



Written Testimony on Marijuana Legalization
Aging and Youth Committee
Pennsylvania State Senate
April 12, 2022

*Judge Cheryl Lynn Allen
Of Counsel, PA Family Institute*

Thank you for giving me the opportunity to share my experience on the issue of legalization of recreational marijuana. I am deeply appreciative of having this opportunity because I believe that the legalization of recreational marijuana is a subject that must be very seriously and thoroughly examined and rejected. I say this because based upon my experience, I know that the legalization of recreational marijuana will bring increased decay and dire consequences to our state, especially our young people.

I began my professional career as a second grade teacher in the Pittsburgh public schools. This elementary school consisted of children who lived in one of Pittsburgh's largest public housing projects, Northview Heights. After graduating from law school, I was employed in the north side office of Neighborhood Legal Services where I provided legal services to the same population I served as a teacher. During this time I represented many parents who were losing their children to the foster care system, usually because of substance abuse. I subsequently spent 13 years in the Allegheny County Law Department where I represented Children Youth and Families in Juvenile Court proceedings involving abused and neglected children. In 1990, I was appointed Judge to the Court of Common Pleas of Allegheny County, elected to a 10 year term in 1991 and retained for a second 10 year term in 2001. I served in the Criminal Division of the court for five years and in the Family Division, Juvenile section for 12 years.

My experience in adjudicating cases involving addiction whether in juvenile court or criminal court is extensive. The overwhelming majority of cases in criminal court involve substance abuse and addiction ranging from simple possession of a controlled substance or possession with intent to deliver a controlled substance as well as property crimes and often violent crimes, which are often committed for the purpose of supporting an addiction.

The overwhelming majority of children who come into the child welfare system pursuant to a dependency adjudication come from homes where parents are rendered incapable of caring for them because of addiction. It would be fair to say over a period of 17 years I interacted with thousands of families and individuals, including teenagers, whose lives have been wrecked or destroyed and whose families have been torn apart and rendered dysfunctional because of drug addiction.

I have learned through experience that there is no such thing as a harmless controlled substance; that is why the substance was controlled in the first place. Marijuana is not a harmless substance. Every drug addict I know started out using marijuana. People can and do become addicted to marijuana, especially young people. Marijuana addiction occurs at a tremendous cost to families, to teenagers and to society. It is from this background that I offer this testimony.

The purposes of government include: to establish laws, maintain order and provide security, protect citizens from external threats, and promote the general welfare by providing public services. Legalizing marijuana for recreational use will not serve any of these purposes. The main benefactors of legalizing marijuana for recreational use will be the corporate giants who are attempting to position themselves to reap profits at the expense of Pennsylvania's citizens, especially young people.

As a former elementary school teacher and juvenile court judge, concern for young people is chief among many reasons for my opposition to the legalization of recreational marijuana. Our children are our future and they are our most valuable natural resource. They are our future leaders. As caring, concerned, tax paying adults, we along with the government must strive to protect and equip them so they will be prepared to protect and serve the next generation. The legalization of recreational marijuana has been proven to seriously undermine and weaken the healthy development of our youth.

In an article by HealthyDay reporter Robert Preidt entitled, *More Legal Pot, More Teens Are Lighting Up*, researchers analyzed data from more than three million California seventh, ninth and eleventh graders, who answered questions about their marijuana use from the 2010-11 school year through 2018-19. Between the 2017-18 and 2018-19 school years, after pot was legalized for adults, there was a 23% rise in marijuana use over the past 30 days and teen's likelihood of lifetime use rose 18%.

Marijuana today is much stronger than it was in the past. According to the National Institute on Drug Abuse (NIDA), of the more than 500 chemicals in marijuana, THC is the main one that causes a person to feel high and THC levels have been increasing. In the early 1990s, the average amount of THC in marijuana seized by the U.S. Drug Enforcement Administration was

less than 4%; in 2018, it averaged more than 15%. The average THC potency in products available in some state dispensaries can even be higher. In states that have legalized the commercial sale of marijuana for recreational use, we're seeing marijuana products with 99% THC for legal sale. This rise in THC potency could increase the negative effects of using marijuana, especially for first time users and for young people because their brains and bodies are still developing.

