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Citation: White, W. (2014). Marijuana decriminalization: The first wave. Posted at www.williamwhitepapers.com.

Marijuana Decriminalization: The First Wave

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NOTE: The original 1,000+ page manuscript for *Slaying the Dragon: The History of Addiction Treatment and Recovery in America* had to be cut by more than half before its first publication in 1998. This is an edited excerpt that was deleted from the original manuscript.

Marijuana, and to a lesser degree LSD, emerged as celebrated icons within the polydrug culture of the 1960s. Marijuana's growing presence in American culture was evident in the cinema of the 1960s: *Blow-up* (1966), *I love you Alice B. Toklas* (1968), and *Easy Rider* (1969), to name just a few. Gallup polls reported that marijuana experimentation by college students had risen from 5 percent of students in 1967 to 51 per cent of students in 1971 (Rippey, 1994).

The percentages of high school seniors who reported have smoked marijuana during their lifetime rose progressively until it peaked at 60% in 1979. The number of people arrested in America on marijuana related charges jumped from 18,000 in 1965 to 220,000 in 1970 (Anderson, 1981).

As marijuana emerged as a celebrated drug within the youth culture of the 1970s and as growing numbers of adults experimented with the drug, the view of marijuana shifted within the culture. In a

backlash against the anti-marijuana campaigns of earlier decades, marijuana increasingly presented itself as a mild and benign intoxicant. As the perception of marijuana's risks softened, as more and more young Whites entered the criminal justice system as a result of possession or sale of the drug, and as marijuana cases clogged an already overloaded criminal justice system, there was growing sentiment that resources could be more effectively applied to more dangerous drugs and to drug dealers rather than drug users. It was within this climate that states began to experiment with what came to be called the "decriminalization" of possession of small amounts of marijuana.

The movement gained support in 1977 when President Jimmy Carter endorsed federal decriminalization of marijuana on the grounds that "penalties against possession of a drug should not be more damaging than the drug itself." Groups such as the American Medical Association, the American Psychiatric Association, the

American Bar Association and the National Council of Churches had also supported decriminalization of marijuana. Between 1973 and 1979, eleven states (Oregon, Alaska, California, Colorado, Maine, New York, Minnesota, Mississippi, North Carolina, Nebraska and New York) experimented with token fines for possession of small quantities of marijuana. Most other states reclassified possession of small amounts of marijuana from a felony to a misdemeanor. Some could be paid like parking tickets, and most new statutes created provisions through which the offender could avoid the conviction becoming part of a permanent criminal record.

There were political reform groups formed specifically to advocate changes in legal policies toward marijuana, most of whom had rather tenuous existences. These groups were known by such acronyms as LeMAR, CALM, SLAM, MELO, STASH, BLOSSOM, CAAMP and COME. The organization most visibly involved in promoting the decriminalization of marijuana (and the legalization of marijuana) was the National Organization for the Reform of Marijuana Laws (NORML), which was founded in 1971 by Keith Stroup. NORML also supported the legal challenges that allowed certain persons to receive marijuana as medicine to treat glaucoma and to stimulate appetite and suppress nausea in chemotherapy patients (Anderson, 1981).

In 1977, Robert Randal, after extensive legal and administrative battles became the first person in America to be issued government grown marijuana as a medical treatment (Anderson, 1981). A year later, New Mexico became the first state to pass legislation making marijuana legally available as a medicine for persons suffering from glaucoma or cancer (Anderson, 1981). In 1980, the FDA approved use of THC pills by cancer patients for treatment of the nausea produced by chemotherapy.

Although the drive for the decriminalization and legalization of marijuana stalled in the 1980s behind a backlash produced by “the parent movement,” such efforts would gain steam in the opening decades of the twenty-first century.

References

Anderson, P. (1981). *High In America: The True Story behind NORML and the Politics of Marijuana*. NY: The Viking Press.

Rippey, J. (1994). *Drug Abuse in America: An Historical Perspective*. Alexandria, Virginia: Behavioral Health Resource Press.