijuana Act. California is one of five states deciding whether to legalize marijuana this November, and polls show Proposition 64 (hereafter Prop. 64) carries a strong showing of support by a nearly two-to-one margin.

[The report](#) finds **key positive immigration outcomes** that could result from this marijuana reform initiative:

- By decriminalizing marijuana offenses for persons age 21 and older, Prop. 64 would help some noncitizens avoid losing their lawful status or being barred from applying for future lawful status.
- By reducing minor marijuana offenses to infractions for persons 18 to 20 years of age, Prop. 64 would reduce the number of young persons from being barred from key forms of immigration relief.
- By providing post-conviction relief, Prop. 64 would both reduce the number of people subject to deportation for marijuana-related conduct and open up opportunities for noncitizens with past marijuana convictions.
- Prop. 64 would also ensure access to some humanitarian programs for immigrants, such as Deferred Action for Childhood Arrivals (DACA).

*“It is now widely acknowledged, both in our political and cultural discourse, that the “War on Drugs” has been a colossal failure, one that has disproportionately criminalized low-income communities and communities of color. Prop. 64 presents a timely and important opportunity to push back against the mass incarceration and deportation of immigrants due to decades-old, punitive laws,”* said **Angie Junck**, supervising attorney at the ILRC.

Laws passed in the 1990s expanded the intersection of immigration and criminal law. Since that time, many immigrants have found themselves facing excessively punitive and unforgiving penalties for a minor drug offense. These penalties include detention by immigration authorities for months or years, the loss of “green cards,” ineligibility to apply for lawful immigration status, and deportation that causes permanent family separation. A 2015 Human Rights Watch report found that deportations based on drug possession increased 43% from 2007 to 2012, with over 100,000 of those cases involving possession of drugs for personal use.

California is home to a quarter of the total foreign-born population in the U.S., over 10 million immigrants, and one out of every two children in California lives in a household headed by at least one foreign-born person. Over 90% of California’s immigrants are people of color, making them subject to biased policing and disproportionate representation in drug arrests. Under current California law, a long-time legal permanent resident could lose her immigration status and be deported for a single marijuana conviction\*, while an undocumented person with the same conviction will generally be barred from ever being able to legalize their status.

*“Every year tens of thousands of Californians are detained or deported – torn away from their families – for merely possessing drugs. As we advocate for marijuana law reform, we must keep in mind that immigrants effectively face double punishment for drug possession – first in the criminal legal system and again as they face often-irreversible banishment from the country they call home. By reducing or removing criminal penalties for certain marijuana offenses, Prop. 64 will keep more California families together. In this sense, marijuana law reform is a crucial component of immigration reform,”* said **Jolene Forman**, staff attorney at the Drug Policy Alliance.

By decriminalizing certain marijuana offenses in California, Prop. 64 is expected to decrease the number of immigrants subject to detention and deportation and increase the number of immigrants able to obtain lawful immigration status. Most importantly, in a time of record-breaking deportations, Prop. 64 is an opportune response to keeping families and communities intact across the state of California.

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### **About the Immigrant Legal Resource Center**

*The Immigrant Legal Resource Center (ILRC) is a national nonprofit that works with immigrants, community organizations, legal professionals, law enforcement, and policy makers to build a democratic society that values diversity and the rights of all people. Through community education programs, legal training & technical assistance, and policy development & advocacy, the ILRC's mission is to protect and defend the fundamental rights of immigrant families and communities. [www.ilrc.org](http://www.ilrc.org)*

### **About the Drug Policy Alliance**

*The Drug Policy Alliance (DPA) is the nation's leading organization promoting drug policies that are grounded in science, compassion, health and human rights. DPA works to ensure that our nation's drug policies no longer arrest, incarcerate, disenfranchise and otherwise harm millions – particularly young people and people of color who are disproportionately affected by the war on drugs. [www.drugpolicy.org](http://www.drugpolicy.org)*

\*The only exception is for a single conviction of possessing 30 grams or less of marijuana.