

# **California Police Chiefs Association Position Paper on the Decriminalization of Marijuana**

September, 2009

Proposition 215, the Compassionate Use Act, was passed by California voters in 1996 on a ballot initiative promoted by those who subscribe to the idea that all drug use should be legalized and people should be taught how to safely use drugs. This has become known as "harm reduction." They recognized that direct legalization would not meet with voter approval so the focus became the use of crude Marijuana as medicine.

It has become clear, despite the claims of use by critically ill people that only about 2% of those using crude Marijuana for medicine are critically ill. The vast majority of those using crude Marijuana as medicine are young and are using the substance to be under the influence of THC and have no critical medical condition.

Unfortunately these 13 years of relaxed access and use of Marijuana has created social acceptance for Marijuana use that is now reflected in significant interest in the media and in national consciousness for legalizing or decriminalizing the use of Marijuana. This position paper will examine this issue and identify the position of the California Police Chiefs Association, which is that Marijuana is destructive to our society and should remain unlawful.

## **How did we arrive at this position?**

The use of Marijuana for medicinal purposes parallels the use of experimentation with opiates for that purpose. Therefore, examining the development of the use of opiates makes a worthwhile comparison. During the 1880's many drugs including opiates and cocaine were legal and we saw rampant addiction in the US. There were 400,000 opium addicts in the US, which is twice the per capita rate we see today. Opium was developed as medicine and strong laws regulating use were effective in lowering addiction rates and allowing proper medical oversight and use.

Statistical data indicating the medical conditions identified as the necessity for a Marijuana recommendation would suggest that Marijuana is being abused by people who have no serious medical condition and simply like to be intoxicated on Marijuana. Marijuana is being abused by doctors who recklessly recommend use as their primary medical business. Marijuana is being abused by special interest groups who want to promote legal drug use in the US. The claim that Marijuana is not addictive is false and dangerous. Medical science is now identifying the value of cannabinoids in viable medication. This research is moving forward and clinical trials are underway in the US under FDA processes. Additionally these medications are coming to market in Canada and England. The pharmaceutical industry has and will continue to develop viable uses and delivery systems that do not include the use of crude Marijuana in smoked form. The claim that smoking is a good way to deliver medication is ridiculous.

Marijuana as a smoked product has never proven to be medically beneficial and, in fact, is much more likely to harm one's health; Marijuana smoke is a crude THC delivery system that also sends many harmful substances into the body. In 1999, the Institute of Medicine (IOM) published a review of the available scientific evidence in an effort to assess the potential health benefits of Marijuana and its constituent

cannabinoids. The review concluded that smoking Marijuana is not recommended for any long-term medical use, and a subsequent IOM report declared, “Marijuana is not a modern medicine.”

The Carcinogen Identification Committee of the Office of Environmental Health Hazard Assessment Science Board identifies chemicals for addition to the list of chemicals known to the state of California to cause cancer (Health and Safety Code 25249.8). The committee serves as the state’s “Qualified Experts” for determining whether a chemical has been clearly shown, through scientifically valid testing according to generally accepted principles, to cause cancer. This committee met on May 29, 2009, and discussed Marijuana (smoke). From reading the transcripts and minutes available on their web site, 33 of the individual compounds found in Marijuana smoke are already listed as Proposition 65 carcinogens. One study introduced to the committee found that four times more Marijuana smoke tar is deposited in a smoker’s lung than tobacco smoke tar is deposited in a smoker’s lung, based on a similar amount of plant material. There is evidence from some epidemiological studies which suggests that cancer can be caused from direct and parental Marijuana smoking. The effect of Marijuana smoke on the T cells, B cells, and killer cells within the body are hurt when you take away someone’s own defense from other cancer-causing agents. For those patients that are going through chemotherapy and have no resistance due to no T cells, no B cells, no immune response whatsoever, the carcinogenicity studies that were presented show that Marijuana smoke is very dangerous to these people.

The thought of decriminalizing Marijuana or allowing taxation of Marijuana is bewildering. The thought that a group of individuals would want to advocate for decriminalization of a substance that the state of California has deemed to be carcinogenic is alarming.

The problem with Marijuana is that it has only been in the recent past that science has had the tools and technology to understand cannabinoids and do viable research into medical uses of cannabinoids. This effort appropriately belongs in the FDA process.

