

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672

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Times Feb 28, '88

Laws governing marijuana use tougher than many may realize

By Patti Harper
Times Writer

The Alaska Senate recently passed on to the House a bill that would make possession of marijuana a crime punishable by up to 90 days in jail and a \$1,000 fine.

It's called a bill to recriminalize marijuana. And it would make illegal something now legal in the state — possession of small amounts for personal use.

But, perhaps the current law is not as lax as some people think.

Behind closed doors: Marijuana and privacy — Dimension H-1

Sure, you can smoke marijuana in your own home in Alaska without being labeled a criminal, if you're an adult.

You can even grow it at home for your own use, and keep 4 ounces on hand.

But, that's about all you can do legally with marijuana in the only state where marijuana use

is not entirely illegal.

Eighty-five people were arrested for marijuana-only crimes statewide in the year ending June 30, 1987, according to Sgt. Carl Swanson, head of the Statewide Narcotics Unit for the Alaska State Troopers. There were 21 other arrests involving

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AT 3/17/88

Marijuana debate clouded by smoke

Lawmaker, lawyer differ over bill's intent, effects

By Paul Harper
Times Staff Writer

Rep. Fritz Pettyjohn, R-Anchorage, and the man who won a court case making possession for personal use at home legal in Alaska, attorney Irwin Ravin, share the smoking habit. Cigarettes, that is, not marijuana.

The two took a cigarette break together before debating at a Bartlett Democratic Club luncheon in Anchorage whether possession of small amounts of marijuana should be decriminalized.

The legislature decriminalized marijuana, making possession of small amounts a violation of law instead of a jailable crime, just two weeks before the Alaska supreme Court unanimously decided in 1975 that given insufficient proof that the drug presents a serious public health problem, the Privacy Clause of the state constitution protects personal use of it at home.

The focus of the luncheon debate was Senate Bill 32, which has passed the Senate and is now in the House. It would make possession of small amounts of marijuana inside or outside the home a class B misdemeanor punishable by 90 days in jail and a \$1,000 fine.

When asked by someone at the luncheon if he would support making tobacco illegal, Pettyjohn, who is pushing decriminalization of marijuana, pulled a pack of cigarettes from his shirt and said "No."

Though tobacco is an "evil," and "pernicious," drug, it is also a hopeless cause to keep people from using it or alcohol by making it illegal, he said.

Still, he argued, decriminalization of marijuana will help send a message to young people that they shouldn't start smoking pot.

"I want them to say no when they're offered marijuana," Pettyjohn said of his three sons.

"I want to give them a laundry list of reasons why, one of which is being it's against the law," he said.

Ravin, who practices law in Anchorage but has registered as a lobbyist on this issue, pointed out that he is already in violation of the law for

minors to use marijuana.

Recriminalizing adult use of marijuana would send a message to young people "that politicians can legislate our morals, that politicians can tell us what to do in our own homes," Ravin said.

"I don't think that's a message we want to send our children," he said.

"You're not making a distinction between what's dangerous and what's not and that'll confuse them."

Ravin repeatedly called marijuana "innocuous."

"Nobody is being hurt by this drug," he said.

He said he thinks one in five Alaskans probably use marijuana, or about 100,000 people. Ravin said the users have done so legally for 13 years making this an ideal place to study the drug's effects.

"It seems that it would be very obvious (if it were) a serious health hazard," he said.

Ravin said there has never been a hospital admission of a person who had overdosed on marijuana.

He noted that the legal use of marijuana, as there is for cocaine and heroin and many non-prescription drugs.

"Nobody's ever been beaten up because somebody was freaked out on marijuana," he asserted.

Pettyjohn did not directly challenge those assertions, but he maintained that studies he has reviewed show marijuana use impairs learning, memory, intellectual performance and driving. He said marijuana has bad effects on the lungs and can negatively affect psychological functions and personality development.

Pettyjohn said the scientific evidence that marijuana is a public health hazard is stronger now than it was in 1975.

He said the fact that the active substance in marijuana, tetrahydrocannabinol (THC) is more concentrated in modern marijuana will tip the legal scales and allow this new law to pass constitutional muster.

But, Ravin said nothing has changed in the debate over recriminalization.



Times photo by Devries Van Noth

Irwin Ravin takes notes at Thursday's hearing, while Rep. Fritz Pettyjohn waves a document to back up his arguments.

Legislators' anti-marijuana case full of smoke

By ROBERT WAGSTAFF

In 1975, the Supreme Court of Alaska found that naturally growing marijuana "does not constitute a public health problem with any significant dimensions. It is, for instance, far more innocuous in terms of psychological and social damage than alcohol or tobacco. ... It appears that effects of marijuana on an individual are not serious enough to justify wide-spread concern at least as compared with the far more dangerous effects of alcohol, barbiturates, and amphetamines."

The Alaska Supreme Court found that the state failed to meet its substantial burden to show that the prohibition of the possession of marijuana in the home was supported by a legitimate state interest. Eloquent writing for a unanimous Court, Chief Justice Rabinowitz:

"Our territory and now state has traditionally been the home of people who prize their individuality and who have chosen to settle or to continue living here in order to achieve a measure of control over their own lifestyles which is now virtually unattainable in many of our sister states."

The nationally renowned *Ravin* decision was based upon an exhaustive trial record where all of the best-known experts testified. All studies and claims were examined. The ultimate conclusion was that none justified making the possession and use of marijuana by adults in private a crime.

This has not stopped the Alaska Legislature. The Alaska Legislature is a peculiar body. It is knowingly attempting to pass a patently unconstitutional bill because it



thinks the politics of an election year justifies it and attention can be diverted thereby from its fiscal mismanagement.

In fact, Senate Judiciary Chairman Jay Kerttula has himself said that the findings of harm listed in the bill won't convince a court to overturn the *Ravin* decision stating, "the findings in this bill are overstated and in some cases wrong." Nonetheless, Kerttula voted for the bill.

Indeed, the Alaska Legislature is a strange body. It is sworn to uphold the Constitution of Alaska, yet it is now hysterically stampeding to violate that very document. The supposed justification is a politically created report on marijuana whose author explains:

"As you requested, I have not included any research which disputes the findings set out in the bill."

The teaching of history is that marijuana is innocuous. Marijuana has been used throughout the world in various forms, concentrations and quantities for thousands of years. Nothing bad has happened yet.

In fact, there are no new marijuana studies or new findings of any significance. Only the old timeworn arguments of the 1930s have been dusted off and recovered.

The findings of the bill proclaim, for example, that THC, the psychoactive ingredient in marijuana, is stored in the body for

up to 30 days causing the user to smoke more, resulting in alteration of basic psychology. This statement is simply and inarguably medically untrue. The psychoactive part of THC, in fact, is broken down by the body soon after ingestion. Some residual metabolites stay in the body longer but significantly these are non-psychoactive and have no effect.

The bill also announces that it is possible to overdose on marijuana because it increases the effects of alcohol. God forbid that it interfere with the legislator's drug of choice!

In the history of the world no one has ever died from an overdose of marijuana. It is one of the least toxic drugs known to man. Laboratory experiments have shown that a potentially lethal dose is 40 thousand times the actual intoxicating dose. Marijuana has much less cross reaction with alcohol than barbiturates or tranquilizers such as Valium.

The bill also proclaims that marijuana is 10 times more powerful today than it was 10 years ago. There is no evidence such is the case. As with all of the supposed claims, the origins are obscure, the allegations unsupported. This is not surprising as the "public hearings" were as carefully orchestrated as the research report.

As to potency, The New York Times has reported an actual decrease in the strength of available marijuana between 1980 and 1986. As with alcohol, consumers compensate for higher potency by consuming smaller doses.

The bill asserts that marijuana causes schizophrenia and a dulling of the senses creating the possibility that the user is

"It (the legislature) is sworn to uphold the Constitution of Alaska, yet it is now hysterically stampeding to violate that very document."

unable to respond to body signals. There is absolutely no credible clinical evidence that marijuana causes schizophrenia or any other psychiatric clinical effects. These findings are simply made up.

Finally, and predictably, the bill says that marijuana affects fetal development, sperm eggs and sexual hormones. There is no documented case of marijuana causing any genetic deformity. In fact, the National Academy of Sciences affirms that marijuana use has no effect on chromosomes or fertility.

If you are unhappy with the Alaska legislature, please let it know how you feel. The spotlight has been on the legislature because of its past mismanagements. The legislature is now attempting to escape this unwelcome attention by attacking traditional scapegoats.

Robert Wagstaff is an Anchorage attorney.

Board pushes for tougher pot laws

The Associated Press

KETCHIKAN — The Ketchikan Gateway Borough School District has approved a resolution calling for state lawmakers to again make marijuana possession and use a crime — but not without objections from some school board members.

"I don't think it's strong enough," said Donald Chenhall, a board member.

"My main objection is, although the ends are desirable, the means are bad," said Dr. Tom Conley, another board member.

Conley and Chenhall voted against the resolution. It passed 5-2. Similar measures were passed recently by the Anchorage Assembly and the Ketchikan City Council.

"Marijuana is harmful," Betty Wilson told the board members during the public comment portion of the meeting. "Some people think there is a right to privacy issue here. However, if it causing harm to children there is no right to privacy."

Conley said he was convinced making marijuana use

a crime would have no bearing on use of the drug. A lack of police to back up new laws could lead to arbitrary and capricious enforcement, he said.

Chenhall said he would prefer a resolution with some educational content, and said he supported comprehensive drug education, including information about marijuana, alcohol and other commonly used drugs.

"I would agree with Mr. Chenhall," said the board's student representative, Scott Wedel. "It's not strong enough."

Wedel voted against the resolution, but his vote does not count.

Board member Pam Hjortset questioned the effects of a tougher law, but voted for the resolution.

"I don't know where there's enough jail space in the state of Alaska," Hjortset said. "It's already illegal to push the stuff. The drug education we are putting in the schools are going to be of more benefit."

Anchorage Daily News 11/17/87

3/16/88

Fairbanks Daily News-Miner, Fairbanks, Alaska

Editorial Opinion and Comment of

FAIRBANKS

Daily News-Miner

Other opinions expressed on this page do not necessarily reflect those of the Daily News-Miner.

Drugs in the schools

No one could have read the recent survey about drug use among Fairbanks area middle school and high school students and not have been alarmed.

According to the survey, 58 percent of Fairbanks students in grades 7-12 said they had tried drugs. About 48 percent said they had tried marijuana, and nearly 40 percent said they had used it once or twice in the 30 days preceding the survey. Sixteen percent said they had tried cocaine. Nine percent said they had tried heroin.

The use by the students probably mirrors the permissive attitude about drugs in society as a whole. Alaska has always had a wide-open approach to the use of mind-altering ingestibles. Bars in Fairbanks, and until recently in most other cities in Alaska, are open till 5 a.m. Alaska is the only state in the nation where possession of marijuana in the home is legal.

The use of marijuana in the survey exceeded the use of alcohol. While 71 percent said they had tried alcohol at least once in the last year, only about 30 percent said they drank more than two or three times a year. Perhaps most alarming of all in the survey was that the number of students who had tried cigarettes climbed from 49 percent in a similar survey in 1982 to 71 percent.

The figures bring into question the wisdom of our wide-open philosophy. There's no question that kids mimic the actions and attitudes of adults. If we were not so free and easy about our use of drugs, our children would not be either.

The growing realization that we may be harming our children is the main reason why the bill to recriminalize possession of marijuana is moving in the Legislature. To many people who may have supported the libertarian nature of the law, and even smoke marijuana themselves, this is enough to change it.

It may be all right for adults to use marijuana, or alcohol or cigarettes, but it is not all right for children to use them. Kids may be especially susceptible to the addictive properties of the drugs. It may be one thing for an adult to choose to use drugs, alert to their dangers and aware of the consequence. It is another thing for children to use them, their emotional makeup and reasoning powers not fully developed.

There can be no doubt that by legalizing the consumption of marijuana, alcohol and cigarettes, we are sending a message to our children that it is all right to do them. Recriminalizing the possession of marijuana will not end the use in our schools, or anywhere else, but it will change the message we send to our children.

We should recognize that we don't have a problem with drugs in the schools so much as we have a problem with drugs in the society as a whole. The problem has shown itself remarkably resistant to legal remedies.

We, not the courts, have the ultimate responsibility to control our use of drugs and shape the attitudes and values of our children. Individually, as parents and others concerned for our children's well-being, we must resolve to set examples that our children can learn from. Only then will we lick the problem of drugs in the schools.

FEBRUARY 20, 1988

Anchorage Daily News



Winner, 1976 Pulitzer Prize Gold Medal for Public Service

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Publisher

Howard Weaver
Managing Editor

Michael Carey
Editorial Page Editor

Katherine Fanning, Editor and Publisher 1971 to 1983
Lawrence Fanning, Editor and Publisher 1967 to 1971

Founded in 1944 by Norman C. Brown

Anti-dope vote is just grandstanding

For cheap political theatrics, you can't beat the show put on this week in the Alaska State Senate. Senators outdid each other vying for the public spotlight as they voted to recriminalize possession of marijuana. Only Libertarian-turned-Republican Ken Fanning of Fairbanks dared to say no to this exercise in pointless posturing.

The senators seem to have forgotten something called the privacy clause of the Alaska Constitution. Under that clause, what citizens do in their own homes is presumed to be their own business, unless the state can show some compelling reason to invade their privacy.

The Alaska Supreme Court ruled in 1975 that state marijuana laws didn't meet that test. The court found no evidence of social harm that would justify banning marijuana in the privacy of the home.

It is quite possible that such evidence now exists. The senators just haven't made a very good case. Their main justification was a patently one-sided House Research Agency report. As the author of that work admitted to the House member who commissioned it: "As you requested, I have not included any research which disputes the findings set out in the bill."

That justification pales in comparison with the legislature's work on a 1986 law that allows localities to ban alcohol possession. After holding hearings across the state, a special committee compiled a long report documenting the destruction alcohol unleashes in many Alaska communities. Apparently that kind of hard work was too much to expect from this year's Senate.

The tough-talking senators wouldn't even put their money where their mouths are. They decided the troopers and court system wouldn't need any extra money to enforce the law. If this law is going to cut marijuana use, how can it not cost more money? Alaskans have to wonder if even the bill's supporters realize it will have little real effect.

In the end, supporters said the important thing was to send Alaskans a message: Using marijuana is dangerous; don't do it.

They may well be right. But their message would have been more compelling had the senators done their homework. The only message they've sent so far is that political grandstanding is alive and well in the state Senate.

BEHIND CLOSED DOORS

Marijuana: A controversy re-ignites

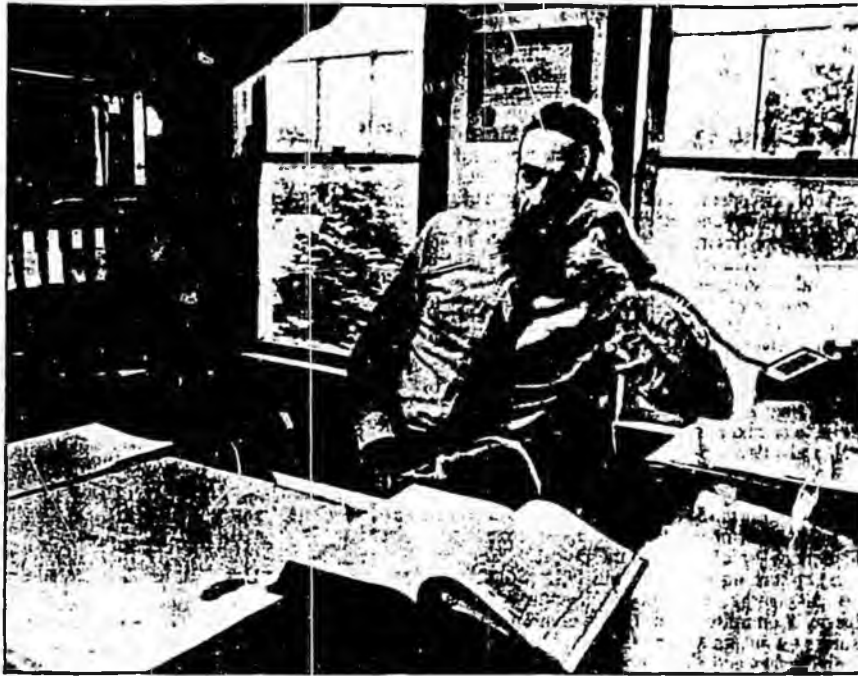
Big Brother cannot, in the name of public health, dictate to anyone what he can eat or drink or smoke in the privacy of his own home.'

- Alaska Chief Justice Jay Rabinowitz, quoting a Michigan decision in *Ravin v. State of Alaska*, May 27, 1975

If you're an adult, in this state you have the right to light up a joint in the privacy of your own home. It's a right that's been legally recognized ever since the late spring of 1975, when Alaska became the first — and only — state to legalize pot.

In *Ravin v. State of Alaska*, a unanimous state supreme court ruled that possession of marijuana — by adults, in their homes, for personal use — is protected by the constitutional right to privacy. Speaking for the court, Chief Justice Jay Rabinowitz said that even the relative insignificance of marijuana consumption as a health problem in our society at present "was not good enough justification for the state to intrude on people's right to privacy. 'The state cannot impose its own notions of morality, propriety, or fash-

ion on individuals when the public has no legitimate interest in the affairs of those individuals.'" Rabinowitz wrote. Now, 13 years later, a number of legislators in Juneau are pushing a bill to decriminalize pot, saying that new and increased medical evidence that marijuana is harmful gives the state a compelling reason to resurrect the issue. Two weeks ago the Senate voted 17-1 to make possession punishable by up to 90 days in jail. That bill is now in the House. Those pushing the bill — Soldotna Republican Sen. Paul Fischer and Anchorage Republican Rep. Terry Martin — say it's an issue of health. Opponents say it's an issue of privacy. The real question is whether the issues are any different now than they were in 1975 — or three years earlier, when the *Ravin* case began.



T-O-R-Y B Y B O B O R T E G A

In 1972, a burned-out tail light in Irwin Ravin's car set off a chain of events leading to Alaska's marijuana law

If you're an adult, in this state you have the right to light up a joint in the privacy of your own home. It's a right that's been legally recognized ever since the late spring of 1975, when Alaska became the first — and only — state to legalize marijuana. In *Ravin v. State of Alaska*, a unanimous state Supreme Court ruled that possession of marijuana — by adults, in their homes, for personal use — is protected by the constitutional right to privacy. Speaking for the court, Chief Justice Jay Rabinowitz said that even the relative insignificance of marijuana consumption as a health problem in our society at present "was not good enough justification for the state to intrude on people's right to privacy. 'The state cannot impose its own notions of morality, propriety, or fashion on individuals when the public has no legitimate interest in the affairs of those individuals.'" Rabinowitz wrote. Now, 13 years later, a number of legislators in Juneau are pushing a bill to decriminalize pot, saying that new and increased medical evidence that marijuana is harmful gives the state a compelling reason to resurrect the issue. Two weeks ago, the Senate voted 17-1 and 15-3 on reconsideration — to make possession punishable by up to 90 days in jail. That bill is now before the Health, Education and Social Services Committee in the House. Those pushing the bill — Sen. Paul Fischer, R-Soldotna, and Rep. Terry Martin, R-Anchorage — say it's an issue of health. Opponents say it's an issue of privacy. The real question is whether the issues are any different than they were in 1975 — or three years earlier, when the *Ravin* case began.

