

# Williams: Stop weaponizing gun ownership against legal marijuana use

[Michael Paul Williams](#)

[Deja Taylor](#) was never going to be a poster child for the National Rifle Association.

Her firearm was used by her child to shoot his first-grade teacher, Abby Zwerner, on Jan. 6 during a class at Richneck Elementary School in Newport News.

Zwerner survived, but prosecuting a 6-year-old boy in the shooting proved untenable. The ire over this unthinkable act quickly shifted toward Taylor, whose fitness as a mom was called into question. Charges piled up, including felony child neglect and a misdemeanor charge of allowing a minor access to a firearm on the state level. But it was a federal charge that caught my attention — the one in which Taylor was charged with buying a gun illegally because she was a marijuana user.

Marijuana is legal in Virginia, but it's still illegal on the federal level. Taylor pleaded guilty to making a false statement in purchasing her handgun by saying she wasn't a marijuana user. [She could have received up to 25 years in federal prison but appears to be facing a sentence of no more than two years as a result of the plea agreement.](#)

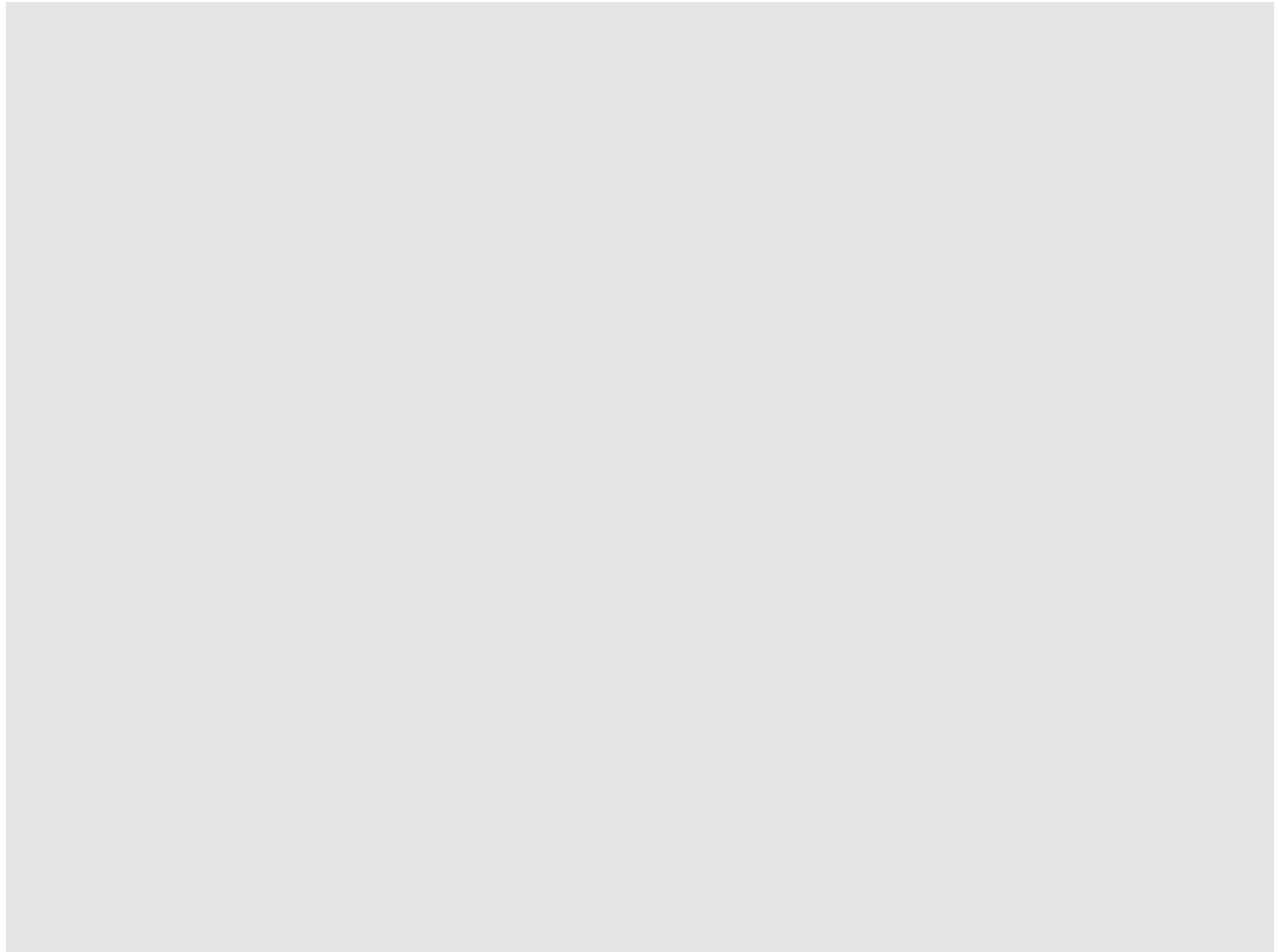
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Across the country, school shootings continue to terrorize parents and students. But how these cases are handled by the legal system is seeing a shift, with prosecutors in some cases making a point to file charges against the shooters' parents, too. On Monday, Virginia prosecutors announced charges against Deja Taylor for "recklessly leaving a loaded firearm so as to endanger a child." Taylor's 6-year-old son brought a firearm to Richneck Elementary School in Newport News, Virginia, back in January. The 6-year-old is accused of shooting his teacher, Abby Zwerner, who survived the encounter.

On Tuesday, we learned that Hunter Biden pleaded guilty to two federal misdemeanor counts of failing to pay his taxes. [A separate felony gun possession charge stemming from his use of cocaine will likely be dismissed if he meets certain conditions, according to NBC News.](#)

And therein lies the perfect metaphor for the inequities baked into the "war on drugs."

Cannabis products for adult nonmedical use are legal in 23 states and the District of Columbia. Cannabis products for medical use are allowed in 38 states and the District of Columbia, according to the National Conference of State Legislatures.



Deja Taylor, right, the mother of the 6-year-old shooter at Richneck Elementary School in Newport News, is escorted out by her grandfather, Calvin Jerome Taylor, following her arraignment at Newport News Circuit Court on April 14.

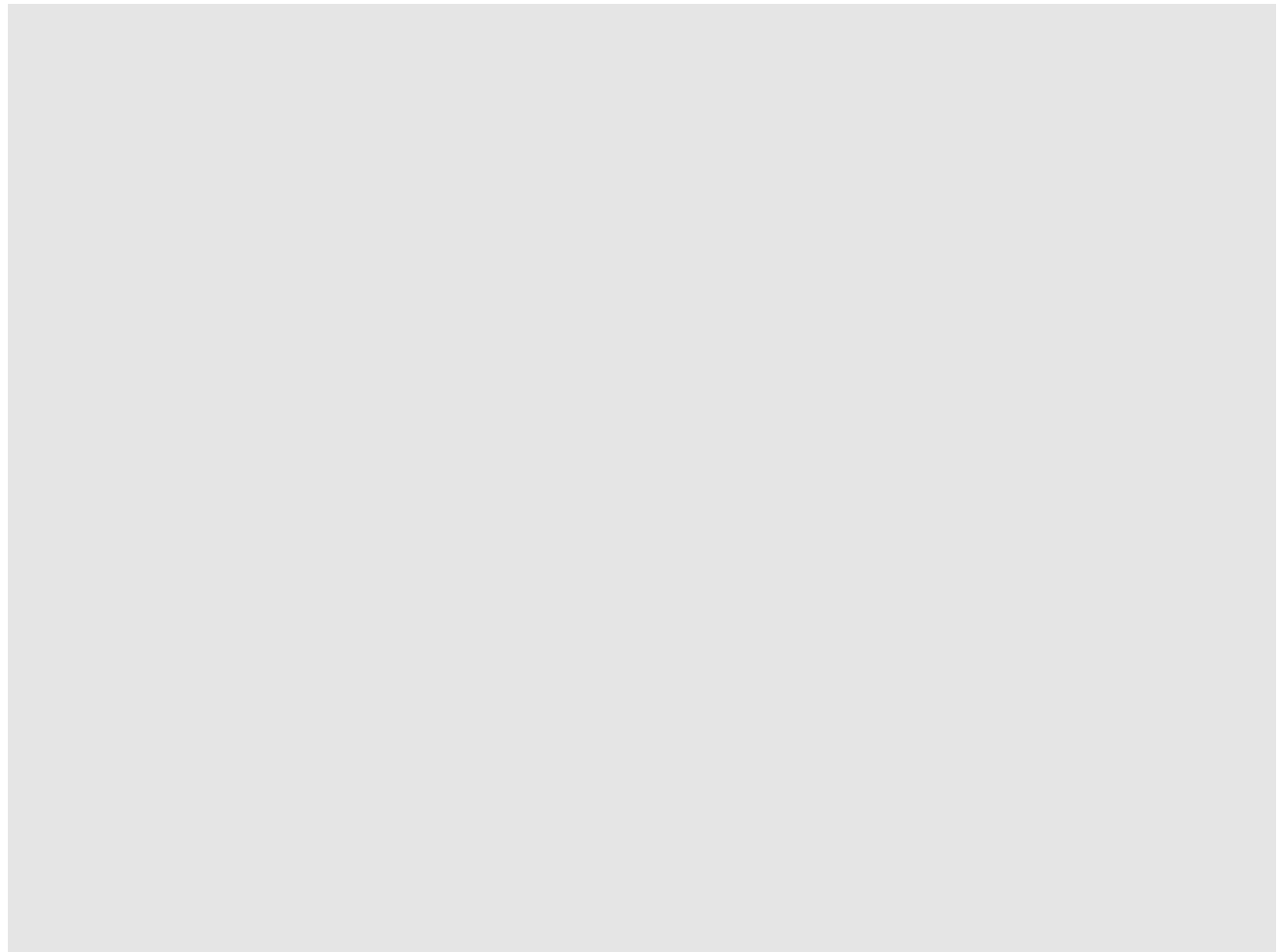
Stephen M. Katz, Daily Press

Cocaine, as far as I know, is not legal anywhere in the U.S.

