

# **DRUG AND POT LEGALIZATION ESSAYS**

By

Julius Wachtel

As originally published in  
[POLICEISSUES.ORG](http://POLICEISSUES.ORG)

(c) 2007-2024 Julius Wachtel

Permission to reproduce in part or in whole granted for  
non-commercial purposes only

Posted 11/24/22

## DOES LEGAL POT DRIVE VIOLENCE?

*Marijuana affects judgment. But what do the numbers say?*



*For Police Issues by Julius (Jay) Wachtel.* Colorado and Washington kicked off recreational pot in 2012. Leaving out Washington D.C. and Guam, which have also said “yes”, [its recent legalization by Maryland and Missouri](#) brings the number of “green-lit” States to the age of majority: twenty-one. As for the U.S., in April the House passed “[MORE](#)”, the Marijuana Opportunity Reinvestment and Expungement Act.” It would remove marijuana from “[Schedule I](#)”, a list of Federally-forbidden substances that have “no currently accepted medical use and a high potential for abuse.”

Full stop. MORE’s narrow, 220-204 House victory was “[largely along party lines](#)”. Here’s what a prominent (Red) opponent, Ohio Rep. Jim Jordan, thought:

Record crime, record inflation, record gas prices, record number of illegal immigrants crossing our southern border and what are Democrats doing today? Legalizing drugs.

[President Biden recently pardoned](#) everyone who had ever been Federally convicted of “simple possession of marijuana”. [His move benefited](#) several thousand residents of Federally-administered areas, including the District of Columbia and Tribal lands. Of course, given the power of the filibuster, MORE, a mostly “Blue” initiative, faces major hurdles in the Senate. That’s likely tempered the President’s approach. While urging Governors to follow his example and pardon convicted pot users under their jurisdiction, he nonetheless emphasized that current restrictions on “trafficking, marketing, and under-age sales” should stay in place.

That seems thoughtful. But can one really have it both ways? Recreational marijuana, but under control? [Not according to a massive investigative effort](#) by the *Los Angeles Times*. Its inquiry found that soon after [California Proposition 64](#) legalized recreational pot in 2016, “a global pool of organized criminals and opportunists” swarmed the Golden State, setting up thousands of illegal untaxed growths tended by armies of fearful, literally “indentured” immigrants:

The pitch for Proposition 64 focused on grand benefits: an end to drug possession laws that penalized the poor and people of color, and the creation of a commercial market that in 2021 generated \$5.3 billion in taxed sales. But California failed to address the reality that decriminalizing a vast and highly profitable illegal industry would open the door to a global pool of organized criminals and opportunists.

It's not just a problem of illegal growths. Opportunities to profit and weak penalties – violations are misdemeanors – have [overwhelmed regulatory efforts](#) in L.A. Ditto New York City. Although retail cannabis licenses are yet to be issued, entrepreneurs eager to profit “[have cropped up in droves](#)”.

And it's not only about illegal sales. Increased access to marijuana has inevitably increased its consumption. President Biden's positive words about pot hinted at one of the minuses – that its use can negatively affect youths. [His concern was forcefully addressed in 2020](#) by Dr. Nora D. Volkow, Director of the National Institute on Drug Abuse:

“Because marijuana impairs short-term memory and judgment and distorts perception, it can impair performance in school or at work and make it dangerous to drive. It also affects brain systems that are still maturing through young adulthood, so regular use by teens may have negative and long-lasting effects on their cognitive development...Also, contrary to popular belief, marijuana can be addictive, and its use during adolescence may make other forms of problem use or addiction more likely.”



An extensive [Research Report](#) that accompanied Dr. Volkow's remarks warned about marijuana's harmful effects on the physical and mental health of persons regardless of age. And earlier this year, one NIDA “[Monitoring the Future](#)” survey reported that young adults' use of marijuana and hallucinogens “reached all time-high in 2021”. Another warned that the “severity” of drug consumption during adolescence affected the likelihood of developing a substance use disorder later in life.

NIDA isn't alone. In 2018, [responses to a national survey](#) led a team of academics to conclude that “liberal laws” and “past year cannabis use” were “significantly associated with higher prevalence of serious mental illness.” Three years later the National Institutes of Health warned of “[a link between cannabis use and higher levels of suicidal ideation, plan, and attempt](#).” And last November, researchers from Mount Sinai Medical School reported that marijuana use during pregnancy led to [increased levels of aggression, anxiety and hyperactivity in young children](#). Cannabis, they wrote, can affect a mother's immune function, thus degrade the neurobehavioral development of the unborn.



Given marijuana's physical, physiological and mental effects, one might anticipate more traffic accidents and criminal mischief as well. There the evidence is mixed. Colorado legalized recreational marijuana in 2012. University of Colorado researchers would later conclude that medical and recreational marijuana dispensaries were “[associated with statistically significant increases in rates of neighborhood crime and disorder](#)” in Denver during 2012-2015. But another study found that while “street segments adjacent to recreational dispensaries” did have “notably higher levels of crime related to drugs (17%) and disorder (28%) during the post-legalization period,” [the increases were not statistically significant](#). And a 2018 study that depicted itself as particularly robust found “[no statistically significant long-term effects](#)” on violent or property crimes in either Colorado or Washington, the first two States to legalize recreational pot.

Washington State's cops, though, beg to differ. According to an academic study, they've observed [more marijuana use by youth](#) and experienced a substantial uptick in “drugged driving” and “nuisance” calls since legalization. Their observations were seconded by a 2019 Insurance Information Institute report, “Recreational marijuana and impaired driving,” which warned that [legal pot = more impaired driving = more accidents](#). In [a notorious recent example](#), seventy-five police recruits were recently on an early-morning training run near the L.A. Sheriff's Academy when an approaching SUV veered into the formation. Twenty-five recruits were injured, five critically. Police suspect that the driver (he said he was “sleepy”) was affected by something other than alcohol, as he tested clean on a Breathalyzer. Marijuana was reportedly found in his vehicle. But when interviewed on T.V., the 22-year old driver [said that he fell asleep while driving to work](#) (he's an electrician). His lawyer also pointed out that blood tests came up clean for alcohol and drugs. According to NIJ, though, current field sobriety and blood, urine and oral fluid tests [cannot reliably identify persons](#) who have been

cognitively or physically impaired by marijuana. Full legalization is a relatively recent phenomenon, while detection technology is in its infancy.

Bottom line: pot’s deleterious effects can’t be easily quantified. We’re left with a collection of unfortunate episodes whose causal mechanisms are easily disputable. But the FBI has tracked serious violent crime for decades. So have pot-friendly places suffered? This table uses mean scores to compare the 21 States that have said “YES” since 2012 with the 29 that are still “NO”:

Recreat. marij. legal?	2012 violent crime rt.	2020 violent crime rt.	Gun laws (smaller = stronger)	Pop. pct. Poverty	Pop. pct. conserv.	Pop. pct. moderate	Pop. pct. liberal
Y	363.6	386	17.3	11.0	33%	34%	27%
N	346.7	383	31.2	12.1	41%	32%	20%

Violent crime rates for 2012 are from the [UCR](#) and, for 2020, from the [NIBRS](#). “Gun laws” are from [Gifford’s 2021 gun law scorecard](#), which ranks States from 1-50 in a kind of reverse order: 1 reflects the *strongest* gun laws (California) and 50 the *weakest* (Arkansas). Ideological bias was filched from [Pew’s “Religious Landscape Study”](#), which surveyed a sample of Americans for their religious and political beliefs. And for poverty scores we turned to the [USDA](#), which offers 2020 State poverty percentages in a handy table.

How do the “YES” and “NO” States compare? Mean poverty scores are fairly close (the 50-State range was 7.0 to 18.7). Both camps exhibit nearly identical 2020 violence/100,000 rates. As for 2012, violence scores for the 50 States ranged from 122.7 to 643.6, so the difference between the “YES” and “NO” States is actually quite small. But when it comes to gun law strength (range 1-50), the “NO” States do trend weaker. That seems consistent with their residents’ more conservative political beliefs.

