



A Baseline Review and Assessment of Cannabis Use and Public Safety

Part 2: 94C Violations and Social Equity: Literature Review and Preliminary Data in Massachusetts

April 2019

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Purpose

This report has been prepared in response to the enabling legislation, Chapter 55 section 17a (vii) to assess one item on the Cannabis Control Commissions' research agenda. This legislation section states that: *“The commission shall develop a research agenda in order to understand the social and economic trends of marijuana (“cannabis”) in the commonwealth, to inform future decisions that would aid in the closure of the illicit marketplace and to inform the commission on the public health impacts of marijuana.”*

One of the research agenda priority items enumerated is:

- (1) Compilation of data on the number of civil penalties, arrests, prosecutions, incarcerations and sanctions imposed for violations of chapter 94C for possession, distribution or trafficking of marijuana or marijuana products, including the age, race, gender, country of origin, state geographic region and average sanctions of the persons charged

Chapter 55 additionally asserts that the Commission shall incorporate available data, annually report on the results of its research, and make recommendations for further research or policy changes.

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I. Executive Summary

The enactment and implementation of cannabis policies in the U.S. have been coupled with aims of reducing criminal justice system burden and increasing equity. Assessing and preventing cannabis-related public safety concerns is a top priority for Massachusetts with the recent implementation of licensed retail establishments permitting the sale of cannabis to adults aged 21 years-old or older in the Commonwealth.

The Massachusetts Cannabis Control Commission (CNB) conducted a review of the scope of the issue and preliminary data to identify gaps in the research, and to make evidence-based research and policy considerations. This report is split into three parts: (1) Chapter 94C Violations, (2) Impact of Cannabis-Violations, particularly on disproportionately impacted people/communities, and (3) Prevention of Cannabis-Violations.

Part one outlines M.G.L. c. 94C and its provisions, then discusses current and future data sources and their limitations. Next, preliminary 94C data are presented from the National Incident Based Reporting System, the Massachusetts State Police, and the Boston Police Department. Part two briefly examines the historic disproportionate impact of drug laws on minorities and the impact of drug-records on employment. This is followed by a literature review on racial/ethnic disparities in cannabis-related violations and mechanisms driving disparities. Sealing and expungement, then CNB equity programs are described and preliminary data are presented. Several equity-forward Massachusetts localities are spotlighted. Part three outlines a prevention framework and the Massachusetts public awareness campaign. Preliminarily focus group data are presented. Lastly, research and policy considerations are discussed.

[See Main Findings below].

Main Findings

M.G.L. c. 94C Provison Violations: Massachusetts "Baseline" Data

- Statewide, cannabis possession charges decreased (2000-2017), comprising a smaller percentage of all drug-related charges, with a notable drop between 2008 to 2009 following decriminalization; However sale/manufacturing cannabis incidences have fluctuated.
- Statewide, males made up a larger percentage of all cannabis-related M.G.L. c. 94C violations.
- Statewide, Blacks had a larger percentage of cannabis-related: (1) transportation, (2) distribution, (3) possession, (4) buying/receiving, (5) using/consuming violations relative to their percentage of the population overall. Hispanics made up a larger percentage of: (1) transportation, (2) distribution, (3) possession, and (4) buying/receiving violations relative to their population. In contrast, Whites represented a smaller percentage relative to their population in all cannabis violations with the exception of cultivating/manufacturing. Asians represented a smaller share of all cannabis violations related to their percentage of the population.
- In 2017, Worcester county had the most cannabis police seizures (16% of all MA cannabis seizures), followed by Middlesex (16%) and Hampden (13%) counties. Dukes and Nantucket counties had the fewest reported cannabis seizures.

Literature Review: Impact(s) of Cannabis-Violations

- Literature reviews suggest that drug records have adverse effects on employment, which may be compounded for Black and Latino/Hispanic individuals.
- Nationally, Black and Latino/Hispanic cohorts are arrested for drug offenses at higher rates than Whites despite similar rates of drug use and sale; No peer-review research exists for Massachusetts data.
- In the gray literature, there is preliminary evidence showing that adult-use cannabis legalization reduces cannabis-related violations for all racial/ethnic groups; However, racial/ethnic disparities persist. This review was unable to find peer review research on this issue.
- The Cannabis Control Commission's Economic Empowerment Applicant survey showed that the most common reason(s) potential applicants did not apply for licensure were: (1) difficulty raising funds or capital (46.7%), (2) difficulty obtaining approval from a city or town (41.3%), and (3) still developing a business concept/plan (40%).

Prevention of Cannabis Violations

- In Massachusetts's public awareness campaign focus groups, the majority of participants reported:
 - Awareness that possession limits existed, but most were unsure the exact amount.
 - Awareness that **not** taking marijuana ("cannabis") across state lines was "common sense," but reported concern that trafficking across state lines may be easily and unknowingly violated.

II. Brief History of Cannabis Laws

Worldwide, cannabis has been used for religious, recreational, and therapeutic purposes for thousands of years, it is no surprise that cannabis is currently the most frequently cultivated, trafficked, and abused illicit drug worldwide.¹⁻⁵ In the United States (U.S.), cannabis cultivation and use were legal under federal and state laws throughout most of American history. An increase in cannabis use from 1910-1920, coupled with political hysteria, led states including Massachusetts to pass laws prohibiting the possession or sale of cannabis.^{2,6,7}

In 1970, The Federal Controlled Substance Act (CSA) replaced the Marihuana Tax Act of 1937 and placed cannabis (“marijuana”) as a Schedule 1 drug, the most restrictive ranking. Despite increasing stringency of federal cannabis policies over time, the recreational use of cannabis increased. In 1971, President Richard Nixon declared a war on drugs aiming to combat drug abuse on the supply and demand sides. However, a disproportionate number of War on Drug policies focused on criminal justice enforcement and punishment for drug offenses—creating systematic changes in the criminal justice system.

Currently in the CSA and under the U.S. Drug Enforcement Agency (DEA), cannabis remains classified as a Schedule 1 drug, contending that it has: (1) a high potential for abuse, (2) no current accepted medical use in the U.S., and (3) a lack of accepted safety for use under medical supervision.^{8,9}

Moving Toward Legalization

Movement toward cannabis legalization has occurred on a state-by-state basis. The first wave of cannabis legalization was decriminalization, which replaced criminal sanctions for possession and small-scale distribution of cannabis with civil fines.¹⁰ Since 1972, 22 states and the District of Columbia (D.C.) have enacted policies decriminalizing small amounts of cannabis.¹¹

Medical marijuana policies followed which allow access to and use of cannabis for certain medical purposes. Since 1996, 33 states, D.C., and four U.S. territories have enacted laws permitting medicinal cannabis programs.

Adult-use legalization policies allow cannabis use by adults in certain settings and may allow retail stores. Since 2012, ten states and D.C. have enacted varying laws permitting small amounts of cannabis for non-medical adult-use for those 21 years-old or older (“≥21”).¹¹

Massachusetts

Massachusetts has enacted and implemented all three types of cannabis legalization in disparate waves. All three waves of Massachusetts cannabis legalization were enacted via ballot initiatives: cannabis decriminalization in 2008 with Question 2, “*The Sensible Marijuana Policy Initiative*,” medicinal cannabis in 2012 with Question 3, “*An Initiative Petition for a Law for the Humanitarian Medical Use of Marijuana*,” and non-medical adult-use cannabis legalization in 2016 with Question 4, “*Massachusetts Legalization, Regulation and Taxation of Marijuana Initiative*.”

Part 1: 94C Cannabis-Violations

III. M.G.L. c. 94C Controlled Substances Act

Massachusetts has multiple laws/provisions and regulations covering various aspects of cannabis (*e.g. cultivation, possession, sale, trafficking, driving after use, etc.*). This report is legislatively required to report on civil penalties, arrests, prosecutions, incarcerations and sanctions of M.G.L. c. 94C for possession, distribution and trafficking of cannabis or cannabis products, including the age, race, gender, country of origin, state geographic region and average sanctions of the persons charged.

M.G.L. c. 94C, *The Controlled Substances Act*, establishes schedules pursuant to the Federal Controlled Substance Act (CSA) of 1970 for the Commonwealth. Cannabis (“marihuana”) is scheduled as a “Class D” substance. This section briefly lays out sections of M.G.L. c. 94C related to the possession, distribution, and trafficking of cannabis. See law for full provisions.^a Please note—nothing included in this report is intended for legal advice and cannot serve as such. Please reach out to a qualified attorney for any legal questions.

Possession

M.G.L. c. 94C, § 32L, *Possession of one ounce or less of marihuana civil penalty and forfeiture; other sanctions or disqualifications prohibited*, designates possession of ≤ 2 ounces (less than or equal to two ounces) of cannabis as a civil penalty with a \$100 fine and forfeiture of cannabis for adults. Minors are subject to the same penalties if they complete a drug awareness program. Charges under this section cannot be used to deny a person access to state programs, such as financial aid or public housing. The possession of ≤ 1 ounce of cannabis is now legal for adults ≥ 21 years-old, as per M.G.L. c. 94G § 7).

Note: Legislation was amended to increase civil offense cap from one to two ounces or less, effective July 28, 2017.

M.G.L. c. 94C, § 32M, *Possession of one ounce or less of marihuana; drug awareness program*, states that minors with cannabis possession charges of ≤ 2 ounces must complete a drug awareness program, with at least four hours in the classroom and at least 10 hours of community service, within a year of the offense. M.G.L. c. 94C, § 32N states the parent/legal guardian of minors shall be notified of such charges.

Note: Legislation was amended to increase civil offense cap from one to two ounces or less, effective July 28, 2017.

M.G.L. c. 94C, § 32N, *Possession of One Ounce or Less of Marihuana — Noncriminal Disposition*, sets forth the procedure for noticing and issuing monetary fines for non-criminal disposition of civil offenses.

^a <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXV/Chapter94C>

M.G.L. c. 94C § 34, *Unlawful possession of particular controlled substances, including heroin and marihuana*, provides that possession of >2 ounces (more than two ounces) of cannabis may be penalized with imprisonment for no more than six months, or a fine of \$500, or both. This section also states first time offenses may be eligible for sealing. However, pursuant to M.G.L. c. 94G, § 7, *Personal Use of Marijuana*, an individual shall not be subject to prosecution for simple possession of up to 10 ounces of cannabis within the person's residence and notwithstanding any general or special law to the contrary.

Note: M.G.L. c. 94C § 34 has not been amended to increase the non-criminal cap of cannabis possession from one to two ounces as provided in M.G.L. c. 94C, § 32L.

Distribution

M.G.L. c. 94C, § 32C, *Class D controlled substances; unlawful manufacture, distribution, dispensing, cultivation or possession with intent to manufacture, etc.*, defines penalties for distribution, manufacturing, and cultivation of a Class D substance (e.g. *cannabis*) as imprisonment of no more than two years and/or a fine \$500 ≤ \$5,000 for a first offense, with increases for repeated convictions.

Trafficking

M.G.L. c. 94C, § 32E, *Trafficking Cannabis ("marihuana"), cocaine, heroin, morphine, opium, etc.; eligibility for parole*, defines penalties for cannabis trafficking in amounts over 50 pounds, with increasing penalties for over 100 pounds, over 2,000 pounds, and over 10,000 pounds.

Other

M.G.L. c. 94C, § 32J, *Controlled substances violations in, on, or near school property; eligibility for parole*, defines additional penalties for possession, distribution, trafficking charges that occurred on or within 300 feet of a school, and 100 feet of a park or playground.

M.G.L. c. 94C, § 32K, *Inducing or abetting minor to distribute or sell controlled substances*, defines penalties for those that induce or assist minor(s) to distribute or sell controlled substances, such as cannabis.

**Please note that nothing included in this report is intended for legal advice and cannot serve as such. Please reach out to a qualified attorney for any legal questions.*

IV. Commonwealth of Massachusetts: Laws, Cases, Regulations, and Guidance

i. State Laws Governing 94C Violations

- M.G.L. c. 94C: *Controlled Substances Acts*
 - <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXV/Chapter94C>

ii. State Laws Governing the Cultivation, Production, Transportation or Sale of Medical and Adult-Use of Cannabis

- St. 2008, c. 387: *An Act Establishing A Sensible State Marihuana Policy*
 - <https://malegislature.gov/Laws/SessionLaws/Acts/2008/Chapter387>
- St. 2012, c. 369: *An Act for The Humanitarian Medical Use of Marijuana*
 - <https://malegislature.gov/Laws/SessionLaws/Acts/2012/Chapter369>
- St. 2016, c. 334: *The Regulation and Taxation of Marijuana Act*
 - <https://malegislature.gov/Laws/SessionLaws/Acts/2016/Chapter334>
- St. 2017, c. 55: *An Act to Ensure Safe Access to Marijuana*
 - <https://malegislature.gov/Laws/SessionLaws/Acts/2017/Chapter55>
- M.G.L. c. 94G: Regulation of the Use and Distribution of Marijuana Not Medically Prescribed
 - <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXV/Chapter94G>
- M.G.L. c. 94I: Medical Use of Marijuana
 - <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXV/Chapter94I>

iii. Regulations

- 935 CMR 500.00: *Adult Use of Marijuana*
 - <https://www.mass.gov/files/documents/2018/03/27/935cmr500.pdf>
- 935 CMR 501.000: *Medical Use of Marijuana*
- 935 CMR 502.000: *Colocated Adult-Use and Medical-Use Marijuana Operations*

iv. Sub-Regulatory Guidance

- <https://mass-cannabis-control.com/guidancedocuments/>

V. Data Sources and Limitations

Chapter 55 of the Acts of 2017 section 17(a)(vii) states the Cannabis Control Commission research agenda shall include “*a compilation of data on the number of civil penalties, arrests, prosecutions, incarcerations and sanctions imposed for violations of chapter 94C for possession, distribution or trafficking of marijuana (“cannabis”) or marijuana (“cannabis”) products, including the age, race, gender, country of origin, state geographic region and average sanctions of the persons charged.*”

Civil Penalties

Since 2008, Massachusetts decriminalized cannabis possession (≤ 1 ounce until July 2017 and ≤ 2 ounces after July 2017), which replaced criminal penalties with a \$100 civil fine. Citations are sent to the local clerk office; However, there are currently no mechanism(s) in place to track or require the payment of these fines, thus we could not report on this penalty.

Arrests

Five data sources are included in the preliminary (“baseline”) assessment of M.G.L. c. 94C provision incidents.

1) Aggregate National Incident-Based Reporting System (NIBRS) Data

Specific aggregate National Incident-Based Reporting System (NIBRS) data for cannabis possession and cannabis sale/manufacturing violations are included in this report. Per the Uniform Crime Reporting (UCR) manual, drug violations are reported by “sale/manufacturing” and “possession” for “Opium or Cocaine and Their Derivatives (Morphine, Heroin, Codeine),” “Marijuana (“Cannabis”),” Synthetic Narcotics - Manufactured Narcotics Which Can Cause True Drug Addiction,” and “Other - Dangerous Nonnarcotic Drugs (Barbiturates, Benzedrine).” The sale/manufacturing classification does not differentiate out by distribution or trafficking in these datasets. Jurisdictions cannabis possession and distribution data includes municipalities and other UCR reporting agencies (*e.g. college campus police, MBTA*), but it is not an all-inclusive sample of all Massachusetts law enforcement.

The NIBRS is the most comprehensive data source to assess these issues, but as with any data source, it is subject to limitations. NIBRS is voluntary and not all states or law enforcement agencies provide data.¹² Smaller law enforcement agencies are more likely to use NIBRS than larger agencies.¹³ Additionally, there are no systematic audits to ensure data accuracy, although there are built-in mechanisms during the data entry process to increase accuracy.¹⁴ In an analysis by McCormack et al. 2017, authors found that NIBRS is not representative of the U.S. population, or its criminal volume and crime rates.¹² However, if NIBRS is used with an understanding of its limitations, it can provide important granular data to compare across place (“jurisdiction”) and time (“year”).

Despite limitations, Pattavina et al. 2017 found that the representativeness of arrests in NIBRS closely matches UCR data.¹⁵ In an assessment of the effect of missing responses (including

missing entire agencies) on violent crime estimates, Addington 2008 found a low-response rate and evidence of bias; However, bias in NIBRS may be less impactful depending on the crime examined and population studied.¹⁶ It is important to note that this study did not examine all drug related offenses.¹⁶

In 2017, 300 Massachusetts' agencies submitted data to NIBRS which accounts for approximately 86% (5,909,196 of the estimated 6,859,819) state population in 2017 as reported in the census.^{17,18} Of note, the Massachusetts State Police and the Boston Police Department do not submit data to NIBRS (see data sources below). The Massachusetts Executive Office of Public Safety & Security (EOPSS) provided aggregate converted NIBRS state-wide data (2000-2017) on drug arrests by drug type, including cannabis possession and sale/manufacturing. This aggregated data is included in the report.

