

Marijuana Legalization: Policy Implications

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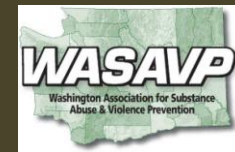
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www.mercerisland-ctc.com



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Legal-Commercial-Recreational Marijuana Industry

- 1. The issues**
- 2. How are we doing**
- 3. Where are we going**

Legal-Commercial-Recreational Marijuana Industry

1. The issues

2. How are we doing

3. Where are we going

WA State was Vulnerable to Legalization

- Strong Independent vote
- Medical MJ already relaxing norms
- Hempfests huge
- Prevention funding centralized in state/
federal programs
- Law Enforcement Champions PRO
- Champions from Academia PRO
- Influence of Canadian Market
- Visible Negative Influence of DTOs
- Initiative State—just tossed 1183



REGULATORY CONTROL

YES ON I-502

newapproachwa.org

Columbia
produced by the

**Voting to
legalize it.**



Seattle City Attorney **PETE HOLMES** is voting YES on I-502, which will legalize recreational marijuana in Washington. nwbud.com

A New Approach to Marijuana
with *Rick Steves* and guests
October 12-18, 2012



WASHINGTON
YES
I-502

Bellingham
Everett
Seattle
Tacoma
Olympia
Leavenworth
Vancouver
Tri-Cities
Walla Walla
Spokane



NEW APPROACH

PAID FOR BY
NEW APPROACH WASHINGTON

www.newapproachwa.org 

First Pro MJ TV Ad: Campaign never mentions “Legalization”

I-502 Passed with 56%
of the Vote... narrative
lacks focus on public
health and safety risks;
some myths perpetuate.

“Marijuana is harmless and non-addictive.”



“Marijuana is harmless and non-addictive.”



1 in 10 adults and 1 in 6 adolescents who try marijuana will become addicted to it.

Adolescent brain especially susceptible to marijuana use—effect memory, learning attention and reaction time.

MJ potency tripled in past 15 years (5x as potent as 1960s)—THC up while CBD flat

Cannabis-related ER admission rates rising from 16,251 in 1991 to over 374,000 in 2008.

Mental Health: Schizophrenia (6x), Psychosis, Depression, Anxiety

“Marijuana is
harmless and ..



MJ use has negative effect on IQ and learning: 6-8 IQ points can be permanently lost and youth with poor academic results 4x as likely to have used MJ in past year.

MJ use linked to low productivity and job performance, dropping out of school, unemployment, lower self-reported quality of life, absences, workplace accidents, worker's compensation claims and job turnover.

“Marijuana is harmless and non-addictive.”



“Drivers who test positive for MJ or self-report using MJ are more than 2x as likely as other drivers to be involved in motor vehicle crashes.”

“Among youth (12-17) marijuana use rates in states with medical MJ is 8.6% compared to 6.9% in states without such laws.”

“Smoked or Eaten Marijuana
is Medicine.”



Marijuana is medicine?



Marijuana has medical properties but we do not need to smoke or eat it!

Do we smoke opium to get benefits of morphine?

Voter approved medicine? Bye FDA...

Beneficial components within MJ can be isolated and are available (Marinol, Cesamet) in pharmacies.

Sativex[®] oral mouth spray being studied in U.S.; already available in Canada and Europe

Marijuana is medicine?



Average medical marijuana patient

- 32 year-old
- White male
- History of alcohol and substance abuse
- No history of life threatening illness
- 87.9% tried MJ before age 19

Marijuana is medicine?



Washington's Medical Marijuana Law?

Redundant ~ Commercial

Potential Grey Market

Skirts taxation to mitigate harms

Limits LCB Regulatory Authority

States with implemented MMJ
laws have abuse / dependence
rates 2x that of states without
such laws.

Cerda, M. et al. 2012

Marijuana is
medicine?



"We will use [medical marijuana] as a red-herring to give marijuana a good name."

-Keith Stroup, head of NORML
to the *Emory Wheel*, 1979

Current laws
unjustly fill jails.

0.4% of prisoners with no prior offenses are in jail for MJ possession...

...of those, 115 pounds average amount possessed.

Risk of arrest per joint smoked:
1 in every 12,000 joints.

How many will be arrested for
DUID and other infractions
under legalization?



Current laws
unjustly fill jails.



Arrests for MJ possession are a real issue-- racial disproportionality, impact on future employability, risk to student aid... could have been addressed w/o legalization.

However, (re: disproportional minority arrest rate) oppression will find another avenue if MJ gone—502 does not address underlying issue.

Public smoking laws are NOT being evenly enforced now—what is the message?

