

**Bryon Adinoff, M.D.**  
Adinoff Addiction Psychiatry, PLLC  
Addiction Psychiatry Consultant

March 14, 2017

Criminal Jurisprudence Committee  
Texas House of Representatives  
Austin, Texas

RE: H.B. 81 (Moody)

Members:

Thank you for the opportunity to speak with you today in support of H.B.81.

My name is Bryon Adinoff. I am a member of the faculty at UT Southwestern Medical Center, but am here strictly as private citizen expressing my own opinions. I am an addiction psychiatrist and have been living in Dallas since 1995. I have published and spoken widely on the biological effects and treatment of addictive disorders<sup>1</sup> and I am the Editor of *The American Journal of Drug and Alcohol Abuse*.

Speaking as an addiction neuroscientist, there is no doubt that the chronic, heavy use of marihuana has potentially harmful effects. But the vast majority of people who use marijuana do not develop a problem with marijuana use. For these users, the most dangerous effect of marihuana is getting arrested for marijuana possession. The harm that accompanies being arrested for marijuana typically far outweighs the potential dangers of the marihuana use itself. At a minimum, the arrest record and conviction, the suspension of a driver's license, and the loss of federal financial aid can have severe consequences to even the casual marijuana user. I know that you will hear from many others today who will speak to the personal consequences and societal costs of these overly harsh laws.

As an addiction psychiatrist, I can also speak to the clinical relevance of the present penalties for the possession of small amounts of marijuana. I really do not know of any. There have been between 65,000 and 75,000 arrests in Texas for marijuana possession each year over the past 10 years.<sup>3</sup> But little has changed in marijuana use patterns. In fact, marijuana users take little notice of the penalties. These laws serve little, if any, deterrent effect. For example, the Substance Abuse and Mental Health Services Administration (SAMHSA) recently reported that the lowest rates of marijuana use in the United States were in south Texas, along the border.<sup>4,5</sup> In contrast, rates in central Texas are nearly double that. Same state laws, much different rates of use.

Laws against marijuana possession used to be far harsher. These laws did not stop marijuana use back then and they do not stop it now. I have never had a marijuana user tell me that the penalty for marijuana possession influenced their decision as to whether to use it or not. What influences marijuana use or addiction is its cost, the perception of harm, and availability, as well as a users genetic make-up, personality, environment and co-occurring medical and psychiatric problems. The penalty for use plays little role in this decision.

In summary, the state laws for possession of small amounts of marijuana do not deter marijuana use. They do, however, cause lifelong consequences to the person arrested. There is much good, and no downside, to H.B. 81. I hope you will support this reasonable and just proposal.

1. Adinoff publications: <https://www.ncbi.nlm.nih.gov/pubmed/?term=adinoff+b>
2. The American Journal of Drug and Alcohol Abuse:  
<http://www.tandfonline.com/toc/iada20/current#.VafsK7ftTwQ>
3. Federal Bureau of Investigation, Uniform Crime Reporting Program
4. [https://www.washingtonpost.com/news/wonk/wp/2016/07/26/this-map-shows-how-many-people-are-getting-high-near-you/?utm\\_term=.bd0f91e1961f](https://www.washingtonpost.com/news/wonk/wp/2016/07/26/this-map-shows-how-many-people-are-getting-high-near-you/?utm_term=.bd0f91e1961f)
5. <https://www.samhsa.gov/data/sites/default/files/substate2k12-ExcelTabs/NSDUHsubstateTOC2012.htm>