

Chasing Green

A Multiple Streams Analysis of Oregon's Measure 91

by

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Abstract

Over the past three years recreational cannabis legalization has emerged as a major policy issue in the United States. The novelty of this movement has created a gap in the state of literature focusing on the examination of cannabis legalization policy processes. Using a two-pronged Multiple Streams approach, this study first seeks to understand the experience, interaction, and power dynamics of participants in the policy process of Oregon's cannabis legalization Measure 91 through the use of document analysis. Then, a purposive sample conducted with the aid of a web-based questionnaire targeted individuals in the states of Washington, Colorado, and Oregon who were involved in recent cannabis legalization measures in order to discover connections between occupation and influence in the policy conversation. However, findings in this section are extremely tentative, as the data collection process was wrought with issues. This paper speaks to the state of uncertainty that the institution of cannabis reform presents for states contemplating legalization, along with the vital roles of policy entrepreneurs or pressure groups, along with possible avenues and solutions for future research.

Keywords: Marijuana, Cannabis, Legalization, Washington, Colorado, Oregon, Multiple Streams Approach

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Introduction

Cannabis legalization policy in the United States is a controversial issue that has long attracted widespread political and public debate in relation to the preferred policy solution of the time. Currently, four states have legalized the recreational use of cannabis: Colorado and Washington passed Initiative 502 and Amendment 64, respectively, while Alaska and Oregon have recently approved similar legislation in Measure 2 and Measure 91. Legalization has been a tumultuous process, particularly in Oregon, with the previous failure of measures aimed at changing the legal status of cannabis. However, it is important to note that in 1998 the State of Oregon was a pioneer in the passage of medical marijuana Measure 67, second only to California's Proposition 215 in 1996.

Since the introduction of Measure 67, twenty-three other states have moved to create medicinal marijuana programs. However, at the federal level cannabis retains its status as a Schedule I substance under the Controlled Substances Act, established measures at the state level withstanding. In 2013, the U.S. Department of Justice announced that it expects Colorado and Washington will create "strong, state-based enforcement efforts... and will defer the right to challenge their legalization laws at this time" (U.S. Department of Justice, 2013), effectively reducing the fear that the federal government under the current administration will act on or strictly enforce federal cannabis law.

The relative novelty that cannabis policy reform presents at both the national and international level means that much is still unknown. Research in this field is lacking, as the processes and effects of legalization have not existed for the length of time necessary to uncover and assess outcomes. This study adds to the current body of knowledge concerning the operation of policy processes in the decision to legalize cannabis and seeks to provide states increased insight into

what may events may occur if citizens, entrepreneurs, or community organizations begin to organize and possibly introduce a ballot initiative aimed at reforming state cannabis law.

The content of this paper begins with a review of literature to provide the current understanding of cannabis in a number of fields of study, to better understand community organization, and to review the Multiple Streams policy framework, developed by John Kingdon (1995) to describe policy processes, largely in the United States. Following the establishment of previous research, this study utilizes a two-pronged method to interpret policy processes and power dynamics between actors that occurred during the creation of cannabis legislation in Oregon: (1) document analysis of historical events, community beliefs, and decision-making processes in political and policy development sectors within the Multiple Streams framework, and (2) descriptive statistics will be utilized, with survey level data taken from a purposive sample of individuals who participated in the policy process leading up to the passage of Measure 91. Results will describe shortcomings in data collection, survey demographics, the tying together of events to corresponding aspects of individual streams, power dynamics between actors, and a presentation of the point of view held by actors self-identified as a “policy entrepreneur”. Discussion and recommendations will address issues arising from analyses, and possible avenues for future research regarding cannabis policy.

Review of Literature

This review of literature seeks to outline the various facets of consideration involved in the development of cannabis policy, demonstrate the potential of community policy efforts, and describe previous studies that used Kingdon’s multiple streams approach as an analysis tool. First, the potential effects of cannabis legalization on use and social outcomes will be laid out to define how our current understanding of cannabis may guide individual and community perspectives. In order to complete this aim, selected research will focus on the current state of study concerning the

impact of cannabis on economic, criminal justice, and social health. Second, the current standing of medical cannabis will be reviewed in order to trace the path that has been taken to arrive at our current state of understanding of the effects of cannabis on physical health and related policy efforts. Then, community lobbying, otherwise known as “Grassroots” movements, will be defined and discussed in terms of past endeavors to outline this specific system of politics. Next, Kingdon’s social framework of Multiple Streams will be reviewed and developed in the context of various evaluative examples from literature. Finally, documentary analysis literature will be presented to provide support for its use as a valid qualitative research method.

Cannabis Literature

Political Economy

Central to economic beliefs, changes in price and income are fundamental to economists’ assessment of how individuals determine their use of cannabis. Therefore, a great deal of literature seeks to identify how price and in turn demand will be affected in the advent of legalization. To properly define how cannabis use will respond to changes in price and other cultural factors, one must look at how use may be affected across the variations in of user type demographics.

Youth and first time users are shown to be very sensitive to changes in price and legal penalties (DeSimone, J., Farrelly, 2003; Hall, W., Pacula, 2003; Kenkel, Mathios, & Pacula, 2001). Studies in which positive effects were discovered included an actual price of cannabis or legal risks of consumption (Rosalie Liccardo Pacula, Chriqui, & King, 2003; Williams, Liccardo Pacula, Chaloupka, & Wechsler, 2004).

Although a great deal of focus is directed towards the youth population when contemplating cannabis legalization, research also seeks to identify how “regular” users would be affected, defined by nationally representative data as individuals who have used in the last thirty days or twelve times

during the past year. Regular users have been found to be reactive to change in the monetary price of cannabis (Clements, 2009; Williams et al., 2004). In contrast, other research suggests that regular users' levels of consumption are not subject to shifts in the price of cannabis, but are responsive to enforcement efforts (Farrelly, Bray, Zarkin, Wendling, & Pacula, 1999; R L Pacula et al., 2000).

However, literatures' examination of the link between prices and quantities consumed by cannabis users remains relatively weak, simply because of the inability to collect information on frequency of use and quantity consumed (Pacula, 2010). Many assumptions must be taken for what they are, situational estimates that seek to factor in a number of uncertain elements. Therefore, legalization will likely spark a change in how we understand cannabis use in an economic sense, leading to a potentially deepened understanding of how to craft effective policy.

Criminal Justice

One argument central to the induction of cannabis legalization concerns the potentially massive effect on criminals and law enforcement related to the reduction of incarceration and spending. Moreover, minority groups may be disproportionately affected by current law and enforcement practices. As mentioned in the introduction, recreational cannabis use remains illegal at the federal level and in the majority of U.S. states, perhaps leading large swaths of the country to maintain a perception of cannabis as unlawful, causing decriminalization policies to have no realized effect on individual use.

Early studies conducted after initial 1970 decriminalization statutes were passed found little to no change in the amount of use by individuals and even a minor increase was a mostly temporary effect (Johnston, O'Malley, & Bachman, 1976; Single, 1989). Australian legislation also failed to generate any marked change in behavior across time (McGeorge, J., Aitken, 1997). Running counter to these findings, Model (1993) discovered that cannabis decriminalization in cities coincided with

higher mentions of cannabis in emergency room visits and a decreased amount of other drug mentions in comparison to non-decriminalized cities.

In recent investigations, some studies have again displayed no effect brought about specifically by decriminalization (Thies and Register, 1993; Pacula, 1998) while others have exhibited positive findings, particularly when controlling for monetary price of both illegal and legal drugs in conjunction with controls for formal state decriminalization policy (Saffer and Chaloupka, 1999; DeSimone and Farrelly, 2003; Hall and Pacula, 2003). The lack of effect shown in a number of such studies is conceivably due to the variation between youth and adult populations. Young adults often showed no change (R. Pacula, 1998; Thies, C.F., Register, 1993) while adults seemed to be influenced by policy shifts (Saffer & Chaloupka, 1999).

Law Enforcement

Over the past few decades, the United States government has placed a high priority on efforts to fight the sale and use of illegal drugs. This focus has spawned massive monetary expenditures, with substantial portions of state and federal budgets devoted to drug control, prosecution, education, and research (Shepard & Blackley, 2007).

A recent study of the cannabis market was estimated to be approximately \$10 billion a year, with enforcement costs reaching \$7.7 billion a year (Miron, 2005). Some reports have placed the amount of cannabis related arrests at two million over the past three years, and six million over the past decade (Getman, 2005). A preponderance of research has shown that drug prohibition and arrest related to drug use or sale are associated with corresponding increases in non-drug crime and violence in the United States (Brum & Cloninger, 1995; Miron, 1999, 2001). Drug enforcement literature remains mixed as some studies suggest that past drug prohibition policy resolutions towards the reduction of cannabis supply and corresponding use, such as the “War on Drugs”, have

not achieved their main goals of reduction of availability and use (Anthony, Warner, & Kessler, 1994; Caulkin, Reuter, Iguchi, & Chiesa, 2005; Dobkin & Nicosia, 2009; Falco, 1996; Fish, 2006; Global Commission On Drug Policy, 2011; Greenfield & Paoli, 2012) while others find that restrictive policy reduces drug-related costs and societal ills (DuPont & Voth, 1995). Perhaps related to prior issues with the effectiveness of past drug policy, there has been a recent shift towards informed models of drug policy that focus on evidence-based intervention (Caulkin et al., 2005; Kübler, 2001; Ritter, Bammer, Hamilton, & Mazerolle, 2007; Strang et al., 2012).

Other analyses have linked escalation in drug enforcement with property crime, an influx of drug prisoners and increases in other crimes (Benson & Rasmussen, 1991; Kuziemko & Levitt, 2001; Shepard & Blackley, 2007). As resources are diverted away from cannabis enforcement and in the direction of other forms of criminal activity, some have suggested that it is possible that non-drug crime would decrease (Shepard & Blackley, 2007).

Race

A central issue to drug law enforcement, many studies have been dedicated to analyzing the effect of race in the sentencing process. Close examination of the process has generated attempts to reduce the systematic bias that occurs in sentencing, particularly when creating sentencing that remains the same for identical crimes, in which Blacks often receive lengthier jail times (Spohn & Holleran, 2000).

The connection between harsher sentences and cannabis charges can be observed in the rates of use by race. Using survey level demographic data taken from the National Survey on Drug Use and Health (1979-2003), it has been demonstrated that if whites and Blacks use cannabis at relatively equal levels, Black males have higher exposure to risk factors and a greater chance of being punished more harshly than whites for the same cannabis related crimes (Blair, Judd, & Chaplean,

2004; McCabe, Morales, Cranford, Delva, Melnee McPherson, & Boyd., 2007; Spohn & Holleran, 2000; Wallace & Muroff, 2002).

In addition, other analyses have supported the notion that both Black and Latino populations have been disproportionately represented among those arrested for drug related offenses when compared to whites (Beckett, 2005; Golub, Johnson, & Dunlap, 2007).

Socioeconomics

Drug use has been consistently labeled as a societal ill that is more likely to occur in urban, poverty stricken neighborhoods (E. Anderson, 1990; Kornblum, 1991; Wilson et al., 2011). A strong relationship was discovered between drug use and individuals with lower incomes while disadvantaged neighborhoods are “moderately associated with drug related behaviors” (Boardman et al. 2001, p. 151). Additionally, these neighborhoods are indirectly affected through social stressors and relatively higher rates of psychological distress often found in residents of a disadvantaged area.

Youth Consequences

As youth surveys continue to show a rise in cannabis use, many are anxious about impacts on student education and life outcomes. Between the years of 1990 and 1997 the percentage of youths aged 12 to 17 using cannabis doubled, rising from 4.4% to 9.4% (USDHHS, 1996). Many studies have shown a positive association between cannabis use at a young age and low educational achievement, especially related to marijuana use and its detrimental effect on memory and motivation, leading to negative learning outcomes (Chatterji, 2006; Ellickson, Bui, Bell, & McGuigan, 1998).

