

Bilag, præsentationer og links modtaget under og efter Retsudvalgets rejse til Portugal og USA i uge 39

PORTUGAL

1. SICAD

1a) Oplæg af General Director João Goulão

Er vedlagt som bilag 1a

1b) Oplæg af Politi-enheden: "National Unit for Drugs Trafficking Fighting"

Er vedlagt som bilag 1b

1c) Oplæg af Politi-enheden: "The role of the Public Security Police in drugs combat"

Er vedlagt som bilag 1c

1d) External Evaluation, National Plan Against Drugs an Drug Addictions 2005-2012 (PNCDDT)

http://www.sicad.pt/BK/Publicacoes/Lists/SICAD_PUBLICACOES/Attachments/30/Executive%20Summary%20External%20Evaluation%20PNCDDT%202005-2012.pdf

PORTUGAL

2. EMCDDA

(Wolfgang Götz, Danilo Ballotta, Brendan Hughes)

2a) Oplæg af Danilo Ballotta: "Cannabis in the EU"

2b) Oplæg: "Cannabis Policy, History, Legacy and Evidence"

2c) Oplæg af Brendan Hughes: Drug Legislation in the Member States of the European Union

2a, 2b og 2c er vedlagt som bilag

2d) Europæisk narkotika rapport 2014

Rapporten kan downloades her: <http://www.emcdda.europa.eu/edr2014>

2e) EMCDDA – Europol 2013 Annual Report on the implementation kan downloades her:

<http://www.emcdda.europa.eu/publications/implementation-reports/2013>

2f) EU Drug Markets Repport kan downloades her:

<http://www.emcdda.europa.eu/publications/joint-publications/drug-markets>

USA

3. Rådhuset i Denver

(Ashley Rea Kilroy)

3a) Budget 2014 Retail Marijuana Expenditures and Revenue

Er vedlagt som bilag

USA

4. Colorado Attorney General (John W. Suthers)

4a) Notits af John W. Suthers: **COLUMBIA LAW SCHOOL, Law Enforcement in Colorado: The Marijuana Experiment** September 10, 2014

Notitsen er vedlagt som bilag 4a.

Mail fra Terri Connell at the Colorado Attorney General's office:

It might also be interesting for the discussion in Denmark to look at the news story that Terri refers to in her e-mail. This topic was not covered during the delegation tour to Colorado. The lawsuit is about a quadriplegic male who was working for DISH network here in Denver. Outside of work hours the employee, a medical marijuana patient, used marijuana to control/treat symptoms related to his condition. After a routine (random) drug test came back positive for marijuana, the employer, DISH Network, fired the employee. The employee is suing DISH network for wrongful termination and the case has yesterday been heard at the Colorado State Supreme Court level.

USA

5. MIG – Marijuana Industry Group (Michael Elliot)

5a) Artikel 20/9-14 af Elliot: "Should Jeffco allow retail marijuana stores in unincorporated parts of the county? Yes"

Link: http://www.denverpost.com/opinion/ci_26568268/yes-its-county-anyway-why-not-profit

5b) Jeffers County Marijuana Task Force Report, September 15, 2014

Rapporten ligger på sagen på Biblioteket

5c) Link to a recent editorial that Mike Elliott authored for The Denver Post kan læses her:

http://www.denverpost.com/opinion/ci_26568268/yes-its-county-anyway-why-not-profit?source=pkg

5d) Mails med links fra Michael Elliot

Greetings,

Here are links to several articles that suggest that Colorado's marijuana policy has had *positive impacts on state tourism, the local and state economies, the housing market, and the commercial and industrial real estate market.*

Tourism

"Spending sends Colorado resort towns toward record setting tourism year"

Jason Blevins, *The Denver Post*, 5/25/14

http://www.denverpost.com/business/ci_25827190/summer-spending-sends-colorado-resort-towns-toward-tourism

"Denver tourists spend a record \$4.1 billion in 2013" Jason Blevins, *The Denver Post*, 6/18/14

http://www.denverpost.com/business/ci_25983824/denver-tourists-spend-record-4-1-billion-2013

"Colorado has record-setting 2013-14 ski season" *The Coloradoan*, 6/12/14

<http://www.coloradoan.com/story/sports/outdoors/2014/06/12/colorado-record-setting-ski-season/10397791/>

"Denver Booms as Outdoors, Ski Slopes trump prices, bustle of cities on coast" *Denver Post*,

http://www.denverpost.com/business/ci_24822974/denver-booms-outdoors-ski-slopes-trump-prices-bustle?source=most_viewed

