SAM Smart Approaches to Marijuana
preventing another big tobacco

EQUITY · CRIMINAL JUSTICE · PUBLIC POLICY

Legalization and Social Justice

The promise was fewer arrests, emptier prisons, and an industry owned by the communities prohibition hurt. Ten years in, **the arrests stayed unequal, the prisons did not empty, and the industry went to someone else**.

COLORADO DEPT. OF PUBLIC SAFETY · BLACK-TO-WHITE MARIJUANA ARREST RATIO[1]

1.7× 2018, six years after retail sales began

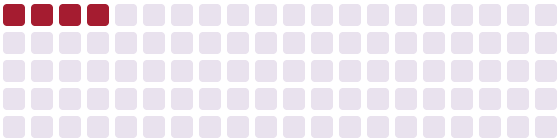
› **2.42×** 2022, up 41 percent

Arrests fell for everyone after legalization. The racial gap got wider.

The ACLU found a disparity in every legal state it examined.[11]

BUREAU OF JUSTICE STATISTICS · STATE PRISONERS[2]

3.7%

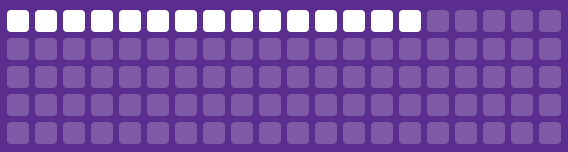


Of state prisoners are there for drug possession, any drug

And in 2022, no one was in federal prison solely for simple marijuana possession.[3] Legalization cannot empty prisons of people who are not there.

MASS. CANNABIS CONTROL COMMISSION DATA · BOSTON GLOBE[5]

15%



Of Massachusetts' 690 marijuana businesses are owned by equity-program participants, ten years after the vote

Illinois, "the most equity-centric" law in the country, opened 100 percent white-owned.[6]

AMERICAN JOURNAL OF PREVENTIVE MEDICINE[7]

2.5× Low-income Black neighborhoods

1× High-income white neighborhoods

Marijuana retailers per neighborhood. The industry chose its customers.

COLORADO DEPT. OF PUBLIC SAFETY · PRISON PROJECTIONS[4]

6 years

↑ RETAIL SALES BEGIN

Colorado's prison population stayed flat for six years after legal sales began

When it fell, the state's forecasters credited parole reform and COVID. Not marijuana.

WHO PAYS

+143% Cannabis **ER visits among Black New Yorkers**

~2× **Black youth** addiction rate vs. white youth

40% Of NY marijuana taxes promised to harmed communities. **Little has arrived.**

Reform without commercialization

The promise was testable

Every legalization campaign since Colorado in 2012 has made the same three promises to communities of color: end the arrests, empty the prisons, and build an industry owned by the people prohibition harmed. Washington, D.C.'s 2014 campaign ran on the slogan "Legalization ends discrimination." New York earmarked 40 percent of marijuana tax revenue for community reinvestment.

States now have a decade of arrest data, prison counts, license records, and health data. On every promise, the record falls short.

What the record shows

Arrests fell for everyone after legalization, but the racial disparity in who gets arrested stayed, and in Colorado it grew. The ACLU found a disparity in every legal state it examined.[11] Prison populations moved with parole reform and the pandemic, not with marijuana. Equity licensing programs in Illinois, Massachusetts, and New York have been slow, litigated, and small.[5,6,12] And the stores, the addiction, and the emergency room visits concentrated in the neighborhoods that were promised relief.

WHERE SAM STANDS

- Remove criminal penalties for personal possession. No one should carry a record for marijuana.
- Expunge past possession records automatically, without requiring people to petition.
- Invest in prevention and treatment in the communities that carry the highest costs.
- Oppose commercialization. A for-profit industry recruits its heaviest users from the same neighborhoods it promised to help.

All figures are drawn from the sources below. Full sourcing and the longer analysis are at learnaboutsam.org/social-justice.

Sources

1 Colorado Department of Public Safety, Division of Criminal Justice. Impacts of Marijuana Legalization in Colorado, 2025 report (SB13-283). cdpsdocs.state.co.us/ors/docs/reports/2025_SB13-283-MJRpt.pdf

2 Bureau of Justice Statistics. Prisoners in 2019, Table 14 (most serious offense of sentenced state prisoners). bjs.ojp.gov/content/pub/pdf/p19.pdf

3 White House. Background press call on marijuana reform, October 6, 2022. bidenwhitehouse.archives.gov/briefing-room/press-briefings/2022/10/06/background-press-call-on-marijuana-reform

4 Colorado Department of Public Safety. Prison Population Projections, 2024. cdpsdocs.state.co.us/ors/data/PPP/2024_PPP.pdf

5 Boston Globe analysis of Cannabis Control Commission data, February 17, 2026. bostonglobe.com/2026/02/17/metro/social-equity-cannabis-challenges-massachusetts

6 Illinois Cannabis Regulation Oversight Officer. Industry demographics. cannabis.illinois.gov/research-and-data/industry-demographics.html

7 Marijuana retailer density by neighborhood income and race. *American Journal of Preventive Medicine*, 2025. pubmed.ncbi.nlm.nih.gov/40339827

8 New York State Department of Health, cannabis-related emergency department visits by race. As cited at learnaboutsam.org/social-justice.

9 SAMHSA, National Survey on Drug Use and Health, cannabis use disorder among youth by race. As cited at learnaboutsam.org/social-justice.

10 Spectrum News. New York promised cannabis tax money to communities harmed by the war on drugs; five years later, little has arrived. April 2, 2026. spectrumlocalnews.com

11 ACLU. A Tale of Two Countries: Racially Targeted Arrests in the Era of Marijuana Reform, 2020. assets.aclu.org/live/uploads/publications/marijuanareport_03232021.pdf

12 New York Governor's Office. OCM Assessment, May 2024. governor.ny.gov/sites/default/files/2024-05/OCM_Assessement_Final_Report.pdf