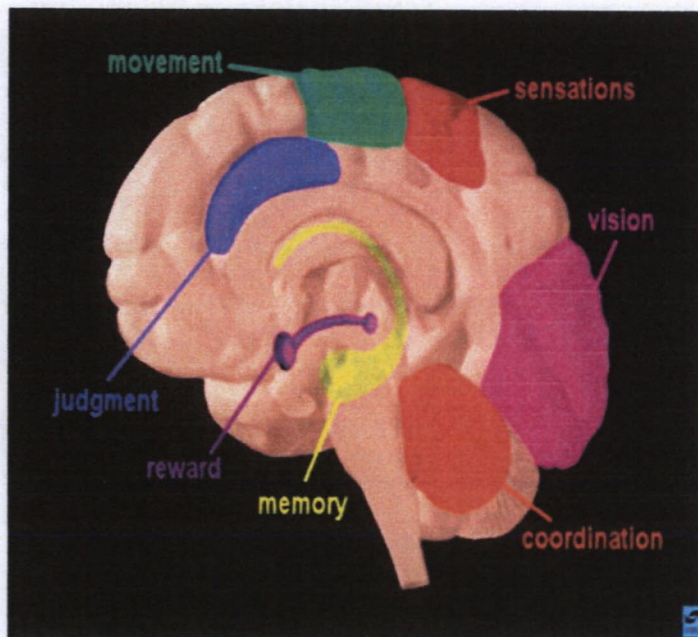
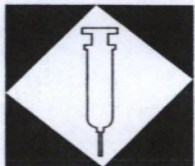


# The Legalization of Marijuana in Colorado: A 5 Year Check-Up

The legalization of marijuana in Colorado has introduced a host of problems for the state -- problems often glossed over by the pot industry and the regulators and decision makers they finance. Today's highly potent marijuana represents a growing and significant threat to public health and safety -- a threat amplified by a new marijuana industry intent on profiting from heavy use. State laws allowing marijuana have -- in direct contradiction to federal law -- permitted this industry to flourish. The full extent of the consequences of these policies will not be known for decades.



[www.MarijuanaAccountability.CO](http://www.MarijuanaAccountability.CO)



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# EXECUTIVE SUMMARY

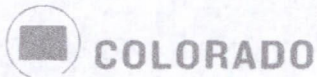
Today's highly potent marijuana represents a growing and significant threat to public health and safety, a threat that is amplified by a new marijuana industry intent on profiting from heavy use. State laws allowing marijuana have, in direct contradiction to federal law, permitted this industry to flourish, influencing both policies and policy makers. While the consequences of these policies will not be known for decades, early indicators are troubling.

Smart Approaches to Marijuana (SAM) was founded in 2013 to push back against the false dichotomy that says there are only two choices for marijuana policy: criminalization or legalization. The Marijuana Accountability Coalition (MAC) was founded in 2017 to provide a counterweight to the powerful marijuana industry special interests in Colorado.

This report, reviewed by prominent scientists and researchers, serves as an evidence-based guide to what we currently observe in various states.

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In 2012, Colorado and Washington voters passed referendums legalizing marijuana, accelerating the growth of a multi-billion dollar, addiction-for-profit industry, and causing negative impacts both inside and outside of those states. We now have five years of data, lessons learned, and negative impacts affecting both families and communities. In 2014, Oregon and Alaska legalized recreational marijuana production, sales, and possession. The District of Columbia legalized marijuana growing and possession in 2014 as well. The legalization of recreational sales has enabled the mass commercialization of high-potency products as financiers, entrepreneurs, and large companies have seized upon the opportunity to profit from customers dependent on an addictive product. The market has transitioned from marijuana for smoking to attractively packaged candies, gummies, and other edibles, with up to 99% pure concentrates.

The goal of the industry is to successfully convert young, casual users into heavy, more frequent users. Given this nation's addiction epidemic—deaths driven largely by opioids—the rise of lax legalization policies comes at an especially inopportune time. In the time that the opioid epidemic has increased, the percentage of marijuana users who are using the drug frequently has skyrocketed. This is unsurprising, as peer-reviewed research has revealed early marijuana use more than doubles the likelihood of opioid use later in life.

Although the full picture resulting from legalization will not be clear for decades, we need not wait that long to understand some key consequences.

