

Amendment 44 Marijuana Possession

1 **Amendment 44 proposes a change to the Colorado statutes that:**

- 2 ♦ legalizes the possession of up to one ounce of marijuana for adults 21 years
3 of age or older.

4 **Summary and Analysis**

5 Individuals who grow, transfer, possess, sell, or consume marijuana violate federal,
6 state and, in some cases, local laws. Amendment 44 addresses state law for possession
7 only; enforcement of other marijuana laws would not change.

8 ***State possession law.*** Under state law, any person who possesses one ounce or less
9 of marijuana commits a Class 2 petty offense, which is punishable by a fine of up to \$100.
10 State courts convicted 3,700 adults for possession of one ounce or less of marijuana in the
11 2005 state budget year, the most recent data available. This number does not include
12 convictions in municipal courts, which also hear some marijuana possession cases.

13 Amendment 44 allows adults 21 years of age or older to possess up to one ounce
14 of marijuana. Possession would include consumption or use, as long as it does not occur
15 in public. It also would include transferring up to one ounce of marijuana to another
16 individual 15 years of age or older as long as there is no compensation, although
17 possession for those under 21 years of age would remain illegal.

18 ***Other marijuana offenses.*** The following marijuana offenses will continue to be
19 illegal under state law if Amendment 44 passes:

- 20 • for individuals under 21 years of age, possessing any amount of
21 marijuana;
- 22 • possessing more than one ounce of marijuana;
- 23 • for individuals 18 years of age and older, transferring any amount
24 of marijuana to a person under 15 years of age;
- 25 • growing or selling marijuana;
- 26 • open and public display, use, or consumption of marijuana; and

- driving under the influence of marijuana.

Arguments For

1) Amendment 44 strikes a balance between individual choice and public safety. State law allows adults 21 years of age and older to possess and consume alcohol, but prohibits the possession and use of marijuana. To the extent that some adults believe that using marijuana is a safer alternative to consuming alcohol, possession of a small quantity of marijuana should be a personal and legal choice for adults.

2) Amendment 44 presents a sensible change in priorities without jeopardizing public safety. The proposal could free overburdened state and local criminal justice systems from expending public resources on petty offenders, and allow these systems to target their resources on the manufacturers, distributors, and traffickers of illegal drugs. At a time when government budgets for law enforcement and court systems are strained, focusing resources on more serious offenses is logical for taxpayers.

Arguments Against

1) Marijuana use may lead a person to use or possess other illegal drugs. Under Amendment 44 overall drug use in the state may rise, and legalizing the possession of marijuana will increase not only the availability and acceptability of marijuana, but also the likelihood that minors will have access to the drug. Colorado does not want to become a magnet for illicit drug users.

2) Policy discussions should not focus on whether alcohol or marijuana is a safer drug, because the only safe alternative to alcohol or drug intoxication is sobriety. Colorado should enforce, not repeal, drug laws. State and local drug enforcement costs are minimal compared to the social costs of drug abuse and addiction. Public safety and health concerns, along with the fact that marijuana will remain illegal under federal law, make legalizing marijuana at the state level an unwise public policy decision.

Estimate of Fiscal Impact

Amendment 44 may reduce state and local government revenues because fines would no longer be assessed for adult marijuana possession of one ounce or less. The amount of the revenue reduction cannot be quantified because the total number of individuals convicted annually for possessing one ounce or less of marijuana is not known. The state collects data for convictions in state courts but not municipal courts. In addition, judges have discretion when assessing fines, and the maximum fine is not levied against all offenders. Also, some fines cannot be collected from the person convicted.

**Amendment 44
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Amendment 44 proposes a change to the Colorado statutes that:

- ◆ legalizes the possession of up to one ounce of marijuana for adults 21 years of age or older.

Summary and Analysis

Individuals who grow, transfer, possess, sell, or consume marijuana violate federal, state and, in some cases, local laws. Amendment 44 addresses state law for possession only; enforcement of other marijuana laws would not change.

State possession law. Under state law, any person who possesses one ounce or less of marijuana commits a Class 2 petty offense, which is punishable by a fine of up to \$100. State courts convicted 3,700 adults for possession of one ounce or less of marijuana in the 2005 state budget year, the most recent data available. This number does not include convictions in municipal courts, which also hear some marijuana possession cases.

Amendment 44 allows adults 21 years of age or older to possess up to one ounce of marijuana. ~~Possession would include consumption or use, as long as it does not occur in public. It also would include transferring up to one ounce of marijuana to another individual 15 years of age or older as long as there is no compensation, although possession for those under 21 years of age would remain illegal.~~ THE AMENDMENT WOULD NOT CHANGE THE CURRENT STATUTORY DEFINITION OF POSSESSION, WHICH INCLUDES THE TRANSFERRING OR DISPENSING NOT MORE THAN ONE OUNCE OF MARIJUANA FROM ONE PERSON TO ANOTHER FOR NO CONSIDERATION.

Other marijuana offenses. The following marijuana offenses will continue to be illegal under state law if Amendment 44 passes:

- for individuals under 21 years of age, possessing any amount of marijuana;
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- growing or selling marijuana;

- open and public display, use, or consumption of marijuana; and
- driving under the influence of marijuana.

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1) Marijuana use may lead a person to use or possess other illegal drugs. Under Amendment 44 overall drug use in the state may rise, and legalizing the possession of marijuana will increase not only the availability and acceptability of marijuana, but also the likelihood that minors will have access to the drug. Colorado does not want to become a magnet for illicit drug users.

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COMMENTS FROM MR. STEVE FOX

8/22/06

Regarding the last draft of the 2005-2006 #72 Ballot Analysis, the proponents of the Amendment have the following comments. We hope that you will strongly consider this input as you prepare the final draft of the analysis.

On page 1, lines 13-16, you provide, "Amendment __ [hereafter Amendment 44] allows adults 21 years of age or older to possess up to one ounce of marijuana. Possession would include consumption or use as long as it does not occur in public, and transferring to another individual 15 years of age or older as long as there is no compensation."

The last part of this paragraph, stating that "possession would include...transferring to another individual 15 years of age or older as long as there is no compensation," implies an intention on the part of the Amendment proponents that did not and does not exist. A wording change is necessary to clarify the situation. Here are our objections to this phrase:

1. The statement implies that Amendment 44 *would create* this definition of possession, allowing for the transfer of marijuana to individuals 15 years of age or older. In fact, this definition of possession is already part of the Colorado Revised Statutes (18-18-406 (5), stating the general rule; and 18-18-406(7), citing exceptions that leave an opening for transferring less than an ounce of marijuana to individuals 15 years of age and older with no punishment greater than the current penalty for mere possession). Amendment 44 only proposes an amendment to 18-18-406(1), making the possession of up to one ounce of marijuana legal for adults 21 years of age or older.
2. Every statement every made by proponents of Amendment 44 lead to the conclusion that the purpose of the initiative is to address the issue of adult possession of less than an ounce of marijuana. Similar to the Denver marijuana legalization in 2005, the proponents of Amendment 44 wanted the language to be a simple as possible and, thus, merely limited the ban on possession of less than one ounce of marijuana to individuals under the age of 21.
3. The fact that Amendment 44 would make legal the transfer of less than an ounce of marijuana (for no compensation) to an individual 15 years of age or older is an unintended consequence of the amendment,

based on a current statutory definition of possession. Should the amendment pass, the sponsors would wholeheartedly support legislative action to treat such a non-compensated transfer the way it is currently treated under the law. Such a law would make the transfer of less than an ounce of marijuana to an individual between the ages of 15 and 20 (for no compensation) a Class 2 petty offense, with a maximum fine of \$100.

We do not deny that the current language by the Legislative Counsel staff is technically accurate. We do, however, feel that it creates a distorted (and biased) picture of the intent of the Amendment. In the alternative -- assuming that Legislative Counsel wants to retain the essence of the language -- we propose the following: "The Amendment would not change the current statutory definition of possession, which includes the transferring or dispensing not more than one ounce of marijuana from one person to another for no consideration."

Thank you.

-- Steve Fox, Executive Director
-- Safer Alternative for Enjoyable Recreation (SAFER)*
-- cell: 240-476-7305
-- steve@saferchoice.org
-- <http://www.saferchoice.org>

* Mr. Fox also serves as a senior advisor to the Colorado Alcohol-Marijuana Equalization Initiative Committee.

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9 less of marijuana commits a Class 2 petty offense, which is punishable by a fine of up to
10 \$100. State courts convicted 3,700 adults for possession of one ounce or less of
11 marijuana in the 2005 state budget year, the most recent data available. This number
12 does not include convictions in municipal courts, which also hear some marijuana
13 possession cases.

14 Amendment 44 allows adults 21 years of age or older to possess up to one ounce
15 of marijuana. **ADDITIONALLY**, it ~~also~~ would include transferring up to one ounce of
16 marijuana to another individual 15 years of age or older as long as there is no
17 compensation, although possession for those under 21 years of age would remain illegal.

18 ***Other marijuana offenses.*** The following marijuana offenses will continue to
19 be illegal under state law if Amendment 44 passes:

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1 **Arguments For**

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3 State law allows adults 21 years of age and older to possess and consume alcohol, but
4 prohibits the possession and use of marijuana. To the extent that some adults believe that
5 using marijuana is a safer alternative to consuming alcohol, possession of a small quantity
6 of marijuana should be a personal and legal choice for adults.

7 2) Amendment 44 presents a sensible change in priorities without jeopardizing
8 public safety. The proposal could free overburdened state and local criminal justice
9 systems from expending public resources on petty offenders, and allow these systems to
10 target their resources on the manufacturers, distributors, and traffickers of illegal drugs.
11 At a time when government budgets for law enforcement and court systems are strained,
12 focusing resources on more serious offenses is logical for taxpayers.

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14 1) Marijuana use may lead a person to use or possess other illegal drugs. Under
15 Amendment 44 overall drug use in the state may rise, and legalizing the possession of
16 marijuana will increase not only the availability and acceptability of marijuana, but also
17 the likelihood that minors will have access to the drug. Colorado does not want to
18 become a magnet for illicit drug users. ONE OUNCE OF MARIJUANA WILL MAKE BETWEEN
19 56 AND 84 MARIJUANA CIGARETTES.

20 2) Policy discussions should not focus on whether alcohol or marijuana is a safer
21 drug, because the only safe alternative to alcohol or drug intoxication is sobriety.
22 Colorado should enforce, not repeal, drug laws. State and local drug enforcement costs
23 are minimal compared to the social costs of drug abuse and addiction. Public safety and
24 health concerns, along with the fact that marijuana will remain illegal under federal law,
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28 would no longer be assessed for adult marijuana possession of one ounce or less. The
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30 individuals convicted annually for possessing one ounce or less of marijuana is not
31 known. The state collects data for convictions in state courts but not municipal courts.
32 In addition, judges have discretion when assessing fines, and the maximum fine is not
33 levied against all offenders. Also, some fines cannot be collected from the person
34 convicted.

COMMENTS FROM MR. THOMAS GORMAN

8/21/06

Amendment 44 (previously #72) Blue Book Comments

Page 1 line 15: Put a period rather than a comma after the word public. Delete the word "and", and begin a new sentence with: "Additionally, it would include transferring..."

Page 2 line 18: Add: "One ounce of marijuana will make between 56 and 84 marijuana cigarettes."

Thomas J. Gorman, Director
Rocky Mountain High Intensity Drug Trafficking Area

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15 in public. ~~It also would include transferring up to one ounce of marijuana to another~~
16 ~~individual 15 years of age or older as long as there is no compensation, although~~
17 ~~possession for those under 21 years of age would remain illegal.~~ POSSESSION WOULD
18 INCLUDE CONSUMPTION OR USE, AND TRANSFERRING AND DISPENSING TO ANOTHER
19 INDIVIDUAL 15 YEARS OF AGE OR OLDER AS LONG AS THERE IS NO COMPENSATION.

20 ***Other marijuana offenses.*** The following marijuana offenses will continue to be
21 illegal under state law if Amendment 44 passes:


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23 marijuana;
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26 of marijuana to a person under 15 years of age;
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- 1 • open and public display, use, or consumption of OVER ONE OUNCE
2 OF marijuana; and
3 • driving under the influence of marijuana.

