

Dear, Chair Grad and members of the House Judiciary Committee

As a father, a Vermonter, and a high school Student Assistance Program Counselor (SAP) for over a decade, I'm writing to you to express my concern regarding bill s.241.

As you weed through this discussion you may hear a lot of conflicting information. The legalization side has controlled the debate and unfortunately has misled most Vermonters. The marijuana industry has done a wonderful job of creating this ambivalence around this drug. Advocates for legalization speak about the problem of prohibition, benefits of regulation for less access and destroying the black market, which then provides a revenue stream. The advocates for public health use science and data to contradict these arguments, though this voice has been mostly overwhelmed by the constant flood of misinformation from well-funded marijuana organizations.

Here are the two main points put forth by legalization advocates and even some Vermont lawmakers:

- 1) Vermont's marijuana policies and laws have failed - prohibition has failed.
- 2) Legalization and regulation will prevent access and stop the drug dealers and give Vermont a revenue stream.

Although, legalization advocates keep saying these things, here is the factual evidence:

- 1) Vermont marijuana laws and policies have **not** failed.

Marijuana use rates have dropped in Vermont for high school students. In 1995, **29%** of Vermont high school students reported using marijuana on a frequent basis (used in the past 30 days). This use rate had dropped to **22%** by 2015. This is a drop of seven points in twenty years, a tremendous success. These numbers are very similar to tobacco use rates, which Vermont is extremely proud of. In fact, most Vermonters may have seen the "8-10 do not smoke" campaign. Some legalization advocates point to Vermont's success with tobacco rates as an example of Vermont regulating a substance successfully. However, these individuals fail to remember that Vermont and other states had to sue the tobacco industry for deception and lies to the American people. The marijuana industry has taken over Big Tobacco's playbook.

An interesting note reported in the RAND Report is that the last time there was a big push for marijuana legalization was during the 1970's. At this time attitudes towards marijuana were extremely liberal. The national average for high school students reporting using marijuana on a regular basis then was **45%**; the national average now is **15%**. Look how far we have come. Do we want to go back there?

Additionally, the 2015 Vermont Youth Risk Behavior Survey (YRBS) tells us that **69%** of youth report that alcohol and tobacco are easy to get, 7% higher than marijuana. Some lawmakers ask students (even their own kids) if it is easy to obtain marijuana, and inevitably the student responds yes. There is some truth to that, but there is a real distinction. It is easier for kids to hide marijuana at school than it is a bottle of booze. It is even easier for kids to conceal prescription drugs at school than other drugs. So if asked, students will say it is easy to get marijuana in schools, but overall it is easier to get legal substances over illegal substances.

To move beyond youth, it would be erroneous to say that Vermont's decriminalization was a failure. VT's marijuana arrests rates have gone down **94.8%** since decriminalization was implemented. This means law enforcement is spending less time with simple possession and spending more time protecting their communities in other ways. Unfortunately, if s.241 passes, Vermont will more than likely see a steady rise in marijuana arrests for traffic safety issues, public use and intoxication, and distributing to minors.

Prohibition is an emotional trigger word. That's the reason why legalization advocates use it. It's fascinating how many people still believe alcohol prohibition was a failure; it may have failed politically but succeeded in its purpose - to deter use and support public health.

The definition of prohibition is to forbid use and possession. Vermont does not fully prohibit Vermonters from consuming or possessing marijuana. We have decriminalization and marijuana for medical use. Prohibition has not failed in Vermont, because it simply doesn't exist.

Lastly, around the notion of failed policy, some lawmakers and legalization advocates use the RAND Report's number of 80,000 Vermonters who smoke marijuana as evidence to advance their cause. 80,000 is a large number, but when put in context, 80,000 is only about 12% of Vermont's total population. But wait, there's more. What the legalization folks fail to say is that the 80,000 figure is comprised of all users, **12 year olds and up**. Vermont will not be selling to 12 year olds or 16 year olds, so the real number of marijuana users **of age** in Vermont is something like 8-10% of the total population. Which means that, of the Vermonters 21 and older, **90-92% do not smoke marijuana**. How is that a failure? This is an addictive substance, described by RAND Report co-author Jonathan Caulkins as "a performance-degrading drug and, more dangerously, as a temptation commodity with habituating tendencies." Don't we want to have fewer users?

2) The legalization and regulation argument is false as well. Quite frankly, Vermonters know all too well that full-scale commercialization and regulation is not always the better alternative. Vermont leads the country in underage drinking and we are struggling how to deal with a prescription drug crisis.

Furthermore, if we look at Colorado, they now lead the country in marijuana use in every age category. If regulation is supposed to work, then Colorado's rates should be going down not up, at least for 12-17 year olds, but their use rate went up 20% in the first two years of legalization there. Additionally, all reports show that the grey market is thriving. Even if Vermont doesn't allow homegrown, there will always be a black market for those underage.

Revenue is a pipe dream. The societal costs of legalizing marijuana will far outweigh any revenue created by the state. For every \$1.00 generated in either alcohol or tobacco tax revenue, \$10.00 is spent to deal with the societal costs of the drug. Just one mental health disorder associated with marijuana use – schizophrenia – would cost the state an additional \$4.9 to 11.9 million per year if Vermont commercialized marijuana.

Okay...now let's forget about all the statistics and just focus on some questions that we as a state need to answer before voting to approve full scale commercialization of another psycho-active drug:

- How does s.241 make our roads safer?
- How does s.241 decrease VT's health care costs?
- How does s.241 improve education?
- How does s.241 decrease education costs?
- How does s.241 help our environment?
- How does s.241 help our carbon footprint and energy consumption?
- How does s.241 help our communities?
- How does s.241 help families?
- How does s.241 help employers?
- How does s.241 help Vermont's Public Health?
- How does s.241 help Vermont's future?
- How does s.241 serve ALL Vermonters?
- How does s.241 make our state better?

Why pass s.241, if s.241 can't accomplish these important goals?

Respectfully,

Tim Trevithick