



## **DEA Admits State-Level Marijuana Legalization Reduces Illegal Market Demand**

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The Drug Enforcement Administration (DEA) recently acknowledged in a report that state-level marijuana legalization reduces instances of illegal interstate trafficking.

In its performance budget submission to Congress for fiscal year 2021, DEA gave an overview of its enforcement efforts and made predictions about future trends. Buried within the document is a subtle admission that giving consumers legal access to cannabis means that demand for marijuana products sourced from the illegal market decreases.

DEA said “after the 2017 legalization of medical marijuana in Florida resulted in retail distribution centers throughout the [area of responsibility], the legalization of low-Tetrahydrocannabinol (THC) (10%) smokeable medical marijuana in March 2019 is anticipated to lead to a growing market for Florida-sourced low-THC marijuana.”

“Yet, until high potency marijuana becomes legalized in Florida, we believe the impact will be minimal on the demand for high-THC marijuana from California and other states,” it continued. “Until then, the potential for abusing current law remains a possibility due to the difficulty in detecting THC potency by law enforcement.”

The acknowledgement seems to be two-part. Not only is DEA recognizing the simple fact that people tend to prefer obtaining marijuana through legal channels, thus disrupting the illicit market, but the agency also uses the operative word “until” when discussing the prospects of adult-use legalization in the state.

Justin Strekal, political director of NORML, told Marijuana Moment that DEA’s conclusion is “obvious.”

“Just as the practice of bootlegging moonshine declined after the legalization of alcohol, so too would the smuggling of illicit market marijuana in a legal, regulated state,” he said. It’s a trend that “we’ve seen in practice for years in states all across the country.”

Strekal also observed that the word “until”—rather than “if,” for example—shows that the Justice Department is cognizant of what’s increasingly viewed as the inevitability of legalization.

“Their framing clearly indicate that the days of prohibition are nearly over,” he said. “We are living through the death rattles of prohibition.”

In Florida, a campaign to put cannabis legalization on the state’s ballot pushed back its timeline over complications related to the signature gathering deadline, and it will now pursue a reform initiative for 2022 rather than this year.

Federal data on Border Patrol drug seizures seems to bolster the idea that cannabis legalization at the state level has reduced demand for the product from the illicit market. According to a 2018 report from the Cato Institute, these substantial declines are attributable to state-level cannabis reform efforts, which “has significantly undercut marijuana smuggling.”

Additionally, legalization seems to be helping to reduce federal marijuana trafficking prosecutions, with reports showing decreases of such cases year over year since states regulated markets have come online.

In his annual report on the judiciary last year, Supreme Court Chief Justice John Roberts also noted reduced federal marijuana prosecutions—another indication that the market for illegally sourced marijuana is drying up as more adults consumers are able to buy the product in legal stores.

The head of the labor union that represents U.S. Border Patrol agents also acknowledged last month that states that legalize marijuana are disrupting cartel activity.