2) National Incident-Based Reporting System (NIBRS) Baseline Analyses

Individual-level NIBRS data were obtained from 2000-2013 (see above for NIBRS limitations). Baseline data includes analysis of all related M.G.L. c. 94C Cannabis and Class D violations with race, ethnicity, gender, and resident status. Race and ethnicity data are also examined by year. Individual-level data beyond 2013 could not be obtained in time for this report. Future reports will attempt to include more recent data to examine potential effects of adult use cannabis legalization. The current analyses aim to provide a pre-adult use legalization baseline.

3) Massachusetts State Police (MSP) Cannabis and Class D Violations

The Massachusetts State Police (MSP) provided data on M.G.L. c. 94C Cannabis and Class D violation incidents by race, gender, and state of residence. The MSP have law enforcement jurisdiction in the Commonwealth, with exception of U.S. Government reservations, and provide enforcement primarily on State Highways and Interstates, Commonwealth property (*i.e. buildings, beaches, parks*), Department of Conservation and Recreation property, Massport, Gaming, etc.¹⁹ MSP findings should only be applied to the MSP and cannot be generalized to the Commonwealth as a whole. (**Note:** MSP data is **not** included in NIBRS data).

4) MSP CrimeSOLV data on Cannabis Seizures

Massachusetts State Police CrimeSOLV, a publicly available dataset, was used to assess cannabis and hashish seizures by county and city/town. Only one year of data (2017) was accessed for this report. Massachusetts CrimeSOLV is a state application/database compiled of incident-based reporting for varying user groups (Public, Law Enforcement Agency, and Administration) to access and assess tables/charts and crime statistics.²⁰ However, this is an incomplete data source and cannot be considered state official statistics.

CrimeSOLV is available here: <https://masscrime.chs.state.ma.us/>

5) Boston Police Department (BPD) Class D Violations Data

The Boston Police Department (BPD) provided the Cannabis Control Commission with incident-level data of 94C violations for Class D substances including: (1) possession, (2) distribution, and (3) trafficking from 2000 to 2018. All possession with intent to distribute charges were coded as distribution for these analyses. All related M.G.L. c. 94C violations in BPD data are examined by frequency, age, and race. (**Note:** BPD data is **not** included in NIBRS data).

It is unknown whether all Class D incidences refer to cannabis, however after expert consultation, it is likely that cannabis represents the majority of Class D violations.

Prosecutions

Massachusetts prosecution data are not compiled in a central repository and will need to be accessed through the court system. Efforts to procure this data are ongoing. The extent and comprehensiveness of the data available are unknown but will be included and assessed in future reports if possible.

Incarcerations

Massachusetts incarcerations data are not compiled in a central repository and will need to be accessed through varying law enforcement agencies and the court system. Efforts to procure this data are ongoing. The extent and comprehensiveness of the data available are unknown but will be included and assessed in future reports if possible.

Sanctions

Massachusetts sanctions data are not compiled in a central repository and will need to be accessed through the court system. Efforts to procure this data are ongoing. The extent and comprehensiveness of the data available are unknown but will be included and assessed in future reports if possible.

Traffic Safety

For traffic safety data, please see: *Public Safety Report 1: A Baseline Review and Assessment of Cannabis Use and Public Safety Part 1: Operating under the Influence of Cannabis: Literature Review and Preliminary Data in Massachusetts*. Boston, MA: Massachusetts Cannabis Control Commission (January, 2019).

VI. Baseline Data

M.G.L. c. 94C Controlled Substances Act

For purposes of this report, a range of data sources were examined as “baseline” data to begin to assess potential changes in incidents of varying M.G.L. c. 94C Cannabis and Class D substance violations in Massachusetts prior to the opening of non-medical adult-use retail cannabis establishments and to make considerations (“recommendations”) for future data collection and monitoring. Data sources include: National Incident-Based Reporting System (NIBRS) 2000-2017 (aggregate), NIBRS 2000-2013 (stratified), Massachusetts State Police (MSP) 2000-2018, MSP CrimeSOLV 2017, and Boston Police Department (BPD) data (2000-2018).

A. National Incident-Based Reporting System (NIBRS) M.G.L. c. 94C Violations Data

NIBRS Data: General Overview

The uniform crime reporting program (UCR) is a Federal Bureau of Investigations (FBI) reporting system that includes: The Summary Reporting System (SRS), the National Incident-Based Reporting System (NIBRS), the Law Enforcement Officers Killed and Assaulted (LEOKA) Program, and the Hate Crime Statistic Program.²¹ The program was developed by the International Association of Chiefs of Police in the late 1920s to establish reliable and uniform crime statistics in the U.S.²²

NIBRS is a national dataset;²³ However only Massachusetts data was accessed for this report. NIBRS is a law enforcement “incident-based” reporting system, which means each individual crime is reported, rather than only the most serious crime (“summary-based”).^{24,25} This means a single incident and individual may be represented multiple times if more than one offense occurred during the incident. NIBRS also includes individual-level data on the perpetrator and victim (*e.g. age, gender, race/ethnicity, relationship between victim and perpetrator*).²⁶ Law enforcement participation is voluntary, thus, the database cannot be considered representative of the state as a whole.

NIBRS Data: Aggregate

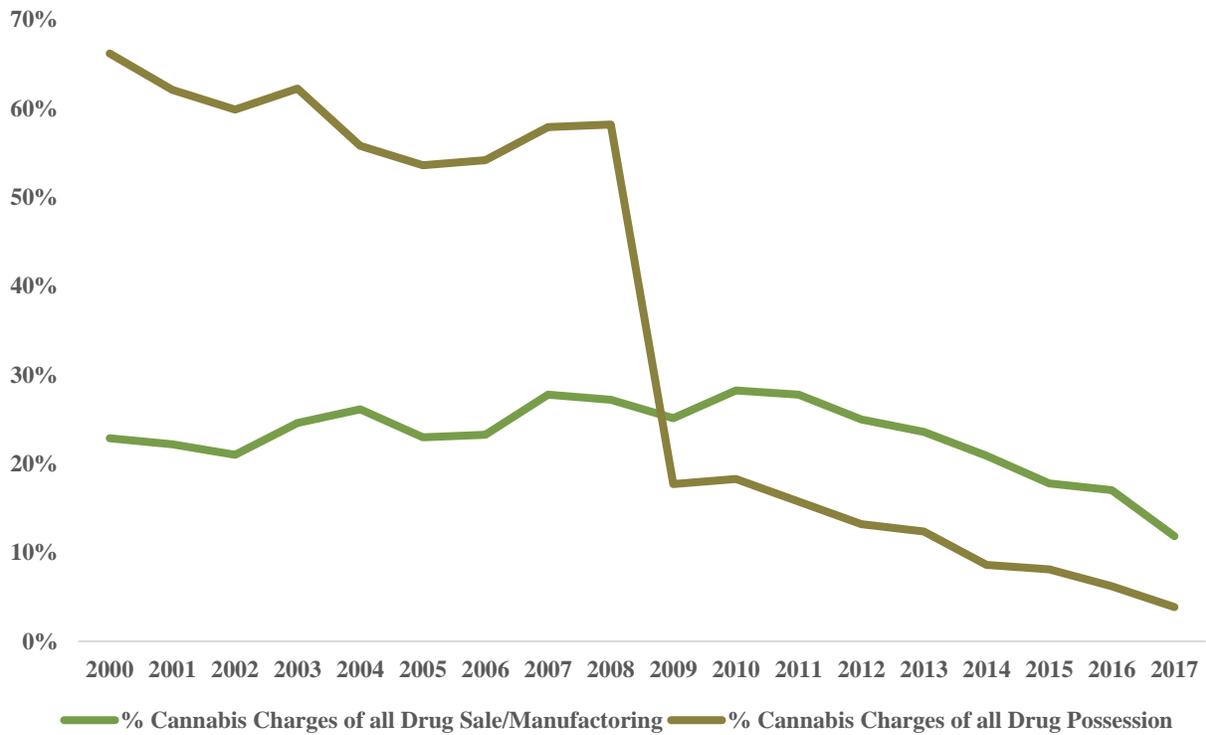
Cannabis Possession and Sale/Manufacturing

Chart VI.A.1 show the cannabis possession violations as a percentage of all drug possession violations, and cannabis sale/manufacturing violations as a percentage of all drug sale/manufacturing violations from 2000-2017. Table VI.A.1. show the cannabis sale/manufacturing and possession frequencies across years, 2000-2017. NIBRS is a national database; thus, it does not stratify out by state-level laws; However, this report denotes the corresponding M.G.L c. 94C violation(s) for categories of incidents.

From 2000 to 2017, cannabis possession violations decreased from 66% (3,609) to 4% (230) of all drug possession violations. Similarly, sale/manufacturing violations for cannabis decreased from 23% (407) to 12% (463) of all drug sale/manufacturing violations.

In 2008, when Massachusetts decriminalized possession of one ounce or less of cannabis, 58% (5,595) of drug possession violations were for cannabis. By 2009, cannabis accounted for only 18% (753) of total drug possession violations. Similarly, cannabis possession violations decreased to a low of 4% (230) of all drug possession violations in 2017 following changes in legislation. The non-medical adult-use of cannabis was legalized in 2016 and decriminalization possession limits increased to ≥ 2 ounces in 2017.

Chart VI.A.1. M.G.L. c. 94C Cannabis Sale/Manufacturing^{1,2} and Possession Violations^{3,4} as a Percentage of All Drug Possession and All Drug Sale/Manufacturing Violations, NIBRS 2000-2017



***Notes:**

¹ M.G.L. c. 94C, § 32C (Cultivate/Manufacture Class D Substance)

² M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance)

³ M.G.L. c. 94C, § 34 (Cannabis Possession (>1 ounce until 7/2017 and >2 ounces after 7/2017))

⁴ M.G.L. c. 94C, § 32L (Cannabis Possession (≤1 ounce until 7/2017 and ≤2 ounces after 7/2017))

Table VI.A.1. M.G.L. c. 94C Cannabis Violations, NIBRS 2000-2017

Year	Sale/Manufacturing ^{1,2}	Possession ^{3,4}
2000	407	3,609
2001	428	3,740
2002	390	3,408
2003	477	3,429
2004	715	4,129
2005	720	4,385
2006	742	4,715
2007	966	5,406
2008	1,038	5,595
2009	839	753
2010	954	821
2011	910	729
2012	1,261	837
2013	1,187	835
2014	980	566
2015	482	435
2016	691	405
2017	463	230
Total	13,650	44,027

***Notes:**

¹ M.G.L. c. 94C, § 32C (Cultivate/Manufacture Class D Substance)

² M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance)

³ M.G.L. c. 94C, § 34 (Cannabis Possession (>1 ounce until 7/2017 and >2 ounces after 7/2017))

⁴ M.G.L. c. 94C, § 32L (Cannabis Possession (≤1 ounce until 7/2017 and ≤2 ounces after 7/2017))

NIBRS Data: Individual-Level

General Overview

Massachusetts NIBRS data spanning 2000-2013 were assessed to stratify out cannabis-related incidents regarding: (1) cultivating/manufacturing (*i.e. production of any type*), (2) transporting/transmitting/importing, (3) distributing/selling, (4) possessing/concealing, (5) buying/receiving, and (6) using/consuming. NIBRS is a national database, thus, does not stratify out by state-level laws; However, this report denotes the corresponding M.G.L c. 94C violation for these categories. It is important to note that no statistical tests of significance were conducted due to statistical weighing concerns and resources needed, but these analyses will be included in future reports.

Table VI.A.2. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C violations overall and Chart VI.A.2. and Table VI.A.3. show the statistics across all available years of data, 2000-2013. In the NIBRS database, the most frequent cannabis-related violations across all years were: (1) possessing/concealing (77.9%) and (2) distributing/selling (14.8%). Overall, there were fluctuating trends in 94C violation incidents in Massachusetts from 2000-2013 [See Chart VI.A.2.]. It is important to note here that in 2008 Massachusetts decriminalized cannabis possession (less than one ounce), which may have impacted the enforcement or fidelity of enforcement of lesser possession limits (*i.e. ≥ 1 ounce*), contributing to the sharp decline in possession rates post-2008.

Table VI.A.2. M.G.L. c. 94C Cannabis Violations, NIBRS 2000-2013

M.G.L. c. 94C Provisions	Frequency (%)	
Cultivating/Manufacturing¹	1,053	(1.2)
Transporting/Transmitting/Importing²	259	(0.3)
Distributing/Selling³	13,079	(14.8)
Possessing/Concealing⁴	68,797	(77.9)
Buying/Receiving	1,352	(1.5)
Using/Consuming	3,587	(4.1)
Total	88,127	(99.8)

***Notes:**

¹M.G.L. c. 94C, § 32C (Cultivate/Manufacture Class D Substance)

²M.G.L. c. 94C, § 32E (Trafficking Cannabis)

³M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance)

⁴M.G.L. c. 94C, § 34 (Possession Class D Substance, which included cannabis [“marihuana”] before 2008)

NIBRS Year Trends

Chart VI.A.2. M.G.L. c. 94C Cannabis Violations by Year, (Percent of Total), NIBRS 2000-2013

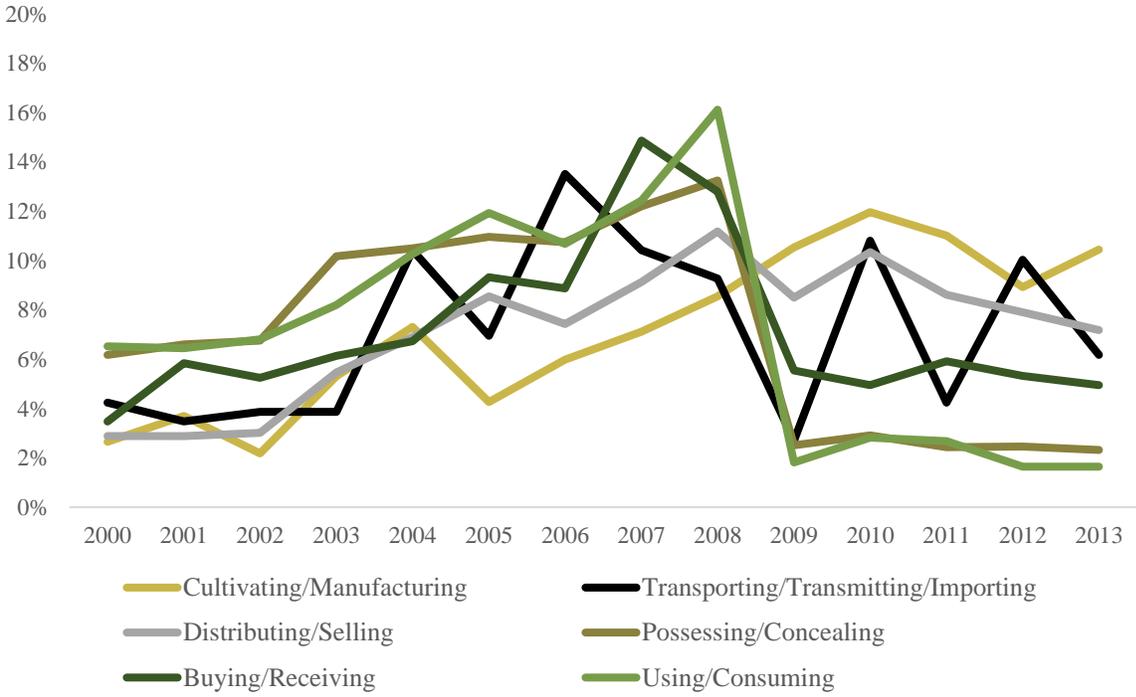


Table VI.A.3. M.G.L. c. 94C Cannabis Violations by Year (Frequency [%]), NIBRS 2000-2013