Let’s examine violent crime rates more closely. Not including the District of Columbia (it said “YES” in 2014), eight States legalized recreational pot during 2012-2016. This table displays what happened during the period:

### VIOLENT CRIMES / 100,000

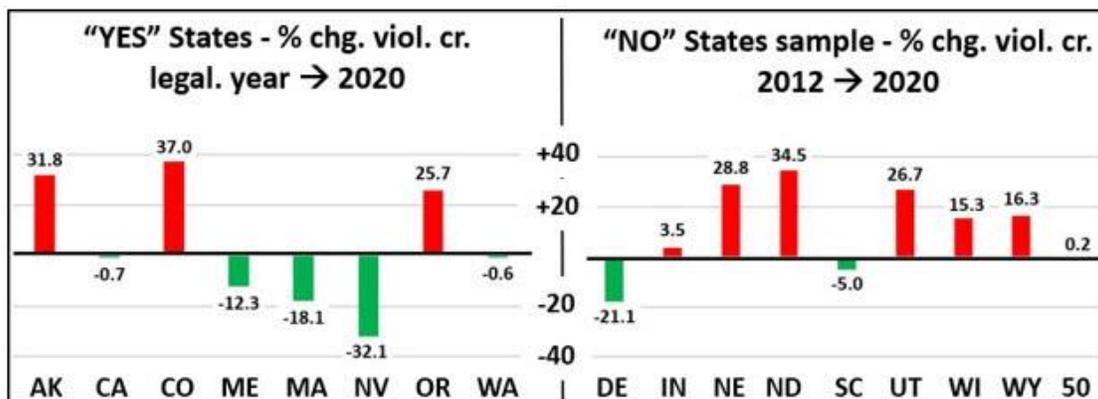
Year legal.	State	2012	2014	2016	2018	2020	Pct. change	Pct. chg. post-legal.
2014	AK	603.2	635.8	804.2	885.0	837.8	38.9	31.8
2016	CA	423.1	396.1	445.3	447.4	442.0	4.5	-0.7
2012	CO	308.9	309.1	342.6	397.2	423.1	37.0	37.0
2016	ME	122.7	127.8	123.8	112.1	108.6	-11.5	-12.3
2016	MA	405.5	391.4	376.9	338.1	308.8	-23.8	-18.1
2016	NV	607.6	635.6	678.1	541.1	460.3	-24.2	-32.1
2014	OR	247.6	232.3	264.6	285.5	291.9	17.9	25.7
2012	WA	295.6	285.2	302.2	311.5	293.7	-0.6	-0.6

Here's a like comparo for eight randomly-drawn "NO" States ("50" is the U.S. overall):

### VIOLENT CRIMES / 100,000

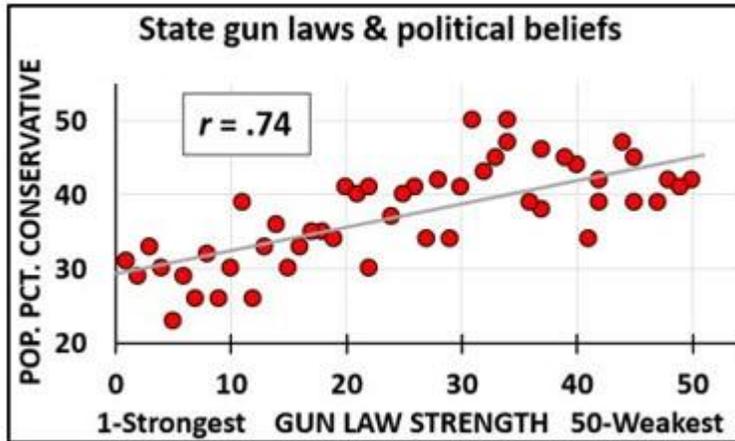
State	2012	2014	2016	2018	2020	Pct. change
DE	547.4	489.1	508.8	423.6	431.9	-21.1
IN	345.7	365.3	404.7	382.3	357.7	3.5
NE	259.4	280.4	291.0	284.8	334.1	28.8
ND	244.7	265.1	251.1	280.6	329.0	34.5
SC	558.8	497.7	501.8	488.3	530.7	-5.0
UT	205.8	215.6	242.8	233.1	260.7	26.7
WI	280.5	290.3	305.9	295.4	323.4	15.3
WY	201.4	195.5	244.2	212.2	234.2	16.3
50	386.9	361.6	386.6	370.4	387.8	0.2

And here are two graphs that display the overall change in violence for each State:



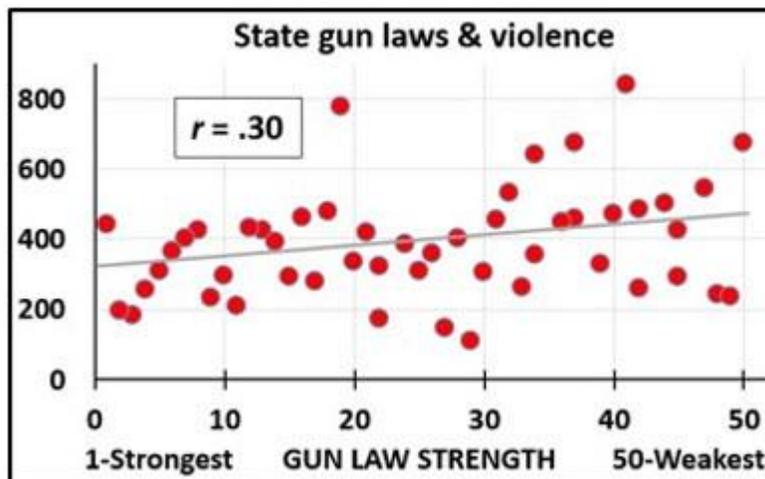
It's definitely a mixed bag. Three "YES" States – Alaska, Colorado and Oregon – endured substantial post-legalization increases in violence. On the other hand, Maine and Massachusetts did well, but their trends were already favorable when they green-lit pot. Legalization may have benefited Nevada, though, as the State's steep drop in violence began *after* legalization. As for our randomly-drawn "NO" States, violence rates substantially improved in Delaware but worsened in Nevada, North Dakota, Utah, Wisconsin and Wyoming. Overall, America's mean rate hardly budged.

Before coming to conclusions, let's examine some other factors. Say, political ideology. Residents of "NO" States seem to have "more conservative political beliefs." How might that affect, say, gun law strength? Here's the scattergram:



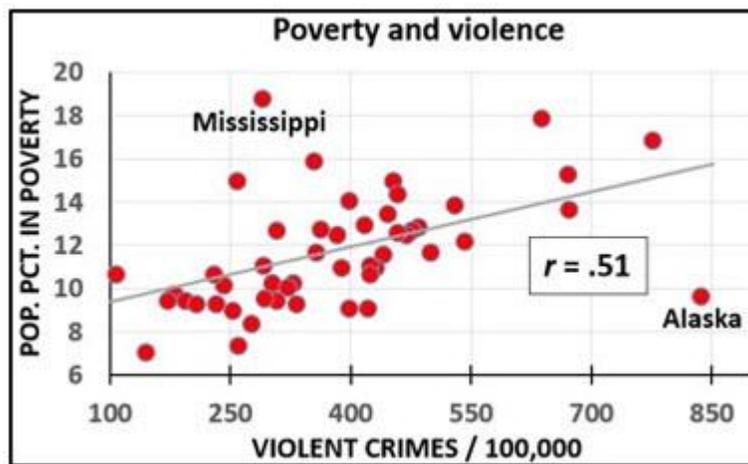
Correlation, the “r” statistic, ranges from zero, meaning no relationship between variables, to one, meaning that both are in perfect sync. Check out how closely those fifty red dots (each represents a State) cluster around that “line of best fit.” A robust r of .74 definitely supports the notion that as conservatism increases, weak gun laws become far more likely.

But do gun laws make a difference? This graph displays the relationship between gun law strength and violence rates:



To be sure, many States closely hew the line. But many others lie scattered about. An  $r$  of .3 is nothing to boast about.

What about Police Issues’ favorite “explainer”, poverty? Our “[Neighborhoods](#)” essays argue that the social benefits produced by robust economic conditions are vital in keeping violence at bay. Check out the graph:



Given the vicissitudes of the underlying data – each State follows the beat of its own drummer – one couldn’t expect as robust a statistic as, say, the  $r = .73$  we computed for the relationship between poverty and violence among [New York City neighborhoods](#). But most States seem to tread the line quite closely, and the overall  $.51$  is fairly robust. Indeed, once we eliminate those two pesky outliers, it leaps to  $.71$ !

Back to decriminalization. Legal recreational pot is still in its infancy, so it’s too early to draw any firm conclusions. Although the numbers we crunched ease our fear that recreational marijuana will cause violence to explode, its negative effects on physical and mental health, task performance and adolescent development seem indisputable. But these downsides are easily glossed over. That drove the normally pot-friendly *Los Angeles Times* to publish a pair of skeptical editorials earlier this year. One condemned a plan by the California State Fair to award prizes to the chemically most potent plants (“[Are state fair officials high?](#)”). Another endorsed a proposed law, bitterly contested by the marijuana industry, that would require prominent warning labels on marijuana packaging (“[Legal pot needs better warning labels](#)”).

What do *we* find most troubling? Pot’s ability to impair judgment. As cops well know, citizens “under the influence” of psychoactive substances such as marijuana are more likely to misbehave. They’re less likely to voluntarily comply with requests or orders, thus increasing the possibility that officers might think it (or find it) necessary to use force. And when they do, it often “forces” us to pen yet another essay. After one and one-half decades of doing just that, we, too would like a break.

Posted 5/20/13

## IS THE POT DEBATE COMING TO A HEAD?

***Two states have approved its recreational use. What will the Feds do?***

*By Julius (Jay) Wachtel.* Hang on to those joints! Last November voters in Washington and Colorado [legalized the recreational use of marijuana](#) for those over 21. And while Federal law continues to classify pot as a Schedule I drug (meaning no accepted therapeutic use), Attorney General Eric Holder, who long ago conceded the fight against medical marijuana, seems in no hurry to challenge states who cross what seems like the final line. During an April Congressional hearing he would only say that DOJ's decision, when made, would place the needs of children first: "When it comes to these marijuana initiatives, I think among the kinds of things we will have to consider is the impact on children," he said.

Holder's approach undoubtedly reflects the views of his boss. Shortly after Washington and Colorado made their move, [President Obama told Barbara Walters](#) that "it would not make sense for us to see a top priority as going after recreational users in states that have determined that it's legal." Even so, as a Harvard-trained lawyer, our reluctant leader had to concede that sooner or later the conflict between Federal and State laws would have to be resolved. "I head up the executive branch; we're supposed to be carrying out laws. And so what we're going to need to have is a conversation about, how do you reconcile a federal law that still says marijuana is a federal offense and state laws that say that it's legal?"

