

# Legal, regulated marijuana: Yes

Barack Obama and his two predecessors as president of the United States smoked marijuana when they were young men. The experience may not have propelled them forward, but it resulted in no lasting impairment. They were lucky: If any of the three had been arrested for possession of marijuana, as more than 13,000 Oregonians were last year, their futures would have been ruined — not because of the drug, but because of the law.

## **Election 2014**

Measure 91 on the Nov. 4 ballot would change the law, making it legal for adult Oregonians to use marijuana for non-medical purposes. The drug would be regulated by the Oregon Liquor Control Commission, though with somewhat tighter controls than exist for alcohol. Measure 91 is superior in important respects to the legalization initiatives approved two years ago in Washington state and Colorado, though all three share the fundamental virtue of recognizing the current policy of prohibition does more harm than good. Oregonians should vote “yes.”

Despite the threat of arrest and the lasting consequences that follow, marijuana is widely used in Oregon. According to the National Survey on Drug Use and Health, about 12 percent of adult Oregonians smoke pot regularly, the equivalent of the population of Lane County. A great many more have tried the drug at some point in their lives. The police can't arrest all those people — an analysis of FBI data by The Washington Post showed that Oregon made 17 arrests per 1,000 pot smokers in 2012. The result is uneven enforcement, with penalties falling disproportionately on those who are black, brown, poor or young.

With marijuana use so widespread, even a low arrest rate yields a large number of pot busts. About 7 percent of all arrests in Oregon are for simple pot possession. The police and the courts have better things to do with their resources — including enforcing marijuana laws that would remain after approval of Measure 91, such as laws against providing or selling marijuana to minors and driving while intoxicated by marijuana.

Removing the threat of a drug bust from the lives of nearly one in eight otherwise law-abiding Oregonians would be one primary benefit of Measure 91. Another would be to kill or cripple the black market in marijuana.

Prohibition keeps drug dealers in business — dealers who have no compunction against selling pot and other drugs to children, selling products of dubious purity and feeding profits to organized criminal enterprises. Measure 91 would pinch one of the conduits for the cash that finances drug cartels by bringing much of the underground marijuana economy into the open, where it could be monitored, regulated and taxed.

Under Measure 91, legal sales of marijuana would be taxed at a rate of \$35 per ounce — a rate low enough to ensure that licensed outlets could compete with illicit sources, yet high enough to generate revenue for the state. The Legislative Revenue Office estimates that marijuana tax revenues in the first biennium would amount to \$46.6 million. Forty percent of the money would be dedicated to public schools, 35 percent to law enforcement and 25 percent to drug education, treatment and mental health programs.

Revenues flowing directly to the state would be only part of the picture. The entire marijuana supply chain would move out of the shadows. Pot that is currently grown on booby-trapped plots on public lands would be produced by licensed, tax-paying farmers. Processing, distribution and retailing would generate taxable profits and wages.

Measure 91 would allow people to grow up to four marijuana plants for their own use — unlike Washington’s law, which bans home pot-growing, and Colorado’s, which allows up to 12 plants. Pot growers in Oregon would be in a position analogous to that of home brewers, who are prohibited from selling their beer or producing more than a reasonable amount. Commercial growers and sales outlets would be licensed by the OLCC, as is the case with alcohol.

In other respects, marijuana would be more tightly controlled than alcohol. Employers’ requirement that workers be drug-free as a condition of employment would remain in effect, as would any landlord-tenant agreements prohibiting drug use. Marijuana could not be sold near schools or used in public places. Marijuana could not be exported to or imported from other states.

Though the tide of public opinion has shifted in favor of legalization, many remain apprehensive about the social effects of placing marijuana alongside alcohol and tobacco as legal drugs. It’s likely that marijuana will prove to be the least damaging of the three, but pot can cloud people’s judgment, sap their ambition and result in addiction. Society is already feeling those effects, because marijuana is so widely used. Prohibition compounds the social effects by adding unwanted legal and economic consequences.

It’s time to strip away those consequences and address the issues of drug use more rationally and effectively. Measure 91 deserves a “yes” vote.