4 **Arguments For**




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6 PROVIDES FOR INDIVIDUAL CHOICE. State law allows adults 21 years of age and older to
7 possess and consume alcohol, but prohibits the possession and use of marijuana. To the
8 extent that some adults believe that using marijuana is a safer alternative to consuming
9 alcohol, possession of a small quantity of marijuana should be a personal and legal choice
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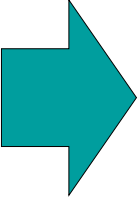


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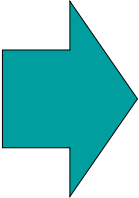
17 **Arguments Against**



18 1) ~~Marijuana use may lead a person to use or possess other illegal drugs.~~
19 MARIJUANA HAS BEEN PROVEN TO BE A GATEWAY DRUG LEADING TO USE OR POSSESSION
20 OF ADDITIONAL ILLEGAL DRUGS. Under Amendment 44 overall drug use in the state ~~may~~
21 WILL SURELY rise, and legalizing the possession of marijuana will increase not only the
22 availability and acceptability of marijuana, but also the likelihood that minors will have
23 access to the drug. Colorado does not want to become a magnet for illicit drug users.

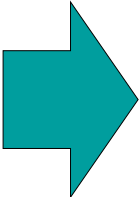
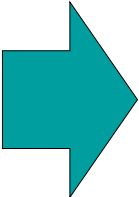


24 2) Policy discussions should not focus on whether alcohol or marijuana is a safer
25 drug, because the only safe alternative to alcohol or drug intoxication is sobriety. Colorado
26 should enforce, not repeal, drug laws. State and local drug enforcement costs are minimal
27 compared to the social costs of drug abuse ~~and addiction~~ WHICH INCLUDES TREATMENT FOR
28 ADDICTION, DISABILITY PAYMENTS, MEDICAID COSTS FOR ADDITIONAL HEALTH PROBLEMS
29 SUCH AS DIALYSIS FOR KIDNEY FAILURE, PRESCRIPTION DRUG COVERAGE,
30 TRANSPORTATION, MENTAL HEALTH SERVICES, DOMESTIC VIOLENCE, CHILD ABUSE, FOSTER
31 CARE FOR CHILDREN OF DRUG USERS, SUBSIDIZED HOUSING, AND FOOD STAMPS. THERE
32 WILL BE AN INCREASE IN LAW ENFORCEMENT DUE TO ADDITIONAL CRIMINAL ACTIVITY TO
33 SUPPORT DRUG HABITS. THERE WILL ALSO BE INCREASED SPENDING FOR PUBLIC DEFENDERS
34 SINCE MANY OF THE DRUG USERS HAVE NO MONEY TO PAY FOR AN ATTORNEY, COURT
35 COSTS, OR FINES. ~~Public safety and health concerns, along with the fact that marijuana will~~
36 ~~remain illegal under federal law, make legalizing marijuana at the state level an unwise~~
37 ~~public policy decision.~~ PUBLIC SAFETY IS JEOPARDIZED BECAUSE OF AN INCREASE IN
38 ACCIDENTS ON THE JOB AND ON THE HIGHWAY, INCREASED VIOLENCE WITH THE GENERAL



1 PUBLIC, NEGLECT OF CHILDREN WHO WILL SUFFER FROM LACK OF MEDICAL CARE, SHELTER,
2 AND FOOD BECAUSE OF DRUG USING PARENTS, INCREASE IN DOMESTIC VIOLENCE, INCREASE
3 IN CHILD ABUSE, ROAD RAGE, AND CRIMINAL ACTIVITY THAT COULD INJURE OR KILL.
4 HEALTH CONCERNS FOR THE GENERAL PUBLIC WILL INCLUDE INCREASED DEPRESSION,
5 SCHIZOPHRENIA, BIPOLAR, MANIC DEPRESSION, OBSESSIVE-COMPULSIVE DISORDERS,
6 ANXIETY DISORDERS, PANIC ATTACKS, INTELLECTUAL IMPAIRMENT, CHEMICAL IMBALANCE
7 IN THE BRAIN, ATTENTION DEFICIT DISORDER (ADHD), POST-TRAUMATIC STRESS
8 SYNDROME, ANTI-SOCIAL PERSONALITY DISORDER, AND SUICIDAL THOUGHTS. HEALTH
9 CONCERNS FOR CHILDREN OF MARIJUANA SMOKING MOTHERS WILL INCLUDE INTELLECTUAL
10 IMPAIRMENT A DECADE OR MORE LATER, A DECREASED VISUAL PERCEPTION, ATTENTION
11 SPAN, LANGUAGE COMPREHENSION AND MEMORY, AND THE CHILDREN WILL HAVE AN 11
12 TIMES GREATER CHANCE OF HAVING NONLYMPHOBLASTIC LEUKEMIA. THERE WILL BE NO
13 COLORADO STATUTES FOR AUTHORITY OVER MARIJUANA WHEN IT IS SERVED OR USED IN
14 A PUBLIC PLACE. THERE ARE NO GUIDELINES SET TO DETERMINE THE AMOUNT OR
15 PERCENTAGE OF THC. MARIJUANA WILL REMAIN ILLEGAL UNDER FEDERAL LAW AND
16 INTERNATIONAL TREATIES. LEGALIZING MARIJUANA AT THE STATE LEVEL IS AN UNWISE
17 PUBLIC POLICY DECISION.

18 **Estimate of Fiscal Impact**



19 Amendment 44 may reduce state and local government revenues because fines
20 would no longer be assessed for adult marijuana possession of one ounce or less. The
21 amount of the revenue reduction cannot be quantified because the total number of
22 individuals convicted annually for possessing one ounce or less of marijuana is not known.
23 IT IS ALSO UNKNOWN EXACTLY HOW MANY HAD ADDITIONAL CHARGES PENDING AGAINST
24 THEM ALONG WITH THE POSSESSION OF MARIJUANA. EVEN IF THE MARIJUANA POSSESSION
25 CHARGES WERE DROPPED, THE OTHER CHARGES STILL WOULD HAVE REQUIRED COURT
26 APPEARANCES. In addition, judges have the discretion when assessing fines, and the
27 maximum fine is not levied against all offenders. Also, many have fines cannot be
28 collected from the person convicted. THE COLORADO DEPARTMENT OF PUBLIC HEALTH
29 AND ENVIRONMENT DID NOT HAVE THE TOTAL COSTS INVOLVED FOR MARIJUANA
30 ADDICTION TREATMENT FOR CHILDREN LIVING OUT OF THE HOME BECAUSE OF DRUG-USING
31 PARENTS. THEY ALSO DID NOT HAVE COSTS AVAILABLE FOR MEDICAID EXPENSE FOR DRUG
32 USERS' HEALTH CARE AND PRESCRIPTIONS. SOCIAL SERVICES WILL HAVE TO DEAL WITH
33 MORE FOOD STAMP APPLICATIONS AS WELL AS WELFARE PAYMENTS, PREGNANCIES,
34 HOUSING, TRANSPORTATION, AND FOSTER CARE. LAW ENFORCEMENT WILL HAVE
35 ADDITIONAL DRUG DEALERS TO HANDLE PLUS THE INCREASE IN CRIME THAT ACCOMPANIES
36 THAT INCREASE AS MORE BECOME ADDICTED. GOVERNMENT FUNDED DRUG TREATMENT
37 PROGRAMS ALREADY HAVE A WAITING LIST AND MENTAL HEALTH WORKERS CAN ONLY SEE
38 PATIENTS AFTER A LENGTHY WAITING PERIOD BECAUSE OF THEIR CASELOADS. THERE WILL
39 BE NO SAVINGS OF ANY KIND, BUT THERE WILL BE AN INCREASE IN GOVERNMENT FUNDED
40 COSTS. The state collects data for convictions in state courts but not municipal courts.

Colorado Legislative Council
Room 029 State Capitol
Denver, Colorado 80203-1784

Attention: 2005-2006 #72 Ballot Analysis Team

Please consider these comments regarding the last draft of the ballot analysis relating to 2005-2006 #72 Marijuana Possession.

Summary and Analysis

- Eliminate line 10 through line 12 under State possession law. Since you are referring to existing law, your statement regarding the offense and fine are reasonable. However, the additions you provide do not belong under this paragraph. It is a promotion of the proponent's position and does not clarify how many of these people who were arrested were also charged with additional offenses at the same time. If you wish to review these items under fiscal impact, I could understand. However, you will then need to go into detail regarding number of children in foster care, domestic violence calls, child abuse, neglect of children, social service costs, medical care, treatment for addiction, transportation costs for those disabled by marijuana, prescription costs, Medicaid costs, etc.
- Under State possession law on line 14 and 15 "as long as it does not occur in public" I believe is in error. If you will refer to C.R.S. 18-18-406 Paragraph (3)(a)(II) it clearly states that "Open and public display, consumption, or use of more than one ounce of marihuana or any amount of marihuana concentrate shall be deemed possession thereof." Therefore, if possession is made legal for one ounce or less, then open and public display, consumption or use of one ounce of marihuana or marihuana concentrate shall be legal. Please correct this and make it clear to the general public that open and public display and consumption of one ounce or less of marihuana shall be legal or eliminate "as long as it does not occur in public."
- On line 14 and 15, when you include the terminology "as long as it does not occur in public," it actually weakens the impact and message about adults 21 and over being allowed to transfer to individuals 15 years of age or older. You have also left out the terminology "dispense." So, my suggestion is that you change lines 14 and 15 to read as follows: "Possession would include consumption or use, and transferring and dispensing to another individual 15 years of age or older as long as there is no compensation."
- Please notify the general public that the Smiley Face Marijuana Gumballs use 100% Pure Marijuana Extract" and, according to the Drug Enforcement Administration, "these gumballs contain enough THC to kill smaller children." Please clarify to the general public how much "100% pure marijuana extract" it takes to make one ounce and make sure the general public is aware of the danger of this particular marihuana. The general public has a right to know the harm that can occur as a result of these kinds of products. Convicting 3700 adults of possession of one ounce or less of marijuana could very well save the life of a child, stop the addiction process and cause people to suffer some consequences that might motivate them to get treatment and change their way of living.
- Under "Other marijuana offenses," line 25 needs to be changed to read "open and public display, use or consumption of over one ounce of marijuana, and"
- Arguments For – 1) The words "appropriate balance" and "public safety" are terribly misleading and inaccurate. I do not believe the State of Colorado should enable this misrepresentation since marijuana puts the general public at risk and does not protect their health, welfare and safety as laws provide. The proponents certainly have a right to express their desire for individual choice but the State of Colorado puts the general public at risk when they agree with the proponents wording of "an appropriate balance between individual choice and public safety." Marijuana users had 55% more industrial accidents than non-users. Accident records from one study showed that up to 16% (4 of every 25) of fatally injured drivers and up to 12% (3 of every 25) of non-fatally injured drivers had marijuana in their bloodstream. Businesses with marijuana-impaired operators take a greater chance of causing injury to themselves, their shipments, and the traveling public. See attached Marijuana Use-Effects on Business which is to be included as a part of my comments. May I suggest that you change the proponents wording on Line 2 to read: "The proposal provides for individual choice.

- Arguments For – 2) The words “sensible change in priorities without jeopardizing public safety, line 7 and 8, is again presenting a statement to the general public that is not true. Using the terminology “sensible change” again puts the State of Colorado at risk for publishing information that is not accurate and cannot be supported by documented studies. This puts the State of Colorado at risk for liability. The first sentence in this paragraph should be removed completely because the general public is at risk when workers under the influence cause accidents on the job and on the highway. I have provided you the government documentation on marijuana use and effects on business. I am also providing you another attachment, The Truth About Marijuana, which is included and becomes a part of my comments to you.
- This document shows that a Conrail train accident killed 16 and injured 107 when the engineer was under the influence of marijuana. He disregarded several warning signs and rear-ended a passenger train.
- The National Transportation and Safety Board study of 182 truck accidents causing death found 12.8% of the drivers were under the influence of marijuana and 12.5% were under the influence of alcohol. The percentage is startling since ten times more people drink alcohol than smoke marijuana.
- A California truck driver, under the influence of marijuana, plowed into a highway cleaning crew killing five and injuring fourteen.
- The driver of a charter bus, who crashed and killed twenty-two people, had been fired from bus companies in 1989 and 1996 because he tested positive for marijuana four times. A federal investigator confirmed a report that the driver “tested positive for marijuana when he was hospitalized Sunday after the bus veered off a highway and plunged into an embankment.”
- In a 2000 and 2001 study 28,000 high school seniors admit to at least one accident after using marijuana.
- Stanford Medical School research showed that tested pilots were still impaired twenty-four hours after smoking marijuana.
- We now have documentation of death from cannabis poisoning. In 1981, the THC (get high chemical in marijuana) was 1.83%, which rose to 5.62% in 2003. The high-grade marijuana, often called sinsemilla, rose from 6.58% THC in 1981 to 14.10% in 2003. As the THC has increased so have the health risks and now the documentation of cannabis poisoning.
- Corresponding to increased potency of THC content in marijuana from the 1990’s to 2000 was a six-time increase in emergency room admissions because of marijuana use, even though the number of users remained relatively the same. Between 1992 and 2002, there was a 162% increase in treatment admissions for marijuana use as the primary substance of abuse. There are over 4 million Americans suffering from marijuana dependence. Sixty-two percent of teens in drug treatment are there for marijuana use. According to the Colorado Department of Health, last year there were over 5,000 people who entered treatment for marijuana addiction in this state.
- Marijuana smoking during pregnancy results in an eleven fold increase in babies eventually contracting leukemia, increased infant mortality, increased risk of babies being mentally and behaviorally handicapped and increased neurological abnormalities.
- A 2002 study showed forty-two percent of youth who smoked marijuana almost daily (300 or more days) took part in serious fighting at school or work whereas only 18.2% who did not use marijuana engaged in serious fighting. Similar rates existed for carrying a gun (22.2%-2.5%) or attacking someone with the intent to seriously hurt them (32.9%-5.9%).
- Marijuana users have more suicidal thoughts and are four times more likely to report symptoms of depression than those that don’t use the drug. They also have more sexual partners and are more likely to engage in unsafe sex.
- Research shows a link between frequency of marijuana use and increased violence.
- Recent research has indicated that for some people there is a correlation between frequent marijuana use and aggressive or violent behavior, according to the National Crime Prevention Council.
- Someone gave my 12-year-old child marijuana when he was having a bad day. He is now 44 years old and we are his caregivers 24/7. His central nervous system was not yet developed and he was “disabled as a result of marijuana.” The attached personal story, “He Was Only 12 Years Old-Now Disabled by Marijuana” is attached and is to be included as part of my comments on this ballot analysis. How can the State of Colorado jeopardize the health, welfare and safety of its children by printing something from the proponents that could very well lead a child into a path of destruction?

