



The Policy Studies Organization

Dupont Summit 2014

..... Science, Technology, and Environmental Policy Issues

December 5, 2014 ♦ Historic Whittemore House, Washington, DC

Panel

"At Crossroads: Future Implications for Drug Policy"

"Is Marijuana Legalization a Man Made Public Health Disaster Currently Unfolding in Two State 'Laboratories' in the US?"

Paula Gordon – *Lifeboat Foundation*

If marijuana use has significant consequences for mental and physical health, and social and public health in general, why would anyone want to legalize it? Do those promoting its legalization know of the latest research findings? Do they know that marijuana use has now been shown to profoundly affect the functioning of the brain and IQ of those under the age of 25, individuals whose brains are still developing? Do they know that the THC content of marijuana today is exponentially higher than the THC content of marijuana that was widely available several decades ago?

There are decade's worth of research findings on the harmful psychological, mental, and physical effects of marijuana use, including effects on the unborn and the offspring of users. Hundreds of references can be found in reports and articles at <http://GordonDrugAbusePrevention.com>. Perhaps, most compelling of all, however, are the findings that were discussed by Dr. Nora Volkow, Director of the National Institute of Drug Abuse, and the Dalai Lama. The videotaped exchange took part in November of 2013 in India and focused on the effects of mood-altering substances, including marijuana. Compelling brain scan research results were shown in the video of that discussion at <http://dalailama.com/webcasts/post/300-mind-and-life-xxvii---craving-desire-and-addiction/4588>. New knowledge concerning the permanent harmful effects of marijuana on the developing brain were also discussed. Proponents of legalizing the recreational use of marijuana may well change their views if they see that video.

Proponents of legalization seem to be ill-informed or uninformed concerning the effects of today's marijuana. How else might the arguments of the proponents of marijuana legalization be characterized? Some major arguments will be examined including the following: A Libertarian Argument, A Social Justice Argument, Economic Advantages Arguments, A States Right Argument, A Tax Revenue Argument. Possible responses to each of these arguments will be posited.

It would seem to be magical thinking (ironically, an effect of marijuana use) to assume that the use of marijuana could be widely legally sanctioned and that its use would not spread by leaps and bounds throughout society. The presenter concurs with the authors of the 2012 Report of Organization of American States on "The Drug Problem in the Americas" when they discuss the profound implications of legalization and recognize that

Even with relatively restrictive regulation, the result of legalization is likely to be expanded use and dependency (p. 94).

A simple alternative to legalization if a society values the social and public health of its citizenry is to keep marijuana use illegal and remand users to "in lieu of prosecution" programs such as drug court programs and other counseling, educational, and treatment-oriented programs. That way both the individual and society would be the beneficiaries.



