



The State of Enforcement: Progress and Shortcomings in Cannabis Arrest Rates

In late 2012, Colorado and Washington became the first two states to legalize cannabis for adults 21 and older. Since then, 22 more states have followed suit. Now, 54% of Americans live in a state that allows adults to relax with cannabis. [1] One of the primary goals of legalizing cannabis is to stop ensnaring people in the criminal justice system for a plant that is less dangerous than alcohol. [2] With cannabis legal and regulated, we anticipated that arrest rates for possession, manufacturing, and sales would plummet as demand shifted to the legal, regulated market. The data backs that up.

According to government data: [3]

- Cannabis arrests dropped in every state after legalization. On average, legalization states' cannabis arrest rates have dropped 85.53%, with possession arrests decreasing by an average of 84.61% and sales arrests decreasing by an average of 80.39%.
- The 24 states that have legalized cannabis made a total of 222,261 fewer cannabis arrests in 2025 than they did the year prior to their legalization of cannabis. [4]
- Prohibition states made more than eight times as many cannabis arrests than legalization states in 2025, although they have a smaller total population.
 - In 2025, law enforcement in legalization states reported 22,357 cannabis arrests, while prohibition states reported 186,581 cannabis arrests.
- Since 1995, there have been more than 21 million arrests for cannabis in the U.S. [5]
- Annual cannabis arrests in the United States (including the District of Columbia and U.S. territories) have dropped from a peak of over 870,000 in 2007 to 211,104 in 2025.
- The 20 states with the lowest cannabis arrest rates are legalization states. However four legalization states have higher arrest rates than at least one prohibition state. Those states are Colorado, Delaware, Illinois, and Nevada.

What follows is a report examining cannabis arrest data in all 50 states, starting with legalization states in chronological order based on when they legalized cannabis. The next section lists prohibition states in alphabetical order. The report includes some stories illustrating the human impacts of cannabis criminalization. Due to the stigma of arrest records, some individuals who shared their stories asked to be anonymous or to be identified by first name only.

Finally, there are five appendices.

- Appendix A sorts legalization states by their rates of decreases in cannabis arrests post-legalization.
- Appendix B lists every state alphabetically, with the number of cannabis arrests, along with its arrest rate per 100,000 residents in 2025.
- Appendix C sorts states by arrest rate per 100,000 residents in 2025.
- Appendices D and E list total arrests and the rate of arrests in prohibition states between 2013 (when Colorado and Washington legalized) and 2025. Appendix D is sorted alphabetically while Appendix E is sorted based on arrest rate.

Methodology Notes

Except as otherwise noted in footnotes, all arrest data was exported from the FBI's Crime Explorer between March 15 and April 13, 2026. Occasionally, we have noticed slight changes in the data upon subsequent searches of the same dataset. This may be due to late or revised reporting from some state or local law enforcement agencies.

This report relies on the FBI Crime Explorer data, and uses its definition of an arrest: "The FBI's Uniform Crime Reporting (UCR) Program counts one arrest for each separate instance in which a person is arrested, cited, or summoned for an offense."

Some of the data, particularly from years prior to 2020, is partial. Not all participating law enforcement agencies provide data to the UCR Program. As a result, this likely underreports the number of arrests, particularly for earlier years.

Authors and Acknowledgments

Karen O'Keefe and Kevin Caldwell of the Marijuana Policy Project authored this report, which was edited by Violet Cavendish. Kate Nowicki did much of the research on arrest data. Bridget Spiddle and Garret Overstreet handled design work. We relied on NORML's excellent compilation of cannabis penalties. We are also grateful to every individual who reached out to share their story about the human impact of cannabis arrests.

Note: This information is provided for informational and educational purposes only. Laws frequently change, and we do not capture the nuances of states' laws here. Please check state statutes for more information, or consult with an attorney licensed in your state.

A Closer Look at Arrest Data in Legalization States

While, as a whole, legalization states are arresting far fewer people for cannabis now than they did prior to legalization, 22,357 total cannabis arrests in a single year is still an alarmingly large number. Arrests can be traumatic and incarceration is even more so. A day of missed work due to an arrest can result in job loss, which can result in lost housing and homelessness. Americans have even died while incarcerated for cannabis possession. [\[6\]](#) Longer term, criminal records create barriers to housing, employment, and professional and occupational licensing.

Some legalization states lag significantly behind others in their commitment to liberty and proportionality:

- Four legalization states continue to punish the home cultivation of cannabis, three of which impose felony penalties. The states with felony penalties are Washington, Delaware, and New Jersey. The fourth state, Illinois, imposes a civil fine. A fifth state, Nevada, only allows home cultivation if one lives at least 25 miles from a licensed retailer. In contrast, all 50 states allow adults to home brew beer.
- Four legalization states — Arizona, Colorado, Delaware, and Ohio — impose life-altering criminal penalties for using or smoking cannabis in public. The other legalization states impose *civil* fines for smoking cannabis in places open to the public or where cigarette smoking is prohibited.
 - One state, Delaware, continues to impose possible jail time as the penalty for consuming cannabis in public, and even in some parts of one's private property.

- Broad open container laws are resulting in thousands of cannabis arrests.
 - Illinois officials made more than 5,500 arrests for cannabis possession in 2025, likely due to the state’s requirement that both drivers and passengers store cannabis in an odor-proof, sealed container that is inaccessible. Illinois is the only legalization state with an *increase* in possession arrests since legalization.
 - Minnesota authorities prosecuted more than 3,500 cases under their state’s “open package” law, in about a year and a half after legalization. The offense is a misdemeanor, carrying possible jail time and collateral consequences.
- Two legalization states, Washington and Alaska, continue to impose possible jail time and criminal penalties on people under 21 who possess cannabis. The other 22 legalization states, and some prohibition states, impose a civil fine. Civil penalties avoid many of the life-altering collateral consequences criminal convictions carry.

While we are not aware of any state that limits how much beer or wine an adult can possess, every legalization state caps the amount of cannabis adults can possess. Some limits are as low as one ounce.

Although legalization states have dramatically reduced their number of arrests for marijuana, many still have significant work to do to stop ruining lives over personal use, possession, and cultivation of cannabis.

Colorado

On November 6, 2012, Colorado and Washington voters made history by making their states the first two to legalize, regulate, and tax cannabis for adults 21 and older. Colorado’s ballot measure was an amendment to the state constitution, which received 55.32% of the vote. In addition to licensing, regulating, and taxing cannabis businesses, the amendment included home cultivation of up to six plants, which must be securely and discreetly cultivated, along with possession of any cannabis harvested.

Colorado has experienced a large drop in marijuana arrests since legalization. Arrests for sales decreased by 91.8% between 2011 and 2025, while possession arrests dropped by 84.9%.

While the drop is quite large, Colorado’s possession arrest rate is higher than most other legalization states at 25.86 cannabis arrests per 100,000 residents. In comparison, 20 legalization states have arrest rates of under 17.5 per 100,000 residents, with the lowest rate being 2.56 per 100,000 residents in Massachusetts. (See Appendix C for the rates and details)

We do not have a breakdown of the charges individuals have been arrested for, but the larger number of “possession” arrests may be due to Colorado’s *criminal* penalty for public consumption of cannabis. Most legalization states impose a civil fine, not a criminal offense, for public consumption to avoid the life-altering consequences of a criminal conviction. While Colorado imposes a fine, not jail time, for public use, the criminal record can shut the door on housing, employment, and entire career paths.

Colorado Cannabis Arrests				
	Arrests 2011	Arrests 2025	Decrease	Percent Decrease
Possession	9,979	1,506	8,473	84.90%
Manufacture or Sales	595	49	546	91.80%

Colorado Cannabis Arrests				
	Arrests 2011	Arrests 2025	Decrease	Percent Decrease
Total	10,574	1,555	9,019	85.30%

Washington

On November 6, 2012, 55.70% of Washington voters approved an initiative legalizing and regulating cannabis for adults 21 and older. Since then, Washington has had one of the most dramatic drops in cannabis arrests, with possession arrests dropping by 96% and sales arrests dropping by 98%.

While Washington’s cannabis arrests have dropped substantially, it continues to needlessly criminalize its residents for a plant that is safer than alcohol. Washington is one of only four legalization states where adult-use consumers are prohibited from growing their own cannabis plants at home.

Cannabis cultivation by someone other than a licensed business or a medical cannabis patient remains a Class C felony in Washington, carrying up to five years’ incarceration and/or a fine of up to \$10,000. [7]

Washington is also one of only two legalization states where those under 21 face criminal, as opposed to civil, penalties for possessing cannabis. Possession of cannabis by someone under 21 is a misdemeanor punishable by up to 90 days in jail, though prosecutors are “encouraged to divert cases under this section for assessment, treatment, or other services.” [8]

Four months before Washington legalized cannabis, a 22-year old Washington State man died while he was incarcerated for cannabis. [9] Michael Saffioti was booked for misdemeanor marijuana possession and held overnight at Snohomish County Prison before seeing a judge. He had a severe milk allergy and asthma, and was assured the oatmeal he was given was safe for him to consume. Tragically, it was not. Michael Saffioti pleaded for help after having a reaction, but did not receive medical attention for at least 30 minutes, at which point it was too late.

Washington Cannabis Arrests				
	Arrests 2011	Arrests 2025	Decrease	Percent Decrease
Possession	9,517	339	9,178	96.40%
Manufacture or Sales	974	22	952	97.70%
Total	10,491	361	10,130	96.6%

Alaska

On November 4, 2012, 53.23% of Alaska voters approved a ballot measure legalizing and regulating cannabis for adults 21 and older. The law allows adults to discreetly and securely cultivate up to six cannabis plants for personal use, and possess their harvested cannabis. The public consumption of cannabis is a civil violation, punishable by a fine of up to \$100. [10]

One area where Alaska lags behind other legalization states is its continued criminalization of minors who possess cannabis. Possession or use of less than an ounce of cannabis by a person under 21 is a

Class B misdemeanor, which is punishable by up to 90 in jail, a fine of up to \$2,000, or both. [\[11\]](#)

Annual cannabis arrests have dropped significantly in Alaska since legalization. Arrests for manufacturing or sales dropped by 94% to a total of five arrests in 2025. Meanwhile, arrests for possession have dropped by 87.8% to a total of 92 arrests in 2025.

Alaska Cannabis Arrests				
	Arrests 2013	Arrests 2025	Decrease	Percent Decrease
Possession	757	92	665	87.8%
Manufacture or Sales	83	5	78	94.0%
Total	840	97	743	88.5%

Oregon

On November 4, 2012, 56.11% of Oregon voters approved a ballot measure legalizing cannabis for adults 21 and older. In addition to regulating and taxing the commercial production and sales of cannabis, Oregon’s law includes home cultivation, a civil penalty for public use, and a civil penalty for minors in possession.

Since 2013 — the eve of Oregon’s legalization — cannabis arrests have dropped by nearly 95% in the state with possession arrests dropping 94.8% and sales or manufacturing arrests dropping 91.3%.

Oregon Cannabis Arrests				
	Arrests 2013	Arrests 2025	Decrease	Percent Decrease
Possession	9,691	506	9,185	94.8%
Manufacture or Sales	584	51	533	91.3%
Total	10,275	557	971	94.6%

California

California was one of four states where voters legalized cannabis for adults on November 8, 2016. The ballot measure received 57.13% of the vote. California’s legalization law includes home cultivation and civil — not criminal — penalties for both minors in possession and the public consumption of cannabis. It also reduced penalties for cannabis sales and cultivation.