Which has more credibility? Groups whose primary purpose are to legalize marijuana and cannot cite any scientific studies to back their claim that marijuana is relatively safe? Or, the thousands of documented studies and research by medical and scientific professionals that demonstrate marijuana is, in fact, a dangerous drug and does jeopardize the health, welfare and safety of the general public.

- Arguments Against – 1) Change the first line to read, “Marijuana has been proven to be a gateway drug leading to use or possession of additional illegal drugs.” (I have personally referred over 2800 families to treatment and marijuana has been the gateway drug in every case except two. I had over sixty-five young people live with me on a temporary basis while they were in recovery, 100% of them had used marijuana first).
 - There is no question that to legalize a controlled substance like marijuana will lead to increased use but will also increase the number of drug dealers. One ounce of marijuana is equal to 56-84 joints, depending upon the size of the joint. This quantity is large enough to allow transferring and dispensing to others, free, to recruit new users.
 - For instance, in a survey of New Jersey and California high school students, sixty percent said that fear of getting in trouble with the law was a major deterrent to drug use. If Colorado removes the penalty, many in the general public will choose to use the drug since the deterrent will be gone. I have attached a flyer that clearly states that legalizing marijuana would drastically increase this epidemic of addiction. It also states that history has shown when teens perceive marijuana as the dangerous drug it is, the usage rates among youth decrease. When youth perceive marijuana as less harmful, the usage rates increase. This flyer is to become a part of my official comments on this ballot analysis.
 - In Alaska between 1978 and 1990 when small amounts of marijuana were legal for adults, the National Household Survey (1985) showed twice as many Alaskan teenagers (51.6%) used marijuana as compared to their counterparts in the rest of the nation (23.7%). Marijuana was re-criminalized in Alaska in 1990.
 - In the Netherlands, the “coffee shop” legalization of marijuana use resulted in Dutch teenagers’ use of marijuana nearly tripling in just eight years. I have attached a document entitled Dutch seek to stub out “cannabis tourism” which is hereby made a part of these comments. I quote from this document, “We want to end all aspects of drugs tourism, the fact that people come to the Netherlands to use soft drugs or to take them home, said Justice Ministry spokesman Wim Kok.” “The center right government wants to call an end to the hordes of foreigners, mainly youngsters, on the streets of cities like Amsterdam prowling for a joint. Countries like France abhor the return of hazy-eyed nationals by train.”
 - Line 15 under Paragraph 2) should be changed to read “Amendment __, overall drug use in the state will surely rise
 - Starting with line 22, change the wording to read, “compared to the social costs of drug abuse which includes treatment for addiction, disability payments, Medicaid costs for additional health problems such as dialysis for kidney failure, prescription drug coverage, transportation, mental health services, domestic violence, child abuse, foster care for children of drug users, subsidized housing, food stamps. There will be an increase in law enforcement due to additional criminal activity to support drug habit. There will also be increased spending for Public Defenders since many of the drug users have no money to pay an attorney, court costs or fines.”
 - The last part of Line 2 shall read, “Public safety is jeopardized because of an increase in accidents on the job and on the highway, increased violence with the general public, neglect of children who will suffer from lack of medical care, shelter and food because of drug using parents, increase in domestic violence, increase in child abuse, road rage and criminal activity that could injure or kill. “ Public safety of our children will not be possible when you legalize marijuana candy, soda pop, ice cream bars, popcorn and now the smiley face gumballs that have enough THC to KILL A CHILD. The attached flyers on these items are to be made a part of my comments on this analysis
 - When line 2 public safety concerns end, then health concerns should be addressed such as: “Health concerns for the general public will include increased depression, schizophrenia, bipolar, manic depression, obsessive-compulsive disorders, anxiety disorders, panic attacks, intellectual impairment, chemical imbalance in the brain, attention deficit disorder (ADHD), post traumatic stress syndrome, anti-social personality disorder and suicidal thoughts. Health concerns for children of marijuana smoking mothers will include intellectual impairment a decade or more later, a decreased visual

- perception, attention span, language comprehension and memory and the children will have an eleven times greater chance of having nonlymphoblastic leukemia.
- The last paragraph of Arguments Against should read: "There will be no Colorado Statutes for authority over marijuana when it is served or used in a public place. There are no guidelines set to determine the amount or percentage of THC.)I have attached notes given to the Colorado Legislative Council previously which are to be made a part hereof.) Marijuana will remain illegal under federal law and international treaties. Legalizing marijuana at the state level is an unwise public policy decision.

Estimate of Fiscal Impact

- Line 28 – amount of the revenue cannot be quantified because the total number of convicted annually is not known. It is also unknown exactly how many had additional charges were pending against them along with the possession of marijuana. Even if the marijuana possession charges were dropped, the other charges still would have required court appearances. In addition, Judges have discretion when assessing fines, and the maximum fine is not levied against all offenders. Also, many fines cannot be collected from the person convicted.
- The Colorado Department of Health did not have the total costs involved for marijuana addiction treatment for over 5,000 patients this past year. Social Services did not have costs available for foster care of thousands of children living out of the home because of drug-using parents. They also did not have costs available for Medicaid expense for drug users' health care and prescriptions. Social Services will have to deal with more food stamp applications as well as welfare payments, pregnancies, housing, transportation and foster care. Law Enforcement will have additional drug dealers to handle plus the increase in crime that accompanies that behavior. Healthcare providers and mental health providers already have waiting lists but those lists will increase as more become addicted. Government funded drug treatment programs already have a waiting list and mental health workers can only see patients after a lengthy waiting period because of caseload. There will be no savings of any kind but there will be an increase in government funded costs.
- According to the U.S. Department of Labor, alcohol and drug abuse have been estimated to cost \$81 billion in lost productivity in just one year. Colorado does not have a breakdown on this figure for marijuana.
- Drug Enforcement Administration reports economic cost of drug abuse to U.S. in 2002 was \$180.9 billion. Colorado does not have a breakdown on this cost involving marijuana.
- Marijuana is the number one drug detected in workplace drug testing.
- Marijuana users had 55% more industrial accidents than non-users and have been shown to have a 78% increase in absenteeism.
- Workers who tested positive for marijuana use had disciplinary problems at work 64% more often than workers who test negative for marijuana.

The State of Colorado's power can be rightfully exercised over any member of the community, against their will, if it is to prevent harm to others. Additional drug trafficking, gang related activity, violence and abandonment of children will harm many Colorado citizens. Many more children will be living with others because of their parents' involvement in substance abuse or criminal activity.

Respectfully submitted,



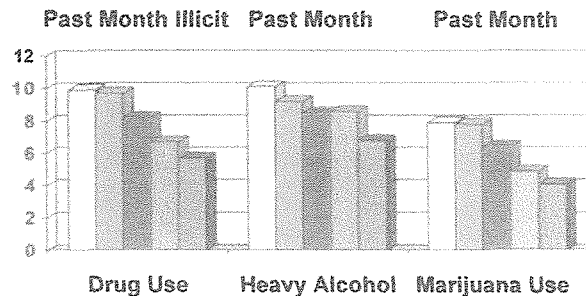
Beverly J. Kinard, Treasurer

GUARDING OUR CHILDREN AGAINST MARIJUANA
STUDENTS AGAINST MARIJUANA
729 Frankie Lane
Canon City, Colorado 81212
719-275-3222

MARIJUANA USE-EFFECTS ON BUSINESS

- One ounce or less of marijuana in Colorado is a misdemeanor punishable by a fine of \$100.00.
- Citizens of Colorado are being asked to allow anyone over the age of 21 years to possess one ounce or less of marijuana.
- If this gets on the ballot and passes in November, it will become law.
- If this becomes law, a person over 21 years of age “will be exempt from arrest, civil or criminal penalty” and **CAN NOT** face “discipline by any state or local licensing board” for “possession, use, or transferring or dispensing one ounce or less of marijuana, free, to persons 18 years of age.
- Marijuana is the most commonly used illicit drug with 14.6 million past month users. (Represents 6.1 percent of the U.S. population).¹
- Seventy-five percent of current drug users are employed either full or part time.²
- Small Businesses are most vulnerable.³

Past Month Prevalence by Establishment Size



White-1-10 Employees, Blue-10-24 Employees, Red-25-99 Employees, Gold – 100-499 Employees, Black 500 Employees +

*Source 2004 NSDUH

- Among the population of full-time employed current illicit drug users:
 - 44 percent work for small establishments (1-24 employees)
 - 43 percent work for medium establishments (25-499 employees)
 - 13 percent work for large establishments (500 or more employees)⁴
- The highest rates of current illicit drug use and heavy drinking were reported by food preparation workers, waiters, waitresses and bartenders (19 percent); construction workers (14 percent); service occupations (13 percent); and transportation and material moving workers (10 percent).⁵
- Marijuana users **had 55% more industrial accidents** than non users and have been shown to have a **78% increase in absenteeism**.⁶

- Workers who tested **positive for marijuana** use had **disciplinary problems at work 64% more often** than workers who test negative for marijuana.⁷
- **Accident** records from one study showed that up to 16% (4 of every 25) of fatally injured drivers and up to 12% (3 of every 25) of **non-fatally** injured drivers **has marijuana in their bloodstream**. Businesses with marijuana-impaired operators take a greater chance of causing injury to themselves, their shipments, and the traveling public.⁸
- **Marijuana** is the **number one drug** detected in workplace drug testing. Among the 7.1 million drug tests for the combined U.S. workforce, nearly **55% of positive drug tests were for Marijuana**, followed by 14.6% for Cocaine and 9.3% for amphetamines.⁹
- In 2004, **12.7 percent** of past year marijuana users **used marijuana on 300 or more days in the past 12 months**. This translates into **3.2 million persons using marijuana on a daily or almost daily basis** over a 12-month period, similar to the estimates in 2002 and 2003.¹⁰
- Drug Enforcement Administration reports economic cost of drug abuse to U.S. in 2002 was **\$180.9 billion**. According to the U.S. Department of Labor, alcohol and drug abuse have been estimated to ~~cost~~ cost **\$81 billion** in lost productivity in just one year.

How Marijuana Is Obtained –

- Most users got the drug for **free** or shared someone else's Marijuana. (55.1% free / 40% purchased)
- Most marijuana users **obtained the drug from a friend**. (76% of those who purchased and 81.1% of those who obtained the drug for free had acquired it from a friend).¹²
- More than half (52.7 percent) of users who bought their marijuana, purchased it inside a home, apartment, or dorm. This also was the most common location for obtaining marijuana for free (65.1 percent).¹³

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4 - US Department of Health and Human Services Substance Abuse and Mental Health Services Administration. (1999). *Worker Drug Use and Workplace Policies and Programs: Results from the 1994 and 1997 NHSDA*. Rockville, MD: US Department of Health and Human Services.

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7 - Ibid.

8 - Mathias, R. "Marijuana Impairs Driving-Related Skills and Workplace Performance." NIDA Notes. Jan/Feb. 1996)

9 - Quest Diagnostics: Employer Solutions, Drug Testing Index, July 22, 2004, pg 6.

10 - Substance Abuse and Mental Health Services Administration. (2005). *Results from the 2004 National Survey on Drug Use and Health: National Findings* (Office of Applied Studies, NSDUH Series H-28, DHHS Publication No. SMA 05-4062). Rockville, MD.