Of course, it's more than just the law. Common sense indicates that legalizing marijuana would increase its use, including by youth. If the Attorney General's decision will hinge on what's best for kids, the Federal Government's leading authority on the topic, the National Institute of Drug Abuse, [offers some sobering thoughts](#):

A recent study of marijuana users who began using in adolescence revealed a profound deficit in connections between brain areas responsible for learning and memory. And a large prospective study...showed that people who began smoking marijuana heavily in their teens lost as much as 8 points in IQ between age 13 and age 38; importantly, the lost cognitive abilities were not restored in those who quit smoking marijuana as adults.

Increases in marijuana use have led health authorities to raise a red flag. In [a recent review](#) of the health implications of legalization, researchers warned that brain scans of

## POLICEISSUES.ORG

persons who regularly smoked pot before age 16 have shown evidence of reduced function in an area associated with impulsiveness: “The frontal cortex is the last part of the brain to come online,” said Dr. Staci Gruber, “and the most important. Early exposure perhaps changes the trajectory of brain development, such that ability to perform complex executive function tasks is compromised.”

Marijuana use raises serious health and safety concerns. In 2011 *Harvard Health* reported that [pot use during adolescence](#) is associated with an increased risk of serious mental disorders in early adulthood. In a recent study that tracked 2,000 American teens, scientists found that those who regularly smoked marijuana were twice as likely to develop psychosis or schizophrenia. [Pot’s strength has also increased](#) over time. According to NIDA’s potency monitoring program, the mean content of THC, marijuana’s psychoactive ingredient, has gone up more than twofold, from 3.4% in 1993 to 8.8% in 2008. Many fear the consequences of unleashing this “new, improved” chemical on the public. Do we really need more learning-disabled teens? More addled drivers on the road? More smoking of *any* kind?

Until now legal and practical constraints have limited pot’s popularity. But with two states jumping on the legalization bandwagon, it seems only a matter of time before citizens everywhere start clamoring for the right to toké. Meanwhile a host of conflicting laws and policies leave State and Federal authorities unsure how to respond. Should DEA raid marijuana farms? Shut down retail outlets? Can local authorities help? *Should* they?

What the country needs most is leadership. If the President feels that smoking weed is no more consequential than having a drink, he needs to say so, and to submit legislation that would remove marijuana from Schedule I. If not, he needs to say that, too.

We’re waiting.

Posted 10/17/10

## (MERRILY) SLIPPIN' DOWN THE SLOPE

*First out the gate with medical marijuana,  
California considers legalizing its recreational use*

*By Julius (Jay) Wachtel.* Pitchfork in hand, [a robust, bearded man poses proudly amidst his crop](#). Close to his side, a statuesque blonde gazes into the distance. Her full lips, painted a bright cherry, frame a knowing smile.

No, they're not farmers, at least not in the conventional sense. Steve Soltis, an artist, has come to the rural Northern California paradise known as "Life is Art" to help founder Kirsha Kaechele bring in the harvest. Cannabis, that is. Marijuana. Pot. Grown for resale to medical collectives, its proceeds support several resident artists and help fund art programs in Ms. Kaechele's hometown of New Orleans.

First in the nation, California's [medical marijuana law](#), enacted in 1996, allows physicians to prescribe the drug for a wide range of illnesses, both real and, as many would argue, imagined. Here is how *Los Angeles Times* columnist Steve Lopez, who was seeking relief from back pain, [described his visit](#) to one of the Southland's numerous clinics:

Now I'm not saying it was strange for a doctor to have an office with no medical equipment in it, but I did take note of that fact. And when I described the pain, the doctor waved me off, saying he knew nothing about back problems. "I'm a gynecologist," he said, and then he wrote me a recommendation making it legal for me to buy medicinal marijuana. The fee for my visit was \$150.

Medical marijuana "clinics" started blanketing California within days of the law's passage. The state now hosts a freewheeling pot marketplace that includes a cadre of compassionate M.D.'s who happily issue marijuana cards to anyone who is twenty-one and willing to go through the motions of being "examined." Many cities are besieged by dispensaries. In 2007 Los Angeles imposed a moratorium and required that the nearly two-hundred then in existence register with authorities. That apparently didn't work so well, as [earlier this year](#) the city ordered 439 unregistered clinics to close.

To date [fourteen states and the District of Columbia](#) have legalized medical marijuana. Like measures are pending in eight states. Yet cannabis is a Schedule I controlled substance, thus illegal for any use under both [Federal law](#) and [international](#)

## POLICEISSUES.ORG

treaty. That didn't keep Attorney General Eric Holder from issuing a [densely worded memo](#) in October 2009 that essentially prohibited DEA from interfering in medical marijuana operations that were in "unambiguous compliance" with state laws. Now that a critical mass of states are in the medical pot corner the window of opportunity to challenge medical marijuana under the [Supremacy Clause](#) has effectively passed.

Inevitably, the slope has continued to slip, and once again California is leading by a head (pun not originally intended.) Next month's ballot features an initiative, [Proposition 19](#), that legalizes the recreational use of pot. Anyone 21 and older could possess and cultivate marijuana for their own enjoyment. Commercial production and sale would be regulated and taxed, supposedly generating, according to the law's backers, "billions" in revenue. Support for the measure comes from the ubiquitous marijuana lobby, a handful of retired law enforcement executives, a former Surgeon General, and, surprisingly, the influential Service Employees International Union. Police organizations, D.A.'s, Mothers Against Drunk Driving and the Federal drug czar have lined up in opposition. (Click [here](#) for the official arguments pro and con.)

Oh, yes, [Attorney General Holder](#) is also against. In a letter directed to retired drug agents, he said that DOJ "strongly opposes" the measure, in part because it would "greatly complicate" federal drug enforcement. Given the manufacturing and distribution infrastructure that medical marijuana built while DOJ snoozed, he's already right. Meanwhile, Los Angeles County Sheriff Lee Baca has angrily vowed to ignore the proposition altogether, calling it unconstitutional and "null and void and dead on arrival." It's anticipated that the Feds will request an injunction citing the Supremacy Clause should the proposition pass.

Pot is supposedly illegal because of health concerns. For example, our [previous post](#) reported disturbing evidence about marijuana's effects on cognition. Yet as election day nears we've heard precious little from the medical community. Finally the liberally-minded *Los Angeles Times* stepped in. Two weeks after publishing a [surprising editorial](#) that harshly criticized Proposition 19 because it conflicts with Federal law and could make workplaces unsafe, it ran a piece [addressing marijuana's health hazards](#). One expert, a psychiatrist who chairs the California Society of Addiction Medicine (CASM), estimated that 17 percent of 14 and 15 year olds who take up pot will become dependent within two years. "Marijuana is not devastating in the same way that alcohol is. But to an adolescent, it can impact their life permanently. When you take a vacation from development in school for five years, you just don't get to the same endpoint that was available to you earlier in life."

## POLICEISSUES.ORG

But will legalization really draw more people to the drug? While advocates of marijuana say no – after all, it’s already widely available – some experts estimate that breaking down legal barriers will increase the number of users by 50 percent. Last year California tax collectors put forward their own, somewhat lower estimate of [40 percent](#). Whatever their actual numbers, most CASM members agree that many of these new users will be adolescents, the group with perhaps the most to lose.

So here’s a question for readers: what percentage of *parents* would want their kids to figure in the increase?

Posted 3/19/24

## SHUTTING THE BARN DOOR

*Three years into its ambitious experiment, Oregon moves to re-criminalize hard drugs*

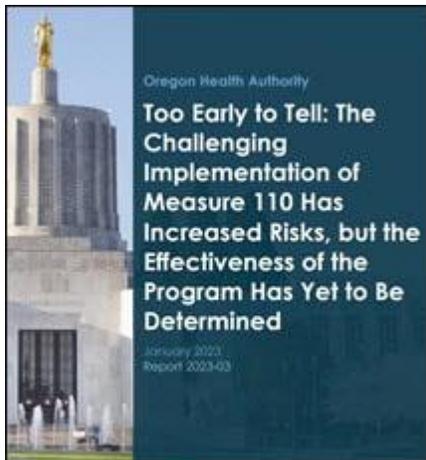


*For Police Issues by Julius (Jay) Wachtel.* “Without some external pressure, most people will not attempt to reduce their drug use via treatment or other means.” [Addiction researcher Keith Humphreys’ sobering words](#) highlight the challenges that authorities faced carrying out Oregon’s pioneering approach to drug abuse. Approved by voters in November 2020, and taking full effect in February 2021, [Measure 110](#), the “Drug Addiction Treatment and Recovery Act of 2020” used marijuana tax revenue to fund a host of programs, from medical care to housing, that could ostensibly help addicts kick their habits.

Throughout, the emphasis was on treatment. Possession for personal use of small quantities of drugs including LSD, methadone, oxycodone, heroin, meth and cocaine was decriminalized (Sections 11-17). Unless drugs were present in substantial amounts or were possessed by felons or repeat drug offenders, getting caught with them became a civil infraction carrying a maximum fine of \$100. And even that small penalty was forgiven for violators who agreed to be screened by telephone for a drug abuse disorder (Section 22).

