

MEDIA OWNERSHIP AND CANNABIS IN HUMBOLDT COUNTY NEWS MEDIA

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ABSTRACT

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Framing allows us to attain a standpoint with respect to a certain issue (Goffman 1974). In the United States, cannabis – marijuana – has been institutionalized through punitive policy – framing cannabis as an illegal dangerous drug. Currently, proponents of cannabis legalization have emerged framing cannabis as normal, while proponents of criminalization seek to maintain the “war on drugs.” Sifting through conflicting claims – that simultaneously frame cannabis as criminal, medical, or normal – makes it difficult to determine an accurate understanding of the plant. In Humboldt County (in Northern California) – considered the epicenter of cannabis production in the U.S. – residents are economically, politically, and socio-culturally linked to the plant. In this region cannabis issues are paramount. As a powerful conduit, the media acts as a resource for disseminating claims. Yet the media often seeks out criminal justice sources as experts of cannabis issues – this happens at the expense of public health experts and cannabis researchers. This thesis quantifies the sources of cannabis issues in Humboldt County’s newspaper media and qualitatively exhibits the claims made by varying stakeholder sources. Ultimately 489 articles in four Humboldt County newspapers were analyzed. Analysis of news sources revealed evidence that the criminal justice system represented “owners” (Gustfield 1963) of cannabis issues from 1995 to 2010.

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CHAPTER 1

INTRODUCTION

Throughout the 20th century, and into the 21st, the framing of cannabis issues has been at the heart of a power struggle in the United States – a struggle over whether cannabis cultivation and/or use should be understood as criminal, medical, or normal. It almost goes without saying that cannabis is normalizing, as pro-cannabis claimsmakers have an increasing presence in the media. This has fostered push back from groups who seek to maintain the criminalization of cannabis consumption and production. In Humboldt County – situated in Northern California and considered the epicenter of cannabis production in the U.S. – a unique circumstance exists as the county is economically, politically, and socio-culturally linked to the plant. Defining this circumstance has been an issue often covered in the media. Yet, how does the media go about this? Social issues – including cannabis issues – can be nuanced and difficult to understand. Seeking sources the media considers credible, claims are disseminated on the form of a news story. Seemingly harmless, this process can yield results that don't accurately reflect the entirety of difficult to understand issues.

If the media utilizes the same sources for a vast majority of the story's regarding certain issues – for example cannabis issues – then that source becomes an “owner” (Gusfield 1963) of that issue in the media. The source that becomes the “owner” of an issue is granted the power to frame (Goffman 1974) that issue for the media. Through claims that generate fear, criminalization frames of cannabis (during various periods)

have been fashioned into “crime waves,” “scares,” and “epidemics” that are magnified by the media (Reinarman 2006). Marijuana “scares” are created through “ownership” of cannabis issues. “Ownership” and despotism in the media can distort the collective understanding of a particular issue – as is true of the aforementioned “scares.” The sources that gain “ownership” in the media perpetuate one frame – which is just one frame of many (Reinarman 2006). Yet, this frame becomes perpetuated as the norm – a norm that all other claims are weighed against. In the case of cannabis issues, criminal justice and government officials have often been granted “ownership” in the media. They have historically framed cannabis issues in a way (“scares”) that legitimizes punitive policy (Zimmer 1997). This punitive policy has conversely silenced alternative opinions by stigmatizing cannabis proponents as criminal (London 2009). When focusing on Humboldt County, I ask if the criminal justice system and government have been the “owners” of cannabis issues in the local media. This thesis attempts to determine the sources of cannabis issues in Humboldt County’s public discourse – examining the frequency of institutional stakeholder sources present through Humboldt County’s newspaper discourse between 1995 and 2010.

I begin my investigation by creating a deductive lens through which I have conceptualized the media’s role in the process of informing cannabis policy. In my literature review I demonstrate a situation whereby democratic participation is undermined by authority. I determine that all people have the ability to participate in democratic processes – creating cannabis policy that ensures community safety and health. However, due to a century of cannabis prohibition, this ability has been

undermined. I theorize that this is because information disseminated in public discourse is distorted by authority. This creates intractable in-group/out-group conflict. Drawing upon social theory I illustrate how authority impedes democratic consensus through legitimization of in-groups and stigmatization of out-groups in public discourse. This brings me to my objective: to investigate the role of the media in this process. Thereafter I move into a historical account of the emergence of claims and policy regarding cannabis. I do this in order to understand our current conception of cannabis policy and discourse. Following this I outline the need for holistically informed public discourse and cannabis policy in Humboldt County. I conclude this chapter with an overview of my research question and hypotheses.

In the next chapter I discuss my method, which is a content analysis. Starting with the purpose of my research, my method chapter illustrates how I tested my hypotheses and research question. I describe the process by which I drew my sample of articles and the way I employed my method (content analysis). Following this, I outline how I coded the articles in my sample – highlighting the categories and groups of sources that I encountered during my research. The chapter concludes with operationalization of key concepts. My findings chapter demonstrates that the criminal justice system acts as “owners” of cannabis issues in Humboldt County’s print media. I exhibit the types of claims made by criminal justice and other stakeholder sources, and wrap-up the chapter with a discussion of my hypotheses. I conclude by discussing the limitations and implications of this study.

Overall, this thesis is meant to add to the conversation regarding cannabis issues. It's meant to highlight the need for holistically informed public discourse and policy. It sheds light on the effects of granting media "ownership" of cannabis issues to the criminal justice system. My literature review can be seen as a framework that can be applied to other areas of media research. Locally, this analysis can help individuals narrate the necessity for informing Humboldt's residents about this area's unique cannabis issues. Ultimately, this thesis intends to raise awareness, assisting in the creation of holistic cannabis policy. Lastly, I hope that my work empowers dispossessed groups to make their voices heard in future cannabis debates – dislodging old, outdated, and despotic claims regarding the cannabis plant.

CHAPTER 2

LITERATURE REVIEW

It's impossible to ignore the culture of cannabis in California. From the San Francisco Bay Area to the hills of Humboldt County, cannabis consumption and production has become commonplace. After the passage of statewide legislation (California Proposition 215) protecting the medical patients' right to use cannabis, there has been an explosion of cannabis collectives and growers (Hawkins 2012). New municipal ordinances and state legislation coupled with California Supreme Court decisions have constantly redefined the legal environment surrounding the plant (London 2009). Other states like Washington and Colorado have legalized cannabis for recreational use. The Department of Justice has shifted its stance with memo's, letters, and statements while the Drug Enforcement Agency (DEA) lobbies to maintain its' "war" against cannabis (DEA 2013). Needless to say, the current marijuana policy debate is in flux. The mainstream media has caught on to this controversy with cover stories and exclusive documentaries on the subject. As secondary claimsmakers framing the debate (Best 2008) for the lay public, the media attempts to narrate the diverse opinions Americans hold on the subject of cannabis.

In California, views on the subject of cannabis range from outright hostility to openness and acceptance (Rainey 2010). The discrepancy of views reflects a societal state of cognitive dissonance (Festinger 1957). This state of dissonance can be attributed to discrepancies between media reporting, political discourse, policy; and cultural norms,

morals, and values. This conflict creates (and exposes) a complicated "mess" of competing socio-cultural, economic, and political interests and motives. This has resulted in many (Shepard and Blackley 2004) questioning the validity and legitimacy of California's (and the U.S.'s) legal system – including the morals and values that motivate and legitimate its actions. In an attempt to reconcile this aforementioned state of dissonance: institutions, groups, and individuals conflict over old and new narratives that frame cannabis as a narcotic, medicine, recreational intoxicant, among other frames – while stated morals and values often cloak hidden functions and interests underlying the status quo. Most Americans watch this conflict play out in the media. The media acts as a conduit to disseminate claims to the masses (Best 2008). The media functions as a legitimizing or stigmatizing element for institutions that conflict over the framing of cannabis. Depending on where Americans get their information, the media and the institutions that lead its discourse, fight over the framing of cannabis issues. This battle potentially results in the unintentional censorship of voices and perspectives not considered “mainstream,” and gives rise to landmark narratives and typifying examples that attempt to define cannabis issues (Best 2008).

The question remains to be asked: where do these typifying labels and narratives – essentially frames – of cannabis issues come from? When no one is able to use, possess, cultivate, or research (without DEA approval) cannabis; how do Americans establish opinions of cannabis issues? How do we understand how these issues should be resolved? Many assumptions including taken-for-granted knowledge and cultural folklore potentially distort perception of these issues. It's difficult to pinpoint the origin and

legitimacy of widely accepted claims and narratives regarding cannabis. Over the past 100 years policy has been constructed with vested interests dominating debates surrounding cannabis. A power struggle over the framing of cannabis has been waged over the past century. In order to understand how this plant was ushered into the conflict of our current *episteme* – society’s current frame of knowledge that shapes discourse – we must investigate how cannabis issues have come to be defined in their current conception.

The next section will focus on social theory as a guide for understanding cannabis issues – outlining concepts that inform further inquiry. Following my discussion of theory, a discussion of history will shed light on the origins of claims that have affected the emergence of policy. The combination of history and theory will provide a deductive lens through which to view research and its results. This lens has guided *my* research and acts as a narrative adding to conversations surrounding cannabis policy. The following is *a* perspective – one entrance into the current cannabis debate – of social theory and history that guides research. Research seeks to unpack the powerful institutions and groups that have dominated the framing of cannabis issues through claimsmaking in the media – focusing on dominant institutions and groups that come to define “correct” and “incorrect” frames of (cannabis) issues – institutions that legitimize rules and their subsequent formalization. This is the result of political processes like lobbying the state. Overtime these rules are internalized and further legitimized through media construction – primary and secondary claims making. This leads to my research question: *who are the*

primary claims makers – i.e. sources of information – present in public discourse regarding cannabis issues today?

Theory – An Introduction to Concepts

The following section will delve into a discussion of social theory. This meta-analysis of theory has guided research and inquiry into the media's role in the construction of perceptions of cannabis issues. First, Jurgen Habermas's Theory of Communicative action is used to show how institutions come to define "correct" and "incorrect" frames (Habermas 1987). Then my analysis will demonstrate how these frames are perpetuated through the media as claims. Lastly, I will outline the potential harms associated with the media's role in the secondary claims making process.

Contemporary history and current political discourse surrounding cannabis issues is and has been the center of constant debate. Cannabis's legality drives ideologies that legitimize the authority (Weber 1978) of its enforcement – as law is supposed to reflect societal and community morals. Socio-cultural, economic, and political factors acquiesce into prevailing ideological framework(s) that culminate in a legal position(s) supporting or opposing current policy. In order to understand how dominant ideological framework concerning cannabis issues is disseminated through public discourse, we must ascertain which institutions have dominated the public discourse of cannabis issues. In order to do this we must look at cannabis – marijuana – as a package of symbols (Blumer 1969) and the competition over the framing (Goffman 1974) of these symbols as a conflict, we can locate this conflict (Coser 1956) in a struggle through the media over naming and

labeling (Becker 1963) – framing – in order to legitimize (Weber 1978) or stigmatize (Foucault 1972) – a conflict over legitimizing in-groups and stigmatizing (delegitimizing) out-groups.

The intractability (Coser 1956) created by this conflict – combined with the legal state and the systematic enforcement of it – leaves the American public with the option of conforming to, or rebelling against, current law. When we consider the illegal status of cannabis, it seems rational to conform to norms that perceive cannabis as an illegal narcotic. It's easy to see how one must conform and adopt the states framing of cannabis. By defining cannabis as a deviant illegal substance and systematically enforcing this definition, the state has institutionalized the average person's ability to reason over its use. The criminal justice systems authority makes it easy to make the “correct” (rational) decision – to frame cannabis use as a deviant act. This makes choosing not to use cannabis and stigmatizing those who do use cannabis a choice that rationally aligns an individual's values with the dominant values of society. With the medical cannabis movement we see resistance to labeling cannabis illegal and a push to legitimate its use (medicalization). New experts and authority figures (what will be later called “owners” and “entrepreneurs”) emerge from this movement and give rise to a new narrative that frames cannabis as medicine (or a benign recreational intoxicant). This occurs while a stratum of institutions shape the discussion surrounding cannabis policy. First off, cannabis is federally illegal and research on the plant is restricted without DEA approval. Additionally, the media inadvertently censors voices that are not perceived as credible – only high status individuals and institutions become represented in the media (this will

later be called secondary claimsmaking). When this is situated in Jurgen Habermas's Theory of Communicative Action, claims to "correct" and "incorrect" – essentially binary thinking – saturate the media, which informs the public. By utilizing information from a limited number of claimsmakers, we can see how cannabis policy, enforcement, media coverage, etc – and the institutions that dominate the rhetoric surrounding it – affect the rational used by individuals and groups when making policy decisions.

Powerful Institutions Define "Correct" and "Incorrect" Frames for Cannabis Issues

The second generation Critical Theorist, Jurgen Habermas outlined a theory (with practical intent) that examines the formative process of society. This theory is grounded in the examination of the nature of language, communicative action, and the social evolution of total societies. The ability to learn language is universal. Communication and therefore language is the basis for rationality (Habermas 1987). This is because the goal of all language and speech is to reach a consensus – at the very least, a consensus of shared understanding. Rationality is implicit in consensus and therefore language and every individual has the ability to develop argumentative discourse, look through contradiction, and use reasoning to de-legitimize weak arguments (Habermas 1987). This idea dates back to some of the earliest philosophers of ancient Greece and forms the foundation of democratic thought. To Habermas this is the awakening element of who we are as humans. Legitimacy of an argument should guide decisions based on truth, justice, and freedom – not hegemonic dogma or authority. Every human has the ability to reason based on values, but this ability is continually substituted with technical laws, expert opinion, and authoritarian dictum. It's this reliance on hegemonic dogma that distorts our

ability to reason and make legitimate decisions. This is how individual freedom, truth, and justice is impeded – as duality of “correct” and “incorrect” supersedes value assessments (Habermas 1987). We are free to select legitimate choices from a list of options. In the case of cannabis, *reality* “becomes an interpretation of various definitional options” (Berg and Lune 2012:9) set out by dominant institutions and organizations.

Various forms of legitimacy are invalidated and stigmatized by defining unauthorized sources of reason and rationality as falsehood – eventually, altogether censoring dissenting voices that differ from prevailing mainstream ideological framework. Labeling cannabis use as criminal and enforcing this definition, all while filtering research and claims in the media, dominant institutions function latently to disrupt an individual’s ability to reason in the case of cannabis issues. Through secondary claims making, the media dilutes the individual’s ability to reason; through restricting access and funding for research, the DEA dilutes the individual’s ability to reason; by arresting those who use, possess, and cultivate cannabis, the criminal justice system dilutes the individual’s ability to reason. The result is that individuals cannot resolve contradictions surrounding cannabis policy through personal experience, debate, and mediation. Communities cannot produce policy based on consensus of traditional and emerging morals and values. The result is cannabis issues are remedied through authority, technology, and technocratic experts, and this dependence continually pacifies value debates. Individual rationality becomes a list of choices legitimized by dominant organizations and institutions that assert “correct” and “incorrect” ways of framing social

phenomenon when much of social life, including cannabis issues, is a discussion of values with different answers in different social and geographic locations.

Habermas gives us a theory that explains how macro level institutions affect micro level rationalities and subsequent actions. He asserts that individual and group values are becoming trumped by dominant institutional and group definitions of “correct” and “incorrect.” In effect, dominant political, economic, and socio-cultural institutions disrupt the freedom of individuals and communities to reason over truth and justice by filtering information and defining “reality” through dominant frameworks. When we focus on “realities” concerning cannabis, I wonder – historically and contemporarily – what institutions and groups dominate the framing of the debate over cannabis issues in public discourse.

In-group/Out-group Conflict Leads to Despotism of “Correct” and “Incorrect” Frames

With the emergence of the medical cannabis movement in California and 20 other states, along with recreational legalization in Washington and Colorado, we see a challenge to federal authority. A crack in state legitimacy and dominance (surrounding cannabis) has freed many individuals to determine if cannabis use is worthy of its illegal definition. Yet, in order to fill this crack in state legitimacy and authority, many (neo and/or pseudo) experts and institutional figures have moved in to frame cannabis issues to conform to their own rational interest. In staunch resistance to these new experts and authority figures many dominant institutions and spokespersons have stigmatized the medical cannabis movement as a ploy for escapist drug users.

