

Lessons Learned from Massachusetts

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Lessons Learned from Massachusetts

A Primary Prevention Perspective

- Speaking from the MAPA experience (501c3, all-volunteer, private funds – we do not take public funds)
- Immersed in marijuana laws and policies that prevent problematic use since 2007
- 10 lessons learned from Massachusetts Prevention Professionals across the state

Where we are at right now

- Informed by history
- Learn as we go
- What we can do and can't do
- What we must do
- Build and rebuild a team, organize, coordinate (fluid)
- Self-care and support is CRITICAL

Lessons Learned in MA: #1

To have primary prevention, public health influence, we need to know EXACTLY [what is in the law](#).

- All Details on each section
- Organized and coordinated: built a team to do this work
- How the CCC is structured
- Details on local control
- Marketing and Advertising
- Definitions
- What products are allowed
- Social Equity Program

Lessons Learned Massachusetts #2: Prioritize and Focus

What is most important to us in the interest of public health?

What is doable?

Be okay with what we cannot do or get done

Be okay with compromise

Lessons Learned in MA: #3

To have primary prevention, public health influence, we also needed to have our [data](#) straight.

- _ Collected all types of relevant data
- _ Build relationships to get existing data
- _ Build relationships to collect new data

Lessons Learned in MA: #4

To have primary prevention, public health influence, we also needed to know [our history and research](#).

- Alcohol and tobacco
- Public health
- Social Equity

Lessons Learned in MA: #5

To have primary prevention, public health influence, we also needed to [develop our message and use it](#). Make noise.

Who is the target? Who needs to hear the message?

- Legislators?
- Cannabis Control Board?
- Public? (Youth, adults, sector, etc)

Example: Working to get billboards off our highways

What was in the law:

(a 1/2) The commission shall, in accordance with chapter 30A, adopt regulations consistent with this chapter for the administration, clarification and enforcement of laws regulating and licensing marijuana establishments. The regulations shall include:.....

*...(2) a prohibition on advertising, marketing and branding by means of television, radio, internet, billboard or print publication unless at least 85 per cent of the audience is reasonably expected to be 21 years of age or older, **as determined by reliable, up-to-date audience composition data**; (G.L. c. 94G, § 4(a1/2)(xxix)(2)).*

Example: Billboards off our Highways

Collected Data

- MAPA advocates reporting: location, info was on it, photo image)
- Youth mj use rates in each billboard location

Example: Billboards off our Highways

Research on relevant marketing info:

“According to new research, teens who saw marijuana ads on billboards or storefront ads are 7 times more likely to use the drug weekly and 6 times more likely to have symptoms of cannabis use disorder.”

Cannabis Marketing and Problematic Cannabis Use Among Adolescents. Pamela J. Trangenstein, Jennifer M. Whitehill, Marina C. Jenkins, David H. Jernigan, and Megan A. Moreno *Journal of Studies on Alcohol and Drugs* 2021 82:2, 288-296.

“Exposure to marijuana advertisements was associated with higher odds of current marijuana use among adolescents. Regulations that limit marijuana advertisements to adolescents and educational campaigns on harmfulness of illicit marijuana use are needed.” -https://www.cdc.gov/pcd/issues/2017/17_0253.htm

Example: Billboards off our Highways

Make Noise



Massachusetts Addiction
Prevention Alliance

November 19, 2020

Dear Chairman Hoffman and Members of the Cannabis Control Commission,

Advertising of retail marijuana on billboards has become increasingly visible across the Commonwealth (Please see Appendix A, for 15 billboards sighted by public health advocates over the past few weeks). Community stakeholders continue to bring this to our attention, expressing significant concerns about the impact of these roadside messages on our underage population. Recent studies reveal that increased exposure to marijuana advertisements reduces the perception of harm of marijuana use and is associated with both increased intention to use, and increased youth use.^{i,ii}

To minimize youth exposure to marijuana advertising in Massachusetts, and to decrease the risk of youth use associated with advertising, the legislature (G.L. c. 94G, § 4(a1/2)(xxix)) and the Cannabis Control Commission (935 CMR 500.105(4)(b)) have been clear that advertising requires proof that no more than 15% of the viewing audience be under 21 years of age. Any current marijuana billboard or other advertisement in our communities and on our highways violates the law and regulations if it was displayed prior to confirming audience composition data. Before marijuana advertising, marketing and branding is allowed, there must be reliable current data showing that at least 85% of the “expected” audience will be people 21 and over (G.L. c. 94G, § 4(a1/2)(xxix)(2)).