Since legalization, arrests have dropped by 86%, with possession arrests decreasing by 83.5% and sales arrests decreasing by 88%.

California Cannabis Arrests				
	Arrests 2015	Arrests 2025	Decrease	Percent Decrease
Possession	6,734	1,112	5,622	83.50%
Manufacture or Sales	8,413	1,009	7,404	88.00%

Total	15,147	2,121	13,026	86.00%
-------	--------	-------	--------	--------

Maine

Maine voters approved a ballot initiative legalizing and regulating adult-use cannabis on November 8, 2016, by a close margin of 50.26% to 49.74%. Like most legal cannabis states,

Maine’s law includes home cultivation and civil — not criminal — penalties for minors in possession and public consumption.

Since the year prior to Maine’s legalization (2015), cannabis arrests have decreased by 96.2%.

Maine Cannabis Arrests				
	Arrests 2015	Arrests 2025	Decrease	Percent Decrease
Possession	2,799	92	2,707	96.7%
Manufacture or Sales	239	23	216	90.4%
Total	3,038	115	2,923	96.2%

Massachusetts

In November 2016, 53.66% of Massachusetts voters approved adult-use cannabis legalization and regulation. Massachusetts allows home cultivation and it imposes a civil (not criminal) penalty of up to \$100 for public consumption. It also has a civil penalty for minors in possession, with drug and alcohol awareness education.

Since 2015, the eve of legalization, Massachusetts arrests for cannabis have dropped by 84.9% according to the FBI’s Crime Explorer data.

In 2025, Massachusetts had the fewest cannabis arrests per capita of any state. (See Appendix C for details.)

Massachusetts Cannabis Arrests				
	Arrests 2015	Arrests 2025	Decrease	Percent Decrease
Possession	509	85	424	83.3%
Manufacture or Sales	705	98	607	86.1%
Total	1,214	183	1,031	84.9%

Nevada

Nevada was one of the four states where voters approved ballot measures legalizing cannabis on November 8, 2016. Nevada continues to criminalize most adults for growing cannabis, however. Adult-use consumers and registered patients can only grow cannabis if they live at least 25 miles

from the nearest cannabis dispensary. With over 90% of the state's population largely clustered in the Las Vegas and Reno-Sparks metropolitan area, only a small percentage of Nevadans have the freedom to grow their own cannabis.

Nevada also continues to impose a criminal misdemeanor — rather than a civil offense — for smoking cannabis in public. [12] While the misdemeanor doesn't include jail time, as a criminal offense it can still have life-altering impacts.

Nevada's decrease in cannabis arrests is significant at 72.8%, which is lower than most other legalization states. Authorities made more than 1,500 cannabis arrests in 2025.

Nevada Cannabis Arrests				
	Arrests 2015	Arrests 2025	Decrease	Percent Decrease
Possession	5,048	1,405	3,643	72.2%
Manufacture or Sales	634	140	494	77.9%
Total	5,682	1,545	4,137	72.8%

Vermont

In 2018, Vermont became the first state in the nation to legalize adult-use cannabis possession and home cultivation through the state legislature rather than a ballot initiative. Lawmakers authorized a regulated marketplace for cannabis in 2020. Gov. Phil Scott (R) allowed that bill to become law without his signature.

Since 2017, the year prior to legalization, cannabis arrests dropped by 87.8% in Vermont.

Prior to legalization, in 2013, Vermont decriminalized cannabis, reducing the penalty to a civil fine. A disturbing case highlighted the impacts of prohibition.

In 2014, a Black man named Gregory Zullo was stopped because an officer claimed he couldn't see the registration sticker on Zullo's license plate due to snow. [13] When Zullo refused to consent to a search of his car, the officer ordered the car towed due to the supposed faint smell of cannabis. A subsequent search found a grinder and small pipe with residue of cannabis. The officer did not conduct a field sobriety test and Zullo said he'd smoked cannabis three days prior. With his car impounded, Zullo was left to walk or hitchhike eight miles in winter. While the ACLU eventually won a lawsuit challenging the legality of the vehicle search, that does not undo what he endured.

Vermont Cannabis Arrests				
	Arrests 2017	Arrests 2025	Decrease	Percent Decrease
Possession	116	13	103	88.8%
Manufacture or Sales	48	7	41	85.4%
Total	164	20	144	87.8%

Michigan

On November 2, 2018, 55.89% of Michigan voters approved an initiative legalizing and regulating cannabis for adults' use. The ballot measure also included home cultivation, reductions in penalties for cultivation and sales, and civil (not criminal) penalties for public use and minors in possession of cannabis.

Since legalization, cannabis arrests have plummeted by 97.9%, with possession arrests declining by 98.3% and manufacturing or sales arrests dropping by 94.3%.

Prior to legalization, Michigan had not even decriminalized cannabis — it imposed criminal penalties with possible jail time for possession. In October 2011, a 19-year old transgender woman was brutally murdered in Michigan after police coerced her into setting up her dealer when she was arrested for a small amount of cannabis. [14] They threatened her with incarceration if she did not cooperate. Jail is a particularly dangerous place for transgender individuals. The officers then allegedly informed her dealer of her cooperation, and he murdered and dismembered her in retaliation.

Michigan Cannabis Arrests				
	Arrests 2017	Arrests 2025	Decrease	Percent Decrease
Possession	16,692	282	16,410	98.3%
Manufacture or Sales	2,078	119	1,959	94.3%
Total	18,770	401	18,369	97.9%

Illinois

On June 25, 2019, Illinois Governor J.B. Pritzker (D) signed into law the Cannabis Regulation and Taxation Act, making the Land of Lincoln the first state to legalize and regulate adult-use cannabis commerce through state legislation, as opposed to a ballot measure. MPP was proud to play a leading role in the campaign, and the law was heralded for its focus on equity, community reinvestment, and expungements.

However, due to the need for compromise in the legislative process, Illinois' law falls short of most other legalization states in some areas. Illinois is one of only four legalization states where adult-use consumers are prohibited from growing their own cannabis.

Illinois' law also includes a requirement that cannabis be stored in a "secured, sealed or resealable, odor-proof, child-resistant cannabis container that is inaccessible" in a motor vehicle. [15] This applies to both drivers and passengers. The penalty is extremely harsh — a Class A misdemeanor, which carries up to 364 days in county jail, fines up to \$2,500, and up to two years of probation. The Illinois Supreme Court ruled that, due to this language, a car can still be subject to searches based on the odor of raw cannabis. [16]

Previously, cannabis was decriminalized under state law, and carried only a civil fine.

Possibly due to the open, odorless container provision, over 5,600 Illinois residents continue to be arrested per year for what the Crime Explorer classifies as marijuana possession. Even as the state

expunged past records for cannabis possession, it is creating tens of thousands of new records that closed the door of opportunity by making it hard to get jobs, housing, and professional licenses. Illinois is the only legalization state where possession arrests **increased** post-legalization.

Having a jar of raw cannabis in one’s purse on the passenger seat in no way suggests that the cannabis was recently consumed, unlike a half-empty can of beer in a cupholder. But the penalty for an open cannabis container is far harsher than the fine and possible community service imposed for an open container of alcohol.

Illinois did not provide data for inclusion in the FBI’s Crime Explorer until 2022, so the “before” data we have on arrests is from the ACLU’s excellent 2020 report “A Tale of Two Countries: Racially Targeted Arrests in the Era of Marijuana Reform.” Comparing that 2018 data to the Crime Explorer data from 2025 indicates annual arrests for possession have *increased* by 3.4% — from 5,474 to 5,666.

Illinois had the highest arrest rate per capita of any legalization state in 2025. For every 100,000 residents, officers made 54.16 arrests for cannabis offenses. (See Appendix C for details.) Twenty of the 23 other legalization states had cannabis arrest rates of less than 18 per 100,000 residents, with the lowest rate being 2.56 arrests in Massachusetts. Three prohibition states — Hawaii, Florida, and New Hampshire — had fewer cannabis arrests per capita than Illinois in 2025.

Bills have been proposed to remove the requirement that cannabis be stored in an odor-proof container, although they would not fix the other issues with the harsh open container law. Even these partial fixes have never made it to Gov. Pritzker’s desk, though. In Spring of 2025, one of the bills — SB 42 — passed the full Senate and House Judiciary Committee. As of this writing, it has not been called to a House vote. (Illinois’ two-year legislative session runs from January 2025 through 2026.) A similar bill, HB 4782, was never given a vote in the House Judiciary Committee. It now languishes in the House Rules Committee. As lawmakers fail to act on these modest improvements, an average of 15 Illinois residents are arrested for cannabis every day.

Illinois Cannabis Arrests				
	Arrests 2018	Arrests 2025	Change	Percent Change
Possession	5,474	5,666	192 <i>more</i> arrests	3.5% <i>increase</i>
Manufacture or Sales	4,220	1,223	2,997 fewer arrests	72.06% decrease
Total	9,694	6,889	2,997 fewer Arrests	31.61% decrease

Arizona

On Election Day in 2020, voters in two states — Arizona and Montana — approved ballot questions legalizing and regulating cannabis for adults 21 and older. Arizona’s measure, which received just over 60% of the vote, included home cultivation and civil (not criminal) penalties for smoking cannabis in public and minors’ possession of cannabis.

Since legalization, possession arrests have plummeted by 93.3% and sales and manufacturing arrests have dropped by 76.2%.

Arizona Cannabis Arrests				
Arrests 2019	Arrests 2025	Decrease	Percent Decrease	
Possession	12,070	804	11,266	93.3%
Manufacture or Sales	576	137	439	76.2%
Total	12,646	941	11,705	92.6%

Montana

Montana’s cannabis legalization ballot measure received 56.9% of the vote on November 3, 2020. It included home cultivation, a civil fine of up to \$50 for public cannabis smoking, and civil penalties for minors who possess cannabis.

Unsurprisingly, Montana has seen a dramatic drop in arrests since legalization. Possession arrests have plummeted by 97.5%, while arrests for sales or manufacturing have dropped by 82.1%. A total of 27 people were arrested for possession in 2025, with only 10 arrested for sales or manufacturing.

Montana Cannabis Arrests				
	2019 Arrests	Arrests 2025	Decrease	Percent Decrease
Possession	1,077	27	1,050	97.5%
Manufacture or Sales	56	10	46	82.1%
Total	1,133	37	1,096	96.7%

New Jersey

New Jersey’s legalization of cannabis was a multi-stepped process. The Garden State does not have a citizen initiative process, but it does allow lawmakers to refer constitutional amendments to voters, as most states do. From 2017-2020, the Senate and Assembly leaders could not agree on *how* to legalize and regulate cannabis, so they eventually referred a simple constitutional amendment to voters. In November 2020, more than 67% of New Jersey voters approved the legalization initiative. Then, the legislature crafted and passed bills filling in the details of legalization and regulation. Gov. Phil Murphy signed the three bills into law on February 22, 2021.

Lawmakers did not, however, legalize the home cultivation of cannabis. New Jersey is one of only two legalization states (the other being Delaware) that does not even allow medical cannabis patients to grow their own medicine. Bills have repeatedly been introduced in New Jersey to allow patients, adult consumers, or both, to grow cannabis, but they have never received a floor vote in either chamber.

Arrests for cannabis have declined dramatically in New Jersey, by the most of any state in the nation. Overall, arrests have dropped by 98.9%, with possession arrests dropping from nearly 29,000 in 2019 to 170 in 2025. Manufacturing and sales arrests dropped from over 4,500 in 2019 to 214 in 2025. Of

course, for those 214 people, the arrest may be the worst thing that ever happened to them. And some are almost surely for personal cultivation — in the Garden State.

