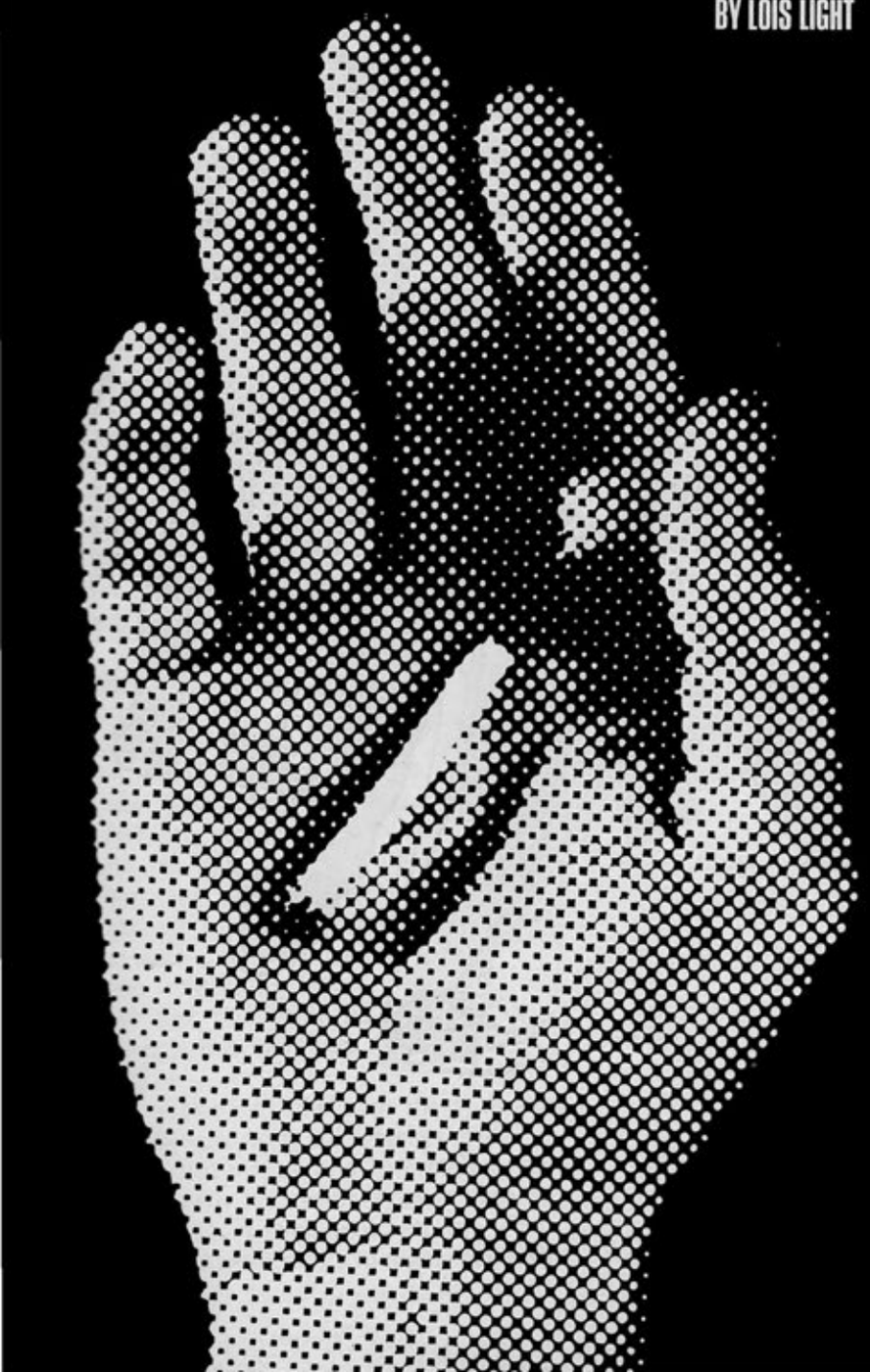
"They jailed my son for smoking MARIJUANA"

BY LOIS LIGHT



"Keith's voice came across the telephone. 'I've got six months,' he told me. He had been caught smoking marijuana..."

My son's voice reached me thinly over the long-distance wires. We'd told him, when he'd left for the Okanagan town the day before, "If nothing happens, don't phone."

Now he said, "I got six months."

His words fell like stone. Just for a second I longed for the days when all it took was a hard hug and a kiss to chase a child's trouble. But this was no child, and nothing I could say would make this trouble go away. I could only assure him of our love, and of our confidence that he'd "be okay." When I put the receiver down, I felt as if I were severing a connection with my child that might be irrevocable. When would I see him? What would "they" do to him?

