

## *Marijuana Legalization Issues*

### **Marijuana Use**

- **Because they are accessible and available, our legal drugs are used far more than our illegal ones.** According to recent surveys, alcohol use is used by 52% of Americans and tobacco is used by 27% of Americans. Marijuana is used by 8% of Americans.<sup>i</sup>
- When RAND researchers analyzed California's 2010 effort to legalize marijuana, they concluded that the price of the drug could **plummet and therefore marijuana consumption could increase.**<sup>ii</sup>
- According to data from the 2012 National Survey of American Attitudes on Substance Abuse, **alcohol and cigarettes were the most readily accessible substances for youth 12 to 17 to obtain**, with 50% and 44%, respectively, reporting that they could obtain them within a day. Youth were *least* likely to report that they could get marijuana within a day (31%); 45% report that they would be unable to get marijuana at all.<sup>iii</sup>

### **Tax Revenue**

- Because marijuana legalization would increase use, any tax revenue gained from legal marijuana would be quickly offset by the social costs. Our examples with legal drugs provide some clarity:
  - Federal excise taxes collected on alcohol in 2007 totaled around \$9 billion; states collected around \$5.5 billion. Combined, these amounts are less than 10 percent of the estimated \$185 billion in alcohol-related costs to health care, criminal justice, and the workplace in lost productivity.<sup>iv</sup>

- Tobacco does not yield net revenue when taxed. Each year, Americans spend more than \$200 billion on the social costs of smoking, but only about \$25 billion is collected in taxes.<sup>v</sup>
- Daniel Okrent, whose research into Prohibition inspired Burns' series, wrote last year, *"The history of the intimate relationship between drinking and taxing suggests ... that ... [people] indulging a fantasy of income tax relief emerging from a cloud of legalized marijuana smoke should realize that it is likely only a pipe dream."*<sup>vi</sup>

### Criminal Justice System

- People are not put in prison for small time marijuana use today. Statistics on state-level prisoners reveal that 0.7% of all state inmates were behind bars for marijuana possession only (with many of them pleading down from more serious crimes).<sup>vii</sup>
- Under legalization, *more* people, not fewer, will be ensnared in the criminal justice system. A fact most people do not know is that alcohol – a legal drug -, not cocaine, heroin, or marijuana, is responsible for **2.6 million** arrests every year. That is one million *more* arrests than for **all illegal drugs combined**.<sup>viii</sup>

### Legalization and the Black Market

- We also know that the promise of ending violent cartels is far from reality. [A recent RAND report](#) showed that Mexican drug trafficking groups only received a minority of their revenue from marijuana. For them, the big money is found in illegal trade such as human trafficking, kidnapping, extortion, piracy and other illicit drugs.<sup>ix</sup> So they are likely to stay around, legal marijuana or not.<sup>x</sup>

### European Experiences

- Independent research reveals that in the Netherlands, where marijuana was legalized and sold openly at "coffee shops," marijuana use among young adults increased almost 300 percent after a wave of commercialization. (15% to 44% lifetime use of young adults; past year use doubled)<sup>xi</sup>
- There are signs that tolerance for marijuana in the Netherlands is receding. They recently have closed hundreds of coffee shops, and today Dutch citizens have a higher likelihood of being admitted to treatment than nearly all other countries in Europe.<sup>xii</sup>
- In Portugal, use levels are mixed, and despite reports to the contrary, they have **not** legalized drugs. In 2001, Portugal started to refer drug users to three person "panels of social workers" that recommend treatment or

another course of action. Use of cocaine did double, but HIV rates slowed and yet drug deaths have been on the rise. These mixed results may or may not have anything to do with the new policy. As the European Monitoring Center's findings concluded: "the country does not show specific developments in its drug situation that would clearly distinguish it from other European countries that have a different policy." <sup>xiii</sup>

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<sup>i</sup> National Survey on Drug Use and Health. (2012). SAMHSA.

