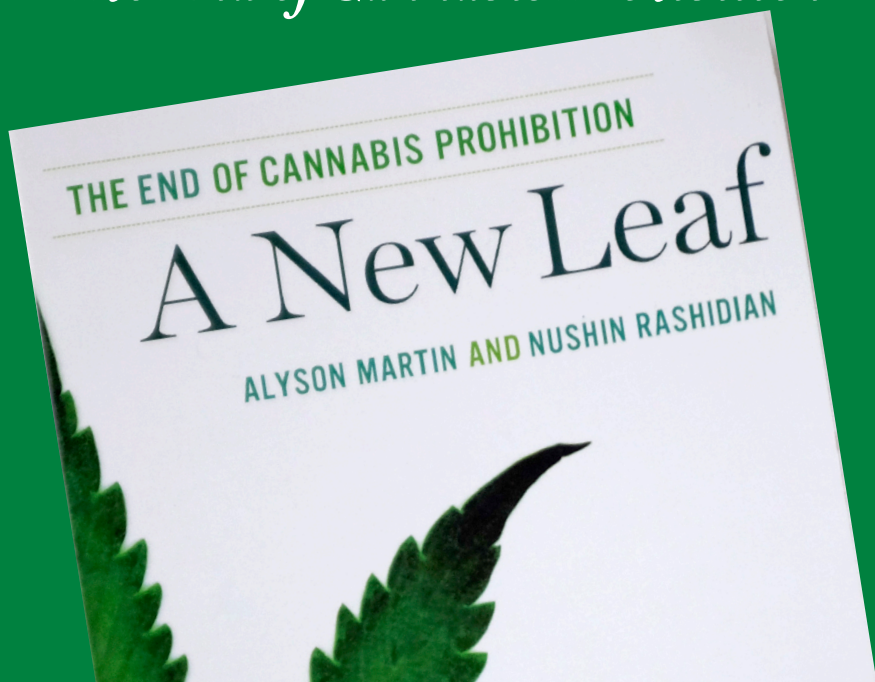


ALYSON MARTIN & NUSHIN RASHIDIAN

Along Came Mary

*A 24-page excerpt from
A New Leaf:*

The End of Cannabis Prohibition





A New Leaf

The End of Cannabis Prohibition

ALYSON MARTIN & NUSHIN RASIDIAN

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This excerpt is the Introduction – *Along Came Mary* – to the book, **A New Leaf: The End of Cannabis Prohibition**.



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PREAMBLE

In November 2012, voters in Colorado and Washington passed landmark measures to legalize the production and sale of cannabis for social use – a first not only in the United States but also the world. Medical cannabis is now legal in twenty states and Washington, D.C., and more than one million Americans have turned to it in place of conventional pharmaceuticals. Yet the federal government refuses to acknowledge these broader societal shifts and continues to raid and arrest people: 49.5 percent of all drug-related arrests involve the sale, manufacture, or possession of cannabis.

*In the first book to explore the new landscape of cannabis in the United States, investigative journalists **Alyson Martin** and **Nushin Rashidian** present a deeply researched, insightful story of how recent developments tie into cannabis's complex history and thorny politics. Reporting from nearly every state with a medical cannabis law, Martin and Rashidian enliven their book with in-depth interviews with patients, growers, doctors, entrepreneurs, politicians, activists, and*

regulators. They whisk readers from the federal cannabis farm at the University of Mississippi to the headquarters of the ACLU to Oregon's "World Famous Cannabis Café." They present an expert analysis of how recent milestones toward legalization will affect the war on drugs both domestically and internationally. The result is an unprecedented and lucid account of how legalization is manifesting itself in the lives of millions.

A New Leaf offers an essential guide for anyone who wants to understand the far-ranging implications of this rapidly changing drug landscape



INTRODUCTION

Along Came Mary

ANOTHER PROHIBITION IS ENDING. ON November 6, 2012, voters in Colorado and Washington were the first in the world to successfully challenge nearly a century of bad policy and misconceptions about cannabis.