New Jersey Cannabis Arrests				
	Arrests 2019	Arrests 2025	Decrease	Percent Decrease
Possession	28,865	170	28,695	99.4%
Manufacture or Sales	4,585	214	4,371	95.3%
Total	33,450	384	33,066	98.9%

New York

New York was one of three states that legalized cannabis via the state legislature in the Spring of 2021. Then-Gov. Andrew Cuomo (D) signed the Marijuana Regulation and Taxation Act (MRTA) into law on March 31, 2021.

Adults 21 and over may possess up to three ounces of cannabis and 24 grams of concentrate, and grow up to three mature and three immature plants per person (with a household cap of six each). Possession of cannabis by a minor is a civil offense, and New York is one of a handful of states that did not include any penalty for using cannabis in public places where tobacco smoking is allowed.

Although cannabis was “decriminalized” in New York in the 1970s, the city became the arrest capital of the world when police abused a “public view” loophole that remained a misdemeanor. At the peak, more than 64,000 arrests were made for possession in 2007. In 2019, officers made 34,259 arrests, according to Crime Explorer data. With legalization, those figures dropped by 98%, to 650 total possession arrests.

New York Cannabis Arrests				
	Arrests 2019	Arrests 2025	Decrease	Percent Decrease
Possession	34,259	650	33,609	98.1%
Manufacture or Sales	349	174	175	50.1%
Total	34,608	824	33,784	97.6%

Virginia

On April 21, 2021, Virginia’s then-Governor Ralph Norton (D) signed legalization into law, making the Old Dominion State the first in the South to legalize cannabis possession for adults. The bill narrowly passed the General Assembly, though, and to secure the votes needed, key parts of the law required re-enactment. In the November 2021 election, the governor and the House of Delegates flipped to Republican control, and those leaders did not support cannabis regulation. As a result, the parts of the law legalizing and regulating sales were never reenacted and sales remained illegal and unregulated. That is expected to change soon.

The House flipped back to Democratic control in 2023, but then-Governor Glenn Youngkin vetoed bills legalizing and regulating sales. Gov. Youngkin was termed limited out in 2025, and a new governor — Gov. Abigail Spanberger was elected. Spanberger made it clear she supports legal and regulated

sales. In Spring of 2026, the legislature passed legalization and Gov. Spanberger sent the bill back to the legislature with requested amendments (this is a fairly common part of the process in Virginia).

While Virginia’s initial legalization law did not include sales, it does allow home cultivation. It also reduced the penalty for possessing between the possession limit (an ounce) and a pound to a \$25 civil fine. And a 2020 decriminalization law reduced the penalty for those under 21 (and initially those over 21) to a \$25 civil fine. A \$25 civil fine is also the penalty for consuming cannabis in public.

Likely due to its broad removal of criminalization for innocuous conduct, Virginia’s cannabis possession arrests have plummeted since 2019, dropping from almost 22,000 to 757 — a 97% decrease. Given the continued prohibition of sales, manufacturing and sales arrests did not drop as much, though they still dropped over 80%.

Virginia Cannabis Arrests				
	Arrests 2019	Arrests 2025	Decrease	Percent Decrease
Possession	21,981	757	21,224	96.6%
Manufacture or Sales	1,768	350	1,418	80.2%
Total	23,749	1,107	22,642	95.3%

New Mexico

On April 12, 2021, New Mexico Gov. Michelle Lujan Grisham (D) signed separate cannabis expungement and legalization and regulation bills into law.

Like most legalization states, adults in New Mexico are allowed to discreetly cultivate cannabis at home and perform extracts as long as they don’t use volatile solvents. Adults can also possess all the cannabis harvested from their plants, provided it is stored in a locked space at the person’s residence that is not visible from public spaces.

New Mexico sensibly avoided criminalization of public use and minors. The penalty for smoking cannabis in public is a \$50 civil fine for a first violation.

New Mexico already had a decriminalization law in effect when it legalized cannabis, so its drop in arrests is lower than some other legalization states. Overall, annual cannabis arrests have dropped by 87.5% since the pre-COVID data from 2019.

New Mexico Cannabis Arrests				
	Arrests 2019	Arrests 2025	Decrease	Percent Decrease
Possession	2,227	286	1,941	87.2%
Manufacture or Sales	145	10	135	93.1%
Total	2,372	296	2,076	87.5%

Connecticut

On June 22, 2021, Connecticut's legislature passed and Gov. Ned Lamont signed adult-use cannabis legalization and regulation into law. The bill included delayed legalization of home cultivation for first patients and then all adults 21 and older. Connecticut only prohibits public smoking of cannabis where tobacco is prohibited (mostly in indoor locations), although localities may impose local penalties, as long as larger cities designate at least one public place where adults could smoke cannabis. Connecticut also maintained existing civil, not criminal, penalties for minors in possession.

For Connecticut and all other states that legalized in 2021 or 2022, we've used 2019 data as the "before" year for a comparison in annual arrest rates. This is due to the dramatic drop in drug arrests in 2020-2021 due to COVID related changes in policing.

In 2025, Connecticut authorities made 86.2% fewer arrests for cannabis than they made in 2019. Possession arrests dropped by nearly 90%, while manufacturing and sales dropped by about 72%.

Connecticut Cannabis Arrests				
	Arrests 2019	Arrests 2025	Decrease	Percent Decrease
Possession	1,670	171	1,499	89.8%
Manufacture or Sales	416	117	299	71.9%
Total	2,086	288	1,798	86.2%

Maryland

Like their colleagues in New Jersey, Maryland state legislators opted to refer a simple legalization measure to voters. On November 8, 2022, a landslide 67.20% of Maryland voters approved the constitutional amendment. Earlier in 2022, legislators had approved a companion measure, contingent on the legalization ballot measure passing, which legalized the home cultivation of two plants starting July 1, 2023. Unfortunately it did not allow possession of the entire harvest, which is common in other states.

In 2023, lawmakers promptly passed a regulatory framework for sales, which began from existing dispensaries on July 1, 2023.

Maryland had previously enacted a decriminalization law, and minors continue to be subjected to civil — not criminal — fines. Public smoking is also a civil, not criminal, offense, carrying a fine of up to \$50 fine for a first violation, with subsequent offenses carrying up to a \$150 fine.

Maryland has seen dramatic reductions in cannabis arrests. In the last pre-legalization year before COVID, 2019, law enforcement made more than 15,000 arrests for cannabis possession. That plummeted to 426 in 2025. Meanwhile, manufacturing and sales arrests dropped by 89%, from over 1,900 to 216.

Maryland Cannabis Arrests				
Arrests 2019	Arrests 2025	Decrease	Percent Decrease	

Maryland Cannabis Arrests				
Possession	15,052	426	14,626	97.2%
Manufacture or Sales	1,906	216	1,690	88.7%
Total	16,958	642	16,316	96.2%

Missouri

On November 2, 2022, Missouri voters approved a constitutional amendment legalizing and regulating cannabis for adults. The measure allows home cultivation, but requires the purchase of a noncommercial cultivation registration card.

Consistent with most other legalization states, public consumption is a civil, not criminal, offense, as is minors' possession of cannabis.

Comparing the most recent Crime Explorer data (from 2025) to data from the last pre-legalization year before COVID (2019), shows a 94% drop in cannabis arrests. Arrests for possession have dropped by 94.6%, while arrests for manufacturing and sales have dropped by 88.3%.

Missouri Cannabis Arrests				
Arrests 2019	Arrests 2025	Decrease	Percent Decrease	
Possession	17,390	942	16,448	94.6%
Manufacture or Sales	1,269	149	1,120	88.3%
Total	18,659	1091	17,568	94.2%

Rhode Island

Rhode Island legalized cannabis for adults 21 and older when Gov. Dan McKee (D) signed the Rhode Island Cannabis Act into law on May 25, 2022. The law allows adults to cultivate up to three cannabis plants in a private residence. Pursuant to an earlier decriminalization law, minors are subject to a civil fine and those under 18 take a drug awareness course.

Since legalization, Rhode Island's already-low arrest rate decreased by 71.8%.

Rhode Island Cannabis Arrests				
Arrests 2019	Arrests 2025	Decrease	Percent Decrease	
Possession	319	94	225	70.5%
Manufacture or Sales	93	22	71	76.3%
Total	412	116	296	71.8%

Delaware

In April 2023, then-Governor John Carney (D) allowed two companion bills legalizing cannabis to become law without his signature. Carney had vetoed bills in 2022, and at the time the legislature had not mustered the votes to override his veto.

Unfortunately, Delaware falls short compared to most legalization states on rolling back criminalization. Cultivation of even one plant remains a felony, punishable by up to eight years in prison. [17] Even medical cannabis patients are criminalized if they grow their own plants.

Meanwhile, Delaware is the only legalization state where the public consumption of cannabis (including non-smoked modes like edibles) can result in jail time. The definition of an “area accessible to the public” is so broad, it includes outdoor private property within 10 feet of a sidewalk, street, alley, parking lot, or any other area to which the general public is invited. In 2026, a bill (HB 252) has been proposed to reduce the penalty to a more proportionate penalty — a \$50 fine for a first offense or a \$100 fine for a second offense.

Only four months of legal sales are captured in the “after” data. Adult-use sales began on August 1, 2025.

Given the breadth of continued criminalization, it’s not surprising that Delaware had one of the lower reductions in cannabis arrests. Since the year prior to legalization, cannabis arrests have dropped by only 59.5% between 2022 and 2025.

Delaware Cannabis Arrests				
	Arrests 2022	Arrests 2025	Decrease	Percent Decrease
Possession	922	373	549	59.5%
Manufacture or Sales	627	230	397	63.3%
Total	922	373	549	59.5%

Minnesota

On May 30, 2023, Gov. Tim Walz (D) signed HF 100 into law, legalizing and regulating cannabis for adults 21 and older. Legal sales began in September 2025 from state-licensed stores. Some tribally licensed sales began earlier. Minnesota’s law also allows adults to cultivate up to eight plants (four of which may be flowering) at their primary residence, as long as it is out of public view and in an enclosed, locked space.

HF 100 did not specify a penalty for minors in possession, but a default penalty applies, a petty misdemeanor carrying up to a \$300 fine.

Public consumption is legal in most outdoor locations in Minnesota, unless it’s prohibited by the municipality. Smoking in places where tobacco is prohibited, such as most indoor locations, is subject to a civil fine, mirroring the treatment of tobacco.

While Minnesota’s legalization law included many important criminal justice reforms, it also included a

criminal misdemeanor for having an open package of cannabis, which can result in 90 days in jail, a fine of up to \$1,000, or both. [18] The crime prohibits any cannabis flower or cannabis product that was removed from the packaging it was sold in, or if the packaging that has ever been opened, unless it is in the trunk or, if there is no trunk, if it is in another area of the vehicle not normally occupied by the driver and passenger.

In late 2025, the *Minnesota Reformer* reported that more than 3,500 charges had been brought by the “open package” law since legalization passed in spring of 2023. [19] The newspaper noted, “The police stops and prosecutions have defense lawyers concerned about the threat of racial profiling and warrantless vehicle searches.” In Hennepin County, the most populous county, 42% of those charged were Black, despite only 13% of the population being Black.

At the time of their reporting, cannabis consumers were largely unaware of the prohibition, as the *Minnesota Reformer* notes “The law prohibiting improperly packaged marijuana in vehicles isn’t mentioned on the state’s ‘need to know’ page about adult-use cannabis. ...”