But Taylor is not the son of a U.S. president. Never doubt the criminal justice system's willingness to punch down.

Yes, Taylor, as a mother and a gun owner, bears responsibility for the Richneck shooting. Her grandfather, a retired Army soldier, has taken full custody of her child. [Speaking of the boy's father and Deja Taylor, Calvin Jerome Taylor told a Daily Press reporter: "His role is very limited. Just like my granddaughter's role is very limited. They're always](#)

gonna be his parents, but until they can get their lives together, that's how we are gonna be."



Deja Taylor of Newport News, the mother of the 6-year-old shooter at Richneck Elementary School, pleaded guilty to making a false statement in purchasing her handgun by saying she wasn't a marijuana user.

Family photo

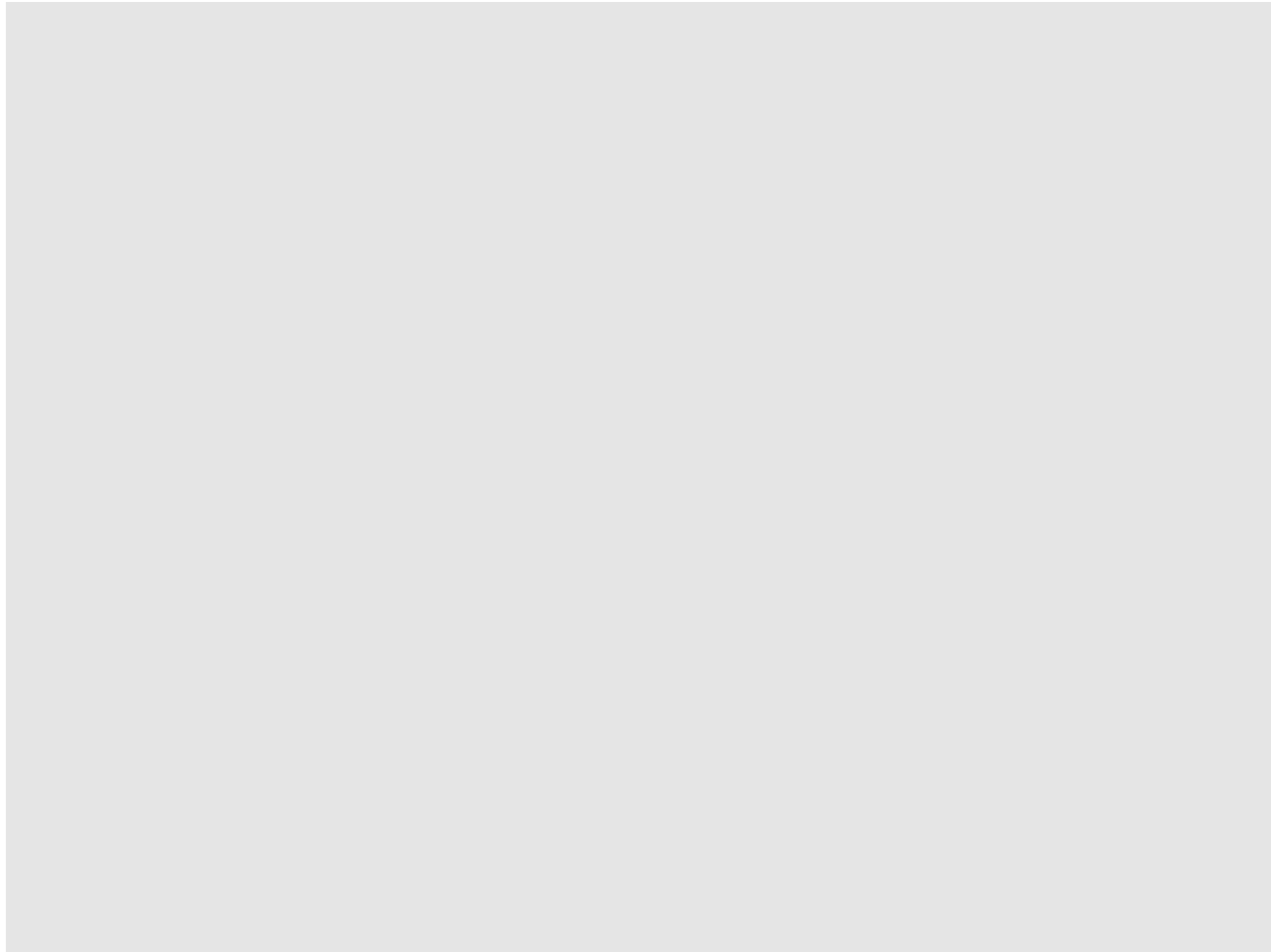
You can find fault with the boy's parenting, or with curious inaction at Richneck Elementary after warnings that the boy had a gun. Zwerner is suing the school district on that point. But the connection of marijuana to this shooting seems circumstantial, at best.

Or in the view of Chelsea Higgs Wise, executive director of the nonprofit Marijuana Justice, the federal charge "had everything to do

with this woman's personal use of her body and choosing to be a gun owner."

This clash of federal and state laws is problematic because a) [it highlights America's history of denying Black people gun ownership](#); b) [it reinforces the disproportionate charging of Black people for drug offenses](#), despite drug use rates similar to those of white people; and, c) it leads us <sup>Wise</sup> to the inescapable conclusion that this charge is selectively brought.

According to survey data from Gallup, 16% of Americans say they smoke marijuana; nearly half of those surveyed say they have tried it. Given that there are more guns than people in America, it seems there's a lot of lying going on with gun purchases.



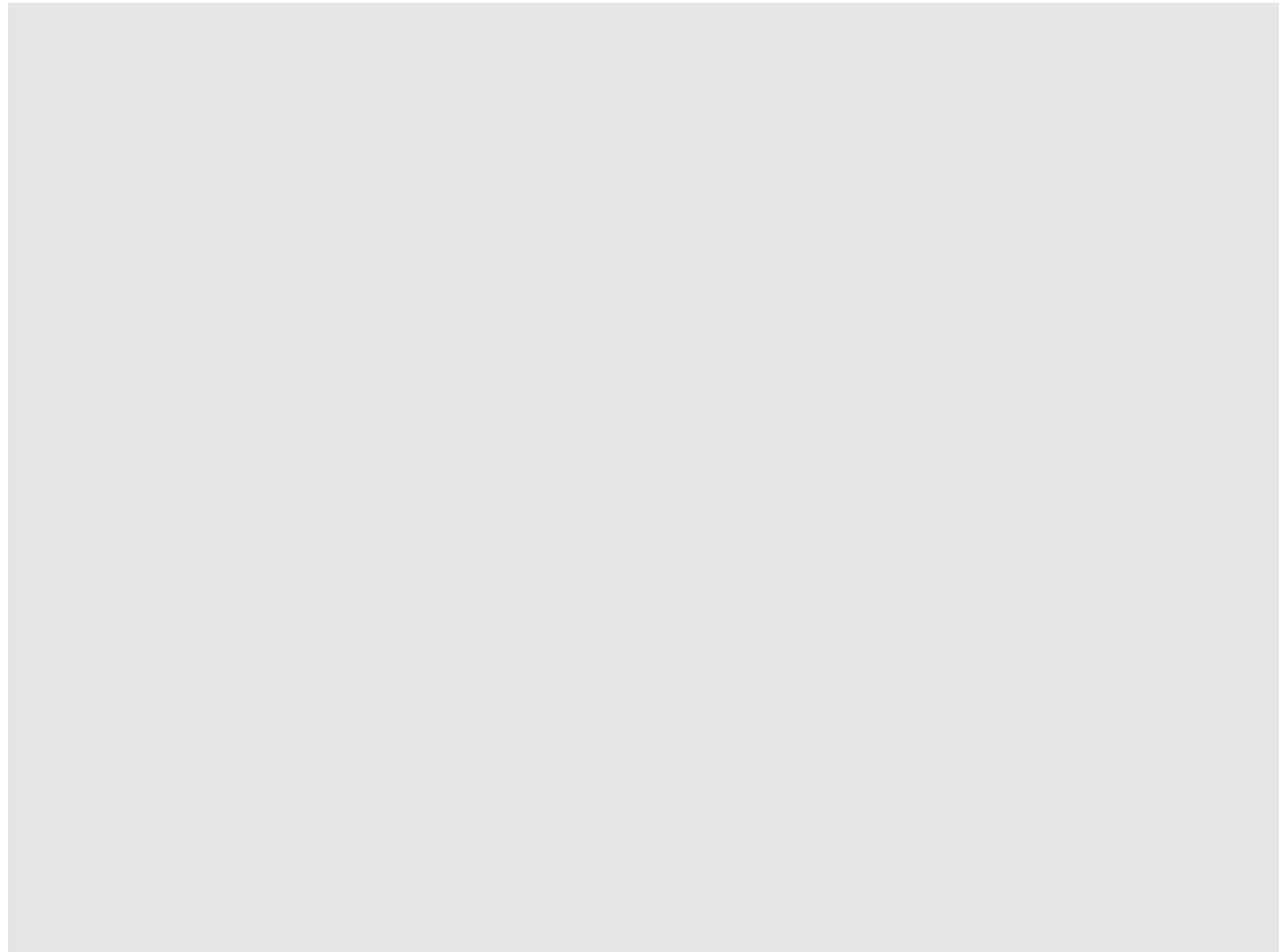
Deja Taylor, right, arrives with attorney James Ellenson at the Newport News Sheriff's Office on April 13 to turn herself in. Taylor's 6-year-old son shot his first-grade teacher at Richneck Elementary School on Jan. 6.

Billy Schuerman, Daily Press

Or as Wise says, "Because of this very inconsistent law from federal to state, it leaves people in states like Virginia in a very odd place," including would-be gun purchasers who use marijuana for medical purposes.

