

From Prohibition to Progress: A Status Report on Marijuana Legalization

Executive Summary

On November 6, 2012, Colorado and Washington became the first two states – and first two jurisdictions in the world – to legalize marijuana for adult use. Two years later Alaska, Oregon and Washington, D.C. followed suit. In 2016 voters in four additional states – California, Massachusetts, Maine and Nevada – also approved ballot measures legalizing marijuana. In January 2018, Vermont became the first state to legalize marijuana through a state legislature.ⁱ More states are expected to legalize marijuana in the near future.

Evidence shows that marijuana legalization is working so far. States are saving money and protecting the public by comprehensively regulating marijuana for adult use. This success has likely contributed to the historically high levels of public support for marijuana legalization in the U.S., which has steadily grown to an all-time high of 64 percent. The majority of Americans, across party affiliations, support legalizing marijuana, with 51 percent of Republicans now in favor.

Arrests and court filings for the possession, cultivation and distribution of marijuana have plummeted since voters legalized marijuana for adult use in eight states and Washington, D.C. These states have saved millions of dollars and prevented the criminalization of thousands of people.

Marijuana legalization has a positive effect on public health and safety. Nationally, and in states that have legalized marijuana, youth marijuana use has remained stable or declined. Legal access to marijuana is associated with reductions in some of the most troubling harms associated with opioid use, including opioid overdose deaths and untreated opioid use disorders. DUI arrests for driving under the influence, of alcohol and other drugs, have declined in Colorado and Washington, the first two states to establish legally regulated adult use marijuana markets. In addition, crash rates in both states have remained similar to those in comparable states that have not legalized marijuana.

At the same time, states are filling their coffers with hundreds of millions of dollars in marijuana tax revenues. These revenues are being allocated for social good – to fund education, school construction, early literacy, bullying prevention, behavioral health and alcohol and drug treatment. In addition, the legal marijuana industry is creating jobs; it currently employs approximately 200,000 full and part-time workers across the country.

Summary of Findings

Marijuana arrests are down. Arrests for marijuana in all legal marijuana states and Washington, D.C. have plummeted, saving states hundreds of millions of dollars and sparing thousands of people from being branded with lifelong criminal records.

- The total number of low-level marijuana court filings in Washington fell by 98 percent between 2011 and 2015.
- The total number of marijuana-related court filings in Colorado declined by 81 percent between 2012 and 2015, and marijuana possession charges dropped by 88 percent.
- In Washington, D.C., marijuana arrests decreased 76 percent from 2013 to 2016, with possession arrests falling by 98.6 percent.
- In Oregon, the number of marijuana arrests declined by 96 percent from 2013 to 2016.
- In Alaska, the number of marijuana arrests for possession and sales/manufacturing declined by 93 percent from 2013 to 2015.

Youth marijuana use is stable. Youth marijuana use rates have remained stable in states that have legalized marijuana for adults age 21 and older.

- In Washington, Colorado and Alaska, rates of marijuana use among high school students largely resemble national rates. These results are promising, suggesting that fears of widespread increases in use have not come to fruition.
- In Oregon, Nevada, California, Maine, Massachusetts and Washington, D.C., marijuana regulatory programs are not yet established or are so new that they are unlikely to have affected youth use rates in an immediately measurable way. While rates of use vary widely in these states, they have mostly stabilized or declined over the years leading up to legalization.

ⁱ This report does not include Vermont in its analysis because the state's marijuana legalization law is too new to evaluate.

Executive Summary, cont.

Marijuana legalization is linked to lower rates of opioid-related harm. Increased access to legal marijuana has been associated with reductions in some of the most troubling harms associated with opioids, including opioid overdose deaths and untreated opioid use disorders.

- In states with medical marijuana access, overdose death rates are almost 25 percent lower than in states with no legal access to marijuana, and the reductions in overdose death rates strengthened over time.
- Legal access to medical marijuana has been associated with a 23 percent reduction in opioid dependence or abuse-related hospitalizations and 15 percent fewer opioid treatment admissions.
- An analysis of opioid overdose deaths in Colorado found that after marijuana was legalized for adult use there was a reduction of 0.7 deaths per month in the state and that the decades-long upward trend of overdoses began to decline after 2014, the first year of marijuana retail sales in the state.

Calls to poison control centers and visits to emergency departments for marijuana exposure remain relatively uncommon.

- In Oregon, less than one percent of calls to the state's poison centers in 2016 were related to marijuana exposure.
- In Colorado, less than one tenth of one percent (0.04 percent) of the state's 2.3 million emergency department visits in 2014 were for marijuana exposure.

Legalization has not made our roads less safe.

- DUI arrests are down in Colorado and Washington. The total number of arrests for driving under the influence, of alcohol and other drugs, has declined in Colorado and Washington, the first two states to regulate marijuana for adult use.
- There is no correlation between marijuana legalization and crash rates. The crash rates in both states are statistically similar to comparable states without legal marijuana.

Marijuana tax revenues are exceeding initial estimates. Marijuana sales in Colorado, Washington, Oregon, Alaska, and most recently in Nevada, began slowly as consumers and regulators alike adjusted to new systems. Once up and running, however, overall sales and tax revenue in each state quickly exceeded initial estimates. (Sales in California started on January 1, 2018, and no data are available yet. Sales in Massachusetts will not begin until July 2018. Sales

in Maine are on hold pending approval of an implementation bill for the state's regulated marijuana program. In D.C. no retail cultivation, manufacturing or sales are permitted at this time.)

- Marijuana sales in Washington generated \$315 million in tax revenues in the 2016-17 fiscal year.
- Marijuana sales have generated almost \$600 million for Colorado since sales began on January 1, 2014.
- By the end of the 2016-17 fiscal year, Oregon collected \$70 million, more than double the predicted revenue.

States are allocating marijuana tax revenues for social good.

- Colorado distributed \$230 million to the Colorado Department of Education between 2015 and 2017 to fund school construction, early literacy, bullying prevention, and behavioral health.
- Oregon allocates 40 percent of marijuana tax revenue to its state school fund, depositing \$34 million into the fund so far. The state also distributes 20 percent to alcohol and drug treatment.
- Nevada's 15 percent wholesale tax is projected to bring in \$56 million over the next two years to fund state schools.
- Washington dedicates 25 percent to substance use disorder treatment, education and prevention. The state also distributes 55 percent of its marijuana tax revenues to fund basic health plans.
- Alaska will collect an estimated \$12 million annually, which will fund drug treatment and community residential centers.
- California and Massachusetts will invest a share of their marijuana tax revenues in the communities most adversely impacted by drug arrests and incarceration, particularly low-income communities of color, to help repair the harms of unequal drug law enforcement.

The marijuana industry is creating jobs. Preliminary estimates suggest that the legal marijuana industry employs between 165,000 to 230,000 full and part-time workers across the country. This number will only continue to grow as more states legalize marijuana and replace their unregulated markets with new legal markets.