Since Colorado voters legalized recreational marijuana with Amendment 64 in 2012, Colorado’s youth have served as guinea pigs in a risky experiment. The results have been sobering.

Colorado now ranks first in the nation for past month marijuana use by those 12-17 years old, according to National Surveys on Drug Use and Health data released in December by the federal Substance Abuse and Mental Health Services Administration.¹

Many Coloradans – including supporters of our organization – may support the idea that adults should be allowed to use small amounts of marijuana in private.

But we’ve learned there is a big difference between decriminalizing marijuana and allowing full-blown profit-driven commercialization. As of January, Colorado had 424 retail marijuana stores compared to 322 Starbucks and 202 McDonald’s, according to the Rocky Mountain High Intensity Drug Trafficking Area². There are a total of 2,849 state-licensed marijuana businesses³, including manufacturing and cultivation facilities. Our most vulnerable neighborhoods have been overrun.

We never foresaw how aggressive and powerful the financial interests behind this new billion-dollar industry would become.

From the start, Colorado officials have been forced to play catchup to create regulatory framework to implement Amendment 64 -- the policy equivalent of assembling an airplane in mid-flight.

While Colorado’s protections for children may end up being too little and too late, other states hopefully can benefit from these lessons Colorado learned the hard way.
1. PRIORITIZE PROTECTING KIDS

Colorado’s green rush of commercialization, the marijuana industry marshaled an army of lobbyists and lawyers. In the resulting legislative scrum, Smart Colorado often was the only voice advocating for protections for children. Advocates need to step up to ensure the interests of children aren’t trampled. It’s grueling work that demands tenacity and courage but someone has to do it.

You may find that existing organizations are reluctant to enter the fray because they don’t know enough about the subject or are simply afraid of wading into the bruising politics. But regardless of what we think about adults using marijuana, we should all be able to agree that marijuana, like alcohol, should be kept away from kids.

Work to engage education, healthcare, business and youth-serving organizations in the policymaking process. Without a proactive, organized and collective effort to protect the best interests of youth, the process will be dominated by the marijuana industry.

2. ENSURE THE PUBLIC HAS ACCESS TO TRUTHFUL INFORMATION

Ballot issues to legalize marijuana are typically passed with promises of tax windfalls that will solve a host of public priorities. But in Colorado, much of the tax revenue has gone to address the impacts of the marijuana industry itself.

Marijuana tax revenue for schools – a key selling point for Amendment 64 – amounts to a drop in our state’s public education budget bucket.

So far, the only thing that the legalization of marijuana has brought to our schools has been marijuana,” the superintendent of one of Colorado’s largest school districts wrote recently.4

While it may be tempting to divert marijuana tax revenue to a host of worthy causes, states should first ensure a dedicated revenue stream to educate the public and prevent harm to youth. Education and prevention initiatives have proven to be effective in reducing tobacco consumption and, although less is known about how to limit pot’s harms, this must be a priority to counterbalance massive marijuana industry advertising.
3. UNDERSTAND THC POTENCY AND WHY IT MATTERS

Colorado has no limits on THC, marijuana's psychoactive ingredient. Nationally, the potency of marijuana has more than doubled since the mid-1990s. Average THC potency of marijuana flowers/buds in Colorado is now 17.1% while the average potency for concentrates is 62.1%. Potency rates of up to 95% have been recorded.\(^5\) After the Dutch observed negative impacts from rising THC potencies, a team of health experts concluded that THC potencies above 15% should be considered a hard drug.

In Colorado, highly potent concentrates and edibles have been tied to a spike in hospitalizations – including many children -- and even deaths. Edibles come in innocuous forms like candies, sodas and cookies that can be deceiving and attractive to kids while highly potent liquids and waxes can be consumed in new dangerous ways.

Although the industry likes to compare marijuana to alcohol, these new products and potencies are nothing like a beer or a glass of wine. These genetically modified strains and concentrates also bear no resemblance to the “Woodstock weed” of yesteryear.