That's a concern of Rep. Brian Mast, R-Florida, [who in April introduced the Gun Rights and Marijuana \(GRAM\) Act](#), which would exempt from the gun sale prohibition adult marijuana use by residents in a state or tribal land where the drug is legal.

“The Second Amendment is clear: the right to keep and bear arms shall not be infringed. And yet, in many states, the rights of those who use cannabis legally are being infringed,” [Mast said on his website.](#)



Abby Zwerner, the first-grade teacher who was shot by a 6-year-old student in Newport News on Jan. 6, shakes hands with Sen. Janet Howell, D-Fairfax, after receiving a commendation at the state Capitol on April 12.

Mike Kropf, TIMES-DISPATCH

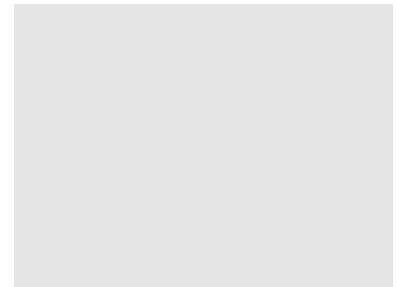
Mast said the prohibition, “regardless of whether or not the state you live in has legalized medical or recreational use ... turns legal cannabis users into second-class citizens by depriving them of a constitutional right.” He added he has “heard from countless fellow veterans whose lives have been dramatically improved by cannabis. It’s been an incredible tool when it comes to treating things like post-traumatic

stress disorder (PTSD), but many don't want to have to choose between a viable treatment for their health, and the ability to protect themselves and their families."

Even within Virginia, the stigma of marijuana dies hard. Wise says marijuana use continues to be weaponized in matters of child custody and visitation.

State Sen. Louise Lucas, D-Portsmouth, [sponsored a Senate bill in the 2023 General Assembly session stating that no person shall be denied custody or visitation of a child based solely on the fact that they "possessed or consumed marijuana in accordance with applicable law."](#)

The bill sailed through the Senate on a 31-9 vote. "This was beyond bipartisan," Wise said. But it failed to advance out of a House subcommittee along party lines after opposition from the administration of Gov. Glenn Youngkin, she said.



Michael Paul Williams

The Senate vote suggests there's common ground between progressives concerned about the continued persecution and prosecution of marijuana users and political conservatives worried about infringements on Second Amendment rights. But for now, we remain in a weird place in which a drug that has been legalized remains criminalizing, in a landscape that users aren't terribly sure how to navigate.

"We have not had a real pathway for entering a post-war on drugs world," Wise said. "And the post-legalization world is looking just as bleak for Black people as pre-legalization."

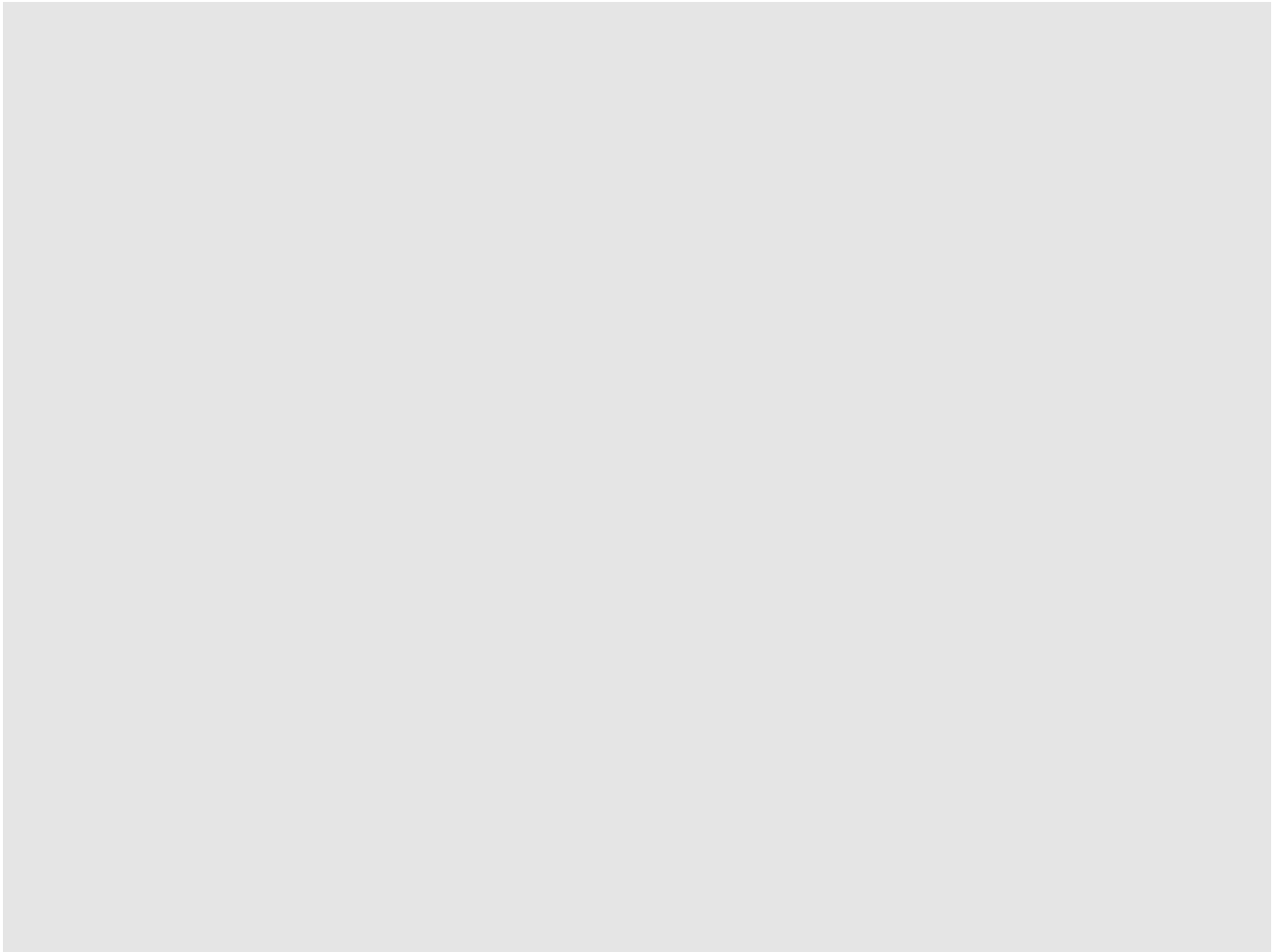
Until we align marijuana laws in a way that makes common sense, it will



be déjà vu all over again.

## **15 photos of the Richmond City Jail from The Times-Dispatch archives**

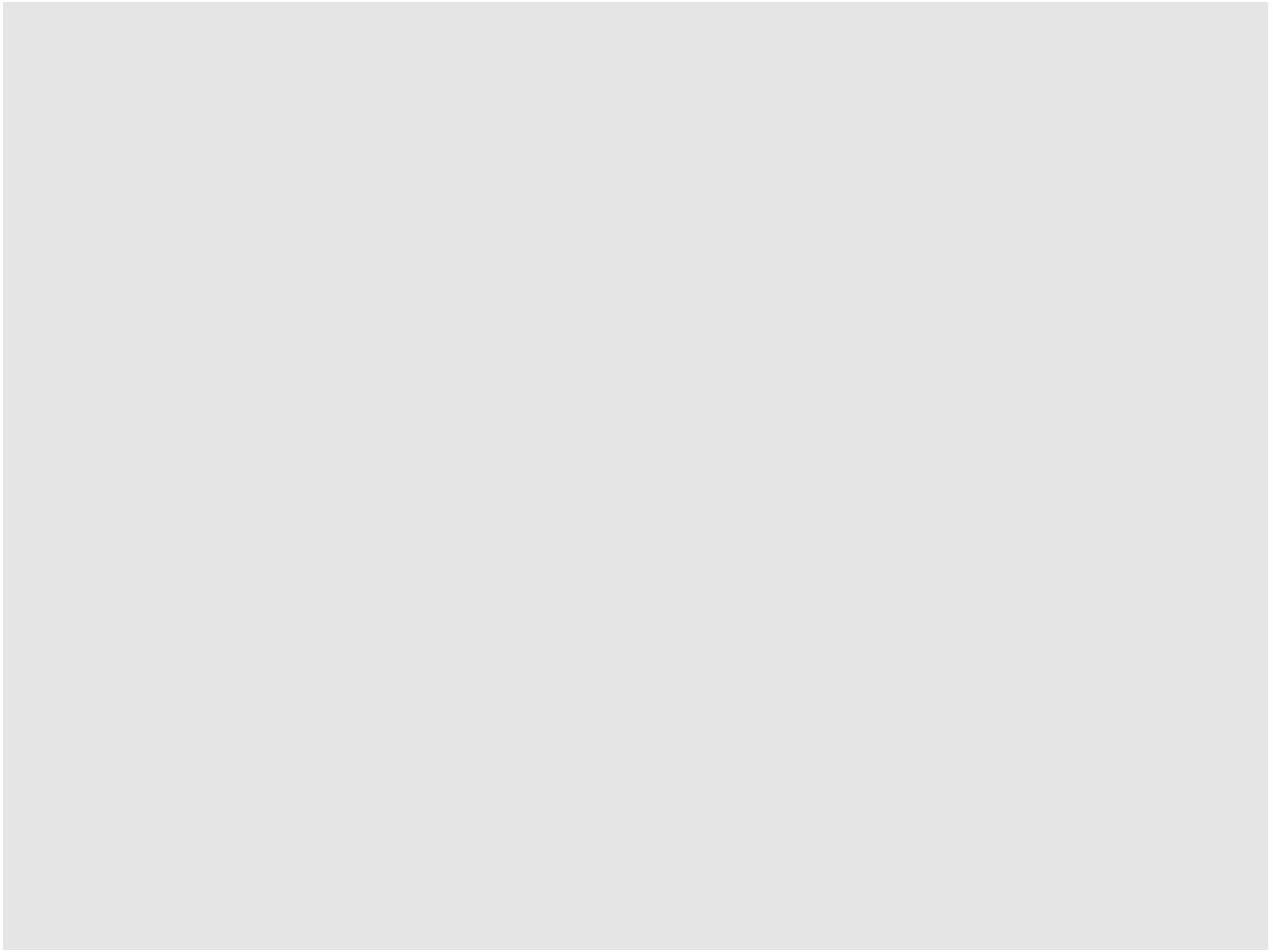
### **Richmond City Jail**



07-09-1957 (cutline): Prisoners eat first meal--spaghetti and meatballs--in new city jail (at temporary facility in Deep Water Terminal). Dining hall was segregated by large white brick wall down the center.

