Between Two Extremes

The Path Forward in Marijuana Policy

William Jones

www.learnaboutsam.org
Two Organizations, One Mission

**501 C-4**

- SAM Action is dedicated to promoting healthy marijuana policies that do not legalize drugs
- Active at all levels of national, state, and local policy-making
- Invests dollars in and starts organizations to promote smart marijuana policies

**501 C-3**

- SAM’s mission is to educate citizens on the science of marijuana and to promote health-first, smart policies and attitudes that decrease marijuana use and its consequences
- Brings light to and conducts research into marijuana’s negative effects
SAM promotes an evidence-based approach to marijuana policy that prioritizes public health

- **Non-partisan but high-profile:** founded by former Democratic Congressman Patrick Kennedy and leading Republican pundit David Frum
- **Scientific advisory board** of more than 12 leading researchers, professors, and public health/legal experts
- **Hundreds of thousands of press mentions**, including major media outlets such as:
Groups SAM has collaborated with

• American Society of Addiction Medicine
• American Academy of Pediatrics
• National Business Group on Health
• American Academy of Child and Adolescent Psychiatry
• Other leading public health authorities

• Over 30 state affiliates, including:
  • Treatment centers
  • Recovery groups
  • Prevention organizations
  • Law enforcement
  • Leading medical authorities
  • Volunteer citizens
  • Business groups
The false dichotomy:
“Legalization OR incarceration?”
Three separate issues that often get conflated

1. Penalizing drug users/”decriminalization”

2. Medicinal use of compounds derived from marijuana

3. Legalization of marijuana for “non-medical” use
Not This…
...But This

Source: Marijuana Business Journal; other open source media
Cronos CEO: $1.8 billion from Big Tobacco is just a beginning for cannabis industry

Published: Dec 10, 2018 7:48 a.m. ET

Altria can help Cronos standardize its approach to marijuana, CEO says after announcing investment

Smart Approaches to Marijuana (SAM)'s legalization opponent Kevin Sabet may be right: like it or not Big Tobacco is invading cannabis.
And This…

MEDICAL MARIJUANA

Home » Health » MMJ

Former Big Pharma OxyContin CEO Now Selling Medical Cannabis

Published 2 years ago on November 29, 2016
By Maureen Meehan
We are living in 1918...
Repeating History?

Dr. Batty's

For Your Health

Asthma Cigarettes

Since 1922

For the temporary relief of
Paroxysms of asthma

Effectively Relieves:
Asthma, Hay Fever, Foul Breath
All Diseases of the Throat,
Head Colds, Canker Sours
Bronchial Irritations

Not Recommended for Children Under 6.

More Doctors Smoke CAMELS
than any other cigarette!

According to repeated nationwide surveys.

Viceroy Filters the Smoke!

As your Dentist, I would recommend Viceroy.

NOW... Scientific Evidence on Effects of Smoking!

Chesterfield is Best for You.
Repeating History?
The Industry Today

1. Kid-friendly: comes in shapes & colors attractive to children, like candy and soda

2. 95% Potent: often made w/ concentrates of up to 95% pure THC (joints are ~ 15% THC)

3. $$$$ Aggressive marketing: free samples, billboard advertising, and other Big Tobacco tactics

4. Contaminants: In 2015, CO recalled 100s of thousands of edibles containing banned pesticides

5. Fighting regulation: The pot industry has lobbied hard against regulation (e.g., warning labels, dosing rules, and bans on ads targeting kids)

Source: Marijuana Business Journal; other media. Icons: Marianna Nardella; Anton Gajosik; Petra Prgomet; Joey Golaw; Creative Stall; Luis Prado; Aha-Soft
Sex Appeal
Snob Appeal

LA is full of brilliant people. We deliver them pot.

Marijuana delivered | eaZe.com
Delivering more joy than dogs & babies combined.