However, there exist competing explanations on this topic. A number of studies suggest that low educational attainment occurs before cannabis use and may be influenced by peer associations or educational attitudes (Barnes et al., 2005; Brook et al., 2002; Kumar et al., 2002).

Vehicular Consequences

Concerning cannabis use and the operation of motor vehicles, findings have been mixed. Anderson et al. (2013) discovered that in the first full year after medical marijuana laws came into effect, legalization is associated with an 8 to 11 percent decrease in traffic fatalities. The impact of legalization on alcohol is larger than traffic fatalities that do not involve alcohol.¹ Other studies have mirrored the finding that cannabis decriminalization led to decreased consumption (Saffer & Chaloupka, 1999), perhaps indirectly affecting driving under the influence of cannabis or alcohol, feasibly generated by the substitution effect found between the two substances (Farrelly et al., 1999; R. Pacula, 1998; Williams et al., 2004).

Counter to previous research, Li et al. (2012) conducted a meta-analysis of cannabis and crash-risk studies, discovering that cannabis use by motorists is associated with a significant rise in the risk of being involved in a motor vehicle crash. The authors note that legalization of cannabis may lead to substitution away from alcohol, which reduces overall crash risk, while continuing to seriously impair driving at the individual level.

Medical Marijuana

As stated previously, cannabis for medical use is available in 23 states and The District of Columbia. Even with a long established ban at the Federal level, there exist a number of studies that focus on the effects of cannabis use on health, while others analyze the political interplay of initiatives at the state level that stand in contradiction to the national ban. Thus, it is critical to observe presently available research into the effects of cannabis for medical use and past voter initiatives to understand the true impact of current and future legalization efforts centered on recreational use.

¹ Authors careful to note: does not imply that driving under the influence of cannabis is safer than driving under the influence of alcohol.

Medical Effects

In adults, positive effects of cannabis have been linked to alleviation effects on a number of diseases and disorders. These range between cancer treatment (Alexander, Smith, & Rosengren, 2009; Kogan, 2005; Pacher, 2013; Sarfaraz, Adhami, Syed, Afaq, & Mukhtar, 2008; Velasco, Sánchez, & Guzmán, 2012), chronic pain (Ellis et al., 2009; Farquhar-Smith, 2009; Fiz, Durán, Capellà, Carbonell, & Farré, 2011; Lever & Rice, 2007; Ware et al., 2010), epilepsy (Devinsky et al., 2014; Maa & Figi, 2014; Porter & Jacobson, 2013), and immunosuppressive and anti-inflammatory properties (Klein, 2005).

The documented potential therapeutic effects listed above are not without drawbacks. Negative effects of cannabis use include impaired motor skills (Lundqvist, 2005; Weinstein et al., 2008), cognitive impairment (Crean, Crane, & Mason, 2011; Hall, 2009; Solowij & Battisti, 2008), and possible links to schizophrenia (Hambrecht & Häfner, 2000; Kalant, 2004).

Initiative Strategy

Medical marijuana and its proponents have seen a measure of success over the past few decades, despite facing federal opposition. Recent institutions of cannabis for medical use have been conducted through state ballot initiatives, although this method had not been effective in achieving the goal of legalization for quite some time. Recent passage of recreational legalization measures in Colorado and Washington have utilized this same method for Amendment 64 and Initiative 502, respectively. Some believe that these new state laws cannot be preempted by Congress because of constraints imposed on their power by specific “anti-commandeering” rules (Mikos, 2009). Success through direct democracy has allowed pro-cannabis groups to gain public approval over a longer period of time, rather than pushing for complete legalization at the beginning, the end result of which bypassed reluctant elected officials through ballot initiatives (Ferraiolo, 2007). Individuals and

organizations have tried again and again to legalize cannabis, making inroads into the existing political power structure, which has eventually lead to the development of the initiative strategy prevalent in the passage of recent cannabis law reform.

Grassroots Community Organization

As we move towards an increasingly technological society, some view grassroots organizational efforts as an outmoded measure of employing community empowerment. In this section we will discuss the characteristics of local community organizing in the modern age, and the ability of changes in small communities to affect larger change in the increasingly globalized world. Additionally, we will cover how grassroots vary from other political efforts, how it stands alone but also remains connected, and how it may be affected by outside entrepreneurs or experts.

Community Components

Grassroots community organizing has been characterized as being composed of three categories: social action, locality development, and social planning (Pilisuk, McAllister, & Rothman, 1996; Rothman & Cnaan, 1986; Tropman, Rothman, Cox, & Erlich, 1987). The foundation of social action lies in grassroots efforts that seek to organize those of a common cause (Seyfang & Haxeltine, 2012), perhaps those who are not of the privileged group, or have been given a perceived disadvantage, enabling them to generate their own path to change (Fisher & Kling, 1991). Locality development focuses on the structure of a slowly expanding “web” of connections and relationships that form a feeling of connection to one’s community. This can be an important aspect in disadvantaged urban communities that are isolated demographically or physically (Defilippis, 1999), or have a common ethnic or cultural sensibilities (Escobar, 1992; Smith, 1994). Finally, grassroots organization allows for the empowerment of people that are chronically disempowered to act, such as women (Bordat, Davis, & Kouzzi, 2011; Osirim, 2001; Zellerer & Vyortkin, 2004) and minorities

(Banducci, Donovan, & Karp, 2004; Chambers, 2007; Gilliam, 1996). Community organization seeks to bring people together to provide common empowerment and organization for a cause.

Public Interest Groups and Entrepreneurs

In the new age of organization, experts and information play an increasingly key role (Rothman & Cnaan, 1986). These two facets are the key to discovering concealed informative details and applying specialized expertise to produce results in the social activist sphere.

Generally, public interest groups provide a platform for social causes occurring at the local level. Groups that have multiple levels, ranging from local to international, offer a way for information to be more easily distributed, information that may have not been available to the grassroots in other circumstances. Grassroots interactions with interest groups can in fact lead to benefits for those at the state level (Tandberg, 2010) and allow for low startup costs, spread of education, and a chance for societal change (Nownes & Neeley, 1996), leading to a real impact on policy regarding salient issues (Rasmussen, Carroll, & Lowery, 2014).

However, with all of the benefits that interest groups present, there are an equal number of drawbacks. Community structures with larger amounts of members and centralized decision making often lead to less member empowerment (Clark, 1968). These groups are often formed by entrepreneurs rather than by a specific community movement (Nownes & Neeley, 1996). These entrepreneurs “use outside lobbying to take advantage of pre-existing public preferences, not to recruit members or to try to create the mere appearance of grass-roots support” (Weller & Kollman, 1999). Some believe that the onus on fundraising and the pressure to show large short term gains while simultaneously generating credibility shifts the focus away from community based strategies and towards a centralized method of operation (Bunn, 1987). In addition, the success of these corporate style structures can rest on the central leaderships’ access to and influence with public

managers in conjunction with their perception of the group's power relative to similar interest groups, rather than the number of community members that support a cause (Lewis, 2006; Nicholson-Crotty & Nicholson-Crotty, 2004). Therefore, it is possible for the process to bypass public opinion and organization for a cause in favor of decisions orchestrated by select elites (Cook et al., 1983).

Kingdon's Multiple Streams Framework

A prominent advantage of Kingdon's Multiple Streams approach is its versatility. As a framework, M.S. has been used to analyze topics ranging from the institution of educational plans in Minnesota (Stout & Stevens, 2000) to understanding health policy in developing nations (Kusi-Ampofo & Church, 2014; Ridde, 2009). Analyses often focus on the key trait of the framework: the streams. Studies strive to identify the makeup of the problem, the policy, and the politics streams in pursuance of understanding how a past event may have occurred.

Studies using the Multiple Streams Approach tend to focus on a specific policy event serving as a case study such as the passage of specific initiative or measure. A researcher would then make use of historically available information, interviews, and document analysis to tease out the different paths of the streams in order to assess how key moments and players may have guided the process towards its eventual outcome (Brunner, 2008; Kusi-Ampofo & Church, 2014; Petchey, Williams, & Carter, 2008; Sharma, 2008; Storch & Winkel, 2013; Stout & Stevens, 2000; Weber, 2014). By mapping out specific policy events, those who utilize Multiple Streams seek to gain an increased understanding of how a policy solution comes together, therefore allowing for potentially better knowledge of the necessary steps in future related policy efforts.

Political Context

A number of studies question the viability of the Multiple Streams model outside the context of the United States political system, while some assert that the framework can be extended to international contexts (Ridde, 2009; Travis & Zahariadis, 2002) and at the state level (Young & Shepley, 2010), lending creditability to analyses conducted in a non-U.S. policy system (Ackrill, Kay, & Zahariadis, 2013; Brunner, 2008; Exworthy, 2008; Petchey et al., 2008; Storch & Winkel, 2013). Many have accepted this model with the caveat that adaptations should be created to fit a specific system (Ackrill et al., 2013; Brunner, 2008; Hoeijmakers, De Leeuw, Kenis, & De Vries, 2007; Travis & Zahariadis, 2002). However, a limited number of studies have found the Multiple Streams framework not as viable at the local level because of a shift in the dynamics of agenda setting and those who hold power (Liu, Lindquist, Vedlitz, & Vincent, 2010; Robinson & Eller, 2010; Young & Shepley, 2010). This paper seeks to contribute to this particular discussion of local politics and dynamics of power in order to check alignment of theory and reality.

Policy Entrepreneur

Policy entrepreneurs are critical to the Multiple Streams framework as presented by Kingdon. These individuals use their knowledge and connection to a situation as a means of entry in order to manipulate the policy process towards a favored policy position, either for personal gain or that of a cause. Some claim that entrepreneurs appear from *outside* formal positions of government (N. C. Roberts & King, 1991; N. Roberts & King, 1988), with the ability to present, clarify, and take steps to aid in the implementation of their preference into policy. However, others argue that entrepreneurs exist both *outside and within* government office (Kingdon, 1995; Zahariadis, 1999) as leaders of interest groups, elected officials, or unofficial activists for a specific cause, often with a preferred solution, ready to take advantage of a political stream that aligns with their views.

Policy entrepreneurs are described by Kingdon (1995), as those who use their knowledge base as means to engage and shape the policy process for their own purposes. “These are public entrepreneurs who, from outside the formal positions of government, introduce, translate, and help implement new ideas into public practice” (N. C. Roberts & King, 1991). These entrepreneurs “lie in wait in and around government with their solutions at hand, waiting for a development in the political stream they can use to their advantage” (Kingdon, 1995). As the political landscape continues to shift, the policy entrepreneur seeks to bring together or “couple” the three streams when it seems as though they have both the support of public opinion, and those receptive to the policies they wish to present. In this way, they are able to create a window of opportunity through which a policy can be approved. Kingdon presents a very decisive, calculating individual waiting for the perfect opportunity to step in. However, others have noted that entrepreneurs are more likely to implement a “trial and error” strategy, testing a variety of ideas in various combinations, “to find the one that replicates” (John, 1999).

The policy entrepreneur’s role as stream coupler lends it the status of central figure within the framework, and as such, multiple streams research has focused analyses on the actions and abilities of the entrepreneur (M Mintrom, 1997; Michael Mintrom & Norman, 2009; Michael Mintrom & Vergari, 1996; Oborn, Barrett, & Exworthy, 2011; N. C. Roberts & King, 1991; N. Roberts & King, 1988; Schneider & Teske, 1992; Young & Shepley, 2010). The role of the entrepreneur is critical to the evaluation of the cannabis policy process, as many of its proponents are visible entrepreneurs, or supporters of cannabis law reform and have been a part of more than one effort, failed or successful, to forward cannabis policy.