11- Ibid.

12 - Ibid.

13 – Ibid



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THE TRUTH ABOUT MARIJUANA FACT VS. FICTION

FACT:

Legalizing any controlled substance, including marijuana, will lead to increased use.

FICTION:

Legalizing possession and use of small amounts of marijuana for adults won't lead to increased use among either adults or youth.

BACKGROUND:

There is no question that to legalize a controlled substance such as marijuana will lead to increased use. There are a substantial number of adults and youth who don't use drugs because they are illegal. For instance, in a survey of New Jersey and California high school students, sixty percent said that fear of getting in trouble with the law was a major deterrent to drug use.¹ In Alaska between 1978 and 1990 when small amounts of marijuana were legal for adults, the National Household Survey (1985) showed twice as many Alaskan teenagers (51.6%) used marijuana as compared to their counterparts in the rest of the nation (23.7%). Marijuana was re-criminalized in Alaska in 1990.² In the Netherlands, the "coffee shop" legalization of marijuana use resulted in Dutch teenagers' use of marijuana nearly tripling in just eight years.³ The question is how much of an increase in drug use is acceptable? The answer should be none.

FACT:

Sobriety is the only safe alternative to being under the influence of alcohol.

FICTION:

Being under the influence of marijuana is safer than being under the influence of alcohol.

BACKGROUND:

There are numerous factors that influence intoxication including, but not limited to, the individual, the circumstances and the dosage used. The potential dangers of intoxication from either marijuana or alcohol are real. An altered state of mind and impaired physical

ability are never safe. The only safe alternative to alcohol intoxication is sobriety, not another form of intoxication.

FACT:

Both alcohol and marijuana can be extremely dangerous drugs.

FICTION:

Alcohol is dangerous whereas marijuana is relatively safe.

BACKGROUND:

Alcohol can be extremely dangerous but so can marijuana. One reason alcohol is so devastating to many in our country is that so many people, well over 100 million, use liquor. In fact, more people are addicted to alcohol than use marijuana (use is at least once within 30 days). The reason is simply that alcohol is legal whereas marijuana is not. Instead of trying to legalize another dangerous drug, we should be encouraging sobriety.

Marijuana and Treatment.

In 1981, the THC content in marijuana was 1.83% which rose to 5.62% in 2003. The high-grade marijuana, often called sinsemilla, rose from 6.58% THC in 1981 to 14.10% in 2003.³ Corresponding to increased potency of the THC content in marijuana from the 1990's to 2000 was a six-time increase in emergency room admissions because of marijuana use even though the number of users remained relatively the same.² Between 1992 and 2002, there was a 162% increase in treatment admissions for marijuana use as the primary substance of abuse.⁶ There are over 4 million Americans suffering from marijuana dependence.⁷ Sixty-two percent of teens in drug treatment are there for marijuana use.⁸

Hospital emergency admissions, drug dependence and drug treatment admissions don't equate to a relatively benign substance. Common sense would indicate that marijuana is a potentially dangerous drug, as is alcohol.

Some Psychological Dangers.

- Brain scans show "holes" (decreased activity and blood flow) in areas of the brain covering language, memory, anger management, emotional control and motor coordination.⁹
- Marijuana is not a benign drug. Use impairs learning and judgment and may lead to development of mental health problems according to the American Medical Association.¹⁰
- Marijuana use may trigger panic attacks, paranoia and even psychosis especially if one is suffering from anxiety, depression, or having thinking problems according to the American Psychiatric Association.¹⁰

- Marijuana can impair concentration and ability to retain information during teens' peak learning years according to the National Education Association.¹⁰
- Marijuana has been known to trigger attacks of mental illness including paranoia and depression. Memory is impaired even months after use has ceased. Marijuana is known to be associated with apathy, loss of energy and motivation, moodiness and difficulty in concentrating.¹¹

Some Physiological Dangers.

- The British Medical Association cites marijuana as being "linked to greater risk of heart disease, lung cancer, bronchitis and emphysema."¹²
- Marijuana affects concentration, perception, coordination and reaction time, many of the skills required in safe driving and other physical tasks. These effects can last up to 24 hours after smoking marijuana.¹³
- Marijuana contains more than 400 chemicals that increase the risk of cancer, lung damage and poor pregnancy outcome.¹⁴
- Darryl Inala, executive director of Haight-Ashbury Free Clinic in San Francisco during the 90's, worked with drug treatment for over twenty-eight years. He states, without reservation, that marijuana is in fact addictive.¹¹
- Marijuana smoking during pregnancy results in an eleven fold increase in babies eventually contracting leukemia, increased infant mortality, increased risk of babies being mentally and behaviorally handicapped and increased neurological abnormalities.¹¹
- Marijuana impairs cellular and pulmonary immunity systems according to the Assistant Secretary of Public Health Services and other medical researchers.

Which has more credibility? Groups whose primary purpose are to legalize marijuana and cannot cite any scientific studies to back their claim that marijuana is relatively safe? Or, the thousands of documented studies and research by medical and scientific professionals that demonstrate marijuana is, in fact, a dangerous drug.

FACT:

Marijuana use has been the cause of deaths from accidents, disease and recently possible toxicity.

FICTION:

There were many deaths from alcohol and no deaths from marijuana.

BACKGROUND:

The first documented person believed to have died directly from cannabis poisoning was a 36-year-old man in Britain in 2004. According to British toxicologist John Henry "...it corrects the argument that cannabis cannot kill anybody."¹⁵ Six others have died in Norway from using hash. The Oslo Forensic Toxicology institute reports that "six Norwegians have died as a direct result of smoking hash in a period of six years."¹⁶ As the potency of marijuana increases, so does the risk of cannabis poisoning. There have been deaths from alcohol overdose. However, the figure 19,000 must include other deaths related to alcohol while the zero figure for marijuana doesn't consider deaths by marijuana related causes such as cancer, infant mortality, immune system damage, pneumonia, accidents, etc.

Regarding deaths from marijuana, there have been and continues to be significant numbers of deaths caused by people under the influence of marijuana. Just a few examples include:

- Conrail train accident killed 16 and injured 107 when the engineer was under the influence of marijuana, disregarded several warning signs and rear-ended a passenger train.¹
- The National Transportation and Safety Board study of 182 truck accidents causing death found 12.8% of the drivers were under the influence of marijuana and 12.5% were under the influence of alcohol. This percentage is startling since ten times more people drink alcohol than smoke marijuana.¹⁷
- A California truck driver, under the influence of marijuana, plowed into a highway cleaning crew killing five and injuring fourteen.¹⁸
- The driver of a charter bus, who crashed and killed twenty-two people, had been fired from bus companies in 1989 and 1996 because he tested positive for marijuana four times. A federal investigator confirmed a report that the driver "tested positive for marijuana when he was hospitalized Sunday after the bus veered off a highway and plunged into an embankment."¹⁹

How can one say that marijuana doesn't kill? The above deaths were real people with real families. Another truly alarming statistic is that research demonstrates that a high percentage of people admit driving under the influence of marijuana.¹³ Despite higher alcohol usage by teens, approximately fifteen percent report driving under the influence of marijuana and almost an equal amount, eighteen percent, report driving under the influence of alcohol.¹³ In a 2000 and 2001 study 28,000 high school seniors admit to at least one accident after using marijuana.¹³ Also, Stanford Medical School research showed that tested pilots were still impaired twenty-four hours after smoking marijuana.¹⁹

FACT:

People are not arrested and jailed for simple possession of under an ounce of marijuana

FICTION:

There are people going to jail for simple possession of marijuana.

BACKGROUND:

Possession of less than 1 ounce of marijuana (between 56 and 84 marijuana cigarettes) is unlawful but enforced by a citation and fine. People are not arrested and jailed for simple possession of under an ounce of marijuana. In fact, nationally only .3% or 3,600 out of 1,200,000 inmates are in jail for first-time possession of marijuana which includes amounts well over an ounce. The median amount of marijuana involved in the connection of marijuana-only possession for federal offenders was 115 pounds.²⁰

FACT:

Intoxication of any kind can cause a wide range of reactions – from stupor to violence.

FICTION:

Alcohol is associated with violence, particularly domestic, whereas marijuana is not. Marijuana makes the user mellow, not violent.

BACKGROUND:

Some people who are drunk resort to violence, some act happy while others are “mellow.” Some people who are intoxicated by marijuana resort to violence and some act happy while others are “mellow.” The results of any intoxication depend on a variety of factors including dosage, mood, circumstances, individuals involved, etc. Unfortunately, violence associated with intoxication is often directed at family members. There is more violence associated with alcohol because it is legal and almost ten times as many people use alcohol as use marijuana. Studies have demonstrated that marijuana is connected with violence:

- A 2002 study showed the number of young people engaging in delinquent behavior rose with the frequency of marijuana use. Forty-two percent of youth who smoked marijuana almost daily (300 or more days) took part in serious fighting at school or work whereas only 18.2% who did not use marijuana engaged in serious fighting. Similar rates existed for carrying a gun (22.2%-2.5%) or attacking someone with the intent to seriously hurt them (32.9%-5.9%).²¹
- Marijuana users have more suicidal thoughts and are four times more likely to report symptoms of depression than those that don't use the drug.²²
- Marijuana users in their late teens are more likely to have increased risk of delinquency and more friends who exhibit deviant behavior. They also have more

sexual partners and are more likely to engage in unsafe sex.²³

- Research shows a link between frequency of marijuana use and increased violence.²⁴
- Young people who use marijuana weekly are nearly four times more likely than non-users to engage in violence.²⁴
- More than 41% of male arrestees sampled in U.S. cities tested positive for marijuana.²⁵
- Recent research has indicated that for some people there is a correlation between frequent marijuana use and aggressive or violent behavior, according to the National Crime Prevention Council. The Council states that this should be a concern to parents, community leaders and all Americans.¹⁰

FACT:

Drug use has been reduced dramatically from peak use in 1979 to the present.

FICTION:

This nation's drug policy has failed. It is time to try something new like legalizing small amounts of marijuana.

BACKGROUND:

Drug use has been reduced by 50% from its peak in 1979 to current times. Ninety-two percent of the people in our country do not use any illicit drugs. Teen use continues to decline from 11.4% to 10.9%. How one can call these significant successes a failure is difficult to comprehend. We will always have drug abuse in this country. The keys are to keep drug abuse from increasing and to try to lower the use rate which, in turn, will lower all the adverse effects of drug abuse. An example of failed drug policy can be seen with alcohol and cigarettes. Why increase the problem with legalizing a third dangerous substance? That simply doesn't make public policy sense.

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HE WAS ONLY 12 YEARS OLD-NOW DISABLED BY MARIJUANA

By David and Beverly Kinard

We share a story about our son, hoping you will see the tragedy that marijuana can inflict on a family. My husband, David, is a retired Denver Police Detective. For over 27 years, he and I have been volunteers fighting the illegal drug scene and its destruction. In providing drug education across the nation, we also referred over 2800 families to treatment, sixty-five of those young people lived with us temporarily to receive love and support during recovery.

Our son was only twelve years old and had a bad day. Someone gave him a marijuana cigarette, saying it would make him feel better. This "gateway" drug led him down a path of destruction. The psychoactive compound in marijuana (THC) collected in the fatty tissue of his brain, causing a behavioral change reflected in failing grades, rebellion, dishonesty and self-destruction.

The specialists' mistaken diagnosis in the early 70's was "normal adolescent behavior." At age 17, he told us he couldn't live a lie any longer, he had been doing drugs and needed help. We went to support group meetings for 15 months. He had additional treatment but the damage was already done. He had a complete mental breakdown and suffered severe psychosis (belief system that was not based on reality). He was labeled "permanently disabled" and, at the request of his doctors, we became his caregivers twenty-four hours a day, seven days a week. He is now in his forties and, thanks to a great deal of prayer, he is now improved but we are still his caregivers.

We, and YOUR TAX DOLLARS, have paid for his disability. After his insurance maximum was used, YOUR TAX DOLLARS paid for several hospitalizations for depression, anxiety disorder, obsessive-compulsive behavior, panic attacks and some symptoms similar to schizophrenia and chemical imbalance in the brain.

As of January 1, 2006, YOUR TAX DOLLARS will pay approximately \$670 per month for his medication. Emergency rooms are swamped with addicts needing help. Currently, 62 percent of teens in drug treatment seek help for marijuana addiction.