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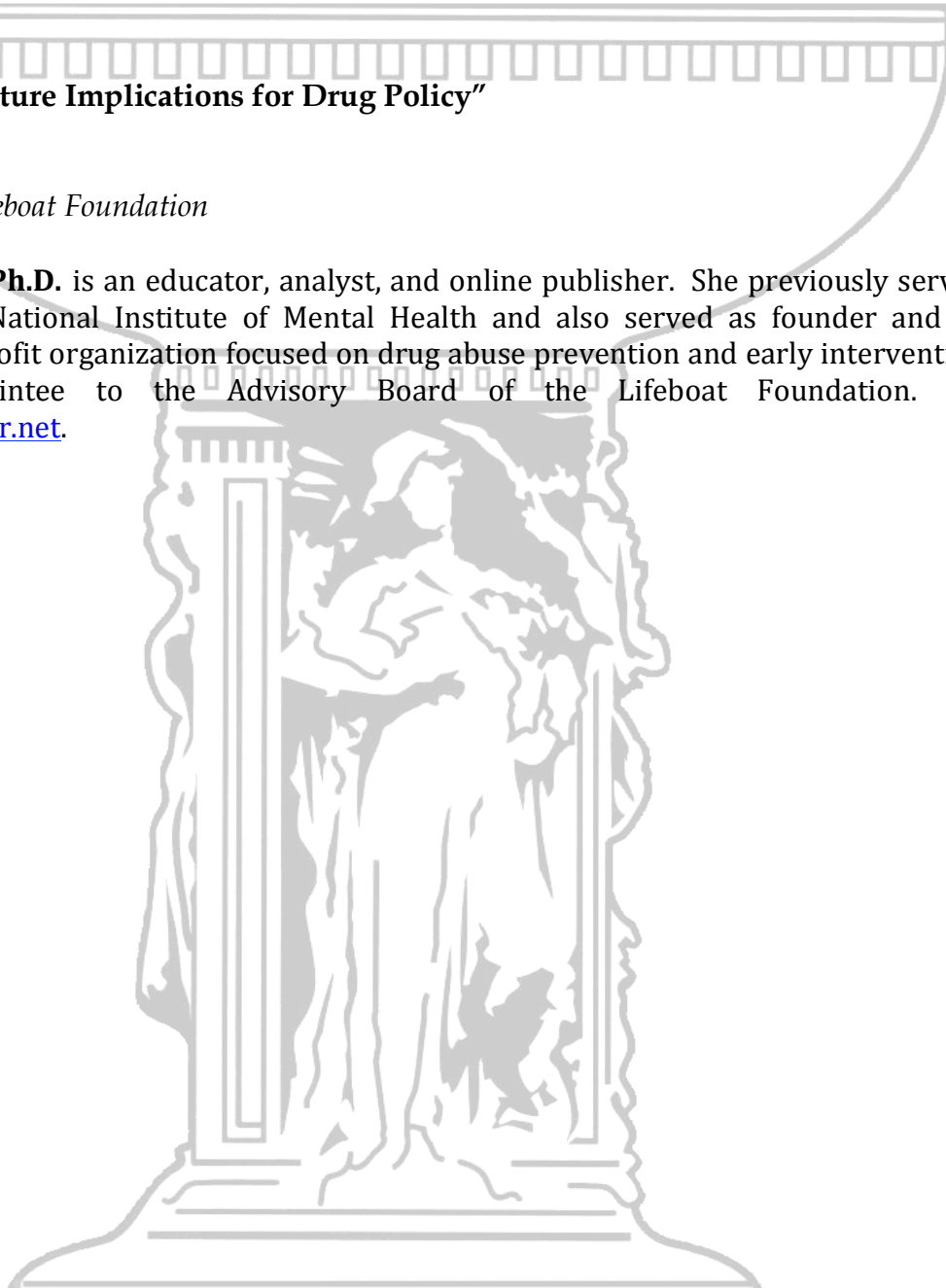
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"At Crossroads: Future Implications for Drug Policy"

Biography

Paula Gordon – *Lifeboat Foundation*

Paula D. Gordon, Ph.D. is an educator, analyst, and online publisher. She previously served as a consultant to the National Institute of Mental Health and also served as founder and former director of a non-profit organization focused on drug abuse prevention and early intervention. She is also an appointee to the Advisory Board of the Lifeboat Foundation. E-mail: pgordon@starpower.net.





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"It All Comes Down to Prohibition"

Major (ret'd) Neill Franklin - *Law Enforcement Against Prohibition*

What does our criminal justice world look like now? An illegal marijuana marketplace where sales are made anywhere, with no control over customer's age limits, no control over the quality of production, no control over the benefits of the product, no control over time of sale, who sells it, and not even control over how it is grown. Indeed, the entire operation, from seedling to consumer sales, is run by drug cartels, organized crime and warring street gangs. These are the only winners.

Major Franklin will explain that it is a waste of law enforcement resources to interdict illegal marijuana sales. No matter how many people get arrested (more than 3/4 of a million people each year) every arrest represents a job opportunity. Too much of the criminal justice community is focused on interdicting marijuana, a chore that has little return on investment. Law enforcement should be focused on rapists, child molesters, robbers, thieves, carjackers and others who prey on the community. In states where marijuana has become regulated, crime is down. Dependency is down.

