

Lesson Plan: The History of America's Weed Laws

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Featured resource

KQED's The Lowdown: [Reefer Madness, the Twisted History of America's Weed Laws](#)



Katherine Hitt/Flickr

Mashable Explains: [The History of Marijuana in the U.S.](#) (2:30)

Opening quick write prompt:

Recreational marijuana is now legal for adults 21 and over in California and five other states. What is your opinion of legalizing marijuana for recreational (non-medical) use? Do you think this is a positive or negative step for a state to take? Explain.

A quick write allows students to write down their thoughts before discussing the opening question in order to increase participation and make the discussion more accessible to English Language Learners.

Objective

- Students will analyze the current and historical laws around marijuana usage in the United States.
- Students will evaluate and reflect on the reasons behind marijuana's criminalization and recent legalization.

Essential Question and Lesson Context

Why was marijuana criminalized starting in the early 20th century? What factors have led to marijuana being legalized for both recreational and medical use in the last 20 years?

On Jan. 1, 2018, recreational marijuana became legal in California, making it the sixth state to legalize weed for non-medical use--though marijuana remains illegal at the federal level and subject to the strictest penalties. But weed hasn't always been considered a dangerous drug. In fact, hemp was widely grown by early American farmers and included as an additive to medicines in the 1800s. It wasn't until the arrival of Mexican immigrants (who gave us the term "marijuana") in the 1910s that public attitude began to change. Racism and anti-immigrant sentiment during the Great Depression caused marijuana became associated with the "dangerous" underclass. The newly formed Federal Bureau of Narcotics took a hard line on weed. When cultural attitudes relaxed in the 1960s, the Nixon administration doubled down on marijuana criminalization. It wasn't until research from other countries showing the medicinal properties of marijuana surfaced that new legalization efforts gained ground. Currently, marijuana is legal either recreationally or medically in 29 states and the District of Columbia.

Key vocabulary

Pre-teach key vocabulary before students do the reading, especially if you have English Language Learners. After going over the simple definition, consider providing a visual aid or having students draw one. More ideas for how to pre-teach vocabulary can be found [here](#).

Word	Simple definition
encroach (v.)	To go beyond the usual or expected limits <i>Many anti-immigrant politicians in the 1930s worried that marijuana was encroaching on non-immigrant communities.</i>
illicit (adj.)	Unlawful or illegal, not morally acceptable <i>Marijuana was considered an illicit drug in the early 20th century, but this started to change in the 1960s.</i>
lenient (adj.)	Not strict or harsh <i>In some states, law enforcement officials take a lenient approach to marijuana drug laws. In other states, these laws are strictly enforced.</i>
lucrative (adj.)	Producing money or wealth <i>Once marijuana is legalized, it becomes an extremely lucrative business. States can tax the sale of legalized weed and bring in billions of dollars.</i>
regulate (v.)	To make rules or laws to control something <i>Legal marijuana sales in California are regulated by a state agency called the Bureau of Marijuana Control.</i>

Investigate

- Discuss the quick-write prompt to gauge students' opinions about legalized marijuana. (**Note:** If needed, reinforce classroom norms around respectful discussion. [Here](#) are ideas for creating a safe space to discuss difficult subjects.)
- **Explain:** Marijuana is increasingly viewed in some states as a substance to be controlled, but not criminalized—similar to the way society treats alcohol as opposed to the way we treat heroin. In fact, marijuana is legal either for recreational or medical use in 29 states.
- **Ask:** How do you think we got to this moment in history, where many states are legalizing marijuana in some form? Call on students to share their ideas.
- **Explain:** Marijuana didn't become illegal until 1937. It was used in medicines and farmers also grew hemp, which is a different form of the plant. Marijuana isn't the only drug that wasn't

regulated before the 20th century. Cocaine and heroin were also legal in the 1800s. But looking back on the history of marijuana, we can analyze the factors led to its criminalization, and many had nothing to do with health.

- **Optional but recommended:** Watch [The History of Marijuana in the U.S.](#) (2:30), which provides a brief overview of marijuana criminalization and recent legalization. (**Note:** *This video was made before recreational marijuana became legal in California, Alaska, Nevada and Oregon.*) For background on medical marijuana, watch [Above the Noise: Is Marijuana Actually Medicinal?](#) (4:46). This video also gives a brief historical overview of marijuana laws.
- **Check for understanding after the video:** What factors led to marijuana being criminalized? On the board make a t-chart with the headers: Why was marijuana criminalized? and Why was marijuana legalized? From the video, students can list a few factors that led to criminalization. The video discusses legalization but not its causes.
- In small groups or individually, students read [The Lowdown](#) post, which takes a deeper look into the history of marijuana laws in the United States. As they read, students should make note of further causes of criminalization as well as factors that led to legalization in some states.
- **Check for understanding after reading the Lowdown:** Call on groups or individuals to complete the t-chart with the factors that led to marijuana criminalization and legalization.
- **Transition to the Make and Share:** Tell students they will have a chance to share their thoughts on this issue in the comments section of The Lowdown. The first time they comment, students must sign in to [Disqus](#), a free discussion app embedded in The Lowdown.
 - To sign in to [Disqus](#), click the “Comments” button at the bottom of the post.
 - Click the blue “Get Started” button in the gray “Welcome to Disqus” box.
 - Students will need to enter a username. We recommend first name, last initial.
 - After signing in for the first time, students must verify their email address before commenting. A verification email will appear in their inbox once they sign in to Disqus.

Make and share

- Individually or in small groups, students post in the comments section in response
 - Responses should be supported by evidence from [The Lowdown post](#).
 - Encourage students to reply to other comments after posting their response. Remind them to use evidence to support their claims and respectful language when responding.
- Students can write their own response or use the following questions as a starting point:
 - What is the most surprising or interesting thing you learned about the history of marijuana laws? Explain using evidence from The Lowdown post.

Assessment/reflection

- Students reflect on what they have learned either through a class discussion or in writing:
 - What have you learned about the history of marijuana laws and the way they've changed over time? Did your opinion change or stay the same as you learned more about the issue?
 - What was it like to post your responses publically and reply to other posts? What did you learn from other students? What do you hope they learned from you? What will you do the next time you post a comment in response to The Lowdown?

Circle chats, small-group discussions and [think-pair-share](#) provide a safer space for students to practice speaking and listening, and also boost participation during whole-class discussions.

Extension/homework

Write/speak locally: Students turn their opinions about the legalization of marijuana into a letter, short speech or presentation, then research ways to make their voice heard in their community. (Example: Speaking during the public comment section of a city council meeting, posting on an online forum, etc.) For a list of how to contact local officials in your area, check out [KQED Learning's Local Election Toolkit](#).

Common Core standards

CCSS.ELA-Literacy.CCRA.R.1	Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.
CCSS.ELA-Literacy.CCRA.R.7	Integrate and evaluate content presented in diverse media and formats, including visually and quantitatively, as well as in words.
CCSS.ELA-Literacy.W.1	Write arguments to support claims with clear reasons and relevant evidence.