In downtown Seattle, the Hotel Ändra was dressed white and blue, the team colors of Washington State's Initiative 502 campaign. Supporters hoping for a victory, cannabis legalization, walked into a smartly decorated ballroom and picked up bumper stickers and pins. Activists and politicians anxiously buzzed about to pass

the hours. Alison Holcomb, then drug policy director for the ACLU of Washington State and the woman leading the state's legalization push, wore a black blazer and fuchsia shirt. She paced and whispered to her colleagues, scouring tablet screens for clues long before votes had been counted. At this early point in the night, the expressions on the brunette's angular face moved so fluidly between nervousness, confusion, and excitement that it was difficult for photographers to capture a representative portrait.

Around 7 p.m., the owner of one of the largest and most successful medical cannabis dispensaries in the country arrived. Steve DeAngelo was unmistakable even in a crowd, with his signature long, tight pigtail braids and dark fedora. He listened as a woman stood closely and told her story. DeAngelo got that a lot. Earlier that year, he was the star of his own Discovery Channel show, *Weed Wars*. His two Harborside Health Centers are in the Bay Area, but he had a soft spot for Seattle. Just a few months before, he had spoken at Seattle's well-known Hempfest, attended by tens of thousands each year. "I've been working on this issue for my entire life. . . . And I know tonight, when 502 passes, that there's going to be a whole lot of angels dancing in heaven," DeAngelo said,

his eyes flooding. “It’s not very often that I find myself at a loss for words, but I’m grasping to describe the magnitude of the emotion that I’m dealing with right now.”

MEANWHILE, 1,330 MILES AWAY AT DENVER’S CASSEL man’s Bar and Venue, hundreds of Amendment 64 supporters squeezed shoulder-to-shoulder, increasingly unable to remain composed in front of the many live cameras. It could have been a St. Patrick’s Day gathering; many people wore green, in one way or another. A man in an emerald dress shirt held a green and white yes on 64 sign. He walked up to Mason Tvert, a face of the Amendment 64 campaign, and extended the sign. The stout millennial scrawled his signature, handed back the memento, and smiled sheepishly before walking away to fix his red tie.

In the previous five years, the Rocky Mountain state’s medical cannabis industry had grown faster and more sophisticated than any other, earning a feature on *60 Minutes* and its own National Geographic show, *American Weed*. The state’s nearly seven hundred dispensaries had grossed \$186 million in sales and paid the state \$5.4

million in sales taxes from mid-2011 to mid-2012. Dispensary owners had combined typical American ingenuity and science to propel cannabis into the future. Using a process similar to coffee decaffeination, they had created a cannabis extract and stuffed it into a simple and smokeless e-cigarette-like contraption; it looked like the intersection of Venice Beach and Apple. Colorado was serious about cannabis.

Nearby, a woman and man embraced and smiled calmly. By the time 9 percent of precincts had reported and people saw the numbers from KDVR Fox31 Denver, there was loud whistling, clapping, and yelling: Amendment 64 was ahead 52 percent to 48. As the imminent reality of cannabis legalization swept the room, the racket swelled to a roar. A man repeatedly cheered and pumped his arms as if trying to lasso something.

When it appeared a final call might soon be made, people took photographs and videos; hugs abounded. A man who sported a tie-dyed shirt and a balding crown with long hair dangling past his nape walked around aimlessly. Near the cameras, a lady with a foam cannabis leaf over her hand joined a guy who smiled, mouth agape, and made the “hang loose” sign to whoever tuned in to watch the revelry. This man with impressive sideburns

held a yes on 64 sign above his head and beamed. The rounds of high fives were never-ending.

It was a celebration to remember. The crowd began to chant “Sixty-four! Sixty-four! Sixty-four!” They punched the air with clenched fists and clapped along to “Co-lor-a-do.”

Finally, Tvert took the stage. The room quieted.

“I’m so proud to be up here saying that we are standing in the first state in our nation –” The crowd noise drowned out his speech. Tvert tried again. “For a lot of people, it’s always been very difficult to talk about this issue. And hopefully tonight, after this initiative has passed and demonstrated that a majority of Coloradans think it’s time to end marijuana prohibition, people will not be scared anymore. . . . To know that, come this time next year, there will not be ten thousand arrests for marijuana is a good, good feeling.” The whooping and merriment continued.

