

Marijuana and Vulnerable Populations: Examining Race and Criminal Justice Outcomes in the I-502 Era

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The I-502 Debate: Criminal Justice Outcomes

Proponents

- Frees up police time to focus on more serious crimes
- Reduce the size and scope of the illegal black market
- Reverse the disproportionate effects that the war on drugs has had on minorities

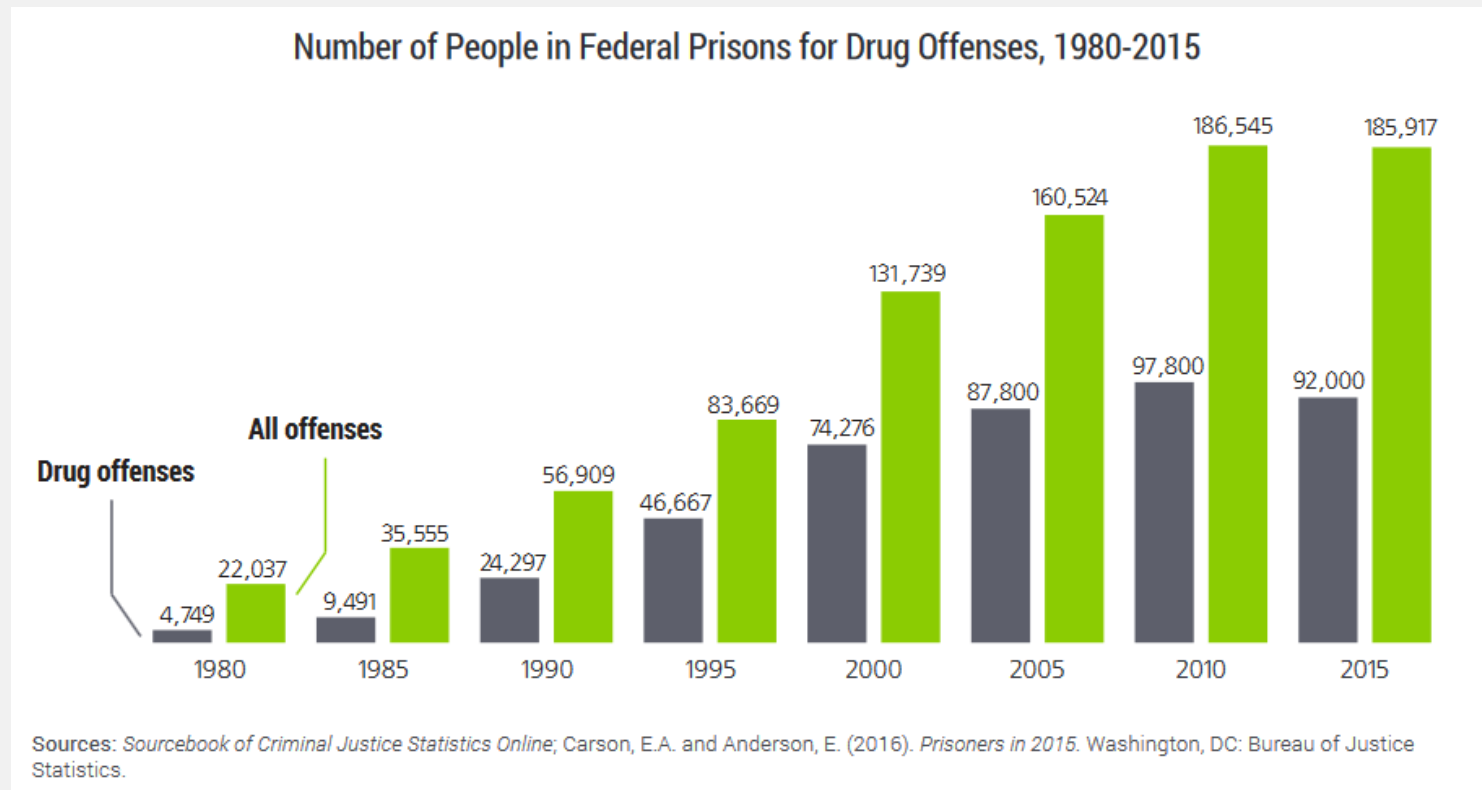
Opponents

- New laws/regulations will result in less police time, not more
- Increased usage by minors, thus sustaining the black market
- Decreased public safety by an increase in crime, the involvement of gangs/organized crime, and reductions in traffic safety