Staff photo

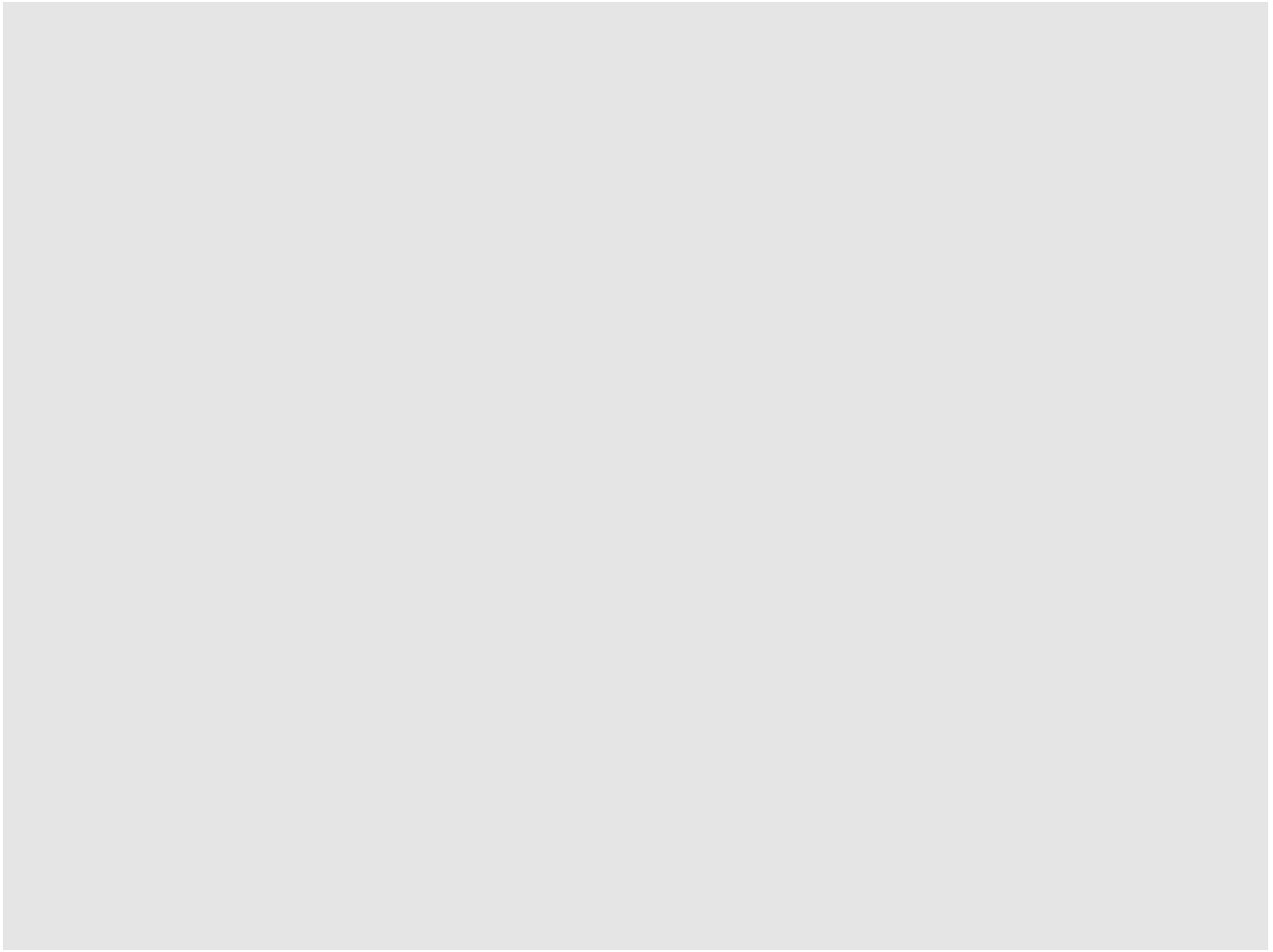
### **Richmond City Jail**



01-20-1966: Richmond City Jail dining hall.

Bill Lane

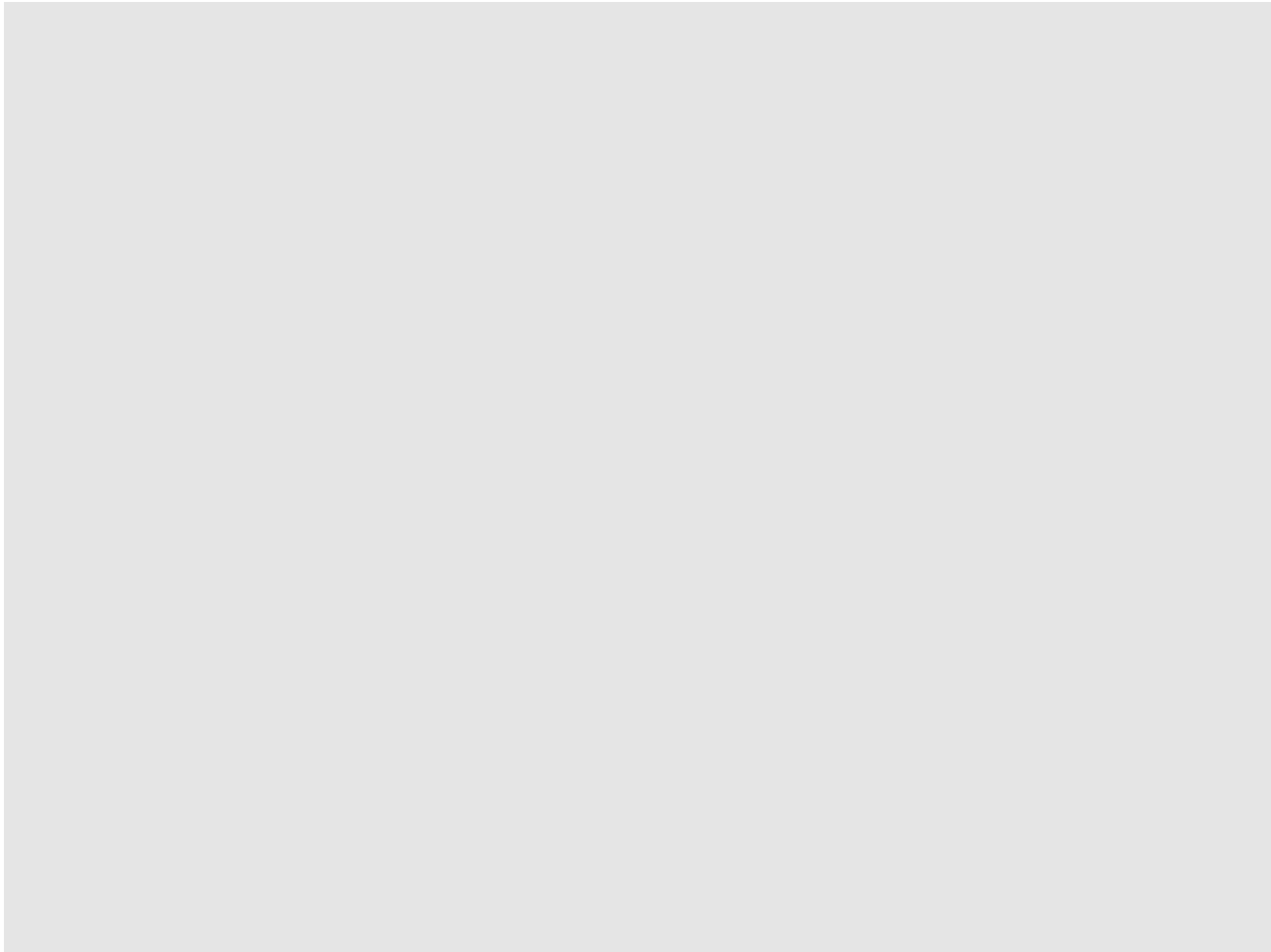
# Richmond City Jail



01-30-1966 (cutline): Prisoners familiar with barbering operate two-seat facility in the jail. Both guards and prisoners are allowed to get their hair cut here.

