



**For Immediate Release**  
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**LDF Media**  
[media@naacpldf.org](mailto:media@naacpldf.org)

## **LDF Encourages DEA to Deschedule Marijuana to Reduce Disproportionate Harm on Communities of Color**

On Dec. 18, the Trump administration issued an Executive Order to encourage the Drug Enforcement Administration (DEA) to complete a rule making process that began in 2024, when it collected public comments about the reclassification of marijuana on its drug schedule. The public submitted over 40,000 comments, many of which took the position that marijuana should be removed from scheduling entirely.

Drugs, substances, and certain chemicals used to make drugs are classified into five distinct categories or schedules depending upon the drug's acceptable medical use and the drug's abuse or dependency potential. Marijuana is currently classified as a Schedule I substance, which is reserved for the most serious drugs or substances. The proposed rule contemplates rescheduling marijuana as a Schedule III substance, the least serious scheduling classification under the Controlled Substances Act (CSA). The [Legal Defense Fund](#) (LDF) strongly believes marijuana should be completely removed from scheduling under the CSA. Based upon current scientific evidence and medical research, marijuana has medical value and a variety of widely accepted uses.

Black people are significantly overrepresented in federal prisons for low-level marijuana offenses, contributing to cyclic and intergenerational harms that undercut opportunities for economic mobility. To provide meaningful change and relief for the countless harms experienced by Black communities and other communities of color, actions beyond removal of marijuana from CSA scheduling must take place. The federal law must change.

Removing marijuana from scheduling would take crucial steps towards eliminating federal criminal consequences related to the substance and preventing the disproportionate harm that is consistently inflicted upon communities of color due to persistent biases in drug enforcement policies and the criminal legal system as a whole.

38 states and the District of Columbia have already authorized medical marijuana use, and 24 states have legalized marijuana for adult use.

In response, LDF Director of Policy Demetria McCain issued the following statement:

“We look forward to the DEA taking the many public comments in favor of descheduling into consideration as it reevaluates the current scheduling of marijuana.

“Congress must also act to eliminate exclusions to employment and government benefits and provide relief for people with prior marijuana convictions, reinvest in communities disproportionately targeted by marijuana enforcement, and ensure that a national regulatory framework promotes equity, public health, and safety. To meet these vital goals, we urge Congress to advance legislation like Cannabis Administration and Opportunity Act.”

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*Founded in 1940, the Legal Defense Fund (LDF) is the nation’s first civil rights law organization. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the Legal Defense Fund or LDF. Please note that LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957 — although LDF was originally founded by the NAACP and shares its commitment to equal rights.*