

The Rocky Mountain HIDTA report: can you believe it?

Opponents of marijuana regulation in Vermont, including several law enforcement officers and the mayor of Rutland, have based much of their testimony on a report published in September 2015 by the Rocky Mountain High Intensity Drug Trafficking Area (RMHIDTA).¹ This report contains some scary-sounding statistics, to be sure. But what is RMHIDTA, and is it an objective source of credible information about the effects of marijuana regulation in Colorado?

RMHIDTA director Tom Gorman provided this helpful explanation to the Senate Transportation Committee: “We are federally funded under the Office of National Drug Control Policy.”² This answer, of course, begs a second question: is the Office of National Drug Control Policy (ONDCP, a.k.a. the “Drug Czar’s Office”) an objective source of credible information on marijuana policy?

The answer is plainly **no**. Believe it or not, **the ONDCP is actually required by law to oppose the legalization of marijuana or any other Schedule I substance**. Specifically, the ONDCP Reauthorization Act of 1998 requires it to “ensure that no Federal funds... shall be expended for any study or contract relating to the legalization of a substance (for a medical use or any other use) listed in schedule I [of the Controlled Substances Act] and take such actions as necessary to oppose any attempt to legalize the use of” any Schedule I substance.³

If you find this shocking, you are not alone. Congressman Steve Cohen (D-Tennessee) has introduced a bill called the “Unmuzzle the Drug Czar Act” seeking to strip this language from the agency’s authorization, but the bill has not gained traction in Congress.⁴

A detailed critique of the RMHIDTA’s misleading report has been published at Forbes.com.⁵

Fortunately, the Senate Judiciary Committee was able to hear testimony from Andrew Freedman, Director of the Colorado Governor’s Office of Marijuana Coordination, and this helped put the conclusions of the RMHIDTA report into perspective. Mr. Freedman told a very different story about what is happening with marijuana regulation in Colorado:

“It would be inaccurate to say that we have any specific data that something terrible is happening. What our head of Public Health says is at this point there’s no red flags we would wave, there are things we would say hey, we need to keep an eye on that for the next couple of years.”⁶

¹ “Legalization of Marijuana in Colorado: The Impact, Volume 3.” <http://www.rmhidta.org/html/2015%20FINAL%20LEGALIZATION%20OF%20MARIJUANA%20IN%20COLORADO%20THE%20IMPACT.pdf>

² Testimony (by phone) presented in the Senate Transportation Committee. February 11, 2015.

³ Sec. 704 (12). <https://www.whitehouse.gov/ondcp/reauthorization-act>

⁴ “Bill would allow drug czar to study, support legalization.” February 12, 2014.

http://www.huffingtonpost.com/2014/02/12/drug-czar-marijuana-bill-legalize-support-study-ondcp-steve-cohen_n_4776084.html

⁵ Sullum, Jacob. “Supposedly Neutral Report Stacks the Deck Against Marijuana Legalization.” September 17, 2015. <http://www.forbes.com/sites/jacobsullum/2015/09/17/supposedly-neutral-federal-report-stacks-the-deck-against-marijuana-legalization>

⁶ Testimony presented in the Senate Judiciary Committee. January 21, 2016.