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The Impact of Recreational Cannabis Legalization on Racial Disparities in Cannabis Arrests

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Recreational Cannabis Legalization in Washington State

Amendment 64 and I-502

- In 2012, Colorado and Washington became the first states to legalize recreational cannabis possession and consumption
- In 2014, the first cannabis retail locations opened in Colorado and Washington State

Our broader project

1. Explore the link between cannabis legalization and crime
2. Explore the effects of cannabis legalization on policing



What We Know About Legalization and Criminal Justice Outcomes

Crime

- Most evidence suggests no link between cannabis legalization and serious crime
 - Callaghan et al., 2023; Dragone et al., 2019; Harper & Jorgensen, 2023; Lu et al., 2021
- Some contrary evidence exists, especially for less serious forms of crime
 - Wu et al., 2021, Wu & Willits, 2022

Policing

- Mixed evidence in terms of crime clearance
 - Jorgensen & Harper, 2020; Makin et al., 2019; Wu et al., 2022;
- Consistent evidence that police felt unprepared for legalization and are concerned about youth access and cannabis impaired driving
 - Stanton et al., 2022; Stohr et al., 2020



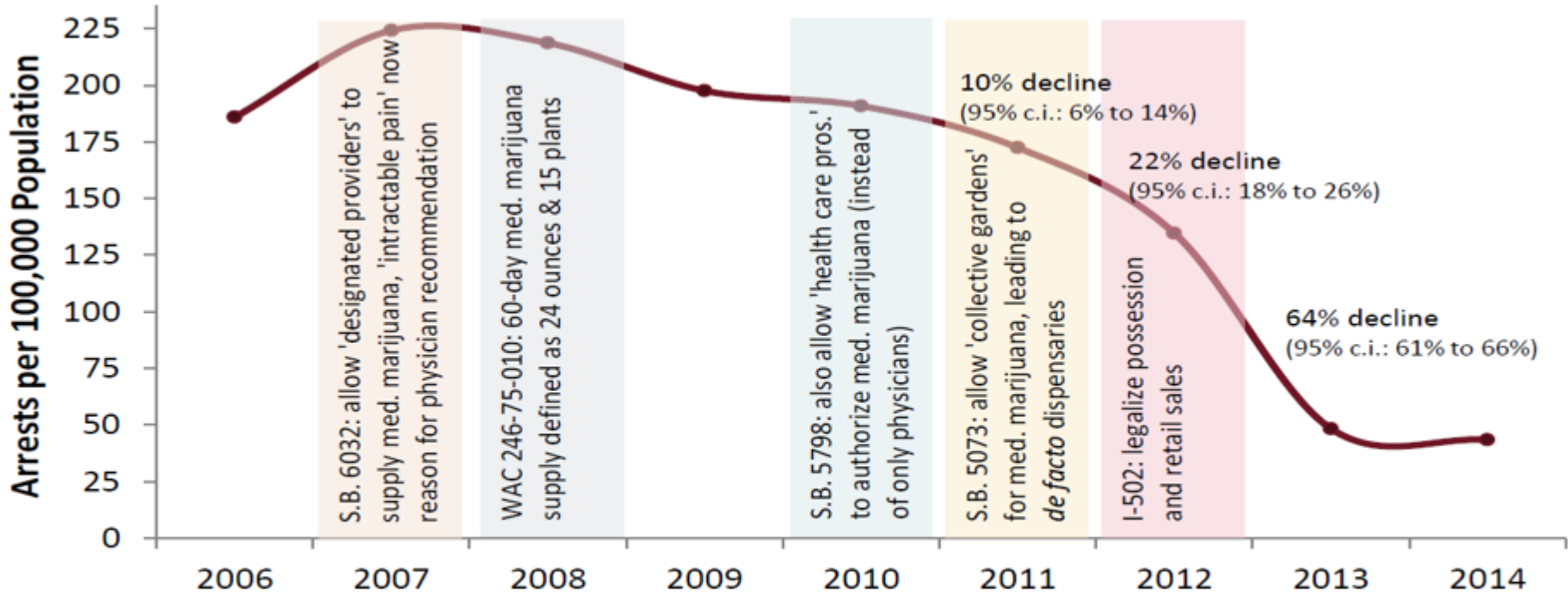
An Open Question on Racial Disparities

Given that there were preexisting disparities in drug arrests pre-legalization, does recreational legalization eliminate these disparities?



