High Stakes: Analyzing the Legal and Law Enforcement Challenges of Mississippi's Medical Marijuana Industry

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DEDICATION

I would like to dedicate this thesis to my parents, Megan and Sean Bensley, whose support and kindness have guided me through these formative years. My brothers and I owe you more than words can express.
ACKNOWLEDGEMENTS

I want to thank Dr. Miles Armaly for advising me throughout this process. His guidance was invaluable in helping me to complete this thesis. I would also like to thank Bruce Levingston, whose candidness and forward-thinking perspectives were never afraid to challenge me.
ABSTRACT

Despite opposition from law enforcement and government officials, Mississippi citizens overwhelmingly voted in favor of establishing a medical marijuana program in 2020. The passing of Senate Bill 2095 (or the Mississippi Medical Cannabis Act) marks a significant shift in the state’s drug policy and is a rare example of my home state at the forefront of an emerging industry. My thesis examines the effects of the Mississippi Medical Cannabis Act by providing an overview of the challenges it creates for the state’s law enforcement agencies and legal community. By analyzing local news stories, public statements from officials, and studies from across the country on medical marijuana’s effects on both health and public safety, key concerns were identified of various enforcement challenges medical cannabis introduces. This study seeks to examine the responses from both law enforcement agencies and the state’s legal community to this program and the broader social implications of how medical marijuana affects the state. This research seeks to contribute to our understanding of how states with historically conservative drug policies are adapting to the shifting public opinion on marijuana and gather insights that can help inform policy decisions, law enforcement training, and legal practices in Mississippi.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Introduction</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Literature Review</td>
<td>5</td>
</tr>
<tr>
<td>3</td>
<td>Methodology</td>
<td>29</td>
</tr>
<tr>
<td>4</td>
<td>Findings</td>
<td>34</td>
</tr>
<tr>
<td>5</td>
<td>Discussion</td>
<td>45</td>
</tr>
<tr>
<td>6</td>
<td>Conclusion</td>
<td>51</td>
</tr>
<tr>
<td></td>
<td>References</td>
<td>55</td>
</tr>
<tr>
<td></td>
<td>Appendix</td>
<td>62</td>
</tr>
</tbody>
</table>
## LIST OF FIGURES

<table>
<thead>
<tr>
<th>Figure</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>[2-2]</td>
<td>Mississippi Medical Cannabis Program First Year</td>
<td>19</td>
</tr>
<tr>
<td>[2-3]</td>
<td>Locations of Licensed Dispensaries in Oklahoma</td>
<td>23</td>
</tr>
<tr>
<td>[2-4]</td>
<td>Relationship Between Dispensary Density and Drug Arrest Rate</td>
<td>24</td>
</tr>
<tr>
<td>[2-5]</td>
<td>Colorado Marijuana Tax Revenue</td>
<td>25</td>
</tr>
<tr>
<td>[2-6]</td>
<td>Racial Disparity in Mississippi Marijuana Arrests</td>
<td>26</td>
</tr>
</tbody>
</table>
CHAPTER 1: INTRODUCTION

Background Information

Mississippi’s history of marijuana reforms dates back to its decision in 1978 to become one of the first states to decriminalize the possession of the drug in small amounts, making the possession of up to an ounce punishable by a fine rather than jail time (Project M. P.). In doing so, Mississippi set an early precedent in approaching marijuana offenses that foreshadowed the broader reconsideration of marijuana policies that we are seeing today (Chapekis & Shah, 2024). The conversation surrounding marijuana in Mississippi took a significant step forward in 2020 with the introduction of Initiatives 65 and 65A. These proposals made their way onto the 2020 presidential ballot and directly engaged the public in the decision-making process on the legalization of medical marijuana in our state. The overwhelming support for Initiative 65 over the more restrictive alternative proposed by the state legislature, 65A, revealed the public’s preference for a wider-scale medical marijuana program and highlighted the disconnect between growing public support toward marijuana and the consistent dismissal it had seen from many of our state representatives (Jaeger, 2020). This referendum reflected a shift in our society’s attitude toward marijuana and confirmed a broad acceptance among Mississippians of the use of marijuana for medical purposes (Gates, 2020).

In response, the state legislature passed Senate Bill 2095 in 2022, which established Mississippi’s medical marijuana program. The creation of the medical cannabis program was the culmination of years of advocacy and debate and represented a
significant milestone for our state by not only legalizing medical marijuana but also formally recognizing its therapeutic benefits (Senate Bill 2095). This shift in policy reflected the growing acceptance of marijuana occurring across the United States in recent years, with several states creating medical programs and in some cases legalizing its recreational use (Chapekis & Shah, 2024). Although Mississippi has traditionally been known for its conservative drug policies (FWD.US), our state has joined this national trend, marking a significant shift in Mississippi’s approach to drug policy. These changes open new discussions on the legal, social, and health implications these new laws create.

Purpose of this Study

The purpose of this study is to analyze the effects of Mississippi’s medical marijuana industry on its law enforcement agencies and legal professionals. This new program presents unique challenges, including enforcing new regulations and addressing public safety concerns within an emerging industry with significant economic incentives for the state’s government and business owners. These problems are compounded by the lack of a clear precedent in a state with strict historical drug enforcement policies (FWD.US). This research’s findings can aid decision-making for those tasked with enforcing these laws and the broader public trying to understand the implications of medical marijuana for our state. Although Mississippi’s position as the 37th state to permit cannabis use for medical purposes may be interpreted as more following the trend than setting it, its grassroots activism (Gates, 2020), largely rural composition (Rural Health Information Hub, 2022), health disparities (U.S. Department of Health and Human Services, 2021; Mississippi Department of Health, 2021), and legal challenges the program faced (Williams, 2020), I believe set Mississippi apart as an interesting case
study in the development of medical marijuana legislation in the United States. By examining Mississippi’s unique journey to legalization this study can shed light on challenges faced by late adopters of medical marijuana legislation and how states with similar histories of conservative drug policy can navigate the tensions between changing public attitudes and longstanding policy positions. In doing so we can ensure law enforcement practices and legal advice are based on a comprehensive understanding of Mississippi’s medical marijuana policies and create a well-informed community that is prepared to address the challenges of medical marijuana in Mississippi.

Research Questions

This study seeks to address the following research questions:

1. What are the main concerns of Mississippi’s law enforcement agencies regarding the legalization of medical marijuana?
2. How are legal practitioners in Mississippi adapting to the changes brought on by the new medical cannabis industry?
3. What are the implications of the legalization of medical marijuana on public safety and the strategies of law enforcement in Mississippi?
4. How do current news stories and public opinion reflect the evolving legal and social attitudes toward the state’s medical marijuana industry?

Scope and Limitations

My thesis focuses on Mississippi as a case study; this approach allowed for a deep dive into its medical marijuana program that might not have been as easy to accomplish in a study with a larger scope. Mississippi presents an interesting case due to its
conservative political climate and the fact that voter-driven initiatives largely shaped its medical marijuana legislation. While focusing on a single state limits the ability to generalize the study’s findings, it allowed for a more robust understanding of how social and political factors combined to influence the state’s policy implementation. This method allowed for a close analysis of Mississippi’s unique journey that offers valuable lessons on the challenges faced by states with similar conservative backgrounds and enabled me to distinguish the specific conditions that create the challenges for the state’s law enforcement agencies and legal professionals that I set out to discover.
CHAPTER 2: LITERATURE REVIEW

This chapter will review the existing research and information relevant to Mississippi’s medical marijuana industry. Focusing on what it means for law enforcement agencies and legal experts, this section looks at various sources such as news stories, recent studies, the new statutes, and examples taken from states where medical marijuana programs are already up and running. By examining these sources, we can better understand the challenges legalization brings, the program’s requirements, its effect on the state’s economy, and public response. This review will help to understand the complex relationship between medical marijuana laws, public safety, and the adaptations needed by Mississippi’s law enforcement agencies and legal professionals.

Initiative 65 and the Journey to Legislation

Mississippi’s journey to the legalization of medical marijuana has been marked by a growing public discourse, spurred by reports from across the nation about the plant’s therapeutic benefits. This growing public interest set the stage for a grassroots movement that led to a significant legislative milestone for the state.

