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Tom Mooney, June 17

Governor Chafee last week signed into law legislation that decriminalizes possession of small amounts of marijuana. As of April 1, 2013, having 1 ounce or less will be a civil offense, punishable by a $150 fine.

Rep. John Edwards, D-Tiverton, was the bill s prime sponsor as it moved through the Assembly for the third consecutive year.

During a June 5 House debate, he told the story of how, as a construction manager, he employed two skilled carpenters in their 50s who were barred from working on federal projects because they had a stupid arrest when they were young for simple possession of marijuana.

Most people don t go to prison for having a small amount of marijuana, Edwards said, but they do get arrested and the arrest never goes away. Not only would his bill curtail those arrests, said Edwards, it will save the state anywhere from $4 [million] to $11 million dollars and it will also allow our police to do what they do best and that s catch criminals.

We were curious where Edwards got his cost-saving figures; $4 million to $11 million is a pretty wide window.

Edwards told us his information came from Wallace B. Gernt Jr. and Christopher Reilly of The Bradford Group, the Rhode Island public relations firm. One of its clients is the Marijuana Policy Project, a Washington, D.C., group trying to change marijuana laws around the country.

The facts

When we contacted Reilly, he acknowledged a certain haziness hovering over the figures: There s a lot of different thoughts of where those numbers come from.

Ah, OK.

Then he sent us two reports and had the Marijuana Policy Project forward a memo that a Harvard University economist sent Rhode Island lawmakers earlier this year.

One report was from the Special Senate Commission to Study the Prohibition of Marijuana, issued in March 2010. It notes that, in 2009, Rhode Island police made 2,546 arrests for marijuana possession, first offense. (It doesn t say how much pot each suspect had.)

But the report does not say how much money Rhode Island could save by decriminalizing marijuana. It defines the savings only as significant.

The second report was The Criminal Justice Costs of Marijuana Prohibition in Rhode Island, issued in 2010 by the Rhode Island nonprofit group OpenDoors, which helps people released from prison. That report, supported by the Marijuana Policy Project,

says Rhode Island stands to save a whopping $12.7 million a year by decriminalizing possession of an ounce or less of marijuana.

We contacted the main author of that report, Nick Horton, who told us that most of the purported savings $11.2 million wasn t calculated by OpenDoors at all. That figure is not mine, said Horton.

It turns out that number came from Jeffrey Miron, the Harvard economist, and his 2010 report that studied how much money the United States would save if it legalized all drugs.

In his one-page memo to Rhode Island lawmakers this spring, Miron provided the general equation he used to reach his $11.2 million figure but never plugged in any actual numbers: I guess when you are a Harvard professor, you no longer have to show your work, Robert Capecchi, a legislative analyst for the Marijuana Policy Project, wrote in an e-mail when PolitiFact asked for the details.

When we called Miron, he said his estimate which related exclusively to police enforcement savings came from a 2010 report he did for the libertarian **Cato Institute:** The Budgetary Impact of Ending Drug Prohibition. The study found that by legalizing all drugs, the United States could save $41.3 billion a year.

The study includes a state-by-state analysis of drug arrests that Miron used. For instance, 2007 data from the FBI s annual Uniform Crime Reports shows that in Rhode Island that year the police made 26,966 drug arrests. Of those, 1,922 were for marijuana possession. (Again, the data don t say how much marijuana each suspect had.)

By dividing 1,922 by 26,966, Miron determined that 7 percent of all arrests that year were for marijuana possession.

He then used other data from state government and the U.S. census some coming from 2008 to conclude that the total police expenditure in Rhode Island was $287 million. Seven percent of that is $20.1 million.

Then he estimated that half of the marijuana arrests were incidental to other more serious charges. Kicking those out, he calculated the annual police savings would be $10.5 million.

That s not the $11.2 million cited by OpenDoors, but Miron says the $700,000 difference is likely because the data he used was several years old.

In a follow-up conversation, Edwards conceded that he never thought the savings would total the $11 million he cited on the House floor. It s more on the lower end of $4 million, he said.

He based that in part on some of his own calculations of prison savings a point that Miron, the Harvard economist, said he was surprised to hear Edwards talking about since almost no one is in prison for [minor] possession.

But Edwards says he asked Corrections officials for a one-day snapshot of the prison population about a year or so ago. On that day, 42 people were being held for marijuana possession. He multiplied that by the average cost of holding one person

at the ACI for a year ($44,000) and came up with a quick $1.8 million savings.

Corrections Department officials told us Edwards methodology is wrong because those inmates are scattered among many different units, so their absence would not lead to any staff reductions. They did say there would be some savings by having those 42 beds empty about $154,602.

That s a long way from $1.8 million, let alone $4 million to $11 million.

Our ruling

State Rep. John Edwards was specific in his claim that decriminalizing marijuana will save the state anywhere from $4 million to $11 million dollars.

Edwards later backed away from the $11 million figure.

Yet neither he nor any of the advocates he worked with to get the legislation passed could substantiate even the lesser amount.

Therefore, we rate his statement a smoldering False.