- *"Spending on construction of new commercial buildings this year is estimated at about \$2.55 billion, up 26 percent from 2012 and the most in at least two decades, according to the city Community Planning & Development Department"*

Economy

"Hickenlooper Expects Marijuana Tax Money to Exceed Prior Expectations" John Ingold, *Denver Post*, 2-19-14, c

http://www.denverpost.com/news/ci_25185649/hickenlooper-expects-marijuana-tax-money-exceed-prior-expectations

"Metro Denver Saw Economic Development Payoff in 2013", *Denver Post*,

http://www.denverpost.com/business/ci_24961767/metro-denver-saw-economic-development-payoff-2013

- *"All of metro Denver's major industry groups, or "clusters," managed to add jobs last year, and the area snagged a larger-than-expected number of corporate headquarters. "We are now a magnet for corporate headquarters," said Tom Clark, CEO of the Metro Denver Economic Development Corp., in an outlook provided to the City Club of Denver on Tuesday. The metro area landed 10 corporate headquarters in 2013, up from the average of six to eight in recent years."*

"Colorado Dispensary Sales Soar 50%, Hit \$329 Million" - *Marijuana Business Daily*, <http://mmjbusinessdaily.com/329m-medical-marijuana-market-in-colorado/>

Real Estate

"Denver Ranks as a Top 'Market to Watch' for Commercial Real Estate," *Denver Business Journal*

http://www.bizjournals.com/denver/blog/real_deals/2014/01/cre.html

"Denver Home Sales Break Record Set in Housing Boom," *Denver Post*, 1-8-14, http://www.denverpost.com/business/ci_24873010/denver-home-sales-break-record-set-housing-boom?source=most_viewed

The marijuana industry in Colorado owns or leases close to 3 million square feet of Denver real estate, 5 million state wide, keeping vacancy rates to a very tight 5%.

- Opponents admit that the industry greatly contributed to getting Colorado through the recession.

Greetings,

Today marks six months of legal cannabis sales in Colorado. The early data overwhelmingly demonstrates that Colorado's program is a success.

The dire predictions of our opponents have failed to materialize.

Colorado is seeing record tourism, record real estate, and increases in tax revenue and jobs.

Further, Colorado voters rank legalization a success.

1. **Record Tourism**

1. "[2013/14 ski season noted as best year for Colorado](#)," Colorado Ski Country USA, 6-12-14.
2. "[Spending sends Colorado resort towns toward record setting tourism year](#)," by Jason Blevins, *The Denver Post*, 5/25/14.
3. "[Denver tourists spend a record \\$4.1 billion in 2013](#)," by Jason Blevins, *The Denver Post*, 6/18/14.

2. **Strong Economic Indicators**

1. "[Colorado jobless rate drops to 6%, labor shortages emerge in trades](#)," by Howard Pankratz, *Denver Post*, 5-16-14.
2. "[Metro Denver Saw Economic Development Payoff in 2013](#)," by Aldo Svaldi, *Denver Post*, 1-21-14.
 1. *"All of metro Denver's major industry groups, or 'clusters,' managed to add jobs last year, and the area snagged a larger-than-expected number of corporate headquarters. 'We are now a magnet for corporate headquarters,' said Tom Clark, CEO of the Metro Denver Economic Development Corp., in an outlook provided to the City Club of Denver on Tuesday. The metro area **landed 10 corporate headquarters in 2013**, up from the average of six to eight in recent years."*
3. "[Colorado recreational marijuana sales, taxes boomed in April](#)," by John Ingold, *Denver Post*, 6-9-14.
4. [Actual marijuana sales and excise tax numbers for April](#), published June 2014.

3. **Record Real Estate:**

1. "[Denver Booms as Outdoors, Ski Slopes trump prices, bustle of cities on coast](#)," by Nadja Brandt, *Bloomberg*, *Denver Post*, 12-31-13.
 1. *"Spending on **construction** of new commercial buildings this year is estimated at about \$2.55 billion, **up 26 percent from 2012** and the most in at least two decades, according to the city Community Planning & Development Department."*
2. "[Colorado Pot Laws Help Mile-High City's Appetite for Real Estate to Grow Even Higher](#)," by James Higdon, *CNN*, 12-13-2013.
3. [Denver Ranks as a Top 'Market to Watch' for Commercial Real Estate](#)," by Dennis

Huspeni, Denver Business Journal, 1-17-14.

