

GOVERNOR WON'T RULE OUT BANNING MARIJUANA AGAIN. HERE'S WHY

By **Alex Berenson**, CNN

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Denver (CNN) Colorado Gov. John Hickenlooper has two facts in front of him: Since 2014 crime has been rising in his state, outstripping the national trend, and [since 2014 recreational use of marijuana has been legal](#).

Whether the two are connected is hotly debated -- and if they are, then what? For the first time publicly, Hickenlooper told CNN he doesn't rule out recriminalizing recreational marijuana, even if that's a long shot.

"Trust me, if the data was coming back and we saw spikes in violent crime, we saw spikes in overall crime, there would be a lot of people looking for that bottle and figuring out how we get the genie back in," he said. "It doesn't seem likely to me, but I'm not ruling it out."



Colorado Gov. John Hickenlooper opposed legalizing marijuana, but embraced the choice of his state.

Data is now coming back. In 2016, the state's crime rate was up 5% compared with 2013, while the national trend was downward. Violent crime went up 12.5% in the same time while the national increase was less than 5%. But Hickenlooper isn't yet ready to pin the blame on the legalization of weed -- a step he opposed but has since embraced as the choice of his constituents.

"This is one of the great social experiments of the last 100 years. We have to all keep an open mind," he said.

Denver, the state's capital and largest city, is home to the lion's share of Colorado's recreational marijuana dispensaries. It has more than 170 of them -- more than the number of Starbucks, McDonald's and 7-Eleven stores combined.

Since 2013, Denver has seen its crime spike, too; the 2016 crime rate increased 4%, with violent crime up 9%.

The Denver Police say the data is inconclusive.

"[Property crime is] the biggest driver of our [overall] crime, and of our increases. So, can you attribute that to marijuana? I don't think you can," said Denver Police Commander James Henning. "The data isn't there."

The force has added more officers to police the illicit weed market that Henning says continues to grow.



Lt. James Henning, Denver Police, says there is too much gray area for a valuable assessment of the impact of legalization.

But, Henning said, there is plenty of gray area when it comes to cataloging crimes that may or may not have a nexus to marijuana -- legal or otherwise.

"If a marijuana dispensary is burglarized, is that because it was a marijuana dispensary or ... if it were a liquor store or a stereo store would it have been burglarized as well?" he said. "The data is so tough to nail down and say this crime happened because of marijuana. It's just almost impossible to do that."

Two years ago, Denver Mayor Michael Hancock [blamed legal marijuana for drawing people to a pedestrian mall downtown](#) where violent incidents were happening. In one case, a transient swung a PVC pipe at people nearby. Police did not classify that crime as "marijuana related."



Larimer County Sheriff Justin Smith, photographed at the county jail, is a longtime opponent of legalized marijuana.

In Fort Collins, Larimer County Sheriff Justin Smith is one of the few law enforcement leaders in the state to publicly blame legal marijuana for rising crime.

He doesn't claim that smoking a joint makes you more likely to rob a bank. The connection between cannabis and crime is often indirect -- and not captured by official statistics, he said.

"It's not a causal thing," he said, arguing instead that legal weed is attracting a growing seasonal transient population -- a population that he said is more likely to commit crime. "Every third inmate in the [Larimer County] jail is a transient and you go by and ask them, and they'll tell you, we came here because of marijuana."

Smith -- a longtime opponent of legal weed who once led a lawsuit against Colorado's legalization -also said the theory legalization would end the black market in marijuana has not been borne out.

"That was one of the big promises [of legalizing marijuana] that if you regulated it, you would get rid of the problems that had traditionally been there with the illegal grows, but it's been really the opposite," he said.

Mason Tvert, a well-known pro-marijuana activist, sees things very differently, arguing it's irresponsible to even suggest there's a connection between rising crime and marijuana without hard evidence to prove the link.

"The only story here is that the evidence does not show marijuana or marijuana legalization are to blame for this increase in crime," he said.

Did marijuana bring a killer to town?

Smith's frustration reached a boiling point last summer when the body of 23-year-old Helena Hoffmann was pulled out of a lake in Fort Collins. [Police said she had been raped and murdered](#) walking home from an overnight shift at a nearby McDonald's. The man convicted in the case, Jeffrey Etheridge, is just the kind of person Smith is warning against.

Etheridge is a registered sex offender from Kentucky. From jail, he told CNN that he moved to Colorado in 2017 with his then-girlfriend because her brother worked at a marijuana dispensary. At the time of his arrest he was a transient, living out of his car in the park where Hoffmann's body was found. Etheridge pleaded guilty but now says he is innocent. Hoffmann left behind a then-4-year-old daughter named Mary, now being raised by her father, Zach Denton.

"I remember Mary looking at us, and she goes 'did my mom die?' and that's really when it set in," Denton said about the day he broke the news of Hoffmann's death to his daughter.

He said Hoffmann would not want all homeless or transient people blamed for problems caused by just a few.