Methods

Document Analysis

The first prong of the analysis section will make use of historical events and primary documents viewed through the lens of the Multiple Streams approach to policy development (Kingdon, 1995) in order to assess the impact and control of participants on the Measure 91 policy debate. Document analysis will focus on available media accounts of the policy decisions involved in the creation of the final version of the measure prior to its eventual passage. Additionally, a number of media reports will be used, centering on the cannabis law reform debate in Oregon. Finally, all sections will seek to assess the balance of power between the various types of actors, and who controls the policy conversation.

Document analysis is a well-documented tool of qualitative analysis and data collection (Bowen, 2009; Corbin & Strauss, 2008; Eisner, 1991; Labuschagne, 2003). Various documents, organizational and institutional, can serve as a means for understanding a research topic. Defined, document analysis acts as a systematic procedure for the review and evaluation of documents in order to uncover meaning, develop understanding, and realize empirical knowledge (Bowen, 2009; Corbin & Strauss, 2008). Documents may take on a variety of formats, including news reports, political documents, graphs, surveys, press releases, and events. The process of document analysis takes on the search, selection, evaluation and synthesis of information found in a given document. Analysis seeks to develop major themes with the aid of language, direct quotes, and interpretations (Labuschagne, 2003).

Central to the document analysis conducted in this research, content analysis organizes information into categories or a framework related to the central questions posed by a study. This entails a ‘first-pass’ document review’ with which information relevant to the research is identified. It

is important for the researcher to be able to display their ability to separate applicable information from irrelevant information in order to foster credibility in the thoroughness of the project's data collection (Corbin & Strauss, 2008). It is important for content analysis to verify for completeness of selectiveness in presentation of the information related to the event in question. The researcher must take into account the author's original purpose or potential bias while at the same time comparing this information against other sources to sufficiently evaluate their place in the context of the study (Bowen, 2009).

Often in combination with other research methods, qualitative or quantitative, document analysis uses triangulation in order to form 'a confluence of evidence that breeds credibility' (Eisner, 1991). Examining a specific policy or event through the lens of multiple data sources and mixed methods seeks to reduce the potential for bias found when a single research method is utilized, to generate higher understanding of what has occurred, and the significance of the occurrence (Yin, 1994). A combination of qualitative and quantitative methods have been used in tandem (Rossman & Wilson, 1985), employing primary source review of documents and interviews along with surveys, respectively, to identify any differences in the perspectives of individuals and agencies in supporting school improvement programs.

According to Bowen (2009), documents serve five main purposes as part of research. First, context can be provided through text, and allow for historical insight and crucial background information in consideration of an event. Second, document contents can aid in the development of additional questions that will be necessary to complete a full and extensive investigation (Goldstein & Reiboldt, 2004). Third, supplementary documents can provide increased insight and resolution in conjunction with information provided by first-hand participants (Connell, Lynch, & Waring, 2001). Fourth, a compilation of documents can create a timeline of change and development in tracking a

particular event. Even small changes in stance or language can display where a shift in a movement takes place (Yin, 1994). Finally, documents can be utilized ‘to verify findings or corroborate evidence from other sources (Bowen 2009, 30). However, some researchers caution against taking documentary data as truth or as firm evidence in accordance with what they report. We should treat documentary data for what it they are in context and in their specific purpose (Atkinson & Coffey, 1997, 2004).

Multiple Streams Analysis

The document analysis will be seen through the lens of the “The Multiple Streams Framework” (Kingdon, 1995) which analyzes and explains how government creates policy and the way in which government is influenced by its citizenry, and vice versa. This framework is conducted with the assumption of ambiguity, referring to the world as a place of varying viewpoints about the same events. In addition, M.S. allows for the possibility of extension into the entire process of policy making at various levels of government.

According to Kingdon (1995), three independent “streams” are identified as making up the policy system: problems, policies and politics. *Problems* are the current issues being made known to policy makers, either through indicators that are connected to a policy, focusing events that raise the profile of an issue, and feedback on the outcomes of earlier initiatives. *Policies* are thoughts and ideas concerning an issue, usually brought about by experts in the field, those in academia, government bureaucrats, and policy makers. *Politics* are made up of national or state sentiment, interest groups, and turnover of administrative and legislative officials.

Although streams are characterized as largely separate, the streams may be coupled or brought together. *Coupling* can be done by policy entrepreneurs, individuals or corporate actors, or those who have the ability to attach problems to their solutions and find politicians that are

receptive to their ideas before variables in the system change. This consolidation dramatically enhances whether or not a policy has a chance to be supported and selected by policymakers. It is during this critical juncture in time when the streams become tied together or aligned, termed the *policy window*, that a policy has the greatest likelihood of reaching its passage. During this window of opportunity, the policy entrepreneur has a relatively short amount of time to capitalize on the alignment of interest and make a move to change policy, before events cause alterations to the political landscape, resulting in the window snapping shut.

By applying the Multiple Streams Framework to the documentation of cannabis legalization ballot measures and policy debates in Oregon, Colorado, and Washington, we may analyze the divisions of control and power in the creation of Measure 91, by individuals with both aligned and opposing views in the face of a controversial political environment.

Questionnaire

The second prong of analysis was developed through the use of a purposive, web-based questionnaire. A purposive sample targets specialized informants in order to generate a better understanding of a particular theoretical framework (Bernard, 2002). Informant selection is based on their knowledge of the subject or qualities inherent to the individual. Although random sampling is recommended as a way to reduce biases in data, purposive sampling allows for a valid sample if it is representative of the chosen population (Tongco, 2007). Despite inherent biases, this method of sampling has strength in its intentionally biased selection. Studies have demonstrated that when purposive studies were compared to a random sample they can be highly correlative (Campbell, 1955; Topp, Barker, & Degenhardt, 2004), and at times, even better represent a specialized population over random sampling (Karmel & Jain, 1987).

The questionnaire developed specifically for this study begins with the capture of standard demographic characteristics to allow for the assessment of biases or patterns in the types of respondents. Questions are differentiated by the state in which the survey respondent conducted a majority of their participation in cannabis policy processes and the respective legislative measure. More specifically, the Colorado and Washington questionnaires are nearly identical with limited changes other than the state in question and its associated initiative or amendment. Once the respondent has selected their primary state of participation, the questionnaire branches into questions that focus upon baseline policy opinions, such as the importance of the role of government in the determination of policy, followed by more specific questions aimed at specific cannabis legalization measures and actors.

Policy questions are largely composed of Likert-scaled questions, enabling participants to gauge their role amongst the actions of others in the policy process or to assess the degree to which they agree or disagree to a statement concerning the policy process.

Table A: Importance	
1	Unimportant
2	Of Little Importance
3	Moderately Important
4	Important
5	Very Important

Figure 1: Likert Scale – Importance

Table B: Frequency	
1	Never
2	Rarely
3	Occasionally
4	Frequently
5	Very Frequently

Figure 2: Likert Scale - Frequency

A limited number of yes and no answers are used to divide participants in to their respective group of policymakers, entrepreneurs and private citizens to allow for comparison between

perspectives. Figure 4 below provides an example of an open answer question concerning incentives for policy process participation. Figure 5 demonstrates a binary answer that seeks to sort out potential policy entrepreneurs.

“If your motivation to engage in the marijuana policy process was either not motivated by monetary gain, or was in addition to monetary gain, what was the reason for your participation (besides money)”?

Figure 3: Open Answer

Did your role in the policy process cause you to bring together business owners or private individuals and policymakers (in any form) to find a solution?

<Yes / No>

Figure 4: Binary Answer

The Oregon questionnaire is similar to those of Colorado and Washington in many respects, but includes questions concerning how policy processes in the aforementioned states may have guided or affected Oregon’s policy debate. This differentiation is a necessary alteration as Colorado and Washington passed legislation in respect to cannabis legalization prior to that of Oregon.

Sample Population and Participants

The community of business professionals, private citizens, and policymakers involved in the cannabis policy process within the states of Colorado, Oregon, and Washington were the target population of this study. Individuals who took part in the questionnaire are a non-random, purposive sample of participants who directly took part in their states’ associated cannabis policy measures: Initiative 502, Measure 91, and Amendment 64, respectively.

Distribution

Actors were recruited through a limited number of central contacts by email survey links and social media invitation. Qualtrics, a survey software program, was utilized to distribute the questionnaire to prospective initial participants, track responses, and determine completion. These initial pilot participants were then asked to forward the survey link to others they who were involved in the policy process in any measure. This technique was deemed to be largely unsuccessful at the

completion of data collection and will be discussed further in the ensuing recommendation portion of the paper.

The questionnaire was distributed in what is essentially three survey sets after the initial pilot. In the first panel, 342 direct emails were sent to legislators in Colorado, Oregon, and Washington, with 130 who opened the email containing the survey link, 17 of which began the questionnaire, with a start rate of 13%. Of those who began the questionnaire, 13 completed, with a completion rate of 76%.

The second panel was made up of identified activists and contributors to the cannabis policy movement in the three target states. 22 emails were distributed, 16 of which were opened. 15 of these 16 began the survey, of which only 10 completed, with a completion rate of 67%.

The final panel was made of 95 invitations to users of the social media service, Twitter. Using a dedicated research account, respondents were recruited through a message asking to share their experience in the cannabis policy debate. Respondents were chosen through the identification of their participation in the cannabis industry, either as an entrepreneur, government, or as a community activist. Because of the capabilities of Qualtrics, when an invitation is sent outside of direct email, there is no way to track how many of these 95 invitations were opened. Of these 95 invitations, 5 individuals completed the questionnaire with a completion rate of 5%.

Sample

All individuals who volunteered to participate, signified by their completion of the online questionnaire, were included in the study, resulting in a total of **28** completed surveys ($n=28$) with an overall completion rate of 6%. 14 participants signified that a majority of their efforts were focused on Oregon's policy process ($n=16$), while the remaining participants were divided between Washington ($n=3$) and Colorado ($n=9$).

While the participation and completion rates are very low, with some variation between panels, this is to be expected with a specialized professional group (Beebe, Locke, Barnes, Davern, & Anderson, 2007; Yetter & Capaccioli, 2010). Many of these targeted individuals remain in the midst of policy debates, even though their associated ballot initiatives have been passed. Therefore, the schedule of entrepreneur type individuals, and state legislators with little free time on their hands may simply not be conducive to even paper survey efforts (Dennis Jr., 2003).

As previously discussed, the purposive targeting of specialized individuals allows for a potentially representative sample of this sub-population involved in the cannabis policy process. Participants were chosen because of their knowledge of various facets of the legalization of cannabis, and the information they provide is representative of their population, even with biased selection.

Analysis

With the aid of the historical record of events in connection to Measure 91, and the experience of questionnaire respondents, my hypothesis is twofold: (1) In divergence from classical Multiple Streams, power over policy outcomes will be largely held by local community stakeholders rather than by government officials at the state level of policy development., (2) Policy entrepreneurship will be controlled by a particular type of community stakeholder with a private industry background, rather than truly driven by a grassroots community effort or those that hold power at state or federal level.

Document Analysis

The Problem Stream

In the Multiple Streams framework, “Problems” refer to policy issues that are deemed to be in need of public attention. The history of cannabis use and production in Oregon provides the

context for the community perception of the problem. In 1973, Oregon became the first U.S. state to decriminalize cannabis. Oregon had its first brush with an effort to fully legalize cannabis in 1986, with Ballot Measure 5, which failed with only 26% support (“Oregon: Fighting the Antidrug Tide,” 1986). Cannabis cultivation, possession, and consumption for medical patients² was eventually legalized in November of 1998 by Oregon voters through Measure 67. The initiative effectively eliminated state criminal penalties for medical users. However, as previously stated, U.S. federal penalties still loom as medical marijuana is not recognized outside of state law.