Grassroots Advocacy and Ballot Initiatives

The push for a medical cannabis program in Mississippi was spearheaded by a vigorous grassroots movement (Gates, 2020). Compelling testimony from across the country of the potential health benefits for individuals suffering from conditions like
chronic pain, PTSD, and many others, led citizens to petition the state legislature to get marijuana on the ballot. Central to this advocacy were efforts such as the Medical Marijuana 2020 Campaign, led by communications director Jamie Grantham. Deeply motivated by the transformative impact medical marijuana had in other states, her mission was clear: to afford Mississippians the same access to medical marijuana’s benefits that had already changed countless lives elsewhere. The campaign set out to collect over 86,000 verified signatures to secure a spot for the initiative on the November 2020 ballot.

However, the proposal was met with skepticism from many government and law enforcement officials (Ellis, 2020; Gagliano, 2020). The executive director of the Mississippi Association of Chiefs of Police, Ken Winter, voiced concerns over the potential challenges medical marijuana’s legalization might pose to public safety, claiming that the legalization of medical marijuana would “create more problems for the general public than it would solve.” “We have no way of gauging what level would impair someone, the technology isn’t there yet, that creates a lot of problems for law enforcement.” These concerns encapsulated apprehensions held by law enforcement agencies across the state, which Winter said, on average, would oppose the legalization of medical marijuana.

In the end, these advocacy movements were successful, with Mississippi’s voters successfully petitioning the state legislature to get marijuana on the ballot (Jira & Bensley, 2022). The increasing public support culminated in the creation of Initiative 65 and its legislative counterpart, Initiative 65A, being placed on the November 2020 presidential ballot. Initiative 65 drew from public petitions and proposed a
comprehensive program that would allow treatment for over 20 qualifying conditions, possession limits of 2.5 ounces, and a tax rate of 7% on medical marijuana sales. In contrast, Initiative 65A offered a more restrictive approach, limiting prescriptions to terminally ill patients and deferring decisions on the tax rate and possession limits to the state legislature.

**Public Vote and Legislative Response**

Mississippi voters made their voices heard in the November 2020 election by overwhelmingly approving Initiative 65, the citizen-led measure to legalize medical marijuana for patients with 22 specific debilitating conditions (Jaeger, 2020). The proposal passed with 74% of the vote and reflected a significant shift in public opinion in favor of medical marijuana. The public’s approval of Initiative 65 was not just a victory for medical marijuana advocates but a clear indication of Mississippian’s desire for progressive healthcare options.

However, the journey from ballot box triumph to legislative action would be filled with challenges and controversies that would affect the sentiments of many Mississippians toward our state legislature (Pittman, 2021; Rakow, 2021). The state legislature’s response, particularly the addition of a more restrictive alternate measure, Initiative 65A, to the ballot, was seen by many as an attempt to confuse voters and weaken the impact of the citizen-led initiative. Critics argued that this move indicated the legislature’s reluctance to embrace cannabis reform despite the clear mandate from voters. The situation became even more complicated when the Mississippi Supreme Court ruled in favor of the city of Madison’s mayor in a lawsuit striking down Initiative 65 due to a technicality related to the state’s congressional districts (Kenney, 2020).
decision effectively nullified the voter’s approval of the program and cast the future of medical marijuana and other ballot initiatives in Mississippi into a state of limbo. The court’s ruling was perceived by many as a blow to democracy itself, echoing sentiments of historical disenfranchisement and leaving many to feel as though their voices were not being heard.

The aftermath of the Supreme Court’s decision was a period of uncertainty and frustration for many Mississippians. Advocates of medical marijuana and supporters of other ballot initiatives affected by the ruling expressed deep disappointment, feeling that the legislative and judicial branches had overridden the will of the people (Pittman, 2021). This sentiment was reinforced by the fact that voters took the initiative to address the issue directly through the ballot despite the legislature’s previous inaction on medical marijuana, only to have their efforts invalidated.

Calls for a special session to address the issue were met with mixed responses from state leaders. While some expressed openness to revisiting the medical marijuana issue and the broader ballot initiative process, others remained non-committed or outright resistant (Pereira, 2021), further fueling citizens’ concerns about the responsiveness of our elected officials to public demands.

Community and Law Enforcement Opposition to Initiative 65 and Medical Marijuana

However, not all Mississippians were in favor of the proposed legislation. Among the most vocal opponents were community leaders, medical professionals, and law enforcement officials. Their collective opposition stemmed from concerns over the
initiative’s impacts on public safety, health, and the broader societal impact of enshrining such a policy within the state constitution.

Medical Cannabis Opposition’s Concerns

Opponents of Initiative 65 included figures like Dr. Thomas Dobbs of the Mississippi Department of Health and the city of Madison’s mayor Mary Hawkins Butler (Richard, 2020; Williams, 2020). They focused on the problematic nature of embedding a medical marijuana program within the Mississippi Constitution and argued that such a move would have been unprecedented and restricted the ability of communities to have a say in where marijuana dispensaries could be located. Additionally, Initiative 65’s status as a constitutional amendment would have limited the state legislature’s ability to make future adjustments based on evolving insight into medical marijuana’s impacts on society.

Medical professionals such as Dr. Jonathan Shook also raised concerns over the potential health risks associated with adolescent marijuana use, including increased chances of addiction, mental health disorders, and psychosis (Walker, 2020). These concerns were echoed by community religious leader, Pastor Anthony McCullum, who feared detrimental effects on family structures and that patients would divert essential funds from living expenses to marijuana.

Law Enforcement’s Stance

The Mississippi Association Chiefs of Police represents nearly 330 police chiefs here in Mississippi. The association declared Initiative 65 to be “extremely problematic” and “ambiguous” (Carter, 2020). This opposition was rooted in the challenges it presented to policing, including the unregulated placement of “treatment centers” and the
complexities of enforcing possession laws for individuals with Medical ID Cards. Sheriff Randy Tucker of Madison County had this to say in 2020, “Passing this initiative 65 you better get ready to fund them [law enforcement] because you’re looking at an increase in petty crimes, violent crimes, DUIs.” (Ulmer, 2020). The initiative’s broad definition of debilitating medical conditions also raised concerns about “doctor shopping” and the exploitation of the system by those seeking marijuana for non-medical use.

Preference for the Legislative Alternative

While there was a consensus among these opponents against the constitutional amendment proposed by Initiative 65, some expressed openness to Initiative 65A as a more controlled alternative (Walker, 2020; Gagliano, 2020; Bakken, 2020; Ulmer, 2020; Richard, 2020). They argued that this legislation would allow for a more regulated and adaptable approach to medical marijuana, limiting its use to terminally ill patients and providing a framework that could evolve over time.

Legislative Response and Compromise

In the aftermath of the Mississippi Supreme Court’s ruling the state legislature emerged as the primary battleground for realizing the will of the voters. Lawmakers recognized the clear mandate from citizens and worked to draft legislation to create the state’s medical marijuana program. This process was characterized by extensive negotiations, amendments, and bipartisan collaboration that culminated in the passage of Senate Bill 2095, the “Mississippi Medical Cannabis Act”, in early 2022 (Jackson, 2022). Senator Kevin Blackwell and Representative Lee Yancey played essential roles in shaping the bill and worked closely with various stakeholders, including Governor Tate
Reeves, to address concerns. Jackson Mississippi became the site of spirited debates and public hearings to incorporate adjustments to the bill that would ensure a balance between creating a broad medical marijuana program and incorporating safeguards favored by skeptics (Adlin, 2022; Sanderlin, 2022). The final legislation that was signed into law by Governor Reeves on February 2, 2022, represented a compromise that aimed to fulfill the intent of Initiative 65 while addressing the concerns that had emerged during the debate. This new version established qualifying medical conditions, set limits on the amount of cannabis patients could purchase and detailed the roles of the Mississippi Department of Health and other state agencies in regulating the program (Project M. P.).

From Initiative to Implementation

The passage of the Mississippi Medical Cannabis Act was an important moment for the state’s public policy, bridging the gap between long-standing prohibition and the acknowledgment of cannabis as a legitimate medical treatment. This section examines the process of transforming voter initiative into actionable law. From local ordinance adjustments to law enforcement strategy and economic impact projections, this section explores the effects of this legislation in addressing the needs of patients, businesses, and the concerns of our communities.