Denton thinks the bigger issue is that Etheridge, an out-of-state sex offender, was able to register his overnight address as Fort Collins' City Park, a place that is supposed to close at 11 p.m. and attracts children who come to play and swim.

From a bench in City Park built in remembrance of Hoffmann, Denton said there's a lot that could change: sex offender laws, transient laws, or even the rules on park access at night. Whatever does change, he said, will be Hoffmann's legacy.



Zach Denton at a memorial for Hoffmann, the mother of his child, in the park where she was killed in Fort Collins, Colorado.

In downtown Denver, the large -- and growing -- homeless population often gathers in Civic Center Park, next to the Statehouse.

The state's rate of homelessness rose 5.3% from 2013 to 2017, according to data from the US Department of Housing and Urban Development. Nationally, the rate of homelessness dropped 8.6% in the same period.



Homeless men look toward the Colorado state capitol in Civic Center Park, Denver. The rate of homelessness in Colorado has risen in recent years, despite falling national numbers.

Tom Luehrs, the executive director of Denver's St. Francis Center homeless shelter, said he sees many people who came to Colorado hoping to work in the legal marijuana industry, only to find out it's not that easy. But he said there is another, smaller, group of seasonal transient people who seem to prefer life on the streets to an apartment and a job. While their presence predates marijuana legalization, it has increased since it became legal, he said.

"A lot of the people that we work with are wanting to get jobs, wanting to get housing, wanting to move out of homelessness, so then you have this other group that's kind of even belligerent and certainly not engaging and sometimes just very disrespectful. They don't care," Luehrs said.

Hickenlooper is skeptical that legal weed is to blame for increasing the homeless population.

"We're trying to get data on it. That's a difficult one to measure," he said.

The need for real data

The lack of solid evidence one way or another weighs on Hickenlooper, who can point to other things that have changed since legalization on January 1, 2014 -- like an economic hot streak -- without being able to say exactly what impact that has had.

"When you have that kind of [economic] growth, you attract all kinds of people and a lot of them are unsavory. Do they come for the marijuana? Or do they come because there are so many young people coming, there's a lot of money in the community and this is a great place to try and rob somebody? Again, more data. More data is the only way we're going to figure this out," he said.

That was his advice to California lawmakers last year ahead of that state's legalization of recreational marijuana.

"Spend the money to get a good baseline so that you can help guide the discussions and the real facts around this huge transformational shift in the way we address marijuana," he told CNN, explaining his message to lawmakers.

Case in point: Colorado's traffic fatalities where the driver tested positive for the active form of THC known as Delta 9 [more than quadrupled from 18 in 2013 to 77 in 2016](#), according to the Colorado Department of Transportation. But those numbers are likely very misleading, because, according to Hickenlooper, the state didn't often test for marijuana in fatal crashes prior to legalization.

"That's not real data," he said. "We didn't use to measure it and now we're trying to measure something, so of course we see a lot more." If and when the data does come in -- from Colorado, from California and elsewhere -- it will be studied intensively. And if the haze clears and there are strong signals that state legalization has hurt the community, Hickenlooper said Colorado's legal marijuana experiment may have to end.

WHY AMERICA WILL REGRET LEGALIZING MARIJUANA

Rachel Lu



AP Photo/Jose Luis Magana

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THE WEEK

The Democrats have a new moral crusade. It's youth-oriented and free of identity politics. It's got nothing to do with Trump, or Russia. Today's Democrats are fighting for your right to get baked.

If you're skeptical, please understand that this is *not* just a plunge into unfettered hedonism. Sen. Cory Booker (D-N.J.) really said it all with his ostentatiously-titled [Marijuana Justice Act](#), which decriminalizes the drug and also expunges older marijuana-related convictions. He's one of [a growing crowd](#) of Democrats [who are lining up](#) to tout the economic & moral blessings that might flow from legal weed. This is about *freedom*, they tell us. It's about opening opportunities to women & minorities. Frankly, we've been very unfair to our spiky-leaved friend.

The winds do seem to be changing on this issue, and [not just among Democrats](#). President Trump, possibly in a peevish effort to snub his attorney general, has declared his willingness to "protect" states that have legalized pot. John Boehner, a longtime foe of marijuana, is now personally sitting on the board of a cannabis company. Proponents of legalization point to the [tens of thousands](#) of jobs and [hundreds of millions](#) in revenues that have sprung from Colorado's 5-year-old market. Everyone keeps repeating how the new laws have really "worked"; post-legalization, "the sky hasn't fallen."

That's a disturbingly low bar. One wonders: Is empyrean collapse the only thing that might move Colorado to reconsider a decision that has filled the state with [dispensaries](#), [pot tourists](#), and [rising numbers](#) of homeless addicts? Changes in policy can be destructive even if they don't bring civilization to an end. If, as seems fairly likely, legal pot is soon available from sea to shining sea, how will our grandchildren view that decision? Will it seem to them that 2018 was the right time to throw open the gates to yet *another* recreational drug?

