

# An Analysis of the Impacts of Drug Decriminalization on Society

Pratyush Shanbhag

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Julianne Renner

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## Abstract:

Drug decriminalization eliminates criminalizing a person for drug possession while still keeping drugs illegal and authorizing the offender to be penalized through a fine and other forms of compensation. The legalization and decriminalization of marijuana for personal use in several U.S. states in the past decade begs the question of whether other drugs, such as hallucinogens and narcotics, should also be elevated to the same status. While most would worry that relaxing restrictions would usher in chaos, evidence collected for the past twenty years suggests that global drug decriminalization could become a utopian reality. Moreover, some other countries have begun to move in this direction earlier than most would expect; Portugal decriminalized all drugs back in 2001. This paper uses real-world data and analysis by experts to bring attention to the various benefits of drug decriminalization and the steps that can be taken to bring it into existence.

The decriminalization and legalization of recreational marijuana in several U.S. states in the 2010s and 2020s have remarkably expanded its availability. Extensive analysis has found that since 2014, recreational marijuana usage has grown dramatically, with an average increase of 20% in the United States (Zellers et al., 2022). This legalization has sparked a fierce debate about whether dangerous, illegal drugs should even have a chance at being decriminalized, as it may lead to unforeseen consequences, such as higher overdose rates and more violence in general. The impact of drug decriminalization can be seen through its influence on crime, the economy, and the substance abuse of illegal drugs.

Drug decriminalization helps reduce violence caused by drug-related conflicts. Similar to historically illegal industries such as the alcohol, gambling, and prostitution industries, individuals that participate in the underground drug trade, whether as buyers or sellers, almost always resort to the externality of violence in the case of a dispute (Jenner, 2011, p. 906). With decriminalization, dealers caught in altercations between rival drug gangs and miscellaneous street fights will have the opportunity to use the justice system to their benefit instead of taking the matter into their own hands (Cussen & Block, 2000, p. 528). In addition, allowing the police and the law to investigate disputes reduces the chance of more drug-related violence from both parties, saving many innocent lives in the process (Cussen & Block, 2000, p. 528). Drug dealers working closely with the police has several benefits. For example, dealers can trade sensitive information about local drug trafficking for safety from harsh prosecution or even to take out rival dealers, which the government can use to stop further drug crimes in the future. The government plays a pivotal role in drug regulation, to the point where government participation is a must for drug decriminalization to work. Similar to how the federal and state governments currently control the alcohol and tobacco industries, drugs should also be regulated to handle

crime and drug trafficking better (Jenner, 2011, p. 925). The consequences of ratifying the eighteenth amendment provide an example of why the prohibition of drugs has several negatives. The eighteenth amendment to the U.S. Constitution prohibited the manufacturing and sale of alcohol in 1917. For the next fifteen years until the eventual repeal of the amendment, crime rates had a major uptick due to the emergence of a black market for alcohol (Cussen & Block, 2000, pp. 528-529). Consistent regulation ensures that the increased use of drugs after decriminalization does not go out of hand. Figure 1 provides quantitative data on monthly crime rates in U.S. states with marijuana legalized versus the national average from 2000 to 2018. The graph exhibits that violent crime rates in the U.S. have slowly decreased over the eighteen-year span, while the average rate in legalized states has remained roughly the same. Dills et al. (2021) illustrate that while the violent crime rate in Maine and Nevada decreased and increased in Alaska and Massachusetts, "overall, violent crime has neither soared nor plummeted in the wake of marijuana legalization." Thus, based on the data, the common belief that drug usage will cause crime rates to soar is untrue.