Major Franklin will address the direct and indirect costs to marijuana prohibition. The DIRECT costs are expenses that we, as a community, are willing to pay as a means to remove marijuana from our community: police cruisers, overtime pay for prison guards and an extravagant healthcare system. It's just a cost of doing business. The INDIRECT costs, however, are items that society has not considered, like the lousy credit which a marijuana felon graduates from prison with: how it is hard to get a job no matter what trade he learned. The marijuana felon may land a minimum wage job, or a job to get paid under the table but either way, that person doesn't have healthcare or a retirement program. When one of his children has the flu, where does he go? The ER, of course. This is covered by the taxpayers. Consider too the remaining money in the family budget. There is very little money for groceries so good food choices are replaced with poor ones: high carb but low cost options result in auto-immune diseases, diabetes and obesity.

Marijuana Prohibition reaches far beyond the simple "bust". Marijuana will NEVER be eliminated so we have a choice: either the drug cartels and organized crime will control it or public health officials and a government entity will control it. Which do you prefer?



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Major (ret'd) Neill Franklin – *Law Enforcement Against Prohibition*

Major Neill Franklin is a 34-year law enforcement veteran of the Maryland State Police and Baltimore Police Department. During his time on the force, he held the position of commander for the Education and Training Division and the Bureau of Drug and Criminal Enforcement. Major Franklin instituted and oversaw the very first Domestic Violence Investigative Units for the Maryland State Police. After 23 years of dedicated service to the Maryland State Police, he was recruited in 2000 by the Commissioner of the Baltimore Police Department to reconstruct and command Baltimore's Education and Training Section. He became executive director of LEAP in 2010.

Early in his career, Neill served as a narcotics agent with the Maryland State police, focusing on everything from high-level drug dealers in the Washington suburbs to the guy growing one marijuana plant on his balcony. Neill was proud of his work and the hundreds of arrests he executed. "I had been taught that the people who use and sell drugs are trash, and that we needed to put those people behind bars forever."

But two people permanently changed his steadfast belief in fighting the drug war. The first was Kurt Schmoke, who declared while he was the sitting mayor of Baltimore that the drug war was not working. Schmoke explained that fighting a war on drugs was countereproductive and created excessive violence. This was a turning point for Neill, who began to research and evaluate his own experiences in law enforcement. "We worked in predominantly white areas, yet most of our cases and lock ups were minorities. There were very few cases in the outlying areas that involved whites," he says.

Not long after Mayor Schmoke's announcement, Neill's close friend, Corporal Ed Toatley, was killed in Washington, DC while making a drug deal as an undercover agent. "When Ed was assassinated in October 2000, that is when I really made the turn. That's when I decided to make my views public," Neill explains.

When not working, Neill volunteers his time by serving on many boards that include Children 1st, the Faith Based Community Council on Law Enforcement and Intelligence, the Place of Grace Church, Anne Arundel Community College Criminal Justice Advisory Board, and board president for TurnAround, Inc. (domestic violence, sexual assault victim advocate providing counseling and shelter services). Major Franklin is married and has one son. He is also very active in his church, The Place of Grace, where he serves as a board member.



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“The War on Marijuana in Black and White”

Sara Love – *American Civil Liberties Union Maryland*

Marijuana, Race Disparities, and the War on Drugs in the Free State

This report is the first of its kind in Maryland. Using official FBI and U.S. Census data, the ACLU has analyzed arrest rates and trends for marijuana possession by race for every county in Maryland between 2001 and 2010. The results are shocking.

Over the last ten years, police in Maryland have arrested more people for marijuana possession than for all violent crimes combined. The number of people arrested for marijuana possession increased dramatically – by 34% – between 2001 and 2010. Maryland is now fourth in the nation in arrests for marijuana possession.

The data also show that, despite comparable rates of marijuana use across race, in Maryland communities of color are policed differently for marijuana possession. In every county in the Free State, Blacks are disproportionately targeted for enforcement of marijuana laws. The glaring racial disparities are as staggering in the suburbs of Baltimore and Washington D.C. as they are on the Eastern Shore or in Western Maryland. They are as likely to exist in large counties as small, in counties with high median family incomes or low median incomes. They exist regardless of whether Blacks make up a large majority or small minority of a county’s population. And the disparities have only gotten worse over time.