This was no criminal, this boy of ours. He's a tall, clean, lovable twenty-one-year-old who'd never been in any kind of trouble before, who hadn't even gone through the apple-stealing phase, who'd been brought up to believe violence was stupid and ineffective. Like his three sisters and older brother, Keith had been encouraged to be thoughtful of others' feelings, to abhor cheating, to respect the law.

We'd been a family-outing, do-it-together family and built many good memories. Keith had graduated from high school, had been a school prefect, played in the school band, been on tennis and swimming teams.

He was our most happy-go-lucky child, studying little and still getting above-average marks, happy with the gang he and his twin sister shared, to party with on weekends, and to go to the beach with in summers. One year, he and a buddy invested $100 in an old Cadillac hearse, in which, as one friend put it, they set up "good hearsekeeping" — making curtains, painting the interior and upholstering the "slab," on which they slept when their jaunts kept them late.

Now he was a jailbird, a criminal. Because he'd been caught smoking marijuana.

I have been angry when my children disobeyed or behaved foolishly. I was unhappy when I knew they were experimenting with marijuana and risking legal punishment. But when real anguish hits, my mother instinct is as unsophisticated and as atavistic as a Zulu's. I imagined Keith being led to jail, handcuffed (which turned out, in fact, to be the case). I went through the house, and it was somehow as if he'd died. A shirt he'd ironed for a party the next night was hanging behind the door. Keith!

My husband, when he heard the news, uttered some well-chosen expletives. "What good will it do, putting a boy like that in jail? He railed for another five minutes, then, with typical male

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practicality, resigned himself to the inevitable. "Well, let's hope he can get something positive out of the experience."

I knew this was a sensible attitude, but I couldn't adopt it. When I woke up in the night after a few restless hours of sleep, I wondered if Keith was warm enough in his cell. When I went out in the brilliant sunshine next day, I could only think of Keith, committed to the bleak greyness of institution walls. I was afraid to cry, for fear once I started I'd not be able to stop.

Anger and frustration at my inability to *do* anything replaced raw grief. Trying to alleviate my impotent frustration, I put my fury down on paper. "I'm angry," I wrote, "with a culture that smiles benignly or frowns forgivingly on an adulthood that overeats, overdrinks, overstimulates itself with every known form of entertainment and excess and then says scathingly, 'What's the matter with these kids that they always need *stimulation?*'

"I'm angry at the number of uninformed people who are passing moral judgments; at the irresponsibility of the news media, too prone to put sensationalism ahead of information; at the courts, where youthful indiscretions are often dealt with as harshly as crimes like fraud, larceny or rape.

"I'm angry with the kids, too, who are making this hashish hassle so all-important that they not only smoke and eat it, but talk it (my, how they talk it), read it, argue it, to the exclusion of almost everything else.

"I'm angry with their elders whose medicine chests are *legally* stuffed with sleeping pills, tranquilizers, pep pills and more, and yet who declare, often through an alcoholic haze, that "these young people are ruining their health.'

"I'm angry that my tax dollars are being used to pay for interminable law-enforcing treks, not only in town but to isolated hamlets, to flush out a handful of hilarious kids who are hurting no one, probably not even themselves.

"I'm angry, most of all, with the scientists and medical men, who, except for a few outstanding ones, continue to throw marijuana in a mixed bag with heroin and LSD, who continue to label it a narcotic."

My "angry ats" turn into "sorry fors" when it comes to parents.

I wrote finally, "I'm sorry for parents, not only because I'm one, but because they seem to be caught in the squeeze of misinformation from both ends — the authorities and their children. I wish our medical men would *accurately* inform themselves, then inform us, so we could be on surer ground in talking with our children — working either to change their thinking, or change a stupid law."

One of my most immediate and personal "sorrows" was simply over fate: When Keith had been arrested last fall for possession of marijuana, nearly all first offenders were being given suspended sentences. Thus, while I'd gone through an emotional crisis, it had been tempered with hope.

But a combination of circumstances had postponed Keith's case to the very week *after* the B.C. Court of Appeal had allowed the crown's appeal of the suspended sentence of a professor at the University of British Columbia and implied that suspended sentences for marijuana offences would no longer be tolerated.

