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On Marijuana Decriminalization in Massachusetts: The Voters Have Spoke

To the Citizens of Milford A statement on Article 2

On November 4, 2008, Massachusetts voters overwhelmingly supported the removal of criminal penalties for possession of small amounts of marijuana by passing Question 2 with 65 percent of the vote. In politics, 65% of the vote is a landslide.

The voters in Massachusetts made it clear they want these violations treated similarly to a traffic violation. Eleven other states, including Maine and New York, already treat small marijuana infractions this way and they have experienced no increase in marijuana use, no increase in marijuana related crime, and no increase in juvenile use.

Why bother to criminalize possession and use of a small amount of the drug in public when there is not a problem of people lighting up in public, when they are still subject to a fine? The possession of a small amount of marijuana is not a big problem. What's the need? Why rush into it? Towns and Cities have much more important things to deal with right now. There is no need for Article 2.

It is time to work together and demonstrate responsible public service by executing the will of the people quickly and competently. We welcome the opportunity to work with law enforcement to address any real concerns to make this law work properly, which we hope is now everyone's goal.

Massachusetts voters understood that Question 2 will help our cities and towns to redirect precious law enforcement and judicial system resources to violent and serious crimes.

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The voters agreed that Massachusetts should stop spending over \$29.5 million a year on the arrest and booking of individuals caught or possessing an ounce or less of marijuana. Instead, under Question 2, any fines levied for marijuana possession actually go to the city or town where the citation issued.

The voters of Massachusetts understood that arresting these people – largely young people and minorities – caused unreasonable, unintended consequences that often last a lifetime, such as losing job opportunities, student financial aid and access to housing assistance and food stamps. They made a clear decision that while marijuana ought to remain illegal, penalties for smalltime users were disproportionately harsh.

And the voters understood that talking to our kids is better than busting them for simple possession. The new law requires that people under the age of 18 caught with small amounts of marijuana will have a citation delivered to their parents, so their family is immediately involved. In addition to the fine, the juvenile must complete a drug awareness program and perform 10 hours of community service.

Sadly, some who opposed the initiative are spreading misinformation in a misguided effort to cast doubts on its implementation.

It's really quite simple: The new law treats adult possession of an ounce or less of marijuana as a civil violation carrying a \$100 fine. The initiative was written to fit smoothly into the current law and legal systems — a fact that has been recognized by District Attorney William Bennett of Hampden County, who has already announced he will drop charges of simple possession of small amounts of marijuana pending in his jurisdiction.

Question 2 is not the first law in Massachusetts that calls for a civil penalty and a citation without the threat of arrest, and we are sure it will not be the last. Massachusetts police officers know how to enforce civil penalties and citations; they do it every day. And the existing system that Massachusetts already has to process civil citations will be able to include another citation and its requirements. We are confident that our law enforcement professionals will adapt easily and quickly to the new law, which simply makes the punishment fit the offense of personal possession of small amounts of marijuana.