Our state is paying handsomely for this approach. In 2010, Maryland spent about \$106 million enforcing marijuana laws, needlessly ensnaring thousands of Marylanders into the criminal justice system and diverting critical law enforcement resources from major violent crimes.

The ACLU’s Campaign to End Mass Criminalization and Over-Incarceration of Communities of Color

The waste associated with the War on Drugs, particularly marijuana, has reached crisis proportions. Our obsession with criminalization and arrests for marijuana possession has come at the expense of true safety and appropriate substance abuse treatment. Rather than making us safer, the War on Drugs has corroded the relationship between minority communities and police and wreaked havoc in those communities by treating people innocent of any wrongdoing as suspicious based only on their race. It has criminalized large swaths of the population.

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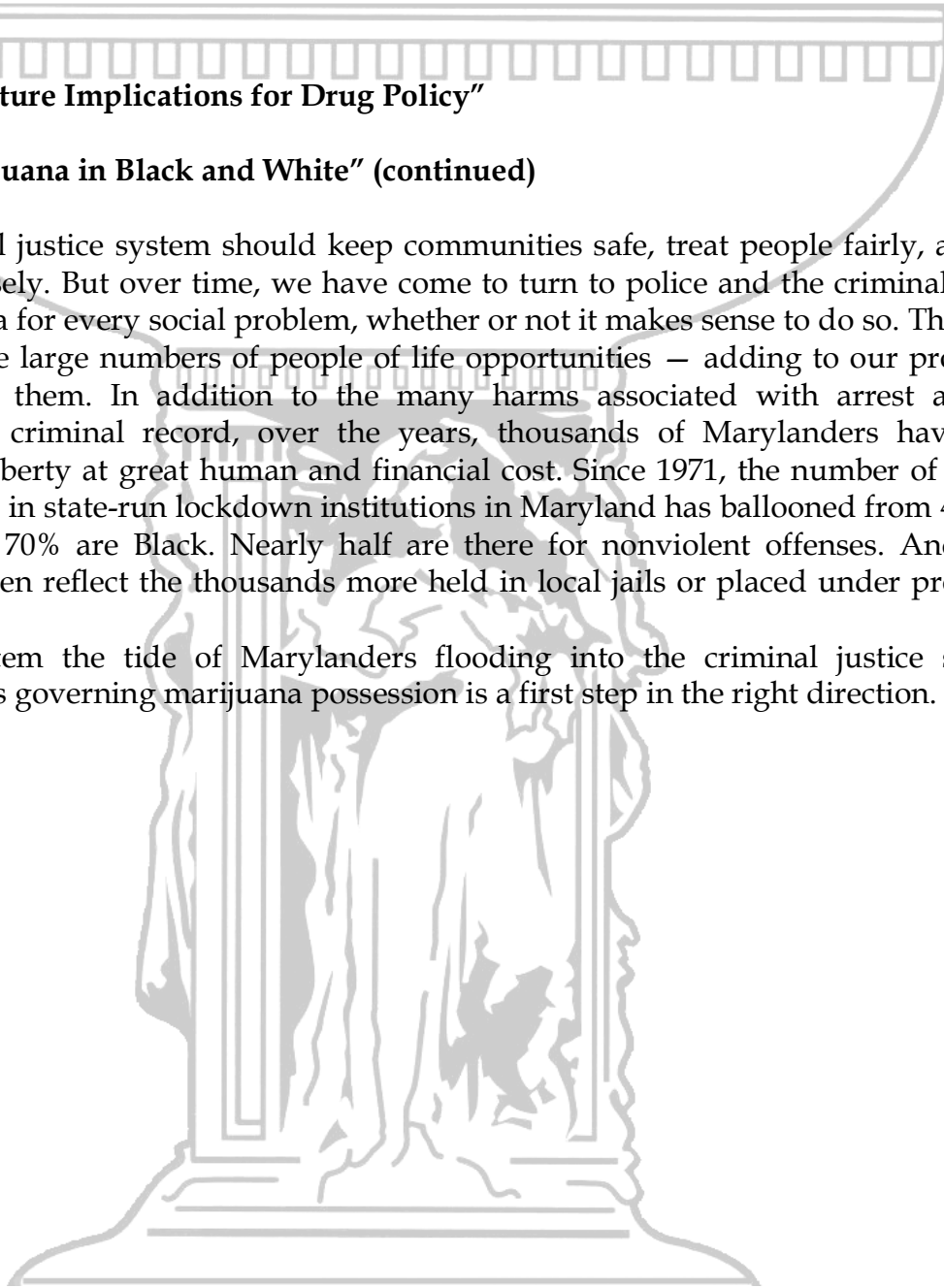
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“The War on Marijuana in Black and White” (continued)