Cannabis Laws and Arrests

Cannabis possession arrest rates and legislative changes* 2006-2014



*includes the 75 city & county agencies (serving 2,231,810 residents in 2014) that reported drug arrests for all 20 years (in 2014 there was a total 272 agencies serving 7,061,530 residents).

Credit: Kathryn DuBois



Two Projects on Disparities

Race and Arrests in Colorado and Washington

- Willits, D. W., Solensten, B., Meize, M., Stohr, M. K., Makin, D. A., Hemmens, C., Stanton, D.L., & Lovrich, N. P. (2022). Racial disparities in the wake of cannabis legalization: documenting persistence and change. *Race and Justice*, 21533687221087355.

Gender, Race, and Arrests in Colorado

- Meize, M. R., Stohr, M. K., Willits, D. W., Solensten, B., Hampton, M. M., Makin, D. A., Lovrich, N.P., Hemmens, C., & Stanton Sr, D. L. (2022). The Intersection of Gender, Race, and Arrest in the Era of Cannabis Legalization. *Crime & Delinquency*, 00111287221083892.



Race and arrests in Colorado and Washington State



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Race and Arrests in Colorado and Washington State

Data

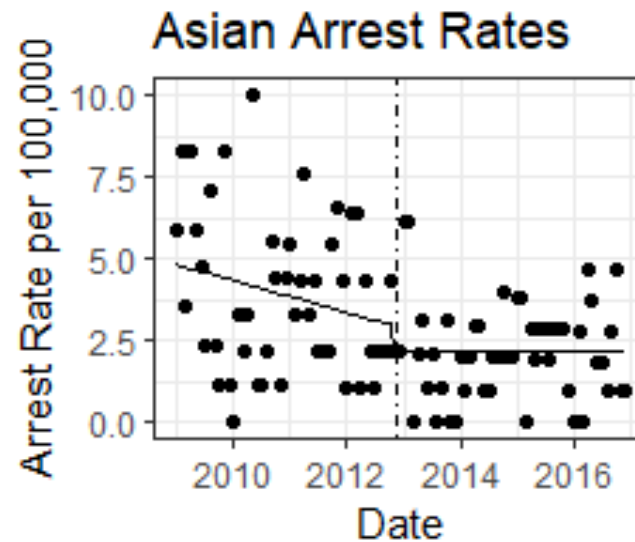
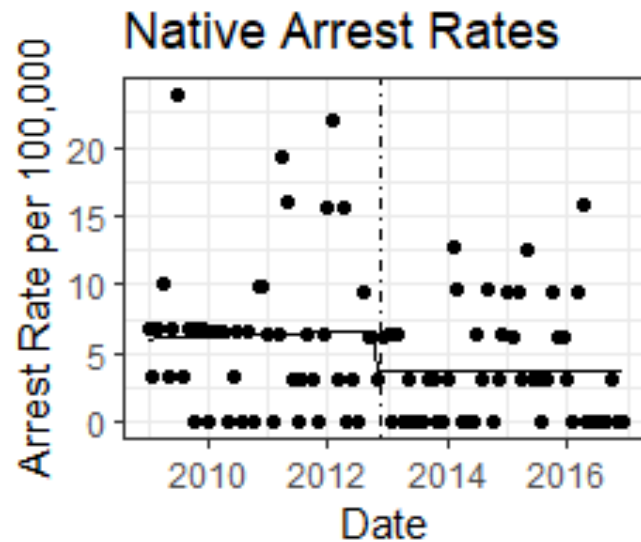
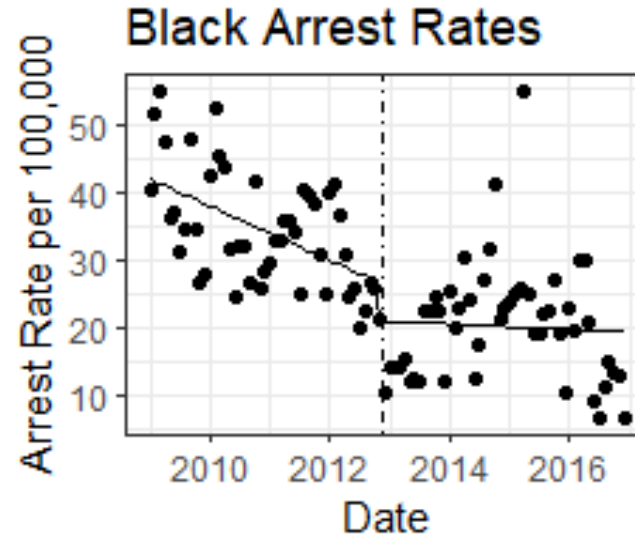
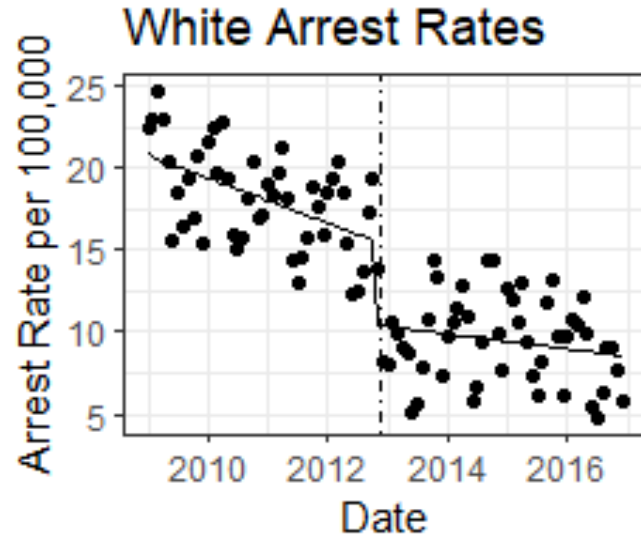
- Monthly crime data from the FBI's Uniform Crime Report from 2009 through 2016 on cannabis possession arrest rates, limited to agencies which had complete data during this period

