

CANNABIS

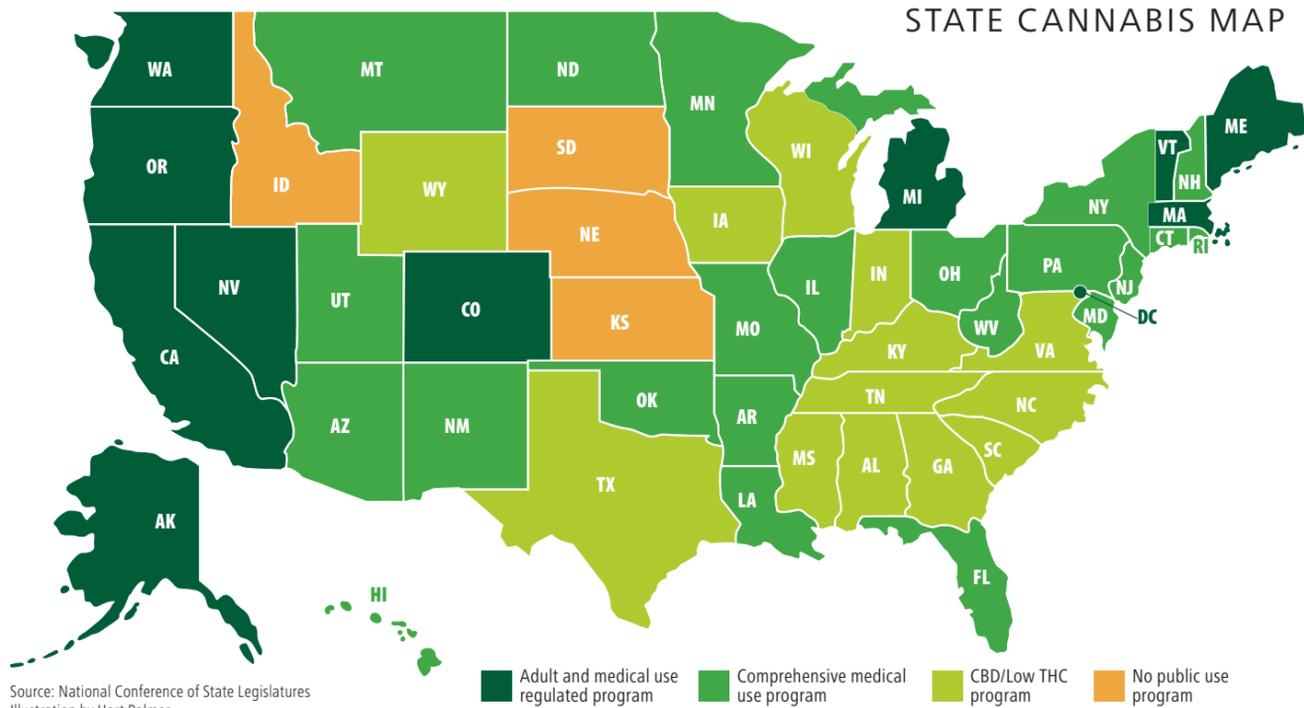
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One very important term that one encounters in such discussions of cannabis legalization is what is known as decriminalization, a key piece of the legalization puzzle. Decriminalization is a judicial process that requires the legal “rescheduling” of the plant (in all its psychoactive forms) in a way that eliminates or, at least, minimizes punishments for its possession. Through decriminalization, for example, police might be instructed not to bother arresting people found to be in possession of cannabis, depending on the quantity in question. Current law in North Carolina states that the possession of half an ounce or less of marijuana is a Class 3 misdemeanor that carries a \$200 fine and the likelihood of serving no jail time. However, State Senator Paul Lowe Jr. (D-Forsyth) introduced a bill in February 2019 that would increase that amount from half an ounce to three ounces (Lowe’s 2018 bill, which did not get to the Senate floor, would have made it legal to possess up to four ounces for personal use). Cannabis legalization advocates that we talked with were in full support of such decriminalization efforts. We’ll see if Senator Lowe’s bill gets a better reception in the Senate Rules and Operations committee this year.