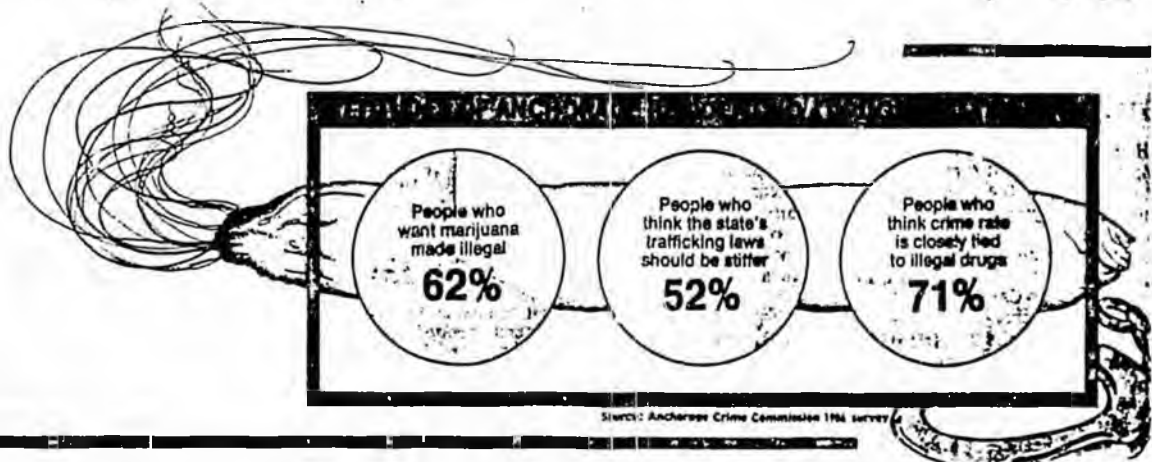
Two weeks before Christmas 1972, a police officer stopped attorney Irwin Ravin in an Anchorage street for a burned-out tail light. Ravin refused to pay the ticket, purposely provoking a

search that uncovered some marijuana he had in his pocket. He had decided to make himself the test case in an effort to see if Alaska's right to privacy — added to the constitution just four months earlier — protected the use of marijuana. "We'd talked about doing the case," said Bob Wagstaff, the attorney who represented Ravin for the Alaska Civil Liberties Union. Sitting at a desk in the small downtown house that serves as his office, Wagstaff cast his mind back to a discussion with Ravin about a week before the arrest. "We talked about how we thought the time was right, the body of scientific evidence was right, everything seemed favorable, and we decided we would do the case," Wagstaff recalled. "It was just a matter of waiting for the right case. 'Then a week later Irwin had that opportunity.'" At trial, Wagstaff and Ravin raised a number of constitutional arguments. The most important went like this: The right to privacy is broad enough to

protect possession of marijuana for personal use. Given that right, the state has to show a compelling interest in banning the drug. But compared to a lot of other substances, such as alcohol, marijuana is pretty innocuous, so there isn't enough of a threat to health or society to justify violating that fundamental privacy right. After all, "The privacy of alcoholics is not invaded, nor that of a three-pack-a-day Lucky Strike smoker," they told the court. District Court Judge Dorothy Tyner didn't buy it. After six months of conflicting expert testimony, motions and cross motions, she ruled against every argument the two men had raised. The appeal was a different story. A year and a half later — a week after the legislature passed a bill to decriminalize marijuana — a unanimous state Supreme Court agreed with the privacy argument. "Our territory and now state has traditionally been the home of people

who prize their individuality," wrote Chief Justice Jay Rabinowitz, "and who have chosen to settle or to continue living here in order to achieve a measure of control over their own lifestyles which is now virtually unattainable in many of our sister states." Rabinowitz cautioned that the court was not condoning the use of marijuana. And he said there is no fundamental right to possess or ingest marijuana. But in a long and technical discussion of the available evidence regarding any health risk or danger from the drug, he concluded that there was no firm evidence that marijuana posed a general danger to the user or to others. "It appears that the use of marijuana, as it is presently used in the United States today, does not constitute a public health problem of any significant dimensions. It is, for instance, far more innocuous in terms of physiological and social damage than alcohol or tobacco," he said. As radical as the idea of legalizing pot smoking anywhere — even at

home — may have seemed to some two fellow justices wrote concurring opinions that went even further. "It is certain the right to privacy does not vanish when one leaves home," wrote Justice Roger Corbett. "It includes not only activities associated within the home and associated with the home, but also the right to be left alone and to do as pleases as long as the activity does not infringe on the rights of others." Justice Robert Boncheyer. The decision made a big splash at the time. One national newsmagazine called it the most important privacy decision in Alaska's history. In practice, it allows possession at home of four ounces or the equivalent in plants. In the years since, no other state has legalized any amount of marijuana. But many have decriminalized making possession of small amounts punishable only by fines. The states include California, Colorado, Maine, Minnesota, Mississippi, Nebraska



Bill: How absolute is privacy?

Crossword

Continued from page H-1

New York, North Carolina, Ohio and Oregon, according to the National Organization for the Reform of Marijuana Laws, or NORML.

Times have changed, of course, and those seeking to recriminalize marijuana say the last 13 years have made a lot of difference in the strength of street marijuana and in our knowledge of the medical risks associated with smoking.

"The rights to privacy are not absolute," said Sen. Fischer. "They can be made to yield."

Those involved in the Ravin case say nothing has changed.

"I wasn't at all suprised we got a favorable ruling then," said Ravin, who now practices law in Homer and still smokes marijuana. "That's what I expected. And I don't think anything is different now," he said.

"Neither the factual medical issues nor the privacy issues have changed," Wagstaff said. "The constitution hasn't changed, the law hasn't changed. The only thing that has changed are the personalities in the legislature."

"We are afflicted with repressive, anti-intellectual, fundamentalist legislators — those behind this bill — who are trying to distort the truth," he said.

Fischer based his findings for the bill on a House Research Agency report written at the request of Rep. Terry Martin. Citing the report, the bill links marijuana use to schizophrenia, birth defects, lung cancer and alcohol overdoses.

But in a letter that accompanies a report, a legislative analyst wrote to Martin, "as you requested, I have not included any research which disputes the findings set out in this bill."

There are plenty who dispute the bill's allegations.

"The findings in this bill are overstated and in some cases wrong," Senate Judiciary Chairman Jay Kertula told the Associated Press.

Medical experts, for example, say there's no real evidence of any link to schizophrenia.

As for birth defects, "there's no real hard evidence there either," said Matt Felix, State Coordinator of the Office of Alcohol and Drug Abuse. "Heavy, heavy use is associated with smaller birth weight, which can be of concern," he said.

"There is a link to lung cancer, although the problem there is that a lot of users smoke tobacco too," Felix added, "and because marijuana is illicit, some of the problem may lie with herbicides or pesticides rather than the actual drug."

"And, again, with very heavy use, five to 10 joints a day for years, there do appear to be links

to hormonal changes," he said, "but the doses are just ridiculously high to see any symptoms."

As for other medical problems, "the rest are really sketchy," Felix said, adding that there is no relation whatsoever to alcohol overdoses. He went on to warn that smoking is unhealthy.

"There's never been a birth defect, overdose, or death from marijuana," Wagstaff said.

"The findings in the senate bill are absolutely ridiculous," said Jon Gettman, National Director of NORML. Gettman said he also takes exception to Fischer's argument that marijuana is stronger now, which gives more cause for concern.

"We know medically the THC content is stronger," Fischer

court battle. "The legislature is attempting to pass a patently unconstitutional law. They are certainly acting with an arrogance that the constitution is just a piece of paper that doesn't mean anything," he said.

"There are many people who'll fight for our right to privacy. I know I will," he said.

For his part, Ravin wasn't eager to talk about the bill, saying "I just don't want to push them into doing anything dumber than what they've already done."

He says he doesn't think the bill will go anywhere.

"I don't think it'll get through the House," he said. "It hasn't the last couple of times."

Fischer argues that there is strong public support to recriminalize marijuana, and he thinks the House will act.

"This seems to be a groundswell from the man on the streets," he said. "The general folks out there are coming forth, and what's interesting is that all the solicitations are in support of passing the bill."

But legislative aides paint a different picture. Senate Rules Committee staffer Lisa Mann said there have been dozens of public opinion messages received about the bill, but "it was split right down the middle who was in favor or opposed."

Senate Rules Committee staffer Lisa Mann said there have been dozens of public opinion messages received about the bill, but "it was split right down the middle who was in favor or opposed."

Several senators who voted for the bill have admitted to doubts about its constitutionality. But they've said that allowing marijuana to be legal sends a mixed message to children and teens that although large amounts are illegal, it's OK to smoke.

"Ironically, they're saying they want to give a message to the youth," said Wagstaff. "But the only protection offered by Ravin is for private, personal possession and use by adults, so to say that any alteration of the law is just for juveniles is a fallacy and untrue."

But Fischer said, "the message we're sending is that it's OK to smoke; and that's wrong." The debate over the Ravin case belies a prediction made in 1975 by then-State Attorney General Avrum Gross:

"I think that for the first few weeks, people will read only 'legalized,' and be very upset, and see only that. As the years pass and people look back, they will see less about marijuana and more about individual rights to privacy. The people who are the most upset about this opinion now will feel very good in future days about its principles of law."

WHAT'S LEGAL

- Adults over 19 using marijuana at home
- Growing marijuana for personal use
- Keeping less than four ounces on hand at home for personal use

WHAT'S NOT

- Having or using marijuana if you are under 19 years old
- Keeping marijuana in the car
- Smoking marijuana in public
- Walking down the street with marijuana in a pocket
- Passing a marijuana cigarette to someone else
- Giving any amount of marijuana to someone else
- Selling marijuana
- Keeping marijuana at home with intent to sell it
- Keeping more than four ounces of marijuana at home even if it's for your own use

said. THC stands for delta-9-tetrahydrocannabinol; it's the active ingredient in marijuana.

Growers have indeed developed strains with a higher THC content, experts say. But there's also evidence that it makes little difference, the bill's opponents argue.

"Strong, exotic marijuana has been in existence for thousands of years," said Wagstaff. "It's the same THC."

And as the Ravin decision points out, he said, marijuana use is self-limiting. The user "self-limits," or controls the amount taken in.

"People compensate for potency by taking in smaller amounts," said Gettman.

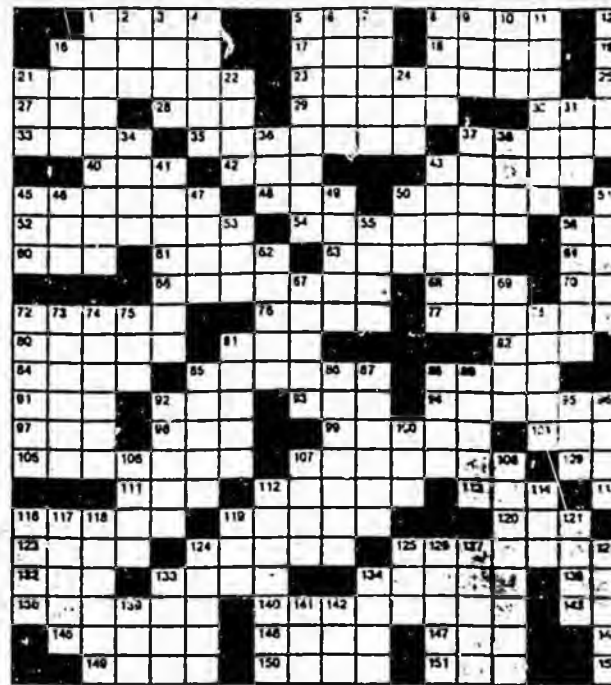
"I suspect that by getting these findings in the legislative record they think the court will take them as a given," he said.

"If the legislature passes a bill based on inaccurate medical information, NORML will most certainly take them to court over it, and it will wind up in the Supreme Court in Alaska," Gettman said.

That would be fine with Fischer.

"We expect it to go to court," he said, "but we expect the court will reject the overall decision they made in 1973" — because even though Rabinowitz is still a member of that court, he's the only justice left from 1973.

Wagstaff says he's ready for a



ACROSS

- 1 Strongbox
- 5 Crash (into)
- 8 Shoal
- 12 Makes lace
- 16 More rational
- 17 Actress Gabor
- 18 Root trough
- 19 Translucent gems
- 21 Composition
- 23 Notched
- 25 Latin American country
- 27 Gold: Sp.
- 28 Mr. DeLuise
- 29 Wept
- 30 Always
- 32 Weir
- 33 Atlas features
- 35 Restricted
- 37 Uncovers
- 39 Actress: Miles
- 40 Drone
- 42 Common metal
- 43 Rest
- 44 Sager
- 45 Portuguese islands
- 48 Commercials
- 50 Disentangle
- 51 Cooling device
- 52 West African country
- 54 Pine-family trees
- 56 Some
- 60 Understand
- 61 Aeons
- 63 Star in Orion
- 64 Reverence
- 65 Eggs
- 68 Snatched
- 68 Encountered
- 70 Ushered
- 71 French pronoun
- 72 African river
- 78 Toward the sheltered side
- 77 Newspaper boss
- 79 Gasp
- 80 Of another world
- 81 By way of
- 82 "X" in ancient Rome

DOWN

- 83 Carousel
- 84 Pile component
- 85 Woman's name
- 88 Gateway Bay islands
- 90 Relieved
- 91 Hall
- 92 Chum
- 93 Chopping tool
- 94 Tease: playfully
- 97 It is, to a poet
- 98 Miner's find
- 99 Largest asteroid
- 101 Blackthorn fruit
- 102 Mineral spring
- 105 Spools
- 107 "Red-nosed" reindeer
- 109 More sugary
- 111 Legal term
- 112 Ascended
- 113 Tree a fluid
- 115 Grate
- 116 Goods
- 119 Recorded
- 120 Heavy cup
- 122 Strike
- 123 Had debts
- 124 Used a stopwatch on
- 125 Native environment
- 129 Heal
- 132 Drink, dog: style
- 133 Light job
- 134 Christmas hymn
- 135 Sandileader
- 137 Plaything
- 138 Like
- 140 Kind of stitching
- 143 Burst
- 145 Male bee
- 146 Corrode
- 147 Self
- 148 Layers
- 149 Sh... children
- 150 Evil: worse

Solution

- 151 Male offspring
- 152 Remain.
- 153 Woodwind instrument
- 2 Plamie
- 3 Quarrel
- 4 Actor Flynn
- 5 Repeat
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- 7 Singer Ormond
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- 9 Devour
- 10 Actress Arden
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- 15 Playgroup items
- 16 Antitoxins
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- 24 Crimson
- 26 Actor Shunt
- 31 Annoy
- 34 Captain
- 36 Actress Fawcett
- 37 Angled
- 38 Beerlike drinks
- 39 Climbing plant
- 41 Unit of explosive force
- 43 Flower cluster
- 44 Castrated
- 45 Farwell
- 46 Darkly
- 47 Legand
- 49 Binge
- 50 Carpet
- 51 Lam
- 53 Flant
- 55 Carnival attract
- 56 Parlor
- 57 Obedient
- 58 Reluctant for
- 59 Endured
- 62 Step
- 67 Camel's cousin

Super: Primary voters to chose from logjam of cand

Continued from page H-1

diminish the early contests. Wins in Iowa and New Hampshire have helped propel Richard Gephardt and Michael Dukakis in polls of the South.

And so far no single Democrat

program on his own religious cable network, has drawn a line in the dirt of South Carolina. He needs to win somewhere, and he says that's where it will be.

South Carolina isn't a Super Tuesday state; its GOP caucuses are three days earlier. But it is being watched.

"He's going to have enough votes to play somebody's fiddle," said Williams, the Grand Ridge, Fla., farmer who backs Jackson. "They'll trade for votes just like we trade pigs and cows."

Dukakis has run well in some Southern polls and has a good organization in many states. As governor of Massachusetts, he

has shown strength among blue-collar voters, and so far has concentrated his effort in the economically hard-hit energy-producing states of the South, where his call for an oil-import fee is a further boost. A Texas poll had him leading that huge delegate state but falling back after Dukakis won New Hamp-

With so broad a field and so many contests, how will we know who wins Super Tuesday?

Florida and Texas are the big prizes, and if a candidate carries both of those, it will be hard for anyone else to argue they won Super Tuesday, although some no doubt will.

As the nomination race moves

them. I share o

Still the crowded border Alabam Mississ Texas

File

Laws governing marijuana use tougher than many may realize

By Patti Harper
Times Writer

The Alaska Senate recently passed on to the House a bill that would make possession of marijuana a crime punishable by up to 90 days in jail and a \$1,000 fine.

It's called a bill to recriminalize marijuana. And it would make illegal something now legal in the state — possession of small amounts for personal use.

But, perhaps the current law is not as lax as some people think.

Behind closed doors: Marijuana and privacy

— Dimension H-1

Sure, you can smoke marijuana in your own home in Alaska without being labeled a criminal, if you're an adult.

You can even grow it at home for your own use, and keep 4 ounces on hand.

But, that's about all you can do legally with marijuana in the only state where marijuana use

is not entirely illegal.

Eighty-five people were arrested for marijuana-only crimes statewide in the year ending June 30, 1987, according to Sgt. Carl Swanson, head of the State-wide Narcotics Unit for the Alaska State Troopers. There were 21 other arrests involving

See Marijuana, page A-8

Marijuana: Under state law, you can't even give it away

Continued from page A-1

marijuana and another drug, and 165 cocaine-only arrests during that time.

Anchorage police brought a total of 230 charges against an unknown number of people in 1987. The annual number of charges has hovered between 200 and 300 through most of the 1980s.

Charges against juveniles, at 64 in 1987, have dropped, while charges against adults, at 173 in 1987, are more than double the figures for 1984 and six times the 27 arrest charges brought by Anchorage police in 1980.

In contrast, 1,322 charges of driving while intoxicated were filed by police during 1987.

Most actual arrests of adults around the state on marijuana charges are for selling or intending to sell the drug, according to law enforcement officials.

"We are not out looking to bring charges against users," Swanson said.

"Probably for the last two years our efforts... have been primarily directed at the street-level distributor in Anchorage," Anchorage Police Chief Ron Otte said.

But selling marijuana isn't the only crime on the books.

Marijuana has its own place in the criminal statutes at the bottom of six schedules of drugs classified according to decreasing degrees of dangerousness.

"You can't really give it away with marijuana in your possession," according to what's written in those statutes.

You can't smoke it on a city street or have it in your pocket in a public place.

Driving with it and smoking it on a city street both carry the potential penalty the decriminalization bill would extend to simple possession.

Carrying less than an ounce of marijuana in a public place is not thought of as a crime because it can't land you in jail. But, it is still technically a violation of the law, punishable by citation and a fine of up to \$100.

Anchorage police issued 46

Marijuana seizures legal even under 4 ounces

By Patti Harper
Times Writer

If Alaska State Troopers are in your home with a search warrant and spot several ounces of marijuana, they will confiscate it, said Sgt. Carl Swanson, who is in charge of the Statewide Narcotics Unit of the Alaska State Troopers.

They will confiscate it even though keeping up to 4 ounces of marijuana at home is legal in this state.

"We're going to seize that marijuana under federal law at the direction of federal authorities," Swanson said.

That's because possessing any amount of marijuana is illegal under federal law.

"We can't ignore federal law," Swanson said.

It's unlikely the person would be charged. Michael Spain, U.S. attorney for Alaska, said he's no more interested in

prosecuting possession for personal use than state authorities are.

But state officials do work with federal agents on marijuana cases, and sometimes, though rarely, they are prosecuted in federal rather than state courts. The focus for both is dealers, not users.

"Occasionally the receipt or possession of relatively small amounts of marijuana would be prosecuted," Spain said. Spain said he doesn't think there has ever been a case where he tried to prosecute someone for possession of small amounts at home, the only thing really protected by Alaska law.

"About three years ago, we had a whole bunch of cases where people were having marijuana mailed to them from Hawaii," Spain said. The amounts ranged between 1 and 10 ounces, he said. Those seven to ten cases were prosecuted in federal court.

Last year just one marijuana case was prosecuted in federal court. There is one before the court now.

Attorney William Bryson, who has represented many defendants charged with drug offenses, said he's seen law enforcement officers play the state and federal laws to their best advantage.

"Where there's a significant growing operation in the home, I have seen in a number of instances, the state brings in DEA (the U.S. Drug Enforcement Agency) so they can prosecute it in federal court without the problems state law can bring for them," he said.

Bryson said he questions whether troopers really have the right to confiscate marijuana as Swanson has said they do.

"There's a real question in my mind about whether state agents acting free of any federal involvement can enforce federal law," he said.

marijuana citations last year, which are included in the total of 230 charges.

"You can't smoke in the hallway of an apartment complex," because that's considered a public place, Anchorage District Attorney Dwayne McConnell said. But, no one seems sure whether it's legal to light up in your front yard.

"That's really an unanswered question," McConnell said. But he said it probably was legal under the wording in the statutes.

"If I just want to give it to you because I like you, that's a crime," said McConnell, who also said for the record that he does not use marijuana. "No money has to change hands at all."

The potential penalties for giving marijuana to someone range from a citation to 10 years in prison depending on whom you give marijuana to and the amount involved.

The 10-year term is the toughest under Alaska law. It's reserved for the crime of giving marijuana to someone under 19 if you are three or more years

older than that person.

Selling even a huge single amount of marijuana to an adult carries a lower potential penalty of five years in prison and a \$50,000 fine.

Being in the your own home doesn't necessarily mean you're not breaking the law despite privacy protections.

For instance, the prohibition on giving marijuana away covers passing a joint to a friend in your living room. That's a violation, potentially punishable by citation and fine.