The Lasting Legacy of the War on Drugs

- The “War on Drugs” was a contributor to the growth of prison populations in the United States:



The Sentencing Project:

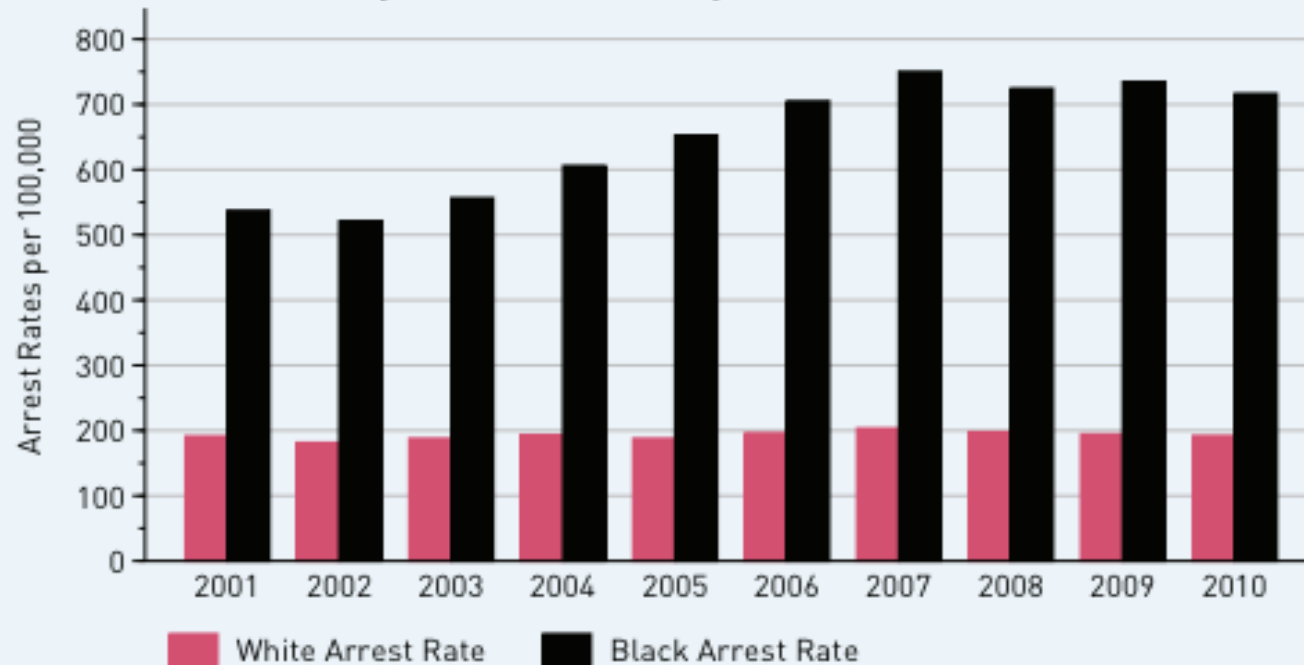
<https://sentencingproject.org/wp-content/uploads/2016/01/Trends-in-US-Corrections.pdf>



The Lasting Legacy of the War on Drugs

- Minorities have and continue to be disproportionately affected by the War on Drugs

Arrest Rates for Marijuana Possession by Race (2001-2010)



Source: FBI/Uniform Crime Reporting Program Data and U.S. Census Data

ACLU:

<https://www.aclu.org/files/assets/aclu-thewaronmarijuana-rel2.pdf>



Research from the WSU Crime, Cannabis, and Police group

- Our research group, supported by funding from the National Institute of Justice and the Washington Traffic Safety Commission, studies the criminal justice aspects of I-502
- Our group emphasizes the needs for:
 - Partnerships with relevant stakeholders
 - Multi-method triangulation
 - Commitment to using the most appropriate analytic techniques while not overstating results
- Broader work group includes:
 - **Investigators:** Kathryn DuBois, Craig Hemmens, Season Hoard, Nicholas Lovrich, David Makin, John Snyder, Mary Stohr, and Dale Willits
 - **Graduate students:** Rachael Brooks, Anna Deighton, Sohee Kim, Wendy Koslicki, Ruibin Lu, Xiaohan Mei, Duane Stanton, Guangzhen Wu



How to Study I-502, Race, and Criminal Justice?