As such, we expect that there are data showing that the audience for each billboard is no more than 15% under age 21 and is available for public review. With this letter, we respectfully request a copy of these data for each billboard. If credible, verified, and reliable composition data have not been submitted to the CCC, we respectfully ask that a cease and desist letter be issued to companies advertising via marijuana billboards and by other medium, with a fine levied. We ask that the fine collected be applied to youth marijuana use prevention efforts in Massachusetts.



This Liberty Cannabis Billboard Located on I-90E at mile market 51.8 is problematic given data from a recent Springfield YRBS survey shows that nearly 70% of Springfield 8th, 10th, and 12th graders, surveyed in 2020, perceive little or no harm associated with marijuana use.

Example: Billboards off our Highways

Continued to Communicate:



Cannabis for everyone? This particular billboard message may not only be violating the audience composition rule, it may also be violating the law that prohibits advertising in such a manner that is deemed to be "deceptive, false or misleading". The science, the law, the CCC, and even some actors within the marijuana industry itself have made it very clear that marijuana is harmful to the under 21-year-old population and must not be promoted for their use. Messaging that promotes marijuana use reduces perception of harm of the drug which in turn, increases youth use. That is why the law requires advertising to have proof that no more than 15% of the viewing audience is under 21 years of age. As specifically stated:

Lessons Learned Massachusetts #6: Find our go-to talking points!

Example: Social Equity Program

Marijuana is not good for children and youth – anybody's children and youth. It is not good for young people of any race and any social class. Access and acceptability to marijuana increases youth use. To prioritize our most vulnerable communities suffering from lack of resources and ridden with child welfare issues, crime, violence, and addiction for marijuana business will exacerbate every single problem these communities already have.

Lessons Learned Massachusetts #7: Regularly testify and Submit Comment!

- Review all details of proposed regulations
- Talk to other states that have established markets and learn best practices, etc.
- Find and partner with new advocates to pass the baton to
- Submit testimony on everything: It does not have to be perfect or complete, bulleted lists

Lessons Learned Massachusetts #8: Advocate at the Local Level

- Learn and understand the full process of how to opt-in
- Help local advocates wanting to keep marijuana out of their community
 - give them accurate information, data,
 - connect them with experts
 - share resources, campaign materials and processes
- Talk to other states that have established markets and learn best practices, etc.
- Connect with new advocates to pass the baton to

Lessons Learned Massachusetts #9: Build strong relationship with members of the Control Board

- Get to know them and what's important to them
- Meet regularly
- Send regular emails/communications

Control Board Make-up is Important

- **Avoid Regulatory Capture:** When an industry takes over its own rule and lawmaking
- Prohibit expert **marijuana lobbyists** from being appointed to the Control Board
- Vermont's law:
 - _ 3 Member Board
 - _ Candidates are kept confidential
 - _ Does not require VT residency
 - _ 3 year terms, up to 3 terms = 9 years!
 - _ Removal only for cause by other 2 members
 - _ Law does not state they cannot be an investor/financier



SHALEEN TITLE

MA Cannabis Control Commission

- Senior staffer for Colorado's Law
- Lead signatory on Massachusetts' ballot
- Co-founder of THC Staffing, Inc.
- Rolling Stone's Top Female Marijuana Lobbyist

Our Public Health Advisory Board had highly respected health experts on it that experienced having no voice at the table

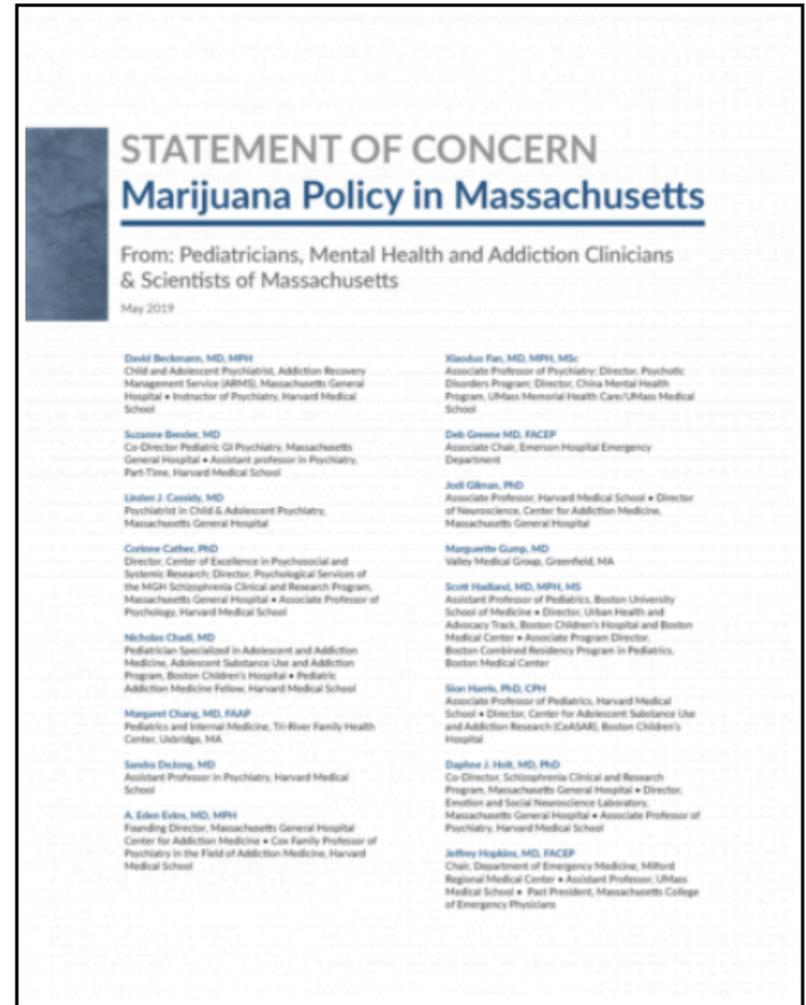
Regulatory Capture is a very **real threat** for any state that legalizes

