

From: Carol Bernabei <cbernabei@dfaf.org>

Sent: Monday, March 14, 2016 3:12 PM

Subject: Testimony Regarding SB 241 Scheduled for Hearing on 3/16/2016



**Testimony Regarding Senate Bill 241- Legislation Seeking to Legalize, Tax and
Regulate Marijuana for Recreational Purposes
Submitted on March 14, 2016
To the Vermont House Committee on the Judiciary
By Calvina Fay, Executive Director, Save Our Society From Drugs**

Dear Committee Members:

We respectfully request that this testimony, on behalf of Save Our Society From Drugs, a national drug policy organization with members in the state of Vermont, be included in the public hearing scheduled for March 16, 2016 pertaining to the legalization of marijuana.

Save Our Society From Drugs, (S.O.S.) has over fifteen years of experience in monitoring and making policy recommendations on drug policy issues including those pertaining to marijuana legalization. S.O.S. takes a comprehensive approach to promote sound drug policy that includes education, prevention, abstinence-based treatment, scientific research, and community awareness. Our members include doctors, researchers, law enforcement officials, business leaders, lawyers, and parents.

Legalizing marijuana, possession, cultivation and a marijuana retail market will have a significant negative impact on the state of Vermont.

Marijuana Is Not Harmless

Marijuana is not a harmless drug. Those advocating legalization, taxation and regulation would have you believe otherwise. Regular use of marijuana compromises the ability to learn and remember information by impairing the ability to focus, sustain, and shift attention. Long term use reduces the ability to organize and integrate complex information. Research studies demonstrate that marijuana is toxic and contributes to a variety of illnesses including: birth defects, respiratory damage, cancer, strokes, brain damage, infertility and the escalation of mental illnesses such as depression, anxiety and schizophrenia.

Marijuana is addictive

According to the world's top medical researchers, marijuana is physically and psychologically addictive. In 2013, the average level of THC, marijuana's active

ingredient, was 15%. That's a significant increase from the early-to-mid-70s when THC potency was less than 1%. Higher potency is leading to increased emergency room visits and admissions to drug treatment programs. Marijuana use is the number one reason adolescents are admitted to treatment and ranks number two (behind alcohol) for adults.

Legalizing the Possession, Cultivation and Use of Marijuana Will Institutionalize Drug Trafficking

One must consider that 1 ounce can produce 60-120 marijuana joints while 1 plant can produce as much as 5 pounds of marijuana. This legislation would institutionalize drug trafficking in the state.

Impact on Youth

Drug use has surged in states that have legalized and normalized a "Big Marijuana" industry. According to Children's Hospital of Colorado's Emergency Department, that state saw marijuana-related exposure for children age five and under increase 268% between 2010 and 2013. Moreover, the most recent National Survey on Drug Use and Health reports that marijuana use by high-school aged youth in Colorado is 56% higher than the national average. The same report indicated that Washington State saw a reported past-month use of 10.06% versus 7.22% nationally. In Vermont, from 2013-2014, the average past-year use of marijuana was 11.4%. Vermont is already well above the national average for youth reporting use of marijuana. It could be expected that use will only increase with legalization.

Legalizing Marijuana Will Not Eliminate the "Black Market"

Some argue that legalizing, taxing and regulating pot would eliminate the "black market" for marijuana sales, and that it should be regulated as tobacco and/or alcohol. However, the evidence indicates a different story. For example, according to a 2015 Rocky Mountain High Intensity Drug Trafficking Area (HIDTA) report, Colorado has become a "source state" for the marijuana black market, with pot selling for \$2,000 per pound within the state of Colorado, \$4,000 per pound across state lines and as much as \$6,000 per pound on the east coast. This clearly indicates the black market still persists in and out of Colorado even though marijuana is legal there. While marijuana is still not legal in Colorado for minors, the black market heavily targets this remaining market.

According to a pro-legalization website, retail marijuana in the state of Washington sells for \$60.25 per 1/8 of an ounce, while one can get the same amount on the black market for less than half, at \$29. Thus the black market in Washington has also not been eliminated in spite of marijuana's legal status there. Is this what Vermont wants for its citizens?

Marijuana's black market will continue to exist and will heavily target our youth, to whom proposed legalization laws would not apply, and to adults looking to avoid paying the higher prices levied to create a regulatory system. An Associated Press article pointed out that Washington, which legalized marijuana for recreational purposes in 2012, has seen an explosion of marijuana on the black market. Marijuana dispensaries there are boldly advertising that they will "sell outside the legal system" in an attempt to capitalize

on differences in taxes levied on recreational pot versus taxes levied on “medicinal” marijuana.

Legalizing, Taxing and Regulating Marijuana Has Not Led to Economic Windfalls

Pro-pot advocates also mislead lawmakers into thinking that legalizing marijuana will provide an economic windfall for states. Yet ABC News reported that marijuana growers in Washington State were suffering substantial supply losses because there were simply too many growers and not enough demand for the product. Andrew Seitz, the general manager of Seattle’s Dutch Brothers Farms, described the situation in Washington as “an economic disaster” in an interview with the Associated Press. In other words, marijuana may wind up generating far fewer jobs and tax revenue than anticipated in Washington. Likewise, the Governor of Colorado says that legalized pot hasn’t been an “economic miracle.”

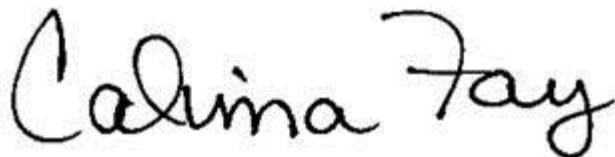
Drugged Driving Could Increase

This legislation could increase drugged driving incidents. It will be impossible to determine through drug testing if an individual smoked marijuana immediately before getting behind the wheel or the night before. Furthermore, according to the Rocky Mountain HIDTA, from 2007 to 2012 traffic fatalities involving operators testing positive for marijuana doubled, while the Colorado State Patrol reported that, in 2014, drugged-driving has increased with 77 % of drug-driving suspects testing positive for marijuana and/or other substances.

According to recently released data from the Washington Traffic Safety Commission, after implementing marijuana legalization in the state, the number of drivers involved in deadly crashes who tested positive for marijuana increased 48% from 2013 to 2014. The report indicates the percentage of drivers testing positive for active THC has steadily increased, from less than half of marijuana-positive drivers in 2010 up to almost 65% of drivers in 2013. In 2014, an alarming 85% of drivers (75 of 89) testing positive for marijuana were positive for what the state has determined as impairing THC levels. The commercialization of marijuana has increased drugged driving incidents in Colorado as well, where they report a 114% increase in traffic fatalities with at fault drivers testing positive for marijuana.

I hope that you will consider these findings and reject any efforts to legalize marijuana for recreational purposes. We would be happy to provide you with additional information or discuss this issue further with you, if you so desire.

Sincerely,

A handwritten signature in black ink that reads "Calvina Fay". The signature is written in a cursive, flowing style.

Calvina Fay
Executive Director