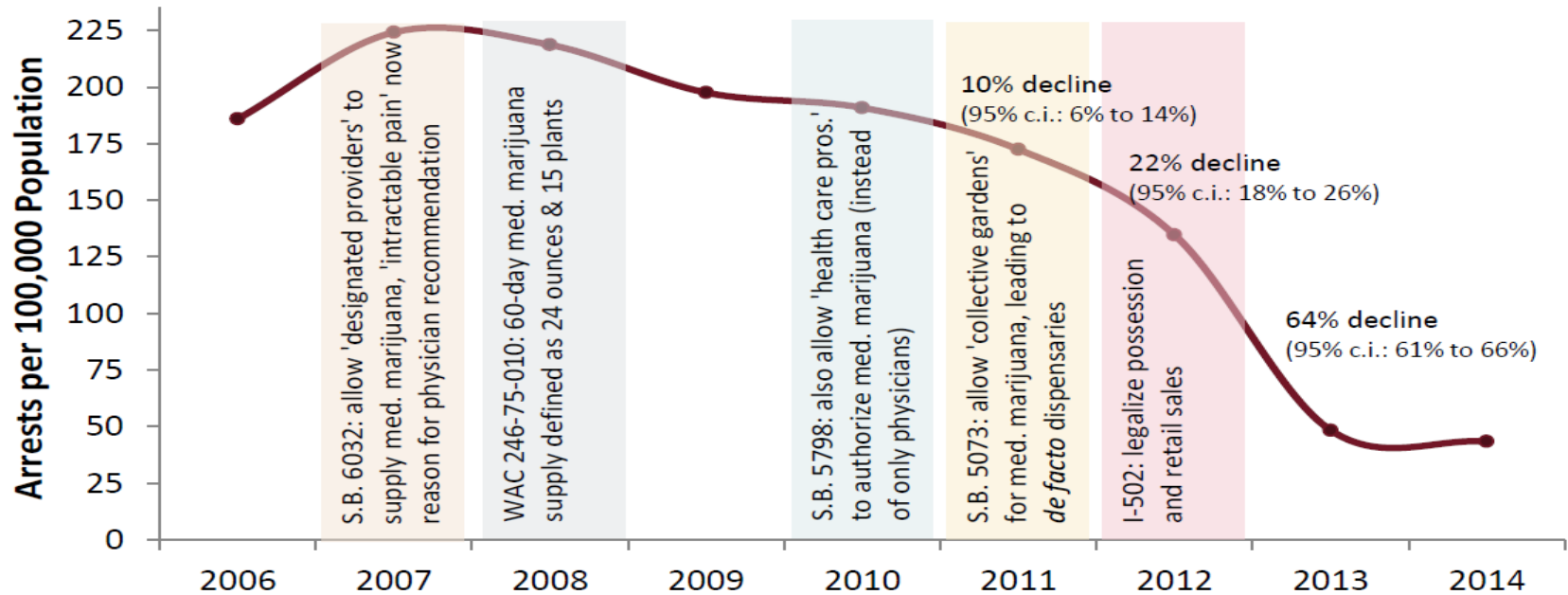
- Examine the degree to which there were racial differences in criminal justice outcomes before implementation of I-502 and see if these differences persistent after I-502
- Today, I present the following:
 - Robust results regarding criminal justice outcomes in general
 - (Very) preliminary results on arrest trends and race
 - Early results on jail populations and race
 - External work on race and traffic stops



I-502 and Criminal Justice Outcomes

- Unsurprisingly, I-502 has resulted in a substantial decline in marijuana-related offenses

