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Meghan Kozlowski , Emily Glazener , James A. Mitchell, James P. Lynch & Jinney Smith, Decriminalization and Depenalization of Marijuana Possession: A Case Study of Enforcement Outcomes in Prince George's County, 20 CRIMINOLOGY, CRIM. Just. L & Soc'y 109 (2019).

ALWD 7th ed.

Meghan Kozlowski , Emily Glazener , James A. Mitchell, James P. Lynch & Jinney Smith, Decriminalization and Depenalization of Marijuana Possession: A Case Study of Enforcement Outcomes in Prince George's County, 20 Criminology, Crim. Just. L & Soc'y 109 (2019).

APA 7th ed.

Kozlowski, M., Glazener, E., Mitchell, J. A., Lynch, J. P., & Smith, J. (2019). Decriminalization and depenalization of marijuana possession: case study of enforcement outcomes in prince george's county. *Criminology, Criminal Justice, Law & Society*, 20(2), 109-iv.

Chicago 17th ed.

Meghan Kozlowski; Emily Glazener; James A. Mitchell; James P. Lynch; Jinney Smith, "Decriminalization and Depenalization of Marijuana Possession: A Case Study of Enforcement Outcomes in Prince George's County," *Criminology, Criminal Justice, Law & Society* 20, no. 2 (August 2019): 109-iv

McGill Guide 9th ed.

Meghan Kozlowski et al., "Decriminalization and Depenalization of Marijuana Possession: A Case Study of Enforcement Outcomes in Prince George's County" (2019) 20:2 *Criminology, Crim Just L & Soc'y* 109.

AGLC 4th ed.

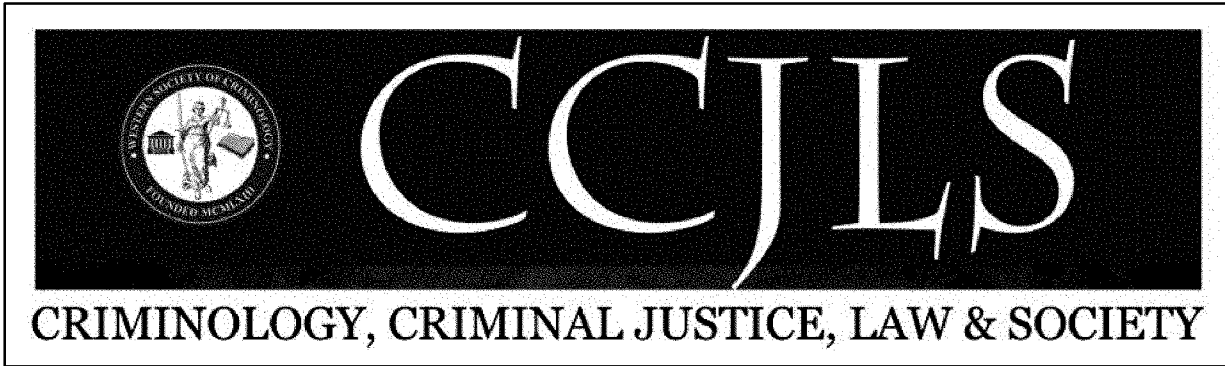
Meghan Kozlowski et al., 'Decriminalization and Depenalization of Marijuana Possession: A Case Study of Enforcement Outcomes in Prince George's County' (2019) 20(2) *Criminology, Criminal Justice, Law & Society* 109

MLA 9th ed.

Kozlowski, Meghan, et al. "Decriminalization and Depenalization of Marijuana Possession: A Case Study of Enforcement Outcomes in Prince George's County." *Criminology, Criminal Justice, Law & Society*, vol. 20, no. 2, August 2019, pp. 109-iv. HeinOnline.

OSCOLA 4th ed.

Meghan Kozlowski , Emily Glazener , James A. Mitchell, James P. Lynch & Jinney Smith, 'Decriminalization and Depenalization of Marijuana Possession: A Case Study of Enforcement Outcomes in Prince George's County' (2019) 20 *Criminology, Crim Just L & Soc'y* 109



E-ISSN 2332-886X

Available online at

<https://scholasticahq.com/criminology-criminal-justice-law-society/>

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## Decriminalization and Depenalization of Marijuana Possession: A Case Study of Enforcement Outcomes in Prince George's County

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### ABSTRACT AND ARTICLE INFORMATION

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In recent years in Maryland, two significant legal reforms were enacted that successively depenalized and decriminalized low-level marijuana possession. This case study examines the impact of these legal changes on the type and levels of enforcement activity – including arrests and criminal citations – in the state's second largest jurisdiction. The goal of marijuana possession-related legal reforms is to eliminate or reduce associated sanctions for behavior increasingly viewed by the public and policymakers as less serious, and thus addressing it through the criminal justice system, a misallocation of resources. However, little attention has been paid to how resources – especially law enforcement attention – are allocated after such reforms. This study describes two types of displacement that occurred in Prince George's County, MD, subsequent to legal reform. The first result is that possession arrests are not completely replaced by citations, especially when it is unknown how many previous arrests were eligible for citations. Furthermore, total marijuana possession enforcement increases after the reform, as the availability of the criminal citation as an enforcement tool appears to produce enforcement net-widening. The second result is that overall levels of misdemeanor arrests – of which marijuana possession is top-ranked – do not decline, as police discretion and unchanged expectations of enforcement activity result in different misdemeanor arrests replacing marijuana arrests. These potential unintended consequences of reform are discussed in terms of their impact on enforcement outcomes and more fully assessing the relative success of such reform efforts.

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#### *Article History:*

Received April 8, 2019

Received in revised form June 13, 2019

Accepted June 18, 2019

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#### *Keywords:*

discretion, policing, marijuana decriminalization, misdemeanor enforcement

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Significant changes in both public opinion and state legislation have drastically altered the legal landscape of medical and recreational marijuana possession and use in the United States. In 1996, California became the first state to pass medical marijuana legislation. Over the next 11 years (from 1996 to 2006), 11 states and Washington, D.C., legalized medical marijuana (Morris, TenEyck, & Kovandzic, 2014). To date, 34 states as well as Washington, D.C., Guam, Puerto Rico, and the U.S. Virgin Islands have legalized the medical use of marijuana (National Conference of State Legislatures, 2019).

Along with changes in medical marijuana laws, more recent state-level reforms have decreased the criminal punishments related to low-level possession or have legalized low-level possession altogether. Since 2012, when both Washington and Colorado approved legislation allowing for adult recreational use, 10 states and Washington, D.C., have legalized small amounts of recreational marijuana for adults (as of year-end 2018). Additionally, some states have decriminalized or depenalized small amounts of marijuana possession for adult recreational use (National Conference of State Legislatures, 2019). These permissive policy changes of the last decade occur in stark contrast to the policies of the “War on Drugs” era of the 1980s and early 1990s, which criminalized drug use and prioritized enforcement of drug offenses. Depenalization, decriminalization, and similarly permissive policies aim to do the opposite – reduce enforcement of low-level drug offenses in exchange for increased resources to be allocated toward the prevention of more serious (e.g., violent) crimes (DeAngelo, Gittings, & Ross, 2018; Makin et al., 2019; Ross & Walker, 2016).

In addition to the substantial legal changes related to marijuana possession and use, there have been significant changes in public opinion about marijuana usage and its legal status. This is highlighted by Shepard and Blackley (2016), who note that:

...[T]here has been growing levels of public support for both the use of marijuana as medicine, and calls to decriminalize, legalize, or deemphasize criminal justice approaches in favor of public health approaches stressing education, treatment, or harm reduction for addressing societal concerns about drugs. (p.124)

According to a Pew Research Center survey, as of 2018, 62% of Americans support legalization of recreational marijuana use, which is a substantial increase from a 2000 survey in which only 31% of respondents supported legalization (Hartig & Geiger, 2018).

Maryland has been among the more progressive states regarding medical and recreational marijuana legislation. In the span of 11 years beginning in 2003, Maryland legalized medical marijuana and depenalized, and eventually decriminalized, possession of small amounts of recreational marijuana for adults. During our study period of 2010-2015, two significant legal changes occurred in Maryland criminal law regarding the enforcement of marijuana possession. Prior to October 1, 2012, possession of less than 10 grams of marijuana was an arrestable offense, punishable by up to 1 year of incarceration and/or a \$1,000.00 fine.

