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## D.C. Council Hearing: Do Citizens Want Public Use of Marijuana?

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by: Tiamoyo Harris Howard University News Service / (CanStock Photo) / Dec 12, 2015

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When Marijuana Legalization Initiative 71 runs out on Jan. 15, D.C. residents may gain the right to smoke in public places. However, a proposed bill could keep cannabis smoking restricted to private use as mandated under Initiative 71.



The measure would only extend the Decriminalization Bill, approved March 4, 2014, which reduces the maximum penalty for possession of an ounce of marijuana from six months in prison and a \$1,000 fine to just a \$25 fine for possession and a \$100 fine for public use, with no jail time.

The D.C. Council Judiciary Committee held a public hearing on Dec. 10 for the public to testify in opposition or in favor of the proposed bill, B21-0107. Of the 24 public witnesses, all testified in opposition of the new bill.

“I will no longer be a criminal for taking cannabis,” Louis Porteous said. “I have asthma, I almost lost my hand in 2001 and they put me on opiates and it turned me into a drooling junkie. When I came to the District of Columbia, I got my medical card and took care of the issues that they were trying to take care with opiates.”

Another witness said the legislative effort should go towards another drug.

“I think we’d be better off talking about K2,” Mary Smith said. “I fear for my child going to school, not because of marijuana but because of that.”

Ward 5 Councilman and Judiciary Committee Chair Kenyan McDuffie said, “I’m the only member of the committee here. Other members of the committee would have to weigh in and that’s how decisions get made as to whether or not we move forward with the bill. It depends part on the witness testimony and partially on the members who have a vote.”

Melina Bolling, director of the Department of Consumer and Regulatory Affairs was the only government witness to testify in favor of the bill.

“The District marijuana law is intended for home grow and home use,” she said. “The clarification what we’re looking for from DCRA’s [Department of Consumer and Regulatory Affairs] perspective is to separate where the public is invited and where the public isn’t invited. We want to create a clear line so individuals can comply with the law.”

Residents in subsidized housing, which is federally-owned property, or those who rent property owned by a landlord who does not approve of cannabis, do not have a place to smoke, Bolling said. Only 19 percent of D.C. residents own their own home, making the terms of the bill ineffectual for most residents.

“Their alternative is to go out onto the streets where they risk arrest and conviction of a misdemeanor offense. There are individuals who have children who wish to not be in the house with their children when they smoke and right now they have no alternative either,” said public witness Kate Bell, a lobbyist for D.C. Marijuana Justice. “There’s no reason that cannabis users should be treated as second class citizens when they’re using a substance that is less harmful than

alcohol.”

A decision on the proposed bill is expected at the next legislative meeting on Jan. 5.

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