



Medical Cannabis Laws and Public Safety



In the early 2000s, the General Accounting Office (the investigative arm of Congress, now called the Government Accountability Office) interviewed officials from 37 law enforcement agencies in four states with medical cannabis laws. A key issue they examined was whether medical cannabis laws had interfered with enforcement of laws regarding nonmedical use. According to the GAO's November 2002 report, the majority of these officials "indicated that medical marijuana laws had had little impact on their law enforcement activities." Since then, the data has continued to accumulate, showing that medical cannabis laws are not causing public safety problems.

Several studies have shown that medical cannabis laws and medical cannabis dispensaries are not associated with increased crime. In 2014, a study published in PLOS One found that the passage of laws are "not predictive of higher crime rates and may be related to reductions in rates of homicide and assault."¹

In states with medical cannabis laws, it is not uncommon for law enforcement to initially be wary or opposed to the proposal, but to recognize after the law is responsibly implemented that it is not causing problems. When Vermont passed its medical cannabis law in 2004, it tasked the Marijuana Registry Program (located within the Vermont Department of Public Safety) and the Vermont Department of Health with reporting the effects of the law to the legislature. In July 2006, it issued a report that included a statewide survey of law enforcement, including state's

¹ <http://www.sciencedaily.com/releases/2014/03/140326182049.htm>

attorneys, to determine the effect of the medical cannabis law on drug enforcement. They found that “[n]one of the state’s attorneys thought that the law had made it more difficult to enforce drug laws.”

By 2007, Vermont’s head law enforcement official also publicly recognized that the law had not caused problems. According to WCAX News in Vermont, “The police predicted the law that permits physicians to prescribe pot as a pain-killer was just a pretext to legalize marijuana for everyone. Today a top cop acknowledged those predictions have been wrong. ‘At this point, four years into this, we’re comfortable with what’s happening and we believe that the people who are getting it are getting it under the true color of what the law is,’ said Col. James Baker of the Vermont State Police.”

Four years later, in 2011, Vermont Department of Public Safety Commissioner Keith Flynn testified in favor of adding a well-regulated dispensary program to Vermont’s law. The legislation passed, and dispensaries began operating in 2013. The state’s program administrator was interviewed about the dispensaries and explained the few complaints she’d heard of were from patients with concerns about access, not from the general public.

Law Enforcement Support for Allowing Medical Cannabis and Statements Explaining The Laws Are Not Causing Problems

Dennis Flaherty, Minnesota Police and Peace Officers Association executive director

The *Twin Cities Pioneer Press* reported that Mr. Flaherty — who had strenuously opposed allowing medical cannabis — did not oppose adding intractable pain to the program. Flaherty “said police are unaware of any problems with the current cannabis program and do not expect any now that pain will be included.” (“Minnesota OKs medical marijuana use for pain,” *Pioneer Press*, December 1, 2015)

Keith Flynn, Vermont Commissioner of Public Safety

Vermont Commissioner of Public Safety Keith Flynn is a supporter of Vermont’s medical cannabis program. He testified in support of adding well-regulated dispensaries to Vermont’s medical cannabis law, which the legislature did in 2011.

Col. James Baker, then-Director of Vermont State Police

"At this point, four years into this, we're comfortable with what's happening and we believe that the people who are getting it are getting it under the true color of what the law is." Sheri Englert of the Vermont Marijuana Registry told the same station, "I haven't seen what I believe to be any abuses thus far. The conditions, the treatments of the conditions, the disease that the patients have are, it's heart-wrenching. It really is." (*WCAX-TV*, October 18, 2007)

Mike Schirling, Burlington, Vermont Police Chief

Burlington Police Chief Mike Schirling, who had been worried about having a dispensary in the city, told a reporter, "I'm not aware of any issues," after it opened. ("With few complaints, state seeks fourth marijuana dispensary," *Burlington Free Press*, Aug. 26 2013)

Lindsay Wells, Vermont cannabis program administrator

Ms. Wells told a reporter she has received few complaints about dispensaries that have opened. She said the only complaints she heard were from patients about access, not from the general public. She explained, "Some patients didn't realize it's not covered by insurance." Some complained about not being able to contact the dispensary, but those issues were resolved. ("With few complaints, state seeks fourth marijuana dispensary," *Burlington Free Press*, August 26, 2013)

Mike Jones, New Mexico, retired Deputy Chief of Police

"As a retired law enforcement officer living in the state of New Mexico, which passed a medical marijuana law in 2007, I can attest to the fact that no societal harm or significant problems for law enforcement resulted from the passage of this law.

