

Voters face marijuana possession ballot issue

Contributed by Canon City Daily Record - John Fryar
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DENVER — Amendment 44, if voters approve it, would make it legal under state law for anyone age 21 and older to possess up to one ounce of marijuana.

Marijuana possession is now a Class 2 petty offense under Colorado law, punishable by a fine of up to \$100.

The legalization measure is being promoted by SAFER, an organization whose name assert that marijuana is a “Safer Alternative for Enjoyable Recreation” than alcohol.

SAFER spokesman Mason Tvert has said alcohol abuse “contributes to social problems light fighting, sexual assault, property damage and domestic abuse” but that “marijuana has never been linked to these types of issues.”

Even if voters approve Amendment 44, the Legislature’s staff has noted that it still would be illegal under state law:

- For anyone under age 21 to possess any amount of marijuana.
- To possess more than an ounce of marijuana.
- For anyone 18 or older to transfer any amount of marijuana to anyone under age 15.
- To grow or sell marijuana.
- To openly or publicly display, use or consumer marijuana.
- To drive under the influence of marijuana.

SAFER spokesman Mason Tvert has said that even if voters OK Amendment 44, home-rule cities and towns would still have the ability to ticket and prosecute people for marijuana possession under their local ordinances.

SAFER last year won a Denver election to make it legal for an adult to possess up to an ounce of marijuana in that city, but the organization complained afterward that Denver continued to prosecute people under state law.

Amendment 44 also would not preclude the possibility of federal officials arresting and prosecuting people possessing marijuana in violation of U.S. law.

Amendment 44 is opposed by a variety of state, local and federal law-enforcement authorities and anti-drug organizations.

Foes of the measure contend marijuana use can lead to the use or possession of other illegal drugs and make it more likely that minors will get access to marijuana.

SAFER fought unsuccessfully to stop publication of the Legislature’s ballot-information booklet, saying it included inaccurate information in stating that Amendment 44 would permit giving an ounce of marijuana to an individual age 15 and older as long as there is no compensation for that transaction.