No child or adult should ever suffer as our son has suffered. His decision to use marijuana resulted in impairment of the development of his central nervous system leading to a lack of decision-making skills. His future was stolen from him. Please read the following and know these are not "scare tactics." This is truth that we can document

A statewide petition drive has taken place and Amendment #44 is now on the ballot. This would make it legal for anyone over 21 years of age to possess one ounce or less of marijuana (56-84 joints depending on size of joint). The petition does not tell you that changing paragraph (1) of C.R.S. 18-18-406, will automatically change paragraph (5) and (7) making it legal to transfer and dispense (at no cost) to anyone 15 and above. This is a drug dealer's dream—dispense to students 15 and above and let it trickle on down to younger ones. The title of the initiative is Marijuana Possession #44 and would legalize marijuana candy and soda pop.

- Smiley face gumballs have now been confiscated that have enough marijuana THC to KILL A SMALL CHILD.
- Marijuana is most frequently the gateway drug that leads to over 500 drug overdose deaths each week.
- There is evidence that infants born to mothers who smoked marijuana during pregnancy:
 - a) will show intellectual impairment a decade or more later,
 - b) will have decreased visual perception, attention span, language comprehension, and memory.
 - c) Will have an eleven-fold increase in nonlymphoblastic leukemia.
- Marijuana candy and soda pop have been confiscated by law enforcement Look-a-like product labels include: Stoney Ranchers, Rastateers, Munchy Way, Rasta Reeses, Buddahfingers, Pot Tarts, Double Puff Oeo, Tri-Chrome Crunch, Keef Kat, Twixed, Budtella, Puff-A-Mint Patty, Puffsi, Bong's Root Beer, Joint Cola, Orange Chronic, Purple Passion, Old Fashioned Green Apple and Toka Cola. What a way to market drugs to youth! Ask for copies of candy flyer.
- According to the U.S. Department of Labor, alcohol and drug abuse have been estimated to cost \$81 billion in lost productivity in just one year. DEA reports economic cost of drug abuse to U.S. in 2002 was \$180.9 billion.
- Young people who use marijuana weekly are nearly four times more likely than non-users to commit violent acts. Marijuana has 50-70 percent more cancer causing agents than tobacco. Four joints affect lungs the same as smoking 4 packs of cigarettes. Some marijuana laced with PCP (Angel Dust), Heroin, Ecstasy and Methamphetamines).
- Some common serious mental disorders associated with chronic drug abuse include: schizophrenia, bipolar, attention deficit disorder (ADHD), manic depression, anxiety disorder, obsessive-compulsive disorder, post traumatic stress disorder, panic attacks and antisocial personality disorder.
- Research shows marijuana users are four times more likely to have depression and suicidal thoughts.
- A study of 182 fatal truck accidents found that 12.8% of the drivers had used marijuana: 12.5% alcohol: 8.5% cocaine: 7.95% stimulants.
- Using a flight simulator, an experiment with pilots showed their ability to land a plane was still impaired 24 hours after smoking marijuana. Do you want doctors, law enforcement, bus drivers working while impaired from night before?
- Emergency room facts-About 40% of seriously injured teens tested positive for alcohol or other drugs. They were 50% more likely to be under the influence of marijuana than alcohol.

We are asking YOU to become part of a grass roots effort by SENDING THIS TO OTHERS BY EMAIL. We thank you in advance for MAKING TEN COPIES AND PASSING THEM ON! Help offset the costs of statewide printing, etc. by making your check payable to GUARDING OUR CHILDREN AGAINST MARIJUANA or STUDENTS AGAINST MARIJUANA-

From: "Calvina Fay" <cfay@dfaf.org>
To: <cfay@dfaf.org>
Sent: Wednesday, May 12, 2004 9:58 AM
Subject: Dutch seek to stub out 'cannabis tourism'

Dutch seek to stub out 'cannabis tourism'

CNN.com - April 28, 2004

AMSTERDAM, Netherlands (Reuters) – It's last orders for foreigners at Dutch coffee shops as the government Friday decided to curb "drugs tourism" and sharpen cannabis policies amid European pressure.

A trial will start soon in the southern town of Maastricht, just across the border with both Germany and Belgium, where the sale of soft drugs to foreigners will be banned.

"We want to end all aspects of drugs tourism, the fact that people come to the Netherlands to use soft drugs or to take them home," said Justice Ministry spokesman Wim Kok.

The liberal Dutch laws on soft drugs, whose use is not allowed but condoned in a tacit acknowledgment that there are insufficient police to arrest all offenders, have been a thorn in the side to more law-and-order-oriented European countries.

In the Netherlands, cannabis smokers can openly buy and smoke the drug in hundreds of government-regulated "coffee shops."

The center-right government wants to call an end to the hordes of foreigners, mainly youngsters, on the streets of cities like Amsterdam prowling for a joint. Countries like France abhor the return of hazy-eyed nationals by train.

The Interior Ministry will work with towns and cities on ways to better enforce existing laws against the use of cannabis, including minimum distances between the so-called coffee shop cannabis cafes and schools.

'Grow-shops' targeted

The Justice Ministry will attack drugs tourism with international police cooperation and target large-scale hemp growing as well as the "criminal involvement" of so-called "grow-shops" where people can buy seeds to grow their own pot.

The Health Ministry, for its part, will study the possible health consequences of soft drugs with a high content of Tetrahydrocannabinol (THC), an active compound in cannabis.

This study could lead to a reclassification of the high-THC content cannabis as a "hard drug," spokesman Bart Kuik said.

The Netherlands, where customers can order a vast array of cannabis from coffee shop menus, has reportedly seen a steep rise in THC levels in Dutch-grown cannabis called "Nederwiet" due to refined growing methods.

Some doctors say cannabis use increases the risk of depression and schizophrenia but its use has been widely tolerated by the Dutch for decades. Coffee shops are prohibited from selling "hard drugs" and are carefully monitored.

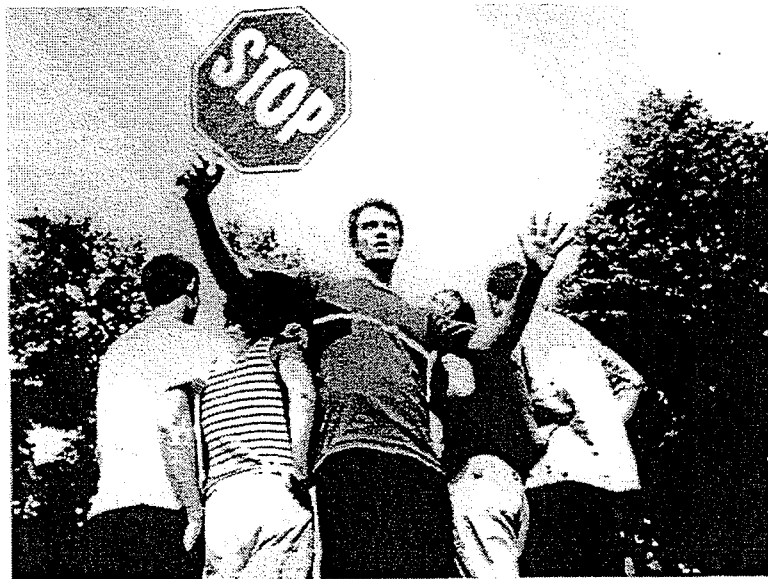
The Netherlands, the first country to legalize euthanasia, last year also became the first to make cannabis available as a prescription drug in pharmacies for chronically ill patients.

Help the children.

More than 60% of adolescents in drug treatment are there for marijuana addiction.

Fight marijuana legalization

Legalizing marijuana would drastically increase this epidemic of addiction.



History has shown when teens perceive marijuana as the dangerous drug it is, the usage rates among youth decrease.

When youth perceive marijuana as less harmful, the usage rates increase.

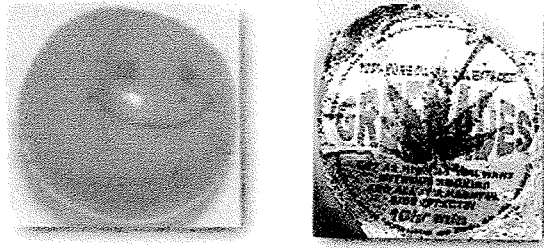
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Email: christiandrugeducation89@msn.com

Marijuana Gumballs Known As 'Greenades' Circulating in Some High Schools



These gumballs are not your typical candy-coated chewing gum but instead are packed with as much as 1 gram of high-grade marijuana. Following the recent discovery and seizure by Maryland police of two weed-packed yellow gumballs imprinted with a happy face, the U.S. Drug Enforcement Agency (DEA) in May of this year released an Intelligence Alert Bulletin titled, "Greenades" (Marijuana Gumballs).

According to the DEA and the Maryland State Police-Forensic Sciences Division Laboratory, each gumball is bright yellow with a happy face on one side and a "bored hole filled with greenish-brown vegetable matter" on the opposite side. The two gumballs were individually wrapped in tin foil which contained a label. Printed on the label is the word 'Greenades' and an image of a marijuana leaf. Toward the top of the label is printed '100% Pure Marijuana Extract'.

Also on the label can be found detailed instructions on how to use the gumball: "Take 30mins -1 hr before you would like receive your high" (and) "Chew for as long as possible, then swallow."

Police are warning the public that Grenade gumballs contain enough THC to kill smaller children and caution parents to be on the alert for innocuous-looking hard-coated candies which could be brought into the home by drug-using older children.

We are already aware that marijuana candy, soda pop, ice cream bars and popcorn are now available. They are packaged to look like real products but instead of a name like Butterfinger, it is Buddahfinger. Instead of Oreo cookies, it is OEO and instead of Pop Tarts, it is Pot Tarts. and instead of Coca Cola, it is Toka Cola.

Provided as a Public Service by Guarding Our Children Against Marijuana

729 Frankie Lane

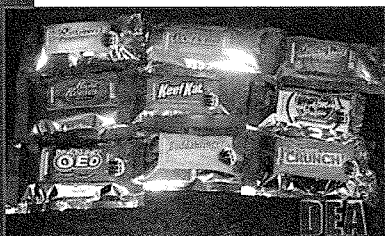
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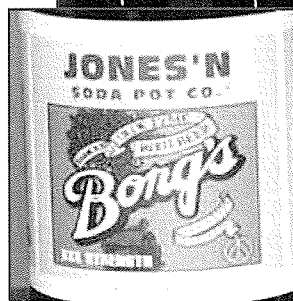
- WARNING -

They're Out To Get Our Kids!

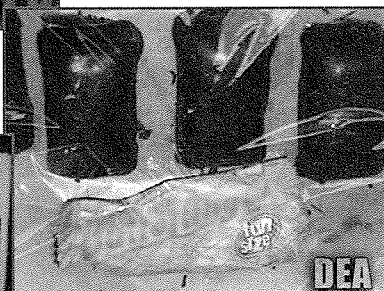
Marijuana Candy and Soda



Marijuana Soda



Marijuana Candy and Soda Pop the DEA confiscated

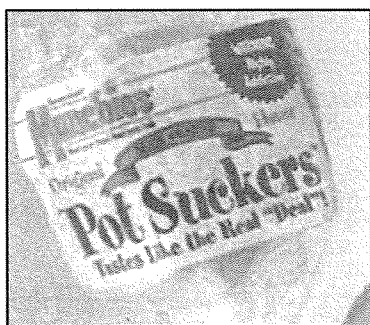


Some of the Candy Names

- Stoney Ranchers
- Pot Tarts • Buddahfinger
- Rastateers • Rasta Reeses
- Double Puff OEO
- Twixed • Keef Kat
- Munchy Way • Budtella
- Puff A Mint Patty
- Tri-Chrome Crunch

Soda

- Joint Cola • Bongs Root Beer
- Toka Cola • Orange Chronic
- Puffsi • Purple Passion
- Old Fashion Green Apple Soda



Marijuana-flavored lollipops with names such as Purple Haze, Acapulco Gold and Rasta are showing up around the country.

Excerpt from the Denver Post 7/7/05

Hard Candies Going to Pot

By Joey Bunch
Denver Post Staff Writer

Longmont— The traffic arrest of a 25-year old stripper introduced Boulder County authorities to a new kind of drug contraband—candy.

Katherine Cline was driving on the wrong side of the road after smashing into a fence three times near her home in Longmont on June 5, according to police.

She was on her way home from dancing at the Bus Stop strip club in Boulder. Inside a bag in her car, police found a few pieces of red, homemade hard sweets about the size of Jolly Rancher candies.

Cline later admitted the candy's contents included tetrahydrocannabinol, better known as THC, the active ingredient in marijuana, Longmont Detective Earnhart said. Cline told police she bought the candy in Boulder...

"CANDY: Marijuana-flavored sweets hit sour note with cops."

