

Commentary

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With Marijuana Legalization There Is More Marijuana Use and More Addiction While the Illegal Market Continues to Thrive

It comes as no surprise that the prevalence of marijuana use has significantly increased over the last decade.¹ With marijuana legal for recreational use in four states and the District of Columbia and for medical use in an additional 31 states, the public perception about marijuana has shifted, with more people reporting that they support legalization.² However, there is little public awareness, and close to zero media attention to the near-doubling of past year marijuana use nationally among adults age 18 and older and the corresponding increase in problems related to its use.³ Because the addiction rates for marijuana have remained stable, with about one in three past year marijuana users experiencing a marijuana use disorder, the total number of Americans with marijuana use disorders also significantly increased.¹

It is particularly disturbing that the public is unaware of the fact that of all Americans with substance use disorders due to drugs other than alcohol, nearly 60 percent are due to marijuana.⁴ That means that more Americans are addicted to marijuana than any other drug including heroin, cocaine, methamphetamine and the nonmedical use of prescription drugs.

Stores in Colorado and Washington with flourishing commercialized marijuana sell innovative marijuana products offering users record-high levels of THC potency. Enticing forms of marijuana, including hash oil used in discreet vaporizer pens and edibles like cookies, candy and soda are attractive to users of all ages, particularly those underage. The legal marijuana producers are creatively and avidly embracing these new trends in marijuana product development, all of which encourage not only more users, but more intense marijuana use.

Despite the expansion of state legal marijuana markets, the illegal market for marijuana remains robust, leaving state regulators two uncomfortable choices: either a ban can be placed on the highest potency – and most enticing – marijuana products which will push the legal market back to products with more moderate levels of THC, or the current evolution to ever-more potent and more attractive products can be considered acceptable despite its considerable negative health and safety consequences. If tighter regulations are the chosen option, the illegal market will continue to exploit the desire of marijuana users to consume more potent and attractive products. If state governments let the market have its way, there will be no limit to the potency of legally marketed addicting marijuana products.

The illegal marijuana market thrives in competition with the legal market by offering products at considerably lower prices because it neither complies with regulations on growth and sale, nor pays taxes on sales or their profits. Unsurprisingly, much of the illegal marijuana in the states with legalized marijuana is diverted from the local legal marijuana supply. It is troubling that in response to the decline in demand for Mexican marijuana, Mexican cartels are increasing the production of heroin, a more lucrative drug.

When alcohol prohibition ended in 1933, bootlegged alcohol gradually and almost completely disappeared. Those who favor drug legalization are confident that the same will occur in the market for drugs; they argue that legalizing drugs will eliminate the illegal market with all its negative characteristics including violence and corruption. The initial experience with marijuana legalization shows that this is dangerous, wishful thinking. Why doesn't legalization now work for marijuana as it did for alcohol 80 years ago? One obvious reason is that there is little similarity between the bootleg industry of alcohol production that existed during prohibition and contemporary drug trafficking organizations. Today's illegal drug production and distribution system is deeply entrenched, highly sophisticated and powerfully globalized. Traffickers are resourceful and able to rapidly to adjust to changes in the market, including competing with legal drugs.

The legalization of marijuana or any other drug is making a bargain with the devil. All drugs of abuse, legal and illegal, including marijuana, produce intense brain reward that users value highly – so highly that they are willing to pay high prices and suffer serious negative consequences for their use. Marijuana users' brains do not know the difference between legal and illegal marijuana, but as with other drugs, the brain prefers higher potency products. Drug suppliers, legal and illegal, are eager to provide the drugs that users prefer.

The challenge of drug policy today is to find better ways to reduce drug use by using strategies that are cost-effective and compatible with modern values. Legalization fails this test because it encourages drug use. Most of the costs of drug use are the result of the drug use itself and not from efforts to curb that use. It is hard to imagine a drug user who would be better off with having more drugs available at cheaper prices. Supply matters. More supply means more use. Drug legalization enhances drug supply and reduces social disapproval of drugs.

Our nation must prepare itself for the serious negative consequences both to public health and safety from the growth of marijuana use fueled by both the legal and the illegal marijuana markets.

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Established in 1978, the Institute for Behavior and Health, Inc. (IBH) is a 501(c)3 non-profit organization working to reduce illegal drug use through the power of good ideas. IBH websites include: www.IBHinc.org, www.StopDruggedDriving.org, www.PreventTeenDrugUse.org, and www.PreventionNotPunishment.org.

¹ Hasin, D. S., Saha, T. D., Kerridge, B. T., Goldstein, R. B., Chou, S. P., et al. (2015). Prevalence of marijuana use disorders in the United States between 2001-2002 and 2012-2013. *JAMA Psychiatry*. doi:10.1001/jamapsychiatry.2015.1858

² PEW Research Center. (2015, April 14). 6 facts about marijuana. Washington, DC: Author. Retrieved from <http://www.pewresearch.org/fact-tank/2015/04/14/6-facts-about-marijuana/>

³ Rocky Mountain High Intensity Drug Trafficking Area. (2015). *The Legalization of Marijuana in Colorado: The Impact*. Denver, CO: Author. Available: <http://www.rmhidta.org/html/2015%20FINAL%20LEGALIZATION%20OF%20MARIJUANA%20IN%20COLORADO%20THE%20IMPACT.pdf>

⁴ Center for Behavioral Health Statistics and Quality. (2015). *Behavioral health trends in the United States: Results from the 2014 National Survey on Drug Use and Health* (HHS Publication No. SMA 15-4927, NSDUH Series H-50). Retrieved from <http://www.samhsa.gov/data/sites/default/files/NSDUH-FRR1-2014/NSDUH-FRR1-2014.htm> <http://www.samhsa.gov/data/sites/default/files/NSDUH-FRR1-2014/NSDUH-FRR1-2014.htm#fig31>