Staff photo

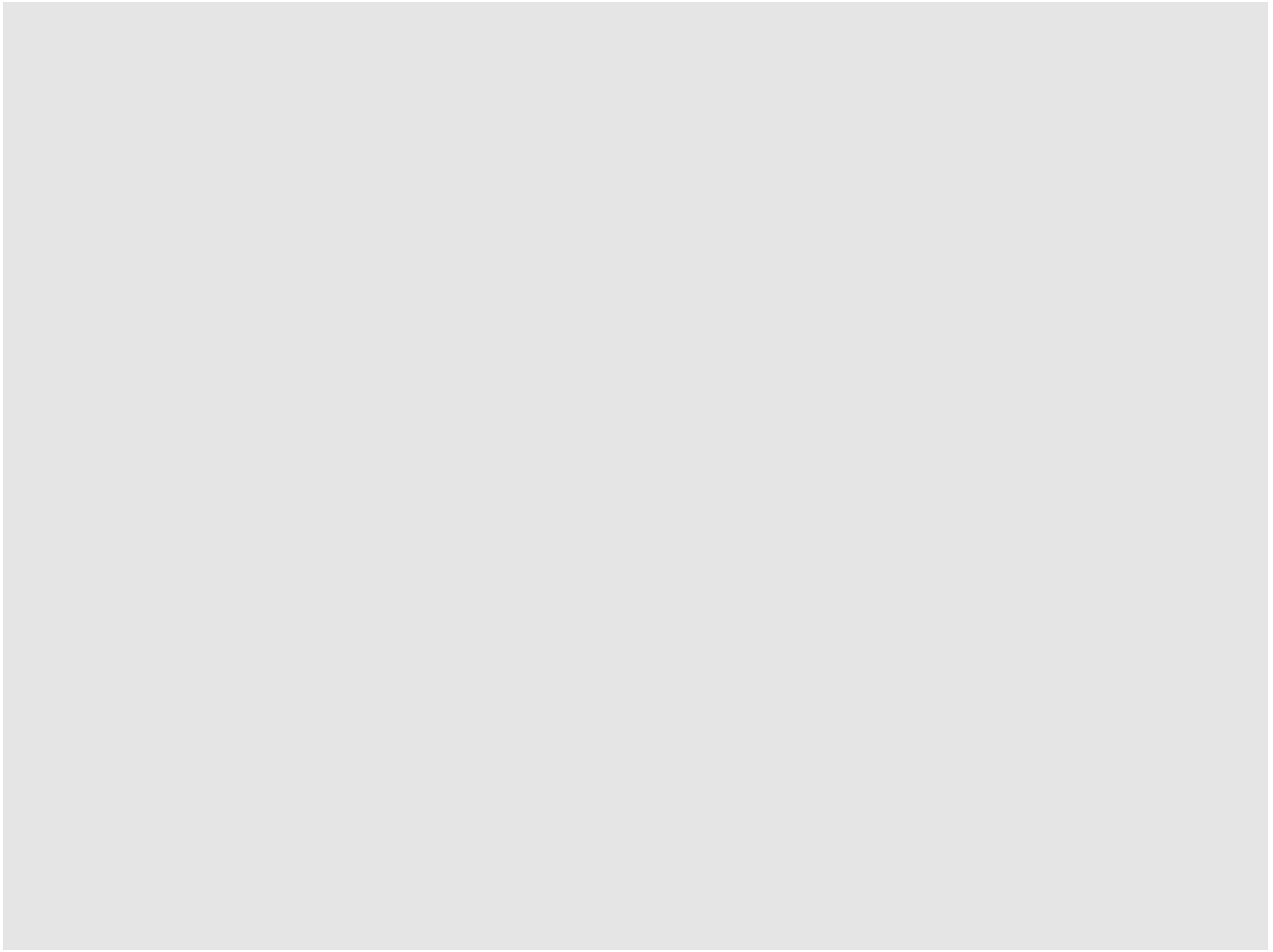
## **Richmond City Jail**



10-16-1964 (cutline): Prisoners debark inside city's new 3-million-dollar facility on 17th Street. New Jail has administrative building, four buildings for felons and three for misdemeanants.

Times-Dispatch

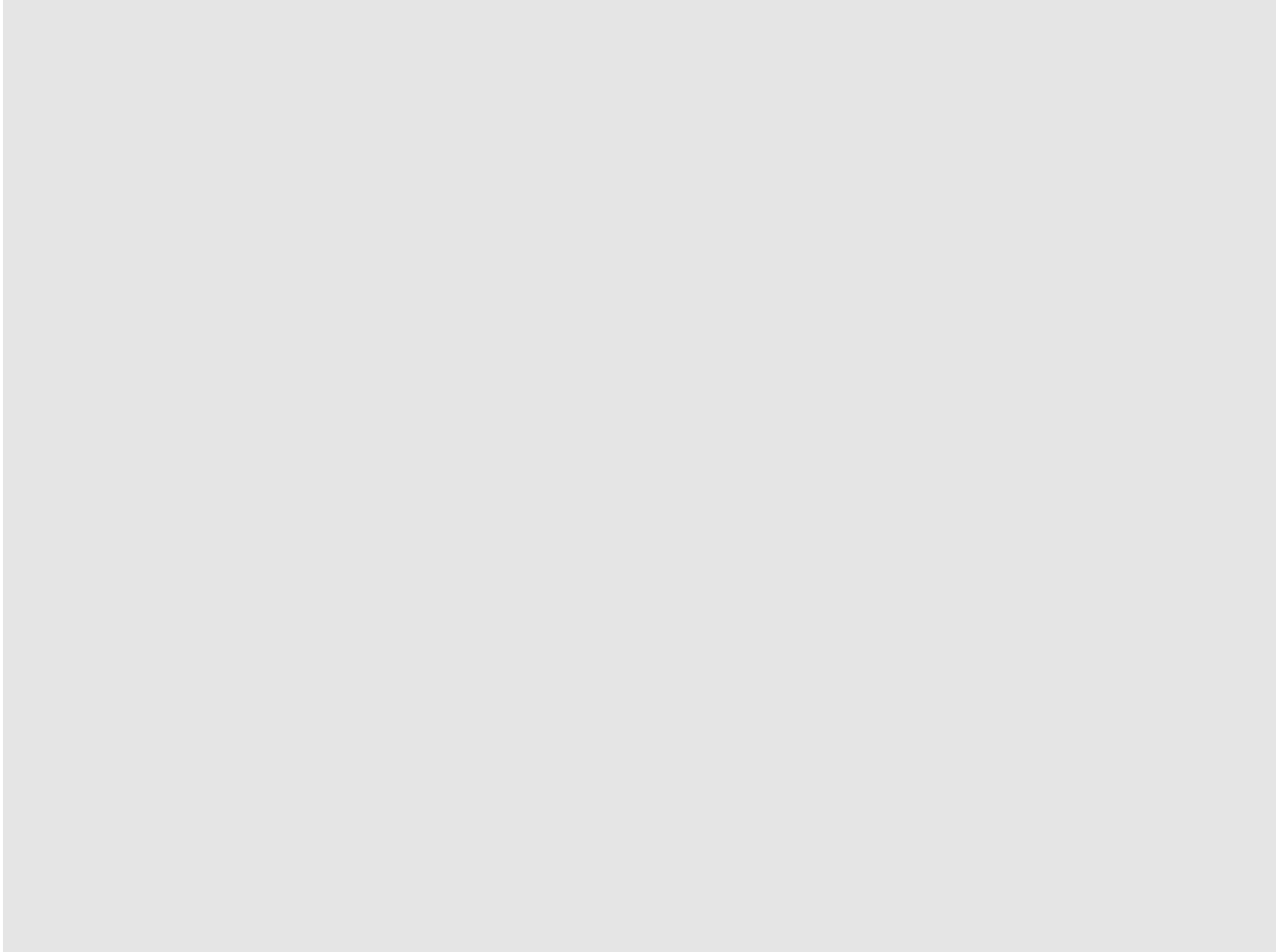
## **Richmond City Jail**



12-30-1965: Female prisoners at the Richmond City Jail.

Staff photo

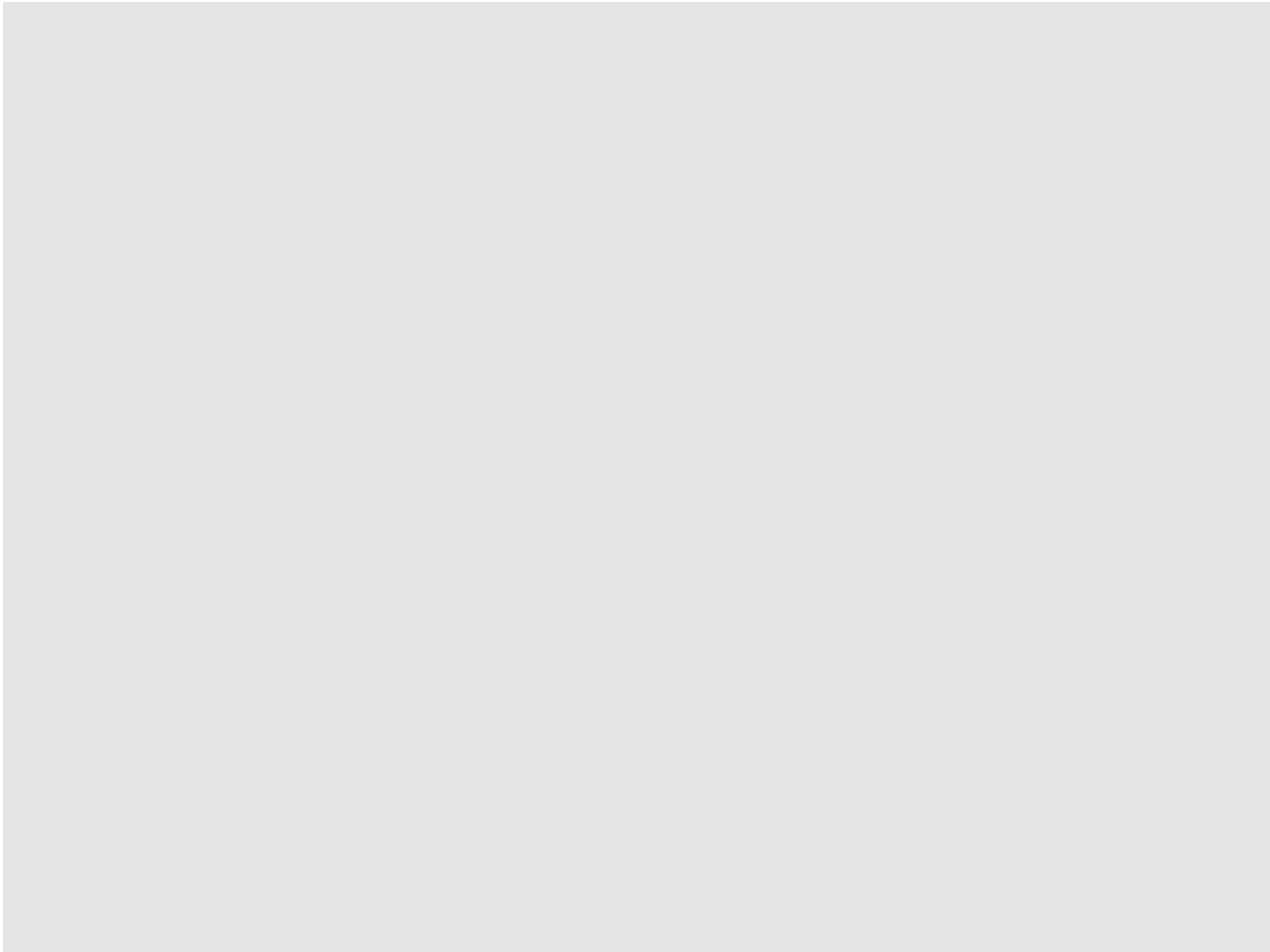
## **Richmond City Jail**



06-17-1964 (cutline): Getting inside lockup--Patrolman John E. Patterson Jr. (right) uses communications system to contact desk sergeant, who opens door for wagon to back inside with prisoners. After vehicle is in, heavy mesh door is closer for prisoner unloading.Wagon driver shown above is patrolman Dennis Norris.

