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## DOES LEGAL POT DRIVE VIOLENCE?

*Marijuana affects judgment. But what do the numbers say?*



*For Police Issues by Julius (Jay) Wachtel.* Colorado and Washington kicked off recreational pot in 2012. Leaving out Washington D.C. and Guam, which have also said “yes”, [its recent legalization by Maryland and Missouri](#) brings the number of “green-lit” States to the age of majority: twenty-one. As for the U.S., in April the House passed “[MORE](#)”, the Marijuana Opportunity Reinvestment and Expungement Act.” It would remove marijuana from “[Schedule I](#)”, a list of Federally-forbidden substances that have “no currently accepted medical use and a high potential for abuse.”

Full stop. MORE’s narrow, 220-204 House victory was “[largely along party lines](#)”. Here’s what a prominent (Red) opponent, Ohio Rep. Jim Jordan, thought:

Record crime, record inflation, record gas prices, record number of illegal immigrants crossing our southern border and what are Democrats doing today? Legalizing drugs.

[President Biden recently pardoned](#) everyone who had ever been Federally convicted of “simple possession of marijuana”. [His move benefited](#) several thousand residents of Federally-administered areas, including the District of Columbia and Tribal lands. Of course, given the power of the filibuster, MORE, a mostly “Blue” initiative, faces major hurdles in the Senate. That’s likely tempered the President’s approach. While urging Governors to follow his example and pardon convicted pot users under their jurisdiction, he nonetheless emphasized that current restrictions on “trafficking, marketing, and under-age sales” should stay in place.

That seems thoughtful. But can one really have it both ways? Recreational marijuana, but under control? [Not according to a massive investigative effort](#) by the *Los Angeles Times*. Its inquiry found that soon after [California Proposition 64](#) legalized recreational pot in 2016, “a global pool of organized criminals and opportunists” swarmed the Golden State, setting up thousands of illegal untaxed growths tended by armies of fearful, literally “indentured” immigrants:

The pitch for Proposition 64 focused on grand benefits: an end to drug possession laws that penalized the poor and people of color, and the creation of a commercial market that in 2021 generated \$5.3 billion in taxed sales. But California failed to address the reality that decriminalizing a vast and highly profitable illegal industry would open the door to a global pool of organized criminals and opportunists.

It's not just a problem of illegal growths. Opportunities to profit and weak penalties – violations are misdemeanors – have [overwhelmed regulatory efforts](#) in L.A. Ditto New York City. Although retail cannabis licenses are yet to be issued, entrepreneurs eager to profit “[have cropped up in droves](#)”.

And it's not only about illegal sales. Increased access to marijuana has inevitably increased its consumption. President Biden's positive words about pot hinted at one of the minuses – that its use can negatively affect youths. [His concern was forcefully addressed in 2020](#) by Dr. Nora D. Volkow, Director of the National Institute on Drug Abuse:

“Because marijuana impairs short-term memory and judgment and distorts perception, it can impair performance in school or at work and make it dangerous to drive. It also affects brain systems that are still maturing through young adulthood, so regular use by teens may have negative and long-lasting effects on their cognitive development...Also, contrary to popular belief, marijuana can be addictive, and its use during adolescence may make other forms of problem use or addiction more likely.”



An extensive [Research Report](#) that accompanied Dr. Volkow's remarks warned about marijuana's harmful effects on the physical and mental health of persons regardless of age. And earlier this year, one NIDA “[Monitoring the Future](#)” survey reported that young adults' use of marijuana and hallucinogens “reached all time-high in 2021”. Another warned that the “severity” of drug consumption during adolescence affected the likelihood of developing a substance use disorder later in life.

NIDA isn't alone. In 2018, [responses to a national survey](#) led a team of academics to conclude that “liberal laws” and “past year cannabis use” were “significantly associated with higher prevalence of serious mental illness.” Three years later the National Institutes of Health warned of “[a link between cannabis use and higher levels of suicidal ideation, plan, and attempt](#).” And last November, researchers from Mount Sinai Medical School reported that marijuana use during pregnancy led to [increased levels of aggression, anxiety and hyperactivity in young children](#). Cannabis, they wrote, can affect a mother's immune function, thus degrade the neurobehavioral development of the unborn.