By design, law enforcement remained in the deep background. Inevitably, [the issue of voluntary compliance](#) reared its problematic head. [According to the drug screening hotline](#), “only 92” of the approx. 2,000 drug possessors cited during the program’s first year actually called, and of those “only 19” asked for services. Why such a tepid response? Here’s Section 22’s closing provision: “Failure to pay the fine shall not be a basis for further penalties or for a term of incarceration.”

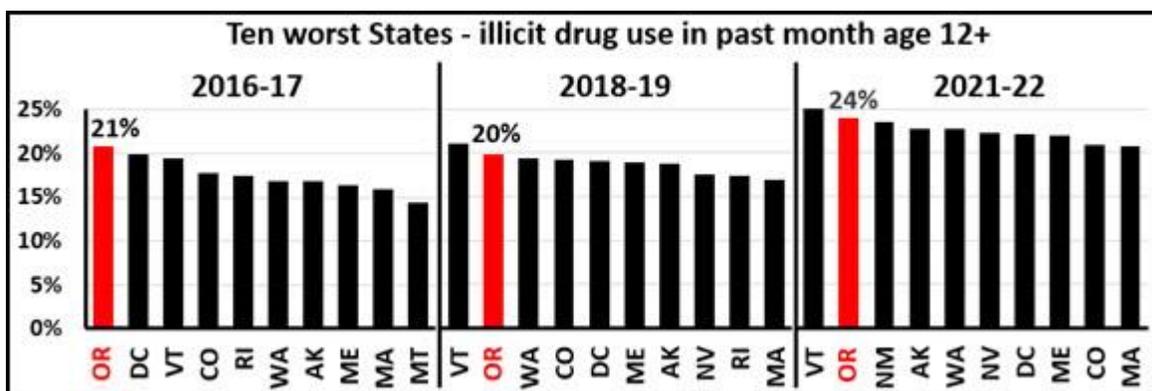
Ergo, why comply?



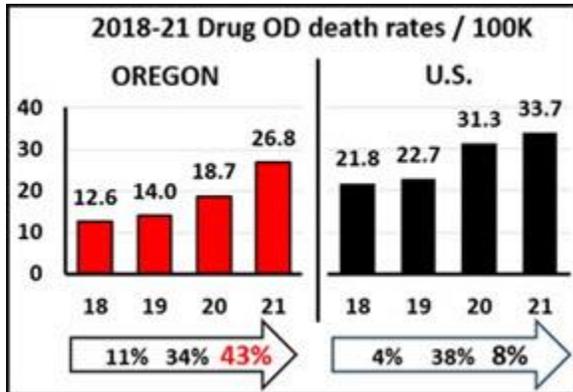
In January 2023 Oregon Health Authority auditors published “[Too Early to Tell: The Challenging Implementation of Measure 110 Has Increased Risks, but the Effectiveness of the Program Has Yet to Be Determined](#)”. It prominently mentions the “racist and brutal history” that presumably inspired the measure. But its recommendations seem exclusively focused on bureaucratic challenges. Even the hotline’s pronounced under-use is attributed to poor program design and management. Nothing at all is said about the culture of drug abuse or the possibility that its adherents may have

taken advantage of decriminalization to keep doing what they prefer. And possibly even *increase* their use of drugs.

So, did they? A sidebar at the top of the report notes that Oregon had “the second highest rate of substance use disorder in the nation and ranked 50th for access to treatment.” That reference, we assume, is to the [National Survey on Drug Use and Health](#). This graph uses its data to depict the percent of persons age 12+ who self-reported illicit drug use between 2016 and 2022 in the ten States with the highest drug abuse rates (SAMHSA left out 2020-2021 for methodological reasons, and 2022-2023 data isn’t in).



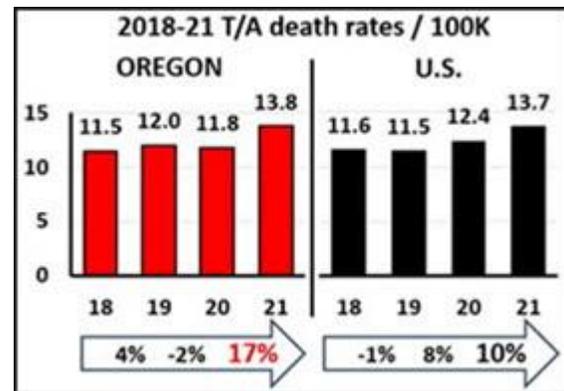
Note that Oregon was “number one” in the U.S. – meaning, the *worst* – five years preceding decriminalization. (It climbed there from sixth-worst during 2013-2014, when “only” 14% of its respondents age 12+ admitted using illegal drugs.) Self-reported drug use then slightly abated, and Oregon fell to second place. And while it remained number two, the State’s percentage of self-admitted drug users actually worsened during 2021-2022, when Measure 110 was in effect.



For the possible consequences of drug abuse we turned, first, to the [CDC](#). The graph on the left compares drug overdose rates reported between 2018-2021, the most recent year available. Although it was signed into law in 2020, Measure 110 took effect in February 2021. That year, Oregon’s drug overdose death rate of 26.8 was 43 percent worse than its 2020 rate of 18.7. During the same period the mean U.S. rate, which has always been

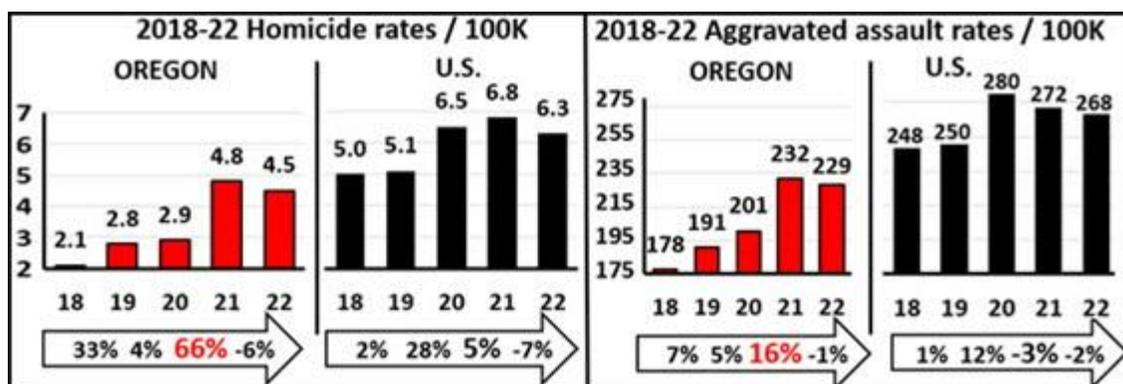
higher than Oregon’s, went up by the far smaller amount of eight percent.

Might unhindered access to “hard” drugs lead to a lot of addled driving? We used data provided by the [CDC Wonder](#) website to look into traffic accident deaths. On the right is a four-year comparo between Oregon and the U.S. Their traffic accident death rates seem quite close. Again, the only deviation of note is for 2021. That year, Oregon’s rate jumped 17 percent from the previous year’s figure. Meanwhile the U.S. rate increased by a considerably lesser 10 percent.



What about crime? “[Does Legal Pot Drive Violence?](#)” reported that three of ten States that legalized pot during 2012-2016 – Alaska, Colorado and Oregon – suffered substantial post-legalization increases in their UCR violent crime rates (31.8, 37 and 17.9 percent, respectively). However, three other early pot-legalizing states – Maine, Massachusetts and Nevada – enjoyed substantial *decreases* in violence (-11.5, -23.8 and -24.2 percent, respectively). Perhaps not-so-coincidentally, nine of the top-ten early-pot States (California excluded) landed in our top-ten hard-use graph (see above).

Criminal violence-wise, marijuana seemed very much a mixed bag. So what about hard drugs? These graphs depict 2018-2022 homicide and aggravated assault data from



the [UCR](#). Both show substantial increases in Oregon rates between 2020-2021, and particularly for homicides. Their contrast with the marginal changes in U.S. rates seems profound.

Full stop. An accurate analysis of the reasons behind Oregon's surge in drug overdose deaths and homicides, and the substantial increase in traffic accident deaths and violent crimes, would require taking a host of potential influencers into account. Still, most of the numbers, from drug use self-reports through Oregon's homicide and aggravated assault rates, seem consistent with criticisms that decriminalizing the possession of hard drugs and transforming it into a civil infraction may have been a step too far.

Last July, as Oregon's measure was into its third year, the (normally, very liberally-inclined) *New York Times* [took a deep dive into Portland](#). "At four in the afternoon the streets can feel like dealer central. At least 20 to 30 people in ski masks, hoodies and backpacks, usually on bikes and scooters." That's how coffee-shop owner Jennifer Myrle described her city's new normal. What's more, "there was no point calling the cops." Her pessimism about that was seconded by a bicycle-mounted officer who frequently gave Narcan shots. "So we cite them and give them the drug screening card. Then they'll say they don't want treatment or they'll tell us, 'OK, I'll call the number.' And two hours later we run into them again, and they're smoking or even overdosing."

By September 2023, Measure 110 seemed to be in its last gasps. Leading members of Oregon's business community and a former lawmaker [filed ballot measures](#) to recriminalize drug possession and prohibit its public use. Bemoaning that "people don't feel safe on the streets," Senate Majority Leader Kate Lieber (she's a "Blue", by the way) [soon held hearings](#) on the drug crisis. But impatience was growing. "Oregonians believe that Measure 110 has been a failure," said Senator Tim Knopp, her "Red" counterpart. "I really don't want to wait another year for a ballot measure."