Beginning on October 1, 2012, possession of less than 10 grams of marijuana became eligible for criminal citation enforcement. The maximum potential punishment was reduced to up to 90 days of incarceration and/or a \$500.00 fine. Then, on October 1, 2014, the laws governing enforcement and punishment of less than 10 grams of marijuana were changed again, and civil citation was introduced. A first offense could be punished by up to a \$100.00 fine, and a second offense by up to a \$250.00 fine, and a third offense by up to a \$500.00 fine. The introduction of the civil citation alternative did not completely replace criminal citations, but as findings presented later indicate, it did significantly reduce the issuance of criminal citations. For example, possessing amounts of greater than 10 grams, but not as much as would be eligible for a marijuana distribution or sales arrest, was still subject to criminal citation.

The effective dates of these legal changes mark the beginning and end of what may be deemed a two-year policy experiment in Maryland, the results of which are the focus of this study. This change in the prescribed enforcement introduced a new enforcement option in responding to small quantities of marijuana possession. Prior to the 2012 change, an officer could make either a full-custody arrest or no arrest. (A full-custody arrest involves handcuffing, searching, and transporting the subject to a booking facility, followed by a hearing before a District Court Commissioner for a determination on initial charges and bond status.)

During the period between October 1, 2012 and September 30, 2014, a third option – criminal citation – was added. When the subject of enforcement met minimal criteria regarding positive establishment of identity and residence, as well as being assessed by the officer to be likely to comply with the criminal citation, the subject may be cited rather than arrested. Criminal citations were counted in police department crime statistics as misdemeanor arrests (for operational and productivity purposes, but importantly not in the administrative data used for the current

study), even though the subject was not taken into custody and processed.

A unique aspect of marijuana enforcement is the ability of law enforcement to detect the presence of marijuana by its odor when it is currently or recently ignited. The odor itself establishes probable cause to further investigate the person and his or her property during a traffic or Terry stop. No statutory changes or court decisions occurred to alter the standard for meeting the probable cause threshold during the criminal citation period to the present (in fact, a Maryland Court of Appeals ruling in 2017 affirmatively reinforced that odor itself, without any underlying determination of quantity, meets probable cause to permit searches [*Jermaul Rondell Robinson v. State of Maryland*, 2017]).

Legal changes related to medicinal marijuana and the legalization, decriminalization, and depenalization of recreational marijuana have been linked to public safety outcomes, such as impacting crime rates and police practices. Using data from Prince George's County, Maryland, the current study examines the impact of depenalization and decriminalization policies on marijuana-related enforcement rates and misdemeanor enforcement rates more generally. Specifically, we seek to describe how policy changes related to procedures for arrest, criminal citation, and civil citation influence the level and trends of enforcement in the county. Additionally, we examine the composition of misdemeanor enforcement, emphasizing the role of these legal changes in altering the higher-frequency misdemeanor offenses subject to enforcement (i.e., the prevalence of enforcement for specific offense-types).

## Literature Review

### The Relationship Between Legalization, Depenalization, and Public Safety

Current research related to marijuana largely examines the relationship between state-level medical marijuana policy changes and state-level crime rates (Ellison & Spohn, 2017; Maier, Mannes, & Koppenhofer, 2017; Morris et al., 2014; Shepard & Blackley, 2016). There has been substantially less research on the impact of depenalization or decriminalization of recreational marijuana due to the recency of such legal changes.

The theoretical arguments linking marijuana legalization to public safety impacts focus on the dispensaries where individuals can legally obtain the drug. Opponents of legalization cite routine activities theory (Cohen & Felson, 1979) arguing that medical and recreational marijuana dispensaries will lead to higher crime rates due to the increase in suitable

targets carrying large sums of cash, drawing motivated offenders to the area (Freisthler, Ponicki, Gaidus, & Gruenewald, 2016; Hughes, Schaible, & Jimmerson, 2019; Maier et al., 2017). However, others argue that the security measures taken by dispensaries, such as employing security guards or installing surveillance cameras, could reduce crime in the areas immediately surrounding dispensaries by providing more capable guardianship (Hughes et al., 2019; Keeple & Freistler, 2012; Maier et al., 2017).

Overall, research finds that medical marijuana policy changes do not increase crime at the state level (Maier et al., 2017; Morris et al., 2014; Shepard & Blackley, 2016). One study found significant declines in violent crime rates among states that passed medical marijuana legislation (Shepard & Blackley, 2016). Similarly, Dragone, Prarolo, Vanin, and Zanella (2018) found a decrease in rapes and property crimes in a county-level analysis examining differential legalization time frames across the Washington-Oregon border. A state-level analysis of changes in both medical and recreational marijuana laws between 2010 and 2014 finds no relationship between such policy changes and subsequent crime rates (Maier et al., 2017). Maier and colleagues (2017) also found that there are no significant differences in drug abuse violations in states that had decriminalized marijuana, relative to states that had not.

Studies conducted within single cities provide a more nuanced understanding of the association between the location of marijuana dispensaries and crime (Freisthler et al., 2016; Hughes et al., 2019). In their examination of census block groups in Long Beach, California, Freisthler and colleagues (2016) found that the densities of medical marijuana dispensary locations were related to higher crime rates, but not within the same local area. The authors used a routine activities perspective to explain these findings and point to the dispensaries' use of technology and security measures within the vicinity of dispensaries, which then increases the risk associated with offending near a dispensary (Freisthler et al., 2016). In another within-city analysis, Hughes and colleagues (2019) examined 1000x1000 foot grid cells in Denver, Colorado, and found that the presence of medical marijuana dispensaries was associated with higher rates of all crimes except homicide. However, the size of these effects was relatively weak (Hughes et al., 2019).

In sum, more localized research finds support for the hypothesis that dispensaries associated with the legalization of medical and recreational marijuana are associated with increases in rates of crime. These findings conflict with results from studies examining state-wide crime rates which consistently find null or negative relationships between marijuana-related

legislation and crime rates. Therefore, additional research on varying units of analysis is needed to provide a better understanding of the relationship between marijuana policy changes and public safety outcomes.

### **Marijuana Policy and Police Practices**

Policy changes related to criminal offenses not only affect crime rates but can also impact the operational enforcement practices of police officers. Because marijuana and other minor drug offenses typically compose a large proportion of misdemeanor enforcement activity, proponents of reform suggest that depenalization and/or decriminalization can free up police department resources to focus on higher priority drug crimes, or other more serious (i.e., violent) crimes more generally (Adda, McConnell, & Rasul, 2014; DeAngelo et al., 2018; Dragone et al., 2018; Makin et al., 2019; Ross & Walker, 2016; Shiner, 2015). Additionally, because administrators likely hold officers to consistent standards of performance measured by similar indicators regardless of policy change, officers may respond to policy changes by targeting other crimes for enforcement (Makin et al., 2019) to ensure continued productivity in line with departmental expectations.

The rationale behind this idea of “redirected” enforcement is intimately linked to the concept of police officer discretion. Police, especially patrol officers, exercise considerable amounts of discretion in that they can typically execute a variety of actions (many of which are alternatives to arrest) in response to an incident. Therefore, officers must continually make decisions about which response to select for any given incident. Discretion is particularly consequential for the enforcement of misdemeanor offenses. Research shows that offense severity has a strong association with officer decision-making because more serious offenses allow less discretion in officer enforcement decisions, giving officers fewer opportunities to use alternatives to arrest (Engel et al., 2018; Wilson, 1968). Given these findings, it is reasonable to conclude that officers typically exercise higher levels of discretion when policing misdemeanor (i.e., lower-level) offenses relative to felony (i.e., more serious) offenses. Shiner (2015) highlights that discretion may play a particularly large role in the enforcement of marijuana-related offenses because drug use is a “consensual activity” that “rarely comes to light through victim or witness reports” and therefore requires a more proactive policing strategy relative to enforcement of other crimes (p. 8). Additionally, because the smell of marijuana constitutes probable cause or reasonable suspicion in some jurisdictions (including Prince George’s

County), officers exercise considerable discretion when drugs are detected (Shiner, 2015).

The extant research on the relationship between police practices and marijuana legalization, decriminalization, and depenalization is limited, and the studies to date provide mixed evidence for the effects of such reforms. Some studies suggest that legalization can lead to improvements in police effectiveness, by allowing departments to reallocate resources to the enforcement of crimes other than low-level marijuana possession. In their experiment in one London, England borough, Adda and colleagues (2014) found that police are able to shift effort toward non-drug crime when small amounts of cannabis are depenalized. The authors found that during and after the depenalization experiment, reductions in five crime types and improvements in arrest and clearance rates occurred. While the reduction of non-drug crime appears to provide evidence to support that the policy had the intended effect, the authors also found that there were more cannabis possession offenses even after the experiment ended (Adda et al., 2014). Adda and colleagues (2014) proposed that the increase in marijuana possession offenses could be a result of factors such as a higher citizen-reporting rate or increased officer awareness of cannabis-related offenses. In another study, Makin and colleagues (2019) examined the impact of recreational marijuana legislation in Colorado and Washington on crime clearance rates for violent and property crimes. Makin and colleagues (2019) found that, as proponents of reform suggested, the legalization of marijuana did influence police outcomes; clearance rates for specific offenses rose more in these two states than in other states across the country. Specifically, Colorado’s clearance rates grew for all Uniform Crime Report (UCR) Part I offenses except for aggravated assault and motor vehicle theft. Washington’s clearance rates grew similarly for violent crimes and burglary. The authors also found that there was no single violent or property crime across the two study states for which legalization had depressed clearance rates. Together, Makin and colleagues’ (2019) results suggest that officers responded to the law by reprioritizing offenses for enforcement (perhaps driven by a need to maintain compliance with unchanged performance metrics) and therefore rebalancing their workloads to focus on more serious, non-drug crime.

