



Cannabis in the United States

A Toolkit for Non-Citizens in Maine

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November 2021

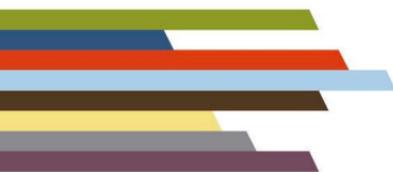


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This product is developed by Laurie Jevons under the 2021 New England Prevention Technology Transfer Center (PTTC) Fellowship Program. The New England PTTC and this program are supported by SAMHSA of the U.S. Department of Health and Human Services (HHS). The contents are those of the author and do not necessarily represent the official views of, nor an endorsement, by SAMHSA/HHS, or the U.S. Government.

Cannabis use by any foreign national can result in deportation from the United States.

While Maine has legalized cannabis (marijuana) for adult use, the United States considers cannabis a Schedule 1 Drug, illegal under federal law. Since federal law supersedes state law, non-citizens may face penalties for using or possessing cannabis, including even working in the cannabis industry. In this toolkit, non-citizen refers to anyone living, working, or traveling in the United States without US citizenship. This includes green card holders (permanent residents), refugees and asylees, undocumented immigrants, those with other statuses (such as Deferred Action for Childhood Arrivals), as well as Special Immigrant Visas (SIVs) for Iraqi and Afghan Translators/Interpreters.

Learn More:

[What Non-citizens Should Know](#)



Maine Adult Use Marijuana

Under Maine's Adult Use Marijuana Law, adults over the age of 21 may purchase, possess, and grow cannabis. Cannabis is legal for American citizens over 21 to use or possess while in Maine, but it is not legal to transport cannabis over state lines or across international borders. It is illegal for anyone to use cannabis in public spaces (including parks, sidewalks and restaurants). It remains illegal for anyone under age 21 to possess or transport cannabis, even in Maine.

Defining Cannabis

Cannabis¹ (also known as marijuana, weed, pot, grass, reefer, herb, chronic) contains many compounds including THC (delta-9-tetrahydrocannabinol), CBD (cannabidiol), and hemp.

Cannabis can be consumed several ways, including:

- smoking (joints, blunts, bong, hookahs)
- edibles (infused products)
- vaping
- dabbing (concentrated wax, shatter, budder)



Flower/ joint



Edibles



Concentrates

THC (delta-9-tetrahydrocannabinol)

THC is the mind altering component of marijuana. THC causes feelings of euphoria and relaxation, heightens senses and alters perception of time. THC also impairs motor skills, can cause anxiety or delusions, and impairs lung function with repeated smoking. THC is the active component of cannabis detected in drug tests. Depending on the quantity and frequency of THC consumed, traces of THC may remain in the body for days or weeks.

The "universal symbol" indicates a product contains THC, and may be displayed on candies/ foods, marijuana flower itself, or concentrates.



Defining Cannabis (*continued*)

Hashish (hash)

Hash is among the most concentrated forms of cannabis. Hash is derived from the kief (dried resin) of the cannabis plant and refined into oils, butters, waxes (THC concentrates). THC concentration in cannabis flower averages around 20%, but can be as high as 80% in concentrates.

CBD (cannabidiol)

CBD is a non-mind altering component of cannabis. CBD can be used to treat anxiety, insomnia, and chronic pain (like arthritis), although research about CBD's impacts is limited. CBD can be added to lotions/ creams, gels, liquids, or vape pens. Since there is little regulation of CBD products, it can be difficult to know how much CBD or THC a product actually contains.

Paraphernalia

The United States Department of Justice defines paraphernalia as any equipment used to produce, conceal, or consume drugs. This may include rolling papers, pipes, bongs, grinders, or dab rigs. Though some paraphernalia may be used for lawful purposes (like tobacco), law enforcement may test materials for residue of illicit substances. It is legal for non-citizens to refuse consent of a belongings search, as possession of paraphernalia may lead to increased scrutiny.



Grinders



Vape pen

Maine Medical Marijuana

Under Maine's Medical Marijuana Law, patients over the age of 18 with a valid medical marijuana identification card may purchase cannabis from a registered caregiver. However, cannabis is federally illegal and can result in negative consequences for non-citizens (even for valid marijuana medical card holders). **If you are not a citizen and feel medical cannabis is the only way to treat symptoms, it is important to consult legal counsel.** Remember: as a Maine resident, your rights change when traveling outside the state of Maine. As a non-citizen, your rights also change when you travel outside the United States.

