



LETTER TO THE EDITOR

When Public Will Meets Legislative Resistance: Five Lessons from Ohio's Issue 2 Cannabis Legalization Controversy

Bryant M. Stone*

Abstract

In this paper, I explore the challenges of legalizing cannabis in Ohio, focusing on the passing of the Issue 2 Bill, legislative resistance, and public response. I propose five strategies for effective policy change: persistent advocacy post policy change success, establishing strong coalitions, empowering grassroots movements, promoting rigorous data-driven research, and launching public education campaigns. I offer a detailed analysis of the interaction between public opinion and legislative action in cannabis legalization and its implications for substance-related policy change.

Keywords: cannabis legalization; Ohio Issue 2; legislative resistance; substance-related policy; public advocacy

“Puff, puff pass to puff, puff police,” declared an Ohio native during a state congressional meeting, criticizing the Ohio Senate’s revision to Issue 2,¹ which 57% of Ohio citizens endorsed, that legalized recreational cannabis. The bill allowed adults to possess up to 2.5 ounces and 12 plants per household.² However, the state senate passed Senate Bill 86, revising Issue 2 to reduce plant possession to six and raise taxes from 10% to 15%.³ Ohio residents expressed discontentment for diverging from the voter-approved cannabis-financed social equity and jobs programs. Senate Bill 86 reallocates the revenue to jail construction, law enforcement, substance use treatments, suicide prevention, cannabis conviction expungement, local drug enforcement, and safe driving initiatives.

To the dismay of cannabis advocates, some of these initiatives worked against legalization benefits supported by literature^{4,5} and demonstrated in foreign countries.^{6,7} This controversy urges proactive post legislation strategies to improve substance-related outcomes, even beyond cannabis, including policies maintaining the U.S. Opioid Epidemic.⁸⁻¹⁰ To anticipate

and manage future legislative challenges, this controversy provides valuable insights, such as:

Enduring Legalization Efforts. Legalization efforts must extend beyond the initial policy change success. As the United States approaches nationwide cannabis legalization,¹¹ we must maintain progress by addressing subsequent adversarial policy changes to maintain the benefits of policy change advocacy.

Forge Robust Coalitions. Robust coalitions across health care professionals, business leaders, criminal justice reform advocates, and civil rights organizations may be essential to sustain legislative progress.¹² Substance use criminalization consequences affect a range of individuals and groups,¹³ so capitalizing on a range of motivations, from economic growth¹⁴ to social justice,¹⁵ may increase policy change support and policymaker pressure.

Empower Grassroots Momentum. Local advocacy groups, often leading substance use policy reform, play a pivotal role in policy change.¹⁶ This pressure is essential for promoting legislation and,

Department of Mental Health, Bloomberg School of Public Health, Johns Hopkins University, Baltimore, Maryland, USA.

*Address correspondence to: Bryant M. Stone, PhD, Department of Mental Health, Bloomberg School of Public Health, Johns Hopkins University, 615 North Wolfe Street, Baltimore, MD 21205, USA, E-mail: contact@bryantstonephd.com

as seen in Ohio, maintaining pressure to follow the policy change after successful implementation. Grassroots involvement is instrumental in driving policy changes that align with the community's needs and aspirations, which may result in stronger voter support.

Rigorous Research-Driven Advocacy. Research and empirical evidence may be essential to counter post legalization policymaker resistance. Epidemiological data demonstrating the medical benefits of illicit substances (e.g., ketamine, psilocybin, and MDMA),^{17,18} financial analyses of post legalization economic advantages, and big data crime and public health outcomes studies may provide the strongest evidence for policy change.

Public Education Campaigns. Comprehensive public education campaigns may significantly influence voter turnout and support.¹⁹ Debunking specific myths, providing accurate public health information, and offering harm reduction resources may result in a more well-informed community motivated to enact and sustain policy change. This approach ensures that the public votes on relevant, accurate education instead of fearmongering that may work against their interests.

Ohio's Issue 2 and subsequent legislative changes delineate the ongoing cannabis legalization and regulation effort, highlighting the necessity for flexibility and persistence in policymaking, robust coalitions, and grassroots empowerment to ensure laws reflect public interests. As other states navigate legislative challenges, remembering these strategies from Ohio may offer momentum for other states experiencing substance-related policy challenges.

Author Disclosure Statement

The author declares that he has no conflicts of interest.

Funding Information

The National Institute of Drug Abuse supported the author while writing this article through its postdoctoral fellowship training grant (T32DA007292) awarded to B.M. at the Johns Hopkins Bloomberg School of Public Health.