Cannabis legislation has been a tumultuous process in Oregon, with numerous advancements and setbacks. After passage of Measure 67 it may have seemed as though the complete legalization of marijuana was a tangible reality within the state’s grasp. However, in 2004 Measure 33, an initiative that moved to amend and expand the previous medical marijuana act by allowing for the creation of not for profit state licensed dispensaries, was defeated by a fifteen percentage point margin. In spite of the negative reception to the measure, the Oregon Legislature proceeded to pass Senate Bill 1085 shortly thereafter, clarifying the interpretation of the Oregon Medical Marijuana Act while simultaneously raising the amount of cannabis that a patient may possess at any one point in time. This seemed to signal a break or disagreement between the Senators and Representatives and their constituents concerning power over creation and passage of cannabis legislation, a pattern that has continued through many of the measures leading up to the present.

Indicators.

² A patient must have one diagnosed qualifying medical condition, confirmed by an Oregon-licensed physician. (public.health.oregon.gov/ChronicDisease/MedicalMarijuanaProgram)

indoor production, behind California, Washington, and Florida (Gettman, 2006, p.12). Without even placing in the top 10 on the outdoor list, Oregon still remains 10th in the amount of cannabis produced in all of the United States (Gettman, 2006, p.12). Marijuana is believed to be Oregon's top cash crop, bringing in an estimated \$473,972, over both hay and wheat (Gettman, 2006, p.14).

National and state indicators of use and production display the development of a problem relating to the division between current policy and the beliefs of the population. The growing use and production of cannabis have planted the issue squarely into the policy spotlight.

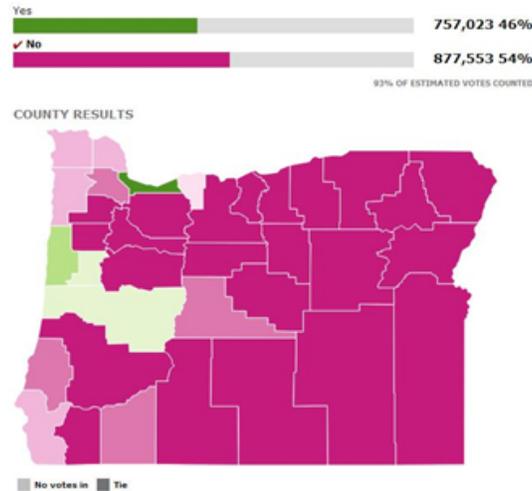
Focusing Events.

Defined as “key events that cause members of the public as well as elite decision makers to become aware of a potential policy failure” (Birkland, 1994), focusing events bring increased attention to a policy issue. Measure 67 acts as a prime example of an event that caused a shift in Oregon's stance on complete cannabis prohibition. The Oregon Medical Marijuana Program (OMMP) that grew from the passage of this ballot initiative (Oregon Medical Marijuana Act) has seen substantial growth from 1998 to today³, with approximately 71,317 current patients. The expansion of the OMMP seemed to catch legislators, law enforcement, and even the state agency based within the Oregon Department of Human Services, off-guard (Crawford, Southworth, & York, 2013). This situation depicts government as unprepared and with diminished control of the situation, suggesting that those supporting and developing the OMMP had better knowledge of the target population and therefore the power advantage in the crafting of policy.

In November of 2012, ballot measures in Oregon, Washington, and Colorado allowed citizens to vote on the legalization of marijuana in their respective states. Of these, Washington and

³ As of April 1st, 2015.
(public.health.oregon.gov/ChronicDisease/MedicalMarijuanaProgram)

Colorado passed Initiative 502 and Amendment 64, respectively, by a nearly identical margin, while Oregon became the lone participant to reject its Ballot Measure 80, also known as the Oregon



Cannabis Tax Act.

Figure 6: Oregon Measure 80 Results

Adapted from “2012 Live Election Results”, 2012.

The Oregonian.

The margin of defeat was that of 53.25 percent against and 46.75 percent in favor of legalization. Until the passage of Measure 91, Oregon prohibited “the cultivation, distribution and use of marijuana (cannabis), except as permitted pursuant to the Oregon Medical Marijuana Act” (Vote Smart, 2012). If Measure 80 had been approved by the people of Oregon, its passage would have replaced all currently existing state and local laws concerning cannabis. It would not have, however, altered regulations governing medical marijuana and driving under the influence, a set of standards that were left intact by the creators of Measure 91.

In the lead up to the 2014 general election, cannabis was not the only issue being considered by the state legislature. Cover Oregon, an attempt at creating a state-run healthcare exchange, was still reeling from a high profile rollout wrought with errors. Gun control, the Columbia River

Crossing project, and a proposal to privatize liquor sales were also taking up space in the public consciousness. All of these issues were in addition to biennial budget decisions that must take place to account for gaps in revenue, perhaps causing a lack of awareness of or support for the available cannabis legalization measure. The demands of constituents and their association to each potential measure may have placed pressure on legislators, directing their attention away from cannabis and towards a single, personally relevant issue. Without the strong backing of a legislator, organization or private individual with the ability to hold public attention, Measure 80 could not gain traction among a majority of voters. Over the course of the 2014 election, Paul Stanford, the writer of the measure, did not garner enough public attention required to give him the level of power necessary to cast the his proposal to regulate cannabis as a feasible policy solution.

Feedback.

Policymakers and private individuals are able to gain insight into public opinion through the feedback of past policy effort and event outcomes. The temporal proximity of Oregon's Measure 80, an earlier attempt at recreational cannabis legalization, makes it useful as a comparison to assess how the passage of associated measures in Colorado and Washington may have shaped the policy process and guided it towards the eventual development of Measure 91.

Measure 80 differed from legislation in the past, pushing for the allowable use of cannabis for all citizens above the age of 21. But how did the initiative's language compare to those of Washington and Colorado? The most noticeable distinction between the measures is the amount of cannabis that citizens are allowed to possess. Measure 80 did not designate any formal limit, while both A-64 and I-502 grant a one ounce cap. Additionally, personal cultivation was unrestricted in Oregon's measure, while Washington and Colorado allowed 6 plants and a ban on cultivation, respectively (Project Vote Smart, 2012b). The proposed regulatory bodies also differed, with Oregon

planning on the creation of the “New Oregon Cannabis Commission” (OCC), Colorado utilizing its standing Department of Revenue, and Washington granting oversight to its State Liquor Control Board.

Finally, the proposal of the distribution of tax revenue differed greatly between the three initiatives. Oregon chose to dedicate 90% to the general fund, while Washington planned to grant the first \$40 million to the Public School Capital Assistance Fund. Colorado preferred a dedicated cannabis fund run by its Liquor Control Board, with sums of money parceled out to various healthy use surveys, social and health reports, and web-based marijuana education (Project Vote Smart, 2012a). With the example set by Colorado and Washington, it became obvious that in order to gain a majority support in Oregon, those crafting cannabis policy must present voters with a reliable method of regulation, and pre-existing state regulatory departments were shown to fit that bill.

The Policy Stream

Described as a “policy primeval soup” (Kingdon, 1995), the policy stream contains all possible policy options that have been proposed by an actor or group for consideration of participants in the policy process. The main policy arguments in support of Measure 91 centered upon five key issues : (a) the current lack of control and oversight into cannabis production for recreational users, (b) sale can only occur in licensed, inspected, and audited stores away from schools, while sale must only be available for adults over the age of 21, (c) the elimination of laws that unduly punish users (d) minors must be penalized for access and (e) other current laws concerning against driving while impaired and drug-free workplace rules must stay in place. Addressing these key issues would be fundamental to the formulation of policy that could gain support of the public at large.

First, by installing strict control of all aspects of production, the government would be able to watch over the process with the full knowledge of the amount of cannabis being *legally* produced in Oregon. Currently, many illegal grow operations take place on public lands, and may lead to damage of native plant life. Streams have been diverted for use on these farms, another source of habitat destruction. In addition, many indoor grow operations use massive amounts of energy, and have no incentive to follow fire codes or to adhere to any type of power saving equipment, other than not getting caught. Backers believe that by allowing sanctioned growing, many will have an incentive to make operations legitimate in order to avoid prosecution while being able to continue producing at reasonable levels of profit. Of course, some growers will stay hidden to avoid government oversight, but this is not a significant change from the previous order. Law enforcement planned to continue to pursue illegal operations, albeit likely at a lower level of intensity.

Second, the State of Oregon does have much to gain from the legalization, licensing, and taxation of cannabis. It would provide oversight of the sale of cannabis while allowing for the control of licensure to dispensaries. By increasing the market for cannabis into recreational use, those who have struggled to obtain a medical card for treatment (New Approach Oregon 2014, 7), and who have dealt with the banning of medical dispensaries across the state from the passage of Senate Bill 1531 (Borrud, 2014; Crombie, 2014) will have more avenues of access to cannabis. In addition, the state would create a new source of tax revenue that has remained untapped for quite some time. The ability to distribute these tax monies to schools, drug education and prevention programs, law enforcement efforts, and other government departments is very enticing for both those who allocate and rely on the public budget and those who are seeking to consolidate support for a cannabis legalization measure.

As part of the strict licensing of dispensaries, it was essential for communities that policy be in line with the protection of youth populations. According to the 2012 Statewide Behavioral Crime Report conducted by the Oregon State Police, 2,441 of 15,874 of marijuana arrests occurring that year were juveniles (Oregon State Police, 2012). The City Club of Portland, teachers, schools, volunteers, and nurses (New Approach Oregon 2014, 2-9) supported the notion that the introduction of cannabis policy would do a better job of controlling the distribution to minors as entrepreneurs' transition to or beginning of legitimate enterprises. Perhaps more importantly, organizations believed that tax money generated by the sale of cannabis would be directed towards the funding of drug education, treatment, and support programs for the benefit of youth populations.

Third, many of those in favor of cannabis legislation simply pointed to the vast sums of money and effort devoted to upholding past and current cannabis laws. Former Chief Federal Prosecutor of Oregon, Kris Olson, noted that “40 years and \$1 trillion fighting the War on Drugs” has done little to change the state of affairs in the criminal justice system (Office of the Secretary of State, 2014a). Retired Supreme Court Justice William Riggs noted that “marijuana legalization is inevitable”, and that the 13,408 people in Oregon arrested or cited for cannabis crimes in 2013 are an unnecessary drain on resources (Office of the Secretary of State, 2014a). A number of those in the law profession (Office of the Secretary of State, 2014a) refer to the rate of citations and arrests for cannabis offenses as a large drain on state resources, while disproportionately affected minorities and low income citizens (Golub et al., 2007; Kornblum, 1991). Supporters argued that current laws were much too harsh and unduly punish those caught in possession of small amounts of marijuana with possible punishments ranging from jail, loss of loans, and a mark on their record that could damage employment prospects. Those in favor of legalization policy believed that changes to the

current law would remove the status quo of harsh penalties and large sums of dollars dedicated to enforcement.

Those opposed to Measure 91 were approximately the same as those who had previously opposed Measure 80. Clatsop County District Attorney Josh Marquis, leader of the 2012 opposition, did not change his opinion in response to the new language of the measure, even with its much more strict regulatory proposals (Mapes, 2013). Marquis favored what many others with his stance and occupation preferred: the continued allowance of medical dispensaries and the continuation of non-criminal citation for limited amounts of possession. However, positional shift in federal drug policy withstanding, the opposition did not focus on the current amount of dollars spent on cannabis law enforcement, and the possible savings or costs it could produce, but rather made an effort to dismiss the measure on social grounds, leading to the final point of public concern.