Treating marijuana like alcohol and tobacco makes sense.



How are we doing protecting kids and communities from alcohol? From tobacco?

More Washington youth use alcohol (legal drug) than marijuana in spite of both being equally easy to get (trending closer).

Q: will protective measures in 502 be enough to keep kids safe vs. commercial MJ? (*Off to slow start—NO public health messaging until MJ proceeds roll in.*)

Treating marijuana like alcohol and tobacco makes sense.



Nationally, youth less likely to report they can get MJ within a day (31%) vs. alcohol 50% and tobacco 44%.

What have we learned fighting Big Tobacco?

Currently law enforcement can't get grocery stores to release data about how the amount of spirits lost to theft post 1183...

Treating marijuana like alcohol and tobacco makes sense.

Another BIG TOBACCO?? Mass media advertising OK, no protection for the MJ dedicated fund from being swept into the general fund.

“Young adults are the only source of replacement smokers.”

“Only 5% of smokers start after age 24.”

“We don’t smoke the sh--, we just sell it... we reserve that ‘right’ for the young, the poor, the black and the stupid.”



Legalization will do away with the black market/cartels

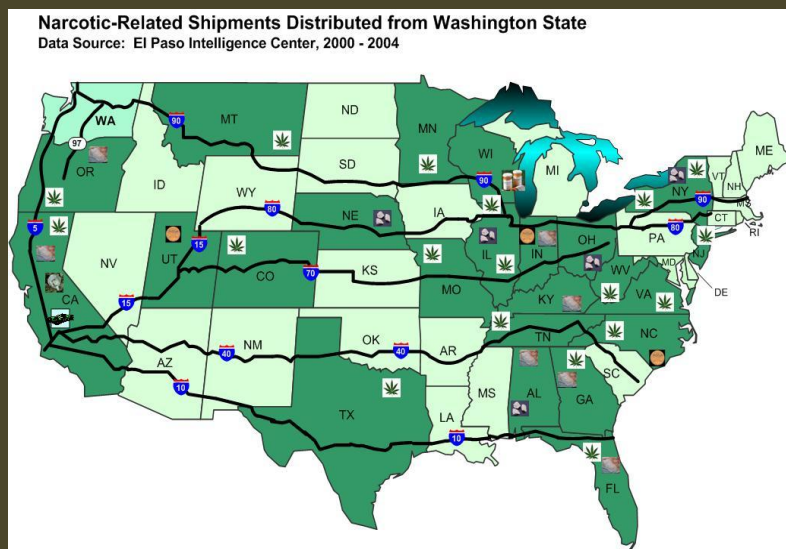
RAND study finds
legalization would have
little impact on cartels.

MJ only 15-25% of revenues
from drug trafficking orgs

Up to 90% of WA Cannabis
for export.

502 stores only capture 13%
of market (up to 25%
after first year).

502 puts a bullseye on WA
youth for criminal
element.



Legalization will do away with the black market/cartels.



Large outdoor Hispanic DTO marijuana grows will continue to be prevalent in WA State.

DTOs (aka black market) are switching to in-state, indoor grows of high potency marijuana to stay in the market, take advantage of WA's relaxed enforcement, and avoid border security in transport.

It is increasingly possible that WA State will become a critical part of the marijuana trafficking hub for other parts of the U.S.

Legalizing and
taxing marijuana
will generate
\$Millions\$.



Arrests and regulatory costs
will increase with legal
MJ.

No \$\$ from 502 until mid
2014; even then, will
build slowly.

For every 1\$ gained from
alcohol and tobacco tax
revenues, \$10 lost in
legal, health, social, and
regulatory costs.

Legalizing and taxing
marijuana will
generate
\$Millions\$.

Alcohol costs \$185 Billion
(tax & fee revenue \$14B)

Tobacco Costs \$200 Billion
(tax & fee revenue \$25B)

Will Commercial Marijuana
be any different?



Regulated legal MJ
won't result in
underage use
increasing.



One primary reason youth did
not use is because it was
illegal.

Monitoring the Future Study
predicts decrease in
perceived risk/harm will lead
to increased use (1 or 2 year
lag).

Legalization fails basic
prevention test:

- X *Price down*
- X *Availability up*
- X *Perception of Risk down*
- X *Social Norms/Attitudes pro*

Advertising will be controlled under legalization.

Mass-commercialization of MJ will bring advertising to youth just as with alcohol and tobacco.



“Today's teenager is tomorrow's potential regular customer...”

-Phillip Morris

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We don't know for sure...

