

MARYLAND
✓

THE WAR ON MARIJUANA

in **BLACK** and
WHITE



MARYLAND

THE WAR ON MARIJUANA in **BLACK** and **WHITE**

October 2013



American Civil Liberties Union of Maryland
3600 Clipper Mill Road
Suite 350
Baltimore, MD 21211

Learn more and get involved:
www.aclu-md.org/marijuana_reform

The report has been a project of the American Civil Liberties Union of Maryland. The report's primary author is ACLU of Maryland Staff Attorney Sonia Kumar. ACLU of Maryland staff Toni Holness, Meredith Curtis, Brittany Oliver, Sara Love, Deborah Jeon, Amy Cruice, Sana Javed, Pete Cimboric, and David Rocah all provided invaluable feedback and assistance in drafting and producing the report. Nicole Miles of ndmDESIGNS created graphics and layout. The Abell Foundation, a longtime ACLU of Maryland partner, helped underwrite the report.

The ACLU of Maryland is indebted to the staff at the national ACLU for laying the groundwork for this publication with their report documenting race disparities in marijuana arrests nationally, "The War on Marijuana in Black and White," and for their guidance, edits and financial assistance with the Maryland report. Special thanks go to Will Bunting, Chloe Cockburn, Ezekiel Edwards, Lynda Garcia, Vanita Gupta, and Nicole Kief.

We also thank Neill Franklin, Executive Director of Law Enforcement Against Prohibition, for contributing the foreword to this report, and the Maryland NAACP for a decades-long partnership combating racial profiling in our state.

Our deepest thanks go to our clients and the many Marylanders who have written and called the ACLU over the years seeking justice. They inspire us every day.

FOREWORD



This report proves something we police have known for a long time: The drug war is inherently racist in its execution.

We also know that the inequities in arrest rates affect the life opportunities of Blacks and create distrust between police and the communities they serve. And as a Maryland police officer for 34 years, I can tell you that race-based policing of marijuana users does nothing to make communities safer.

This is a problem in every county of Maryland and across the country. For more than 40 years, we've arrested those using, selling, and growing marijuana to their detriment and ours. The prohibition of marijuana has led to both racial disparities in arrests and a misuse of police resources. As a result, organized crime has grown wealthy, our communities have grown poor, and we have little to show for it other than the detritus of people's lives derailed because of drug convictions. It is time to end the war on drugs. It is never going to work.

I arrested hundreds of people for drugs and saw firsthand how this not only failed to prevent violent crime, but actually caused more violence as others battled to take over newly available markets. I saw that when individuals went to jail, they not only lost their freedom, they lost their jobs, homes, friends, and families. It is unlikely that anything in their lives changed for the better because of their interaction with the criminal justice system. Most of those who needed drug treatment didn't receive it, they weren't educated, and they weren't given job skills that would help them reintegrate into society.

The war on drugs wastes valuable time, money, and resources. The White House Office of National Drug Control Policy estimates that Americans spend \$65 billion a year on illegal drugs. As police focus on drugs has intensified, the rate of murders police departments are able to solve has decreased dramatically across the country — from 91% in 1963 to 61% in 2007.

The war on drugs is also costing us in human capital. Low-level offenders — mostly people of color, are steadily and increasingly funneled into jails, where they are socialized into a culture of violence and, because of their conviction, become less employable, unable to afford a home, and excluded from tuition assistance. When they have kids, the cycle of limited life opportunities begins again.

By any measure, marijuana prohibition has been a spectacular failure — in terms of rates of use, in terms of wasted resources, in terms of wasted lives and human potential, particularly in Black communities. Take it from someone who tried for 34 years to arrest a way out of this problem: It's not working.

Neill Franklin
Law Enforcement Against Prohibition,
Executive Director

INTRODUCTION

Marijuana, Race Disparities, and the War on Drugs in the Free State

This report is the first of its kind in Maryland. Using official FBI and U.S. Census data, the ACLU has analyzed arrest rates and trends for marijuana possession by race for every county in Maryland between 2001 and 2010. The results are shocking.

Over the last ten years, police in Maryland have arrested more people for marijuana possession than for all violent crimes combined. The number of people arrested for marijuana possession increased dramatically — by 34% — between 2001 and 2010. Maryland is now fourth in the nation in arrests for marijuana possession.

The data also show that, despite comparable rates of marijuana use across race, in Maryland communities of color are policed differently for marijuana possession. In every county in the Free State, Blacks are disproportionately targeted for enforcement of marijuana laws. The glaring racial disparities are as staggering in the suburbs of Baltimore and Washington D.C. as they are on the Eastern Shore or in Western Maryland. They are as likely to exist in large counties as small, in counties with high median family incomes or low median incomes. They exist regardless of whether Blacks make up a large majority or small minority of a county's population. And the disparities have only gotten worse over time.

Our state is paying handsomely for this approach. In 2010, Maryland spent about \$106 million enforcing marijuana laws, needlessly ensnaring thousands of Marylanders into the criminal justice system and diverting critical law enforcement resources from major violent crimes.

The ACLU's Campaign to End Mass Criminalization and Over-Incarceration of Communities of Color

The waste associated with the War on Drugs, particularly marijuana, has reached crisis proportions. Our obsession with criminalization and arrests for marijuana possession has come at the expense of true safety and appropriate substance abuse treatment. Rather than making us safer, the War on Drugs has corroded the relationship between minority communities and police and wreaked havoc in those communities by treating people innocent of any wrongdoing as suspicious based only on their race. It has criminalized large swaths of the population.

Our criminal justice system should keep communities safe, treat people fairly, and use fiscal resources wisely. But over time, we have come to turn to police and the criminal justice system as a panacea for every social problem, whether or not it makes sense to do so. The

result has been to deprive large numbers of people of life opportunities — adding to our problems, instead of solving them. In addition to the many harms associated with arrest and the development of a criminal record, over the years, thousands of Marylanders have been deprived of their liberty at great human and financial cost. Since 1971, the number of human beings incarcerated in state-run lockdown institutions in Maryland has ballooned from 4,950 to 22,500. More than 70% are Black. Nearly half are there for nonviolent offenses. And these numbers do not even reflect the thousands more held in local jails or placed under probation supervision.

We must stem the tide of Marylanders flooding into the criminal justice system. Reforming our laws governing marijuana possession is a first step in the right direction.