Marijuana delivered | eaze.com
LIC# a10-17-0000041
Appeal to youth
Joe Camel Returns?
Marijuana Use is Skyrocketing

Marijuana Users in Millions

2002 2016

23.9 Million Past Month Users of Marijuana in 2015
14.6 Million Past Month Users of Marijuana in 2002

Source: SAMHSA, 2016 National Survey on Drug Use and Health
One in four 12th graders would try marijuana, or increase their use of the drug if marijuana were legalized.
Colorado now #1 in the US for first-time use

Youth marijuana use continues to rise in states that have legalized.
Youth Use

Regulated markets only increase exposure and promote the normalization of youth marijuana use.

Marijuana use among 12-17 year-olds is rising.

Past month alcohol use among 12-17 year-olds is up 13% since 2016.

Oregon

37.2% 8th graders, 49.5% 11th graders report exposure to online marijuana advertising in the past 30 days.

12-20 year-olds were asked how they obtained their marijuana. This is what they said:

- 52% got it for free
- 32% bought it from a friend
- 7% bought it from a stranger

Colorado

Average past month marijuana use among youth 12-17 years old.

Pre-Legalization 2009-2012: 10.4%
Post-Legalization 2013-2016: 7.8%

National

Pre-Legalization 2009-2012: 10.9%
Post-Legalization 2013-2016: 7.1%
Legalization Means Increased Availability to Children
Sales to Minors Continues in “Legal” States

News Release

Oregon Liquor Control Commission
9079 SE McLoughlin Blvd., Portland, OR 97222-7355
1-800-452-6522

For more information:
Mark Pettinger, Marijuana Program Spokesperson, (503) 872-5115
www.marijuana.oregon.gov

January 10, 2018

Licensees Across Oregon Fail to Stop Sales to Minors
OLCC Marijuana Retailer Minor Decoy Checks Continue
The Vape and Marijuana Industries Are Inextricably Linked

2007
James Monsees & Adam Bowen secure funding from angel investors, including Nicholas Pritzker and officially launch their company.

2010
Newly established Ploom releases their first product based on Monsees & Bowen's original e-cig design using flavored, loose-leaf tobacco pods and a battery-operated heating coil.

2012
Using the same heating technology, the company releases the first loose-leaf vaporizer. While not yet explicitly marketed as a marijuana vaporizer, this was its primary draw.

2015
Japan Tobacco acquires Ploom's Model Two and the associated intellectual property with the device and flavored pods.

2015
In conjunction with the JTI deal, Monsees & Bowen buy back their stake in the company and relaunch as Pax Labs

2015
Pax Labs releases their new e-cig, Juul, shortly after announcing $46.7 million in Series C funding from investors.

2016
In the fall of 2016, Pax Labs unveils the Pax Era; an electronic marijuana vaporizer that uses similar proprietary technology of pre-filled THC pods.

2017
Juul splits off from Pax Labs and becomes its own entity.

In the spring of 2018, the FDA launched an investigation into predatory marketing to underage children.
Silicon Valley start-up, Juul, used savvy social media marketing strategies to promote a trendy image associated with their products. They are currently under investigation by the FDA.
The Alcohol Industry is All-In

Corona Owner's Marijuana Investment Reaps $700 Million
By Ukhana Patillo
June 29, 2018, 10:56 PM | Bloomberg

Coming Soon From Molson Coors: Marijuana Beer
Molson Coors' new venture is targeting the Canadian cannabis market.

“I’m ready to introduce another high-impact brand to the industry again, this time with a new line of custom cannabis-infused craft beers.”
- Creator of Blue Moon
The top 10% of the population make up 75% of the alcohol industry’s U.S. sales.

Avg. 10 drinks a day.
Source: Colorado Department of Revenue: Market Size and Demand for Marijuana in Colorado
Marijuana has become significantly more potent since the 1960s

**Average THC and CBD levels in the United States**

- **THC**: Psychoactive Ingredient
- **CBD**: NON-Psychoactive Ingredient

Source: Mehmedic et al., 2010
Marijuana is not “just a plant” anymore – derivatives contain up to 99.9% THC
99% THC is already for sale

THC is the active ingredient in marijuana; it is what gets someone “high” and it is extremely powerful and harmful in large doses.
Younger users are the highest users of concentrates – powerful and pure THC oil

CONCENTRATES
Concentrates are highly potent extracts made from cannabis flower that come in many varieties. If flower is like wine, then concentrates would be the fine scotch—potent, with intense flavor and aroma. The highly refined nature of concentrates makes them a favorite among people who are looking for purity, maximum taste, and instant effect.

