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## Colors of Cannabis in the U.S; An Analysis of Race and Marijuana Legalization

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# Colors of Cannabis in the U.S: An Analysis of Race and Marijuana Legalization

In the United States, many state governments have either legalized or decriminalized small quantities of marijuana for recreational or medicinal use, while other states have resisted the pull towards legalization. This study aims to correlate the racial makeup of states with the degree of marijuana illegality, hypothesizing that high minority populations may be a deterrent to a state legalizing marijuana. Current statewide marijuana policy was cross tabulated by racial composition based on the 2020 census, concluding that blacks are 5% more likely to live in a state where marijuana is illegal, while whites are 7% more likely to live in a state where marijuana is legal. Analysis also compared the percent of blacks arrested for marijuana possession for states of varying legality, finding that legalization decreases the arrest disparity and makes blacks slightly less likely to be arrested.

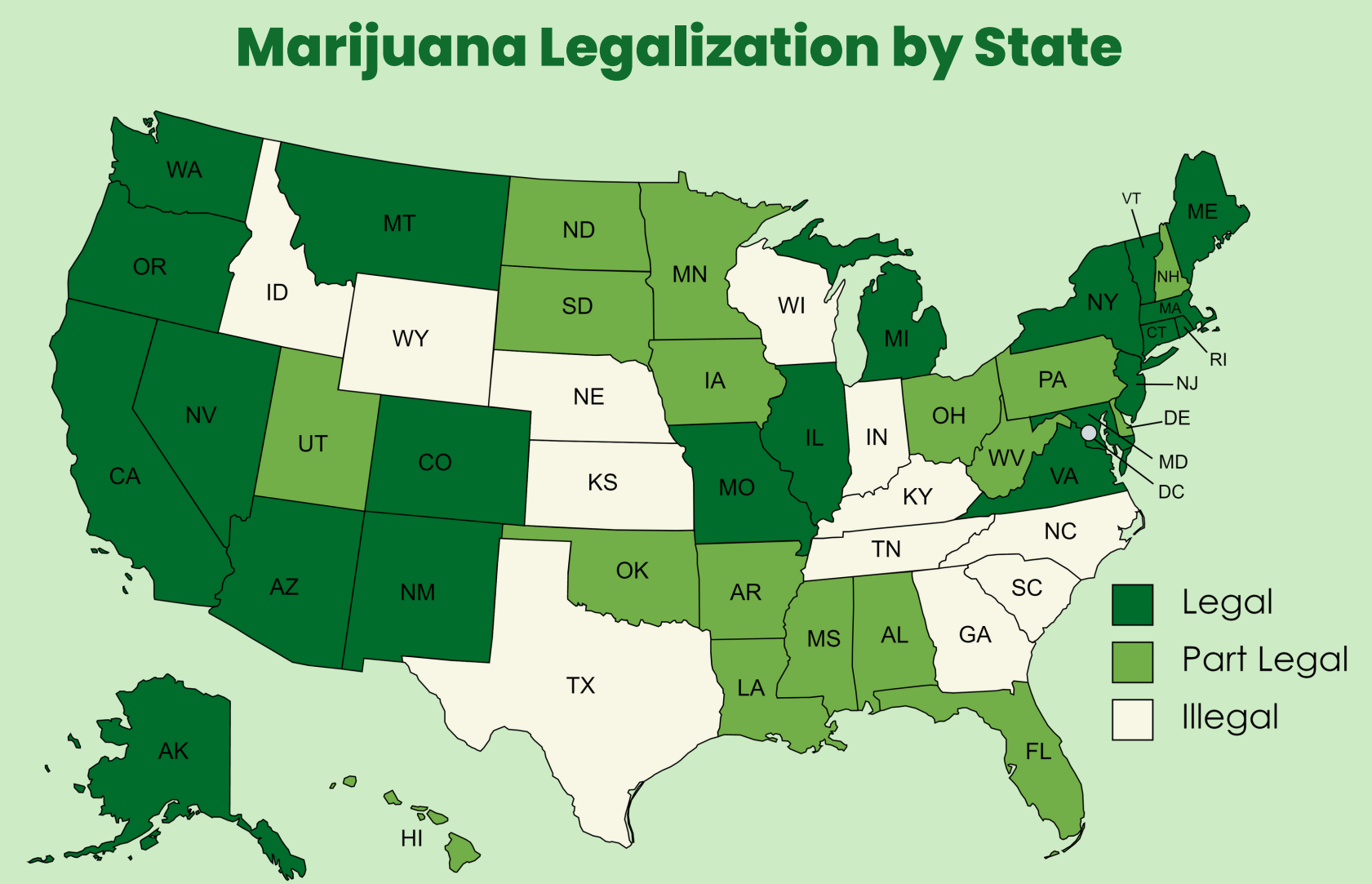
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**01 Introduction**