"Magic brownies" could get you in more trouble, in principle, according to McConnell. That's because putting marijuana in a brownie mix could put you over the 4-ounce legal weight limit for possession at home, which is actually for marijuana or any "preparations, compounds, mixtures, or substances," containing marijuana.

Having more than the legal weight limit but less than a half-pound is a misdemeanor punishable by again 90 days in jail and a \$1,000 fine.

Still, "I'd hate to have a cop bring that over to me," McConnell said of the hypothetical magic brownie.

The penalties in Alaska for actions considered crimes are not as severe as they are in many states, according to Jeff Edwards, Assistant Director of NORML, the National Organization for the Reform of Marijuana Laws.

But, "Nevada is the only state where possession of any amount is still considered a felony crime," he said. That's also the only state in which prostitution and gambling are both legal.

"Overall, Alaska has the most lenient position on the private use and cultivation of marijuana in the country," said Edwards, whose organization is trying to have marijuana decriminalized nationwide.

Ten states and the Trust Territory of Micronesia have "decriminalized" the drug, meaning there is no jail threat for personal use or private possession of small amounts, Edwards said. Other states have laws that in effect are as lenient, at least for first-time offenders, he said.

Oregon, one of the states that formally has decriminalized marijuana use, allows for up to a \$100 fine for possession of up to an ounce. Ohio has decriminalized up to 3 1/2 ounces.

In Virginia, one of the states that has not decriminalized marijuana, possession of up to 5 pounds for a first offender is punishable by only zero to 30 days in jail and a \$500 fine, according to NORML, whose information is based on a 1985 survey of state laws it conducted.

Possessing more than a pound of marijuana in Alaska is punishable by up to five years in prison.

But, five years is also the maximum punishment in Alaska for possession for sale of any single amount of marijuana.

In Virginia, if intent to sell can be proven, you could be put away for between five and 20 years.

Edwards said there is no easy comparison between the actual severity of the punishments for marijuana crimes in various states. "There is such a wide variety of statutes regarding marijuana," he said.

Also, judges use a great deal of discretion in handing down sentences. What's on the books may not have much relationship to the actual penalties handed out, Edwards said. And there are no ready sentence statistics here or elsewhere to draw on for comparisons.

In Alaska, the reality is that

law enforcement in the state isn't interested in aggressive arrest or prosecution of users, so it's unlikely that people would be arrested for some of what's laid down in law, according to McConnell, Swanson and Otte.

The resources of law enforcement agencies used to catch marijuana crimes are targeted at suspected drug dealers.

One example is the plan of state troopers to increase efforts to eradicate major marijuana-growing operations, which they say have been springing up in recent years. The federal government helps fund that program.

Troopers seized 3,204 marijuana plants between July 1, 1986, and June 30, 1987, from 18 growing operations, Swanson said.

Swanson and other law enforcement officials are supporting the effort to recriminalize marijuana, even though they don't intend to shift the focus of enforcement to catching users. A number of organizations representing them actually are urging that citations and fines be the penalty for possession rather than the jail time now part of the bill being considered by the legislature.

Swanson said he thinks the debate over whether marijuana is really dangerous to adults or not probably will continue indefinitely.

"It becomes something that I don't know if we'll ever solve," he said.

But, Swanson is convinced from his work that use of marijuana is destructive.

"We run headlong into an awful lot of young people — this is a tremendously debilitating substance for them," Otte agreed.

"Drug abuse among our junior high and high school kids is 2 1/2 times the national average," he said. "It's a frightening statistic."

Marijuana is the main drug used by young people here, he said.

"The thing which has always bothered me a great deal is the hypocrisy which has always surrounded marijuana in this state," he said. "It's embarrassing."

Alaska Legislature unlikely to ban marijuana use in home

By HAL SPENCER
Daily News reporter

Despite renewed national attention on drug abuse, the 1987 Alaska Legislature likely will just say no to proposals to ban possession and use of marijuana in the home.

Backers of a ban, mostly conservative Republicans, are counting on support from the GOP-controlled Senate, but face an uphill fight in the Democratic-run House. And House Speaker Ben Grussendorf, D-Sitka, last week said nothing to discourage that view.

He observed that the state Supreme Court has spoken on the issue, ruling 12 years ago that a law barring adult Alaskans from possessing and smoking the weed in their homes violated their constitutional right to privacy.

In the case of marijuana use, "I'm not sure we should be telling Alaskans what they can do in their own homes," Grussendorf added.

Possession and use of marijuana in the



Daily News file photo/Fran Turner

See Back Page, MARIJUANA

Rep. Ben Grussendorf

MARIJUANA: Change in Alaska law unlikely

Continued from Page A-1

home became legal after a 1975 Supreme Court case. Irwin Ravin, now a Homer lawyer, argued successfully that his constitutional right to privacy outweighed the state's right to enforce a law barring home-possession or use of what was seen by the court as a relatively harmless drug.

The ruling, however, did not say how much marijuana an adult could possess in the home. In 1982, the legislature answered the question with passage of a misdemeanor law limiting the amount to four ounces. State law also bans buying or selling any quantity of the drug, possession or use outside the home, or any use or possession by juveniles.

Proponents of a new misdemeanor law banning possession or use at home feel it is needed "fundamentally because the state of Alaska is telling people that it is OK to smoke marijuana," said Rep. Terry Martin, R-Anchorage. "That needs to be changed."

The Alaska Association of Chiefs of Police, which recently said criminalization of marijuana is one of its top priorities, also criticizes what it says is the absurdity of the present law.

"It's illegal to buy or sell it, to carry it into your home. But then the law says it's OK once you get it home. If you can get it home without being caught, you're safe," said Deputy Chief Del Smith of the Anchorage Police Department.

Martin and other proponents believe that public pressure, including new anti-drug sentiment nationally and resolutions from high school students and local governments in Alaska, will help push through a measure that can be tested in the courts.

And they feel that such a law might survive constitutional challenge because, they assert, more is known now about the harmful effects of marijuana.

They note that the Supreme Court considered harmful effects which determine



Daily News file photo/Ian Duner

Rep. Fritz Pettyjohn

whether the right to privacy should prevail in the case of cocaine possession in the home, and determined it should not.

House Minority Leader Fritz Pettyjohn, R-Anchorage, pointed to the 1978 Supreme Court case, *State of Alaska v. Erickson*, as an indication that the case for banning marijuana in the home could be re-opened.

"Defendants contend that the reasoning" with respect to marijuana "also applies to the non-commercial use and possession of cocaine, and additionally argue that the constitutional right to privacy guarantees some reasonable access to the drug for personal and social use," the court noted in the Erickson case.

But, the court said, "We think this right must yield when it interferes in a serious manner with the health, safety, rights and privileges of others or with the public welfare. No one has an absolute right to do things in the privacy of his own home which will affect himself or others adversely. ... It seems clear that cocaine is substantially more of a threat to health and welfare" than marijuana, the court said.

That may be, Pettyjohn said, but he and other conservatives contend that marijuana



Daily News file photo/Erik Hill

Rep. Terry Martin

more physically and mentally harmful than it once was, and also is increasingly seen as a gateway to harder drugs.

Martin has introduced a measure to recriminalize home use of marijuana that contains sections asserting that the drug is genuinely "detrimental to the health, welfare and safety of Alaskans." An identical bill was introduced in the Senate by Paul Fischer, R-Soldotna.

"You didn't have this in the old law, which was the reason the Supreme Court was able to say rights to privacy outweighed the state's right to control marijuana possession," Martin said.

The bills assert that THC, "the mind altering substance in marijuana," builds up in the body's fatty tissues and takes weeks to eliminate. The THC, the bills contend, causes moodiness, depression, insomnia, appetite loss, lack of initiative, schizophrenia, illusions, hallucinations and lung cancer. "One marijuana cigarette a day may cause lung cancer in three years," the measures assert, and "The THC content of a marijuana cigarette 10 years ago was 1 percent, but is as high as 10 percent per cigarette today."

Martin said the assertions were pulled from national

ies. But Matt Felix, who heads the state Office of Alcoholism and Drug Abuse in Juneau, said evidence of harmful effects hasn't changed much since the *Ravin* decision. "There has been a lot of new research, but not new evidence. The evidence is that marijuana affects perception, long-term memory, and to a lesser degree, motor skills," he said.

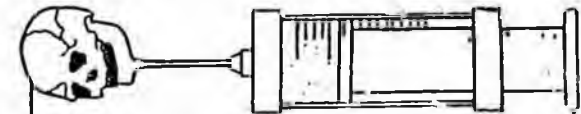
Avrum Gross, a Juneau lawyer who was the attorney general when the high court ruled in the *Ravin* case, said Martin is engaging in wishful thinking. "The court considered marijuana's harmful effects when it ruled on the issue last time, and the harmful effects haven't changed."

"What the court said was not that marijuana is good but that invasion of privacy is bad," Gross said.

"So some legislators want to ban marijuana. So what else is new?" said Ravin, who was reached at his law office in Homer. There is nothing, he said, that would compel the Supreme Court to change its ruling. "The situation hasn't changed," he said.

Martin said he hoped public pressure might sway lawmakers to pass a new law. He pointed to a national anti-drug campaign that began last year from the White House, and noted that the Anchorage Assembly and the Alaska Association of School Governments, representing 60 state high schools, are among groups that have urged passage of a law banning use and possession of marijuana at home.

One aspect of Martin's proposal that could stir serious opposition is its cost at a time of vastly lower state revenue. The Alaska Department of Law estimates that it would cost about \$237,000 to defend and enforce the law the first year. But Martin said new federal funding to combat drug abuse would become available to defray the expense.

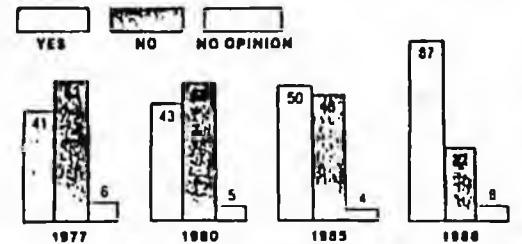


The fight against drugs

Sixty-seven percent of Americans now favor criminal penalties for possession of illegal drugs, compared to 41 percent in 1977, according to a recent Gallup Poll. Forty-three percent of those polled believed abuse of crack and other forms of cocaine to be the most serious drug problem in the U.S., while 34 percent thought that alcohol abuse was the most serious problem. More than 40 percent felt teaching young people about the dangers of drugs should be the government's highest priority in the fight against drug abuse.

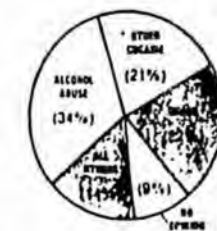
CRIMINAL PENALTIES FOR POSSESSION

In percent responding to the question: Do you think the possession of small amounts of marijuana should be treated as a criminal offense?



MOST SERIOUS SUBSTANCE PROBLEM

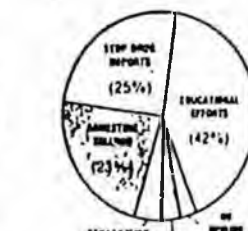
In percent responding to the question: Which one of the following do you think is the most serious problem for society today?



SOURCE: Gallup Poll, InfoGraphics, News America Syndicate, 1986

GOVERNMENT PRIORITIES

In percent responding to the question: There are many things that our government is doing to fight drug use. Which one of the following do you think deserves the most money and effort?



Anchorage Daily News, Jackie Kuntz

nents who consider the cost issue a red herring. "In other states where marijuana is illegal, arrests are incidental to other investigations. In other words, police don't make wholesale arrests for possession of small amounts of marijuana. That would be the situation here, too."

William H. Nix, acting commissioner of the state Department of Public Safety, sug-

"Recriminalizing marijuana would not, as some fear, result in wholesale arrest of individuals possessing small amounts of marijuana. The present drug enforcement philosophy of source interdiction recognizes the far greater cost-effectiveness of striking against high-level distributors, and sadly, there is no lack of high-level drug dealers in Alaska to occupy the

Individuals can decide on pot

I am responding to a letter that appeared Aug. 30 in which Sandy Spargo gave a detailed analysis of the chemical content of marijuana and then insinuated that Rep. Johnny Ellis was not a good Alaskan for not immediately approving House Bill 55 (re-criminalization of marijuana).

I'm not sure why Ms. Spargo lives in Alaska, but one of the reasons I live here is that the people tend to be a little more capable and independent. We all know of scores of dangerous things that can hurt humans if used improperly.

The consideration that I hope the committee is giving this bill is not whether marijuana is harmful, but whether rational human beings need their government to think for them. I think the meaning of government is laws by need. People don't need their every action regulated by legislation — those that partake of marijuana do so by choice! I hardly imagine we'd get a law against drinking gasoline if people started doing that.

Her second action was worse. By stooping to the scare tactics applied against legislators in the rest of the nation, Ms. Spargo would have her interests served by attempting to intimidate our lawmakers. I for one hope cool heads prevail and would hope the legislators remember that they work for rational, thinking people who can take care of themselves without a law allowing them to do so.

— Robert Curtis Johnson



Alaska State Legislature
House of Representatives
COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCHV
JUNEAU, AK 99811
465-3759

May 3, 1988

Editor
Anchorage Times
P.O. Box 40
Anchorage, AK 99510

Dear Editor,

On behalf of the House Health, Education and Social Services (HESS) Committee, I would like to respond to the letter you printed on April 28th by Linda Adams of Ketchikan, regarding the handling of the hearing on SB 32, the bill which would recriminalize the use of marijuana by adults in the home. As the Professional Assistant to the HESS Committee, I was responsible for arranging the testimony on this bill.

From the outset, knowing that this was a politically charged issue with significant public attention, the Committee was very careful to arrange a comprehensive, fair and objective hearing. We sought medical professionals with the distinguished credentials to testify on the statements of fact in SB 32 about the health effects of marijuana. Supporters of the bill were welcomed to invite their best medical experts.

Linda Adams' letter leaves the impression that experts who support recriminalization were not allowed to testify. This is not true. Of the eight people who actually testified that morning, four were at the request of bill supporters including: Michael Spaan, U.S. District Attorney; Dr. Edward Jacobs of California; Dr. Jean Bonar of Anchorage; and Dr. Bernard Segal of the University of Alaska. Unfortunately, we were not able to hear from Dr. Robert Gilkeson and Dr. Forrest Tennant. I will explain the reason.

After letters of invitation were sent by the Committee Co-Chairs to several experts, I began arranging for the teleconference with follow-up phone calls at least ten days before the hearing. Such lead time is often necessary to ensure that legislative hearings go smoothly. I called Dr. Gilkeson at least one week in advance and again one or two

days before the hearing. I talked to him personally and neither time could he make a commitment because his travel plans to Atlanta were not firm. Since the possibility of his testimony remained uncertain, we kept him on the list, but towards the bottom. We found out that morning that Dr. Gilkeson was on line, but unfortunately time ran out before we reached his place on the list.

We contacted Dr. Tennant once by letter and three times by phone. I was not able to speak to him personally, and his staff never indicated that he would be available. Thus, we took his name off the list and replaced him with Dr. Jacobs at the request of supporters of SB 32. We learned during the hearing that Dr. Tennant wanted to testify. Co-Chair Johnny Ellis asked him to begin his testimony three separate times and there was no response each time. After the hearing we learned that he had dialed the wrong number to access the teleconference network.

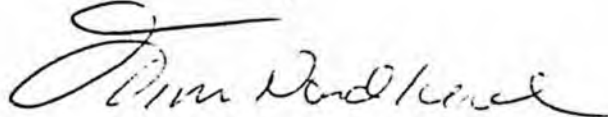
Linda Adams made the libelous inference in her letter that we were being "duped by the drug culture" in regard to the experts who raised serious questions about the medical findings. Drs. Norman Zinberg, Lester Grinspoon and Tod Mikuriya have served in an advisory role to the National Organization for the Reform of Marijuana Laws (NORML), as well as other organizations, because of their expertise on the health effects of marijuana. Dr. Zinberg is a Clinical Professor of Psychiatry at the Harvard Medical School and recently served on the federal Department of Health and Human Services' National Advisory Council on Drug Abuse. He has received many scholarly and professional awards and has written extensively on drugs and drug abuse. Dr. Grinspoon is the Editor of the "Harvard Mental Health Letter", the Director of Psychiatry at the Massachusetts Mental Health Center, and author of Marihuana Reconsidered. Dr. Mikuriya is an MD in private practice in California and has written about the history of marijuana research and about the potency of marijuana.

Dr. John Morgan and Dr. Arthur McBay, who were also characterized as "NORML Doctors", have had no association with that organization. Dr. Morgan is the Director of Pharmacology at the City University of New York Medical School. Dr. McBay is the Chief Toxicologist for the State of North Carolina and a Professor of Pathology and Pharmacy at the University of North Carolina Schools of Medicine and Pharmacy, respectively. Dr. McBay was also on line that morning, but was unable to testify because time ran out.

Drs. Gilkeson, Tennant and McBay have each been sent apologies and have been invited back to testify via teleconference on Wednesday May 4th.

It was my responsibility to arrange the testimony that day and I realize now that the list was too long for the 1-1/2 hour meeting. But to suggest that the meeting was stacked with "drug culture" doctors constitutes the kind of misrepresentation of fact and lack of credibility that has burdened this legislation all along. Linda Adams did not listen to the teleconference that day and she has not accurately reported what happened. I encourage anyone who questions this fact to read the official transcripts of the hearing.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Nordlund".

Jim Nordlund,
Professional Assistant
House HESS Committee

Disgraceful

EDITOR, Daily News:

I am using this avenue of communication to let the public know of the very inappropriate handling of a recent legislative teleconference. On April 14, the House Health, Education and Social Services Committee (HESS) held hearings on SB32 which would recriminalize marijuana in the State of Alaska (once again make marijuana illegal).

The House HESS Committee is co-chaired by Rep. Niilo Koponen of Fairbanks and Rep. Johnny Ellis of Anchorage. The House HESS aide for these two co-chairs is Jim Nordland. These are the individuals responsible for setting up the testimony from the professionals on the morning of the 14th. Two professional names were given to these individuals to be included in the hearings. They were Dr. Forest Tennant M.D., drug adviser for the National Football League as well as many other titles, and Dr. Robert Gilkeson, a psychiatrist who has conducted studies to determine the toxicity of marijuana and its effects on the brain.

In addition the committee leadership also contacted five individuals who are associated with NORML (the National Organization for the Reform of Marijuana Laws). This group's goal is to legalize marijuana. Those contacted from NORML were Norman Zinberg, Lester Grinspoon, Todd Mikuriga, John Morgan, and Arther McBay.

At the time these marijuana hearings were happening in Alaska, I was attending an international conference on youth and drugs in Atlanta, Ga., sponsored by PRIDE (National Parents Resource Institute for Drug Education). Two of the speakers who were scheduled for the 15th were Dr. Robert Gilkeson and Dr. Forest Tennant.

When it was Dr. Gilkeson's time to speak in Atlanta, he arrived on the stage breathless, with suitcase in hand and very, very angry. He was late ~~because he had canceled a reservation~~ because he had canceled a reservation which would have allowed him to arrive earlier. He shared with the 4,000 adults in the audience the reasons for his frustration and anger.

Dr. Gilkeson got a call on Wednesday, April 13, from the Alaska State Legislature, specifically from the aid of the House HESS Committee, Jim Nordland. He said

they had been trying to reach Dr. Gilkeson to testify. Dr. Gilkeson told him he was sorry that he wouldn't be able to do it because he had to go to Atlanta. Then he got another call back from Jim Nordland asking Dr. Gilkeson to please be on. When asked who else was going to testify Jim Nordland gave Dr. Gilkeson the names of the five NORML "doctors". Dr. Gilkeson was astounded because there were 6,000 other credible doctors across the United States that they could have picked from. Why were they including NORML in with the credible, professional testimony?

Dr. Gilkeson thought the representation for the hearing was "lousy", so he canceled his flight so he could testify. Because he had to cancel his supersaver flight, it cost him an extra \$400 to fly to Atlanta. He got on the phone, was not allowed to talk and listened to the erroneous information being given while he frantically wrote notes so he would be able to refute what they were saying when he made his presentation. He was held on the phone for 2.5 hours after which they said there was not time to hear him! Meanwhile four of the doctors from NORML got to testify. Dr. Gilkeson had lost his supersaver airfare when he canceled his flight so he could speak, and then also missed his next flight to Atlanta from New York because he was on the teleconference line - after never being able to say a word!

Dr. Gilkeson said "he heard two hours of people purposely deceiving the public about their health!" At the end of the teleconference they called Dr. Forest Tennant in California who was also standing by to testify and had to leave for Atlanta, and told him they did not need him to testify after all.

