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Support SB 104 – Decriminalize Marijuana

SB 104 would decriminalize marijuana possession for adults. The bill would not legalize the drug, but would impose a \$100 civil penalty for a first offense, similar to a parking ticket.

Marijuana prohibition wastes time and money. Despite being a top priority for police departments for years, the aggressive enforcement of marijuana laws has failed to eradicate or even diminish the use of marijuana. In 2010, Virginia spent \$67,244,864 on marijuana possession enforcement. The 18,756 marijuana possession arrests in 2010 involved a judge, a clerk, deputies and prosecutors all on the taxpayer's dime. The number of arrests for possession rose to 20,461 in 2013. Over the last decade, the rate of arrests for marijuana possession in Virginia has also increased by 39 percent, while the arrest rate for marijuana possession nationally declined by 6.5 percent. These valuable resources could be better spent on measures that keep communities safe, investigating serious and often unsolved crimes, and reinvested into public health programs, including drug treatment. It's time to end this failed, misguided war on a plant.

Marijuana prohibition is enforced along color lines. While African Americans and whites use marijuana at roughly equal rates, in 2010 African Americans were 2.8 times more likely to be arrested for marijuana possession in Virginia. And, in many areas of Virginia it was even worse for African-Americans. In Fairfax and Loudoun, for example, African-Americans were approximately three times more likely to be arrested for possession. In Arlington, African-Americans were almost eight times more likely to be arrested. Marijuana prohibition has disproportionately harmed communities of color. A new report by the Drug Policy Alliance shows that racial disparities continue to worsen – in 2013, African-Americans were 3.3 times more likely to be arrested for marijuana possession in Virginia than whites.

Marijuana prohibition needlessly ensnares people in the criminal justice system. Marijuana prohibition imposes arbitrary, often harsh penalties for private conduct for which no criminal penalty is appropriate and imposes all of the hardships of an arrest, arrest record and often a prison term on otherwise law-abiding people. The personal cost to those arrested and their families is often significant and can linger for years. When people are arrested for possessing even tiny amounts of marijuana, it can affect their public housing and student financial aid eligibility, employment opportunities and child custody determinations. Marijuana prohibition has needlessly ensnared tens of thousands of Virginians in the criminal justice system, at tremendous human and financial cost.

SB 104 would create a fairer, smarter, and more compassionate response to drug dependency and improve Virginia's health and safety.