Our Sources

This report builds on a report issued by the national ACLU, [Marijuana in Black and White: Billions of Dollars Wasted on Racially Biased Arrests](#). Both reports used data from Federal Bureau of Investigation’s “Uniform Crime Report” (UCR) and the U.S. Census. The methodology is described in detail in the national ACLU Report. The arrests analyzed here pertain only to possession of small amounts of marijuana — not sales or distribution. The data reflect the “most serious” offense being charged at the time of arrest (so, for example, would not count a person charged with robbery who is also found to possess a small amount of marijuana).

The Latino Data Problem: No One’s Counting

According to census data, Latinos comprise more than eight percent of Maryland’s total population. This report makes no findings about Latino arrests, however, because it is virtually impossible to do so based on FBI Uniform Crime Reporting data, which overwhelmingly categorizes arrests of Latinos as “White” arrests.

Lumping Latino arrests with White arrests also means that any analysis potentially underestimates race disparities between Black and White arrests, since some portion of the “White” arrests are actually arrests of Latinos.

Two Maryland counties have Latino populations well above the statewide average: in Montgomery County, Latinos comprise 17% of the population, and in Prince George’s County, Latinos comprise 15% of the population. In addition, five counties saw their Latino populations grow by more than 200% between 2001 and 2010: Frederick (223%), Queen Anne’s (214%), Talbot (212%), and Washington (203%).

In 2013, the FBI announced it would implement new protocols to remedy this long-standing problem.

FINDINGS

The results of the ACLU's analysis are detailed in the pages to come, but there were five overarching findings:

- 1** Maryland now has one of the **highest rates of arrests for marijuana possession** in the nation.
- 2** Between 2001 and 2010, arrests for marijuana possession increased dramatically in Maryland — by **34%**.
- 3** Even though Blacks and Whites use marijuana at comparable rates, **police arrest Blacks for marijuana possession at higher rates than Whites in every county in Maryland.**
- 4** Racial disparities in marijuana arrests worsened dramatically in Maryland from 2001 to 2010. During that time, the number of **Black arrests increased by 5,614 — but White arrests increased by only 371.**
- 5** Maryland spent approximately **\$106 million enforcing marijuana possession laws** in 2010 alone.

Maryland Now Has One of the **HIGHEST MARIJUANA POSSESSION ARREST RATES** in the Country

2010 Arrest Rates by State

Rank	State	Arrest Rate (arrests/100,000)
1	D.C.	846
2	New York	535
3	Nebraska	417
4	Maryland	409
5	Illinois	389
6	Wyoming	374
7	South Carolina	359
8	Nevada	341
9	Georgia	338
10	Mississippi	317
11	Florida	308
12	Missouri	308
13	Alaska	304
14	Louisiana	300
15	Texas	295
16	Arizona	286
17	Delaware	284
18	Tennessee	284
19	Wisconsin	281
20	Oklahoma	279
21	Oregon	257
22	South Dakota	249
23	Connecticut	247
24	New Jersey	246
25	West Virginia	241
26	Virginia	234
27	Idaho	222
28	Arkansas	221
29	North Carolina	221
30	Maine	214
31	Rhode Island	214
32	Iowa	211
33	New Hampshire	210
34	Indiana	209
35	Colorado	207
36	North Dakota	183
37	Kansas	181
38	Michigan	181
39	Ohio	169
40	Pennsylvania	167
41	Kentucky	162
42	New Mexico	155
43	California	153
44	Utah	147
45	Minnesota	144
46	Montana	127
47	Washington	124
48	Vermont	119
49	Alabama	115
50	Hawaii	106
51	Massachusetts	18

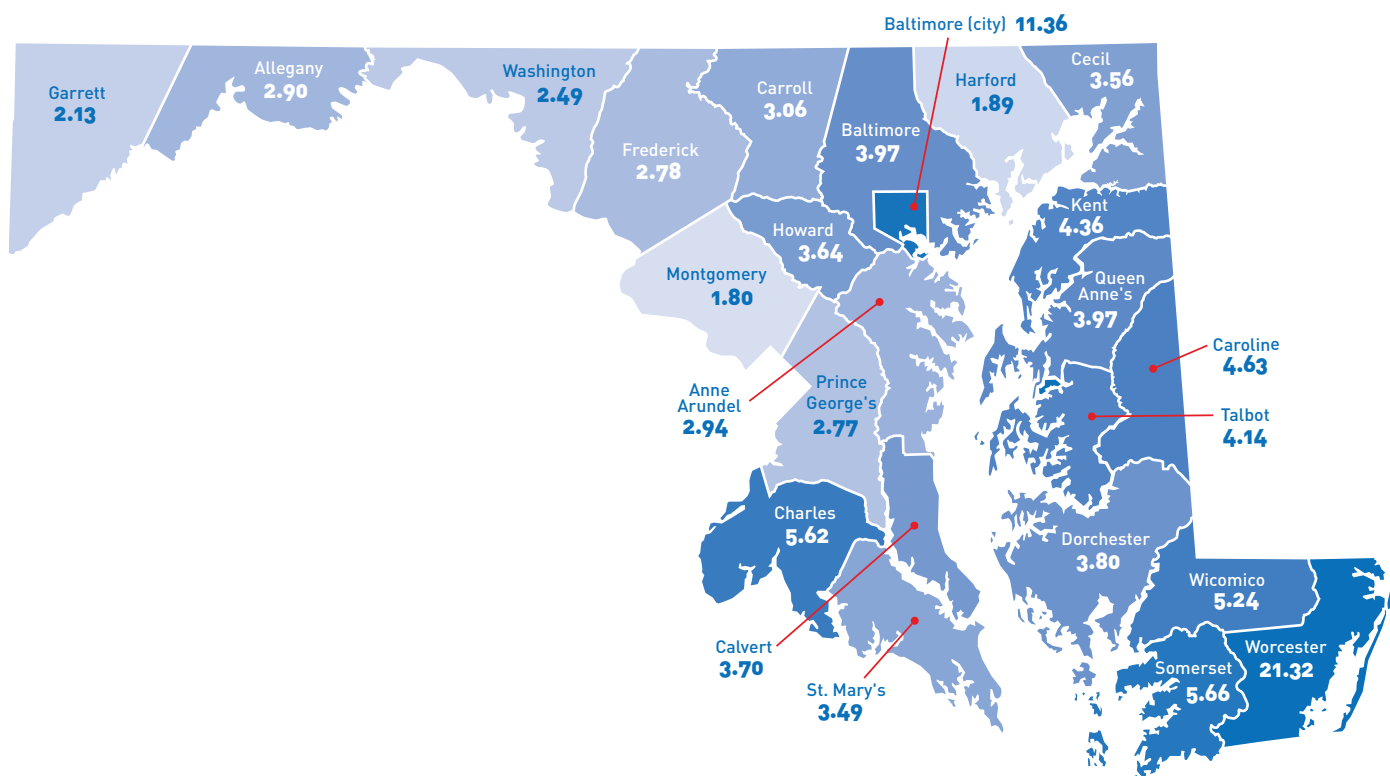
Maryland has the fourth highest rate of marijuana possession arrests in the nation; in 2010, one out of every 245 people in Maryland was arrested for marijuana possession.