The Mississippi Medical Cannabis Act

The Mississippi Medical Cannabis Act serves as the foundation of the state’s regulations on the industry (Senate Bill 2095). The Act outlines the complete legal guidelines on the cultivation, distribution, sale, and use of medical marijuana (Project M. P.). The Act specifies the eligibility criteria of patients to ensure that only individuals who
are certified by a licensed healthcare provider to be suffering from one of the approved conditions, can obtain the required prescription. An important part of this is its detailed licensing framework which establishes rigorous standards for growers, processors, and dispensaries. These guidelines aim to ensure product safety and quality control by implementing strict requirements for the security, testing, and packaging of medical marijuana products. The Act also creates stringent guidelines for the distribution of medical marijuana through the licensing of dispensaries and regulations on sales. Patients are allowed a specified daily amount that they are allowed to purchase based on best medical practices, seeking to minimize the risk of misuse.

**Local Ordinances and Enforcement**

In response to these new laws, local governments across the state have scrambled to adapt their local ordinances to accommodate this new industry. Addressing community concerns regarding the zoning regulations imposed on dispensaries and cultivation facilities has been a key issue. Town halls across the state have become centers of debate as local governments seek to balance business interests with public safety concerns (Milloy, 2022). Citizens and police departments opposed to the new program have pushed concerns about public consumption of the drug, driving under the influence of cannabis, and other public safety issues. Regulations passed by local governments are seeking to ensure that the introduction of medical marijuana into the state’s communities is done with regard to both patient’s rights and public welfare (Schnugg, 2023). Law enforcement agencies play an important role in the implementation of the Act, with orders to enforce compliance with state regulations and local ordinances. Local law enforcement agencies have been tasked with the oversight of dispensary operations to ensure that sales are only
made to prescription-holding patients and that dispensaries are adhering to all regulations surrounding their operational hours, security, and other requirements (Mississippi Department of Revenue, 2022). The Act included a provision to allow counties and cities within the state to opt-out of the medical marijuana program, the deadline to opt-out was May 3, 2022. Below is a map of the municipalities and counties that chose to opt-out of the program.

![Dispensary Opt-Out Map](image)

[2-1] Dispensary Opt-Out Map (Mississippi Department of Revenue, February 12, 2024)

Each county’s decision to opt-out only covers its unincorporated areas, meaning some cities within opt-out counties are still able to have businesses in the program.
Patients who live in opt-out areas can still possess and take medical marijuana (DiNatale & Mississippi Today, 2022).

**Impact on Law Enforcement**

The legalization of medical marijuana in Mississippi has required significant adjustments in the practices of our state’s law enforcement agencies with the new laws presenting challenges in policing these regulations. This section explores how law enforcement in the state is adapting to these new policies, creating new procedures to respond to the practical challenges that officers face on the ground.

**Policy and Procedure Adjustments**

Law enforcement agencies across the state have undertaken comprehensive reviews of their policies in response to the Mississippi Medical Cannabis Act. Official statements and guidelines issued by law enforcement agencies highlight a proactive approach to training and education from many departments, with goals to ensure that officers are informed of the specific aspects of the legislation (Schnugg, 2023). Key areas of policy adjustment include the development of protocols for verifying prescriptions and the legal possession limits. With this new training, officers aim to be able to distinguish between legal medical marijuana use and the illicit possession of non-patients. The understanding of the documentation required by the state for medical marijuana patients and caregivers is critical to the effective enforcement of the Act (Mississippi Department of Revenue, 2022).
Enforcement Challenges

Despite these adjustments, law enforcement agencies in Mississippi still face several challenges. One of the primary concerns is the difficulty in distinguishing between legal and illegal marijuana use (Ulmer, 2020). In the absence of clear physical indicators of impairment, law enforcement agencies have raised concerns over their ability to enforce DUI laws while respecting patient privacy. Agencies are developing strategies to address these potential risks by implementing specialized training for officers to recognize the impairment signs of cannabis, as well as the creation of public education campaigns to raise awareness about the dangers of driving under the influence of marijuana (Mississippi Department of Public Safety; MSTIDE). Government officials have echoed similar concerns, citing statistics from states such as California and Colorado that show increased rates of cannabis-related automobile accidents following those state’s legalizations. Due to the lack of an official roadside test public officials such as Jackson County Sherriff, Mike Ezell, expressed skepticism about the future of Mississippi’s road safety in the wake of the Mississippi Medical Cannabis Act (Knowles, 2020). In a 2020 interview, he stated “I’m very concerned, there is no roadside test for a person driving under the influence of Marijuana. My big concern is for the safety of folks out there on the road and being under the influence. We will just have to see how it turns out.”

Allocation of law enforcement resources has also emerged as a significant challenge. The enforcement of medical versus illegal marijuana use requires dedicated personnel with special training and equipment (Clobes, Palmier, Gagnon, Klaiman, & Arellano, 2022). These requirements strain already limited law enforcement resources
(Ulmer, 2020). Agencies are seeking to balance the demands of marijuana enforcement with other public safety priorities, highlighting the need for efficient resource allocation strategies.

**Legal Professional’s Adaptations**

The legalization of medical marijuana in Mississippi has ushered in a new era for the state’s legal community. This new program creates changes that necessitate the swift adaptation of Mississippi’s legal practitioners to this emerging area of law. This section examines the responses and strategy adjustments of the state’s legal professionals, highlighting the role of our local institutions and the development of legal precedents specific to Mississippi.

**Guidance from the Mississippi Bar Association**

The Mississippi Bar Association has been instrumental in responding to the passing of the Mississippi Medical Cannabis Act, providing direction and resources to the state’s legal professionals (The Mississippi 2019; The Mississippi Bar 2020). The Association has issued detailed guidelines focusing on Mississippi-specific statutes and regulations to assist attorneys in navigating the legal nuances of the medical marijuana industry. This training includes the ethical considerations of navigating client representation in a newly legalized industry. The association has organized a series of seminars specific to Mississippi, these Continuing Legal Education or CLE seminars feature local experts and case studies to help explain the state’s medical marijuana laws, compliance issues, and the implications on legal practice within Mississippi.
Mississippi Case Law and Precedent

The evolving legal landscape of medical marijuana in Mississippi has given rise to case law that sets important precedents for the industry and legal professionals hoping to get into this new field. Mississippi courts are currently addressing several cases related to the zoning of medical marijuana dispensaries and the advertising restrictions imposed on them. These cases will set statewide precedents on how municipalities regulate the location and operation of these businesses (Veazey, 2022; Maleksalehi, 2020).

Employment law is also at the forefront of these changes. As cases emerge involving medical marijuana patients facing discrimination in the workplace the outcomes of these cases will be important to create a legal precedent of how Mississippi’s employment laws intersect with medical marijuana use (Phillips, 2022). Attorneys and other legal professionals in Mississippi are closely monitoring these developments as new cases contribute to our growing body of state-specific knowledge of best practices related to medical marijuana. This not only includes direct legal representation but also extends to our legal expert’s abilities to advise municipalities, businesses, and government on the implementation and enforcement of this new program.

Economic and Social Implications

The legalization of medical marijuana in Mississippi has far-reaching implications that affect the state’s economic and social environments. This new program could potentially impact a wide variety of areas from tax revenue, to public health, and crime
rates. This section will explore the impact of the medical marijuana industry within the state using available studies, reports, and preliminary data to illustrate these broad effects.

**Economic Impact Studies**

Medical marijuana’s introduction is anticipated to significantly contribute to the state’s economy. While economic impact studies specific to Mississippi are still in the early stages, projections can be made based on trends observed in other states with established markets. These point to a large potential for job creation across various sectors including agriculture, retail, and healthcare. The industry requires a wide range of roles from cultivation and processing to the operations of dispensaries and medical consultations (Barcott & Whitney, 2022; Jaeger, 2023). Initial estimates drawing from the state’s tax guidelines and the expected size of the patient population suggest that this revenue could be substantial, helping to support public services and infrastructure projects across Mississippi (Herrington, 2022; Stribling, 2022; Felix & Shampine, 2022). The figure below reviews the Mississippi Medical Cannabis Program’s first year and highlights the significant economic benefit Mississippi can expect tax revenue from the program to provide. There is a large potential for Mississippi’s medical marijuana industry to expand as patient enrollment and public acceptance increase, possibly leading to the relaxation of state regulations (Adams, 2024).
“The work done by the MSHO Office of Medical Cannabis and the Department of Revenue in the first year of the program has been tremendous. Our top priority continues to be the patients who are finding relief from debilitating conditions through the medical cannabis program. We look forward to continually improving the process for both patients and businesses to keep the program running efficiently, with oversight of compliance and regulatory standards set in stone.” – Dr. Daniel Eidney

32,000
There were just 32,000 patients and 1,590 caregivers in Mississippi that received certification from physicians for medical cannabis cards.