Dr. Gilkeson was so angry over the way those hearings were conducted. The research and truth was not allowed to come out. In a court of law isn't that "withholding evidence?" There are many, many credible doctors and researchers across the land who are showing that marijuana is indeed a health problem, and this committee leadership did not let that information be presented. How can this happen? Who are they representing - the drug user? Alaska's legislative process has been nationally embarrassed!

I find this treatment of credible professionals in the field to be a disgrace, embarrassing, and absolute-

ly appalling. These are very busy doctors who are in high demand across the nation. I would like to publicly apologize to Dr. Tennant and Dr. Gilkeson for the very unprofessional treatment by these individuals. There really are people in this state who care about the health of our citizens, and care about drug-free youth. Not everyone in Alaska has succumbed to the drug culture. NORML has the ear of the press. Alaskans are not hearing the truth about the health hazards of marijuana use. We are being duped by the drug culture. The very least we can do is demand that the professional doctors be allowed to give the testimony that they were prepared to do! How can the legislature make an intelligent decision on an important issue like this if the correct information is not allowed to be presented?

Legislators are making a reputation for themselves by stifling this bill. Caring, Alaskan parents have had enough of the political games. We are concerned about the HEALTH AND POTENTIAL OF OUR FUTURE Alaskans. Isn't that also the charge of the Health, Education and Social Services Committee?

The accurate information is available. Time is running out in this legislative session. Contact your legislative representative today and insist that the truth and evidence be allowed to be heard on SB32 immediately. Alaska owes this to Dr. Gilkeson and to Dr. Tennant.

Sincerely,
LYNDA ADAMS

207

4-28-88

Anch Times

The untold drug story

Dear Editor:

I am using this avenue of communication to let the public know of the very inappropriate handling of a recent legislative teleconference. On April 14 the House Health, Education and Social Services Committee (HESS) held hearings on SB32 which would recriminalize marijuana in Alaska (once again make marijuana illegal).

The House HESS Committee is co-chaired by Rep. Bill Koponen of Fairbanks and Rep. Johnny Ellis of Anchorage. The House HESS aide for these two co-chairs is Jim Nordland. These are the individuals responsible for setting up the testimony from the professionals on the morning of the 14th. Two professional names were given to these individuals to be included in the hearings. They were Dr. Forest Tennant, drug advisor for the National Football League as well as many other titles, and Dr. Robert Gilkeson, a psychiatrist who has conducted studies to determine the toxicity of marijuana and its effects on the brain.

In addition the committee leadership also contacted five individuals who are associated with NORML (the National Organization for the Reform of Marijuana Laws). This group's goal is to legalize marijuana. Those contacted from NORML were Norman Zinberg, Lester Grinspoon, Todd Mikuriga, John Morgan and Arthur McBay.

At the time these marijuana hearings were happening in Alaska, I was attending an international conference on youth and drugs in Atlanta, Ga., sponsored by PRIDE (National Parents Resources Institute for Drug Education). Two of the speakers who were scheduled for the 15th were Dr. Gilkeson and Dr. Tennant.

When it was Dr. Gilkeson's time to speak in Atlanta, he arrived on the stage breathless, with suitcase in hand and very, very angry. He was late arriving at the conference because he had canceled a reservation which would have allowed him to arrive earlier. He shared with the 4,000 adults in the audience the reasons for his frustration and anger.

Dr. Gilkeson got a call on Wednesday, April 13, from the aide on the House HESS Committee, Jim Nordland, asking him to testify. Dr. Gilkeson told him he was sorry but he had to go to Atlanta. He got another call back from Jim Nordland asking him to please be on. When asked who else was going to testify, Dr. Gilkeson was given the names of the five NORML "doctors." Dr. Gilkeson was astounded because there were 8,000 other credible doctors across the United States that they could have picked from. Why were they including NORML in with the credible, professional testimony?

Dr. Gilkeson thought the representation for the hearing was "lousy", so he canceled his super saver flight to Atlanta. He got on the phone, was not allowed to talk and listened to the erroneous information being given while he frantically wrote

notes so he would be able to refute what they were saying when he made his presentation. He was held on the phone for 2½ hours after which they said there was not time to hear him! Meanwhile, four of the doctors from NORML got to testify. Dr. Gilkeson had lost his supersaver airfare when he canceled his flight, then also missed his next flight to Atlanta from New York because he was on the teleconference line — after never being able to say a word!

Dr. Gilkeson said "he heard two hours of people purposely deceiving the public about their health!" At the end of the teleconference they called Dr. Tennant in California, who was also standing by to testify and had to leave for Atlanta, and told him they did not need him to testify after all.

There are many, many credible doctors and researchers across the land who are showing that marijuana is indeed a health problem, and this committee leadership did not let that information be presented. How can this happen? Who are they representing — the drug user? Alaska's legislative process has been nationally embarrassed!

I find this treatment of credible professionals in the field to be a disgrace, embarrassing and absolutely appalling.

Not everyone in Alaska has succumbed to the drug culture. NORML has the ear of the press. Alaskans are not hearing the truth about the health hazards of marijuana use. We are being duped by the drug culture. The only thing we can do is demand that the professional doctors be allowed to

give the testimony that they were prepared to give! How can the legislature make an intelligent decision on an important issue like this if the correct information is not allowed to be presented?

Legislators are making a reputation for themselves by stifling this bill. Caring, Alaskan parents have had enough of the political games. We are concerned about the health and potential of our future Alaskans. Isn't that also the charge of the Health, Education and Social Services Committee?

- Lynda Adams
Ketchikan

Regents meddle in marijuana issue

Students tell Regent Graham that Board should 'bud out'

by Beth Sharp
Accent Staff

Alaskans for Drug-Free Youths approached the Board of Regents and asked them to pass a resolution supporting the recriminalization of marijuana.

Ann Parrish, president of the Board, said, "I'm not sure that's where our energies should be focused right now. The truth of the matter is, laws don't control drugs; people do."

But Parrish said the board does have the authority to educate students about all forms of substance abuse—not just marijuana in particular—and the Board should focus on that. The Regents will address the issue of substance abuse in their meeting Thursday and Friday in Juneau.

Alaskans for Drug-Free Youth approached the Regents in their February meeting asking for their support because other educational organizations in the state including

the Anchorage and Kenai school districts, have endorsed the recriminalization and the group would like to see that support coming from the university level as well, said Sandy Spargo, a member of the anti-drug group.

Spargo said the Regents' endorsement of recriminalizing marijuana is to help get the State House to pass Senate Bill 32 to recriminalize marijuana in Alaska. The bill is in the House Health, Education and Social Security Committee. The bill's progress continued on the back page

Recriminalization;

continued from the front page

Services (HESS) committee.

Title II, Chapter 71 of the state statutes made personal usage of marijuana legal in 1975. Adults 19 and older are allowed to have four ounces of dried marijuana in their homes. However, they cannot buy, transport, or sell it—only grow it.

This law conflicts with federal law. Title 21 of the U.S. code says marijuana is illegal.

But changing state laws is up to the legislature, Parrish said.

That does not mean she is unconcerned or that the Board of Regents will decide to ignore the issue. Parrish said it is safe to say that alcohol and drug abuse "has had a serious impact on student life."

The university has counselors for substance abuse and an insurance policy covering substance abuse.

"We're not, as a board, just responsible for marijuana. We're responsible for alcohol and all other forms of substance abuse," Parrish said, adding that the Board's job should be to focus on educating students on all forms of substance abuse.

In their February meeting, the Regents decided the issue of drug abuse "was too big to be acted on without having appropriate time for staff work, surveying internal constituencies—faculty, student and staff—and putting it through the normal review process," Parrish said.

The Board asked statewide university officials to make a presentation on substance abuse on the campuses at their meeting this week.

Bob Williams, vice president of the Board of Regents, said "We had asked the administration to gather information on what substance use and substance abuse might be on the campuses and what effect that has on the university. The board will then be better able to determine what action to take," Williams said.

The Academic and Student Affairs Committee, which Williams chairs, will review the options on Thursday. Williams said they can work with legislation, work with surveillance and enforcement on the campuses, or work to educate students and university employees about substance abuse.

Student Regent Judy Graham attended the April 8 ACCSA meeting to inform student representatives that the Board of Regents were considering the recriminalization resolution. A few senators voiced their concern over the Board's right to get involved in an issue that they felt was clearly out of their league. Their message to Graham and other Board members was that it would be better if they just "budded out."

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Lawmakers resume marijuana debate

By Robert Laurie
Times Juneau Bureau

AP 4/14/84

JUNEAU — The debate over the effects of marijuana resumed in the state capitol Wednesday as the House Health, Education and Social Services opened hearings on a bill to re-criminalize possession and use of the substance.

The Alaska Supreme Court ruled 13 years ago that the constitutional right of privacy allowed Alaskans to possess small amounts of marijuana in the home.

The legislature then clarified that to mean less than 4 ounces for personal use.

Sen. Paul Fischer, sponsor of

the bill, says new medical and scientific research since the Alaska court's ruling indicate marijuana is more harmful than the court could have known at the time.

Fischer says the legislative findings in the bill show that "the detrimental effects of marijuana override the constitutional question of the right of privacy laid out in the Raven decision."

Irwin Raven, whose trial on charges of possession of marijuana in 1973 led to the landmark Supreme Court ruling, told the committee the findings Fischer mentioned are "not true or irrelevant."

For example, he points to the

finding that THC, one of the active compounds in marijuana, can take as long as 30 days to be eliminated from the body.

"That's totally irrelevant," Raven said. "They may stay in the body, but they're not psychoactive. You know, you smoke a marijuana cigarette and you're high for a couple of hours... and then you're not."

Rep. Alyce Hanley, R-Anchorage, argued that the time has come when "right to privacy in the home must yield, and the health, safety, rights and privileges of others must become our greater concern."

Alaska Civil Liberties Union president and former legislator

Don Clocksin, arguing against the measure, told the lawmakers they were, in effect, sitting as a jury, deciding the fate of 100,000 adult Alaskans who use marijuana, a number later questioned by Rep. Randy Phillips, R-Eagle River.

Clocksin said the burden of proof "that the public health interests justify a suspension of the constitutional right of privacy" falls on the supporters of the bill.

He says they have to show possession and use of small amounts by adults in the privacy of their own home threatens the public's health and safety, not just the individual's.

See Pot, page B-3

Thursday, April 14,

Pot

Continued from page B-1

Clocksin referred to an argument by Rep. Bill Hudson, R-Juneau, that the dangers of marijuana mirrored those of alcohol, and the legislature allowed rural villages to suspend the right to privacy by banning importation or use of liquor.

"The difference is: the burden of proof was clearly and irrevocably met in that case. The murders, the crimes, the destruction of families, the health costs caused by the abuse of alcohol were unquestioned," said Clocksin.

Statewide teleconferenced hearings on the measure continued Wednesday.



Irwin Raven
finds 'irrelevant'

Robert B. Atwood
President and Publisher

Elaine Atwood
Assistant Publisher

William J. Tobin
Vice-President, Editor-in-Chief

Hearings on pot

ON THE basis of state-wide indications — in the form of resolutions passed by all kinds of community groups and many levels of civic and governmental affairs — it is safe to say that a great many Alaskans want the legislature to pass a law recriminalizing the possession of marijuana.

The Senate already has passed a bill to do just that.

The House majority, however, is dragging its feet.

In more ways than one, some of the Democratic leaders in the House are trying to equate the use of alcohol and tobacco with that of marijuana.

The thought presumably is that if it's all right for older people to smoke cigars and drink liquor then it should be fine and dandy for young people (or anybody else, of course) to use marijuana.

THE ARGUMENT to sustain this relies on a court decision that reaches into the question of privacy.

What is done in the privacy of one's home, this argument goes, is a matter of individual taste — protected by constitutional provisions — and is none of the public's darn business.

Unfortunately, marijuana and other drugs do indeed encroach into public affairs — at huge public expense.

Moreover, there seems to be growing national medical

and scientific data which indicates that the use of marijuana is not a harmless practice, as some contend.

These and other viewpoints presumably will be aired when a House committee begins two days of scheduled testimony tomorrow morning on proposed legislation to put some teeth back into the state's control over marijuana.

SOME OF that testimony, we'd like to think, will be addressed to the public perception that now exists that Alaska is soft on drugs.

Because of legislative actions, because of court decisions, there has been spread across the land the implication that drug use is really not all that bad and that the government officials in Alaska — state and local — condone the use of marijuana and other substances.

Even though this is untrue, in the general sense, the state has sent out a message to young people that does not do well for it or for them.

On this particular issue involving marijuana, Alaska's official social standard is set all too low.

The House hearings, we hope, will point this out.

There is still time in this legislative session for the House to act with prudent concern and pass appropriate legislation.

Marijuana bill likely to die in House

By LARRY PERSILY
The Associated Press

JUNEAU — There are serious problems with the Senate bill to restore criminal penalties for marijuana possession, and unless they can be resolved the bill appears dead this session, said the chairman of the House committee holding it.

"If the medical findings do not pass the constitutional

test, the bill should not be moved," said Rep. Johnny Ellis, co-chairman of the House Health, Education and Social Services Committee.

"The bill is flawed," the Anchorage Democrat said Wednesday, following the committee's fourth hearing on the measure.

The Senate passed it in mid-February and it has been

in the House committee since then.

The move to restore criminal penalties for marijuana use is based on a series of findings in the bill that are meant to show that the threat to public health and safety outweighs an individual's right to privacy.

Ellis said the health com-

See Back Page, MARIJUANA

5-5-88 ADN

MARIJUANA: Bill likely to die in House this session

Continued from Page A-1

mittee's job is to determine if the findings are accurate. If they are invalid, he said, the bill should not be moved to its next committee.

"We're still in the assessment stage," Ellis said.

With less than a week left in the session, the chances of the bill (SB32) moving through its three House committees and then to the floor for a vote appear very slim.

Alaska law currently allows adults to possess up to four ounces of marijuana in

their homes for personal use. The Senate bill would make possession by adults a misdemeanor.

When the Alaska Supreme Court threw out the state's marijuana law 13 years ago, it said the Alaska Constitution guarantees the right to privacy unless there is a compelling reason to limit that right.

The committee Wednesday heard from a doctor who testified that supporters of the Senate bill are relying on "anecdotal, unfounded, unpublished and uncontrolled studies" in calling for changes

in the marijuana law.

Dr. Arthur McBay, a forensic toxicologist from North Carolina, testified by phone and rebutted most of the findings in the Senate bill.

He called "wild speculation" the statement that one marijuana cigarette a day may cause lung cancer in three years.

Two other doctors testified in general support of the Senate bill at Wednesday's hearing, including Dr. Forrest Tennant Jr., drug abuse counselor to the National Football League.

Bill restoring pot penalties hits House snag

ANCH. TIMES
MAY 5, '88

By Larry Persly
Associated Press

JUNEAU — There are serious problems with the Senate bill to restore criminal penalties for marijuana possession, and unless they can be resolved the bill appears dead this session, said the chairman of the House committee holding it.

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Ellis said the health committee's job is to determine if the findings are accurate. If they are invalid, he said, the bill should not be moved to its next committee.

"We're still in the assessment stage," Ellis said.

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Alaska law currently allows adults to possess up to four ounces of marijuana in their homes for personal use. The Senate bill would make possession

by adults a misdemeanor.

Possession by minors already is a crime.

When the Alaska Supreme Court threw out the state's marijuana law 13 years ago, it said the Alaska Constitution guarantees the right to privacy unless there is a compelling reason to limit that right.

The committee Wednesday heard from a doctor who testified that supporters of the Senate bill are relying on "anecdotal, unfounded, unpublished and uncontrolled studies" in calling for changes in the marijuana law.

Dr. Arthur McBay, a forensic toxicologist from North Carolina, testified by phone and refuted most of the findings in the Senate bill.

He called "wild speculation" the statement that one marijuana cigarette a day may cause lung cancer in three years.

Although the Senate bill claims people can die from marijuana overdoses, McBay said, "I have never seen a marijuana overdose death, nor have I been able to document any that anyone thinks they have seen."

Two other doctors testified in general support of the Senate bill at Wednesday's hearing, including Dr. Forrest Tennant Jr., drug abuse counselor to the National Football League.

Tennant, a sports medicine doctor from California, said, "The major problem with your current law, in my opinion, is that it symbolically gives the public, particularly the teenagers, the idea that marijuana is perfectly safe and less harmful than nicotine and alcohol, which is not necessarily the case."

CITY OF VALDEZ, ALAKSA

RESOLUTION NO. 8711

A RESOLUTION OF THE CITY OF VALDEZ URGING THE ALASKA LEGISLATURE TO REPEAL LAWS ALLOWING FOR THE PERSONAL USE OF MARIJUANA.

WHEREAS, the State of Alaska is eligible for certain Federal grants for control of narcotics; and

WHEREAS, the dangerous and grievous use of unlawful narcotics threatens the lives and well-being of many citizens of Alaska, especially, our young people; and

WHEREAS, the Alaska State Statutes allow for personal possession and use of amounts of contraband and dangerous substances that would otherwise be illegal under Federal and State laws; and

WHEREAS, these peculiar provisions of State law threaten the State of Alaska's eligibility for Federal funds for control of narcotics; and

WHEREAS, these provisions serve no useful purpose in a society that is outraged at the suffering and expense caused by drug abuse; and

WHEREAS, the right to privacy in the home in Alaska is a constitutional protection and that right can be protected by allowing the exception to be a lawfully obtained search warrant,

NOW, THEREFORE, BE IT RESOLVED that the Valdez City Council urges the Legislature of the State of Alaska to repeal those sections of the Alaska Statutes which allow personal possession and use of marijuana and support the recriminalization of marijuana.

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF VALDEZ, ALASKA this 17th day of February, 1987.

CITY OF VALDEZ, ALASKA

BY: John Devens

John Devens, Mayor

ATTEST:

BY: John Thorp

John Thorp
Acting City Manager



City and Borough of Sitka

304 LAKE STREET . SITKA, ALASKA . 99835

March 28, 1988

APR 04 1988

Alaska State Legislature
Representative Ben Grussendorf
Speaker of House
P.O. Box V
Juneau, Alaska 99811

Dear Representative Grussendorf:

Enclosed is a copy of our resolution No. 88-374 urging the passage of Senate Bill 32.

Sincerely,

Richard G. Anderson
Administrator

Encl.

cc: HESS Committee

RGA:it:senate

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 88-374

A RESOLUTION OF THE ASSEMBLY OF THE
CITY AND BOROUGH OF SITKA URGING THE ENACTMENT OF
SENATE BILL 32, AN ACT RELATING TO MARIJUANA

WHEREAS, marijuana use is a serious health problem, causing both physical and psychological damage to users; and

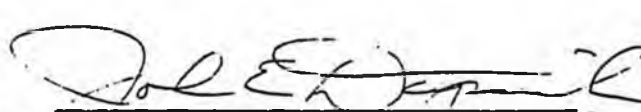
WHEREAS, the daily use of marijuana in the State of Alaska has increased to as high as 4% among the general population and as high as 6% among secondary school students; and

WHEREAS, marijuana use is directly related to disciplinary problems in schools with students and in society with both students and adults,

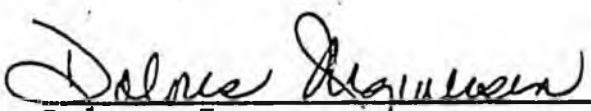
NOW, THEREFORE, BE IT RESOLVED by the Assembly of the City and Borough of Sitka that the legislature and Governor are urged to enact Senate Bill 32 recriminalizing certain types of use and possession of marijuana.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 22 day of MARCH, 1988.