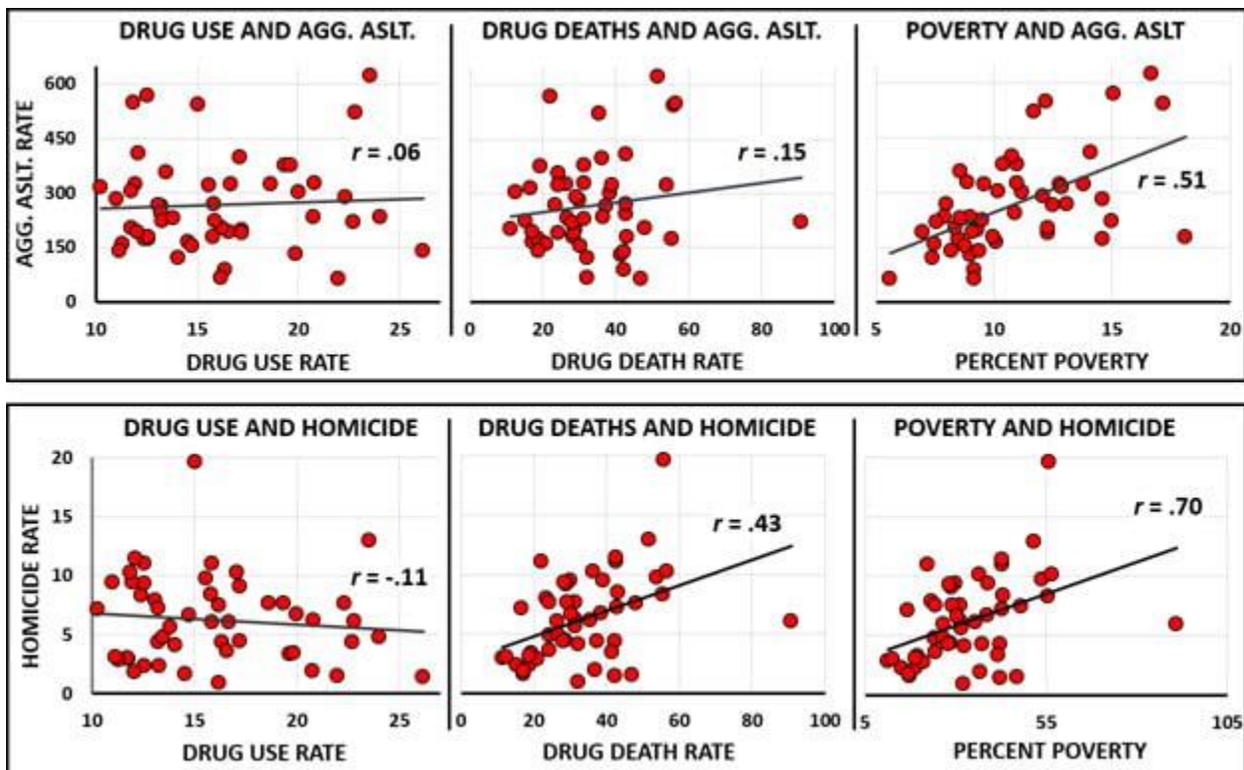
He didn't have to. Two weeks ago a bill to replace Measure 110 [sailed through the State legislature](#). While House Bill 4002's focus remains on funding and providing substance abuse treatment – "treatment over penalties" is its watchword – possessing even small, single-use amounts of hard drugs returns to being a misdemeanor (click [here](#) for the legislative summary). And yes, Oregon Governor Tina Kotek [has promised to sign it](#).

So we'll see. Recriminalizing hard drugs may discourage their use, or at least their flagrant public use, and to that extent Portlanders may feel reassured. But Oregon's homicide and aggravated assault rates markedly increased during 2020-2021 (they edged back somewhat in 2022.) Might reducing the use of hard drugs keep things on a positive track?

Eager to crunch a few numbers, we used simple correlation (the “*r*” statistic) to analyze the relationships between 2021 drug use rates, drug overdose rates, homicide rates, aggravated assault rates, and percent in poverty, for all fifty States. (Drug overdose death rates came from the [CDC](#), crime rates from the [UCR](#), and poverty rates from the [Census](#).) Correlations range from zero, meaning no relationship between variables, to one, which represents a “perfect”, lock-step association. Positive *r*’s mean that variables go up and down together; negative *r*’s, that they move in opposite directions. Coefficients of plus-or-minus .40 or greater are generally considered substantial. Here are the results:

	Drug use	Drug death	Pct pov	Agg Aslt	Homicide
Drug use		.20	.06	-.11	-.14
Drug death	.20		.15	.43	.35
Pct pov	-.14	.35		.51	.70
Agg Aslt	.06	.15	.51		.68
Homicide	-.11	.43	.68	.68	

These graphs portray the relationships between the three hypothesized “causes” (drug use, drug death and poverty) and their two possible “effects” (aggravated assault and homicide). Each State appears as a “dot”:



Posted 8/23/17

## **SANCTUARY CITIES, SANCTUARY STATES (PART I)**

### ***What happens when communities turn their backs on immigration enforcement?***

*By Julius (Jay) Wachtel.* By now the term “sanctuary city” has become such a familiar part of the lexicon that defining it might seem superfluous. But for the record let’s recap what it means to the Feds. According to a [May 2016 memorandum](#) from the Department of Justice the label applies to jurisdictions that, due to law, regulation or policy, either refuse to accept detainers from ICE or don’t promptly inform ICE of aliens they arrest or intend to release.

Memoranda do not carry the force of law. A 1996 Federal law, [8 USC 1373](#), stipulates that “a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.” In plain language, neither Hizzoner the Mayor nor any other official can legally order police to keep quiet about the arrest (or simply the whereabouts) of an illegal immigrant.

Of course, that doesn’t require that ICE be tipped off. Yet until recently such notifications were routine. Indeed, many police and sheriff’s departments used to have ICE train and deputize their officers under [section 287-g](#) of the Immigration and Nationality Act so they could enforce Federal immigration laws on the street. At one point the number of participating agencies [exceeded seventy](#).

In time, a growing political divide and instances of excessive anti-immigrant zeal (see, for example, [the saga of former Sheriff Joe Arpaio](#)) led many communities to abandon the program. In 2016 ICE dropped the street enforcement aspect and now restricts cross-designated officers to making immigration checks only of persons [detained for other crimes](#) in local jails. After a recent drive ICE [proudly reported](#) that the number of jurisdictions participating in this modified program stands at sixty. However, nearly all are Sheriff’s offices in the South, with a large chunk in Texas.

At present neither Los Angeles, nor New York, Chicago or virtually any other city of size except Las Vegas participates in the 287-g program. In Blue America objections to immigration enforcement run so deep that many communities have taken affirmative steps to frustrate the Feds. Some don’t let ICE officers review jail records to gather information about arrestees (what jurisdictions participating in the 287-g program do

## POLICEISSUES.ORG

with their own cops.) Others don't inform ICE, or only do so selectively, when [national criminal warrants checks](#) reveal that an arrestee was previously deported or has an active criminal or civil warrant for an immigration offense. And many either ignore [detainers](#) (written requests that specific, named arrestees be held for up to 48 hours beyond their release time) or fail to provide timely notice about the impending release of persons wanted by ICE.

Why the resistance? Here's how Montgomery County, Maryland police chief [Tom Manger](#), president of the Major Cities Chiefs Association, [explained it to Congress in 2015](#):

To do our job we must have the trust and respect of the communities we serve. We fail if the public fears their police and will not come forward when we need them. Whether we seek to stop child predators, drug dealers, rapists or robbers – we need the full cooperation of victims and witness. Cooperation is not forthcoming from persons who see their police as immigration agents. When immigrants come to view their local police and sheriffs with distrust because they fear deportation, it creates conditions that encourage criminals to prey upon victims and witnesses alike.

Although Chief Manger's agency does not participate in 287-g, it routinely informs ICE of all arrests so that the Feds can, if they wish, follow up. But Chief Manger refuses to accept so-called "civil" detainers, such as those issued when illegal immigrants fail to appear at an ICE hearing, because they are not based on probable cause that a crime was committed. (In contrast, re-entry after formal deportation is a Federal crime, and in Montgomery County such detainers are honored when accompanied by an arrest warrant.) Chief Manger's position has been adopted as the [official policy](#) of his influential group.

[Maps](#) compiled by the [Center for Immigration Studies](#) and ICE Weekly Declined Detainer Reports (WDDR's) indicate that most law enforcement agencies outside the South and Northwest ignore civil detainers. Section III of the WDDR's identifies the agencies by name. (ICE [recently pulled WDDR's from the Internet](#). The three most recent are archived [here](#), [here](#) and [here](#).) For example, during the [January 28-February 3](#) reporting period, Chief Manger's Montgomery County domain released a person charged with assault because the detainer was only supported by a civil warrant.

