

Essay on policy analysis

Literature, Russian Literature



Policy Analysis

In the criminal justice system, decisions on policies developed at the state and national levels, for execution at the local levels. Hence, the decisions made at the state and national levels affect the activities of the local criminal justice agencies (Ismaili, 2011). The policy decisions on criminal justice include the allocation of grants and other measures that will assist the local criminal agencies and police departments in executing their tasks. The national and state levels attach certain actions and measures that are to be satisfied by the local criminal agencies with respect to the reception of the additional funds and resources (Ismaili, 2011).

Wolf (2012), reports that the Federal Government has pressurized property owners in the state of California to close down medical marijuana shops since they are in breach of the Controlled Substances Act. If the property owners fail to close the shops, they risk losing their property through a law that advocates the seizure of drug a trafficker's assets. Medical marijuana trade is legal in the state of California, but the Federal Government chooses to ignore the competence of the state of California in passing such legislation (Wolf, 2012).

The Justice Department carried out the drastic measures with respect to an announcement issued in October 2011 as reported by Fox News (2011). The Justice Department said they would carry out a crack down on marijuana clinics since they are potential front offices for dealing in illegal drugs (Fox News, 2011). U. S. Attorney Benjamin Wagner referred to a federal study done in 2009 that shows that 72% of eradicated marijuana is cultivated in

California (Fox News, 2011). The increased demand for marijuana led to the increased property leasing to marijuana traders for the purpose of marijuana growth and retail. U. S. Attorney Melinda Haag clarifies that the intention for the legalization of medical marijuana in California, was to treat very ill people (Fox News, 2011). Unfortunately, some money minded people who do not care about the ill had seen it as a way of getting rich (Fox News, 2011).

On the other hand, Fox News (2011) adds that the California board reported that California receives total sales tax of between \$53 million and \$104 million from medical marijuana sales. Attorney Mark Reiche who represents three marijuana clinics facing federal charges, argues that the medical marijuana venture generates jobs, pays taxes, and increases safety (Fox News, 2011). Therefore, he does not see the need for attacking the venture.

Lifland (1984) argues that when a state legislation goes against the intentions of the federal law, then the federal law overrides the state law.

This has been witnessed in the California medical marijuana case whereby the state of California legalized medical marijuana, but the Justice Department has ordered the closure of all medical marijuana businesses and the landlords risk losing their property in case they lease their properties for purposes of medical marijuana (Wolf, 2012).

A law that already exists that backs the initiative taken by the Justice Department. The Justice Department seeks to see that the state of California follows the Controlled Substances Act, due to the drawbacks the medical marijuana industry poses to the war on drugs. The Justice Department's decision to make medical marijuana illegal overrides the state of California's law that legalizes medical marijuana. The American constitution provides

that the Federal powers override State authority in the Supremacy clause (Kaplan et al., 2009). Therefore, the state has to follow the decision of the Federal Government (Kaplan et al., 2009).

The Federal Government has a good reason to call for the closure of the medical marijuana outlets, due to the risk they pose as points for illegal drugs trade. All Medical marijuana dispensaries will shut down and the property owners who entertain medical marijuana businesses will lose their property. This closure will negatively affect the ill patients who positively gained from the clinics. The ill patients that need such medication can access the prescription drug Marinol, which is a derivative of marijuana. Marinol is safer to use since it is in pill form and medically approved by the Food and Drug Administration (Gieringer et al., 2008).

Once all the medical marijuana clinics are closed, the state of California will experience a decline in tax collection volume due to the absence of the medical marijuana business. The people who were serving as personnel at the dispensaries will lose their jobs, which will in turn increase the rate of unemployment in the state of California. The war against illegal drugs will have an advantage since the illegal drug dealers will not use medical marijuana dispensaries as front offices for their illegal trade. The abuse of marijuana will decline in the state California and nationwide, since California was the biggest producer of marijuana.

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