"Some people, in and out of law enforcement, fear that passage of a medical marijuana law would increase youth access to marijuana or result in substantial diversion of marijuana into the criminal market. Based on my observations of New Mexico's medical marijuana law and activities after its effective date I can affirm that this is unlikely to be the case.

"As a former member of law enforcement, I can understand the reasoning behind those concerns – indeed, colleagues prior to the passage of our state's medical marijuana law held many of them. However, these concerns have simply not been borne out. Overall compliance with the law has been outstanding.

"In short, these are good laws that protect a limited number of people. In my observation, they do not increase the availability of marijuana to youth or in the criminal market generally, they do not result in additional cost to the state in terms of law enforcement resources, and they do not compromise our efforts to combat illicit marijuana use. I would encourage the Legislature to pass the medical marijuana bill and the governor to sign it. I would also discourage my counterparts in law enforcement from spending an inordinate amount of their time opposing this legislation. In time, they will find, as I did, that their concerns are largely unfounded."

Ray White, former Deputy Superintendent/Lieutenant Colonel for the Rhode Island State Police

"Rhode Island exempted the terribly ill and their caregivers from criminal penalties for marijuana use, possession, and limited cultivation in 2006. In 2009, we created a regulated system to distribute marijuana to the patients in a safe and comfortable

environment. We have seen no significant increase in teen use and the compassion centers have been model businesses having no negative effect on their neighborhoods to speak of. Medical marijuana has been a positive for Rhode Island.” (April 30, 2014)

Eric Nason, Hallowell, Maine Chief of Police

In Maine, where medical cannabis was approved in 1999, Hallowell Police Chief Eric Nason said his department sees burglaries related to prescription opiates and other drugs, but not cannabis. His department treats a dispensary in town like any other business. (“Vt., Maine offer marijuana lessons,” *Associated Press*, July 18, 2013)

James Craig, former Los Angeles police officer, then-police chief of Portland, Maine

Chief Craig told a reporter that regulated and licensed dispensaries tend to be good neighbors. (“LAPD Chief: Pot clinics not plagued by crime,” *Los Angeles Daily News*, January 17, 2010.)

Rep. Mark N. Dion, Esq., former Cumberland County sheriff and former Deputy Chief of Police in Portland, Maine

Sheriff Dion was interviewed by the Vermont Medical Marijuana Study Commission and supported the medical cannabis law there. Subsequently, he was elected to the state legislature, where he has sponsored legislation to expand the medical cannabis law to protect more patients.

Terry Maketa, El Paso County Sheriff, Colorado

In 2010, Sheriff Maketa told a reporter his department’s analysis of crime showed that dispensaries generate no more crime than other businesses. He said if these legal, fee-paying, taxpaying dispensaries were closed, they would create problems by rejuvenating the underground trade. (“Our View: Pastors and rabbis asked about pot,” *The Gazette*, September 10, 2010)

Norm Stamper, Washington, former Chief of Police of Seattle

“As police chief in Seattle (1994-2000), I can attest that Washington state’s medical marijuana laws did not produce the negative consequences predicted in some quarters. On the contrary, we saw no increase in marijuana use, especially by young people, and no increases in crime or public disorder.”

Bill Haine, former state’s attorney, Illinois state senator, and other Illinois legislators who are or were law enforcement

Sen. Bill Haine, a longtime prosecutor, was the lead Senate sponsor of Illinois’ medical cannabis law.

Other current or former law enforcement officials who voted for the bill include:

Rep. Edward Acevedo (current Chicago police officer), Sen. Antonio Muñoz (former Chicago police officer), and Rep. Emily McAsey (former criminal prosecutor at the Will County State's Attorney's office).

New Hampshire legislators with a law enforcement background

Retired law enforcement supporters of New Hampshire's medical cannabis bill — which is now a law — include Rep. Larry Gagne (R-Manchester), a retired police officer, Rep. Gene Charron (R-Chester), a retired jail superintendent, and Majority Leader Steve Shurtleff (D-Concord), a retired U.S. Marshal.

Washoe County Sheriff's Office, Las Vegas Police Protective Association, and Las Vegas Metropolitan Police Department

Representatives of all three of these Nevada law enforcement organizations testified in favor of 2013 Nevada legislation to add regulated dispensaries to the state's existing medical cannabis law. The legislation passed.