According to ICE, many localities impose much stiffer conditions. Baltimore, whose 2015 violence rate was [eight times worse](#) than Montgomery County's, supposedly refuses to honor *all* detainers ([WDDR p. 8](#)). (In defense, [its chief insists](#) they comply

## POLICEISSUES.ORG

with “criminal arrest” warrants, however Baltimore might define them.) As crime-ridden metropolitan areas go, Baltimore’s approach is hardly unique:

- Newark ([p. 31](#)) and New York City ([p. 32](#)) reportedly refuse all detainees
- Boston ([p. 25](#)) and Los Angeles County ([p. 13](#)) only honor those accompanied by criminal arrest warrants
- Chicago ([p. 32](#)) requires either a criminal arrest warrant, identification as a “known gang member,” a felony conviction, or active felony charges
- Philadelphia PD ([p. 23](#)) refuses to honor detainees or notify ICE of impending releases unless “the alien has a prior conviction for a first or second degree felony offense involving violence and the detainer is accompanied by a judicial arrest warrant”
- Washington, D.C. ([p. 32](#)) requires a “written agreement from ICE reimbursing costs in honoring detainer” *and* that an immigrant was either released from prison within the past five years or convicted within the past ten years, in both cases of homicide or another “dangerous” or violent crime.

What were the criminal backgrounds of those named in ICE detainees? A hand tally of [206 detainees](#) declined between January 28 and February 3, 2017 reveals that twenty-six of the named immigrants had been convicted of domestic violence. Twenty-three others had convictions for DUI, fourteen for assault, eight for burglary, robbery or arson, seven for a drug offense, six for a sex crime, four for resisting or weapons offenses, and four for forgery or fraud. Dozens more had been charged with but not convicted of crimes, including twenty for assault, seventeen for burglary and robbery, sixteen for sex crimes, eleven for domestic violence, and one each for kidnapping and murder.

ICE can, of course, track down subjects itself. However, serving civil and criminal process in the field carries risks for both officers and immigrants. But why should the Feds even bother? After all, as we reported in “[Ideology Trumps Reason](#),” research demonstrates that, overall, immigrants are substantially more law-abiding than ordinary folks.

But there’s a catch. Unlike ethnicity, immigration *status* isn’t systematically captured by criminal history repositories. So whether *illegal* immigrants are more likely to commit crimes than those legally in the U.S. is unknown. (One might think so after

## POLICEISSUES.ORG

reviewing the above list, but these examples may not fairly represent illegal immigrants in general.) Still, the list of troubling anecdotes keeps growing. In December 2016 [Denver ignored a detainee](#) and let go a known gang member who had been jailed for multiple offenses, including weapons, auto theft and eluding police. Within two months Ever Valles, 19 was back in jail after he and an associate allegedly committed a brutal robbery-murder. Criminal misconduct by illegal immigrants [has even caught the attention](#) of the liberally-inclined *New York Times*. (For a running compendium in an anti-illegal immigration website click [here](#).)

There's another important "if." As our table in "[Ideology Trumps Reason](#)" suggests, legal status aside, the advantage of being foreign-born doesn't necessarily carry over to subsequent generations. Imprisonment data reveals that third-generation Hispanic males are more than twice as likely to be incarcerated as non-Hispanic whites. Why is that? Many illegal immigrants are unskilled, poorly educated and reside in poverty-stricken, crime-ridden areas. This might expose their descendants to role models and behaviors that the grandchildren of legal migrants can't begin to imagine.

It's clear that competing ideologies and selectively interpreted "facts" have complicated the relationship between police and the Feds. During his career as an ATF agent your blogger worked closely with local police and detectives, and he suspects that most ICE officers and street cops still get along. Even so, policies have consequences. While it seems petty and self-defeating to kick out law-abiding, hard-working persons, refusing to honor detainees can obviously imperil the law-abiding.

On the other hand, concerns that police involvement in immigration matters can erode trust with the Hispanic community are not easily dismissed. A somewhat dated study provides ammunition for both sides of the debate. In 2008 Prince William County, Maryland mandated that police "investigate the citizenship or immigration status of all persons who are arrested for a violation of a state law or county ordinance." Two years later university scholars and the Police Executive Research Forum produced a [detailed report](#) assessing the policy's effects. As one might expect, illegal immigration decreased. So did aggravated assault, hit-and-run accidents and some forms of public disorder. However, "a palpable chill" fell over relations between Hispanics and police. Fortunately, in time the wound mostly healed, and within two years goodwill was largely (but not completely) restored.

So was the policy a good idea? Here is what the study's authors think: "Despite our mixed findings, the current version of the policy, which mandates immigration checks only for arrestees, appears to be a reasonable way of targeting illegal immigrants who

## POLICEISSUES.ORG

commit criminal violations. There is fairly broad agreement on this as a goal for law enforcement.”

Whatever the “facts,” both sides remain dug in. LAPD Chief Charlie Beck, whose agency typically refuses to honor detainers, [concedes that illegal immigrants](#) who have been convicted of violent felonies should be deported once they’ve done their time. But he’s in favor of granting illegal immigrants driver licenses and insists that helping ICE deport them “is not our job, nor will I make it our job.” Angrily rejecting such views, [Attorney General Jeff Sessions recently announced](#) that DOJ will withhold “Byrne” grants unless jurisdictions “comply with federal law, allow federal immigration access to detention facilities, and provide 48 hours notice before they release an illegal alien wanted by federal authorities.”

Take that, L.A., New York, Chicago...

Well, that’s enough for now. In Part II we’ll discuss the possible consequences of the Federal-state split in marijuana enforcement. And as always, stay tuned!

Posted 3/19/24

## SHUTTING THE BARN DOOR

*Three years into its ambitious experiment, Oregon moves to re-criminalize hard drugs*

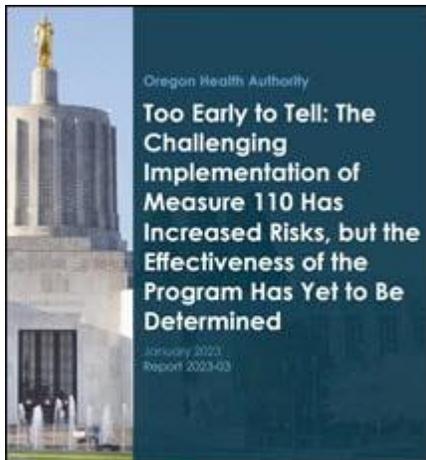


*For Police Issues by Julius (Jay) Wachtel.* “Without some external pressure, most people will not attempt to reduce their drug use via treatment or other means.” [Addiction researcher Keith Humphreys’ sobering words](#) highlight the challenges that authorities faced carrying out Oregon’s pioneering approach to drug abuse. Approved by voters in November 2020, and taking full effect in February 2021, [Measure 110](#), the “Drug Addiction Treatment and Recovery Act of 2020” used marijuana tax revenue to fund a host of programs, from medical care to housing, that could ostensibly help addicts kick their habits.

Throughout, the emphasis was on treatment. Possession for personal use of small quantities of drugs including LSD, methadone, oxycodone, heroin, meth and cocaine was decriminalized (Sections 11-17). Unless drugs were present in substantial amounts or were possessed by felons or repeat drug offenders, getting caught with them became a civil infraction carrying a maximum fine of \$100. And even that small penalty was forgiven for violators who agreed to be screened by telephone for a drug abuse disorder (Section 22).

By design, law enforcement remained in the deep background. Inevitably, [the issue of voluntary compliance](#) reared its problematic head. [According to the drug screening hotline](#), “only 92” of the approx. 2,000 drug possessors cited during the program’s first year actually called, and of those “only 19” asked for services. Why such a tepid response? Here’s Section 22’s closing provision: “Failure to pay the fine shall not be a basis for further penalties or for a term of incarceration.”

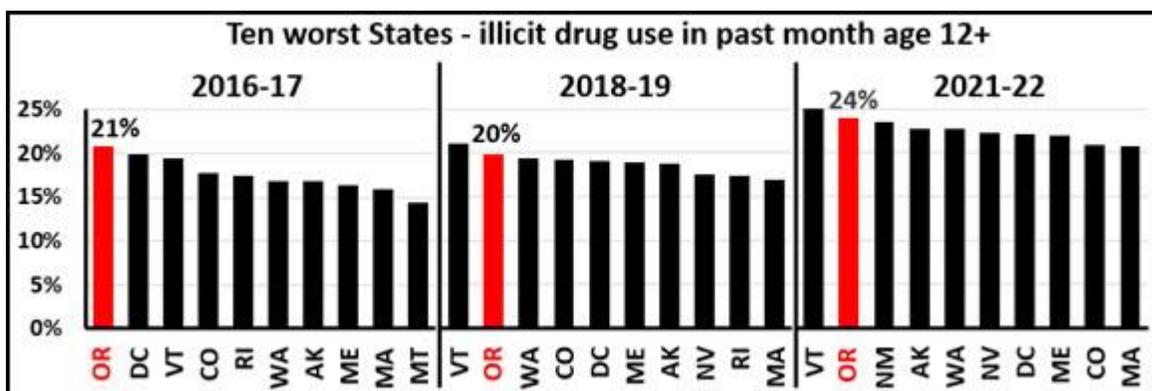
Ergo, why comply?



