

## **A conversation with Mark Kleiman on November 12, 2013**

### **Participants**

- Mark Kleiman — Professor of Public Policy, UCLA School of Public Affairs
- Holden Karnofsky — Co-Founder and Co-Executive Director, GiveWell
- Howie Lempel — Research Analyst, GiveWell

**Note:** These notes were compiled by GiveWell and give an overview of the major points made by Mark Kleiman.

### **Summary**

GiveWell spoke with Mark Kleiman to learn more about funding opportunities in the cannabis space, and in drug policy and criminal justice reform more broadly. Conversation topics included (a) how Dr. Kleiman would use additional funding and (b) other individuals and organizations worth funding in the areas of drug policy and criminal justice.

### **Dr. Kleiman's funding priorities**

The work of Dr. Kleiman and his team includes research, policy analysis, and technical assistance.

#### *Immediate funding priorities*

Dr. Kleiman's team is looking for funding to work on cannabis policy, including:

- Evaluating the impacts of legalization in Washington, starting by collecting baseline data. In order for changes to be tracked, information on pre-legalization cannabis-related attitudes, behaviors, and outcomes is needed before the commercial market opens in the spring of 2014. Baseline studies would explore questions such as, "What percent of arrestees are positive for cannabis?" "What are the attitudes and customs of high school students with regard to cannabis," and "What percent of cannabis is being sold through the medical system versus the illicit market?" (This last category of data is needed in order to determine how much of the commercial market share was taken from each of the existing markets after legalization proceeds). This project is urgent. There is currently no one collecting data of this sort, and unless we begin in the next month or two, the opportunity will be lost forever. The Washington State Institute for Public Policy is being funded by the state to collect data, but only after the commercial market opens.
- Developing a set of key outcomes for legalization initiatives. This includes determining which outcomes are measurable and when they need to be measured.
- Conducting an alcohol cross-elasticity study to see how outcomes such as alcohol consumption, drunk driving, domestic violence, and emergency department visits respond to changes in the price and availability of cannabis. The Washington State Liquor Control Board has data on alcohol sales that can be tracked all the way down

to the store level. This project would cost about \$50K if limited to alcohol consumption. It would cost about \$100K if expanded to outcomes such as domestic violence and health. A team from RAND Corporation is prepared to work on the study once it is funded.

- Determining how cannabis laws should be enforced in states that legalize and regulate cannabis use and in states where illicit markets remain.
- Determining the optimal tax level for cannabis and studying the effects of different tax policies.
- Exploring the potential value of user-set purchase quotas as applied first to cannabis and then to other activities with analogous risks of loss of self-command (alcohol, other drugs, gambling).
- Making policy advice available to citizens preparing legalization initiatives and to legislators considering legalization bills in other jurisdictions. In particular, more attention should be given to the options for non-commercial legalization and for serious efforts to provide balanced information to consumers.

Dr. Kleiman recently presented some of these projects to a foundation with a budget of \$175K total, of which the alcohol cross-elasticity study was the largest expense (\$65K). The foundation decided not to fund the proposal. Dr. Kleiman could do more on the same set of projects with a budget of \$250-300K.

#### *Additional funding priorities*

Dr. Kleiman and his team are prepared to spend up to \$1 million per year. With \$1 million in funding, Dr. Kleiman would (in addition to the projects described above):

1. Form a coalition to develop a plan for national marijuana legalization and regulation. The coalition would use data from Colorado and Washington to support the national effort in areas such as research, policy analysis, and advocacy. A political deal on national legalization and regulation might be feasible now but not five years from now, partly because libertarians are currently willing to accept a commercial marijuana market that is less open than the alcohol market, and drug warriors still have some influence but may be willing to compromise. However, as public opinion swings toward marijuana legalization, libertarians might bargain for a more open market, thereby making a political deal less feasible or making the likely deal one in which the commercial marijuana market resembles the alcohol market. Dr. Kleiman views this as the second-worst model, with the worst model being prohibition.
2. Reduce violence and incarceration attributable to drug laws and their enforcement. David Kennedy and Dr. Kleiman, among others, work on designing drug law enforcement with the aim of reducing violence and incarceration. Budget cuts are causing police layoffs in many cities and states, leading to a politically opportune moment to advocate for more cost-effective drug enforcement. There is theoretical, experimental, and technical work to be done in this area. Some solutions and

funding opportunities include:

- Choosing one particularly violent drug trafficking organization in Mexico and focusing drug enforcement resources on its US-based distributors in order to shut off its US market, thereby disincentivizing drug-related violence in Mexico. Dr. Kleiman has worked with a student group on this idea and has published an article in *Foreign Affairs*. However, he has never had sufficient funding to work out the plan in detail, and the program is not feasible under the current administration of the Drug Enforcement Administration (DEA).
  - Documenting best practices for violence-minimizing drug-law enforcement; providing handbooks for new police chiefs, attorneys general, and governors.
3. Putting together a group to determine the most effective ways to use new funding designated for drug treatment. Under the Affordable Care Act, drug treatment coverage will be expanded to its greatest extent in US history, so ensuring that that funding is channeled into effective programs will have a tremendously beneficial effect.
  4. Support efforts to replace the current system for probation and parole violations (random but draconian punishment) with modest but swift and certain sanctions. Properly implemented, such programs improve outcomes by greatly reducing drug abuse, re-offending, and incarceration.
    - It is crucial to provide interested jurisdictions with a support team to help set up and evaluate “swift and certain” community corrections. Though this kind of support does not require many resources, it is currently lacking, which currently forms a barrier for some jurisdictions.
    - The federal Justice Department has awarded grants to four counties, including Essex County, MA, to replicate the Honest Opportunity Probation with Enforcement (HOPE) program, which uses “swift and certain” sanctions. The Massachusetts legislature recently funded a replication project in an additional site, which may be in need of technical support. This support would cost about \$50K.
    - Beau Kilmer’s team at the RAND Drug Policy Research Center has generated important results in its evaluation of South Dakota's 24/7 Sobriety, a swift-and-certain approach to drunk driving and domestic violence.  
<http://ajph.aphapublications.org/doi/abs/10.2105/AJPH.2012.300989>  
There are currently unfunded research opportunities to explore similar programs in other states and to conduct randomized controlled trials.

## **Other funding opportunities in the crime-and-punishment space**

David Kennedy's National Network for Safer Communities does important work with limited resources on the question of how to use the criminal justice system to reduce violence and disorder in the hardest-hit communities.

The University of Chicago Crime Lab (Jens Ludwig, Harold Pollack, Roseanna Ander) runs a variety of innovative projects. The Crime Lab's style is to identify what might be practically important interventions that could also be successfully implemented at some relevant scale, and then give them serious scientific scrutiny. The Crime Lab's study of the "Becoming a Man" intervention with at-risk adolescent males (reported at <http://www.nber.org/papers/w19014.pdf>) suggests a very substantial impact from the application of a cheap, low-tech intervention. Crime Lab researchers now want to explore the questions: (1) What are the "active ingredients" of the program? (2) How much would math tutoring add to the benefits? (3) Could comparable results be generated by another implementing group if the program were manualized? (4) Could comparable results be generated in other localities or with other target populations (e.g., people in the juvenile justice system rather than school attendees)?

Evidence of a strong link between childhood lead exposure and crime is now overwhelming. The logical next step would be an intervention study, abating a specific lead hazard (residential or environmental) and studying the impacts on the children being protected using a comparison group. Jessica Reyes of Amherst has been doing some of the econometric work, and she is in touch with agencies that could mount interventions.

Jeremy Travis, the President of John Jay College and the Chair of the Committee on Law and Justice of the National Research Council, is knowledgeable, thoughtful, and influential. He would be very likely to know of good places to spend money.

## **Other funding opportunities in the cannabis space**

### *Scientific research*

More scientific research is needed to identify the active molecules in cannabis, how they react with other chemicals, and what the medical applications may be. Legal availability and required testing make it possible to provide cannabis users with much more information about the chemicals they're taking in, but the value of that information depends both on learning scientifically which molecules have which effects in which uses and on figuring out how to communicate that information to cannabis users, with due consideration of the fact that many of them, especially heavy users, are poorly educated. There would also be great potential benefit in learning more about the comparative risks of smoking and vaporization: both in e-cigarette-style devices and by "dabbing."

## *Advocacy*

While it's unlikely that the current congress will make progress on cannabis legalization, progress may be possible one or two Congresses from now. It would be helpful to have an advocacy group for "swift and certain" sanctions that included professionals such as judges, probation officers, parole agents, and state corrections departments. The group could host a central website to issue seals of approval to qualifying "swift and certain" programs. A good candidate to direct such a group would be Ronald Corbett, Jr., who recently stepped down as Probation Commissioner of Massachusetts, or Vincent Schiraldi, currently Probation Commissioner in New York City.

