

The Lumberjack

Tuesday, December 7, 2004
"A date which will live in infamy."

All of the news that affects the students at Alpena Community College

What constitutes drug paraphernalia?

By Chris Engle
Sports/A&E Editor

Concert Connection of Alpena is currently involved in a court battle to determine if a portion of its merchandise is considered by law to be drug paraphernalia.

Among the items in question are several styles of glass, wood, and stone pipes, bowls or dug-outs, as well as some water pipes that Alpena County Prosecutor Dennis Grenkowitz recognized as paraphernalia.

The conflict began in March

of 2003 when two police officers in plain clothes brought store owner Wayne Gauthier a letter demanding he refrain from selling certain items like dug-outs, water pipes, and handheld scales within 48 hours or risk being arrested. The officers claimed that this merchandise was considered drug paraphernalia; but a woman who was visiting Gauthier at the time pointed out several disclaimers that indicate that all merchandise in question was for tobacco use only. Gauthier saw the request as unjust as he felt he was not breaking the law.

"I looked at the Michigan statutes, and I looked at what the drug paraphernalia was, and the exemptions, and felt

"...and felt I was in compliance with the Michigan statutes."
- Wayne Gauthier, owner, Concert Connection

I was in compliance with the Michigan statutes," said Gauthier, during a show cause hearing in April of 2003. The hearing was held so that Gauthier and attorney Denise Burke could prove that he was in accordance with the law.

Michigan statute defines drug paraphernalia as "any equipment, product, or material, which is specifically designed for producing, preparing, or introducing into the body a controlled substance." Gauthier sees his merchandise as perfectly legal because of a section of the law that makes exempt from the statute "equipment, a

product, or material which may be used in the preparation or smoking of tobacco or herbs other than a controlled substance."

Gauthier is aware of the possibility that some of his merchandise may be used for illegal purposes, but discourages any mention of such activity in his store.

"As long as I can hear what people are saying, and whenever I know that an item is being referred to in any other way (than tobacco purposes), I stop it by refusing sale," says Gauthier. In his nearly seven years of owning the business, Gauthier has tried to stick as close to

this practice as possible.

However, law enforcement involved in the case believe that the merchandise in question is likely designed for illegal purposes. Sergeant Robert Hahn, of the Michigan State Police, was one of the officers who delivered the letter to Gauthier in March. During the April 2003 hearing on the case, Hahn claimed that the execution of search warrants on properties where narcotics were present, items similar to the ones at Concert Connection were found. Hahn also described the inside of the store and why he thought the merchandise could only be considered as

paraphernalia.

"I saw a lot of T-shirts hanging on the wall for sale. Many of them have pictures of Bob Marley, who is a well-known marijuana smoker," said Hahn. When Burke questioned Hahn about the different kinds of water pipes and other uses for them, such as "burning incense/drinking out of them/using them as vases," Hahn agreed that the possibility was good. Burke also pointed out that the only time Hahn had found these kinds of pipes being used illegally were only in confrontations with criminals rather than law-abiding citizens.

Since the statute is vague in its definition of drug

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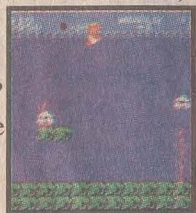
Sports:

Working on a dream: Nate Gagnon has his sights on playing football at CMU. Page 5.



Arts and Entertainment:

Why bother with the new, pricey gaming systems? Purchase a classic: the original Nintendo. Page 7.



Have you seen *Super Size Me* yet? Check out a review of the hit documentary in A&E. Page 7.

Showcase:

The ACC players put on Cheating Cheaters at the Granum Theatre. Page 8.



By Crystal Nelson
Staff Writer

Alpena Community College's Humanities program has had several new additions to it this fall semester. Along with the arrival of teacher Kirstine Titus, two new prints have been added to the Humanities Art Collection.

Titus has been teaching a humanities and a speech communication class here at ACC this fall. She came to the area from Grand Rapids. Since coming to Alpena, she has added her own special touch to the humanities class. Titus has incorporated journaling and films, as well as other elements to the class that she feels are fitting to the

Humanities program has several new additions The latest fashion trend is...\$1 bracelets?



One of the new pieces of art (photo by Glenn Lenard).

program. Titus said that she loves teaching, especially at the community college that she, too, started her education at.

Terry Hall created ACC's humanities program with an emphasis on how the arts can

transform a person. Titus says that this is a unique program because it focuses on the self rather than a class of slides after slides of artists and their works of art. Titus said that the class is all the more

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By Glenn Lenard

A&E/Perspectives Editor

It's hard to believe that the latest fad in the "got to have it" category will cost just one dollar.

That's right: silicone bracelets ranging from Yellow Live Strong, Colorful American Eagle (AE) Neighborhood bracelets, Until There's a Cure (Aids bracelet), and pink Susan G. Komen Breast Cancer bracelets are popping up everywhere. Believe it or not, these simple unisex bracelets are becoming more popular this season with over 22 million youth wearing and supporting the various causes, according to an AE spokeswoman.

Even though a great amount of teens look at these bracelets as an opportunity to help support a charity, there are still the few who wear them because it's fashionable. There are even those who don't even know that these bands are a product of the charity campaigns, and are only sporting them because friends or celebrities are.

Once celebrities began to wear them, they quickly entered the mainstream. Gwyneth Paltrow, Matt Damon and Ellen DeGeneres, among others, have been spotted wearing these bracelets and showing their support. Even Sen. John

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