Overall, this is a debate over the framing of cannabis. Discrepancies over the plant have been reflected in policy and ideology. Many institutions have taken a strong stance on cannabis while others shuffle the issue aside. Some advocate its medicinal uses, others cite its benign affects compared to alcohol (Marijuana Policy Project 2014). Certain groups assert the federal illegal status as the norm, asserting that cannabis is linked to violence and social ills. These positions are legitimized or stigmatized in the public sphere as a battle over the framing of cannabis in public discourse.

According to Erving Goffman, through the interpretation of the world around us framing allows us to locate ourselves in respect to our experience. In conflict, framing allows us to take a stance with respect to a certain issue (Lewicki, Gray, and Elliot 2003). Frames help us decipher what someone means in a conversation or conflict – sorting through points we find important or not (Lewicki et al 2003). “People use different frames to define whether a problem exists and, if so, what the problem is” (Lewicki et al 2003:15). Frames shape our actions around a particular issue, they allow us to justify our actions, and mobilize others to action (Lewicki et al 2003).

Identity frames are constructed through in-group and out-group relations – through the comparison of in-group identity frames with out-group identity frames. Often this results in a reflexively superior identity of in-groups as compared to out-groups (Lewicki et al 2003). “During this framing process, people typically externalize responsibility for negative events to others whose identities oppose their own” (Lewicki et al 2003:21). This superior identity frame is established by following rules that guide performances and therefore social reality (Goffman 1974). Most conflict arises when a

perceived superior identity frame is threatened – calling into question the values and beliefs of an in-groups “superior” frame (i.e. how the group defines itself and its very existence) (Lewicki et al 2003). As framing affects conflicts, the intractable nature of a conflict starts to affect the frames of those involved. Identity frames become rooted in polarization, stereotypes, and the perception of in-groups and out-groups (Lewicki et al 2003). Framing and conflicts are inherently linked while rules govern boundaries of group affiliation – i.e. what is appropriate and not. These rules result in “correct” and “incorrect” reasoning depending on group affiliation.

Intractable Conflict Leads to Dominant Institutional Framing of Cannabis Issues

In the book *Outsiders*, Howard Becker asserts that all social groups make social rules that define situations – specifying some actions as “correct” and forbidding other actions as “incorrect.” Much like Habermas’s theory of Communicative Action, these rules are defined for us by in-group dogma – kinship groups and institutions mostly govern these rules. Those who break these rules are considered to be an outsider (Becker 1963) – part of an out-group. They cannot be trusted and they are defined as deviant – “other” – essentially stigmatized. Conversely, individuals and groups labeled as an outsider may regard their sanctioning as unwarranted – calling into question the legitimacy of those who have labeled them an outsider (Becker 1963). Moreover, in-group/out-group conflict increases internal cohesion amongst group members by defining group boundaries (i.e. rules) (Coser 1956). Despotism, through centralization of internal cohesion, is inherent in conflict between in-groups and out-groups (Coser 1956) by aligning members into a dominant ideological framework against a common enemy. This

despotism results in authority, hegemony, and dogma eliciting cohesion and obedience from in-group members – much like following orders in a war (on drugs in the case of cannabis). This is how the polarization of the conflict over framing cannabis leads to competing perceptions of its use – with hegemonic institutions and groups taking the lead. As this polarization becomes institutionalized we can see how competing dominant “in-group” institutions battle “out-group” institutions over definitions and meanings – framing – of cannabis (often through the media). These institutions seek to turn their definition of cannabis into law; policy – while both potentially supplant rationalities of subordinate individuals and groups by making claims to “correct” and “incorrect.”

The Media’s Role in Perpetuating Dominant Institutional Frames of Cannabis

Institutions compete over “ownership” of cannabis issues through the media (Gusfield 1963). The media can act as a conduit through which institutional claims to “correct” and “incorrect” can be transmitted to a vast number of individuals (Best 2008). The institution that gains “ownership” of framing cannabis issues will acquire “legitimacy and authority to name what is wrong, to prescribe the solution, usually garnering resources as a result” (Reinarman 1994). The institution or group that “owns” the issue of cannabis will most likely be sought out as news story sources and, therefore, be able to perpetuate their frame as experts on cannabis issues. The news media prefer to seek out high status institutions as sources – which perpetuates the media’s institutional despotism of framing cannabis. Further, these sources must be considered within the realm of “mainstream” (Best 2008) as media advertising (the highest revenue generator for media outlets) usually targets mainstream individuals with wealth. In competing for

“ownership” of cannabis issues, institutions vie to become experts that dominate the framing of cannabis through the media.

As the starting place for information gathering of most Americans, the media has a large role in perpetuating claims. When it comes to contentious claims – or debatable issues – the media can frame the debate over the issue (Best 2008). As a contentious issue, cannabis use falls into this category. The media has magnified cannabis (and other drug issues) issues throughout history and, as the debate surrounding cannabis evolves; the media has acted as a filter when framing cannabis. Through this magnification invoked by competing institutions, iconic narratives rise and fall as dominant typifications (Best 2008) of cannabis users, sellers, and growers. These narratives can be seen as frames that symbolize how individuals should understand cannabis issues. These frames are packages of symbols – iconic narratives, typifying examples, slogans, visual images, etc – that remind people of the “correct” and “incorrect” framework for cannabis issues.

As competing institutional interest groups struggle to win “ownership” over the framing of cannabis in the media (London 2009), the competing narratives become competing frames for the “correct” way to establish solvency for cannabis issues (Best 2008). In order to justify further attention and media coverage, uncovering new aspects of a social problem results in iconic narratives that compete over the framing of cannabis (Best 2008) – leading to increased ratings and ultimately profit for media outlets. The competing frames become packaged and condensed around competing symbols that perpetuate a way for people to understand all that’s wrong with a particular social

problem (Best 2008) – for example cannabis issues. As a result of secondary claims making by the media (Best 2008), “criminologists have long understood that crime waves are not so much waves in criminal activity as waves in news coverage” (Best 2008:133). Latent functions often underlie “crime waves” (what will also be called “scares” and “epidemics”) as dominant institutions (owners) and the media often profit from the perpetuation of social problems and/or “crime waves.” Dominant – high status – institutions “own” the framing of “crime waves” and it becomes difficult for individuals, who gather information from the media, to heed alternate frames. The most visible and consistently perpetuated frames – the dominant frames – become easily recognized as certain elements are broadcast and others are filtered out. In a contemporary setting the “crime wave” (war on drugs) of cannabis use, distribution, and cultivation has been challenged by institutions that seek legitimacy through medicalization and/or normalization. Those who adopt and choose from the dominant dogmatic frames of cannabis issues that are filtered through media may only have access to limited information. This potential lack of information harbors intractability and impedes the ability of individuals and communities to reason, argue, mediate and debate over cannabis issues – ultimately never reaching consensus based on holistic values in order to create effective drug policy (Reinarman 2006).

The Danger of Dominant Frames Portrayed in the Media About Cannabis Issues

The institutions that come to “own” and dominate the (“correct”) framing of cannabis in the media often perpetuate assumptions, values, and worldviews surrounding a particular culture (Best 2008). Since the media looks to high status individuals and

institutions with “mainstream” ideals to please upper middle class oriented advertisers, only institutions with dominant cultural worldviews become “owners” of the framing of cannabis. Frames that benefit mainstream upper middle class individuals become dominant. Through the media, as Antonio Gramsci and Stuart Hall assert, groups make their culture dominant and give legitimacy to their class superiority (Seidman 2004). Culture is integral to elite interest through politics because it creates consensus amongst the population. Political elites need this consensus to maintain power. Social problems and “crime waves” create, as Craig Reinerman puts it, “fig leaves to place over unsightly social ills that are endemic to the social system” (1994: 99). “Crime waves” and social problems justify conservative turns in the policy and government (Seidman 2004) generating votes for conservative interest. Condensed in the package of symbols, set out through dominant institutional frames, are dominant socio-cultural, political, and economic interests aimed at consensus. “Crime wave” reporting effectively masks institutional racism, economic crisis, income inequality, and destruction of individual rights (as we will see later in this text). It gains support for concentrated efforts to combat seditious “criminal” groups – that are often a threat to elite interest – while ensuring class and cultural hegemony by attributing societal ills to dissenting groups (Seidman 2004). If we look at contemporary debates surrounding cannabis legalization as a movement against “war on drug” ideology and framing of cannabis, we can see a challenge to masking social ills behind “crimes waves.”

This is why it is important to reveal the dominant powerful institutions that “own” cannabis framing in the media. Unpacking the institutions that have dominated the debate

surrounding cannabis – as well as been responsible for the iconic narratives now perpetuated in the media – is pivotal for elected officials creating policy. Determining who has framed cannabis issues in the media is also essential for individuals voting on policy. As Reinerman asserts, “the origins and nature of the appeal of anti-drug claims must be confronted if we are ever to understand how ‘drug problems’ are constructed in the U.S.” (Reinerman 2006:102). Once we can demonstrate which institutions dominate public discourse surrounding cannabis issues then we can attempt to move through the intractable conflict and failed policy of the status quo. By understanding the stakeholders that have been neglected in cannabis discourse, research will make aware the lack of information required to vote and generate policy for cannabis use, possession, distribution, and cultivation. Once the public has access to, and knowledge of, the information necessary to make decisions based on holistic societal values and not dominant institutional interest, steps can be taken toward gaining consensus, unmasking social ills, and bringing solvency to the harms of current policy. In order to recognize the emergence of claims made by groups with interest in cannabis legality, my analysis will unpack the history of claims constructed by individuals and groups with access to the media and government – ultimately influencing policy. This can be seen as investigating the institutions and groups that historically have had the power to assert their respective frames (claims) of cannabis issues.

Historical Analysis

A Historic Power Struggle over Framing Cannabis Issues

The following will analyze history – noting the sources that have been granted the privilege of framing narratives surrounding cannabis issues (noting potential vested interests of individuals, groups, and institutions). In order to understand the emergence of policy, we must understand the historical emergence of claims that have legitimized the creation and enforcement of law. My discussion will now look toward this history, unpacking the dominant sources of claims. To understand the current climate surrounding cannabis legality – including taken-for-granted knowledge associated with the plant – a historical analysis of the construction of dominant claims is mandatory. The following section will trace the cannabis plant’s history – from fiber and medicine to dangerous drug, back to medicine, and now recreational intoxicant. This history focuses on the claimsmakers who have influenced current policy in regard to the plant – i.e. the powerful individuals, groups, and institutions that have influenced cannabis law and the enforcement of those laws.

Cannabis was first cultivated during the Neolithic period, maybe the first intentional cultivar for its use as a fiber in the production of goods that could be traded (Hawkins 2012). The Chinese were the first large scale producers of hemp – 90 percent of their clothes were made from hemp fibers (Weisheit 1992). Medicinally, cannabis was also used in South Asia to treat arthritis and other ailments (Weisheit 1992). China’s climate (mild and relatively cool) is particularly suitable toward the hemp plant (cannabis sativa) – grown for its fiber and seed – but India’s climate is far more suited toward

growing the psycho-active (medicinal) varieties of cannabis (*Cannabis Indica*) – which is a type of cannabis with higher THC (tetrahydrocannabinol the psycho-active chemical in cannabis) levels (Hawkins 2012). Throughout India and the Middle East cannabis began to be traded and spread to Africa and Europe. The cannabis plant and hemp is woven into the evolution of modern society. The Chinese produced paper by mixing hemp and other fibers. In Europe hemp fiber was used to fabricate sails and rope on naval vessels – as it is resistant to corrosion from salt water. In fact the use of hemp – a strong hardy fiber – contributed to European naval travel across the Atlantic in the 1700's and subsequent discovery of the America's (Hawkins 2012).

As an intoxicant – medical or otherwise – cannabis was pharmaceutically available as early as the 1850's in the U.S. and by the 1880's hash houses were available to higher classes in the east (Gieringer 1999). These hash houses and tea parlors (as they were later referenced) were prevalent through New York, Boston, Philadelphia, Chicago, but especially New Orleans (Gieringer 1999). The first references to smoking *marijuana*, which was thought of as an entirely different substance than hash (or Indian hemp), began to be associated with mercenaries, criminals, and Mexican and Asian immigrants around the turn of the century. Although negative views of cannabis consumption were perpetuated in the media – mostly due to the consideration of marijuana use as a low class activity in Mexico – pharmacologists of the time held that cannabis could be used for the treatment of many ailments (Gieringer 1999). Cannabis prohibition was born out of this setting, mostly as an attack on immigrant communities (Reinarmen 2006). California passed the first law prohibiting cannabis sales without a doctor's

recommendation in 1915 (Gieringer 1999). This occurred while 60,000 pounds of medicinal cannabis was cultivated on pharmaceutical farms east of Mississippi and cannabis tinctures of all sorts were readily available all over the country (Gieringer 1999).

In the early 1900's, *marijuana* (a term coined and perpetuated originally to stigmatize cannabis as foreign to Mexico) was labeled as a social problem connected to Mexican immigrants throughout the southwest and into California. In New Orleans, Jazz musicians, sailors, prostitutes, gamblers, and other so called “dangerous populations” (Goode 1969) were linked to cannabis use. Through media reporting, many non-marijuana smokers in other regions of the country began to connect marijuana use with “deviant populations,” although many middle and upper class individuals also used cannabis – albeit acquired under a different name (Indian hemp or cannabis but never marijuana) and used through less visible and stigmatized means (Zimmer 1997).

Selective journalism and media coverage created hysteria of the “marijuana menace” that’s used by “dangerous populations” and “captures” respectable people turning them into deviant fiends (Goode 1969). In reaction to this new “dangerous” narcotic, many local governments began to pass legislation to regulate, restrict, and prohibit cannabis use and sale (Zimmer 1997). These sentiments are visible in a letter from Henry J. Finger, newly appointed to the California State Board of Pharmacy (1913):

“Within the last year we in California have been getting a large influx of Hindoos (sic) and they have in turn started quite a demand for cannabis indica; they are a very undesirable lot and the habit is growing in California very fast; the fear is now that it is not being confined to the Hindoos (sic) alone but that they are initiating our whites into this habit. We were not aware of the extent of this vice at the time our legislature was in session and did not have our laws amended to cover this matter, and now we have no legislative session for two years (January 1913). This matter has been brought to my attention a great number of time[s] in the last two months and from the statements made to me by men of reliability it seems to be a real question that now confronts us; can we do anything in the Hague that might assist in curbing this matter?” (Gieringer 1999:18)

Although most of these “Hindu’s” were Sikhs from the Punjab region of India whose practices didn’t allow for the consumption of intoxicants, this letter reflects the sentiments held by many Americans of the time (note the “threat” of immigrant “habits” on white Americans) (Gieringer 1999). Withstanding these sentiments, the passage of the Harrison Act in 1913 restricted the sale of drugs like cocaine and opium; however it did not mention cannabis due to pressure from the pharmaceutical industry (Gieringer 1999). Two years later in 1915 California would have their law deeming cannabis as a pharmaceutical only to be sold only to those holding a doctor’s note. Federal prohibition of cannabis would not arrive until 1937 with the help of special interests and political pressure from international treaties.

The international community first mentioned cannabis as a potentially prohibited intoxicant during a 1912 international meeting in The Hague. Cannabis was alluded to as the “hemp question” which was set to be debated in further meetings (Zimmer 1997). Thereafter, cannabis was included in the 1925 Geneva Convention, where signatory nations agreed to only export cannabis for legitimate scientific and medical needs

(Zimmer 1997). Specifically regarding cannabis, it was argued (by Egypt, South Africa, Canada, and the U.S.) that consumption of the plant led to decreased productivity, fragmentation, and stagnation (Zimmer 1997). These sentiments were unchallenged – since no countries had significant economic, political, or socio-cultural stake in cannabis legality (besides India) – and the first international cannabis sanctions were signed into international law at the Geneva Convention (Bonnie and Whitebread 1975). The U.S. assumed a leading role in urging the international community to adopt prohibitory drug (including cannabis) policies, hoping international treaties might be used as leverage (against the pharmaceutical lobby) for domestic legislation (Zimmer 1997).