Fourth, a very real concern for the availability of recreational cannabis is a possible increase in accessibility for minors. Both sides supported keeping cannabis out of the hands of minors. Supporters hoped to institute penalties for access by underage users, in a similar method to current alcohol ordinance. They also believe that by institutionalizing cannabis, minors may see decreased access to illegal dealers who would not ask for valid identification (Office of the Secretary of State, 2014a).

Herein lies the heart of opposition to cannabis policy in Oregon, composed primarily of pediatrics societies, those in the law profession, and some law enforcement officials. Many of those against the introduction of legalization focus on the possibility of increased availability of cannabis for teens. The opposition argues that because the Oregon Liquor Control Commission (OLCC) can't currently stop all access to underage drinking, teens will similarly now have potentially increased access to cannabis. The Vote No on 91 campaign stated, "Do the New Approach Oregon

folks, who want to legalize pot, really think OLCC can handle more work and more responsibility when they already can't keep liquor away from children?"(Office of the Secretary of State, 2014b). Opposition believe that that by simply allowing legalization, it sends the message that cannabis "is not harmful" (Office of the Secretary of State, 2014b).

Finally, both those in opposition and support were aware of the possible negative consequences that the legalization of cannabis could have on driving impairment and workplace law. From here, ideas diverged. Supporters made clear that the measure would maintain the current strict driving standards "that have contributed to our safest traffic statistics even while having over 64,000 medical marijuana patients" (Office of the Secretary of State, 2014a). Opposition cite statistics from Colorado that purport an increase in cannabis related traffic fatalities since the inception of Amendment 64. Additionally, District Attorneys worry that there is no current assessment or guideline for determining whether an individual is driving under the influence of cannabis (Office of the Secretary of State, 2014b).

It seems apparent that within each of the five issues covered above, supporters and opposition seek to make the argument that cannabis legalization would be a net benefit or net detriment to society, respectively. It is likely that Measure 91 received more attention and support than past legalization efforts because its backers were more effective in conveying the current issues with cannabis and how their policy solutions were a valuable change in state law.

Policy Alternatives.

Variability in the viability of ideas provide "policy alternatives", or differing solutions to the same policy issue. Much of the discussion of alternatives centered upon the governance structure of a recreational cannabis regulatory group. The OLCC was identified as the regulatory body best equipped to quickly step into an implementation role, modeled after the framework put in place by

Washington's Initiative 502. Even with the apparent relative ease of transition that the OLCC seemed to present, Seattle attorney Hilary Bricken warned that while working with business owners struggling to navigate the new recreational cannabis laws, "...people are writing a blank check to the liquor control commission. In Washington, nobody saw this coming" (VanderHart, 2014).

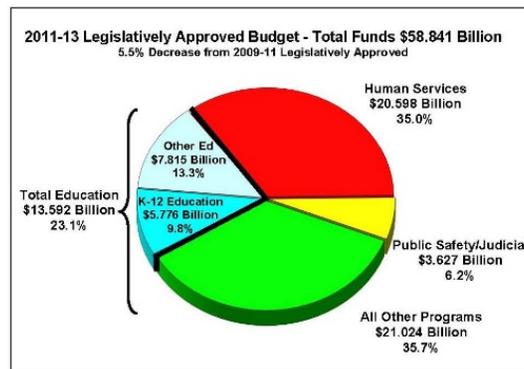
Not only was the increased responsibility given to the OLCC a source of uncertainty, but it essentially created a regulatory body that would operate side by side, or possibly head to head with the current Oregon Medical Marijuana Program. Many Oregonians, or more specifically those already part of the medical program, were concerned that new legislation would affect the OMMP and how they currently buy and possess medical marijuana. In order to gain the support of these voters, the crafters of Measure 91 constructed clear language within the measure that would seek to protect the OMMP and would refrain from the establishment of a new regulation concerning preexisting law, at least within the initial language of the initiative (McVay, 2014). Supporters wrested control of the narrative that government would seek to eliminate the OMMP if the recreational measure passed (a narrative that benefitted those in opposition to legalization), in order to reassure and gain support from a large base of invested community members.

The Politics Stream

Within the politics stream, policymakers must be aware of and receptive to the opportunities provided by the policy stream. The introduction and later failure of Measure 80 during the November 2012 general election began the process of pushing legalization to the forefront of policymakers' awareness. Previously outlined, the so named "Oregon Cannabis Tax Act", would have allowed personal cannabis use and hemp cultivation without the licensure of the government. The lack in political popularity of this measure and the future direction of policy development could

be linked to a few key factors: state budget availability and allocation, the language of the measure, and a lack of organized support.

A simple measure of a state’s pecuniary resources is derived from the state budget. This diagram below displays the breakdown of Oregon’s legislatively approved budget, from 2011 to 2013. It is noticeable that the current budget, or that of when Measure 80 was on the ballot, was a



5.5% decrease from the previous 2009-2011 budget.

Figure 7: 2011-2013 Legislatively Approved State Budget

Adapted from “2012 Oregon Legislative Adopted Budget”, 2012,
*State of Oregon.*⁴

Political figures tend to be acutely aware of budgetary resources, as they often define the availability of dollars for projects that may benefit their constituent communities. Therefore, many of the arguments in favor of and in opposition to Measure 80 centered on Oregon’s financial position to generate increased attention for both those in support and opposition. Groups such as the Sheriffs of Oregon PAC believed that the anticipated tax revenues generated by legalization of marijuana would not cover the costs it would create, stating, “Marijuana is part of a \$115 million annual cost for prevention, treatment, and recovery services in Oregon” (Oregon Secretary of State Office, 2012). However, proponents supported the notion that legalization and taxation would both

⁴ (Legislative and Fiscal Office, 2012)

allow our law enforcements' concentration to shift elsewhere and gain additional tax dollars, noting that "Oregon spends more than \$60 million each year enforcing existing marijuana laws" (Oregon Secretary of State Office, 2012). A great portion of the argument revolved around the availability of budgetary dollars (the subtraction of \$3,236,200 in available funds is no small decrease), perhaps exhibiting that the state of financial resources in Oregon may have been a justification to vote against this measure.

The way in which political officials perceive and understand an initiative and its context within the state has the ability to define the amount of support or non-support a policy solution can generate. Perhaps the most crucial argument against Measure 80 was its overall deficit in cohesive proposals, and "the largest criticism of the Oregon measure was its verbosity" (Crawford et al. 2013, 57). Language and clarity can have an effect on the success of a ballot measure as "the presence of multiple policy issues within a measure often leads to failure" (Reilly & Richey, 2011), while at the same time diminishing a clear narrative for political officials to follow. Measure 80's "verbosity" and muddled message on a number of issues such as creating a new regulatory body, cultivation, possession, and tax revenue created an amount of public and political uncertainty concerning the repercussions of marijuana legalization, leading to a decrease in the likelihood of support of politicians.

The minimal amount of support for Measure 80 was likely due to the lack of a devoted support campaign in the lead up to the election, and therefore made it difficult for national organizations to connect and provide support at the state level. Oregon NORML was the lone state organizational voice in support for the measure. The lack of a true campaign to craft policy language, not to mention the opposition of then influential figure Governor John Kitzhaber (Green,

2012), made it very difficult to connect with the public and demonstrate how the policy changes of Measure 80 were a viable option.

Involvement of State & National Cannabis Organizations

Examination of state and National organizations can demonstrate the cohesion and level of political support drawn by a policy proposal. Measure 91 seemed to succeed where Measure 80 failed in terms of organizational support. The New Approach Oregon campaign, formed in the year previous to November 2014, providing a more easily accessible organization for both citizens interested in the measure, and national organizations looking to lend support. National groups now lent increased aid: The Drug Policy Alliance, tied to billionaire George Soros, gave \$50,000 to New Approach Oregon in addition to a \$32,000 donation from Peter Lewis, chairman of Progressive Insurance, both known drug policy advocates (Mapes, 2013).

It is important to note that Paul Stanford, the sponsor of Measure 80, decided to try again in 2014 with two proposed legalization initiatives (Mapes, 2013). It is likely that the centralized support around the eventual Measure 91 created by New Approach Oregon caused Stanford to eventually pull back his proposals by choice, or by the inability to garner support at the same level as larger organizations.

Pressure Group Campaigns

Organization around policy creation is partially composed of special interest groups, known in this framework as pressure groups. The main campaigns devoted to the Measure 91 effort included New Approach Oregon in favor of, and No on 91 in opposition. Both of these groups formed in the lead up to Measure 91, with New Approach as the organization behind the development and writing of the measure and No on 91 forming to represent those who did not agree with, or believe that legalization was the best course of action for the state.

New Approach Oregon and its executive director Anthony Johnson, a long time cannabis reform advocate, completed the 26th and final version of the draft over a year before the initiative became available for the November 2014 vote (VanderHart, 2014). In the aftermath of the failed ballot measure in 2012, cannabis advocates looked to create an initiative that would be more heavily supported by the public as political figures seemed to push aside past attempts to create policy governing recreational use. Colorado and Washington provided a much needed framework, and over a year to see how events played out within the respective systems:

"The biggest benefit that Oregon has over Washington is learning from both Washington and Colorado," says Anthony Johnson, an attorney, pot advocate, and chief petitioner behind Measure 91. "We think we've taken a balanced approach." (VanderHart, 2014)

Proponents targeted what they believed to be the best of each measure. Anthony Johnson made it very clear that the measure aimed to gain the support of both longtime cannabis law reform activists, and appeal to moderate voters as well (McVay, 2014). This approach looked to consolidate support among those who may have voted against past measures, while maintaining the requirements of existing stakeholders. It is clear that the creators of Measure 91 were well aware that in order to be successful, they must receive the support of community stakeholders.

New Approach Oregon received state and national support from various cannabis reform organizations, including NORML and The Drug Policy Alliance. By viewing campaign finance histories available through the Oregon Secretary of State office, it becomes clear that there is a vast difference in donations received by the support over the opposition. The largest single amount received by New Approach Oregon (\$2,267,863.02 from "Media Analysis") is greater than the whole of opposition contributions. Additionally, there are a number of out-of-state contributors reaching approximately half of all donation occurrences (Oregon Secretary of State Office, 2015a).

The main opposition organization to Measure 91 was the Vote No on 91 campaign, composed primarily of concerned parents, law enforcement, and drug treatment professionals. Accordingly, the main policy preferences focus on the availability of cannabis for minors, regulation, repercussions of increased use, and enforcement. In a press conference to discuss the drawbacks of legalization, Connie Ramaekers, a longtime drug prevention counselor, relayed that youth have told her that cannabis is easier to obtain than tobacco or alcohol. Dr. Kimber Richter, from the organization Smart Approaches to Marijuana (SAM), a national organization that is anti-legalization (although notably not anti-reform) worried about potential unknown public costs:

"We won't even be able to project what the public health harms will be, and the costs that we're seeing now -- the \$1 in tax revenue for the \$10 in social costs -- who knows where that's going to be with marijuana?"

(Belville, 2014)

A majority of No on 91's monetary resources were provided by the Oregon State Sheriffs association, with a few other enforcement association contributions. In viewing the campaign finance of the opposition, it is important to note the lack of out of state contributions, making the effort almost wholly supported by organizations which reside in Oregon (Oregon Secretary of State Office, 2015b).

Administrative and Legislative Turnover

The entry and exit of officials and bureaucrats in government, or "turnover", has the potential to drastically change the ability of policy to reach wider levels of support. At the time of Measure 80, Oregon maintained a Democratic state government trifecta, controlling both the senate, house, and governorship. 14 districts were up for election, two being mildly competitive with a margin of victory between 5 and 10 percent (Ballotpedia, 2014). The Oregon State Senate had a difference in partisan balance of two seats, leaving it potentially vulnerable to a change in control, however the 2012 general election maintained this standing.

