



TOPIC

Criminalization and Decriminalization of Marijuana in Non-Legalization States

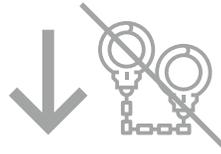
PROBLEM

Criminalization of marijuana has little deterrent effect. Many individuals are not even aware that cannabis possession is a criminal offense, in part because criminal penalties are rarely and inconsistently applied. Research also shows that criminalization does not significantly reduce marijuana use and raises costs through incarceration.

SOLUTIONS



Although some states assess criminal penalties on users, such as charging them with a misdemeanor, other states “decriminalize” simple possession, meaning it is treated as a civil infraction, like a parking ticket. In this case, the individual pays a fine but does not acquire a criminal record.



Research shows that decriminalization of possession—under which production and sale remain illegal—sharply reduces arrests, does not significantly increase marijuana use, and does not create a corporate industry that promotes cannabis use.

CONCLUSION

Criminalization of simple cannabis possession imposes a high cost in terms of arrests (both police time and impact on arrestees) while producing little decrease in cannabis use.



KEY POLICY EVIDENCE

Shifting from a criminalized to decriminalized approach to cannabis possession results in little or no increase in population marijuana use, according to research.

In California, the 2010 decriminalization reduced misdemeanor possession arrests by 86% in just 12 months. The drop was present across racial groups and for adolescents and adults.

In South Australia, decriminalization paradoxically led more cannabis users to have contact with the criminal justice system because police were willing to issue tickets to many individuals that they would not have arrested when possession was illegal.

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Babor TF, Caulkins J, Fischer B, Foxcroft D, Medina-Mora ME, Obot I, Rehm J, Reuter P, Room R, Rossow I and Strang J (2019). Drug Policy and the Public Good: A Summary of the Second Edition. *Addiction*: doi.org/10.1111/add.14734.

Christie PI and Ali R (2009). Offences under the Cannabis Expiation Notice Scheme in South Australia. *Drug and Alcohol Review* 19: 251-256.



There's not really a causal mechanism that links marijuana to crime. Marijuana use does not make people more aggressive. There's not a phenomenon of people committing income-generating crimes to pay for their marijuana habit, which is something we saw with cocaine and heroin. There is an interesting backdoor connection though: marijuana enforcement takes resources away that could be dedicated to other kinds of crime fighting."

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