How do police view legalized cannabis? In Washington state, officers raise concerns
7 May 2020

Washington State legalized cannabis sales to adults in 2012, the first U.S. state to do so. Yet little is known about how police, who are on the front lines of implementing the law, experience legalization. A new study evaluated the effects of legalizing cannabis on police officers' law enforcement efforts in Washington. The study found that officers in that state, although not supportive of recriminalization, had a variety of concerns, from worries about the effect on youth to increases in impaired driving. The study can inform other states' efforts to address legalization.

Conducted by researchers at Washington State University (WSU), the study appears in Justice Evaluation Journal, a publication of the Academy of Criminal Justice Sciences.

"The trend both nationally and internationally is toward greater decriminalization, medicalization, and legalization of cannabis," says Mary Stohr, professor of criminal justice and criminology at WSU, who led the study. "Because this represents a significant policy shift in the war on drugs, which focused on the volume of arrests and prosecutions of marijuana use and sales, it is imperative that we listen to the voices of police in a state like Washington for insight into areas of impact."

To determine how the change in law affected law enforcement, researchers held focus groups to speak with 48 police officers from nine police, sheriff, and tribal agencies around Washington in 2017 and 2018. Officers came from rural, suburban, urban, and college agencies, as well as agencies with statewide jurisdiction and a Native American tribe. While the officers represented a mix of ages, genders, races and ethnicities, years on the job, and types of experience, most were White males with more than five years of experience in police work.

Among the questions asked were ones that attempted to determine how marijuana possession was handled by the police prior to and after legalization, whether and how officers' jobs have changed since legalization, and whether legalization has made things easier or more challenging for police agencies.

The study found that while police officers were not necessarily opposed to the law, they expressed concerns about a variety of issues, including:

- Youth access and use: With legalization, youth have easier access to marijuana and the use of the substance is therefore normalized, officers said.
- Lack of appropriate educational programs: In the runup to legalization, the state did not develop adequate educational programs to inform youth about the dangers of marijuana, many officers said.
- Increases in drugged driving: Officers expressed concern about the challenge of legalization for traffic law enforcement and safety, saying they struggled with how to manage potential cannabis DUI cases and were encountering more impaired drivers.
- Prosecutors’ reluctance to charge offenders: Cannabis remains illegal outside of regulatory confines, but officers noted the reluctance of some prosecutors to bring charges after legalization because of the risk of the charges being dismissed.
- Lack of police preparation for legalization: While some officers said their agencies had prepared them, others said they had not received sufficient training on how to manage incidents involving cannabis since legalization within regulatory boundaries.
- The impact on police workload: Despite claims that legalization would allow officers to reallocate resources from cannabis enforcement, most officers said legalization had not reduced their workload.

Asked to provide guidance for agencies in other states that would soon operate in a legalized environment for marijuana, the officers called for broad public educational programs (emphasizing juveniles and drivers and how the law affects them), more research on the effects of cannabis and impairment from the drug, and expanded officer training (especially on the regulatory rules governing growing cannabis). They also suggested that base pay for officers be increased, given the increasing role they play now that cannabis is legal.

"The purpose of our study was to add a key stakeholder's voice to the conversation—that of police officers," notes Craig Hemmens, professor of criminal justice and criminology at WSU, who coauthored the study. "Officers in other states may find their thoughts useful as they transition to legalization."

In terms of limitations, the authors say that while the group of officers they interviewed was robust, their findings are not necessarily generalizable to all law enforcement officers in Washington. In addition, the authors note the tendency of members of focus groups to censor their comments because they are with fellow officers.