The economic consequences of drug decriminalization are quite a hot debate among experts. While there is little to no evidence on how decriminalization affects the economy, there is much discourse on the pros and cons of legalization. David Mineta's piece tackles the possible economic and social issues on a federal level. In terms of money, Mineta asks, "Why not legalize and tax drugs to gain much-needed revenue?" (2010). This is an interesting question because the tobacco and alcohol industry is known for bringing in billions of dollars in revenue. While this logic may seem sound, Mineta disagrees and argues that the "tax revenue from these substances does not even begin to cover the costs associated with them. Federal excise taxes collected on alcohol in 2002 totaled \$8.3 billion, which is only 4.5 percent of the \$184 billion in

alcohol-related costs, such as lost productivity and increased health care spending." (2010). Other experts suggest that instead of legalizing and taxing drugs, decriminalization and fining work better. According to economist Gary S. Becker, "the revenue collected from large taxes on drugs could be used to treat addicts and educate youngsters about the harmful effects of many drugs" (Thornton, 2007, p. 422). Levying high taxes on legalized drugs is counter-productive because if a high percentage is chosen for the low-cost drugs, consumers will resort to buying from illegal sources. Therefore, keeping drugs decriminalized and levying heavy fines makes more sense as it forces current addicts and prospective drug users to stray away from illegal drugs. These fines, in turn, can be used to fund rehabilitation centers. Research has found that drug substance abuse is often a root cause of many significant crises affecting low-income communities, such as poverty and unemployment (Niedziela, 2019). Promoting these strengthened rehabilitation centers as no-nonsense spaces that genuinely treat the patients as humans will make such centers a viable resource for addicts to resort to and eliminate the negative stigma around rehabilitation. Eventually, these centers can drastically transform severe addicts and place them in jobs and overall better standing as contributors to society and upstanding citizens of the world instead of ending in prison or an early demise due to a drug overdose or drug-related violence.

The decriminalization of all drugs in Portugal in 2001 has provided a glimpse into the effectiveness of the policy in the real world. An extensive analysis published by Hughes and Stevens (2010) examines the implications of drug decriminalization in Portugal. According to Hughes and Stevens (2010, p. 1017), while the use of cannabis in marijuana has dramatically increased in Portugal since 2001, the use of illicit drugs has only slightly grown among adult users. However, surprisingly, more impressionable individuals, such as teenagers and serious

addicts, have seen reduced usage rates (Hughes & Stevens, 2010, p. 1017). Nevertheless, opponents of drug decriminalization believe drug use will increase regardless of strength or type. Indeed, the increased availability of drugs on the street will increase the use of drugs among a population. However, according to data from Figure 2 that tracked the use of drugs by Portuguese students, only the use of cannabis increased after decriminalization. In contrast, the prevalent use of other illicit drugs, such as LSD, heroin, and cocaine, stayed around the same as before decriminalization. This observation proves to be a direct contradiction to the commonly referenced stepping-stone hypothesis or gateway drug theory. The theory, put forth by opponents of decriminalization, can be boiled down to the sentiment that "the use of a less harmful substance increases the risk of using other more harmful substances at some later point in time" (Bretteville-Jensen, 2006, p. 561). In this instance, cannabis acts as the gateway drug for users to explore and seek out the aforementioned illicit drugs. While there has been some link to the validity of the theory due to the fact that a large number of heroin users began their use after the consumption of marijuana and the eventual desire for a more potent experience (Bretteville-Jensen, 2006, p. 561), the evidence above proves that there has not been an alarming increase that needs to be immediately investigated. In addition, the Portugal criminal justice system has become significantly more free as the number of arrests for drug charges has substantially decreased, allowing for the police and courts to focus on more severe, pressing criminal issues.

Drugs are becoming more common in American culture today. While some believe the decriminalization of drugs causes more harm than good, in reality, several large-scale benefits positively affect various issues related to the subject, such as its impact on crime, the economy, and the use of illegal drugs. Moreover, the decriminalization of marijuana has paved the way for

other drugs, such as hallucinogens and banned opioids, to get the same treatment in the future.

Furthermore, drug decriminalization might alleviate notable problems in America, such as high drug overdose rates and overcrowded prisons, driving the country in a more promising direction of prosperity.