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Open Letter to Circuit and District Court Judges and Public Officials of Washtenaw County

From: Charles Ream, Scio Township Trustee, Chairman, Washtenaw Coalition for Compassionate Care, Treasurer, No Giant Jail Committee

Re: Implementing Community Standards, Combating Drug Addiction, Saving Jail Space and Money, Preserving the Sheriffs Department.



May 16, 2005

Greetings:

I ask you to review a criminal justice practice in Washtenaw County which, although customary, actually diminishes public health and violates community standards which have been repeatedly and unequivocally expressed by Washtenaw County voters. I am a 5 term elected trustee of Scio Township, a 33 year kindergarten teacher, and a Michigan Licensed Professional Counselor.

I speak of urine (or other) testing for cannabis. During the recent county millage campaign I was told by county corrections staff that approximately 10,000 urine screens for cannabis are conducted annually for the Washtenaw county criminal justice system. Positive results on such tests may send a person who is currently on probation back to jail.

Only a miniscule minority of our voters would want their tax dollars spent on testing for pot, let alone for housing and feeding pot smokers.

Cannabis is the only illegal "drug" (if you can call an herb a drug) which can be effectively tested for without a daily testing program. Cannabis remains in the system for weeks, since its active ingredients are fat soluble. All other illegal substances pass through the body and are undetectable within a day or two. (This week I met a young Oakland County man who is involved with the criminal justice system and has to show up each morning to have his breath tested - so he now drinks at lunch. Undersheriff Mahony told me about a young man who was on a leg tether that could sense alcohol - and this young man switched to crack cocaine.).

Using the customary definition of addiction (involving tolerance and withdrawal) cannabis is not addictive.

It is a law of human nature that if a person wants to become "intoxicated" they will find a way. The Indian children up north resort to "huffing" gasoline soaked rags. People will inhale household cleaning products. People will choke or cut themselves to change their consciousness. Behaviors like that can do lasting damage. When we prohibit the healthier methods of consciousness altering we are making a choice to encourage our citizens to become addicted to alcohol, crack, opiates, and pills.

A local attorney who is a member of our "No Giant Jail Committee" group mentioned that a good friend is now in drug treatment at Dawn Farm. This friend's slogan is "Probation was my gateway drug". It seems that this person was smoking

marijuana and functioning adequately until he got busted. He had to quit smoking pot because of the testing, and soon became addicted to crack.

I ask you to recognize that Washtenaw county voters have expressed, at the polls, a de facto “community standard” which should dictate that prosecution of infractions regarding cannabis be the lowest possible priority of local law enforcement. Voters in both Ann Arbor and Ypsilanti in the 1970’s passed the “\$5.00 fine” pot law, and Ann Arbor voters have defended the minimal fine for “marijuana” each time it has been challenged. This proves that our local citizens do not think that cannabis is a danger, or at least that it is less of a danger than marijuana laws. Medical cannabis for Ann Arbor recently passed with an amazing 74% “yes” vote.

Even if our voters in the townships are somewhat less tolerant of pot they still do not want tax dollars going for cannabis enforcement, nor do they want their children’s lives ruined by pot laws.

The Washtenaw County “community standard” that mandates tolerance for cannabis is not a historical fluke or a minor issue. It exists because the bulk of the citizens of Washtenaw County are extraordinarily intelligent, well informed, independent, and sensitive to gross injustice.

Every major national commission and every longitudinal study of cannabis users ever conducted has shown that the prohibition of cannabis is not rooted in any legitimate scientific or public health concern, and indeed is based on myth and misinformation. The truth is summarized by the editorial board of the medical journal “The Lancet” (1995): They conclude “The smoking of marijuana, even long term, is not harmful to health”. Cannabis has been enjoyed by humans since long before history began, and has never killed anybody.

Washtenaw county citizens want our local criminal justice practices to be based on facts, justice, and public safety.

Putting people in prison for “drugs” and seizing their property and children has about the same level of moral and logical justification as the burning of “witches” or the gassing of Jews. All of these systems, as they operated, needed judges to pass sentence on their victims, judges who would implement and justify a system of barbaric evil.

Washtenaw County citizens want personal liberty and demand personal responsibility from people. Why should our elected judges not adhere to the wisdom of local voters on the issue of cannabis policy?

People in this county know that harassing citizens for using a natural herb, in the “land of the free”, is transparently and egregiously unconstitutional.

According to the Uniform Crime Reports released by the US Department of Justice about 700 people a year are arrested in Washtenaw County for marijuana. Nationally, the average cost to taxpayers of a cannabis arrest averages about \$10,000.

Could we really be spending \$7 million per year in Washtenaw County on policing cannabis when the voters have made it crystal clear that they don’t want tax dollars spent that way? If we spend a tenth of that annual amount on cannabis persecution in this county it would be a gross violation of community standards, ignoring

the voters will and wasting the money we need for the road patrol. (This year's county subsidy for the road patrol is figured to be about \$9 million.)

Urine testing for cannabis costs money, and is a clear violation of our constitutional protection against self incrimination. Even if the 10,000 annual tests we do here in Washtenaw County cost only \$10 each that is \$100,000 totally wasted dollars.

The war on cannabis, since it began, has clearly aimed at accomplishing cultural dominance, ethnic cleansing, and growing the police/prison complex. The people of Washtenaw County have been smart enough to recognize this and want no part of it. Local elected judges, however, have continued to spend scarce funds on cannabis testing, ignoring community standards and pushing citizens onto hard drugs.

I have spoken at length with administrator Guenzel and with Sheriff Minzey, Undersheriff Mahony, and Commander Filsinger. Undersheriff Mahony stated his opposition to prohibition in general. Neither Administrator Guenzel nor Sheriff Minzey expressed any problem with dropping the testing for cannabis. It was my impression that Mr. Guenzel would be quite willing to eliminate this counterproductive item from his severely strained budget.

Both our administrator and Sheriff made it clear that they aren't the ones who sentence people to jail. Judges do that, so reform must come from the judges. I am asking our judges to support community standards and not order any further testing for cannabis. I am willing to speak to you or offer any kind of scientific data you may require.

Candidates for judge may emerge in 2006 that support community standards in relation to law enforcement.

It is not my goal and would be highly unfortunate if there can be no communication or progress on this issue and the No Giant Jail Committee is forced to kill off all future county millage proposals.

I am a "law and order" elected official who wants dangerous people locked up. I want a large police budget for tracking down people who commit real crimes. I am a 33 year school teacher who does not want pot laws to ruin the lives of any of "my children". I am a Michigan Licensed Professional Counselor who knows that pot holds no significant harm. I hope law enforcement officials will make this small change in cannabis policy and allow my committee to support the .31 levy for jail, court, and program improvements.

As a Scio township official I want to maintain and enhance the good work of the county Sheriffs department. We need more deputies in Scio. I don't want this competent and professional organization to be replaced by a fragmented hodgepodge of competing and less professional local departments.

Sincerely

cc: Sheriffs office
Local media