The professor got six months, and magistrates and judges throughout the province got cold feet. So, although a number of lawyers feel the Appeal Court is in error in depriving magistrates and judges of their discretion in sentencing, it is at the moment true in B.C. that one has a better chance of getting a suspended sentence for a charge of breaking and entering, robbery, vicious assault, or even possessing heroin, than for possessing marijuana.

A reunion — and pot

This was why our son was sentenced, in spite of a completely trouble-free presentence report. This was why he'd ironed his shirt in preparation for a dance. And this was why the news of his sentence shook him — and us — to our depths.

Aside from the fact that we would have had two hundred miles to travel to the trial, a suspended sentence was so assured, we'd thought, that our appearance in court would have been meaningless.

Keith had gone up to an Okanagan town to pick fruit one day in late summer. Friends of his had gone ahead, and the evening of their reunion had resulted in an outdoor pot session to celebrate: a little pot among nearly a dozen young people, in the same manner that four or five years earlier, someone might have broken open a bottle of wine.

Keith had tucked the small package of grass in a tree stump until they wanted it. Down the street, police officers with binoculars watched. When the officers approached, Keith was assured his observed actions adequately incriminated him. He was the only one of the ten charged.

Now, the day after his sentence, the big iron gates at Oakhalla Prison Farm snapped behind him.

At twenty-one, Keith still hadn't settled on a lifetime career, although he'd been earning his own spending money since he was fourteen. Halfway through his first year of university, he decided he'd had enough of academic life. He worked briefly on a luxury cruise ship as busboy, and at a supermarket where he was offered managerial training. But the idea of a rutlike, indoor job for life appalled him. He vacillated between architectural drafting and forestry. He enrolled at the Vocational Institute and waited through three semesters while "not enough teachers or classrooms" continued to defer his acceptance.

Finally, he turned to the provincial forestry department, where he was almost immediately offered a job. With high hopes, he set off by plane, excited to have found a niche, at last.

But the anticipated outdoor work turned out to be mainly indoor paper work, the population about six, and the solitude almost absolute. He's never been a loner, and the situation — into which the senior warden told him "no single kid should ever be sent in the first place" — drove him back to the city in four months.

His older brother had already moved with his wife and baby daughter out of the city rat race to pioneer the land, and help build a small com-

munity on their own. Keith decided first to earn enough money to keep himself going, then to move out with his brother and take a long look at himself and his own future. Prison intervened.

Being a proverbial clutcher-of-straws, I was grateful, when we first visited him, that the traditional striped prison garb has been replaced by jeans and a cotton jacket, that TV is allowed in the evenings, that many cells have radios. I've been grateful, in subsequent weeks, that the officials have been generous with visiting hours, that Keith was finally allowed to go to a work camp where he could be outside most days.

I have been very, very thankful this didn't happen earlier, when his immaturity would have made him easier prey to the harmful effects of prison life, when proximity to seasoned troublemakers might have damaged him.

"I'm a trusty now," he said with a small grin the second time we saw him. "My son, the trusty," I told him, smiling. And so relative are our values that he and we were *grateful* that he'd now be allowed to help at mealtimes, dump garbage, and do a few errands, and receive ten cents a day!

We had never encouraged our children to flout the law, but we had encouraged them to think for themselves, to question values, seek new experiences. When our eldest daughter at eighteen decided to hitchhike and hostel through Europe, we consented; when our oldest son flew down to Georgia to help integrationists in their fight, we were proud. When the comment on our youngest's report card, in grade five, noted that "this child speaks up well to defend her ideas in class discussion," we approved.

These things we understood. But drugs we did not. Even if marijuana's use was wrongly illegal, it was not a cause we cared to make our own — there were more important things to champion. Now suddenly, with Keith's arrest, it *was* our cause.

We began to try to gather accurate information. An extension course at the University of B.C. on drugs and human behavior, with eight specialists, gave us unbiased, scientific information that allayed our biggest fears as to marijuana's leading to narcotic addiction. Otherwise, it was hard to escape the biased disciples at each end of the scale — from pot-happy hippies extolling the glories of marijuana, to an antihippy policeman saying with venom, "These damn kids and their drugs are ruining our town." Superintendent Harold Price, of the narcotics division, RCMP, appearing on TV as a witness before a legislative commission, described marijuana users as "social misfits and the criminal element — they're the ones."

My sympathies leapt toward the kids. They can be impetuous, cocky, unwise and sometimes wrong. But most of them are not stupid, nor are they bad. They used to go behind the barn door and sneak a cigarette. If they were caught, they got their pants spanked. Now they smoke a reefer. And if they're caught, they get a jail sentence. But this does not mean that my son is a criminal or a social misfit.