4. **National Momentum:**

1. "[Federal restrictions on pot are under review](#)," by German Lopez, Vox, 6-24-14.
2. "[Lawmakers in 11 states approve low-THC medical marijuana bills](#)," by John Ingold, Denver Post, 6-30-14.
3. "[Sensible on Weed](#)," **National Review Online**, 1-6-14.

1. *"Perhaps most important, the legalization of marijuana in Colorado - and the push for its legalization elsewhere - is a sign that Americans still recognize some limitations on the reach of the state and its stable of nannies-in-arms."*

4. "[Bill Clinton: States should experiment with marijuana legalization](#)," by Dylan Stableford, Yahoo News, 6-29-14.
5. "[Gupta: 'I am doubling down' on medical marijuana](#)," by Sanjay Gupta, CNN Chief Medical Correspondent, 3-6-14.
6. "[Eric Holder Would Be Glad to Work with Congress to Reschedule Marijuana](#)," by Ryan Reilly, Huffington Post, April, 4 2014.

5. **Public Support Increasing**

1. "[CO voters rate marijuana legalization a success](#)," Public Policy Polling, 3-19-14.
 1. "57% of Colorado voters now say they think marijuana usage should be legal."
2. "[Majority of Americans now support legal pot, poll says](#)," CBS News, 1-23-14.
 1. **54% of Independents support legalizing marijuana.**

The Marijuana Industry Group continues to partner with state and local agencies to ensure that Colorado has a comprehensive, sensible, and robust regulatory framework. We will also continue our efforts to educate the public about responsible cannabis use.

Thank you,

Mike Elliott, Esq.

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Greetings,

The New York Times Editorial Board published a piece on Sunday calling for the repeal of cannabis prohibition. See that article below.

Cannabis reform is increasingly becoming a bi-partisan issue. The National Review Editorial Board has also recently called for legalization, click [here](#). And Republican US Senator Rand Paul is leading the effort to reform marijuana laws in the US Senate, click [here](#).

http://www.nytimes.com/interactive/2014/07/27/opinion/sunday/high-time-marijuana-legalization.html?ref=opinion&_r=0

Repeal Prohibition, Again

By *THE EDITORIAL BOARD*

It took 13 years for the United States to come to its senses and end Prohibition, 13 years in which people kept drinking, otherwise law-abiding citizens became criminals and crime syndicates arose and flourished. It has been more than 40 years since Congress passed the current ban on marijuana, inflicting great harm on society just to prohibit a substance far less dangerous than alcohol.

The federal government should repeal the ban on marijuana.

We reached that conclusion after a great deal of discussion among the members of The Times's Editorial Board, inspired by a rapidly growing movement among the states to reform marijuana laws.

There are no perfect answers to people's legitimate concerns about marijuana use. But neither are there such answers about tobacco or alcohol, and we believe that on every level - health effects, the impact on society and law-and-order issues - the balance falls squarely on the side of national legalization. That will put decisions on whether to allow recreational or medicinal production and use where it belongs - at the state level.

We considered whether it would be best for Washington to hold back while the states continued experimenting with legalizing medicinal uses of marijuana, reducing penalties, or even simply legalizing all use. Nearly three-quarters of the states have done one of these.

But that would leave their citizens vulnerable to the whims of whoever happens to be in the White House and chooses to enforce or not enforce the federal law.

The social costs of the marijuana laws are vast. There were 658,000 arrests for marijuana possession in 2012, according to F.B.I. [figures](#), compared with 256,000 for cocaine, heroin and their derivatives. Even worse, the result is racist, falling disproportionately on young black men, ruining their lives and creating new generations of career criminals.

There is honest debate among scientists about the health effects of marijuana, but we believe that the evidence is overwhelming that addiction and dependence are relatively minor problems, especially compared with alcohol and tobacco. Moderate use of marijuana does not appear to pose a risk for otherwise healthy adults. Claims that marijuana is a gateway to more dangerous drugs are as fanciful as the "Reefer Madness" images of murder, rape and suicide.

There are legitimate concerns about marijuana on the development of adolescent brains. For that reason, we advocate the prohibition of sales to people under 21.

Creating systems for regulating manufacture, sale and marketing will be complex. But those problems are solvable, and would have long been dealt with had we as a nation not clung to the decision to make marijuana production and use a federal crime.

In coming days, we will publish articles by members of the Editorial Board and supplementary material that will examine these questions. We invite readers to offer their ideas, and we will report back on their responses, pro and con.

We recognize that this Congress is as unlikely to take action on marijuana as it has been on other big issues. But it is long past time to repeal this version of Prohibition.

