

Legalization: How Changes in Law May Affect Marijuana Use Among Our Youth



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State and Local Control

The way American drug laws work, it is probable that states and, to some extent, local governments will wind up establishing and enforcing revised rules for how marijuana is managed. That is the way we chose to control alcohol following the repeal of alcohol prohibition and why we have dry and wet counties, private and municipal liquor stores, and laws/regulations about underage alcohol use.

Federal warnings about the dangers of marijuana have been issued periodically since the 1920s, and a federal tax (unenforceable) was placed on marijuana in the 1930s. Serious federal involvement in the criminalization of marijuana as we know it began in 1970, during the most intense period of the Vietnam War. Criminalizing marijuana was initially portrayed as a patriotic, war-related action. Senator Thomas Dodd of Connecticut made the case that the use of marijuana was undermining our war effort in Vietnam, and that returning veterans would devolve en masse into “dangerous addicts” threatening public safety, social order, and our war against communism as a result of their exposure to marijuana in Asia and its availability in America.

The mechanism for the federal criminal act involved, essentially, requiring that marijuana be federally defined as a Schedule I Controlled Substance, along with heroin, LSD and other highly toxic dangerous and/or addictive chemical substances. This category of drug could not be used for medical purposes.

Cocaine and methamphetamine are Schedule II and identified in law as essentially less dangerous. Changing the scheduling could be a simple act of the Executive Branch, but consensus is that any change in federal law will more likely involve distancing the federal government from the marijuana/criminality dynamic. Marijuana policy will probably become a local issue. There will probably be variations in state law as well in local enforcement approaches and guidelines.



Whatever eventually happens, most Americans today are living under recently relaxed marijuana possession laws because of formal changes in state laws and, more often, informal decisions by local law enforcement.* This trend will likely continue.

It becomes important to ask how these evolving changes may affect young people in America for whom non-medical possession use will remain a violation of state as well as federal law.

*According to the New York Times; “Let States Decide on Marijuana” (July 2014), over 70% of the American population are living under “relaxed marijuana laws,” mostly involving therapeutic use for health-related conditions, but including lawful recreational use.

In some ways, there may not be much impact. It will still be illegal for young people and availability may not be affected. Unlike alcohol or other intoxicants, marijuana can be easily grown in virtually every state and probably every local community in America.

Marijuana is typically available to young people now, if they seek out. It seems unlikely that a change in federal or state law will significantly increase that availability for youth. Today, it is far more available to youth than alcohol.

Changes in law may open up some additional risks as well as opportunities to reduce risk. Most significantly, the importance for parents to address issues of intoxication, in general, and marijuana in particular with their children remains of primary importance. That vital relationship simply doesn't change. Parents influence behavior more than any other dynamic, including legal sanctions.

Considerations for Change in Law

Youth Access – One line of thought is that the price of marijuana will be reduced, since the black market must now compete with lawful sources of marijuana for adults. Others believe that legal, publicly monitored marijuana distribution will preclude young people from having access, since production will no longer be dominated singularly by criminal elements. It is important to lawfully analyze what occurs in those states that have legalized recreational use.

Purity and Dose – One can assume that lawful marijuana will be operating under some standards of purification and exposure to pesticides or other harmful contaminants should be reduced. It is also hoped there will be labeling that accurately defines the psychoactive dose of each standardized marijuana product. The surprise high due to variable dosages has been the cause of many problems, including emergency room admissions.

Ingestion – The issue of ingestion as opposed to inhalation is serious.

Just as vitamins with artificial sweeteners in the shape of cartoon characters endangered little children, the many new candies, teas, and bakery products containing doses of ingestible marijuana present a risk to adults, but especially children. Either by accident or through malicious action, the mass production of attainable, ingestible marijuana products represents enhanced risk if there are no clear warnings. Penalties for negligent or malicious misuse of ingestible marijuana products should be considered. Special consideration for packaging both therapeutic and recreational marijuana in ways that discourage ingestion by young children should be mandatory.



Marketing – There must be controls on marketing of marijuana products, especially even subtle appeals to youth. Our experiences with “pop wine” being marketed to underage young people in the 1980s, to say nothing of the successful marketing of tobacco products to young people until recently, should have taught us the need to place restrictions on marketing a potentially dangerous product.



An inappropriate advertisement.

Effective Prevention – There is disagreement regarding the amount of financial benefit that will accrue to states implementing lawful medical use and especially recreational use. It is probable that states will benefit significantly financially. A substantial portion of this new revenue should be used to persuade young people not to use or misuse marijuana. Funding for youth-oriented organizations, especially schools, to implement prevention

programs is important. However, our history with substance abuse prevention programming is that much of it has been ineffective, or demonstrably counterproductive. Guidelines for results-based, effective prevention approaches need to be made available to institutions working to prevent use and abuse of marijuana. Our organization has received federal and state funding in the past to monitor various school-based prevention programs. A brief discussion of hopes and concerns regarding such programs, especially in schools, can be accessed by visiting our website at www.envrc.org. We have a short publication dealing with drug education: *Schools and Drug Abuse Prevention Programming* on our Home Page. The role of local schools may become especially important, and we hope three basic rules will be followed in drug abuse programs offered in schools:

- Focus on connecting with students in at-risk ages, not trying to please adults or frighten young children.
- Don't subordinate the role of drug education/ drug abuse prevention to other organizations, including law enforcement or the treatment community. Both are important, one in addressing crime and the other in providing intense, interpersonal behavior therapy. But educational impact is best designed and managed by educators.
- Reach out to parents, who are traditionally the most powerful partners in making a difference in critical areas of living to support how young people view the risks associated with marijuana use.

Money, Civics and Violating Drug Laws

Something happened in the autumn of 2014, which is being repeated daily throughout the United States, although typically on a much smaller scale. It is worthwhile to review what happened in the context of what it means purchase marijuana illegally, in terms of money and civics.

Early one September morning, nearly a thousand federal and local law enforcement personnel infiltrated the internationally famous L.A. fashion district. When they were done, they had arrested under ten individuals, but had confiscated \$65 million in cash. Ten million dollars alone was taken from a duffel bag of one of those arrested.

The Department of Homeland Security entered the war on drugs, committed to preventing American dollars generated from unlawfully purchased drugs from migrating to Mexico through banks and smuggled cash. This caused foreign drug cartels to infiltrate toy and fashion companies in L.A. in order to more discreetly move illegal drug money. The money moved in the form of distorted transactions for products produced in Mexico and Latin America.

In the end, Mexican drug cartels allegedly kidnapped, tortured, and threatened the lives of family members of American fashion house employees, forcing them to participate in laundering drug money.

While law enforcement, prosecution, and possible imprisonment efforts will likely cost American tax payers millions of dollars, almost certainly hundreds of millions has already flowed out of our economy into the hands of often vicious crime cartels. Americans take a crippling financial hit; however, it is far worse in Mexico where law, order and responsible civics have significantly degraded, undercut by the illegal drug trade.

While drugs other than marijuana were also involved, considering that marijuana represents a substantial majority of the illicit drug industry in America, one could conclude that marijuana use in America may be the cause of the consequences described above. Our economic systems are undermined with marijuana use under the present system of public response. Young people should understand the social consequences of patronizing illegal drug markets.