

Guest commentary: Marijuana legalization wrong for Pennsylvania

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Courtesy of West Chester Police Department

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As executive director of The Pennsylvania Chiefs of Police Association and as a former member of the Pennsylvania Department of Health Medical Marijuana Advisory Board, I would like to express concerns about the legalization of marijuana and its effect on public safety. I believe that marijuana legalization will pose significant challenges for law enforcement resulting from unanticipated consequences.

We support marijuana decriminalization. There is an important distinction here. Decriminalization simply removes criminal sanctions against an act, article or behavior. But with legalization, marijuana would be available to the adult general population for purchase and use at will, similar to tobacco and alcohol.

There are insufficient data to determine the true impact of legalized marijuana on crime and safety. However, studies in Colorado show:

• High-potency THC from marijuana hash oil extractions, which are used in laced edibles and beverages, has led to overdoses, potential psychotic breaks, and suicide attempts.

• Youth use and addiction rates have increased due to ease of accessibility, and there is great concern about the significant health impacts of chronic marijuana use on the youth.

• Banking systems are unavailable to the marijuana industry because of federal laws, creating a dangerous level of cash that can lead to crime.

• Difficulties in establishing what is a legal marijuana operation have created problems in conducting investigations, determining probable cause and search and seizure procedures.

• The illegal marijuana trade has not decreased. Diversion across state boundaries has created issues for states that haven’t legalized marijuana.

• Detecting driving under the influence of marijuana is a significant challenge for law enforcement. Currently, there is no roadside test for marijuana intoxication.

• Many states have had difficulties due to conflicting state legislation and local ordinances, policies and procedures. And marijuana remains a Schedule I controlled substance under federal law.

One of our most salient concerns relates to the consequences of drug-impaired driving. Law enforcement officials have witnessed many crashes and fatalities. We are uniquely qualified to discuss the issues and concerns related to impaired driving. Our efforts to curb drunken driving have met with a great deal of success, but drug-impaired driving is not the same as alcohol impaired driving, and our understanding of the impairments due to drug impairment is limited.

There is a documented correlation between blood-alcohol levels and levels of impairment. This does not exist for other drugs. There is no valid impairment standard for marijuana or any other drug equivalent to the 0.08% limit for alcohol. Exacerbating the problem is the matter of how to best create, implement and enforce the laws prohibiting impaired driving. This is particularly concerning in populous areas, where the risk of catastrophic consequences related to a drug impaired driving incident is exponentially greater.

The percentages of traffic deaths related to the use of recreational marijuana doubled in Washington state in the year retail marijuana sales were allowed. In Colorado, marijuana is involved in more than one of every five deaths on the road. These statistics highlight why it is necessary to wait until we have a better understanding of the impacts and management of marijuana intoxication.

Given the statistics available today, it is indisputable that the use of recreational marijuana negatively impacts the motoring, pedestrian and special needs community and that innocent people in states where recreational use of marijuana has been legalized are at a greater risk of harm, injury and death due to the increased numbers of drug-impaired drivers.

Law enforcement executives need answers that are supported by valid data and scientific research. Current information validates our concerns and strengthens our collective resolve that Pennsylvania should not legalize the use of recreational marijuana.