



Mizeur's marijuana plan deserves consideration

A Frederick County delegate's dismissal of the proposal is insulting to Mizeur and Marylanders

By: Walter Olson - December 9, 2013

When Montgomery County Del. Heather Mizeur, who's running for governor, unveiled a proposal to tax and legalize sales of pot, most of the reactions from Maryland politicians were muted — with one Frederick County delegate providing a characteristically explosive exception.

"It's my firm belief that marijuana makes you lazy and stupid, and while this may really encourage Delegate Mizeur's base, my base are the hard-working taxpayers of Maryland who are probably not the ones who are smoking marijuana and being lazy," Frederick County Republican Del. Kathy Afzali told WHAG-TV, the NBC-affiliated TV station in Hagerstown.

I'm still trying to tote up how many different people Delegate Afzali managed to insult with that sentence. Start with General Assembly colleague Delegate Mizeur herself and her supporters. Then there are all the people who've tried marijuana but may not regard themselves as lazy or stupid — a list that might include such public figures as Bill Gates and Michael Bloomberg as well as the past three presidents.

Now, to be sure, to borrow a line from William F. Buckley Jr., following Delegate Afzali around in search of tactless remarks is like following a lighted fuse in search of an explosion: one never has to wait very long. But her Frederick County colleague Del. Michael Hough, generally a more carefully spoken conservative leader, likewise erred on the side of dismissiveness. Mr. Hough told reporters that he wondered "what [the bill sponsors are] smoking" (sorry, but that dig got tired years ago) "because it sends a terrible message quite frankly to our young people out there."

That's one view. The other view is: What kind of message does it send to young people to menace them with a criminal record that could haunt them through life for low-level possession?

The fact is, opinions have changed. A recent Goucher University poll found Maryland residents now support legalization of marijuana by a 51 percent to 40 percent margin, right in line with national opinion trends in which Gallup now finds support above 50 percent for the first time. The Goucher poll also found Marylanders overwhelmingly support more modest liberalization steps such as prescribed medical use of marijuana and non-jail consequences for low-level possession.

With Colorado and Washington voters having chosen last year to legalize cannabis, the debate is headed our way. It's one that raises questions of individual liberty and the proper role of law: What business is it

of the government what citizens do behind closed doors? And in a state with no shortage of serious crime, is this what we want police working on? Whatever your answers to these questions, it's hard to claim the current approach is working.

Ms. Mizeur's proposal offers one jumping-off point for such a debate.

"We would have cultivators, retailers and laboratories in the state under a new regulated market, where we bring the underground market to the light of day," the Montgomery County delegate has said, comparing the failures of pot prohibition to those of alcohol prohibition.

Of Mizeur's Democratic rivals, neither Lt. Gov. Anthony Brown nor Attorney General Douglas Gansler is willing to support full legalization. On the Republican side, neither Harford County executive David Craig nor Anne Arundel Del. Ronald George is willing to go for broad legalization either. But the Associated Press intriguingly quotes Mr. George as saying "he isn't necessarily opposed to the concept of allowing adults to use marijuana." Businessman Charles Lollar, a longer-shot candidate with the most strongly conservative base of the three, is reportedly undecided. (A fourth Republican, Larry Hogan, has said he plans to get in the race in January.)

Reform could have potentially major fiscal impacts for Annapolis. A 2010 paper for the Cato Institute on The Budgetary Impact of Ending Drug Prohibition estimated that \$132 million in Maryland public expenditures in 2008 were attributable to prosecution, police assignments and other costs of marijuana prohibition. That's not counting the productivity losses we suffer when arrest, jail or probation throw kids off the college or work track. Under Delegate Mizeur's plan, the state would actually see tax revenue.

Voters may not have made up their minds, but they're going to want reactions that rise above insults and dismissiveness.