Smoking or vaping higher-potency marijuana can cause serious side effects leading some people to seek help in emergency rooms. High doses of THC can trigger psychotic episodes which is one of the main causes for emergency room visits associated with marijuana. Marijuana overdose may occur from high THC potency which may lead to sickness or extreme disorientation. Frequent exposure to high levels of THC increases the risk of dependence and addiction, and using marijuana at a young age increases the risk for addiction later in life.

An article by the Partnership to End Addiction noted that research has found that young people who use marijuana are as much as 4-7 times more likely than adults to become addicted. This is in line with what the Center for Disease Control (CDC) finds with one out of every six minors that use marijuana will become addicted.

Higher potency THC is also associated with more severe dependence and a greater likelihood or increased risk among adolescents of developing schizophrenia or other psychoses and anxiety disorder and panic attacks, especially among frequent and long-term users.

Marijuana is the drug most frequently found in the blood of drivers involved in, and often responsible for car crashes. Much like alcohol, marijuana affects judgment and general motor skills, which is especially risky for new and inexperienced teenage drivers. According to the National Highway Traffic Safety Administration, the number of drivers found to have marijuana in their system is higher than drivers who test positive for alcohol. In fact, a national survey of teens found that 83% said they would feel unsafe to ride in a car with a driver who just drank alcohol. Only 74% said the same about driving with someone who just used marijuana. Among teen drivers who said they have used marijuana in the past month, nearly half said they have driven after using marijuana. Driving while high is not safer than driving while drunk.

According to the Partnership to End Drug Abuse, marijuana can have long-term effects among the most vulnerable to the harms of marijuana, namely adolescents and young adults. Substances like marijuana directly interfere with brain development, especially the parts of the brain responsible for decision making, reward seeking and impulse control. Marijuana use can lead to problems with attention, memory and learning as well as poor judgment, increasing the likelihood of risky sexual behaviors and unlawful acts. According to SAMHSA, young frequent users may experience a decrease in IQ by as much as 8 points.

Finally, long term marijuana use, especially by young people, may result in physical side effects such as respiratory problems, fertility issues, immune system problems in addition to changes in the brain and emotional problems.

The research is clear. Recreational marijuana use poses an extreme danger to our young people and consequently, our future.

No amount of tax revenue is worth sacrificing the safety and well being of our citizens, especially our youth. Further, the cost that taxpayers will pay for the crime, the violence, the sickness, increased addiction and mental illness will easily negate any increased revenue. The only revenue windfall will be that which is received by the marijuana industry.

Conflating the need for criminal justice reform with legalizing recreational marijuana is wrong. The argument is that marijuana must be legalized for recreational use so that racial disparities in arrests, charging, prosecution, sentencing and incarceration can be minimized or eliminated. The problem with this argument is that in the criminal court system, racial disparities in prosecuting drug cases exist across the board. These disparities result from law enforcement's focus on street or open drug trafficking rather than drugs which are sold and delivered in less conspicuous ways. Does this mean that crack cocaine or heroin should also be legalized for recreational use so that racial disparities in prosecution can be eliminated? The negative impact that illegal drugs have had on the black community goes far beyond racial disparities in criminal prosecutions.

Should we ignore the violence and death that accompany drug dealing? Should we ignore the broken homes and the traumatized neglected children who end up in the foster care system because of drug addiction? Should we overlook the physical, emotional, mental and behavioral problems that our young people suffer from drug use? We should not fall into the trap of attempting to correct a wrong with another wrong because all we will end up with is wrong.

Criminal justice reform as well as inequities in arrests, charging, prosecution, sentencing and incarceration can be accomplished without promoting policies which are guaranteed to lead to more drug addiction, crime and harm to our communities, especially our young people.

In court, when someone is entering a guilty plea on anything, part of the plea colloquy is to make sure that they are doing so completely voluntarily and not under the influence of anything. The same should be true in life. We should not be legalizing any mind-altering chemical for recreational use. It would be a serious setback to society and you cannot right any societal problems using a wrong method.

Legalizing marijuana for recreational use is wrong for Pennsylvania and must be rejected.