John E. Dapcevich, Mayor

A T T E S T:


Dolores Ingwersen
Municipal Clerk



Greater Fairbanks

Chamber

of Commerce

First National Center

P O Box 74446

709 Second Avenue

(907) 452-1105

Fairbanks, Alaska 99707

RESOLUTION #14-0388

RESOLUTION SUPPORTING THE RECRIMINALIZATION OF MARIJUANA

- WHEREAS, Alaska is the only state that has legalized the use of marijuana and likewise has the highest rate of substance abuse in the United States, and
- WHEREAS, research shows regular marijuana use produces drug dependency and is a transitional drug leading to escalated use of many drugs, and
- WHEREAS, research shows marijuana builds up and is stored in the body particularly the brain, it produces a level of continual sedation, weakens the motivational center of the brain and results in permanent damage, and
- WHEREAS, research shows there is an "instant intoxication" effect produced by marijuana making it instantly hazardous to others, and
- WHEREAS, statistics show that youth (age 12-17) in Alaska use marijuana at a 47.4 % rate compared to the national average of 26.7 (1.8 to 1) and 16.6 % of Alaska youth (age 12-17) use cocaine compared to national average of 6.5 (2.6 to 1) producing a high probability that 1 in 4 marijuana users transition to cocaine, and
- WHEREAS, legalization of marijuana contradicts education against drug use because it sends mixed signals to youth; while we "say no", "adults use" so the trickle down effect and its tragic impact is clear, and
- WHEREAS, Governor Cowper is on record, acknowledging "we made a mistake when we changed the law in 1976 so as to decriminalize the use of marijuana", and now supports recriminalization within constitutional constraints, and
- WHEREAS, Lt. Governor McAlpine is on record that the time has come to change the law, and

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

RESOLUTION 86-87-9

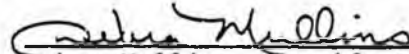
WHEREAS, the physiological, psychological and sociological effects of marijuana use are well documented; and

WHEREAS, the use of this substance by some elements of the school age population continues to be a disruptive force; and

WHEREAS, current state statute permits possession of marijuana for private use which makes this substance more accessible to the school age population;

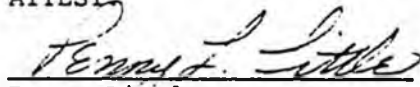
NOW THEREFORE BE IT RESOLVED, that the Kenai Peninsula Borough School District Board of Education supports the recriminalization of marijuana and the provisions for enforcement as set forth in Senate Bill 32.

ADOPTED THIS 16th DAY OF MARCH, 1987.



Debra Mullins, President
Kenai Peninsula Borough School Dist.
Board of Education

ATTEST:



Penny Little
Notary Public

AMENDED AND APPROVED

Date 12-9-86

Submitted by: Assemblyman
Brad Bradley

Prepared by: Assemblyman
Brad Bradley

For Reading: November 25, 1986

AR No. 86-284

A RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE SUPPORTING REPEAL
OF AS 11.71.070 AND AMENDMENT OF AS 11.71.060(a) TO MAKE
MARIJUANA ILLEGAL

WHEREAS, Alaska is the only state in the union with a permissive statute for personal possession of marijuana, and

WHEREAS, findings of local, state and federal authorities conclude that marijuana is detrimental to the health, welfare and public safety of all people, and

WHEREAS, the Supreme Courts of other states and the U.S. Supreme Court have upheld state statutes prohibiting the use and possession of marijuana, and

WHEREAS, current Alaska state statutes are not in conformity with federal drug enforcement laws controlling drug abuse, and

WHEREAS, the conflict between federal and state law pertaining to marijuana causes unnecessary barriers for local police and Alaska State Troopers in protecting the public from drug abusers, and

WHEREAS, the Anchorage Crime Commission has for the past three years concluded that Alaska's permissive laws on marijuana should be repealed, and

WHEREAS, representatives of 60 Alaskan high schools at the Alaska Association of School Governments' Annual Fall Conference on October 18 of this year unanimously passed a resolution to repeal the current marijuana law and make the drug in all its forms illegal in Alaska.

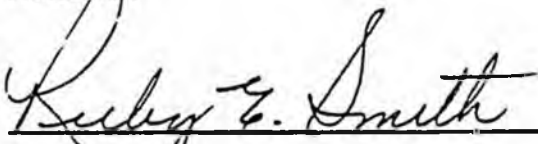
NOW THEREFORE, the Anchorage Assembly resolves:

That the Governor of the State of Alaska, the Alaska State Legislature and the Alaska Supreme Court ^{are} ~~is~~ petitioned to take immediate steps to repeal/ ~~AS 11.71.070~~ ^{statutory and constitutional protections} ~~and~~ ^{for the} ~~amend~~ ~~AS 11.71.061~~ ^{in order} ~~to~~ make use and possession of marijuana illegal in the State of Alaska/to promote the general health, welfare and public safety of the citizens of Anchorage and the State of Alaska.

PASSED AND APPROVED by the Anchorage Assembly this 9th day of December, 1986.


Chairman

ATTEST:


Municipal Clerk

Cook Inlet Council On Alcohol And Drug Abuse

"A PRIVATE NON-PROFIT CORPORATION"

MAIN OFFICE
255 Willow Street, Rm. 203
KENAI PROFESSIONAL BUILDING

P.O. Box 882
Kenai, Alaska 99611

PHONE:
283-3858

LAKE STREET CENTER
P.O. Box 2362
Homer, Alaska 99603

PHONE:
235-8001

MAR 24 1987

A RESOLUTION OF THE COOK INLET COUNCIL ON ALCOHOL AND DRUG ABUSE OF KENAI, ALASKA, URGING THE ALASKA LEGISLATURE TO REPEAL LAWS ALLOWING FOR THE PERSONAL POSSESSION AND USE OF MARIJUANA.

WHEREAS, the Cook Inlet Council on Alcohol and Drug Abuse is committed to the education, the prevention and treatment of drug abuse; and

WHEREAS, we believe countless lives are distorted through the availability and use of drugs, most particularly the lives of our young people; and

WHEREAS, socially responsible states are recognizing the need for limited access to dangerous drugs; and

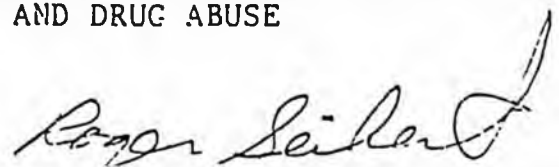
WHEREAS, Federal law mandates criminal penalties for possession and use of marijuana; and

WHEREAS, current Alaska statutes threaten the State of Alaska's eligibility for federal funds for control of narcotics:

BE IT THEREFORE RESOLVED that laws shall be enacted in the State of Alaska to establish criminal penalties for the use and possession of marijuana.

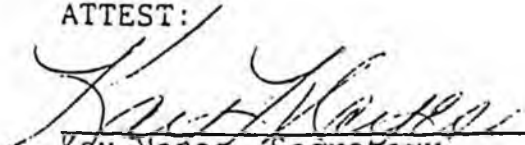
DATED at Kenai, Alaska, this sixteenth day of March, 1987.

COOK INLET COUNCIL ON ALCOHOL
AND DRUG ABUSE



Roger Seibert, President
Board of Directors

ATTEST:



Kay Mayes, Secretary
Board of Directors



Alaska Association of School Governments

RESOLUTION: ALASKA ASSOCIATION OF SCHOOL GOVERNMENTS
FALL CONFERENCE
DIAMOND HIGH SCHOOL
October 18, 1986

Whereas the student leaders of Alaska recognize that there is a severe Drug and Alcohol problem in Alaska,

Whereas the student leaders of Alaska recognize this problem exists in the Alaskan elementary, junior and senior high schools,

Whereas the students believe it is necessary for them to take a united stand against Drugs and Alcohol,

Therefore, be it resolved that the students representing the Alaska Association of School Governments (AASG), endorse the nationally known "Just Say No" Drug Prevention Program

Be it further resolved the AASG students will present a flag to Governor Sheffield to be flown over the capitol building that states: "Alaska Students/Just Say No" and

Be it further resolved the AASG students request the Governor and the Alaska Legislature to repeal the current marijuana law and make marijuana illegal in this state.

Resolution passed unanimously by 60 Alaskan high schools in attendance at the AASG fall conference.

ALASKA ASSOCIATION OF STUDENT GOV'TS.

CORDOVA PUBLIC SCHOOLS

BOX 140

CORDOVA, ALASKA 99574

PHONE: (907) 424-3285 OR 424-3292

RESOLUTION # 88-3

A RESOLUTION OF THE CORDOVA BOARD OF EDUCATION TO URGE THE ALASKA LEGISLATURE TO REPEAL LAWS ALLOWING FOR THE PERSONAL POSSESSION AND USE OF MARIJUANA.

WHEREAS, the State of Alaska statutes presently allow for personal possession and use of a dangerous substance and contraband otherwise illegal under Federal and State laws; and

WHEREAS, the provision of statutes that are currently in effect serve no useful purpose in society; and

WHEREAS, the dangerous and grievous uses of unlawful narcotics threaten the lives and well being of many of the youth of Alaska; and

WHEREAS, treatment of drug abuse causes society anxiety and major expense; and

WHEREAS, the Legislature currently is considering Senate Bill 32 which will disallow the possession and use of marijuana, and

WHEREAS, the contradictory nature in current statutes undermine efforts to educate youth about dangerous narcotics, and

WHEREAS, the Cordova Public Schools Board of Education wishes to make the most powerful statement urging the legislature to support criminalization of dangerous narcotics;

NOW THEREFORE, BE IT RESOLVED, that the Cordova Public Schools Board of Education urges the Legislature of the State of Alaska to repeal those sections of the Alaska Statutes which allow personal possession and use of marijuana, and

FURTHER, BE IT RESOLVED, that the Legislature of the State of Alaska establish criminal penalties for use and possession of marijuana.

PASSED AND APPROVED by the Board of Education of the Cordova School District of Cordova, Alaska this 11th day of April, 1988.

Alvin B. Fulton
President

Leannee Skye
Clerk

MARIJUANA RESOLUTIONS/RECOMMENDATIONS

The following organizations have made resolutions/recommendations to the Alaska State Legislature that marijuana be made illegal in Alaska.

EDUCATIONAL

Advisory Board on Drug Abuse (SOADA)
Review Board on Alcoholism (SOADA)
Alaska State Board of Education
Alaska Parent-Teacher Association
Association of Alaska School Boards
Alaska Association of School Governments/
General Assembly/39 high schools
Alaska Association of School Governments/
Student Leaders/passed unanimously by
60 Alaskan high schools
Alaska Assoc. of Secondary School Principals
Galena City School District
Galena City Drug Task Force
Galena City School District Board of Education
Ketchikan Gateway Borough School District
Kenny Lake High School
Kenai Peninsula Borough School District
City and Borough of Juneau School District
Juneau-Douglas High School Student Council
Anchorage School District
Northwest Arctic Borough School District
Wrangell Junior and Senior High School
Haines Borough School Board of Education

Political

1988 Republican Convention Platform
Senator Frank Murkowski/Alaska Congressional
Delegation
Alaska Municipal League

City/Borough/Municipality

Fairbanks North Star Borough
City of Fairbanks
City and Borough of Juneau
Municipality of Anchorage
City of Ketchikan
City of Galena
Togiak City Council
City of Saxman
City of Valdez

OVER

CITY OF KETCHIKAN

RESOLUTION NO. 87-1498

A RESOLUTION OF THE CITY OF KETCHIKAN, ALASKA, SUPPORTING REPEAL OF A.S. 11.71.070 AND AMENDMENT OF A.S. 11.71.060(a) TO MAKE MARIJUANA ILLEGAL AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Alaska is the only state in the union with a permissive statute for personal possession of marijuana, and

WHEREAS, findings of local, state and federal authorities conclude that marijuana is detrimental to the health, welfare and public safety of all people and of all ages, and

WHEREAS, the Supreme Courts of other states and the U.S. Supreme Court have upheld state statutes prohibiting the use and possession of marijuana, and

WHEREAS, current Alaska state statutes are not in conformity with federal drug enforcement laws controlling drug abuse, and

WHEREAS, the conflict between federal and state law pertaining to marijuana causes unnecessary barriers for local police and Alaska State Troopers in protecting the public from drug abusers, and

WHEREAS, Ketchikan Youth Services, Families in Action and other concerned local citizens have expressed concern over the drug abuse problem in the community, and

WHEREAS, representatives of sixty (60) Alaskan high schools at the Alaska Association of School Governments' Annual Fall Conference held on October 18, 1986, unanimously passed a resolution to repeal the current marijuana law and make the drug in all its forms illegal in Alaska.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KETCHIKAN, ALASKA as follows:

Section 1. The City Council of the City of Ketchikan, Alaska hereby petitions the Governor of the State of Alaska, the Alaska State Legislature and the Alaska Supreme Court to take immediate steps to repeal statutory and constitutional protections for use and possession of marijuana in the state of Alaska in order to promote the general health, welfare and public safety of the citizens of Ketchikan and the State of Alaska.

Section 2. The City Clerk is hereby directed to send copies of this resolution to Governor Cowper, Senator Jones, Representative Taylor, Representative Sund, the Attorney General and the Alaska Municipal League.

Section 3. This resolution shall become effective immediately upon passage.

PASSED AND APPROVED this _____ day of _____, 1987.

ATTEST:

Ted Ferry, Mayor

Karen Miles, CMC
City Clerk



ADOPTED AUGUST 1972

CITY of WRANGELL, ALASKA

INCORPORATED JUNE 15, 1903

BOX 531, 99929 (907) 874-2381

February 11, 1987

The Honorable Steve Cowper
Governor of Alaska
Pouch A
Juneau, Alaska 99801

Dear Governor Cowper:

Attached hereto is a copy of the City of Wrangell Resolution No. 02-87-263 urging the Alaska Legislature to criminalize the act of possession of marijuana in any amount.

The Wrangell City Council respectfully request your support in this matter.

Sincerely,

Joyce Rasler
City Manager

Attachment:

cc: Representative Taylor
Representative Sund
Senator Jones

CITY OF WRANGELL, ALASKA

RESOLUTION NO. 02-87-263

A RESOLUTION OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, URGING THE ALASKA LEGISLATURE TO CRIMINALIZE THE ACT OF POSSESSION OF MARIJUANA IN ANY AMOUNT.

WHEREAS, THC is the ingredient in marijuana that goes into the fatty tissues of the brain and other internal organs and takes thirty days to be eliminated from the body; and

WHEREAS, THC is reported to cause effects to a person that may result in the birth of deformed or undersized offspring; and


WHEREAS, the THC content of a marijuana cigarette is as high as ten percent today as compared to one percent ten years ago; and

WHEREAS, numerous psychological and physical reactions result from the use of marijuana which impair the health and well being of the public; and

WHEREAS, Alaska's law which allows the possession of certain amounts of marijuana is contrary to the Federal Government's laws and the "war on drugs" being waged across the nation by Cities and States.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, that the Alaska Legislature is urged to amend the law to criminalize the act of possession of marijuana in any amount in the best interests of the public, except as authorized in AS 17.301. Be it further resolved that copies of this Resolution be forwarded to Governor Steve Cowper, Senator Lloyd Jones, Representative Robin Taylor and Representative John Sund.

PASSED AND APPROVED February 10, 1987


MAYOR

ATTEST:


CITY CLERK



KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT

Darroll Hargraves
SUPERINTENDENT

Resolution No. 210
Ketchikan Gateway Borough School District

A REQUEST FOR CHANGING THE STATE STATUTES TO MAKE THE POSSESSION AND USE OF MARIJUANA ILLEGAL

WHEREAS, the State of Alaska allows legal private possession and use of marijuana,

WHEREAS, Alaska's present statutes regarding possession and use of marijuana appear to be in conflict with the laws of the United States, and

WHEREAS, the problem of drug and alcohol abuse in our schools and our society appears to be on the rise, and

WHEREAS, the President of the United States initiated a national crusade to counter the current drug problem, and

WHEREAS, many students find easy access to illegal drugs, particularly marijuana, and

WHEREAS, Alaska statutes present a mixed message by currently allowing the use and possession of marijuana in the home, and

WHEREAS, current research and medical opinion concerning marijuana indicates that marijuana is harmful and does present a serious health problem, and

WHEREAS, the utilization of marijuana possession in Alaska sends the message to outside suppliers that Alaska is an open state which condones the "personal use" of marijuana, and

WHEREAS, a show of community resolve against the legal possession and use of marijuana sends a message to the state legislature and the governor's office,

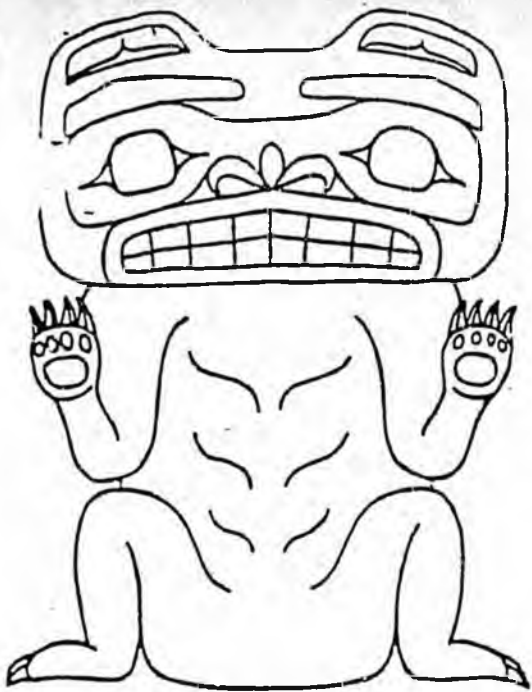
THEREFORE BE IT RESOLVED by the Ketchikan Gateway Borough School District that:

1. The School District encourages and supports the reenactment of statutes which will recriminalize the possession of marijuana.
2. The School District makes this position one of public record so that all in the community, in other school districts, and across the state will understand our position that the present statutes in Alaska governing marijuana are not in the best interest of its citizens.
3. The School District requests our legislators, locally and across the state, to give the recriminalization of marijuana immediate attention during the 1st session of the 15th legislature so that effective July 1, 1987 the possession and use of marijuana will be illegal and carry consequences.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF EDUCATION OF THE KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT OF KETCHIKAN, ALASKA THIS _____ DAY OF _____, 1987.

President of the Board

Clerk-Treasurer of the Board



City of Saxman

Rt. 2, Box 1
Saxman, Alaska 99901
907-225-4166

CITY OF SAXMAN

RESOLUTION NO. 87-01-030

A RESOLUTION OF THE CITY OF SAXMAN, ALASKA, SUPPORTING REPEAL OF A.S. 11.71.070 AND AMENDMENT OF A.S. 11.71.060(a) TO MAKE MARIJUANA ILLEGAL AND ESTABLISHING AN EFFECTIVE DATE.

- WHEREAS, Alaska is the only state in the union with a permissive statute for personal possession of marijuana; and
- WHEREAS, findings of local, state and federal authorities conclude that marijuana is detrimental to the health, welfare and public safety of all people and of all ages; and
- WHEREAS, the Supreme Courts of other states and the U.S. Supreme Court have upheld state statutes prohibiting the use and possession of marijuana; and
- WHEREAS, current Alaska state statutes are not in conformity with federal drug enforcement laws controlling drug abuse; and
- WHEREAS, the conflict between federal and state law pertaining to marijuana causes unnecessary barriers for local police and Alaska State Troopers in protecting the public from drug abusers; and
- WHEREAS, Ketchikan Youth Service, Families in Action and other concerned local citizens have expressed concern over the drug abuse problem in the community; and
- WHEREAS, representatives of sixty (60) Alaska high schools at the Alaska Association of School Governments' Annual Fall Conference held on October 18, 1986, unanimously passed a resolution to repeal the current marijuana law and make the drug in all its forms illegal in Alaska.



Greater Fairbanks

Chamber

of Commerce

First National Center

P.O. Box 74446

709 Second Avenue

(907) 452-1105

Fairbanks, Alaska 99707

RESOLUTION #14-0388

RESOLUTION SUPPORTING THE RECRIMINALIZATION OF MARIJUANA

WHEREAS, Alaska is the only state that has legalized the use of marijuana and likewise has the highest rate of substance abuse in the United States, and

WHEREAS, research shows regular marijuana use produces drug dependency and is a transitional drug leading to escalated use of many drugs, and

WHEREAS, research shows marijuana builds up and is stored in the body particularly the brain, it produces a level of continual sedation, weakens the motivational center of the brain and results in permanent damage, and

WHEREAS, research shows there is an "instant intoxication" effect produced by marijuana making it instantly hazardous to others, and

WHEREAS, statistics show that youth (age 12-17) in Alaska use marijuana at a 47.4 % rate compared to the national average of 26.7 (1.8 to 1) and 16.6 % of Alaska youth (age 12-17) use cocaine compared to national average of 6.5 (2.6 to 1) producing a high probability that 1 in 4 marijuana users transition to cocaine, and

WHEREAS, legalization of marijuana contradicts education against drug use because it sends mixed signals to youth; while we "say no", "adults use" so the trickle down effect and its tragic impact is clear, and

WHEREAS, Governor Cowper is on record, acknowledging "we made a mistake when we changed the law in 1976 so as to decriminalize the use of marijuana", and now supports recriminalization within constitutional constraints, and

WHEREAS, Lt. Governor McAlpine is on record that the time has come to change the law, and

Please Post

FAIRBANKS NORTH STAR BOROUGH BOARD OF EDUCATION

Resolution 189

A Resolution Requesting the State of Alaska to Take Action to Change the Laws Relating to Possession and Use of Marijuana

Whereas, the State of Alaska presently has laws governing the possession and use of marijuana which are in direct conflict with the laws of the United States and international treaties, and

Whereas, the medical facts concerning marijuana have expanded and now show that marijuana is harmful and is a serious health problem, and

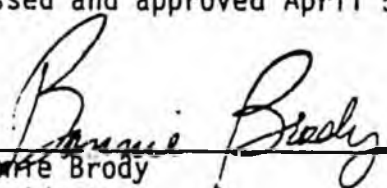
Whereas, the State of Alaska sends a harmful and mixed message to the youth of our State by having a law which allows the use and possession of marijuana in the home, and

Whereas, the problem of drug and alcohol abuse by our society, particularly by the children, is rising, and

Whereas, the Association of Student Governments, representing the next generation of Alaskans, unanimously passed a resolution by 60 Alaskan high schools recommending that the current law legalizing marijuana be repealed, and

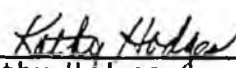
Now, therefore, be it resolved the Fairbanks North Star Borough School District Board of Education resolves that the Governor of the State of Alaska, the Alaska State Legislature, and the Alaska Supreme Court are petitioned to take immediate steps to repeal statutory and constitutional protections for the use and possession of marijuana in the State of Alaska in order to promote the general health, welfare, and public safety of citizens of Alaska.