Maryland also ranks seventh highest in the country in the raw number of arrests for marijuana possession, outranking far more populous states, like Ohio and Pennsylvania, both of which have populations twice as large as Maryland's.

2010 Raw Arrests by State

Rank	State	Total Arrests
1	New York	103,698
2	Texas	74,286
3	Florida	57,951
4	California	57,262
5	Illinois	49,904
6	Georgia	32,473
7	Maryland	23,663
8	New Jersey	21,659
9	Pennsylvania	21,287
10	North Carolina	20,983
11	Ohio	19,178
12	Virginia	18,756
13	Missouri	18,416
14	Arizona	18,348
15	Tennessee	18,031
16	Michigan	17,830
17	South Carolina	16,669
18	Wisconsin	15,950
19	Louisiana	13,435
20	Indiana	12,850
21	Oklahoma	10,478
22	Colorado	10,343
23	Oregon	9,849
24	Nevada	9,139
25	Connecticut	8,815
26	Washington	8,365
27	Mississippi	8,166
28	Minnesota	7,494
29	Nebraska	7,437
30	Kentucky	6,540
31	Arkansas	6,310
32	Iowa	6,123
33	Alabama	5,235
34	D.C.	5,115
35	Kansas	5,035
36	West Virginia	4,400
37	Utah	4,001
38	Idaho	3,468
39	New Mexico	3,041
40	Maine	2,842
41	New Hampshire	2,769
42	Delaware	2,554
43	Rhode Island	2,253
44	Wyoming	2,104
45	Alaska	2,028
46	South Dakota	1,743
47	Hawaii	1,448
48	Montana	1,210
49	Massachusetts	1,191
50	North Dakota	1,162
51	Vermont	737

This is a STATEWIDE PROBLEM



Arrest Rates by County (2010)

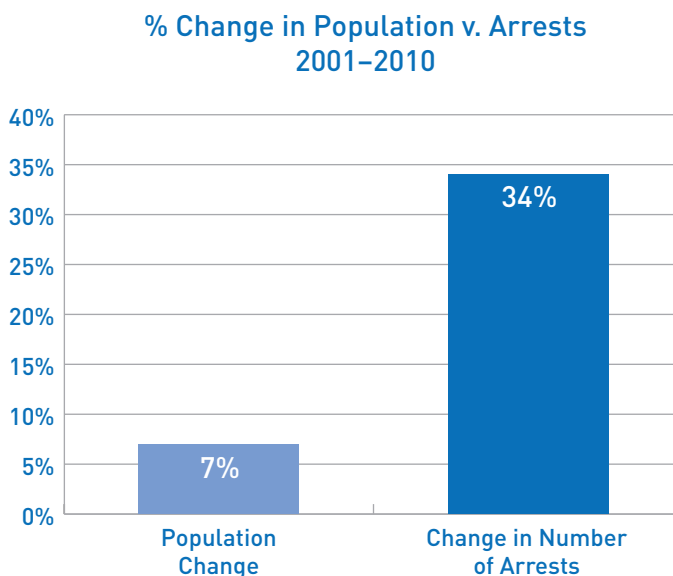
County	Arrest rate per 1,000	County	Arrest rate per 1,000
Allegany	2.90	Harford	1.89
Anne Arundel	2.94	Howard	3.64
Baltimore (city)	11.36	Kent	4.36
Baltimore	3.97	Montgomery	1.80
Calvert	3.70	Prince George's	2.77
Caroline	4.63	Queen Anne's	3.97
Carroll	3.06	Somerset	5.66
Cecil	3.56	St. Mary's	3.49
Charles	5.62	Talbot	4.14
Dorchester	3.80	Washington	2.49
Frederick	2.78	Wicomico	5.24
Garrett	2.13	Worcester ¹	21.32

STATEWIDE 4.09

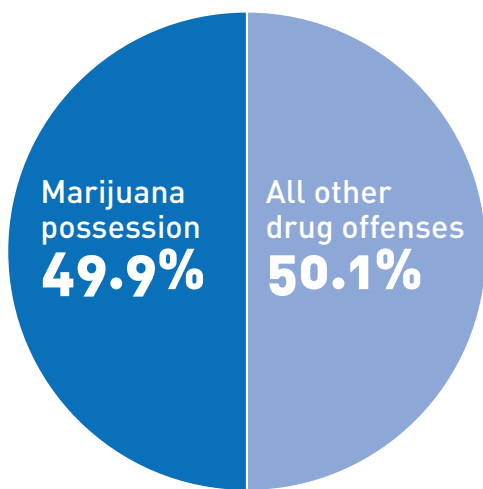
¹ See page 21 for additional information about Worcester County

Between 2001 and 2010, Marijuana Possession **ARRESTS INCREASED DRAMATICALLY IN MARYLAND**

Between 2001 and 2010, the number of marijuana possession arrests in Maryland jumped by 34% to a whopping 23,663 arrests. By contrast, during that time period, Maryland's population increased by only seven percent.



Drug Arrests by Offense in 2010



Marijuana possession arrests now make up 90% of all marijuana-related arrests and about half of all drug arrests of any kind in Maryland.

In other words, in Maryland's War on Drugs, police are overwhelmingly enforcing marijuana possession laws — not laws regarding distribution or hard drugs.

Yet, there is **GROWING SUPPORT** for Legalized Regulation Across the Country

The increase in arrests is at odds with public opinion:
A majority of Americans now favor eliminating criminal penalties for recreational marijuana use.

