

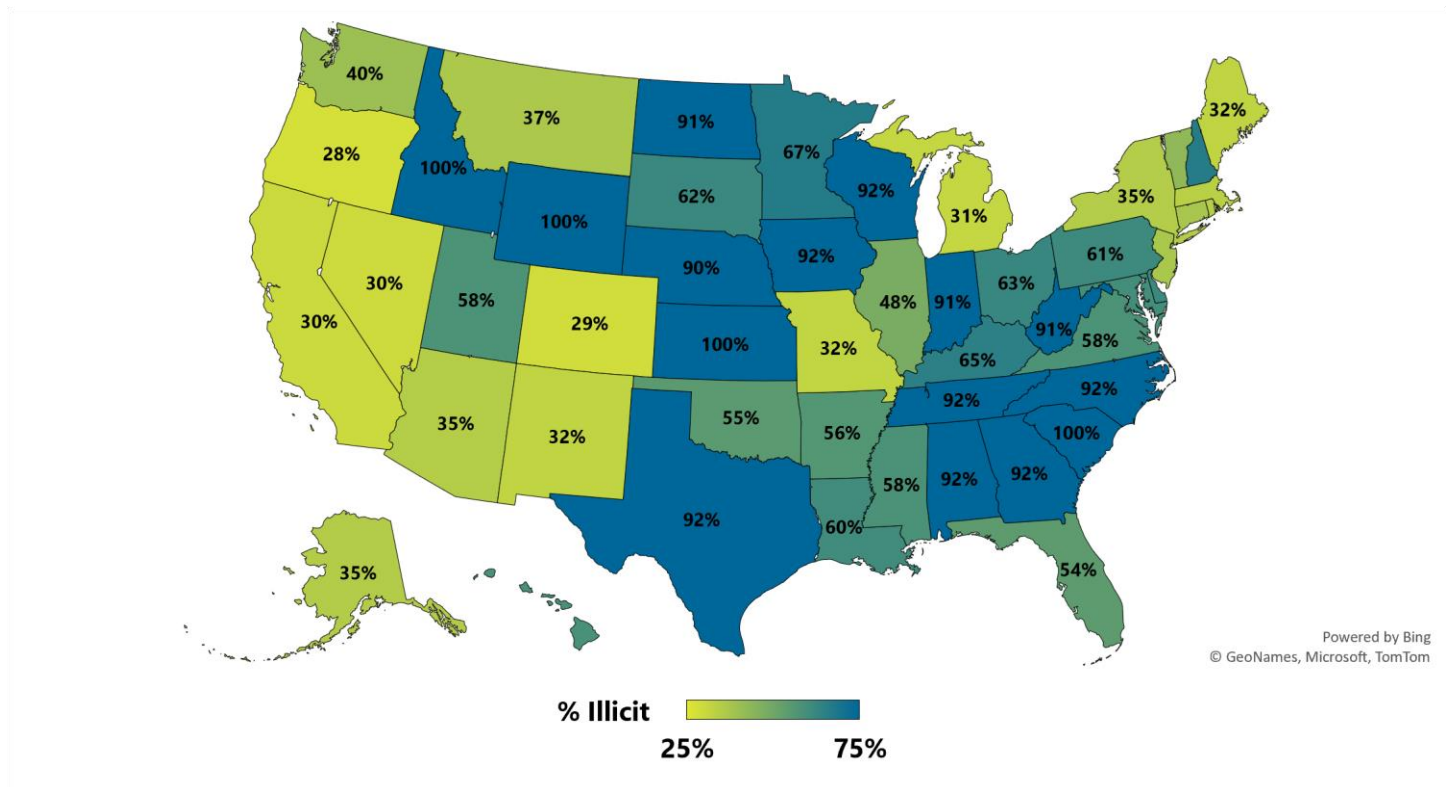
## Percent of Total Cannabis That is Regulated in the United States (June 2023)

Using data from Cannabis Public Policy Consulting’s (CPPC) June 2023 issuance of the Regulatory Determinants of Cannabis Outcomes Survey (RDCOS), the heatmap below shows the percent of all cannabis that is illicitly accessed for all fifty states. The map below constitutes data from over 15,000 past-year cannabis consumers in the U.S., which is one of the largest data collections on cannabis use in the U.S. ever.