Between the failure of Measure 80, and the passage of Measure 91, there were essentially no large administrative or legislative turnover to significantly alter the political makeup of those in in office. High ranking State of Oregon officials, such as Governor John Kitzhaber, opposed legalization in 2012 but changed tack by the 2014 general election, perhaps described best as a policy position turnover brought on by public and organizational support. He believed that Washington and Colorado had paved the way for legalization in Oregon, however he still wanted to ensure that regulation in Oregon was carefully examined:

"I hear the drumbeats from Washington and Colorado," Kitzhaber said in January, referring to the two U.S. states where legal, regulated marijuana markets already exist. "I want to make sure we have a thoughtful regulatory system. The legislature would be the right place to craft that." (Ferner, 2014)

The message above signifies a change in opinion or at least an acknowledgement of the political landscape in Oregon, Washington, and Colorado. This public statement by the governor may have publicly validated the cause of private organizations and individuals while simultaneously signaling officials to instead turn to a new course of action: the consideration of policy options that could be decided after the seemingly inevitable passage of recreational cannabis law in Oregon.

Federal Government Sentiment

The standing of policy in the eyes of the Federal Government can play a large role in how states handle potential policy alterations. The seemingly continual adjustment in sentiment of the national government has been a central factor in the recent progression of cannabis policy reform. Initially, the Ogden Memo of 2009 requested that prosecutors around the nation pull back on medical marijuana, while the federal government consolidated investigation and prosecution of what Congress considers to be a dangerous drug. Put more simply, Obama asked that a person found to be in compliance with state or local ordinance should remain without prosecution:

"[P]rosecution of individuals with cancer or other serious illnesses who use marijuana as part of a recommended treatment regimen consistent with applicable state law, or those caregivers in clear and unambiguous compliance with existing state law who provide such individuals with marijuana, is unlikely to be an efficient use of limited federal resources," the landmark 2009 memo read. "On the other hand, prosecution of commercial enterprises that unlawfully market and sell marijuana for profit continues to be an enforcement priority of the Department." (Grim, 2011)

This statement may have created breathing room, or allowed for differentiation in interpretation on a state by state basis. A statement from a classically anti-cannabis federal government that even remotely loosens the regulatory reins of a controlled substance was a step forward from past administrations, perhaps leading some to believe that if the federal government has taken a neutral stance toward cannabis, even if only that of the medicinal variety, they could move forward with a reduced threat of prosecution.

In a follow up message that offered “clarification”, Deputy Attorney General James M. Cole offered a new interpretation on the past statement that many perceive as a thinly veiled threat to medicinal caregivers and the new recreational cannabis laws taking shape in Oregon, Washington, and Colorado. Essentially, the 2011 Cole Memorandum rescinded the previous stance on cannabis law reform at the state level.

Perhaps in response to the actual passage of recreational legalization of cannabis, the Department of Justice published a new memorandum, again penned by Cole, describing new priorities in relation to federal prosecutors operating in states with legalized and regulated cannabis systems. The most recent “Cole Memo” took a significant step forward by shifting federal priorities from strict enforcement to a “hands off approach” that gives states more leeway in their conduct concerning the regulation and control of cannabis:

“In jurisdictions that have enacted laws legalizing marijuana in some form and that have also implemented strong and effective regulatory and enforcement systems to control the cultivation, distribution, sale, and possession of marijuana, conduct in compliance with those laws and regulations is less likely to threaten the federal priorities set forth above.” (Cole, 2013)

This most recent stance has set the stage for an influx of cannabis law reform, as supporters will feel less pressure from potential federal government prosecution, although they are surely aware that intervention is not completely out of question at this point in time.

Questionnaire Analysis

As described previously in the methodology of the survey, there are a number of issues that plague the reliability and confidence in the findings of the questionnaire. Primarily, the distribution and sample of the survey were confounded due to both the original small sample itself and the lack of response within this small sample. As a result, the findings of this section are to be interpreted as unreliable at best, and inconclusive at worst. However, it is important to remember the purposive nature of the sample, which may provide a representative glimpse into this specific target population of cannabis entrepreneurs and policymakers.

From the outset, the sample looked to include the community of business professionals, private citizens, and policy makers involved in the cannabis policy process in Colorado, Oregon, and Washington. This sample was targeted and non-random, likely biased by the point of view provided by these specific actors in the process. The selection of those “involved” was slightly randomized in an effort to diminish selection bias, as the option to participate in the questionnaire was provided to all current state legislators rather than simply those who have appeared to be engaged in the cannabis policy process. However, other portions of the sample were selected based on individuals’ apparent connection to the cannabis debate, and therefore are likely to respond in a biased manner in comparison to a random sample of citizens from their corresponding states. However, as

previously outlined, purposive sampling selects a target population, and random selection becomes less necessary when the study seeks to present the point of view of a particular group.

The low response rate was also affected by the manner in which the questionnaire was distributed. Individuals were recruited through an email survey link and direct invitation on social media. An initial pilot was sent to a number of known cannabis policy process participants in order to assess any potential deficiencies in the wording or amount of questions. Limited responses were drawn at a rate that was mirrored throughout the extended survey process. It is likely that respondents who completed the questionnaire will provide biased information that reflects their personal level of motivation to participate in the cannabis policy process over those who chose to not participate in or complete the questionnaire. This was visible in the higher response rate of those identified as activists and contributors to cannabis policy over any other panel of participants at a 67% rate of completion. Comparatively, respondents recruited through email invitation (Policymakers) or through social media maintained a completion rate of 5%. This difference alone is highly problematic, causing the responses to be heavily biased in favor of the opinions of cannabis reform activists (both in support of and in opposition).

Therefore, all data presented below should be interpreted with the knowledge that the data gathered may be indicative of a biased sample. However, the sample does provide a view into the policy process as viewed by a specific subset of individuals. This section originally utilizes the Multiple Streams framework to compare the questionnaire findings in a comparison to the prior analysis of documents. Due to the lack of confidence in the data derived from the survey, only a limited portion of demographic and informative findings will be presented.

Demographics

Of Oregon respondents, classified by the main reason for one's participation in the "Measure 91 process", all policy makers were over the age of 55. Business owners were all within the range of 25 to 34. Community members were represented by a range in ages, from 25 to 74. Of those who chose "related to occupation", possibly law, resided within the 55 to 64 category.

Income of participants was sourced primarily from the private sector, with a minority reporting that their income is mostly or entirely publicly funded. The divide represented in income was exactly reflected in the proportion of those that did and did not own a business. Incomes spanned a range from Less than 10,000 to 150,000 or more a year throughout respondents.

Support of Measure 91 was represented in 57% of respondents (close to the actual passage percentage of the measure at 56%), while 35% were in opposition, with the remaining 8% preferred not to answer. These percentages approximately represent the final percentage of support and opposition to the eventual passage of the measure.

Descriptive Analysis

Initially, this study planned to utilize survey level data as a method of triangulation relative to the outcomes of the document analysis performed within the Multiple Streams framework. However, because of the failure to collect credible data, the descriptive analysis portion of this paper will instead consider the qualitative experience of those intimately involved with the discussion, creation, and forwarding of policy. The inclusion of a limited number of open answer questions allows for the presentation of direct responses from those involved in the cannabis policy process. These open answer responses will be presented under the originally planned comparative Multiple Streams framework format.

Policy Alternatives.

Policy alternatives provide a number of routes that policy makers and private citizens could have pushed for in the development of Measure 91, allowing policy process participants in Oregon to debate a variety of policy solutions.

Respondents were asked:

“To your knowledge, what was the main disagreement between public and private sector in the development of Measure 91?”

One noted, “Whether or not the voters could or could not prevent policymakers from affecting pre-existing medical marijuana programming in order to build a successful and sustainable recreational marijuana program. To merge or not to merge, that is a related question”. Another mirrored this view, “Disagreements, plural. The degree to which the medical program would change, and the notion that private business interests would trump the desire for government revenue”. Other responses focused on the simple legalization of a controlled substance, and the extent of regulation to be imposed. There was no other mention of disagreements concerning taxation, a central reason for the government to support the allowance of recreational cannabis.

Both of these sentiments point to one of the main issues of contention in the policy debate during Measure 91’s development. The idea that the ballot initiative could be passed with the assurance that the OMMP would remain untouched, but in reality could be altered at any time after was likely unappealing for those seeking to protect the current medical marijuana program. This issue exhibits power tensions between the wants of various local community stakeholders and politicians or government officials who may benefit from a consolidated cannabis program in terms of control over how cannabis policy is implemented in the future. At the time of Measure 91’s passage, no further changes have been made to the OMMP, lending support to the idea that private

organizations controlled the narrative to the extent of convincing community stakeholders that the OMMP would remain untouched.

The Politics Stream

Within the politics stream, the Oregon policymaker must have the ability to pay attention to public mood and match it with their motives and preferred policy position. Policymakers and entrepreneurs will seek to bolster their own beliefs with their perception of the mood of stakeholders at the local or state level in order to consolidate power to forward a favored policy.

Respondents were asked to directly address their motivation to participate in the political process in an open answer format:

“If your motivation to engage in the marijuana policy process was either not motivated by monetary gain, or was in addition to monetary gain, what was the reason for your participation (besides money)”?

Notably, all participants answered this question. A majority of responses focused simply on “Policy”, which could be interpreted as either a change in current policy, or to defend their preferred opposition stance. Others target “protection of the patients”, signaling a belief that the OMMP should be protected, or cited “sustainability”, perhaps referring to budget money, or a reduction in the “criminalization” of cannabis users that penalizes those caught in possession. Some named their profession as the main reason for participation, without mention of a specific ideology that guides their policy position. Finally, one made mention of wanting “to help a new industry become successful”, pointing to entrepreneurial reasons for participation, while another hoped to maintain the status quo with the, “control of the public use of a schedule one addictive drug; especially, its known negative affect (sic) on youth”.

With a few respondents notwithstanding, many provided answers that seemed to signal personal motivation to participate in the policy process, not necessarily specific to their profession.

Those involved in the policy process have preferred positions, and it is likely that this is a motivating factor in their engagement with the development of Measure 91.

Cannabis Policy Entrepreneur

In this section we seek to briefly evaluate the qualities of the central figure in the Multiple Streams framework. It is important to better understand the role of the entrepreneur in policy development, as they are believed to hold the reins of power over the direction of the policy conversation. Within the questionnaire, the selection of a Yes or No response allowed participants to self-evaluate whether or not they viewed their actions as in alignment with the role of the entrepreneur, as defined by Kingdon (1995):

Did your role in the policy process cause you to bring together business owners or private individuals and policymakers (in any form) to find a solution?

The vague construction of the question is necessary to capture the loosest definition of the activities in which a policy entrepreneur participates. 9 self-classified as policy entrepreneurs by responding yes and 5 selected no, meaning that they did not believe they had participated in such activities. By answering yes, respondents were placed into a track of five exclusive questions that sought to understand more about their experiences.

The overall demographics of policy entrepreneurs do not vary much from that of the entire sample. Race, ethnicity, age, gender, marital status, education, employment status, business ownership, and income all remain similar. Likely a product of the size of the sample, there are not enough participants to claim a pronounced difference between those who are deemed to be an entrepreneur and those who are not.

One interesting differentiation in respondents who chose 'Yes' over those who chose 'No' may be related to protecting personal interest and power, an idea that aligns with the goals of the

policy entrepreneur. Of those who self-selected into entrepreneur status, a majority are in legal occupations. Other occupations include state officials, management, nonprofit, real estate, consulting, and business owners. Those who self-selected out of entrepreneur status are in farming, fishing, or forestry occupations, media, and to a lesser extent, law.

Another aspect of self-interest may have to do with the reason for one's role in the cannabis reform policy process. When posed:

Which position would you classify as your main reason for participation in the Measure 91 process?"