What percentage of customers ordered them in 2017?

- **GEN Z**
  - 1996–Later
  - 34%

- **MILLENNIAL**
  - 1985–1995
  - 19%

- **GEN X**
  - 1965–1984
  - 16%

- **BABY BOOMERS**
  - 1946–1964
  - 15%
A word from Dr. Nora Volkow in the New England Journal of Medicine:

“Repeated marijuana use during adolescence may result in long-lasting changes in brain function that can jeopardize educational, professional, and social achievements.

“However, the effects of a drug (legal or illegal) on individual health are determined not only by its pharmacologic properties but also by its availability and social acceptability.

“In this respect, legal drugs (alcohol and tobacco) offer a sobering perspective, accounting for the greatest burden of disease associated with drugs not because they are more dangerous than illegal drugs but because their legal status allows for more widespread exposure.”

Dr. Volkow is the director of the National Institute on Drug Abuse
New Book Is Changing the Debate

TELL YOUR CHILDREN
THE TRUTH ABOUT MARIJUANA, MENTAL ILLNESS, AND VIOLENCE
ALEX BERENSON
ADVERSE EFFECTS ON HEALTH OUTCOMES

AVERAGE TOXICOLOGY OF SUICIDES AMONG ADOLESCENTS AGES 10-19 YEARS OLD (WITH KNOWN TOXICOLOGY)

- Alcohol: 14.10
- Opioids: 3.30
- Marijuana: 13.60

SOURCE: Colorado Department of Public Health and Environment (CDPHE), Colorado Violent Death Reporting System
In Washington, the estimate was $1.9 Billion, according to Pew: “In Washington, a state government estimate predicted revenue could reach $1.9 billion over five years, “assuming a fully functioning marijuana market.” They have not reached anywhere near this.

In Alaska, it was reported that “commercial marijuana sales are expected to generate between $5.1 million and $19.2 million in tax revenue next year when legal sales of the drug are slated to begin, according to a state preliminary projection.”

Another prominent group said “First-year legal sales are projected at $55 million, reaching $106 million by 2020.” Projection: $1M per month, far below projections.
Revenues V Reality

California Marijuana Tax Revenue

$1 billion promised

92% less than promised

72% less than promised

Marijuana Taxes as a Percent of State Budgets

<table>
<thead>
<tr>
<th>State</th>
<th>Percent of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colorado</td>
<td>0.78%</td>
</tr>
<tr>
<td>Washington</td>
<td>0.30%</td>
</tr>
<tr>
<td>Oregon</td>
<td>0.24%</td>
</tr>
<tr>
<td>Alaska</td>
<td>0.12%</td>
</tr>
<tr>
<td>California</td>
<td>0.20%</td>
</tr>
</tbody>
</table>

Source: California Legislative Analyst’s Office (3,4)
In CT, estimates of just a few costs outweigh projected revenues by over 90%

Source: SAM study
The increase in marijuana availability due to legalization has led to increasing numbers of marijuana-related poison control calls, hospitalizations, and ER visits.

In Colorado, calls to poison control centers have risen 210% between the four-year averages before and after recreational legalization (RMPDC, 2017). Washington has seen a 70% increase in calls between the three-year averages before and after legalization (WSOFM, 2017).

**Emergency Marijuana-Related Poison Control Calls in CO**

**Emergency Marijuana-Related Poison Control Calls in WA**

Source: Rocky Mountain Poison and Drug Center Report, Colorado Marijuana Statistics for 2016, as reported by HDTA

Marijuana-related emergency room visits have also surged since legalization. According to the Colorado Department of Public Health and Environment, the annual rate of marijuana-related emergency room visits increased 35% between the years 2011 and 2015 (CDPHE, 2016).

The burden on the emergency departments stemming from the type of patient care required and the resulting financial implications have been large for hospitals in Colorado (Finn, 2015).

