

Asheville community debates legalization of marijuana

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The U.S. government deems marijuana equal in danger to heroin and methamphetamine.

Marijuana started to become illegal on a state-by-state basis during the late 1920s due to an increase of Mexican immigrants causing crime while using the drug recreationally. By 1931, 29 states completely outlawed marijuana.

"I have some pretty strong feelings about marijuana and the potential thought of legalization," said **Jack Van Duncan, sheriff of Buncombe County.**

"A lot of my background, experience and where my attitudes come from, come from working with organizations like CADCA, the national coalition building for drug free communities and from the president's drug council," Duncan said.

"The president's drug czar is Gil Kerlikowske, the former police chief of Seattle, and as we know, Washington state has now legalized marijuana."

Duncan said America has approximately 3 percent of the world's population and approximately 75 percent of the world's incarcerations.

"There are some shared aspects of marijuana prohibition and alcohol prohibition, but I'm not sure that just wholesale legalization of marijuana is the route to go," Van Duncan said. "I would also say that the way we have been fighting this war on drugs, especially when it comes to marijuana, has really not made things better. It has probably made things worse."

According to an FBI study in 2012, 749,824 arrests were made for marijuana, accounting for almost half of all drug arrests for the entire year. More than 87 percent of marijuana charges were for possession alone, a slight decrease since 2011, but still a near record high.

Duncan said cartels still make 80 percent of their profit from marijuana.

"That drives a whole lot of issues for law enforcement in what we have to spend to fight this war on drugs, how dangerous the cartels have become and their massive amount of resources. The cartels that operate out of Mexico probably have more money than the gross national product of the country they live in, so it's really hard for that government to help us stop a lot of the issues that come associated with the cartel. The way we are fighting the war on drugs needs to be looked at very

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hard."

Duncan said he agrees with President Obama's recent statement declaring marijuana causes no more harm than alcohol, but said alcohol proves to be an extremely harmful substance in itself.

"What we do know, and where the issues come from when you legalize any substance, is that availability for younger users becomes more prevalent. When you have a brain that is not fully developed, the impact of alcohol or marijuana on those centers of the brain are much more long term for those younger individuals than for a 21-, 22-, or even 49-year-old."

Duncan said he despises marijuana because of what it does to younger people, but does not consider it a gateway drug.

"I think from what I have found when dealing with people with substance issues, if they have that addictive personality and they have altered their brain, a lot of times that comes from early controlled substance use when the brain was not fully formed. It really doesn't matter if it's marijuana; they will go with whatever they can get: alcohol, meth, crack. It's not so much that one's a gateway to another, it's that they are filling that niche with whatever they can get."

Duncan said arrests for marijuana possession in North Carolina come mostly from manufacture, sale or delivery of the drug.

"In Asheville, if you are caught with less than an ounce and a half of marijuana, it's written as a citation, like a speeding ticket. It's not an arrest. When they talk about people getting arrested and facing prison terms, that's manufacture, sale or delivery of

marijuana. Like with speeding tickets, there is probably a lot of marijuana that these officers run into, destroy on scene, and give the person a warning then send on their way. Officers filing misdemeanors have the discretion to do that under North Carolina law, just not with felonies," Duncan said.

Duncan said approximately 60 percent of Americans feel marijuana should be legalized, but North Carolina in addition to with the rest of the "Bible Belt" will be the last states in the country to legalize it.

"I've been arrested and ticketed a total of six times for marijuana, and that's the main reason I became an activist," said **Noah Ketzenberger, founder of local glass blowing company Glassex and co-head of Asheville NORML, the National Organization for the Reform of Marijuana Laws.**

"I have epilepsy. I've been smoking marijuana since I was 18 and I'm 36 now. I haven't had a seizure in eight years, and I've been off Western medicine for 10 years. Cannabis is a huge factor in that. It's something that soothes and relaxes me, and it's medicine. I'm tired of going to jail, and I'm tired of spending so much money defending myself to be able to self-medicate."

According to research published in the Journal of Clinical Gastroenterology and Hepatology in 2013, marijuana helps treat some harsh medical diseases, even accounting for the remission of Crohn's disease in some patients.

Ketzenberger said approximately 98 percent of the Asheville community is pro-legalization, and everybody, even children, benefit from potential legalization.

"I know North Carolina is a big medical state, so there is a lot of big money in pharmaceuticals here. When cannabis is legalized, it will affect the pharmaceutical companies dramatically. Not only that, it will affect all kinds of different economies, like homebuilders, gasoline, food, clothing. It will pretty much localize everything that a county needs because you can make almost everything out of it. People in Asheville recognize that and they are all about it," Ketzenberger said.

"Henry Ford built an entire car out of hemp that was 10 times stronger than steel, and a third of the weight. You can make gasoline out of hemp. It's the most nutritional seed on the planet, humans can live off of it alone. Paper companies can make stronger, cheaper paper and we can have cleaner air and water. This plant is a miracle plant."

According to Ketzenberger, it's hard to fight the government when they know both the problem and the solution but won't do anything about it.

"This stuff is not harmful unless you abuse it, but you can abuse anything – fast food, television, candy. This stuff is keeping me from having seizures and that's a fact. It's given me a more normal life and the capabilities to do things that I couldn't do without it," Ketzenberger said. "If humans are king of the animal world, cannabis is the queen of the plant world, and together we have a relationship that will help the whole world."

Ben Scales, a licensed marijuana criminal defense attorney, said his involvement with cannabis law reform efforts spans nearly 20 years.

"In North Carolina, I have been specifically working with a group called the NCCPN, North Carolina Cannabis Patient Network. I was a founder of it, and now I continue to be the treasurer. I drafted the three bills that have been introduced in the North Carolina General Assembly to create a regulated system for providing safe access to qualified patients of medical cannabis," Scales said.

According to Scales, each newly-introduced bill received a lower bill number, giving it higher priority.

"We got so much support on the last bill that the leadership decided to kill the bill in the rules committee of the general assembly rather than allow it to get farther," Scales said. "House bill 1380 did have one hearing, though it wasn't a full hearing. They gave us part of the day, we had maybe 10 or 15 minutes to let a couple of patients speak and then they adjourned. There was no committee action taken. The issue really has gotten short shrift here in North Carolina, especially on the medical angle."

Scales said we are moving closer to law reform that recognizes cannabis for what it really is, but medical cannabis helps little if it cannot be grown in the states where it's legal.

"It's not dangerous enough to be categorized or regulated or controlled like a medicine. It doesn't kill anybody. It's not as addictive as Oreos, nor is it as dangerous as alcohol, but the legalization that has happened in Colorado and Washington state treat it like alcohol, especially Washington, where you are not allowed to grow marijuana in your own home."