M.G.L. c. 94C Provisions	2000		2001		2002	
Cultivating/Manufacturing¹	28	(2.7)	39	(3.7)	23	(2.2)
Transporting/Transmitting/Importing²	11	(4.2)	9	(3.5)	10	(3.9)
Distributing/Selling³	378	(2.9)	377	(2.9)	395	(3.0)
Possessing/Concealing⁴	4,252	(6.2)	4,539	(6.6)	4,645	(6.8)
Buying/Receiving	47	(3.5)	79	(5.8)	71	(5.3)
Using/Consuming	234	(6.5)	231	(6.4)	244	(6.8)
Total	4,959 (5.6)		5,285 (6.0)		5,400 (6.1)	
M.G.L. c. 94C Provisions	2003		2004		2005	
Cultivating/Manufacturing¹	56	(5.3)	77	(7.3)	45	(4.3)
Transporting/Transmitting/Importing²	10	(3.9)	27	(10.4)	18	(6.9)
Distributing/Selling³	715	(5.5)	902	(6.9)	1,118	(8.6)
Possessing/Concealing⁴	7,000	(10.2)	7,218	(10.5)	7,543	(11.0)
Buying/Receiving	83	(6.1)	91	(6.7)	126	(9.3)
Using/Consuming	294	(8.2)	368	(10.3)	428	(11.9)
Total	8,189 (9.3)		8,720 (9.9)		9,303 (10.5)	
M.G.L. c. 94C Provisions	2006		2007		2008	
Cultivating/Manufacturing¹	63	(6.0)	75	(7.1)	90	(8.5)
Transporting/Transmitting/Importing²	35	(13.5)	27	(10.4)	24	(9.3)
Distributing/Selling³	971	(7.4)	1,193	(9.1)	1,462	(11.2)
Possessing/Concealing⁴	7,387	(10.7)	8,387	(12.2)	9,112	(13.2)
Buying/Receiving	120	(8.9)	201	(14.9)	173	(12.8)
Using/Consuming	383	(10.7)	446	(12.4)	578	(16.1)
Total	8,975 (10.2)		10,353 (11.7)		11,462 (13.0)	

M.G.L. c. 94C Provisions	2009		2010		2011	
Cultivating/Manufacturing¹	111	(10.5)	126	(12.0)	116	(11.0)
Transporting/Transmitting/Importing²	7	(2.7)	28	(10.8)	11	(4.2)
Distributing/Selling³	1,111	(8.5)	1,353	(10.3)	1,127	(8.6)
Possessing/Concealing⁴	1,726	(2.5)	2,003	(2.9)	1,671	(2.4)
Buying/Receiving	75	(5.5)	67	(5.0)	80	(5.9)
Using/Consuming	65	(1.8)	101	(2.8)	96	(2.7)
Total	3,095 (3.5)		3,682 (4.2)		3,110 (3.5)	
M.G.L. c. 94C Provisions	2012		2013			
Cultivating/Manufacturing¹	94	(8.9)	110	(10.4)		
Transporting/Transmitting/Importing²	26	(10.0)	16	(6.2)		
Distributing/Selling³	1,033	(7.9)	939	(7.2)		
Possessing/Concealing⁴	1,693	(2.5)	1,597	(2.3)		
Buying/Receiving	72	(5.3)	67	(5.0)		
Using/Consuming	59	(1.6)	59	(1.6)		
Total	2,979 (3.4)		2,794 (3.2)			

***Notes:**

¹ M.G.L. c. 94C, § 32C (Cultivate/Manufacture Class D Substance)

² M.G.L. c. 94C, § 32E (Trafficking Cannabis)

³ M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance)

⁴ M.G.L. c. 94C, § 34 (Possession Class D Substance, which included cannabis [“marihuana”] before 2008)

NIBRS 2000-2013 Race/Ethnicity Trends

Table VI.A.4. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C violations stratified out by racial/ethnic cohorts consistent with 2000 and 2010 Massachusetts Census data. These percentages were compared to the racial/ethnic demographics in the Commonwealth. It is important to note that no statistical tests of significance were conducted due to statistical weighing concerns and resources needed, but these analyses will be included in future reports.

Six categories of 94C violations were assessed in the NIBRS dataset: (1) cultivating/manufacturing, (2) transporting/transmitting/importing, (3) distributing/selling, (4) possessing/concealing, (5) buying/receiving, and (6) using/consuming.

Between 2000-2013, persons identifying as White made up 84.5-80.4% of the Massachusetts population in 2000 and 2010 respectively. White violations were within their population range (*i.e. ratio of percent of incidents involving Whites compared to percent of White population overall*) in four categories: buying/receiving, possessing/concealing, transporting/transmitting/importing, and using/consuming. Whites were more likely to have cultivating/manufacturing incidences and less likely to have distributing/selling incidents compared to their percentage of the Massachusetts population overall. [See *Table VI.A.4*].

Persons identifying as Asian followed a different trajectory. This cohort comprised of 3.8-5.3% of the population (2000 and 2010); However, across all 94C categories assessed, the Asian cohort contributed to a smaller percentage of incidences than this cohort's population in Massachusetts (range 1% for possessing/concealing to 3.5% for transporting/transmitting /importing). [See *Table VI.A.4*].

Similarly, persons identifying as American Indian or Alaskan Native also had lower incidences for all 94C violations assessed. [See *Table VI.A.4*].

In contrast to the trends found in the Asian and American Indian/Alaskan Native cohorts, persons identifying as Black made up 5.4-6.6% of the Massachusetts population (2000 and 2010); However, across all 94C categories assessed, the Black cohort contributed to a larger percentage of incidences than this cohort's population in Massachusetts overall (range 7.1% for cultivating/manufacturing to 21.9% for distributing/selling). [See *Table VI.A.4*].

It is important to note that people who identify as Hispanic can be any race. Similar to the U.S. Census, which does not stratify out Hispanic as a "Race" as it does for White, Black, Asian, American Indian or Alaskan Native persons—the NIBRS dataset also does not differentiate Hispanic as a race. Persons identifying as Hispanic are included within the racial cohorts as well as a separate measure for persons to identify as either Hispanic or Non-Hispanic. [See *Appendix Table III.1. Census data definitions of inclusion for race/ethnicity for more detailed information on racial cohort categorization*].

Persons identifying as Hispanic were 6.8-9.6% of the Massachusetts population in 2000 and 2010 respectively. This cohort was within the overall state population range in one category, using/consuming, lower in one category, cultivating/manufacturing, and higher in the remaining

four categories (range 11.1% for possessing/concealing to 18.7% for distributing/selling). [See *Table VI.A.5, Table VI.A.6*].

Table VI.A.4. M.G.L. c. 94C Cannabis Violations by Race Category (Frequency [%]), NIBRS 2000-2013

M.G.L. c. 94C Provisions	White		Black		Asian/Pacific Islander		American Indian/Alaskan Native		Unknown	
Cultivating/Manufacturing¹	939	(89.2)	75	(7.1)	27	(2.6)	0	(0.0)	12	(1.1)
Transporting/Transmitting/Importing²	214	(82.6)	31	(12.0)	9	(3.5)	0	(0.0)	5	(1.9)
Distributing/Selling³	9,566	(73.2)	2,870	(21.9)	200	(1.5)	24	(0.2)	417	(3.2)
Possessing/Concealing⁴	57,516	(83.6)	8,717	(12.7)	700	(1.0)	86	(0.1)	1,755	(2.6)
Buying/Receiving	1,084	(80.2)	217	(16.1)	17	(1.3)	1	(0.1)	33	(2.4)
Using/Consuming	2,911	(81.2)	430	(12.0)	48	(1.3)	4	(0.1)	194	(5.4)
Total	72,375 (82.0)		12,361 (14.0)		1,007 (1.1)		116 (0.1)		2,422 (2.7)	

***Notes:**

¹M.G.L. c. 94C, § 32C (Cultivate/Manufacture Class D Substance)

²M.G.L. c. 94C, § 32E (Trafficking Cannabis)

³M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance)

⁴M.G.L. c. 94C, § 34 (Possession Class D Substance, which included cannabis [“marihuana”] before 2008)

Table VI.A.5. M.G.L. c. 94C Cannabis Violations by Ethnicity, Hispanic/Non-Hispanic (Frequency [%]), NIBRS 2000-2013

M.G.L. c. 94C Provisions	Hispanic		Non-Hispanic		Unknown	
Cultivating/Manufacturing¹	45	(4.3)	847	(80.7)	158	(15.0)
Transporting/Transmitting/Importing²	29	(11.2)	197	(76.1)	33	(12.7)
Distributing/Selling³	2,434	(18.7)	9,030	(69.2)	1,581	(12.1)
Possessing/Concealing⁴	7,651	(11.1)	48,648	(70.8)	12,408	(18.1)
Buying/Receiving	204	(15.1)	964	(71.3)	184	(13.6)
Using/Consuming	278	(7.8)	2,178	(61.0)	1,114	(31.2)
Total	10,656 (12.1)		61,993 (70.3)		15,513 (17.6)	

***Notes:**

¹M.G.L. c. 94C, § 32C (Cultivate/Manufacture Class D Substance)

²M.G.L. c. 94C, § 32E (Trafficking Cannabis)

³M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance)

⁴M.G.L. c. 94C, § 34 (Possession Class D Substance, which included cannabis [“marihuana”] before 2008)

Table VI.A.6. M.G.L. c. 94C Cannabis Violations by Ethnicity: White-Hispanic, White Non-Hispanic, Black-Hispanic, Black Non-Hispanic (Frequency [%]), NIBRS 2000-2013

M.G.L. c. 94C Provisions	White Hispanic		White Non-Hispanic		Black Hispanic		Black Non-Hispanic		All Other	
Cultivating/Manufacturing¹	40	(3.8)	770	(73.1)	3	(0.3)	51	(4.8)	189	(17.9)
Transporting/Transmitting/Importing²	21	(8.1)	166	(64.1)	4	(1.5)	23	(8.9)	45	(17.4)
Distributing/Selling³	2,050	(15.7)	6,418	(49.1)	170	(1.3)	2,363	(18.1)	2,076	(15.9)
Possessing/Concealing⁴	6,465	(9.4)	41,208	(59.9)	578	(0.8)	6,621	(9.6)	13,902	(20.2)
Buying/Receiving	176	(13.0)	779	(57.6)	14	(1.0)	164	(12.1)	219	(16.2)
Using/Consuming	177	(4.9)	1,907	(53.2)	21	(0.6)	233	(6.5)	1,249	(34.8)
Total	8,941 (10.1)		51,354 (58.2)		792 (0.9)		9,474 (10.7)		17,720 (20.1)	

***Notes:**

¹M.G.L. c. 94C, § 32C (Cultivate/Manufacture Class D Substance)

²M.G.L. c. 94C, § 32E (Trafficking Cannabis)

³M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance)

⁴M.G.L. c. 94C, § 34 (Possession Class D Substance, which included cannabis [“marihuana”] before 2008)

M.G.L. c. 94C Cannabis Violation Time Trends by Race/Ethnicity, NIBRS 2000-2013

Cultivating/Manufacturing Time Trends by Race/Ethnicity

Chart VI.A.3. M.G.L. c. 94C Cannabis Violation: Cultivating/Manufacturing, by Race Category, NIBRS 2000-2013

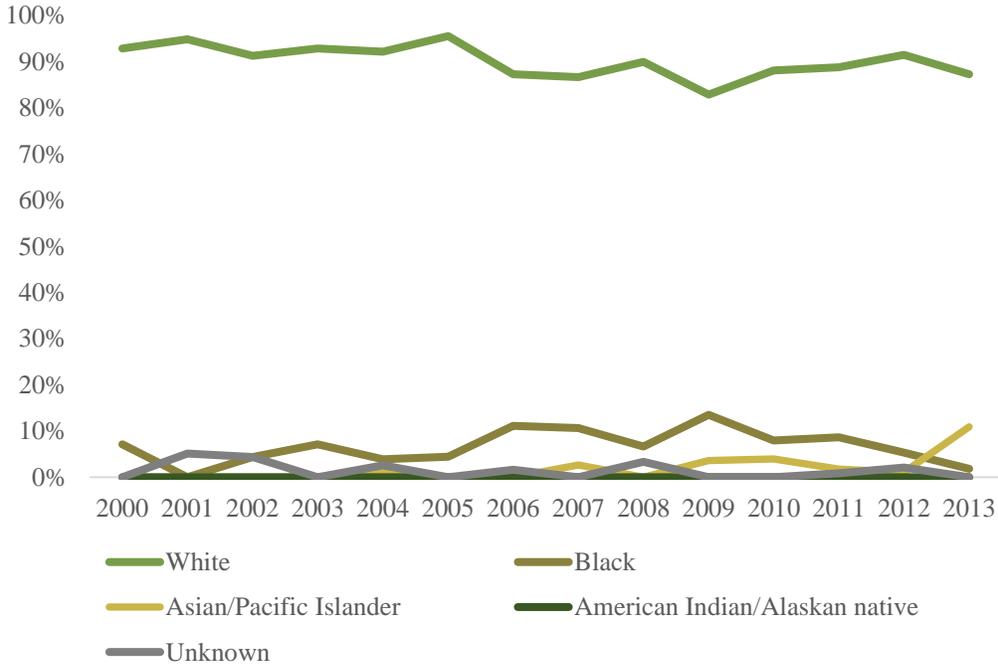
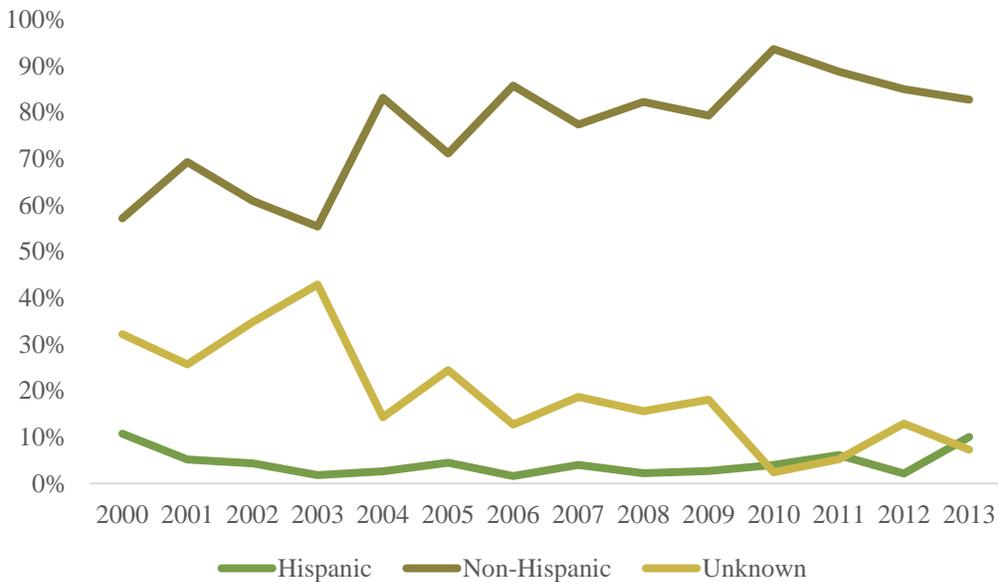


Chart VI.A.4. M.G.L. c. 94C Cannabis Violation: Cultivating/Manufacturing, by Ethnicity: Hispanic/Non-Hispanic Category, NIBRS 2000-2013



Transporting/Transmitting Time Trends by Race/Ethnicity

Chart VI.A.5. M.G.L. c. 94C Cannabis Violation: Transporting/Transmitting, by Race Category, NIBRS 2000-2013

