

Pardon All the Non-Criminals

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Florida Governor Ron DeSantis is pardoning mask and social-distancing scofflaws.

He says the pandemic mitigation rules amount to overreach. “These things with health should be advisory, they should not be punitive.”

I agree. But could he (and other governors) do more to help non-criminals?

At Reason.com, Billy Binion argues that there’s lots of over-criminalization that DeSantis could tackle. Consider the drug war. If you’re arrested in Florida

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for possessing up to 20 grams of pot, you “face a \$1,000 fine and up to a year in prison”; more than 25 grams, three to 15 years in the hoosegow.

DeSantis rejects the idea of legalizing recreational cannabis, so his “overreach” critique of public health law is limited.

Severely.



Yet it is not as if the states don’t take numerous punitive actions against persons guilty only of naivety, carelessness, or being in the wrong place at the wrong time:

- Depending on the state, it can be a bad idea to drive down the road with guns you legally own in your car trunk.
- Collecting signatures for an initiative petition has sometimes been treated as a prison-worthy offense.
- It can be a lousy idea to carry your life savings in the form of cash if there is any chance an official might notice and confiscate it.

That latter problem, of civil asset forfeiture, would be tricky to fix at the back end, since if you’re not arrested for having the money, you can’t exactly be pardoned. But surely chief executives could take other actions to right such obvious wrongs.

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This is Common Sense. I’m Paul Jacob.