Marijuana Possession Arrest Rate and Legislative Changes* 2006-2014



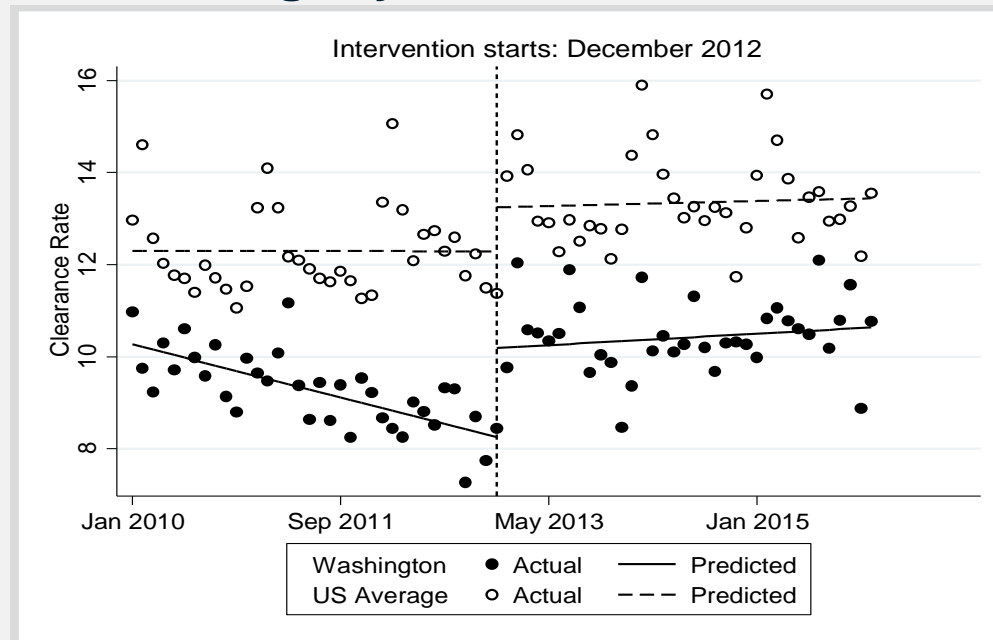
*includes the 75 city & county agencies (serving 2,231,810 residents in 2014) that reported drug arrests for all 20 years (in 2014 there was a total 272 agencies serving 7,061,530 residents).



I-502 and Criminal Justice Outcomes

- **Crime:** I-502 has had no substantial effect on serious crime rates in Washington (Ruibin et al., 2018), despite warnings from other groups (SAM)
- **Crime Clearance Rates:** I-502 is associated with modest increases in crime clearance rates in WA for some property crimes (Makin et al., 2018)

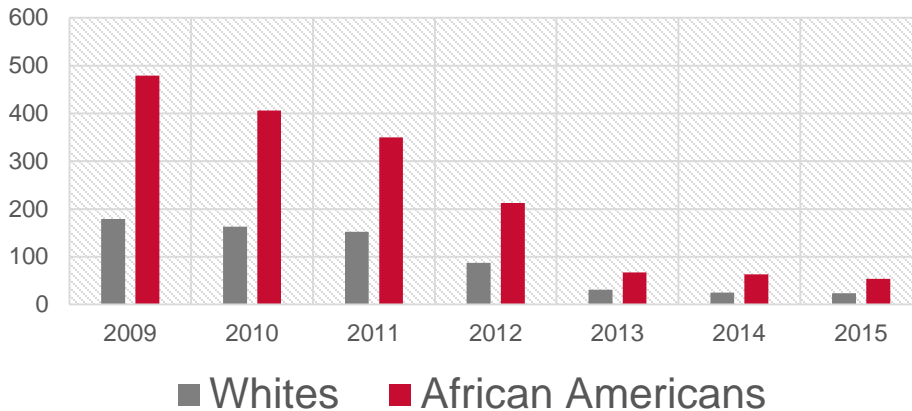
Burglary Clearance Rates





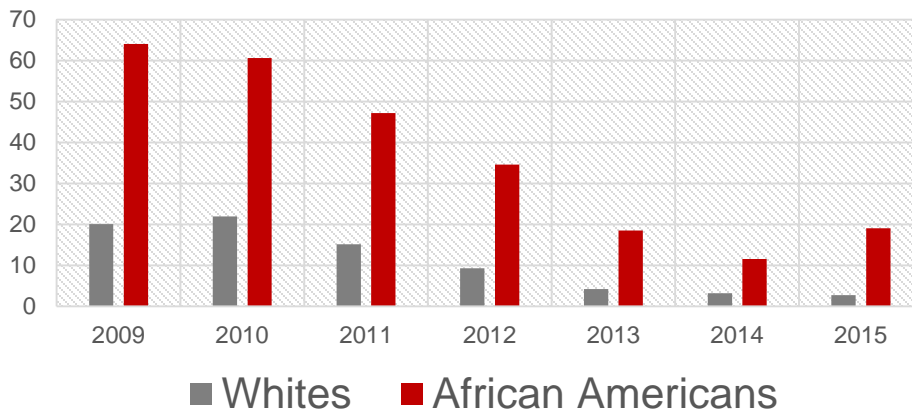
Early Results: I-502, Race, and Criminal Justice