Just as the opium epidemic of the 1800s led to the unjust discrimination and profiling of Asians in America, this kind of profiling is a reality for many black people in the United States today. Marijuana is currently illegal in 12 of the 50 states. Blacks and whites use marijuana at a comparable rate, which means arrest rates should be comparable given no discrimination (American Civil Liberties Union 2013). There is a disproportionate rate between the enforcement of drug prohibition and race, with blacks being 3.6 times more likely than whites to be arrested for marijuana possession nationwide (American Civil Liberties Union 2020). Is this a coincidence, or is there a casual correlation between the racial makeup of a state and marijuana legality? The map showing higher levels of prohibition in the southern states suggests to us that state-level prohibition of marijuana may be a form of institutionalized racism.



**02 Research Questions**

- How does the racial makeup of a state affect the legalization of marijuana? Are states with higher populations of minorities more likely to criminalize marijuana, while states with higher populations of whites more likely to legalize marijuana?
- How does the nature of current marijuana prohibition affect blacks? Does legalizing marijuana reduce the arrest disparity between blacks and white?

**03 Literature Review**

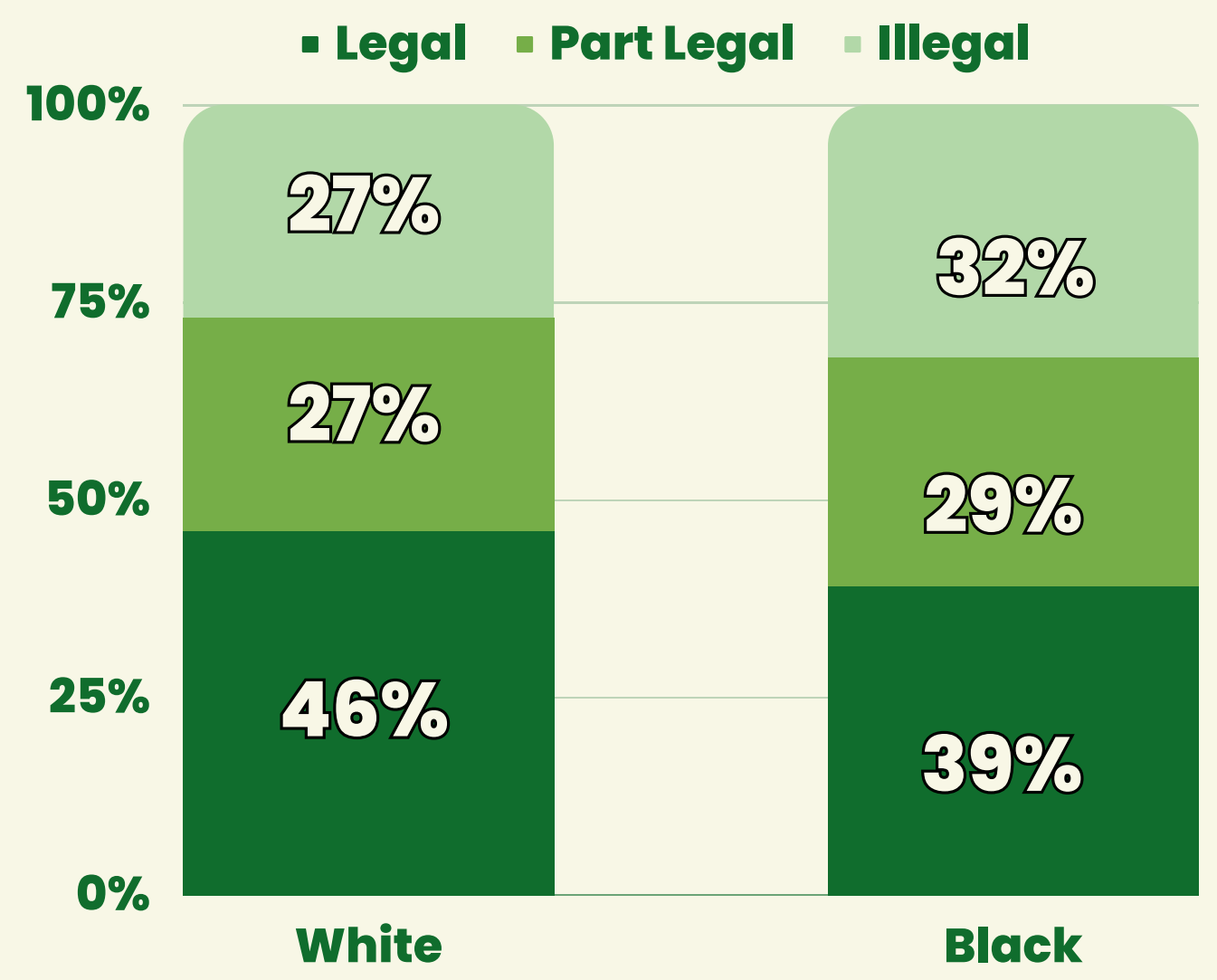
- Past literature has shown that minorities are often on the receiving end of unequal enforcement of drug laws (Drucker 1999, Vann 2022).
- Blacks and whites use marijuana at a comparative rate, which means arrest rates should be comparable if no discrimination exists (American Civil Liberties Union, 2013).
- There is a disproportionate rate between the enforcement of drug prohibition and race, with blacks being 3.6 times more likely than whites to be arrested for marijuana possession (Meize et al. 2022).

**04 Methodology**

Using cross tabulation, we took 2023 US Census Bureau data organized by the World Population Review, minority populations from the 50 U.S. states were calculated separately for blacks and whites. American Civil Liberties Union 2020 data was used for assessing state legality status, as well as arrest rate for marijuana possession by race. States where marijuana has been legalized or decriminalized were coded as legal. States where marijuana is legal for medicinal use only were coded as part legal. States where marijuana is totally illegal were coded as illegal. Population, legality status and arrest data were entered into Excel software, and the Excel compute function was used to calculate percentages. Using cross tabulation we analyzed the association between a state's legalization status and its racial composition, as well as the association between a state's legalization status and the percentage of marijuana arrests for blacks and whites.

