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Confusion on Question 2

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"At this time, we are reviewing all of the implications of the new law and whether further clarification or guidance is needed," said Coakley. "We will work with the District Attorneys and others in law enforcement to determine what the new law requires."

"It's up in the air at this point," said Amherst Police Department Detective Brandon Seymour. "There's a billion questions that have been raised… If you see someone smoking a joint, what right do you have to request an ID from them?"

Beyond an officer's right to search and seizures, police say they're also unsure of how the fines will be administered, and how to determine whether someone is carrying over an ounce of marijuana.

Some police officers dislike that they may need to carry scales with them to measure out an ounce.

Officials could instead visually estimate then weigh the marijuana at the police station and summons the person to court if it exceeds an ounce, said Seymour.

However, Seymour said he doesn't feel the law will change his normal practice. The majority of the time, he said, people are arrested and charged for another offense and the marijuana is found when the person is searched.

"We really don't arrest someone just on possession," said Seymour. "In fact, I can't think of a time where I've ever arrested someone on mere possession."

"We weren't wasting a lot of time on it anyway," he continued. "It would probably take more time to write up a ticket than just to summons them to court."

For now the Amherst Police Department will handle marijuana possession the same way they have been until they hear from the attorney general, Seymour said.

"I wasn't in favor or opposed," he said. "I would have liked to see [the law] go into a lot more detail to answer the questions it raises."

Michael O'Keefe, district attorney of the Cape and the Islands, along with other district attorneys and the state's Executive Office of Public Safety and Security, will meet with the attorney general to come up with a uniform decision to sort out these issues.

Continued...

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