Marijuana Possession Arrest Rates per 100,000 in Washington



- In 2009, the possession arrest rate for Blacks was 2.67 times greater than for Whites
- By 2015, it was 2.30 times greater (a 14% decrease)

Marijuana Sales Arrest Rates per 100,000 in Washington (2009-2015)

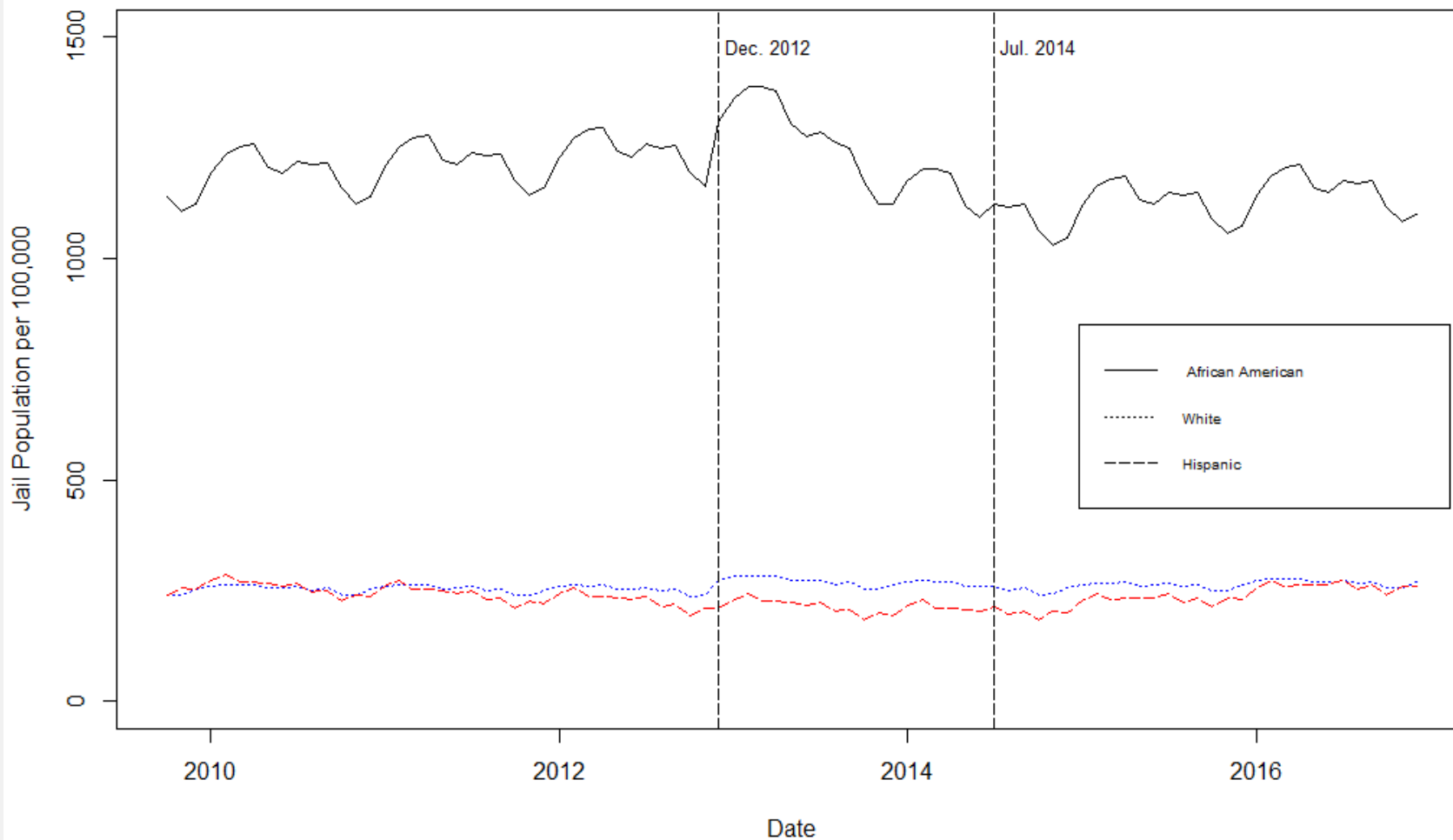


- In 2009, the sales arrest rate for Blacks was 3.08 times greater than for Whites
- By 2015, it was 7 times greater (a 127% increase)