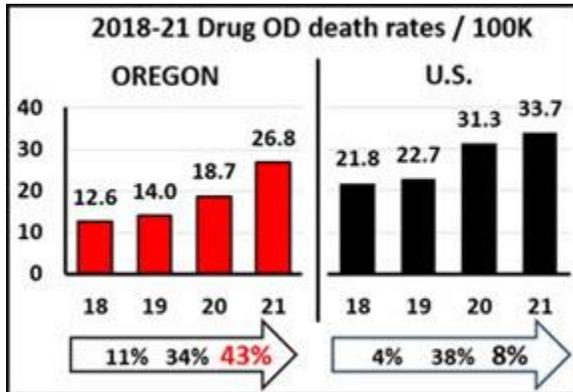
In January 2023 Oregon Health Authority auditors published “[Too Early to Tell: The Challenging Implementation of Measure 110 Has Increased Risks, but the Effectiveness of the Program Has Yet to Be Determined](#)”. It prominently mentions the “racist and brutal history” that presumably inspired the measure. But its recommendations seem exclusively focused on bureaucratic challenges. Even the hotline’s pronounced under-use is attributed to poor program design and management. Nothing at all is said about the culture of drug abuse or the possibility that its adherents may have

taken advantage of decriminalization to keep doing what they prefer. And possibly even *increase* their use of drugs.

So, did they? A sidebar at the top of the report notes that Oregon had “the second highest rate of substance use disorder in the nation and ranked 50th for access to treatment.” That reference, we assume, is to the [National Survey on Drug Use and Health](#). This graph uses its data to depict the percent of persons age 12+ who self-reported illicit drug use between 2016 and 2022 in the ten States with the highest drug abuse rates (SAMHSA left out 2020-2021 for methodological reasons, and 2022-2023 data isn’t in).



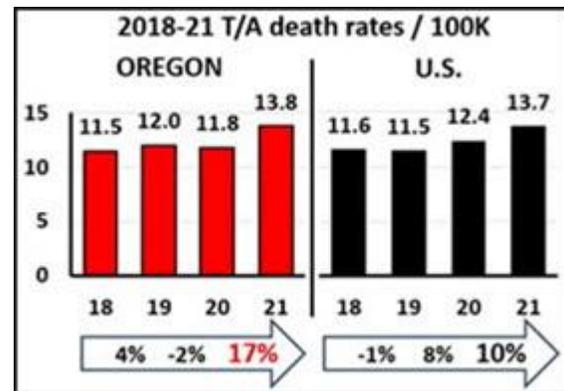
Note that Oregon was “number one” in the U.S. – meaning, the *worst* – five years preceding decriminalization. (It climbed there from sixth-worst during 2013-2014, when “only” 14% of its respondents age 12+ admitted using illegal drugs.) Self-reported drug use then slightly abated, and Oregon fell to second place. And while it remained number two, the State’s percentage of self-admitted drug users actually worsened during 2021-2022, when Measure 110 was in effect.



For the possible consequences of drug abuse we turned, first, to the [CDC](#). The graph on the left compares drug overdose rates reported between 2018-2021, the most recent year available. Although it was signed into law in 2020, Measure 110 took effect in February 2021. That year, Oregon’s drug overdose death rate of 26.8 was 43 percent worse than its 2020 rate of 18.7. During the same period the mean U.S. rate, which has always been

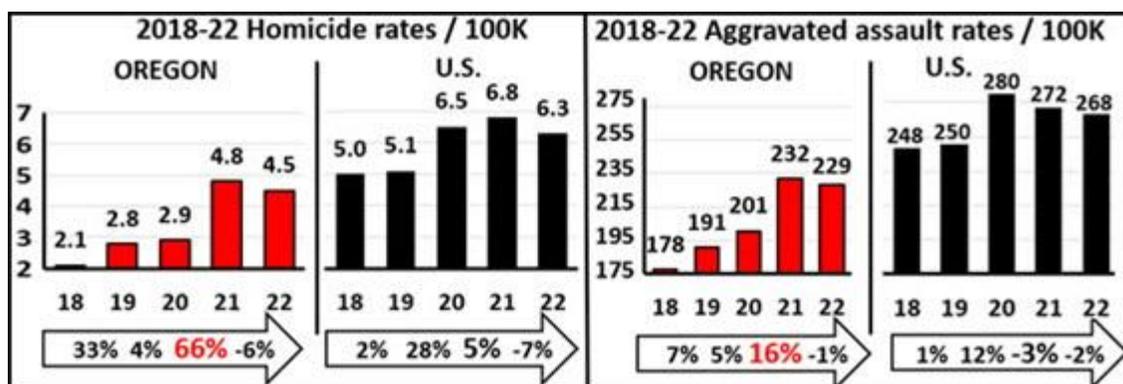
higher than Oregon’s, went up by the far smaller amount of eight percent.

Might unhindered access to “hard” drugs lead to a lot of addled driving? We used data provided by the [CDC Wonder](#) website to look into traffic accident deaths. On the right is a four-year comparo between Oregon and the U.S. Their traffic accident death rates seem quite close. Again, the only deviation of note is for 2021. That year, Oregon’s rate jumped 17 percent from the previous year’s figure. Meanwhile the U.S. rate increased by a considerably lesser 10 percent.



What about crime? “[Does Legal Pot Drive Violence?](#)” reported that three of ten States that legalized pot during 2012-2016 – Alaska, Colorado and Oregon – suffered substantial post-legalization increases in their UCR violent crime rates (31.8, 37 and 17.9 percent, respectively). However, three other early pot-legalizing states – Maine, Massachusetts and Nevada – enjoyed substantial *decreases* in violence (-11.5, -23.8 and -24.2 percent, respectively). Perhaps not-so-coincidentally, nine of the top-ten early-pot States (California excluded) landed in our top-ten hard-use graph (see above).

Criminal violence-wise, marijuana seemed very much a mixed bag. So what about hard drugs? These graphs depict 2018-2022 homicide and aggravated assault data from



the [UCR](#). Both show substantial increases in Oregon rates between 2020-2021, and particularly for homicides. Their contrast with the marginal changes in U.S. rates seems profound.

Full stop. An accurate analysis of the reasons behind Oregon's surge in drug overdose deaths and homicides, and the substantial increase in traffic accident deaths and violent crimes, would require taking a host of potential influencers into account. Still, most of the numbers, from drug use self-reports through Oregon's homicide and aggravated assault rates, seem consistent with criticisms that decriminalizing the possession of hard drugs and transforming it into a civil infraction may have been a step too far.

Last July, as Oregon's measure was into its third year, the (normally, very liberally-inclined) *New York Times* [took a deep dive into Portland](#). "At four in the afternoon the streets can feel like dealer central. At least 20 to 30 people in ski masks, hoodies and backpacks, usually on bikes and scooters." That's how coffee-shop owner Jennifer Myrle described her city's new normal. What's more, "there was no point calling the cops." Her pessimism about that was seconded by a bicycle-mounted officer who frequently gave Narcan shots. "So we cite them and give them the drug screening card. Then they'll say they don't want treatment or they'll tell us, 'OK, I'll call the number.' And two hours later we run into them again, and they're smoking or even overdosing."

By September 2023, Measure 110 seemed to be in its last gasps. Leading members of Oregon's business community and a former lawmaker [filed ballot measures](#) to recriminalize drug possession and prohibit its public use. Bemoaning that "people don't feel safe on the streets," Senate Majority Leader Kate Lieber (she's a "Blue", by the way) [soon held hearings](#) on the drug crisis. But impatience was growing. "Oregonians believe that Measure 110 has been a failure," said Senator Tim Knopp, her "Red" counterpart. "I really don't want to wait another year for a ballot measure."

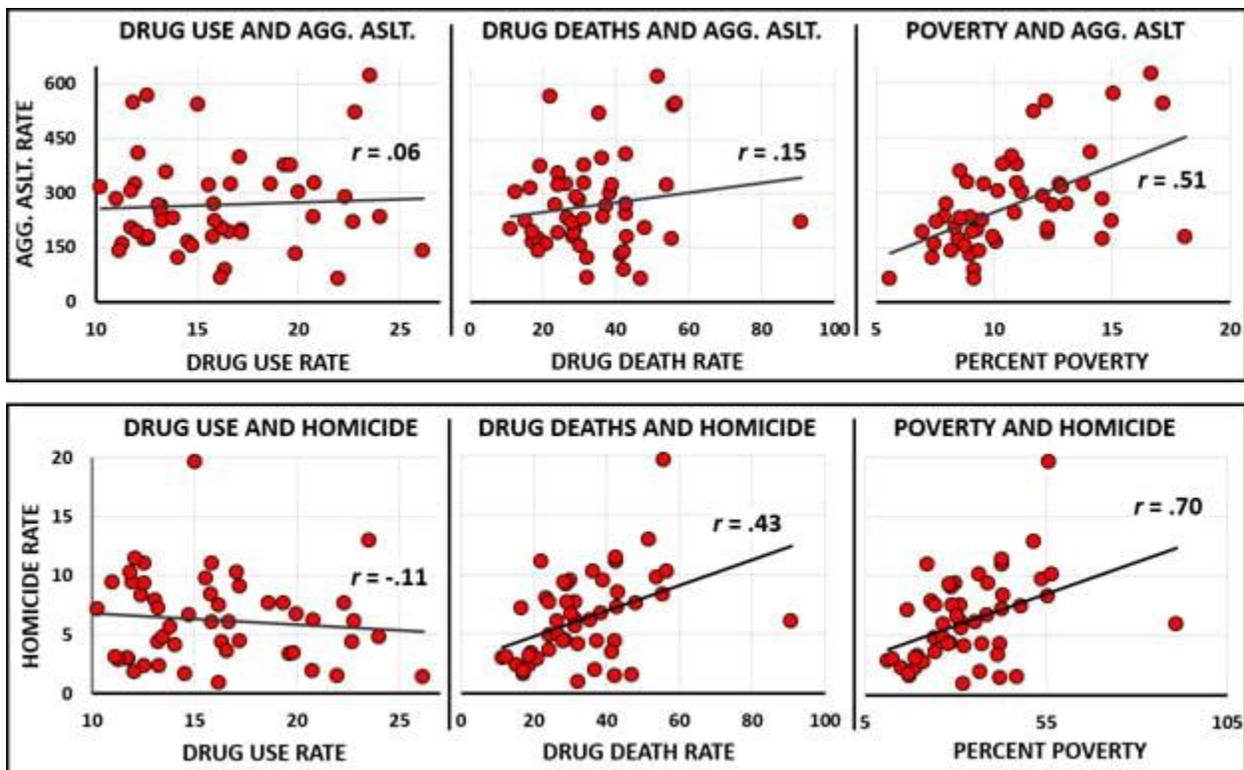
He didn't have to. Two weeks ago a bill to replace Measure 110 [sailed through the State legislature](#). While House Bill 4002's focus remains on funding and providing substance abuse treatment – "treatment over penalties" is its watchword – possessing even small, single-use amounts of hard drugs returns to being a misdemeanor (click [here](#) for the legislative summary). And yes, Oregon Governor Tina Kotek [has promised to sign it](#).