In the 33 states where (so far) voters approved the legalization of cannabis for medical and/or recreational purposes, it is also important to point out that things did not suddenly change overnight. Crime did not soar; homeless hippies did not flood the streets; the sky did not fall. Instead, such votes set in motion political and economic processes that took and are taking years to complete.

In Colorado, for example, voters passed Amendment 64 in 2012, which allowed counties and municipalities to decide for themselves if they wanted to legalize. While some declined, most did pursue legalization. The state legislature then passed a series of “trailing bills” that created a regulatory framework and established taxation levels for legalized recreational cannabis (medical marijuana was legalized in the state in 2000, but only approved patients with written medical authorization had access to it). Not until January 1, 2014, did the first licensed recreational dispensaries start opening across the state. The Denver metropolitan region quickly became a hotbed for experimentation and growth in the new economy generated by cannabis.

When we visited Denver in July 2017, we wanted to observe what is going on in the industry firsthand. During our stay we visited two marijuana growing facilities (one large and commercial the other small and medical), several dispensaries of recreational marijuana, and a carbon dioxide extraction facility that produces concentrated cannabis oils for various commercial products. Notably, we were not the only people touring such facilities. While some of the tourists were undoubtedly drawn by the novelty of the situation, others



Source: National Conference of State Legislatures
Illustration by Hart Palmer

were clearly there to observe a potential investment opportunity up close. During our stay, we talked to a wide range of people who live in the Denver metropolitan area, some of whom work in the cannabis industry and others who have no connection to it. While they all had things to say—both positive and negative—about the effects of legalization in their city, nobody that we spoke with wanted the law to be reversed.

One of those people is Cassandra Farrington, the publisher and co-founder of Marijuana Business Daily (MBD), a leading business information resource for the medical marijuana and retail cannabis industry based in Denver (<https://mjbizdaily.com/>). Farrington explained that, because of the contradictory nature of Colorado versus federal law, the state had to be a closed system, meaning that cannabis-related products and profits could not legally move beyond Colorado’s borders. The closed nature of the system also meant that traditional banking was not available to “plant-touching” businesses, although some entrepreneurs, who tired of moving large amounts of cash around in armored cars and storing it in warehouses, have found state or community banks willing to hold their tainted money. Yet despite this legal gray area and other regulatory obstacles, Farrington believed that legalized cannabis had become an integral part of Colorado’s economy, generating new businesses, jobs, and significant tax revenues. She pointed out, for example, that, according to the Colorado Department of Revenue, in 2016 the state of Colorado took in approximately \$156 million in cannabis-related tax revenues, not including any county or city taxes collected separately. Significantly, \$40 million of that revenue went directly into the state’s school construction fund. That’s just for one year.

Another person we spoke with was Brandon Attwood, a licensed caregiver in the Denver

metro area who grows cannabis plants for a small number of registered patients. Brandon, who has worked in the cannabis industry for six years in several states, is deeply committed in the artisanal or “craft” side of the legalized cannabis industry. He takes care of his plants meticulously, as they mature and produce the flowers (or buds) that he then prepares in a variety of ways for his patients, who suffer from problems like chronic pain, insomnia, and gastro-intestinal problems. From his perspective, the best way for a state like North Carolina to go forward with legalization would be to follow a small-scale, private patient model of production and distribution. What he meant by that was, instead of allowing a small number of private companies to gain control over the statewide cannabis market, the state should act as what he called the “central, certifying broker” for all of the cannabis produced by growers in the state. That way small caregivers like himself would be able to stay in business and not be driven out by the mass production of the largest companies, a fear that we have heard voiced by several other participants in the medical marijuana movement.

In retrospect, what Brandon was really getting at with his comments to us that day was the importance of the state’s role in regulating the newly legalized cannabis market. You might not know that in states where cannabis is legal all cannabis products must carry a barcode that tracks each product’s unique production and distribution history, as well as a label that indicates the percentage levels of THC and CBD that it contains. In order for that to happen, those states had to create a whole new array of government agencies charged with everything from handing out licenses to growers to testing products for safe and secure labelling. Those new regulatory frameworks

have an enormous impact on the livelihoods of people like Brandon and others like him in the medical marijuana movement, who depend on having affordable access to the state’s licensing and testing systems to get their product to their patients at a reasonable price.