Massachusetts Lessons Learned #10: Education is CRITICAL

- What does the public think and understand?
- What don't they know?
- What do our youth need to know to navigate all the competing messages?

Over 40 top MA clinicians and scientists signed on. 14 pages featuring:

- Recent Scientific Findings
- Summary of concerns based on science
- Outlines a public health framework for mj policy
- Recommends that MA state MJ laws and regulations meet key public health standards through the regulatory framework that prioritize population-level health over commercial market interests



Find full copy: <http://www.mapreventionalliance.org>

Education for Youth

- What do our **youth need to know** to navigate all the competing messages? And how do we get youth to learn what they need to know?

- What prevention education program showed a **52% decline** in targeted youth drug use behavior over an 8-year period? If it was this successful, wouldn't we want to replicate it?

The Legacy's Foundation Truth Campaign

- Reduced number of teen smokers by 300,000 between 2000 – 2002.
- Past month cigarette use dropped from 35 percent of youth in 1999 to 20 percent in 2007.
- The campaign is not only credited for the decline in youth smoking, but research indicates it actually **accelerated** reduction in use.
- It is the only program in history that has shown such significant, attitude and behavioral changes sustained over time.

The Legacy's Foundation Truth Campaign

What happened?

- **Defunded** and definition of counter marketing now **omits language that includes “exposing” industry-marketing practices** which was a fundamental feature in the campaign's success.
- Tobacco industry got behind Botvin's Life Skills Training

Original article

Avoiding “Truth”: Tobacco Industry Promotion of Life Skills Training

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Manuscript received March 20, 2006; manuscript accepted June 23, 2006

Abstract:

Purpose: To understand why and how two tobacco companies have been promoting the Life Skills Training program (LST), a school-based drug prevention program recommended by the Centers for Disease Control and Prevention to reduce youth smoking.

Methods: We analyzed internal tobacco industry documents available online as of October 2005. Initial searches were conducted using the keywords “life skills training,” “LST,” and “positive youth development.”

Results: Tobacco industry documents reveal that since 1999, Philip Morris (PM) and Brown and Williamson (B&W) have worked to promote LST and to disseminate the LST program into schools across the country. As part of their effort, the companies hired a public relations firm to promote LST and a separate firm to evaluate the program. The evaluation conducted for the two companies did not show that LST was effective at reducing smoking after the first or second year of implementing the program. Even so, the tobacco companies continued to award grants to schools for the program. PM and B&W’s role in promoting LST is part of a public relations strategy to shift the “youth smoking paradigm” away from programs that highlight the tobacco industry’s behavior and toward programs in which the industry can be a partner.

Conclusions: Individuals and organizations responsible for developing and implementing tobacco control and youth smoking prevention programs should be aware of PM and B&W’s role and motivations to encourage the wide-spread adoption of LST in schools. © 2006 Society for Adolescent Medicine. All rights reserved.