In their review of cases, the paper found in many cases “the driver is not even suspected of being under the influence but simply had a jar of marijuana in the passenger area or in the center console. In those cases, drivers often freely showed officers their bag of weed, seemingly unaware they had done anything wrong.”

Arrests for cannabis possession and sales have dropped by over 75% in Minnesota, to 860 possession arrests in 2025 and 65 arrests for manufacturing or sales. But these don’t appear to include the open container arrests, which are codified in the traffic laws.

Even as Minnesota expunges tens of thousands of records, it is creating thousands of new criminal records for conduct that endangered no one.

Minnesota Cannabis Arrests				
	Arrests 2022	Arrests 2025	Decrease	Percent Decrease
Possession	3,650	860	2,790	76.4%
Manufacture or Sales	126	65	61	48.4%
Total	3,776	925	2,851	75.5%

Ohio

On November 7, 2023, 57% of Ohio voters approved Issue 2, legalizing and regulating cannabis for adults 21 and older, and allowing home cultivation.

Since 2022, the year prior to legalization, arrests have dropped by 81%.

Unfortunately, we anticipate a large spike in arrests starting in April 2026. The Ohio Senate overwhelmingly opposed legalization, passing a resolution before the vote urging voters to reject it in October 2023. [20] Even before the voter-enacted law took effect, the Senate passed a bill to add new criminalization and gut many aspects of the law. [21] Although that bill stalled in the House, in late 2025, the legislature passed and Gov. DeWine (R) signed SB 56, which added new cannabis crimes, and gutted protections to prevent discrimination against cannabis consumers in professional

licensing, child custody, medical care, and other areas.

Effective March 30, 2026, the legislature made it a pretty offense, which is a crime, to:

- Transport cannabis that is not either in its original, unopened packaging, or stored in a trunk or similar area.
- Possess cannabis obtained anywhere other than from an Ohio retailer or homegrown cannabis (such as cannabis from Michigan).
- Possess edibles if they are not stored “in the original packaging at all times when the products are not actively in use.”
- Inhale cannabis anywhere other than residential or agricultural properties with the owner’s permission (such as a bar’s patio, parking lot, or a smoking hotel room).

Ohio Cannabis Arrests				
	Arrests 2022	Arrests 2025	Decrease	Percent Decrease
Possession	7,734	1,398	-81.9%	6,336
Manufacture or Sales	224	91	-59.4%	133
Total	7,958	1,489	-81.3%	6,469

A Closer Look at Arrest Data in Prohibition States

Twenty-six states continue to prohibit adults 21 and older from using cannabis outside of a medical cannabis programs (which 16 of those states have, and two more have more limited “low-THC” medical cannabis programs). Cumulatively, cannabis prohibition states made at least 186,581 cannabis arrests in 2025. Authorities in those states have made more than 3.3 million arrests since Colorado and Washington legalized cannabis in late 2012. [\[22\]](#)

Arrests are often traumatic and costly. And incarceration is even more so. Even a brief period of incarceration before seeing a judge can cause a person to lose their job, with cascading effects that can include eviction.

A criminal conviction can also derail lives, even absent jail time. A survey of employers found 92% use criminal record checks on some or all applicants. [\[23\]](#) Fifty-five percent of people with records report difficulties obtaining a job, maintaining employment, or making a living. [\[24\]](#) These barriers to legally making ends meet can be devastating. Many people avoid pursuing the career path they wanted to pursue because they fear their cannabis conviction will prevent them from receiving a professional or occupational license.

To reduce the risk of a conviction, and the possible jail time and collateral consequences that come with it, many people hire private attorneys at a significant expense they may not be able to afford without incurring a crushing debt.

Alabama

Alabama is one of the 19 states that has not even decriminalized cannabis possession. Except for patients enrolled in its restrictive, not-yet-operational

medical cannabis program, anyone possessing cannabis for personal use faces a misdemeanor carrying up to a year in jail, a fine of up to \$6,000, or both. [25] Sales and cultivation carry mandatory minimums starting at two years' incarceration with maximum sentences of 20 years in prison or more, depending on the quantity.

In 2025, authorities made more than 8,700 cannabis arrests in Alabama, 8,500 of which were for possession. The arrest data in Alabama prior to 2023 is very partial. [26]

Alabama Cannabis Arrests	
Cannabis Arrests, 2025	8,748
Cannabis Possession Arrests, 2025	8,505
Cannabis Arrests, 2013-2025	52,386 (partial data)
Cannabis Arrest Rate, Per 100,000 Residents 2025	168.45
Cannabis Arrest Rate, Per 100,000 residents, 2013-2025	1,009

Arkansas

Arkansas is another state that continues to impose jail time on even the personal use of cannabis. Except for patients in its medical cannabis program, anyone possessing under four ounces of cannabis faces a misdemeanor carrying up to a year in jail, a fine of up to \$2,500, or both. Possession of larger amounts are felonies, as is the delivery or manufacture of over 14 grams.

Since Colorado and Washington legalized cannabis in late 2012, Arkansas authorities have made more than 88,145 arrests for cannabis. [27] The arrest rate since then is at least 2.8 cannabis arrests for every 100 residents.

“While driving home from work, I was pulled over for a broken headlight. The officers got me out of the car and found a joint in my ashtray that had not been there before. They searched my car and found a bag of roaches and a bag of homegrown. They arrested me for possession. They asked if my car was paid for and when I said yes. They confiscated my car, took my drivers' license for six months, and I was required to pay fines and take classes and tests. The attorney knew the score and what was going on: Civil Asset Forfeiture! It took all of my savings to pay for all this stuff. I had no way to go to work. The real price I paid was I lost all faith in the law or those who use it for highway robbery”.

— Catherine

Arkansas Cannabis Arrests	
Cannabis Arrests, 2025	5,599
Cannabis Possession Arrests, 2025	5,007
Cannabis Arrests, 2013-2025	88,145 (partial data)

Arkansas Cannabis Arrests	
Cannabis Arrest Rate, Per 100,000 Residents '25	179.76
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	2,830

Florida

In November 2024, 56% of Florida voters cast their ballot to legalize and regulate cannabis for adults. However, 60% was needed for passage of the constitutional amendment. Since then, legislators have failed to turn the will of voters into law. Elected officials have not even “decriminalized” cannabis statewide, although several cities and counties have passed local measures. [28] Possession of any amount of cannabis outside the medical program remains a criminal offense under state law, carrying life-altering consequences of a record. Florida is one of only 19 states that continues to imprison its residents for simple possession. Possession of up to 20 grams of cannabis is a misdemeanor carrying up to one year in jail, a fine of up to \$1000, or both. [29]

Florida did not start providing arrest data to the FBI’s Uniform Crime Reporting until 2022. Partial data [30] from 2025 shows 6,582 cannabis arrests in Florida, including 6,104 for possession.

Florida Cannabis Arrests	
Cannabis Arrests, 2025	6,582 (partial data)
Cannabis Possession Arrests, 2025	6,104 (partial data)
Cannabis Possession Rate Per 100,000 Residents 2025	More than 28.05

Georgia

Georgia is one of the 19 states that has not even decriminalized cannabis possession. Anyone possessing up to an ounce of marijuana faces a misdemeanor carrying up to a year in jail, a fine of up to \$1,000 , or both. Possessing a greater amount, possession with intent to distribute, and cultivation are all felonies carrying at least a one-year mandatory minimum.

Since Colorado and Washington legalized cannabis in late 2012, partial data [31] shows Georgia authorities have made more than a quarter of million arrests for cannabis.

“I was arrested and locked in a cage on my 19th birthday for \$20 worth of cannabis. I was jailed with other inmates charged with aggravated assault and armed robbery. I spent 23 days incarcerated for a victimless crime, \$1,000 in court fines and fees, \$2,200 in attorney costs, \$600 in court-ordered probationary classes, and drug screenings. It almost derailed my college career. The trauma I experienced haunts me to this day.”

— Ryan Ralston

Georgia Cannabis Arrests	
Cannabis Arrests, 2025	11,697
Cannabis Possession Arrests, 2025	10,743

Georgia Cannabis Arrests	
Cannabis Arrests, 2013-2025	259,977
Cannabis Arrest Rate, Per 100,000 Residents '25	103.49
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	2,300

Hawai'i

Hawai'i lacks a voter initiative process, and lawmakers have failed to legalize cannabis despite strong popular support. [\[32\]](#) The state also has the most limited “decriminalization” law in the country.

If anyone outside of Hawaii’s medical cannabis program possesses up to three grams of cannabis, they face a \$130 civil fine. Those possessing between three grams (which is under 1/8 of an ounce) and an ounce of cannabis face a misdemeanor charge carrying up to 300 days in jail, a fine of up to \$1,000, or both. Possession of between an ounce and a pound carries up to a year incarceration, a fine of up to \$10,000, or both. Cultivation of any amount is a felony, as is the sale of an ounce or more.

Since Colorado and Washington legalized cannabis in late 2012, Hawai'i authorities have made more than 10,151 arrests for cannabis. In 2025, Hawai'i authorities made a total of 279 cannabis arrests, including 263 for possession.

Hawai'i Cannabis Arrests	
Cannabis Arrests, 2025	279
Cannabis Possession Arrests, 2025	263
Cannabis Arrests, 2013-2025	10,151
Cannabis Arrest Rate, Per 100,000 Residents '25	19.47
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	708

Idaho

Idaho is perhaps the most hostile state in the union to cannabis policy reform. It is one of only 10 states with no medical cannabis program, [\[33\]](#) and one of only 19 that hasn't decriminalized [\[34\]](#) or legalized cannabis. Lawmakers referred a question to the November 2026 ballot that, if passed, would prohibit voters from ever legalizing any drug, including cannabis. In 2025, Idaho legislators passed a law imposing a \$300 mandatory minimum fine for cannabis possession. The fine is in addition to up to a year in jail and a misdemeanor conviction, for possession of up to three ounces.

The Natural Medicine Alliance of Idaho is working to qualify a medical cannabis measure for the November 2026 ballot, and lawmakers overwhelmingly approved a resolution opposing the measure.

Law enforcement in Idaho made more than 67,000 cannabis arrests [\[35\]](#) since Colorado and Washington legalized cannabis in late 2012. Its cannabis arrest rate since 2013 is more than three arrests per 100 residents of the state.

Idaho Cannabis Arrests	
Cannabis Arrests, 2025	5,165
Cannabis Possession Arrests, 2025	4,841
Cannabis Arrests, 2013-2025	66,986
Cannabis Arrest Rate, Per 100,000 Residents '25	254.47
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	3,300

Indiana

Indiana is one of seven states that lacks both a medical cannabis program and a decriminalization or legalization law. Possession of even the smallest amount of cannabis is a misdemeanor, which can result in up to 180 days in jail, a fine of up to \$1,000, or both. Growing or selling more than 30 grams but less than 10 pounds is a felony with a mandatory minimum sentence of six months' incarceration and a maximum of up to 2.5 years.

Since Colorado and Washington legalized cannabis for adults in late 2012, Indiana law enforcement have made well over 210,000 arrests for cannabis, incomplete data shows. [\[36\]](#) For every 100 Hoosiers, there have been more than three marijuana arrests in Indiana since 2013.

