

Al Boright

April 1, 2016

Dear Members of the Committee:

> Before, during, and after my 31 years working for the legislature, I have always thought that the pot prohibition was Vermont's worst law. By far. No competition.

>

> Pot prohibition was first adopted in the 1930's, based upon a non-scientific and highly distorted view of the dangers of pot, as characterized by the then-current, hilariously campy, pot-phobic movie "Reefer Madness." Through the years, penalties for lesser pot offenses in Vermont have decreased to the point where possession of 1 oz or less is only a civil violation, but we've always retained a schizophrenic strictness around the fringes and throughout the supply chain: an ever-present bow to the craziness enthroned by Reefer Madness. (Selling 50 lbs of pot may bring a penalty of 30 years, which is 10 years stiffer than the minimum levied for second degree murder. That's crazy.)

>

> Let's consider an example: Suppose a person possesses 3 oz of pot for a year. The penalty for an instance of possessing more than 2 oz of pot may include jail time up to 3 years. If fully prosecuted and penalized for the number of days in a year (365), the person would run up potential jail time of 1,095 years; whether or not he ever had a puff of the stuff. That equals 31 first degree murderers @35 yrs minimum time owed per pop. If an otherwise productive and presumably law abiding, Woodstock era model citizen/fogey followed this course of conduct for 50 years, he would have committed crimes punishable by jail time amounting to about 54,750 years, which equals time faced by +/- 1,550 convicted first degree murderers.

>

> Holy Smokes, Batman! It's not the pot smoker that's stark raving mad, it's the pot prohibition!! Particularly, when you consider: the billions of dollars funneled to the mob/drug cartels; the truly dangerous drugs that may become available through underworld providers, because of the gateway to that culture that prohibition creates; the existing system's failure to keep pot out of the hands of children; the drag on medical research into the many likely beneficial effects of Cannabis; the systemic violations of a meaningful right to privacy; the incongruity in a "free" society of police state-like helicopter surveillance; the racially discriminatory enforcement; the financial and societal costs of ill-conceived incarceration; the squandering of law enforcement and judicial resources; the unrealized economic potential of pot as a thoughtfully regulated, locally grown, commercial product; the public safety enhancements that competitive entrepreneurs are sure to develop in a legalized environment; the advantages of treatment over incarceration, as a way of combating dependencies; the tax revenue foregone; and the simple fact that the pot prohibition has not worked.

>

> But what about the lack of a reliable breath test for pot intoxication? In fact, prohibition has made it tougher for society to be well informed about the character and duration of the pot high. With alcohol, people have come to know a rule of thumb: "if you weigh Y pounds, you should be fine if you don't drink more than X beers per hour." But has anybody determined the nature and duration of the pot buzz, or of the combined

pot/alcohol buzz? If a smoker waits two hours, do capacities return? Five hours? Who knows? Nobody raised their hand, because it's illegal. We've already got 80,000 pot consumers in Vermont, who might someday drive while intoxicated. Although the "Just say no" approach has failed to provide us a solution, we don't yet have the advantages of any science based, safety-related, pot consumption rules of thumb that might be developed under a regime of thoughtful legalization and that might facilitate informed self regulation and responsible restraint.

>

> I'm not an advocate of pot smoking: Inhaling any kind of smoke seems a bad idea. But the Declaration of Independence states that we are endowed by our creator with "inalienable rights," which include the "pursuit of happiness." And YOUR right to pursue happiness shouldn't be limited to whatever activities make ME happy. Within reasonable bounds, different folks have an inalienable right to pursue different strokes. That is how freedom is defined: the power or right to act, speak, or think as one wants without hindrance or restraint.

>

> And how robust is the freedom that Vermont's vets have been long asked to be willing to die for, even after passage of almost 50 years since Woodstock? The members of the House, by passing legislation no more restrictive than the Senate's, can provide at least 80,000 Vermonters with a piece of that freedom that long has been missing in action. I fully believe that remaining pot problems can be best addressed by building upon a foundation of freedom and legalization. We've waited far too long to fix this. Let freedom ring. Let my people ... grow.

>

> Al Boright

> Middlesex

>