References

- Hancock L. From 'puff, puff, pass' to 'puff, puff, police': Critics frown on Ohio House's proposed changes to recreational marijuana. 2023. Available from: <https://www.cleveland.com/news/2023/12/from-puff-puff-pass-to-puff-puff-police-critics-frown-on-ohio-houses-proposed-changes-to-recreational-marijuana.html> [Last accessed: December 29, 2023].
- Ohio Secretary of State. Issues Report. 2023. Available from: <https://www.ohiosos.gov/globalassets/elections/2023/gen/issuesreport.pdf> [Last accessed: December 29, 2023].
- Ohio Legislature. Senate Bill 86. 2023. Available from: https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_135/bills/sb86/IN/00/sb86_00_IN?format=pdf [Last accessed: December 29, 2023].
- Carroll JJ, El-Sabawi T, Ostrach B. The harms of punishing substance use during pregnancy. *Int J Drug Policy* 2021;98:103433; doi: 10.1016/j.drugpo.2021.103433
- de Vogel V, Kleijer-Kool L, Monnee-van Doormalen J. Should relapse always be punished? A survey study into forensic social professionals' attitudes to substance use. *Int J Offender Ther Comp Criminol* 2021;0(0): 1–113; doi: 10.1177/0306624X211023920
- Seitz NN, Lochbühler K, Atzendorf J, et al. Trends in substance use and related disorders: Analysis of the epidemiological survey of substance abuse 1995 to 2018. *Dtsch Arztebl Int* 2019;116(35–36):585; doi: 10.3238/arztebl.2019.0585
- Félix S, Portugal P, Tavares AS. Going after the addiction, not the addicted: The impact of drug decriminalization in Portugal. *IZA Discussion Paper No. 10895*. 2017; doi: 10.2139/ssrn.3010673
- Lyden J, Binswanger IA. The United States opioid epidemic. *Semin Perinatol* 2019;43(3):123–131; doi: 10.1053/j.semperi.2019.01.001
- Volkow ND, Blanco C. The changing opioid crisis: Development, challenges and opportunities. *Mol Psychiatry* 2021;26(1):218–233; doi: 10.1038/s41380-020-0661-4
- Ciccarone D. The rise of illicit fentanyl, stimulants, and the fourth wave of the opioid overdose crisis. *Curr Opin Psychiatry* 2021;34(4):344; doi: 10.1097/YCO.0000000000000717
- Martins SS, Levy NS, Bruzelius E, Segura LE. Cannabis legalization in the US. Where do we go from here? *Trends Psychiatry Psychother* 2022;44: 1–6; doi: 10.47626/2237-6089-2022-0001
- Chiu V, Hall W, Chan G, et al. A systematic review of trends in US attitudes toward cannabis legalization. *Sub Use Misuse* 2022;57(7):1052–1061; doi: 10.1080/10826084.2022.2063893
- Décary-Héту D, Mousseau V, Vidal S. Six years later: Analyzing online black markets involved in herbal cannabis drug dealing in the United States. *Contemp Drug Probl* 2018;45(4):366–381; doi: 10.1177/009145091879735
- Kelly EC, Formosa ML. The economic and cultural importance of cannabis production to a rural place. *J Rural Stud* 2020;75:1–8; doi: 10.1016/j.jrurstud.2020.02.009
- Adinoff B, Reiman A. Implementing social justice in the transition from illicit to legal cannabis. *Am J Drug Alcohol Abuse* 2019;45(6):673–688; doi: 10.1080/00952990.2019.1674862
- Orenstein DG, Glantz SA. The grassroots of grass: Cannabis legalization ballot initiative campaign contributions and outcomes, 2004–2016. *J Health Polit Policy Law* 2020;45(1):73–109; doi: 10.1215/03616878-7893579
- Averill LA, Averill CL, Abdallah CG. Neurobiological mechanisms of ketamine: Depression, suicide, trauma, and chronic stress pathologies. *Psychiatr Ann* 2020;50(2):48–53; doi: 10.3928/00485713-20200109-02
- Bird CIV, Modlin NL, Rucker JJH. Psilocybin and MDMA for the treatment of trauma-related psychopathology. *Int Rev Psychiatry* 2021;33(3):229–249; doi: 10.1080/09540261.2021.1919062
- Clobes TA, Palmier LA, Gagnon M, et al. The impact of education on attitudes toward medical cannabis. *PEC innovation* 2022;1:100009; doi: 10.1016/j.pecinn.2021.100009

Cite this article as: Stone BM (2025) When public will meets legislative resistance: five lessons from Ohio's issue 2 cannabis legalization controversy, *Cannabis and Cannabinoid Research* 10:2, e371–e372, DOI: 10.1089/can.2024.0022.