393
195 medical cannabis establishments hold licenses to operate. Please see the enclosed data for a breakdown of types of license medical cannabis establishments.

3,099
3,099 individuals hold permits, allowing individuals to gain employment in Mississippi’s medical cannabis industry.

207
207 practitioners are registered to certify qualifying, alleviating conditions in patients for whom medical cannabis may be of therapeutic benefits.

$8,782,730
In 2023, the Medical Cannabis Program generated $8,782,730 in application and license fees.

$2,345,387
$949,641
The program has netted $949,641.72 in Cannabis Excise Tax and $2,345,387.18 in Cannabis Sales Tax.

$44,407,373
$44,407,373 has been generated in retail sales of medical cannabis since the first sales occurred in late January 2018.

[2-2] Mississippi Medical Cannabis Program First Year (Adams, 2024)
Public Health and Social Research

Mississippi’s public health, crime rates, and opioid usage are all areas of interest in the coming months and years. Some preliminary research and data from other states suggest that medical marijuana could have several positive public health impacts including a reduction in opioid prescription rates and opioid-related overdose deaths as physicians and patients gain access to this alternative pain management option (Lopez, Nichols, Chung, Kaufman, McCall, & Piper, 2020). However, these results are not conclusive and will require continued future studies to corroborate their findings. More research on the health benefits of marijuana is required and future analyses weighing the potential benefits of decreased likelihood of opioid abuse with the potential risks of medical marijuana, such as increased prevalence of mental health disorders and misuse of marijuana need to be conducted (Shah, Hayes, Lakkad, & Martin, 2019). Healthcare outcomes are a critical aspect as studies in other states have shown improvements in the quality of life for patients with chronic conditions (Arkell, Downey, & Hayley, 2023). The reduced reliance on prescription medications and increased access to palliative care represent large steps forward in Mississippi’s openness to alternative healthcare opportunities.

Crime rates represent an area of concern among many citizens, however, early indicators from other states show that the legalization of medical marijuana did not lead to an increase in violent crime and could correlate with reductions in some categories of crime, including aggravated assault and larceny (Bailey, 2021; Dills, Goffard, Miron, & Partin, 2021). Ongoing research and the collection of data specific to Mississippi will be essential to fully understand these trends within the state’s unique context in the future.
Comparative Analysis

To understand the implications of the new medical marijuana industry in Mississippi, it is helpful to conduct a comparative analysis with other states that share similar social and political backgrounds or have adopted similar industry regulations. This section will explore the lessons we can take from these states, identifying best practices and the potential pitfalls that can inform Mississippi’s approach to medical marijuana regulation, enforcement, and integration into the state’s healthcare system.

Lessons from Other States

This section will provide a comparative analysis of Mississippi’s policies with other states that have adopted their own medical marijuana programs. My choice to compare Mississippi’s medical marijuana program with those of other Southern states where possible is grounded in the shared cultural landscapes that deeply influence policy implementation and public reception. Southern states including Mississippi often exhibit similar conservative attitudes towards drug policy which can uniquely shape medical marijuana legislation and its public acceptance. These states frequently face comparable challenges in balancing public safety with patient access and addressing social stigmas associated with marijuana use. These analyses can provide valuable insight into the potential hurdles Mississippi may encounter.

States such as Arkansas and Louisiana represent similar political climates to Mississippi and offer valuable insight into the challenges and successes of implementing medical marijuana programs in traditionally conservative regions. Arkansas’s medical
marijuana program for instance was established through a voter-approved amendment in 2016 and faced initial regulatory hurdles and delays in dispensary licensing (Field, 2018). These track closely with Mississippi’s experiences and reaffirm the importance of a clear regulatory framework. Mississippi can learn from Arkansas’s experience by streamlining its licensing process and ensuring that its regulatory bodies are adequately prepared to manage the program’s expansion. Louisiana’s medical marijuana program has been operational since 2019 and provides another good point of comparison. Louisiana’s approach involves a limited number of state-licensed growers and dispensaries. While this model helps to ensure strict quality control and regulatory compliance it also limits patient access and market competition (Karlin, 2022). Mississippians might favor a more balanced approach that ensures regulatory oversight while still fostering a competitive market environment that enhances patient access and product variety.

Regulatory Frameworks and Patient Access

Examining states like Oklahoma that have notably liberal medical marijuana programs can offer an important contrast in regulatory philosophy and patient access. Oklahoma’s low barriers to entry for both patients and businesses have led to a booming market but have also raised concerns over oversaturation and lack of regulatory oversight (Associated Press, 2018). Mississippi’s more cautious approach seeks to mitigate these issues with its stricter qualifying conditions and regulations, but could also restrict patient access. Finding a balance in these considerations is crucial to developing the state’s medical marijuana program to meet patient needs while still maintaining public safety and market stability. The figures below illustrate the oversaturation of dispensaries many
Oklahoma counties are experiencing this oversaturation has a strong relation to increased rates of drug-related arrests.


Economic Impact and Social Equity

The experiences of states like Colorado and Illinois which have gathered robust economic and social equity impact data can provide Mississippi with insight into the broader effects of the state’s medical marijuana program. Colorado’s experience highlights the potential for significant tax revenue generation and job creation (Colorado Department of Revenue), both of which are significant benefits of Mississippi’s program. Figure [2-5] shows the tax income marijuana has generated in Colorado since 2014. Illinois has put significant focus on social equity concerns and highlights the importance of addressing historical injustices associated with marijuana criminalization (Adlin, 2023;
Illinois Department of Commerce and Economic Opportunity). Figure [2-6] from the American Civil Liberties Union highlights that while Mississippi is below the national disparity average, the state’s black citizens are still over twice as likely to be arrested for marijuana possession. Mississippi can learn from Illinois’s precedent by incorporating social equity provisions into our medical marijuana program to ensure that the economic benefits of legalization are felt among communities disproportionately affected by past marijuana enforcement policies.

[2-5] Colorado Marijuana Tax Revenue (Colorado Department of Revenue)
Despite the current efforts to study medical marijuana’s diverse impacts, a significant need remains for further investigation within the unique context of Mississippi. This section highlights critical areas where existing research falls short, emphasizing the need for targeted studies to fill these gaps in knowledge to support informed policymaking.

**Economic Insights Specific to Mississippi**

Mississippi’s rural character which includes a significant agricultural sector (Mississippi Department of Agriculture and Commerce, 2023) and a unique citizen health profile (Mississippi Department of Health, 2021; USA Facts, 2023) encourages a tailored
analysis that can provide insight into how medical marijuana can drive job creation, tax revenue, and potentially reduce healthcare costs. These kinds of focused studies are essential for developing policies that not only address the economic impact of legalization but also ensure its benefits reach all corners of the state equitably.

**Social and Health Impact Studies**

The long-term social and health impacts of medical marijuana in Mississippi represent another obvious and significant research shortfall. While existing studies from other states provide a preliminary understanding (Dills, Goffard, Miron, & Partin, 2021) the long-term effects on Mississippi’s public health and crime statistics are yet to be seen. Comprehensive long-term research will be important to grasp the sustained influence this program will have on the state’s public health and safety (Fischer, Murphy, Kurdyak, Goldner, & Rehm, 2015).