Mike Elliott

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The Washington Post

"Since marijuana legalization, highway fatalities in Colorado are at near-historic lows"

Click [here](#) to read online

By [Radley Balko](#) August 5

Since Colorado voters legalized pot in 2012, prohibition supporters have warned that recreational marijuana will lead to a scourge of "drugged drivers" on the state's roads. They often point out that when the state legalized medical marijuana in 2001, there was a surge in drivers found to have smoked pot. [They also point to studies](#) showing that in other states that have legalized pot for medical purposes, we've seen an increase in the number of drivers testing positive for the drug who were involved in fatal car accidents. The anti-pot group SAM recently [pointed out](#) that even before the first legal pot store opened in Washington state, the number of drivers in that state testing positive for pot jumped by a third.

The problem with these criticisms is that we can test only for the presence of marijuana metabolites, not for inebriation. Metabolites can linger in the body for days after the drug's effects wear off - sometimes even for weeks. Because we all metabolize drugs differently (and at different times and under different conditions), all that a positive test tells us is that the driver has smoked pot at some point in the past few days or weeks.

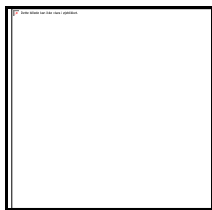
It makes sense that loosening restrictions on pot would result in a higher percentage of drivers involved in fatal traffic accidents having smoked the drug at some point over the past few days or weeks. You'd also expect to find that a higher percentage of churchgoers, good Samaritans and soup kitchen volunteers would have pot in their system. You'd expect a similar result among *any* large sampling of people. This doesn't necessarily mean that marijuana caused or was even a contributing factor to accidents, traffic violations or fatalities.

This isn't an argument that pot *wasn't* a factor in at least some of those accidents, either. But that's precisely the point. A post-accident test for marijuana metabolites doesn't tell us much at all about whether pot contributed to the accident.

Since the new Colorado law took effect in January, the "drugged driver" panic has only intensified. [I've already written about](#) one dubious example, in which the Colorado Highway Patrol and some local and national media perpetuated a story that a driver was high on pot when he slammed into a

couple of police cars parked on an interstate exit ramp. While the driver did have some pot in his system, his blood-alcohol level was off the charts and was far more likely the cause of the accident. In my colleague Marc Fisher's [recent dispatch from Colorado](#), law enforcement officials there and in bordering states warned that they're seeing more drugged drivers. Congress [recently held hearings on the matter](#), complete with dire predictions such as "We are going to have a lot more people stoned on the highway and there will be consequences," from Rep. John Mica (R-Fla.). Some have called for a zero tolerance policy - if you're driving with any trace of pot in your system, you're guilty of a DWI. That would effectively ban anyone who smokes pot from driving for up to a couple of weeks after their last joint, including people who legitimately use the drug for medical reasons.

It seems to me that the best way to gauge the effect legalization has had on the roadways is to look at what has happened on the roads since legalization took effect. Here's a month-by-month comparison of highway fatalities in Colorado through the first seven months of this year and last year. For a more thorough comparison, I've also included the highest fatality figures for each month since 2002, the lowest for each month since 2002 and the average for each month since 2002.



As you can see, roadway fatalities this year are down from last year, and down from the 13-year average. Of the seven months so far this year, five months saw a lower fatality figure this year than last, two months saw a slightly higher figure this year, and in one month the two figures were equal. If we add up the total fatalities from January through July, it looks like this:



Raw data from the Colorado Dept. of Transportation

Here, the "high" bar (pardon the pun) is what you get when you add the worst January since 2002 to the worst February, to the worst March, and so on. The "low" bar is the sum total of the safest January, February, etc., since 2002. What's notable here is that the totals so far in 2014 are closer to the safest composite year since 2002 than to the average year since 2002. I should also add here that these are total fatalities. If we were to calculate these figures as a rate - say, miles driven per fatality - the drop would be starker, both for this year and since Colorado legalized medical marijuana in 2001. While the number of miles Americans drive annually has leveled off nationally since the mid-2000s, the number of total miles traveled [continues to go up in Colorado](#). If we were to measure by rate, then, the state would be at lows unseen in decades.

The figures are similar in states that have legalized medical marijuana. [While some studies have shown](#) that the number of drivers involved in fatal collisions who test positive for marijuana has steadily increased as pot has become more available, [other studies have shown](#) that overall traffic fatalities in those states have dropped. Again, because the pot tests only measure for recent pot use, not inebriation, there's nothing inconsistent about those results.