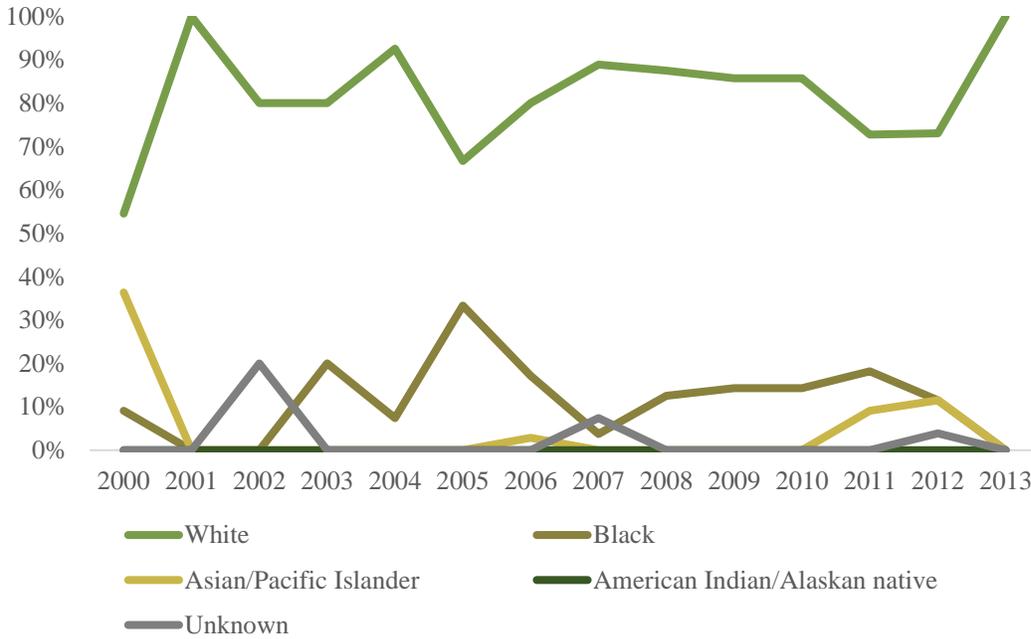
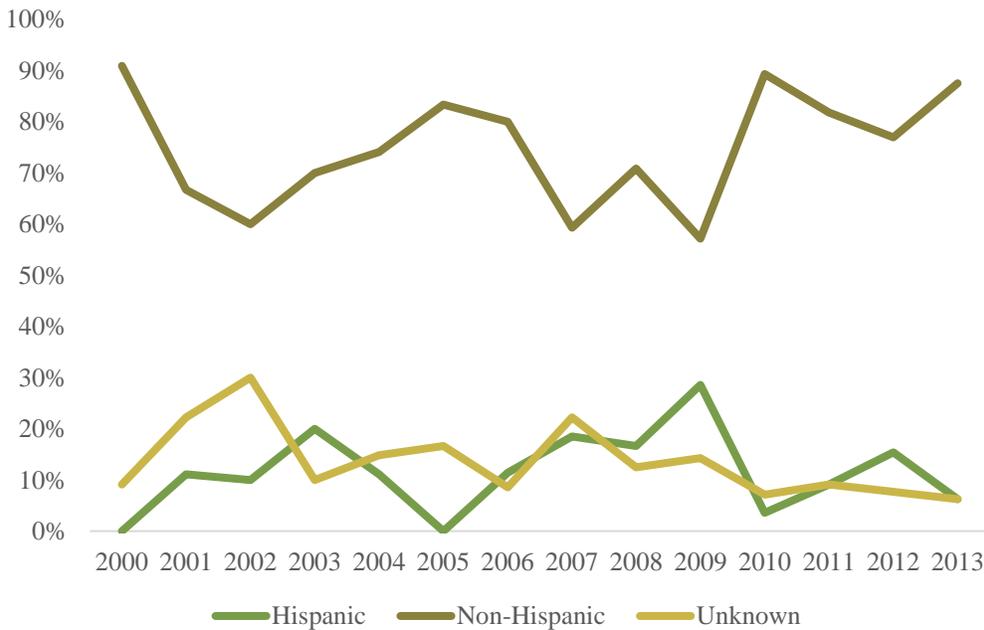


Chart VI.A.6. M.G.L. c. 94C Cannabis Violation: Transporting/Transmitting, by Ethnicity: Hispanic/Non-Hispanic Category, NIBRS 2000-2013



Distributing/Selling Time Trends by Race/Ethnicity

Chart VI.A.7. M.G.L. c. 94C Cannabis Violation: Distributing/Selling, by Race Category, NIBRS 2000-2013

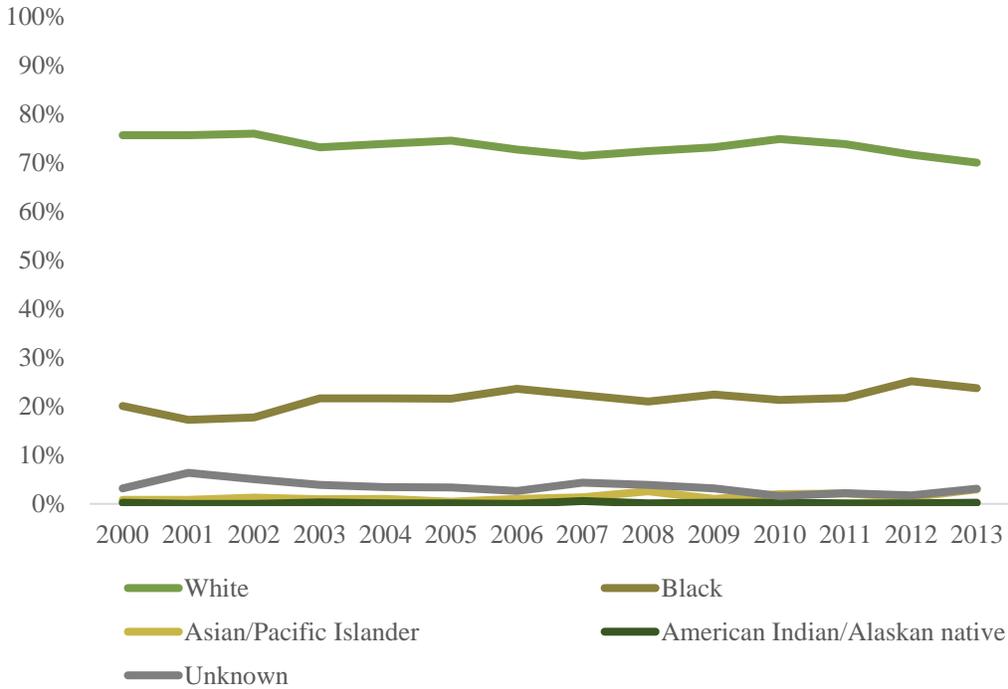
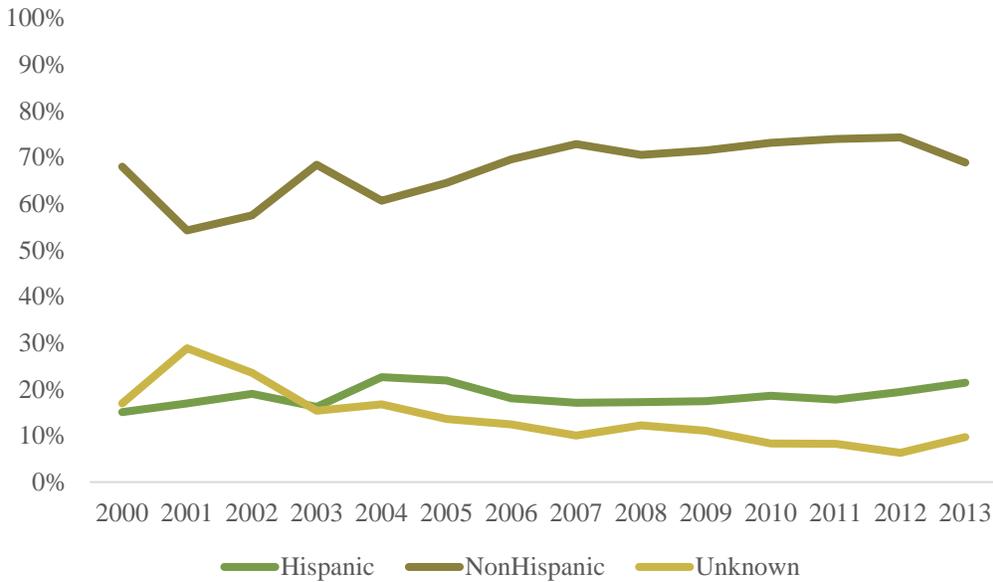


Chart VI.A.8. M.G.L. c. 94C Cannabis Violation: Distributing/Selling, by Ethnicity: Hispanic/Non-Hispanic Category, NIBRS 2000-2013



Possession/Concealing Time Trends by Race/Ethnicity

Chart VI.A.9. M.G.L. c. 94C Cannabis Violation: Possession/Concealing, by Race Category, NIBRS 2000-2013

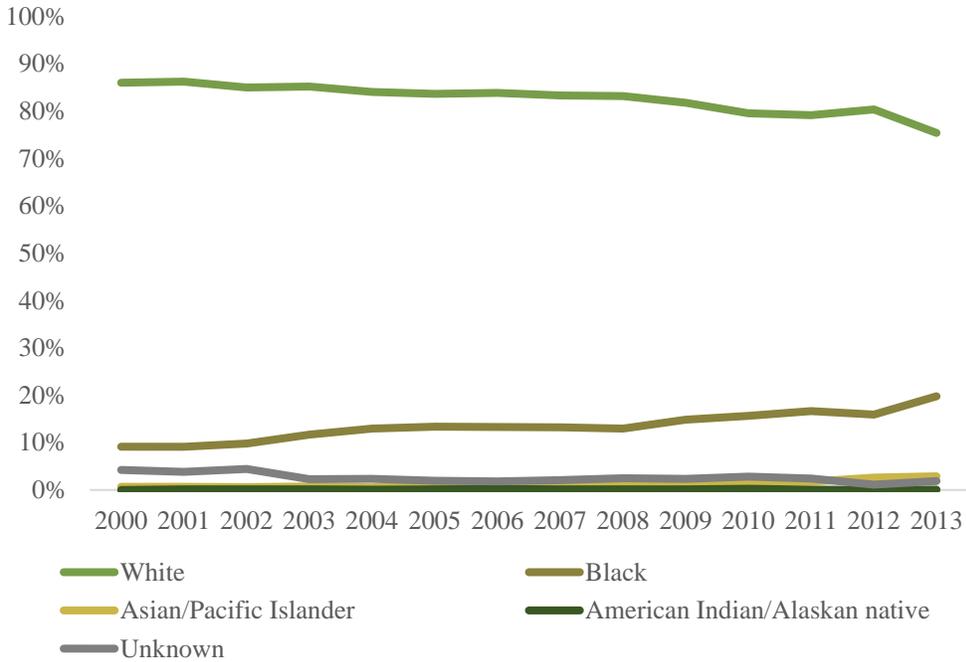
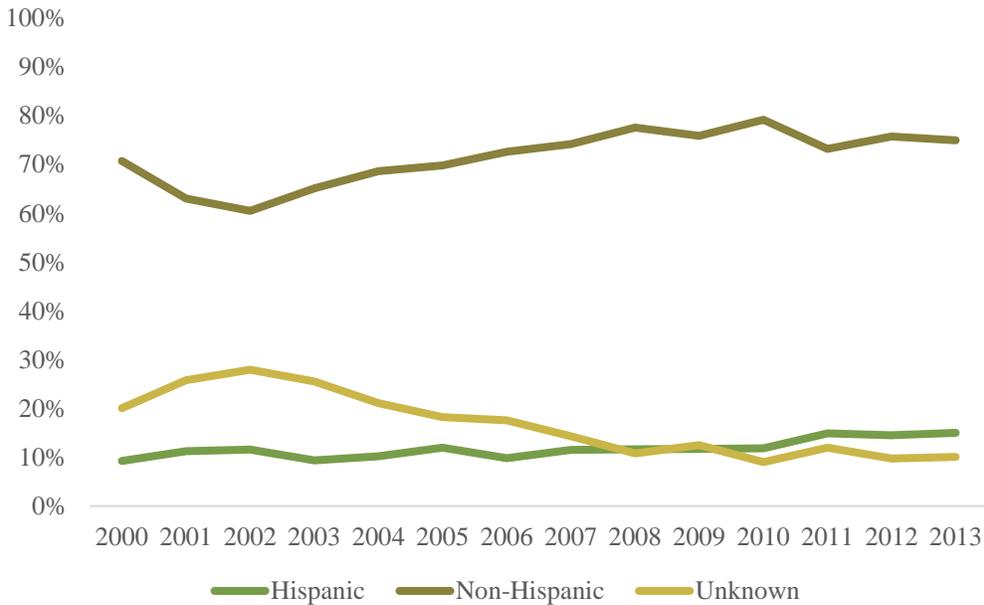


Chart VI.A.10. M.G.L. c. 94C Cannabis Violation: Possession/Concealing, by Ethnicity: Hispanic/Non-Hispanic Category, NIBRS 2000-2013



Buying/Receiving Time Trends by Race/Ethnicity

Chart VI.A.11. M.G.L. c. 94C Cannabis Violation: Buying/Receiving, by Race Category, NIBRS 2000-2013

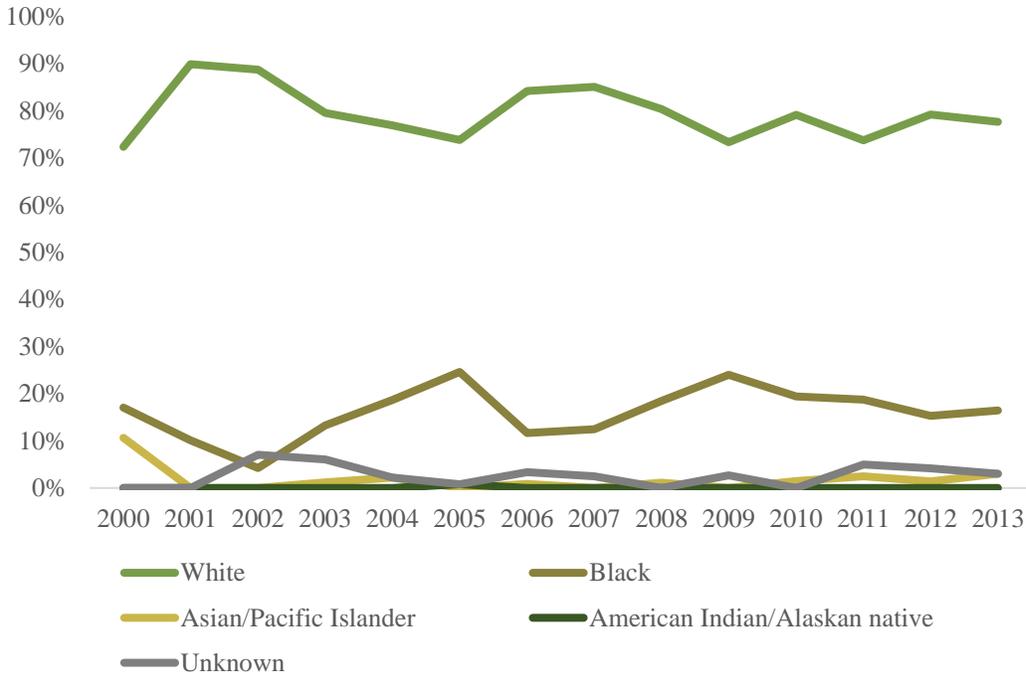
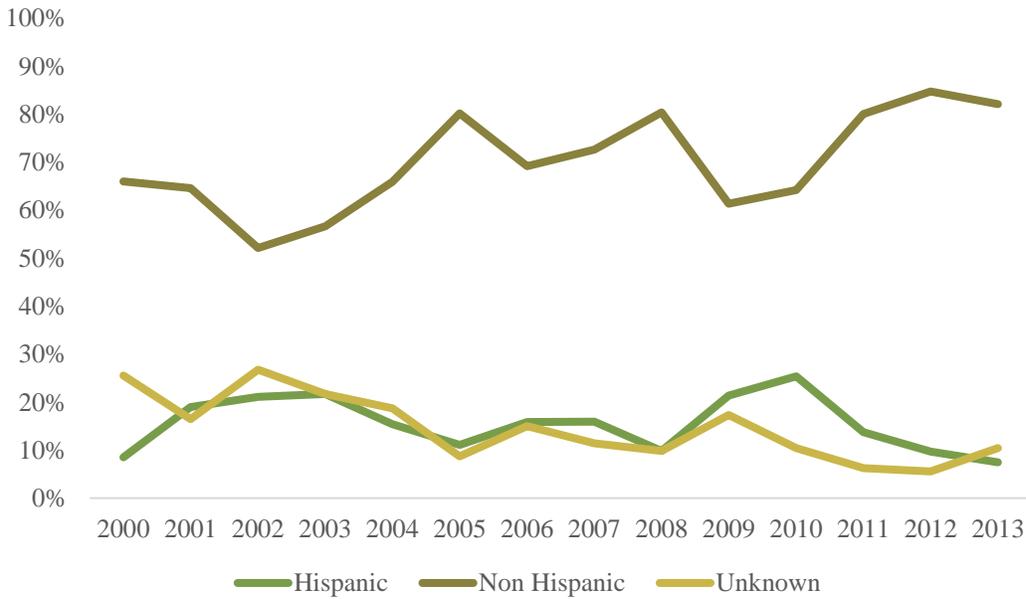


Chart VI.A.12. M.G.L. c. 94C Cannabis Violation: Buying/Receiving, by Ethnicity: Hispanic/Non-Hispanic Category, NIBRS 2000-2013



Using/Consuming Time Trends by Race/Ethnicity

Chart VI.A.13. M.G.L. c. 94C Cannabis Violation: Using/Consuming, by Race Category, NIBRS 2000-2013