**Rural Community Dynamics and Patient Access Experiences**

The effects of medical marijuana legalization on Mississippi’s rural population are currently inadequately documented. These communities provide distinct challenges in healthcare access and economic structure which may present different experiences from the state’s more urban areas (Bascom, 2019). Investigations focused on access to dispensaries, economic benefits reaching rural areas, and the success of the integration of medical marijuana into rural healthcare are needed to ensure equitable program implementation. Research specific to the experiences of medical marijuana patients in Mississippi and their access to treatment is especially sparse. Studies into the hurdles
these patients are encountering are important for optimizing the program’s reach and efficiency. Studies on patient satisfaction, treatment effectiveness, the accessibility of dispensaries, and access to medical providers in rural areas will provide critical information on the success of the program in meeting patient needs as well as areas for improvement. Below is a map that showcases how rural communities make up a significant portion of the state’s geography.

CHAPTER 3: METHODOLOGY

Research Design

My study adopted a case study approach that focused on data from news stories, public statements, and peer-reviewed studies related to medical marijuana and Mississippi specifically where possible. This approach did not involve primary data collection but instead relied on synthesizing data from various sources to gain a deep understanding of the narratives and perspectives surrounding this new program. Focus was given to the data’s repercussions on Mississippi law enforcement strategies and its legal profession. The analysis aimed to identify key themes and patterns that emerged from the public discourse that provide insight into the concerns that this new program has created amongst the state’s law enforcement agencies and legal practitioners. By utilizing a diverse range of sources this research aimed to capture a well-rounded account of the discussions surrounding medical marijuana. The search strategies were intentionally broad to construct an inclusive narrative that ensured the analysis was grounded in “good data.” [data that was trustworthy, representative, and capable of providing meaningful insights]. For selecting sources I wanted to cite, specific criteria were applied to ensure the reliability and relevance of the information. For news outlets, press releases, and official statements, the emphasis was on clear attribution and direct relevance to Mississippi’s medical cannabis program. When choosing peer-reviewed studies, the criteria focused on the robustness of the research methods employed, as well as their
applicability to the issues faced by law enforcement and legal professionals in the context of medical marijuana.

The methodology employed aligns closely with the principles advocated by Sharan Merriam (Yazan, 2015). My study’s use of diverse secondary data sources mirrors Merriam’s emphasis on using holistic descriptions to construct a comprehensive understanding of the phenomena under study. Merriam advocates for a design that is open to adjusting the focus based on what the data reveals as the study progresses. This flexibility was essential in my research, allowing for adjustments in scope as I recognized the wide array of factors influencing the state’s medical marijuana program, law enforcement agencies, and legal professionals.

Data Sources

The primary data sources for this study include:

**News Outlets:** A range of local and national news websites coverage of Mississippi’s political, legal, and social issues. Specific outlets include Mississippi Today, the Associated Press, and the Daily Mississippian among others.

**Press Releases:** Official press releases from state departments such as the Mississippi Department of Health and the Mississippi Department of Public Safety provided current regulations and enforcement information.

**Official Statements:** Public statements from stakeholders in the Act including state legislators, law enforcement officials, legal experts, and medical professionals, which have been published through official websites, press conferences, and published interviews.
Peer-Reviewed Studies: Peer-reviewed studies from across the country including the Pew Research Center, the University of North Carolina, and the National Library of Medicine, provided accurate and up-to-date statistical data.

Data Collection Procedures

The data was systematically collected to encompass the development and impacts of Mississippi’s medical marijuana program using the following approach:

Scope: The search focused on materials from the early discussions of the initiative to the present in order to gain an understanding of the program’s evolution. A mix of articles from journalists and peer-reviewed studies from accredited organizations were reviewed to create an accurate and broad understanding of both public opinions and real-world data.

Sources: Diverse sources were utilized including news articles for law enforcement and public perspectives, official communications for formal statements, and blog posts for citizen’s responses.

Search Strategy: Keywords like “medical marijuana in Mississippi” and “Initiative 65” guided my search across databases and websites with a thorough screening process to ensure relevance and depth.

Potential Gaps in Data: The recent publication of many sources and studies indicates the growing wealth of knowledge surrounding medical marijuana’s diverse impacts. My research provides a broad overview of the research currently available. However, future studies focusing on Mississippi’s experiences with medical marijuana can likely draw from a more extensive collection of state-specific data.
Data Analysis

The data review employed an analysis of the sources to gain an understanding of the complex discussions surrounding medical marijuana in Mississippi. I interpreted the content in the documents looking for specific patterns or themes that could be quantified. This ensured that the findings were grounded in reliable and pertinent information. The following steps were taken when reviewing the sources:

Identifying High-Quality Sources: Emphasis was placed on evaluating the credibility of sources by assessing the authority of the publication, the expertise of the author or speaker, and the relevance of the information provided. The most recent studies were used where possible. High-quality sources were those with clear attribution, a known reputation for accuracy, and direct relevance to Mississippi’s medical marijuana program. This screening process led to the exclusion of data from several cannabis advocacy groups without a history of credibility.

Familiarization: Repeated readings of the data allowed for a deep understanding of the content.

Theme Development: Potential patterns and themes were identified in the data that reflected the central issues and topics within the study. Using multiple data sources to corroborate the findings allowed me to identify the “main concerns.” [Issues that were specifically and repeatedly mentioned in the majority of Mississippi law enforcement and legal professional’s statements].

Finalization: The data sources I chose to proceed with were ones that I found to be “High-Quality Sources” [clear attribution, reputation for accuracy, relevance to
Mississippi]. The findings were refined to ensure they were accurate encapsulations of the collected data. This final report summarizes the main ideas found in my research.

This analysis of the collected data through a thematic approach is consistent with Merriam’s methodology, which involves identifying patterns and themes that help illuminate the case being studied. In this study, themes related to law enforcement adjustments and legal adaptations were explored in depth, providing insights into the broader implications of medical marijuana in Mississippi.
CHAPTER 4: FINDINGS

The findings aim to shed light on the challenges the introduction of medical marijuana imposes on Mississippi’s law enforcement agencies and legal practitioners. Their ability to successfully navigate the challenges of this emerging industry will require a comprehensive understanding of the new legislation. Law enforcement officers will need to adapt to changes in what constitutes lawful versus unlawful marijuana use while grappling with the broader public safety implications this policy change brings to Mississippi. Legal professionals are tasked with interpreting and navigating a legal landscape that is still in its formative stages, marked by a lack of precedent and evolving regulations.

Overview of Collected Data

The data was collected from a variety of sources and provides insight into the experiences of Mississippi’s law enforcement agencies and legal professionals following the legalization of medical marijuana. This includes opinions and experiences from law enforcement leaders, insights from legal professionals within the cannabis industry, and the legal battle of a medical marijuana dispensary owner against Mississippi’s cannabis advertising restrictions. The data encompasses ethical opinions, the Mississippi Bar’s recommendations, employer policy considerations, and broader criminal justice implications. By analyzing these sources this study hopes to capture the complexities of this significant policy change across different sectors. The analysis of the collected data
revealed several key themes and patterns in the experiences of stakeholders following the introduction of this new legislation.

**Enforcement Challenges and Regulatory Adaptation**

The medical marijuana program has ushered in a complex series of enforcement challenges and highlighted the need for regulatory adaptations from law enforcement and legal professionals. Law enforcement agencies are engaging with state officials for specialized training as leaders emphasize the need for adaptability and readiness to address unforeseen challenges this new legislation brings (Schnugg, 2023). Legal professionals have looked to the Mississippi Bar Association for guidance concerning the ethical challenges imposed by assisting clients with compliance with the Mississippi Medical Cannabis Act (The Mississippi Bar 2022).

Local leaders, like those featured in the Picayune Item piece, have expressed concerns regarding the security measures at dispensaries and grow sites (Pittari, 2022). The lack of specific guidelines for the placement of these facilities, especially in rural areas without established zoning laws, raises concerns about their vulnerability to theft. Law enforcement will need to establish strategies to ensure the safety of these establishments that balance with the rights of business owners. Concerns over potential loitering and the illicit resale of medical cannabis will necessitate a proactive approach to community policing. The outcome of these efforts will affect the safety and aesthetics of our local communities. The impacts of increased access to cannabis on communities already grappling with drug addiction and overdose rates will also need to be observed closely.
The Mississippi Bar’s Ethics Opinion No. 265 sheds light on the ethical dilemmas faced by attorneys providing legal services to clients in the medical cannabis industry (The Mississippi Bar 2022). The opinion highlights the tension between state laws permitting medical marijuana and federal statutes that criminalize it. Legal professionals must navigate this conflicting legal environment to offer counsel within the bounds of ethical conduct (Kellogg, Anderson, & Michiels, 2022; Veazey, 2022). This dual allegiance has prompted cries for clarity and consistency in the state’s regulations to help attorneys serve clients without compromising their professional integrity. This conflict between state and federal law will likely require regulatory adaptations to protect our state’s legal professionals as the implications of this new policy become clearer over time.

