

The man behind a campaign to derail marijuana legalization in Michigan makes his case

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By many indications, this could be the year Michigan voters legalize recreational marijuana.

A ballot effort spearheaded by the Coalition to Regulate Marijuana Like Alcohol, or CRMLA, has the backing of the national organization responsible for a number of successful legalization initiatives throughout the country, and the coalition has shown it's capable of raising plenty of money. Things appear to be running right on schedule; last year, CRMLA easily passed the threshold of petition signatures needed to get the issue before voters. As those signatures are being verified, public perception of marijuana is on an upswing, with support for marijuana legalization creeping up toward the 60 percent mark, according to polls conducted over the past couple of years.

But as the CRMLA sails toward its goal to end marijuana prohibition, it's being met with some headwinds. Two ballot committees have formed to balk the legalization effort: Healthy and Productive Michigan and the Committee to Keep Pot Out of Neighborhoods and Schools. The former group registered just days after CRMLA's backers submitted 365,000 petition signatures to the state's Board of Canvassers.

Though there's little information as yet available on who exactly is behind the anti-pot crusades, marijuana foes traditionally include religious groups, law enforcement, and business entities that don't want to see their profit margins shaved if weed is made readily available. One of the primary opponents of last year's recreational legalization initiative in Arizona, for example, was a pharmaceutical company whose product line includes fentanyl and a form of synthetic marijuana. It was the only state to ever see a legalization effort defeated last year. Nine states plus the District of Columbia have legalized marijuana for recreational use.

The committees opposing legalization here in Michigan have yet to raise a significant amount of money. The Committee to Keep Pot Out of Neighborhoods and Schools has received \$5,000 from the Michigan Responsibility Council, and Healthy and Productive Michigan has not yet received any donations, according to campaign finance reports reviewed Jan 19. But the latter organization will be one to watch. Its president, Grand Rapids-based political consultant Scott Greenlee, a former aide and campaign worker for anti-pot Attorney General Bill Schuette, has run a number of successful political campaigns throughout the state and has expressed hopes of raising more than \$1 million to keep marijuana illegal.

If the group is successful in meeting that goal, Michiganders can expect to see a significant amount of anti-marijuana messaging in the months to come. In Arizona, where marijuana

legalization was narrowly defeated, the opposition mounted a campaign aiming to convince voters that traffic fatalities and teen marijuana use would rise if pot were legal, pointing to Colorado as an example. But in the great tradition of political campaigns, the claims involved a little bit of gymnastics — deft maneuvering intended to dodge the vault of truth. A closer inspection of the claims levied by the anti-weed campaign backed by big pharma showed them to be misleading or outright inaccurate. Multiple studies have shown that teen marijuana use has not increased in Colorado, and there is nothing linking a recent increase in traffic fatalities in the state to marijuana use — one possible explanation is that the state's population has grown.

So we wondered, what sort of spin can Michigan voters expect? In an effort to dispel and add context to the reefer madness that may be in store over the coming months, we interviewed Greenlee on why he thinks marijuana should remain illegal in the state, and have included any evidence that may run contrary to his claims.

Metro Times: What, in your view, are some of the pitfalls of legalizing marijuana for recreational use?

Scott Greenlee: There's a number of them. First of all, legalized recreational marijuana is something that will likely lead to increased availability for minors. It will definitely attract people from [other] states — as Colorado has proven — that are looking to get marijuana and take it back to their states where it might not be legal. I don't think that's the type of tourists we want to attract.

There are [also] serious economic challenges for organizations and businesses who will require drug testing whether marijuana is legal recreationally or not, and in a state that has somewhere between 3.6 and 4 percent unemployment, it's going to put a burden on our businesses. For example ... no transportation company wants bus drivers that are using marijuana. And when you consider that marijuana stays in your system for up to 30 days, it can cause a real strain on companies looking to hire people.

Certainly marijuana impairs people and that can cause law enforcement challenges, it can cause driving-while-impaired challenges, it can cause people not to exercise their best judgment.

MT: Ok, let's take those one by one, (starting with your assertion that) Legalized recreational marijuana will lead to increased availability for minors. Studies on recreational use in Washington and Colorado, both by the Drug Policy Alliance and right-leaning CATO Institute, have shown that teen marijuana use has been largely unchanged in those places. (In fact, as of December, a federal survey found marijuana use among adolescents in Colorado had dropped to its lowest level in nearly a decade).

Greenlee: I've seen studies ... that actually say the opposite of that.

[Greenlee was unable to supply those studies in the four days that followed our interview and missed our deadline. We were able to find one thing that might suggest a possible increase in teen use. A study by an assistant professor of pediatrics at the University of Colorado found that, between 2005 and 2015, the number of annual E.R. visits by people aged 13 to 21 with a cannabis related diagnostic code or who tested positive for marijuana more than quadrupled, from 146 in 2005 to 639 in 2014. But a number of things may have changed within a decade, including the strength of urine screens. The study also included people between the ages of 18 to 21, who are not minors.]

MT: As far as the idea that marijuana legalization will attract non-law abiding citizens who may bring marijuana back to their states, Colorado has made quite a bit of money off of marijuana tourism and taxation of the product. Why should we worry if people might bring marijuana back to their states illegally? If part of your concern about legalization is that it will strain Michigan's economy [because of the debunked notion that unemployment might go up], wouldn't it follow that you would appreciate the [revenues that would be brought via marijuana tourism and taxation]?