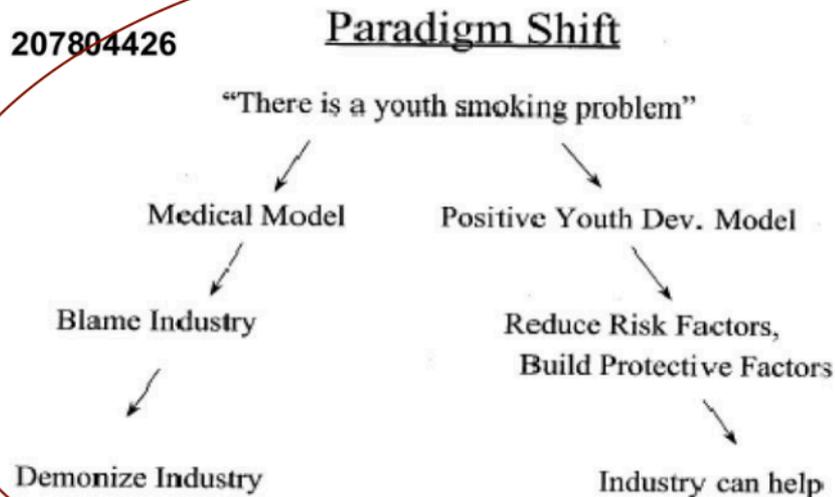


Figure 1. This slide, from a 1999 Philip Morris (PM) “Key Initiative Update,” describes how it hoped to use its youth smoking prevention strategy as it sought a “paradigm shift” [30] away from the “medical model,” such as the California Tobacco Control Program [31], which highlights the industry’s deceptive behavior to a “positive youth development model” that permits the industry to be viewed as a partner in reducing youth smoking. PM selected Life Skills Training (LST) because it believed that LST supported this objective.

by stating that “The parent company CEOs’ had expressed the desire to ‘do something big’ regarding youth smoking in conjunction with the announcement that the Industry was ending its participation in the Congressional ‘settlement’ negotiations” [16]. In contrast to the widely accepted view among public health professionals [27], all Task Force members agreed “that cigarette advertising was not a significant factor in influencing kids to smoke” [28]. A Task Force Report in July 1998 stated that the objective was “to

and tobacco policy in general [33]. The Task Force believed that LST met these objectives and outlined opportunities and future steps to promote and implement the program [29], which, according to a copy of a 1998 version of the LST website found in a Lorillard External Relations file, was not well known to most schools at the time [34].

By the time the Industry Task Force issued its report in July 1998, at least one member of the Task Force had reported a meeting with LST developer Gilbert Botvin and stated that, “Dr. Botvin has a high level of interest in working with the tobacco industry to help kids by extending the use of his program” [29]. Botvin did express concern about working with the tobacco industry. A September 16, 1998 letter from Corky Newton (B&W Vice President, Corporate and Youth Responsibility Programs) to Botvin described how the industry would deal with his concerns:

We certainly understand your concerns over having any close association with the Tobacco Industry, and promise to be careful to avoid putting you in a position which could reflect negatively on you or your program [35].

Although PM and B&W were committed to promoting and institutionalizing LST and working with Botvin, the Task Force’s proposal to support the program did not generate a consensus among all the tobacco companies. On August 7, 1998, Lorillard’s Bell reported to Spears that she and Carolyn Brinkley (Manager of Public Affairs, R.J. Reynolds [RJR]) felt that because of “legislative, regulatory, and litigation uncertainties” it was premature to fund the Task Force LST project. Bell noted that the proposed

Education for Youth

Do young people need to **know the history of addictive commodities marketing** and the associated economics involved?

Do they need to learn the **new research** coming out that offers strong compelling incentive for markets to target young people?

All of marijuana's negative health effects intensify the earlier in life use begins, and nearly all marijuana use begins in adolescence; individuals who do not use marijuana before the age of 21 almost never use it.

Source: Hassunah, R. and McIntosh, J. (2016). Quality of Life and Cannabis Use: Results from Canadian Sample Survey Data. *Health*, 8, 1576-1588. Retrieved from <http://dx.doi.org/10.4236/health.2016.814155> on April 23, 2017.

10 Lessons Learned in MA

1. Know **the law**
2. **Prioritize** and focus
3. Collect and have your **data**
4. Collect and have your **research**
5. Develop **message** and **use it**
6. Find **go-to talking** points
7. Testify/Submit **Comment**: Build **partnerships** to do this
8. Advocate at the **local level**
9. **Build relationship** with the Control Board
10. **Educate, educate, educate**

“A strong programmatic structure and secure funding are insufficient to ensure [a successful prevention program], without external pressure from nongovernmental groups.”

Kennedy, A., Sullivan, S., Hendlin, Y., Barnes, R., & Glantz, S. (2012). Strong Tobacco Control Program Requirements and Secure Funding Are Not Enough: Lessons From Florida. *American Journal of Public Health*, 102(5), 807–817. Retrieved from <http://doi.org/10.2105/AJPH.2011.300459> on April 18, 2017.

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