

## Status Report:

# Marijuana Legalization in Washington After 1 Year of Retail Sales and 2.5 Years of Legal Possession



July 2015

**In November 2012, voters in Washington and Colorado approved the first two laws in the U.S. to end marijuana prohibition and legally regulate marijuana production, distribution and sales. In December 2012, marijuana possession and use by adults 21 years of age and older became legal in Washington. A year-and-a-half later, the first retail marijuana stores opened their doors on July 8, 2014.**

**Since Washington's passage of I-502, retail marijuana sales have generated over \$80 million in tax revenues and the state has saved millions of dollars by no longer arresting and prosecuting low-level marijuana offenses. Meanwhile, violent crime rates have declined, thousands of people have been spared the harmful consequences of a marijuana arrest, statewide rates of youth use and traffic fatalities have remained stable, and state voters continue to support marijuana legalization.**

## Arrests and Judicial Savings

According to data from the Washington State Administrative Office of the Courts, court filings for low-level marijuana offenses by adults 21 years of age and older have dropped 98% since voters approved I-502, the initiative that legalized marijuana for adult use in Washington.<sup>i</sup> In 2011, there were 6,879 low-level marijuana court filings as compared to only 120 in 2013, the first full year after passage of I-502.<sup>ii</sup> The data indicate that marijuana filings dramatically decreased while court filings for other drugs remained fairly constant.<sup>iii</sup> As anticipated, legalizing possession for adults age 21 and older significantly reduced marijuana-related court filings.

Rates of marijuana law violations<sup>iv</sup> and convictions demonstrate a similar pattern. According to the Crime in Washington report, compiled by the Washington Association of Sheriffs and Police Chiefs, marijuana law violations decreased by 63% from 2012 (6,196) to 2014 (2,316).<sup>v</sup> In addition, data from the Washington State Caseload Forecast Council demonstrate that the number of marijuana-related convictions in the state decreased by 81% between 2011 (575) and 2014 (111).<sup>vi</sup> Many of Washington's marijuana arrests and convictions since possession became legal on December 6, 2012 were for possessing more than the 1-ounce limit.<sup>vii</sup>

Before the passage of I-502, a single arrest and prosecution for the possession of marijuana cost the state an estimated \$1,000 to \$2,000 in police, prosecutor, defense attorney, and court expenses.<sup>viii</sup> In fact, the state spent over \$200 million on marijuana enforcement between 2000 and 2010.<sup>ix</sup> It is reasonable to infer that the state is now saving millions of dollars by no longer arresting and prosecuting low-level marijuana offenses.

## Decrease in Crime Rates

Since 2012, the year I-502 passed, the violent crime rate has declined and the overall crime rate has remained at a 40-year historic low.<sup>x</sup> According to data collected by the National Incident-Based Reporting System, violent crime has continued to dramatically decrease in Washington and across the country.

Statewide, violent crime declined by 10% between 2011 and 2014, including a 13% decrease in the murder rate.<sup>xi</sup> During the same period burglaries decreased by 6%,<sup>xii</sup> and overall property crime rates remained steady across the state.<sup>xiii</sup> While these data do not establish causation, they do demonstrate that legalization of marijuana for adults 21 and over did not lead to an increase in crime.

## Tax Revenues Generated

Data released by the state Department of Revenue and the Liquor Control Board reveal that tax revenue from retail marijuana sales has amounted to nearly \$83 million, not including revenue generated from licenses and fees.<sup>xiv</sup>

The tax revenue generated by retail marijuana sales is being used to fund substance abuse prevention and treatment programs, youth and adult drug education, community health care services, and academic research and evaluation on the effects of marijuana legalization in Washington.<sup>xv</sup>

## Crash Risk Remained Stable

According to the National Highway Traffic Safety Administration, the number of traffic fatalities in Washington dropped after the first year of legal marijuana possession and use.<sup>xvi</sup> Data are not yet available beyond 2013. But preliminary figures for 2014 show that the number of traffic fatalities has remained stable for the entire country, including the region containing Washington.<sup>xvii</sup> While these figures do not establish causation, they do show that traffic fatalities have not increased since marijuana use by adults 21 and over became legal.

## Youth Prevention Efforts

The legalization of marijuana has not led to increased rates of marijuana use for youth in Washington. According to the Washington State Healthy Youth survey – which is funded by I-502 tax revenues<sup>xviii</sup> – there are no new significant trends in youth marijuana use. Since voters approved I-502, youth use has remained stable. Between 2012 and 2014 usage rates for 8<sup>th</sup> and 10<sup>th</sup> graders decreased slightly and similar rates for 12<sup>th</sup> and 6<sup>th</sup> graders remained unchanged.<sup>xix</sup>

To further ensure that youth use does not increase, tax revenues generated from retail marijuana sales are being used to fund a marijuana education website maintained by the University of Washington's Alcohol & Drug Abuse Institute.<sup>xx</sup> In addition, the Seattle Children's Hospital and the Washington State Liquor Control have published youth prevention and education materials in response to the passage of I-502.<sup>xxi</sup>

## Continued Support for Marijuana Legalization

The people of Washington continue to show strong support for I-502. A 2015 poll found 56% of voters continue to approve of the state's marijuana law – about the same as when voters approved it in 2012 – while only 37 percent oppose, a decrease of 7 points since the election of 2012.<sup>xxii</sup> More than three-quarters (77%) believe the law has had either a positive impact or no effect on their lives.<sup>xxiii</sup>

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<sup>i</sup> ACLU of Washington State, *Court Filings for Adult Marijuana Possession Plummet* (2014), <https://aclu-wa.org/news/court-filings-adult-marijuana-possession-plummet>.