For the first time, in the state of Colorado, ten thousand people would not be handcuffed, taken to a police station, and charged for simple cannabis possession. Ten thousand people would not have their permanent records tarnished by a misdemeanor drug charge. Ten thousand people would not have to explain that possession charge to a potential employer or landlord.

Brian Vicente, a lawyer who advocated for medical cannabis in Colorado for nearly a decade and helped draft Amendment 64, took the stage. “Tonight we made history. This is something you’re going to tell your kids about,” Vicente said. “Marijuana prohibition started in 1937. The first person arrested was in Colorado.” The crowd boomed. “Colorado fucking turned this thing around tonight.” And with the f-word came gaiety.

BACK IN SEATTLE, HOLCOMB STOOD AT A PODIUM. Voters in Colorado had decided in favor of cannabis: Amendment 64 had passed. Holcomb looked stunned, but happy. She rallied the people before her. “I don’t know how you guys feel about being number two, but I would be okay with that,” she joked.

Until that moment, the question was whether one of these initiatives would pass. Now there was potential for two. Still, there was no relief from the tension. An initial report from King County showed that, with approximately 250,000 ballots returned, Initiative 502 was trailing slightly at 49.23 percent to 50.77. Several people groaned. The mood dampened. “It’s all right,” someone yelled. “Oh, wait a second, they also have Mitt

Romney winning at this point,” Holcomb laughed. “So these obviously are early ballots. . . . I think, hopefully, we’re going to see these numbers improve as the night goes on.”

Many key supporters of cannabis legalization – some expected, some, including Seattle city attorney Pete Holmes, perhaps atypical – surrounded Holcomb in anticipation.

“There are? There are numbers? Let’s see, let’s see, let’s see,” Holcomb said, away from the microphone. “Make way for the screen! We’re going to get some results. Oh, you guys are killing me. It’s killing me.” The vote percentages popped up on the screen. Holcomb struggled to make an announcement while everyone in the room swiped at their smartphones and tablets.

“All right, I’m looking at something on a phone right here that’s for King County that says Initiative 502 in King County has earned 63.82 percent of the vote.” The cheering and applause doubled. The most populous county in Washington had voted yes, and the rest of the state would likely follow.

“Thank you, thank you all. Thank you. All right, I’m going to go ahead and just give my victory speech right now because I can’t –” Holcomb said, her speech broken

by an ovation. “I am so proud and so humbled to stand among the voters of the great state of Washington who have this day taken an historic vote. I am so proud of the very careful consideration, the very thoughtful reflection, and the very robust and animated conversation that has gone on around this groundbreaking decision. And ultimately, I’m most proud that, despite controversy and uncertainty, Washington State exhibited tremendous leadership in reexamining a failed policy and being willing to examine promising alternatives.

“Today, the state of Washington looked at seventy-five years of a national marijuana prohibition and said it is time for a new approach,” she continued. The state of Colorado felt the same way. And for the first time in history, so did 50 percent of Americans.

Roger Roffman, professor emeritus at the University of Washington, cannabis-dependence treatment professional, and cosponsor of Initiative 502, took the podium and said, “Finally, we are about to harness what we’ve learned through science. New marijuana tax dollars will flow to communities throughout our state for drug prevention programs that work. We’ll also see new revenues for education about marijuana that is based on science, not on ideology. . . . We will begin using data

rather than wishful thinking to measure how well our efforts to prevent marijuana harm actually work . . . because marijuana tax revenues will be allocated to evaluation and research.”

Washington’s Initiative 502 campaign was known for the diverse group it brought together in support of cannabis reform, uniting everyone from hippies to politicians to travel guide Rick Steves. At the podium that night, Steves was as dynamic as when he hosts his television series Rick Steves’ Europe. Steves tells his mostly middle-aged American audience to be “temporary locals,” and they listen, because he’s charming and seems like a peer. Steves hosted a series of roundtable discussions with Holcomb called “Marijuana: It’s Time for a Conversation,” which no doubt helped pass the initiative.

