



Does marijuana legalization bring crime? The data may surprise you

By Mark Menard

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2022 marks the 10th anniversary of the nation’s first experiments in legalizing marijuana, a saga marked with raging debate about what approval would mean for criminal behavior. Opponents depicted legalization as paving the way for drug-soaked kids to stumble into lives of crime.

“Thugs put on masks, they come to your house, they kick in your door. They point guns at you and say ‘give me your marijuana, give me your money.’” That was the dire warning from Sheriff Tom Allman in 2014 when he urged voters in Colorado to reject legalization, per New Republic.

Looking back on a decade of data, did any of the dire predictions come true about weed mania? The short answer appears to be 'no.' If anything, states with legal weed have had declining rates of overall crime.

Both Colorado and Washington made “legal weed” official in 2012, and since those groundbreaking “yes” votes in support of pot, another 17 states (and the District of Columbia) have followed in their footsteps, with several others opting to okay the medicinal uses of marijuana if not the recreational ones.

But with 33 states still hesitant to make full recreational use fully legal, the question remains: What do the numbers tell us?

One frequently-cited argument on the “con” side whenever the weed debate arises goes like this: If marijuana is made legal, the crime rate will rise.

It's an especially favored talking point for the political sphere's right wing, as evidenced recently by Tucker Carlson's Fox News rant about the mass shooter who victimized an Independence Day celebration in Highland Park, Ill.

"They're high on government-endorsed weed. 'Smoke some more, it's good for you,'" Carlson fumed, also railing against prescription medications endorsed by mental health professionals, social media, video games and pornography.

That's quite a list, but it's a list that once again includes legalized marijuana and associates it with crime. So of course, the question must be asked: Is there any merit to this belief that legalizing marijuana will have an unwanted effect on the crime rate? Does taking one crime off the table by allowing pot to be sold with the same restrictions as alcohol and tobacco cause more crime to bloom alongside the state's newest batch of crops?

The good news: There is now as much as a decade's worth of data in some places to sift through, though other areas don't have quite as large a sample size. But data is only as good as its interpretation. Otherwise, it's just a bunch of numbers. So what's pertinent and what's irrelevant to the conversation?

SETTING THE PARAMETERS

For the purposes of this study, Audacy used the numbers publicly available from the Federal Bureau of Investigation's [Crime Data Explorer](#) website. Then we honed in on the year of legalization for all 17 states (and D.C.) and looked at the year prior and the year following legalization.

What we found: There wasn't much change. Certainly not enough change was evident to warrant making it a key talking-point either for or against legalization.

So that leads to another question: What does it mean? Is this anything? Are there any advantages or disadvantages to marijuana's legalization when it comes to its impact on the local crime rate?

SCALING THE MOUNTAIN OF STATISTICS

Jeffrey Miron, an economist at Harvard who also does research for the Cato Institute, a libertarian think tank based in Washington, D.C., did a deep dive on this exact question just last year, analyzing marijuana legalization using several different metrics.

[His extensive report features](#) such varied areas as the effect on other substance abuse, road safety, budgetary impacts, economic outcomes and, of course, crime.

The report even quotes former Douglas County, Colo., Sheriff David Weaver, now a U.S. Marshal, who warned in 2012, prior to his state's legalization vote, that Coloradoans should "expect more crime, more kids using marijuana, and pot for sale everywhere."

"The first thing I think is useful to think about is what should the effect be of marijuana legalization on crime? And if you ask that question, you'd then immediately have to say, well, which crimes are we talking about?" Miron told Audacy News.

“You expect the number of arrests for marijuana offenses to go down, because those offenses are no longer actually offenses. If it's legal to possess marijuana, then no one should be arrested for possessing marijuana.”

What that leads to, Miron said, is a reordering of police priorities. If police are no longer spending time arresting and booking people charged with marijuana offenses, they can allocate their time towards investigating other crimes. And the result is that, in most places, the numbers continue to adhere relatively closely to the national rate of fluctuation.

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“They might make more arrests for vagrancy or loitering of the same people that they had previously arrested on marijuana charges, but can no longer arrest on charges,” Miron said. “That doesn't mean the amount of actual crime has gone up, if that happens, but it might mean that there are reporting effects, which are going to make it hard to sort out what was really going on in the data.”

Miron also said that in many places where marijuana is legalized, there is a decided ramping-down of enforcement and arrests for marijuana offenses once the votes are cast and the writing is on the wall, “so there wasn't actually a dramatic change in the behavior of the police with respect to the marijuana industry.”

QUALITY OVER QUANTITY

Small-business owner Louis Bradford believes that the quality of law enforcement has risen in New York City since legalization, even if the quantity of arrests saw little change.

