



Race & Reefer

**Racial Disparities in
Cannabis-Related
Arrests**

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INTRODUCTION

“In 2018 alone, there were almost 700,000 marijuana arrests, which accounted for more than 43% of all drug arrests.”

“In fact, in 2018, police made more marijuana arrests than for all violent crimes combined, according to the FBI.”

“...the system is spending roughly 3.6 billion dollars annually to enforce Cannabis possession laws...”

“On average... Black people are 3.64 times more likely to be arrested for marijuana possession than a white person, even though Black and white people use marijuana at similar rates”

POLICY PROPOSAL

	Wisconsin	Colorado
Arrests per Year Pre- 2012	~ 14,000	~ 13,200
Arrests per Year Post- 2012	~ 14,000	4,290
Population of State	~ 5.8 Million	~ 5.7 Million
How did it affect racial disparities?	No data to suggest any major change	72% decrease for white individuals 55% decrease among Hispanics 63% decrease for Black individuals

CANNABIS LEGAL HISTORY: MAJOR EVENTS

- Reagan Administration & Anti-Drug Abuse Act of 1986
 - Reinstated mandatory prison time, including cannabis distribution
- Three-strikes law
 - Imposed mandatory life sentences for those convicted of an offense who have two previous serious convictions
- November 2012
 - Colorado & Washington are the first states to legalize recreational cannabis
- December 2020
 - The HOR voted 228–164 to approve the Marijuana Opportunity Reinvestment & Expungement (MORE) Act
 - Remove cannabis from the Controlled Substances Act
 - Expunge cannabis offenses for non-violent offenders
 - Impose a federal tax on cannabis products

PROS OF LEGALIZATION

- Reduces costs of enforcing criminal laws against cannabis (police, courts, prisons)
- Reduces social inequalities from unequal enforcement of criminal penalties
 - Reduces disproportionate incarceration of minority cannabis users
- May improve public health
- Enables cannabis to be better regulated
 - Standards set for improved quality, safety control, & THC levels
- Enables cannabis to be taxed
 - Public programs & worthwhile social purposes
- Dismantles the black market
 - Lowered prices → less secondary crime and drug violence

CONS OF LEGALIZATION

- Possible increase in the prevalence of daily cannabis use and the harms arising from it
- Negative environmental impact of growing more cannabis
 - Both indoor and outdoor
 - Deforestation, soil erosion, habitat destruction, degraded watersheds
 - Indoor growing is energy-consuming

BENEFIT-COST RATIO

- Benefits of legalization $>$ potential public health concerns
- However, the benefit-cost ratio of cannabis use will depend on how liberally governments regulate its use and supply
- Policies available to government for liberalization of prohibition:
 - Removing criminal penalties for personal use while retaining the prohibition on commercial cannabis supply
 - The legalization of cannabis for medical use only
 - The legalization of adult cannabis use

A NEW LEAF

Biden's Plans for Cannabis Justice + Reform

- “Proclamation on Granting Pardon for the Offense of Simple Possession of Marijuana”
 - “Sending people to prison for possessing marijuana has upended too many lives and incarcerated people for conduct that many states no longer prohibit...And while white and Black and brown people use marijuana at similar rates, **Black and brown people have been arrested, prosecuted, and convicted at disproportionate rates.**”

A NEW LEAF

Biden's Plans for Cannabis Justice + Reform

- Secretary of Health and Human Services and the Attorney General to initiate the administrative process to review expeditiously how cannabis is scheduled under federal law
 - Federal law currently classifies cannabis in Schedule I of the Controlled Substances Act
 - Classification of the most dangerous substances
 - This is the same schedule for heroin, LSD
 - Even higher than the classification of fentanyl and methamphetamine

INTOLERANCE IN THE TITLE

“...‘marijuana’ came into popular usage in the U.S. in the early 20th century because anti-cannabis factions wanted to underscore the drug’s ‘Mexican-ness.’ It was meant to play off of anti-immigrant sentiments.”

Other names for the plant are: locoweed & Mexican marihuano

Harry Anslinger, is credited as saying: “There are 100,000 total marijuana smokers in the US, and most are N [REDACTED], Hispanics, Filipinos and entertainers. Their Satanic music, jazz and swing result from marijuana use. This marijuana causes white women to seek sexual relations with N [REDACTED], entertainers and any others.”

The Scientific name is Cannabis, Indica, or Cannabis Sativa

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