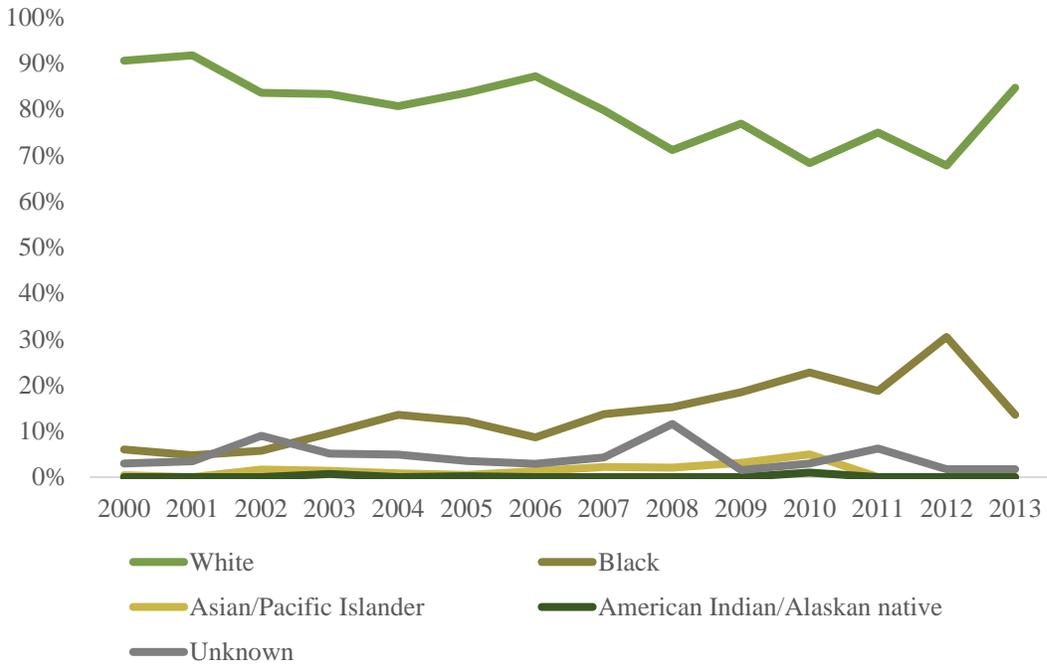


Chart VI.A.14. M.G.L. c. 94C Cannabis Violation: Using/Consuming, by Ethnicity: Hispanic/Non-Hispanic Category, NIBRS 2000-2013

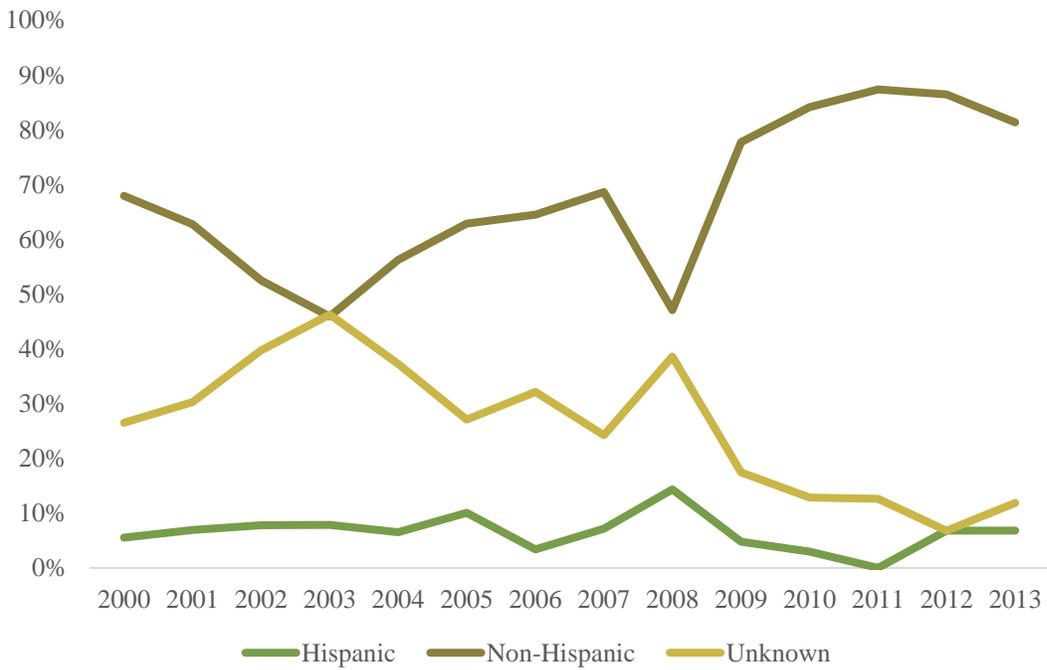


Table VI.A.7. Massachusetts Census Race Percentages, 2000, 2010, and 2017 Estimates

Year	White	Black	^a Asian	American Indian or Alaskan Native	Two or More races
Race Alone					
2000 Estimates	84.5%	5.4%	3.8%	0.2%	2.3%
2010 Estimates	80.4%	6.6%	5.3%	0.3%	2.6%
2017 Estimates	78.9%	7.4%	6.3%	0.5%	3.1%
Race alone or in combination with one or more races					
Year	White	Black	^a Asian	American Indian or Alaskan Native	Some Other Race
2000 Estimates	86.2%	6.3%	4.2%	0.6%	5.1%
2010 Estimates	82.5%	7.8%	6.2%	0.8%	5.6%
2017 Estimates	81.6%	9.0%	7.3%	0.7%	4.6%

***Note:** ^aAsian includes both “Asian” (e.g. Asian Indian, Chinese, Filipino, Japanese, Korean, Vietnamese, and Other Asian) “Native Hawaiian and Other Pacific Islanders” (e.g. Native Hawaiian, Guamanian or Chamorro, Samoan, and Other Pacific Islander).

*See Appendix Table III.1. for U.S. Census Data definitions of additional information on inclusion for race/ethnicity.

*The Hispanic cohort is divided out separately as persons reporting Hispanic or Non-Hispanic in Table VI.B.2. below.

Table VI.A.8. Massachusetts Census Ethnicity Hispanic/Non-Hispanic Percentages, 2000, 2010, and 2017 Estimates

Year	^b Hispanic	^b Non-Hispanic
2000 Estimates	6.8%	93.2%
2010 Estimates	9.6%	90.4%
2017 Estimates	11.2%	88.8%

***Notes:** ^b Persons identifying as Hispanic are included throughout the varying racial cohorts in Table VI.B.1. above.

^b “Hispanic” refers to persons of Mexican, Puerto Rico, Cuba, South or Central American or other Spanish culture origins regardless of race.

*See Appendix Table III.1. for U.S. Census Data definitions of additional information on inclusion for race/ethnicity.

NIBRS Gender

Table VI.A.9. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C violations by gender across the years of NIBRS data collection, 2000-2013. Males made up the larger percentages of incidences for all cannabis-related violations. For aggregated cannabis specific violations from 2000-2013, the percentage ratio of male to female incidence rates were: (1) cultivating/manufacturing (83.6% vs. 16.4%), (2) transporting/transmitting/importing (93.1% vs. 6.9%), (3) distributing/selling (90% vs. 10%), (4) possessing/concealing (86.4% vs. 13.6%), (5) buying/receiving (87.7% vs. 12.3%), and (6) using/consuming (86% vs. 14%).

Table VI.A.9. M.G.L. c. 94C Cannabis Violations by Gender (Frequency [%]), NIBRS 2000-2013

M.G.L. c. 94C Provisions	Male		Female	
Cultivating/Manufacturing¹	880	(83.6)	173	(16.4)
Transporting/Transmitting/Importing²	241	(93.1)	18	(6.9)
Distributing/Selling³	11,775	(90.0)	1,302	(10.0)
Possessing/Concealing⁴	59,439	(86.4)	9,335	(13.6)
Buying/Receiving	1,186	(87.7)	166	(12.3)
Using/Consuming	3,086	(86.0)	501	(14.0)
Total	76,771 (87.0)		11,510 (13.0)	

***Notes:**

¹ M.G.L. c. 94C, § 32C (Cultivate/Manufacture Class D Substance)

² M.G.L. c. 94C, § 32E (Trafficking Cannabis)

³ M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance)

⁴ M.G.L. c. 94C, § 34 (Possession Class D Substance, which included cannabis [“marihuana”] before 2008)

NIBRS Residency Status

Table VI.A.10. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C violations stratified out by persons who resides in the jurisdiction where each incident occurred.

Table VI.A.10. M.G.L. c. 94C Cannabis Violations by Residency Status (Frequency [%]), NIBRS 2000-2013

M.G.L. c. 94C Provisions	Resident		Non-Resident		Unknown Residence	
Cultivating/Manufacturing¹	794	(75.5)	205	(19.5)	53	(5.0)
Transporting/Transmitting/Importing²	93	(35.9)	153	(59.1)	13	(5.0)
Distributing/Selling³	8,386	(65.2)	4,061	(31.6)	418	(3.2)
Possessing/Concealing⁴	37,183	(54.3)	28,863	(42.2)	2,376	(3.5)
Buying/Receiving	807	(59.7)	488	(36.1)	57	(4.2)
Using/Consuming	1,759	(52.1)	1517	(44.9)	99	(2.9)
Total	49,114	(56.1)	35,367	(40.4)	3,023	(3.5)

***Notes:** “Residency Status” refers to whether the person resided in the jurisdiction where incident occurred and not whether MA-Resident or Not.

¹ M.G.L. c. 94C, § 32C (Cultivate/Manufacture Class D Substance)

² M.G.L. c. 94C, § 32E (Trafficking Cannabis)

³ M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance)

⁴ M.G.L. c. 94C, § 34 (Possession Class D Substance, which included cannabis [“marihuana”] before 2008)

B. Massachusetts State Police (MSP) M.G.L. c. 94C Violations Data

General Overview

The Massachusetts State Police (MSP) collects data in accordance with M.G.L. c. 94C, which permits law enforcement and researchers to monitor violations to the Controlled Substances Act and varying provisions (“sections”), including: cannabis trafficking into Massachusetts, cannabis possession greater than two ounces (>1 ounce until 7/2017 and >2 ounces after 7/2017) and cannabis possession less than or equal to two ounces (≤1 ounce until 7/2017 and ≤2 ounces after 7/2017), cultivation/manufacturing Class D substance, distributing or intention to distribute Class D substance, possession of Class D substance, and drug violation near school or park. [See *M.G.L.c. 94C Controlled Substances Act* for information on the varying relevant M.G.L. c. 94C provision subsections]. MSP data included in this report spans 2010-2018.

Table VI.B.1. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C violations. In the MSP database, the most frequent violations [Cannabis and/or Class D substances] were: (1) distribute or intent to distribute Class D substance (43.6%), (2) civil cannabis possession (32.2%), and (3) possession of Class D substance (14%).

It is important to note here that in 2008 Massachusetts decriminalized cannabis possession (less than one ounce), which may have impacted the enforcement or fidelity of enforcement of lesser possession limits (*i.e.* ≥1 ounce). In July 2017, Massachusetts amended civil penalties for cannabis possession up to 2 ounces. In 2016, possession of one ounce of cannabis or less was legalized for adults 21 years-old and older.

Additionally, under Massachusetts’s category of “Class D” substances, cannabis (“marihuana”) is one of fifteen total substances: [(1) Barbital, (2) Chloral betaine, (3) Chloral hydrate, (4) Ethchlorvynol, (5) Ethinamate, (6) Methohexital, (7) Meprobamate, (8) Methylphenobarbital, (9) Paraldehyde, (10) Petrichloral, (11) Phenobarbital, (12) Marihuana, (13) Butyl Nitrite, (14) Isobutyl Nitrite, and (15) 1-Nitrosoxy-Methyl-Propane].

It is probable that cannabis cases in this database were classified under “Class D” (vs. “cannabis”), thus, underestimating the full extent of cannabis-specific incidents.

MSP M.G.L. c. 94C Cannabis and Class D Substance Violations

Table VI.B.1. MSP Total M.G.L. c. 94C Cannabis and Class D Violations, 2010-2018

M.G.L. c. 94C Provisions	Total (Frequency [%])	
M.G.L. c. 94C Provisions: Cannabis Specific		
Trafficking Cannabis ¹	56	(0.8)
Cannabis Possession ²	177	(2.4)
Cannabis Possession (civil) ³	2,401	(32.2)
M.G.L. c. 94C Provisions: Class D Specific		
Cultivate/Manufacture Class D ⁴	18	(0.2)
Distribute or Intent Class D ⁵	3,252	(43.6)
Possession Class D ⁶	1,048	(14.0)
M.G.L. c. 94C, § 32J		
Drug Violation Near School/Park ⁷	513	(6.9)

***Notes:**

¹ M.G.L. c. 94C, § 32E (Trafficking Cannabis)

² M.G.L. c. 94C, § 34 (Cannabis Possession (>1 ounce until 7/2017 and >2 ounces after 7/2017))

³ M.G.L. c. 94C, § 32L (Cannabis Possession (≤1 ounce until 7/2017 and ≤2 ounces after 7/2017))

⁴ M.G.L. c. 94C, § 32C (Cultivate/Manufacture Class D Substance)

⁵ M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance)

⁶ M.G.L. c. 94C, § 34 (Possession Class D Substance **Note: this category may also contain "Cannabis" violations*)

⁷ M.G.L. c. 94C, § 32J (Drug Violation Near School/Park **Note: this is not specific to Cannabis/Class D Substances, but does include them*)

MSP Year Trends

Table VI.B.2. and Chart VI.B.1. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C violations across years of MSP data collection, 2010-2018. Overall, there have been fluctuating, but downward trends in all three cannabis-specific 94C violation incidents in Massachusetts from 2010-2018, including: (1) trafficking cannabis, (2) cannabis possession (>1 ounce until 7/2017 and >2 ounces after 7/2017), and (3) cannabis possession (≤1 ounce until 7/2017 and ≤2 ounces after 7/2017). The decreasing trend for cannabis possession may be partly explained by the 2008 legislation decriminalizing this former violation, the 2016 legislation legalizing this former violation for adults, and the fidelity of enforcement of the civil penalties for this offense.

Table VI.B.2. MSP Total M.G.L. c. 94C Cannabis and Class D Violations by Year (Frequency [%]), 2010-2018

M.G.L. c. 94C Provision	2010		2011		2012		2013		2014	
M.G.L. c. 94C Provisions: Cannabis Specific										
Trafficking Cannabis¹	12	(21.4)	11	(19.6)	7	(12.5)	10	(17.9)	2	(3.6)
Cannabis Possession²	27	(15.3)	20	(11.3)	29	(16.4)	26	(14.7)	19	(10.7)
Cannabis Possession (civil)³	453	(18.9)	276	(11.5)	586	(24.4)	375	(15.6)	319	(13.3)
M.G.L. c. 94C Provisions: Class D Specific										
Cultivate/Manufacture Class D⁴	5	(27.8)	3	(16.7)	1,404	(18.8)	2	(11.1)	3	(16.7)
Distribute or Intent Class D⁵	457	(14.1)	353	(10.9)	517	(15.9)	490	(15.1)	318	(9.8)
Possession Class D⁶	203	(19.4)	141	(13.5)	165	(15.7)	151	(14.4)	126	(12.0)
M.G.L. c. 94C, § 32J										
Drug Violation Near School/Park⁷	171	(33.3)	122	(23.8)	98	(19.1)	28	(5.5)	35	(6.8)
M.G.L. c. 94C Provision	2015		2016		2017		2018			
M.G.L. c. 94C Provisions: Cannabis Specific										
Trafficking Cannabis¹	4	(7.1)	4	(7.1)	2	(3.6)	4	(7.1)		
Cannabis Possession²	15	(8.5)	18	(10.2)	15	(8.5)	8	(4.5)		
Cannabis Possession (civil)³	192	(8.0)	169	(7.0)	22	(0.9)	9	(0.4)		
M.G.L. c. 94C Provisions: Class D Specific										
Cultivate/Manufacture Class D⁴	0	(0.0)	0	(0.0)	3	(16.7)	0	(0.0)		
Distribute or Intent Class D⁵	258	(7.9)	291	(9.0)	247	(7.3)	323	(9.9)		
Possession Class D⁶	67	(6.4)	92	(8.8)	56	(5.3)	45	(4.3)		
M.G.L. c. 94C, § 32J										
Drug Violation Near School/Park⁷	14	(2.7)	28	(5.5)	8	(1.6)	9	(1.8)		

***Notes:**

Percentages reflect % within total 94C Cannabis and Class D violations.