It's clear enough why politicians are warming to pot. They're chasing public opinion. Since 1990, the percentage of Americans who think pot should be illegal [has fallen](#) by more than half. A solid majority now supports legalization. Younger voters are especially enthused. To a politician's eyes, this is not a battle worth fighting, and everyone loves an opportunity to infuse moral triumphalism into a thoroughly winnable crusade. Jeff Sessions' protests notwithstanding, this ship is unlikely to turn.

Public opinion can be wrong, though. It's understandable that the public would be eager to dial back the War on Drugs, with its (somewhat deserved) associations with police brutality and mass incarceration. At the same time, it's genuinely shameful for us to celebrate booming new markets and burgeoning state revenues, considering what that means on the consumer side.

It means that people are smoking (or eating) more pot. In Colorado and Washington, ferocious statistical debates will continue to rage about [addiction rates](#), [youth consumption](#), [drug cartels](#), [auto fatalities](#), and so forth. This much at least is clear: When states legalize marijuana, [people consume](#) more of it. [The data suggest](#) that frequent users are the *main* driving force behind those rosy markets. The revenues are high because the humans are high.

Is this really cause for cheer? I went to high school in Boulder, Colorado, so I know perfectly well that nice people can smoke pot. But I also know that pot can be [addictive](#) and lifestyle-invasive, with [particularly malignant effects](#) on juvenile brains. It can [disrupt memory](#) and attention spans. It reduces drive and [executive function](#). Physical coordination can also be diminished, potentially affecting a person's ability to drive safely. Predictably, these effects are far more pronounced in the *heavy* users who are the primary clientele for the cannabis industry.

How will this affect society at large? We live in an era when significant numbers of people are struggling to get a handle on the fundamentals: holding down jobs, developing healthy life habits, managing finances and personal relationships. Our social workers have [crushing case loads](#), and our foster care system [is increasingly strained](#). Young people are [marrying less](#), but [ever more](#) prone to drug addiction. These grim realities reflect many casual factors, but we needn't become sneering moralists just to wonder: Will a massive infusion of psychoactive drugs *help* this situation?

Policy always involves trade-offs, and some might argue that higher addiction rates are an acceptable price to pay for greater freedoms. To a committed libertarian, for instance, marijuana bans look like paternalistic nanny-statism, which is contemptible even if it *does* protect vulnerable citizens from a great deal of suffering.

That's not the line Democrats are taking, though. Instead, Chuck Schumer is trotting out old canards about how cannabis "[doesn't hurt anybody else](#)." Hearing him tout the virtues of legalization in Colorado and Washington ("lots of good and no harm!"), one is reminded of Purdue Pharma, the pharmaceutical company that spent years ([and millions](#)) telling doctors that opioids weren't seriously addictive when prescribed to pain patients. It's stunning that educated people ever believed this, but many did. Today, many are equally anxious to believe that legal pot probably has little to do with Colorado's sharp increase in auto accidents. And there are homeless people everywhere, right? Correlation doesn't equal causation.

Marijuana isn't heroin. Even so, we can learn some lessons from the opioid crisis that devastated so many American towns. The first is that predatory markets always hit vulnerable populations the hardest. Marijuana abuse may never become a serious problem among educated, financially secure people with strong networks of personal support. The story is likely to be different in regions that are economically depressed and culturally desiccated. Of course, these are also places where people are already insecure, ill-equipped to cope with another catastrophe.

Legalization could have a big impact in those areas, because availability *really* matters to indigent populations. The opioid crisis was partly driven by Mexican heroin dealers who set up shop in mid-major towns, perfecting their delivery system until it was effectively a black-market Amazon. Another major factor was the "pill mills" (sham clinics that effectively functioned as recreational opioid dispensaries), which flooded America's most depressed towns with addictive drugs. Both testify to the significance of *efficient distribution* as the harbinger of widespread addiction. When marijuana is legal, we can be confident that cannabis companies will find their target demographics.

Here's another lesson from the opioids. When indigent populations are suffering, the rest of the nation can be awfully slow to notice. Many thousands had *died* of opioid overdose before America started to consider that it had a bit of a drug problem. That's not going to happen with pot, which is far less likely to kill you. But if it took

thousands of corpses to persuade authorities that OxyContin was a problem, how much havoc would marijuana have to wreak on indigent citizens and families before anyone would bother to reconsider the wisdom of legalization? How many kids will have to be removed from their families because their addicted parents can't quite get around to feeding them or taking them to school? How many young adults will watch social lives and career plans disappear into the vortex of addiction, while their parents watch despondently? These sorts of cases might not appear on Schumer's radar, because he's more interested in courting young voters and securing state revenues. It's these kinds of cases that should remind us, though, that there's no such thing as a *victimless*, self-destructive habit. Innocent people always get hurt.

There are some controlled substances that simply have no place in the life of any responsible person. Marijuana is not like this. It can be enjoyed moderately, and a healthier culture might be able to legalize it without too much danger of abuse. Regrettably, we don't have that kind of culture.

Reading the tea leaves, it seems likely the wheels of legalization will continue turning, so cannabis companies have cause to rejoice. Be prepared, though. We're in for some wicked withdrawal symptoms.