



Schumer's Denver Moment Showed Federal Cannabis Legalization Inevitable

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In 2014, I had been tapped by then-Governor John Hickenlooper to oversee the rollout of Colorado's new cannabis laws. At the time, the job seemed insurmountable, between creating a regulatory program, aligning fees with taxes and budgets, starting public education campaigns and enacting policy fixes. Over time, though, the most important aspect of the job became being an ambassador to interested observers of what came to be known as the Great Colorado Weed Experiment.

By the time Senator Chuck Schumer's delegation came through, I had moved on to another job, but his visit was the pivotal moment that changed the senator's views on cannabis legalization. And I have to imagine that it went like almost every other fact-finding delegation I had received as Colorado's cannabis czar, and is indicative of why federal legalization is inevitable.

Most visits went like this: In the time it took to drive from Denver International Airport to downtown, they had made about fifteen bad puns and passed the one spot on the highway where they could smell cannabis from the licensed growers and distributors in the industrial district.

But the delegations turned serious when they toured the first grow. The sea of green, so meticulously tracked, the millions of dollars of bespoke machinery, the obvious mastery of botany, security and logistics. For those expecting to see sloppy rows of plants in a tinfoil-wrapped basement, seeing multimillion-dollar operations striving to meet the highest levels of compliance made quite the impression. It was so often at that point that policymakers from all over the world would take a hard look at legalization. These operations would create jobs, would bring economic development, and would generate significant tax revenue.

Then there would be feedback from the community. For so many residents, legal cannabis was only as present in their day-to-day life as they wished it to be. By far the biggest complaint was the smell. But the shops blended into their surroundings, and the ability to have a good night out away from cannabis remained easy. To be sure, the community would point to growing pains and downsides. There was the occasional tourist edible freakout. The odd neighbor who smoked all the time. But these were exceptions more than the rule, and locals would be quick to point out

that they had many friends and relatives now involved in the industry, and that overall, legalization had been positive for Colorado. According to a recent interview, it was these conversations with residents who experienced legalization firsthand that provided Senator Schumer his “aha” moment.

And finally, the visit would end with a review of the data, which is admittedly still unfortunately thin. Who is to say whether a spike in crime is the result of legalization rather than an economic downturn caused by a global pandemic? But most Denverites would agree that available data provides no “smoking gun.” Youth use has remained stable. Most top-line numbers for health and public safety show no correlation to legalization, let alone causation.

The casual observer is not alone in making this claim. The Cato Institute recently analyzed data from newly legalized states and concluded, “The absence of significant adverse consequences is especially striking given the sometimes-dire predictions made by legalization opponents.” Overall, there is very little evidence to show significant changes to top-line public health or safety.

By the return trip to DIA, these delegations would already be talking about the solutions that a federalized regulatory system could provide to address challenges posed by a state-only legalized system — better research and data, controls to prevent abusive marketing, quality controls to help ensure product safety, more resources for ensuring proper regulatory oversight — and dozens of other benefits that made them forget the scent of cannabis when passing the section of highway near the industrial district.

I give this account of the conversion of policymakers because it illustrates one important fact: Legalization is inevitable. Polling already shows that cannabis legalization has hit its societal tipping point. These visits illustrate how cannabis will also hit its policymaker tipping point.

As legalization advances from state to state, more and more Republican and Democratic lawmakers will become witnesses to the growth of this industry in their own backyards.

By the third year of legalization in Colorado, legalization had found significant bipartisan support among lawmakers (none of whom backed the measure initially). As more and more legislators on the federal level witness what Senator Schumer witnessed, I do not doubt that the same will be true for federal legalization.