



FROM THE DOCUMENTARY 'EVERGREEN'

UNHOLY ALLIANCE

Washington (with Colorado) became the first state in the USA to legalise the recreational use of cannabis. But along the way, Proposition I-502 faced some unlikely opposition. By Harry Shapiro

The voters of Washington State made legal history voting in a 55/45% split to allow the smoking of cannabis in private by those over 21. Yet the campaign to legalise cannabis was opposed not only by the usual suspects of law enforcement agencies, but both by the medical cannabis lobby and some groups who had for years been campaigning for cannabis law reform.

The campaign got off the ground in mid-2012, backed by some heavyweight supporters most notably Seattle's elected City Attorney, Peter Holmes. The group worked frantically against a tight deadline to gather 241,000 signatures, from among the State's voting population, the number needed for the measure known as Proposition I-502

to be put before the State Legislature. That body can decide either to pass the measure straight into law or put it to the people. Given the controversial nature of I-502, no politician wanted to publicly back it in the Legislature, opting instead to let the people decide.

However, as the campaign got under way, there was vociferous opposition from the medical cannabis lobby. The crux of the problem was that I-502 included a provision that set a THC blood level for driving under the influence of cannabis which patients, who often had high levels of THC in their blood without any obvious driving impairment, feared would mean that many would now face prosecution for Driving Under the Influence (DUI). The reform campaign

had included this provision in order to head off opposition from public safety groups like Mothers Against Drunk Driving (MADD) who had lobbied hard against a similar legalising proposition in California in 2010 – but which had no such testing provision – and successfully saw it off.

Groups in favour of legalisation also opposed I-502 on the grounds that it was too restrictive. They didn't want to see a cannabis law on the statute book that still prohibited use by those under 21; that still prohibited growing for personal use and smoking anywhere other than in private. This prompted the Seattle Times in an editorial (20th August 2012) to tell such opponents to 'get real' and not scupper I-502.

By contrast, supporters came from equally surprising quarters, none more so than right-wing Christian evangelist Pat Robertson who said, "I really believe we should treat marijuana the way we treat beverage alcohol." And of course, the ability for Washington State to earn valuable tax dollars in a time of recession was an argument that probably helped sway those who might not be natural supporters of drug legalisation. Underpinning the support of somebody like Robertson would also be the libertarian opposition to government intervention in the lives of people especially when a 'victimless crime' such as cannabis smoking is concerned.

More controversy surrounded the campaign funding of the reformers; they managed to attract \$5m in donations, a substantial chunk of that coming from Peter Lewis, the CEO of Progressive Insurance. Conspiracy theorists suggested that if the new law resulted in soaring rates of DUI convictions with consequential hikes in insurance premiums for convicted drivers, maybe Progressive Insurance had a stake in the proposal becoming law. In fact, Peter Lewis has a long track record of supporting cannabis reform efforts and was arrested himself in New Zealand in 2000 for cannabis possession.

One might have thought that in America, a well-funded national anti-reform lobby including faith groups and others would have weighed in against I-502. But this simply didn't happen. Nils Cowan, producer and writer of a documentary currently in production, *Evergreen: the road to legalization in Washington* says, 'the No camp told us they only raised \$6800' compared to the \$5m war chest of the Yes campaign.

The situation with cannabis supply right now in Washington is intriguing. It is legal to buy and smoke cannabis for recreational purposes, but there is nowhere legal to buy it from. This means a sales bonanza for cannabis dealers, both from State residents and the inevitable influx of drug tourists, while the officials sort out the licensing and quality assurance arrangements which will involve the setting up of a body similar to the State Liquor Board. Officials are calling the medical marijuana dispensary who joined with medical lobby in opposing I-502, to ask for advice on how to set up a state-run cannabis business. If they cooperate, this could be the turkeys voting for

Christmas. It is well known that many of those in receipt of medical cannabis prescriptions gained them on the most spurious of pretexts; new state-run outlets will be in direct competition with these private businesses. On the quality assurance side, the State will have to be careful not to be too proscriptive on what can be sold for fear of driving customers back to the illicit market.

All of which begs the question as to how the Federal authorities will react, in particular the Drug Enforcement Administration (DEA). Another provision of I-502 was that there should be no sales within 1000 feet of a school zone. The DEA responded in August last year by writing to every medical cannabis dispensary (technically operating legally anywhere it likes) threatening them with closure if they violated this provision.

President Obama has made a public declaration that targeting individual smokers was not a government priority, possibly a coded message to the DEA not to kick in doors of those who had democratically voted for the repeal of a law that was still a Federal offence. However, he was silent on the issue of the retail outlets that would spring up and the creation of a cannabis licensing authority. Should the DEA try and arrest a state or city official on a charge of conspiring to break Federal law by issuing a cannabis retail licence, then Washington State will be on collision course with Washington DC.

To find out more about the forthcoming documentary go to: www.evergreendocumentary.com

Cannabis and health

Two new reports underline confusions over the impact of cannabis on health.

A recent paper on the link between cannabis and schizophrenia co-authored by researchers from Bristol and Cardiff Universities (and in line with ACMD analysis) have concluded that the evidence is not strong enough to make a direct causal link between the two. In particular they state that 'ecological studies have found little association between the increase in the cannabis use in recent decades and incidence of psychotic disorders; public health models suggest that cannabis use may need to be treated and prevented in many thousands of users in order to prevent one case of schizophrenia'

Another new report has cast doubt on US data published in 2012 by the Duke Transdisciplinary Prevention Research Center which suggested that those who used cannabis heavily as teenagers saw their IQs fall by middle age. The new analysis by Ole Rogeberg, a Norwegian economist, suggests that socio-economic factors may play a role, for example, poorer people have reduced access to schooling. The data from the States came from the now famous Dunedin study in New Zealand where around 1000 people born in 1972-73 were tracked to age 38 and beyond. This



data showed that those from of lower socio-economic status were more likely to be smoking cannabis as teenagers, more likely to become dependent – and this argues Rogeberg, coupled with the schooling issue, could account for the correlation between cannabis use and IQ. In response, the US researchers said they took all this account and concluded that the decline in IQ cannot be attributed to socioeconomic factors alone.

Nature commented that it is hard to say which research outcomes are correct because the researchers have taken the same data set, but studied it in different ways and each has merit.