Several Mississippi attorneys highlighted the potential impacts medical marijuana’s legalization poses to employment policies and workplace practices (Phelps, 2022; Lindsay 2022; Cannady, & Dumas, 2023). While the current regulations do not require employers to accommodate medical cannabis patients in any way, companies who wish to remain competitive in attracting employees could be wise to reassess their drug testing policies and consider accommodating employees who are medical marijuana patients (Jaeger, 2023). The challenge will lie in striking a balance between accommodating legitimate medical use and maintaining a safe and productive work environment. The answers to these questions will vary greatly depending on the industry, the workplace environment, the machinery used, and the job duties of each employee. Employers will need to gain a strong understanding of the legal protections that are
afforded to patients as well as the development of clear and fair employment policies that address the use of medical cannabis both within and outside of the workplace.

Law enforcement agencies must adapt to changing priorities and could benefit from a shift in focus from the prosecution of marijuana possession to the enforcement of regulations governing legal medical use (Bailey, 2021; Stanton, Makin, Stohr, Lovrich, Willits, Hemmens, Meize, Bowers, & Snyder, 2021; Compton, 2017). This transition presents challenges in terms of resource allocation, officer training, and community relations. It also prompts a reevaluation of arrest and prosecution practices with a potential decrease in cannabis-related arrests offering an opportunity to redirect law enforcement resources toward more pressing public safety concerns.

**Economic Opportunities vs. Regulatory Constraints**

The reports from other states as well as early trends in Mississippi indicate that this new program has opened the door to new economic opportunities with the creation of cultivation sites and dispensaries promising job creation and new sources of tax revenue for our state (Barcott & Whitney, 2022; Herrington, 2022). The ability of local governments to opt out of the program also allowed for a more tailored approach to cannabis businesses, laying the groundwork for a regulated market that can grow over time. However, this economic optimism is tempered by a series of legal hurdles, particularly in the realms of advertising and zoning laws (Harrison, 2023; Goldberg, 2024; King, 2024). Clarence CoCroft II’s lawsuit brings attention to the strict limitations Mississippi has placed on cannabis businesses and illustrates the friction between state-imposed restrictions and the First Amendment rights of business owners (Goldberg, 2023). Conflicts like these showcase the difficulty business owners face trying to
navigate state legalization efforts and federal law (Schiller, 2024). This case is an example of the importance of creating regulations that can respect the rights of business owners to promote their legal products while ensuring that advertising practices are in line with the Mississippi Department of Health’s objectives.

The path forward for Mississippi’s medical cannabis businesses requires cooperation between business owners and law enforcement to work together to navigate the economic opportunities and regulatory constraints. For law enforcement and legal professionals, the focus is on developing policies that address these concerns in a manner that maximizes the economic benefits while minimizing potential drawbacks to local communities. The disputes over advertising restrictions showcase the need for ongoing advocacy to ensure that cannabis businesses can compete on an even playing field with other legal industries. Mississippi finds itself at a crossroads with medical cannabis offering a promising avenue for economic development but challenged by significant public welfare concerns. Balancing these will require a collaborative effort from state officials, law enforcement, legal professionals, and business owners to create an environment that supports both economic growth and community well-being.

Public Safety and Responsible Use

A recurring concern is ensuring public safety and promoting the responsible use of medical marijuana. Law enforcement leaders have apprehensions regarding the potential public safety implications ranging from the management of dispensaries and grow sites to the potential increase in drug addiction rates and the risk of “doctor shopping” and other fraudulent activities associated with medical cannabis prescriptions (Carter, 2020). Pearl River County Sherriff David Allison and Picayune Police Chief Joe
Quave have articulated these challenges emphasizing the need for clear regulations, and expressing concern about the locations of dispensaries due to the county’s lack of zoning laws (Pittari, 2022). These concerns are echoed in broader discussions about the implications of cannabis legalization for law enforcement practices and public safety protocols. The studies reviewed have highlighted the importance for law enforcement agencies to adapt to the new regulations, balancing the enforcement of cannabis laws with the realities of a legal medical cannabis market (Bailey, 2021; Stanton, Makin, Stohr, Lovrich, Willits, Hemmens, Meize, Bowers, & Snyder, 2021).

Amid these challenges promoting medical marijuana’s responsible use among patients has become paramount. The implementation of educational initiatives and clear guidelines for patients and providers is critical in ensuring that medical cannabis serves its intended therapeutic purposes without contributing to broader public health and safety issues (Clobes, Palmier, Gagnon, Klaiman, & Arellano, 2022). Collaboration among medical professionals, legal experts, and community leaders is essential to develop and distribute information on safe consumption practices, the legal rights and responsibilities of patients, and the potential risks associated with cannabis use. Efforts to integrate medical marijuana into the broader healthcare network in Mississippi must prioritize patient education and public health.

**Adaptation and Learning**

Mississippi’s law enforcement agencies are at the forefront of the challenges introduced by this program. As highlighted by the testimonies from local law enforcement leaders, there is a critical need for clear guidance and regulations to effectively manage dispensaries and grow sites (Pittari, 2022; Bakken, 2020). These will
help to address the present concerns surrounding community safety and prevent possible illegal activity stemming from the new industry. Ongoing training and education will be needed for law enforcement officers to navigate this uncharted territory for our state successfully (Stanton, Makin, Stohr, Lovrich, Willits, Hemmens, Meize, Bowers, & Snyder, 2021). The state’s attorneys are also facing a steep learning curve as The Mississippi Bar grapples with complicated ethical considerations surrounding advising clients in the cannabis industry on the conflicts between state and federal policies (The Mississippi Bar, 2022; Kellogg, Anderson, & Michiels, 2022).

For business owners like Clarence Cocroft II, adaptation involves challenging strict regulations to secure their business’s positions in an emerging and lucrative industry (Goldberg, 2023; Goldberg, 2024). His case against the state’s advertising restrictions exemplifies the proactive steps business owners are taking to advocate for their First Amendment rights and create a fair playing field for small business owners.

Stakeholders on all sides are recognizing the importance of community engagement and education in fostering a community of responsible use and understanding of medical marijuana. Efforts to educate patients, providers, and the public about safe consumption practices, legal responsibilities, and the health implications of cannabis use will be needed to mitigate the potential public health risks (Clobes, Palmier, Gagnon, Klaiman, & Arellano, 2022).

Community and Network Building

The emergence of medical cannabis in Mississippi has strengthened collaborative networks aimed at promoting a healthy dialogue among industry stakeholders. For law
enforcement, this has meant engaging with community leaders, health professionals, and legal experts to develop informed approaches to enforcement policies. This collaboration is critical in addressing communities’ concerns over public safety and ensuring law enforcement officers are adequately trained and prepared to handle the nuances of medical cannabis regulations. For legal professionals, organizations such as The Mississippi Bar will be crucial in facilitating discussions around the ethical complications of navigating the state’s regulations against the backdrop of ongoing federal prohibition. Through seminars and workshops, these networks are vital in disseminating knowledge and creating a shared understanding of the legal challenges of the cannabis industry.

For business owners, community building involves engaging with customers, other business owners, and advocacy groups to advocate for more favorable regulatory conditions. Efforts from business owners such as Clarence Cocroft II showcase how business owners are actively fighting to protect their interests and those of the broader medical cannabis community. By leveraging these platforms Mississippi’s entrepreneurs can share insights and best practices for operating within the state’s regulatory structure.