Alternatively, evidence from studies conducted in California and the United Kingdom suggest that permissive marijuana policies may not have the intended effects and, in some cases, may have unintended consequences. Ross and Walker (2016) examined the impact of low-priority initiatives, which mandate that minor marijuana possession offenses be the lowest enforcement priority, in California. Like

depenalization and decriminalization reform, low priority initiatives are similarly motivated to devote fewer officer resources toward marijuana crimes in exchange for more resources dedicated to more serious crimes. Interestingly, Ross and Walker (2016) found that while adoption of low-priority laws was associated with a reduction in misdemeanor marijuana arrests, there was no evidence that low-priority laws increased clearance rates or decreased crime rates for more serious crime (such a shift would have been indicative of resource reallocation). In a similar analysis, DeAngelo and colleagues (2018) examined the impact of low-priority mandates in Los Angeles County. They found that, while a preliminary inspection of the data suggests that mandate adoption is associated with a reduction in arrests for misdemeanor marijuana offenses, the relative reduction in marijuana arrests was driven by an increase in arrests in nearby areas that had not adopted low-priority mandates, rather than a reduction in the adopting areas (DeAngelo et al., 2018). The authors provided several explanations for this phenomenon, one suggesting that prior to mandate adoption, police were already treating misdemeanor marijuana offenses as a low priority and the policy change served as a reminder that arrest was the appropriate response in non-adopting jurisdictions. Alternatively, because low-priority initiatives are driven by local law makers and voters, police may have taken non-adoption as a signal of resident preferences regarding enforcement of marijuana offenses (DeAngelo et al., 2018).

Relatedly, Shiner (2015) found that reclassification (lessening the penalty) of cannabis possession actually had a substantial net-widening effect, with the number of people receiving formal sanctions for drug possession doubling during the reform period. Shiner (2015) suggested that net-widening effects may be driven by performance metrics and productivity targets, especially because “street warnings” (the preferred police response to cannabis possession post-reform) counted as sanctions for productivity purposes. As a result, formal warnings were now issued where officers had previously proceeded informally (Shiner, 2015).

### Method

The current study examines the trends in police misdemeanor enforcement activity during a six-year period surrounding marijuana depenalization and decriminalization policy changes in Prince George’s County, Maryland. The analyses presented here are primarily descriptive and examine (a) marijuana-related enforcement trends, (b) changes in target offenses for misdemeanor enforcement, and (c) beat-level determinants of variation in marijuana

possession enforcement rates following depenalization.

### Study Site

Prince George’s County is located to the east of Washington, D.C., and is the second-most populous county in the state of Maryland. The county has grown appreciably in recent decades, from a reported population in the 1970 Census of 661,719, to 728,553 in the 1990 Census, to 863,420 in the 2010 Census. Overall, the county covers 483 square miles with a population per square mile of 1,788.8 in 2010. The 2010 Census, aligned with the start of our study period, found that Prince George’s County was 85.1% minority, up from 75.7% in 2000. Census data from the current study indicate that, in 2010, 63% of Prince George’s County residents (aged 16 and up) were non-Hispanic Black, 13.6% were Hispanic, and 17.0% were non-Hispanic White.

In 2010, the median household income in Prince George’s County was \$71,260, compared to the median income of \$51,914 for the nation (U.S. Census Bureau, 2010a, 2010b). Prince George’s County is a unique jurisdiction, particularly due to its status as the wealthiest majority-minority county in the country (Bringham, 2018; Rowlands, 2018). Still, Prince George’s neighborhoods are segregated, with a recent increase in the number of neighborhoods in the county with more than 85% of the residents of the same race (Wiggins, Morello, & Keating, 2011).

### Data

Data for the current study come from three primary sources: (1) Prince George’s County Police Department Enforcement Data, (2) Prince George’s County Police Department Calls for Service Data, and (3) Census Data (estimates drawn from the American Community Survey). Each data source is briefly described below, followed by a detailed description of the relevant measures generated from the combined data.

**Prince George’s County Police Department Enforcement Data.** Record data provided by Prince George’s County Police Department (PGPD) contain information for all adults and juveniles subject to enforcement action during the period of October 1, 2009 through September 30, 2015, including incidents involving law enforcement service or response. While the data include information on all enforcements as well as non-crime related services (e.g., distress-related calls for service), the enforcements of primary interest for the current study include misdemeanor arrests and citations (and particularly, the subset of these enforcement actions related to marijuana possession). We were able to identify specific offense-related enforcement through analysis of “classification

codes” used in the records management system. In the data provided, 153 different classification codes (some abbreviated version of the offense or a related phrase) were recorded to describe the underlying offense leading to enforcement. For example, the classification code “NARP2” indicates an enforcement event involving the possession of marijuana. A limitation of the data is that the specific amount of marijuana possessed is not recorded.

**PGPD Calls for Service Data.** Record data for all 911-dialed calls for service received by the PGPD between October 1, 2009 and September 30, 2015 are included in this study. The Calls for Service Data include information on the date and time of dispatch and response, the beat location to which the call was assigned, and the type of call for service. “Call type” descriptions serve a similar purpose but are distinct from that of the classification codes identified in the PGPD Enforcement Data (described above). Call types describe the incident for which a caller is seeking police service. For example, a call type of “CDS” refers to a call in which a citizen requested police assistance for an incident related to a controlled dangerous substance (i.e., drugs).

**Prince George’s County Shape Files and Census Data.** Prince George’s County includes 218 census tracts, 6 districts, and 67 beats. Shape files of beat maps were used to assign census estimates from American Community Survey (ACS) data at the beat-level. Having census information at the beat level allows us the opportunity to conduct localized, beat-level analyses in addition to aggregate, county-wide analyses. Using the ACS 2016 five-year estimates, our census data include detailed demographic breakdowns by age, race/ethnicity, and gender by year.

### Analytic Years

In order to maintain clean time cut-offs between the policy changes of primary interest in this study, an analysis year is defined as spanning from October 1<sup>st</sup> through September 30<sup>th</sup> of the following calendar year. For example, the analysis year 2010 includes all enforcement activities and calls for service that took place between October 1, 2009 and September 30, 2010. It is important to note that we are unable to restrict our census estimates in this way, as we only have calendar year (not monthly) estimates. Therefore, the rates described below are calculated using the census data for the majority year in the analysis year (so, rates for 2010 [Oct. 1, 2009-Sept. 30, 2010] are calculated using census information from calendar year 2010).

### Analyses

Our primary focus is to analyze the trends in enforcement of marijuana possession surrounding successive policy reforms in Prince George’s County. The trend analyses are descriptive, illustrating the changing rate of marijuana-related arrests, criminal citations, and combined total enforcement (arrests plus citations) during the study period (2010-2015). To calculate beat-level rates of enforcement, arrest, and citation, we first determined the total number of marijuana-related enforcements for each beat in each year 2010-2015, using the classification codes from the PGPD enforcement data (described above).<sup>1</sup> To calculate the beat-level rate of marijuana enforcement per 1,000 residents, we first added the total number of marijuana possession arrests to the total number of marijuana possession citations, divided by the total population (aged 16 and older), times 1,000 for each beat-year. We take a similar approach to calculate the marijuana arrest rate and citation rate, dividing the total number of arrests or citations by the total population (16+), multiplied by 1,000 for each beat-year.