### **Claims by Legalization Advocates**

- Law enforcement has failed in the war on drugs so drugs should be legalized. This claim is untrue and the term “war on drugs” is misleading. The fact is that drug use among young people has declined and great success has and is being achieved in protecting our society from addictive substances.
- Because drugs are so prevalent in our society, legalization will have little if any impact on availability or use of drugs. This claim is without merit and ignores the fact that most people strive to follow the laws. Making illicit drugs legal will clearly fuel new levels of violence, addiction and crime.
- Taxation of medicinal Marijuana will help balance California’s budget problems. This concept is misguided. There is little hope that all who grow and use Marijuana would report doing so and pay the associated taxes. The use and manufacture of other regulated substances such as alcohol and tobacco are strictly controlled and their private manufacture is limited. Currently, the cultivation, sale, and use of Marijuana are conducted solely by individuals. In theory the revenues received from the taxation of Marijuana will provide fiscal benefit to an ailing California economy. However,

the long-term impact to the health care system necessary to aid those that become addicted, as is historically predictable, make this claim deceptive and unjustifiable.

It is important to note that society is having a very difficult time dealing with our two legal drugs; alcohol and tobacco. Alcohol use has been documented that about 65% of the population are regular users and it is attributable to 100,000 deaths per year. Tobacco use has been documented that about 35% of the population are regular users and is attributable to 400,000 deaths per year. When you examine all illegal drugs, it has been documented that 6% of the population are regular users. Yes, 100 millions Americans have tried Marijuana, but most stopped after 1 or 2 times, or after their college career.

The \$8 billion collected in tax revenues from the sale of alcohol does little to offset the nearly \$200 billion in social costs attributed to its use.

Removing the claim of medical use of Marijuana, the discussion must focus on the legalization or decriminalization of Marijuana for no other reason than to be used to be intoxicated. The use of intoxicating and addictive substances fuels crime and destroys lives by creating addiction and dependency. Children are victims of abuse and neglect at the hands of parents or caretakers who live in addiction.

Young adults are particularly vulnerable to addiction. Relaxed attitudes toward drug use place them at greater risk of addiction. Clearly legalization of Marijuana will lead to great use by those who would not use if it were not legal. This increased use will lead to negative outcomes.

Criminals who deal in illicit drugs will not turn to legal endeavors if illicit drugs are legalized. The claim that drug legalization will eliminate crime associated with drug trafficking is just not true. Much as we see in the use of other controlled substances, people who become addicted to Marijuana and cannot afford to maintain their addiction will turn to crime in order to supply themselves with their drug of choice.

If drugs were legalized, the United States would see significant increases in the number of drug users, the number of drug addicts and the number of people dying from drug-related causes.

Studies show that attitudes about drugs drive youth drug use rates. By trivializing and advocating tolerance for illegal drug use, drug legalization groups send a message to young people that experimentation with dangerous illegal drugs is acceptable.

Drug legalization would increase the occurrence of drug impaired driving. Drugs affect concentration, perception, coordination, and reaction time; many of the skills required for safe driving.

- Affects of Marijuana use
  - Children (under 18)
    - Education and graduation rates
    - College attendance
    - Employment
    - Treatment for addiction/dependency
    - Treatment
    - Teen pregnancy
    - Involvement in criminal activity
    - Use of other addictive substances
  - Young adults (18 to 30)

- Employment
- Treatment for addiction/dependency
- Ability to form a stable family relationship
- Use of other addictive substances
- Involvement in criminal activity
- Families
- Communities and neighborhoods
- Environmental damage
- Grow houses
- Drug cartels
- Gang involvement

### **Conclusion**

Marijuana is a powerful and dangerous psychoactive substance. Society and our children do not need another dangerous substance in their lives. Simply stated the use of Marijuana is not and never will be good for the success, education, and well-being of our society.

When a person examines the two known abused drugs in our society, alcohol and tobacco, from a Public Health standpoint, those two substances would be recommended today to be banned. The California Police Chiefs Association clearly understands that this will not occur. But, the discussion of Marijuana is important especially in light of the money being infused by the Drug Alliance and their ability to prey on unsuspecting compassionate people of our great state. The issue should be discussed openly by not only law enforcement personnel but by school, public health, drug treatment, and other concerned professionals concerned about the affects of Marijuana on our constituents.