Many scholars contend that politicians in the U.S. reacted to the threat of hemp as a new profitable textile (in competition with synthetic fibers and paper made from trees) by demonizing marijuana, the psychoactive genus (Hawkins 2012). The treasury departments' Andrew Mellon – who was connected to DuPont (which invented a synthetic fiber, nylon, in 1935), the Unilever Company, and also held a vast swath of timber acreage – had appointed his son-in-law Harry J. Anslinger (Owen 2012) Commissioner of the Federal Bureau of Narcotics. At which point, Anslinger began to formulate a campaign focused on making cannabis (including hemp) cultivation illegal (Hawkins 2012). Some argue (Rosenthal and Kubby 1996) that Anslinger, Mellon, and Hearst had vested interests in the failure of the hemp industry – i.e. eliminating competition to the nylon and wood pulp industries (for which they were invested). Anslinger had made a career during the alcohol prohibition as an enforcement officer and with the repeal of the 18th amendment he needed a new career. His cannabis prohibition

career was launched in the 1930's through a campaign utilizing newsprint and publicized political speeches stigmatizing cannabis by connecting its use to “dangerous” African American jazz musicians and Mexican immigrants (as mentioned before) (Goode 1969).

Yellow journalism warned parents of the “marijuana menace” that would consume youthful minds leading children to commit deviant acts (Bonnie and Whitebread 1975). Scholars and advocates have suggested connections between the newspaper tycoon William Randolph Hearst – who popularized yellow journalism, was accused of accepting payments for slanted stories, and owned stock in paper mills and timberlands – and Andrew Mellon and Harry J. Anslinger (Hawkins 2012). Some critics point out that this alleged conspiratorial connection is unsubstantiated and instead suggest motives other than business and competition. Whatever the case, for Hearst, Mellon, and Anslinger, framing cannabis as the “marijuana menace” provided clear political and financial rewards (Trujillo 2011).

It is universally accepted that Anslinger had much to do with the federal prohibition of cannabis, but some scholars point to temperance era reform movements as the core motivator for prohibiting conscience-altering substances including cannabis (Inciardi 2002). Temperance movements (a major contributor to alcohol prohibition in the 1920's) were characterized by Anglo protestant culture – pushing values of individual responsibility, moderation, productivity, and the power of the will (Levine 2010). While these values are informed by the protestant ethic, it must be noted, “virtually every demonized drug has, at one time or another, been associated with a lower class – class ethnic minority” (Zimmer 1997:5). Nativism and anti-minority attitudes, and the fear of a

popular uprising – what can be thought of as group interest – often fueled the temperance movement (Abadinsky 2001). “It was not just that drug prohibition provided a mechanism for controlling these ‘dangerous classes;’ it was also that drug use by the *dangerous classes* made the drugs themselves appear more dangerous” (Zimmer 1997:7). In seeking to preserve the class interest of “native” Protestants, moral entrepreneurs like Anslinger stigmatized minority culture by asserting moral superiority through prohibition legislation, which preserved and legitimized W.A.S.P. ascendancy and supremacy through temperance movements and subsequent policy (Trujillo 2011).

Despite the cause, the result of Anslinger’s successful campaign against cannabis was the Marijuana Tax Stamp Act of 1937 (Musto 2002). Anslinger was a powerful participant in the passage of this act with his heavy-handed political and media campaign against the plant (Hawkins 2012). This act did not prohibit the cultivation of cannabis; it only maintained that a stamp must be purchased before an individual could cultivate cannabis – the catch was that no stamps were ever circulated. The passage of this act effectively made cannabis illegal, and subsequently, sensationalist media focus on “the marijuana menace” coincidentally ceased (Hawkins 2012). However, the plant only remained illegal until World War II.

During WWII (1939 to 1945) due to the escalated need – and government interest – for fiber materials, the government repealed the Marijuana Tax Stamp Act and started the “Hemp for Victory” campaign urging farmers to grow cannabis for rope and clothes (President George Bush has been purported to have been saved by a hemp parachute and rope when his plane was shot down during the WWII (Hawkins 2012)). After the war

(late 1940's and into the 1950's), the government pulled the "Hemp for Victory" program and began to attack cannabis again (Hawkins 2012). This time cannabis was connected to heroin as a "gateway drug," although heroin was largely legal if one acquired it from a doctor or pharmacist (Hawkins 2012). In the 1960's, cannabis became a major issue in the United States. The federal government created the Bureau of Narcotics and Dangerous Drugs (Hawkins 2012). Soon after, much like England, drugs were scheduled and cannabis was scheduled in the first category – the most dangerous category (Hawkins 2012). The international community through the United Nations adopted the Single Convention in 1961, which seriously restrained domestic cannabis policy in member nations – requiring the punishment of possession, sale, and cultivation (Zimmer 1997). Although the Single Convention requires punishment of cannabis offenses, it did not set the level of punishment (Zimmer 1997) – this is how Holland maneuvers around these laws.

Facing socio-cultural, political, and economic crisis in the late sixties (Parenti 1999), Richard Nixon and the rhetoric of the "war on drugs" played a major role in the emergence of strict punitive justice surrounding cannabis (Goode 1969). The rebellion of many groups and factions (during the late 1960's) including the Black Panthers, urban "hillbillies," armed Chicanos, the Yippies, and the Weather Underground – coupled with a perceived connection of drugs to the nascent rebellion – political and economic elites positioned themselves against drug use, free love, and other lifestyle "perversions" (Parenti 1999). When Nixon became President in 1969 he saw a political opportunity and decided to place (as he called) the drug "epidemic" (Trujillo 2011) under a microscope,

resulting in a “lexicon of fear” that he had championed during the “red scare” McCarthy era (Parenti 1999). Nixon cited the “spread of the corrosive doctrine that every citizen possesses an inherent right to decide for himself which laws to obey” (Parenti 1999:5) as the cause of a swath of strife at the time (late 1960’s and early 1970’s). According to Nixon and his followers, this doctrine threatened the social fabric of United States. Prior to the 1970’s, crime was ostensibly a local issue dealt with by local governments. In order to maneuver around this legal barrier the federal government combated the interstate commerce of drugs that gave the federal government legal grounds to enforce Nixon’s justice upon the “culture of disobedience” (Parenti 1999).

During the 1960’s, awareness of drug use was on the rise (Parenti 1999). Toward the end of the sixties political rhetoric had connected all the problems within the U.S., in one way or another, to drugs and drug use including cannabis (Parenti 1999). In 1970, helped by this anti-drug rhetoric, the Comprehensive Drug Abuse Prevention and Control Act was passed. Part of this Act was the re-evaluation of cannabis as Nixon and Congress appointed the specially formed National Commission on Marihuana and Drug Abuse to the task. Headed by Republican Governor Raymond P. Shafer and comprised of all Republicans, the “Shafer Commission” (1972) looked into the scheduling of cannabis (which had been temporarily placed as a Schedule 1 narcotic) (Musto 2002). Upon completion of their investigation in 1972, the commission reported that alcohol seemed more harmful than cannabis and that cannabis prohibition should be readdressed (Hawkins 2012). Nixon – with his presidential power – ignored this report and vowed that cannabis would not be decriminalized during his tenure (Musto 2002). He went on to

establish the Drug Enforcement Agency (DEA) in 1973 (Parenti 1999). This proved to be his last anti-drug action, abandoning the “war on drugs” when details of the Watergate scandal came to light leading to his resignation (Parenti 1999). Post-Watergate the DEA was subject to infighting over the enforcement and scheduling of cannabis under President Ford. When Jimmy Carter was elected president in 1977, he announced his support for cannabis decriminalization and twelve states decriminalized cannabis possession (including California).

Underlying the late sixties and early seventies was economic constriction due to the redevelopment of a war torn western world. In post-war America, business was booming from the demand of rebuilding nations like Japan and Germany. As they began to rebuild and come to compete with America (mid 1970’s), the U.S. economy began to slow. This peaked with the oil crisis and recession of the Carter presidency (Parenti 1999). When Ronald Reagan was elected president in 1981, he vowed to fix the economy with what would be coined “Reaganomics” (Parenti 1999). The Reagan presidential era was marked by economic policies which heightened class and racial divide, cutting wages and employment of the working class; simultaneously slashing public education, healthcare, and welfare (Parenti 1999). This is the setting for the second wave of the “war on drugs” in the 1980’s. If Nixon’s battle was against disobedient counter cultures, Reagan’s battle was a pre-emptive crackdown on the “underbelly” of U.S. society (Parenti 1999) – an “underbelly” created by his presidential neo-liberal policies.

Cannabis was imported from Columbia, Jamaica, and mostly Mexico during the late seventies and early eighties (Hawkins 2012). In response, an herbicide called

Paraquat was sprayed on Mexican cannabis fields. As the threat of Paraquat contaminated cannabis led to higher demand for cannabis from Colombia and Jamaica – imports of cannabis boomed in Florida (Hawkins 2012). Reagan launched a multi-agency campaign called the South Florida Task Force in 1982 under the leadership of then Vice President George Bush. The subsequent enforcement quelled imports through Florida and also targeted inner city dealers. This opened the door for cannabis to be cultivated in rural America beginning in the early 1980's (Hawkins 2012). In Northern California, some back-to-the-land movement participants capitalized on the climate and remote location, growing cannabis as a way to make ends meet (August 2012). In response President Reagan's Organized Crime Drug Enforcement Task Force (OCDETF) began the Campaign Against Marijuana Planting (CAMP). These paramilitary units initiated warrantless raids on grow sites throughout Mendocino and Humboldt Counties (Parenti 1999). Reminiscent of missions against the "rebel infested back county of El Salvador... the forests around Eureka and Fort Bragg were mapped and patrolled as was many parts of Missouri, Florida, and Maine" (Parenti 1999:48).

In 1984, the Comprehensive Crime Control Act (CCCA) was passed. This revolutionized law enforcement's ability to seize (and forfeit) the assets of any individual connected to the drug trade (Parenti 1999). Prior to this legislation, seizing a defendant's assets was relatively rare but that all changed after CCCA became law. Forfeitures skyrocketed from \$100 million in 1981 to \$1 billion in 1987 as seizing agencies could keep the proceeds (Parenti 1999). Incentives such as asset forfeiture and drug enforcement grants led to the emergence of special local drug units which specifically

enforce drug laws – seizing assets along the way. In 1988, The Anti-Drug Abuse Act created a cabinet-level position called the “drug czar” which led the creation of the Office of National Drug Control Policy. The primary function of the drug czar was coordinating federal funding and agencies working toward the eradication of drugs and drug use. The 1980’s marked the second wave of the “war on drugs” as new management and incentives became available for all levels of drug enforcement under Reagan (Parenti 1999).

In 1985, Nancy Reagan began her “Just Say No to Drugs” campaign (partly a media campaign), which effectively shut the door on any debate surrounding an alternative to the dominant drug policy of waging a “war on drugs.” A rash of anti-drug legislation was born from this climate as Democrats – trying to separate from former President Carter – decided to try to match the “tough on crime” approach Republicans had successfully employed (London 2009). During this time, the Office of National Drug Control Policy began the Drug Abuse Resistance Education program – commonly known as D.A.R.E. – which educates children about the federal government’s stance on drugs (and the correct framing of “drugs” in the minds of youth). This “education” into the doctrine of the federal government created an anti-drug frame for “drugs” including cannabis. D.A.R.E was significant insofar as it effectively took substance abuse education away from parents and communities, and gave that task to law enforcement officers (London 2009). “Together, the... program represents a regimented form of coercion, disciplining the people of the state” (London 2009:23) to a particular frame of mind – i.e. criminalization and the “war on drugs.” This “Just Say No” logic of the “war

on drugs” continued largely unchallenged until 1996 when California voters passed Proposition 215.

The passage of this seminal piece of legislation – Proposition 215 legalized access for medical patients to use cannabis – and reverberated across the world and opened the door for a new debate surrounding cannabis policy. Popular newspapers such as the New York Times reported, “the passage of Proposition 215 marks the end of ‘just say no’ – and the beginning of a great number of Americans saying a number of other things about drugs. It’s a conversation the war on drugs may not survive” (Pollan 1997:E23). This legislation marked a “foot in the door” as other states followed including Alaska, Arizona, Nevada, Oregon, and Washington. Professor of policy studies at UCLA Mark Klieman stated (at the time), “I don’t think any of these propositions would have passed five years ago... It is no longer possible to buffalo the American people by screaming drugs and having them run away” (Brooke 1998:B10). In fact, behind the scenes during much of the “war on drugs” promotion that marked the 1980’s and early 1990’s, “anti-war on drugs” groups had been mounting a concerted effort for years – reframing cannabis as medicine or a benign intoxicant. The Lindesmith Center – a powerful drug legalization group – was part of this effort and funded all five of the first successful medical cannabis initiatives (mid to late 90’s) (London 2009). In fact the Lindesmith Center, then headed by Ethan Nadelmann (currently director of Drug Policy Alliance), was largely funded by billionaire philanthropist George Soros. This did not escape the purview of criminalization elites. In 1998, then Drug Czar, General Barry R. McCaffey was quoted: “there’s a carefully camouflaged, exorbitantly funded, well-heeled elitist

group whose ultimate goal is to legalize drug use in the United States” (Brooke 1998:B10). Although many individuals and groups (with vested interests) were behind the medicalization legislation of the 1990’s and 2000’s, it seems clear that many vested individuals and groups were also behind criminalization efforts of prior years. Despite the claims of criminalization advocates, more states began to pass legislation that granted patients access to the same cannabis known previously as the “marijuana menace.”

With medicalization, cannabis users became patients in the eyes of the law and avoid receiving the “war on drugs” label of criminal. Most of the original language of medicalization legislation was directed at allowing patients suffering from cancer, AIDS, or multiple sclerosis to use cannabis – as it seems rational to allow those suffering from these conditions to alleviate discomfort by using cannabis. However, most of the legislation that passed was vague and allowed for the treatment of pain, which can be very subjective and difficult to assess. This opened the door for easily accessible medical cannabis – anyone who could convince a doctor to write him or her a recommendation could obtain cannabis. This led to the normalization of cannabis use through medicalization as more and more conditions were defined as ailments that cannabis could treat (London 2009). Many social movement organizations have employed this strategy including the Marijuana Policy Project (MPP), Drug Policy Alliance (DPA), and the National Organization for the Reform of Marijuana Laws (NORML). These non-profit advocacy groups had been around before 1996 and the passage of Proposition 215. NORML claims (via their web site www.norml.org) that they were a major part of the decriminalization of cannabis that took place during the Carter Presidency (early 70’s).

Nowadays – with the acceleration of cannabis normalization – we see legal sale of cannabis in Colorado to anyone over the age of 21. Washington has also passed legalization legislation and follows close behind Colorado. MPP, DPA, and NORML successfully broke cannabis prohibition through medicalization of state policy and have moved to advocate full legalization of cannabis in states across the nation.

The next section moves into a description of the contemporary climate surrounding cannabis policy. This is a nuanced climate with competing layers of research, policy, and rhetoric. The federal government has received a lot of criticism in recent years for the “war on drugs” as many studies show an increasingly failing “war” policy. This is the focus of the next section: the current climate surrounding cannabis policy in the U.S. and California – focusing on powerful individuals, groups, and institutions. First, an assessment of current studies about cannabis issues and the “war on drugs” will demonstrate the doubt that has been cast upon “war on drugs” type drug policy – doubt that has been used by advocacy groups. Then we will look at the different claims made by different jurisdictions of law enforcement and government officials.

Current Political Environment Concerning Cannabis Issues

The Influence of Powerful Groups on Public Discourse and Policy

This section departs from my historical analysis and briefly examines the kind of literature that informs current drug (cannabis) policy debates. This provides the context for current public discourse concerning cannabis issues – establishing the status quo while analyzing influential (powerful) sources of claims. Then I will return to an analysis

of recent policy development, reviewing conflicting federal and state law – as the starting place of contention between claims makers. This will shed light on the claims made by government agency officials – moving from federal (which is accorded the highest power as federal law trumps state law) to local/state policy (for example California). The following outlines the current conflict between the powerful players – including individuals, groups, and institutions – that dominate policy debates. This debate takes shape as a power struggle over the framing of cannabis issues – a power struggle between the Obama Administration, the DEA, and the advocacy groups vying for traction in the claims making process. Thereafter we will begin to examine the importance of the media in this process.

Over the past few decades the Department of Justice has commonly asserted that, "most violent crimes are committed not because people want to buy drugs, but because people are on drugs" (DOJ 2002:16). This has been the logical basis for policy regarding enforcement of illegal drugs. Although cannabis policy depends on this logic to legitimate its punitive enforcement, new research (Shepard and Blackley 2007) suggests that enforcement (and not use) may lead to many unintended consequences.