- MJ use rates on 2012 HYS flat
- Youth perception of harm down
- High potency use trends increasing (dabbing)
- Some police departments are not enforcing public smoking laws
- Local prevention coalitions and community groups doing education
- MJ business associations mobilizing



We're smoking...

Seattle Cannabis Co-op

GROWERS!
Medicine Wanted!
708.568.5450

	G/Oz
Stimulus Package	4 80
Budlings	5 100
5 Buck Chuck	5 100
Sweet Sativa	5 150
Charlie Sheen	7 170
Big Bong	8 200
Red Stunk	8 200
	9 220

A woman in a white lab coat with a stethoscope around her neck is holding a clipboard with the menu. The background shows a cannabis dispensary with shelves of products.

Celebrate all weekend long with music, parties, expo, activism, seminars and more!

HIGH TIMES
presents
MEDICAL CANNABIS CUP

FIRST TIME EVER IN SEATTLE!

SEATTLE
FREMONT STUDIOS
155 NORTH 35TH STREET

SEPT. 15-16

FRIDAY NIGHT VIP PARTY WITH MUSICAL GUESTS TO BE ANNOUNCED

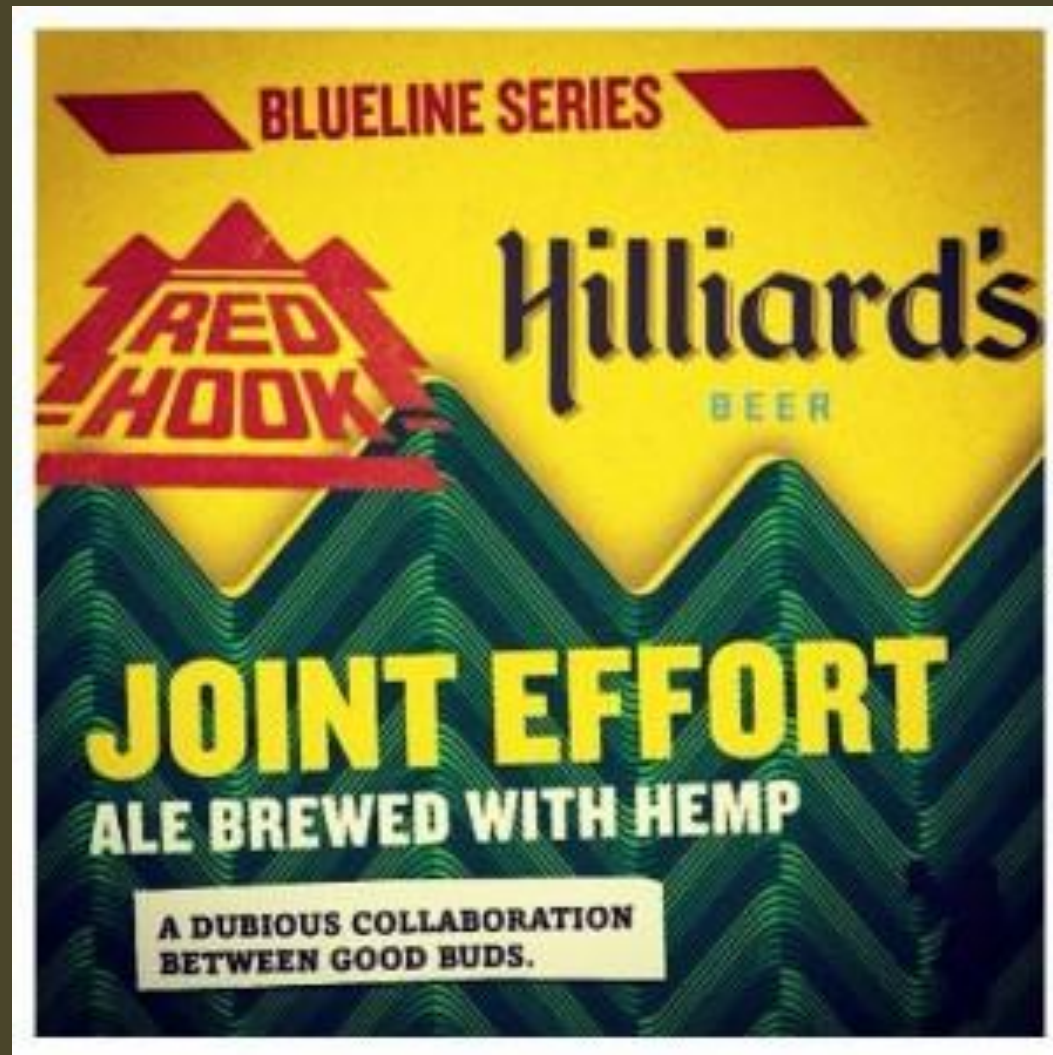
Get tickets at medcancup.com

Event open to all adults 18 years of age. You must be a WA state resident with a valid doctor's recommendation to enter the mediccup area.