As the results presented next will show, the trend analyses revealed a county-wide increase in enforcement after depenalization policy implementation (2013-2014). Although this uptick in enforcement was consistent across beats in the county (and across counties in the state, see Hogan, Rutherford, & Fueston, 2018), beat-level variation in marijuana-related enforcement rates remain. Therefore, as a secondary analysis, we used an Ordinary Least Squares (OLS) regression model to examine beat-level variation in marijuana-related enforcement rates following the change to criminal citation (i.e., the marijuana-related enforcement rate in 2014).<sup>2</sup> The unit of analysis was the beat ( $N=65$ ), which are grouped into six administrative districts by the police department. In the regression, we used robust standard errors, clustered on the district, to address potential spatial correlation in the data. It is necessary to cluster on district because beats in the same district likely have more similar characteristics to each other than to beats in other districts. The measures included in the OLS regression are described below:

**Measures.** The dependent variable in the OLS regression is the *marijuana enforcement rate*, as described in the trend analyses. Consistent with previous examinations of misdemeanor drug enforcement (see Eitle & Monahan, 2009; Mosher, 2001; Parker & Maggard, 2005; Warner & Coomer, 2003), our independent variables included structural factors related to sociodemographic composition and geographic location. Table 1 (at the end of this section)

provides descriptive statistics summarizing all measures.

First, we included a *CDS-related Calls for Service Rate* and *Other Calls for Service Rate* to differentiate between drug and non-drug related calls for service. The calls for service data in the current study includes information on the type of call received. The *CDS-related calls for service rate* was calculated by dividing the total number of calls for service related to “controlled dangerous substances” (call types “CDS” or “CDS Complaint” in the original data) by the total beat population (aged 16 and older), multiplied by 1,000. The *other calls for service rate* was calculated by taking all non-CDS related calls, divided by the total population, and multiplied by 1,000.<sup>3</sup>

Race and ethnicity measures were created by dividing the total number of individuals of each race and ethnicity by the total beat population aged 16 and older. This created a proportion of the total beat that belonged to each racial-ethnic category (*non-Hispanic White, non-Hispanic Black, and Hispanic*).<sup>4</sup> Similarly, age variables (*proportion aged 16 to 20* and *proportion aged 66 and older*) were created by dividing the total number of individuals in a beat within those age ranges by the total number of individuals in that beat of the same reference group. These measures allow isolating the impact of population age skews in beats, which are relevant to enforcement rates. We also included a measure of *population density* because the greater concentration of individuals in smaller spaces likely increases calls for service rates and influences police enforcement practices. We calculate *population density* as the total

beat population (16+), divided by the total square miles of the beat, producing a count of individuals per square mile.<sup>5</sup>

A dummy variable was created to identify the 16 beats directly adjacent to Washington, D.C. (*DC-Adjacent Beat*). These beats have higher rates of both calls for service and enforcement, and disproportionately include D.C. residents subjected to enforcement action in the county. The northeast and southeast quadrants of D.C., which share a border with Prince George’s County, have much higher rates of crime compared to the other two D.C. quadrants (Urban Institute, n.d.).

Additionally, we included an indicator of physical and social disorder, measured as the proportion of all misdemeanor enforcements within a beat-year that involved a disorder-related incident.<sup>6</sup> Lastly, we included *percent female headed households* (in 2010) as an indicator of socioeconomic disadvantage, measured as the percent of all beat households (with at least one dependent) that are female-headed. Four other measures of socio-economic disadvantage – percent unemployed, percent in poverty, percent without a high school diploma, and percent receiving public assistance – were also considered for inclusion. However, whether as individual variables or collapsed into two indices along with female headed household, none of these four variables were statistically significant. The only variable that significantly contributed toward accounting for overall beat-level variation in marijuana enforcement was female headed household, so we included this variable as an indicator of beat-level disadvantage.

**Table 1: Descriptive Statistics for Variables of Interest**

Variable	Mean	SD	Min	Max
Marijuana Enforcement Rate	5.866	5.411	0.095	22.586
CDS-Related Calls for Service	5.856	5.168	0.095	23.336
Non-CDS Calls for Service	933.006	632.566	76.754	3046.790
Proportion Black	0.666	0.223	0.081	0.933
Proportion Hispanic	0.139	0.155	0.013	0.874
Proportion Aged 16-20	0.098	0.041	0.065	0.405
Proportion Aged 66+	0.111	0.029	0.022	0.175
DC-Adjacent Beat	0.246	0.434	0	1
Proportion Disorder	0.220	0.091	0	0.431
Population Density	3322.518	3566.880	109.253	28240.420
2010 Marijuana Enforcement Rate	2.487	1.919	0.110	9.395
2010 % Female Headed Households	20.682	7.251	9.109	40.482

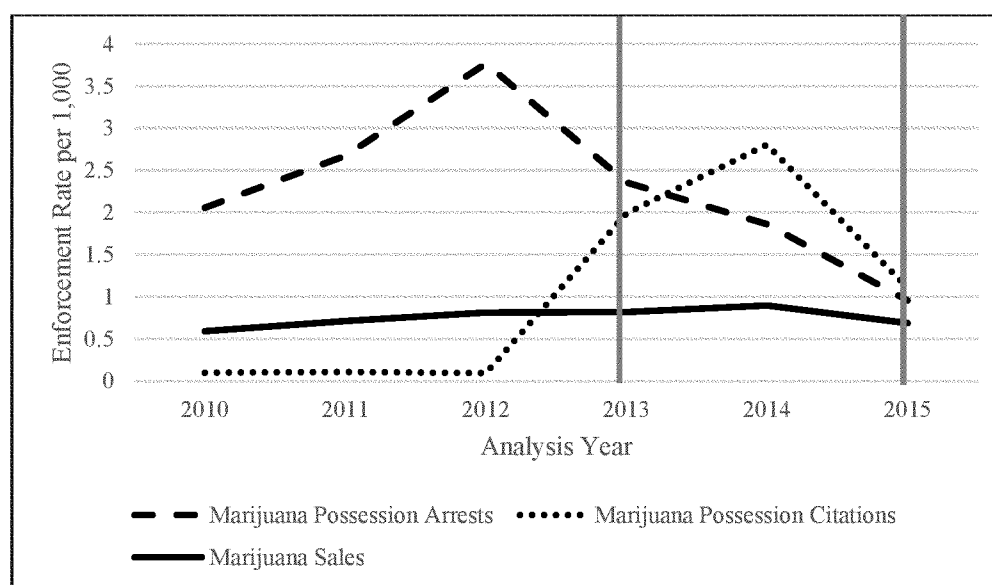


## Results

### Trends in Marijuana Enforcement

To reiterate, the goal of the following trend analyses is not to determine the causal impact of depenalization and decriminalization policies, but to descriptively investigate the trends in enforcement surrounding them. Figure 1 illustrates the county-level trends in marijuana related enforcement over the six-year study period. The vertical lines at analysis years 2013 and 2015 demarcate the three-year period during

which marijuana possession (less than 10 grams) could be subject to criminal citation (2013) and then to civil citation (2015). Importantly, during the overall study period, starting in mid-analysis year 2011, the county experienced a spike in homicides, which resulted in greater overall enforcement activity as county officials and police leadership responded with increased patrol activity, additional resources, and increases in authorized overtime to address the homicide and felony offenses spike. The effects of this surge in enforcement are seen throughout our analysis years 2011-2013.



**Figure 1. County-Level Marijuana-Related Enforcement Rates per 1,000 (2010-2015)**

From 2010 to 2015, there was a 54% decline, from 2.06 per 1,000 in 2010 to 0.95 per 1,000 in 2015, in the county-wide rate of arrest for marijuana possession. Alternatively, the county-wide citation rate increased by 1,031%, from 0.09 per 1,000 in 2010 to 1.11 per 1,000 in 2015.<sup>7</sup> Therefore, over the full period, arrests for marijuana possession were declining, and citation rates for marijuana possession were increasing. However, as illustrated above, there is considerable year-to-year variation.

The only other marijuana-related enforcement activity we can examine, based on classification codes assigned in the data, are arrests for marijuana sales. The rate of marijuana sales (a felony offense) remained relatively stable over the six-year study

period. This is somewhat surprising given the enforcement surge in 2011-2013; however, we would not expect to see major implications of the arrest-criminal citation law changes on higher-level, sales offenses.

Table 2 presents changes in marijuana-related police activity during the six-year study period using measures of average, beat-level marijuana possession arrest, citation, and composite enforcement rates (arrests plus citations) per 1,000 beat residents. We present average beat-level rates for all county beats ( $N=65$ ) in columns 1a-c and the average beat-level rates for a subsample of *high frequency beats* ( $n=18$ ) in columns 2a-c.