Indiana Cannabis Arrests	
Cannabis Arrests, 2025	9,576
Cannabis Possession Arrests, 2025	9,118
Cannabis Arrests, 2013-2025	211,890
Cannabis Arrest Rate, Per 100,000 Residents '25	137.32
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	3,039

Iowa

Iowa is one of the 19 states that has not even decriminalized cannabis possession. Anyone outside its low-THC medical cannabis program possessing marijuana faces a misdemeanor carrying up to six months in jail, a fine of up to \$1,000 , or both, for a first offense. A second offense carries up to a year in prison, while cultivation of even small amounts is a felony with a maximum sentence of up to five years in prison.

Since Colorado and Washington legalized cannabis in late 2012, Iowa authorities have made more than 71,000 arrests for cannabis. [\[37\]](#)

Iowa Cannabis Arrests	
Cannabis Arrests, 2025	6,155
Cannabis Possession Arrests, 2025	5,722

Iowa Cannabis Arrests	
Cannabis Arrests, 2013-2025	70,984
Cannabis Arrest Rate, Per 100,000 Residents '25	190.06
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	2,192

Kansas

Kansas' cannabis laws are out of step with the will of voters. [38] It has no legalization law, no medical cannabis law, and no decriminalization law. Possession of even the smallest amount of cannabis is a misdemeanor, which carries a maximum of six months jail, a fine of up to \$1,000, or both. Growing or selling even a small amount is a felony.

In 2025, authorities made more than 5,100 cannabis arrests in Kansas, 95% of which were for possession.

Kansas Cannabis Arrests	
Cannabis Arrests, 2025	5,175
Cannabis Possession Arrests, 2025	4,908
Cannabis Arrests, 2013-2025	64,707
Cannabis Arrest Rate, Per 100,000 Residents '25	2,173
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	173.82

Kentucky

The Bluegrass State is one of the 19 states that has not even decriminalized cannabis possession. Except for patients enrolled in its medical cannabis program, anyone possessing up to eight ounces of marijuana faces a misdemeanor carrying up to 45 days in jail, a fine of up to \$250, or both.

First offense cultivation of up to five plants, or selling less than eight ounces, is a misdemeanor with a maximum jail sentence of a year. Growing more than five plants is a felony carrying up to five years' incarceration.

Since the first two states legalized cannabis in late 2012, Kentucky authorities have made more than 67,000 cannabis arrests. That's approximately 1.5 arrests for every 100 people living in Kentucky.

"My husband and I were growing four plants for personal and medical use. We were both charged with cultivation and given fines and conditional discharge. This impacted us negatively as I applied for a job and was denied employment because of the cultivation charge on my record. This was over 20 years ago, but my continues to make life more difficult." — Elizabeth

Kentucky Cannabis Arrests	
Cannabis Arrests, 2025	2,718
Cannabis Possession Arrests, 2025	2,176
Cannabis Arrests, 2013-2025	67,663
Cannabis Arrest Rate, Per 100,000 Residents '25	59.00
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	1,469

Louisiana

A decade ago, Louisiana had some of the harshest cannabis laws in the nation. Under its “habitual offender” laws, people who enjoy cannabis were often sentenced more harshly than sex offenders.

A New Orleans father, Bernard Noble, was sentenced to 13 years for possession of less than three grams of cannabis. [\[39\]](#)

In 2021, Louisiana reduced the penalty for possession of up to 14 grams of cannabis to a fine-only criminal offense. It has also relaxed other cannabis penalties, and enacted a medical cannabis program.

Still, the home of the Big Easy continues to ensnare thousands of Louisiana residents and visitors in the criminal justice system over cannabis. Authorities made over 9,400 arrests or summonses for cannabis in 2025 alone, including over 9,000 for cannabis possession. While the penalty for simple possession is a now fine-only, the criminal record can shut the door of opportunity, making it hard to get a job, housing, or professional credentials.

Louisiana Cannabis Arrests	
Cannabis Arrests, 2025	9,403
Cannabis Possession Arrests, 2025	9,046
Cannabis Arrests, 2013-2025	185,428
Cannabis Arrest Rate, Per 100,000 Residents '25	203.61
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	4,015

Mississippi

MPP classifies Mississippi as a “decriminalization” state because it stopped imposing jail time for first offense possession of up to 30 grams of cannabis back in 1977. But Mississippi continues to ensnare large numbers of people in its criminal justice system over cannabis, including for low-level offenses. A second offense possession charge is a misdemeanor with a five-day mandatory minimum sentence.

Meanwhile, possession of paraphernalia, such as the jar cannabis is in or the pipe it was smoked in, continues to be a misdemeanor, carrying up to six months in jail. Possession of over 30 grams is a felony in Mississippi, as is sales and cultivation.

Mississippi has one of the highest cannabis arrest rates in the nation. For every 100 residents, Mississippi authorities arrested more than 3.8 people for cannabis since Washington and Colorado legalized marijuana.

“I was falsely accused of growing and selling cannabis (manufacture and sales), and the police seized my 48 acre lake estate. I spent 14 months in George County correctional facility pre-trial and was saved by the jury from a potential 35-year sentence! Police had my property seized for over 3 years and I may be the only person to get my property back after police seizure” D.A., MD

Mississippi Cannabis Arrests	
Cannabis Arrests, 2025	4,678
Cannabis Possession Arrests, 2025	4,470
Cannabis Arrests, 2013-2025	113,836
Cannabis Arrest Rate, Per 100,000 Residents '25	158.35
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	3,853

Nebraska

Like Mississippi, Nebraska became a “decriminalization” state in the late 1970s, but the law continues to impose harsh penalties on personal use. A first offense conviction for up to an ounce of cannabis carries up to a \$300 fine and the judge can order the defendant to take a drug education course. A second or subsequent offense carries possible jail time and a criminal conviction. Sales and manufacture are felonies.

Nebraska families have been working to pass compassionate medical cannabis through the voter initiative process for more than a decade. After an unfavorable Supreme Court decision in 2020, a funder’s death resulted in the signature total falling short in 2022. Finally, in 2024, two companion measures made the ballot where they received two-thirds and 71% of the vote. The broad Nebraska Patient Protection Act allows doctors and nurse practitioners to recommend cannabis to patients with any medical condition. However, the political establishment has been working to nullify the will of the people in the courts, by rule-making that is at odds with the laws’ language, and by refusing to protect practitioners who would like to sign recommendations.

Nebraska authorities arrested more than 3,330 people for cannabis in 2025, 98.5% of whom were arrested for simple possession. Partial data shows more than 70,000 cannabis arrests in Nebraska since 2013, or about 3.5 arrests for every 100 residents in the state.

Nebraska Cannabis Arrests	
Cannabis Arrests, 2025	3,336
Cannabis Possession Arrests, 2025	3,286
Cannabis Arrests, 2013-2025	70,570
Cannabis Arrest Rate, Per 100,000 Residents '25	165.31

Nebraska Cannabis Arrests

Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	3,497
---	-------

New Hampshire

New Hampshire is the only state in New England that has not legalized cannabis for adults. Granite State polls have repeatedly shown two-thirds popular support, [\[40\]](#) but the state lacks a voter initiative process. The House of Representatives has passed legalization bills several times, but the only legalization bill the Senate ever passed was unacceptable to House members because of its state franchise approach.

New Hampshire's current governor, Kelly Ayotte (R), has made it clear she'd veto any legalization bill and the Senate has been unwilling to send her one.

In 2017, New Hampshire enacted a decriminalization law, which applies to only 3/4 of an ounce of cannabis, up to five grams of hashish, or infused products purchased from states where they were legally sold with up to 300 milligrams of THC. But anything over those amounts is a misdemeanor.

The Granite State also has a therapeutic cannabis law. But relatively few people register for the program. More than 25% of New Hampshire adults admit to having used cannabis in the past year, [\[41\]](#) but only about 1% are registered in the therapeutic cannabis program. That makes well over one-fifth of adults in the self-proclaimed Live Free State lawbreakers for using cannabis.

In 2025 alone, New Hampshire authorities made at least 664 people arrests for cannabis, nearly 90% of which were or possession.

New Hampshire Cannabis Arrests

Cannabis Arrests, 2025	664
Cannabis Possession Arrests, 2025	595
Cannabis Arrests, 2013-2025	33,037
Cannabis Arrest Rate, Per 100,000 Residents '25	46.91
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	2,334

North Carolina

North Carolina has a 1970s era "decriminalization" law that nonetheless can do a lot of damage to a person possessing a small amount of cannabis. It also lacks a medical cannabis program, though it does have a robust hemp law.

North Carolina's "decriminalization" law only applies to possession of up to a half-ounce of cannabis. The defendant may have to pay a fine of up to \$200, and the judge can give them a suspended sentence of incarceration. Simple possession, even a first offense, is also a criminal misdemeanor, which can have life-altering collateral consequences. Second and subsequent offenses carry possible jail time.

In 2025 alone, authorities in North Carolina made more than 12,000 cannabis arrests or citations. Since Colorado and Washington legalized cannabis, North Carolina authorities have arrested or cited about two people for cannabis for every 100 residents in the state. Since the beginning of 2013, they have made nearly 220,000 cannabis arrests.

North Carolina Cannabis Arrests

Cannabis Arrests, 2025	12,301
Cannabis Possession Arrests, 2025	11,434
Cannabis Arrests, 2013-2025	219,722
Cannabis Arrest Rate, Per 100,000 Residents '25	109.85
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	1,962

North Dakota

North Dakota voters enacted a medical cannabis initiative in 2016. In 2019, North Dakota legislators passed a limited “decriminalization” law, which applies to only half an ounce of cannabis. The penalty is still criminal, and fines can be exorbitant — up to \$1,000. Possessing between a half ounce and 500 grams is a misdemeanor carrying up to 30 days in jail, a fine of up to \$1,500, or both. Sales of any amount are a felony.

In 2025, data shows authorities in North Dakota made 1,481 arrests or citations for cannabis, 97% of which were for possession.

North Dakota Cannabis Arrests	
Cannabis Arrests, 2025	1,481
Cannabis Possession Arrests, 2025	1,436
Cannabis Arrests, 2013-2025	28,672
Cannabis Arrest Rate, Per 100,000 Residents '25	185.27
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	3,587

Oklahoma

Oklahoma is one of 19 states that continues to impose possible jail time for simple possession of cannabis. It has a broad medical cannabis law, where any condition qualifies and which allows home cultivation. But those who can't afford a medical card, or who don't want to be on a government list, continue to get ensnared in the criminal justice system in large numbers.

Since Washington and Colorado became the first states to legalize cannabis for adults, Oklahoma authorities have made more than 90,000 cannabis arrests. That's a rate of more than two arrests for every 100 residents. In 2025 alone, there were more than 4,400 arrest for cannabis, 84% of which were for possession.

Oklahoma Cannabis Arrests	
Cannabis Arrests, 2025	4,403
Cannabis Possession Arrests, 2025	3,712
Cannabis Arrests, 2013-2025	90,423
Cannabis Arrest Rate, Per 100,000 Residents '25	106.78
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	2,193

Pennsylvania

Possession of any amount of cannabis remains a criminal offense under Pennsylvania law, carrying possible jail time and the life-altering consequences of a record. Pennsylvania is one of only 19 states that continue to impose jail time for simple possession.

Since cannabis legalization took effect in the first two states in late 2012, data compiled by the FBI shows that Pennsylvania authorities have made more than 253,000 arrests for cannabis offenses, including at least 212,726 for cannabis possession. That’s an arrest rate of almost two arrests per 100 Pennsylvania residents. In 2025 alone, law enforcement agencies reported 12,146 cannabis arrests in Pennsylvania, including 10,858 for possession.