Shepard and Blackley researched cannabis and the association marijuana arrests have "with changes in the rates of other crimes such as homicides and a set of property-related offenses" (2007:12). Results found evidence that arrest for cannabis (not use) is "positively associated with higher levels of property crime and homicide during the 1994-2001 period" (2007:12) – this attributed to the economic and social consequences of those labeled a drug offender (i.e. recidivism rates). These findings show that cannabis

enforcement has been counter-productive in slowing non-drug related crimes. This is an unintended consequence of prohibition tactics. In 2004, Shepard and Blackley conducted research on federal anti-drug expenditures. After comparing increases in expenditures (treatment and enforcement) to drug mortality rates, results suggest that treatment is an alternative to enforcement with little or no increase in drug abuse (Shepard and Blackley 2004). Furthermore, Shepard and Blackley found that drug treatment is not associated with higher drug mortality rates and increased drug enforcement corresponds to higher drug mortality. This shows that focusing on treatment as opposed to enforcement will save lives.

When specifically looking at marijuana, it is estimated that \$7.7 billion is spent a year on enforcing cannabis prohibition (Miron 2005). Another economic expense of cannabis prohibition is the six million people arrested over the past 10 years (Shepard and Blackley 2004). These arrests have occurred while the U.S. prison population has reached endemic levels (Alexander 2010). Another “expense” of cannabis prohibition is lost tax revenues. Oakland generated \$1.4 million in tax revenue from cannabis dispensary sales in 2011. Denver collected \$3.4 million in that same year (Cooper 2012) and in 2013, during the second month of legal cannabis sales; Colorado collected three million in tax revenue (Cotton 2014). These are revenues that go into each city’s general fund and pays for police, libraries, and even streetlights. With cannabis considered a cultural norm (Hathaway 2011) in some states, along with the reality of “cash strapped” municipalities; collecting taxes on cannabis sales seems obvious but cannot be fully implemented because cannabis remains federally illegal.

Advocacy groups have used research that shows the costs associated with cannabis prohibition to support claims highlighting the failure of punitive cannabis policy – noting expenses of the prohibition of cannabis and its benign affects compared to alcohol. Combining these arguments with medical arguments, cannabis advocacy groups have built a rhetorical machine that’s resulted in many questioning current cannabis policy. Medical arguments have also moved into areas where more research is needed – however, it is constrained by the DEA and monopolized by anti-drug groups. With research restricted by the DEA it’s difficult to determine the legitimacy of many new medical cannabis arguments. Cannabis has been claimed alleviate seizures, cure crone’s disease, and preserve cognitive function (Aggarwal 2014). As a harm reducer it’s been shown to alleviate drug and alcohol abuse. It’s been shown to reduce the amount of prescription pain killers patients need to deal with their conditions – as cannabis is non-toxic. However, it’s difficult to know if these are legitimate claims made by advocacy groups. Surely these claims have some traction – the DEA and Obama administration publically addressed the issue – but it’s difficult to determine their legitimacy because the DEA controls research on the plant. The federal government (its agencies and officials) holds the most power over drug policy because federal law is the highest authority in the United States.

Federal officials hold cannabis as a Schedule 1 narcotic – this schedule is for the most dangerous and illegal drugs – meaning there are no medical uses for this drug and therefore no allotted medical research. This puts prosecutors in a tough position – while federal law trumps state law, twenty states have legalized cannabis consumption for

medical purposes and two states have legalized for recreational use. With this emerging trend in state law – and popular opinion is being swayed by researchers, the media, and advocacy groups – several written and verbal statements made by President Obama, Attorney General Eric Holder, and their spokespeople have been interpreted by medical and legalization advocates as a loosening of federal enforcement upon legal state cannabis enterprise. Claims made by the federal government have affected state cannabis policy debates, as state officials wish to avoid conflict with the federal government.

In response to these claims made by President Obama, Eric Holder, the DOJ, researchers and advocacy groups, the Federal Drug Enforcement Agency (DEA) released its official position on the subject of medical cannabis. Most likely feeling public pressure for its enforcement of (state legal) medical cannabis after Attorney General Eric Holder said the federal government would not prosecute state law abiding medical marijuana clinics, this document was released to re-establish their stance legitimizing subsequent enforcement action – as cannabis remained a Schedule 1 narcotic. The DEA's position on cannabis demonstrates a perspective of cannabis issues that justifies their enforcement upon medical cannabis distribution. The claims within this document reveals the ideological framework of many enforcement groups, as the DEA is the highest authority (largest jurisdiction which supersedes state law) when it comes to what is defined as “drugs.” The DEA framing of cannabis issues is often used as a source of many enforcement agencies perspectives on cannabis and it is subsequently disseminates into the media. This document was released in January 2011 after the failure of cannabis legalization in California and before successful legalization of cannabis in Colorado and

Washington. It was released during a time when 15 states had legalized cannabis for medical use. The document begins by asserting:

“Marijuana is properly categorized under Schedule I of the Controlled Substances Act (CSA), 21 U.S.C. § 801, et seq. The clear weight of the currently available evidence supports this classification, including evidence that smoked marijuana has a high potential for abuse, has no accepted medicinal value in treatment in the United States, and evidence that there is a general lack of accepted safety for its use even under medical supervision.” (DEA 2013:2)

The DEA asserts that medical cannabis groups advocate smoked cannabis as a treatment of sick and dying individuals (DEA 2013). This is the said function of state level medical cannabis. Furthermore the DEA demonstrates that Attorney General Eric Holder’s guidelines – which states the focus of federal prosecutors is not (state) law abiding medical clinics – do not provide a guarantee against prosecution and arrest. In sum, the DEA frames cannabis as not scientifically accepted medication – although they constrict research on the subject. They claim it is not solely used to treat the sick and dying – which appears to be acceptable by the DEA.

The DEA’s contention that smoked cannabis is not a medicine is backed by the FDA which notes “there is currently sound evidence that smoked marijuana is harmful,” and “that no sound scientific studies support medical use of marijuana for treatment in the United States, and no animal or human data support the safety or efficacy of marijuana for general medical use” (DEA 2013:4). The DEA goes on to assert the availability of Marinol® and Sativex®. Marinol® (approved by the FDA) is a synthetic THC derivative used to treat nausea associated with chemotherapy and is also used as an appetite stimulant in AIDS patients. Sativex® is a marijuana tincture used to treat muscle spasms

in patients with multiple sclerosis – it is *made from cannabis flowers* that are “grown in a structured and scientific environment, administers a set dosage and meets criteria for pharmaceutical products” (DEA 2013:5). To further legitimize the DEA’s approved cannabis products and stigmatize the illegal state level cannabis medical products, the DEA proclaims:

“Organizers behind the “medical” marijuana movement have not dealt with ensuring that the product meets the standards of modern medicine: quality, safety and efficacy. There is no standardized composition or dosage; no appropriate prescribing information; no quality control; no accountability for the product; no safety regulation; no way to measure its effectiveness (besides anecdotal stories); and no insurance coverage. Science, not popular vote, should determine what medicine is.” (DEA 2013:6)

This is a claim with a kernel of truth; however, in California medical cannabis movements have not been able to deal with product standards because federal and local law enforcement and prosecutors have thwarted attempts to generate policy that would regulate growers and distributors of medical cannabis. The DEA was created to enforce and regulate the distribution of all drugs in the United States and this includes prescription drugs. Without help from the DEA, states have been tasked with regulating medical cannabis. Yet, this task has proven difficult as the DEA raids cannabis collectives and federal prosecutors threaten municipalities. The DEA has been adamantly against cannabis use although regulating medicine is their responsibility. Dosage, quality, side effects etc; are considerations the DEA makes when regulating the distribution of drugs. The DEA largely plays a pivotal role in the safety of many Americans. The DEA appeals to science to legitimize their stance against regulating cannabis – “science, not

popular vote, should determine what medicine is” (DEA 2013:6). They claim that science – albeit restricted and potentially bias – is what determines how medicine should be distributed and consumed. The role of the government, in determining what is healthy for citizens, has long been a contentious issue. Framing cannabis using the dogma of science (by the authority of the DEA) is a strategy employed by the DEA as well as advocacy groups. Basing claims in science legitimizes the positions of these groups – the DEA included.

The DEA’s Position on Marijuana asserts the hidden intent of medical marijuana: legalization (DEA 2013). They cite the MPP and its funders (Soros) NORML, SAFER, and a full three page list of individuals and groups as “wolves in sheep clothing.” Yet, unknown at the time (January 2011) was that voters in Colorado and Washington would legalize cannabis for recreational use in November 2012. Although this changed the debate surrounding cannabis the DEA claims some shortcomings (besides the danger of smoked cannabis) of legal cannabis (albeit medical cannabis) that have traction. After the release of the DEA’s position on medical cannabis the Obama administration shifted its stance once again – influenced by public discourse. Needless to say, the debate continues. In April 2014, the Obama administration and Eric Holder publicly stated that it would work with congress to de-schedule cannabis. In response, DEA director Michele Leonhart said her agency would “fight back” against the Obama Administrations tolerance of cannabis.

Throughout history a power struggle over the framing of cannabis has been waged. In recent years, this struggle emerges as the current director and eight former

heads of the DEA have urged the Obama administration to act on the state legalization of cannabis in Colorado and Washington (Dobuzinskis 2012). The DEA's framing of cannabis is being challenged – internally (in federal government) and externally (states, researchers, and advocacy groups). While the DEA pressures federal lawmakers, local lawmakers also put pressure on the federal government. The U.S. Mayor's Convention of 2013 stated that state and local municipalities should be able to develop cannabis policy which best protects public safety and promotes community health. This comes a year after the same convention asserted a failure of the “war on drugs.” In California, the DEA and federal prosecutors have targeted cannabis collectives with their limited resources. In comparison to Colorado, this seems to be due to the lack of quality policy and regulation in the California. California is the focus of the next section.

California Cannabis Climate

Prior to the passage of Proposition 215 – The Compassionate Use Act of 1996 – possession of marijuana was a misdemeanor; cultivation was a felony; possession of less than a ounce while driving was a misdemeanor (more a felony); possession with intent to sell was a felony; transporting, selling, or giving away marijuana was a felony; and selling or distributing to minors was a felony. The act created a positive defense to all these infractions except selling or distributing the plant. It maintained that cultivation, possession, and use by those who obtained a recommendation from a doctor were exempt from criminal prosecution. On January 1, 2004, Senate Bill 420, the Medical Marijuana Program Act (MPP) became law (C.A.G.G 2008). The MMP created a mandatory state identification card program aimed at helping law enforcement track cardholders who are

able to cultivate, possess, and transport certain amounts of marijuana. Additionally, MPP defined terms, set guidelines, and recognized qualified patient's rights to collectively and cooperatively cultivate medical cannabis (C.A.G.G 2008). On May 13, 2004, the Medical Board of California – which licenses, investigates, and disciplines California physicians – set out standards for recommending cannabis to patients. These include taking history and examining patients, developing treatment plans, providing informed consent, periodic review, consultations, and keeping records (C.A.G.G 2008).

In August 2008, California Attorney General Jerry Brown outlined *Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use*. This memo is the result of 2003 legislation requiring the Attorney General to adopt “guidelines to (1) ensure that marijuana grown for medical purposes remains secure and does not find its way to non-patients or illicit markets, (2) help law enforcement agencies perform their duties effectively and in accordance with California law, and (3) help patients and primary caregivers understand how they may cultivate, transport, possess, and use medical marijuana under California law” (C.A.G.G 2008). It summarizes applicable law and legal definitions as well as guidelines for qualified patients, caregivers, enforcement, collectives and cooperatives.

In 2010, California Proposition 19 was defeated (53.5 percent voting no). This proposition would have made recreational use of cannabis legal in the state of California. Major proponents of the bill written by Richard Lee of Oaksterdam Cannabis college in Oakland California, included NORML, MPP, DPA, the ACLU, and Law Enforcement Against Prohibition (LEAP) – all powerful advocate sources and claimsmakers. Reports

at the time suggested Richard Lee invested one million dollars into the campaign.

Opponents of California's Proposition 19 included but were not limited to: California Beer and Beverage Distributors, California Bus Association, California Police Chief's Association, California State Sheriffs Association, California District Attorney Association, and California Narcotic Officer Association (Rainey 2010) – as these were some emerging anti-legalization sources and claimsmakers. The opposition was successful in their campaign – influencing public discourse through the media – mostly focusing on child safety, work place safety, and drugged driving claims. These are all claims asserted by the DEA, used by California anti-drug advocacy groups, and influenced Californians to vote down Proposition 19 in 2010. The bill was shot down by a narrow margin but this election marked a milestone because it opened the conversation surrounding cannabis prohibition. It marked a milestone as new claims and claimsmakers began to emerge in cannabis policy debates.

In California, the cannabis policy debate remains intractable – stuck between federal threats and a policy-vetoing governor. A governor who – despite recent polls showing Californians favor cannabis legalization (Richman 2013) – asked “how many people can get stoned and still have a great state” (Basset 2014) and thinks “the worlds pretty dangerous, very competitive... we need to stay alert, if not 24 hours a day, more than some potheads might be able to put together” (Basset 2014). Governor Brown – influenced by economic and security interests – thinks cannabis legalization would worsen California's competitiveness – apparently an important value, at least to the group for which he belongs. Because of this, California's governor says the state isn't ready for

legalization. But what informs Governor Brown's view of "potheads?" Where do politicians, voters, and officials get their information? How do cannabis consumers become potheads, patients, or criminals? My theory section demonstrates that this is due to the despotism of intractable conflict between in-groups and out-groups. Individuals are stuck picking sides – picking to side with "potheads," "patients," or "squares;" picking the "correct" or "incorrect" framing of cannabis issues. Frames sourced in claims perpetuated by despotic claimsmakers like the DEA, the presidential administration, governors, mayors, prosecutors, and advocacy groups – claims that affect identity through intractable in-group/out-group conflict. These are claimsmakers with vested interest in their framing of cannabis issues and each have their own science, research, and narratives (frames) for justification of their positions. This is why cannabis has been at the center of a power struggle over framing – a struggle between powerful individuals, groups, and institutions. I assert that the media plays a pivotal role in this – disseminating claims from claimsmakers, such as Governor Brown – or historically Anslinger, Nixon, Reagan, Nadelman, and so on. Powerful stakeholders become despotic as they are used as sources in the construction of media stories – thus influencing policy. The media acts as a legitimizing element – legitimizing power and authority of claimsmakers. Granting "ownership" to powerful individuals, groups, and institutions that invoke rhetorical devices (such as "scares," "crime-waves," and "epidemics") eventually legitimizes harms to those considered "outsiders" (part of an out-group).

Distilling History, Theory, and Contemporary Literature

As we have seen through the 20th and into the 21st century cannabis has taken on many different labels, names, and frames. From Anslinger and Hearst, to Nixon and the DEA, to Reagan and DARE, to the passage of California Proposition 215, and the recent passage of legalization in Washington and Colorado cannabis has been framed many different ways – and policy reflects these frames. A plant used through history as a medicine, recreational intoxicant, and fiber was framed as the “marijuana menace” post alcohol prohibition, it morphed into a gateway drug post WWII, then it became a symbol of amotivational syndrome and countercultural rebellion in the 1960’s on through the 1980’s, returning full circle to its original place as medicine, recreational intoxicant, and fiber in contemporary conversations. All these narratives have parallel frames that define cannabis through a package of symbols – illegal drug, medicine, recreational intoxicant, etc. These frames don’t just appear out of thin air, as we have seen these frames are lobbied into public discourse and policy through entrepreneurial crusades of polity and media. Special interests are often behind this lobbying – those whose frames are perpetuated often stand to gain status or fiscal reward for their expertise (“ownership”). These experts and “owners” of cannabis issues draw upon larger institutional and cultural frames – taken-for-granted rules, values, and norms – to perpetuate their frame and interest in cannabis issues. Harms such as inequality are associated with one or a few interest groups and institutions dominating the framing of cannabis. Holistic policy – based the interests of all stakeholders in a given region – becomes undermined by experts who dominate public discourse. These stakeholders who dominate the discourse

surrounding cannabis issues stand to have their interests met while those not represented become censored – even criminalized as “others.” This has been shown through the unequal application of cannabis law. It seems the first step toward solvent cannabis policy is making sure all stakeholders are represented in public discourse. This is paramount for the public to vote on and support sound policy – policy that is universally informed.