OPPOSE Marijuana Possession #72 Petition

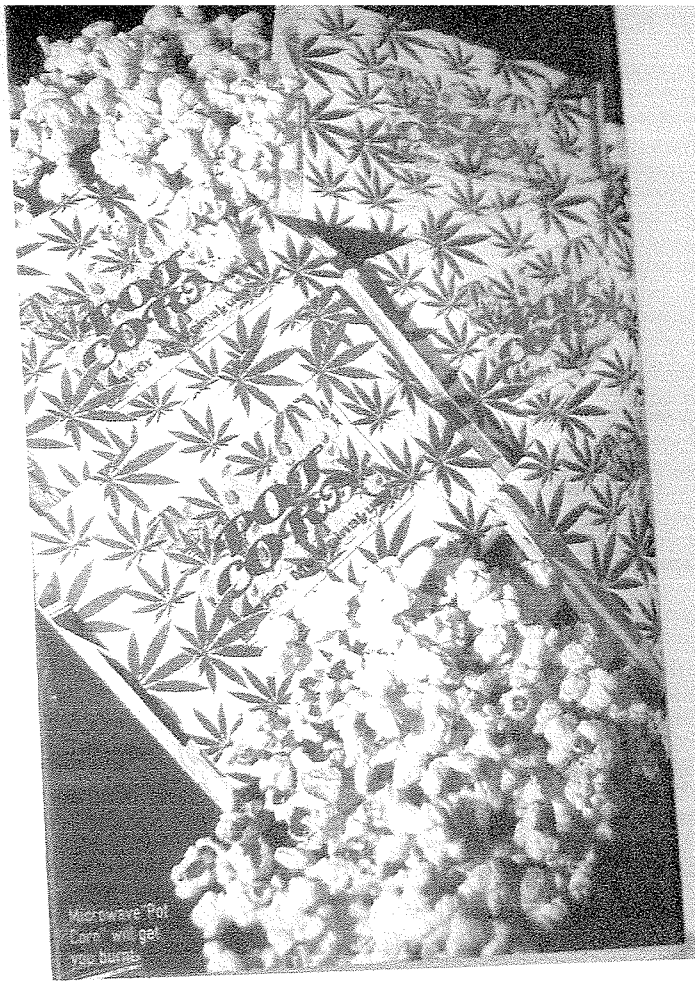
which also legalizes transferring and dispensing one ounce free to 18 and over.

Always Vote NO on POT!

Help offset costs of statewide printing, yard signs, etc. make checks payable to
Guarding our Children Against Marijuana, 729 Frankie Lane, Cañon City, CO 81212
Email: christiandrugeducation89@msn.com • Phone: 719-275-3222



Popsicle



From High Times
Magazine
Sept. 2006
For Educational
Purposes

OPPOSITION TO MARIJUANA POSSESSION #72

Municipalities have the responsibility and costs of enforcing state laws regarding many products. The Colorado statutes clearly define:

- Unlawful acts regarding selling, serving, giving away, disposing, exchanging, consumption, procuring and delivery
- Licensing requirements
- Manufacturing or production of products
- Import requirements
- Types of locations for legal use
- Intoxication
- Liability of host or server
- Criminal Acts
- Responsibility of provider
- Loss of property rights
- Inspection procedures for books of account, order copies, shipping instructions, bills of lading, weigh bills, correspondence and all other records necessary to show full the business transactions
- Duties of inspectors and police officers
- Hours for business operation where product is served
- Use in vehicle
- Responsible vendors – standards
- Transportation and Interstate shipments – permits
- Testing for intoxication by law enforcement officers

Marijuana Possession #72 would make it legal for anyone over 21 years of age to possess one ounce or less of marijuana. The general public should be made aware of the fact that:

- There will be no existing Colorado Statutes for authority over marijuana when it is served or used in a public place. There are no guidelines set as to amount of THC you may have in your body to be impaired.
- Marijuana Possession #72 not only changes paragraph (1) of C.R.S. 18-18-406, but will automatically change paragraph (5) and (7) making it legal to transfer and dispense (at no cost) to anyone ~~15~~ 21 years and above. This is not on the ballot title but must be shown to give the general public full knowledge of what they are voting for.
- According to law enforcement, one ounce of marijuana is equal to 56-84 joints, depending upon size of joint. This is a large quantity for the proponents so called "recreational" use. This quantity is large enough to allow for transferring and dispensing to others.
- There are different varieties of marijuana and potency changes. The THC (get high chemical) content in marijuana in 1981 was 1.83% and rose to 5.62% in 2003. The high-grade marijuana, called sinsemilla rose from 6.58% THC in 1981 to 14.10% in 2003. Since death information now exists related to marijuana toxicity, no testing provision is made to identify THC content of each marijuana product.
- Marijuana candy and soda pop have been confiscated by law enforcement and the general public will have no idea what the THC content is in these products or how many could be consumed without death by toxicity. The State of Colorado has no labeling requirements or safety procedures in place. There would be no way of determining the quantity of marijuana used in these products. A warning flyer is provided for your review, showing marijuana candy and soda pop labeled as look-a-like products. Their candy and snack names are Stoney Ranchers, Pot Tarts, Buddahfinger, Rastateers, Rasta Reeses, Double Puff OEO, Twixed, Keef Kat, Munch Way, Budtella, Puff A Mint Patty, Tri-Chrome Crunch.

The soda pop is named Joint Cola, Bongs Root Beer, Toka Cola, Orange Chronic, Puffsi, Purple Passion and Old Fashioned Green Apple Soda. These products have been confiscated by law enforcement. Police report in Boulder County showed a woman driving on the wrong side of the road after smashing into a fence three times. Marijuana candy was found in her vehicle. The general public should be made aware of these products and their appeal to children. (Flyer of candy/soda pop att.)

- The citizens of Colorado should also be aware that there will be a major increase in accidents and property damage as a result of marijuana drugged driving. Road rage will certainly increase for many.
- The general public should be informed that books and games exist that promote marijuana and other drug use to children. Pictures are provided of A Child's Garden of Grass (The official handbook for marijuana users), the Narc Game and the Pot Luck Game where, instead of buying and selling hotels on each square, you buy and sell drugs. There is no doubt the marijuana possession, transferring and dispensing is designed to reach our children and create new customers for drug dealers. (Pictures provided.)
- Marijuana cigarettes have been identified laced with heroin, methamphetamine, ecstasy and PCP (angel dust).
- Between 1992 and 2002, there was a 162% increase in treatment admissions for marijuana use as the primary substance of abuse. There are over 4 million Americans suffering from marijuana dependence. Marijuana is addicting.
- Sixty-two percent of teens in drug treatment are there for marijuana use.
- Brain scans show "holes" (decreased activity and blood flow) in areas of the brain covering language, memory, anger management, emotional control and motor coordination. A copy of a PET study done by Brookhaven National Laboratory September 1997, is provided for your review. This picture of the brain shows diminished brain activity in chronic marijuana user. The diminished activity is in all cross sections of the brain, particularly in the cerebellum. Lower cerebellar metabolism explains not only defects in motor coordination, but also seems to account for some of the reported learning disturbances found in chronic users. The picture of the brain of the marijuana abuser was taken after usage had been stopped and patient tested negative for marijuana. (Picture of brain provided)
- Marijuana users also develop a tolerance for addicting barbiturates, even before they use any barbiturates. This is more evidence of significant addictive potential of marijuana. Chait, et.al. 1981.
- Research from the University of Colorado examining the presence of marijuana dependence in adolescents who are seen for conduct disorders has demonstrated not only the presence of a clear marijuana dependence syndrome in adolescents, but also marijuana withdrawal. Most patients claimed serious problems with marijuana and 78.6% met adult criteria for marijuana dependence. The drug produces both dependence and withdrawal and potently reinforces marijuana taking. Crowley TJ, Macdonald MJ, Whitmore EA, Mikulich SK Drug and Alcohol Dependence 1998; 50:27-37.
- Marijuana is generally the first illicit drug used by young people. Gfoerer, Joseph C, Epstein, Joan F. Federal Office of Applied Studies in SAMHSA Drug and Alcohol Dependence, vol. 54 (1999) pp 229-237.
- Marijuana is associated with myocardial infarction and stroke. Zachariah SB, Stroke 22:406-409
- Marijuana metabolites are capable of impairing the ability of human immune cells to kill tumors and destroy fungal cells. Lopez-Cepero M, Friedman M, Klein T, and Friedman J. 1986
- Marijuana can impair concentration and ability to retain information during teens' peak learning years according to the National Education Association.

- Marijuana smoking during pregnancy results in an eleven fold increase in babies eventually contracting leukemia, increased infant mortality, increased risk of babies being mentally and behaviorally handicapped and increased neurological abnormalities.
- Marijuana smoking has been associated with premature cancer (younger persons), particularly in the head and neck.
- Marijuana impairs cellular and pulmonary immunity systems.
- Marijuana is frequently the gateway drug that leads to over 500 drug overdose deaths each week.
- About 40% of seriously injured teens in the Emergency Room for treatment tested positive for alcohol or other drugs. They were 50% more likely to be under the influence of marijuana than alcohol.
- Forty-two percent of youth who smoked marijuana almost daily (300 or more days) took part in serious fighting at school or work. Twenty-two percent carried a gun and 32.9% attacked someone with intent to seriously harm them. Research shows young people who use marijuana are nearly four times more likely than non-users to engage in violence.
- Marijuana users have more suicidal thoughts and are four times more likely to report symptoms of depression than those who don't use the drug. According to the 2004 DAWN Emergency Department report, 1,997,993 visits were drug related. Nearly 1.3 million visits to the ED were for drug misuse and abuse. Visits by 215,665 persons were for involvement with marijuana only—9,747 as suicide attempts and 27,259 seeking detox.
 - 380 were children age 6 to 11
 - 39,035 were children 12-17
 - 27,742 were age 18-20
 - 32,154 were age 21-24
 - 28,645 were age 25-29
 - 24,716 were age 30-34
 - 40,639 were age 35-44
 - 19,389 were age 45-54
 - 2,311 were age 55-64
 - 403 were age 65 and older
 - 136 were unknown age
- Medical and hospital costs will escalate because of increased use.
- The number of Americans age 12 and older using marijuana at least once a month jumped to 14.6 million in 2004 from 10.1 million in 1996, according to the federal Substance Abuse and Mental Health Services Administration. Legalizing marijuana will cause a tremendous increase.
- According to Robert S. Stephens, chairman of psychology at Virginia Tech University and "Cannabis Dependence" editor, research shows that staying clean is just as hard for marijuana addicts as for heroin addicts.
- Children living in a home with adults who use marijuana will be side-streaming the adult's smoke and damage will occur in the child just as it does with children side-streaming their family tobacco smoke. The children also will have plenty opportunity to share marijuana with their family members or have access to it.
- The Scientific American Medicine article 13 Psych – Drug Abuse-6 clearly states that marijuana can have adverse effects of acute panic, flashback phenomena, and acute toxic psychosis, such as excitement, disorientation, confusion, delusions, depersonalization, delirium and visual hallucinations

can occur unpredictably. Abdominal discomfort, headache, anxiety, depression, fear of dying, restlessness, uncontrollable hostility and paranoia may accompany acute panic reactions or bad trips. In addition, acutely intoxicated individuals have impaired reflexes, decreased attention spans, altered depth perception and reduced short-term memory. Chronic heavy use of marijuana is associated with behavioral dysfunction and mental disorders.”

- Other mental disorders include schizophrenia, bipolar, attention deficit disorder (ADHD), manic depression, anxiety disorder, obsessive-compulsive disorder, post traumatic stress disorder, panic attacks and personality disorder.
- There is evidence that infants born to mothers who smoked marijuana during pregnancy will show intellectual impairment a decade or more later, will have decreased visual perception, attention span, language comprehension, and memory. They will have an eleven-fold increase in nonlymphoblastic leukemia.
- Memory, speed of thinking and other cognitive abilities get worse over time with marijuana use, according to a new study published in the March, 2006, issue of Neurology, the scientific journal of the American Academy of Neurology. The longer people used marijuana, the more deterioration they had in ability to learn and remember new information. In several areas their abilities were significant enough to be considered impaired. Heavy users were defined as smoking four or more joints per week.
- Using a flight simulator, an experiment with pilots showed their ability to land a plane was still impaired 24 hours after smoking marijuana. If marijuana was legalized, law enforcement, firemen, teachers, school bus drivers, doctors and even judges could party the night before and show up still impaired the next day. The safety of others is jeopardized. A mind-altering drug will influence decision-making.
- Sex offenders are already enticing children to join them by offering alcohol or marijuana. This will only get worse if they don't have to be concerned about possession of pot.
- In Minnesota three teens have been charged with the murder of one of their mothers. The reports indicated they wanted to steal the mother's money so they could open a "coffee house" just like they have in Amsterdam. We know that Amsterdam is now telling tourists they are not wanted in their city. They are tired of tourists coming because of drug legalization in Amsterdam. Colorado is spending a great deal of money to invite tourists to visit. If Colorado indicates to the nation that they are willing to violate federal law and international treaties against legalization of marijuana, word will spread and people will go elsewhere with their family. They will not want their children exposed to this way of life. Colorado will become a haven for drug users from all over the country. This will cause a monetary loss to Colorado tourism and businesses that are supported by tourism.
- Smoking dens and "coffee shops" will open so people can come and smoke their dope together. There are no laws established to protect children from entering these premises and learning a new way of life.
- More children will be subjected to child abuse, sex abuse, lack of medical care and lack of food and shelter. They will become excess baggage to the parent who wanted to be liberated but became enslaved to marijuana.
- According to the DAMMAD, \$43,972,150 has been spent in the United States for drug legalization and policy changes. Some of the people involved in the legalization effort in Colorado are convicted felons. Names and documentation will be provided upon request. (Documentation provided together with requested stories from Cannabis Culture March/April 2006 issue.)