**Table 2. Average Beat-Level Marijuana Possession Enforcement Rates per 1,000 (2010-2015)**

Year	All Beats (N=65)			High Frequency Beats (n=18)		
	1a <i>Total</i>	1b <i>Arrest</i>	1c <i>Citation</i>	2a <i>Total</i>	2b <i>Arrest</i>	2c <i>Citation</i>
2010	2.49	2.38	0.11	4.24	4.12	0.12
2011	3.39	3.25	0.14	5.07	4.92	0.15
2012	4.82	4.71	0.11	6.04	5.90	0.14
2013	5.70	3.07	2.63	7.34	3.93	3.42
2014	5.87	2.40	3.47	7.18	2.84	4.34
2015	2.56	1.28	1.28	2.75	1.46	1.28

High frequency beats represent a subset of county beats with high concentrations of marijuana enforcement in 2010 at the beginning of the study period, prior to any legal changes. The subset of 18 high frequency beats collectively accounted for 50% of all marijuana enforcement in 2010, with the remaining 50% of enforcement contributed by the other 47 beats.

Examining arrests and citations for marijuana possession separately provides some evidence for the claim that criminal citations replace arrests for marijuana possession in later analysis years, implying that the 2013 shift to criminal citations had the intended result of reducing arrest rates for marijuana possession. However, while arrests are declining over the period and citations are rising through 2014, we did not observe a complete displacement effect of arrests to citations. This point is best illustrated by examining the total enforcement rates during the period. If marijuana possession arrests were simply being replaced with criminal citations (in 2013-2014), then we would expect the total enforcement rate to remain stable or decline over this period. However, the opposite is true. Considering all county beats, the total enforcement rate steadily increased from a low of 2.49 per 1,000 in 2010, to a peak of 5.87 per 1,000 in 2014, the second (and last) year of implementation of criminal citations for possession of less than 10 grams. We see a similar pattern for high frequency beats, though the peak average total enforcement rate (7.34 per 1,000) occurred one year earlier in 2013, the first year of implementation of criminal citations. The most dramatic impact on arrests and total enforcement rates came later, in 2015, the first full year of implementation allowing civil citations for possession of less than 10 grams.

The total enforcement, arrest, and citation trends through 2014 suggest that in addition to a potential replacement effect (i.e., some fraction of arrests is

likely being replaced with citations), the inclusion of criminal citations as an enforcement option for lower-level marijuana offenses appears to have a net-widening effect. We discuss this possibility in greater detail in the following discussion section. It is also important to reiterate that due to the nature of the classification codes used in the enforcement record data, the total enforcement and arrest rates include marijuana possessions of both less than 10 grams (eligible for criminal citation) and greater than 10 grams (not eligible for criminal citation). Therefore, some unknown fraction of enforcement and arrest is attributable to more serious possession offenses, where the amount of marijuana is greater than 10 grams, but not large enough to meet the threshold amount suggestive of marijuana sales activity (which is captured by a separate classification code).

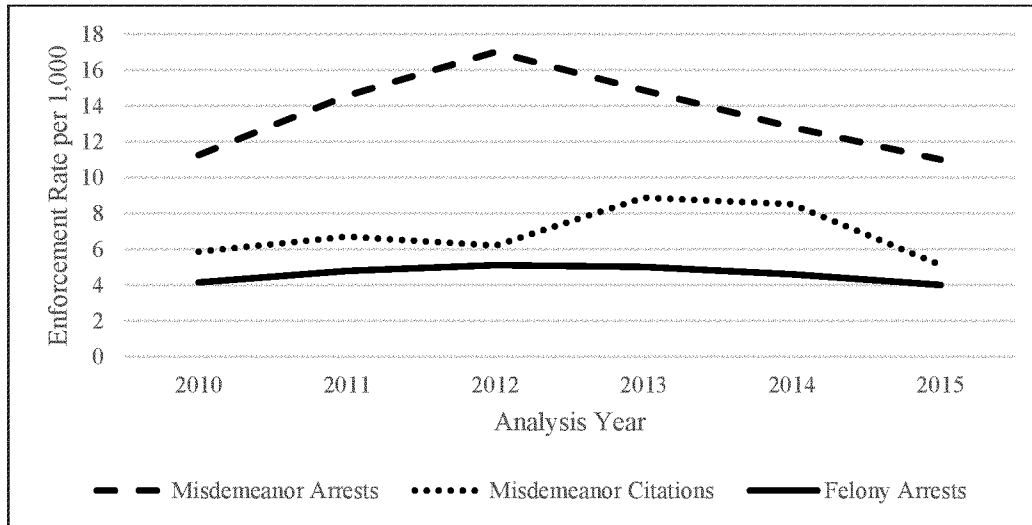
**Impact on Overall Misdemeanor Enforcement**

In addition to changing enforcement related to marijuana possession, the legal change from arrest to criminal citation (and the subsequent change to civil citation) also had an impact on the distribution of misdemeanor arrests in the county. To contextualize the changes in marijuana enforcement, Figure 2 displays the overall county-level trends in misdemeanor arrest and citation rates, as well as the felony arrest rate, over the study period. While Figure 2 (below) illustrates the spike in enforcement of misdemeanor offenses between 2011 and 2013, it also shows the decline in misdemeanor arrests and citations following the spike. When excluding the spike in enforcement, the rate of misdemeanor enforcement for all offenses remains remarkably stable when comparing 2010 to 2015.

As highlighted by Figures 1 and 2, changes in marijuana-related enforcement are just one aspect of the impact of the policy changes regarding marijuana enforcement during 2013 and 2015. Figure 3 (below)

displays the change in percentage of the total *misdemeanor* enforcement rate for the whole county during the study period. For each year, we examined the 10 most commonly occurring misdemeanor offenses that resulted in arrest. The six offenses

presented in Figure 3 were those included among the top five most common offenses in at least one of the study period years.



**Figure 2. Prince George's County Enforcement Rates per 1,000 (2010-2015)**

In the beginning of the study period (2010-2011), marijuana possession accounted for almost 20% of all misdemeanor arrests in Prince George's County and was the most common misdemeanor offense resulting in arrest. However, by the end of the study period (following the legal changes in marijuana enforcement), marijuana possession accounted for approximately 15% (2014) and 9% (2015) of all misdemeanor arrests. From 2010 to 2015, the percentage of misdemeanor arrests for marijuana possession declined by approximately 55%. By 2015, marijuana possession had dropped to the fifth most common misdemeanor arrest.

With marijuana possession contributing less to misdemeanor arrest totals, other offenses became more prevalent. As illustrated in Figure 3, assault (non-aggravated), disorderly conduct, driving under the influence, and, most notably, "other traffic offenses" saw relative increases in their percentage contribution to misdemeanor arrest totals. For example, in 2010 "other traffic offenses" accounted

for 7% of all misdemeanor arrests but increased to account for 13.9% of misdemeanor arrests in 2015. Put another way, "other traffic offenses" was the sixth most common misdemeanor arrest in 2010 but the second most common misdemeanor arrest in 2015.

Relatedly, the overall contribution of most-frequent offenses to total misdemeanor enforcement counts remained stable over the study period. For example, in 2010, the top 10 most common offenses collectively accounted for 78.12% of all misdemeanor arrests in that year. Similarly, the top 10 offenses in 2015 collectively accounted for 81.92% of misdemeanor arrests in that year. Comparable percentages were observed in the middle of the study period as well, with the top ten offenses accounting for 81.44% of all misdemeanor arrests in 2013. The stability of the relative contribution of these offenses suggests that the large majority of misdemeanor enforcements is concentrated in a core subset of all potential arrestable misdemeanors.

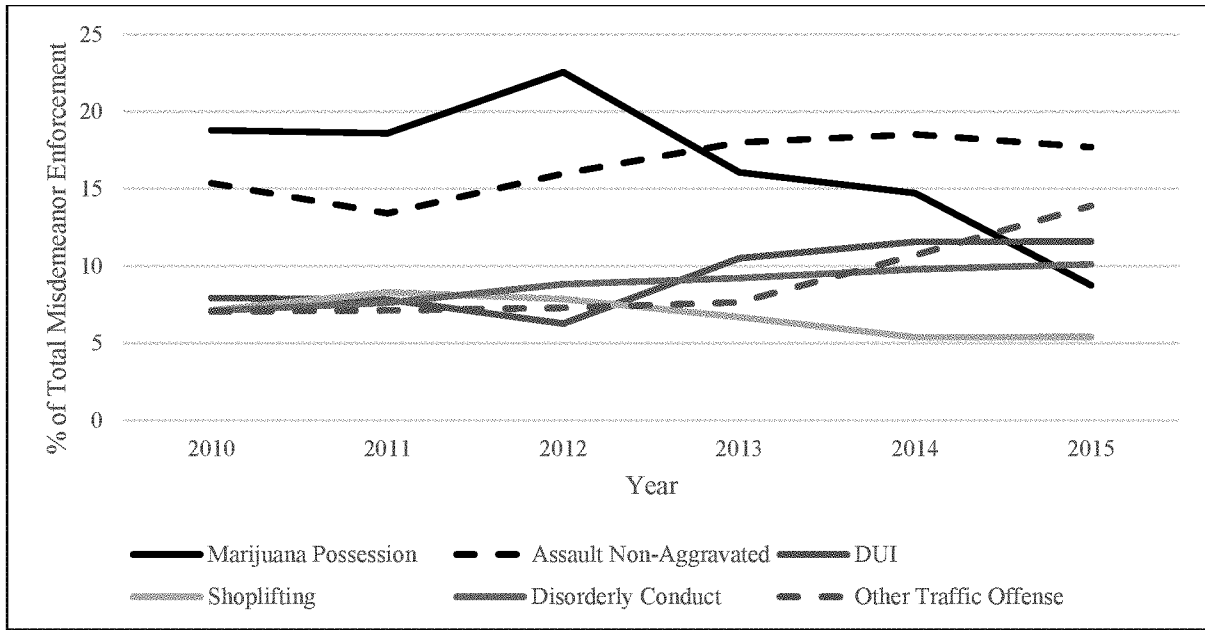


Figure 3. Percentage of Total Misdemeanor Enforcement Composed by Top Offenses, 2010-2015