**COLORADO POISON CENTER CALLS, 2000-2015**

Source: Wang et al., 2017

Annual regional poison center human exposure calls related to marijuana from January 1, 2000 through December 31, 2015, divided by age groups. *Counts significantly increased from previous year with a p value <0.003.* Unknown age includes calls with ages recorded as teens, 20s, unknown adult (≥ 20 yrs), unknown child (<19 yrs), and unknown age. Human marijuana exposure calls to RPC were determined by the presence of the generic code Marijuana – 0083000 from the National Poison Data System or marijuana exposure mentioned in RPC case notes.

**COLORADO HOSPITALIZATION RATES RELATED TO MARIJUANA**


**MARIJUANA EMERGENCY ROOM VISITS HAVE ALSO INCREASED AMONG CHILDREN AND ADOLESCENTS (CHA, 2016).**
STONED DRIVING

Drugged driving and motor vehicle fatalities have increased in states that have legalized recreational marijuana. According to the biological results of Washington’s Roadside Survey, “nearly one in five daytime drivers may be under the influence of marijuana, up from less than one in 10 drivers prior to the implementation of marijuana retail sales” (Grondel, 2018).

A 2019 study of over 2,000 drivers in Washington State reports that six months immediately after introducing retail sales of marijuana, the proportion of THC-positive drivers was almost three times as great as the month before retail sales (Eichelberger, 2019).

A statistically larger percentage of Colorado youth report driving after marijuana use than driving after alcohol use (Colorado Department of Public Health and Environment, 2019).

The rate of traffic fatalities involving drivers who tested positive for marijuana in Colorado rose from 55 in 2013 to 138 people killed in 2017. Over one-fifth of all traffic fatalities in 2017 included a driver testing positive for marijuana (National Highway Traffic Safety Administration, 2006-2011; Colorado Department of Transportation, 2012-2017). From 2013 to 2016, THC-impaired driving in Washington State nearly tripled from 7.8% before retail sales to 19.4% one year after sales (Grondel, 2018).
Current Regulatory Failures

• No Potency Caps

• Black Market (and Cartels)

• Increased Access for Minors

• Pesticides and Contaminants

• Recommended to Pregnant Women
The Black Market in California: Alive and Well

Permitting commercial marijuana activities does not reduce or eliminate the black market. Foreign cartels are using marijuana legalization to provide cover for illicit activities.

Today, California is the epicenter of black market marijuana --activists in California counties such as Calaveras are pushing back, trying to ban cannabis farms to cut off the cartels. They say drug traffickers are importing automatic weapons and using illegal, highly toxic pesticides that are eviscerating forest animals and poisoning freshwater sources. “We’re going down the toilet bowl,” says Calaveras County Sheriff Rick DiBasilio, “and it’s not going to get any better.” January 2018

States are failing to regulate pesticide use

5 Investigates put the purity of medical marijuana to the test, working with samples bought off the shelves. Investigative reporter Kathy Curran never have been sold, but uncovered gaping holes in the state regulate marijuana safe and contaminant-free.

https://www.wcvb.com/article/5-investigates-what-s-in-your-weed/19581415
States are failing to regulate pesticide use

Pesticides and Pot: What's California Smoking?

An NBC4 I-Team investigation found evidence suggesting that pesticides could be present in a lot of marijuana legally sold in California

By Joel Grover and Matthew Glasser
Published at 10:57 PM PST on Feb 22, 2017 | Updated at 1:37 PM PST on Nov 8, 2017

Steep Hill Labs found 41 out of 44 samples, 93 percent, tested positive for pesticides, at levels high enough that those products would've been banned for sale in some other states that currently regulate the use of pesticides in marijuana products.

"It appears pesticides are very widely used" on California's marijuana crops, said Dr. Don Land, a UC Davis chemistry professor who is Steep Hill's chief scientist. "It was surprising that so many (samples) had so much contamination."
Non-publicized Recalls of Marijuana Products (In CO)

Social Justice ?
Regulate Marijuana Like Alcohol?

MARIJUANA BUSINESSES IN DENVER ARE CONCENTRATED IN NEIGHBORHOODS OF COLOR

Locations of pot businesses (dots represent businesses; neighborhoods shaded by income; lighter = lower-income)

63% African-American Workers
46% White Workers

Denver neighborhoods colored by race/ethnicity: green = White; orange = Latino; purple = Black; red = Asian; blue = Other
In the general workforce, marijuana positivity increased 4% from last year while it increased nearly 8% in the safety-sensitive workforce.