Based on our visit to Denver we can say this with certainty: The cannabis industry is growing rapidly in the city and throughout Colorado. What we observed is nothing short of the emergence of a new economic sector, one with a rapidly growing consumer market that is fueling the creation of a wide variety of jobs. Those jobs, in turn, are helping to attract large numbers of (mostly young) people to the state. Denver is one of the fastest growing metro areas in the country, currently composed of 2.9 of Colorado’s 5.5 million people. That growth has been ongoing for a few decades and is therefore not solely attributable to cannabis legalization, but it is clear to us that the growing ranks of “budtenders” and “ganja-preneurs” who have moved to the city in recent years are contributing greatly to the dynamism that characterizes Denver today.

The question today and for the future is whether North Carolinians want to continue to ignore what has proven to be a key source of economic revitalization for many states across America or join the other 33 states who have moved forward with medical marijuana and/or full legalization and thus begin the process to create a legal framework for North Carolina to take its rightful place in this sector of the green economy.

Dr. James A. Wood is Chair, Board of Advisers, Sustainable Prosperity Inc. Randy Voller is President and Chair, Board of Directors, Sustainable Prosperity Inc. Randy is also the publisher of Chatham County Line. www.sustainable-prosperity.org

Addendum: According to the National Conference of State Legislatures, a total of 34 states, District of Columbia, Guam, Puerto Rico and US Virgin Islands have approved comprehensive, publicly available medical marijuana/cannabis programs. Approved efforts in 12 states allow use of “low THC, high cannabidiol (CBD)” products for medical reasons in limited situations or as a legal defense. Low-THC programs are

not counted as comprehensive medical marijuana programs. NCSL uses criteria similar to other organizations tracking this issue to determine if a program is “comprehensive”:

1. Protection from criminal penalties for using marijuana for a medical purpose;
2. Access to marijuana through home cultivation, dispensaries or some other system that is likely to be implemented;

3. It allows a variety of strains or products, including those with more than “low THC;” and

4. It allows either smoking or vaporization of some kind of marijuana products, plant material or extract, and

5. Is not a limited trial program. (South Dakota and Nebraska have limited, trial programs that are not open to the public.)

The My Lai Massacre revisited

by Barry L. Reece

On the morning of March 16, 1968 U.S. soldiers entered a quiet hamlet at My Lai and systematically murdered 504 unarmed Vietnamese civilians. The vast majority of those killed were women, children and old men. To fully understand this tragedy, it is helpful to become familiar with the instructions given U.S. troops before the search and destroy mission began. On the evening of March 15 members of the Americal Division’s Charlie Company, 1st Battalion, 20th Infantry, were briefed by their commanding officer, Captain Ernest Medina. He ordered the men to

“Kill everything in the village.” A member of the unit asked: “Are we supposed to kill women and children?” Medina’s reply: “Kill everything that moves.” Medina’s orders were followed without exception.

When the military released the first news of the assault, it was described as a victory over an enemy force, a battle in which over 100 enemy troops were killed without a single loss of American life. General William Westmoreland, the commander of U.S. forces in Vietnam, described the “heavy blows” inflicted on the enemy. No enemy soldiers were involved in the defense of My

Lai. The My Lai massacre would remain an American victory for more than a year. The truth might have remained hidden forever if not for the perseverance of Ron Ridenhour, a 22-year-old Vietnam veteran who committed himself to expose the incident to public scrutiny. His efforts were helped by the detailed reporting of Seymour Hersh who published newspaper articles about the massacre. *Life* magazine featured full-color images taken by an army photographer as the massacre was unfolding.

The My Lai slaughter was repeated in dozens of villages throughout Vietnam. On

the 50th anniversary of the Vietnam War, the Pentagon began a campaign designed to sanitize the unjust and immoral U.S. military actions in Vietnam. The goal was to rebrand the conflict as a “noble cause.” To keep alive memories of the My Lai massacre and other war crimes, Veterans For Peace and other peace forward groups developed the My Lai Memorial Exhibit. It honors the Vietnamese who died in the war. So far the exhibit has been on display in eleven cities, including Chapel Hill.

Dr. Barry L. Reece is a U.S. Army veteran and a member of Veterans For Peace.