**Explaining Beat-Level Variation in Marijuana Enforcement in 2014**

In addition to describing various trends in overall misdemeanor and marijuana-related enforcement during the study period, we analyzed beat-level variation in marijuana enforcement rates using an OLS regression model (Table 3). While the trend analyses show a county-wide increase in overall enforcement following the depenalization of marijuana possession (i.e., in 2013-2014), the regression analysis allows examination of how much of the overall beat-level variation in marijuana enforcement rates may be accounted for by a set of variables understood to be relevant to enforcement and which of those variables in particular do so significantly.<sup>8</sup>

Overall, the model presented here explains approximately 84% ( $R^2=0.842$ ) of the total variation in beat-level marijuana enforcement rates in 2014.<sup>9</sup> Both CDS-related calls for service and non-CDS calls for service are positively and significantly related to the marijuana enforcement rate, suggesting that the marijuana enforcement rate in 2014 was higher in beats that had higher CDS and non-CDS calls for service rates. Given that much of police work is driven by citizen requests for service, this finding is not particularly surprising.

Proximity to Washington, D.C., is also positively related to the 2014 marijuana enforcement rate, suggesting that beats adjacent to Washington, D.C., had higher rates of marijuana enforcement. We elaborate on this finding in two ways. First, Prince

George’s County wraps around the northeast and southeast borders of Washington, D.C., which contain some of the city’s most disadvantaged communities. Second, the numerator of our outcome measure includes D.C. residents who were subject to enforcement by PGPD (the census data used for the denominator does not include D.C. residents). In 2014 specifically, D.C. residents accounted for approximately 16% of all marijuana possession arrests and 12% of all marijuana possession citations. So, the positive relationship between D.C. proximity and marijuana possession enforcement rate may be partially attributable to the greater presence of D.C. residents who are subjected to arrest or citation in those beats.<sup>10</sup>

Proportion Hispanic is negatively related to the 2014 marijuana enforcement rate, indicating that beats with higher proportions of Hispanic residents have lower rates of marijuana possession enforcement. Interestingly, there is substantial overlap between the few beats with high Hispanic populations and D.C. adjacent beats. The negative coefficient for proportion Hispanic indicates that, despite their proximity to D.C. (positively associated with enforcement rates), beats with higher concentrations of Hispanic residents have a lower enforcement rate, all else being equal.

Lastly, percent female headed households is positively related to the 2014 marijuana enforcement rate. This relationship suggests that socioeconomically disadvantaged beats, with relatively more female headed households, experience higher rates of marijuana possession enforcement.

**Table 3. Results from Multivariate Ordinary Least Squares Regression (2014, N=65 beats)**

Outcome: Marijuana Possession Enforcement Rate		$R^2 = 0.842$
	Standardized $\beta$	Robust Std. Error
CDS-related Calls for Service Rate	0.645	0.210**
Non-CDS-related Calls for Service Rate	0.685	0.124***
Proportion Black (Aged 16+)	-0.217	0.114
Proportion Hispanic (Aged 16+)	-0.254	0.088**
Proportion Aged 16-20	0.048	0.045
Proportion Aged 66+	0.195	0.149
DC-Adjacent Beat	0.324	0.091***
Proportion Disorder	0.007	0.041
Population Density	0.143	0.147
2010 Marijuana Enforcement Rate	0.175	0.065*
2010 % Female Headed Households	0.234	0.102*
Constant	-4.370	3.703

\*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.1$

## Discussion

The current study describes the relationship between legal changes related to marijuana possession enforcement and the level and composition of subsequent enforcement activity in Prince George's County during 2010 to 2015. Over time, average, beat-level marijuana possession arrest rates declined, while criminal citation rates increased (through 2014). The Prince George's County criminal citation trends are consistent with overall Maryland state-level trends. In Prince George's County and in the state of Maryland, criminal citations peaked in 2013-2014, followed by a rapid decline in 2015, when the state enacted the civil citation law (Hogan et al., 2018). Additionally, the decline in marijuana possession arrest rates after depenalization is consistent with trends presented in extant work on similarly permissive policies, such as low-priority initiatives in California (Ross & Walker, 2016).

One possible explanation for the divergent trends in arrests and criminal citations draws on the concept of substitution or replacement effects. That is, individuals who were arrested for marijuana possession of less than 10 grams in the pre-change period (2010-2012) would instead be criminally cited

(starting in 2013). However, considering the overall increase in total marijuana possession enforcement rates (arrests and citations combined), during the period between 2010 and 2014 (as shown in Table 2), it appears that the addition of criminal citations as an enforcement option for lower-level marijuana offenses had a net-widening effect. That is, individuals who previously received no enforcement (or received an unofficial sanction, like a warning) for low-level possession of marijuana were then (in 2013-2014) issued criminal citations. Therefore, in addition to replacement effects (that are likely occurring for some fraction of the enforcement population), arrests remain relatively stable over the period while citations are increasing, resulting in a greater number of total possession-related enforcements during the two-year period of criminal citations.

In his study of cannabis reclassification in the United Kingdom (UK), Shiner (2015) reports a similar phenomenon. Reclassification of cannabis in the UK resulted in an operational presumption against arrest for cannabis possession in the absence of aggravating circumstances (e.g., public use, juvenile status, repeat offending; Shiner, 2015; Trace, Klein, & Roberts, 2004). Shiner (2015) reports that after reclassification occurred in 2004, the number of people receiving formal sanctions for drug possession offenses more than doubled. Street warnings, the preferred post-

reform sanction, counted as an official sanction in productivity standards while also being more time-efficient than arrests. In the first year after reclassification, street warnings saved more than 250,000 officer hours (May, Duffy, Warburton, & Hough, 2007; Shiner, 2015). Considering this fact, Shiner (2015) argues that the net-widening effect of reclassification is a byproduct of a performance metric system that incentivized officers to target cannabis possession by providing a fast-track through which officers could reach productivity targets by issuing formal warnings where they had previously proceeded informally.

While our results suggest that the legal change from arrests to criminal citations in Prince George's County may have had unintended consequences, our results also provide preliminary evidence that the shift to civil citations in 2015 was accompanied by an overall decline in total enforcement rates, arrest rates, and criminal citation rates for marijuana possession. Recalling the 2015 rates presented in Table 2, the decline is consistently seen in all beats in the county, as well as in the high-frequency enforcement beats. While the patterns for all beats and the subsample of high-frequency beats were similar over the full period, the high-frequency beats consistently had higher average beat-level rates for each type of enforcement. However, in 2015, the average beat-level total enforcement, arrest, and citation rates for marijuana possession in high-frequency beats were nearly identical to the rates for all beats. Unfortunately, with the current data, we are unable to investigate whether the declines in enforcement rates upon the switch to civil citation were sustained after September 30, 2015.

However, understanding the implementation consequences of decriminalization of this type is important. In their study of California's low-priority initiative, Ross and Walker (2016) found similar declines in arrest, but they also found a lagged effect, suggesting that it takes time for police to adjust their enforcement behavior. This may be especially true in the case of Prince George's County where two state-wide marijuana-related policy changes occurred within a three-year period. Given the short follow-up period (post-decriminalization) in the current study, it is possible that additional reductions in marijuana possession enforcement may have continued after the study period as officers adjusted their practices.

As the percentage of all misdemeanor enforcement composed of marijuana possession arrests declined over the study period, other offenses replaced marijuana possession as the most common misdemeanor offenses subject to enforcement (e.g., non-aggravated assault and traffic-related offenses). These results suggest that legal changes related to marijuana possession have implications not only for

the enforcement of marijuana possession, but also for all common misdemeanor offenses. Therefore, in addition to their association with overall rates of enforcement, the changing rates of arrest for other misdemeanor offenses are also an important consequence of reform efforts addressing low-quantity marijuana possession.