58%
of Americans support legalizing marijuana.

66%
of Americans think marijuana is morally acceptable or do not view it as a moral issue.

Nationally, there is Strong Support for Legalizing, Taxing and Regulating Marijuana Across a Broad Range of Political Spectrums.

65%
Democrats

35%
Republicans

62%
Independents

Marylanders, Too, Are **READY TO REFORM** Marijuana Laws

53% of Marylanders support legalizing, taxing, and regulating marijuana.

68%

of Marylanders support eliminating criminal penalties for possession of small amounts of marijuana.

Marylanders of all political stripes support legalizing, taxing, and regulating marijuana.

58%

Democrats

50%

Republicans

41%

Independent/Other

Support is strong for reducing penalties for marijuana possession across political affiliations.

75%

Democrats

53%

Republicans

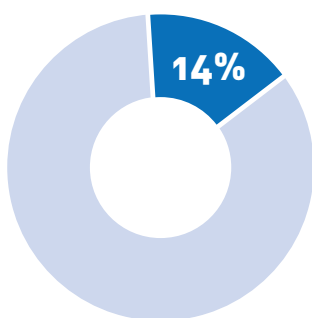
61%

Independent/Other

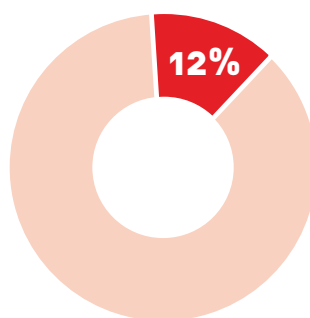
Blacks and Whites Use Marijuana at **COMPARABLE RATES**

National research — including government surveys — consistently shows comparable rates of marijuana use among Whites and Blacks. In 2010, for example, 14% of Blacks and 12% of Whites reported using marijuana over the preceding year. In fact, among 18-to-25-year-olds, more Whites than Blacks reported having used marijuana in the previous 12 months.

% of Blacks Who Used
Marijuana in Prior Year



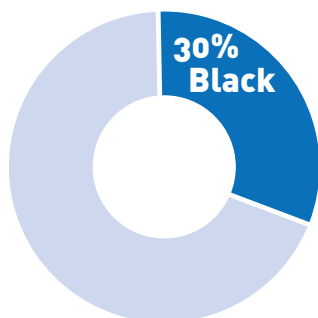
% of Whites Who Used
Marijuana in Prior Year



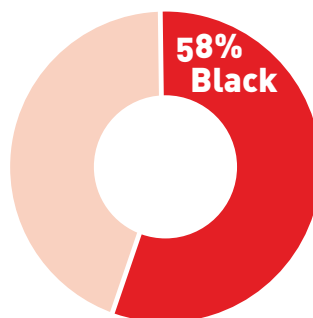
...but **POLICE ARREST BLACKS AT HIGHER RATES** than Whites.

Despite the fact that Whites and Blacks use marijuana at comparable rates, Blacks are disproportionately arrested for marijuana possession in Maryland. In fact, even though Blacks are a racial minority in Maryland, they are a majority of those arrested for marijuana possession. In 2010, Blacks made up only about 30% of Maryland's population — but 58% of all marijuana possession arrests.

