

## Marijuana & Immigration

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Wait—I thought marijuana was legal!

As of January 2018, twenty-eight states and the District of Columbia currently have laws that broadly legalize marijuana in some form. Washington, along with Alaska, California, Colorado, Massachusetts, Maine, Nevada, and Oregon have legalized recreational marijuana for adults. An October 2017 Gallup poll shows that 64% of Americans support legalization of the drug.

With this record level of public acceptance, it's easy to assume that using marijuana according to state laws is no big deal. Unfortunately, it is a very big deal for immigrants.

Even though it may be legal in your state, possession of marijuana is still a federal offense, and immigration matters fall under federal laws. There are very serious consequences for admitting to marijuana use—even legal marijuana use in your own home—for authorized and undocumented immigrants alike.

The Immigrant Legal Resource Center offers these tips for noncitizens to avoid immigration troubles over marijuana:



- \* Don't use marijuana until you are a U.S. citizen.
- \* Don't work in the marijuana industry.
- \* If you have a real medical need and there is no good substitute for medical marijuana, get legal counsel.
- \* Never leave the house carrying marijuana, a medical marijuana card, paraphernalia (like a pipe), or accessories like marijuana T-shirts or stickers.
- \* Don't have photos or text about you and marijuana on your phone, Facebook, or anywhere else.
- \* Never discuss marijuana use or possession with any immigration or border official.
- \* If a federal official asks you about marijuana, say that you don't want to talk to them and you want to speak to a lawyer. You have the right to remain silent. Stay strong – once you admit it, you can't take it back. If you did admit this to a federal officer, get legal help quickly.

Adapted from *Warning for Immigrants on Medical and Legalized Marijuana*, by the Immigrant Legal Resource Center, Jan. 2018.

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