



**ATTORNEY GENERAL OF COLORADO**  
**John W. Suthers**

February 4, 2010

Dear Members of the Colorado General Assembly:

I join many in law enforcement, health care and drug treatment in vehemently opposing any legislation that embraces the clinic or dispensary model for distribution of medical marijuana. My reasons are as follows:

In 2000 the Colorado voters passed Amendment 20 to the Colorado Constitution. In enacting Amendment 20 the voters allowed patients with debilitating medical conditions to assert an affirmative defense to enforcement of the state marijuana laws. Patients are allowed to grow and possess small amounts of marijuana for themselves, or if they choose, to have a “primary caregiver,” a person who has “significant responsibility for the welfare of the patient,” to grow small amounts for them. Even the proponents of Amendment 20 acknowledged that it did not allow for the commercial sale of marijuana and certainly did not provide for commercial dispensaries or clinics.

For the first eight years the patient/caregiver model worked reasonably well. The medical marijuana registry reached about 1,600 patients. The health department reports patients did not complain about lack of access to medical marijuana.

But over the last year, with a change in federal policy and the failure of the State Board of Health to implement a limit on the number of patients a caregiver can have, the medical marijuana “industry” has exploded. Dispensaries are claiming to be the primary caregiver for hundreds, and in some cases thousands, of patients. At the rate of current applications, we will soon have 100,000 or more medical marijuana patients claiming to have a debilitating medical condition.

I believe the objective of the legislature in passing medical marijuana legislation should be to implement Amendment 20 and the intent of the voters who passed it. To embrace commercial dispensaries or clinics as a means of distributing marijuana would go far beyond the intent of the voters. In my opinion, it would constitute de facto legalization. But the voters rejected legalization of the drug by a 60/40 margin in 2006. I strongly believe the voters should have a say if the state is going to go beyond the parameters of Amendment 20.

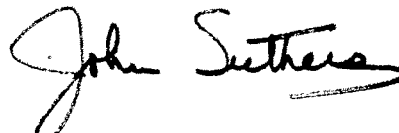
Embracing dispensaries or clinics as a means of commercially distributing marijuana will have profound adverse societal ramifications. Research consistently shows

the adolescent marijuana use is a function of accessibility to the drug and social acceptance of the drug; (i.e. the more youth perceive smoking marijuana as a normative behavior, the greater their use of the drug). We've seen a significant reduction in teenage use of marijuana over the last several years. Colorado's embrace of commercial dispensaries and the resulting perception that using marijuana is normative behavior, will change that trend. Liberalization of marijuana laws in Alaska, Holland and other places led to significant increases in teenage use. The research also shows that increased adolescent use of marijuana has a high correlation with more serious drug addiction, high school dropout rates and crime, including violent crime. The revenue generated from the marijuana industry will not cover the societal costs we will all incur.

The Colorado General Assembly has exhibited much distress about high school dropout rates in particular, and its societal consequences. If you are serious about wanting to reduce the dropout rate, you should not ignore its correlation with adolescent marijuana use. Pouring more money into schools or school "choice" won't solve the problem of drug impaired teenagers being unable to succeed in school. Please talk to school officials, drug counselors and social workers about the correlations between marijuana use and delinquency and truancy.

I ask you to respect the voters of Colorado and confine your legislative efforts to implementation of the patient/caregiver model they approved in 2000 and by rejecting the creation of a commercial marijuana industry in Colorado without voter approval.

Sincerely,

A handwritten signature in black ink that reads "John Suthers". The signature is written in a cursive, flowing style.

JOHN W. SUTHERS  
Colorado Attorney General