<sup>ii</sup> *Id.*

<sup>iii</sup> *Id.*

<sup>iv</sup> “Law violations” refer to the number of “incidents” reported to the National Incident-Based Reporting System, which are defined as investigations by law enforcement officers, regardless of whether they result in an arrest. National Archive of Criminal Justice Data, *National Incident-Based Reporting System Resource Guide* (2010), <http://www.icpsr.umich.edu/icpsrweb/NACJD/NIBRS/>.

<sup>v</sup> Washington Association of Sheriffs & Police Chiefs, *Crime in Washington 2011 Annual Report*, [http://www.waspc.org/assets/CJIS/2011\\_ciw.pdf](http://www.waspc.org/assets/CJIS/2011_ciw.pdf); Washington Association of Sheriffs & Police Chiefs, *Crime in Washington 2014 Annual Report*, <http://www.waspc.org/assets/CJIS/ciw%202014%20small.pdf>.

<sup>vi</sup> Washington State Office of Financial Management, Forecasting and Research Division, *Monitoring Impacts of Recreational Marijuana Legalization* (2015), [www.ofm.wa.gov/reports/marijuana\\_impacts\\_2015.pdf](http://www.ofm.wa.gov/reports/marijuana_impacts_2015.pdf).

- vii ACLU of Washington State, *Court Filings for Adult Marijuana Possession Plummet* (2014), <https://aclu-wa.org/news/court-filings-adult-marijuana-possession-plummet>.
- viii ACLU, *The War on Marijuana in Black and White* (2013), <https://www.aclu.org/files/assets/aclu-thewaronmarijuana-re12.pdf>; Drug Policy Alliance, *240,000 Marijuana Arrests, Costs Consequences, and Racial Disparities of Possession Arrests in Washington, 1986-2010* (2012), <https://www.drugpolicy.org/sites/default/files/240.000-Marijuana-Arrests-In-Washington.pdf>.
- ix ACLU of Washington State, *Interactive Map: What Is Your County Spending On Marijuana Law Enforcement?* (2012), <https://aclu-wa.org/blog/interactive-map-what-your-county-spending-marijuana-law-enforcement>.
- x U.S. Department of Justice, Federal Bureau of Investigation, Uniform Crime Reporting Statistics, State-Level Crime Estimates Database, <http://www.ucrdatatool.gov/Search/Crime/State/RunCrimeStatebyState.cfm>; Washington Association of Sheriffs & Police Chiefs, *Crime in Washington 2013 Annual Report*, <http://www.waspc.org/assets/CJIS/2013%20ciw.compressed.pdf>; Washington Association of Sheriffs & Police Chiefs, *Crime in Washington 2014 Annual Report*, <http://www.waspc.org/assets/CJIS/ciw%202014%20small.pdf>.
- xi Washington Association of Sheriffs & Police Chiefs, *Crime in Washington 2011 Annual Report*, [http://www.waspc.org/assets/CJIS/2011\\_ciw.pdf](http://www.waspc.org/assets/CJIS/2011_ciw.pdf); Washington Association of Sheriffs & Police Chiefs, *Crime in Washington 2014 Annual Report*, <http://www.waspc.org/assets/CJIS/ciw%202014%20small.pdf>.
- xii *Id.*
- xiii Washington Statistical Analysis Center, Uniform Crime Report Query (2015).
- xiv Washington State Department of Revenue, *Recreational Marijuana Tax Table*, [http://dor.wa.gov/Content/AboutUs/StatisticsAndReports/stats\\_RMJTaxes.aspx](http://dor.wa.gov/Content/AboutUs/StatisticsAndReports/stats_RMJTaxes.aspx); Washington State Liquor Control Board, *Weekly Marijuana Report, June 24, 2015* (2015), <http://liq.wa.gov/marijuana/dashboard>.
- xv Washington State Initiative Measure No. 502 (2011), <http://lcb.wa.gov/publications/Marijuana/I-502/i502.pdf>; ACLU of Washington State, *Public Health Experts Urge Legislature Not to Raid Marijuana Tax Revenue Earmarked for Prevention, Treatment, Evaluation* (2015), <https://aclu-wa.org/news/public-health-experts-urge-legislature-not-raid-marijuana-tax-revenue-earmarked-prevention-trea>.
- xvi U.S. Department of Transportation, National Highway Traffic Safety Administration, *Traffic Safety Performance (Core Outcome) Measures\* For Washington* (2015), [http://www-nrd.nhtsa.dot.gov/departments/nrd-30/ncsa/STSI/53\\_WA/2013/53\\_WA\\_2013.htm](http://www-nrd.nhtsa.dot.gov/departments/nrd-30/ncsa/STSI/53_WA/2013/53_WA_2013.htm).
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- xx University of Washington, Alcohol & Drug Abuse Institute, *Learn About Marijuana, Science—Based Information for the Public*, <http://www.learnaboutmarijuanawa.org/>.
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- xxiii *Id.*