Staff photo

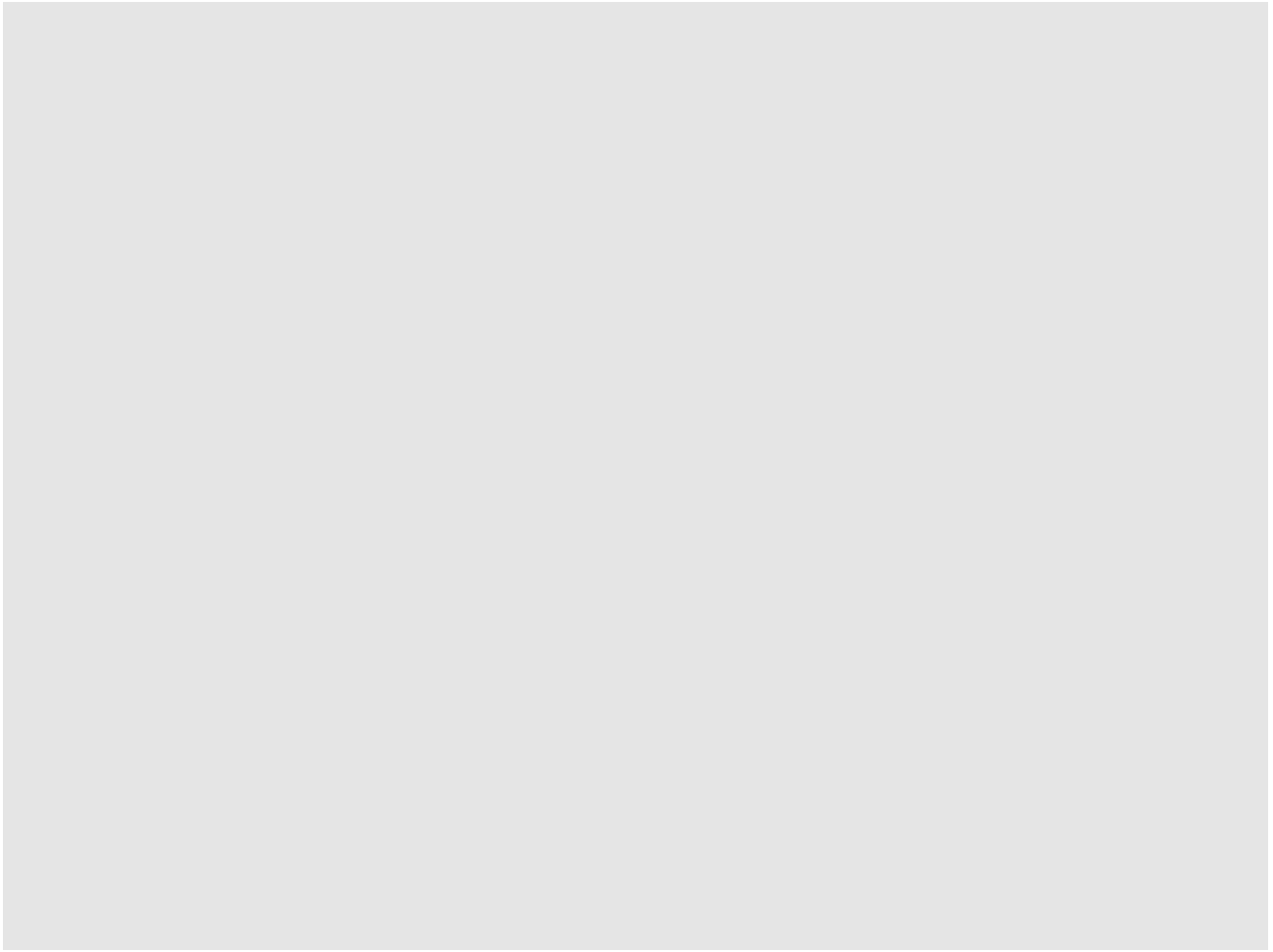
## **Richmond City Jail**



10-09-1964: Warehouse at Deepwater Terminal was used as temporary jail until prisoners were moved to new facility in downtown Richmond.

Staff photo

## **Richmond City Jail**

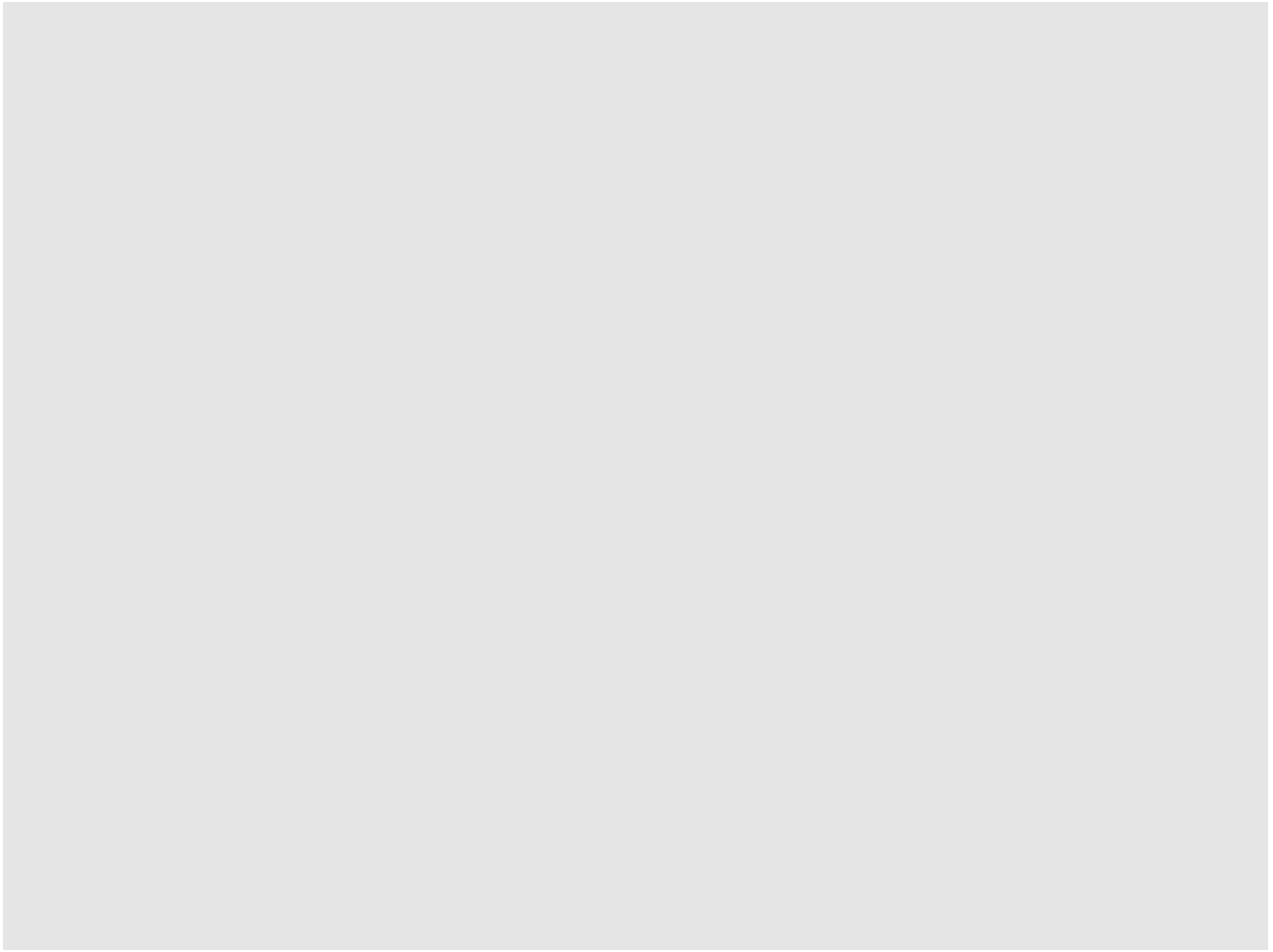


10-22-1961 (cutline): Prisoners lounge in bunks, have shower area available in dormitory.

