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Right, left get along — outside Washington

By: Clarence Page - November 21, 2012

I am encouraged by the surprisingly bipartisan coalitions that backed recent state victories for marijuana legalization, gay marriage and prison sentencing reform. Maybe we all can get along.

What makes these coalitions so remarkable is how much their members disagree on almost everything else.

That happy thought brought liberals together with libertarian tea party conservatives in Colorado and Washington to put marijuana legalization over the top in each state.

The Colorado cause benefited from vigorous fundraising and, among other supporters, a high-profile endorsement by former U.S. Rep. Tom Tancredo, a libertarian Republican and tea party favorite.

Washington residents similarly won the backing of mainstream nonhippie figures like Seattle City Attorney Pete Holmes, who has long favored legalization, regulation and taxation over what he calls "nanny state laws."

As a result, proponents proudly noted, the Colorado measure received more votes than President Barack Obama, who carried the state by 5 percentage points.

Similarly, a slice of Republican Mitt Romney and libertarian Gary Johnson voters helped Maryland, Maine and Washington become the first states to legalize same-sex marriages by popular vote. They joined six other states plus the District of Columbia to legalize gay marriage through legislation or court rulings.

Conservative support helped, even if groups like the new Young Conservatives for the Freedom to Marry were not easy to find amid the louder opposition from social conservatives.

In Maryland, for example, county-level results reveal that "across wide swaths" of Republican territory, "same-sex marriage actually ran well ahead of Barack Obama and the Democratic ticket," according to Walter Olson, a senior fellow at the libertarian Cato Institute and volunteer in Maryland's successful same-sex marriage vote. Without Romney voters, he wrote in *The Huffington Post*, "the measure would almost certainly have lost by a mile."

Another dramatic coalition helped California roll back its 18-year-old three-strikes law. It set a national standard among efforts at the time to pack prisons with lawbreakers and

throw away the key, without much regard for whether the punishment was more serious than the crime.

The old law, which spurred a national trend of similar laws, demanded a life sentence for a third conviction of any felony. That meant even such minor third strikes as stealing a pair of socks could jam the state's badly overcrowded prison system.

The new law will put away for life only such hard-core criminals as murderers, rapists and child molesters for any third felony offense. For everyone else, the third strike must be a "serious or violent" felony.

Right on Crime, a prominent conservative justice reform initiative, supported the law, which was drafted by a partnership of the NAACP Legal Defense Fund and a group of Stanford University law professors.

How prominent is Right on Crime? Its signatories include former Florida Gov. Jeb Bush, former House Speaker Newt Gingrich, anti-tax activist Grover Norquist and former Attorney General Edwin Meese.

Yes, that's the same Meese who, as President Ronald Reagan's attorney general, described the American Civil Liberties Union as part of the "criminals' lobby." But when asked more recently about the ACLU, he cheerfully replied, "If they want to join us, we're happy to have them."

Cash-strapped states and small-government conservatives appreciate measures that can save money without increasing crime rates. Alternative sentencing for small-time offenders — combined with drug rehabilitation for nonviolent drug offenders — makes great fiscal sense and reduces the abuses that the Legal Defense Fund fights against.

But Norquist has long built coalitions around a simple but critically important concept. He told me in an interview last year: Don't let ideological differences on other issues stop you from cooperating on issues wherever your interests overlap.

It's refreshing to see ideological opposites find ways to get things done. It's too bad things aren't getting done that easily these days in Washington.