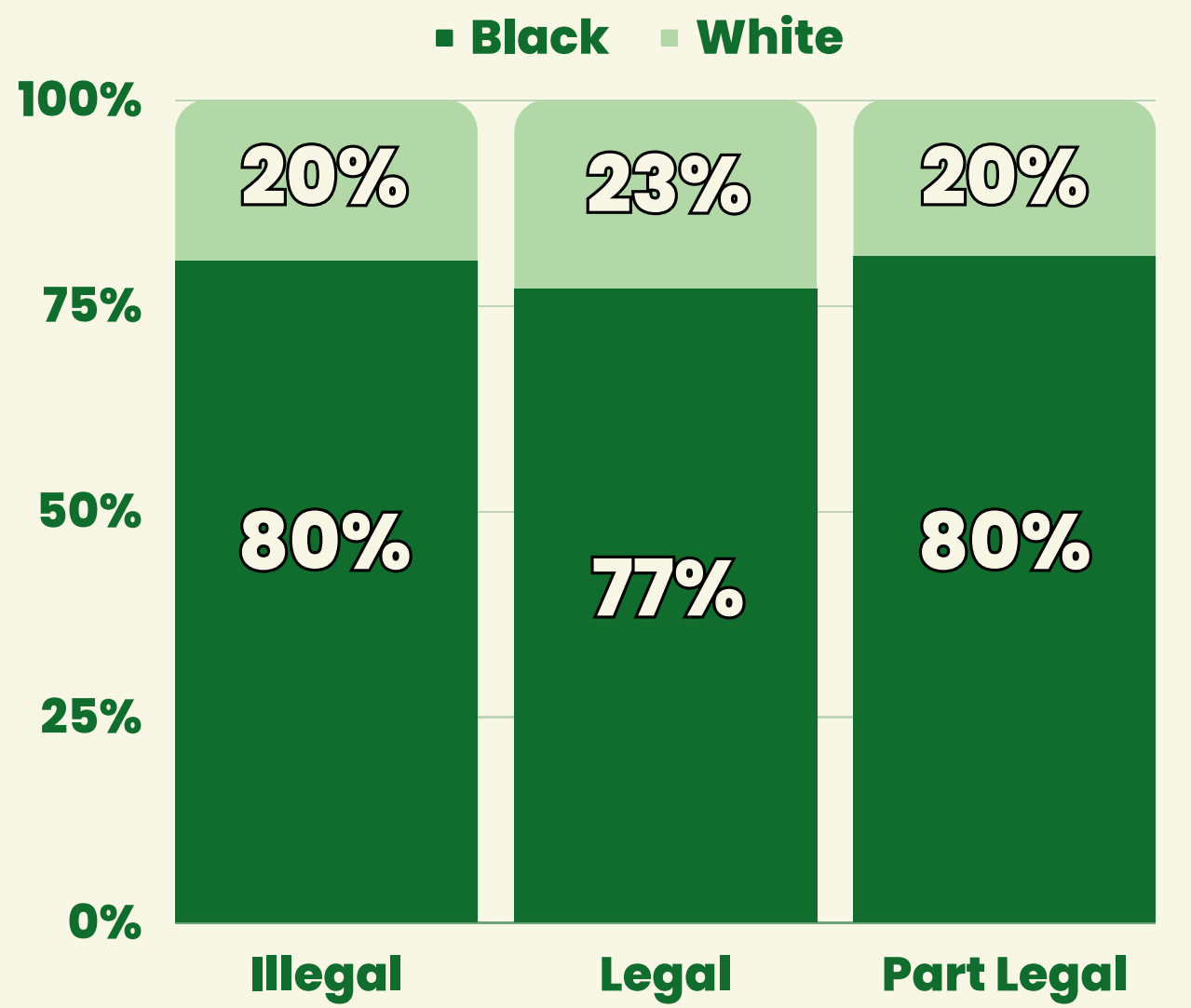
**05 Analysis**

**State Marijuana Legalization by Race**



The graph above indicates that blacks are 5% more likely to live in a state where marijuana is totally illegal and 7% less likely to live in a state where marijuana is totally legal.

**Marijuana Arrests by Race**



The graph above indicates that a smaller percentage of arrests are black residents in legal states compared to states where marijuana is illegal, suggesting that marijuana legalization tends to decrease the racial disparity in marijuana possession arrests between blacks and whites.

**06 Conclusion**

This study shows that marijuana legality may be another form of institutionalized racism. Results show that blacks are 5 percent more likely to live in a state where marijuana is illegal, while whites are 7 percent more likely to live in a state where marijuana is legal. Results also show that legalizing marijuana tends to decrease the racial disparity in arrests. Our research suggests that the current state-level regulation of marijuana creates racial disparities in arrests, when usage data suggests they should be similar. A nationwide marijuana legalization policy may be needed to further reduce the discriminatory effects of current marijuana regulation.

**07 References**

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