

Washington needs to re-examine pot penalties

Devin Rokyta/Moscow-Pullman Daily News

Three Asotin teens, ages 14 to 17, were staring at felony charges last week and the possibility of five years in jail after they were charged with possession of marijuana.

After a media storm and a better understanding of new laws, the teens - and three other youth facing the same charges - will now only be charged with misdemeanors.

Possession of up to an ounce of marijuana has been legal in Washington for more than two years. Any more than 40 grams is a felony. Of course, just as is the case with alcohol, those younger than 21 years of age aren't allowed to possess any amount of the drug.

This past legislative session the Legislature made changes to a handful of laws in an effort to clean up the local medical marijuana system. Various new penalties for marijuana-related offenses were also snuck in, which led to the situation, and some serious confusion, in Asotin.

Washington teens caught with 40 grams or less of pot face misdemeanor charges and the possibility of up to 90 days in jail. The new law, however, led the prosecutor's office in Asotin to believe a felony charge was warranted in the case of the teens. Fortunately, given some time to review the law, County Prosecutor Ben Nichols now says he will be pursuing misdemeanor charges as he waits for the state attorney general or the Legislature to clarify the regulations.

Still, the fact remains that anyone caught with more than 40 grams of pot in Washington will face serious legal troubles that could follow them the rest of their lives.

The bill's sponsor, Ann Rivers, R-La Center, said when it comes to minors the harsh punishment is "needed to send a message to our kids that this is an adult activity."

Right as she may be, saddling teens with felony records for such minor youthful indiscretions won't help them as they transition into adulthood and attempt to become responsible and productive members of society. The youth would be much better served being required to take educational courses on marijuana and given community service.

Washington was among the leaders when it came to legalizing marijuana, and now it needs to take the lead in eliminating the remaining harsh penalties for possession.