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Melissa Huckaby may have drugged a second little girl



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Decriminalize Pot - Free Men from Prison

By Robert Franklin, Esq. | Apr 30, 2009

For decades, syndicated columnist Neil Peirce has been one of the best informed writers on urban issues in the United States. *This* piece is a good example (*Seattle Times*, 4/24/09).

It's about decriminalization of marijuana. Thirteen states now have some form of [law](#) permitting the possession and use of marijuana for any of an array of medical reasons. But during the Bush administration, the federal government took the legally questionable position that federal law governed the use of pot.

In most cases, [criminal law](#) is up to the states and federal law can only intervene via some federal power like that over interstate commerce. So if pot were grown in, for example, California, many believed federal law could not be used to criminalize its cultivation, possession or use within that state. In short, it's a basic states' rights issue in which, oddly enough, the Republican Bush came down on the side of federal power.

Now, perhaps equally strangely, the [Democratic Attorney General](#) Eric Holder has come down on the side of states' rights. That is, the feds will no longer assert power over California's decision to loosen up on pot for medical use. Marijuana dispensaries, licensed by the state, will no longer be raided by DEA agents under Holder's decision.

Peirce goes on to cite the study by the Cato Institute and authored by the always sensible and occasionally brilliant Glenn Greenwald. Eight years ago, Portugal, facing rampant drug abuse, particularly among the young, decided to decriminalize the possession of marijuana. Trafficking was still criminal, but possession was made subject to no more serious a penalty than a police citation and "dissuasion," which as a practical matter means treatment. Critics warned of an epidemic of pot use, but, in the event, according to the Cato study, pot use has declined. Resources, formerly used to imprison pot users are now available to be redirected at treatment programs.

All of which is to say that decriminalization of marijuana possession is a good idea, not least for a reason that Peirce doesn't mention - fewer people, mostly men, in prison. Nationwide decriminalization could lead to something like 400,000 fewer men behind bars.

We're not there yet, but Eric Holder's change of policy is a start.

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