Bradford owns #PowerFlowers, the first Black-owned marijuana dispensary in the Big Apple, and he told Audacy News that, in his opinion, there's a noticeable difference in the effectiveness of the NYPD.

“It was like it was being forced,” Bradford said of the city's enforcement of marijuana laws during the drug's prohibition. “When they seen it in our possession, you go to jail automatically.”

“It's better now,” he continued, “like the officers are really focused on crime and not just trying to make a quota just to get a collar.”

Across the country at Hibera Dispensary in the Boyle Heights neighborhood of Los Angeles, business owner Guillermo Menjivar said the laws put in place surrounding the purchase of marijuana help his customers, who were once harassed for their hobby, feel safe.

“You know, they always say, you know, good things don't usually happen after 12 or are late at night,” Menjivar told Audacy News. “So for us, a 10pm cut off time is something that we're very compliant with. So everybody's making it home with their cannabis products before 10:30. The idea that we're required by the state to have armed guards, as that extra sense of security, you know, we want to make sure that we have a place where people don't have to feel like they're going to be raided at any given time. So it removes that, that being on your toes, and just that uncomfortableness of making a transaction.”

THE UNDERGROUND ECONOMY

One somewhat unquantifiable aspect of the change in crime patterns is the effect of legalization on the black market.

Miron pointed out that when recreational cannabis is made legal, the need for a black market is completely eliminated, and that change brings about a positive effect on violent crime.

When consumers are ripped off on illegal purchases, they “can't resolve disputes using courts and arbitration and standard nonviolent mechanisms,” Miron said. “So, you might expect that there'd be some reduction in violence as a result of legalization.”

CHANGING MINDS AND HEARTS

Meanwhile in Colorado, one of the earliest adopters of marijuana legalization in 2012, the numbers bear out the same story.

“In Colorado, violent crime and property crime have been trending down since the beginning of the 2000s,” said Liz Zukowski, chief policy officer for Boulder’s Native Roots Dispensary. “So we're really not seeing those increases that some people like to talk about, especially prohibitionist to like to play up that doom and gloom, fear based idea to make people afraid of, of what could happen.”

Zukowski said the marijuana industry has made believers even out of the skeptics in her state.

“Senator [John] Hickenlooper, who was our governor when the Amendment 60 Bill passed, he was very skeptical. And he has said multiple times over the last, you know, five years that he his biggest fears did not come true. He's seen this as a benefit. He's seen the positive impacts that this industry and legalization has had on the state and is now fighting for federal legalization based on his experiences here.”

In fact, Hickenlooper [spoke to the Denver Post in 2019](#) about his about-face on the issue of marijuana legalization.

“I had been opposed to it,” the senator said. “I was concerned about what it might do to teenage consumption, more people driving while high. But I also grew up in the '60s.

“There was part of me that felt, that always wondered if it was treated the same as alcohol,” he continued. “If there was a campaign to educate teenagers about the risks of high THC marijuana. If there was a better system out there waiting to be created.”

Now, 10 years after legalization in his home state, Hickenlooper is indeed fighting for federal legalization.

“Senator Hickenlooper believes it is time for the federal government to follow Colorado’s lead and reform our cannabis laws,” reads [his campaign website’s “Marijuana” section](#).

“During his time as Governor, Colorado set the standard for legalizing cannabis. The results have been overwhelmingly positive, and now Congress must follow suit by removing cannabis from Schedule I classification.”

SO WHAT HAVE WE LEARNED?

It seems the definitive answer to this continuing question is that there isn't one.

“I’m often in these conversations giving the very nuanced answer of well, we don’t know really, how much marijuana that impact crime and our measurements or crime,” said Doug Berman, professor at Ohio State University’s Moritz College of Law and executive director of the Drug Enforcement and Policy Center.

Berman said however that extreme rhetoric from both sides of the argument has been largely disproven.

“We do know that we haven’t seen any big spikes, or massive declines, right?” he said.

“There were some efforts by advocates to say, ‘Oh, we’re gonna get this great reduction in crime, because people don’t need to bring their guns when they want to go buy their weed, and you have a sensible, regulated market.’

“And I remember hearing at the event, somebody from Colorado claiming, ‘Domestic violence has gone down 50%, because people can just smoke their weed and mellow out rather than getting fights and so on and so forth.’ And I don’t think that’s proven true, either, right?”

Berman concludes that, because there is already a thriving market for marijuana even when it has not been legalized, the overall pattern doesn’t see any drastic, needle-moving change when it becomes a legal substance.

“The simple reality was, in almost every community, marijuana use and marijuana commerce were a part of that community even before you get legalization. And so probably not that much is changing on the ground when you legalize, at least in a kind of functional sense,” Berman said. “And so it’s perhaps not that surprising that we haven’t seen good or bad changes in crime dynamics, at least, so far.”