Health Impacts of Using Marijuana

Using cannabis with THC impacts memory and learning, which may have negative consequences at school or work. THC also impacts reaction time and impairs coordination and balance. Since cannabis smoke contains the same chemicals as tobacco, those who smoke may experience lung disease or respiratory issues.² There is no safe amount of cannabis to use while pregnant or breastfeeding, as THC has been linked to impacts in baby development.³

Learn More:
Good to Know



Information for Non-Citizens

The Immigrant Legal Resource Center recommends avoiding cannabis in any form. That includes:

- possessing cannabis or paraphernalia (rolling papers, pipes, grinders) when outside the home
- posting cannabis related photos on social media
- having images or videos of cannabis on your phone
- wearing clothing with cannabis words or logos
- talking about cannabis use or possession with immigration or border officials ⁴

In the United States, non-citizens have rights with police officers and Immigration and Customs Enforcement (ICE). These include the **right to be silent**, as well as the **right to refuse consent to search** your person or belongings. If you are questioned by an immigration or police officer about possession or past use of cannabis, do not admit to anything without consulting legal counsel.

Immigration interviews may include questions about past cannabis use, possession, or employment. If you have not used or possessed cannabis, you can answer no.

If you have used or possessed cannabis in the past, you can refuse to answer the question and ask to speak with a lawyer.

Learn More:
Know Your Rights



Other Considerations

Naturalization

Non-citizens who admit that they have used or worked with cannabis can be denied naturalization for lacking what immigration law calls 'good moral character'. The United States government considers possession of cannabis or paraphernalia, manufacturing, or distributing/ dispensing cannabis to be in violation of federal law. Even if a non-citizen has not been officially charged with or admitted to use, they must be able to prove that they have not committed an offense.

Working in the Cannabis Industry

Non-citizens should be aware that working in the cannabis industry (at grow houses, dispensaries, or testing facilities) may result in denied applications for permanent residency, detention, or deportation. This includes cultivation-related jobs like trimming, watering, harvesting, as well as jobs cleaning or sanitizing facilities. Employers may also drug test employees, and employees can have employment terminated for using cannabis.

Financial Aid

For international students attending an American university (even in a state like Maine that has legalized adult use cannabis), using cannabis is a violation of your FI visa. Underage possession of cannabis for American citizens can also impact higher education pursuits, as a conviction can impact federal financial aid eligibility.⁵

Resources



[Good to Know](#)



[Immigrant Legal Resource Center](#)



[Know Your Rights](#)

References

1. National Institute on Drug Abuse. (2021, April 13). What is marijuana? National Institute on Drug Abuse. Retrieved September 16, 2021, from <https://www.drugabuse.gov/publications/research-reports/marijuana/what-marijuana>.
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4. What every noncitizen must know about cannabis and immigration. ILRC. (2021, February 26). Retrieved September 16, 2021, from <https://www.ilrc.org/noncitizens-cannabis-warnings>.
5. Get smart about drugs. Federal Student Aid and Consequences of a Drug Conviction | Get Smart About Drugs. (n.d.). Retrieved September 16, 2021, from <https://www.getsmartaboutdrugs.gov/consequences/federal-student-aid-and-drug-use>.

Cannabis is illegal under United States law.



Non-citizens may face penalties for using or possessing cannabis, or for working in the cannabis industry (including grow houses, dispensaries, or testing facilities). Cannabis use by any foreign national can result in detention or deportation from the United States.

The Immigrant Legal Resource Center recommends that a non-citizens avoid cannabis in any form including:

- possessing cannabis or paraphernalia (rolling papers, pipes, grinders) when outside the home
- posting cannabis related photos on social media
- having images or videos of cannabis on your phone
- wearing clothing with cannabis words or logos

Know Your Rights

In the United states, non-citizens have rights with both police officers and Immigration and Customs Enforcement (ICE). These include:

- The right to be silent
- The right to refuse consent to search your person or belongings
- If you are questioned by an immigration or police officer about possession or past use of cannabis, do not admit to anything without consulting legal counsel

Learn More:
Know Your Rights



New England (HHS Region 1)

PTTC

Prevention Technology Transfer Center Network
Funded by Substance Abuse and Mental Health Services Administration

SAMHSA

Substance Abuse and Mental Health
Services Administration