Early Results: I-502, Race, and Criminal Justice

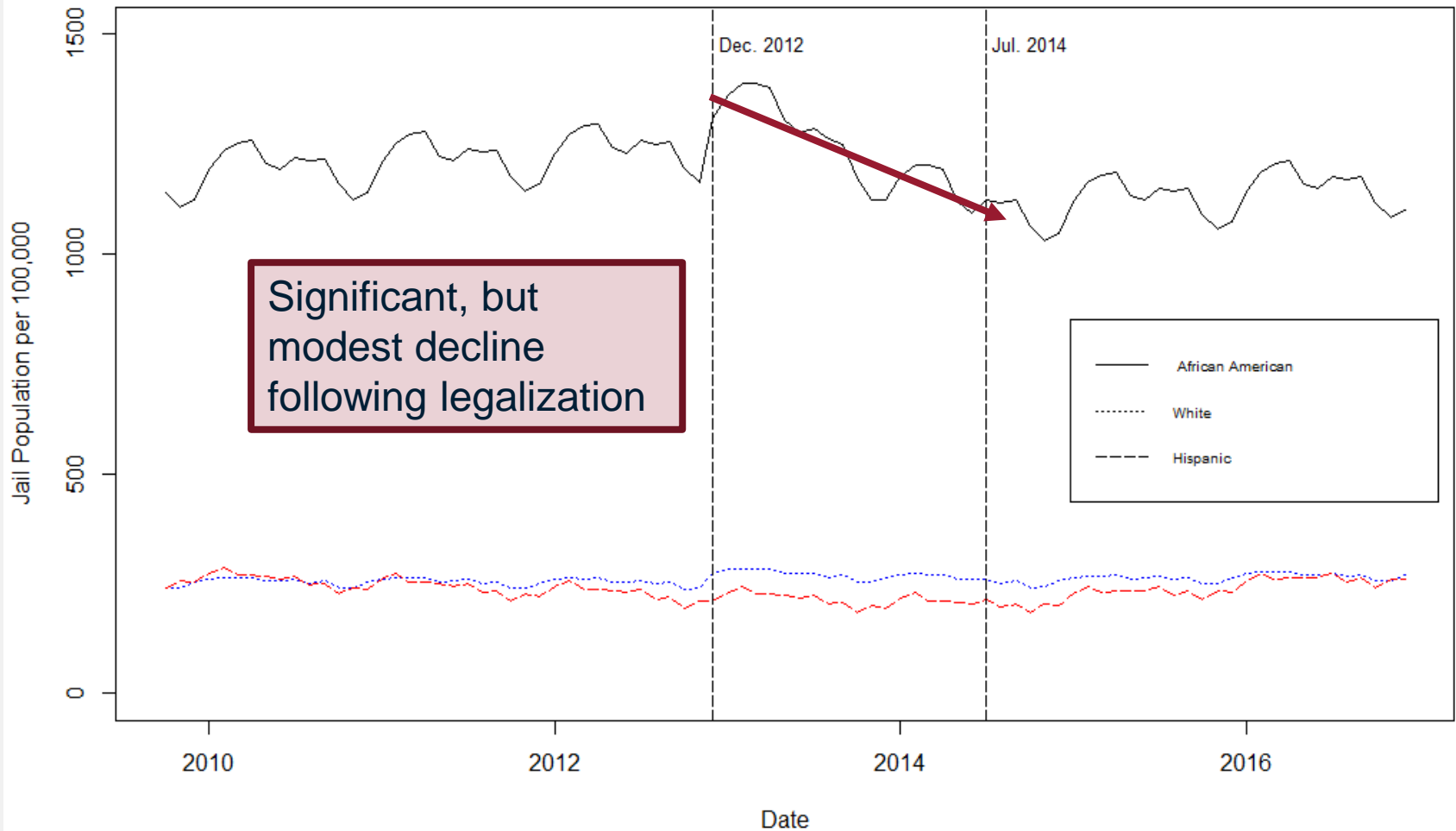
Overall Jail Booking Rate by Race for All 8 Counties





