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Updated: December 2021

The four biggest reasons people are concerned about decriminalizing simple marijuana possession:

1. "Criminalizing possession reduces use." Arresting people simply for possessing marijuana has failed miserably at preventing marijuana use. Half of Americans have used marijuana, including at least three of the past five presidents. Criminalization of low-level possession drains precious criminal justice resources from our communities, destroys the lives and families of otherwise law-abiding citizens, and hasn't been shown to reduce rates of use.

2. "Marijuana decriminalization would send the wrong message to teenagers." In its report endorsing decriminalization, the American Academy of Pediatrics noted, "Decriminalization of recreational use of marijuana by adults has also not led to an increase in youth use rates of recreational marijuana," and "[c]urrent evidence does not support a focus on punishment for youth who use marijuana."

3. "Marijuana decriminalization might increase DUI-related deaths on the roadways." Driving while intoxicated would still be illegal, and there is no evidence that decriminalizing marijuana possession has had any effect on rates of impaired driving in states that have made the policy change.

4. "Marijuana is a 'gateway' or 'stepping stone' to hard drugs." According to a study commissioned by the British Parliament, "the gateway theory has little evidence to support it despite copious research." According to the Institute of Medicine (in a report commissioned by the White House Office of National Drug Control Policy), "There is no evidence that marijuana serves as a stepping stone [to other drugs] on the basis of its particular physiological effect." To put it simply, if you ask hard drug users if they've used marijuana, it's not surprising that they have. But the vast majority of marijuana users do not move on to use hard drugs.

Sensible, Moderate Marijuana Policy Reform



Thirteen states punish
possession with
a fine, not jail.



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31 states and D.C. have decriminalized or legalized marijuana.*

AL AK AZ AR CA CO CT DC DE FL GA HI ID IL IN IA KS KY
 LA MD ME MA MI MN MS MO MT NE NV NH NJ NM NY NC
 ND OH OK OR PA RI SC SD TN TX UT VT VA WA WV WI WY

Outdated marijuana laws don't work.

Arresting and jailing individuals for possessing small amounts of marijuana has failed to reduce use of the drug, while wasting enormous amounts of resources. Despite arresting more than 550,000 individuals for simple possession of marijuana each year, half of Americans have tried marijuana.

What is marijuana decriminalization?

Marijuana use, possession, sales, and cultivation remain illegal, and the laws surrounding DUI people who possess a personal amount of marijuana with jail, the person can be given a *civil* citation — like a ticket — and be warned, pay a modest fine, or perform community service.

The public supports reform.

In February 2015, Benenson Strategy Group found that 72% supported a measure in their state that downgrades possession of small amounts of marijuana from arrest and possible jail time to a \$25-\$100 fine. In October 2020, Gallup found that 68% supported making marijuana use legal.

Taking the more modest step of reducing penalties to a civil fine enjoys even stronger support.

Removing the criminal penalties for marijuana possession would...

- **Save significant tax dollars each year.** More than 550,000 people are arrested every year for marijuana possession, not sale or manufacture. The cost of arresting, booking, prosecuting, and jailing these individuals is enormous. In Chicago alone, the police superintendent estimated that issuing citations instead of making arrests would save 20,000 hours of police time, the equivalent of about \$1 million in savings.

- **Make our communities safer.** Decriminalizing marijuana possession would free up police time so police officers can focus on violent crimes, property crimes, and people who drive under the influence of alcohol, marijuana, or any other substance. While millions of hours of police, prosecutor, and laboratory time are spent on these cases, FBI data shows that only 46% of reported violent crimes and only about 17% of reported property crimes were solved in 2019.

- **Allow people to continue their lives.** Every year we saddle hundreds of thousands of people with a criminal record, which can have lifelong, disproportionate consequences, including preventing people from getting a job, student loans, a professional license, and housing. And even a short stint in jail can also be devastating. In addition to trauma, the disruption to one's schedule can result in the loss of a job, educational opportunities, and housing.

Removing the criminal penalties for marijuana possession would not...

- Increase marijuana use rates. Decriminalized marijuana possession is not associated with increased marijuana use rates.

- Allow driving under the influence of marijuana, which would remain a crime and would be treated like other DUI offenses.
- Unlike with alcohol and tobacco, marijuana is not associated with increased mortality rates. And while marijuana isn't risk-free, its risks are lower than those of many legal drugs.

What are the health effects of marijuana?

Alcohol Tobacco Opiates Marijuana

Overdose can cause death?	Yes	No	Yes
Number of U.S. deaths annually	95,000	480,000	>70,000
0	No	Yes	0

* Arizona, Alaska, California, Connecticut, Colorado, Illinois, Maine, Massachusetts, Michigan, Montana, Nevada, New Jersey, New Mexico, New York, Oregon, Vermont, Virginia, Washington, and D.C. legalized cannabis for adults 21 and older. The remaining states generally impose a fine, not jail time, for simple possession.