Of course, the continuing drop in roadway fatalities, in Colorado and elsewhere, is due to a variety of factors, such as better-built cars and trucks, improved safety features and better road engineering. These figures in and of themselves only indicate that the roads are getting safer; they don't suggest that pot had anything to do with it. We're also only seven months in. Maybe these figures will change. Finally, it's also possible that if it weren't for legal pot, the 2014 figures would be even lower. There's no real way to know that. We can only look at the data available. But you can bet that if fatalities were *up* this year, prohibition supporters would be blaming it on legal marijuana. (Interestingly, though road fatalities have generally been falling in Colorado for a long time, 2013 actually saw a slight

increase from 2012. So fatalities are down the year after legalization, after having gone up the year before.)

That said, [some researchers have gone so far](#) as to suggest that better access to pot is making the roads safer, at least marginally. [The theory](#) is that people are substituting pot for alcohol, and [pot causes less driver impairment than booze](#). I'd need to see more studies before I'd be ready to endorse that theory. For example, there's also [some research contradicting](#) the theory that drinkers are ready to substitute pot for alcohol.

But the data are far more supportive of that than of the claims that stoned drivers are menacing Colorado's roadways.

CLARIFICATION: I wrote that "we can test only for the presence of marijuana metabolites, not for inebriation." That isn't quite accurate. This is true of roadside tests. But a blood test taken at a hospital can measure for THC, the psychoactive ingredient in marijuana. That said, even here there are problems. Regular users can still have remnant THC in their blood well after the effects have worn off. Regular users can also have levels above the legal limit and still drive perfectly well. In Colorado, a THC level of 5 nano grams or more brings a presumptive charge of driving under the influence. However, references to "marijuana-related" accidents in studies, by prohibitionists, and by law enforcement could refer to any measure or trace of the drug. So when officials and legalization opponents talk about increases in these figures, it still isn't clear what any of this means for road safety.

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Colorado teen marijuana use continues to decrease post legalization

For immediate release:
August 7, 2014

Denver: The Colorado Department of Public Health and Environment (CDPHE) released new data today showing that teen marijuana use has continued to decrease post legalization.

The newly released CDPHE data shows that from 2011 to 2013 the rate of current marijuana use among Colorado high school students has decreased from 22% to 20%; During the same time, CDC data shows that national teen marijuana usage remained virtually unchanged (2011: 23.1, 2013: 23.4) [CDC Data](#). The CDPHE survey also shows that lifetime use by high school students has declined from 39 percent to 37 percent during the same two years.

Click [here](#) or look below to see the CDHPE release.

Statement from Michael Elliott, Executive Director of the the Marijuana Industry Group, on today's report from the Colorado Department of Public Health and Environment about teen marijuana use:

"The Marijuana Industry Group is happy to see that teen marijuana use continues to decrease since Colorado licensed and regulated cannabis businesses.

As responsible business owners, MIG members will continue to partner with state and local government entities, and other stakeholders, on teen prevention campaigns.

Our members work hard to make sure their products don't end up in the hands of those who shouldn't have it. Unlike the black market, our members don't sell to those under 21 and we talk to every customer about responsible use and storage.

The industry pledges to remain vigilant in encouraging responsible cannabis use and preventing underage use."

Links to More Studies

["Legalizing medical marijuana doesn't increase use among adolescents, study says."](#) Science Daily, April 23rd, 2014.

["Teen marijuana use hasn't exploded amid boom in legalization support, drug survey finds."](#) By Steven Nelson, US News & World Report. December 18, 2013.

News: New survey documents youth marijuana use, need for prevention

Mark Salley, Communications Director | 303-692-2013 | mark.salley@state.co.us

FOR IMMEDIATE RELEASE: Aug. 7, 2014

DENVER -- Fewer high school students in Colorado think using marijuana is risky.

Preliminary results from the 2013 Healthy Kids Colorado Survey show the percentage of students who perceived a moderate or great risk from marijuana use declined from 58 percent in 2011 to 54 percent in 2013.

The survey also shows cigarette use among high school students trending downward, at a faster pace than marijuana. Dr. Larry Wolk, executive director and chief medical officer for the Colorado Department of Public Health and Environment noted that public smoking bans, tobacco taxes, awareness campaigns and enforcement of underage tobacco sales account for the continued decrease in underage cigarette smoking.

"We know what works to protect young people from unhealthy substances," Wolk said. "As with tobacco, youth prevention campaigns will help ensure adult legalization of marijuana in

Colorado does not impact the health of Colorado kids."

