

## Commentary

November 7, 2014

### *Addressing the Results of Marijuana Ballot Initiatives in the November, 2014 US Elections*

The marijuana legalization tidal wave continues to roll across the United States with many groups advocating for a variety of more permissive marijuana laws. The goal of these policies is the commercialization and regulation of marijuana similar to the models of alcohol and tobacco. The tremendous funding of these political initiatives comes from the pro-drug lobby, made up of groups that seek to legalize all drugs of abuse, beginning with marijuana.

In the November, 2014 election, advocates for marijuana legalization made progress in passing ballot initiatives to legalize marijuana in the states of Alaska and Oregon and in the District of Columbia. These victories were not landslides. It is encouraging that the public in these areas were divided because it means that there remains opposition to marijuana legalization, despite the immense amount of money pouring into states to pass these initiatives.

Over the past decade, the pro-drug lobby has lost far more of these initiatives than it has won but the media picks up only those that succeed, with the implication that these initiatives are easily sweeping the country. The pro-drug lobby is utterly undeterred by its many losses. It returns to each election cycle with more money, better strategies and more target states for the legalization of both “medical” marijuana and recreational marijuana.

The recent creation of Smart Approaches to Marijuana (SAM) and the tireless work of its remarkably skilled co-founders Kevin Sabet, Ph.D. and former Congressman Patrick Kennedy has provided steady, on-the-ground, national leadership in the resistance to the pro-drug lobby’s campaign of mounting ever more effective counterattacks.

The ensuing disastrous consequences of marijuana legalization in Colorado, while still largely ignored by the media, as well as the similar disaster of “medical” marijuana in states with broadly open access and dispensaries like California and Colorado, have the potential to wake up the sleeping American majority. A new Gallop poll shows that support for marijuana legalization in the US has declined 12 percent from 2013 to 2014.<sup>1 2</sup> This change provides evidence that marijuana legalization is not inevitable.

A swing away from this disastrous policy may already be underway. We are seeing a backlash to marijuana legalization. In this election, five cities in Colorado banned marijuana dispensaries and the “medical” marijuana initiative in the state of Florida did not pass. I remain optimistic about the eventual outcome of this political struggle for the future of American drug policy.

### ***Looking Ahead at National Drug Policy***

While drug legalization is dangerous, the current focus on drug policy is an opportunity for a better drug policy in the future.

The modern balanced restrictive drug policy in the United States grew out of America’s experiences at the start of the 20<sup>th</sup> Century with a free market drug use epidemic. The current success of the pro-drug lobby is tragic. The costs of its victories will be measured in lost productivity, health harms and wasted lives. Nonetheless, these events are setting the stage for a reinvention of a balanced restrictive drug policy, which I believe will be like Sweden’s current approach to drug policy.

What is the Swedish model of drug policy? It is a national consensus across a wide and diverse political landscape that drug use is un-Swedish, unhealthy and illegal, coupled with a commitment to prevention, treatment and recovery with sparse but strategic use of incarceration.

To limit the damage from drug use, the criminal justice system is an essential player in both prevention and treatment. This vision for the future American drug policy is drastically different from the dream of the pro-drug lobby which seeks to remove the criminal justice system from drug policy, and to legalize drugs of abuse for use, sale and distribution.

Americans, like the Swedes, need to work together to reduce nonmedical drug use, by all ages but particularly among youth. One way to do this is by leveraging the criminal justices system in cost-effective ways to impact both prevention and treatment, and with less use of incarceration.

Drug abuse is an important public health problem facing every nation. It does not exist because the current balanced restrictive drug policy forged over the past century in the US and the rest of the world has “failed.” The drug problem exists because of the intense stimulation of brain reward that drugs produce and because of the globalization of drug supply which has exponentially increased the availability of a far larger menu of drugs than ever before, including the explosive growth of new psychoactive substances (known as “designer” drugs) and the misuse of prescription drugs.

The global drug problem will only worsen with the passage of permissive drug policies, including marijuana legalization. These policies normalize drug use and make drugs more widely available. Today legal drugs are used at far higher rates than illicit drugs. Among Americans aged 12 and older, 52.2 percent used alcohol in the past month and 25.5 percent used tobacco, compared to 9.4 percent that used any illegal drug, including marijuana (used by 7.5 percent of the population).<sup>3</sup> It is not difficult to see the path that drug legalization will take us.

Alcohol and tobacco are not more biologically attractive than any of the hundreds of currently illegal drugs including marijuana. These drugs are used so much more widely specifically because they are legal.

Today drug policy debates divide us. Once we all have a clear focus on the public health goal of reducing the nonmedical use of drugs we can unite in our efforts to identify and implement better policies and programs. In particular, reducing nonmedical drug use among youth is a goal around which we can work together to achieve, including determining the important roles of substance abuse treatment and the criminal justice system in those improved drug policies.

There is much work to do in reducing the global drug problem. I look forward to working towards a future of sound drug policies that work to achieve this goal.

**Robert L. DuPont, M.D.**  
**President, Institute for Behavior and Health, Inc.**  
**Former Director, National Institute on Drug Abuse (1973-1978)**  
**Former White House Drug Chief (1973-1977)**

---

<sup>1</sup> Sabet, K. (2014, November 7). Support for marijuana legalization plummets 12% in 2014 v 2013. Smart Approaches to Marijuana. Available: <http://learnaboutsam.org/support-marijuana-legalization-plummets-12-2014-v-2013/>

<sup>2</sup> Saad, L. (2014, November 6). Majority continues to support pot legalization in U.S. Gallop. Available: <http://www.gallup.com/poll/179195/majority-continues-support-pot-legalization.aspx>

<sup>3</sup> Substance Abuse and Mental Health Services Administration. (2014). *Results from the 2013 National Survey on Drug Use and Health: Summary of National Findings*, NSDUH Series H-48, HHS Publication No. (SMA) 14-4863. Rockville, MD: Substance Abuse and Mental Health Services Administration.