

REMARKS OF DAVE SILBERMAN, ESQ.  
TO THE  
HOUSE COMMITTEES ON JUDICIARY AND GOVERNMENT OPERATIONS  
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Good evening, Representatives, and thank you for your time. My name is Dave Silberman, and I'm an attorney in Middlebury. I've spoken with many of you in the past about the "how's" of marijuana legalization, and what specific steps the House could take to make S.241 work better for all Vermonters, but tonight I want to say a few words about the "why's" of legalization instead.

We've heard countless times from prohibitionists that marijuana is not a risk-free proposition. While they often overstate the case, the fundamental premise is true: marijuana is not risk-free.

But what the prohibitionists never tell you is that these risks already exist, and are neither created nor exacerbated by legalization. Because, let's face it, Vermonters are going to keep on using marijuana whether it's legal or not. But by keeping marijuana illegal, the House of Representatives would be turning a blind eye to the public health impacts, instead of actually trying to address them -- and strengthening organized crime instead of our communities.

The most important risks to consider, in my view, are those revolving around underage access and use. As a father of two school-age children, I look at the current state of marijuana in Vermont and shudder. Our own Department of Health tells us that 75% of our high school seniors report that marijuana is quote-unquote "easy to get" (by the way, that's compared to 50% of adults over the age of 35), and that nearly 30% of our 12th graders use marijuana at least once a month -- well above the national average.

Members, this is the *current* state of affairs. After nearly a century of vilifying marijuana and locking users up in jail for non-violent, victimless offenses, marijuana is *ubiquitously* available to kids. More easily available to kids, in fact, than to adults.

*You* have a choice, however.

You can get rid of today's shady underground dealers, who have no compunction about selling to kids, and replace them with reputable, licensed retailers who check ID and get inspected, and who will make substantial financial investments in their businesses that they will be loathe to lose by breaking the rules.

You can finally separate the sale of marijuana from the sale of much more harmful, highly addictive substances which form our real drug problem.

And you can direct the revenues that this system generates towards effective, evidence-based education, prevention and treatment programs that will succeed where prohibition and appeals to morality have failed.

We've seen how smart public health initiatives have drastically reduced teen cigarette smoking rates over the past 20 years, and we can do the same with marijuana – but only if we make a real effort.

Moreover, with the kind of moderate, phased-in approach laid out in S.241, you can make mid-course corrections to address any unintended consequences as they arise.

It's your choice. You can listen to the clear majority of Vermonters who, like me, want you to address the risks head-on. Or you can choose to do nothing, and hope that these risks will go away on their own if we just stopped talking about it.

I hope you will make the right choice. I urge you to fix S.241,  
then pass it.

Thank you.