One in five Colorado high school students used marijuana in the past 30 days, and more than a third have used it at some point in their lives, the survey shows. **Thirty-day marijuana use fell from 22 percent in 2011 to 20 percent in 2013**, and lifetime use declined from 39 percent to 37 percent during the same two years. None of the declines shown in the preliminary data represent a statistically significant drop in rates.

But health experts worry that the normalization of marijuana use in Colorado could lead more young people to try it.

"If we want Colorado to be the healthiest state in the nation, then we need to make sure our youngest citizens understand the risks of using potentially harmful substances," said Dr. Wolk.

"Later this month, we'll launch a youth prevention campaign that encourages kids not to risk damaging their growing brains by experimenting with marijuana."

While studies show using marijuana has an effect on brain development, the extent of that effect will take years to determine conclusively. The campaign is designed to grab kids' attention, present them with the existing science and empower them to make informed decisions.

The Healthy Kids Colorado Survey collects anonymous health information from Colorado middle and high school students every other year. In 2013, the state departments of health, education, and human services launched a unified version of the survey to approximately 40,000 randomly-selected students from more than 220 middle and high schools. Final state and regional results will be available this fall at <http://www.chd.dphe.state.co.us/>.

Mike Elliott

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Greetings,

Please see the below policy brief from the Brookings Institute in Washington, D.C. on Colorado's implementation of marijuana legalization. I am proud to have played a role in Colorado's successful implementation. As an industry representative, we will remain vigilant in the years to come, and continue to push for a comprehensive, robust, and well-funded regulatory framework that locks out the black market and prevents underage use.

Colorado's Marijuana Legalization Rollout is a Success

Brookings.edu

<http://www.brookings.edu/blogs/fixgov/posts/2014/07/31-colorado-marijuana-legalization-implementation-hudak-rauch>

Jonathan Rauch | July 31, 2014 10:00am

I recently sat down with John Hudak who authored a new report "[Colorado's Rollout of Legal Marijuana is Succeeding: A Report on the State's Implementation of Legalization](#)." I asked him a few questions about his research and findings and what implementation in Colorado means in the broader policy conversation.

You've just finished a detailed investigation of how Colorado has implemented its legalization of retail recreational marijuana. How would you say the state is doing?

Overall the state is doing well. It had a monumental task to perform. Amendment 64, the voter-approved constitutional amendment that legalized recreational marijuana, set up very quick and very strict deadlines. The state legislature, regulators, and industry came together with the law enforcement community and even many opponents of Amendment 64 to create a system that allows Colorado residents and visitors to purchase marijuana.

Marijuana stores opened just a few months ago. What's the basis for judging the success of the rollout so soon?

Implementation is complex process. It doesn't begin on the first day the policy goes into effect. It begins long before that. Although marijuana stores opened in January, this has been a multiyear process. That gives us a lot of time and a lot of experience to look at and judge. We can look at the decisions that have been made, the policies that have been established, and the system that has emerged. While we don't yet know how the *policy* of legalization will work out, it's not too early to say that implementation of the reform has been a success.

In making your assessment, what kind of people did you talk to, and what were you able to observe?

I cast a pretty broad net. I talked to people inside government who are dealing with this every day, and also to many people on the outside-including people in the law-enforcement and medical communities who had been opposed to Amendment 64 and in some cases continue to be. I was able to visit the Department of Revenue, which regulates legal marijuana, and see what that institution looks like from the inside. I was able to visit medical dispensaries and retail stores to see how business is conducted. I was able to visit a grow operation to see the cultivation side.

Did marijuana legalization pose special challenges for the state?

It truly did. Most reforms have roots in established policy. Even something as new and innovative as the Affordable Care Act had a model in Massachusetts. But setting up a legal retail marijuana industry was an unprecedented policy change. Whenever legislators, regulators, and industry actors are facing a big change with very little experience, it poses tremendous risks of failure. Moreover, marijuana is prohibited by federal law. It's a real challenge for the state to implement legalization within that frame.

You found a number of key factors that account for Colorado's strong launch. At the head of your list is leadership. What kind of leadership, and why was it so important?

Leadership on this issue came from multiple sources. Chief among them was Gov. John Hickenlooper. He opposed Amendment 64, but after it was approved he put aside his personal opposition and moved decisively to implement the voters' will. Leadership also came from the Department of Revenue, which adopted the Hickenlooper approach. What shouldn't be understated was leadership that *opponents* of the law showed in several contexts. They came to the table, they sat on the state's Implementation Task Force, and they worked to make this policy as limited-risk as possible. They showed a type of maturity that we don't often see at the federal level.