Viewing cannabis issues from the perspective set forth in the last chapter leaves us to ponder the role of the media in Humboldt County. Humboldt County has been touted as the epicenter of cannabis cultivation in the United States – Humboldt County is known around the world for it’s of cannabis (Brady 2013). Residents, elected officials, media outlets, and law enforcement groups have dealt with cannabis issues on a daily basis since the back-to-the-landers (August 2012) started cultivating the plant in the 1970’s. Some contend cannabis is an integral part the local economy (Budwig 2013) – warning that faulty policy could damage Humboldt’s economy. If holistic policy – policy informed by all stakeholders – is paramount to the economic success of this area, and Humboldt County is home to a swath of cannabis experts from an array organizational and institutional affiliation, then holistic public discourse through the media can inform successful cannabis policy (leading the way for the rest of the state). Distilling the last chapter of my literature review, I pose the question: has the media constructed “scares,” “crime waves,” or “epidemics” in Humboldt County? Do certain groups or institutions “own” the framing of cannabis issue in Humboldt media? Does Humboldt County’s media under source some stakeholders of local cannabis issues? This is the focus of my

research. The next section will set its gaze upon Humboldt County. We can see through history, theory, and contemporary literature that the media plays a large role in legitimating policy and enforcement. This relationship between media and politics has been demonstrated to cause harm to communities in the past. As causality is difficult to determine, research focuses on the pattern of sources that shape the framing of cannabis issues in local newspaper media. But before we delve into research, first we must discuss the unique circumstances associated with this local region – Humboldt County situated in Northern California.

Humboldt County's "Elephant in the Room"

"When the conversation is all over with, there's this giant elephant standing in the corner that no one looks at"

- Former Humboldt County Supervisor, Roger Rodoni speaking in regards to Humboldt's illicit cannabis industry (Faulk 2007)

Humboldt County's economy has come to rest on the production of cannabis. As timber and fishing industries have constricted and timber mills have shut down, cannabis has moved in to fill the economic void (Budwig 2013). Humboldt holds an unemployment rate six to seven percent higher than the rest of the state and country (Budwig 2013). Many people in Humboldt depend upon cannabis production to make ends meet – this includes restaurants, grocery stores, hardware stores, all types of local businesses, and potentially some government agencies; and of course those who cultivate, process (trim), and distribute cannabis. Conservative figures show 30 percent of the local economy is sourced in the counties cannabis industry (Budwig 2013). This is the elephant in the room that Rodoni (above) refers to. Humboldt has come to rely on cannabis

economically. Many “grow shops” – aka agriculture supply stores have become staples in the local economy. Businesses that serve Humboldt’s cannabis industry have proliferated. Delving deeper, local law enforcement budgets can become dependent upon grants for drug enforcement and asset forfeiture from seizures (Worall 2004). With cannabis becoming legal, these businesses and budgets may no longer be viable.

Cannabis issues have been connected to environmental damage, organized crime, property damage, child endangerment, and other types of social problems including violence and “hard” drug use; these claims need to be sourced and substantiated. Scare tactic frames – as the “correct” frame presented in the media – can hinder holistic policy creation. Frames can also diffuse into debates that have no basis other than folklore. The sources of these frames must be exposed so special interests can be exposed.

Framing is an important step in labeling a conflict and mismatches in frames among disputants hinders consensus through opposing definitions of issues (Lewicki et al 2003). These mismatches are amplified when social systems are overprescribed – meaning that institutions that manage disputes are contradictory and obstructed by layers of restrictive bureaucracy (Lewicki et al 2003). California’s policy and regulation of medical cannabis is overprescribed – contradictory and obstructed by bureaucracy. This contradiction leads to mismatches in frames and definitions resulting in intractability. Humboldt’s experts – including regulatory, environmental, legal, agricultural, public health, community, medical, academic, and cannabis specific – must inform the public and elected officials (i.e. local policy debates). Policy cannot be informed by a limited number of special interests and voices; current medical cannabis debates – and future

legalization debates – must be informed by all stakeholders. For the county to remain economically sustainable the cannabis industry must be supported and this depends upon sound policy.

Public discourse plays a pivotal role in policy generation. The sources of public discourse potentially reflect a limited position and not a well-informed perspective. In Humboldt County, the first step toward solvent cannabis policy creation is a well-informed public (and therefore representatives). With access to a plethora of sources of information from varying spheres, policy can be generated through debate and mediation that most benefits local communities. Civic and democratic participation is contingent upon a well-informed electorate. The media plays a central role in informing American voters – including Humboldt County. As the result of Project Censored media research out of Sonoma State University (est. 1976) – Mickey Huff and Andy Lee Roth assert that the media outlets become censored. Censorship means “any subtle yet constant and sophisticated manipulation of reality by mass media, including the intentional omission of a news story – or an important aspect of a news story – based on anything other than a desire to tell the truth” (Huff and Roth 2012:21). This manipulation, as a result of secondary claimsmaking, can come from political pressure of individuals or institutions, economic pressure from advertisers or funders, and/or legal pressures (Huff and Roth 2012). “In sum, censorship is not limited to overt, intentional omission, but also includes anything that interferes with the free flow of information in society that purports to have a free press system” (Huff and Roth 2012:21). Aligning with Huff and Roth, this study unpacks the institutions used as sources of cannabis issues in Humboldt County

newspaper media. The sources of landmark narratives regarding cannabis issues potentially reflect a limited frame of analysis. By understanding the sources that have been reflected in the cannabis debate, as well as those that haven't, research will potentially reveal a lopsided narrative of cannabis issues perpetuated in Humboldt's media. If my research can expose the "owners" of cannabis issues in Humboldt's public discourse then this study can demonstrate a lack of information required to generate sound policy surrounding cannabis use, possession, distribution, and cultivation. This brings me to my research question.

Research Question

We can see the cannabis plant at the heart of a number of major issues in America. The issues have historically revolved around competing interests. My theory section constructed a deductive lens in which dominant institutions come to define "correct" and "incorrect" frames of (cannabis) issues that legitimize rules and their subsequent formalized enforcement – this being the result of political processes like lobbying the state. Overtime – through the aforementioned formalization – these rules are internalized and further legitimized through media construction – i.e. primary and secondary claims making; framing a narrative into an article. In this chapter I showed how media construction has legitimized institutional interests by creating "epidemics" and "scares" that inform and legitimize the creation of policy and enforcement. These "epidemics" and "scares" have resulted in the targeting of individuals and groups considered "dangerous" by dominant groups. The literature has demonstrated that this has

been a scapegoating process, as these individuals and groups are often blamed for a swath of social ills. This happens when claimsmakers – who are granted access to media (as sources) – become the “owners” of a particular issue through secondary claimsmaking – then frame stories to reflect their interests. With Humboldt County touted as the epicenter of cannabis cultivation and distribution, this research seeks to determine whether Humboldt County news media portray a well-informed perspective of cannabis issues – or instead a limited and biased perspective shaped by special interests?

If “epidemics” and “scares” (such as drug scares) are usually characterized by despotism in the media, quantifying the sources reflected in Humboldt County’s news media will shed light on the origins of public discourse – potentially revealing the “owners” of claimsmaking processes (clueing future research to the potential presence of a media constructed “epidemic” or “scare” in Humboldt’s news media). The counties residents should know if their print media reflects a holistic or limited perspective – as an informed electorate is pivotal to voting for sound policy and policy makers. Research will conduct an analysis of newspaper media in Humboldt County California, newspaper by newspaper, examining the sources used by journalists for their stories about cannabis issues. Determining the sources of information surrounding cannabis consumption, cultivation, and distribution will help us understand which institutions and groups have been used as primary claimsmakers (regarding cannabis issues). This research seeks to identify trends in these claimsmaking sources used in Humboldt County’s newspaper media – revealing the institutions that represent the claims made through Humboldt’s popular discourse. My research seeks to *identify the claimsmakers who have been utilized*

as sources of cannabis information in Humboldt County newspaper media from 1996 to 2010.

Before I delve further into my hypotheses and method, I must clarify my logic concerning causality. It's important to understand that I am *not* asserting that any institutions cause newspaper media to use certain sources. *I am asserting that the process of claimsmaking rewards the use of certain sources – and over time these sources have a higher probability of being utilized in Humboldt's newspaper media.* Utilizing a particular claimsmaker regarding cannabis issues rewards both newspaper employees and their sources. Thus, this research is not interested in asserting causality, instead aims to reveal patterns through identifying sources of meaning – making predictions based on history and theory. It is difficult to empirically demonstrate a cause of action – as this is a process with innumerable variables – but certain institutions can reward certain patterns of actions through values, rules, codes, and norms. It seems too easy to say that certain institutions *cause* certain claimsmakers to be used as sources in the media. Therefore, I argue, when asserting statistical probabilities, predictable patterns can be the result. This is the logic of skipping causality and determining patterns – patterns of sources that perpetuate frames associated with certain institutional worldviews (including values, codes, rules, and norms).

Hypothesis

Throughout history power has played a pivotal role in media construction because access is usually reserved for those of higher status (usually through certain institutional

affiliation). Furthermore, as we have seen, most institutions are motivated by special interest when framing issues into “scares” and “epidemics.” The criminal justice system and polity have typically played this role, proving influential in drug related issues (including cannabis) for the last 50 to 100 years. Only in the last 20 years has cannabis begun to normalize through medicalization. Thus, combining history, literature, and theory – demonstrated through my literature review – I hypothesize:

1. The criminal justice system and government officials will be sourced most often in articles regarding cannabis issues compared to other stakeholders.
2. Pro-cannabis social movement sources will slowly increase over-time – i.e. from 1995 to 2010.
3. Those considered in violation of cannabis law – i.e. growers, users, providers, distributors, defendants, etc – and therefore considered low status, will not be as frequently sourced in Humboldt County’s newspaper media.

CHAPTER 2

METHOD STATEMENT

In order to establish the frequency of sources utilized as primary claimsmakers regarding cannabis issues in Humboldt County newspapers, I drew a sub-sample of articles from an existing sample of 1,773 cannabis related (Humboldt County) newspapers articles. As my literature review demonstrated, the primary claimsmakers who gain “ownership” over the media have the power to frame cannabis issues – potentially creating “epidemics” or “scares” that legitimize group interests. “Ownership” as despotism in the media, not only favors one group’s interests over others, it also potentially censors alternative claimsmakers. This leads my research to investigate the institutional stakeholder groups utilized as sources in Humboldt County’s newspaper media. Deconstructing the institutional sources of cannabis issues in Humboldt County’s public discourse will reveal the stakeholders whose frames (and interests) have been given attention and whose frames have been potentially censored. Testing my hypotheses (stated at the end of my literature review) will demonstrate a potential connection between public discourse and policy. If policy grants certain groups higher status then those groups may gain power over the media. Conversely, if the media grants certain groups “ownership” over a social issue then those groups may gain more power over policy debates.

My literature review has demonstrated that cannabis policy has been prohibitionist when criminal justice and government stakeholders have dominated public

discourse. Historically, when the criminal justice system and political elites dominate the framing of cannabis issues in the media their prohibitionist interests have been satiated in the form of punitive cannabis policy advancement. Alternatively, when pro-cannabis groups are granted access to claimsmaking in the media they have influenced the creation of pro-cannabis policy. Furthermore, when groups are granted access to the media, their frame – and subsequent actions – becomes legitimized (for example punitive cannabis enforcement). Investigating if this has been true of Humboldt County’s media is the purpose of this study. In order to test these predictions, I coded the sources and type of claims made in each article of my sub-sample. The method I applied was a content analysis. My sub-sample and method will be the topic of the next few sections.

Sampling

This research draws upon a random sample of 1,773 Humboldt County newspaper articles collected as part of a larger research project. As part of that project, all newspaper articles that reference marijuana or cannabis from 1995 to 2010 were included. Editorials, letters to the editor and opinion pieces were excluded. The newspapers include (1) *The Eureka Times Standard*, (2) *The Journal*, (3) *The Arcata Eye*, and (4) *The Southern Humboldt Life and Times*, which eventually changed to (4) *The Redwood Times*. These newspapers were chosen for their relevance in Humboldt County’s popular discourse – as these newspapers are given the most credibility in regards to cannabis issues within the county.

The subsample for this study was chosen with respect to time and location – an article from each newspaper was chosen for each month from 1995 to 2010. This was done in order to make sure that an article from each newspaper was selected for each month – ensuring that changes in time and newspaper location were measured. A simple random sample of articles was drawn by month for each newspaper generating an article for each newspaper for each month (from 1995-2010). For example, if five articles were present that mentioned marijuana in *The Eureka Times Standard* in May 2005, then each article was assigned a number (one through five). Subsequently a random number generator (random.org) selected a number (one through five), the resulting number indicated the article for which it had been assigned, and that article was chosen. If an article wasn't available for a particular month, then that month was skipped and no article was chosen. The process yielded a sample of the 489 articles. During my research I came across a few articles that were either ineligible (in their PDF form) or missing. I left these articles un-coded – i.e. I coded no sources – as to keep data collection uniform and objective.

The fifteen-year period between 1995 to 2010 was chosen, given that it captured the year leading up to the 1996 Proposition 215 (medical marijuana legalization) and 2010 Proposition 19 (marijuana legalization) elections. During my research I observed that some articles were repeated across newspapers – especially if they were Sheriff Office press releases or news wire stories (e.g., Reuters or Associated Press). In these cases I counted both articles because it would likely reach different readers. Articles

within the editorial section were not included because they represent often un-sourced material – that is the opinions of writers.

Newspaper media was selected partly due to convenience and partly due to its relevance within the county. National stories have little relevance in Humboldt County, as they don't specifically reflect the attitudes of Humboldt's citizens or the policies of local governments (and California). Local television and radio news reporting is limited and hard to measure; and although the Internet became a significant arena with significant carrying capacity (Best 2008) during this period, newspapers (including their web-sites) are a main source of information for many Humboldt County residents. As for convenience, print media is easier to analyze than television. Additionally the articles had already been collected as part of a larger study, thus saving time. Altogether, this is not a simple random sample of all public discourse in all of Humboldt County; therefore some generalizability issues are inherent. Thus, results are not being generalized beyond Humboldt County's newspaper media.

Content Analysis

In order to test my hypotheses, I conducted a content analysis of cannabis related news stories gleaned from Humboldt County newspaper articles. By applying an objective and systematic coding system to the content of the articles in my sample (Riffe, Lacy, & Fico 1998), I was able to measure the institutional affiliation of the sources provided. This method is highly touted when analyzing newsprint media, especially when

quantifying content for later statistical analysis. For these reasons I selected content analysis as my methodological approach.

One of the greatest strengths of a content analysis is its unobtrusive nature (Babbie 2004). Harm to subjects and reactivity are mitigated by studying written messages and not human subjects. Reliability is strong if categorical designations are consistent and universally understood. Distinguishing the categories of sources is paramount to the reliability of this method. By drawing a sample of news coverage over time, I am able to provide a longitudinal analysis. Measuring changes overtime, research can demonstrate the impact of events such as policy development and landmark narratives. This is the reasoning behind using this method. However, some critics (Holsti 1969) of content analysis have found disadvantages to this form of analysis. A content analysis may overestimate the comparative nature of certain phenomena – oversimplifying complex processes of knowledge generation. Some have also argued that measuring manifest knowledge misses the function of latent influences. With these issues noted, I have chosen to measure solely the sources and type of claims generated through Humboldt print media. I am not concerned with specific claims being made through the articles. This approach mitigates the influence of my subjectivity and focuses on the claimsmakers granted access to Humboldt’s newspaper media

In order to test my hypotheses, it is necessary that key concepts are operationalized. For my research, a *source* is defined as the individual, group, or organization whose claims or reports are present in the article text. A source is referenced through quotes, paraphrasing, or simply the publication of a report. If an individual,

group, or organization is used in an article as a claimmaker and its identity can be discerned then it is considered a source. Coding of sources was an inductive process and will be further discussed in the subsequent section.

Coding the Sources

Viewing the articles themselves as the unit of analysis, I inductively separated the sources that occurred within the articles into categories based upon the affiliation of individuals, reports, and press releases used by journalists. With the knowledge I generated through my literature review, I teased out categories for the sources revealed in my sample. These categories were based upon institutional and/or group affiliation. The sources organizational affiliation was not always obvious. Sometimes it was difficult to determine a category for a source. Therefore, when needed I created new categories. Yet, after sensitizing myself to the material, the categories of sources began to crystallize in my analysis. To mitigate any reliability issues I double-checked my results by going and recoding 10 percent of the articles a second time – making sure my categorical designations were consistent.

