



Working to Reform Marijuana Laws

Testimony of Carly Wolf
State Policies Coordinator, National Organization for the Reform of Marijuana Laws (NORML)
to the House Health and Human Services Committee
in Support of House Bill 12 and House Bill 17, to legalize and regulate marijuana for adults
February 13, 2021

I wish to thank the Chair and members of the Committee for holding a hearing on this important matter and for considering my testimony.

My name is Carly Wolf, State Policies Coordinator with The National Organization for the Reform of Marijuana Laws (NORML) – a Washington, DC based advocacy organization that opines in favor of evidence-based marijuana policy reforms.

I am providing testimony in favor of both House Bill 12 and House Bill 17, with a preference toward HB 12, which seeks to disrupt the illicit marijuana market by regulating and licensing retail sales to adults with a focus on social equity and inclusion.

Now more than ever, there exists majority public support for ending our nation's nearly century-long experiment with marijuana prohibition and replacing it with a taxed and regulated adult use marketplace. Almost seven-in-ten US adults, including majorities of all age groups, believe that the use of "marijuana should be made legal" according to recently released nationwide polling data provided by Gallup. In New Mexico, 72 percent of voters said they favor a proposal to legalize, tax, and regulate cannabis sales, and 67 percent favor expunging past cannabis convictions.

Licensing the commercial marijuana marketplace will bring long overdue controls to this market. Voters do not desire replacing nearly a century of criminalization with a marijuana free-for-all. They are aware of the reality that marijuana possesses some potential level of risk and that there exists the potential for abuse, particularly among young people. In fact, it is precisely because of this reality that NORML believes that society ought to regulate its use, production, and dispensing accordingly. By contrast, we believe that advocating for the plant's continued criminalization and for the proliferation of the black market does nothing to offset these risks; it compounds them.

This is because marijuana prohibition drives markets underground and abdicates control of these markets to those who typically operate outside the boundaries of law. Regulation, by contrast, allows for lawmakers to establish legal parameters regarding where, when, and how an adult cannabis market may operate. Legalization also provides oversight regarding who may legally operate in said markets and provides guidelines so that those who do can engage in best practices.

Such regulations already exist for alcohol and tobacco – two substances that are far more dangerous and costly to society than is the adult use of cannabis. The imposition and enforcement of tobacco and alcohol regulations, coupled with public awareness campaigns highlighting these



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products' risks and acknowledging the distinctions between their use versus abuse, has proven effective at reducing the public's overall consumption of these substances, especially among teens.

Unfortunately, a legal environment in which marijuana is criminalized is not conducive to imposing such common sense, evidence-based practices. A pragmatic regulatory framework that allows for the legal, licensed production and retail sale of cannabis to adults, but restricts and discourages its use among young people best reduces the risks associated with the plant's use or abuse, and provides an environment whereby consumers can best learn the skills and knowledge to readily delineate between the two behaviors. That is why the majority of New Mexico voters welcome the opportunity to bring necessary and long-overdue regulatory controls to the marijuana market, and why they support lawmakers' efforts to move in this direction.

Legalizing marijuana is also a mechanism for providing necessary racial and social justice. The American Civil Liberties Union research report, *A Tale of Two Countries: Racially Targeted Arrests in the Era of Marijuana Reform* (2020) concludes: "On average, a Black person is 3.64 times more likely to be arrested for marijuana possession than a white person, even though Black and white people use marijuana at similar rates. Just as before, such racial disparities in marijuana possession arrests exist across the country, in every state, in counties large and small, urban and rural, wealthy and poor, and with large and small Black populations."

Findings in this same report show that in New Mexico in 2018, over 5,200 individuals were arrested for marijuana law violations. Of those arrested, over 90 percent of defendants were charged with possession only. Arrests for the possession of marijuana in the state made up over half of all drug arrests in 2018.

Black people in New Mexico are more than four times as likely to be arrested for marijuana-related violations as are white people. In places like Santa Fe, Blacks are almost fourteen times as likely to be arrested for marijuana possession than whites.

For these reasons, NORML advocates for the passage of House Bills 12 and 17. It is time for New Mexico to become a leader in sensible cannabis policy. Public sentiment and common sense demand that lawmakers move forward to enact necessary and long overdue changes in state-level marijuana policies to achieve the repeal of marijuana prohibition so that the responsible, adult use of cannabis is no longer subject to arrest and criminal penalty.

Once again, I urge members of the Committee to support the passage of both House Bill 12 and House Bill 17, to end the criminalization of cannabis consumers.

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