Tell us about the process Colorado used, which relied on multiple task forces and working groups. What difference did that make?

The Implementation Task Force played an essential role. This was a body tasked with making recommendations on legal issues, regulatory issues, health and safety issues, and more-with very little time. In a few short months, the task force and its five working groups produced a nearly 200-page report that guided regulation and legislation in the ensuing months. The task-force approach didn't end there, however. As the state moved ahead and encountered challenges, it employed subsequent working groups to tackle them. This approach has been hailed as broadly successful by experts, by proponents of Amendment 64, and even by some of the amendment's opponents.

Colorado was able to build on an existing regulatory structure for medical marijuana, but it did something pretty bold by totally overhauling that structure. Why was that important?

In early 2013, the state released the findings of an audit of its medical marijuana system, and the report was scathing. In response, the state addressed many of the audit's concerns, proposing new medical marijuana rules alongside the new rules for recreational marijuana. So the state needed to fix medical marijuana anyway, and the introduction of retail facilitated a comprehensive, broad overhaul.

There's a lot of cynicism in Washington, D.C., around policy "czars" and interagency meetings, but you say that just such arrangements made a crucial difference in Colorado. Why?

Policy czars at the federal level are frequently criticized, but in the case of legalization of marijuana in Colorado, there was a real need for a coordinator. Someone had to identify problems and help keep a multitude of agencies and stakeholders on the same page, and the state's director of marijuana coordination did that. Also, the governor brings his cabinet together monthly, which helps make sure things don't fall through the cracks. It's good government practice-in fact, it's also good business practice. Those coordination efforts, combined with the task-force and working-group model, facilitate communication in ways that often don't happen in other governments across the United States.

You argue that part of what worked in Colorado wasn't governmental so much as "cultural." What do you mean by that?

For essentially everyone's lifetime, marijuana has been illegal. Adjusting to that in the medical community, in the law-enforcement community, and in the public at large requires a real change from what you always knew to be true. While there remain staunch opponents to legalization, I found different groups in the state-particularly law enforcement and health care-retraining, rethinking, and gathering information on what legalization means for them. In a polarized political environment, oftentimes the immediate reaction to a controversial change is just outright opposition. Colorado has shown a real willingness to build the new reality into its own reality.

A major point you make is that Colorado can't afford to rest on its laurels. In fact, some major challenges lie ahead. Why are so-called "edibles"-marijuana in ingestible forms-such a hard issue?

The problem with edibles is that people often have trouble understanding how much cannabis they're consuming and thus how much is safe to eat. Labeling, potency, and serving sizes are inconsistent, as well. So edibles are easy for users, especially naïve ones, to overconsume. The state needs to address that issue. And it is responding. It has organized new working groups seeking ways to make edibles safer and more predictable

Colorado's legalization, unlike Washington state's, allows "homegrows": noncommercial marijuana cultivation by private individuals. Why is that a big regulatory challenge?

Amendment 64 gives Coloradans a constitutional right to grow marijuana in their homes. That reduces revenues flowing to the state as homegrown marijuana is not taxed. More importantly, it limits the state's ability to track and regulate homegrown product, which some worry will be diverted into the illegal market or lead to other problems. At the same time, home-growing also gives responsible users a legal way to obtain marijuana in certain cities and counties in Colorado that have chosen to opt out of the legal retail system. As data come in, we'll get a better understanding of how problematic-or how responsible-the homegrow system is, but it's likely to be an issue the state will need to revisit.

Smart regulators always worry about perverse incentives, and you've pointed to a couple of them. One involves rules that could steer "marijuana tourists" toward edibles. What's the problem there?

Tourists can be driven to edibles in large part because the state bans smoking in most public areas and also many private areas. You can't smoke outdoors. You can't smoke in parks. You can't smoke in hotel rooms. And visitors to Colorado cannot take it home. For tourists, particularly in Denver, there are not many legal places for you to smoke marijuana. As a result, edibles become an attractive alternative to smoking. So some of your riskiest users are being led to use your riskier product. That's an incentive the state should work on changing. Stakeholders are already debating ways to define more clearly and effectively what "public" use means, and the state is also trying to regulate edibles so that they're easier to use responsibly.

What about taxes that nudge people into the medical-marijuana system instead of the better-regulated retail system, another perverse incentive you identify?

For years it has been an open secret in Colorado that some people were using medical marijuana without a legitimate medical condition. One goal of creating the retail market was to draw those gray-market users away from medical and toward recreational. The problem is that taxes on retail marijuana are dramatically higher than they are on medical marijuana, so existing medical users have very little incentive to leave the medical market. In fact, the state has seen an *increase* in

the number of registered medical marijuana users since legalization took effect. Rebalancing the incentives is likely to require regulatory changes in both markets.