Many times the source would be introduced – for example by name and organizational affiliation. In a few cases the articles text provided clues to the source, such as: “officers said” or “advocates contend.” Sometimes articles would end with repetitive sentences such as: “for more information regarding this issue please contact...” I found that certain markers indicate the sources affiliation when the sources affiliation was not overtly mentioned throughout the text in the article. For example if an article

stated that “more arrests are expected” or “this is an ongoing investigation” these were crime reports submitted by law enforcement. Articles for which I could not discern a source, I simply did not code a source. If multiple sources from the same category were present in the article text, then I only marked that category once – as I am only concerned with the presence or absence of that particular category of news sources. Some sources had multiple affiliations; in this case I selected the category that nearest matched the articles portrayal of the source. For example, a lawyer from NORML speaking on behalf of legalization was counted as a legalization proponent. Throughout the process I made notes about themes, patterns, or trends that I discovered.

When coding the articles, I took notes on the sources used in the article. After I had read the article I transferred the sources into their categorical designations via SPSS by marking either (1) their presence or (0) their absence. This was done for each article and each source used. All together 489 articles were coded and I came up with 26 categories of sources. The descriptions of each of these categories of source can be seen in Table 1 (following page).

Table 1 **Description of the Categories of Sources Coded**

Source	Description
1. Local and State Law Enforcement	Includes all law enforcement local and under state jurisdiction – i.e. city police, county sheriff, Highway Patrol, County based drug task forces, etc. Examples include Humboldt County Sheriff, drug task force officers, public relation officers, etc.
2. Local and State Judge or Prosecutor	Includes all District Attorneys and Judges working for the county or state – from Humboldt County Superior Court to California Supreme Court. All District Attorneys are included in this category as well as court reporters.
3. Federal Enforcement or Prosecutor/DOJ	Includes all federal enforcement bureaus and agencies including prosecutors and the Department Of Justice. Specifically any federal criminal justice institution. The DEA, FBI, and Attorney General fall into this category.
4. Corrections	Includes anyone from corrections. Examples include: correctional officers, parole officers, etc.
5. Local Government Official	Includes city government officials – i.e. Arcata and Eureka – and Humboldt County officials. Examples include: county supervisors, city planners, inspectors, etc. This excludes positions responsible for enforcing drug laws.
6. Federal Government Official	Includes any federal government official or representative. Examples include: senators or representatives, the president’s cabinet, etc. This excludes any officials responsible for enforcing drug laws.
7. California State Level Official	Includes all state government officials – either elected or not. This includes mayors, the governor, and those appointed to positions in state level government.
8. Park or Land Official	Includes state/federal land and park officials. Examples include: Redwood National Park Officials, Bureau of Land Management, etc. These are individuals responsible for management of natural resources and public land.
9. Cannabis Legalization Proponent	Includes all individuals, groups, and organizations advocating legalization. Examples include: Marijuana Policy Project, NORML, Jack Herer, Ed Rosenthal, etc.
10. Medical Cannabis Proponent	Includes all individuals, groups, and organizations advocating the medicinal use of cannabis. This includes patients and cannabis clinic operators. Examples include: Dennis Peron, Richard Lee, etc.
11. Public Health Expert	Includes all public health officials – i.e. anyone affiliated with the public health sphere. Examples include: doctors, nurses, pharmacists, public health officials, public safety inspectors, drug counselors, etc.
12. Community Member	Includes community figures and members, active and outspoken citizens, residents, land and home owners, students, witnesses, etc.
13. Civil/Workers Rights Organizations	Includes civil liberty groups, unions, and human rights advocacy groups. Examples include: the ACLU, the NAACP, Cop watch groups, Civil Rights Monitoring Group, etc.

Source	Description
14. Anti-Drug Proponent	Includes any individuals or organization with an anti-drug stance and advocacy position. These sources are concerned with abstinence from drug use. E.g. Community Anti-Drug Coalitions of America.
15. Private Attorney and Public Defenders	Includes all private attorneys and public defenders – i.e. defense attorneys, county attorneys, etc. essentially all attorneys not working as prosecutors.
16. Grower, user, or distributor of Cannabis	Includes growers, possessors, users, distributors, defendants, and family or friends representing them. This category excludes those referred to as patients and directors of cannabis collectives/cooperatives.
17. Humboldt State University Official	Includes all officials not associate with research from Humboldt State University. For example the university president, deans, and spokespersons.
18. Business/Financial Leader	Includes business and financial leaders, owners, and experts. Examples include: business owners, contractors, etc.
19. Media Personality	Includes all individuals who are seen as media personalities. Examples include: Bill Maher, Bryan Gumble, etc.
20. Environmental Figure	Includes all individuals from non-governmental environmental organizations. This includes environmental researchers, advocacy groups, etc.
21. Pacific Gas and Electric	All individuals from PG&E
22. Private Investigator	All Private Investigators
23. Horticulture expert	Includes all agriculture, gardening, and plant experts
24. Fireman/woman	Includes all individuals from any fire department
25. Property manager	Includes all individuals working in property management
26. Cannabis Specific Researcher	Includes all researchers specifically researching cannabis – i.e. the plant and issues surrounding the plant. Ex. Humboldt state faculty, doctors researching cannabis, analytical labs, etc.

These categories were further broken into six institutional stakeholder groups – the criminal justice system, pro-cannabis social movements, government, public health, cannabis growers and sellers, and cannabis researchers (see Table 2). These groups presented themselves through literature and research as institutional stakeholder groups that hold high interest in cannabis policy. These institutional groups are not the only

stakeholders in regards to cannabis issues but they represent the predominant groups that emerged during my analysis.

Table 2 Types of Institutional Stakeholder Groups

Institutional Stakeholder Groups	Category of sources included from Table 1
Criminal Justice	(1) State/County/City Law enforcement, (2) State/County prosecutor, (3) Federal Enforcement Prosecutor, (4) Corrections
Pro-Cannabis Social Movement	(9) Cannabis Legalization Advocate, (10) Medical Cannabis Advocate
Government (non-criminal justice)	(5) Presidential Administration, (6) Local Government Official, (7) State Government Official, (8) Park/Land Official
Public Health	(11) Public Health Official
Cannabis Growers and Sellers	(16) Grower/User/Distributor of Cannabis
Cannabis Researcher	(26) Cannabis Specific Researcher

Coding the Claims

Ancillary to coding the source, I coded the types of claims made in each article – criminal, medical, or normal. I created three categories for which claims regarding cannabis issues were coded. These categories were criminalization, medicalization, and normalization (see Table 3). The claims in the articles of my sample often fit into these categories – however, some claims didn't fit. When a claim didn't fit into a category then it simply wasn't coded – for I was only concerned with the presence of a claim. Also following this logic, like coding the sources, if one or more claims from the same category existed in an article then that code was simply marked as present – multiple claims of the same type in the same article were not coded. For example, if three

criminalization claims existed in an article then criminalization in that article was coded simply as present. On the other hand, if a given article contained all three types of claims then all three categories were coded as present (the same is true if two types of claims were present).

Table 3 Descriptions of the Categories of Claims Coded

Claim Type (Code)	Description of Categories Coded
Criminalization	This category was used for claims criminalizing cannabis users, distributors, possessors, and cultivators. Includes reports about arrests, search warrants, and eradications. Coded as present in articles claiming criminal activity regarding cannabis issues.
Medicalization	This category was used for claims medicalizing cannabis users, distributors, possessors, and cultivators. Includes reports about medical cannabis activist and policy. Coded as present in articles that claim cannabis is a medicine.
Normalization	This category was used for claims normalizing cannabis users, distributors, possessors, and cultivators. Includes reports about cannabis legalization activism and policy. Coded as present in articles that claim cannabis is normal or should be legal for recreational use.

Criminalization was marked present when claims framed cannabis issues as criminal – for example a law enforcement issue. Crime reports of law enforcement and court actions were included in this category – as reports of crime are essentially criminalizing claims. Examples of other types of criminalization claims included connecting cannabis users to other types of crime and potential violence, demonstrating a suspect broke a cannabis law, court decisions reaffirming cannabis as illegal, and so on.

Essentially the criminalization category was reserved for claims that legitimized cannabis as an illegal narcotic.

Medicalization was marked present when claims framed cannabis issues as medical or a health issue. Reports of medical policy advancement and advocacy (medical cannabis) were included in this category. The claims often referred to cannabis as medicine, its use as a treatment, its possessors as patients, and cultivators and distributors as providers. Medicalization was ultimately reserved for claims that legitimized cannabis as a medical/health issue.

Normalization was marked present when claims framed cannabis issues as normal. Often these claims insinuated that cannabis use, possession, distribution, and/or cultivation should be legal. Normalization can be thought of as legalization but this category also included claims regarding cannabis as culturally normal – claims like “everyone uses it” or “cannabis is common” were incorporated. All claims that any amount of cannabis should be legal were included in this category – for example, even if a claim advocated legalizing one ounce of cannabis, then the normalization was coded as present. As for decriminalization claims, if the claims end was legalization it was included. However, claims such as decreased sentences for cannabis crimes were not coded as normalization (this would be coded as criminalization or not coded at all depending on the context of the article).

Analytical Strategy

In order to test the hypotheses I set out at the end of my literature review; I ran frequencies for each stakeholder group (from Table 2). Although my focus was on the criminal justice system, government, and cannabis growers, I ran frequencies on other stakeholder groups in order to contrast the frequency of sources present throughout my sub-sample. This strategy measured the presence or absence of each group of sources as a ratio ($n/489$). The subsequent ratio was converted into a percentage – a percentage telling the rate each respective group of source was present in the 489 articles of my sub-sample. Additionally, in order to test the presence of pro-cannabis social movement sources over-time I created three time periods and tested the presence for each period. Periods included (1) 1995 to 2000, (2) 2001 to 2005, and (3) 2006 to 2010. The presence of each stakeholder source was tested for each category in order to measure changes in the use of sources through time. I also tested the presence of source by newspaper (The Times Standard, The Journal, The Arcata Eye, The Southern Humboldt Life and Times, and The Redwood Times). Further, I examined the frequency of the types of claims (criminalization, medicalization, and normalization) overall, by newspaper, and by time period. This strategy provided me with an overview whereby I situated my findings. This is the focus of the following section. The next chapter will discuss the results of my research and offer a discussion – viewing my findings through the lens I constructed in my literature review.

CHAPTER 4

FINDINGS

The criminal justice system can be considered “owners” of cannabis issues in Humboldt County newspaper media (from 1995 to 2010). The criminal justice system acts as a primary claimsmaker in a vast majority of the articles sampled. Conversely growers, distributors, and users (non-medical) are underrepresented, along with public health experts and cannabis researchers. Overall, the criminal justice system was disproportionately over-sourced compared to other institutional stakeholder groups. A vast majority (68.5 percent n=335) of the articles in my sample utilized criminal justice sources – for example city, county, state, and federal law enforcement, corrections, and prosecutors (see Table 4). Government sources were less frequently used, only appearing in 13.5 percent (n=66) of the articles. Pro-cannabis social movements appeared in 12.3 percent (n=60) of the articles. Cannabis growers, distributors, and users were rarely used appearing in just 3.7 percent (n=18) of the articles in my sample. Public health sources appeared in only 2.7 percent (n=13). Cannabis specific researchers were only used as sources in three articles (0.6 percent n=3).

Table 4 **Distribution of Institutional Stake Holding Sources**

Institutional Stakeholder Sources	Percent	Number
Criminal Justice	68.5%	335
Government	13.5%	66
Pro-Cannabis Social Movements	12.3%	60
Growers and Non-Medical Distributors and Users	3.7%	18
Public Health	2.7%	13
Researchers (cannabis specific)	0.6%	3

Note: Numbers don't total to number of articles codes as multiple sources could be used in same article

When comparing these stakeholder groups, my findings demonstrate that the criminal justice system was represented at a significantly higher rate than any other institutional source. Concerning the type of claims made in the articles of my sample, 75.1 percent (n=367) of the articles reported claims of crime connected to cannabis cultivation, distribution, possession, and use. 18.8 percent (n=92) reported claims associated with medicalization and 10 percent (n=49) reported claims regarding normalization.

Table 5 **Claims made regarding cannabis in Humboldt newspapers**

Claim Type	Percent	Number
Criminalization	75.1%	367
Medicalization	18.8%	92
Normalization	10%	49

Combining these results demonstrates a majority of the articles reporting claims associated with cannabis crime utilizing criminal justices sources. Articles reporting cannabis related crime used criminal justice sources 82 percent of the time. Articles sourcing the criminal justice system reported criminalization claims 90.1 percent of time. These results demonstrate the criminal justice system as despotic “owners” of

criminalization claims in Humboldt County newspaper discourse. The following sections will: (1) compare sources and claims over-time, (2) compare sources and claims in each respective newspaper, (3) and qualitatively examine the types of claims associated with each group of stakeholder sources. A discussion of these findings will conclude this chapter.

Comparing Sources and Claims Over-Time

When determining if pro-cannabis social movements were sourced at increased rates over time – from 1995 to 2010 – results show little evidence of a steady increase of pro-cannabis social movement sources (approaching 2010). During the 1995 to 2000 period pro-cannabis social movements were sourced in 16.2 percent of the articles, which declined during the 2001-2005 period to 7.5 percent before increasing to 13.8 percent between 2006 and 2010 (see Table 6). This potentially reflects the influence of California state voter initiatives (policy emergence) – i.e. post Proposition 215 (Compassionate Use Act) in 1996 and pre Proposition 19 (Regulate, Control and Tax Cannabis Act) in 2010. These initiatives may have steered public discourse away from criminal justice sources in the years after the passage of Proposition 215 and years leading to the defeat of Proposition 19.

Interestingly, when looking at the criminal justice sources used over the period, we see an increase during the 2001-2005 period – 65.5 percent of the articles from 1995 to 2000 represent criminal justice sources. This increased to 79.2 percent during the 2000-2005 period, dropping to 60.3 percent between 2006 and 2010 (see Table 6). As

mentioned above, this is possibly the result of voter initiatives or potentially a reflection of a relationship between the criminal justice system and Humboldt County's newspaper media. This may be evidence of a functional relationship between the criminal justice system and the local media. The media and law enforcement may have a symbiotic relationship that rewards both of these groups through the publicity of cannabis related crime (this will be discussed later in the chapter).

Table 6 Percent of Articles using Criminal Justice and Pro-Cannabis Sources from 1995 to 2010

Source Type	1995 to 2000	2001 to 2005	2006 to 2010
Criminal Justice	65.5%	79.2%	60.3%
Pro-Cannabis Social Movement	16.2%	7.5%	13.8%

When comparing the type of claims made over the same periods (see Table 7), a similar trend emerges. Criminalization claims increase slightly during the 2001-2005 period to 83 percent and decrease to 69.2 percent during the 2006-2010 period. Medicalization claims increased from 17.5 percent, during the 2001-2005 period to 20.1 percent during the 2006-2010 period. Additionally a substantial change occurred in normalization claims, increasing from 5.8 percent during the 2001-2005 period, to 17.8 percent during the 2006-2010 period. These findings also point to voter initiatives as a potential catalyst for a decrease in criminalization claims and an increase in medicalization and normalization claims (regarding cannabis issues).

Table 7 Percent of Articles using Criminalization, Medicalization, and Normalization Claims Made in Humboldt Newspaper from 1995 to 2010

Type of Claim	1995 to 2000	2001 to 2005	2006 to 2010
Criminalization	78.3%	83%	69.2%
Medicalization	20.3%	17.5%	20.1%
Normalization	6.5%	5.8%	17.8%

When comparing the sources and type of claims present over-time, findings suggest that the criminal justice systems “ownership” of cannabis related issues in Humboldt County newspapers was most dominant during the 2001-2005 period. Conversely, findings demonstrate an increase in medicalization and normalization claims, and pro-cannabis movement sources, during the 1995-2000 and 2006-2010 period. The presence of voter initiatives – post Proposition 215 and pre Proposition 19 – may have led Humboldt’s newspaper media to utilize claimsmakers other than criminal justice sources during these periods. This may have led to an increase in medicalization and normalization claims made by alternative sources – such as pro-cannabis movements – during the post 1995 period and pre 2010 period.