Maryland's
Population



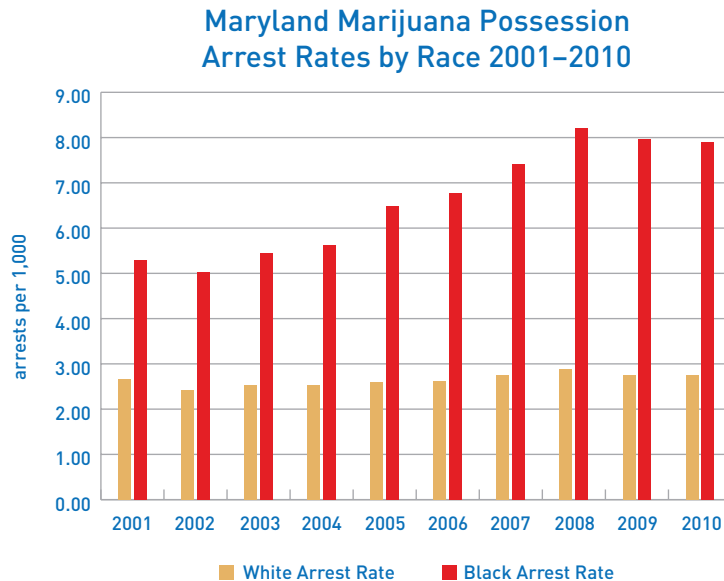
Marijuana
Possession Arrests



In Maryland, **BLACKS ARE ARRESTED AT HIGHER RATES THAN WHITES:**

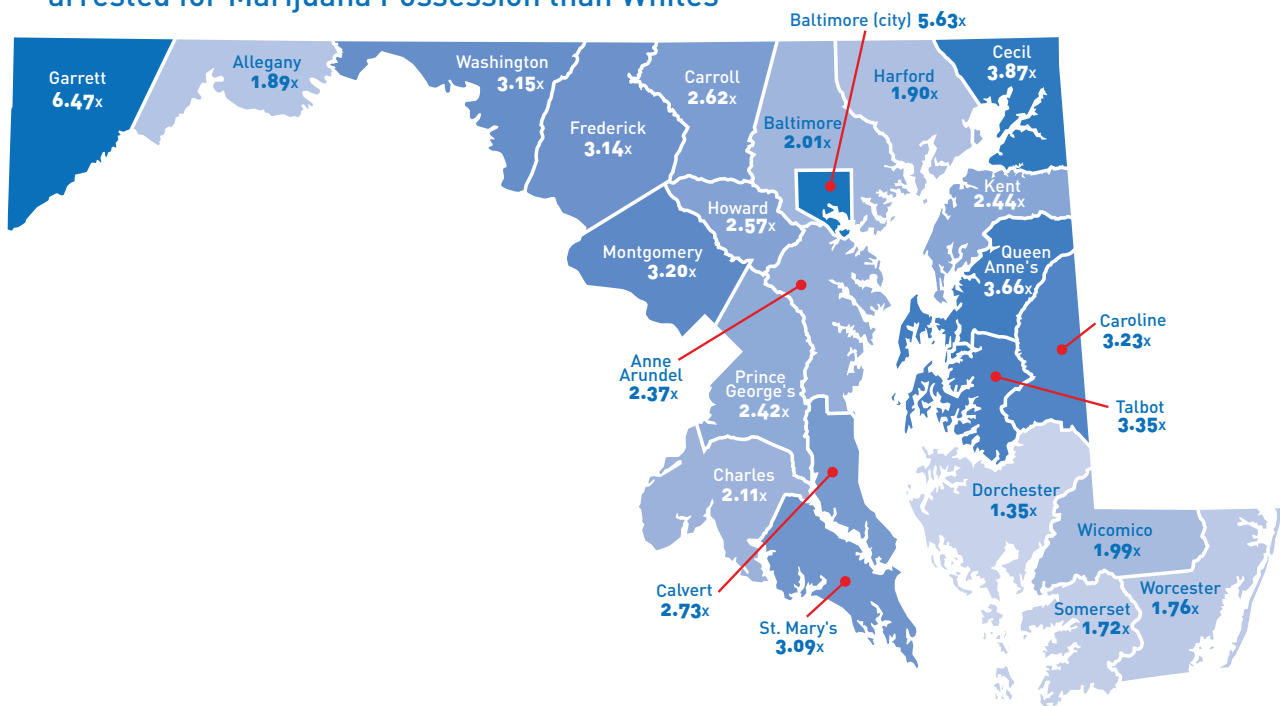
EVERY YEAR

Arrest data show that, when it comes to marijuana arrests, there are actually two stories to tell: the enforcement rates for Whites and the enforcement rates for Blacks. In 2010, for example, while three out of every 1,000 White people were arrested for marijuana possession, eight out of every 1,000 Black people were arrested. In fact, **every year between 2001–2010, the Black arrest rate was at least twice as high as the White arrest rate.**



IN EVERY COUNTY

Number of times (x) Blacks are more likely to be arrested for Marijuana Possession than Whites



Blacks Innocent of any Wrongdoing are Routinely Subjected to Improper Stops and Searches by Police Looking For Marijuana

About one-third of all car searches by Maryland State Police between 1995 and 2008 — nearly 9,000 searches — were conducted based on troopers' claims that they "detected the odor of marijuana." But more than 70% of the time that police claimed they "detected the odor of marijuana," no drugs of any kind were found.

70%

In 2005, the Baltimore Sun reviewed 481 street searches, which require reasonable suspicion that someone is armed, by a Baltimore police officer—but the officer came up empty in every single search.

481

Maryland law requires police to submit reports about their use of stop-and-frisk to the state police. But, during a 12-month period, the Baltimore City Police Department reported only a mere 422 such stops to the state police.

422

“

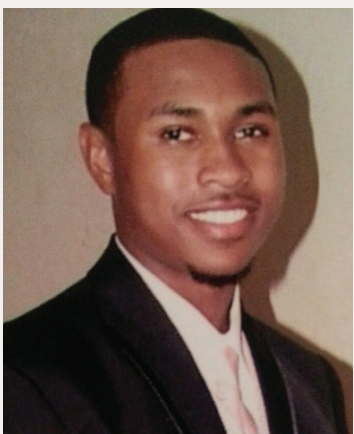
If you talk to people around the city, especially young Black men, they will tell you that police stop them on the street and say, 'Hey, what've you got on you, do you have drugs? Do you have ID?' That's a misuse of police powers... It's a fishing expedition to find crime and criminalize people.

-Del. Jill Carter, Baltimore City

”

For each person found with marijuana, many more who are innocent of any wrongdoing have been stopped and searched by police under the guise of marijuana enforcement. Whether the stops occur on the road or on the sidewalk, police are, to put it bluntly, fishing. They find pretexts — like claiming to smell marijuana — to stop people and search them. When they find nothing, they are compelled to release the person — but the damage has already been done. Each time a person is stopped and violated without a reasonable basis, the relationship between police and the community corrodes a little more.

These improper stops and searches are concentrated upon Blacks and other minorities. “Driving While Black” is now a universally understood expression for the practice of racial profiling on roads and highways, and we can now add “Walking While Black” to the list, thanks to mounting evidence about how police misuse stop-and-frisk techniques against people of color in the War on Drugs.



“I will
never forget how
they treated us
that night.”

I have never been in trouble with the law. My mother is a retired police officer and my father is a retired government employee, and they always taught me to respect the “Family of Blue.” So, when police officers stopped my college classmates and me for allegedly speeding along an Eastern Shore highway on our way back to college, I did not protest. But the officers insisted that I was driving above the limit and claimed that they smelled a strong odor of marijuana. Before we knew it, we were surrounded by police officers yelling, shining lights in our faces, putting their hands on us to pat us down, and searching the car. They kept asking us where we hid the drugs.

The officers ripped apart my new car, breaking the ashtray and the console in the backseat in their feverish attempt to find something incriminating. They even managed to dent and scratch the outside of the car. My classmates and I were forced to sit on the wet grass by the side of the road for nearly an hour while they ransacked the car. They made us look like criminals to anyone who passed by.

The officers found nothing, because there was nothing to find. They had no reason to put us through this humiliating – and expensive – ordeal. Maybe worst of all, even after finding nothing, the officers insisted that we had “gotten away with it this time” and kept threatening that they would “get us next time.”