Patient advocacy groups and Mississippi’s medical professionals also have important roles to play (Mississippi Medical Marijuana Association; Mississippi Minority Cannabis Alliance). By building networks aimed at educating patients about the therapeutic benefits of cannabis, safe consumption practices, and their legal rights we can foster an informed and responsible patient community.
For Law Enforcement

The discrepancy between state-sanctioned medical use and ongoing federal prohibition creates a complex situation requiring significant training from our local law enforcement agencies. These challenges are further compounded by the need to ensure public safety, particularly with driving under the influence and public consumption of marijuana, which remain illegal even for patients (Carmody, 2022). Law enforcement must be vigilant in monitoring for patterns of abuse while respecting the rights of legitimate cardholders to minimize the potential for “doctor shopping” and the misuse of medical marijuana cards. This delicate balance requires officers to be well-versed in the specifics of the state’s medical marijuana legislation, including patient rights, possession limits, and the nuances of legal use as outlined by the Mississippi Department of Health.

While initially resistant to the medical marijuana initiative (Niemeyer, 2020), the Oxford Police Department and Lafayette County Sheriff’s Office have pivoted towards a more accommodating stance in response to the new legislation. With dispensaries now operational in Oxford, both law enforcement agencies have actively sought training from the Mississippi Department of Revenue’s Alcohol Beverage Control Enforcement Division to train officers on understanding the complexities of the new program. This shift towards embracing an educational approach reflects a broader willingness to adapt to changing laws for the betterment of community policing. Lafayette County Sherriff Joey East encapsulated this adaptive ethos by stating “The real answers will come as officers begin to encounter people during stops. We will wait and see and continue to learn the process and figure it out, sometimes on the fly.” (Schnugg, 2023). This sentiment reflects the realistic approach adopted by our local law enforcement agencies.
By acknowledging the inevitability of on-the-ground learning and the importance of flexibility, law enforcement hopes to ensure that those legally entitled to cannabis are protected, while also enforcing laws against its illegal use. This proactive stance of both departments highlights their commitment to ongoing training and education that aims to align law enforcement practices with the realities on the ground in Mississippi.

For the Legal Community

The new legislation necessitates adaptation in practice areas ranging from regulatory compliance to criminal defense. Legal professionals like Slates C. Veazey exemplify the proactive approach taken by many legal professionals to engage with this emerging area of law (Veazey, 2022). His decision to join his firm’s Cannabis Industry Team shows how this involvement goes beyond reading the legislation and requires a deep dive into the regulations, operations, and legal challenges posed by this new industry. Mississippi’s legal professionals have been tasked with navigating a rapidly evolving regulatory framework while advising clients on how to comply with the strict regulations. This task is complicated by the challenges of guiding businesses through the licensing process, advertising restrictions, and zoning laws while facing the implications of both state and federal law. Our state’s attorneys and paralegals must gain a thorough understanding of both the state and federal laws, staying up to date on legislative changes and court rulings that impact the industry.

These challenges create numerous business opportunities for attorneys such as forming new business entities, negotiating contracts, and advising on issues specific to the cannabis industry (Reeves, 2024). For business owners, the ongoing federal prohibition of marijuana presents challenges to banking and insurance requiring them to
work together with legal professionals to come up with innovative solutions where federal and state laws diverge (Khader, 2022). As the industry expands the legal challenges against state regulations and advertising restrictions will continue to emerge, and the need for attorneys with understanding of the nuances of the Medical Cannabis Act and its implications will only grow.
CHAPTER 5: DISCUSSION

The legalization of medical marijuana in Mississippi has introduced significant changes prompting a reassessment of law enforcement policies and legal practices. This section analyzes the implications of these changes by drawing from the study’s earlier findings to make practical suggestions for policymakers, law enforcement agencies, and legal professionals.

Understanding the Findings

A recurring theme across the study was the need for adaptation from law enforcement agencies to tackle the challenges medical marijuana brings to policing. These include the development of new law enforcement protocols that respect the rights of medical marijuana patients while still protecting public safety. This process is not just procedural but requires a cultural shift within law enforcement to align with society’s changing attitudes toward marijuana. Similarly, the findings reinforce the importance of targeted training programs designed to educate officers on the specifics of the Mississippi Medical Cannabis Act, emphasizing the importance of distinguishing between legal and illegal cannabis use.

Mississippi’s legal professionals must also make significant adjustments. The study’s findings highlight the challenges faced by attorneys and other legal advisors in keeping up with the evolving regulations and grappling with the ethical challenges posed by the state-sanctioned medical use of marijuana as opposed to federal prohibition. This
requires a dynamic approach to legal practice where attorneys not only seek to understand the law but also engage in broader discussions on the implications for clients within the cannabis industry. The role of the Mississippi Bar Association in providing guidance and continuing legal education is crucial in supporting the state’s legal professionals through this transitional phase. The emerging body of case law related to medical marijuana will introduce new legal precedents setting the stage for an ongoing learning process for the legal community.

The economic effects of medical marijuana legalization in Mississippi present many promising opportunities but also new challenges for aspiring entrepreneurs. On the one hand, the establishment of a legal medical marijuana industry introduces significant opportunities for job creation and tax revenue generation that will contribute to the state’s economic growth. On the other hand, the stringent regulatory environment surrounding advertising restrictions and zoning laws poses significant hurdles to maximizing these economic benefits. This tension highlights the need for a nuanced approach to policy development that can support the growth of the medical marijuana industry within Mississippi while ensuring it operates within a framework that protects public health and social welfare.

Concerns for public safety remain prevalent among law enforcement officials, particularly apprehensions about the potential for increased DUI incidents and the security of dispensaries and grow sites. Calming these worries will require developing strategies that include public education efforts on the responsible use of medical marijuana and re-iterating the strict enforcement of DUI laws. The findings suggest a critical role for collaboration between law enforcement, healthcare providers, and...
business owners in promoting a culture of safety and responsibility among patients and the broader community.

The study’s findings point to the need for policy adjustments to better address these challenges introduced by medical marijuana legislation. Policymakers are urged to refine regulations to aid law enforcement efforts and to create a supportive environment for the emerging legal marijuana industry. This includes establishing clear rules on possession and use to aid law enforcement in distinguishing lawful medical marijuana use from illicit. As the industry grows lawmakers must consider the broader economic impacts of the medical marijuana industry and make reforms where necessary. The path forward will require continued dialogue, education, and adaptive-policy making to ensure the responsible integration of medical marijuana into Mississippi society. Balancing economic opportunities, public safety, and the therapeutic benefits for patients, policymakers can create a medical marijuana program that works with law enforcement efforts, not against them.

Recommendations for Law Enforcement and Legal Professionals

Based on the insights gained from this study several recommendations are proposed for law enforcement and legal professionals:

Comprehensive Training Programs – Many law enforcement officers feel as though they lack the necessary training and direction to handle this major shift in drug policy (Stanton, Makin, Stohr, Lovrich, Willits, Hemmens, Meize, Bowers, & Snyder, 2021). Based on these findings it is recommended that law enforcement agents receive thorough training that covers the legal aspects of medical marijuana use, the rights of patients, and
strategies for balancing enforcement with maintaining healthy community policing.

Training on the identification of patients, their required documentation, as well as the nuances of state versus federal law is recommended. The development of a mix of in-person workshops, online modules, and scenario-based training exercises could help to ensure understanding and statewide accessibility.

**Smart Allocation of Resources** – To address the concerns raised by law enforcement officials such as Madison County Sheriff, Randy Tucker (Ulmer, 2020), and Pearl River County Sheriff, David Allison (Pittari, 2022), over the lack of necessary funding and law enforcement resources, agencies could consider dedicating specialized units and resources to handle cannabis-related matters more efficiently. A database system to track legal dispensaries and verify patients’ cards would likely improve the on-the-ground experience of officers. Cooperation between agencies to share resources and expertise is vital, especially in rural areas with limited local law enforcement capabilities.

**Educational Campaigns for the Public** – The conclusions of (Clobes, Palmier, Gagnon, Klaiman, & Arellano, 2022) highlight the positive impacts educational initiatives have on the implementation of medical cannabis policy. Continued efforts from the Mississippi Department of Health and patient advocacy groups to educate the public on responsible medical marijuana use and the legal requirements of patients, dispensaries, and the broader public. Leveraging social media, local news outlets, and community town halls could help to reach a broader audience.