Our criminal justice system should keep communities safe, treat people fairly, and use fiscal resources wisely. But over time, we have come to turn to police and the criminal justice system as a panacea for every social problem, whether or not it makes sense to do so. The result has been to deprive large numbers of people of life opportunities — adding to our problems, instead of solving them. In addition to the many harms associated with arrest and the development of a criminal record, over the years, thousands of Marylanders have been deprived of their liberty at great human and financial cost. Since 1971, the number of human beings incarcerated in state-run lockdown institutions in Maryland has ballooned from 4,950 to 22,500. More than 70% are Black. Nearly half are there for nonviolent offenses. And these numbers do not even reflect the thousands more held in local jails or placed under probation supervision.

We must stem the tide of Marylanders flooding into the criminal justice system. Reforming our laws governing marijuana possession is a first step in the right direction.





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Sara Love – *American Civil Liberties Union Maryland*

Sara N. Love is the Public Policy Director for the ACLU of Maryland. Love joined the ACLU staff in 2012, after serving on the ACLU of Maryland board for seven years, including four as its President. Ms. Love retired as the General Counsel and Legal Director at NARAL Pro-Choice America in 2004, then spent several years at home with her kids prior to joining the ACLU staff. Ms. Love currently serves on NARAL Pro-Choice America board and volunteers at her children’s schools. Prior to NARAL Pro-Choice America, Ms. Love was the Feminist Majority Foundation’s National Clinic Access Project Legal Director and the National Women’s Health Foundation’s General Counsel, serving nine women’s health care clinics. While at the Feminist Majority, Ms. Love worked with federal, state and local law enforcement to try to reduce the violence against abortion clinics, doctors and staff. Ms. Love is a native of Chicago, where she practiced law at the law firm of Robinson, Curley & Clayton. While there, she was second chair of the trial team in *NOW v. Scheidler*, brought against lead anti-choice activists who used force, violence and fear to close women’s health care clinics. Ms. Love went to Northwestern University School of Law.



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"The Dangers of a Third Legal Recreational Drug"

Will Jones III – *Two Is Enough*

Two is Enough is a diverse group of Washington residents concerned about the scourge of a third legal recreational drug in our city. We have seen and are still combating the negative impact of tobacco and alcohol on our youth, families and communities. Companies that produce these two legal drugs have disproportionately targeted and affected communities of color; for this reason we are committed to protecting these communities and the rest of our city from the consequences of legalizing a third recreational drug. Looking at the sobering costs in health care, education, accidents, lost productivity and law enforcement as a result of substance use, we know that our city cannot afford the negative effects of a third legal drug.

TIE DC is concerned about the misinformation and misrepresentation that has been used by the legalization proponents in their campaigns. They have claimed that marijuana is harmless, that legalization will help deal with the chronic race issues plaguing our nation, and that legalization reflects the wishes of the states and the nation.