Notably, while illicit cannabis demand is lower in states with regulated medical and adult-use cannabis programs, statewide legalization on its own is insufficient to eliminate illicit demand entirely. We also find an association between the legal statuses of neighboring states and their corresponding illicit percentages accessed by consumers. For example, note the yellow-green coloration of Oregon down through California, New Mexico, and Arizona which corresponds to states with adult-use laws and correspondingly low levels of illicit cannabis. Conversely, southeastern U.S. states like Tennessee, North and South Carolina, Georgia, and Alabama, each of which has limited medical programs or no program at all, tend to show highly elevated levels of illicit cannabis access.

Note: Importantly, these estimates are for illicit cannabis accessed by consumers, and therefore do not account for illegally cultivated cannabis. In states like California, there is likely a much larger percentage of all physical cannabis material derived illicitly than the consumer-specific illicit calculation reported here.

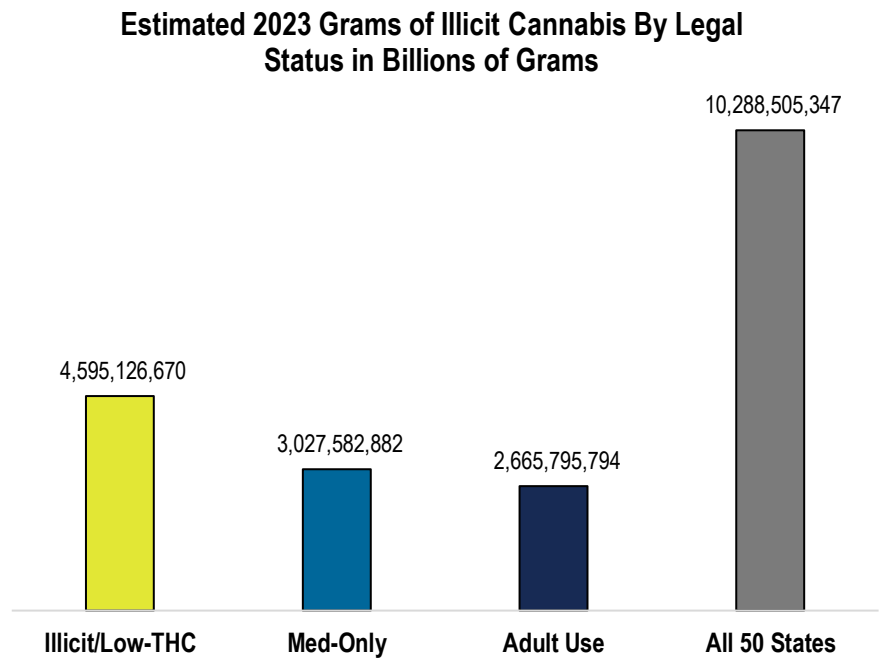
*Figure 1: Percent of Total Cannabis That's Illicit by State*



For 2023, it is estimated that consumers will access over **10 billion grams** of cannabis through the illicit market. The total grams of cannabis accessed in illicit or low-THC states is estimated to exceed the total illicit cannabis accessed in medical or adult-use states by 1.5 billion and 2 billion grams, respectively.

A common behavioral economic bias displayed by regulators and lawmakers is the assumption that cannabis use and corresponding negative outcomes to individuals and society do not occur commonly in illicit states because such regulators and lawmakers do not observe or in many cases possess data on the presence of illicit cannabis in their jurisdiction. Moreover, there may also be occurrences of confirmation bias, which is a tendency to attend more carefully to evidence that supports an initial assumption or belief<sup>1</sup>.

*Figure 2: Percent of Total Illicit Cannabis Grams in 2023 by State Legal Status*




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*Although the exact calculations are difficult to isolate, these estimates suggest that upwards of one-hundred million dollars' worth of cannabis tax revenue is lost per illicit/low-THC state each year on average.*

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Evidence from the June RDCOS also supports the assumption that there is considerable activity focused on accessing cannabis among many individuals who live in illicit/low-THC states. Based on our data, over 1 million U.S. residents travel intentionally to other states at least monthly to obtain cannabis. Moreover, only small differences in the prevalence of cannabis use are typically observed between states that vary on the legality of cannabis use, which in combination with the fact that tens of millions of grams of illicit cannabis are cultivated and transferred within some illicit/low-THC states highlights that avoiding enactment and implementation of a comprehensive medical or adult-use cannabis law does not lead to a lack of systematic issues related to criminal activity and public health and safety.

<sup>1</sup> [s11149-011-9180-1.pdf \(springer.com\)](https://www.springer.com/s11149-011-9180-1.pdf)