Passed and approved April 5, 1988.



Bonnie Brody
President

Attest:



Kathy Hodges
Secretary

By: Ed Linkous
Chris Birch
J.B. Carnahan
Joe Ryan
Introduced: 03/10/88
Adopted: 03/10/88

4-13-00
PLEASE ENTER INTO RECORD THANKS CHRIS BIRCH

RESOLUTION NO. 88-038

A RESOLUTION REQUESTING THE STATE OF ALASKA TO TAKE ACTION TO CHANGE THE LAWS RELATING TO POSSESSION AND USE OF MARIJUANA

WHEREAS, the State of Alaska presently has laws governing the possession and use of marijuana which are in direct conflict with the laws of the United States and International Treaties, and

WHEREAS, the medical facts concerning marijuana have expanded and now show that marijuana is more harmful and is a serious health problem, and

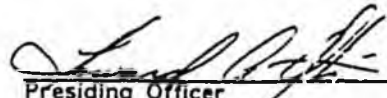
WHEREAS, the State of Alaska sends a harmful and mixed message to the youth of our State by having a law which allows the use and possession of marijuana in the home, and

WHEREAS, the problem of drug and alcohol abuse by our society, particularly by the children, is rising, and


WHEREAS, the Association of Student Governments, representing the next generation of Alaskans, unanimously passed a resolution by 60 Alaskan high schools recommending that the current law legalizing marijuana be repealed, and

NOW, THEREFORE BE IT RESOLVED the Fairbanks North Star Borough resolves that the Governor of the State of Alaska, the Alaska State Legislature, and the Alaska Supreme Court are petitioned to take immediate steps to repeal statutory and constitutional protections for the use and possession of marijuana in the State of Alaska in order to promote the general health, welfare, and public safety of citizens of Alaska.

PASSED AND APPROVED THIS 10TH DAY OF MARCH, 1988.


Presiding Officer

ATTEST:


Clerk of the Assembly

Introduced by: City Council
Date: March 7, 1988

RESOLUTION NO. 2947

A RESOLUTION REQUESTING THE STATE OF ALASKA
TO TAKE ACTION TO CHANGE THE LAWS RELATING
TO POSSESSION AND USE OF MARIJUANA

WHEREAS, the State of Alaska presently has laws governing the possession and use of marijuana which are in direct conflict with the laws of the United States and International Treaties, and

WHEREAS, the medical facts concerning marijuana have expanded and now show that marijuana is more harmful and is a serious health problem, and

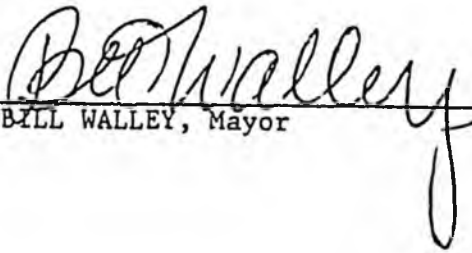
WHEREAS, the State of Alaska sends a harmful and mixed message to the youth of our State by having a law which allows the use and possession of marijuana in the home, and

WHEREAS, the problem of drug and alcohol abuse by our society, particularly by the children, is rising, and

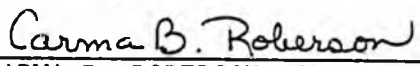
WHEREAS, the Association of Student Governments, representing the next generation of Alaskans, unanimously passed a resolution by 60 Alaskan high schools recommending that the current law legalizing marijuana be repealed, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, that the Governor of the State of Alaska, the Alaska State Legislature, and the Alaska Supreme Court are petitioned to take immediate steps to repeal statutory and constitutional protections for the use and possession of marijuana in the State of Alaska in order to promote the general health, welfare, and public safety of citizens of Alaska.

PASSED and APPROVED this 7th day of March, 1988.


BILL WALLEY, Mayor

ATTEST:


CARMA B. ROBERSON, City Clerk

U
FROM DONNA
Jim/FYI
— Position Statement —

ALASKA CHIEFS OF POLICE ASSOCIATION
ALASKA PEACE OFFICERS ASSOCIATION
FBI NATIONAL ACADEMY ASSOCIATES



Concerning Legislative Proposals

before the

Fifteenth Alaska Legislature

January 1988

We consider the contradiction of federal and state law regarding marijuana, the increasingly effective health campaigns against smoking, and the public's proclaimed respect for the law to be sending mixed signals to our youth. Either society condones drug use and smoking or it does not. Our collective position should be clear to everyone, but particularly to our young people.

The Ravin decision, which led to the law legalizing the possession of small amounts of marijuana was based in part upon the finding that the state could show no clear and convincing public need to ban marijuana. Since then, more and more studies from around the country show increasing concern about the health aspects of smoking in general and marijuana in particular. We believe that a clear and convincing argument can now be made to support a ban upon marijuana use.

Our three organizations know of no police department that would undertake an intensive enforcement effort against persons possessing small amounts of marijuana, if possession would be recriminalized. Frankly, there are more urgent needs to be addressed. Therefore, we would support a citation, mail-in bail approach, as is now used for most traffic infractions. The APOA is more interested in consistency of our laws, and sending a clear message about marijuana to our youth, rather than a harsh enforcement program.



American Civil Liberties Union

Alaska Civil Liberties Union - Legislative Committee - 217 Second St. #204 - Juneau, Alaska 99801

ACLU POSITION ON MARIJUANA AND THE RIGHT TO PRIVACY

The Alaska Civil Liberties Union is the local affiliate of the American Civil Liberties Union, representing approximately 900 members in Alaska. The ACLU opposes proposed legislation to recriminalize the personal possession and consumption of marijuana.

The use of marijuana involves protected constitutional rights, including the right to privacy which is explicitly guaranteed in Article I, Section 22 of the Alaska Constitution. Intrusion by government on such a constitutionally protected act places a burden of justification upon government. That burden has not been met with respect to federal and state laws that impose penalties on the use and possession of personal use quantities of marijuana.

ACLU opposes the definition of behavior as criminal when such behavior, engaged in either alone or with other consenting adults, does not in and of itself harm another person or force another person to act unwillingly in any way. Private personal possession and consumption of marijuana falls within this protected sphere of private personal activity.

The showings of government interest in regulating marijuana use, upon which the proposed legislation rests, are neither clear nor conclusive, as the Alaska Supreme Court has ruled in the case of Ravin v. State. The present state of scientific knowledge fully supports the rationale of the Ravin decision; there have been no scientific developments since Ravin which would change the constitutional basis for that decision. The medical findings contained in HB 55 and SB 32 are inaccurate, selective, and misleading. The sentences of imprisonment and large fines called for under the proposed legislation are excessive and unconstitutional interventions into personal and private rights.

The sale of marijuana to adults over 18 should not be subject to criminal penalties. However, reasonable regulation and taxation of the sale of marijuana does not in and of itself constitute a violation of civil liberties. ACLU strongly supports educational efforts aimed at teaching all persons, and in particular minors, about the dangers of drug use and abuse.

The ACLU opposes laws which criminalize the possession, use and sale of marijuana, for these reasons:

1. They impose arbitrary, often harsh, and cruel penalties for private conduct for which no criminal penalty at all is appropriate.
2. They impose all of the hardships of an arrest, and arrest record, and often a prison term on otherwise law-abiding young people.
3. They are selectively enforced.
4. Their enforcement relies on entrapment, illegal searches, and other police conduct which violates civil liberties.
5. They encourage police corruption.
6. They divert law enforcement money and manpower from the enforcement of laws against serious crimes.
7. They engender contempt for the law.
8. They interfere with honest efforts to educate young people about the dangers of drug use and to combat the problems of drug abuse.

ACLU urges the defeat of legislation which would impose criminal penalties for the use or possession of marijuana.



American Civil Liberties Union

Alaska Civil Liberties Union - Legislative Committee - 217 Second St. #204 - Juneau, Alaska 99801

April 7, 1987

Mr. Carl Sampson
Juneau Empire
3100 Channel Drive
Juneau, Alaska 99801

Dear Carl:

I am writing on behalf of the Alaska Civil Liberties Union to correct some of the misinformation which has been circulating on the marijuana recriminalization issue. The proponents of recriminalization selectively misrepresent the scientific evidence in order to justify intruding on the private, personal behavior of others which they find morally disagreeable. The ACLU does not condone or encourage use of marijuana. However, we do believe that in addition to being unconstitutional, the effort to put people in jail for smoking it is misguided social policy of the worst kind. Most distressingly, we are appalled that certain legislators who support recriminalization are willing to distort the medical evidence to support their viewpoint. I quote from a memorandum dated February 27, 1987, prepared by the House Research Agency in response to a request by Representative Terry Martin:

"You asked us to substantiate the findings on marijuana included in House Bill 55. . . . As you requested, I have not included any research which disputes the findings set out in the bill."

The proponents of recriminalization are not interested in the facts. Representative Martin decided what he wanted to hear, and then instructed his staff to ignore the overwhelming body of research that refutes the "findings" contained in his recriminalization legislation. He did so because he knows that if the scientific evidence on marijuana is fully aired, his "findings" will be laughed out of the legislature. Unfortunately, in the prevailing climate of anti-drug hysteria, there are few people willing to challenge these result-oriented misstatements. We should at least be able to rely on our legislators to sponsor informed debate on the issue; instead Representative Martin, Senator Paul Fischer, and others perpetuate a "Reefer Madness" mentality that has been discredited since the 1950's. While space here does not permit complete analysis of every medical issue, each of the "findings" contained in the proposed recriminalization legislation is a serious distortion of the medical record. Here are a few examples of the way marijuana has been turned into a political soap box at the expense of the truth:

One of the common erroneous assumptions was stated in a recent letter to the editor as follows: "the potency of marijuana street samples has increased seven

times since 1975". The proponents of jailing people for smoking marijuana have been using this argument for years, as if to suggest that marijuana is seven times more dangerous now than it used to be. This is logically absurd. As with alcohol, consumers compensate for higher potency by consuming smaller amounts. Anyone who counsels alcoholics will confirm that beer is no less dangerous than whiskey simply because it has a lower alcohol content. This assumption is also incorrect factually; in 1986 the New York Times published the results of a survey showing that marijuana had increased to an average potency of 3.5% THC. However, in 1980 the same newspaper had stated that the average potency was 4%. If the New York Times is to be believed, the average potency of marijuana on the street has actually decreased since 1980. This fact is tied in with another misrepresentation fostered by proponents, the "marijuana overdose". In this respect, marijuana is much more benign than whiskey. The medical literature contains no reports of death by marijuana consumption; the same certainly cannot be said for alcohol overdoses.

Proponents of recriminalization claim that "ten to thirty percent of the THC consumed remains in the brain and the body's fatty tissues up to thirty days." and that "this accumulation destroys body cells." This statement is untrue. What remains in the body are trace amounts of non-psychoactive metabolites, primarily 9-carboxy-THC. These substances do stay in the body for up to thirty days, but there is no scientific evidence that they are medically harmful in any respect.

It is claimed that marijuana causes schizophrenia, illusions, and hallucinations, and blocks sensitivity to body signals such as pain. There is no clinical evidence that marijuana causes schizophrenia. The National Academy of Sciences found that drug abuse was more often than not a symptom rather than a cause of mental problems. Illusions and hallucinations are often subjective phenomena influenced by an individual's mental state and the power of suggestion. Individuals susceptible to breaks with reality will compound their mental problems with the use of alcohol, marijuana, or many other drugs. Marijuana users do experience an alteration of their space and time perception, as well as an enhancement of colors. These effects, together with impairment of motor coordination, are why marijuana should not be used while driving or operating machinery. However, to call these effects "hallucinations" is untruthful. "Hallucinate" means to see something that is not there. People who take LSD hallucinate. People undergoing alcohol detoxification hallucinate. Marijuana users do not hallucinate. Even the Reagan administration's National Institute on Drug Abuse has never made this claim. Marijuana does show a great deal of promise as a low-level pain killer. However, a sufficient dose to render the body oblivious to pain also puts the individual to sleep; this presents no danger to society or the individual.

Proponents of recriminalization claim that marijuana affects the hormones that control human sexual function, development, and fertility. These statements are also extremely misleading. The scientific community knows of no actual or suspected cases of marijuana-caused genetic defects or chromosomal damage. This was affirmed by the National Academy of Sciences in its comprehensive report on marijuana use in the United States. It is true that heavy marijuana smoking may result in a smaller birth weight (although in the allowable range), comparable to babies of mothers who consume nicotine or alcohol during pregnancy. That is why physicians caution pregnant women against using marijuana, alcohol, tobacco, or any other drug during gestation. Laboratory tests indicate that in massive doses, THC affects the production of the eggs, sperm,

and sexual hormones of rats and other animals. This is often cited as evidence that THC may reduce the chances of human conception. However, even if one accepts the questionable premise that a lower rate of conception is bad, the effects of marijuana use on human fertility appear to be negligible, as millions of marijuana smoking parents can affirm.

As a final example, proponents urge recriminalization because marijuana impairs short term memory, alters sense of time, and reduces ability to perform tasks requiring coordination or swift reactions. Of course it does. That is why people smoke it, just as people consume alcohol for the same reasons. That is also why it is illegal to drive while under the influence of marijuana, and why responsible adults confine use to safe situations, just as they do with alcohol. I suggest that anyone who seeks relaxation with alcohol is a hypocrite if he or she argues that marijuana should be banned for offering the same benefits. Marijuana intoxication does interfere with learning ability in much the same way as alcohol, however the scientific evidence demonstrates that there is no long term effect lasting beyond the particular incident of intoxication. In other words, this effect wears off within two or three hours of ingestion. One danger of teenage marijuana use is that many teens are prone to mix relaxation and studying, meaning they think that they are able to study after having consumed marijuana or beer. This is an important reason to deter adolescents from marijuana and alcohol use.

It is also why legalizing marijuana for adults, and establishing controllable sources of supply, makes sense: it would allow authorities to eliminate the black marketeers who are willing to sell to youngsters. It is worth noting that, although it is illegal to sell marijuana to minors, most youngsters report that it is easier to obtain marijuana around school than alcohol. The existing penalties for selling to minors are substantially stiffer than those proposed for simple possession, and yet we have not managed to stop the traffic because of the substantial profit motive for sellers. We have known since the the 1920's that prohibition does not work; if anything, it only makes the prohibited substance cheaper, less safe, and easier to obtain. Why can't we seem to learn that? A recent study conducted by the Netherlands Ministry of Welfare, Health and Cultural Affairs documented a decrease in adolescent use of marijuana following a decriminalization plan which allowed purchase of joints in cafes and youth clubs. Likewise, Dr. William J. Kinnard, Jr., Dean of the University of Maryland School of Pharmacology, recently advocated strong consideration of the full legalization of marijuana in a paper published by the Washington Post's Health Section, on October 14, 1986. We agree with Dr. Kinnard's conclusions that

"Serious consideration should be given to the further decriminalization or even legalization of marijuana. Legal control of marijuana is almost impossible, and our limited resources should be directed to the control of the more toxic illicit substances. While there have been claims that the use of marijuana leads to the use of more potent substances, that has not been substantiated. Just as in the case of alcohol, the individual's right of use in private should be allowed, but drug-related public actions, such as impaired driving, severely penalized.

Increased taxes on social drugs-alcohol, tobacco, and marijuana-would directly support an expanded National Institute of Drug Abuse."

In the current economic crisis in Alaska, it is misguided idiocy to create a whole new and very large class of criminals, who will need public defenders, court

time, and jail beds, instead of devoting our resources to effective educational efforts.

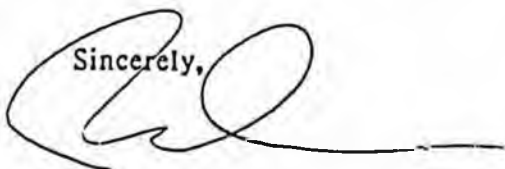
Teenagers recognize hypocrisy. Hypocrisy in the law promotes disrespect and encourages violations. It is undisputed that alcohol and tobacco are far more dangerous from a health and safety standpoint than marijuana. Teenagers logically and correctly conclude that our society simply doesn't know what it is doing when it comes to drug enforcement, and they tend not to pay attention to any laws regarding drug use. It would be far better to teach our children skills for responsible adult choice, and to demonstrate to them that society is capable of rational and consistent policymaking. Teens would be more inclined to follow the law if it made sense.

Advocates of the recriminalization of marijuana are proposing to take away a valuable right from every Alaskan adult. I am not referring to a "right to consume marijuana." They are proposing to take away our right to be left alone to do as we please in our own homes, so long as we do not harm anyone else in the process. They are trying to take away our right to make our own choices.

The ACLU does not advocate the use of marijuana or any other drug, and we particularly discourage the use of drugs by teenagers. We must undertake educational programs that combat drug abuse in all sectors of society. At the same time, we also believe that our country was built on a foundation that values individual liberty above all else. An important component of that liberty is the sanctity of our private lives, and the privilege of making choices about how to live our lives, rather than having the government make choices for us. As the price of keeping those rights of personal privacy and autonomy, we assume an obligation to educate ourselves and our children to make responsible choices, including choices about what substances to put into our bodies. The misrepresentation of the medical evidence engaged in by the proponents of recriminalization seriously interferes with our ability to make responsible choices. We must not let a vocal group of zealots impose their own moral, religious, or social viewpoints on us by promoting half truths and distortions of the facts, whether it concerns private sexual conduct, choice of reading material, religious observance, use of marijuana, or any other subject.

As a previous writer pointed out, you may use the telephone to express your views on the recriminalization of marijuana; call 465-4648 to leave a public opinion message with your legislator. You do not need to be a marijuana smoker for this to be an important issue to you. You only need to believe in your right to make your own choices. If you believe that the state should not put people in jail for activities that they may choose to engage in in the privacy of their own homes, you should oppose the effort to recriminalize marijuana.

Sincerely,



Paul H. Grant
Alaska Civil Liberties Union

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

time, and jail beds, instead of devoting our resources to effective educational efforts.

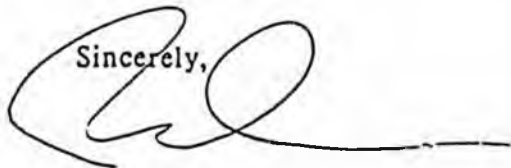
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Sincerely,

A handwritten signature in black ink, appearing to read "Paul H. Grant", with a long horizontal line extending to the right.

Paul H. Grant
Alaska Civil Liberties Union

FINDINGS ON SENATE BILL #32 & HOUSE BILL #55

I have examined the findings reported in House Bill #55 and Senate Bill #32 of the Alaskan Legislature and have found them flawed and inaccurate. Here is a point by point rebuttal of the findings. Beginning sentences in apostrophies are direct quotes from the bills. References to the National Academy of Sciences refer to their publication Marijuana and Health which reports their 1982 study of marijuana related research. I have also enclosed other materials which are pertinent to the topic of recriminalization.

1) "THC, the mind altering ingredient in marijuana, is not soluble in water, but goes into the fatty tissues of the brain, testicles, ovaries, and other internal organs, and takes 30 days to be eliminated from the body;"

Actually, THC is broken down by the body soon after ingestion. It's metabolites stay in the body for up to 30 days, but these metabolites are non-psychoactive. Any toxicologist can confirm this. Urine testing advocates exploit the confusion between THC which is the active ingredient and is metabolized relatively quickly, and its metabolites (chiefly 9-carboxy-THC) which have no psychoactive effect but linger in the body for a month or so.