Greenlee: I think the opposite is likely to occur in regard to the tax-revenue discussion. I think most of the tax numbers that are quoted are gross, not net numbers. I'm old enough to remember in Michigan where we legalized the lottery, because we didn't have that for years and other states did and look at all this money [that was going into those states]. And one of the great arguments was once we legalize the lottery and sell lottery tickets all over Michigan, our schools will never be underfunded again and this is going to be a huge windfall. But years later, as I take a look at financial reports from Michigan's public schools, I see that they're in as dire straits as they've ever been before. So while there could be some tax revenue brought in, and we don't know how much it would be, it's all speculative. Certainly there are costs of enforcement and there are questions as to where that money may actually wind up. I don't buy the tax argument and many of the people I talk to don't either.

[Note how here Greenlee attempts to shift the burden of proof from what has happened and is backed by evidence elsewhere to others, using only his own personal doubts and that of other, unnamed sources.]

MT: You're omitting a lot of other factors in that debate about the Michigan Lottery being a silver bullet for the school system. We've had all sorts of other things happen since that that have harmed Michigan schools, the proliferation of charter schools, for example — so that doesn't sound like a really great comparison.

Regarding the cost of enforcement: States like Washington and Colorado have seen a huge decline in marijuana arrests. In our case, marijuana arrests make up about 10 percent of arrests here in the state. So it follows that law enforcement agencies would actually be saving quite a bit of money and resources — possibly a tenth of their financial resources — by not going after marijuana arrests.

Greenlee: When folks get into an arrest situation that is typically, absolutely the vast majority of time, someone who has either been dealing or who has committed other crimes and this is piling on top of those particular crimes. For example, if somebody has an illegal weapon, let's say they've got a gun that they picked up on the black market and they're pulled over and the officer notices the gun and asks about a permit and the person says no, well then they're arrested and their car is searched for probable cause and in that search they might find marijuana, and they may have an additional possession charge added to the current charge but it wasn't the marijuana that caused them to be pulled over or to be arrested, it was something that was found in the normal process of a search with probable cause.

If an individual were on a street having one marijuana cigarette, those folks are just not arrested. It's a violation just as someone is going 50 miles an hour in a 40-mile-an-hour zone. The individual is given a ticket, or a warning, in many cases.

It is a nice narrative for people who want to see recreational marijuana approved, they talk about bogged down court systems and costs and, you know, "My goodness our prisons are going to be overflowing if we don't do this," and yet it's just not the case.

MT: That's not true that it's treated like a speeding ticket — marijuana possession in most parts of the state is a misdemeanor (punishable by a maximum sentence of 1 year in prison and a maximum fine of \$2,000), speeding is a civil infraction.

Where did you get the information of how officers are making most of their marijuana arrests? Because I've never heard that, and Michigan State Police arrest data is not delineated like that.

Greenlee: If you talk to law enforcement, the Prosecuting Attorneys Association, you'll find that that's the case.

[Greenlee was unable to provide any data to support his claim. We called the Prosecuting Attorney's Office of Michigan and were told by a spokeswoman: "It's really difficult for me to speculate on what our officers are doing in the field." It is true that only a small portion of Michigan's *prison* inmates are behind bars for weed crimes, but marijuana still makes up nearly 10 percent of the state's arrests each year.]

MT: Regarding the driving. I've seen data that there's been little to no impact on traffic fatalities in Colorado and Washington. This is a report that looked at traffic fatalities for the full year after legalization, and more recent data from the CATO Institute says traffic fatalities have been generally unchanged.

Greenlee: I think it's common sense, and in talking to law enforcement that any time anyone is on any substance ... it will cut into reaction time and will definitely cause a person to not be as observant and not react as quickly. When you team that with the fact that driving while utilizing marijuana is not legal ... those rules are there for a reason. Now, if they found a sample size that says in this particular time period, compared to a previous time period, there was no increase in fatalities, that may be the case. I mean, if we look at shots of data snapshots in history, we can almost always compare a current time to a previous time and manipulate the data to say whatever we want, but the bottom line is there's a reason driving jobs, and companies that have people operating heavy machinery, do not allow this type of thing and drug test for it and don't hire people who can't pass a drug test, and that's because when you are operating any kind of motor vehicle there is an inherent increased danger when you use it.

[It's nearly impossible to get a clear picture of how many people are driving while stoned, because a urine screen tests for marijuana in the system for up to 30 days. Proponents of legalization have expressed the need for a better test.

The Highway Loss Data Institute has determined that the number of vehicle collisions reported to insurance companies in Colorado, Oregon, and Washington are 3 percent higher than what would have been expected if those states had not made it legal to buy pot. The study does not say if the increase in collisions in the three states were directly caused by drivers who were under the influence of marijuana, and it also did not look at highway fatality rates in the states that legalized marijuana. It came to that determination by comparing collision claim rates before and after legalization with the collision claim rates of comparable states where pot is still illegal.]

MT: Back to the workforce argument.

Greenlee: People who are not able to pass a drug test [aren't able to get certain] jobs. And when you legalize marijuana, making it OK for people to go out and get it, it means there's a lot more access ... and when more people start using it, more people start failing drug tests ... and that's going to create a real workforce challenge.

MT: So people will essentially have to exercise some personal responsibility, much like I did this morning when I opted not to get drunk before coming to work.

Greenlee: Hey, you and I are two of the responsible types. I decided not to get drunk today either.

[Colorado has the second-lowest unemployment rate in the country. Unemployment ticked up a tenth of a percent last year, but for reasons having nothing to do with failed drug tests.]