

Recreational Marijuana Use Legalized in Two States

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On November 6, 2012, Colorado and Washington voters successfully legalized marijuana in their states. Initiative 502 in Washington and Amendment 64 in Colorado passed with strong support, with more people in Colorado voting to pass Amendment 64 than those who voted for President Obama (who won the state). Under the new laws, adults 21 and older will be able to legally purchase and possess up to an ounce of cannabis, and under the Colorado law, people will be able to possess and grow up to 6 cannabis plants. Allen St. Pierre, executive director of the National Organization for the Reform of Marijuana Laws (NORML), wrote, "Yesterday's elections have forever changed the playing field regarding cannabis prohibition laws in America (and probably in large parts of the world, too)." Under Federal law, though, marijuana still remains completely illegal. Will the passing of these new laws usher in a new era of tolerance and reform, or will the Federal government intervene?

"The voters have spoken and we have to respect their will...This is a complicated process, but we intend to follow through. That said, federal law still says marijuana is an illegal drug, so don't break out the Cheetos or goldfish too quickly," said Colorado Gov. John Hickenlooper. The Drug Enforcement Administration (DEA) was quick to comment on the voting results in a press statement. "The Drug Enforcement Administration's enforcement of the Controlled Substances Act remains unchanged," said the DEA. "In enacting the Controlled Substances Act, Congress determined that marijuana is a Schedule I control[ed] substance. The Department of Justice is reviewing the ballot initiatives and we have no additional comment at this time." The Colorado U.S. Attorney's Office also said that it's position on marijuana remains "unchanged."

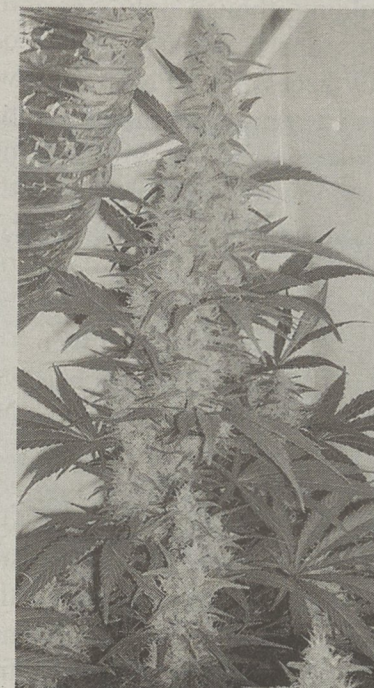
According to University of Denver law professor Sam Kamin, "The federal government could come in and seize assets. They could charge people criminally. They could send

people to jail for scores of years. They have chosen, so far, not to do that....The federal government still criminalizes a lot of that behavior but has said it's not interested in individual users," said Kamin to CBSNews.com.

The federal government has been unkind to medical marijuana operations though, especially in California. Under the Bush administration, DEA raids, prosecution, and destruction of medical marijuana vendors, were carried out. Under the Obama administration these actions have increased. Many fear the same sort of government action may be in store for the legalization movement.

There is always the possibility, though, that despite past trends, the federal government may not interfere. Art Way, the Colorado senior drug policy manager for the Drug Policy Alliance said, "We hope they will allow Colorado and Washington to be the laboratories of democracy." Even some lawmakers are hoping to keep the federal government out of it, urging the federal government

to leave the states alone.



A flowering cannabis plant.

Led by Rep. Diana DeGette, D-Colo., a group of congressmen have introduced the "Respect States' and Citizens' Rights Act." This bill is aimed at amending the Controlled Substance Act, to keep state marijuana law safe from the federal government. Also, multiple other congressmen sent a letter to the Justice Department and Drug Enforcement Agency, asking them to respect citi-

zens who follow state laws.

Almost half of all states have made moves to legalize marijuana to some degree. Rhode Island and Maine may be taking up the issue of legalization in 2013. It seems that the Federal Government will soon have to take a formal stance on states' marijuana rights. "It simply can't go on the way it is," said Kamin. "It can't be a big industry and a Federal crime at the same time." Will the federal government stand up for democracy? Will they adopt a more sensible approach to an issue that the War on Drugs has failed miserably to address, or will we just get more of the same? Watching the answer to these questions unfold over the following months and years will be fascinating, and make no mistake, it won't be only the American public, but the entire world that is watching.

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