¹ M.G.L. c. 94C, § 32E (Trafficking Cannabis)

² M.G.L. c. 94C, § 34 (Cannabis Possession (>1 ounce until 7/2017 and >2 ounces after 7/2017))

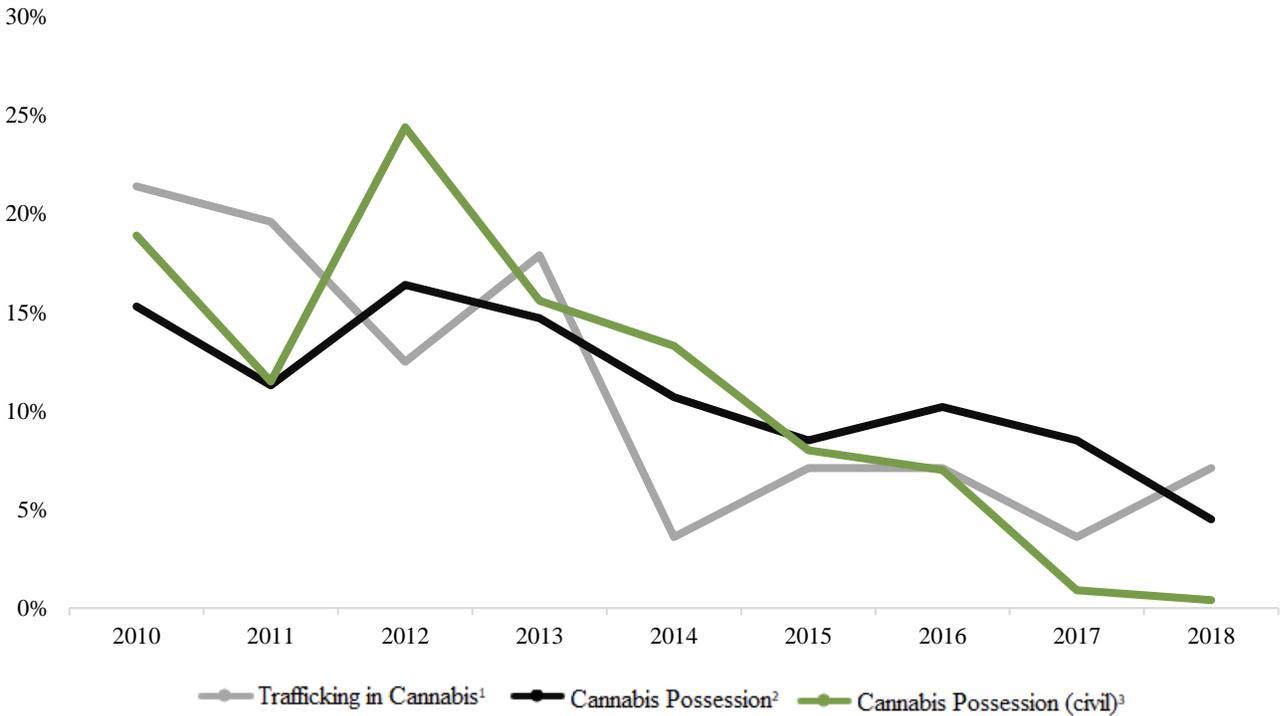
³ M.G.L. c. 94C, § 32L (Cannabis Possession (≤1 ounce until 7/2017 and ≤2 ounces after 7/2017))

⁴ M.G.L. c. 94C, § 32C (Cultivate/Manufacture Class D Substance)

⁵ M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance)

⁶ M.G.L. c. 94C, § 34 (Possession Class D Substance **Note: this category may also contain “Cannabis” violations*)
⁷ M.G.L. c. 94C, § 32J (Drug Violation Near School/Park **Note: this is not specific to Cannabis/Class D Substances, but does include them*)

Chart VI.B.1. MSP Total M.G.L. c. 94C Cannabis Provision Violations by Year, 2010-2018 (Percent of Total)



***Notes:**

Percentages reflect % within total 94C Cannabis and Class D provision violations.

¹ M.G.L. c. 94C, § 32E (Trafficking Cannabis)

² M.G.L. c. 94C, § 34 (Cannabis Possession (>1 ounce until 7/2017 and >2 ounces after 7/2017))

³ M.G.L. c. 94C, § 32L (Cannabis Possession (≤1 ounce until 7/2017 and ≤2 ounces after 7/2017))

MSP Gender

Table VI.B.3. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C violations by gender across the years of MSP data collection, 2010-2018. Males made up the larger percentages of incidences for all Cannabis and Class D substance violations. For aggregated cannabis specific violations from 2010-2018, the percentage ratio of male to female incidence rates were: (1) trafficking cannabis (91.1% vs. 8.9%), (2) cannabis possession (>1 ounce until 7/2017 and >2 ounces after 7/2017 [88.7% vs. 11.3%]), and (3) cannabis possession (≤1 ounce until 7/2017 and ≤2 ounces after 7/2017 [84.9% vs 14.7%]).

Table VI.B.3. MSP Total M.G.L. c. 94C Cannabis and Class D Substance Violations by Gender (Frequency [%]), 2010-2018

M.G.L. c. 94C Provision	Gender (Frequency [%])						
	Female		Male		Unknown		Total
M.G.L. c. 94C Provisions: Cannabis Specific							
Trafficking Cannabis¹	5	(8.9)	51	(91.1)	0	(0.0)	56
Cannabis Possession²	20	(11.3)	157	(88.7)	0	(0.0)	177
Cannabis Possession (civil)³	352	(14.7)	2,038	(84.9)	11	(0.5)	2,401
M.G.L. c. 94C Provisions: Class D Specific							
Cultivate/Manufacture Class D⁴	2	(11.1)	16	(88.9)	0	(0.0)	18
Distribute or Intent Class D⁵	199	(6.1)	3,045	(93.6)	8	(0.3)	3,252
Possession Class D⁶	78	(7.4)	964	(92.0)	6	(0.6)	1,048
M.G.L. c. 94C, § 32J							
Drug Violation Near School/Park⁷	35	(6.8)	477	(93.0)	1	(0.2)	513

*Notes: Percentages reflect % of cohort per M.G.L. c. 94C provision violation

¹ M.G.L. c. 94C, § 32E (Trafficking Cannabis)

² M.G.L. c. 94C, § 34 (Cannabis Possession (>1 ounce until 7/2017 and >2 ounces after 7/2017))

³ M.G.L. c. 94C, § 32L (Cannabis Possession (≤1 ounce until 7/2017 and ≤2 ounces after 7/2017))

⁴ M.G.L. c. 94C, § 32C (Cultivate/Manufacture Class D Substance)

⁵ M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance)

⁶ M.G.L. c. 94C, § 34 (Possession Class D Substance **Note: this category may also contain "Cannabis" violations*)

⁷ M.G.L. c. 94C, § 32J (Drug Violation Near School/Park **Note: this is not specific to Cannabis/Class D Substances, but does include them*)

MSP Race/Ethnicity

Table VI.B.4. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C violations stratified out by racial/ethnic cohorts consistent with 2010 and 2017 Massachusetts census data. These percentages were compared to the state-wide racial/ethnic demographics in the Commonwealth.

Between 2010-2017, persons identifying as White made up 82.5-81.6% of the Massachusetts population; However, excluding cultivating/manufacturing a Class D substance where the percentage of White persons in violation exceeded the percentage of the population overall, the percentage of Whites with incidences of all other 94C violations in the MSP database were lower than in the population overall. Similarly, the percentage of persons identifying themselves as Asian in this timeframe were lower in all 94C categories, with exception to trafficking cannabis.

In contrast, the percentage of persons identifying as Black were 7.8-9% (2010, 2017); However, with exception for cultivating/manufacturing a Class D substance, the percentage of Black persons for all other 94C violations in the MSP database were higher than in the population overall. Similarly, persons identifying as Hispanic in violation of 94C provisions were higher in five of the seven provisions assessed than in the population overall, with exceptions of both: (1) trafficking cannabis and (2) cultivating/manufacturing a Class D substance.

It is important to note that people who identify as Hispanic can be any race, thus, the U.S. Census does not stratify out Hispanic as a “Race” as it does for White, Black, Asian, American Indian or Alaskan Native persons. Persons identifying as Hispanic are included within the racial cohorts. The Census has a separate measure for persons to identify as either Hispanic or Non-Hispanic (See Table VI.B.6.), referring to Mexican, Puerto Rico, Cuba, South or Central American or other Spanish culture origins regardless of race.

In this data, it is also important to note that “race” data were collected by law enforcement, retrieved by officers other asking individuals directly or inferring.

[See Appendix Table III.1. Census data definitions of inclusion for race/ethnicity for more detailed information on racial cohort categorization].

Table VI.B.4. MSP Total M.G.L. c. 94C Cannabis and Class D Substance Violations by Race/Ethnicity (Frequency [%]), 2010-2018

M.G.L. c. 94C Provision	White		Black		Hispanic		^a Asian		American Indian or Alaskan Native		Unknown		Total
M.G.L. c. 94C Provisions: Cannabis Specific													
Trafficking Cannabis¹	26	(46.4)	9	(16.1)	5	(8.9)	15	(26.8)	1	(1.8)	0	(0.0)	56
Cannabis Possession²	109	(61.6)	36	(20.3)	29	(16.4)	3	(1.7)	0	(0.0)	0	(0.0)	177
Cannabis Possession (civil)³	1,603	(66.8)	366	(15.2)	374	(15.6)	43	(1.8)	1	(0.04)	14	(0.6)	2,401
M.G.L. c. 94C Provisions: Class D Specific													
Cultivate/Manufacture Class D⁴	18	(100.0)	0	(0.0)	0	(0.0)	0	(0.0)	0	(0.0)	0	(0.0)	18
Distribute or Intent Class D⁵	1,382	(42.5)	835	(25.7)	891	(27.4)	118	(3.6)	1	(0.03)	25	(0.8)	3,252
Possession Class D⁶	613	(58.5)	222	(21.2)	183	(17.5)	21	(2.0)	0	(0.0)	9	(0.9)	1,048
M.G.L. c. 94C, § 32J													
Drug Violation Near School/Park⁷	136	(26.5)	136	(26.5)	226	(44.1)	12	(2.3)	0	(0.0)	3	(0.6)	513

***Notes:** Percentages reflect % of cohort(s) per M.G.L. c. 94C provision violation

^aAsian includes both “Asian” (e.g. *Asian Indian, Chinese, Filipino, Japanese, Korean, Vietnamese, and Other Asian*) and “Native Hawaiian and Other Pacific Islanders” (e.g. *Native Hawaiian, Guamanian or Chamorro, Samoan, and Other Pacific Islander*). See Appendix III. Table 1. for U.S. Census Data definitions and additional information on inclusion for race/ethnicity.

¹ M.G.L. c. 94C, § 32E (Trafficking Cannabis)

² M.G.L. c. 94C, § 34 (Cannabis Possession (>1 ounce until 7/2017 and >2 ounces after 7/2017))

³ M.G.L. c. 94C, § 32L (Cannabis Possession (≤1 ounce until 7/2017 and ≤2 ounces after 7/2017))

⁴ M.G.L. c. 94C, § 32C (Cultivate/Manufacture Class D Substance)

⁵ M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance)

⁶ M.G.L. c. 94C, § 34 (Possession Class D Substance **Note: this category may also contain “Cannabis” violations*)

⁷ M.G.L. c. 94C, § 32J (Drug Violation Near School/Park **Note: this is not specific to Cannabis/Class D Substances, but does include them*)

Table VI.B.5. Massachusetts Census Race Percentages, 2010 and 2017 Estimates

Year	White	Black	^a Asian	American Indian or Alaskan Native	Two or More races
Race Alone					
2010 Estimates	80.4%	6.6%	5.3%	0.3%	2.6%
2017 Estimates	78.9%	7.4%	6.3%	0.5%	3.1%
Race alone or in combination with one or more races					
Year	White	Black	^a Asian	American Indian or Alaskan Native	Some Other Race
2010 Estimates	82.5%	7.8%	6.2%	0.8%	5.6%
2017 Estimates	81.6%	9.0%	7.3%	0.7%	4.6%

***Note:** ^aAsian includes both “Asian” (*e.g. Asian Indian, Chinese, Filipino, Japanese, Korean, Vietnamese, and Other Asian*) “Native Hawaiian and Other Pacific Islanders” (*e.g. Native Hawaiian, Guamanian or Chamorro, Samoan, and Other Pacific Islander*). See Appendix Table III.1. for U.S. Census Data definitions and additional information on inclusion for race/ethnicity.

***The Hispanic cohort is divided out separately as persons reporting Hispanic or Non-Hispanic in Table VI.B.2. below.**

Table VI.B.6. Massachusetts Census Ethnicity Hispanic/Non-Hispanic Percentages, 2010 and 2017 Estimates

Year	^b Hispanic	^b Non-Hispanic
2010 Estimates	9.6%	90.4%
2017 Estimates	11.2%	88.8%

***Notes:** ^b Persons identifying as Hispanic are included throughout the varying racial cohorts in Table VI.B.1. above.

^b “Hispanic” refers to persons of Mexican, Puerto Rico, Cuba, South or Central American or other Spanish culture origins regardless of race.

***See Appendix Table III.1. for U.S. Census Data definitions of additional information on inclusion for race/ethnicity.**

MSP Residency

Table VI.B.7. show the statistics (frequency [%]) of incidents of MSP M.G.L. c. 94C violations stratified out by Massachusetts state and/or region of residency. Massachusetts is the first state on the east coast and in New England to legalize the non-medical adult-use of cannabis, thus, monitoring arrests by state residency will be an important measure to assess potential M.G.L. c. 94C cannabis violations. There did not appear to be any discernable time trends for these violations from MSP data in 2010-2018, thus, time trends are not presented here. It is important to note again that statistical tests were not conducted in this report.

Table VI.B.7. MSP M.G.L. c. 94C Cannabis and Class D Substance Violations by Residency (Frequency [%]), 2010-2018

Residency Category	MA vs. Non-MA Resident (Frequency [%])				New England Resident vs. Non- New England Resident (Frequency [%])			
Residency	MA Resident		Non-MA Resident		NE Resident		Non-NE Resident	
M.G.L. c. 94C Provisions: Cannabis Specific								
Trafficking Cannabis¹	36	(64.3)	20	(35.7)	37	(66.1)	19	(33.9)
Cannabis Possession²	151	(85.3)	26	(14.7)	172	(97.2)	5	(2.8)
Cannabis Possession (civil)³	2,105	(87.7)	296	(12.3)	2,340	(97.5)	61	(2.5)
M.G.L. c. 94C Provisions: Class D Specific								
Cultivate/Manufacture Class D⁴	15	(83.3)	3	(16.7)	18	(100.0)	0	(0.0)
Distribute or Intent Class D⁵	2,967	(91.2)	285	(8.8)	3,181	(97.8)	71	(2.2)
Possession Class D⁶	947	(90.4)	101	(9.6)	1,028	(98.1)	20	(1.9)
M.G.L. c. 94C, § 32J								
Drug Violation Near School/Park⁷	491	(95.7)	22	(4.3)	505	(98.4)	8	(1.6)

***Notes:** Percentages reflect % within residency category (*i.e. either Massachusetts vs. non-Massachusetts residency or New England vs. Non-New England residency*)

¹ M.G.L. c. 94C, § 32E (Trafficking Cannabis)

² M.G.L. c. 94C, § 34 (Cannabis Possession (>1 ounce until 7/2017 and >2 ounces after 7/2017))

³ M.G.L. c. 94C, § 32L (Cannabis Possession (≤1 ounce until 7/2017 and ≤2 ounces after 7/2017))

⁴ M.G.L. c. 94C, § 32C (Cultivate/Manufacture Class D Substance)

⁵ M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance)

⁶ M.G.L. c. 94C, § 34 (Possession Class D Substance **Note: this category may also contain "Cannabis" violations*)

⁷ M.G.L. c. 94C, § 32J (Drug Violation Near School/Park **Note: this is not specific to Cannabis/Class D Substances, but does include them*)