When mixed-up, emotionally unstable users are being lumped in the same bag as bright, ordinary experimenting kids, there is surely something the matter with our society and our law.

A criminal record will shadow these young people as long as they live, possibly restrict travel and certain professional positions. Worst of all, there's the possibility of unsavory, hurtful alliances formed in jail.

Each time I've visited Keith he's said, "Well, we're getting more every day." Many of these "more" will be younger than Keith, some with not as affectionate and secure a homelife as he's had. They deserve even more of a break, and they'll get less.

Many addicts created in prison

They'll be more susceptible to the suggestions of inmates who offer a shot of heroin "just to get you over your depression." "There are almost as many addicts created in Oakhalla as out of it," says William Deverell, a well-known B.C. lawyer, who has dealt with many. "Oakhalla is full of heroin — a first offender may look with scorn and horror on the fellow who offers him a shot. But when he's particularly depressed and lonely, he may say, 'Oh, what the hell,' and accept a needle. Then he can be hooked."

A young secretary who had her marijuana sentence suspended, but spent two weeks in jail awaiting the presentence report, told me her cell mate was a forty-five-year-old woman who had been in and out of jail on drug and prostitution counts since she was fourteen. "She was a sweet, sad person," the girl told me, "and she got her first shot when she was in jail, at fourteen."

"If you break the law, you have to expect punishment," says society. But what about having a drink on your patio, which is illegal? Or selling contraceptives? Or whittling away at one's income tax? What about the library books taken by otherwise respectable people amounting, in Vancouver's main library last year, to over $10,000? How about the cheating at business, in schools? How about the thousands of illegal abortions in Canada each year?

"People break the law if the issue is important enough to them, or if they feel it is unfair," a criminal lawyer told me.

I myself have learned of capable university students, key people in the communications field, quiet neighbors, housewives, social workers, businessmen, job-holding hippies — all using marijuana, usually intermittently. One twenty-five-year-old actor told me, "We may smoke a couple of times a day if we have any stuff, or not for months if we don't. We may miss it sometimes, like you'd miss a drink or a box of chocolates, but addictive? Don't put me on!"

Although some of our friends felt we were going beyond the call of duty, one night, in our effort to understand the drug dilemma, my husband and I tried pot on the invitation of a group of young friends. We found it interesting and rather fun. Certainly the sobering-up time was shorter than if I'd had a couple of martinis. But since I don't ordinarily smoke, the inhaling hurt my throat and I came to the conclusion I'd rather get *my high*, should I want one, from wine.

LETTERLESS DAYS

Why can't the postman, like the snail,
Put down a little silver trail,
So we might know he's past and gone,
And not keep watching on and on?

BY MARJORIE LODGE

Many of those I talked to — psychiatrists, doctors, ordinary citizens — while believing in the comparative harmlessness of marijuana still wouldn't advocate its legalization, because they feel there are enough vehicles for euphoria already in our society. "But many would use marijuana *instead of*, not as well as, alcohol," suggests a sociologist writing in the Marijuana Papers, a 1966 report on marijuana. The fact is, whether we need another euphoric vehicle or not, we *have one*, and it isn't going to go away. It's too easy to grow and acquire, too hard to control.

I don't think my husband and I, as individual parents, are to blame for our son's being made a marijuana convict any more than those whose children do not break this particular law deserve credit.

But Dr. Bennet Wong, a Vancouver psychiatrist who works extensively with young people, feels that our adult world has let our children down. "We've become an empty world to them, somehow," he says, "and we haven't given them enough to be committed to. We've given them physical things, but how much else? I like to lie out on the grass with my children, and just watch the sky — but how much time do we find to do things like that, to help them find beauty?

"By no means do all of the drug users fall under the category of the noncommitted, and those who live meaningful lives may also find something meaningful to them in certain drugs; but I grieve that a greater number of our youth who are unable to get kicks out of life itself turn to drugs to help them find their kicks — I feel very sad that we have failed them."

A young student told me a little bitterly, "My parents get sloshed every weekend, and spend half their Sundays getting over a hangover. Yet when my friends and I have a little pot party in the rec room and can still get up and go skiing early Sunday morning, they hit the roof."

If the law is changed, I can foresee the time when pot parties will replace, upon occasion, cocktail parties. It seems only reasonable that we be allowed to choose our own euphoric transportation.

I can imagine, although subsequent research could prove me wrong, that I will prefer my young people smoking marijuana over tobacco.

