



## The Truth about Rocky Mountain HIDTA Reports

Defenders of marijuana prohibition frequently rely on statistics from reports published by the Rocky Mountain High Intensity Drug Trafficking Area (RMHIDTA), a federally funded task force, to bolster their arguments. The statistics presented in these reports sound alarming, but they do not accurately reflect the effects of legalization and regulation in Colorado. A recent article at Forbes.com described the reports as “indictments masquerading as objective assessments,” and noted that the reports themselves include numerous footnotes that explain why alarmist conclusions should not be drawn from some of the statistics.<sup>1</sup> Additionally, Jon Hudak — a senior fellow at the nonpartisan Brookings Institute who has authored several reports on marijuana policies — described the report as “garbage.”<sup>2</sup> Here are a few of the statistics that have been used to mislead policymakers and voters:

### Roadway Fatalities

**MISLEADING RMHIDTA STATISTIC:** “Marijuana-related traffic deaths increased 48% in the three-year average (2013-2015) since Colorado legalized recreational marijuana compared to the three-year average (2010-2012) prior to legalization.”<sup>3</sup>

**EXPLANATORY RMHIDTA FOOTNOTES:** “This report will cite datasets with terms such as ‘marijuana-related’ or ‘tested positive for marijuana.’ That does not necessarily prove that marijuana was the cause of the incident.”<sup>4</sup>

“The data for 2012 through 2015...represents 100% reporting. Prior year(s) may have had less than 100% reporting.”<sup>5</sup>

**CONTEXT FROM THE COLORADO GOVERNOR’S OFFICE:** “The hardest part about drugged driving is that we weren’t tracking it before we legalized marijuana.”<sup>6</sup> “We have a lot of different data problems because a lot of the stuff hasn’t been policed before. If it has, it hasn’t been specifically pulled out for marijuana before. DUID is probably the place where data is hardest to interpret, and what our Department of Transportation would tell is that we have not yet drawn any conclusions about what we’re seeing on the road in terms of safety due to access to marijuana.”<sup>7</sup>

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<sup>1</sup> “Dishonest Government Report Assumes Marijuana Legalization Has No Benefits.” September 8, 2016. <http://www.forbes.com/sites/jacobsullum/2016/09/08/dishonest-government-report-assumes-marijuana-legalization-has-no-benefits/#2ff2fdab2b35>

<sup>2</sup> “Colorado pols paint dark picture in anti-pot commercials in other states” The Denver Post. October 31, 2016. <http://www.denverpost.com/2016/10/31/anti-pot-commercials-paint-dark-picture-other-states/>

<sup>3</sup> *Legalization of Marijuana in Colorado: The Impact, Vol. 4.* September 2016. Page 13. <http://www.rmhidta.org/html/2016%20FINAL%20Legalization%20of%20Marijuana%20in%20Colorado%20The%20Impact.pdf>

<sup>4</sup> *Ibid*, page 11.

<sup>5</sup> *Ibid*, page 14.

<sup>6</sup> Freedman, Andrew. Director, Colorado Governor’s Office of Marijuana Coordination. Testimony via phone for Vermont Senate Judiciary Committee, January 20, 2016.

<sup>7</sup> Freedman, Andrew. Testimony in Vermont House Judiciary Committee, March 30, 2016.

MISLEADING RMHIDTA STATISTIC: “In 2014, when retail marijuana businesses began operating, there was a 32% increase in marijuana-related traffic deaths in just one year from 2013.”<sup>8</sup>

EXPLANATORY RMHIDTA FOOTNOTE: “The confirmation cutoff for Positive THC changed from 2ng/mL (2009-2013) to 1 ng/mL (2014). Based on available data, it is estimated ~18% of cases would fall between 1 and 2 ng/mL.”<sup>9</sup>

### **Emergency Room Visits**

MISLEADING RMHIDTA STATISTIC: “In 2014, when retail marijuana businesses began operating, there was a 29% increase in the number of marijuana-related emergency room visits in only one year.”<sup>10</sup>

EXPLANATORY RMHIDTA FOOTNOTE: “Marijuana use is not necessarily related to the underlying reason for the [emergency room] visit.” “[Data prior to 2014] does not represent complete, statewide participation. Increases observed over these three years may be due partly, or completely, to increases in reporting by emergency rooms.”<sup>11</sup>

### **Youth Consumption**

MISLEADING RMHIDTA STATISTIC: “Youth past month marijuana use increased 20% in the two year average (2013/2014) since Colorado legalized recreational marijuana compared to the two-year average prior to legalization (2011/2012). SOURCE: SAMHSA.gov, National Survey on Drug Use and Health 2013 and 2014.”

QUOTE FROM AUTHOR OF STUDY: Arthur Hughes, the SAMHSA study’s principal author, indicated that the increase in use rates from 2012 to 2014 was statistically insignificant: “Colorado’s rates are statistically the same from ’13 to ’14.”<sup>12</sup>

CONTEXT: The state-administered Healthy Kids survey, which gathers data from a much larger sample of teens than SAMHSA, found that adolescent use has slightly decreased (within the margin of error) since marijuana was legalized for adult use.<sup>13</sup> As the Colorado Department of Public Health and Environment explained in a press release, “The survey shows marijuana use has not increased since legalization, with four of five high school students continuing to say they don’t use marijuana, even occasionally.”<sup>14</sup>

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<sup>8</sup> *Legalization of Marijuana in Colorado: The Impact, Vol. 3*. September 2015. Page 14.

<http://www.rmhidta.org/html/2015%20FINAL%20LEGALIZATION%20OF%20MARIJUANA%20IN%20COLORADO%20THE%20IMPACT.pdf>

<sup>9</sup> *Ibid*, page 23.

<sup>10</sup> *Ibid*, page 76.

<sup>11</sup> *Ibid*, page 79.

<sup>12</sup> “Teen pot use: Colorado leads U.S., but state’s youth use remains unchanged.” *The Cannabist*: December 21, 2015. <http://www.thecannabist.co/2015/12/21/teen-pot-use-colorado-marijuana/45367/>

<sup>13</sup> <https://www.colorado.gov/pacific/cdphe/hkcs>

<sup>14</sup> June 20, 2016. <https://www.colorado.gov/pacific/cdphe/news/HKCS2015>