C. MSP CrimeSOLV Data M.G.L. c. 94C Violations Data

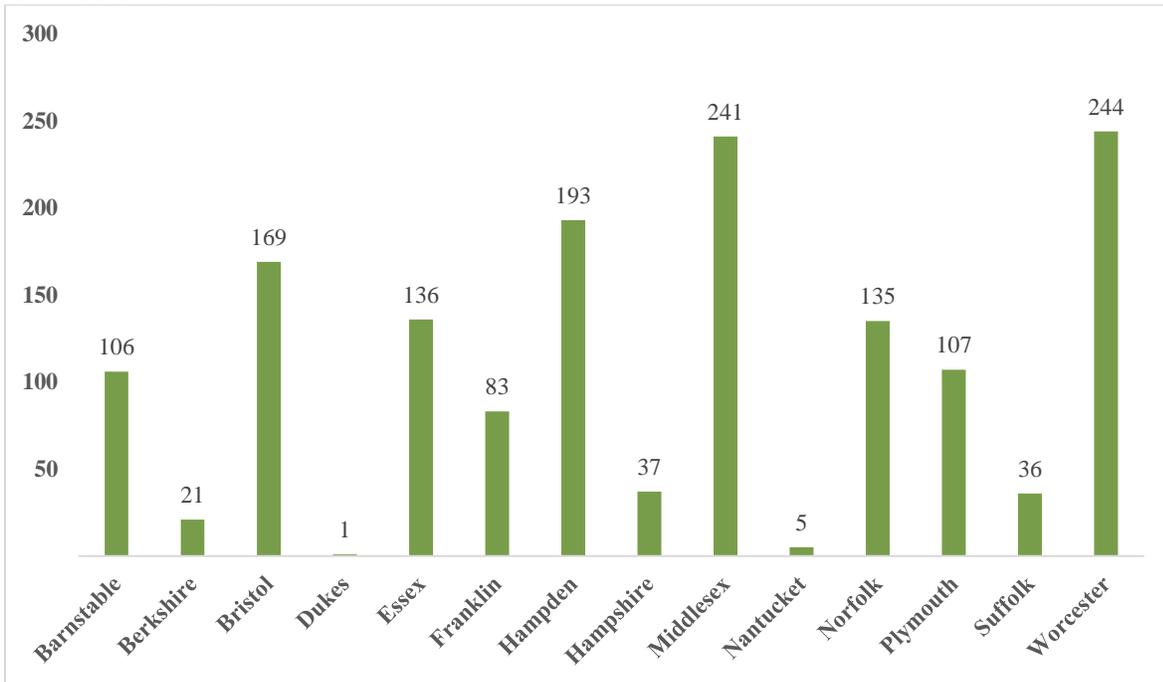
General Overview

Massachusetts State Police CrimeSOLV, a publicly available dataset, was used to assess cannabis and hashish seizures by city/town in 2017. Massachusetts CrimeSOLV is a state application/database compiled for varying user groups (Public, Law Enforcement Agency, and Administration) to access and assess tables/charts and crime statistics.²⁰ However, this is an incomplete data source (does not include all cities and towns, *e.g. Boston*) and cannot be considered state official statistics.

Cannabis/Hashish Law Enforcement Seizures

In 2017, Worcester county had the most cannabis drug seizures (16% of all MA cannabis seizures), followed by Middlesex (16%), and Hampden (13%) counties. Dukes and Nantucket counties had the fewest reported cannabis drug seizures. These data were accessed through open access data provided by Massachusetts State Police CrimeSOLV, located at <https://masscrime.chs.state.ma.us/>. The completeness of this data source is unknown.

Chart VI.C.1. Drug Reports of Seized Marijuana (“Cannabis”)/Hashish by County, CrimeSOLV 2017



***Note:** For all incidents of marijuana and hashish seizures by city/town individually, see *Appendix V. Table 3. Marijuana and Hashish Seizures in Town/City/Reporting Agency by County from Massachusetts CrimeSOLV.*

D. Municipality-Level: Boston Police Department (BPD) M.G.L. c. 94C Violations Data

As the largest city in Massachusetts, and as a location with significant racial and ethnic diversity, Boston’s absence from NIBRS represents a significant limitation to the NIBRS data analyses. Boston Police Department (BPD) data offers an important window into the city.

In 2019, the BPD provided the Cannabis Control Commission with incidences of 94C violations for Class D substances including: (1) distribution (*i.e. Distribution of Class D substance and Possession with intent to distribute Class D substance*), (2) possession (*i.e. Possession of Class D substance*), and (3) trafficking (*i.e. Class D, 100 lbs-2000 pounds and Class D, 50-99 pounds*). This data spans from January 1, 2000-December 31, 2018. It is unknown whether all Class D incidences refer to cannabis specifically.

Frequency of Incidences

Table VI.D.1. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C Class D violations reported by the Boston Police Department from 2000-2018, including: (1) distribution (45.1% of incidences), (2) possession (54.8%), and (3) trafficking (0.2%).

Table VI.D.1. BPD M.G.L. c. 94C Cannabis and Class D Substance Violations by (Frequency [%]), 2000-2018

M.G.L. c. 94C Provision	Frequency (%)	
Distribution¹	10,955	(45.1)
Possession^{2,3}	13,326	(54.8)
Trafficking⁴	39	(0.2)
Total	24,320	(100)

***Notes:**

¹ M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance, including Cannabis)

² M.G.L. c. 94C, § 34 (Possession Class D Substance, including Cannabis)

³ M.G.L. c. 94C, § 32L (Cannabis Possession (≤ 1 ounce until 7/2017 and ≤ 2 ounces after 7/2017))

⁴ M.G.L. c. 94C, § 32E (Trafficking Cannabis)

BPD Year Trends

Table VI.D.2. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C violations across years of BPD data collection, 2000-2018. Overall, there have been fluctuating, but downward trends in Class D 94C violation incidents in Boston from 2000-2018 including possession and distribution. Class D trafficking offense frequencies have remained low. The decreasing trend for cannabis possession and the large drop between 2008 and 2009 may be partly explained by the 2008 legislation decriminalizing this former criminal violation, the 2016 legislation legalizing this former violation for adults, and the fidelity of enforcement of the civil penalties for this offense.

Table VI.D.2. BPD Total M.G.L. c. 94C Cannabis and Class D Violations by Year (Frequency [%]), 2000-2018

M.G.L. c. 94C Provisions	2000		2001		2002	
Distribution ¹	555	(29.5)	537	(31.0)	671	(35.8)
Possession ^{2,3}	1,320	(70.2)	1,184	(68.6)	1,201	(64.1)
Trafficking ⁴	5	(0.3)	6	(0.4)	1	(0.1)
Total	1,880		1,727		1,873	
M.G.L. c. 94C Provisions	2003		2004		2005	
Distribution ¹	708	(37.5)	686	(36.7)	773	(34.6)
Possession ^{2,3}	1,179	(62.4)	1,180	(63.1)	1,462	(65.3)
Trafficking ⁴	3	(0.2)	4	(0.2)	3	(0.1)
Total	1,890		1,870		2,238	
M.G.L. c. 94C Provisions	2006		2007		2008	
Distribution ¹	845	(34.2)	800	(33.3)	690	(31.8)
Possession ^{2,3}	1,620	(65.6)	1,600	(66.6)	1,481	(68.2)
Trafficking ⁴	4	(0.2)	5	(0.2)	1	(0.1)
Total	2,469		2,405		2,172	
M.G.L. c. 94C Provisions	2009		2010		2011	
Distribution ¹	718	(65.3)	708	(76.1)	565	(85.7)
Possession ^{2,3}	381	(34.6)	220	(23.6)	94	(14.3)
Trafficking ⁴	1	(0.1)	3	(0.3)	0	(0)

Total	1,100		931		659	
M.G.L. c. 94C Provisions	2012		2013		2014	
Distribution¹	613	(88.7)	488	(82.9)	496	(86.4)
Possession^{2,3}	78	(11.3)	101	(17.2)	76	(13.2)
Trafficking⁴	0	(0)	0	(0)	2	(0.4)
Total	691		589		574	
M.G.L. c. 94C Provisions	2015		2016		2017	
Distribution¹	346	(81.8)	326	(88.6)	225	(94.1)
Possession^{2,3}	76	(18.0)	42	(11.4)	14	(5.9)
Trafficking⁴	1	(0.2)	0	(0)	0	(0)
Total	423		368		239	
M.G.L. c. 94C Provisions	2018					
Distribution¹	205	(92.3)				
Possession^{2,3}	17	(7.7)				
Trafficking⁴	0	(0)				
Total	222					

***Notes:**

¹ M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance, including Cannabis)

² M.G.L. c. 94C, § 34 (Possession Class D Substance, including Cannabis)

³ M.G.L. c. 94C, § 32L (Cannabis Possession (≤ 1 ounce until 7/2017 and ≤ 2 ounces after 7/2017))

⁴ M.G.L. c. 94C, § 32E (Trafficking Cannabis)

BPD Age Cohorts

Table VI.D.3. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C violations stratified by three age cohorts: Youth (aged 17 years old or younger), Young Adult (aged 18-25), and Adult (26 years old or older). The majority of Boston Police Department incidents involved young adults (49.7%) followed by adults (38.1%), and youth (12.2%).

Over time, the percent of Class D incidents involving youth has decreased (16.0-3.6% from 2000 to 2018 respectively). The percent of Class D incidents involving young adults has fluctuated but decreased (59-38.7% from 2000 to 2018), and the percent involving adults has increased (34-57.7% from 2000 to 2018).

Table VI.D.3. BPD M.G.L. c. 94C Cannabis and Class D Substance Violations by Age Cohort (Frequency [%]), Boston Police Department, 2000-2018

M.G.L. c. 94C Provision	Youth (≤ 17)		Young Adult (18-25)		Adult (≥ 26)		Total
Distribution¹	1,103	(10.1)	5,652	(51.6)	4,200	(38.3)	10,955 (45.1)
Possession^{2,3}	1,860	(14.0)	6,424	(48.2)	5,042	(37.8)	13,326 (54.8)
Trafficking⁴	0	(0.0)	6	(15.4)	33	(84.6)	39 (0.2)
Total	2,963 (12.2)		12,082 (49.7)		9,275 (38.1)		24,320

***Notes:**

¹ M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance, including Cannabis)

² M.G.L. c. 94C, § 34 (Possession Class D Substance, including Cannabis)

³ M.G.L. c. 94C, § 32L (Cannabis Possession (≤ 1 ounce until 7/2017 and ≤ 2 ounces after 7/2017))

⁴ M.G.L. c. 94C, § 32E (Trafficking Cannabis)

BPD Age and Race Cohorts

Tables VI.D.4-6. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C violations stratified by the three age cohorts (*i.e. youth, young adult, and adult*) and race (*i.e. Asian, Black, and White*). Possession accounted for the greater percentage of M.G.L. c. 94C incidences across all age cohorts; However, there were variations within race/age cohorts.

There was a total of 2,963 incidents in the youth cohort, accounting for 12.2% of all incidences. Overall, the percentages of Black youth with incidences of distribution and possession (69.7% and 65.2% respectively) were greater than their White (28.9% and 32.9%) or Asian (1.4% and 1.9%) counterparts.

There was a total of 12,082 incidents in the young adult cohort, accounting for 49.7% of all incidences. Overall, the percentages of Black young adults with incidences of distribution and possession (69.4% and 66.2% respectively) were greater than their White (29% and 32.9%) or Asian (1.7% and 1%) counterparts.

There was a total of 9,275 incidents in the adult cohort, accounting for 38.1% of all incidences. Overall, the percentages of Black adults with incidences of distribution and possession (73.1% and 66.7% respectively) were greater than their White (25.6% and 32.5%) or Asian (1.2% and 0.8%) counterparts.

Tables VI.D.4-6. M.G.L. c. 94C Cannabis and Class D Substance Violations, Age Cohort(s) and Racial Cohort(s) (Frequency [%]), Boston Police Department, 2000-2018

Youth (0-17)							
M.G.L. c. 94C Provision	Asian		Black		White		Total
Distribution¹	15	(1.4)	769	(69.7)	319	(28.9)	1,103 (37.2)
Possession^{2,3}	36	(1.9)	1,212	(65.2)	612	(32.9)	1,860 (62.8)
Trafficking⁴	0	(0.0)	0	(0.0)	0	(0.0)	0 (0.0)
Total	51 (1.7)		1,981 (66.9)		931 (31.4)		2,963

Young Adult (Ages 18-25)							
M.G.L. c. 94C Provision	Asian		Black		White		Total
Distribution¹	93	(1.7)	3,920	(69.4)	1,639	(29.0)	5,652 (46.8)
Possession^{2,3}	62	(1.0)	4,252	(66.2)	2,110	(32.9)	6,424 (53.2)
Trafficking⁴	1	(16.7)	3	(50.0)	2	(33.3)	6 (0.1)
Total	156 (1.3)		8,175 (67.7)		3,751 (31.1)		12,082

Adult (26 and older)							
M.G.L. c. 94C Provision	Asian		Black		White		Total
Distribution¹	52	(1.2)	3,072	(73.1)	1,076	(25.6)	4,200 (45.3)
Possession^{3,4}	39	(0.8)	3,364	(66.7)	1,639	(32.5)	5,042 (54.4)
Trafficking⁴	2	(6.1)	17	(51.5)	14	(42.4)	33 (0.36)
Total	93 (1.0)		6,453 (69.6)		2,729 (29.4)		9,275

***Notes:**

¹ M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance, including Cannabis)

² M.G.L. c. 94C, § 34 (Possession Class D Substance, including Cannabis)

³ M.G.L. c. 94C, § 32L (Cannabis Possession (≤ 1 ounce until 7/2017 and ≤ 2 ounces after 7/2017))

⁴ M.G.L. c. 94C, § 32E (Trafficking Cannabis)

BPD Racial Cohorts

Tables VI.D.7. and VI.D.8. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C violations stratified out by racial cohorts as collected by the Boston Police Department.

In 2010, the Boston, Massachusetts population was 47% White, 22.4% Black, 8.9% Asian, and 17.5% Hispanic, which may be any race (White, Black, Asian, Other Race). In comparison to the Boston Census data in 2010, White and Asian cohorts comprised a smaller percentage of Class D substance incidences than the Boston population overall (30.5% and 1.2% respectively). The Black cohort comprised a greater percentage of incidences than in the population overall (68.3%). Hispanic ethnicity could not be stratified out using this data source.

As Table VI.D.8. show, distribution and possession made up the greatest percentages of all M.G.L. c. 94C violations. In regard to possession, Blacks had the greatest percentage of incidents (66.3%), followed by Whites (32.7%). Similarly, the Black cohort had the greatest percentage of distribution incidents (70.8%), followed by the White cohort (27.7%). In comparison to the 2010 Boston population overall, the Black cohort comprised a greater percentage of both distribution and possession incidences compared to their percentage of the population. In contrast, White cohorts comprised a smaller percentage of both distribution and possession incidences than their percentage of the population. [See Tables VI.D.9. and VI.D.10. for Boston U.S. Census Race Percentages below].

Table VI.D.7. Race/Ethnicity (Frequency [%]), Boston Police Department, 2000-2018

Race Category	Frequency (%)
Asian	300 (1.2)
Black	16,609 (68.3)
White	7,411 (30.5)
Total	24,320

Table VI.D.8. M.G.L. c. 94C Cannabis and Class D Substance Violations by Race/Ethnicity (Frequency [%]), Boston Police Department, 2000-2018

Race/Ethnicity	Distribution ¹		Possession ^{2,3}		Trafficking ⁴		Total
Asian	160	(1.5)	137	(1.0)	3	(7.7)	300 (1.2)
Black	7,761	(70.8)	8,828	(66.3)	20	(51.3)	16,609 (68.3)
White	3,034	(27.7)	4,361	(32.7)	16	(41.0)	7,411 (30.5)
Total	10,955 (45.1)		13,326 (54.8)		39 (0.2)		24,320

***Notes:**

¹ M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance, including Cannabis)

² M.G.L. c. 94C, § 34 (Possession Class D Substance, including Cannabis)

³ M.G.L. c. 94C, § 32L (Cannabis Possession (≤ 1 ounce until 7/2017 and ≤ 2 ounces after 7/2017))

⁴ M.G.L. c. 94C, § 32E (Trafficking Cannabis)

Boston Census

Table VI.D.9. Boston Census Race Percentages, 2010 Estimates for Boston, MA

Year	White	Black	^a Asian	Other Race	Two or More races
2010 Estimates	47.0%	22.4%	8.9%	1.8%	2.4%

Notes:

^aAsian includes both “Asian” (e.g. Asian Indian, Chinese, Filipino, Japanese, Korean, Vietnamese, and Other Asian) “Native Hawaiian and Other Pacific Islanders” (e.g. Native Hawaiian, Guamanian or Chamorro, Samoan, and Other Pacific Islander). See Appendix Table III.1. for U.S. Census Data definitions of additional information on inclusion for race/ethnicity.