Though marijuana use was purported to be harmless, Colorado has seen reality overtake rhetoric and experienced the consequences of a third legal recreational drug. As a result, a majority of likely voters no longer support legalization, and Governor Hickenlooper has called legalization "reckless." In the first half of 2014 Colorado saw:

- Significant rise in teen use
- Doubling in the rate of children being admitted to ER for cannabis poisoning
- 100% increase in fatalities with drivers impaired by marijuana
- Dozens of explosions across the state caused by people making hash oil in their homes
- Two deaths from edible marijuana and one child abuse/neglect death
- A thriving black market

Negative effects of marijuana legalization have also been noted internationally. When the United Kingdom changed their laws concerning marijuana, they saw treatment for addiction nearly double among youth and adults, as well as a significant rise in mental health issues and psychosis. After seeing a decade of negative effects, *The Independent*, a British newspaper that had endorsed less restrictive marijuana laws and rallied tens of thousands to march for a change in law, issued a public apology for their previous support of the marijuana movement.

Years after giving in to the marijuana lobby and changing their laws, the Netherlands saw youth use triple from 15 % to 44% between the year 1984 and 1996. They are currently seeking ways to reverse the damage done as a result of the legalization change, including shutting down many shops that sold marijuana.

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What about incarceration? As many are realizing, the war on drugs has indisputably targeted people of color and provided an opportunity for law enforcement to abuse and misuse their power and resources. However, what many fail to realize is that legalization emboldens a corrupt criminal justice system and does not hold accountable those who have been committing acts of injustice. A true solution to racial injustice will not give a free pass to those who have been acting unjustly nor will it jeopardize the health of youth across the nation, particularly those in minority communities. Instead, it will bring to justice those those who have been practicing racist policies and protect minority youth from a commercial industry that will prey on them.

Finally, the root cause of the shift in public opinion regarding marijuana must be exposed. The push for legalization is not found in the medical community nor is it found in civil rights activists or concerned families. Rather, they can be traced directly to a few billionaires including George Soros and the late Peter Lewis. These prominent investors have donated hundreds of millions to start and fund pro marijuana legalization organizations including the Drug Policy Alliance and the Marijuana Policy Project. Other notable figures in marijuana reform are business investors and entrepreneurs like former Microsoft executive, Jamen Shivley. Shivley has stated that he wants to create the "Starbucks of Marijuana" and "mint more millionaires than Microsoft," a common underlying motivation for many pro-marijuana figures.

Similarly, tobacco companies are also eager to see marijuana legalized -- some have even stated in their internal documents that "the use of marijuana ... has important implications for the tobacco industry in terms of an alternative product line. [We] have the land to grow it, the machines to roll it and package it, the distribution to market it."

Do we truly want to legalize a third legal recreational drug? Nora Volkow, M.D. Director of the National Institute on Drug Abuse eloquently poses the question we must ask ourselves as individuals and a nation before we rush to legalize marijuana:

"The legalization process generates a much greater exposure of people and hence of negative consequences that will emerge. . . . 'Can we as a country afford to have a third legal drug [in addition to alcohol and tobacco]? Can we?' We know the costs already on health care, we know the costs on accidents, on lost productivity. I let the numbers speak for themselves."



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Will Jones III – *Two Is Enough*

Coming from a legacy of civil rights leaders in Washington, D.C, **William Jones III** is dedicated to continuing the legacy of promoting the healthy progression of the nation, specifically among the African-American community. Jones is focused on the impact of drug use in communities of color and solutions that can foster progress while simultaneously curbing the negative social, health, and economic consequences of illicit drugs. Partnering with key US politicians, national drug policy advisees, and leaders around Washington D.C., Jones is on a mission to impact policies that will keep illicit drugs out of reach for youths and curb the disproportionate targeting of communities of color.

Mr. Jones graduated Cum Laude from Columbia International University (CIU) with a Bachelor of Science degree in Communications and Business and upon graduation was inducted into the university’s Delta Epsilon Chi Honor society. Mr. Jones has served in various leadership roles and has been a recipient of scholarships and awards for leadership and societal change: as a delegate to the South Carolina Student Legislature, president of the CIU African-American Student Association, member of the CIU Student Senate, and a NCCAA scholar athlete. Since a teen, Mr. Jones has served in missions, primarily in Quebec and also in the Dominican Republic and France. He continues to use different outlets to serve the homeless, low-income, and minority communities here in D.C.