We're smoking
outside a lot...



We're innovating...



Really innovating... *“Butcher Feeds Pig Weed to Increase Meat Quality”*



Perhaps we're sending mixed messages...



Some communities are educating...

84%

of MI 6th-12th graders
have **NEVER** used
marijuana!

Frequent teen marijuana
use can lower

I.Q.*



MI DEPARTMENT OF HEALTH AND HUMAN SERVICES
Michigan Department of Health and Human Services
www.michigan.gov

2011 MOST of us survey for Communities that Care. 817 MS students and 1,105 MS students surveyed, students surveyed, 6-15

* Duke University, from original research by Duke, 2011. Peer-reviewed research
showing neurological decline from childhood to adults. Duke University, Durham, NC



9 out of 10 IMS students say:

Using marijuana is never a good thing for anyone my age to do.



MI DEPARTMENT OF HEALTH AND HUMAN SERVICES
Michigan Department of Health and Human Services
www.michigan.gov

We're working to improve the rules...

Ban Advertising

Change Logo

Limit Outlet Density

Cap Size of Grows

Restrict Hours of Sales

Ban Infused Products

State I.D. Required

No "Serving Size"

Mandate Loss Reporting

Minimum Price

No Hash Oil/Distillates

Mandatory R.V.P.

No edibles shaped like toys

502 Rules Don't Go Far Enough

June 10, 2013

Washington State Liquor Control Board
P.O. Box 43080
Olympia, WA 98504-3080

Dear Members of the Board,

Please accept these comments on the I-502 Initial Draft Rules regarding the establishment of a commercial marijuana marketplace in Washington State on behalf of the Washington Association for Substance Abuse and Violence Prevention (WASAVP).

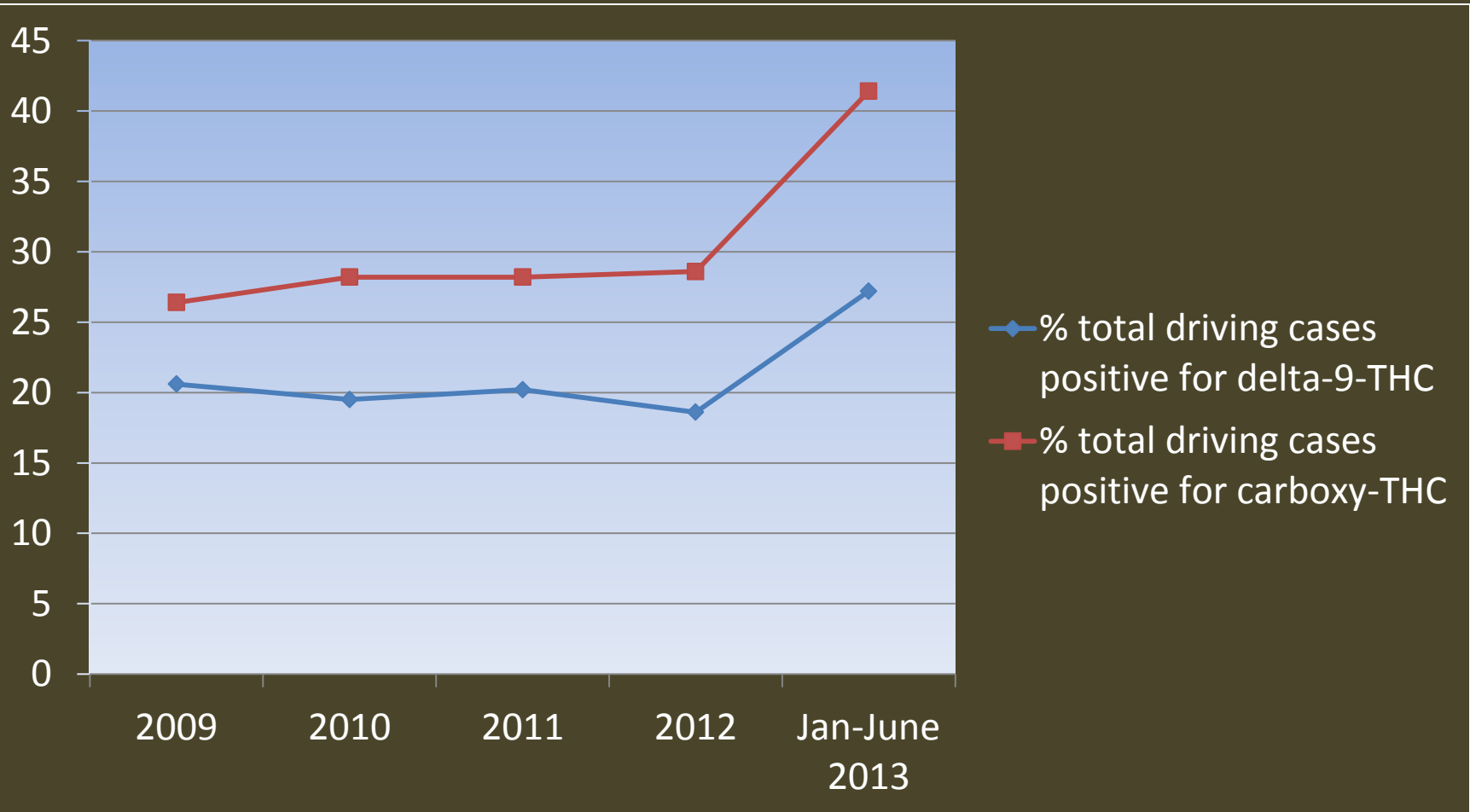
WASAVP is the statewide association for the substance abuse prevention community which includes community prevention coalitions, individual prevention advocates, student advocates, and community-based human services and substance abuse treatment providers. Our members include experts in the substance abuse prevention field with extensive experience preventing harm to youth and communities from alcohol, marijuana, tobacco and other drugs. The focus of our work is to support policies that reduce youth access to drugs, maintain strong enforcement of protective rules and laws, and support healthy social norms which together serve to decrease underage substance use.

