

Pot opponents regroup after US state votes

January 9 2013, by Gene Johnson

Former Congressman Patrick Kennedy, a son of late Sen. Ted Kennedy who has struggled with alcohol and drug addiction, has teamed up with other opponents of legal marijuana to renew their campaign now that voters have made it legal in two states.

Kevin Sabet, a former White House drug [policy adviser](#) and an outspoken opponent of [legalizing marijuana](#), got a call from Kennedy the day after the laws passed in November. Kennedy was worried that the votes sent the wrong message about [marijuana](#).

"The level of his concern impressed me," Sabet recalled. "He said, 'We have to do something that is not falling into this false dichotomy of prohibition versus legalization.'"

So began the reorganizing of the anti-pot lobby, an effort which on Thursday launches a new organization, Project SAM, for "smart approaches to marijuana." Kennedy is the chairman, and other board members include Sabet and David Frum, a former speechwriter for President George W. Bush.

"Our country is about to go down the wrong road, in the opposite direction of sound [mental health policy](#)," Kennedy said. "It's just shocking as a [public health](#) issue that we seem to be looking the other way as this legalization of marijuana becomes really glamorous."

The idea is to halt the legalization movement by arguing the U.S. can ease the ills of prohibition—such as the [racial disparities](#) in arrest rates

and the lifelong stigma that can come with a pot conviction—without legalizing the drug. Kennedy called marijuana a dangerous drug that lowers IQ and triggers psychosis in those genetically predisposed toward it; critics charged him with distorting the scientific evidence by cherry-picking studies that relate only to a tiny fraction of pot users.

"It's almost 'Reefer Madness'-type stuff about marijuana he's saying," said Ethan Nadelmann, executive director of the New York-based Drug Policy Alliance. "There's something remarkable about Patrick Kennedy deciding to go after users of a drug that is by almost all accounts less dangerous than the drugs he struggled with. Where Patrick Kennedy could have made a really important contribution is by saying that we need a responsible public health model for dealing with legal marijuana."

Nadelmann described Project SAM as a "strategic retreat" by the just-say-no crowd.

The organization hopes to raise money to oppose legalization messages around the country, shape the legalization laws taking effect in Washington and Colorado, promote alternatives to jail time for pot users and speed up scientific research on the effects of marijuana.

Sharon Levy, chairwoman of the American Academy of Pediatrics committee on substance abuse, said she joined the Project SAM board because "we're losing the public health battle" and policy is being made by legalization advocates who might be misinformed about marijuana's dangers.

Kennedy served 16 years as a congressman from Rhode Island, during which he made mental health treatment and insurance coverage a legislative priority. He revealed he had struggled with depression and alcoholism, as well as addiction to cocaine and prescription painkillers.

In 2006, Kennedy crashed his Ford Mustang into a security barrier outside Congress. He agreed to a plea deal on a charge of driving under the influence of prescription drugs and received a year's probation.

Low-level marijuana offenders should pay a fine, not go to prison, Kennedy said, but it's a bad idea to make pot more accessible: More people will experiment, including young people whose still-developing brains seem to be most susceptible to addiction. He said he fears the creation of a huge marijuana industry that might target teens the way the tobacco industry did.

Voters in Washington and Colorado handily passed measures on last November's ballot to legalize the possession of up to an ounce of marijuana for adults over 21 under state law, and to create a system of state-licensed marijuana growers, processors and retail stores. The measures could bring the states tens or hundreds of millions of dollars per year in new tax revenue, analysts have said.

Marijuana remains illegal under federal law, and the Justice Department has not said whether it will sue to try to block the state-licensing schemes from taking effect.

Supporters of Washington's Initiative 502 raised more than \$6 million and had the endorsement of former top federal law enforcement officers in the state, as well as top public health officials and addiction specialists.

Alison Holcomb, the drug policy director of the state's American Civil Liberties Union chapter and I-502's campaign manager, said she's as concerned as anyone else about the public-health ramifications of legal marijuana, and that's why the initiative requires new surveys of drug use among teens and earmarks money for substance abuse prevention and treatment.

And, she said, Kennedy and Sabet offer no suggestions for dealing with the dangerous black market that supplies the nation's vigorous appetite for pot.

Frum said that given the social ills caused by alcohol and tobacco use, no one should be arguing for legal marijuana.

"There are not a lot of voices saying you should smoke more tobacco, it's a cure for what ails you," Frum said. "There aren't people saying we should raise the DUI limit from 0.08 to 0.12. People who use alcohol and tobacco understand they're doing something risky. That's not the message about marijuana, and that's an unfortunate situation.

"What we should all want is to see fewer young people with criminal records and fewer young people using drugs."

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