Under Pennsylvania law, possession of up to 30 grams of cannabis or eight grams of hashish is a misdemeanor carrying up to 30 days in jail, a fine of up to \$500, or both. [\[42\]](#) Possession of more than 30 grams of cannabis or eight grams of concentrates carries up to a year in jail, a fine of up to \$5,000, or both. [\[43\]](#)

Polling shows Pennsylvania voters support legalization, [\[44\]](#) but the state lacks a citizen initiative process and the legislature has not been responsive.

The Pennsylvania House of Representatives passed a bill (HB 1200) in May 2025 to legalize cannabis for adults 21 and older, with cannabis sold exclusively by state-run stores. The Senate Law and Justice Committee promptly voted the bill down in a bipartisan vote, with Chair Dan Laughlin and the Senate majority leader saying the state monopoly was a non-starter.

Although bipartisan bills have been introduced to legalize cannabis with private stores, both chambers have failed to call hearings or votes, as thousands of arrests continue. Gov. Josh Shapiro (D) has called for cannabis legalization in his budget address three years in a row, projecting over \$1.3 billion in revenue in the first five years. But the governor has not convened talks with the legislature’s four caucus leaders that would be needed to break the impasse and hammer out an agreement.

Pennsylvania Cannabis Arrests	
Cannabis Arrests from Jan. 2013 - Dec. 2025	253,837
Cannabis Possession Arrests, 2013-2025	212,726
Cannabis Arrests, 2025	12,146

Pennsylvania Cannabis Arrests	
Cannabis Possession Arrests, 2025	10,858
Cannabis Arrest Rate, Per 100,000 Residents, 2025	93.01
Cannabis Arrest Rate, Per 100,000 Residents, 2013-2025	1,944

South Carolina

South Carolina is one of only seven states that lacks both a medical cannabis program and a decriminalization or legalization law. First offense possession of an ounce or less is a misdemeanor, which can result in up to 30 days in jail, a fine of up to \$200, or both. Possession of more than an ounce is a felony, as is growing or selling cannabis.

In 2025 alone, authorities made more than 11,000 cannabis arrests, including over 10,000 possession arrests. Since Colorado and Washington legalized cannabis for adults in 2013, the state has made nearly 200,000 cannabis arrests. For every 100 South Carolina residents, there have been 3.5 marijuana arrests in South Carolina since 2013.

South Carolina Cannabis Arrests	
Cannabis Arrests, 2025	11,446
Cannabis Possession Arrests, 2025	10,352
Cannabis Arrests, 2013-2025	197,450
Cannabis Arrest Rate, Per 100,000 Residents '25	205.48
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	3,545

South Dakota

South Dakota is one of the 19 states that has not even decriminalized cannabis possession. Except for patients enrolled in its medical cannabis program, anyone possessing two ounces or less of cannabis faces a misdemeanor carrying up to a year of incarceration, a fine of up to \$2,000 or both. Possession of greater amounts and sales are felonies. Selling under an ounce is a felony with a mandatory minimum sentence of 30 days in jail and a maximum of two years.

In 2025, South Dakota had the highest cannabis arrest rate of any state, at 256.9 per 100,000 residents.

Since Colorado and Washington legalized cannabis for adults in late 2012, South Dakota had the second highest arrest rate of prohibition states. For every 100 residents in South Dakota, 4.3 people were arrested for cannabis between 2013 and 2025.

South Dakota Cannabis Arrests	
Cannabis Arrests, 2025	2,402
Cannabis Possession Arrests, 2025	2,368

South Dakota Cannabis Arrests	
Cannabis Arrests, 2013-2025	40,435
Cannabis Arrest Rate, Per 100,000 Residents '25	256.87
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	4,324

Tennessee

Tennessee is one of only seven states that lacks both a medical cannabis program and a decriminalization or legalization law. Possession of a half-ounce or less is a misdemeanor carrying up to a year in jail and a mandatory fine of \$250 for a first offense, or \$500 for a second offense. Cultivation or sales is a felony.

In 2025 alone, authorities made more than 12,000 cannabis arrests, including over 11,000 possession arrests. Since Colorado and Washington legalized cannabis for adults, Tennessee authorities have made more than 240,000 cannabis arrests. [\[45\]](#) For every 100 Tennessee residents, there have been 3.3 marijuana arrests in Tennessee since 2013.

“I am a disabled mother and grandmother with progressive genetic neuropathy who was able to stop using opiates thanks to cannabis. I was stopped for a rolling stop. The officer said he smelled marijuana and threatened to call the K9. I gave them the small bud (one gram) and pipe I had. Because I refused to plea or inform on others, I was thrown in jail in an overcrowded condemned jail to sleep on the floor for 46 days with no working toilet. My charges were eventually dropped, but I still have PTSD from my time in jail. I am unable to get my driver’s license due to all the fines and fees imposed on me. I live in constant fear that the police are going to break down my door and arrest me because of my choice of medicine.” — Melody Fleischer

Tennessee Cannabis Arrests	
Cannabis Arrests, 2025	12,011
Cannabis Possession Arrests, 2025	11,117
Cannabis Arrests, 2013-2025	238,497
Cannabis Arrest Rate, Per 100,000 Residents '25	164.20
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	3,260

Texas

Since legalization took effect in Colorado and Washington in late 2012, data compiled by the FBI shows that Texas authorities have made more than 600,000 arrests for cannabis offenses, including at least 583,000 for cannabis possession. In 2025 alone, the Texas law enforcement reported making 29,496 cannabis arrests, including 28,753 for possession.

Polls show a majority of Texas voters support legalizing cannabis for adults 21 and older. [\[46\]](#) Yet,

even possession of any amount of cannabis remains a criminal offense, carrying possible jail time and the life-altering consequences of a record. Only 18 other states continue to impose jail time for simple possession.

In Texas, possession of two ounces of cannabis is a Class B misdemeanor carrying up to 180 days in jail, a fine of up to \$2,000, or both. [\[47\]](#)

“My son was arrested with two vape pens when he was a college student. He was polite and handed them to the policeman when asked if he had anything on him. My son wanted to be a cop upon graduation and he was apologetic and immediately remorseful. Now we are stuck in a ten year spiral with a rural North Texas county. He received ten years probation for those two pens. Murderers and drunk drivers get less. My son did all of his community service and paid all fines within two years. No grace given. They even threw my son in jail for attending his grandmother’s funeral in Oklahoma because he didn’t appear before the judge to ask permission. He had permission from his PO but not from the court itself. We are 8 years into this nightmare. TEN years probation for two vape pens. Ridiculous.” - Karen

Texas Cannabis Arrests	
Cannabis Arrests, 2025	29,496
Cannabis Possession Arrests, 2025	28,753
Cannabis Arrests, 2013-2025	600,604
Cannabis Arrest Rate, Per 100,000 Residents '25	93.02
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	1,894

Utah

The Beehive State is one of the 19 states that has not even decriminalized cannabis possession. Except for patients enrolled in its medical cannabis program, anyone possessing under an ounce of marijuana faces a misdemeanor carrying up to six month in jail, a fine of up to \$1,000, or both.

Since the first two states legalized cannabis in late 2012, Utah authorities have made more than 93,000 cannabis arrests. For every 100 Utah residents, more than 2.6 people have been arrested for cannabis since 2013.

“My nephew, who was in his teens at the time, was arrested for possession. Though he was not originally jailed, he missed his court appointment because he was working out of state. When he returned he was immediately arrested and put into a County Jail, where he was, for the first time, exposed to other inmates who were addicted to heroin and meth. After he was let out he began associating with them and soon was stealing, even from my sister, to get money for heroin and meth. She finally had to turn him in, since she was concerned he was going to get himself killed, or have an overdose. She hoped that the Court would send him to rehabilitation, but no services were ever provided. Over

the years he was in and out of prison, which he was sentenced to for robbing someone at gunpoint. When he finally got out he went to Nevada with his girlfriend and they started using drugs again. He was arrested for possession in Reno and put into a holding cell. Even though he was supposedly in love and looking forward to marrying his girlfriend, Reno police contacted my sister the next day and told her he had killed himself while in jail. No real investigation was done and she had neither the energy or the funds to have an investigation conducted independently.

“She swears today that if he had never been arrested for possessing cannabis in the first place, he would still be alive today. Putting teenagers into prison with hardened criminals for marijuana possession is creating tragic stories like this all over America. Utah is one of the worst states when it comes to incarceration for possession and absolutely no rehab or social services to support people who have been arrested and put in jail, unlike Minnesota, where I lived for most of my life, which at least sent addicts to rehab instead of keeping them in jail for simple possession.” — Anonymous

Utah Cannabis Arrests	
Cannabis Arrests, 2025	6,736
Cannabis Possession Arrests, 2025	6,528
Cannabis Arrests, 2013-2025	93,006
Cannabis Arrest Rate, Per 100,000 Residents '25	190.34
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	2,628

West Virginia

West Virginia is another of the 19 states that lacks even a “decriminalization” law. It has a medical cannabis law, which lacks home cultivation. Possession of cannabis is a misdemeanor carrying up to six months in jail, a fine of up to \$1,000, or both. Selling any amount is a felony with a one-year mandatory minimum sentence and a maximum of five years’ incarceration.

Since Colorado and Washington legalized cannabis in late 2012, West Virginia authorities have made more than 33,000 cannabis arrests, at a rate of 1.9 arrests per 100 residents of the Mountain State.

“I was diagnosed with leukemia in 2011 and I always try to grow a few plants for sleep and bone pain relief, but twice helicopter crews have spotted them and state police confiscated them and told me I should get a cannabis card and buy from a dispensary, I am disabled and when I grow my own all it cost me is water and sunshine, dispensaries are outrageous on prices and I can't afford it.” — Eddie Ferrebee (U.S. military veteran)

West Virginia Cannabis Arrests	
Cannabis Arrests, 2025	1,735
Cannabis Possession Arrests, 2025	1,613
Cannabis Arrests, 2013-2025	33,454

West Virginia Cannabis Arrests	
Cannabis Arrest Rate, Per 100,000 Residents '25	98.24
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	1,894

Wisconsin

Wisconsin’s cannabis laws are out of step with the will of voters. [48] It has no legalization law, no medical cannabis law, and no decriminalization law. First offense possession of even the smallest amount of cannabis is a misdemeanor, which carries a maximum of six months jail, a fine of up to \$1,000, or both. A subsequent offense is a felony, as is growing or selling even a small amount.

Wisconsin is almost surrounded by states where cannabis is legal, with Minnesota, Michigan, and Illinois all having legalized cannabis for adults. However, the Badger State has no citizens initiative process. No medical cannabis or legalization law has even gotten a vote in the full Assembly or Senate.

In early 2026, almost every Democrat in the legislature signed on to a legalization bill, which also included medical cannabis and hemp regulation. But none of their Republican colleagues signed on and the Republican leadership refused to give the bills a hearings or a vote.

Between 2013 and 2025, Wisconsin authorities made more than 196,000 cannabis arrests, at a rate of 3.3 arrests for every 100 residents of the state. In 2025 alone, law enforcement made more than 10,600 cannabis possession arrests.

Wisconsin Cannabis Arrests	
Cannabis Arrests, 2025	11,142
Cannabis Possession Arrests, 2025	10,605
Cannabis Arrests, 2013-2025	196,682
Cannabis Arrest Rate, Per 100,000 Residents '25	186.55
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	3,293

Wyoming

Wyoming is one of only seven states that lacks both a medical cannabis program and a decriminalization or legalization law. Possession of even the smallest amount of cannabis is a misdemeanor, which can carry up to 12 months months in jail, a fine of up to \$1,000, or both. Sales of any amount is a felony carrying up to 10 years in prison.

