CHRISTIANSBURG POLICE DEPARTMENT

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To: Barry Helms; Town Manager

From: Mark A. Sisson

Ref: Hemp farming

At present the issue regarding legalization of hemp for industrial use remains a subject of debate and controversy nationally. Advocates will state that there are numerous uses for hemp products, that they are superior to other textile based industrial products and that hemp is more environmentally friendly than other paper/textile products. They also cite the potential economic/employment benefits of industrial hemp production.

Presently, the federal government regulates the growth of hemp for industrial use making it illegal without first obtaining a permit from the Drug Enforcement Administration (DEA). The National Drug Control Strategy cites several reasons for this including the difficulty in distinguishing between hemp plants and marijuana plants visually, the potential interference of hemp products with drug testing procedures and the fact that legalization of hemp may be the start down a slippery slope toward the full-spectrum legalization of marijuana. Consumption of legally produced hemp-based foods has already been used as justification for failed drug tests in both employment and criminal justice settings. This is not a legitimate defense, but there is such a lack of knowledge about the topic that some officials will accept this erroneous assertion as legitimate.

Given that the two materials come from what is scientifically the same plant, legal arguments have already been floated asserting that legalizing hemp would constitute a future legalization of marijuana. Furthermore, the vast majority of the populace lacks the knowledge of this topic to differentiate between the legalization of hemp and the legalization of marijuana. In fact, a non-scientific Google search of “hemp” or “legalizing hemp” or “industrial hemp” yields as many if not more web sites and forums dedicated to the legalization of marijuana than it does sites addressing hemp. Given this confusion, the public often perceives discussions or actions toward legalizing hemp as the legalization of drugs. Governing bodies that pursue this course should be prepared to deal with the perception that they favor legalizing drugs, even if that perception is not accurate or is based on faulty information.

During my research, I made contact with the local DEA Office, located in Roanoke, Virginia. This initiation was to solicit an official opinion regarding this issue. The DEA response was simple. Hemp does contain THC and it is illegal to grown in the United States. Although some localities have passed ordinances to allow this activity, DEA approval must also be granted. DEA will not issue a registration for the growing of industrial hemp.

I also spoke with Sheriff Whitt regarding this issue, since it appears the proposed hemp farming would be in his jurisdiction. Sheriff Whitt provided that he did not support hemp farming in Montgomery County.

It should be noted that the provided information is only a cursory review of the facts surrounding the issue of legalized hemp production for industrial use. A more in-depth analysis and coordination with DEA is recommended prior to establishing long-term policy initiatives. With my limited exposure to this issue, it is difficult for me to make a concrete recommendation to either side of the debate. I would say that from a law enforcement perspective, I do have some concerns. My concerns would be those documented in this correspondence and the current position of the Drug Enforcement Administration and the Montgomery County Sheriff's Office.

If I can be of future assistance, please let me know.