The following quote is from a recent article by Chemical & Engineering News (6/2/86). "Marijuana is the most commonly abused drug and the kinetics of its metabolism have been studied extensively. It is also an unusual drug in that it can be detected in urine for a long time. Very little of the original drug, Delta-9-tetrahydrocannabinol or THC, goes into the urine. The chemical is absorbed from the blood into body fat tissue where it is eliminated as it is slowly metabolized. . . (metabolites) can be found in urine for longer than a month . . ."

The following quote is from a Center for Disease Control MMWR Report (9/16/83). "Studies involving humans indicate that 80% - 90% of the total dose of Delta-9-THC is excreted within 5 days - approximately 20% in urine and 65% in feces."

Most experts claim that the metabolites disappear 10 to 14 days after ingestion in most cases. Urine tests detect these metabolites, which is why the manufacturers are required to point out that they are tests to indicate recent use, not intoxication or impairment. If THC remained in the system for 30 days, and remained active, the urine tests would be marketed as a way to indicate impairment. They aren't.

2) "the buildup of THC in the body causes the user to smoke more marijuana to achieve the desired high and may result in loss of sleep, appetite, and initiative, as well as moodiness and depression;"

The "buildup of THC" is actually tolerance to the drug, a physiological response humans and animals have to any drug. It occurs not because of the THC buildup, but because of other complex biological factors.

The symptoms mentioned accompany cessation of marijuana use in some individuals, not the building in the body. A majority of marijuana smokers experience no side-effects from cessation of use. If these symptoms indicate anything, they indicate the relative lack of serious side-effects from cessation of use, unlike those associated with alcohol and opiate withdrawal.

3) "it is possible for a human being to overdose from the use of marijuana, especially if it is used in conjunction with alcohol, because it increases the effects of alcohol;"

There is no record of anyone ever dying from an overdose of marijuana. It is one of the least toxic drugs known to man.

Raphael Mechoulam, who isolated the main ingredient of marijuana (THC) has edited Cannabinoids as Therapeutic Agents which includes an article by Mark Segal on Marijuana's potential as an analgesic. He reports that marijuana has promise as a pain killer because it is non-addictive and does not depress the respiratory tract (unlike opioids.) Marijuana's promise as a pain-killer is reported by the National Academy of Sciences, and by Roger Roffman in the book Marijuana as Medicine; its promise rests on the fact that finding #3 is essentially false.

Marijuana is a mild intoxicant, and as such should not be used in conjunction with other intoxicants. Whether marijuana increases the effects of alcohol, or complicates them, or just how one would subjectively describe the effects of mixing the two, is beside the point that multiple drug use provides multiple safety concerns. Marijuana, though, has far less severe, cross-reaction with alcohol than barbituates or tranquilizers such as valium. Once again, a good toxicologist can provide confirmation of these points.

4) "the THC content of a marijuana cigarette 10 years ago was one percent, but is as high as 10 percent per cigarette today;"

Proponents of jailing people for marijuana use have been using this argument as if to suggest that marijuana is ten times more dangerous than it used to be. The premise that an increase in potency demonstrates an increase in danger is logically unsound. As with alcohol, consumers compensate for higher potency by consuming smaller doses. Anyone who counsels alcoholics will confirm that beer is no less dangerous than whiskey simply because it has a lesser potency.

The government has been trying to sell the increased potency argument for some time. The enclosed press release refers to a New York Times report in 1986 that marijuana had increased to an average potency of 3.5%, and that this was an alarming increase over the seventies. However, in 1980, The Times ran a similar story, only at that time they claimed that marijuana had an average potency of 4%. So, marijuana has actually decreased in potency, if you believe The Times.

5) "Marijuana causes schizophrenia, illusions, and hallucinations, including a dulling of the senses, creating the possibility that the user is unable to respond to body signals, such as pain;"

There is no clinical evidence that marijuana causes schizophrenia. The National Academy of Sciences found that drug abuse was more often than not a symptom rather than a cause of mental problems. Illusions and hallucinations are often subjective phenomena influenced by an individual's mental state and the power of suggestion. Individuals susceptible to lapses in their grasp of reality will compound their mental problems with the use of alcohol, marijuana, or other drugs.

Marijuana users do not hallucinate. They do experience an alteration of their space perception, and an apparent enhancement of colors. These, combined with impairment of motor coordination, are reasons why marijuana should not be used while driving a motor vehicle. However, to call these effects of marijuana "hallucinations" is misleading if not untruthful. Individuals who take LSD hallucinate. Individuals detoxifying from alcohol addiction hallucinate. Hallucinate means the individual sees something that isn't there. Marijuana users do not hallucinate.

The National Institute on Drug Abuse's pamphlet, "Marijuana", is far from being the best source on marijuana's effects. However, its claims are based far more on actual research than popular myths. It makes no mention of hallucinations, illusions, or schizophrenia resulting from marijuana use.

Marijuana's promise as a pain killer is referenced above. However, the dose required to render an individual oblivious to body signals such as pain far exceeds standard levels of use. A sufficient dose to accomplish this would also put the subject to sleep. It is unlikely that this presents any danger to the individual or to society.

6) "although it may take a heavy cigarette smoker as long as 20 years to develop lung cancer, one marijuana cigarette a day may cause lung cancer in three years;"

Marijuana is used daily by over 6 million Americans, according to the National Institute of Drug Abuse. Marijuana has been a popular recreational drug used by a large percentage of young Americans since 1965. There is no record of case histories to document this finding. If this finding were true, we would have millions of case histories of young individuals with lung cancer from marijuana use. The case histories don't exist because the statement is false.

The National Academy of Sciences decided that marijuana smoking and tobacco smoking can not be compared because the methods of ingestion differ so greatly. Marijuana smokers smoke far less materials a day than tobacco smokers (up to 2 cigarettes a day compared to 20 - 60), but they inhale the smoke far deeper into the lungs. On the other hand, many marijuana smokers use a waterpipe (or "bong") which filters out many, but not all, of the tars that contribute to lung cancer.

Claims that marijuana is more carcinogenic than tobacco are compelled by a logic that dictates that because marijuana is illegal (except in Alaska) it has to be more dangerous than tobacco (or in other cases, than alcohol). The claims are based on the undisputed fact that marijuana contains more tar than tobacco, but ignore the differences in ingestion and dosage that make comparisons inaccurate. Marijuana smoke is bad for the lungs, it does

contribute to the formation of lung cancer, and I am convinced that by the year 2000 we will begin to hear of way-stories of individuals who have lung cancer as a result of long term marijuana use.

Nonetheless, it is not true that a marijuana cigarette a day for three years will cause lung cancer. I offer my own lungs and continued health as proof.

7) "THC affects eggs, sperm, sexual hormones, and the development of a fetus, and marijuana use may result in deformed or undersized offspring;"

There are no documented cases of marijuana use causing a genetic deformity. I challenge anyone to provide one.

In April, 1984 Ralph Hingson delivered a paper at a NORML conference on "Effects of Marijuana Use on Pregnant Women". Dr. Hingson's conclusion was that marijuana use during pregnancy may result in a smaller birth weight for the fetus, but in an allowable range (similar to the smaller birth weight for babies from nicotine or alcohol using mothers.) NORML has been publicizing this since 1984. We regularly hear, though, from mothers who used marijuana during pregnancy who delivered babies of normal weight.

Laboratory tests have indicated that under some conditions, large doses of THC affect the eggs, sperm, and sexual hormones of rats and other animals. There is evidence that THC inhibits sperm mobility. However, the effects of marijuana on fertility seem to be negligible - as millions of marijuana smoking parents will attest to.

The National Academy of Sciences report affirmed that marijuana use has no effect on chromosomes or fertility.

8) "other physical reactions to marijuana include irreversible changes in the brain, sinusitis, pharyngitis, bronchitis, emphysema, increased heart rate, and decreased blood circulation;"

Marijuana use does not cause brain damage. NIDA recently announced proof that it does. My office contacted the researcher. His data actually suggested that a dose of 50 marijuana cigarettes a day for 30 years would not cause brain damage. What NIDA based their comments on was his finding that 136 marijuana cigarettes for 30 years would cause slight premature senilia. An individual would have to smoke a marijuana cigarette every 8 minutes for 16 hours a day, for thirty years, to suffer any brain damage - if this study is conclusive. The enclosed NORML press release cited above re: marijuana potency contains more details of this study.

Smoking contributes to lung and sinus problems, and marijuana smoking is no different. Marijuana does increase the heart rate and/or blood pressure in some individuals; NORML cautions against marijuana use by individuals with cardiovascular problems.

9) "other psychological reactions to marijuana include loss of memory; impairment in thinking, reading comprehension, and verbal and arithmetic problem solving; impairment of perception of distance and time; and anxiety, panic, paranoia, psychosis, and psychological dependence."

People use marijuana because they enjoy the mild impairment of the senses marijuana contributes to. This impairment is short term, and wears off two to three hours after ingestion. There is no evidence of prolonged impairment from marijuana use. The effects described above up to but not including anxiety are the short-term effects desired by the marijuana user.

The danger of teenage marijuana use is that many teens are prone to mix relaxation and studying, meaning they think it is okay to study while high on marijuana or while drinking beer. Impairment limits the ability to learn, especially the acquisition of learning skills. This is why it is essential to deter adolescents from marijuana use, and a primary reason why NORML advocates legalizing marijuana for adults (and shutting down the black market that will sell to students.) However 90% of marijuana smokers are adults whose learning skills are unimpaired by their occasional, moderate marijuana use.

Marijuana produces a condition similar to stress on the human body (for example, the increase in heart rate.) Most users find this pleasurable (ironically even the ones who claim they use marijuana to alleviate stress), some first time users do not. This is what accounts to reports of anxiety attacks by new or inexperienced users of marijuana. Not everybody who tries marijuana likes it, nor does everyone who uses it does so without ill-effect. People with pre-existing mental problems, as mentioned above, are susceptible to drug abuse. They are the source of reports of panic, paranoia, and psychosis resulting from marijuana use.

The issue of psychological dependence has been hotly debated for twenty years. Obviously, millions and millions of Americans use marijuana regularly. I contend they do so because they enjoy using marijuana. Whether they are psychologically dependent or not is a moot point. Marijuana is not an addictive drug, nor a dangerous one. Psychological reactions to it are cultural, not medical or biological. Once again, to belabor the point, some people with psychological problems abuse marijuana and other drugs. As with anxiety, panic, paranoia and psychosis, psychological dependence is not an observed side-effect in the overwhelmingly majority of marijuana users.

Additional Comments

To be to the point, these findings at best constitute horrible distortions and exaggerations of existing research findings. At worst, they are deceptive lies and half-truths designed to mislead the legislature of Alaska. The bulk of the rebuttal information presented here deals with health issues because of the logic of the bills.

Other valid arguments against the bill include the fact that Alaskans generally don't like the government interfering in their personal lives. This is the reason for the right to privacy clause in the state constitution. Also, the Alaskan police have better things to do with their time and your tax money than arrest marijuana offenders. Also, if this bill passes, it will likely be challenged in court as a violation of Ravin vs. State.

The National and International Drug Law Enforcement Strategy of the National Drug Enforcement Policy Board (NDEPB) (Jan. 1987) states that "because the decriminalization of marijuana possession undermines the standard

of the unacceptability of drug use, the 11 states (which includes Alaska) that have decriminalized marijuana possession should recriminalize this offense." This document indicates that the Attorney General, i.e. the federal government, is in the forefront to change Alaska's laws.

— Many of the claims represented in the above findings replicate claims in the NDEPB's Analysis of the Domestic Cannabis Problem and the Federal Response, (8/86). The source cited was a Drug Enforcement Administration report "The Health Implications of Marijuana Use." It is rife with phrases such as "research suggests," "have been observed," "marijuana may," and other cautious terminology which avoids making a direct conclusion. It is my opinion after studying these claims that they represent law enforcement's best attempt to justify the laws which they are obligated to enforce.

Social bias often interferes with sound scientific reasoning. The notion that marijuana is illegal so it must be dangerous is the driving rationale behind the ludicrous comments about marijuana above. The strategy of the NDEPB is to justify their increasing budget requests by turning drug education programs into law enforcement propaganda.

“HOW DANGEROUS IS MARIJUANA . . . IN COMPARISON TO OTHER SUBSTANCES?”

According to World Almanacs, Life Insurance Actuarial (death) Rates, and the last 12 years of the U.S. Surgeon General's Reports, Americans DIE, directly or primarily, from the following (*selected*) causes per year Nationwide. (*Figures are for 1979 from the Federal Government's Bureau of Mortality Statistics, and NIDA, the last complete year at the time of this writing.*)

TOBACCO	200,000 to 300,000
ALCOHOL (<i>not including 50% of all highway deaths and 65% of all murders</i>)	18,951 to 130,000
ASPIRIN (<i>including deliberate overdose</i>)	180 to 1,000 plus
CAFFEINE (<i>from stress, ulcers, and triggering irregular heartbeats, etc.</i>)	1,000 to 10,000
OVERDOSE (<i>deliberate or accidental</i>) from prescribed legal or patent medicines and/or mixing with alcohol <i>e.g., Valium/alcohol</i>	7,101 to 21,000
OVERDOSE (<i>deliberate or accidental</i>) from all <i>illegal drugs</i>	981 to 3,600
MARIJUANA (<i>including overdose</i>)	— 0 —

Marijuana users also have the same or lower incidence of murders and highway deaths and accidents than the general non-marijuana using population as a whole. *Cancer Study, UCLA; U.S. Funded (\$6 million), Jamaican Study(s) 1st and 2nd, 1968 to 1974; Costa Rican Studies, 1980 to 1982; et al.*

LOWEST TOXICITY

70% of the studies done at dozens of American universities and research facilities show pot toxicity does not exist. Medical history does not record anyone dying from an overdose of marijuana (*UCLA, Harvard, Temple, etc.*)

We Need to Refocus The War on Drugs

WASHINGTON POST HEALTH/OCTOBER 14, 1985

By Dr. William J. Kinnard Jr.

The drug-related deaths of young and promising athletes focuses attention on a major problem in the United States. To stem the tide of illicit drug use, people are calling for greater law enforcement, the use of drug testing and more educational programs. Yet none of those actions gets to the heart of the matter.

The real issue is the inappropriate use of all drugs by each of us. Our national drug problem is not just the free-basing of cocaine, excessive use of alcohol or the misuse of prescription drugs. It is our casual attitude toward all the drugs we take and our lack of appreciation of their potency and toxicity. It is our unwillingness to understand that many chemicals are actually drugs, and our willingness to put those chemicals into our bodies unnecessarily.

The tonnage of chemical compounds that this nation swallows, injects, inserts or inhales into its collective body each year is astronomical. We're so casual about the use of drugs that we don't even consider alcohol, nicotine, aspirin, caffeine and theobromine in chocolate to be drugs.

The crucial factor in all of this is attitude. We must adopt a new national philosophy toward appropriate drug use. We must minimize usage, limit the effects of the so-called social or cultural drugs and use prescription drugs in a cost-conscious and therapeutically effective manner.

Making such changes in our heterogenous society will be difficult; cynics might say impossible. But I am not a cynic. The current antismoking campaigns have shown that massive change can happen.

Alcohol use can't be effectively banned; that was tried and failed 60 years ago. However, while each individual should continue to have the right to use alcohol (and tobacco), that use should not impact negatively on other persons.

While the sale of alcoholic beverages should continue, penalties for drunk driving should be severe. The efforts of Mothers Against Drunk Driving (MADD) and similar groups should be supported. The use of the breathalyzer test should be required when erratic behavior is seen. The effect of alcohol on job performance should be clearly identified and treatment programs made easily accessible and required for abusers. Repeat offenders should face disciplinary action.

Serious consideration should be given to the further decriminalization or even legalization of marijuana. Legal control of marijuana is almost impossible, and our limited resources should be directed to the control of the more toxic illicit substances. While there have been claims that the use of marijuana leads to the use of more potent substances, that has not been substantiated. Just as in the case of alcohol, the individual's right of use in private should be allowed, but drug-related public actions, such as impaired driving, severely penalized.

Increased taxes on social drugs—alcohol, tobacco and marijuana—would directly support an expanded National Institute of Drug Abuse (NIDA).

Over-the-counter drugs are generally considered by the public to be non-drugs, an idea reinforced by their relative safety and accessibility. Yet each drug does cause side effects, some serious. Many interact negatively with other drugs.

Intelligent self-medication should be the goal of each person taking OTCs. This is even more important as the Food and Drug Administration continues its efforts to release additional prescription drugs to the OTC market.

Prescription drugs are a major part of our lives. When we visit a physician, we expect to receive a magical piece of paper called a prescription. We must learn to accept that there are times when drug treatment is inappropriate.

As for illegal drugs, we cannot afford, either financially or philosophically, to create the kind of enforcement envelope around this country that would be required to block the flow. Therefore, if the supply can't be substantially reduced, we must work to reduce the demand.

Why do people take illegal drugs? The reasons are numerous and complex. Some include the

Serious consideration should be given to the further decriminalization or even legalization of marijuana. Our limited resources should be directed to the control of the more toxic illicit substances.

need to isolate oneself mentally from poor living conditions; the thrill of the risks involved; the affluence of American society and the great increase in leisure time; peer pressure; and the lack of knowledge of toxic effects.

One of the most obvious ways of combating illicit drug use among the poor is simple, albeit expensive and complicated: their environment must be changed. This means better housing, jobs, education and other activities that help build self-esteem, especially among our young people. There is no higher priority.

Stopping the use of cocaine and other illicit drugs by the affluent will require them to change their attitude. They must be educated to understand that these drugs are not without toxicity, and that each user contributes to the support of a terrifying underground drug distribution system that will ultimately, if unchecked, destroy the entire texture of American life.

Admittedly, change is difficult, but until we do, cocaine will continue to flow across our borders and up the noses of abusers; heroin, another "hound of hell" in the Rev. Jesse Jackson's memorable phrase, will murder our national spirit; drunk drivers will kill thousands of innocent persons; and the costs to society for the inappropriate and misuse of over-the-counter and prescription drugs will escalate.

Dr. William J. Kinnard Jr. is the dean of the School of Pharmacy at the University of Maryland at Baltimore.

Second Opinion is a forum for points of view on health-related topics. Send articles to Second Opinion, Health Section, The Washington Post, 1150 15th St. NW, Washington, D.C. 20071.

Adolescent Marijuana Use Decreases in Netherlands Since Legalization

A report in the Netherlands which studied the effects of their liberal marijuana policy on adolescent drug use found that the use of cannabis has not increased since marijuana was "legalized." The report, entitled "The Use of Drugs, Alcohol, and Tobacco," surveyed 1300 people aged 15 to 24 years in the Netherlands about their use of various drugs.

While marijuana use by young people differed widely among varying age groups, regions and municipality size, use did not appreciably change when the categories are compared between 1976 and 1985. It was in 1976 that the Netherlands enacted a form of decriminalization of cannabis in the Amendment of the Opium Act. Cannabis has been sold in cafes and youth centers since 1978.

A study undertaken in 1976 in the city of Utrecht was compared with the current report. There has been no marked increase in the prevalence of cannabis use among those adolescents aged 15 to 18. In 1976, 3% of the 15 and 16 year olds and 10% of the 17 and 18 year olds had used cannabis at some time. The new figures are 2% and 6% respectively, showing a decline over the years since the liberal policy was placed in effect.

When the whole sample is combined, 12% of the people aged 15 to 24 had used marijuana at some point. Only 5% of the sample were current cannabis users, thus over half the users did not continue their use. Only 1.6% of the sample were regular users (once a week or more). The 88% of the people who had never used cannabis did not seem inclined to do so. Of this group, 83% did not think it wise to use it and 70% disapproved of the practice.

Comparing these figures to adolescent use in the U.S. results in the unarguable conclusion that American kids use more marijuana than young people in the Netherlands. According to the most recent report by the Federal government, in 1985 54% had tried marijuana, 25.7% are current users and 5% are daily users. This compares to 12%, 5% and 1.6% for similar categories in the Netherlands.

The report found that age made

ADOLESCENT USE

continued from page 3

parental attitudes about use, spontaneous knowledge of drugs, locations where cannabis is obtained, among others.

The survey was carried out by the Foundation for the Scientific Study of Alcohol and Drug Use at the request of the Netherlands' Ministry of Welfare, Health and Cultural Affairs. The Dutch government requested the research as a result of international disapproval of their liberal marijuana policy. This disapproval was reflected in the United Nations International Narcotics Control

Board's demand of the Dutch for an explanation of their policy.