It would also be helpful to have a centrist drug advocacy group.

The Pew Charitable Trusts has a wide-ranging agenda for incarceration reduction, operates mostly in the politically practical domain, and is currently doing some advocacy work for "swift and certain" sanctions.

On the advocacy front, Dr. Kleiman recommends talking to Steve Teles, Keith Humphreys, and Philip Heymann.

## **Funding Opportunities in the area of hallucinogens (psychedelics, entheogens, entactogens)**

Not enough work has been done on the benefits of hallucinogenic drugs, or the related class of chemicals that includes MDMA ("ecstasy").

The Multidisciplinary Association for Psychedelic Studies (MAPS) led by Rick Doblin, has active research projects on the medical benefits of the hallucinogens and MDMA, as well as cannabis, and intends to petition for FDA approval of one or more of those substances for the treatment of specific diagnoses. There is no way to estimate the probability of success for any of these efforts, and the costs are in the seven-figure range, yet the benefits of success would be very large.

The rather narrow therapeutic focus demanded by the FDA process moves attention away from a broader class of benefits claimed by many, and famously by Steve Jobs. Those benefits might be categorized as spiritual or directed at the expansion of human potential.

The Council on Spiritual Practices (CSP), under the leadership of Robert Jesse, is doing important work. CSP initiated a research program on the psychospiritual effects of psilocybin in healthy volunteers that is being carried out by Jesse, Roland Griffiths, and their colleagues at the Johns Hopkins University School of Medicine.

That program has already turned in exciting and newsworthy results, showing that a relatively simple and low-cost process has a better than 60% chance of yielding a major "mystical" psychedelic experience, with apparently lasting benefits, and with the odds improving with repeated experiences. (The same team reports positive results in trials

with a more conventionally medical orientation, greatly improving outcomes in tobacco cessation and relieving anxiety in patients near death.)

CSP's earlier work was directed at increasing knowledge about, and spreading awareness of, the non-medical uses of the hallucinogens. It produced impressive results with very limited funding. Going forward, there is a particular need to collect and disseminate a set of good practices for the process by which naïve users with not-merely-recreational intentions may be introduced to hallucinogen experiences. In addition, managing a transition from prohibition to beneficial non-medical use requires more strategic thinking than it is currently getting, and a group led by Jesse would be a natural home for such an effort.

### **Self-command and social connection**

Deficiencies in self-command are a mediating factor in both self-harming behavior – substance abuse, excessive gambling, bad personal financial management, poor diet and exercise habits – and socially destructive behavior. Much of the current work on changing self-command and other elements of what is called “soft human capital” focuses on early childhood, and therefore on the family (as in the Nurse-Family Partnership program) or early education (Perry Preschool and its imitators). But it seems likely that other social institutions, intervening after age 5, can also have an impact; that is one hypothesis to be explored in understanding the success of swift-and-certain-sanctions programs. Whatever the merits of the Good Behavior Game specifically, it is worth exploring whether other feasible variations in school and classroom management could have valuable impact. And of course schools are not the only institutions that might try to foster self-command among their clients. But without robust and replicable measures of self-command with demonstrable ties to important behavioral patterns, all of this remains largely speculative. Especially if it were to emerge that swift-and-certain sanctions programs operate in part through the self-command mechanism, there would be a strong case for supporting a broader action-research agenda in the area of developing and strengthening self-command, for example examining the potential of journaling as a low-cost intervention.

Social connectedness or “individual social capital” also deserves exploration. The evidence for the importance of simply having a friend is strong in the health-outcomes domain. The success of the Twelve-Step fellowships seems to operate in part through connectedness. The prevalence of *not* having a friend is frighteningly high (as high as 40%) in some social milieux. The research in this area is not currently sufficient to point to promising interventions, but the potential gains from figuring out how this works, and how it can be manipulated, are extremely high.

Hallucinogens and self-command/social connection are not areas where Dr. Kleiman claims any specific expertise or intends to pursue any research on his own beyond the criminal-justice context, but he points them out as high-value targets.

*All GiveWell conversations are available at <http://www.givewell.org/conversations/>*