



## Why We Should Not Legalize Marijuana

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Contrary to the beliefs of those who advocate the legalization of marijuana, the current balanced, restrictive, and bipartisan drug policies of the United States are working reasonably well and they have contributed to reductions in the rate of marijuana use in our nation.

The rate of current, past 30-day use of marijuana by Americans aged 12 and older in 1979 was 13.2 percent. In 2008 that figure stood at 6.1 percent. This 54-percent reduction in marijuana use over that 29-year period is a major public health triumph, not a failure.

Marijuana is the most commonly abused illegal drug in the U.S. and around the world. Those who support its legalization, for medical or for general use, fail to recognize that the greatest costs of marijuana are not related to its prohibition; they are the costs resulting from marijuana use itself.

There is a common misconception that the principle costs of marijuana use are those related to the criminal justice system. This is a false premise. Caulkins & Sevigny (2005) found that the percentage of people in prison for marijuana use is less than one half of one percent (0.1-0.2 percent).

An encounter with the criminal justice system through apprehension for a drug-related crime frequently can benefit the offender because the criminal justice system is often a path to treatment.

More than a third, 37 percent, of treatment admissions reported in the Treatment Episode Data Set, TEDS, collected from state-funded programs were referred through the criminal justice system. Marijuana was an identified drug of abuse for 57 percent of the individuals referred to treatment from the criminal justice system. The future of drug policy is not a choice between using the criminal justice system or treatment. The more appropriate goal is to get these two systems to work together more effectively to improve both public safety and public health.

In the discussion of legalizing marijuana, a useful analogy can be made to gambling. MacCoun & Reuter (2001) conclude that making the government a beneficiary of legal gambling has encouraged the government to promote gambling, overlooking it as a problem behavior. They point out that "the moral debasement of state government is a phenomenon that only a few academics and preachers bemoan."

Legalized gambling has not reduced illegal gambling in the United States; rather, it has increased it. This is particularly evident in sports gambling, most of which is illegal. Legal gambling is taxed and regulated and illegal gambling is not. Legal gambling sets the stage for illegal gambling just the way

legal marijuana would set the stage for illegal marijuana trafficking.

The gambling precedent suggests strongly that illegal drug suppliers would thrive by selling more potent marijuana products outside of the legal channels that would be taxed and otherwise restricted. If marijuana were legalized, the only way to eliminate its illegal trade, which is modest in comparison to that of cocaine, would be to sell marijuana untaxed and unregulated to any willing buyer.

Marijuana is currently the leading cause of substance dependence other than alcohol in the U.S. In 2008, marijuana use accounted for 4.2 million of the 7 million people aged 12 or older classified with dependence on or abuse of an illicit drug. This means that about two thirds of Americans suffering from any substance use disorder are suffering from marijuana abuse or marijuana dependence.

If the U.S. were to legalize marijuana, the number of marijuana users would increase. Today there are 15.2 million current marijuana users in comparison to 129 million alcohol users and 70.9 million tobacco users. Though the number of marijuana users might not quickly climb to the current numbers for alcohol and tobacco, if marijuana was legalized, the increase in users would be both large and rapid with subsequent increases in addiction.

Important lessons can be learned from those two widely-used legal drugs. While both alcohol and tobacco are taxed and regulated, the tax benefits to the public are vastly overshadowed by the adverse consequences of their use.

Alcohol-related costs total over \$185 billion while federal and states collected an estimated \$14.5 billion in tax revenue; similarly, tobacco use costs over \$200 billion but only \$25 billion is collected in taxes. These figures show that the costs of legal alcohol are more than 12 times the total tax revenue collected, and that the costs of legal tobacco are about 8 times the tax revenue collected. This is an economically disastrous tradeoff.

The costs of legalizing marijuana would not only be financial. New marijuana users would not be limited to adults if marijuana were legalized, just as regulations on alcohol and tobacco do not prevent use by youth. Rapidly accumulating new research shows that marijuana use is associated with increases in a range of serious mental and physical problems. Lack of public understanding on this relationship is undermining prevention efforts and adversely affecting the nation's youth and their families.

Drug-impaired driving will also increase if marijuana is legalized. Marijuana is already a significant causal factor in highway crashes, injuries and deaths. In a recent national roadside survey of weekend nighttime drivers, 8.6 percent tested positive for marijuana or its metabolites, nearly four times the percentage of drivers with a blood alcohol concentration (BAC) of .08 g/dL (2.2 percent).

In another study of seriously injured drivers admitted to a Level-1 shock trauma center, more than a quarter of all drivers (26.9 percent) tested positive for marijuana. In a study of fatally injured drivers in Washington State, 12.7 percent tested positive for marijuana. These studies demonstrate the high prevalence of drugged driving as a result of marijuana use.

Many people who want to legalize marijuana are passionate about their perception of the alleged failures of policies aimed at reducing marijuana use but those legalization proponents seldom—if ever—describe their own plan for taxing and regulating marijuana as a legal drug. There is a reason for this imbalance; they cannot come up with a credible plan for legalization that could deliver on their exaggerated claims for this new policy.

Future drug policies must be smarter and more effective in curbing the demand for illegal drugs including marijuana. Smarter-drug prevention policies should start by reducing illegal drug use among the 5 million criminal offenders who are on parole and probation in the U.S. They are among the nation's heaviest and most problem-generating illegal drug users.

Monitoring programs that are linked to swift and certain, but not severe, consequences for any drug use have demonstrated outstanding results including lower recidivism and lower rates of incarceration. New policies to curb drugged driving will not only make our roads and highways safer and provide an important new path to treatment, but they will also reduce illegal drug use.

Reducing marijuana use is essential to improving the nation's health, education, and productivity. New policies can greatly improve current performance of prevention strategies which, far from failing, has protected millions of people from the many adverse effects of marijuana use.

Since legalization of marijuana for medical or general use would increase marijuana use rather than reduce it and would lead to increased rates of addiction to marijuana among youth and adults, legalizing marijuana is not a smart public health or public safety strategy for any state or for our nation.

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