Method

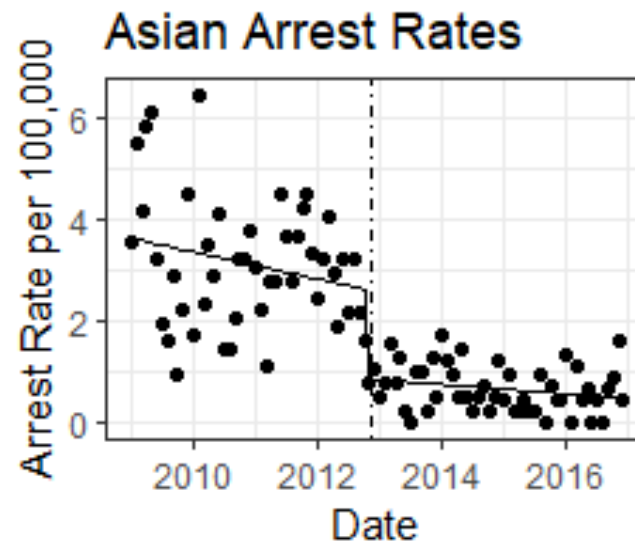
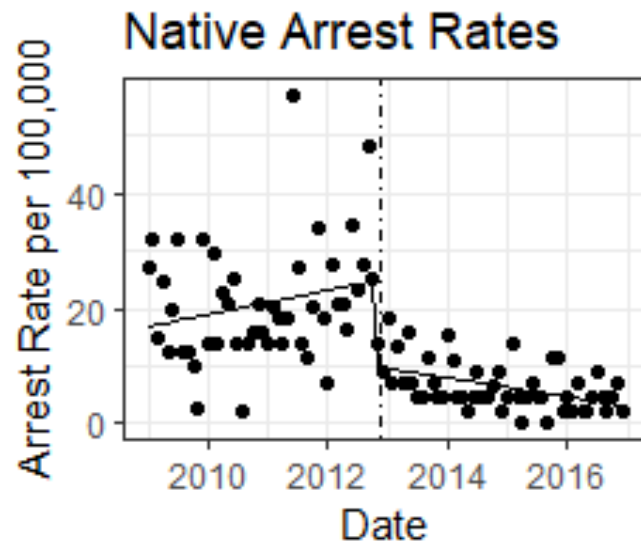
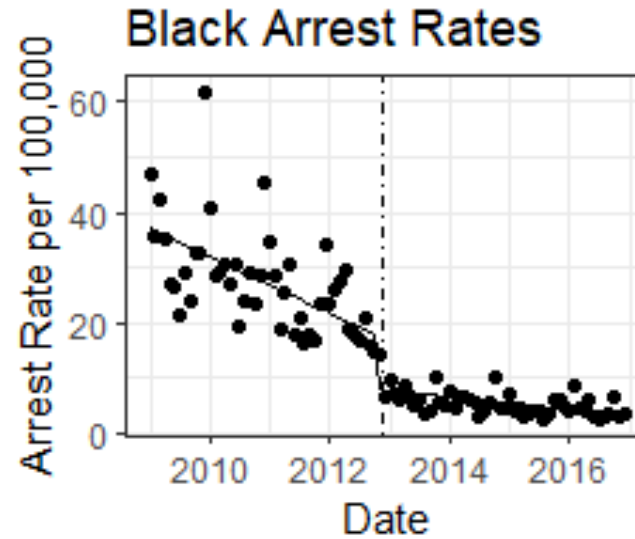
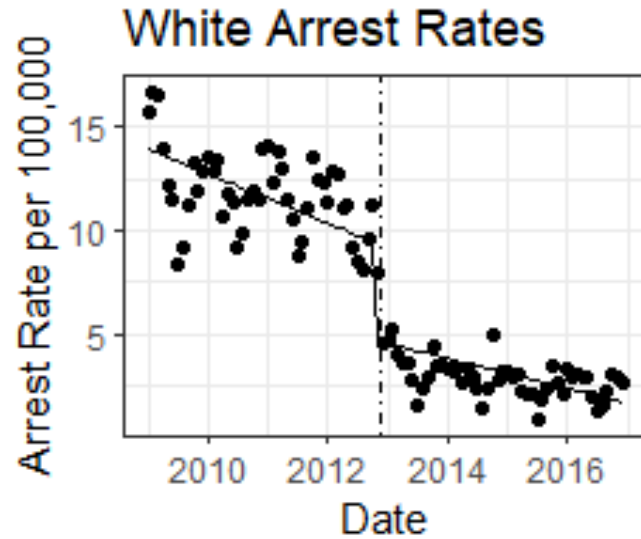
- Quasi-experimental design: Interrupted time-series regressions, disaggregated by race