Given marijuana's physical, physiological and mental effects, one might anticipate more traffic accidents and criminal mischief as well. There the evidence is mixed. Colorado legalized recreational marijuana in 2012. University of Colorado researchers would later conclude that medical and recreational marijuana dispensaries were “[associated with statistically significant increases in rates of neighborhood crime and disorder](#)” in Denver during 2012-2015. But another study found that while “street segments adjacent to recreational dispensaries” did have “notably higher levels of crime related to drugs (17%) and disorder (28%) during the post-legalization period,” [the increases were not statistically significant](#). And a 2018 study that depicted itself as particularly robust found “[no statistically significant long-term effects](#)” on violent or property crimes in either Colorado or Washington, the first two States to legalize recreational pot.

Washington State's cops, though, beg to differ. According to an academic study, they've observed [more marijuana use by youth](#) and experienced a substantial uptick in “drugged driving” and “nuisance” calls since legalization. Their observations were seconded by a 2019 Insurance Information Institute report, “Recreational marijuana and impaired driving,” which warned that [legal pot = more impaired driving = more accidents](#). In [a notorious recent example](#), seventy-five police recruits were recently on an early-morning training run near the L.A. Sheriff's Academy when an approaching SUV veered into the formation. Twenty-five recruits were injured, five critically. Police suspect that the driver (he said he was “sleepy”) was affected by something other than alcohol, as he tested clean on a Breathalyzer. Marijuana was reportedly found in his vehicle. But when interviewed on T.V., the 22-year old driver [said that he fell asleep while driving to work](#) (he's an electrician). His lawyer also pointed out that blood tests came up clean for alcohol and drugs. According to NIJ, though, current field sobriety and blood, urine and oral fluid tests [cannot reliably identify persons](#) who have been

cognitively or physically impaired by marijuana. Full legalization is a relatively recent phenomenon, while detection technology is in its infancy.

Bottom line: pot’s deleterious effects can’t be easily quantified. We’re left with a collection of unfortunate episodes whose causal mechanisms are easily disputable. But the FBI has tracked serious violent crime for decades. So have pot-friendly places suffered? This table uses mean scores to compare the 21 States that have said “YES” since 2012 with the 29 that are still “NO”:

Recreat. marij. legal?	2012 violent crime rt.	2020 violent crime rt.	Gun laws (smaller = stronger)	Pop. pct. Poverty	Pop. pct. conserv.	Pop. pct. moderate	Pop. pct. liberal
Y	363.6	386	17.3	11.0	33%	34%	27%
N	346.7	383	31.2	12.1	41%	32%	20%

Violent crime rates for 2012 are from the [UCR](#) and, for 2020, from the [NIBRS](#). “Gun laws” are from [Gifford’s 2021 gun law scorecard](#), which ranks States from 1-50 in a kind of reverse order: 1 reflects the *strongest* gun laws (California) and 50 the *weakest* (Arkansas). Ideological bias was filched from [Pew’s “Religious Landscape Study”](#), which surveyed a sample of Americans for their religious and political beliefs. And for poverty scores we turned to the [USDA](#), which offers 2020 State poverty percentages in a handy table.

How do the “YES” and “NO” States compare? Mean poverty scores are fairly close (the 50-State range was 7.0 to 18.7). Both camps exhibit nearly identical 2020 violence/100,000 rates. As for 2012, violence scores for the 50 States ranged from 122.7 to 643.6, so the difference between the “YES” and “NO” States is actually quite small. But when it comes to gun law strength (range 1-50), the “NO” States do trend weaker. That seems consistent with their residents’ more conservative political beliefs.

Let’s examine violent crime rates more closely. Not including the District of Columbia (it said “YES” in 2014), eight States legalized recreational pot during 2012-2016. This table displays what happened during the period:

### VIOLENT CRIMES / 100,000

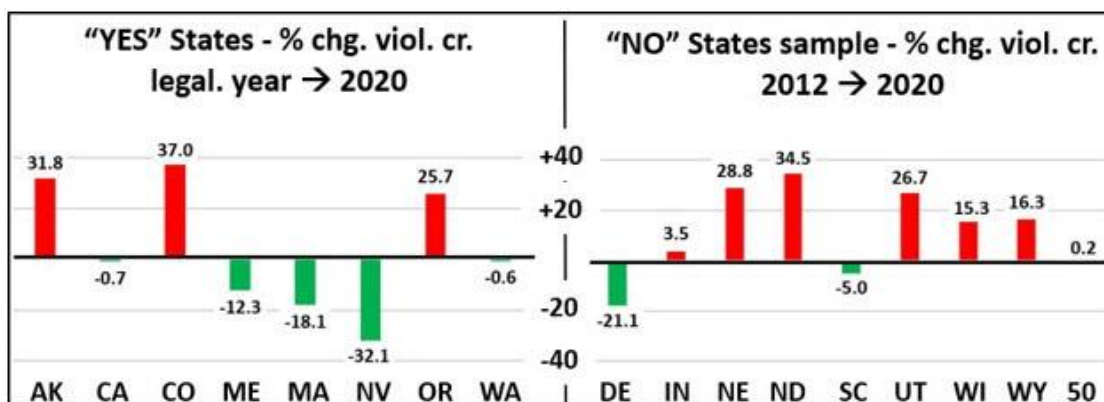
Year legal.	State	2012	2014	2016	2018	2020	Pct. change	Pct. chg. post-legal.
2014	AK	603.2	635.8	804.2	885.0	837.8	38.9	31.8
2016	CA	423.1	396.1	445.3	447.4	442.0	4.5	-0.7
2012	CO	308.9	309.1	342.6	397.2	423.1	37.0	37.0
2016	ME	122.7	127.8	123.8	112.1	108.6	-11.5	-12.3
2016	MA	405.5	391.4	376.9	338.1	308.8	-23.8	-18.1
2016	NV	607.6	635.6	678.1	541.1	460.3	-24.2	-32.1
2014	OR	247.6	232.3	264.6	285.5	291.9	17.9	25.7
2012	WA	295.6	285.2	302.2	311.5	293.7	-0.6	-0.6

Here's a like comparo for eight randomly-drawn "NO" States ("50" is the U.S. overall):

### VIOLENT CRIMES / 100,000

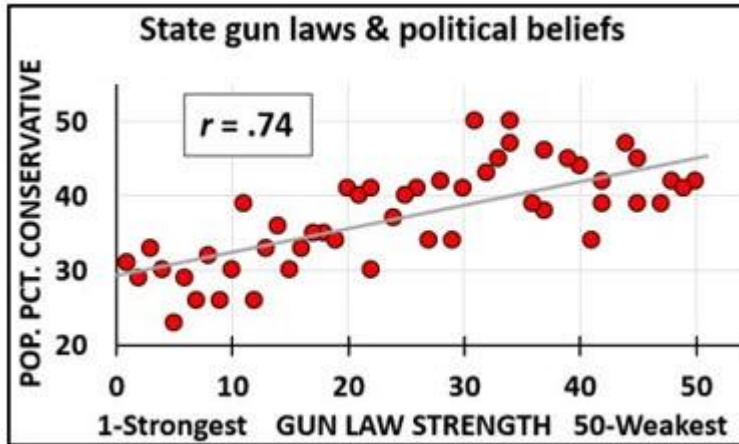
State	2012	2014	2016	2018	2020	Pct. change
DE	547.4	489.1	508.8	423.6	431.9	-21.1
IN	345.7	365.3	404.7	382.3	357.7	3.5
NE	259.4	280.4	291.0	284.8	334.1	28.8
ND	244.7	265.1	251.1	280.6	329.0	34.5
SC	558.8	497.7	501.8	488.3	530.7	-5.0
UT	205.8	215.6	242.8	233.1	260.7	26.7
WI	280.5	290.3	305.9	295.4	323.4	15.3
WY	201.4	195.5	244.2	212.2	234.2	16.3
50	386.9	361.6	386.6	370.4	387.8	0.2

And here are two graphs that display the overall change in violence for each State:



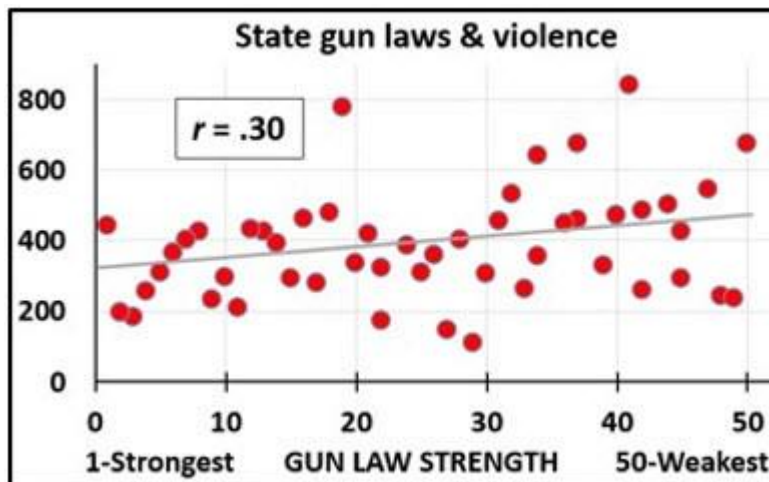
It's definitely a mixed bag. Three "YES" States – Alaska, Colorado and Oregon – endured substantial post-legalization increases in violence. On the other hand, Maine and Massachusetts did well, but their trends were already favorable when they green-lit pot. Legalization may have benefited Nevada, though, as the State's steep drop in violence began *after* legalization. As for our randomly-drawn "NO" States, violence rates substantially improved in Delaware but worsened in Nevada, North Dakota, Utah, Wisconsin and Wyoming. Overall, America's mean rate hardly budged.

Before coming to conclusions, let's examine some other factors. Say, political ideology. Residents of "NO" States seem to have "more conservative political beliefs." How might that affect, say, gun law strength? Here's the scattergram:



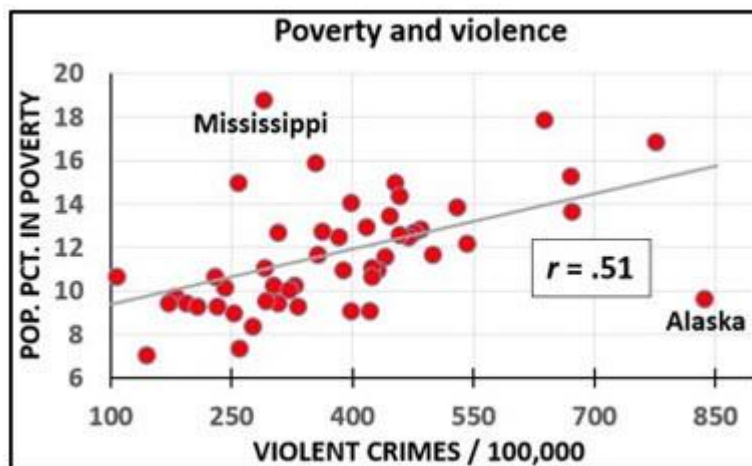
Correlation, the “r” statistic, ranges from zero, meaning no relationship between variables, to one, meaning that both are in perfect sync. Check out how closely those fifty red dots (each represents a State) cluster around that “line of best fit.” A robust r of .74 definitely supports the notion that as conservatism increases, weak gun laws become far more likely.

But do gun laws make a difference? This graph displays the relationship between gun law strength and violence rates:



To be sure, many States closely hew the line. But many others lie scattered about. An  $r$  of .3 is nothing to boast about.

What about Police Issues’ favorite “explainer”, poverty? Our “[Neighborhoods](#)” essays argue that the social benefits produced by robust economic conditions are vital in keeping violence at bay. Check out the graph:



Given the vicissitudes of the underlying data – each State follows the beat of its own drummer – one couldn’t expect as robust a statistic as, say, the  $r = .73$  we computed for the relationship between poverty and violence among [New York City neighborhoods](#). But most States seem to tread the line quite closely, and the overall  $.51$  is fairly robust. Indeed, once we eliminate those two pesky outliers, it leaps to  $.71$ !

Back to decriminalization. Legal recreational pot is still in its infancy, so it’s too early to draw any firm conclusions. Although the numbers we crunched ease our fear that recreational marijuana will cause violence to explode, its negative effects on physical and mental health, task performance and adolescent development seem indisputable. But these downsides are easily glossed over. That drove the normally pot-friendly *Los Angeles Times* to publish a pair of skeptical editorials earlier this year. One condemned a plan by the California State Fair to award prizes to the chemically most potent plants (“[Are state fair officials high?](#)”). Another endorsed a proposed law, bitterly contested by the marijuana industry, that would require prominent warning labels on marijuana packaging (“[Legal pot needs better warning labels](#)”).

What do *we* find most troubling? Pot’s ability to impair judgment. As cops well know, citizens “under the influence” of psychoactive substances such as marijuana are more likely to misbehave. They’re less likely to voluntarily comply with requests or orders, thus increasing the possibility that officers might think it (or find it) necessary to use force. And when they do, it often “forces” us to pen yet another essay. After one and one-half decades of doing just that, we, too would like a break.