We are very concerned that without stronger restrictions on legalized marijuana that underage use of the drug will increase. The 2012 Washington State Healthy Youth Survey confirms that youth attitudes are increasingly more favorable towards marijuana use and they see the drug as less harmful—both results are associated with increased underage use.¹ While it is presumed that the Washington State medical marijuana law is influencing these results, we predict that legalized marijuana will further erode healthy norms, increase underage access, and create law enforcement challenges that will increase underage use.

WASAVP offers the following suggestions for draft rules to maximize and extend the protective measures in I-502, prevent another "Big Tobacco," and keep youth and communities as safe as possible in the commercial marijuana marketplace.

¹ Johnston, L. D., O'Malley, P. M., Bachman, J. G., & Schulenberg, J. E. Monitoring the Future national survey results on drug use, 2010. Volume I: Secondary school students. Ann Arbor: Institute for Social Research, The University of Michigan.

We're driving high more often after 502...



Nov. 5, 2013 WA State Toxicologist Report DUID-MJ

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Emerging Markets: Butane Hash Oil



BHO Allowed under 502

“Dabbing” more popular among youth.

Early signs of increase MJ overdoses in E.R.s (not death, though one death in Weed blogs related to passing out after dabbing and hitting head).

“Starbucks of Marijuana?”



Diegopellicer.com

MJ infused
edibles area of
competitive
market
growth—
target kids?



DOJ's Eight Recommendations for States Ignoring the CSA it Enforces

1. Prevent distribution to minors (access?)
2. Prevent MJ revenues from going to criminal enterprises, gangs and cartels (because they break federal law?)
3. Prevent diversion to other states (impossible?)
4. Legal MJ not to provide cover for other illegal drug trafficking or activity (needing to say this says a lot)

DOJ's Eight Recommendations for States Ignoring the CSA it Enforces

5. Prevent violence and use of guns in cultivation and distribution of MJ (no extra funding for law enforcement)
6. Prevent drugged driving and other adverse public health consequences (will increase?)
7. Prevent the growing of MJ on public land and related safety and environmental concerns (not according to HIDTA)
8. Prevent MJ possession or use on federal property (maybe say "limit" -vape pens?)

Current Policy Issues

“Big Marijuana”

Fix the MMJ Issue

What is MJ
Prevention Message

Hash Oil

Edibles



Emergent Issues

Drug Tourism?

Impact on Productivity and Hiring?

Parents send students to WA higher education?

Cartels set up shop in WA and CO?

LCB unable to keep price from falling?

Law suits erode 502 protections and local controls?

Legislature raids MJ fund to fill budget gap?

New president has change of heart?



**Not sure we're ready for the
experiment...**

**Is it worth trading the right for a
minority to get high for the rights
of kids to grow up without
another industry selling them
addictive products?**

Maybe the kids were right again...

**“WA Youth FAIL 502 in
Mock Student Election”**

(they didn't ask to be part of the experiment)

Thanks and Acknowledgements for Materials and References

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