The division between "Policy Maker", and "Community Participant" are similar across entrepreneur status. However, all business owner respondents involved lie within the policy entrepreneur category. This could be due to a few factors. Business people may be more likely to interact with a variety of stakeholders. They surely work with citizens to discover their preferences in order to gain them as customers. It is crucial for entrepreneurs to understand how policy impacts business and to have a voice in the formulation of policies that may affect the bottom line, connecting them to policymakers, perhaps a telling sign that participation in the cannabis policy process is connected to monetary gain, aside from simple reform. Once again, the ties between control in the process and individual motivation to participate in the conversation are quite visible in those that work to bring together various stakeholders to find a viable policy solution.

Results

(1) In divergence from classical Multiple Streams, power over policy outcomes will be largely held by local community stakeholders rather than by government officials at the state level of policy development.

(2) Policy entrepreneurship will be controlled by a particular type of community stakeholder with a private industry background, rather than truly driven by a grassroots community effort or those that hold power at state or federal level.

Document analysis seems to partially confirm hypothesis (1) while demonstrating (2) to be true. Policy outcomes seemed to be partially guided by community stakeholders, while private organizations and individuals held a majority of the power in the development of policy language within the measure. In other words, local communities seemed to have a role in the process, however evidence seems to indicate that voice has been captured and repackaged by special interest groups and policy entrepreneurs looking to forward personal policy preferences. Entrepreneurship is controlled by individuals in private occupations with a perceived lack of government power over entrepreneurial activities. Government officials were not visible as main drivers of policy development in either control over policy outcomes or “entrepreneurial” activities, as defined by Multiple Streams. Officials were either unwilling or unable to offer an initiative produced by the legislative body, allowing entrepreneurs to directly present a measure to the citizens of Oregon.

The limited results of the survey were able to partially confirm hypotheses (1) and (2), verifying in part the findings of the document analysis. In the argument over the possible convergence of cannabis programs, we can see that community stakeholders and private individuals garnered enough support to ensure that programs were left separate, even with the supposed government pressure to merge. Policy entrepreneurs seem to mostly those in business or legal profession, although we do see state officials self-selecting into participation in entrepreneurial activities, however the level of direct control over final policy selection is unclear.

In sum, local community stakeholders seem to have a voice in the policy process, albeit one that may be repackaged and utilized by cannabis special interest groups, such as New Approach Oregon, funded at both the state and national levels to further a specific agenda of policy reform. In this same vein, control over policy entrepreneurship seemed to be largely held by those in business, with some participation of those in state office, legal professions, and consulting.

Discussion

The major failure of this study involved the lack of response generated from targeted individuals. The initial questionnaire pilot received little response, which did not allow for the removal of any problematic wording from the questions before release to a wider audience. Additionally, not one respondent forwarded the link to another participant. This results are likely due to a stigma around cannabis, causing many citizens to not voice their views, even if it only concerns the cannabis policy process and asks no questions of use.

Reality does not always fit into perfect categories as policy frameworks such as Multiple Streams would suggest. Although the narrative below provides a summary account of the way in which actions and events fit into the framework, it is with the knowledge that some individuals do not fit perfectly into any one stream or role. Those who participated in the Measure 91 policy process may have been part of more than a single stream over the course of events. The lawyer who argues for the legalization of cannabis may be a consultant for cannabis producers, or the language of a bill may be written by a person with a preferred cannabis policy position. The world is messy and a single person may have multiple competing priorities, with motives often obscured.

When the problem, policy, and politics streams of Kingdon's Multiple Streams theory combine, partially in conjunction with the efforts of a policy entrepreneur, coupling takes place. A

window of opportunity then opens, through which policy advocates can gain traction and bring their issue to the forefront of the public and political consciousness (Kingdon, 1995).

A window of opportunity was created in Oregon due to (a) a changing public perception of cannabis, (b) strong organized support for cannabis policy reform that utilized the success of other ballot initiatives to develop a publicly acceptable policy solution, (c) other states that had already set the stage for Oregon to choose policy alternatives that fit best within the state system, while convincing those who are a part of the OMMP that the passage of Measure 91 would not affect the status quo, (d) a loosened federal perspective that has reduced the likelihood of prosecution.

Although Oregon had previously defeated a legalization initiative in Measure 80, the change in public opinion generated in part by local and national organizations over the intervening two years was enough to turn the tide in favor of recreational cannabis. New Approach Oregon offered a strong, centralized voice for Measure 91 that many national organizations found to be worthy of support (Mapes, 2013). This departure from the lack of clear standards and often rambling language visible in Measure 80, made a renewed case for the possibility of regulated legal cannabis. Their role in the crafting of policy allowed the organization to pick and choose policy that was supported by citizens of Oregon, while maintaining the current Oregon Medical Marijuana Program. Policy construction was successful in that the language of the final measure at least partially assuaged the key concerns of citizens in relation to sale occurring only in licensed, inspected, and audited stores away from school campuses, elimination of laws that are believed to currently unduly punish users, keeping cannabis out of the hands of minors who would be penalized for access, and the continuation of other current laws against driving while impaired and drug-free workplace rules.

The opposition to the ballot initiative, No on 91, did not garner the same state and national support as those in favor, perhaps due to a lack of connection to their message, or the vast

difference in the funding received by the organization in comparison. Opposition struggled to visibly back their message of concern about the possible consequences of the increased availability of cannabis ranging from growth in accessibility to minors, regulation by the OLCC, physiological repercussions of increased use, and potential new costs to society and enforcement.

Colorado's Amendment 64 and Washington's Initiative 502 created the path upon which New Approach Oregon treaded. The passage of legalization measures in other similar ideologically composed and geographically approximate states forced both policymakers, private citizens, and business owners to take notice. These measures provided a framework of possible avenues for the institution of cannabis reform laws. Colorado and Washington proved that recreational legalization was possible, while policy entrepreneurs in Oregon learned from their previous errors and developed solutions derived from established policy in line with stakeholders' views.

Finally, the shift in federal message from past stances of strict prohibition to that of tacit acceptance of medical marijuana, to the 2013 Cole Memo's declaration in neither opposition nor acceptance of state controlled regulation emboldened those that looked to establish cannabis related businesses. Oregon policymakers, citizens, and business owners had less of a reason to fear the possibility of Federal intervention in any new efforts to provide cannabis through anything more than medicinal dispensaries.

Recommendations

This study was conducted in order to understand what seems to be a growing national trend of state by state cannabis law reform. At this time, Colorado, Oregon, Washington, Alaska, and Washington D.C. have approved measures that allow adults to possess regulated amounts of cannabis. As other states look to these examples, it is important that the key points of public

consideration and policy choices within these ballot initiatives are considered. Late adopters now have the ability to utilize case studies such as this to gain a better understanding of what the cannabis policy process entails, and the potential pitfalls that may occur. This study does not set out to provide support or opposition to the institution of cannabis policy reform, but simply provides an unbiased portrait of a policy decision that other states will conceivably need to make within the next decade.

Future research efforts looking to identify the motivations of specific individuals involved in a particular policy process should take a closer look at choosing interviews as a research method that can provide a more complete in-depth event analysis to be compared to the document analysis conducted in this study. Although more intensive for the researcher, face to face or telephone contact would better facilitate the collection of detailed data, and an opportunity to gain buy in for follow up paper or web-based survey collection.

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Appendices:

Appendix A: Questionnaire

Marijuana Policy Engagement Questionnaire

Demographics

- What is your age?
 - Under 18
 - 18-24
 - 25-34
 - 35-44
 - 45-54
 - 55-64
 - 65-74
 - 75 years or older

- What gender do you identify as?
 - Male
 - Female
 - Trans male/Trans man
 - Trans female/Trans woman
 - Genderqueer/Gender non-conforming
 - Different identity: (Open Answer)

- What is your marital status?
 - Now married
 - Widowed
 - Divorced
 - Separated
 - Never Married

- Ethnicity origin: Please specify your ethnicity.
 - Hispanic or Latino
 - Not Hispanic or Latino

- Race: Please specify your race.
 - White
 - Hispanic or Latino
 - Black or African American
 - Native American or American Indian
 - Asian/Pacific Islander
 - Other

- What is the highest degree or level of school you have completed? *If currently enrolled, please list the highest degree received.*
 - Nursery school to 8th grade
 - Some high school (no diploma)
 - High school graduate, diploma or equivalent (GED)
 - Some college (no degree)
 - Trade/technical/vocational training
 - Associate degree
 - Bachelor's degree
 - Master's degree
 - Professional degree
 - Doctorate degree

- Which of the following categories best describes your employment status?
 - Employed, working 40 or more hours per week
 - Employed, working 1-39 hours per week
 - Not employed, looking for work
 - Not employed, NOT looking for work
 - Retired
 - Disabled, not able to work

- Which of the following best describes your current occupation?
 - Building and Grounds Cleaning and Maintenance Occupations
 - Farming, Fishing, and Forestry Occupations
 - Business and Financial Operations Occupations
 - Office and Administrative Support Occupations
 - Healthcare Support Occupations
 - Legal Occupations
 - Arts, Design, Entertainment, Sports, and Media Occupations
 - Computer and Mathematical Occupations
 - Management Occupations
 - Food Preparation and Serving Related Occupations
 - Protective Service Occupations
 - Personal Care and Service Occupations
 - Healthcare Practitioners and Technical Occupations
 - Education, Training, and Library Occupations
 - Sales and Related Occupations
 - Construction and Extraction Occupations
 - Architecture and Engineering Occupations
 - Production Occupations
 - Installation, Maintenance, and Repair Occupations
 - Life, Physical, and Social Science Occupations
 - Community and Social Service Occupations

- Transportation and Materials Moving Occupations
- Other (please specify)
- Does your primary means of income come from the private or public sector(s)?
 - Only Private
 - Mostly Private, Some Public
 - About Equal
 - Mostly Public, Some Private
 - Only Public
- Do you own a business?
 - Yes
 - No
- What is your total household income?
 - Less than \$10,000
 - \$10,000 to \$19,999
 - \$20,000 to \$29,999
 - \$30,000 to \$39,999
 - \$40,000 to 49,999
 - \$50,000 to \$59,999
 - \$60,000 to \$69,999
 - \$70,000 to \$79,999
 - \$80,000 to \$89,999
 - \$90,000 to \$99,999
 - \$100,000 to \$149,999
 - \$150,000 or more
- In which state did you conduct most of your participation in the marijuana policy process?
 - Colorado
 - Oregon
 - Washington

Baseline Questions Concerning Policy

- How many years have you been involved in policy development, consulting, or advisement in the State of Oregon (Washington/Colorado)?
 - (Years)
- How many years have you been interested in marijuana policy?
 - (Years)
- How important is the role of government and public officials in determining policy for citizens?
 - Unimportant
 - Of Little Importance

- Moderately Important
- Important
- Very Important

- Do you feel as though public officials are knowledgeable of the issues that private citizens and businesses face when public officials determine policy?
 - Never
 - Rarely
 - Occasionally
 - Frequently
 - Very Frequently

- Do you feel as though private citizens and businesses are knowledgeable of the issues that public officials face when formulating policy?
 - Never
 - Rarely
 - Occasionally
 - Frequently
 - Very Frequently

- How important was it that the State of Oregon (Washington/Colorado) introduced policy concerning marijuana use and production?
 - Unimportant
 - Of Little Importance
 - Moderately Important
 - Important
 - Very Important

Occupational Background

- How often does your occupation cause you to work with both private and public sectors outside of marijuana policy?
 - Never
 - Rarely
 - Occasionally
 - Frequently
 - Very Frequently

- When it comes to the development of policies that concern your occupation, do you feel that either the public sector or private sector has more influence than the other?
 - Public sector has all of the influence.
 - Public sector has a majority of the influence.
 - Influence seems to be equal between public and private sectors.

