

## Ex-NFL Player Sues Sessions to Challenge Marijuana's Schedule I Classification

Marvin Washington, a former National Football League player, and others have filed a lawsuit in federal court in New York City against Attorney General Jeff Sessions and the acting head of the Drug Enforcement Administration, Charles Rosenberg. Other plaintiffs include two children who use medical marijuana, an Iraqi war veteran with post-traumatic stress disorder, and a non-profit organization called the Cannabis Cultural Association.

The lawsuit challenges the constitutionality of classifying marijuana as a Schedule I drug under the federal Controlled Substance Act. A Schedule I substance is one that meets three requirements: (i) it must have a high potential for abuse, (ii) it must have absolutely no medical use in treatment, and (iii) it cannot be used or tested safely, even under medical supervision. The complaint alleges that the classification of marijuana as a Schedule I drug is "so irrational" that it violates the U.S. Constitution.

In their Complaint, the plaintiffs seek a declaration that the Controlled Substances Act is unconstitutional as it pertains to marijuana, and an injunction against enforcement of the law as it applies to marijuana.

Washington, a proponent of legalizing marijuana use, is suing because the Controlled Substance Act makes him ineligible to obtain grants under a federal grant program for minority businesses to start a medical marijuana business.

**Date Created**

July 26, 2017