Marijuana impairs people's ability to pursue more important things in life such as raising a family and being a productive member of the community involved in civic affairs. They end up paying no taxes but do collect their disability, food stamps, medical care and free city bus transportation. Of course, they will get government subsidized housing also. These benefits will all raise costs for municipalities and the State of Colorado.

John Stuart Mill's essay On Liberty states, "The only purpose for which power can be rightfully exercised over any member of the community, against his will, is to prevent harm to others . . ." Our laws in Colorado are enacted to protect the health, welfare and safety of its citizens. If marijuana is legalized, the marijuana, drug trafficking, drug-related gang activity, violence and abandonment of children will harm many more of Colorado citizens. Many more children will be living with relatives or in foster homes because of their parent's involvement in drug abuse and/or criminal activity.

Respectfully submitted to Colorado Legislative Council

GUARDING OUR CHILDREN AGAINST MARIJUANA
Beverly J. Kinard, Treasurer
729 Frankie Lane
Canon City, Colorado 81212
719-275-3222

ADDITIONAL DOCUMENTATION PROVIDED June 21, 2006

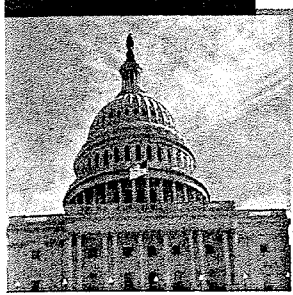
Letter from "Doper Professor" to High Times Magazine, with response from Ed Rosenthal, who was then the editor.

In 1986, I had two slices (in quick succession) at a cafe in Amsterdam. My wife had somewhat less. In about an hour we were both higher than we'd ever been before, higher to the point that it was very frightening to us. Our pulse rates were very high, and it was in general not a pleasant, dreamy state. This was accompanied by a lot of vomiting, which, combined with passing in and out of consciousness, seemed to me a potentially life-threatening condition. We called for medical help from our hotel room. We were so stoned that it required careful planning and discussion to figure out how to use the telephone and call the hotel desk. The proprietor of the hotel (who was not pleased) got a doctor by phone, who later showed up and gave us some Valium for a hefty fee. Needless to say, this quite spoiled our visit and indicated that as far as drugs were concerned, I didn't know as much as I thought I did.

Perhaps experiences such as ours have led to space cake being taken off the menu. But perhaps someone on your staff can answer this—What produced such a reaction? Was it just too much hash oil? I might add that I was no pot virgin.

*A Doper Professor
Tallahassee, FL*

Most cannabis smokers stop smoking as soon as the desired effects are realized. However, determining the desired dose is much harder if one is eating cannabis. It is not unusual to have a "panic reaction" after ingesting too large a dose. Rather than devouring two slices, it would have been better to eat a few bites, wait an hour, and check the effects. Two slices of space cake on an empty stomach could have produced a similar reaction in many regular pot smokers.



The Conservative Case Against Legalized Marijuana

By Calvina Fay and Don Feder

We the People

Through heavy spending by billionaire advocates and a concerted campaign of distortion and disinformation, so-called medical marijuana and legalization efforts continue to advance at the state level.

Now, drug legalizers have targeted the conservative movement.

They're trying to convince us that their cause is compatible with conservative values. And yet, the movement's leadership is largely comprised of doctrinaire leftists whose views are antithetical to conservatism. (We'll have more to say on this later.)

Drug legalization is a libertarian, not a conservative, position. Conservatives understand that liberty must be ordered and rights balanced with responsibilities.

The exercise of certain rights is fatal to both the social order and the long-term survival of self-government and a free society. The freedom to take drugs is such a "right".

If the essence of conservatism is "do your own thing, and damn the consequences," then conservatives also should support the legalization of prostitution, child pornography and same-sex marriage. We don't, because we understand that each is detrimental to the social order.

Conservatives care about faith, family and freedom. Drugs destroy families and undermine God-given freedom by robbing individuals of the will needed to decide how to live their lives.

There are fundamental human rights (all of which are interdependent) – among them the right to property, free speech, freedom of worship, and the right to life itself, as well as the corollary right to self-defense.

The "right" to take drugs bears no relationship to the foregoing. Far from being necessary to personal autonomy, by promoting chemical slavery, it undermines and eventually destroys authentic rights.

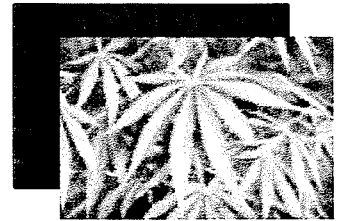
Advocates promote marijuana as a relatively harmless pastime (hence the advocacy-loaded expression recreational drugs). In reality, it's a narcotic whose dangers are well understood by health care and law enforcement professionals.

"To venture into the wilderness, one must see it, not as it is but as it will be."
Carl Becker

Before you buy into the myth that pot gives the user a harmless high, consider the following:

- As Eric Voth, M.D., FACP, chairman of the Institute on Global Drug Policy explains, "Marijuana ... has 488 separate constituents that turn into, literally, thousands of products when smoked."
- Marijuana smoke contains 50% to 70% more carcinogenic hydrocarbons than tobacco smoke.

- Today's marijuana is six times more potent than the drug the Sixties generation encountered. From the mid 1970s to 2002, THC levels in marijuana rose from less than one percent to 6%.



Marijuana is addictive

- According to the Office of National Drug Control Policy (ONDCP), of the 7.1 million Americans suffering from illegal drug dependence or abuse, 60% abuse or are dependent on marijuana.
- ONDCP also reports: "Of all youth age 12-17 in drug treatment in 2000, nearly 62% had a primary marijuana diagnosis." While half of these were referred to treatment by the criminal justice system, half came in through other sources, including voluntary admission.
- In 2001, marijuana was a contributing factor in more than 110,000 emergency room visits.
- Mentions of marijuana in ER visits rose 176% since 1994, surpassing those of heroin.



Drug Free AMERICA
Foundation, Inc.

www.dfaf.org

The Conservative Case cont'd...

Marijuana promotes criminal, anti-social and depressive behavior.

• The *British Medical Journal* reports: "Cannabis use is associated with an increased risk of developing schizophrenia, consistent with a causal relation. This association is not explained by use of other psychoactive drugs or personality traits relating to social integration."

• According to the National Institute of Drug Abuse and Addiction (NIDA), individuals who began using marijuana before age 17 are 3.5 times more likely to attempt suicide as those who started use later than 17.

• Youth who use marijuana weekly are nearly 4 times as likely as nonusers to commit acts of violence.

• Youthful offenders admitted to Department of Juvenile Services detention facilities in Maryland (between February and June 2005) were screened for illicit drug use. Half tested positive. Of those, 49% tested positive for marijuana.

• In a national sampling of adult male arrestees, 41% tested positive for marijuana. (ONDCP)

• A roadside study of reckless drivers in Tennessee found that 33% of those who weren't under the influence of alcohol, who were tested for drugs at the scene of their arrest, tested positive for marijuana.

Marijuana is a gateway drug whose use frequently leads to abuse of more potent/addictive substances.

• In several studies, those who began marijuana use at an early age were 8 times more likely to use cocaine, 15 times more likely to use heroin and 5

times more likely to require treatment for abuse of or dependence on any drug.

• Marijuana proponents snicker at these statistics, retorting that 100% of cocaine addicts drank milk as children – hence: "Milk, the gateway drug." But milk doesn't give you a high, which in turn creates a desire for a more intense high. Marijuana affects the brain (in ways that scientists haven't fully explored), making the user more susceptible to the lure of other illicit drugs.

A word about medical-fraud marijuana

As it did with abortion (and is doing with euthanasia), the left plays the compassion card with what they call "medical marijuana." Advocates appeal to our natural sympathy for the sick and dying to push pot as a panacea to alleviate pain and reduce the nausea of chemotherapy.

Due to lopsided spending in a handful of states, legalizers have convinced voters of the supposed medical benefits of pot.

But the American Medical Association and other prominent national organizations of health-care providers reject "patient pot laws," not because they don't care about those suffering from chronic ailments, but because, as professionals, they understand that medical marijuana is a cruel hoax perpetrated to advance a dubious political agenda.

Think about it. Marijuana is the only "medicine" that's delivered by smoking a drug in its raw form. Medicines are synthesized, come in standard dosages and are subjected to years of



testing and rigorous analysis before they're certified as safe and effective.

In states where it's been successful, the drug lobby has bypassed that process, putting decisions that should be made by physicians and scientists in the hands of uninformed voters who are swayed by emotion and massive campaign spending.

"...the key to it is medical access. Because, once you have hundreds of thousands of people using marijuana medically under medical supervision, the whole scam is going to be bought... so that once there's medical access, if we continue to do what we have to do, and we will, then we'll get medical, then we'll get full legalization."

***Dick Cowan,
former director of
National Organization
for the Reform of
Marijuana Laws (NORML)***

"The lesson is clear: If you're in favor of drugs being sold in stores like aspirin, you're in favor of boom times for drug users and drug addicts. With legalization, drug use will go up, way up."
William J. Bennett, former director of the Office of National Drug Control Policy

Meet the man behind the Drug Lobby

The drive to legalize marijuana is powered by a small number of billionaire donors – chief among them George Soros.

With a personal fortune of over \$7 billion, Soros is described as "the Daddy Warbucks of drug legalization" by former U.S. Secretary of Health, Education and Welfare Joseph Califano.

Soros is the financial angel of The Marijuana Policy Project and The Drug Policy Alliance. Between 2001 and 2004, the Drug Policy Alliance received \$8.5 million from Soros.

Soros admits that decriminalization, "medical marijuana" and so-called harm reduction (teaching kids to use drugs "safely") are wedge issues intended to advance the legalization of all narcotics. In his book, *Soros On Soros*, the Lear Jet leftist confesses: "I'll tell you what I would do if it were up to me. I would establish a strictly controlled distribution network through which I would make most drugs, excluding the most dangerous ones like crack, legally available."

"The war on drugs is doing more harm to our society than drug abuse itself," Soros insists. Then again, he's never had to comfort grieving parents who've lost a child to a drug overdose.

"Substance abuse is endemic to most societies... The war on drugs cannot be won," Soros proclaims. This conve-

niently ignores the fact that during the Reagan years, when society was serious about combating narcotics, current drug users (defined as those who used an illicit drug in the past month) declined dramatically – from 14% of the population in 1979 to 4% in 1992.

Soros is equally pessimistic about the fight against global terrorism. "The war on terrorism cannot be won by waging war," the billionaire ideologue assures us. Instead, "correct the grievances on which terrorism feeds" – which, from Soros' perspective, include poverty, U.S. "imperialism" and Israeli treatment of the Palestinians.

Drug legalization fits perfectly in the Soros worldview, which also includes physician-assisted suicide and euthanasia. In the 1990s, Soros provided \$15 million in start-up funding for Project Death in America, a grant-giving group that funds campaigns for medical murder.

In the 2004 election cycle, Soros was the single largest contributor to 527 groups like MoveOn.org. In all, he spent an estimated \$18 million to defeat George W. Bush, whom he frequently likens to the Nazis. ("When I hear Bush say: 'You're either with us or against us,' it reminds me of the Germans.")

"Bush feels that on September 11th he was anointed by God," Soros sneers. "He's leading the U.S. and the world toward a vicious cycle of escalating violence."

Marijuana legalization is consistent

with the rest of Soros' agenda, which includes supports for euthanasia and globalism and a rejection of self-defense against the terrorist war on Western civilization.

One might say that Soros' ultimate goal is to euthanize America – after he heavily sedates it.

But the utopian campaign to legalize drugs is the antithesis of conservatism's call for ordered liberty, individualism informed by social responsibility and virtue.

An addicted society cannot be virtuous and will not remain free for long.



Beware of the three major contributors who have donated MILLIONS to the drug legalization movement:

George Soros - Soros Fund Management

Peter Lewis - Progressive Corp.