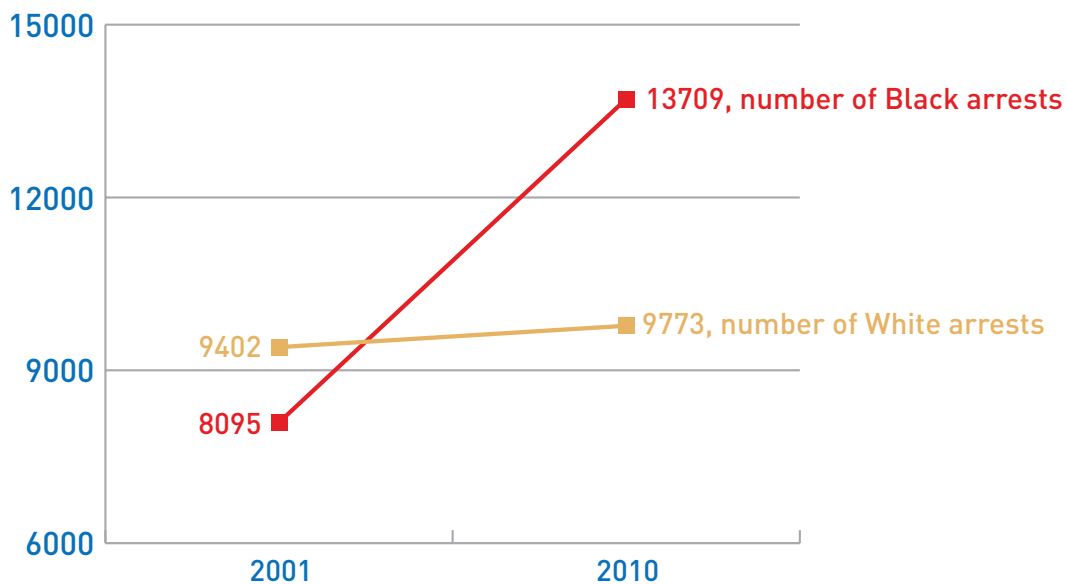
I will never forget how they treated us that night.

–Chaz Slaughter

Racial Disparities in Marijuana Arrests **WORSENERD DRAMATICALLY** from 2001 to 2010

Between 2001 and 2010, the already-large race gap in marijuana arrests increased significantly. Black arrests increased by 5,614, compared to an increase of 371 in White arrests. Black arrests increased at 15 times the rate of White arrests.

Increase in Overall Arrests by Race 2001–2010



These numbers cannot be explained by population growth. Between 2001 and 2010, Maryland's Black population increased by 13% — but Black arrests for marijuana possession increased by 69%. During that same time period, Maryland's White population increased by about one percent and White arrests increased by four percent.

The widening race gap in arrests is not just due to police arresting Whites at a constant rate while increasing arrests of Blacks — rather, in some jurisdictions, police arrested fewer Whites, and still arrested more Blacks.

WASTED RESOURCES

Enforcing marijuana possession laws is a poor use of law enforcement resources that could be spent fighting serious crime.

In 2010, police failed to clear 44% of all violent crimes in Maryland. There were more arrests for marijuana possession than for all violent crimes combined. Violent crime comprised four percent of all arrests made in 2010, whereas marijuana possession arrests made up 10% of all arrests.

Maryland is third in the country in our per capita spending on marijuana enforcement — only Washington D.C. and New York spend more than we do. In 2010, we spent an estimated \$106 million enforcing marijuana possession laws.

Professionally, I think our war on drugs has failed. ... We invested a lot of this country's blood and resources and didn't achieve the results. Developing real educational and job opportunities for somebody would have been much more meaningful in neighborhoods than some of the work we built into putting people in jail. That's why I think it was so misguided. We wound up alienating a lot of folks in building this gigantic jail system in our country. We've alienated a lot of people that we rely on to make communities safer.

*Former Baltimore City Police Commissioner
Frederick H. Bealefeld, III*

THE HUMAN COST

I am a history student at Morgan State University who was arrested for marijuana possession. I felt humiliated and demoralized when three police officers pulled me over and arrested me. The charges against me were eventually dropped. But I still carry with me the humiliating memory of being handcuffed and shoved into the back of the police car and I am still struggling to pay the attorney who represented me.

As a lifelong Marylander, I cannot help but wonder: Who benefits from this war on drugs? It certainly did not benefit me. I am sure the officer who arrested me could have used that time to solve violent crime and the judge who presided over my case could have spent that time handling more important cases. We need a better approach.

- David Cosner

Every single arrest for marijuana possession also imposes a human cost. There is the time lost and humiliation accompanying arrest. There is time and money lost to private property that may be impounded at arrest. There are the days lost in jail for those who cannot afford bail who are detained awaiting their trials. There is the time spent by police, prosecutors, public defenders, judges, and defendants who come to criminal court to negotiate a plea agreement or to go through a trial. There is the time and effort of supervising someone on probation or in a diversion program.

Moreover, arrests — not just convictions — can haunt people for years and have ripple effects for their families and communities. Arrests show up on background checks. Arrests for even the smallest amount of marijuana can affect eligibility for employment opportunities, education, housing, child custody determinations, and immigration status.

WE CAN DO BETTER...

1. In light of these shocking disparities and substantial costs, Maryland should join other states that have chosen to legalize, tax, and regulate marijuana.
2. By treating marijuana use as a public health issue, rather than a criminal justice issue, we can address concerns about substance abuse without criminalizing people.
3. Local officials, police chiefs, and prosecutors should agree to make enforcing marijuana possession laws among their lowest priorities.
4. Law enforcement agencies should actively combat racial profiling and eliminate incentives for improper stops, searches, and arrests, by ensuring officers understand the law; tracking and reporting how police conduct stops and searches; and by taking corrective action when stops and searches are conducted improperly.

...AND YOU CAN HELP!

Join the movement to end the drug war. Start by going to the ACLU of Maryland Resource Page: www.aclu-md.org/marijuana_reform

1. Tell us your story about how the war on drugs has impacted you, and ask your friends to do the same.
2. Tell the people in your life about the racial disparities and human and financial costs of treating marijuana as a criminal justice issue rather than a public health issue — at your job, at your place of worship, or anywhere else you can start a conversation.
3. Speak out against harsh drug policies and the criminalization of communities of color — write letters to local officials, media or religious leaders using the data in the ACLU's report.
4. Organize a forum in your community to talk about these issues.
5. Know your rights in interactions with police.

STATE OF THE COUNTIES

BALTIMORE CITY

- The arrest rate in Baltimore City — 11.4 arrests per 1,000 people — is the worst in Maryland, and among the worst in the country.
- In 2010, nearly 30% of all arrests for marijuana possession in Maryland were in Baltimore City. Arrests for marijuana possession in Baltimore City nearly doubled from 3,943 in 2001 to 7,047 in 2010.
- Blacks in Baltimore City are 5.6 times more likely to be arrested for marijuana possession than Whites.
- Baltimore City is only 64% Black, but 92% of all arrests for marijuana possession were Black. Nearly 100% of youth arrested for marijuana — 98% — were Black.
- Baltimore police arrested about 18 Black people for marijuana possession per day in 2010 — compared to between one and two Whites per day.
- In 2010, Baltimore spent approximately \$32 million on marijuana enforcement, compared to only about \$10.6 million on recreation centers.

