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Confusion on Question 2

Matt Rocheleau, Collegian Staff

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"It's virtually impossible to effectuate the law as written," O'Keefe said. "It's a law full of inconsistencies."

For example, he said the law states that while possessing marijuana is not criminal, buying or obtaining the substance is.

Beyond clarifying enforcement of marijuana decriminalization, the law must follow a certain procedure before being finalized.

"Under Massachusetts state law, a ballot initiative law becomes effective 30 days after the Secretary of State's presentation of the official results to the Governor and the Governor's Council," said Coakley. "This generally occurs in late November or early December. Therefore, the new law would go into effect 30 days following that meeting of the Governor's Council, meaning late December or early January."

In the meantime, Hampden District Attorney William M. Bennett, who serves the Springfield area, including Holyoke, said he plans to dismiss all pending charges of possessing an ounce or less of marijuana and will not pursue new cases, according to reports in The Republican.

Northwestern District Attorney Elizabeth D. Scheibel who serves Amherst, Hadley, Northampton, Sunderland and other towns surrounding UMass, has not dropped any cases and continues to prosecute new ones, said Deputy First Assistant District Attorney Elizabeth Dunphy Farris.

The majority of people arrested for marijuana possession under Scheibel's jurisdiction have their charges dropped after completing substance abuse programs, said Dunphy Farris.

In Franklin and Hampshire counties, from July 1, 2006 to Sept. 23, 2008, only 88 of the more than 1,700 marijuana possession cases, or about 5 percent, have resulted in a guilty finding, she said.

O'Keefe said he too plans to review cases as he has in the past.

"When and if this new statute that was voted on in November becomes law then we will deal with the matter," said O'Keefe.

Though lawmakers could change or abolish the legislature, officials say radical changes are unlikely.

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