This is a fundamentally harder, stronger, more dangerous drug. Research hasn’t kept up with the rapidly increasing potency so there’s no standard for what marijuana products are “safe” or can be used “responsibly.” The industry has fought back efforts to limit THC potencies in Colorado.

And let’s be clear: These highly potent products have little in common with the low- or no-THC marijuana treatments associated with helping children with seizures and adults and athletes with pain. They’re as different as aspirin and OxyContin.

4. MAINTAIN LOCAL CONTROL

Work to ensure that local governments have the right to decide if commercialized marijuana makes sense for their communities. The vast majority of Colorado counties and municipalities have opted out and, as a result, have no recreational marijuana businesses. Colorado’s two epicenters of commercialization – Denver and Pueblo – have seen a corresponding spike in youth marijuana use. In response, citizens in Pueblo have pushed a local initiative on this fall’s ballot that would roll back recreational marijuana.
5. COLLECT AS MUCH DATA AS POSSIBLE

While Colorado has begun gathering data, there is a significant lag time before it is available. As a result, Colorado has yet to have the data necessary to make informed marijuana policy decisions or to adequately measure the public health, safety and youth impacts to date. It will be years before a complete picture can emerge of the true human and financial costs of recreational marijuana. But the sooner data collection starts, the sooner it will be available to guide policy.

6. LIMIT OPEN AND PUBLIC CONSUMPTION TO CURB IMPAIRED DRIVING

There’s a big different between adult marijuana use in the privacy of one’s home and open and public consumption, which sends inappropriate and unhealthy messages to youth. Ensure that marijuana, if allowed at all, is for private adult use only and prohibit so-called “pot clubs” or any sort of public consumption in bars or restaurants which - when combined with unprecedented potencies of THC - would contribute to drugged driving. On that note, determine how roadside marijuana impairment will be measured, enforced and tracked. This remains a challenge in Colorado, a gap which threatens the safety of all citizens.

7. HOLD THE MARIJUANA INDUSTRY ACCOUNTABLE

Ensure the industry takes responsibility for the impact of its product. This includes limiting products that are appealing to children and advertising that influences kids. It took four years of fighting to ensure that pot edibles in both the recreational and medical markets were clearly identified and distinguishable from look-alike candies and treats (and still if it’s not practicable, the product is exempt from this requirement).

Omnipresent medical marijuana ads featuring pictures of doctors and “wellness” claims make kids think that pot is a healthy choice. It’s no wonder that fewer Colorado high school students view regular marijuana use as risky behavior, according the latest state-sponsored Healthy Kids Colorado Survey (HKCS). Only 48 percent of high school students surveyed saw marijuana use as risky in 2015, compared to 54 percent of those surveyed in the HKCS survey two years earlier.

So far in Colorado, marijuana businesses - unlike other more mature industries -- have shown little leadership in this area.
8. KNOW WHAT YOU ARE DEALING WITH

Decriminalization, medical marijuana, legalized recreational marijuana and full-blown commercialization are very different policies. In Colorado we have experienced all four. You need to understand the differences to understand the policy implications in your state.

9. WORK FOR A UNIFORM, TRANSPARENT AND ENFORCEABLE REGULATORY STRATEGY

Despite claims that legalizing marijuana will get rid of the black market and keep it out of the hands of kids, Colorado has become a source for illegal marijuana nationally and youth consumption is a major problem. Make sure the regulatory structure is at least as strict as those governing alcohol and tobacco. If medical marijuana is permitted, find ways to treat it like a prescription drug rather than as a recreational drug that is abused in the name of medicine, sending a confusing message to children.

If your state is facing a future of pot politics, buckle up. Beneath the predictable jokes, there are very serious implications for children. The decisions your state makes now will impact generations to come.

Learn More and Take Action
smartcolorado.org

3 - https://www.colorado.gov/pacific/enforcement/med-licensed-facilities
4 - https://t.e2ma.net/webview/23aqp/6d0d59e05d48fb55ed13cd7b87d61827
5 - https://www.drugabuse.gov/publications/research-reports/marijuana/marijuana-addictive