Taken together, our findings support the limited prior research on depenalization of marijuana possession and its impact on law enforcement activity. Our results echo Adda and colleagues' (2014) conclusion that depenalization policies enabled police officers in their study to reallocate enforcement efforts to non-drug crimes. Similarly, Makin and colleagues (2019) found that decriminalization was associated with increased clearance rates for violent and property crime offenses in Colorado and Washington state, suggesting a shift in the allocation of resources from drug to non-drug crime. Maryland's legal changes allowed officers to focus on other offenses, as indicated by the shift in composition of misdemeanor arrests over the study period. While the legal changes implemented provided officers with new enforcement options for marijuana possession offenses, organizational policy did not dictate which offenses should be increasingly subjected to full-custody arrests in place of marijuana possession. Therefore, the shift in enforcement to other traffic offenses, non-aggravated assault, disorderly conduct, and driving under the influence indicates that some level of officer discretion was exercised in the context of other common offenses encountered during patrol.

While our goal is to focus primarily on the impacts of decriminalization policies for misdemeanor enforcement, we make a brief note about the potential impacts on felony enforcement, as the potential for reallocation to more serious crime typically promotes policy adoption. As illustrated in Figure 2, the depenalization and decriminalization policies in Prince George's County were not accompanied by shifts in *felony* marijuana arrests (e.g., distribution, sales, etc.). In fact, felony marijuana arrests remained relatively stable over the six-year period. Our finding adds to the mixed evidence on the reallocation of police resources to more serious crime. As mentioned above, Makin and colleagues (2019) found increases in UCR Part I violent and property offenses, many of which are classified as felonies, suggesting that decriminalization achieved the intended shift. Alternatively, despite finding an overall decline in low-level marijuana arrests, Ross and Walker (2016) found no evidence that officers reallocated enforcement activity toward felony offenses.

### Limitations

While the current study provides a key first step in describing the enforcement changes associated with the depenalization and decriminalization of marijuana possession, there are several limitations that warrant acknowledgement.

As mentioned previously, we are unable to isolate the subset of marijuana possession offenses that meet the threshold weight of less than 10 grams. Therefore, our arrest and total enforcement rates also include some fraction of cases in which the offender possessed more than 10 grams of marijuana. The legal changes to criminal and civil citation should not affect the subset of cases in which the amount was greater than 10 grams. Relatedly, we do not have information about incidents in which officers chose not to make an arrest or criminal citation. Thus, we do not have information about low-level possession offenses that resulted in a warning or other non-enforcement (e.g., the officer stopped the individual, but did not arrest).

For 2015, we do not have any data on the number or associated characteristics of civil citations issued (which should then have made up a majority of low-level possession enforcement). Also, because our data captured police enforcement actions rather than offenses known to law enforcement, we are unable to investigate how legal changes influenced marijuana possession or use subject to legal sanction. The only indirect measure available of public demand for police attention – calls for service related to controlled substances – although highly correlated with marijuana possession enforcement, includes calls regarding all controlled substances, and all activity related to them.

A final limitation regarding the generalizability of the findings presented here involves the unique demographic and socioeconomic characteristics of Prince George's County as a study site. As noted previously, it is typically described as the wealthiest majority-minority county in the United States. However, given that the trends in citation issuance there closely mirrored those for the state of Maryland as a whole, the county's enforcement trends cannot be said to be anomalous within the state. Another caveat involves the county's residential and population density profile, which includes a mix of urban, suburban, and rural areas. Local study sites, whether cities or counties, are typically more homogenous than our study site.

### Conclusion

The results described here suggest that changing arrest policies for low-quantity marijuana possession led to increases in enforcement for other low-level

misdemeanor offenses. Additionally, our findings shed light on net-widening as a potential unintended consequence of decriminalization reforms. The increase in overall enforcement rates for marijuana possession offenses during the study period (through 2014) suggests that possession of less than 10 grams of marijuana was not a significant subset of all marijuana possession arrests.

There are several potential mechanisms through which net-widening may occur. First, rather than observing a complete replacement effect from arrests to citations, we see that the overall enforcement rate increased over the study period, while arrests remained relatively stable, and citations increased. This trend suggests that during the pre-policy change period (2010-2012), officers primarily chose to make an arrest when the possession amount was greater than 10 grams and primarily chose no enforcement when the possession amount was less than 10 grams (although there are likely exceptions in each case). Then, when criminal citations were introduced as an enforcement option for low-quantity possessions, in addition to replacing some subset of arrests, citations also replaced what was previously subjected to "no enforcement," resulting in an overall increase in enforcement rates.

Relatedly, for those cases in which an officer made an arrest for possession of less than 10 grams, there is a second exercise of discretion to be considered – that of the prosecutor. We do not know what subset of arrests were for possession of less than 10 grams, and of that proportion (whatever it may be), we do not know what fraction of arrests were ultimately prosecuted. (For example, in a study of marijuana possession arrests and case processing outcomes in New York City, the most common disposition for such arrests was "adjournment in contemplation of dismissal" at 55.7% of all dispositions for the year 2016 [Patten et al., 2019]). Because the prosecutor exercises discretion over which offenses are prosecuted, it is likely that, of the low-level possession arrests that did occur, a not insignificant number were never prosecuted, much less convicted or sentenced. On the other hand, we also do not know how often criminal citations were contested and overturned or were met with non-compliance, resulting in a subsequent issuance of a warrant and/or arrest (e.g., for failing to pay the associated fine).

The descriptive analyses presented here show that depenalization (moving from arrest to criminal citation) in Prince George's County increased the total enforcement rate for marijuana possession. The legal change also impacted the overall composition of misdemeanor arrests during the study period, as depenalization enabled officers to reallocate resources

to other low-level misdemeanor crimes. Taken together, these results suggest that fully understanding the ways in which reform efforts intentionally or unintentionally impact the level and composition of police enforcement should be examined closely, in order to explain and predict how such reforms produce enforcement changes beyond the immediate goal of marijuana possession depenalization.

While we hesitate to make policy recommendations in light of these findings from one study site, the findings do recommend a need for more data and evidence when developing marijuana decriminalization reforms. For example, if the target of reform is to reduce the number of low-level marijuana possession arrests, documenting how many such arrests are actually happening will allow policymakers to anticipate the potential impact of depenalization or decriminalization on arrests. Since the quantity possessed is not captured in PGPD's administrative record data, this would not have been possible to determine in the current study but could be detectable through surveys or interviews with patrol officers.

Relatedly, when such reforms are passed, public safety benefits are often invoked – freeing patrol resources to concentrate on serious offenses. That rationale assumes, though, that marijuana possession enforcement is being prioritized over dealing with more serious crimes. Our findings suggest that marijuana possession arrests were focused on larger quantities than targeted by the reforms, and that, when such arrests declined, they were replaced with other high-frequency misdemeanor offenses. Even a shift to other misdemeanor offenses can produce public safety benefits, such as greater enforcement against driving under the influence and other traffic offenses. Felony enforcement did not increase, and misdemeanor arrest levels did not decline, but rather, other common misdemeanors increased. Thus, some examination of all common misdemeanor offenses would allow policy makers to better anticipate the potential enforcement displacement effects of such reforms.

While the results presented here are a first step toward understanding the consequences of depenalization, we propose several items for future inquiry. First, the results from our study show the immediate impacts of two successive legal changes on enforcement outcomes. More recent data would allow us to examine whether the trends in enforcement outcomes were sustained after 2015. Additional data collection will also allow us to further disentangle the impacts of moving to civil citations, which from the current data, appears to be associated with a universal decline in enforcement for high-frequency beats and all beats alike.

We hope to also examine the overall decline in CDS-related calls for service during a time in which the legal landscape surrounding marijuana possession became increasingly permissive. Since calls for service are an important driver of police enforcement activity, changes in public demand for enforcement may be the critical mechanism that achieves the enforcement reductions sought by the legal reform. Finally, it is not only important to consider the impacts of decriminalization and depenalization on law enforcement outcomes, but also to consider the ways in which such policies impact the criminal justice processing of cases. In the future, we hope to differentiate the quantities associated with marijuana possessions to identify the proportion of low-quantity possessions that result in arrest and follow such cases through the prosecutorial, sentencing, and correctional stages of the criminal justice system.

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### *Funding Information*

This project was supported by the Research Network on Misdemeanor Justice, funded by an Arnold Ventures grant to the Data Collaborative for Justice, at John Jay College of Criminal Justice.