So we'll see. Recriminalizing hard drugs may discourage their use, or at least their flagrant public use, and to that extent Portlanders may feel reassured. But Oregon's homicide and aggravated assault rates markedly increased during 2020-2021 (they edged back somewhat in 2022.) Might reducing the use of hard drugs keep things on a positive track?

Eager to crunch a few numbers, we used simple correlation (the “*r*” statistic) to analyze the relationships between 2021 drug use rates, drug overdose rates, homicide rates, aggravated assault rates, and percent in poverty, for all fifty States. (Drug overdose death rates came from the [CDC](#), crime rates from the [UCR](#), and poverty rates from the [Census](#).) Correlations range from zero, meaning no relationship between variables, to one, which represents a “perfect”, lock-step association. Positive *r*’s mean that variables go up and down together; negative *r*’s, that they move in opposite directions. Coefficients of plus-or-minus .40 or greater are generally considered substantial. Here are the results:

	Drug use	Drug death	Pct pov	Agg Aslt	Homicide
Drug use		.20	.06	-.11	-.14
Drug death	.20		.15	.43	.35
Pct pov	-.14	.35		.51	.70
Agg Aslt	.06	.15	.51		.68
Homicide	-.11	.43	.68	.68	

These graphs portray the relationships between the three hypothesized “causes” (drug use, drug death and poverty) and their two possible “effects” (aggravated assault and homicide). Each State appears as a “dot”:



Self-reported drug use rates seem unrelated to either homicide or aggravated assault. Drug overdose death rates have a weak relationship with aggravated assault and a moderate relationship with homicide. But what clearly matters most is poverty. No, we're not saying that impoverished citizens are criminals. Yet as our essays have often pointed out (see, for example, "[Fix Those Neighborhoods!](#)"), economic conditions are strongly linked to a host of factors, such as unemployment and lack of child care, that *do* drive crime.

Bottom line: tinkering with drug laws may have little effect on criminal violence. Our assessment of State violent crime numbers pre-and-post marijuana legalization ("[Does Legal Pot Drive Violence?](#)") concluded that legalizing marijuana was unlikely to "cause violence to explode." And if self-reports accurately measure drug use, that seems true for legalizing hard drugs as well. Neither should we expect that re-criminalizing possession will substantially *reduce* violence.

That doesn't mean that Oregon's retrenchment won't have *any* noteworthy effects. If Governor Kotek puts pen to paper (she has yet to sign the bill, but is expected to do so any day now), many drug users will likely revert to "lighting up" in private. And if they do, that should make Portland, and its cops, happy!

Posted 5/10/09

## WHAT'S THE GVERNATOR BEEN SMOKING?

### *Legalizing marijuana shouldn't just rest on economics*

...Well, I think it's not time for [legalizing pot] but I think it's time for a debate. I think all of those ideas of creating extra revenues, I'm always for an open debate on it...

Governor Schwarzenegger isn't alone. Fifty-six percent of California voters surveyed in the April 2009 [Field Poll](#) said they favored legalizing and taxing pot. Truth be told, the Golden State always had a soft spot for marijuana. Its [Compassionate Use Act](#) was the first, in 1996, to allow physicians to prescribe pot for treating a wide range of maladies including "cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, *or any other illness for which marijuana provides relief* (emphasis added)". [Twelve more States](#) from Hawaii to Rhode Island have since followed suit.

It's not just about medical use. Support for complete decriminalization has been on the rise throughout the U.S. [Four decades ago](#) the split was twelve percent for and eighty-four percent against. By late 2005 the gap had narrowed to thirty-four yes versus sixty no, with younger men mostly in favor and women and older men largely opposed. As might be expected, attitudes vary by region. There's far more support for pot on the East and West coasts than in the more conservative South and Midwest.

Country	Cannabis	
	Percent	SE
Colombia	10.8	0.6
Mexico	7.8	0.5
US	42.4	1.0
Belgium	10.4	1.6
France	19.0	1.6
Germany	17.5	1.6
Italy	6.6	0.8
Netherlands	19.8	1.3
Spain	15.9	1.3
Ukraine	6.4	1.0
Israel	11.5	0.5
Lebanon	4.6	0.9
Nigeria	2.7	0.5
South Africa	8.4	0.6
Japan	1.5	0.4
People's Republic of China	0.3	0.1
New Zealand	41.9	0.7

In 2008 the World Health Organization surveyed alcohol and drug use around the globe. Its [findings](#) were a bit surprising. The Netherlands only placed third. Despite their permissive drug laws, just twenty percent of the Dutch said they had ever used cannabis. Second place went to New Zealand, with a far higher 41.9 percent. Taking the crown was the

good old U.S.A., where 42.4 percent admitted inhaling at least once. (Incidentally, we were also number one for ever using tobacco, 73.6 percent, and cocaine, 16.2 percent).

## POLICEISSUES.ORG

Surveys by the [National Institute of Drug Abuse](#) confirm that marijuana is the most popular illicit drug in the U.S. Parents won't like it but [in 2008](#) nearly one-fourth of 10th-graders and one-third of 12th-graders admitted smoking pot at least once during the preceding twelve months.

Marijuana's proponents claim that it's a harmless mood elevator, no worse than alcohol or tobacco. Many scientists disagree. Smoking pot is believed to pose a host of [significant health risks](#), including cancer and diseases of the lungs and respiratory tract. Because they tend to inhale deeply and hold smoke for a prolonged period, pot smokers are likely worse off than those who only use tobacco. And it doesn't stop there. There is good reason why popular culture pokes fun at potheads. Marijuana's active ingredient, THC (tetra-hydro-cannabinol) affects key brain functions including [memory and learning](#). Pot has been linked with poor performance at school and work, and even low dosages can seriously impair judgment and motor skills, making it dangerous to use machinery and drive a car.

THC does have therapeutic qualities. It's in anti-nausea medications used by chemotherapy patients. Marijuana, a powerful appetite stimulant, is of value for those suffering from AIDS and other wasting illnesses. Of course, it's these benefits (and not pot's recreational potential) that justified medical use laws in the first place.

Yet, as well intentioned as the compassionate use statutes may be, their application leaves something to be desired. California's permissive approach (physicians need only give verbal approval) lets unscrupulous clinics sell pot under the flakiest of pretenses. About the best that can be said of these profitable centers of stoner culture is that they don't sell to children. Calling the situation "Looney Tunes," [LAPD Chief Bratton](#) strongly criticized the lack of oversight: "They pass a law, then they have no regulations as to how to enforce the darn thing and, as a result, we have hundreds of these locations selling drugs to every Tom, Dick and Harry."

The good Chief hasn't seen anything yet. Tom Ammiano (D-San Francisco) has introduced [California State Assembly bill 390](#), which legalizes pot for everyone 21 and over. Although the measure includes detailed provisions for licensing producers and retailers, growing marijuana and making reefers is ridiculously simple, so combating illicit manufacture, collecting taxes, preventing sales to minors and controlling purity and potency could easily drain away a good chunk of the [\\$1.3 billion a year](#) that the law would reportedly generate. (Naturally, it's all contingent on the Feds allowing it. But that's a story for another day.)

## POLICEISSUES.ORG

There's little doubt that letting buyers get weed from medical marijuana clinics instead of slimy street dealers has expanded sales. Whatever the gain, it's nothing compared to the [staggering forty percent](#) increase in consumption that State tax authorities estimate Assemblyman Ammiano's bill would yield. So is that what we really want? Given what's known and suspected about pot's effects on health, does it make sense to encourage young people to take on a habit that can cause cognitive disorders and life-threatening medical conditions? That's to say nothing, of course, of having even more Toms, Dicks and Harrys driving around in a drug-induced haze.

After all the jawboning about obesity, unhealthy food in the schools and the evils of alcohol and tobacco, it's now proposed that we do an attitudinal U-turn and embrace a mind-altering drug, and all for the sake of a buck.

Heck, it could make one want to light up!