“I’ll tell you one thing, the whole country is going to wake up tomorrow and look at Washington State and Colorado,” Steves said, “and recognize that this is the beginning of taking apart prohibition one state at a time.”

Just before 9 p.m., the *Seattle Times* finally made the call that Initiative 502 passed. When it all became certain, Holcomb simply added, “Ladies and gentlemen, I don’t

know if you're aware of what's just happened, but effective December 6, 2012, if you are an adult twenty-one or older in the great state of Washington, you can no longer be arrested for possessing up to one ounce of marijuana." General mayhem ensued. "May I remind you, however, that I said December 6. Proceed at your own risk," she laughed and stepped away from the microphone.

WHEN VOTERS IN WASHINGTON AND COLORADO CLOSED the curtain, considered their choices, and punched the ballot on Election Day 2012, why did most choose cannabis legalization?

Over the past two decades, more Americans have been exposed to cannabis than at any other time in recent history. According to *The Path Forward*, a report co-authored by Colorado representative Jared Polis and Oregon representative Earl Blumenauer and released in February 2013, more than 106 million people now live where cannabis is legal for medical or general use.⁴ As of April 2013, according to Pew Research, 77 percent of Americans believe cannabis can legitimately be medicine and a landmark majority, 52 percent, support legalization for general use. Yet the federal government refuses to

accept these broader societal shifts. Americans are, for the first time, truly weighing the harms of cannabis prohibition against the harms of cannabis. For example, prohibition has led to more than 8 million cannabis-related arrests in the last decade – of those, 88 percent were for mere possession.

One reason for the change in public opinion is the education Americans have received from over twenty years of access to medical cannabis. The more often people saw the cannabis plant on TV screens, in newspapers, and, sometimes, down the street, the more comfortable they grew with the notion of legalization. When he led the reefer madness crusade to banish cannabis in 1937, Harry J. Anslinger, first commissioner of the U.S. Treasury Department's Federal Bureau of Narcotics, warned, "This drug is entirely the monster Hyde, the harmful effect of which cannot be measured." But if cannabis now legally replaces or supplements conventional pharmaceuticals for an estimated 1 million Americans in twenty states and Washington, D.C., it's increasingly clear that it must not be as dangerous as we were – and, in some cases, continue to be – told.

More Americans feel comfortable coming out about their cannabis use, too. Forty-eight percent of adults

eighteen or older admit they tried cannabis at some point in their lives. Popular culture has accurately reflected shifting views about the plant. Increased use and acceptance of cannabis for medical (and “medical”) reasons might be why even Meryl Streep and Steve Martin could light a joint, party with the kids, and feast on chocolate croissants in the movie *It’s Complicated* without controversy.

On top of that, numerous influential types have spoken in favor of reforming drug policy, including Arianna Huffington, founder of *Huffington Post*; Deepak Chopra, the man who made millions by making people feel better holistically; and Richard Branson, founder of the Virgin Group. All three sit on the honorary boards of the nation’s foremost drug policy reform organization, the Drug Policy Alliance. Year after year, cannabis continues to make the strangest bedfellows, uniting liberal Barney Frank and Tea Partier Ron Paul in Congress, for instance; they worked on two cannabis law reform bills and co-authored a letter to President Barack Obama to insist the federal government not intervene in states with cannabis laws.

The economic and social implications of cannabis legalization, both domestic and international, have also

become more apparent in recent years. As Americans clawed their way out of a recession, more and more states passed medical cannabis laws and, slowly, more brick-and-mortar storefronts emerged. It soon became obvious that there is money to be made. When budgets started to feel the recession pinch, voters wanted to harness the economic power of cannabis to mitigate the impact. Colorado earned \$5.4 million from medical cannabis sales taxes between 2011 and 2012; California estimates annual sales tax revenues between \$58 million and \$105 million. Now, with the passage of Initiative 502, voters in Washington have opened the door to over half a billion dollars in annual tax and fee revenue for their state, money that can be directed toward cannabis education, research, and dependence treatment, among other public health initiatives. Voters in Colorado know that, beginning in 2014, \$40 million in tax dollars from general-use cannabis each year will be earmarked for schools.