CENTRAL MARYLAND

Carroll County

- In Carroll County, Blacks were arrested for marijuana possession at nearly three times their rate in the population in 2010.
- Between 2001–2010, Black arrests increased by 48%, even though the Black population increased by only 37% during that same time period.

Howard County

- Between 2001–2010, arrests for marijuana possession in Howard County increased by 36%, even though Howard's population increased by only 13%. In that time, White arrests increased by 11%, while Black arrests increased by 90%.
- By 2010, Blacks made up 18% of Howard's population, but 41% of all arrests for marijuana possession.

Montgomery County

- In Montgomery County, arrests for marijuana possession increased by 26% between 2001–2010, even though the county's population only increased by nine percent.
- Between 2001–2010, Black arrests went up by 45%, even though the Black population increased by less than half that much.
- By 2010, Blacks made up 18% of Montgomery County's population, but 46% of all marijuana possession arrests.
- These statistics likely underestimate race disparities in marijuana possession arrests, as Montgomery County has Maryland's largest Latino population, which was not accounted for in the data reviewed.

Prince George's County

- By 2010, Prince George's County reported the third highest number of arrests for marijuana possession in the state.
- Together with Charles County, Prince George's County had the second largest increase in marijuana possession arrests between 2001–2010. Arrests increased by 99%—more than 1,100 additional arrests, even though the county's population increased by only six percent.
- Black arrests increased by 114% between 2001–2010.
- By 2010, Blacks were 66% of the population, but 85% of marijuana possession arrests. (These numbers likely understate race disparities because the county has the second-largest Latino population in Maryland; in 2010, Latinos made up 15% of the population.)

Charles County

- Together with Prince George's County, Charles County had the second largest increase in the state in marijuana possession arrests between 2001–2010. In that time, arrests almost doubled, increasing by 99% even though the population increased by only 18%.
- Black arrests increased by 200%—the state's second highest increase—while White arrests increased by about 28%. By 2010, Blacks made up 41% of the population, but 63% of arrests.

Harford County

- In 2010, Blacks made up 13% of Harford's population, but 23% of all arrests.
- Blacks in Harford County were almost twice as likely as Whites to be arrested for marijuana possession.

Baltimore County

- In 2010, Baltimore County had the second highest number of marijuana possession arrests in the state—3,196 arrests. This was second only to Baltimore City.
- Between 2001–2010, arrests for marijuana possession increased by 37%, even though the population increased by only six percent.
- Between 2001–2010, Black arrests increased by 58%, compared to a 24% increase for Whites.

Anne Arundel County

- Between 2001–2010, Black arrests increased by 17%, while White arrests declined by six percent.
- By 2010, Blacks made up 16% of the county's population, but 32% of all arrests.

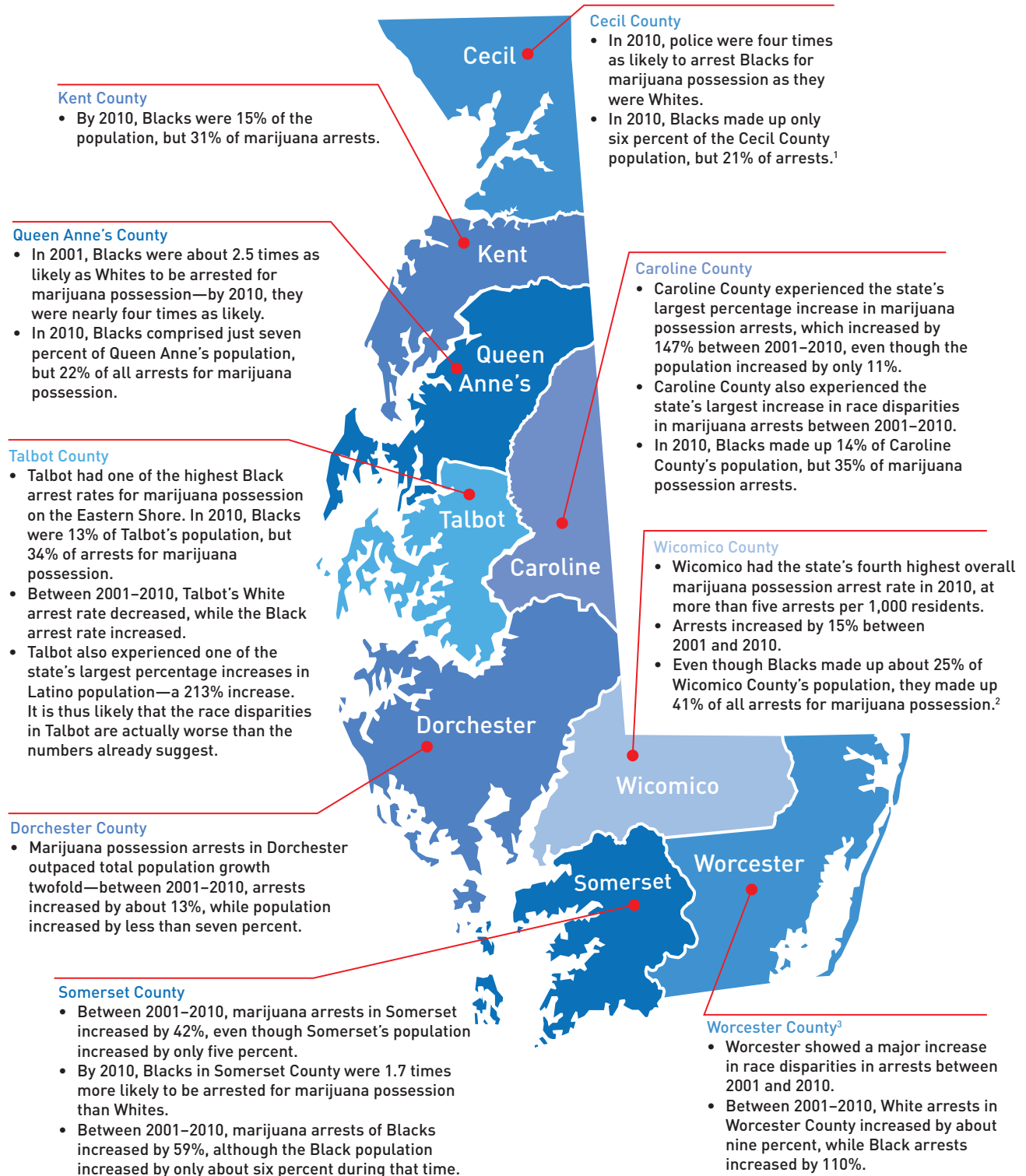
Calvert County

- In 2010, police were three times as likely to arrest Blacks than Whites for marijuana in Calvert County.
- Between 2001–2010, White arrests were reduced by 36%, while Black arrests actually increased by two percent.
- By 2010, Blacks made up 14% of Calvert County's population, but 31% of all marijuana possession arrests.