Sources and Claims by Newspaper

Comparing sources by newspaper demonstrated that the Southern Humboldt Life and Times/Redwood Times used criminal justice sources at a higher rate than other newspapers in the sample (85.2 percent and 87 percent respectively) (see Table 8). The Journal made up the low end utilizing criminal justice sources in 53.4 percent of stories

regarding cannabis issues. The Times Standard was utilized criminal justice source 68 percent of the time and the Arcata Eye utilized criminal justice sources 57.3 percent of the time. It is unclear why there was an overreliance on criminal justice sources by Southern Humboldt newspapers. Given that Southern Humboldt is typically thought of as the epicenter of cannabis production in Humboldt County this finding was unexpected. This greater reliance on criminal justice sources might be a reflection of the increased per capita cannabis cultivation in the Southern Humboldt region. However, this can also be a function of the criminal justice system – for instance the submission of crime reports by law enforcement. The Southern Humboldt Life and Times specifically stated when cannabis related articles were submitted by law enforcement. For example at the end of such articles it was stated: “Submitted by the Humboldt County Sheriff’s Department.” The media may have an over reliance on cannabis crime reporting generated as a function of the criminal justice system. These crime reports can be an opportunity for the criminal justice system to define parameters – of what they consider medical cannabis and crime – while newspaper outlets sell newspapers and save time by printing law enforcement generated articles – articles that criminalize cannabis users, patients, growers, etc.

Table 8 **Criminal Justice and Pro-Cannabis Sources by Newspaper**

	The Times Standard	The Northcoast Journal	The Arcata Eye	Southern Humboldt Life and Times	The Redwood Times
Criminal Justice Source (percent sourced in articles sampled)	68%	53.4%	57.3%	85.2%	87%
Pro-Cannabis Social Movement Sources (percent sourced in articles sampled)	13.5%	9.6%	18.4%	7.4%	7.4%

Regarding the types of claims made in each newspaper, Southern Humboldt papers reported claims associated with criminalization of cannabis in 91 percent of articles sampled (see Table 9). The Northcoast Journal reported the most balanced coverage – reporting claims associated with criminalization 55.6 percent of the time, medicalization 31.9 percent, and normalization 26.4 percent of the time. Combining medicalization and normalization, results show 58.3 percent (31.9 percent + 26.4 percent) of the claims reported in The Northcoast Journal as pro cannabis claims. Comparing this to the criminalization claims at 55.6 percent suggests the Northcoast Journal is the most holistically informed newspaper regarding cannabis issues (and types of claims). The Arcata Eye follows close behind with 66 percent criminalization, 27.8 percent medicalization, and 12.4 percent normalization (30.4 percent pro cannabis); and the Times Standard with 80.6 percent criminalization, 18.3 percent medicalization, and 6.9 percent normalization.

Table 9 **Claims made in Humboldt County newspapers**

Time of Claim	The Times Standard	The Northcoast Journal	The Arcata Eye	The Southern Humboldt Life and Times	The Redwood Times
Criminalization (percent present in each newspaper)	80.6%	55.6%	66%	91.3%	90.7%
Medicalization (percent present in each newspaper)	18.3%	31.9%	27.8%	7.5%	7.4%
Normalization (percent present in each newspaper)	6.9%	26.4%	12.4%	5%	3.7%

Focusing on the Southern Humboldt newspapers, an increase in articles submitted by law enforcement may have increased the percentage of articles that made claims associated with criminalization. An additional variable may account for the increased presence of criminal justice sources compared to other newspapers. For example, anecdotal evidence suggests that Southern Humboldt may not favor legalization of recreational cannabis. Humboldt County voted against Proposition 19, and with Humboldt County's economy – especially Southern Humboldt – potentially relying on the income from cannabis, this could reflect a community that favors the status quo – i.e. illegal cannabis – and wishes not to promote legalization or medicalization in its newspapers.

Evaluating Claims Made by Criminal Justice Sources

It's notable that a vast majority of the articles reported cannabis related crime, sourcing criminal justice claimsmakers – this includes articles submitted by law enforcement. A majority of the articles were small and generic, reporting when and where a cannabis related crime took place, who was involved, whether or not suspects were arrested, and so on. These articles would almost always report the presence of other types of crime connected to the suspected offender – for instance prior arrests/convictions, other drugs found during the investigation, and the endangerment of those considered innocent. Additionally articles reporting crime connected to cannabis always reported the presence of symbols that suggest the potential for violence or illicit sale of cannabis – for example weapons, large sums of cash, the presence of scales and/or packaging, among others. Articles reporting cannabis related crime used criminal justice sources 82 percent of the time; and articles sourcing the criminal justice system reported criminalization claims 90.1 percent of time. Criminal justice sources were used as primary claimsmakers in a vast majority of the articles reporting criminalization claims. This section will investigate how these criminal justice sources framed cannabis issues as criminal.

Through primary and secondary claimsmaking processes, articles submitted by the Sheriff's Department function to legitimize enforcement and warn other would-be criminals – defining the parameters of legal and illegal, medical and criminal. Several excerpts from *The Times Standard* demonstrate the primary claims made by criminal justice sources, framing cannabis issues in Humboldt County's newspaper discourse.

The criminal justice system actively delegitimizes medical cannabis patients through their “ownership” of Humboldt’s newspaper media. For example in regards to a man who claims his medical cannabis was confiscated, Sheriff Sergeant Steve Knight remarked, “They’re taking advantage of the system” (Parker 1999). In the article, Sheriff Knight was shown holding a very large cannabis plant – asserting that the size of the plant suggested it was for criminal purposes and not medical purposes. Claiming that medical cannabis patients are “taking advantage” of California’s medical cannabis law is a claim often asserted by Humboldt County law enforcement and magnified through secondary claimsmaking in the media. The criminal justice system used as sources for medical cannabis issues – claiming who can and can’t grow medical cannabis – is a significant finding because health professionals are typically the experts that decide who can grow cannabis and how much (not a police officer). Health professionals determine patient needs. Police do not have the expertise to determine this.

Here is more evidence that the criminal justice system actively makes claims that delegitimize medical cannabis patients, including doctors who recommend cannabis. The next excerpt is another example of a “taking advantage” claim:

“It’s not up to me to argue the fact because I’m not a medical doctor, but I’ve seen numerous (cannabis recommendations) for PMS. I’ve seen it this year for bad teeth, for alcoholism.” (Durant 2002)

Sergeant Wayne Hansen said this in 2002 of medical cannabis patients he had come into contact with through enforcement activities, suggesting that cannabis cannot treat these conditions and therefore these people are criminals who are taking advantage of medical cannabis laws. Again, law enforcement does not have the expertise to determine if

cannabis can treat alcoholism, tooth aches, or symptoms of reproductive cycles – however, they continually make claims that cannabis patients “take advantage of the system.”

Criminal justice claimsmakers continually assert that cannabis is connected to other crime. They assert that legal medical grows overlap with other drug related crime. For example, the following excerpt attempts to delegitimize cannabis patients by connecting them to hard drug use and firearms:

“In another case, Knight said, officials, working with the county drug task force, found 12 marijuana plants, along with loaded firearms, syringes, methamphetamine and heroin. There’s a lot of overlap, he said.” (Zalev 1990)

This excerpt sourcing Sergeant Steve Knight in 1999 demonstrates the claim that cannabis is connected (overlapped) with other crimes such as harder drug use and the potential violence associated with linking drugs and guns. This is a designation that criminal justice claimsmakers usually drive home – for example, cannabis is inherently connected to social ills such as further drug use and violence. This also demonstrates Sheriff Knight as a potential “entrepreneur,” criminalizing medical cannabis patients using this (above) typifying example – an individual case turned into an example that represents all medical cannabis growers. Granted access to the media Sheriff Knight is granted the opportunity to spread claims that criminalize medical cannabis patients.

Criminal justice sources also claim that legal medical grows attract other crimes such as home invasions and robberies. Law enforcement sources assert an increase in organized and armed large-scale cannabis grows, which these excerpts from *The Arcata Eye* (2005) suggest:

“This ‘epidemic explosion’ in large-scale, commercial grows over the past four to five years is also bringing with it an increase in violence, which, at the moment, has mostly been directed at law enforcement and other officials. Hansen pointed out an increase in home invasions related to marijuana and a drug deal gone bad back in May, where police were allegedly fired upon with assault rifles during a car chase. But he thinks it’s only a matter of time before it spills over to the ordinary person.”(Osborn 2009)

Here we can see the use of a typifying example used as a landmark narrative in order to demonstrate that cannabis cultivation breed’s violent crime, including armed home invasions. This is a fear-inducing claim, as he says “its only matter of time before it spills over to the ordinary person.” Hansen uses a typifying example of a “drug deal gone bad” to demonstrate evidence for this claim. Building upon this typifying example – creating a landmark narrative –Sergeant Hansen is referenced:

“Hanson, who heads up the marijuana eradication team for the county, said legal grows are often the target of home invasion robberies, a crime currently on the rise in the county. Fifty percent of home invasion robberies go unreported, he added” (Hobart 2005)

By stating that fifty percent go unreported – and no one can truly know if it’s unreported – Sergeant Hansen is exaggerating crime stats. This is made possible by the criminal justice systems “ownership” of cannabis issues in Humboldt newspaper discourse. The previous two excerpts demonstrate claims suggesting an “epidemic” or “scare” led by Humboldt County’s newspaper media, magnifying the claims of criminal justice entrepreneurial “owners” such as Sergeant Wayne Hanson and Steve Knight. Through their primary claims they create landmark narratives – landmark narratives framing medical patients as illegitimate and “taking advantage” of medical cannabis laws, which also attracts other types of crime that threaten the community. Granted “ownership” in the media, criminal justice claimsmakers frame cannabis issues in a way that criminalizes

medical cannabis patients, creating landmark narratives from typifying examples. This is done despite the fact that California’s voters and courts have determined that medical professionals are responsible for deciding how much cannabis a patient can use, possess, and grow (if at all) – and despite the fact that polls show most Californians feel cannabis should be legal (DiCamillo and Field 2013).

With proponents calling for cannabis legalization (for example prior to the failure of Proposition 19), law enforcement doggedly asserts that cannabis is inherently connected to other forms crime, hard drugs, and all sorts of harms. They contend these social ills will only be exacerbated by legalization. For example El Cerrito police chief S Kirkland contends:

“Whenever you are dealing with drugs and money, there is going to be crime. If people think otherwise, they are very naïve ... People think if we decriminalize it, the Mexican cartels and Asian gangs are just going to walk away. That’s not the world we live in.” S Kirkland el Cerrito police chief. (Medical Marijuana: A Target For Criminals 2010)

Members of the criminal justice system have been socialized into a “war” (on drugs) mind frame and their claims reflect this. They view legalization as losing the “war” on cannabis. For example Sheriff Hanson stated:

“Hansen best compared (cannabis issues) to rape or drunk driving, that even if all the measures aren’t ‘winning the war,’ that doesn’t mean it’s right to stop trying ... How are we going to win this? We’re never going to win this, that’s impossible ... but you have to maintain some level of going after it for the fear factor.” (Hobart 2005)

This demonstrates the “war” mind frame of criminal justice claimsmakers. The “war on drugs” along with its punitive policy and “just say no” logic has pulled law enforcement into struggle they feel they must keep fighting. Additionally, comparing cannabis consumption, possession, and cultivation to rape (and drunk driving) is an extremely

powerful metaphor. This symbolism, framing cannabis issues as a “war” and comparing it to rape, implies that cannabis would not exist in a perfect society. Many criminal justice claimsmakers assert this type of frame regarding cannabis. Law enforcement cannot imagine a functional community where cannabis is not criminal; where it is openly grown and used. This is because law enforcement equates cannabis to rape and frames their subsequent enforcement as a “war” – a “war” that they must keep fighting. However, I should also note that criminal justice claimsmakers have asserted a need for clarity in medical cannabis law (mainly Arcata law enforcement and the current district attorney) – recognizing the right of cannabis patients – but these claims only comprised a small fraction of the overall claims made by criminal justice sources in my sample.

When the criminal justice system is used as a source in two thirds of cannabis related articles and 90.1 percent of their claims criminalize cannabis, then their “correct” frame becomes legitimized by law-abiding citizens who view the criminal justice sources as experts on cannabis related issues. The criminal justice system’s criminalization claims become packaged around a set of symbols – iconic narratives, typifying examples, slogans, and visual images that remind people of the “correct and incorrect” framework for cannabis issues. These symbols become easily recognizable – denoting a criminal grow as opposed to a medical grow. The symbols are evident in this next excerpt from the *Arcata Eye* referencing a concerned neighbor in regards to a cannabis grow operation:

“(Neighbors) ... who believed they had averted an imminent marijuana operation and all that often goes with it – fires, home invasions, weapons, pit bulls, strangers in cars and trucks coming and going in the middle of the night” (Hoover 2007)

Fires, home invasions, weapons, pit bulls, and trucks become symbols of illegal grow operations. Grow operations are claimed to be dangerous – connected to dangerous groups and practices. This landmark narrative legitimizes the criminalization of cannabis growers and distributors. Further criminalizing those who produce and distribute cannabis, criminal justice sources have claimed connections between cannabis cultivation and organized crime such as Mexican drug cartels. For example, Humboldt County Sheriff's Department spokeswoman Brenda Godsey notes:

“Sophisticated Mexican cartels are moving into Humboldt ... it's not the home grown hippie grow, so to speak. Not a harmless grow.” (Durant 2007)

Claims that those in Humboldt's cannabis industry have become increasingly dangerous and connected to a swath of harms are perpetuated at a rate of five to one in Humboldt newspapers when compared to the next most sourced stakeholder group. The criminal justice system's “ownership” over Humboldt's newspaper media makes it difficult to heed alternative perspectives. However, the increasing power of pro-cannabis social movement groups suggests some push back against criminal justice systems “war” frame. Calling for further regulation and oversight of California's medical cannabis industry, NORML's founder Keith Stroup demonstrates an alternative perspective of cannabis issues:

“This is ridiculous, in my opinion, to have medical marijuana and no regulation ... A jewelry store wouldn't open without security, and if it did, a scuzzy persons going to break in and steal all their diamonds.” (Medical Marijuana: A Target For Criminals 2010)

Lack of regulation – harbored by the despotism of criminal justice claims – has potentially left medical cannabis growers and distributors vulnerable to dangerous

groups. This is a claim made by many pro-cannabis activists. However, the criminal justice system continues to perpetuate claims that cannabis is inherently connected violent and property crimes, other drugs, and a range of social ills. This frame labels cannabis illegal and inherently places its users, possessors, distributors, and cultivators in a criminalized out-group – an out-group that is also comprised of truly dangerous individuals who don't simply grow or sell cannabis. Pro-cannabis social movement sources claim that medical cannabis policy must create a way for individuals who grow and sell cannabis to demonstrate they are not dangerous or criminal. This way those who are dangerous and criminal can be isolated and targeted by enforcement. This is where the power struggle over claimsmaking in Humboldt County's newspaper discourse rests today – between the criminal justice system, government officials, and pro cannabis social movements. This effectively dispossesses public health experts, cannabis researchers, and cannabis growers and distributors from claimsmaking in the media.