- Private sector has a majority of the influence.
- Private sector has all of the influence.
- When it came to the development of Measure 91 (Initiative 502 / Amendment 64), do you feel that either the public sector or private sector had more influence than the other?
 - Public Sector has more influence.
 - Private Sector has more influence.
 - Influence seems to be equal.

Stake in Policy

- Is your motivation for participation in the policy process connected directly to your occupation?
 - Strongly Disagree
 - Disagree
 - Undecided
 - Agree
 - Strongly Agree
- Did your participation in the policy process have the potential to benefit you monetarily or otherwise?
 - Strongly Disagree
 - Disagree
 - Undecided
 - Agree
 - Strongly Agree
- Did your participation in the policy process have the potential to benefit people that you know monetarily or otherwise?
 - Strongly Disagree
 - Disagree
 - Undecided
 - Agree
 - Strongly Agree
- If your motivation to engage in the marijuana policy process was either not motivated by monetary gain or was in addition to monetary gain, what was the reason for your participation (besides money)?
 - Open Answer
 - Monetarily motivated only

Role in the Policy Process

- How much of an impact do you feel that you personally had in the development of the Oregon Legalized Marijuana Initiative, Measure 91 (Initiative 502 / Amendment 64)?
 - None

- Little
 - Somewhat
 - Much
 - A Great Deal
- How much of an impact do you feel that you personally had in marijuana policy debates previous to those of Measure 91 (Initiative 502 / Amendment 64)? (For example, the Oregon Medical Marijuana Act in 1998)
 - None
 - Little
 - Somewhat
 - Much
 - A Great Deal
- Over the past year (January, 2014 through January 2015/ Year time frame before measure up for election) how much time did you dedicate to efforts related to Measure 91 (Initiative 502 / Amendment 64) each week?
 - Less than 10 hours
 - 10 to 20 hours
 - 21 to 30 hours
 - 31 to 40 hours
 - 41 to 50 hours
 - More than 50 hours
- Did your role in the policy process cause you to bring together business owners or private individuals and policymakers (in any form) to find a solution?
 - Yes
 - No
- **If yes**, how often did your work involve the participation and collaboration of both business owners and policymakers?
 - Never
 - Rarely
 - Occasionally
 - Frequently
 - Very Frequently
- **If yes**, did you feel that you had a limited amount of time to initiate cooperation between private sector participants and policymakers before the opportunity to develop marijuana policy would be lost?
 - Never
 - Rarely
 - Occasionally
 - Frequently

- Very Frequently
- **If yes**, did you feel as though policymakers were accessible to you and the ideas you presented?
 - Never
 - Rarely
 - Occasionally
 - Frequently
 - Very Frequently
- **If yes**, did you feel as though the beliefs of the citizens of Oregon (Colorado/Washington) (relating to marijuana use) aided you in your efforts to engage in the policy debate?
 - Never
 - Rarely
 - Occasionally
 - Frequently
 - Very Frequently
- **If yes**, Please respond to this statement about your participation: I felt I was successful in reaching my goals in terms of my desired outcomes relating to the creation of Measure 91 (Initiative 502 / Amendment 64).
 - Strongly Disagree
 - Disagree
 - Undecided
 - Agree
 - Strongly Agree
- Did you feel that the participation in the development of Measure 91 (Initiative 502 / Amendment 64) was equal between the private sector and policymakers?
 - Policymakers created all of the policy.
 - Policymakers created a majority of the policy.
 - Policy creation shared between policymakers and private sector.
 - Private sector created a majority of the policy.
 - Private sector created all of the policy.
- In the development of Measure 91 (Initiative 502 / Amendment 64), did you feel that there was an expectation from policymakers that the private sector was responsible for the creation of policy?
 - Never
 - Rarely
 - Occasionally
 - Frequently
 - Very Frequently

- In the development of Measure 91 (Initiative 502 / Amendment 64), did you feel that there was an expectation from the private sector that policymakers were responsible for the creation of policy?
 - Never
 - Rarely
 - Occasionally
 - Frequently
 - Very Frequently

- In the development of Measure 91 (Initiative 502 / Amendment 64), did you ever feel that policymakers were withholding information in order to benefit their interests?
 - Never
 - Rarely
 - Occasionally
 - Frequently
 - Very Frequently

- In the development of Measure 91 (Initiative 502 / Amendment 64), did you ever feel that private sector organizations or individuals were withholding information in order to benefit their interests?
 - Never
 - Rarely
 - Occasionally
 - Frequently
 - Very Frequently

- Did you find that public and private sectors' motivations to develop marijuana policy often aligned?
 - Never
 - Rarely
 - Occasionally
 - Frequently
 - Very Frequently

- To your knowledge, what was the main disagreement between public and private sector in the development of Measure 91 (Initiative 502 / Amendment 64)?
 - (Open Ended)

- During the process of developing Measure 91 (Initiative 502 / Amendment 64), did you feel as though policymakers were preoccupied with other policy issues (not marijuana related)?
 - Never
 - Rarely
 - Occasionally
 - Frequently

- Very Frequently
- During the process of developing Measure 91 (Initiative 502 / Amendment 64), did you feel as though policymakers felt a sense of urgency or pressure to have marijuana policy legislation prepared for the November 2014 (Corresponding year) vote?
 - Never
 - Rarely
 - Occasionally
 - Frequently
 - Very Frequently
- During the process of developing Measure 91, did you feel as though policymakers felt a sense of urgency or pressure to have marijuana policy legislation prepared for the November 2014 vote specifically because of previously passed marijuana legislation in Washington and Colorado?
 - Never
 - Rarely
 - Occasionally
 - Frequently
 - Very Frequently
- During the process of developing Measure 91, did you feel as though policymakers were aware of the current events and outcomes of previously passed marijuana legislation in Washington and Colorado?
 - Never
 - Rarely
 - Occasionally
 - Frequently
 - Very Frequently
- Do you believe that the current events and outcomes in Washington and Colorado (Other states that are not target of this questionnaire) were an influential factor in the development of Measure 91 (Initiative 502 / Amendment 64)?
 - Strongly Disagree
 - Disagree
 - Undecided
 - Agree
 - Strongly Agree
- Do you believe that the current federal legal standing of recreational marijuana use was an influential factor in the development of Measure 91 (Initiative 502 / Amendment 64)?
 - Strongly Disagree
 - Disagree
 - Undecided

- Agree
 - Strongly Agree
- Please respond to this statement: Policymakers were less cautious in the development of Measure 91 because Washington and Colorado had already passed related initiatives.
 - Strongly Disagree
 - Disagree
 - Undecided
 - Agree
 - Strongly Agree

 - Please respond to this statement: The private sector was less cautious in the development of Measure 91 because Washington and Colorado had already passed related initiatives.
 - Strongly Disagree
 - Disagree
 - Undecided
 - Agree
 - Strongly Agree

Thank you for taking the time to participate in this survey. If you have any questions about the questionnaire or research, please contact the research team at osumpolicy@gmail.com.

Appendix B: Questionnaire Demographic Data (Oregon)

		What is your age?								Total
		Under 18	18-24	25-34	35-44	45-54	55-64	65-74	75 years or older	
In which state did you conduct a majority of your participation in the marijuana policy process?	Colorado	0	0	0	0	3	3	3	0	9
	Oregon	0	0	3	2	2	7	2	0	16
	Washington	0	0	0	1	0	1	1	0	3
	Total	0	0	3	3	5	11	6	0	28

Figure 8: Questionnaire - Age

What gender do you identify as?						What is your marital status?						Ethnicity origin: Please specify your ethnicity.			
Male	Female	Trans male/Trans man	Trans female/Trans woman	Gender-queer/Gender non-conforming	Different identity:	Total	Now Married	Widowed	Divorced	Separated	Never Married	Total	Hispanic or Latino	Not Hispanic or Latino	Total
5	4	0	0	0	0	9	7	2	0	0	0	9	2	7	9
13	3	0	0	0	0	16	9	0	3	0	4	16	0	16	16
1	2	0	0	0	0	3	2	0	0	0	1	3	0	3	3
19	9	0	0	0	0	28	18	2	3	0	5	28	2	26	28

Figure 9: Questionnaire - Gender, Marital Status, Ethnicity

Race: Please specify your race.						What is the highest degree or level of school you have completed? If currently enrolled, please...											
White	Hispanic or Latino	Black or African American	Native American or American Indian	Asian/Pacific Islander	Other	Total	Nursery school to 8th grade	Some high school (no diploma)	High school graduate, diploma or equivalent (GED)	Some college (no degree)	Trade/technical/vocational training	Associate degree	Bachelor's degree	Master's degree	Professional degree	Doctorate degree	Total
8	1	0	0	0	0	9	0	0	0	1	0	1	3	0	3	1	9
14	0	0	0	0	2	16	0	0	0	6	0	1	3	0	3	3	16
3	0	0	0	0	0	3	0	0	0	0	0	0	1	0	2	0	3
25	1	0	0	0	2	28	0	0	0	7	0	2	7	0	8	4	28

Figure 10: Questionnaire - Race, Education

Which of the following categories best describes your employment status?						
Employed, working 40 or more hours per week	Employed, working 1-39 hours per week	Not employed, looking for work	Not employed, NOT looking for work	Retired	Disabled, not able to work	Total
7	2	0	0	0	0	9
9	2	0	1	3	1	16
1	2	0	0	0	0	3
17	6	0	1	3	1	28

Figure 11: Questionnaire - Employment Status

Which of the following best describes your current occupation?																
Building and Grounds Cleaning and Maintenance Occupations	Farming, Fishing, and Forestry Occupations	Business and Financial Operations Occupations	Office and Administrative Support Occupations	Healthcare Support Occupations	Legal Occupations	Arts, Design, Entertainment, Sports, and Media Occupations	Computer and Mathematical Occupations	Management Occupations	Food Preparation and Serving Related Occupations	Protective Service Occupations	Personal Care and Service Occupations	Healthcare Practitioners and Technical Occupations	Education, Training, and Library Occupations	Sales and Related Occupations	Construction and Extraction Occupations	Architecture and Engineering Occupations
0	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	1
0	2	0	0	0	4	1	0	1	0	0	0	0	0	0	0	0
0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0
0	2	0	0	0	8	1	0	1	0	0	0	1	0	0	0	1

							Does your primary means of income come from the private or public sector(s)?					Do you own a business?			
Production Occupations	Installation, Maintenance, and Repair Occupations	Life, Physical, and Social Science Occupations	Community and Social Service Occupations	Transportation and Materials Moving Occupations	Other (please specify)	Total	Only Private	Mostly Private, Some Public	About Equal	Mostly Public, Some Private	Only Public	Total	Yes	No	Total
0	0	0	0	0	5	9	1	4	1	0	3	9	3	6	9
0	0	0	0	0	8	16	5	6	0	2	3	16	11	5	16
0	0	0	0	0	1	3	1	0	1	0	1	3	0	3	3
0	0	0	0	0	14	28	7	10	2	2	7	28	14	14	28

Figure 12: Questionnaire - Occupation, Income Source, Business Owner

What is your total household income?												
Less than \$10,000	\$10,000 to \$19,999	\$20,000 to \$29,999	\$30,000 to \$39,999	\$40,000 to \$49,999	\$50,000 to \$59,999	\$60,000 to \$69,999	\$70,000 to \$79,999	\$80,000 to \$89,999	\$90,000 to \$99,999	\$100,000 to \$149,999	\$150,000 or more	Total
0	0	0	0	1	0	4	0	1	0	1	2	9
1	1	1	2	0	1	2	2	1	0	2	3	16
0	0	0	0	0	0	0	0	1	1	1	0	3
1	1	1	2	1	1	6	2	3	1	4	5	28

Figure 13: Questionnaire - Income