In 2013, the U.S. Department of Justice (DOJ) decided to take a hands-off approach toward legalization at the state level. Officially, the DOJ stated it would only get involved if any of the eight requirements laid out in the Cole Memo were violated (for example, sales to minors or increases in drugged driving). Unfortunately, according to the U.S. Government Accountability Office (GAO), the DOJ took no meaningful action even as states were routinely in violation of the Cole Memo (U.S. Government Accountability Office, 2015). However, public health and safety departments and law enforcement agencies in the states where legalization has been in place the longest have produced primary data and impact reports that shine a light on how current marijuana policies are failing to protect the health of the general population.

In 2018, guidance from the DOJ returned to pre-Cole Memo policies, signaling uncertainty for the future of the marijuana industry. Despite state votes, marijuana remains illegal at the federal level and state actors violating federal law are committing felonies and risking significant consequences.

## **CHALLENGES**

### **Youth and School Impacts**

- o Since Colorado, Washington, Oregon, Alaska, and the District of Columbia (Washington, DC) legalized marijuana, past-month use of the drug has continued to rise above the national average among youth aged 12-17 in all five jurisdictions (National Survey on Drug Use and Health [NSDUH], 2006-2016).
- o Colorado currently holds the top ranking for first-time marijuana use among youth, representing a 65% increase in the years since legalization (NSDUH, 2006-2016).
- o Young adult use (youth aged 18-25) in legalized states is increasing (NSDUH, 2006-2016).
- o Colorado toxicology reports show the percentage of adolescent suicide victims testing positive for marijuana has increased (Colorado Department of Public Health & Environment [CDPHE], 2017).
- o A study in Colorado found that about 50% of youth in outpatient substance abuse treatment reported using diverted marijuana (Wilkinson, Yarnell, Radhakrishnan, Ball, & D'Souza, 2016).

### **Selling to Minors**

- o Washington state law enforcement has documented a total of 424 violations among licensed marijuana businesses. Of these, 288 violations pertained to selling marijuana to minors and 136 violations were for allowing minors access to a restricted area (Washington State Liquor and Cannabis Board [WSLCB], 2017).

### **Social Justice**

- o Colorado marijuana arrests for young African-American and Hispanic youth have increased since legalization (Colorado Department of Public Safety).
- o Colorado schools that had 25% or fewer youth of color had 313 marijuana-related suspensions compared to 658 marijuana-related suspensions for schools comprised of populations with 76% or more youth of color (CDPS, 2016).

- o The gallons of alcohol consumed in Colorado since marijuana legalization has increased by 8% (Colorado Department of Revenue [CDR], Colorado Liquor Excise Tax, 2017).

### **Hospital and ER Visits**

- o In Colorado, calls to poison control centers have risen 210% between the four-year averages before and after recreational legalization (Rocky Mountain Poison and Drug Center [RMPCD], 2017 and Wang, et al., 2017).
- o In Colorado, the annual rate of marijuana-related emergency room visits increased 35% between the years 2011 and 2015 (CDPHE, 2017).

### **The Black Market**

- o Narcotics officers in Colorado have been busy responding to the 50% increase in illegal grow operations across rural areas in the state (Stewart, 2017).
- o In 2016 alone, Colorado law enforcement confiscated 7,116 pounds of marijuana, carried out 252 felony arrests, and made 346 highway interdictions of marijuana headed to 36 different U.S. states (RMHIDTA, 2017).
- o The U.S. mail system has also been affected by the black market, seeing an 844% increase in marijuana seizures (RMHIDTA, 2017).

### **Crime**

- o The crime rate in Colorado has increased 11 times faster than the rest of the nation since legalization (Mitchell, 2017), with the Colorado Bureau of Investigation reporting an 8.3% increase in property crimes and an 18.6% increase in violent crimes (Colorado Bureau of Investigation [CBI], 2017).
- o A study funded by the National Institutes of Health showed that the density of marijuana dispensaries was linked to increased property crimes in nearby areas (Freisthler, Gaidus, Tam, Ponicki, & Gruenewald, 2017).
- o The Boulder Police Department reported a 54% increase in public consumption of marijuana citations since legalization (Boulder Police Department [BPD], 2017).

### **The Workplace**

- o Marijuana urine test results in Colorado are now double the national average (Quest Diagnostics, 2016).
- o Insurance claims have become a growing concern among companies in legalized states (Hlavac & Easterly, 2016).