I would anticipate a dramatic drop in the frenetic activity surrounding the whole marijuana issue. When it is no longer an act of defiance to smoke pot, the intense preoccupation of youth with it will probably vanish.

If the law is not changed, if penalties get more severe, the risks become greater, then the price may go up, and it may become profitable for organized crime to take over. The grass could be cut with heroin or other drugs to get grass users hooked on higher-priced narcotics.

Also, with each new arrest the kids are going to get madder and more determined not to give in.

MARIJUANA IS:

It's called pot, tea, grass, weed, Maryjane. It can be smoked, brewed in a pot and drunk, or eaten in cookies. It looks a bit like crushed parsley. It comes from the flowering tops of the female Indian hemp plant (*cannabis sativa indica*), a straggly plant that can grow to eight feet tall and has been cultivated in Canadian gardens and window boxes. Most of it used in Canada comes from Mexico via the United States.

It's been in use, in varying strengths and forms, for thousands of years in Asia and the Middle East, for about sixty years in North America. There have been a number of studies — in North America, in India, in Brazil — on groups of users, but since the active ingredient in marijuana (tetrahydrocannabinol) had never been synthesized until last summer's breakthrough by Dr. Donald R. Jasinski, of the United States National Institute of Mental Health, no controlled dose was possible. Its long-term effects aren't yet known and may be dangerous.

Its immediate effects are very similar to those you get from alcohol, but without the hangover — you get high, you get talkative and giggly, you are often prodigiously hungry, your judgment may become impaired, you may have mild hallucinations. So far, most experts appear to consider it isn't addictive and doesn't result in withdrawal symptoms, nor do its users (usually psychologically dependent people) tend to move on to the use of "harder" drugs. Its effects (like alcohol) depend strongly on the temperament of the user and on the conditions under which he takes it.

No one knows how many people smoke marijuana. Estimates run from 400,000 to 3,000,000 persons in the United States, twenty percent of university students in England and Canada; the Addiction Research Foundation of Ontario believes most estimates are too high and without scientific basis.

While it is not a narcotic, marijuana comes under the Narcotic Control Act of Canada; anyone trafficking in marijuana can get a maximum penalty of life imprisonment; up to seven years for possessing it; and from seven years to life for importing it.

Strong controversy exists, however, among the experts on the extent of danger from marijuana. The World Health Organization remains adamantly opposed to any relaxation of present controls and restrictions, as also does the American Medical Association. The London Times of July 24, 1967, however, carried a full page advertisement placed by a group of psychiatrists, Members of Parliament, religious leaders and public figures, asking that "possession of cannabis should either be legally permitted or at most considered a misdemeanor."

Dr. J. Robertson Unwin, director, Adolescent Service, Allan Memorial Institute, Montreal, and assistant professor of psychiatry in McGill University's faculty of medicine, wrote in the Canadian Medical Association Journal of March 2 that "current medical opinion would not seem to justify the implication in law that LSD is a less dangerous drug than marijuana, or that marijuana should be considered in the same light as narcotics." But Unwin warns that reliance on any intoxicant (alcohol, marijuana) carries "a heavy risk of personal and social disturbance" for adolescents who haven't yet matured personally, and suggests neither should be freely available to those under age eighteen.

We are unhappy that our son has had to serve a prison sentence. We wish he had elected to "buck society" in a way less destructive to him. But we are not embarrassed, heartsick or ashamed as we would be had he participated in any one of a variety of unethical acts that society might find "acceptable," but which would mean to us that we had somehow failed our child.

Since writing my "angries" at the beginning of the article, two more have come into my line of awareness. The first is the haphazard inclusion of marijuana on the narcotics list, forty-five years ago, for reasons no authority I've read of or talked to has been able to track down.

The second is the increased awareness that nowhere is the generational gap more devastatingly apparent than between the judges of the B.C. Court of Appeal and our young people. The average age of the judges is around seventy.

It was the Appeal Court that changed the university professor's suspended sentence to six months. This, in spite of the fact that, as John Howard Society's Norman Levi points out, "it is essential that the community learn the lesson of the heroin problem in that the deterrent effect of heavy prison sentences does not work."

"Don't let this make you bitter," I've kept counseling Keith, and yet I find resentment akin to bitterness within myself.

I realize how truly we're victims of the nebulous "they," who, when it's advantageous to them, so easily condemn that which they fear or do not understand.

Our marijuana "criminals" are victims of their place in time.

I can only hope enough able people take enough positive action soon enough so that the quivering components of the marijuana mess can settle properly into proper perspective, and the heartbreak sink finally into oblivion.

END