Source: Quest Diagnostics (2018)
Appropriation of Issues of Social Injustice
Minorities are still disproportionately targeted for arrests in Colorado since legalization.

In 2017, African American arrests remained unchanged since 2012 – the year Colorado legalized recreational marijuana.

Hispanic and Asian arrests have since gone up within the same period.

*Colorado Dept. Public Safety, 2018*
The 2017 marijuana-related African American arrest rate in Colorado is nearly twice that of Caucasians (233 in 100,000 versus 118 in 100,000) (Colorado Department of Public Safety, 2018). In Colorado, 39% of African American marijuana-related arrests in 2017 were made without a warrant, while only 18% of Caucasians were arrested without one (Colorado Department of Public Safety, 2018). Drug suspension rates in Colorado schools with 76% or more students of color are over two times higher compared to Colorado schools with fewer than 25% students of color (Colorado Department of Public Safety, 2016). In Denver, the average number of annual Hispanic arrests for marijuana increased by 98% since legalization (107 average annual arrests pre-legalization vs 212.25 post-legalization); the average number of arrests for African Americans increased 100.3% from 82.5 per year to 165.25 per year (Colorado Department of Public Safety, 2018).

*This figure uses data from an official report by the Colorado Division of Criminal Justice. However, due to issues with the reporting of marijuana-related crimes in Denver between 2012 and 2014, it is likely that the number of marijuana arrests made in the pre-legalization period are underestimated.
Across Colorado, minority juveniles suffered. The average number of marijuana-related arrests among Hispanic juveniles increased 7.3% (770/year to 825/year), and the average number of marijuana-related arrests among African-American juveniles increased 5.9% (230/year to 243.5/year) (Colorado Department of Public Safety, 2018).

*This figure uses data from an official report by the Colorado Division of Criminal Justice. However, due to issues with the reporting of marijuana-related crimes in Denver between 2012 and 2014, it is likely that the number of marijuana arrests made in the pre-legalization period are underestimated.
Incarcerated Population Has Not Decreased

**District of Columbia**

- **State Population**
- **Prison**

<table>
<thead>
<tr>
<th>Year</th>
<th>State Population</th>
<th>Prison</th>
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</thead>
<tbody>
<tr>
<td>2012</td>
<td>835,630</td>
<td>2288</td>
</tr>
<tr>
<td>2013</td>
<td>850,114</td>
<td>2209</td>
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<tr>
<td>2014</td>
<td>860,797</td>
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<td>2015</td>
<td>862,736</td>
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<td>2016</td>
<td>884,336</td>
<td>1,803</td>
</tr>
<tr>
<td>2017</td>
<td>903,072</td>
<td>2,043</td>
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**Colorado**

- **Prison**
- **State Population**

<table>
<thead>
<tr>
<th>Year</th>
<th>Prison</th>
<th>State Population</th>
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<tbody>
<tr>
<td>2009</td>
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<tr>
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<td>5,440,445</td>
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<tr>
<td>2017</td>
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**Alaska**

- **Prison**
- **State Population**

<table>
<thead>
<tr>
<th>Year</th>
<th>Prison</th>
<th>State Population</th>
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<td>720,784</td>
<td>738,756</td>
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<tr>
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<td>2016</td>
<td>743,592</td>
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</tr>
<tr>
<td>2017</td>
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**Questions**

- CO: SB15-124?
- AK: SB91?
True Social Justice Is Not Usually Glamourous

**SOCIAL JUSTICE THEN**

1952

My great-grandfather Bishop Smallwood E. Williams doing the first sit-in with my great-uncle Wallace, to desegregate schools in Washington D.C. in 1952

**SOCIAL JUSTICE NOW**

2018

Former Big Tobacco lobbyist and former speaker of the house John Boehner advocating for marijuana legalization in 2018
Resources

Drugabuse.gov
LearnaboutSAM.org
MarijuanaReport.org