John Sperling - Phoenix University

Our Mission

Drug Free America Foundation, Inc.

is a drug prevention and policy organization committed to developing, promoting and sustaining global strategies, policies and laws that will reduce illegal drug use, drug addiction, drug-related injury and death.

Drug legalization and permissive drug policies will lead to a greater availability of dangerous drugs in our communities and will undermine our nation's commitment to law enforcement, health care, education, commerce and the family.



Calvina Fay has more than 20 years experience in the drug prevention field, and she serves as executive director of Drug Free America Foundation, Inc. and Save Our Society From Drugs (SOS).



Don Feder is a former syndicated columnist who serves as media consultant for the Drug Free America Foundation.

For more information, visit our website – www.dfaf.org.

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2600 9th Street N. Suite 200, St Petersburg, Florida 33704-2744
Telephone (727) 828-0211**

www.dfaf.org

**Amendment 44
Marijuana Possession**

1 **Amendment 44 proposes a change to the Colorado statutes that:**

- 2 ♦ legalizes the possession of up to one ounce of marijuana for adults 21 years
3 of age or older.

4 **Summary and Analysis**

5 Individuals who grow, transfer, possess, sell, or consume marijuana violate federal,
6 state and, in some cases, local laws. Amendment 44 addresses state law for possession
7 only; enforcement of other marijuana laws would not change.

8 ***State possession law.*** Under state law, any person who possesses one ounce or less
9 of marijuana commits a Class 2 petty offense, which is punishable by a fine of up to \$100.
10 State courts convicted 3,700 adults for possession of one ounce or less of marijuana in the
11 2005 state budget year, the most recent data available. This number does not include
12 convictions in municipal courts, which also hear some marijuana possession cases.

13 Amendment 44 allows adults 21 years of age or older to possess up to one ounce
14 of marijuana. Possession would include consumption or use, as long as it does not occur
15 in public. ~~It also would include transferring up to one ounce of marijuana to another~~
16 ~~individual 15 years of age or older as long as there is no compensation, although~~
17 ~~possession for those under 21 years of age remains illegal.~~ THE CHANGE IN LAW WOULD
18 ALSO REMOVE THE AFFECTED STATUTE'S CURRENT PROHIBITION ON TRANSFERRING TO
19 ANOTHER INDIVIDUAL 15 YEARS OF AGE OR OLDER AS LONG AS THERE IS NO
20 COMPENSATION.

21 ***Other marijuana offenses.*** The following marijuana offenses will continue to be
22 illegal under state law if Amendment 44 passes:

- 23 • for individuals under 21 years of age, possessing any amount of
24 marijuana;
- 25 • possessing more than one ounce of marijuana;
- 26 • for individuals 18 years of age and older, transferring any amount
27 of marijuana to a person under 15 years of age;
- 28 • growing or selling marijuana;

- open and public display, use, or consumption of marijuana; and
- driving under the influence of marijuana.

Arguments For

1) Amendment 44 strikes a balance between individual choice and public safety. State law allows adults 21 years of age and older to possess and consume alcohol, but prohibits the possession and use of marijuana. To the extent that some adults believe that using marijuana is a safer alternative to consuming alcohol, possession of a small quantity of marijuana should be a personal and legal choice for adults.

2) Amendment 44 presents a sensible change in priorities without jeopardizing public safety. The proposal could free overburdened state and local criminal justice systems from expending public resources on petty offenders, and allow these systems to target their resources on the manufacturers, distributors, and traffickers of illegal drugs. At a time when government budgets for law enforcement and court systems are strained, focusing resources on more serious offenses is logical for taxpayers.

Arguments Against

1) Marijuana use may lead a person to use or possess other illegal drugs. Under Amendment 44 overall drug use in the state may rise, and legalizing the possession of marijuana will increase not only the availability and acceptability of marijuana, but also the likelihood that minors will have access to the drug. Colorado does not want to become a magnet for illicit drug users.

2) Policy discussions should not focus on whether alcohol or marijuana is a safer drug, because the only safe alternative to alcohol or drug intoxication is sobriety. Colorado should enforce, not repeal, drug laws. State and local drug enforcement costs are minimal compared to the social costs of drug abuse and addiction. Public safety and health concerns, along with the fact that marijuana will remain illegal under federal law, make legalizing marijuana at the state level an unwise public policy decision.

Estimate of Fiscal Impact

Amendment 44 may reduce state and local government revenues because fines would no longer be assessed for adult marijuana possession of one ounce or less. The amount of the revenue reduction cannot be quantified because the total number of individuals convicted annually for possessing one ounce or less of marijuana is not known. The state collects data for convictions in state courts but not municipal courts. In addition, judges have discretion when assessing fines, and the maximum fine is not levied against all offenders. Also, some fines cannot be collected from the person convicted.

COMMENTS FROM MR. ROBERT MCGUIRE
8/22/06

These comments pertain to the 3rd draft of proposed bluebook language for Initiative 2005-2006 # 72, Marijuana Possession (the “**Initiative**”).

THE PROBLEM TEXT

The last sentence of the second paragraph under the heading “State Possession Law” requires modification because it is currently unclear. The sentence is intended to inform the voters of additional types of conduct (currently prohibited) that would effectively be legalized by the Initiative because they are deemed to be possession by Colorado statute.

The last sentence is grammatically correct. However, it is potentially unclear because the limiting clause that begins “as long as” could readily be mistaken by a voter and understood to apply to the entire rest of the sentence, instead of applying only to the text that runs until the succeeding comma. Such a misreading would leave the voter under the mistaken impression that possession does not include “transferring to another individual 15 years of age or older as long as there is no compensation.”

PROPOSED TEXT

I propose replacing the comma after “in public” with a period. The remainder of the sentence should be modified to begin with the words, “**The change in law would also remove the affected statute’s current prohibition on ...**” and continue with, “**...transferring to another individual 15 years of age or older as long as there is no compensation.**”

REASONING

The fact that the Initiative changes in law with respect to transferring up to one ounce of marijuana to children 15 and older will be extremely relevant to many voters, especially those with children who are in or have not yet entered high school. The Initiative has the effect of removing a legal prohibition on such transfers, an effect that is not apparent and cannot be deduced from the text of the Initiative. Obscuring this important effect by describing it in the second part of a compound sentence risks creating a serious misapprehension in the mind of the voter about the true effect of the Initiative and could for that reason be misleading.

Comment submitted by:

Robert A. McGuire
The Law Office of Robert A. McGuire, LLC
Superior, Colorado

**Amendment 44
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14 of marijuana. Possession would include consumption or use, as long as it does not occur
15 in public. It also would include transferring up to one ounce of marijuana to another
16 individual 15 years of age or older as long as there is no compensation, although
17 possession for those under 21 years of age would remain illegal.

18 ***Other marijuana offenses.*** The following marijuana offenses will continue to be
19 illegal under state law if Amendment 44 passes:

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21 marijuana;
- 22 • possessing more than one ounce of marijuana;
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24 of marijuana to a person under 15 years of age;
- 25 • growing or selling marijuana;
- 26 • open and public display, use, or consumption of marijuana; and
27
- 28 • driving under the influence of marijuana.

1 **Arguments For**

2 1) Amendment 44 strikes a balance between individual choice and public safety.
3 State law allows adults 21 years of age and older to possess and consume alcohol, but
4 prohibits the possession and use of marijuana. To the extent that some adults believe that
5 using marijuana is a safer alternative to consuming alcohol, possession of a small quantity
6 of marijuana should be a personal and legal choice for adults.

7 2) Amendment 44 presents a sensible change in priorities without jeopardizing
8 public safety. The proposal could free overburdened state and local criminal justice
9 systems from expending public resources on petty offenders, and allow these systems to
10 target their resources on the manufacturers, distributors, and traffickers of illegal drugs.
11 At a time when government budgets for law enforcement and court systems are strained,
12 focusing resources on more serious offenses is logical for taxpayers.

13 **Arguments Against**

14 1) Marijuana use may lead a person to use or possess other illegal drugs. Under
15 Amendment 44 overall drug use in the state may rise, and legalizing the possession of
16 marijuana will increase not only the availability and acceptability of marijuana, but also
17 the likelihood that minors will have access to the drug. ONE OUNCE OF MARIJUANA HAS
18 THE CAPABILITY OF PRODUCING 60-80 CIGARETTES. Colorado does not want to become a
19 magnet for illicit drug users.

20 2) Policy discussions should not focus on whether alcohol or marijuana is a safer
21 drug, because the only safe alternative to alcohol or drug intoxication is sobriety. Colorado
22 should enforce, not repeal, drug laws. State and local drug enforcement costs are minimal
23 compared to the social costs of drug abuse and addiction. Public safety and health
24 concerns, along with the fact that marijuana will remain illegal under federal law, make
25 legalizing marijuana at the state level an unwise public policy decision.

26 **Estimate of Fiscal Impact**

27 Amendment 44 may reduce state and local government revenues because fines
28 would no longer be assessed for adult marijuana possession of one ounce or less. The
29 amount of the revenue reduction cannot be quantified because the total number of
30 individuals convicted annually for possessing one ounce or less of marijuana is not known.
31 The state collects data for convictions in state courts but not municipal courts. In addition,
32 judges have discretion when assessing fines, and the maximum fine is not levied against
33 all offenders. Also, some fines cannot be collected from the person convicted.

COMMENTS FROM MS. LORI STRAIN

8/21/06

As stated in the "Arguments For", it states, "...possession of a small quantity of marijuana..."

In the "Arguments Against", I believe it should be noted that 1 ounce of marijuana has the capability of producing 60-80 marijuana joints/cigarettes.

On line 13 through 16, please know the wording used is very much appreciated. PLEASE PLEASE leave it in.

Thank you,

Lori Strain

COMMENTS FROM MS. SHERRY SLATTERY

8/22/06

Amendment 44 (previously #72) Blue Book Comments

I find lines 14-16 in the 3rd Draft confusing: "Possession would include consumption or use, as long as it does not occur in public, and transferring to another individual 15 years of age or older as long as there is no compensation."

Lines 15 and 16: "...and transferring to another individual 15 years of age or older as long as there is no compensation." *did not* appear in the previous drafts 1 and 2.

Where did this part come from? What was someone thinking? What is the intent of the reference to 15 year olds? Doesn't this encourage illegal behavior and drug use?

Lines 15 and 16 seem to contradict **lines 1 through 3:** "Amendment _ is a proposed amendment to the Colorado statutes that: legalizes the possession of up to one ounce of marijuana for adults 21 years of age or older."

Lines 19 and 20 state: "for individuals under 21 years of age, possessing any amount of marijuana" is illegal under state law. This contradicts the reference to 15 year olds in lines 15 and 16.

Also, **Lines 22 and 23** state: "for individuals 18 years of age and older, transferring any amount of marijuana to a person under 15 years of age;" is illegal under state law. This adds to the confusion of lines 15 and 16.

So, which is it? Does Amendment 44 legalize possession of up to one ounce of marijuana for adults 21 years of age and older **AND** allow adults 21 years of age and older to transfer of up to one ounce to someone 15 years or older as long as there is no compensation? Both cannot be true, for the 15 year old (up to 20 years and 11 months) is underage.

Lines 15 and 16 appear to be a "cut and paste" computer word processing error that should be rectified before the next draft procedure.

Sherry Slattery
Circle of Concern Consortium

Third Draft Mailed to Interested Parties

2005 - 2006 #72 Marijuana Possession

1 Amendment _ is a proposed amendment to the Colorado statutes that:

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- 26 • driving under the influence of marijuana.

1 **Arguments For**

2 1) The proposal strikes an appropriate balance between individual choice and
3 public safety. State law allows adults 21 years of age and older to possess and consume
4 alcohol, but prohibits the possession and use of marijuana. To the extent that some adults
5 believe that using marijuana is a safer alternative to consuming alcohol, possession of a
6 small quantity of marijuana should be a personal and legal choice for adults.

7 2) The proposal presents a sensible change in priorities without jeopardizing
8 public safety. The proposal could free overburdened state and local criminal justice
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AMENDMENT 44
MARIJUANA POSSESSION
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Amendment 44
Marijuana Possession

1 **Ballot Title:** An amendment to section 18-18-406 (1) of the Colorado revised statutes
2 making legal the possession of one ounce or less of marihuana for any person
3 twenty-one years of age or older.

4 **Text of Proposal:**

5 *Be it Enacted by the People of the State of Colorado:*

6 Section 18-18-406 (1), Colorado Revised Statutes, is amended to read:

7 **18-18-406. Offenses relating to marihuana and marihuana concentrate. (1)**
8 Any person UNDER TWENTY-ONE YEARS OF AGE who possesses not more than one ounce
9 of marihuana commits a class 2 petty offense and, upon conviction thereof, shall be
10 punished by a fine of not more than one hundred dollars. This law shall take effect on
11 December 7, 2006.