Staff photo

## **Richmond City Jail**

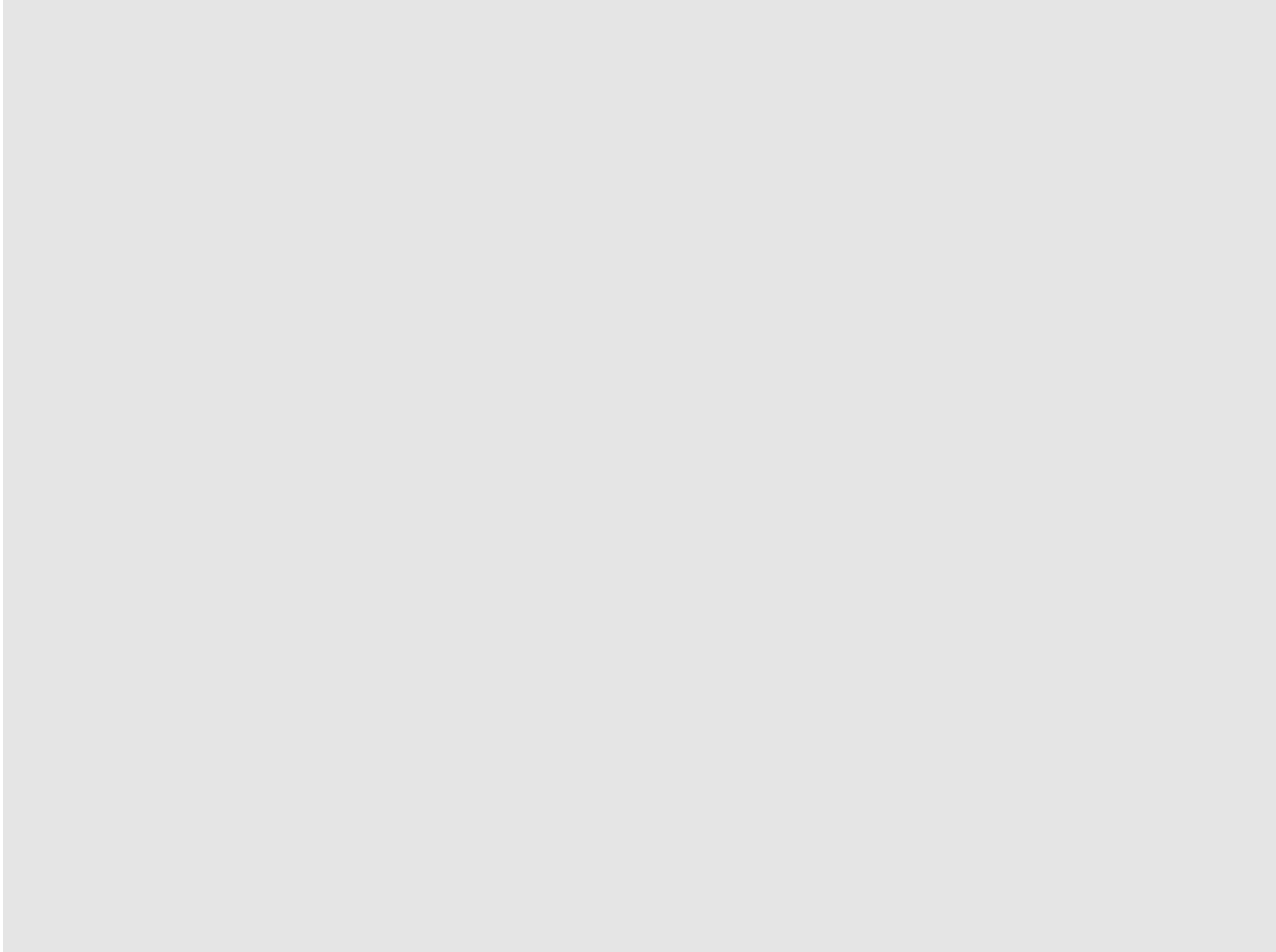




10-17-1964 (cutline): One-way ride brings prisoners to their new home in Richmond's modern city jail.

Staff photo

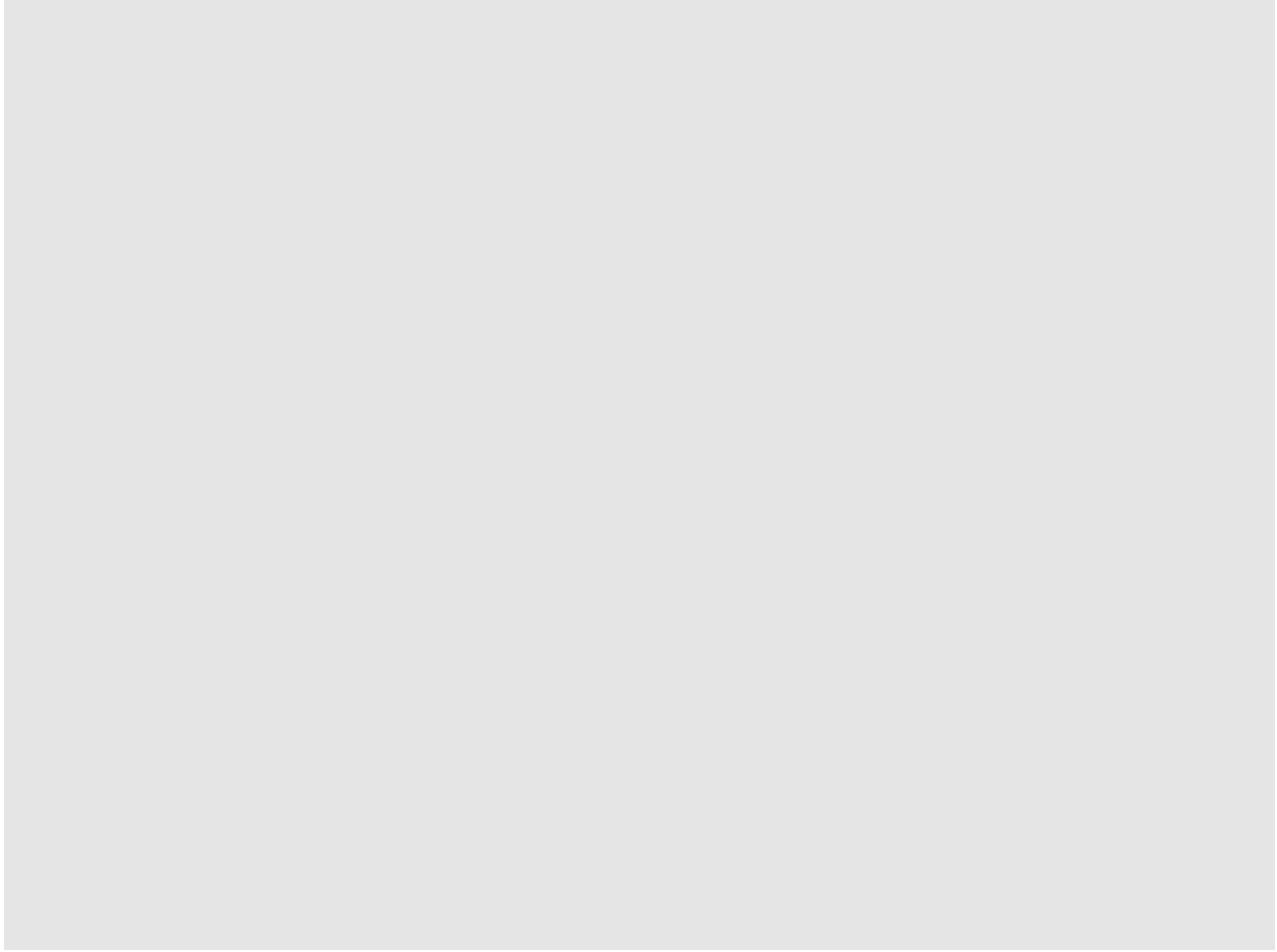
## **Richmond City Jail**



07-19-1962 (cutline): Mayor Sheppard breaks ground for new jail building. Others are City Manager Edwards (center), City Sergeant Frank A. Cavedo.