Frequently in your report, you stress flexibility in Colorado's approach: a learning-by-doing mentality and a willingness to adapt and adjust. Why is flexibility so important, and how-if at all-can Colorado preserve it over time?

I think what many Americans are fed up with in their government is stubbornness. In any job-in any context in life-being unwilling to learn from new information or from mistakes is a fast track to failure. In Colorado, regulators realize they won't get everything right on the first try. And so they've embraced an approach that involves regulatory lookback, where they're frequently trying to improve existing regulations and adjust their approach to enforcement. That's an effective regulatory approach which the federal government could use more of.

As for preserving regulatory flexibility over time, that depends on the personnel in Colorado's agencies, the leadership of its government, and the evolution of its political environment. Right now Colorado has all three going for it. But what's ahead is an open question. Who's coming up to the plate next might determine whether legal marijuana is a home run or a fast out.

Click to read: "[Colorado's Rollout of Legal Marijuana is Succeeding: A Report on the State's Implementation of Legalization](#)"

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Jonathan Rauch, a contributing editor of *National Journal* and *The Atlantic*, is the author of several books and many articles on public policy, culture, and economics.

USA

6. The Denver Post (Ricardo Baca)

6a) Mail videresendt fra Nanna Smith

Thanks so much for asking me to speak with your esteemed guests. Their questions were insightful and tough, and it was my pleasure to spend that time with them.

I hope my answers were helpful. It sounds as if they have many hard, important decisions to make in the coming years.

Please pass along my email to them and let them know that I'm always available if they have any follow-up questions? Thanks.

Best to you.

Ricardo

e-mail: rbaca@denverpost.com

USA

7. LEAP

(Sean Mcallister)

7a) CD om LEAP

Kan lånes ved henvendelse på Biblioteket

7b) Mail med opfølgning fra mødet med mr. Frieling

From Mr. Frieling:

On Friday, September 26, 2014 1:52 PM, Leonard Frieling <Lfrieling@Lfrieling.com> wrote:

Dear Mr. Nielsen

Here are some answers which were sought and not provided by me at lunch

For LEAP.cc

1. About 180 speakers

2. About 150,000 supporters

Teen Use Down, for example:

3. Teen use: <http://dailycaller.com/2014/08/08/colorado-teens-smoking-less-pot-since-legalization/>

4. Crime down, for example:

Crime: <http://www.msnbc.com/all/does-marijuana-lower-the-crime-rate>

Thanks!

Lenny Frieling

Shared Knowledge is Power. LIF 1998

Leonard Frieling

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USA

8. Colorado Department of Revenue
(Ron Kammerzel)

8a) Market size and demand for marijuana in Colorado. Rapporten kan læses her:

<http://www.colorado.gov/cs/Satellite?blobcol=urldata&blobheadername1=Content-Disposition&blobheadername2=Content-Type&blobheadervalue1=inline%3B+filename%3D%22Market+Size+and+Demand+Study%2C+July+9%2C+2014.pdf%22&blobheadervalue2=application%2Fpdf&blobkey=id&blobtable=MungoBlobs&blobwhere=1252008574534&ssbinary=true>

USA

9. Denver District Attorney's Office

(Mitchell R. Morrissey, George Brauchler og Lamar Sims)

9a) Brev af 26/9-14 fra Morrissey til Florida Prosecuting Attorneys Association
Er vedlag som bilag 15a

9b) Link til "The Legalization of Marijuana in Colorado – The impact Volume 1, august 2013 og volume 2 august 2014

<http://www.rmhidta.org/html/FINAL%20Legalization%20of%20MJ%20in%20Colorado%20The%20Impact.pdf>

<http://www.rmhidta.org/html/August%202014%20Legalization%20of%20MJ%20in%20Colorado%20the%20Impact.pdf>

9c) District Attorney, Lamar Sims of the Second Judicial District
har sendt følgende links:

["Documents reveal new details of feds' raid on Colorado pot operations - By Kirk Mitchell](#)

[The Denver Post](#)" som kan læses her:

http://www.denverpost.com/news/ci_26643395/documents-reveal-new-details-feds-raid-colorado-pot?source=email

USA

10. Øvrige

10a) Artikel fra Science Direct af Bryce Pardo: "Cannabis policy reforms in the Americas: A comparative analysis of Colorado, Washington and Uruguay"
Er vedlagt som bilag.