St. Mary's County

- In 2010, in St. Mary's County, Blacks were three times as likely as Whites to be arrested for marijuana possession.
- Blacks made up 15% of the county's population, but 36% of all arrests.

EASTERN SHORE

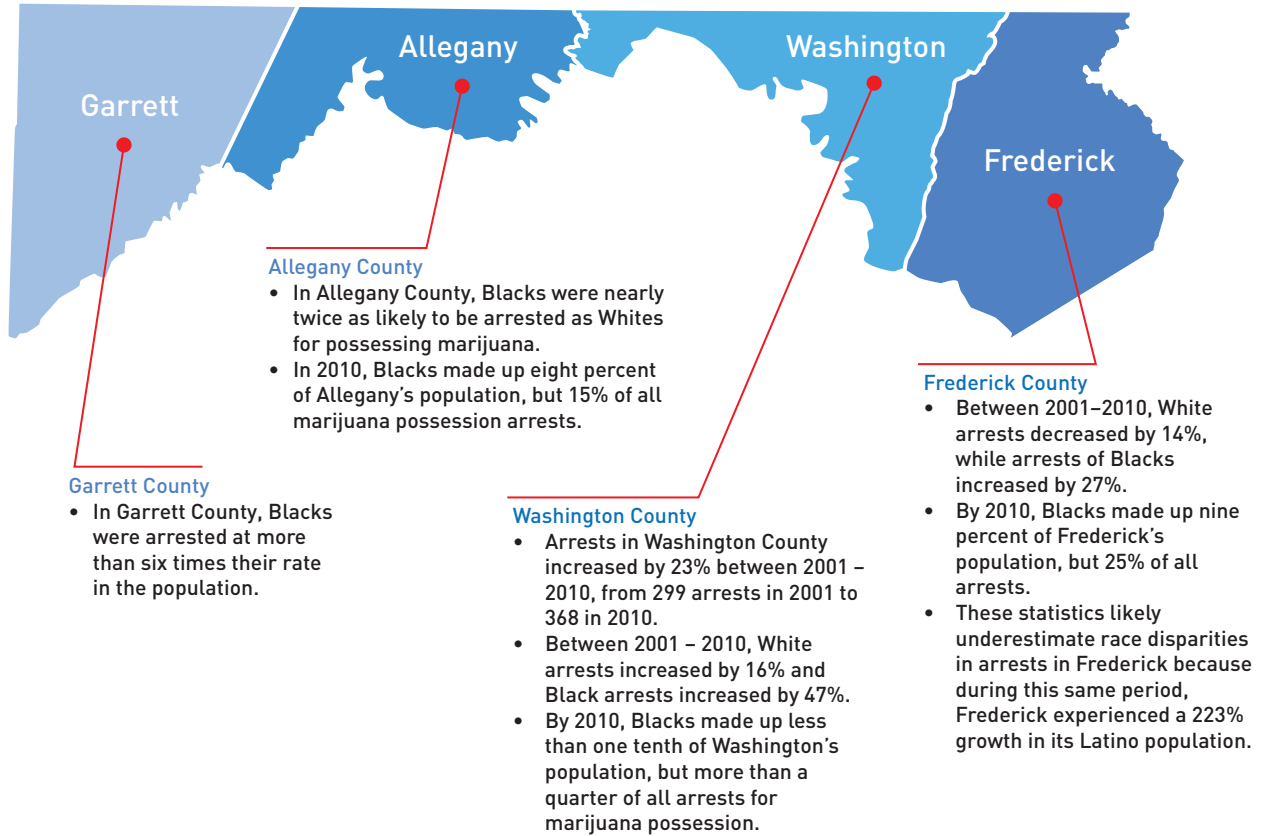


1 In interpreting these numbers, it is important to note that Cecil County has been a focus of Maryland State Police drug interdiction arrests along I-95, which could contribute to higher numbers of arrests and race disparities in arrests.

2 Wicomico also has been a target of Maryland State Police highway drug interdiction, and it is possible that these efforts contribute to the high rate of arrests in Wicomico.

3 Data show extraordinarily high arrest rates for marijuana possession in Worcester, but these are likely exaggerated because tourist and temporary worker populations swell in Ocean City during the summers. So, the overall arrest rates should be read with caution.

WESTERN MARYLAND



SOURCES

1. Maryland State Police, Crime in Maryland, 2010 (Maryland, 2011).
2. U.S. Census Bureau. 2010.
3. Public Policy Polling, Maryland Survey Results on Marijuana Reform, October 2013.
4. Pew Research Center, "Majority Now Supports Legalizing Marijuana," April 4, 2013.
5. Public Policy Polling, Maryland Survey Results on Marijuana Reform, February 2011.
6. American Civil Liberties Union, The War on Marijuana in Black and White: Billions of Dollars wasted on Racially Biased Arrests (2013), available at <https://www.aclu.org/billions-dollars-wasted-racially-biased-arrests>.
7. Substance Abuse and Mental Health Serv. Admin., Marijuana Use in Lifetime, Past Year, and Past Month among Persons Aged 18 to 25, by Demographic Characteristics: Percentages, 2009 and 2010 tbls. 1.26A & 1.26B.
8. The Baltimore Sun, "Bealefeld on the 'Failed' Drug War, 'The Wire,' and Coldplay," July 13, 2012.
9. The Baltimore Sun, "Baltimore Police Ditch 'Stop and Frisk' Term, But Not Practice," September 23, 2013.
10. The Baltimore Sun, "Police Step Up Frisking Tactic," November 13, 2005.
11. ACLU of Maryland analysis of Maryland State Police stops and searches.
12. Gallup, "For First Time, Americans Favor Legalizing Marijuana," October 22, 2013.