Since the first two states legalized cannabis in late 2012, Wyoming has had the highest arrest rate for cannabis of any state. For every resident of Wyoming, more than 4.5 people have been arrested for cannabis since 2013.

“It was 3:00 AM in Campbell County, Wyoming, in late 2017. I wasn’t a kingpin or a smuggler; I was an exhausted retail reset merchandiser. I was tired, my body ached, and

all I wanted was to catch a few hours of sleep before going to work.

Instead, I caught the attention of local law enforcement.

When I noticed a police cruiser ahead of me, I instinctively slowed down to avoid passing it. In response, the officer slowed down further. When I reduced my speed again, the flashing lights came on. The justification for pulling me over? A burned-out license plate light.

What they found was CBD oil and a misdemeanor amount of THC wax. But the reality of what I possessed didn't matter; what mattered was how the system could weaponize it. Law enforcement weighed the CBD oil and charged me with possession of 100 grams of a controlled substance. Overnight, a sleep-deprived worker with a broken license plate light was transformed into a felon facing five years in prison for the oil, plus an additional two years in jail for the wax.

Terrified and backed into a corner, I relied on a public defender who advised me to take a plea deal. Fighting it meant risking seven years of my life. The 'deal' was a labyrinth of extortion and performative punishment: four years of probation, mandatory extensive rehab, and \$2,000 in fines —not counting the endless fees associated with probation itself.

The collateral damage was immediate and devastating. Because I was placed on probation, my friends were legally classified as 'Criminal Associates' simply for consuming marijuana, forcing me to cut ties with good people just to stay out of a cage. Because my probation was transferred across state lines back home to Colorado, Wyoming successfully barred me from obtaining a medical marijuana card.

The absurdity of the rehabilitation requirement was perhaps the most glaring piece of the entire ordeal. Colorado state evaluators assessed me and officially deemed the rehab entirely unnecessary. It didn't matter. To appease the court, I was forced to complete the unnecessary program anyway. Every single quarter, I had to sit down and write a mandatory letter to the Judge, essentially performing my own contrition for a victimless crime.

I lost years of my life, thousands of dollars, and a community of friends to this system. It took a global pandemic for the state of Wyoming to finally let me go. When COVID-19 hit in 2020, the courts needed to clear out 'low-priority cases.' Suddenly, the dangerous criminal who needed to be heavily monitored and forced into rehab was quietly released from probation.

I hated every single second of being trapped in that machine. I was supposed to be rehabilitated, but the only lesson the justice system actually taught me was to never set foot in the state of Wyoming again. I am sharing my story because the war on drugs isn't just fought in alleys and stash houses; it is fought at 3:00 AM against exhausted working-class people, using burned-out bulbs as an excuse to ruin a life."

— Benjamin Long

Wyoming Cannabis Arrests	
Cannabis Arrests, 2025	1,507
Cannabis Possession Arrests, 2025	1,459
Cannabis Arrests, 2013-2025	26,769
Cannabis Arrest Rate, Per 100,000 Residents '25	255.96
Cannabis Arrest Rate, Per 100,000 Residents 2013-2025	4,547

Appendix A

Decreases in Cannabis Arrests in Legal Cannabis States

Sorted by the Highest Decrease to the Lowest Decrease

State and Year Legalized	Cannabis Arrest Type	Cannabis Arrests, Year Before Legalization (or '19 if it legalized during COVID)	Cannabis Arrests, 2025	Percent Drop (before year vs. 2025)	Drop in Annual Arrests	Cannabis Arrests Per 100,000 Residents Before Legalization	Cannabis Arrests Per 100,000 Residents, 2025
New Jersey ('21)	Total	33,450	384	-98.9%	33,066	361.26	4.02
	Possession	28,865	170	-99.4%	28,695		
	Sale	4,585	214	-95.3%	4,371		
Michigan ('18)	Total	18,770	401	-97.9%	18,369	186.77	3.96
	Possession	16,692	282	-98.3%	16,410		
	Sale	2,078	119	-94.3%	1,959		
New York ('21)	Total	34,608	824	-97.6%	33,784	171.15	4.12
	Possession	34,259	650	-98.1%	33,609		
	Sale	349	174	-50.1%	175		
Montana ('20)	Total	1,133	37	-96.7%	1,096	105.35	3.23
	Possession	1,077	27	-97.5%	1,050		
	Sale	56	10	-82.1%	46		
Wash. ('12)	Total	10,491	361	-96.6%	10,130	153.58	4.51
	Possession	9,517	339	-96.4%	9,178		

State and Year Legalized	Cannabis Arrest Type	Cannabis Arrests, Year Before Legalization (or '19 if it legalized during COVID)	Cannabis Arrests, 2025	Percent Drop (before year vs. 2025)	Drop in Annual Arrests	Cannabis Arrests Per 100,000 Residents Before Legalization	Cannabis Arrests Per 100,000 Residents, 2025
	Sale	974	22	-97.7%	952		
Maryland ('22)	Total	16,958	642	-96.2%	16,316	275.12	10.25
	Possession	15,052	426	-97.2%	14,626		
	Sale	1,906	216	-88.7%	1,690		
Maine ('16)	Total	3,038	115	-96.2%	2,923	227.43	8.13
	Possession	2,799	92	-96.7%	2,707		
	Sale	239	23	-90.4%	216		
Virginia ('21)	Total	23,749	1,107	-95.3%	22,642	276.23	12.47
	Possession	21,981	757	-96.6%	21,224		
	Sale	1,768	350	-80.2%	1,418		
Oregon ('14)	Total	10,275	557	-94.6%	9,718	261.85	13.03
	Possession	9,691	506	-94.8%	9,185		
	Sale	584	51	-91.3%	533		
Missouri ('22)	Total	18,659	1,091	-94.2%	17,568	303.73	17.40
	Possession	17,390	942	-94.6%	16,448		
	Sale	1,269	149	-88.3%	1,120		
Arizona ('20)	Total	12,646	941	-92.6%	11,705	178.93	12.34
	Possession	12,070	804	-93.3%	11,266		
	Sale	576	137	-76.2%	439		
Alaska ('14)	Total	840	97	-88.5%	743	113.81	13.16
	Possession	757	92	-87.8%	665		
	Sale	83	5	-94.0%	78		
Vermont ('18)	Total	164	20	-87.8%	144	25.66	3.10

State and Year Legalized	Cannabis Arrest Type	Cannabis Arrests, Year Before Legalization (or '19 if it legalized during COVID)	Cannabis Arrests, 2025	Percent Drop (before year vs. 2025)	Drop in Annual Arrests	Cannabis Arrests Per 100,000 Residents Before Legalization	Cannabis Arrests Per 100,000 Residents, 2025
	Possession	116	13	-88.8%	103		
	Sale	48	7	-85.4%	41		
New Mexico ('21)	Total	2,372	296	-87.5%	2,076	112.41	13.93
	Possession	2,227	286	-87.2%	1,941		
	Sale	145	10	-93.1%	135		
Connecticut ('21)	Total	2,086	288	-86.2%	1,798	57.83	7.81
	Possession	1,670	171	-89.8%	1,499		
	Sale	416	117	-71.9%	299		
California ('16)	Total	15,147	2,121	-86.0%	13,026	38.87	5.39
	Possession	6,734	1,112	-83.5%	5,622		
	Sale	8,413	1009	-88.0%	7,404		
Colorado ('12)	Total	10,574	1,555	-85.3%	9,019	206.57	25.86
	Possession	9,979	1,506	-84.9%	8,473		
	Sale	595	49	-91.8%	546		
Mass. ('16)	Total	1,214	183	-84.9%	1,031	17.68	2.56
	Possession	509	85	-83.3%	424		
	Sale	705	98	-86.1%	607		
Ohio ('23)	Total	7,958	1,489	-81.3%	6,469	67.64	12.51
	Possession	7,734	1,398	-81.9%	6,336		
	Sale	224	91	-59.4%	133		
Minnesota ('23)	Total	3,776	925	-75.5%	2,851	65.93	15.87
	Possession	3,650	860	-76.4%	2,790		
	Sale	126	65	-48.4%	61		

State and Year Legalized	Cannabis Arrest Type	Cannabis Arrests, Year Before Legalization (or '19 if it legalized during COVID)	Cannabis Arrests, 2025	Percent Drop (before year vs. 2025)	Drop in Annual Arrests	Cannabis Arrests Per 100,000 Residents Before Legalization	Cannabis Arrests Per 100,000 Residents, 2025
Nevada ('16)	Total	5,682	1,545	-72.8%	4,137	198.95	47.07
	Possession	5,048	1,405	-72.2%	3,643		
	Sale	634	140	-77.9%	494		
Rhode Island ('22)	Total	412	116	-71.8%	296	206.57	10.41
	Possession	319	94	-70.5%	225		
	Sale	93	22	-76.3%	71		
Delaware ('23)	Total	922	373	-59.5%	549	90.37	35.19
	Possession	627	230	-63.3%	397		
	Sale	295	143	-51.5%	152		
Illinois ('19)	Total	9,694	6,889	-28.94%	2,805	75.22	54.16
	Possession	5,474	5,666	3.51%	-192		
	Sale	4,220	1,223	-71.02%	2,997		

Appendix B Total Arrests, Total Possession Arrests, and Arrest Rate Per 100,000 Resident, 2025 Alphabetical Listing of States

State *Denotes a legal cannabis state	Total Cannabis Arrests, 2025	Cannabis Possession Arrests, 2025	Cannabis Arrests Per 100,000 Residents, 2025
Alabama	8,748	8,505	168.45
Alaska*	97	92	13.16
Arizona*	941	804	12.34
Arkansas	5,599	5,007	179.76
California*	2,121	1,112	5.39
Colorado*	1,555	1,506	25.86
Connecticut*	288	171	7.81

State *Denotes a legal cannabis state	Total Cannabis Arrests, 2025	Cannabis Possession Arrests, 2025	Cannabis Arrests Per 100,000 Residents, 2025
Delaware*	373	230	35.19
Florida	6,582	6,104	28.05
Georgia	11,697	10,743	103.49
Hawaii	279	263	19.47
Idaho	5,165	4,841	254.47
Illinois*	6,889	5,666	54.16
Indiana	9,576	9,118	137.32
Iowa	6,155	5,722	190.06
Kansas	5,175	4,908	173.82
Kentucky	2,718	2,176	59.00
Louisiana	9,403	9,046	203.61
Maine*	115	92	8.13
Maryland*	642	426	10.25
Mass.*	183	85	2.56
Michigan*	401	282	3.96
Minnesota*	925	860	15.87
Mississippi	4,678	4,470	158.35
Missouri*	1,091	942	17.40
Montana*	37	27	3.23
Nebraska	3,336	3,286	165.31
Nevada*	1,545	1,405	47.07
New Hampshire	664	595	46.91
New Jersey*	384	170	4.02
New Mexico*	296	286	13.93
New York*	824	650	4.12
North Carolina	12,301	11,434	109.85
North Dakota	1,481	1,436	185.27