<sup>ii</sup> Kilmer, Beau, Jonathan P. Caulkins, Rosalie Liccardo Pacula, Robert J. MacCoun and Peter H. Reuter. *Altered State? Assessing How Marijuana Legalization in California Could Influence Marijuana Consumption and Public Budgets*. Santa Monica, CA: RAND Corporation, 2010. [http://www.rand.org/pubs/occasional\\_papers/OP315](http://www.rand.org/pubs/occasional_papers/OP315)

<sup>iii</sup> Adapted by CESAR from The National Center on Addiction and Substance Abuse at Columbia University (CASA), *National Survey of American Attitudes on Substance Abuse XVII: Teens*, 2012. Available online at <http://www.casacolumbia.org/upload/2012/20120822teensurvey.pdf>

<sup>iv</sup> See <http://www.taxpolicycenter.org/taxfacts/displayafact.cfm?Docid=399>. Also Harwood, H. (2000), *Updating Estimates of the Economic Costs of Alcohol Abuse in the United States: Estimates, Update Methods and Data*. Report prepared for the National Institute on Alcoholism and Alcohol Abuse.

<sup>v</sup> State estimates found at <http://www.nytimes.com/2008/08/31/weekinreview/31saul.html?em>; Federal estimates found at [https://www.policyarchive.org/bitstream/handle/10207/3314/RS20343\\_20020110.pdf](https://www.policyarchive.org/bitstream/handle/10207/3314/RS20343_20020110.pdf); Also see <http://www.tobaccofreekids.org/research/factsheets/pdf/0072.pdf>; Campaign for Tobacco Free Kids, see "Smoking-caused costs," on p.2.

<sup>vi</sup> *Prohibition: A film* by Ken Burns and Lynn Novick. PBS, 2011.

<sup>vii</sup> "Substance Abuse and Treatment, State and Federal Prisoners, 1997." BJS Special Report, January 1999, NCJ 172871. <http://www.ojp.usdoj.gov/bjs/pub/pdf/satsfp97.pdf>

<sup>viii</sup> Federal Bureau of Investigation (2011). *Crime in the United States: 2011*. Available from: <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2011/crime-in-the-u.s.-2011>

<sup>ix</sup> Kilmer, Beau, Jonathan P. Caulkins, Brittany M. Bond and Peter H. Reuter. *Reducing Drug Trafficking Revenues and Violence in Mexico: Would Legalizing Marijuana in California Help?*. Santa Monica, CA: RAND Corporation, 2010. [http://www.rand.org/pubs/occasional\\_papers/OP325](http://www.rand.org/pubs/occasional_papers/OP325).

<sup>x</sup> Kilmer, Beau, Jonathan P. Caulkins, Brittany M. Bond and Peter H. Reuter. *Reducing Drug Trafficking Revenues and Violence in Mexico: Would Legalizing Marijuana in California Help?*. Santa Monica, CA: RAND Corporation, 2010. [http://www.rand.org/pubs/occasional\\_papers/OP325](http://www.rand.org/pubs/occasional_papers/OP325).

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<sup>xi</sup> MacCoun, R. & Reuter, P. (1997). Interpreting Dutch cannabis policy: Reasoning by analogy in the legalisation debate. *Science*, 278(3): 47–52; cf. de Zwart, W. & van Laar, M. (2001). Cannabis regimes. *British Journal of Psychiatry*, 178: 574-5

<sup>xii</sup> MacCoun, R., calculations using 21 data from EMCDDA 2009 (Tables TDI-1 [new clients], TDI-3 [% with cannabis as primary drug], and GPS-3 [last-year users aged 15-64] and Eurostat-Statistics in Focus (2008; Table 2 [2007 population data]). Found in [http://www.rand.org/content/dam/rand/pubs/working\\_papers/2010/RAND\\_WR768.pdf](http://www.rand.org/content/dam/rand/pubs/working_papers/2010/RAND_WR768.pdf)

<sup>xiii</sup> European Monitoring Center for Drugs and Drug and Addiction. (2011). Drug Policy Profiles- Portugal. <http://www.emcdda.europa.eu/publications/drug-policyprofiles/portugal>, page 24. Also see