Early Results: I-502, Race, and Criminal Justice

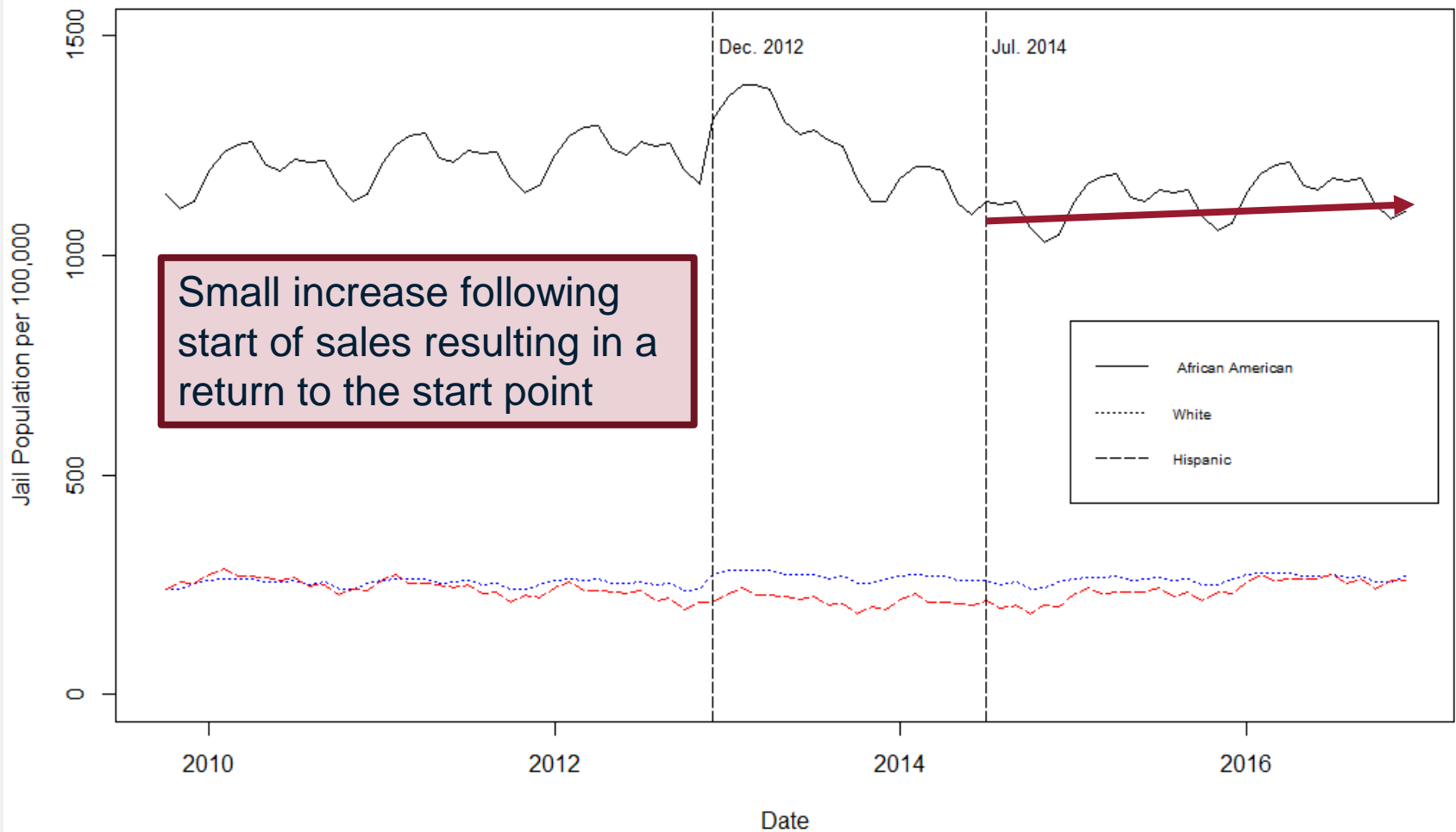
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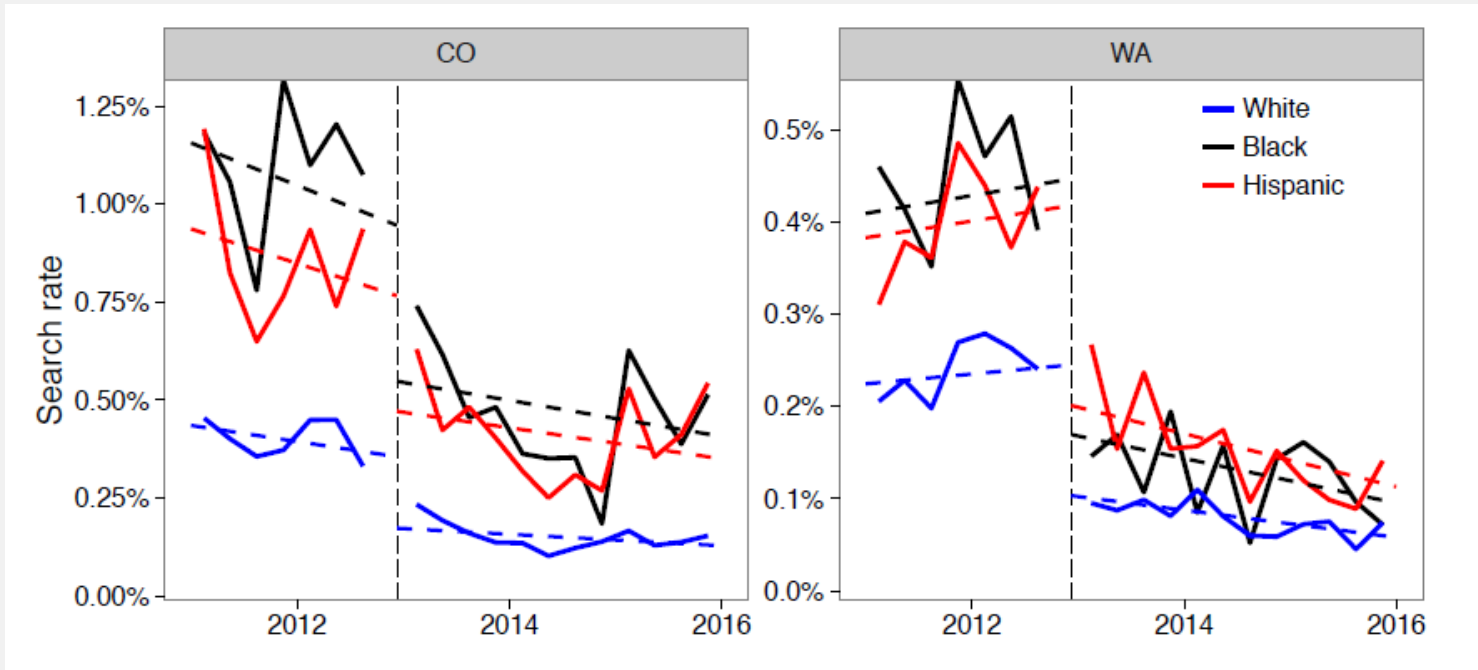
Early Results: I-502, Race, and Criminal Justice