### *Acknowledgements*

The authors are grateful to two anonymous reviewers, Preeti Chauhan and Meredith Patten, and Kiminori Nakamura for providing important comments and suggestions on an earlier draft. This study was supported by a grant from Arnold Ventures to the Data Collaborative for Justice at the John Jay College of Criminal Justice, in support of the Research Network on Misdemeanor Justice. Quinn Hood and Shannon Tomascak helpfully provided Census estimates for this study. We also thank the Prince George's County Police Department for providing the data necessary for this study. It should be noted that the findings, analysis, and conclusions of the authors do not necessarily represent official positions of their home institutions and the funding source.

### Endnotes

<sup>1</sup> Importantly, our marijuana enforcement rate measure encompasses misdemeanors only. As discussed in the Data section of this paper, the enforcement data gathered from PGPD were composed of brief, descriptive classification codes. The authors used these codes to assign misdemeanor and felony designations to each offense. However, due to the simplicity of some of these codes, it was difficult to identify an offense as a misdemeanor or a felony. This is an issue in the current paper because marijuana possession offenses in the police data were not identified by the amount of marijuana possessed, obscuring the misdemeanor/felony 10-gram designation. As a result, all marijuana possession offenses within the data were classified as misdemeanors although this category certainly contains both misdemeanor and felony offenses.

<sup>2</sup> We restricted the analysis to 2014, for the following reasons: (a) 2014 was the second year of implementation of criminal citations as an option for enforcement of marijuana possession offenses, and although the policy was initiated in analysis-year 2013, it is likely that the full practical implementation of the policy and the procedures associated with it (e.g., obtaining equipment, like scales, for each officer on the force) and officer experience in issuing the new citations took time; and (b) unlike enforcement rates during 2011-2013, 2014 was not affected by the increase in enforcement due to the homicide surge. We also conducted an ordinary least squared regression including analysis years 2013 and 2014 ( $N=130$  beat-years). The results of this analysis were substantively similar to those presented in Table 3. One divergence in results was the importance of the 16-20-year-old population for explaining beat-year variation in marijuana enforcement rates, which were positively and significantly related to enforcement rate in the 2013-2014 analysis. Results available upon request.

<sup>3</sup> It is important to note that call type information is dependent on citizen reports to the dispatcher and the subsequent communication between dispatcher and police. Despite the similarity between the average CDS-related calls for service rate and the marijuana enforcement rate (see Table 1), an important caveat regarding the meaning of CDS-related calls for service rate must be noted. The CDS calls for service may not capture all drug-related calls, and the other calls for service may encompass some drug-related calls for service. Additionally, CDS is not limited to marijuana, and therefore, CDS calls for service likely include citizen complaints about other drugs and other drug-related activity.

<sup>4</sup> Prince George's Police Department enforcement data included additional race/ethnicity categories of Asian/Pacific Islander and American Indian, but due to their small representation within Prince George's County and due to the lack of differentiation in the census' "Non-Hispanic Other" category, our racial and ethnicity variables focus on the larger segments of White, Black, and Hispanic residents. However, enforcement events involving individuals identified as Asian/Pacific Islander or as American Indian were not excluded from the enforcement totals or rates.

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<sup>5</sup> As indicated by the summary statistics presented in Table 1, there is substantial variation in the population density of beats in the county. More urbanized and smaller beats are concentrated in the western half of the county. During the study period, there were no changes to Prince George's County's beat boundaries.

<sup>6</sup> Disorder was one of seven offense-type categories to which each classification code was assigned in the process that also created the misdemeanor/felony categorization. Disorder-assigned classification codes included offenses and incidents typically thought of as public order offenses, such as "disorderly (conduct)," "drunkenness," "indecent exposure," "vice/prostitution," "truancy," and "vandalism." These offenses capture both physical and social-behavioral disorder indicators.

<sup>7</sup> Negligible citation rates (close to 0) do appear in the data pre-2013. However, because marijuana possession was not legally eligible for criminal citation, we believe these small numbers of cases are data entry errors in the administrative police record system.

<sup>8</sup> Per reviewer suggestions, we also estimated a negative binomial model. The results of the negative binomial (available upon request) were substantively similar to the results of the OLS regression presented in the paper. Because the goal of the regression analysis is to explain the variation in marijuana-related enforcement, we chose to present the OLS results, as the R-squared estimate provides a more interpretable measure of the variation accounted for. Similarly, one reviewer suggested the use of an interrupted time series design. It is true that such a design would be advantageous for determining policy impacts (to supplement the trend analyses). However, our data do not permit such an analysis because we do not have monthly level census data to allow for precise measurement of covariates relative to the policy changes. Additionally, we do not have sufficient follow up data post-2015 to examine the impact of the second law change.

<sup>9</sup> To address potential concerns of multicollinearity, we calculated variance inflation factors (VIFs) for the regression model presented in Table 3. The highest VIFs were observed for proportion Hispanic (VIF=6.91) and proportion Black (VIF=5.39), both of which are well below the threshold of 9 deemed acceptable in prior work (Fox, 1991; Hoffmann & Shafer, 2015).

<sup>10</sup> One reviewer suggested that the depenalization and decriminalization reforms in Prince George's County may have increased foot traffic from out-of-county residents coming into the county to purchase or use marijuana, therefore increasing the number of persons subject to citation. Over the study period (2010-2015), there were changes in the distribution of residential status of those subjected to enforcement. In 2010, out-of-county residents made up approximately 18% of marijuana enforcement. In 2015, out-of-county residents made up approximately 26% of marijuana enforcement. Looking just at marijuana arrests, the proportion of out-of-county persons arrested changed from 17.5% in 2010 to 29.67% in 2015. However, looking only at marijuana citations, the proportion of out-of-county persons subject to citation decreased from 25.7% to 22.28%. Because changes in out-of-county representation were concentrated in arrests, we suggest that out-of-county residents may have been more likely to be in the county to sell, rather than possess and use.



CRIMINOLOGY, CRIMINAL JUSTICE, LAW & SOCIETY

## ABOUT THE JOURNAL

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*Criminology, Criminal Justice, Law & Society (CCJLS)*, formerly *Western Criminology Review (WCR)*, is the official journal of the Western Society of Criminology. This peer-reviewed journal builds on the mission of its predecessor by promoting understanding of the causes of crime; the methods used to prevent and control crime; the institutions, principles, and actors involved in the apprehension, prosecution, punishment, and reintegration of offenders; and the legal and political framework under which the justice system and its primary actors operate. Historical and contemporary perspectives are encouraged, as are diverse theoretical and methodological approaches. *CCJLS* publishes theoretical and empirical research on criminology, criminal justice, and criminal law and society; practice-oriented papers (including those addressing teaching/pedagogical issues); essays and commentary on crime, law, and justice policy; replies and comments to articles previously published in *CCJLS* or *WCR*; book and film reviews; and scholarly article reviews.

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This issue of *CCJLS* was supported by generous contributions from:



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## *Preface and Reviewer Acknowledgements*

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Over the past several decades, Criminology/Criminal Justice as an academic field of study has grown at an unprecedented rate in its interdisciplinary breadth and depth of scholarship, growth within the field, and advances in science, technology, and evidence-based practice. In a relatively short time period historically, Criminology/Criminal Justice has become an umbrella discipline with its own distinct identity as inherently interdisciplinary spanning multiple fields of study and practice. Criminology/Criminal justice increasingly encompasses areas of scholarship beyond the traditional criminology and criminal justice focus on criminological theory and police, courts, corrections to include intersecting fields such as forensic science, forensic psychology and psychiatry, victimology and victim services, restorative and community justice, critical race theory and gender studies, public health, mass media technology, and computer science. At this time of fast-paced in our own and other disciplines, we are challenged as scholars to engage in methodologically innovative research that matters to increase opportunities for justice and to better understand and improve the lives and lived realities of justice-involved individuals, victims and survivors of crime, criminal justice professionals, and communities. The discipline continues to advance interdisciplinary investigation that integrates multiple lines of scholarship from a broad range of fields of study, perspectives, voices, methodological frameworks, and perspectives. The scope of scholarship at the core of the mission of CCJLS -- "to promote understanding of the causes of crime, methods used to prevent and control crime, the institutions, principles, and actors involved in the apprehension, prosecution, punishment, and reintegration of offenders; and the legal and political framework under which the justice system and its primary actors operate. Along these lines, our editorial philosophy aligns with the mission of CCJLS with the goal of further advancing scholarship that is interdisciplinary in nature, broad in scope in terms of multidisciplinary connections, methodologically innovative inclusive of frameworks that bring to the forefront a range of voices and perspectives, applied with recognition of academic-practitioner partnerships, and cognizant of the fast-paced and changing role of science and technology in criminology/and criminal justice.


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