Two countries that protested the Dutch policy the most were Norway and the Federal Republic of Germany, both with distinctly repressive drug policies. In Norway (1981), 7% of the 15 to 19 year olds used cannabis at some time compared with 4% in the Netherlands. In West Germany, 15% of the 18 to 24 age group had used cannabis, compared with the Netherlands 18%. These figures confirm that while a repressive policy does not deter young people from experimenting with cannabis, a liberal policy does not promote the desire to experiment.

Adolescent Marijuana Use In the United States and the Netherlands

a difference in use. Only 2% of 15 and 16 year olds had used cannabis at some time, while 30% of 23 and 24 year olds had. The population of the municipality made a large difference in use rates. In towns with populations of five to ten thousand, only 4% of the young people had used cannabis at some time. This compares with 12% in towns of 50,000 to 100,000 and 30% in cities of 500,000 or more. Unlike alcohol and tobacco use rates, sex did not seem to play a factor in cannabis use.

Many interesting areas were explored in the study. It found that among current users, those who used it most frequently described their parental relationships as being less satisfactory than did those who used it less frequently. A higher incidence of parental divorce was also found among current users as compared with non-users. The report also found that 90% of cannabis users said heroin was the most harmful drug, Cannabis users also believe alcohol is far more harmful than marijuana. Interestingly, more users identified coffee, tea, and nicotine as drugs than the non-users.

The Survey found no relationship between the use of cannabis products and educational achievement, neither was there any difference between users and non-users in regards to the extent to which they enjoyed going to work or school. There is no detectable link between the number of involvements with the police in the course of the previous year and the use or non-use of cannabis; nor had the users been to the doctor more often than the other respondents during the past year.

97% of current users and 90% of past users agreed that "everyone must decide for himself or herself whether or not to use marijuana." 74% of the current users and 60% of the past users disagreed with the statement "If you use hashish or marijuana you will eventually lose interest in your job, your school work, or your career." 91% of the current users and 83% of the past users felt marijuana use will not lead to the use of hard drugs.

Other areas explored in the report are: cannabis use and leisure, reasons for using and not using cannabis, age of first use, peer and

continued on page 4

Anchorage Chamber of Commerce

Crime Commission

RECRIMINALIZATION OF MARIJUANA



The Anchorage Crime Commission is a public group that wishes to present information on the issue of recriminalization of marijuana.

In 1985 the Anchorage Crime Commission compiled a bibliographical summary of numerous professional evaluations and opinions regarding the health hazards associated with marijuana usage. Based on this data the 1985 Crime Commission strongly endorsed the recriminalization of marijuana.

The 1986 Anchorage Crime Commission (with the generous support of the Anchorage Times and Carr's Quality Centers) conducted an area wide public opinion survey dealing with public attitudes on a wide range of crime related issues.

Although the final survey analysis and subsequent recommendations are not scheduled for release until early 1987, an extract of the survey provides statistical information regarding public attitude on two relevant questions directly related to the issue of marijuana recriminalization.

The citizens of Anchorage indicated their strong desire for the recriminalization of marijuana.

The Anchorage Crime Commission extends its support to the Municipal Assembly in accepting the challenges related to addressing this issue. Should further support or definition be needed, we would be happy to assist.

Harold C. Heinze

Harold C. Heinze
Chairman

A Committee of the
Anchorage Chamber
of Commerce

415 F Street
Anchorage AK 99501
(907) 272-2401

ANCHORAGE CRIME COMMISSION

Anchorage Chamber of Commerce

Crime Commission



November 15, 1985

Dear Reader:

The material contained herein was compiled from various sources by the Anchorage Chamber of Commerce Crime Commission in support of our recommendation to recriminalize marijuana in the state of Alaska.

Because of a State Supreme Court Decision on this subject, it will be necessary for the Legislature to hold extensive hearings to determine if, in fact, marijuana is harmful to one's health.

It is the Crime Commission's contention that since the decriminalization of small amounts of marijuana in Alaska approximately ten years ago, much new information has been developed concerning this issue.

We feel that this scientific evidence substantiates the Commission's position that marijuana is a harmful substance. We further believe that if the Legislature were to hold the same type of hearings that were held ten years ago, the preponderance of evidence would result in outlawing the possession of marijuana for health reasons, an act which should then stand up to any further Supreme Court reviews.

We ask the reader to review the material carefully and draw his own conclusions as the Crime Commission has.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Pat Wellington".

Pat Wellington
Vice Chairman

nm

A Committee of the
Anchorage Chamber
of Commerce

George N. Nelson Chairman

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Pat Wellington Vice Chairman
Don Patterson Secretary/Treasurer
George King Law Enforcement

Craig Hesser Prosecution
Chris Watkins Courts
Sue McCauley Corrections

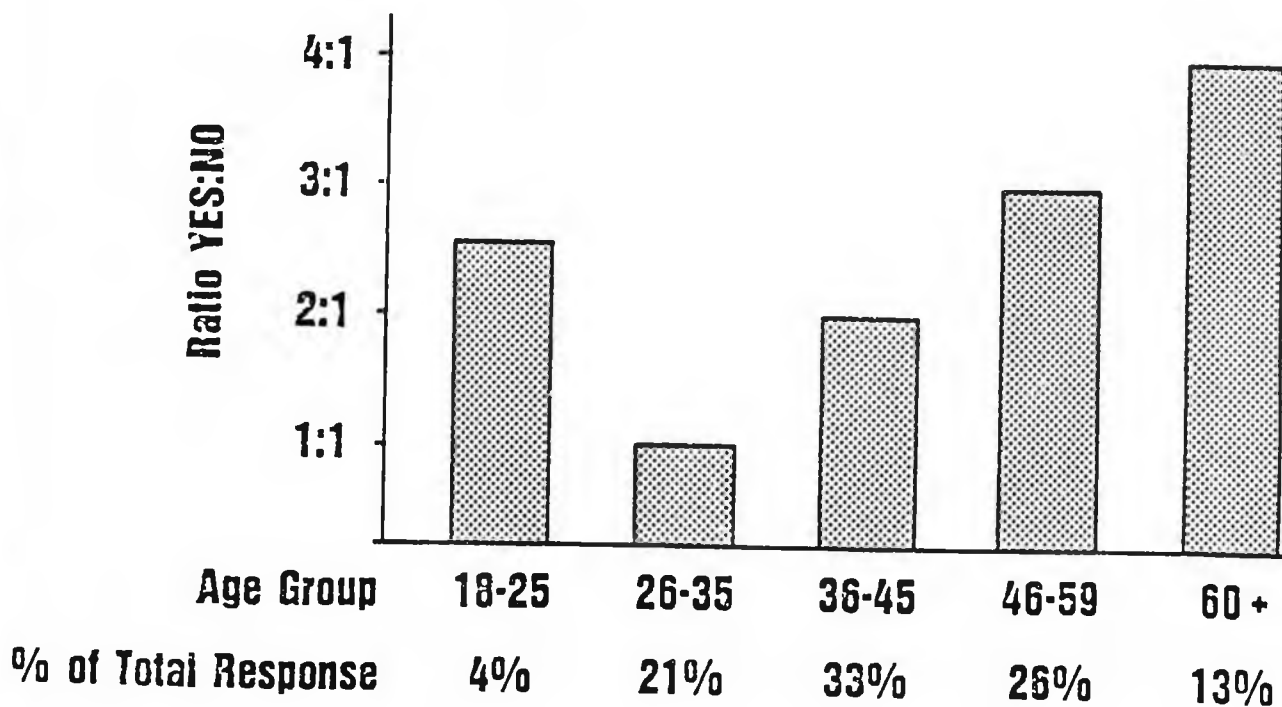
Vicki Swank Prevention
Tom Obermeyer Legislation
Ron Moore Publicity

ANCHORAGE CRIME COMMISSION PUBLIC OPINION SURVEY

QUESTION: Should marijuana in any quantity be considered an illegal substance ?

YES 324

NO 162



QUESTION: To what degree do illegal drugs affect the crime rate ?

HIGH 73%

MEDIUM 5%

LOW 15%

NONE 1%

Testimony of David Teal, Director, House Research Agency.

Presented before the House HESS Committee on April 13, 1988.

HISTORY OF ALASKA MARIJUANA LAWS
1949-PRESENT

- 1949 Cannabis was classified as a narcotic drug under the Uniform Narcotic Drug Act. Upon conviction, penalties for violations of the Act, including the possession of marijuana, began at a fine of not more than \$5,000 and imprisonment for not less than two nor more than 10 years. For a third or subsequent offense, the offender was punishable by a fine of not more than \$10,000 and by imprisonment for not less than 20 nor more than 40 years. The imposition or execution of sentence could not be suspended and probation or parole could not be granted until the minimum imprisonment provided for the offense was served.
- 1968 Added a chapter to address Depressant, Hallucinogenic and Stimulant Drugs, including marijuana. Under this law, marijuana possession for personal use was a misdemeanor punishable by imprisonment for not more than one year, or by a fine of not more than \$1,000, or by both. Possession with intent to sell or distribute marijuana was a felony and subject to greater penalties, as was selling or distributing marijuana to minors.

Alaska Statutes, Title 17, Chapter 12.

1975 Amendments made public use of marijuana, public possession of one ounce or more, possession of any amount while operating a motor vehicle or airplane, and any possession or use by a minor a misdemeanor punishable by a fine of not more than \$1,000.

An adult who violated the law by possessing any quantity of marijuana in other than a public place, when the possession or control was for personal use, or who possessed an ounce or less of marijuana in a public place, was punishable by a civil fine of not more than \$100. Punishment under the civil section could only be initiated by civil complaint or citation and the court was allowed to establish procedures for the payment of fines by mail.

AS 17.12.110.

Prime sponsor of legislation Senator Terry Miller.

Note, this bill was transmitted to the Governor on May 19, 1975. The Ravin decision was released May 27, 1975. Governor Hammond allowed the bill to become law without his signature. In his message to the Legislature he stated:

"It is my personal belief that it is not in the public's best interest to expand the use of marijuana.

Inasmuch as Senate Bill No. 350 might have had this effect prior to the recent Supreme Court decision, Ravin v Alaska (Opinion No. 1156, May 27, 1975, I could not support the bill.

Because of that decision, private use of marijuana is now beyond the reach of criminal law enforcement. As SB 350 imposes civil penalties for such usage, it is more restrictive than the law articulated by the Alaska Supreme Court; the penalties for private marijuana use cannot be strengthened by a veto."

1982 The controlled substance laws were rewritten so that they are patterned after the Uniform Controlled Substances Act and the Federal Controlled Substances Act of 1970 and to enact uniform penalty provisions in conformity with the 1978 revision of Alaska's criminal code. The legislature found that marijuana poses a serious threat to the public health and declared that possession or use of marijuana that is not proscribed by law under the Act should not be construed as condoning or encouraging the use of marijuana by any person.

Marijuana is a schedule VIA (six A) substance--found to have the lowest degree of danger or probable danger to a person or the public. Possession of less than four ounces of marijuana for personal consumption is not illegal for an adult in a nonpublic place. Possession of marijuana in public, in greater quantities, with intent to sell, etc. is subject to a range of penalties for violations to felonies.

Alaska Statutes Title 11, Chapter 71.
Prime Sponsor--Senator Dankworth, 11 Senate cosponsors.

No Marijuana legislation has been enacted in Alaska since 1982.

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Duane Ouseon
District Director
U. S. Customs Service
Anchorage, Alaska

Alaska's drug laws
send out the wrong
message to those coming
to visit in the State
of Alaska

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As of midnight Monday,
March 21, 1988 U.S.

Customs and other Federal
Law Enforcement Officers
began arresting every
person caught entering
the United States with
usable amounts of
illegal drugs.

Until this time,
people entering the
United States with
small amounts of drugs
would merely be fined
and allowed to leave

Customs Custody.

This program which has been in effect for one year in San Diego is a government-wide program known as zero tolerance.

Zero Tolerance is the detection and seizure of any usable quantities of controlled substances in the possession and direct control of persons arriving in the United

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States at a point of entry for which an arrest and ultimate prosecution will be sought.

This was brought about by actions of the National Drug Policy Board to make the ultimate personal drug user responsible for his / her illicit activity. Small volume personal amounts of drugs carried by users and traffickers will be given the same

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treatment as for major traffickers.

Violators will be arrested, fingerprinted, booked, taken for arraignment, travel documents seized as evidence, conveyances seized, whether it is a vehicle, vessel, or an aircraft. The program also provides for the Federal Highway Administration disqualification of commercial drivers possessing controlled substances,

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the seizure of conveyances containing drug paraphernalia, the seizure of U.S. Visitor passports as evidence in prosecution and several more actions currently being developed.

The casual user may think when he takes a line of cocaine or smokes a joint in the privacy of his nice home, listening to his expensive stereo, that he is somehow not bothering anyone and

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that it is his right to be able to do so. But there is a trail of death and destruction that leads directly to his door. The casual user cannot morally escape responsibility for the action of drug traffickers and dealings. A casual drug user is an accomplice to murder.

The casual user also cannot morally escape association with those who use drugs and then endanger public safety.

The message from casual use is that drugs are acceptable. Casual use sets the tone for tolerance and that tolerance has killed.

Ask the families of the 16 persons killed in the Amtrak train wreck on Jan. 4, 1987. The brakeman and engineer casually smoked marijuana just prior to that crash. Sixteen people killed because of an ~~am~~ engineer's personal indulgence in a

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joint of marijuana.

Ask Betty Spencer of rural Indiana when two men out on bail on drug trafficking and high on drugs shotgunned at point blank her 4 sons aged 14, 16, 18 and 22. She miraculously survived two shotgun blasts to the back of her head but her sons were murdered.

Ask the parents of Stephanie Roper a 22 year old student whose car

broke down and ^{she} was offered help by 2 men who were users of drugs. She was raped repeatedly by both men, whipped with a chain, shot and then gasoline poured on her and set on fire.

These incidents go on and on and include hundreds of law enforcement officers, including Customs and DEA officers who have been shot and killed by drug users and traffickers.

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They also include the human sufferings of those who have lost loved ones and those who are slaves to the drug production and trade.

Who would dare stand before the parents and families of these victims and tell them that drug use is a victimless crime? What apologist for casual drug use will look the Ropers in the eye and

say it is a matter of moderation? Alaska's law allowing for the casual use of marijuana bears some of the responsibility of these acts. This law also sends the wrong message to those coming to Alaska that since it is legal to possess small amounts of marijuana in Alaska they can bring it in with them. Alaska's present marijuana laws contributes to the arrests.

of those visitors to Alaska who feel it is OK to bring drugs with them. It may be legal to possess small amounts of marijuana in Alaska, but it is against Federal law to transport drugs across Alaska's borders whether it is by land, sea or air. The decriminalization of the use of marijuana in Alaska will send a message out to these

people and may make
the difference in what
kind of memories they
will have of this
great state.

Speech

by

Ross Adkins
1598 Wolverine Ln.
Fairbanks, Alaska
99709 Tele. 479-6849

to

HESS Committee Hearings (SB32- 1988)

on

April 13, 1988

The American public is presently involved in World War 3. It is a violent war of guns, killings, robberies, burglaries, streetgang atrocities and bribery. It is causing irreparable damage to this country's relations with third world nations. Larger cities in the United States are almost completely controlled by the cash flow created by this war. Fairbanks and other Alaskan towns are involved daily. The recent killings, beatings and burglaries in Fairbanks are a testament to this war. It is a subtle, relentless cruel pressure on our youth. It is the war of drugs, and our enemies are cocaine, heroin, various pills and marijuana.

The war must be won; our youth and elderly are losing their freedom safety and lives daily because of our apparent helplessness. It has cost our country more in lives and dollars than the Viet Nam war. President Reagan has pledged billions to combat all drugs including marijuana, and Nancy says "just say no" to marijuana as well as other drugs. Can we do less than pass SB32. It's hardly enough but would at least be consistent with the nation's crisis. We must send a clear message to our citizens and those who profit from all the abhorrent activity on a local and national level associated with the traffic of marijuana. We must outlaw the substance completely.

The advocates of home possession of marijuana cite constitutional rights as the foundation for their argument. I understand and defend constitutional rights as much as anyone. I also understand that those rights carry with them the responsibility to refrain from interfering with the rights of others. I ask you three questions; 1. Do we as a nation have the right to disrupt our neighbors' economy by allowing our demand for this useless habit to replace their food crops, and perpetrate the other evils of this international drug culture on these people. We in the United States tend to think of central and south American's problems as unfair burdens placed on us. Look closely, the enemy is us. Make all drugs illegal including the subtle introductory marijuana. 2. do we in Alaska have the right to participate in an activity which finances the street gangs in Los Angeles. All other states have sent a clear message to its citizens---NO MARIJUANA. You can bet

the recent crackdown on street gangs in LA has been aided by the conviction on marijuana when nothing else was available. 3. I ask you also, do the neighbors have the right to possess and use marijuana in the presence of their children who see nothing wrong with introducing the bag they lifted off the dresser to my daughter? An emphatic no. The problem past the point long ago of protection of their rights. We parents who pay the bills, support the schools, and in large portion elect you Mr. Koponen to office, demand the protection of our children's and our rights.

Marijuana is unquestionably a major support to the total drug culture's economy and method of expansion. The threat of cocaine addiction is easily clouded with marijuana smoke. Pushers are usually trained with marijuana and phased into hard drugs as they prove proficient. Marijuana traffic provides day to day income while the drug entraneur waits for the big one. Association is obvious, our reluctance to act is unreasonable.

Those who would delay this bill by drawing comparisons with alcohol are saying rape is ok because it is a lessor evil than murder. How ridiculous can the logic of a user get.

Clear this society of that smoke which turns all questions gray and lulls us to sleep. We are at war and we must wake up. The hour is late and the enemy is upon us.

Good luck on this bill. I think Alaska badly needs
a firm statement on drugs.
Glenn

Testimony on SB 32 - April 13, 1988

Glenn Hackney

1136 Sunset Dr.

Fairbanks, Alaska 99709

Mr. Chairman, Mr. Co-Chairman, committee members: My name is Glenn Hackney, I live at 1136 Sunset Dr., Fairbanks, Alaska 99709.

I'm here tonight to testify in favor of passage of SB 32. I think a clear statement by the legislature is in order at this time.

Mr. Chairman, I've read the article by attorney Wagstaff of Anchorage, wherein he states - quote - "Marijuana has been used throughout the world in various forms, concentrations and quantities for thousands of years. Nothing bad has happened yet. (emphasis mine). Unquote. I'm sure the engineer of the Conrail train that recently crashed, killing 14 or 16 people had the same thought. He tested positive for marijuana in his system. Maybe he thought the signal light was the moon rising dreamily over the railroad track. We can't afford to have space cadets running our public transportation system.

I can't speculate about the 6,600 hospital emergency room admissions to our nation's hospitals in 1986. Maybe they just dreamed something was wrong with them from using marijuana. I don't think we can dismiss marijuana as a harmless lawyers' dream machine of choice.

Let's not lose sight of the fact that marijuana is a drug, a mind altering substance that is illegal to use in every state.

Inevitably there arises the difference in the way marijuana is treated compared to alcohol and tobacco. Well, Mr. Chairman, as Paul Harvey might say, 'we're not doing nothing about alcohol and tobacco in our country. It's only because of platoons of lawyers, divisions of lawyers, armies of lawyers, that little gets done about limiting cigarette use.

It seems to me we are with marijuana where we were with cigarettes a short 1/2 century ago: nothing wrong with cigarettes, satisfying, relaxing, nerve soothing. Mr. Chairman, the smoke from marijuana goes to the same place cigarette smoke goes, only it stays longer.

Page 2 - testimony on SB 32

Mr. Chairman, Harry G. Summers, Jr., recently wrote a column titled "U.S. MUST HAVE WILL TO WIN THE WAR ON DRUGS". He cites the manner opium abuse was largely stamped out in China when authority took the attitude 'drug abuse by individuals will no longer be tolerated'. Summers fields this opinion on fighting drug abuse in America - quote - "--the solution lies in drying up the market upon which the suppliers depend by making the pain and penalty of being a drug abuser far greater than any pleasure that might be derived from taking drugs." - unquote.

Mr. Chairman, that means a consistent, tough policy, not a policy that tells young Alaskans, 'marijuana is illegal but it's okay in the home in 4 oz. lots. Those fighting drug abuse in the schools are advocating 'just say no'. The legislature is saying, 'just say maybe'. I urge you, as responsible Alaskans to pass SB 32. Just say 'no' to drugs.