State *Denotes a legal cannabis state	Total Cannabis Arrests, 2025	Cannabis Possession Arrests, 2025	Cannabis Arrests Per 100,000 Residents, 2025
Ohio*	1,489	1,398	12.51
Oklahoma	4,403	3,712	106.78
Oregon*	557	506	13.03
Pennsylvania	12,146	10,858	93.01
Rhode Island*	116	94	10.41
South Carolina	11,446	10,352	205.48
South Dakota	2,402	2,368	256.87
Tennessee	12,011	11,117	164.20
Texas	29,496	28,753	93.02
Utah	6,736	6,528	190.34
Vermont*	20	13	3.10
Virginia*	1,107	757	12.47
Washington*	361	339	4.51
West Virginia	1,735	1,613	98.24
Wisconsin	11,142	10,605	186.55
Wyoming	1,507	1,459	255.96

Appendix C Cannabis Arrest Rate Per 100,000 People, 2025 Sorted by Fewest Per Capita Arrests to Most Arrests

State *Denotes a legal cannabis state	Cannabis Arrests Per 100,000 Residents
Massachusetts*	2.56
Vermont*	3.1
Montana*	3.23
Michigan*	3.96
New Jersey*	4.02
New York*	4.12
Washington*	4.51
California*	5.39

Connecticut*	7.81
Maine*	8.13
Maryland*	10.25
Rhode Island*	10.41
Arizona*	12.34
Virginia*	12.47
Ohio*	12.51
Oregon*	13.03
Alaska*	13.16
New Mexico*	13.93
Minnesota*	15.87
Missouri*	17.4
Hawaii	19.47
Colorado*	25.86
Florida	28.05
Delaware*	35.19
New Hampshire	46.91
Nevada*	47.07
Illinois*	54.16
Kentucky	59
Pennsylvania	93.01
Texas	93.02
West Virginia	98.24
Georgia	103.49
Oklahoma	106.78
North Carolina	109.85
Indiana	137.32
Mississippi	158.35
Tennessee	164.2

Nebraska	165.31
Alabama	168.45
Kansas	173.82
Arkansas	179.76
North Dakota	185.27
Wisconsin	186.55
Iowa	190.06
Utah	190.34
Louisiana	203.61
South Carolina	205.48
Idaho	254.47
Wyoming	255.96
South Dakota	256.87

Appendix D Prohibition States: Arrests Since Colorado and Washington Legalized Sorted Alphabetically (2013-2025)

State	Total Arrests (1/2013-12/2025)	Arrests Per 100,000 Residents (1/2013-12/2025)
Alabama	52,386	1,009
Arkansas	88,145	2,830
Florida	N/A	N/A
Georgia	259,977	2,300
Hawaii	10,151	708
Idaho	66,986	3,300
Indiana	211,890	3,039
Iowa	70,984	2,192
Kansas	64,707	2,173
Kentucky	67,663	1,469
Louisiana	185,428	4,015
Mississippi	113,836	3,853

State	Total Arrests (1/2013-12/2025)	Arrests Per 100,000 Residents (1/2013-12/2025)
Nebraska	70,570	3,497
New Hampshire	33,037	2,334
North Carolina	219,722	1,962
North Dakota	28,672	3,587
Oklahoma	90,423	2,193
Pennsylvania	253,837	1,944
South Carolina	197,450	3,545
South Dakota	40,435	4,324
Tennessee	238,497	3,260
Texas	600,604	1,894
Utah	93,006	2,628
West Virginia	33,454	1,894
Wisconsin	196,682	3,293
Wyoming	26,769	4,547

Appendix E Prohibition States: Arrests Since Colorado and Washington Legalized Sorted from lowest to highest rate (2013-2025)

State	Total Arrests (1/2013-12/2025)	Arrests Per 100,000 Residents (1/2013-12/2025)
Hawaii	10,151	708
Alabama	52,386	1,009
Kentucky	67,663	1,469
Texas	600,604	1,894
West Virginia	33,454	1,894
Pennsylvania	253,837	1,944
North Carolina	219,722	1,962
Kansas	64,707	2,173
Iowa	70,984	2,192
Oklahoma	90,423	2,193

State	Total Arrests (1/2013-12/2025)	Arrests Per 100,000 Residents (1/2013-12/2025)
Georgia	259,977	2,300
New Hampshire	33,037	2,334
Utah	93,006	2,628
Arkansas	88,145	2,830
Indiana	211,890	3,039
Tennessee	238,497	3,260
Wisconsin	196,682	3,293
Idaho	66,986	3,300
Nebraska	70,570	3,497
South Carolina	197,450	3,545
North Dakota	28,672	3,587
Mississippi	113,836	3,853
Louisiana	185,428	4,015
South Dakota	40,435	4,324
Wyoming	26,769	4,547
Florida	N/A	N/A

[1] Athena Chapekis and Sono Shah, “Most Americans now live in a legal marijuana state – and most have at least one dispensary in their county,” Pew Research Center, Feb. 29, 2024.

[2] See, i.e., Jean-François Crépault et al, “Drug harms in Canada: A multi-criteria decision analysis,” Journal of Psychopharmacology, January 27, 2026.

[3] Expect as otherwise noted, all of the arrest data was exported from the [FBI’s Crime Explorer](#) . (Accessed: April 1-13, 2026.) See the full report and appendices for details. We compared the year prior to legalization in each state with data from 2025, except that for states that legalized in 2021 or 2022, we use 2019 as the “before” year due to COVID-related data anomalies in 2020-2021.

[4] For states that legalized in 2021 or 2022, we used 2019 as the “before” year because 2020 and 2021 had massive drops in arrests due to COVID-related shutdowns and distancing.

[5] Data exported from FBI crime reports by NORML from 1995-2023 " [FBI: Marijuana Possession Arrests Comprised Over 20% of All Drug-Related Arrests in 2024](#) " NORML, Oct. 15, 2025. (See chart)

[6] People who died while incarcerated for cannabis include Michael Saffioti in Washington state,

Jonathan Magbie in the District of Columbia, and Jeffrey Pendleton in New Hampshire.

[7] RCW 69.50.401, RCW §9A.20.021.

[8] RCW § 69.50.4014.

[9] Jess Remington, "22-Year-Old Jailed for Pot Possession Dies While Guards Ignore His Pleas for Help," Reason, Nov. 7, 2013.

[10] AK Stat § 17.38.040.

[11] AK Stat § 11.71.060, AK Stat § 12.55.03, AK Stat § 12.55.135

[12] NRS 678D.300 (d) (1)(I) NRS 453.336 (4.)

[13] *Zullo v. Vermont*, 2019 VT 1 (Vermont, 2019).

[14] Jack Bouboushian "Mother Blames Cops for Murder & Dismemberment of Her Daughter," Courthouse News Service, Feb. 20, 2013.

[15] 625 ILCS 5/11-502.15.

[16] *People v. Molina*, 2024 IL 129237 (Ill, 2024).

[17] See <https://norml.org/laws/delaware-penalties/> for penalties and citations. Unless otherwise noted, see NORML's compilation of state laws and citations <https://norml.org/laws/>.

[18] M.S.A. § 169A.36

[19] Max Nesterak, "Prosecutors have brought over 3,500 charges for marijuana possession in cars since legalization," Minnesota Reformer, Dec. 9, 2025.

[20] "Senate passes resolution opposing ballot initiative legalizing recreational marijuana," The Ohio Senate, Oct. 12, 2023.

[21] See: <https://www.mpp.org/states/ohio/hb-86-sub-1954-4-summary/>

[22] The FBI Crime Explorer data is partial for many of the states, and it includes almost no data from Florida prior to 2022.

[23] Society for Human Resources Management Background Checking: Conducting Criminal Background Checks, slide 3 (Jan. 22, 2010)
https://www.slideshare.net/shrm/background-check-criminal?from=share_email

[24] Alliance for Justice national survey of people with records:
<https://asj.allianceforsafetyandjustice.org/wp-content/uploads/2023/05/2023-05-15-2023-TimeDoneSurvey-Full.pdf>

[25] For each state's penalties, we used NORML's website as a reference. NORML also cautions that their information is for informational purposes only, and that it is not legal advice. You can find (and check) the citations for each penalty on the state page at <https://norml.org/laws/>

- [26] See data compiled from NORML's on the percent of agencies reporting data:
<https://norml.org/marijuana/library/state-marijuana-arrests/alabama-marijuana-arrests/>
- [27] The arrest data is partial, with about 82-85% of agencies reporting in the years tracked by NORML here: <https://norml.org/marijuana/library/state-marijuana-arrests/arkansas-marijuana-arrests/>
- [28] See: <https://norml.org/laws/local-decriminalization/florida-local-decriminalization/>
- [29] 35 P.S. § 780-113 (a) (31), (g).
- [30] The data shows population covered by reports is no more than 66.24% at the peak month and 61.84% at the lowest.
- [31] The percent of the population covered by the Crime Explorer ranges from 79.61% to over 97%.
- [32] See, i.e. [Hawai'i Perspectives Winter 2023 Report](#) .
- [33] The states MPP counts as having a medical cannabis program are listed [here](#) . In addition to those 40 states, Iowa and Georgia have "low-THC" medical cannabis programs.
- [34] MPP counts a state as having "decriminalized" cannabis if the penalty for first-offense low-level possession does not include possible jail time. We recommend a civil fine of \$25 in "decrim" states.
- [35] According to the Crime Explorer, in the first few months of 2026, Idaho authorities have made another 493 arrests for cannabis possession, in addition to the 66,986 made between January 1, 2023 and December 31, 2025.
- [36] The percent of the population covered by the Crime Explorer data shows that at its lowest (in early 2019) about 73% of the population was covered by reported arrest data, and at the highest around 87.5% of the population was covered by the reported data.
- [37] What is likely partial data reported to the Crime Explorer shows 854 marijuana arrests between Jan 1, 2026 and March 31, 2026, in addition to the 70,984 arrests from 2013 through 2025.
- [38] Jordan Tovar, "New survey says majority of Kansans are in favor of legalizing marijuana," 12News, Feb 7, 2026.
- [39] See: Max Cea, "Bernard Noble Was Sentenced to 13 Years for Possessing 2.8g. Now, He's on a Mission To Combat America's Unjust War on Cannabis, GQ.
- [40] See, i.e.: "Granite State Issues: Guns in Colleges, ICE in Merrimack, Public School Choice Limits, Marijuana Legalization 2/24/2026" UNH; Survey Center; Granite Staters Support Marijuana Legalization, Receptive to "State Control" Proposal; Approval of Sununu Remains High 5/23/2023, UNH Survey Center.
- [41] "Marijuana Use in Past Year Among Adults Aged 18 or Older, by State: 2022-2023," Interactive NSDUH State Estimates.
- [42] 35 P.S. § 780-113 (a) (31), (g).
- [43] 35 P.S. § 780-113 (a) (16), (b).

[44] See: Harrison Cann , “Poll: Pennsylvanians across party lines support a regulated cannabis marketplace” City and State Pennsylvania, April 13, 2026. (Finding 59% support for regulating legal cannabis, and 72% after voters heard of protections to prevent youth access.)

[45] In addition to the 238,497 cannabis arrests from 2013-2025, partial data from January to March 2026 show 1,746 cannabis possession arrests and 175 sales or manufacturing arrests.

[46] See: [Cannabis](#) , Civiqs. (Showing 64% support and only 24% opposed when asked, “Do you think that the use of cannabis should be legal, or not?”) (Accessed April 13, 2026.) .

<https://texaspolitics.utexas.edu/set/marijuana-legalization-trend>

[47] 35 P.S. § 780-113 (a) (31), (g).

[48] Hope Karnopp, “Marquette poll shows steady increase in support for marijuana legalization in Wisconsin,” *Milwaukee Journal Sentinel* , June 26, 2025.