

Legalizing marijuana isn't quite as simple-especially from an enforcement perspective  
as some of its proponents would have you believe

By Joseph Padilla | Nov 7, 2016

Several states will be voting to legalize recreational marijuana this month, your state may be one of them. Colorado voters legalized medical marijuana in 2000 and recreational marijuana in January of 2014. The ability to buy cannabis is now as simple as going to a liquor store to buy a six pack of beer. Anyone over 21 years of age can enter a recreational marijuana shop and buy it for personal use or they can grow limited amounts at home.

Colorado's hype over legalization has died down and the reality is settling in, but it is still controversial across the country. Recently Denver District Attorney Mitchell R. Morrissey was asked by the California anti-marijuana group No-on-64 campaign to answer two questions: 1. Did the crime rate go down? 2. Were the police freed to work on other crimes when recreational marijuana was legalized in Colorado? His answer was, No.

#### Complexities Arisen

In an Oct. 12, 2016, letter, he wrote: "In the city of Denver, since the legalization of recreational marijuana, the number of crimes in Denver has grown by about 44 %, according to annual figures the city reported to the National Incident Based Reporting System. In 2015 in Denver alone, crime rose in every neighborhood in the city. The murder rate hit a decade high, 1,059 more cars were broken into, there were 903 more auto thefts, 321 more aggravated assaults and 231 more homes were broken into compared to 2014."

Not all of this is attributable to the use of marijuana. But the increase during the period recreational marijuana has been legalized in Colorado might be correlated. I would add: Colorado also has not seen the decline of drug cartels within the state with the legalization of marijuana. We've had large seizures and federal cases filed here as a result of criminal enterprises from outside of Colorado and the United States. On Sept. 28, 2016, federal agents and local law enforcement authorities raided homes in rural Colorado seizing over 22,400 pounds of pot. A Denver Post article, on that date, stated: "illegal 'pirate' grows in homes and outdoors on federal lands have become a priority and concern for authorities." Our local newspapers are full of articles outlining major crime associated marijuana, including homicides. I appreciate Mr. Morrissey's perspective and his willingness to address this issue. He also wrote that Denver police issued a 300% increase in unlawful public consumption of marijuana citations, had a 900% increase in the unlawful cultivation and manufacture of marijuana concentrate and the volume of marijuana seized increased from an average of 162 to 5,724 pounds per case.

It's not uncommon to walk the neighborhoods of Denver or attend entertainment venues and smell marijuana smoke. Although it's still illegal to smoke it in public, I see it all the time. I've observed people driving cars smoking it.

DA Morrissey outlined that traffic-related marijuana deaths increased 48%. The Denver police department attempts to staff more Drug Recognition Expert-trained officers (DRE) on the street. These officers are trained to recognize and process people suspected of driving under the influence of drugs, including marijuana. Unlike alcohol, it can be difficult for the average police officer to recognize and process someone for driving under the influence of marijuana.

When the legalization of marijuana was put on the ballot in Colorado, voters were told that much of the taxes were intended to benefit public programs and school systems. If this is so, why are many school districts asking for tax increases on the 2016 November ballot? A Denver Post article dated Oct. 30, 2016, outlined that in 2015 Colorado collected \$135 million in marijuana taxes—a drop in the bucket for a \$27-billion state budget.

The taxes collected from the sale of cannabis is a lot of money, but recreational marijuana affects other Colorado resources. Morrissey documented that marijuana-related emergency room visits have

increased 49% and marijuana related calls to the poison center increased 100% since recreational marijuana were legalized. I believe this demonstrates there are many other unforeseen costs dealing with pot that increased taxes may not cover.

Colorado's marijuana industry is big business. According to ColoradoPotGuide.com, as of December 2015 there are more than 2,500 marijuana business licenses in the state, 900 of which are for dispensaries. To illustrate how popular pot shops are becoming, the website states that there are more dispensaries in Colorado than Starbucks, McDonald's, and 7-Elevens—combined.

Due to the potential of a lot of money being made and taxes that may be generated, many more states will probably vote to legalize it. I'm realistic enough to know that it's here to stay and that it will affect the way we live. I was in line at the post office and a young couple from Texas told me they moved to Colorado for work because they could pass a drug test. In other words, so many Coloradans have marijuana in their systems that out-of-staters are taking the jobs.

Other than an increase in crime, my big concern is the message we are sending to our young people. Are we telling them it's OK to smoke pot now that it's legal? I'm aware of the arguments surrounding alcohol and marijuana and the relative societal costs of each. Although I haven't addressed it, alcoholism is a national epidemic. I'm concerned that we are heading towards another dependency for our people.

Conclusion

On the CBS program 60 Minutes (aired Oct. 30, 2016) Colorado Governor John Hickenlooper was asked what advice he'd give other states seeking to legalize marijuana. His response was, "I'm not so confident to tell other states to go for it."

My intent is not to tell you how to vote. But you should be aware of these issues as you do. If your state is looking to legalize it for recreational use, please consider all facts before voting.