Overall Jail Booking Rate by Race for All 8 Counties





Early Results: I-502, Race, and Criminal Justice



- Pierson et al. (2018): A large-scale analysis of racial disparities in police stops across the United States (Stanford working technical paper series)



Why this matters – implications for social justice

- I-502 is not a major driver of crime
 - An expected decline in marijuana arrests
 - Decline in searches during traffic stops
 - No significant increase in crime, but a significant increase in crime clearance for certain crimes
 - No appreciable effect on jail populations

- I-502 and racial disparities
 - Some evidence of a decline for *certain* disparities
 - No evidence that I-502 eliminates disparities and some evidence that the protective effects were short-lived
 - Contrary evidence for at least one offense (marijuana sales)

- Put simply: The sky is not falling but we should also not view I-502 as a “simple” panacea



Moving Forward

- There is clear need for additional work on the effects of I-502 on criminal justice outcomes by race, but also by gender and age
- Research efforts currently underway:
 - **WSU Crime, Cannabis, and Police Research Group**
(<https://labs.wsu.edu/ccp/>)
 - **Washington State Institute for Public Policy**
(<http://www.wsipp.wa.gov/Reports/PolicyArea/6>)
 - Variety of other research groups (**Open Policing Project at Stanford**) and agencies (**NWHIDTA**)
- Be patient, temper our conclusions, and be wary of invested parties