Joseph Colognori

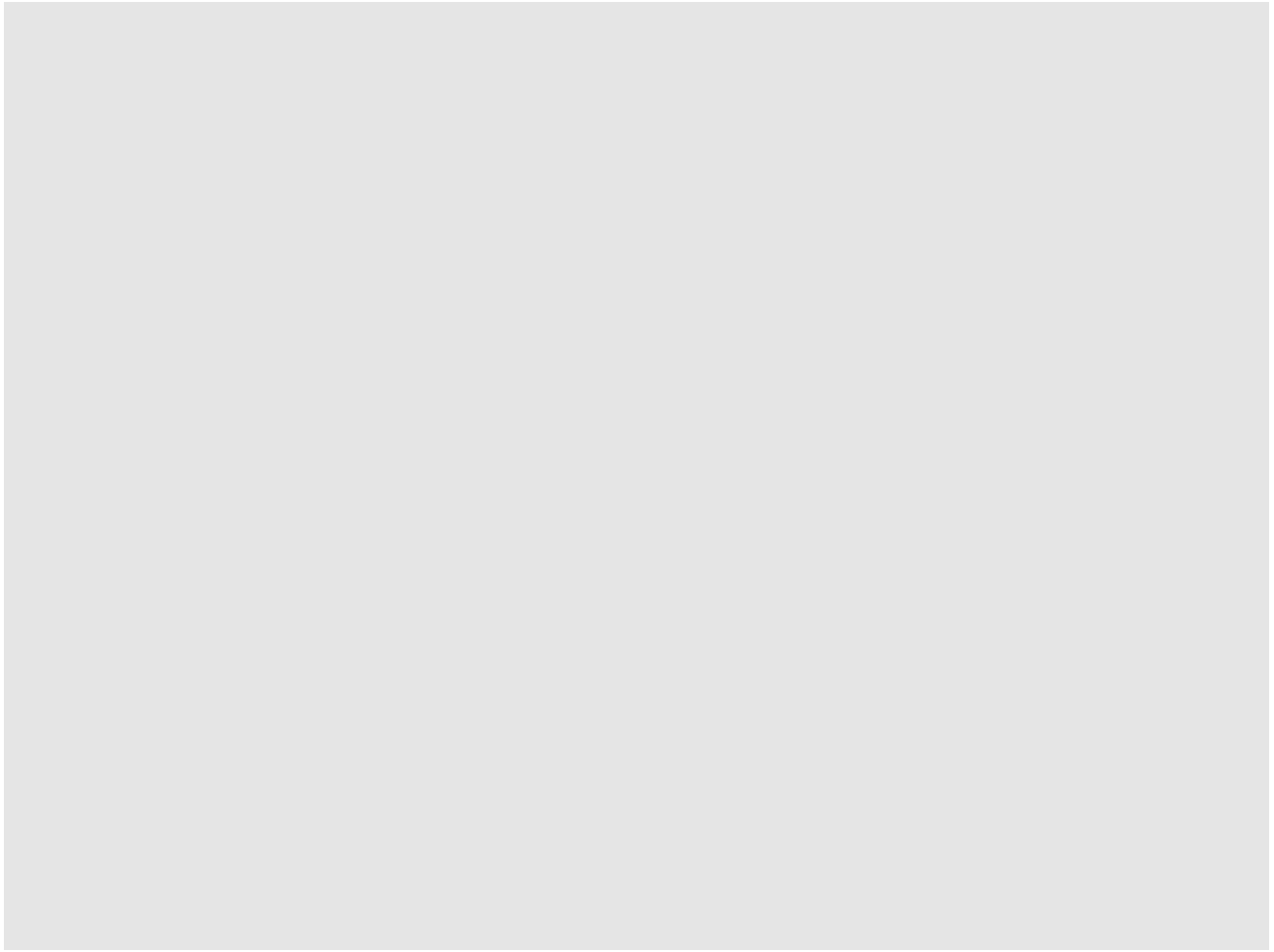
## **Richmond City Jail**



08-13-1964 (cutline): This is the woman's cellblock of the city's new jail at 17th and Fairfield Avenue. New 2.5 million dollar facility has been called 'Best in Virginia' and 'Little Penitentiary.'

Don Pennell

## **Richmond City Jail**



01-28-1966 (cutline): In misdemeanor section of new jail, men are house in dorm-type rooms.

Bill Lane

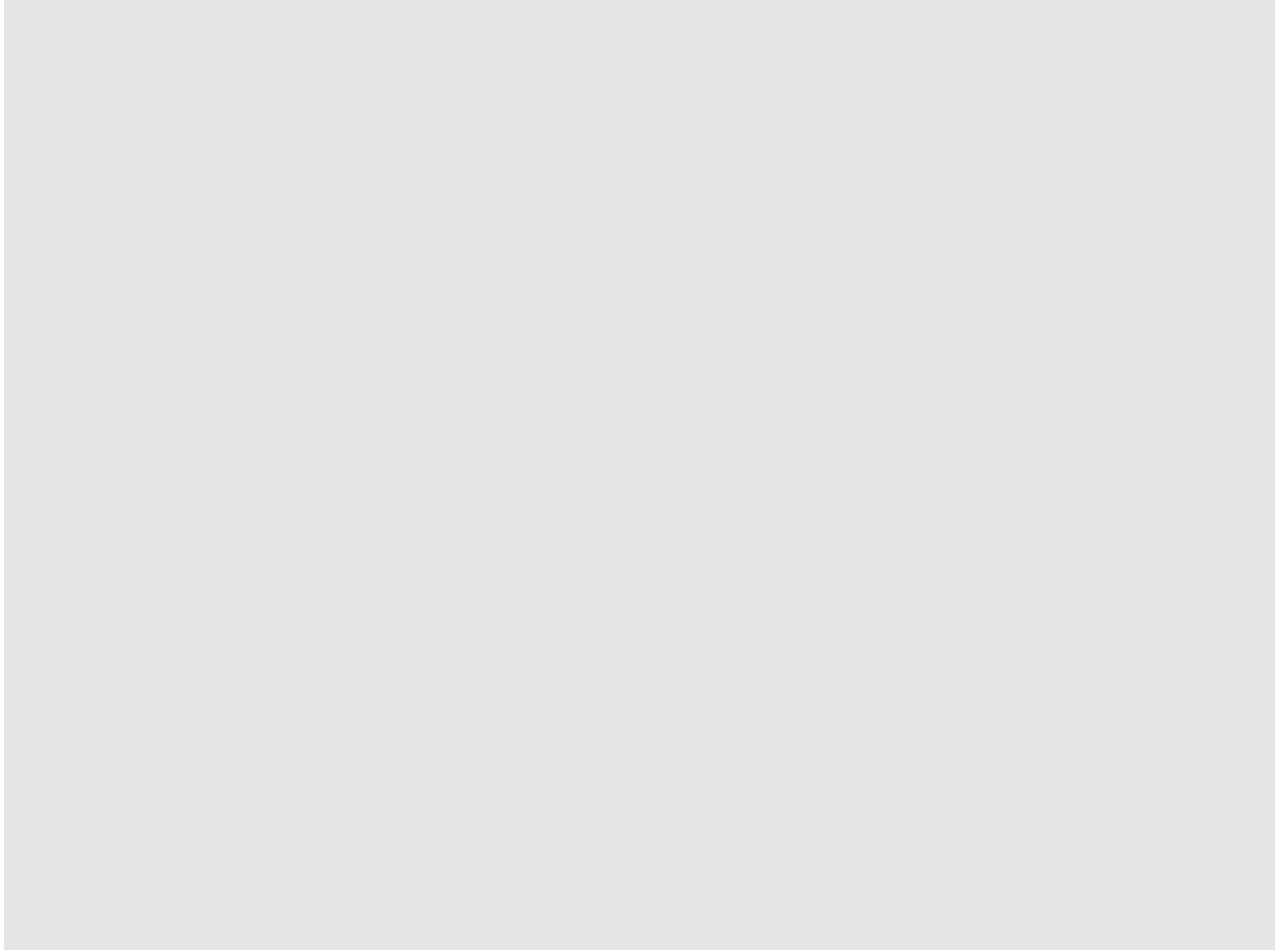
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10-16-1964: Richmond City Jail

Crawford

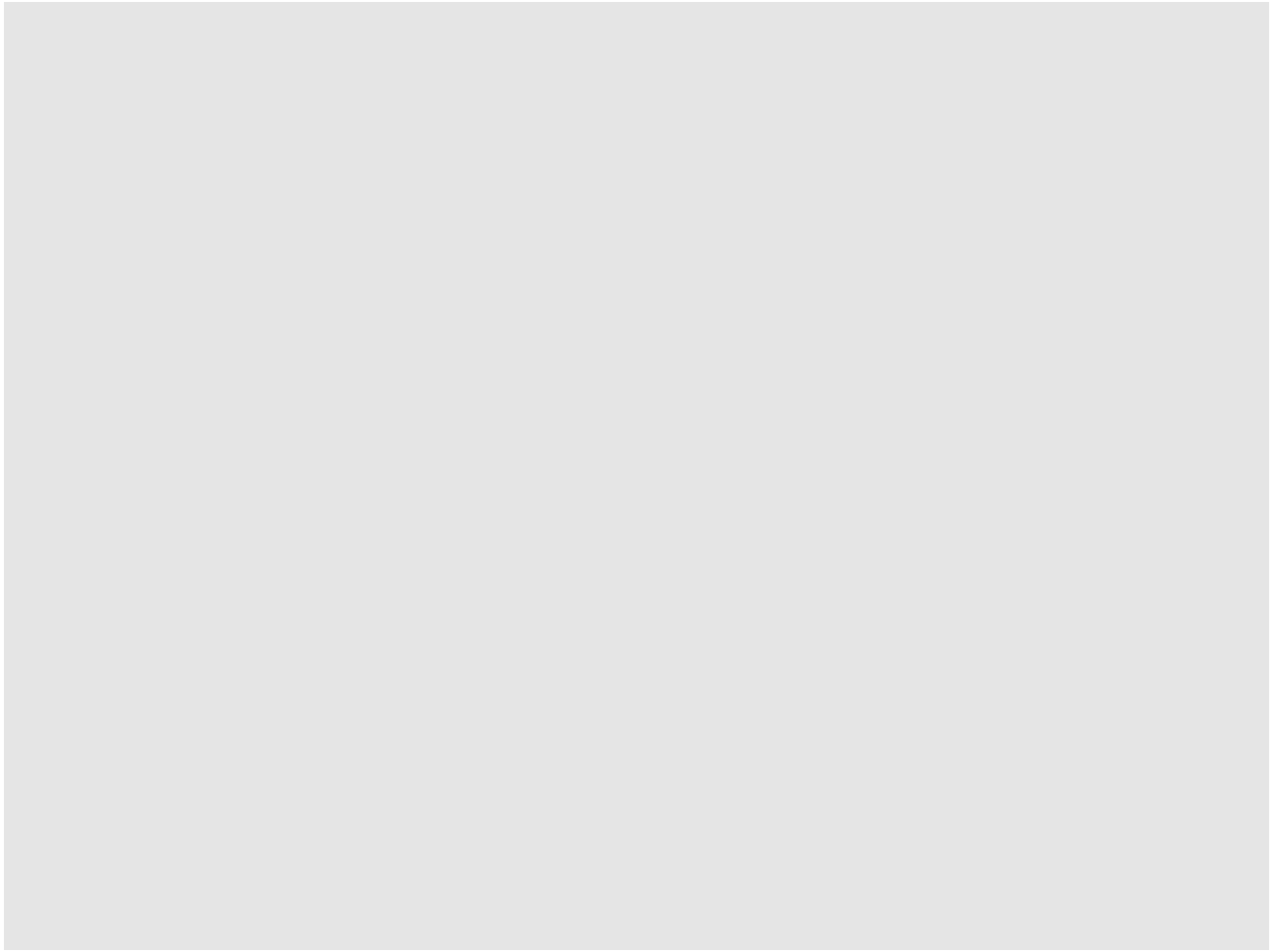
## **Richmond City Jail**



08-13-1964: Richmond City Jail

Don Pennell

## **Richmond City Jail**



01-28-1966: Richmond City Jail chapel.

Bill Lane