**Professional Development for Legal Experts** – Based on analysis of testimony from cannabis law experts such as Slates C. Veazey (Veazey, 2022) and the American Bar Association (Kellogg, Anderson, & Michiels, 2022) on the evolving legal landscape
surrounding Mississippi’s medical cannabis program, it is recommended that lawyers and other legal professionals explore cannabis laws, supported by continuing education opportunities to build a network of experts proficient in navigating the industry’s legal complexities. The creation of a specialized accreditation for attorneys who wish to practice in cannabis law could ensure a high standard of expertise. The Mississippi Bar Association should continue to provide CLEs where legal professionals can share experiences and strategies related to medical marijuana cases.

**Engagement in Policy Making** – Based on my analysis of the rapidly evolving regulatory environment surrounding medical marijuana, both law enforcement and legal professionals are encouraged to actively participate in policy development, using their experiences and insights to shape more practical and effective regulations. The formation of advisory panels composed of law enforcement officials and legal experts to provide testimony and input during public hearings on medical marijuana regulations could be a practical step in achieving this cooperation.

**Collaboration Across Agencies** – The study’s findings suggest cooperation between law enforcement, the legal community, healthcare providers, and the medical marijuana industry is crucial. This collaborative approach can ensure a unified strategy in regulating, enforcing, providing patient care, and facilitating the smooth integration of this emerging industry into Mississippi’s society. Annual or bi-annual conferences to bring together these stakeholders to discuss industry trends, challenges, and opportunities for collaboration could facilitate these discussions. The creation of an online repository where agencies can share policies, training materials, and other resources could help to disseminate this information across the state.
Many law enforcement agencies and legal professionals in Mississippi have already begun to implement some of these recommendations. These proactive steps are commendable and reflect a commitment to adapt practices to this emerging industry. However, it is important that these efforts not only continue but remain a central priority.

The dynamic nature of medical marijuana policy coupled with emerging research and studies specific to Mississippi’s unique context necessitates an ongoing commitment to education and collaborative problem-solving. By maintaining focus on these areas, law enforcement and legal professionals can ensure they are well-equipped to meet the challenges and opportunities the legalization of medical marijuana brings to the state.
CHAPTER 6: CONCLUSION

This concluding chapter highlights the key findings of my study, explaining how these relate to my initial research questions, and reflections on medical marijuana’s broader implications for Mississippi’s future. It also seeks to identify key areas for future research while considering the dynamic nature of medical marijuana policy and its impacts on society.

Response to Research Questions: A Summary of Findings

The study has explored the impact of the Mississippi Medical Cannabis Act on Mississippi’s law enforcement and legal communities. This section summarizes how my initial research questions have been addressed through the findings.

Research Question 1: What are the main concerns of Mississippi’s law enforcement agencies regarding the legalization of medical marijuana?

The primary concerns identified involve the complexities of enforcing new regulations within an evolving legal framework. Law enforcement agencies are particularly worried about the challenges of distinguishing legal from illegal marijuana use and a potential increase in DUI offenses. The findings indicate that these concerns will require revised training protocols and updated enforcement strategies to effectively manage these challenges.
Research Question 2: How are legal practitioners in Mississippi adapting to the changes brought on by the new medical cannabis industry?

Legal professionals in Mississippi are adapting by gaining knowledge and skills relevant to the cannabis industry. The Mississippi Bar Association has played a crucial role in facilitating this education through seminars aimed at informing the state’s legal practitioners of the intricacies of cannabis laws. This proactive approach is helping to create a well-informed legal community capable of guiding clients through the emerging regulatory landscape.

Research Question 3: What are the implications of the legalization of medical marijuana on public safety and the strategies of law enforcement in Mississippi?

Medical marijuana has significant implications for public safety that prompt law enforcement agencies to re-evaluate existing strategies to address the realities of the cannabis industry. There is a coordinated effort from law enforcement agencies to develop targeted training programs that emphasize the legal nuances of policing medical cannabis. This training aims to reduce potential public safety risks and enhance the readiness of officers on the ground.

Research Question 4: How do current news stories and public opinion reflect the evolving legal and social attitudes toward the state’s medical marijuana industry?

My analysis of news reports and public statements showed a notable shift in public opinion towards a more favorable view of medical marijuana, driven by its medical benefits and the industry’s economic potential. This shift is influencing policy
discussions and fostering a more supportive environment for the growth of the medical cannabis industry in Mississippi.

Reflecting on the Study's Implications

The findings of this study extend beyond the immediate context of Mississippi to offer insight into the challenges that conservative states may face as they seek to create their own medical marijuana legislation. Key takeaways were the critical roles of education and collaboration in adaptive policy-making. This collaboration is essential in creating an environment where medical marijuana can be accessed safely and responsibly by patients while ensuring public safety and compliance with the state’s regulations. The economic strength of the medical marijuana industry suggests large possibilities for future growth. However, this potential must be balanced with careful regulatory and policy approaches to mitigate any adverse social impacts. Many of the fears law enforcement officials have expressed are rooted in historical stigmas of marijuana use. Research and studies analyzing Mississippi’s specific context and experiences will be needed to fully understand the outcomes of this program in the future.

Areas for Future Research

While this thesis provides a foundational understanding of the impacts of the Mississippi Medical Cannabis Act several areas warrant further research:

Long-Term Studies – Future research should aim to understand the long-term effects of medical marijuana on public health, crime rates, and the state’s economy.
**Patient-Centered Research** – Research focusing on the experiences of medical marijuana patients in Mississippi could provide a deeper understanding of access issues, treatment effectiveness, and patient satisfaction.

**Economic Impact Studies** – A detailed analysis of the economic impacts of the medical cannabis industry in Mississippi that includes job creation and tax revenue generation would provide valuable data for policymakers and business owners.

**Social Equity** – Further investigation into the social equity aspects of the medical cannabis program including its impact on communities disproportionately affected by previous marijuana enforcement policies would help ensure Mississippi’s commitment to civil rights.

The legalization of medical marijuana marks a significant milestone in the state’s approach to healthcare. From ballot initiative to legislation, this program has ushered in shifts in public perception, substantial policy changes, and a reassessment of practices within law enforcement and legal circles. The journey ahead will undoubtedly require continued adaptation and research to help our state tackle the challenges of this emerging industry. Additional research and policy refinement will allow Mississippi to foster an environment of collaboration and innovation to ensure that the integration of medical marijuana into society serves the well-being of the state’s citizens by respecting the rule of law and contributing to the state’s economic vitality.
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[2-1] Dispensary Opt-Out Map (Mississippi Department of Revenue February 12, 2024)
"The work done by the MSDH Office of Medical Cannabis and the Department of Revenue in the first year of the program has been tremendous. Our top priority continues to be the patients who are finding relief from debilitating conditions through the medical cannabis program. We look forward to continually improving the process for both patients and businesses to keep the program running efficiently, with oversight of compliance and regulatory standards set in place." — Dr. Daniel Edney

**MMCP Program 1st Year**

- **32,000**
  - There were just over 32,000 patients and 1,890 caregivers in Mississippi that received certification from physicians for medical cannabis cards.

- **393**
  - 393 medical cannabis establishments hold licenses to operate. Please see the enclosed data for a breakdown of types of licensed medical cannabis establishments.

- **3,099**
  - 3,099 individuals hold permits, allowing individuals to gain employment in Mississippi's medical cannabis industry.

- **$8,782,730**
  - In 2023, the Medical Cannabis Program generated $8,782,730 in application and licensure fees.

- **$2,345,387**
  - **$949,641**
  - The program has netted $949,641.72 in Cannabis Excise Tax and $2,345,387.18 in Cannabis Sales Tax.

- **$44,407,373**
  - $44,407,373.00 has been generated in retail sales of medical cannabis since the first sales occurred in late January 2023.

[2-2] Mississippi Medical Cannabis Program First Year (Adams, 2024)

[2-5] Marijuana Tax Revenue (Colorado Department of Revenue)

In Mississippi, which decriminalized marijuana in 1978, racial disparity is lower than average, with Black people 2.7 times more likely than white people to be arrested for marijuana possession. Hancock County has the highest racial disparity in the state.

Rates of [Black arrests] compared to [white arrests] for marijuana possession per 100k people

[2-6] Racial Disparity in Mississippi Marijuana Arrests (ACLU, 2020)
Mississippi Nonmetro Population

2,958,846
Estimated population

1,503,102 (50.8%)
People living in nonmetro areas