At the same time, the financial costs to curb this momentum and fight the domestic drug war are staggering. The White House National Drug Control Budget for 2014 noted that \$9.6 billion of its total \$25.4 billion is allocated to domestic law enforcement. These

resources are intended to stem the availability of drugs – but the money has not been wisely invested if nearly half of those law enforcement efforts result in the arrest of cannabis users, as has been the trend for years. Of the 1.53 million nonviolent nationwide drug arrests in 2011, 49.5 percent were for violations involving cannabis and an overwhelming 87 percent (or about 663,000) of those arrests were for minor charges involving possession. Typically, nine cannabis possessors are arrested for every one dealer. In the meantime, cannabis use and availability have increased; the money has been tossed into the wind.

Voters have also started to connect the American appetite for cannabis to conflict beyond our borders. The United States spends over \$5 billion each year to fight the international drug war, with an emphasis on Latin America. Over the last decade, drug trafficking organizations in Mexico have become more violent, and an estimated sixty thousand people have been killed as the result of drug-related conflict. If passed nationally, cannabis legalization in the United States would remove – and these are conservative estimates – roughly 30 percent of the at least \$7 billion total profits these organizations receive from the illegal sale of drugs across the border.

(Estimates on total profits and the share of cannabis vary; this isn't exactly an industry that files earnings reports.)

Americans also increasingly recognize the social costs of the domestic drug war on our fellow citizens. These millions of arrests, and the subsequent criminal record, often lead to loss of income, housing, child custody, and student financial aid. When voters in Colorado and Washington pulled the yes lever, they also spoke out against a system of entrenched racial inequity that is manifested and propagated through cannabis law enforcement. Across the country, blacks are nearly four times more likely than whites to be arrested for cannabis possession, even though they use cannabis at comparable rates. Arrest statistics vary from city to city, but New York City provides an illuminating example because its law enforcement tactics have earned national attention and contribute to the state's having the highest number of cannabis possession arrests in the country. Between 2002 and 2013, the New York Police Department made 5 million stop-and-frisks, or unannounced police pat-downs, on the street with the stated intent of finding guns. Of all of those stopped, 86 percent were black or Latino – and 88 percent were innocent. If police were looking for guns, they didn't find many: fewer than two-

tenths of a percent (0.2 percent) of all stops resulted in guns found.²² Due to these tactics, however, there has been an increase in cannabis possession arrests. In 2011, at the peak of stop-and-frisks in New York City, arrests for cannabis possession also peaked at 50,484.

Forty years and \$1 trillion later, only 4 percent of Americans support the war on drugs.

With each new piece of information about potential tax revenue, skyrocketing arrests, and the racist nature of cannabis law enforcement, it was as if voters saw the color panels begin to match on the side of a Rubik's Cube. When cannabis legalization made it to the ballots in Washington State and Colorado, voters in those states essentially decided whether they wanted to spend billions of dollars to arrest millions of men and women while sending a massive check to drug cartels during an American economic crisis – all over a nontoxic substance that is less harmful and addictive than alcohol. On that election night, more than 3 million voters in those two states definitively said enough is enough.



MOST PEOPLE TODAY CANNOT RECALL THE TUMULTUOUS process by which Americans returned alcohol to the

table after our first prohibition, but we are witnessing the similarly dramatic reintegration of cannabis into society. It seems that nothing can kill the cannabis plant: not seventy-five years of prohibition, nor decades of reefer madness, nor forty years of war. Today, cannabis is legal as medicine in nearly half the country, legal for personal use in two states, but remains illegal under the federal umbrella. This dissonance between federal and state law has created uniquely murky legal territory whereby people who follow state law can still face federal prosecution and decades in prison. How did we get here, and how will cannabis prohibition continue to unravel?



WRITING WORTH READING

CANADA'S HIROSHIMA | ERIC WALBERG
ARIEL SHARON: WAR IS PEACE! | DAVID EDWARDS
MISSION ABANDONED | EAMONN MCCANN

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