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Commentary

Marijuana Legalization's Unintended Consequences

By

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(HealthNewsDigest.com) - +STANFORD, Calif. — With Proposition 19 on the November ballot, Californians get to decide whether to allow adults 21 years and older to possess, cultivate and transport cannabis for personal use, as well as enable its commercial production and sale. Earlier this month Keith Humphreys, PhD, professor of psychiatry and behavioral sciences at the Stanford University School of Medicine, discussed the potential consequences of legalizing marijuana for the school's podcast series "1:2:1." Humphreys recently returned to Stanford after a one-year stint in the White House as a senior advisor on national drug control policy.

What follows is an excerpt from Humphreys' interview with Paul Costello, executive director of the school's communications office, adapted for publication. The full interview, which includes discussion of Humphreys' time in the Obama administration, is available at <http://med.stanford.edu/121/2010/humphreys.html>.

Q: There are estimates that, with legalization, marijuana use could rise 50 to 100 percent. Are those projections reasonable?

Humphreys: We know very well from other commodities that if you make something illegal, the price of it goes up. It doesn't matter what it is. And when you make it legal, it becomes much cheaper, because people are much more willing to work in an industry that's legal and you don't have to enforce contracts and protect your wares by yourself, among other things. So the findings are credible.

Why they're scary is that big drops in price tend to affect primarily the people with less disposable income. If you're wealthy, it doesn't matter to you that the price of marijuana drops by half. The people it matters to tend to be teenagers, the unemployed, other people who have just a small amount of extra money. This will drop marijuana from something they couldn't afford to do, for example on a daily basis, to something they could easily afford to do on a daily basis.

Q: Are you alarmed that voters could dramatically change drug policy in California in November?

Humphreys: I am worried about it, particularly because of what I just said about consumption, but also, remember it's not just legalizing consumption; it's also doing something more radical, which is legalizing production. That means you're going to have an industry, like the tobacco industry, that will have lobbyists and marketers and lots of money.

In fact, I wonder if tobacco companies themselves might go into this business. They certainly are well-positioned. They have the outlets right away and the pricing power. If the federal government says they're not going to act, and the tobacco industry says, "This is it," I think they will be able to wipe out a lot of what we're seeing now — the cottage-industry marijuana grower. It will just become a mass-produced, very cheap product.

Q: But the proposition also allows people to grow their own marijuana on a 5-foot by 5-foot plot. What's wrong with that?

Humphreys: There will be some people who do that. I don't know if I'd want to live next door to them, but they probably won't generate too much harm. But for the vast majority of people, if there's a refined product in a nice package down at the store that costs a tenth as much, and you don't have to water and you don't have to worry about sunlight, then they will go down there and buy it. I think that if a corporation ends up taking it over, that growing your own marijuana would become a hobby, like making your own beer. A few people will do it, but it won't be the face of marijuana in California.

Q: What about the argument that taxing marijuana will provide fiscally strapped cities and states with much-needed revenue?

Humphreys: I am not sympathetic with that argument, either on the values front or on just straight economics. If as a society we've decided that if it makes revenue we're for it, why are we wasting time with cannabis? We should be legalizing child pornography and human trafficking. There's lots of awful things that raise money, and that doesn't make them right. The idea that we can make a buck here, and therefore it's the right thing to do for kids in California ... I think that's morally bankrupt.

The second point is the taxes never recoup the harm from substances. If you look at all estimates of alcohol and tobacco taxation, it never even touched a fifth of the amount of health damage that you get. So, you get a little money in the short term, but in the long term, someone's got to pay for those car accidents and kids flunking out of school and things like that.

Q: What about the notion that by legalizing it you take it out of clandestine operations?

Humphreys: Well, I certainly don't like drug cartels. It is true that by legalizing marijuana, you will probably get rid of some gun violence, for example, around it. And that is good, particularly for those people who live in those neighborhoods plagued by such problems. But, again, look at the example of a tobacco company. You could have substantially more death. There's lots of ways to do violence in this world. You can weaken government regulations in a way that results in thousands of people dying.

In terms of its medical use, I have compassion for patients. I was a hospice worker for many years, and I would do anything to make a patient feel comfortable. I'm completely behind that, but I don't feel that's the face of the typical person in California who is getting medical marijuana.

A paper in the Harm Reduction Journal that profiled about 4,000 such people said the prototypical patient was a 30-year-old male who had been smoking pot for about 15 years and wasn't seriously ill in any way. That group is sort of riding on our compassion for the people who have AIDS, people who have MS, and the people who have cancer, none of whom we want to hurt.

To me, it's a pretty big jump to go from saying that this plant has some medical value, to saying that its consumption — and also, don't forget its production and advertising — should be legalized.

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