

Discussion on Legalizing Marijuana Moves Forward

By Carolyn Ristau Bloomfield-Garfield Corporation

Bloomfield/Garfield – On Jan. 3, State Rep. Dom Costa and representatives from State Rep. Dan Frankel’s office, Lawrenceville United, Bloomfield-Garfield Corporation, Pittsburgh NORML and Pittsburgh Community Redevelopment Group (PCRG) came together to discuss legalizing marijuana in Pennsylvania.

Patrick Nightingale of Pittsburgh NORML – the local chapter of the National Organization for the Reform of Marijuana Laws – presented the history of the criminalization of marijuana in the United States, the current laws regarding marijuana in Pennsylvania and the legislative options for changing these laws. During and after the presentation, audience members asked questions and shared their experiences related to the effects of the criminalization of possession or sale of the drug.

Nightingale explained that in 1972, the Nixon administration set up the bipartisan Shafer Commission – chaired by former Pennsylvania Governor Raymond P. Shafer – to investigate the effects of marijuana usage. The commission, Nightingale said, “found that ‘neither the marijuana user nor the drug itself can be said to constitute a danger to public safety’ and ‘recommended ‘decriminalization of possession of marijuana for personal use on both the state and federal levels.’”

The Shafer Commission concluded that marijuana possession should not be criminal “and should be taxed like alcohol,” Nightingale said. President Nixon, however, shelved the report. To this day in Pennsylvania, “any possession is criminal. Even possession of a seedling plant is a felony and treated the same as a heroine dealer,” said Nightingale.

The arguments Nightingale presented for the legalization of marijuana include his beliefs that it “protects children far better than prohibition” and that people “can’t die from marijuana consumption.” In addition, he said, since other vices such

as gambling have been legalized to generate revenue for the state, the same can be done with marijuana.

According to Nightingale, there are three legislative options in Pennsylvania to change the current laws. First is instituting a medicinal marijuana law, which permits doctors to prescribe marijuana to patients. Nightingale noted that marijuana has fewer side effects than other prescription medications. Second is the decriminalization of marijuana. This changes the possession of marijuana from a misdemeanor to a summary offense with a fine and the confiscation of the drug as punishment. In this scenario, possession is not a felony and there are savings in enforcement costs as there is no incarceration. Third is full legalization. In this case, the development and sale of marijuana are taxed and regulated, with the potential to bring in significant revenue.

Rep. Costa engaged in the subsequent discussion, asking questions and sharing his encounters with marijuana possessors when he was a police chief. Toward the end of the discussion, he said, “I will co-sponsor the medical marijuana bill when it comes up again” and continue participating in the discussion around other options. After the meeting, Rep. Costa followed through with his statement and co-sponsored HB 1663, the Compassionate Use Medical Marijuana Act, reintroduced by State Rep. Mark Cohen.

Separately, State Rep. Daylin Leach, D-Montgomery, introduced a bill for the full legalization of marijuana on Jan. 4.

The discussion about changing the marijuana laws will likely continue. Katie Hale from PCRG invited Nightingale to present at the Safe Neighborhoods Network meeting on January 12, and Rep. Costa and Erika Frike from Rep. Frankel’s office also talked about bringing together the state representatives from Allegheny County to listen to Nightingale’s presentation and expand the discussion about changing the marijuana laws. ♦

the Bulletin

A Publication of Bloomfield-Garfield Corporation



Serving Bloomfield, Friendship, Garfield, East Liberty, Lawrenceville and Stanton Heights Since 1975 with the mission of reporting on activities affecting those communities and offering an opportunity for residents to express opinions and exchange ideas.

Volume 38, Number 2

The deadline for the March issue is Thursday, February 14.

Editorial and Advertising Offices • 5149 Penn Avenue • Pittsburgh, PA 15224
412.441.6915 • (Fax) 412.441.6956 • Bulletin@bloomfield-garfield.org

Total Circulation • 21,000 Copies • 18,000 Mailed • 3,000 Dropped

Staff • Paula Martinac, Editor • Wesley Davis, Intern • Martin Pochapin, Advertising • Wesley Davis and Rick Swartz, Proofreading • Mary Anne Stevanus, Bookkeeper • Typecraft Press, Printing • CISP, Distribution

Board Meetings are held by the Bloomfield-Garfield Corporation on the second Monday of each month at 7 p.m. at 5321 Penn Ave. These meetings are open to the public.

The opinions expressed herein are not necessarily those of the publisher.

The Bulletin is made possible in part by funding from PNC Bank and the Pittsburgh Partnership for Neighborhood Development.

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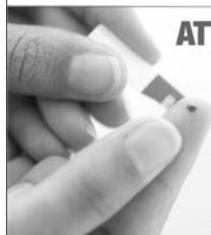
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