### **Impaired Driving**

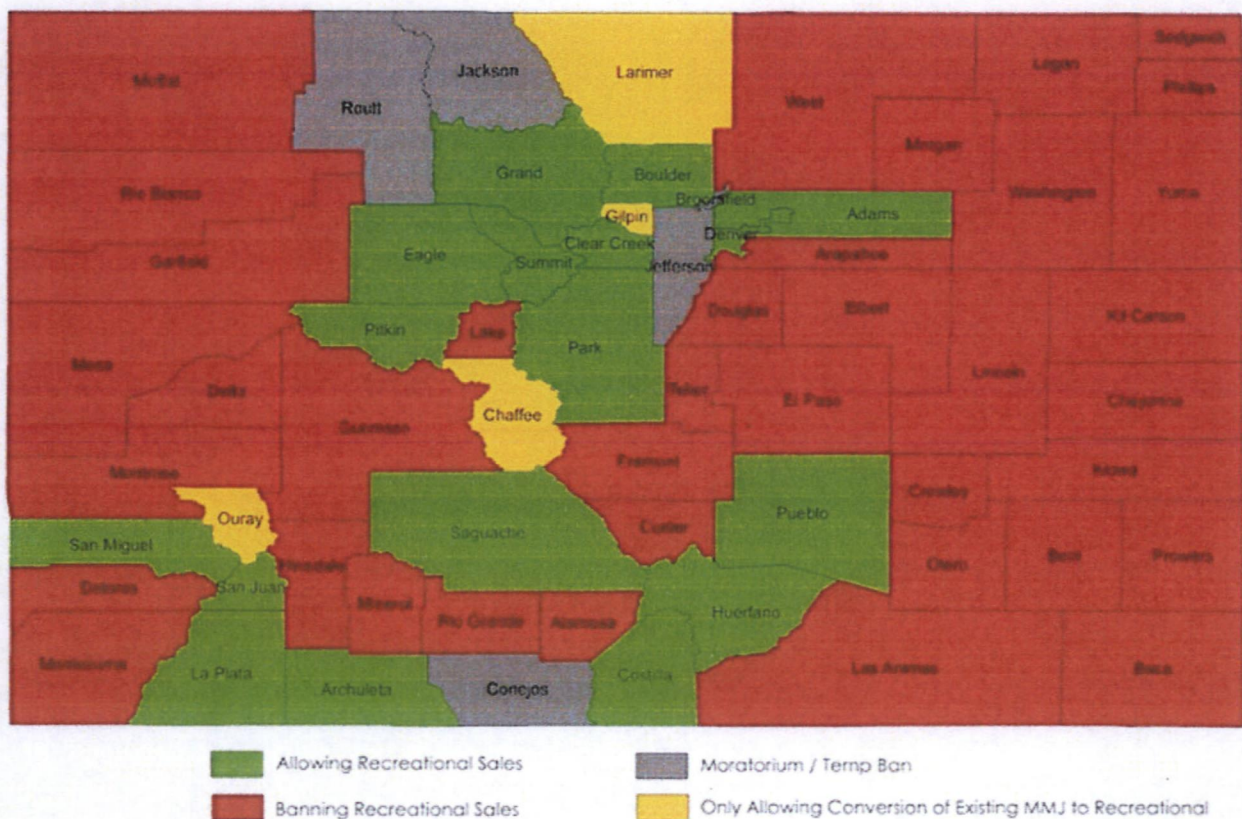
- o The number of drivers in Colorado intoxicated with marijuana and involved in fatal traffic crashes increased 88% from 2013 to 2015 (Migoya, 2017). Marijuana-related traffic deaths increased 66% between the four-year averages before and after legalization (National Highway Traffic Safety Administration [NHTSA], 2017).
- o Driving under the influence of drugs (DUIDs) have also risen in Colorado, with 76% of statewide DUIDs involving marijuana (Colorado State Patrol [CSP], 2017).

### **Citations and Further Reading**

# LOCAL MARIJUANA BANS

The rise of commercialization has inundated legalized communities with marijuana companies and paraphernalia. In Colorado, this has led to more marijuana stores than McDonald's and Starbucks combined (1,014 retail marijuana outlets, with 394 of them being located with medical marijuana outlets, versus 600 McDonald's and Starbucks).

However, a the overwhelming majority of cities and counties have banned marijuana stores in their locality. Colorado currently has 271 incorporated municipalities, comprising 196 towns, 73 cities, and two consolidated city and county governments. As of January 2018, only 70 towns and cities in Colorado had approved retail marijuana sales within their jurisdictions. The locations that have banned marijuana sales have decided that any revenue would be outweighed by the costs of marijuana use.



Source: Westword, 2015 & 2018