Observed and Predicted Monthly Arrest Rates in Colorado by Race



Observed and Predicted Monthly Arrest Rates in Washington by Race



Disparities Before and After Legalization

Post-Legalization Disparities (2016)

- In Colorado: 4.2 to 1
- In Washington: 2.6 to 1

In Summary

- Cannabis-related arrests decreased for all groups following legalization *and* disparities decreased substantially
- Disparities still persist



Gender, Race, and Arrests in Colorado



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Gender, Race, and Arrests in Colorado

Data

- Monthly crime data from the FBI's National Incident-Based Reporting System from 2010 through 2016 on cannabis possession arrest rates, limited to agencies which had complete data during this period

Method

- Quasi-experimental design: Interrupted time-series regressions on arrest rates for women, disaggregated by race



Cannabis-Related Arrest Rates of adult women in Colorado between 2010 and 2016



Disparities Before and After Legalization

Statistical Results

- Absolute effects of legalization reduced arrests for women in all groups
- In terms of disparities, the post-legalization trend comparing Black and White women is positive and statistically significant
- Put into everyday terms, Black women were still about twice as likely as White women to be arrested for a cannabis offense

In Summary

- The overall effect of legalization is a reduction in cannabis-related arrests
- Disparities persist



Conclusions



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Other Evidence of the Persistence of Disparities

More Evidence from Washington

- Relative Black-to-White disparities for cannabis arrests grew from 2012 to 2015 (Firth et al., 2019)

Evidence from Oregon

- Disparities between American Indian/Alaska Native you did not change because of legalization (Firth et al., 2020)

Evidence from Across the Country

- In a study of 43 states, no evidence of disparities changing as a result of cannabis laws (Sheehan et al., 2021)
- In a study of 37 states, evidence that disparities decreased for adults, but not youth (Gunadi & Shi, 2022)



Legalization is not a panacea for racial disparities

Need for Future Research

- While arrests matter, research is needed on adjudication outcomes following legalization

Making Sense of Everything

- While arrest rates have undeniably decreased for cannabis-related offenses, a substantial number of cannabis-related arrests still occur each year
- Some evidence that cannabis laws have decreased arrest disparities, but on average, these studies and the literature suggest that disparities persist
- Therefore, we conclude that while legalization is a useful tool for reducing disparities, but that policy makers who are concerned with this topic must remain vigilant and seek out other avenues to reduce disparities




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