

## EDITORIAL: The unanswered questions about legalizing pot

A blue ribbon commission led by Lt. Gov. Gavin Newsom is taking a thoughtful approach to a likely 2016 initiative to legalize marijuana in California.

In its first major progress report, the panel on March 26 called for detailed study on issues such as how to tax marijuana in a fair way that eliminates the black market, how to determine driving under the influence of marijuana and how to protect children and teenagers.

That last priority is a central concern, the panel said in its 18-page report, because it's clear that non-medical marijuana, while technically illegal even for adults, is easily available to young people. It cites the 2014 survey by the National Institute on Drug Abuse, which found that 34% of 10th-graders and 44% of 12th-graders had used marijuana.

Weighing potential pitfalls while crafting a ballot measure is far preferable to trying to fix them after it passes. Exhibit A is Proposition 47, the initiative passed by voters in November to divert nonviolent offenders from prisons. It has caused all manner of unintended consequences, including DNA samples not being collected and drug-treatment courts being undermined.

Newsom, who backed Prop. 47, told a member of The Sacramento Bee's editorial board that it reinforces for him the need to explore tough questions now and not ask "what the heck just happened" later. Of course, it's also in the self-interest of legalization proponents to make sure their ballot measure is as airtight as possible.

Critics pointed out all sorts of flaws in Proposition 19, the legalization measure in 2010, before voters rejected it. And problems have been documented in Colorado and Washington since those states legalized marijuana in 2012.

Meanwhile, the likelihood of a 2016 ballot measure doesn't take the Legislature off the hook for California's medical marijuana mess. More than 18 years after voters approved Proposition 215, there are still inadequate statewide regulations. A potential compromise failed last year, leaving in place a muddle of local rules that are inconsistent, often confusing and widely exploited.

Last week's report starts the public phase of the blue ribbon panel, which was convened by the American Civil Liberties Union of California in October 2013 and includes well-known legal and academic experts. It's essential that in its fact-finding, the commission hear from law enforcement officials, business leaders and medical experts opposed to legalization.

The panel plans to hold public forums in Los Angeles in April, San Francisco in May, Fresno in June, and probably in Humboldt County next month. It is scheduled to issue recommendations by August. Newsom says he expects some of them to be specific, including the legal age and the kind of tax, but other issues will be left for further deliberation.

Newsom, who already has kicked off his 2018 campaign for governor, is the highest-ranking state official to come out in favor of legal marijuana. It's probably smart, politically. A Public Policy Institute of California poll released Wednesday found the highest backing for legalization — 53% of residents — since it started asking the question in 2010.

Voters should have a full picture of the repercussions of legalization before casting their ballots. By raising key issues now, the blue ribbon panel is playing a useful role.

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