

## **Shawn Vestal: Butch Otter's reefer madness needs a cure**

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He's the one and only.

As the nation slowly stands down from its counterproductive and expensive war on marijuana, Idaho Gov. Butch Otter has staked out a unique position.

He's the only governor in the nation to have vetoed a bill that would allow people to use cannabidiol, or CBD, to treat inflammation, seizures, pain and other symptoms of chronic illness.

It's truly reefer madness. As the libertarian magazine Reason has pointed out in its dogged coverage of Otter on this issue, 17 states have passed laws allowing patients to use CBD while not fully legalizing medical marijuana, including red state upon red state. Oklahoma. North Carolina, Utah, Mississippi ...

Seems like an easy call, and yet Otter is having a monumentally hard time with it. In a news conference Friday, he reiterated his opposition to CBD, saying he didn't want to "open that whole area of potential disaster."

Meanwhile, people in Idaho who want to seek relief for themselves or their children by using CBD – people whose heartbreaking stories are intensified by the detached bromides Otter offers while denying their appeals – will have to wait for a governor who doesn't sound like a paranoid character from "Dr. Strangelove."

Concerns about the "disaster" of CBD reflect a deep detachment from reality. No one looking to get high would choose CBD oil, because it doesn't have the psychoactive properties of marijuana buds. As Idaho Sen. Jim Rice, a Canyon Republican, said in 2015, "You could drink gallons of the stuff and not get high."

States that have resisted legalization of marijuana in other forms have opened the door to CBD, with a doctor's oversight. The Idaho Legislature passed a bill along those lines in 2015, but Otter

vetoed it, citing opposition from cops and prosecutors that took a frankly hysterical and hyperbolic tone.

Among those who sought the legalization of the drug were the parents of children with epilepsy who don't respond to other treatments. Though there is little proof of CBD's effectiveness, there are many anecdotal accounts of people who say it controls their seizures, and no sane reason not to let them try.

Otter pushed instead for the creation of a special, small clinical trial of a synthetic CBD product for 38 kids. On Friday, he said he feels the people who made it into the study were feeling "sufficient relief."

There's no need to let anyone else in on that relief.

Why not? Potential disaster. Reefer madness. Otter said in states with medical marijuana, it's open season for potheads.

"Almost anyone who goes into the doctor with a hangnail, in some of those states, can get a medical marijuana card," he said. "We want to avoid those problems."

This rationale is beside the point, in terms of CBD. You'd have to be ignorant of the facts – and susceptible to ridiculous notions about pot generally – to swallow it. For one thing, allowing CBD is not the same as allowing medical marijuana at all.

But even if it were, legalizing marijuana is no disaster. The disaster has been the nation's long, silly battle against it. The federal Drug Enforcement Agency still lists pot as a Schedule I drug, along with heroin and cocaine. The DEA in December reiterated this position, including for CBD oil, even as the United Kingdom was reclassifying CBD oil as a medical ingredient.

The stupidity of this is not lost on most Americans. Twenty-six states have legalized pot in one form or another, including those that have, like Washington, legalized it for recreational use. You don't even have to have a hangnail. Several more states are expected to follow suit this year.

The tale of the tape here in Washington regarding marijuana legalization is far from disastrous. Lots of people who think they live in a free country clearly want to buy and use pot; legalization has shined a light on a vast former black market and has pumped millions of tax dollars into state and local governments.

This is not to say that marijuana is harmless or that legalization may not have side effects. Among the most-often cited concerns is the effect on young people. But recent research in Colorado holds that legalizing pot did not send rates of pot-smoking among teenagers skyrocketing; a separate study in Washington shows small – 3 percent – rates of increase.

The conservative Cato Institute released a study in September evaluating data on marijuana legalization from Washington, Colorado, Alaska and Oregon, and concluded "state marijuana legalizations have had minimal effect on marijuana use and related outcomes. ... The absence of significant adverse consequences is especially striking given the sometimes dire predictions made by legalization opponents."

Otter has signaled that he won't budge on this, but Idahoans should not give up. And if he remains unmoved by the suffering of his constituents, perhaps he can be persuaded by hearing his own words from 1978: "If a person, of his own free will, wants to use marijuana, I question whether the government has any propriety in telling him he can't."