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What are the Consequences of (de)Criminalization?

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What are the consequences of (de)criminalization?



Isaac Rhea

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Example from the Prohibition Era

- Slight decrease in alcohol consumption immediately after the institution of Prohibition (Levine and Reinerman, 2006)
- Unintended consequences of the law
 - Black market
 - Potentially more dangerous alcohol
- Consumption did not dramatically increase after the end of Prohibition

Criminal justice system facts

- The US has the highest incarceration rate of any developed country at 2.12M people in 2018 (Bureau of Justice Statistics report)
- Over 255,000 inmates are imprisoned for drug-related offenses
 - A disproportionate amount of this group are Black and Hispanic individuals (Bureau of Justice Statistics report)
- Total spending on incarcerated individuals was more than \$80 billion dollars (Executive Office of the President, Council of Economic Advisers, 2016 report)

Tools of the criminal justice system

- Probation
- Fines
- Incarceration
 - Does not significantly reduce reoffense rates, may be criminogenic (Nagin et al, 2009)
 - Evidence of implicit racial bias in sentencing decisions (Tuttle, 2019)

Decriminalization of Marijuana

- Decreased consumption of alcohol and harder drugs after the legalization of Marijuana (Dragone et al, 2019)
- Decrease in other crime rates (Dragone et al, 2019)
- Decreased costs of enforcing laws and potential sales tax revenue
 - Policing efforts can be focused in other areas of law enforcement (Adda et al, 2014)

Concerns against the legalization of Marijuana

- Traffic accidents due to impaired driving do not increase (Anderson and Rees, 2013)
- Labor market participation rates do not decrease (Sabia and Nguyen, 2018)
- Decreased perception of risk and age of uptake (Williams and Bretteville-Jensen, 2014)
- Alternatively to decriminalization, drug courts can be used

Conclusion

- Decriminalization seems to be a promising way to improve the criminal justice system
 - Increase racial equality
 - Decrease government expenditures
 - Improve public health and decrease crime