I found evidence that reporters and Humboldt County residents alike were aware of disproportionate media coverage of cannabis related crime. The following quote from the editor of The Eureka Times Standard, Rich Sommerville, regarding cannabis issue reporting, demonstrates this:

“You're right that most of our coverage is busts, with the occasional story about a CAMP raid or medical marijuana - primarily by the cops/courts reporter ... It's hard to wean people away from that when they know any marijuana story on page one will sell a hundred more single copies. (No lie.) I would like us to do more depth” (Burstiner 2007)

It seems that journalists are aware of the lack of depth in their reporting on cannabis issues. Sommerville likens a lack of alternative sources (other than the criminal justice

system) as the result of rewards (profit) garnered by reporting cannabis related crime – which is readily available to journalists through police and court reporters. Additionally, I came across a few claims asserting the need for Humboldt’s newspaper media to take a more active role in informing residents and not just reporting cannabis related crime. For example, Humboldt State University Journalism and Mass Communication assistant professor Marcy Burstiner asserts:

“We live in a county that officially condones the growing of medical marijuana. The newspapers need to educate readers how to be better growers and more educated consumers. There are important economic, health and environmental issues here. It’s time the papers stop covering marijuana solely as a crime and dismissing proponents as a bunch of hippies blowing smoke.” (Burstiner 2007)

We see awareness by Burstiner that the criminal justice system “owns” cannabis issues in Humboldt County newspapers. We also see awareness of the dispossessed status of out-group cannabis growers and sellers – the “hippies blowing smoke.” Humboldt’s media can play a key role in informing the public about cannabis issues. However, this can’t take place if the criminal justice system is sourced in two thirds of cannabis related articles, criminalizing and stigmatizing proponents of cannabis. Residents in Southern Humboldt have voiced concerns about their portrayal by criminal justice sources. For example Mary Giardino, Director of the Redway/Graberville Chamber of Commerce observed:

“... The sheriff’s department sees the south county with extreme prejudice ... we have been portrayed by the sheriff’s department as a major drug cartel as if this were Colombia or Sicily.” (Anderson 1996)

With the criminal justice system sourced in 85 percent of cannabis related articles in Southern Humboldt newspapers, this resident claims that the Southern Humboldt

community is misrepresented. A possible explanation of this increase in criminal justice sources is a potential “epidemic” generated through media magnification, sourcing criminal justice entrepreneurs (given their “ownership” of the media) in reaction to Proposition 215 and the proliferation of cannabis cultivation – especially in the Southern Humboldt region.

Examining the claims made by under sourced groups, we see concern that is far less articulated in Humboldt’s newspaper media. For example, underutilized sources claim that Humboldt County’s residents will be economically affected if the area’s cannabis industry fails or relocates. Some claim that the industry is much more pervasive than people realize. For example Humboldt County marijuana defense attorney Mark Harris notes:

"There are many, many small indoor operations throughout Humboldt County... It is much more pervasive than people realize -- at least to people who don't grow or use marijuana. It could be the butcher, the baker, the candlestick maker. These are people from all walks of life. At every level from blue collar to professional, people can have 10 or 20 plants in a closet under a couple of lights." (Doran 2001)

Those who don’t use, sell, or grow cannabis don’t realize the scale of Humboldt’s cannabis industry. This is a claim that rarely enters public discourse because growers and sellers have only been used as sources in only 3.7 percent of Humboldt County’s cannabis related newspaper articles. Because of their illegal status and presumptive fear of becoming a target of law enforcement, cannabis growers and sellers rarely are used as sources in Humboldt’s newspaper media. This is most likely because of law enforcement claims such as “we still will arrest people who shove it in our face” (Mendocino County Law Enforcers Say They’re Bulwark Against Drug 2001) made by Mendocino District

Attorney Norman Vroman. Claims like this effectively silence growers and sellers from making their own claims in the media. It's hard to determine if the media seeks Humboldt cannabis industry sources. However, with threatening claims like the one above, it makes sense that those who reside in the legal grey area, associated with California medical cannabis law, stay silent.

Under sourced cannabis experts have also made claims regarding the possibility of a regulated medical cannabis industry. The following excerpt – utilizing a health expert source – from the *Arcata Eye* demonstrates a claim that Humboldt can become the Silicon Valley of cannabis:

“Clinical pharmacologist Charles Davey argued that this sort of testing can lead Humboldt County to become ‘not Napa Valley, but the Silicon Valley of cannabis.’ Davey said there are ‘huge medical research opportunities’ in the production of cannabinoids which can be used by labs as natural pharmaceuticals and as a starting point for new drug development. He advised Humboldt County to ‘set up businesses to extract cannabinoid for testing’ to create ‘high tech high paying jobs.’” (Amerman 2010)

Assuming that Silicon Valley is the center of computer technology because of the areas expertise, Davey is claiming that Humboldt County has cannabis experts that can create opportunities for the county. With cannabis's current medical status and with legalization on the horizon, local expertise can be a factor that can aid the local economy – especially once full-scale legalization occurs. However, these experts often stay silent because they fear attention from law enforcement that view cannabis issues as an endless “war” that must be continually fought. As in all wars, winning the “hearts and minds” of the people is critical. It seems this is no different in Humboldt County, as the local newspaper media and law enforcement have a functional relationship that mutually benefits both parties.

This relationship has effectively censored health experts, researchers, and cannabis growers who have been sourced at far less rates.

Although criminal justice claims may have a “kernel of truth” (Reinarman 2006:144), law enforcement sources have had the opportunity to frame typifying examples into criminalizing landmark narratives in 68.5 percent of the newspapers I examined. Claims associated with criminalization dominate Humboldt’s newspaper discourse and – although other variables may have influenced these findings – results demonstrate a potential “epidemic” (“scare”) perpetuated through media magnification by Humboldt County newspapers. Results such as the aforementioned rise in criminal justice sources in 2000, and subsequent decrease leading up to 2010, could have been a result of news coverage regarding cannabis policy – post Proposition 215 news coverage and the buildup prior to the Proposition 19 vote. Yet, these results could also point to media magnification of criminal justice sourced – cannabis “epidemic” – claims. The following will discuss the accuracy of the hypotheses I presented at the end of my literature review. The next section will also discuss the relationship between the media and criminal justice claimsmaking.

Discussion

The result of my analyses lends support to my first hypothesis that the criminal justice system and government officials are sourced more often in articles regarding cannabis issues compared to other stake holding groups. However, government officials were sourced at lower rates than expected. The criminal justice system has been used as sources in two thirds (68.5 percent) of cannabis related articles in my sample. Criminal

justice sources are used at a rate of five to one when compared to government sources – the next most sourced interest group. There was little support for my second hypothesis: pro-cannabis social movement sources will slowly increase over-time (from 1995 to 2010). Instead, cannabis movement sources were more likely to be featured between 1995 and 2000, but decreased in use between 2000 and 2005, before increasing again during the 2006-2010 period. There was support for my third hypothesis. Those considered in violation of cannabis law – i.e. growers, users, providers, distributors, defendants, etc – and therefore considered low status, were not significantly used as sources in newspaper media. This group was only sourced in only 3.7 percent (n=18) of the news articles I examined. My prediction that some stakeholder interest groups are underrepresented in Humboldt newspapers was supported by these data. Surprisingly, public health experts and cannabis researchers were severely underrepresented in the articles examined. Public health sources were only used in 2.7 percent (n=13) of the articles and cannabis researchers were only sourced in three (0.6 percent) articles. These institutional stake holding groups and their respective claims were hardly reported. This demonstrates that Humboldt County’s newspaper media was not holistically informed by all stakeholder groups between 1995 and 2010. The reasons for – and impacts of – these results will be discussed in the following section.

Evaluating Criminal Justice Sources as “Owners” of Cannabis Issues

Some clear patterns are apparent from my research. My first hypothesis is strongly supported insofar as the criminal justice system can be seen as “owners” of cannabis issues in Humboldt County newspapers. If access to the media is considered a

resource then the criminal justice system can be seen as an extremely powerful and dominant institutional group – as the primary claimsmakers influencing Humboldt County newspaper media. This demonstrates that the criminal justice system has had the ability to frame cannabis issues in public discourse. Alternative perspectives have been under reported. As was stated earlier in my thesis, the institution that gains “ownership” of framing cannabis issues will acquire “legitimacy and authority to name what is wrong, to prescribe the solution, usually garnering resources as a result” (Reinarman 2006:139). The criminal justice system has framed cannabis issues in Humboldt County newspapers with landmark narratives and typifying examples (Best 2008) of cannabis users, sellers, and growers. These narratives and examples can be seen as frames that symbolize how Humboldt County residents should understand cannabis issues. This framing by the criminal justice system reminds people of the “correct” and “incorrect” framework for cannabis issues. In the media, the criminal justice systems frame of cannabis issues becomes the norm, which all other claims are weighed against.

The criminal justice system, as potential moral “entrepreneur,” are granted the ability – through access to Humboldt’s newspaper media – to publicize cannabis issues as an area of wrongdoing, while cultivating opinions and enlisting organizational support for the development, publication, and legitimation of their frame (image) of cannabis (Himmelstein 1983) – including their way of solving related issues (which is criminalization). The criminal justice system reminds Humboldt County residents that medical cannabis patients are subverting the law – using false medical arguments. Police claim that criminals – who are connected to violence and other drug use – are obtaining

medical cannabis recommendations in order to legally use, grow, and distribute cannabis. To support this allegation, criminal justice sources use isolated events as typifying examples that create landmark narratives that criminalize medical cannabis patients – actively delegitimizing those who use, distribute, and grow medical cannabis. This is the “correct” frame disseminated by the criminal justice system through their “ownership” of cannabis issues in Humboldt County newspapers.

Entrepreneurial Efforts of the Criminal Justice System

The criminal justice system routinely engages in public relations – as was demonstrated in their heavy presence in Southern Humboldt newspaper cannabis coverage. Most police departments have public relations officers, which are readily available as sources for media outlets. Additionally, these public relation officers provide press releases to over worked journalists who often print these stories verbatim. These press releases always frame cannabis issues from the standpoint of law enforcement. This heavy reliance on law enforcement perspective has become “routinized” (Sacco 1995:141):

“In short, relationships involving news organizations and policing agencies allow the collection of news about common crime to be routinized in a manner that uses the resources of news agencies efficiently. In addition, the publics view of police as apolitical crime experts imbue police-generated crime news with authority and objectivity.”

The result of this disproportionate reliance on law enforcement sources is the perpetuation of the criminal justice systems frame of cannabis issues – a frame that law-abiding citizens usually see as an expert opinion. This is a frame that reflects only law enforcements perspective and interests. Public health experts, cannabis researchers, and

growers/distributors were extremely underrepresented in my sample. These groups have been relatively dispossessed as sources when compared to the criminal justice system. In sum, time strapped journalists and profit driven newspaper companies seem to find it advantageous to use readily available law enforcement press releases to generate popular cannabis related articles. The result is the proliferation of criminalization claims made through criminal justice “ownership” of cannabis related issues in Humboldt County. Causal effects of this are hard to determine but some potential implications can be demonstrated from prior research and theory. These implications, along with limitations, will be discussed in the next section.

CHAPTER 5

CONCLUSION

The criminal justice system framing of cannabis issues has dominated Humboldt's newspaper media. This can lead to intractable policy debates because of the dichotomous perspective held by law enforcement – for example “correct” and legal or “incorrect” (Habermas 1987) and illegal. This also creates in-groups and out-groups (lowering the status of out groups through criminalization), which further exacerbates intractability. In-group/out-group conflict leads to despotism (Coser 1956) whereby public health experts and cannabis researchers become silenced in public discourse. Democratic consensus requires all stakeholders to participate in policy debates informing the public. How can the public and their representatives make informed decisions about cannabis policy when most haven't heard the voices of under sourced groups? These under represented stakeholders can add fruitful claims to inform solvent policy. Their framing of cannabis issues may shed light upon the harms of current policy – harms that can be reduced or solved by observing their interests in future debates.

The criminal justice system has been granted the power of “ownership” over Humboldt County newspaper media (regarding cannabis issues). They have had the ability to frame cannabis issues in their interests. This happens at the expense of other stakeholder groups. Those dispossessed from public discourse and cannabis policy debates *haven't* had their perspective and interests heard (at equal rates). My research does not provide concrete quantitative evidence to support the existence of a “scare” or

“epidemic” in Humboldt County; however, it does demonstrate this as a potential power accorded to the criminal justice system through “ownership” of the local newspaper media. Additionally, I have qualitatively demonstrated “scare” and “epidemic” type claims. Quantitatively testing this is an area of potential further research. In sum, this thesis provides evidence that lawmakers and voters may not have all the information necessary to generate policy in the interest of the entire community of Humboldt County. Biased public discourse, through unbalanced media coverage, has potentially distorted Humboldt County’s collective understanding of cannabis issues.

Limitations

Some limitations are inherent in all social research. This study is no different. First, it’s difficult to determine the effects of newspaper discourse upon Humboldt’s residents. Simply stating that Humboldt’s newspaper discourse *is* public discourse and *causes* individuals to act in certain ways, denies the personal agency of individual actors. Undoubtedly, many individuals view newspaper reporting with skepticism – critically examining articles for biased reporting; mitigating any effects of the criminal justice system’s “ownership” of cannabis issues. Additionally, it’s difficult to determine the role the media plays in polity – and vice versa.

The size of my sub-sample is another limitation. Due to time constraints I could not read all 1,773 articles in the sample. My sub-sample, consisting of 489 articles, is a simple random sample – yet, because of its small size – it may be difficult to generalize to the entire population of articles regarding cannabis issues in Humboldt County during

the time period studied. Moreover, newspapers are not the only form of media in the county. Other forms of national, state, and local media – i.e. Internet sites, television shows, magazines and so on – are consumed by Humboldt’s residents so I can’t assert that my sample accurately reflects Humboldt County’s public discourse. For further analysis, I recommend coding whether or not an article existed on the front page or not – and maybe if a picture accompanied the article. This could affect how many people view the article – as a front-page article may be read at higher rates. Lastly, expanding this study past 2010 (to present) and prior to 1995 could help shed more light upon whether Proposition 215 and 19 were catalysis’s for more balanced newspaper reporting on cannabis issues.

My subjectivity has also impacted my research. By taking a deductive approach, the theoretical and historical lens I created is inherently subjective. Although I created this lens from the work of many credible social theorists and historians, this study is just one perspective of many (Foucault 1972). During my analysis – coding – I adhered to an objective process, working with others to balance any bias. Altogether, my study is meant to add to conversations regarding cannabis and it is not to be viewed as an all-encompassing truth. My subjective perspective has been constructed through life experience and socialization, and my subjectivity was the inductive foundation of my deductive lens. I have grown up in Northern California nearly all my life – living in the San Francisco Bay Area and Humboldt County. I have long been a proponent of cannabis policy reform. Although I have tried to view cannabis issues, research, theory, and history with a holistic perspective: my subjectivity is inherent.

Implications

“When buds start appearing, so do more guns”

-Agent Jack Nelson, Humboldt County Drug Task Force (Durant 2007)

This is the connection made by law enforcement claimsmakers in Humboldt County newspapers – essentially that cannabis (buds) is connected to threats of violence (guns). This is a claim that has been made for decades. Ironically, the criminal justice system continually makes these types of claims – claims that were popularized during the early part of the 20th century (i.e. cannabis is inherently connected to violence and hard drug use). However in the 21st century, contemporary debates contend that the violence connected to cannabis growers and sellers is caused by a lack of regulation and oversight in California’s medical cannabis industry. Further, proponents of cannabis legalization contend that these issues would be alleviated if the plant were legalized.

After reading 489 cannabis related articles in four Humboldt County newspapers from 1995 to 2010, it became apparent that the criminal justice system – city, county, state, and federal – has dominated the framing of cannabis. With legalization on the horizon, it’s important to create legislation that will meet the needs of local communities – potentially getting a head start in a burgeoning industry. If experts aren’t defined as legitimate before cannabis legalizes (in California and Humboldt County) then these experts may leave for “greener pastures,” where they can find legitimate job opportunities. Bolstering existing medical cannabis infrastructure through policy that separates dangerous elements from legitimate elements is a step that can give Humboldt

County a leg up if cannabis becomes legal. Sweeping the issues aside only leaves Humboldt vulnerable to losing its largest industry.

As mentioned, in order to accomplish regulation of the medical cannabis industry, the public along with their representatives must create policy that is informed holistically – not solely informed by the criminal justice system. If Humboldt County’s local “expertise” is touted as one of the factors that set Humboldt apart in regards to a potential legal cannabis market, then steps must be taken toward legitimizing these experts.

Experts from all spheres are readily available, but is this reflected in the public discussion of cannabis issues? Are cannabis experts being heard in public discourse? As research has shown, Humboldt’s newspapers haven’t tapped into local expertise (at least during the 1995-2010 period). Humboldt County newspapers and policy debates must move beyond a narrow criminal justice system perspective and include all stakeholders, communities, and experts that represent the entirety of the county. What is good for Eureka and Arcata may not be good for Southern Humboldt; what is good for police may not be good for mom and pop growers; what is good for P.G. and E. workers may not be good for the environment; what is good for grow shops may not be good for cannabis clubs. Many different groups have an interest in the local illicit cannabis industry. Sound policy comes from all these institutions and groups having a voice in public debates surrounding cannabis issues and subsequent policy. The holistic framing of cannabis issues in public discourse can redefine how policy is created to meet the needs, values, and interests of *our entire community* are met.

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