

ASPEN CASEBOOK SERIES

*MIKOS*

MARIJUANA LAW, POLICY,  
AND AUTHORITY



Wolters Kluwer

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ASPEN CASEBOOK SERIES

# MARIJUANA LAW, POLICY, AND AUTHORITY

**ROBERT A. MIKOS**

*Professor of Law  
Vanderbilt University Law School*



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Published by Wolters Kluwer in New York.

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Wolters Kluwer  
Attn: Order Department  
PO Box 990  
Frederick, MD 21705

Printed in the United States of America.

1 2 3 4 5 6 7 8 9 0

ISBN 978-1-4548-5942-0

#### **Library of Congress Cataloging-in-Publication Data**

Names: Mikos, Robert A., author.

Title: Marijuana law, policy, and authority / Robert A. Mikos, Professor of  
Law, Vanderbilt University Law School.

Description: New York : Wolters Kluwer, 2017. | Series: Aspen casebook series

Identifiers: LCCN 2017007279 | ISBN 9781454859420

Subjects: LCSH: Marijuana—Law and legislation—United States. | LCGFT: Casebooks.

Classification: LCC KF3891.M2 .M55 2017 | DDC 345.7302/77—dc23

LC record available at <https://lcn.loc.gov/2017007279>

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# Preface

This is a first-of-its-kind textbook that explores the fascinating legal issues that surround marijuana users, their suppliers, and the sundry third parties (physicians, employers, investors, etc.) who deal with them. It surveys the competing approaches jurisdictions have adopted toward regulating marijuana, the policies behind those approaches, and the power that various federal, state, and local government actors have to pursue each of them. Chapter 1 provides more details about the content and features of the book and how it can be used in the classroom or as a reference work. It also explains why marijuana law and policy is such a worthwhile area of study, even for people who never intend to work in this field.

Although marijuana can be a divisive subject, the book strives to take an evenhanded approach to all of the issues it covers. It fully explores the different sides to the controversies surrounding marijuana law and policy, not to persuade the reader that any one position is necessarily correct, but to foster lively discussion and hone the reader's ability to think more critically about issues in the field. Through this evenhanded approach, I hope the book will help improve our discourse and decision-making concerning marijuana policy, wherever that may lead us.

If you have any feedback on the book, or if you are interested in teaching about any aspect of marijuana law and policy, I would be happy to hear from you.

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March 2017  
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# Acknowledgments

Needless to say, writing a book about an emerging field of law—especially a dynamic one that is fraught with conflicts—was no easy task. I could not have finished the book—indeed, I might not have even started it—without heaps of encouragement and help from many other people.

Throughout this project, my wonderful colleagues and students at Vanderbilt offered me their generous support and assistance—not to mention a few good-natured ribbings (e.g., “Will the book include rolling paper?”). I owe a special debt of gratitude to Owen Jones, who encouraged me to undertake this project in the first instance. Owen, Suzanna Sherry, Chris Slobogin, and Kevin Stack also offered sage advice on how to make the textbook accessible and engaging, and my Dean, Chris Guthrie, assisted my efforts to teach and write in this new field. Thank you as well to the many students who have taken my Marijuana Law and Policy classes at Vanderbilt: their enthusiasm for the subject has fueled my own. And thank you to my very capable research assistants Emily Burns, Sara Morgan, Aaron Rothbaum, and Rachel Johnston: their diligent research and analyses helped me to make sense of many developments in the law.

The book also benefited greatly from the perspectives of keen minds outside of Vanderbilt. I am especially grateful to the eight scholars who reviewed several draft chapters of the book and generously shared their insights, advice, and perspectives with me. I hope they agree the book is much improved as a result of their input! So thank you to Doug Berman, Jonathan Caulkins, Beau Kilmer, Rob MacCoun, Mark Osbeck, David S. Schwartz, Frank Snyder, and Jay Wexler. I am also grateful for insights gleaned from countless conversations with a host of other scholars, government officials, and practitioners, including Phil Alma, Doug Greene, John Hudak, Sam Kamin, Alex Kreit, Shabnam Malek, Pat Oglesby, and Fred Yarger, among many others.

My publisher, Wolters Kluwer, has been a generous sponsor. I am particularly grateful to David Herzig at Wolters Kluwer, who was an early and enthusiastic backer of the project. I am also thankful for the team of developers and editors at The Froebe Group who helped bring the book to fruition—and especially Kathy Langone, Geoff Lokke, and Nick Walther. They not only provided thoughtful advice and feedback, but also exhibited patience with me as I continued to tinker with the book . . . Thank you!

Most importantly, I want to thank my family. Cindy provided unwavering and extraordinary support, especially during crunch time (which lasted a *long* time). And Charlotte and Henry often let Daddy work a few extra minutes after they got up . . . at 5AM. The book is done. Yes, Daddy can come out and play now.

Lastly, I want to thank the many scholars, practitioners, and judges whose writings and other works have enriched my understanding of the topics discussed in the book, including the following who granted permission to include portions of their works in the book:

*Books and Articles*

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