Table VI.D.10. Boston Census Ethnicity Hispanic/Non-Hispanic Percentages, 2010 Estimates for Boston, MA

Year	^b Hispanic	^b Non-Hispanic
2010 Estimates	17.5%	82.5%

Notes: ^b Persons identifying as Hispanic are included throughout the varying racial cohorts in Table VI.B.1. above.

^b “Hispanic” refers to persons of Mexican, Puerto Rico, Cuba, South or Central American or other Spanish culture origins regardless of race.

*See Appendix Table III.1. for U.S. Census Data definitions of additional information on inclusion for race/ethnicity.

Part 2: Impact of Cannabis-Violations

VII. Cannabis Prohibition and Disproportionate Impact

Drug policies and politics in America have historically had adverse effects on some minority communities.²⁷ The history of cannabis prohibition in the U.S. emerged in a social political context of temperance, government reform, and racism.²⁸ Prior to its prohibition, cannabis had long existed in the U.S. with pharmaceutical uses. However, during prohibition, it was politically re-branded as “marihuana,” a dangerous drug linked to Mexico and poor Mexican laborers,^{7,29} and marked by racist fearmongering (*i.e. the action of deliberately arousing public fear or alarm about a particular issue*)³⁰ that tied cannabis to non-whites, and particularly Black men, who were portrayed as violent and immoral cannabis users.²⁷

Current drug policies, which stem from the War on Drugs, operate within a context where historic drug policy choices (*e.g. heavier punishment for crack than powder cocaine which was used more frequently in the Black community than in White; minimum drug sentencing*) and political tactics (*e.g. campaign moves that tied Black men to drugs and violence to appeal to Whites*) have had unequal impacts on different racial/ethnic groups.²⁹

Specifically, the War on Drug’s “Law and Order” (*i.e. politicization of crime*) and “Crime and Punishment” (*i.e. a culmination of fear of street crime that created a “morally and justified” reason for the heavy punitive response to drug crime*) phenomena disproportionately affected minority groups who had been increasingly subject to surveillance and harsher penalties for drug crimes.³¹ Harris 2002 reported the practice of targeting minority groups can be traced back to the War on Drugs, which promoted profiling as an effective tactic to detect drug offenders.³² Profiling has come under scrutiny in conjunction with efforts to increase race/ethnicity data collection by law enforcement; these data collection effort remain critical.³¹

VIII. Employment and Drug Law Violations

AIM: This section provides an overview of the effects of cannabis and other-drug law violations on employment and potentially compounding variables.

Any drug-related arrest or record, including cannabis convictions, may have adverse effects on access to employment and housing.^{33,34} Technology and American policies that make criminal records publicly accessible to employers and others contribute to their impact in the U.S.^{35,36} Additionally, stigma associated with a drug record may have pervasive negative effects.^{37,38}

This section is not a comprehensive literature review; rather, it provides a brief overview of employment-related consequences of a drug record and relevant Massachusetts's policies. Importantly and not discussed in depth here are the consequences of drug convictions that extend well beyond the individual and affect families, communities, and the labor market.³⁷

Employment prospects become more limited when one has a drug record and this may be compounded by race.^{33,37,39,40} In a New York City study, Pager et al. 2009 sent equivalent job applications to low-wage positions from sham applicants who differed by race (Black or White) and by criminal background (no record or record).³⁹ Applicants self-identified criminal history through employment history in their resume. Authors found those with a criminal record were less likely to be invited to interview, and those who were Black and had a criminal record were the least likely to be invited for an interview.³⁹ Authors found personal contact with the employer (*i.e. invited for face-to-face interview and establishing rapport*) reduced the effect of a criminal record, but Whites were more likely than Blacks to be invited to interview.³⁹ In another resume study that compared Black and White job seekers with no-record, a misdemeanor, or a felony, Leasure 2018 found both types of convictions limited job opportunities, but did not find differences by race.⁴¹

In 2010, Massachusetts was the second state to eliminate asking about criminal history in initial written job applications for public and private entities (*M.G.L. 151B § 4; also known as "ban the box"*).⁴² Later in the application process employers can ask about certain criminal records within a specific number of years, although there are some exceptions.⁴² [See Section X. *Seal and Expunge* for other Massachusetts law related to the sealing and expungement of records].

Unfortunately, research shows "ban the box" laws are not a cure-all and may have unintended consequences.⁴³ Doleac and Hansen 2017 examined "ban the box" policies by time, state, and locality, and found that Black and Hispanic young men (25-to-34 years-old) were less likely to be interviewed after these policies were enacted.⁴⁴ Authors suggested this may be due to employers using race/ethnicity, age, and gender to exclude demographics more likely to have a criminal record.⁴⁴ In contrast, others found that "ban the box" increased employment in high-crime neighborhoods, and among less-experienced Black workers, although they also found that women, who are less likely to have a criminal conviction, had reduced employment options.⁴⁵ Despite inconsistencies, researchers have found race/ethnicity and criminal histories play a role in hiring decisions and reduce access to employment.

IX. Social Equity Literature Review

AIM: This section presents research that describes racial/ethnic disparities and mechanisms that drive disparities for cannabis-related violations.

Methods

A series of targeted searches with terms: “marijuana,” “cannabis,” “legalization,” “drug,” “drug policy,” “policing,” “race,” “ethnicity,” “arrest,” “felony,” “misdemeanor,” “minority,” “citation,” “incarceration,” “sealing,” “expungement,” “United States,” and “Massachusetts” were conducted. Papers published in the last ten years (2009 - 2018) were prioritized. Articles identified in reference reviews and authors’ libraries were included through 2005. In addition to the primary peer-review search, a gray literature (*i.e. reports and articles that not were published through academic reviewed journals*) search was conducted through Google. Searches were limited to studies conducted in the U.S. and written in English.

Studies that assess cannabis-specific measures and outcomes rather than any/all-drugs are prioritized; However non-cannabis specific drug papers are included when relevant, due to data limitations that may exclude cannabis-only analyses. Overall, twenty-four papers were identified, and four relevant reports in the gray literature were identified.^{22,28,38,44–68}

Cannabis Citations and Arrests

Nationally, current research suggests persisting inequality where Black and /Hispanic or Latino cohorts are arrested for drug offenses at higher rates than White cohorts despite similar rates of drug use and sale.^{34,57,65} This tracks broader national findings where people of color are arrested at disproportionate rates relative to their share of the population.⁶⁰ This section identifies research that compares cannabis arrests and legal consequences across race/ethnicity. [See [Section II. Brief History of Cannabis Laws](#) for information about the historical context of cannabis policy development].

Nine peer-review studies^{34,48,63–69} and two gray literature reports^{46,70} were identified. No peer review studies with Massachusetts data were identified. All identified studies found that Black and Latino cohorts (*when included in analyses*) had higher rates of drug-related arrests, when measured, compared to White cohorts.^{34,46,70,48,63–69}

National Research

Nationally representative research on cannabis-related drug arrests is limited. The three identified studies found that Black (and Hispanic cohorts, if measured) were more likely to be arrested for drug-related offenses compared to Whites.^{34,48,63}

In a national sample using the National Survey on Drug Use and Health (NSDUH), Uniform Crime Reporting data (UCR), and census data from 1982 to 2008, Nguyen and Reuter 2012 examined the probability of cannabis arrest by race, gender, and age.³⁴ This study found that Black youth and adults were more likely than White youth and adults to be arrested for cannabis

possession despite similar use rates.³⁴ In this sample, men were also more likely than women to be arrested for cannabis possession despite similar prevalence of use.³⁴ Adolescents (15-19 year-olds) were also disproportionately more likely to be arrested for cannabis possession.³⁴

In a non-cannabis specific national sample, Mitchell and Caudy 2017 found that Black and Hispanic cohorts had a greater likelihood of drug arrest compared to Whites.⁴⁸ In this study, Whites self-reported more drug distribution than Blacks and equal drug distribution to Hispanics, yet Blacks were 247% and Hispanics were 60% more likely than Whites to be arrested for a drug distribution charge by age 29.⁴⁸ Likewise, in a national sample examining misdemeanor charges, Stevenson and Mayson 2018 found that the arrest rate for Blacks was more than twice that of Whites for drug possession misdemeanor charges (approximately half of these charges were for cannabis) in 2014.⁶³ In this sample, Stevenson and Mayson found that the Black to White arrest disparity for drug possession has remained relatively stable from 1980 to 2014, peaking in 1991.⁶³ Additional national and state by state comparison research is needed.

New York City Spotlight Research

In peer-review literature surrounding cannabis-related legal consequences and racial/ethnic disparities, there are isolated areas where research exists, such as New York City. Kutateladze et al. 2014 noted the New York County District Attorney's office has been willing to collaborate with researchers on racial justice issues, permitting research to advance our collective knowledge in this area of equity.⁶⁴ However, an important limitation is that New York findings may not generalize to other locations for a number of reasons, including place-based and political differences.⁶⁴

Johnson et al. 2006, 2008 both described a New York Police Department "quality of life" initiative that included increased law enforcement attention on public cannabis consumption.^{66,67} In this sample from 1994 to the mid-2000s, 84% of cannabis in public view arrestees were Black or Hispanic.⁶⁷ Golub et al. 2007 found that racial and ethnic disparities were far reaching.⁶⁸ Blacks and Hispanics were more likely to be detained, convicted, and serve time for cannabis in public view arrests compared to Whites in New York City.⁶⁸ Ferrandino 2015 found that between 2009 and 2012, Whites were 50% more likely to be offered "adjournments in contemplation of dismissal" (*i.e. a legal process that postpones a case, and allows the offense to be dismissed at the later date if conditions are met*) than Blacks and Hispanics in cannabis possession arrests.⁶⁹ In another analysis of drug offenses, Kutateladze et al. 2014 found that Blacks, but not Latinos, were more likely to be detained before trial, and both cohorts were more likely to be incarcerated compared to Whites.⁶⁴ Asian defendants had the least penal consequences in this sample.⁶⁴ Together, this research suggests that disparities are not limited to certain data points but appear pervasive across the drug-related law enforcement and legal process.

Massachusetts Research

No peer-reviewed articles that document arrest rates for cannabis-related offences in Massachusetts were identified. Additional research is necessary to assess potentially differential impacts of cannabis laws and related law enforcement effects on minorities in comparison to

other racial/ethnic cohorts, as well as other demographic differences (*e.g. gender, socioeconomic status, etc.*) in the Commonwealth.

In the gray literature, cannabis arrests for possession and sale show disproportionately higher rates for Black cohorts compared to White cohorts in Massachusetts.⁴⁶ An analysis of Federal Bureau of Investigation (FBI) Crime Data by the American Civil Liberties Union (ACLU) found that Blacks were 3.9 times more likely to be arrested than Whites for cannabis possession in Massachusetts in 2010.⁷⁰ From 2001 to 2010, the racial disparity between Black and White arrests increased by 75.4%.⁷⁰ A 2014 update found that Black people in Massachusetts had a 3.3 times higher cannabis possession arrest rate and 7.1 times higher cannabis sales arrest rate compared to Whites in 2014.⁴⁶ Blacks make up approximately 8% of the Massachusetts population; However, this cohort made up 24% of cannabis possession arrests and 41% of cannabis sales arrests in 2014.⁷⁰ Data limitations prevented analysis of Latino residents in this report, a remaining gap in the literature.⁷⁰ Continued data collection and analyses that permits comprehensive and systematic tracking will be critical to monitor trends.

Mechanisms Behind Racial/Ethnic Disparities

Researchers have identified multiple mechanisms that may help explain the disproportionate effects of cannabis laws and enforcement on Black and Latino cohorts. Findings in the literature are nuanced and mixed. Despite differing conclusions, all mechanisms broadly fall within the following overlapping themes: individual level characteristics (*e.g. individual racial bias; difference in drug-use behaviors*),³⁴ community level or place-based characteristics (*e.g. diversity of neighborhood; police practices within neighborhood*),³⁴ and structural or policy factors (*e.g. mandatory minimum sentencing; law enforcement policies*).⁴⁷ Eleven peer-review studies were identified that either tested or identified mechanisms of racial and ethnic disparities in the legal consequences of cannabis and other drug laws.^{22,28,45,52-57,63,67}

Using the National Longitudinal Survey of Youth (12-29 year-old sample), Mitchell and Caudy 2017 analyzed racial/ethnic differences in drug-related law enforcement to assess explanations for disproportionate impact.⁴⁸ Authors found major disparities between Black and Hispanic cohorts compared to Whites and additionally found that: older participants, men, those with less education, those with lower incomes, and those who reported more assault offenses, had greater odds of being arrested for drug distribution.⁴⁸ Mitchell and Caudy found that neighborhood variables and the nature of offense largely explained White and Hispanic arrest differences, but did not explain White and Black differences.⁴⁸ Authors concluded that racial-bias (*does not differentiate between implicit and explicit*) appears to best explain the disparity between Black and White arrest rates.⁴⁸

Gaston et al. 2018 examined whether increased policing in certain neighborhoods or racially discriminatory policing better described racial differences in drug arrests from a St. Louis, Missouri sample from 2009-2013.⁶⁵ In this sample, Blacks were two and a half times more likely than Whites to be arrested for a drug offense.⁶⁵ Gaston et al. 2018 found that both races were under greater scrutiny in high-crime neighborhoods, but this did not explain racial differences in arrests.⁶⁵ Authors also found evidence of racially discriminate or “out-of-place” profiling where Blacks were more likely to be arrested in predominantly White neighborhoods and in mixed-race

neighborhoods, and Whites were more likely to be arrested in predominantly Black neighborhoods.⁶⁵ In another St. Louis study, Gaston and Brunson 2018 found that proactive traffic and pedestrian stops drove the majority of drug-arrests across neighborhoods and found that mixed-race neighborhoods showed the greatest evidence of racially-biased enforcement.⁴⁹

In contrast, Stringer et al. 2016 found that a number of different economic and social factors mediated racial inequality and sentencing disparities.⁴⁷ This study used data from the National Corrections Reporting Program to examine factors (*e.g. regional location, education, prior offenses*) that affect drug sentencing (*not limited to cannabis*) in state courts.⁴⁷ In this sample, Blacks had longer sentences compared to Whites and men had longer sentences than women.⁴⁷ Authors concluded that the interaction of economic, social, and demographic factors better explained their racial disparities findings than any one-way model.⁴⁷

Other factors that contribute to the disproportionate impact of cannabis and drug-laws on minorities identified in the literature include: implicit bias (*i.e. unintentional and unconscious bias that may be related to stereotypical associations*)⁶² from law enforcement and juries;²⁹ intentional bias (*i.e. known and intentional bias and discrimination*) from law enforcement and juries.²⁹ Racial profiling, or using race/ethnicity as a factor in determining criminal suspicion,⁷¹ was also identified as a factor in drug arrest disparities.⁶⁵ Profiling is a structural barrier that may be entrenched in law enforcement practice.⁷²

Place-based factors that contribute to disproportionate impact include: differences in drug-use/buying patterns (*e.g. more outdoor purchases than indoor sales*)^{34,48,57} concentrated drug enforcement and law enforcement scrutiny^{34,65} in inter-city and minority neighborhoods,^{29,48} or areas regarded as “crime-prone,”^{34,49} and neighborhood racial/ethnic composition.^{34,53}

Structural and policy-level contributing factors identified in the literature include: law enforcement policies,⁵⁸ strategies that focus on low level offenses (*e.g. broken windows theory, “quality of life” policing strategy*);⁵⁰ greater likelihood of being reported by citizens;⁵¹ emphasis on punitive consequences rather than prevention;²⁹ mandatory minimum sentencing;²⁹ judicial discretion differences;⁴⁷ law enforcement and prosecution discretion;⁵² sentencing disparities;⁴⁷ difference in poverty and education levels;⁴⁷ and American drug policies.⁵⁸

Effects of Cannabis Laws

The peer-review literature has not yet comprehensively evaluated the effects of cannabis laws and adult-use legalization on racial/ethnic disparities. One peer review article⁶¹ and four gray literature reviews or reports were identified.^{54–56,70} The identified preliminary data suggests that there are overall decreases in cannabis-law violations following adult-use legalization, but disparities persist.^{54–56,61}

Pierson et al. 2017 examined the effect of adult-use cannabis legalization on Colorado and Washington drivers’ search and misdemeanor rates.⁶¹ In Colorado, only cannabis-related misdemeanors were included in the analysis, while in Washington all drug misdemeanors were included, as the data did not differentiate between drug type.⁶¹ Pierson et al. 2017 found that the number of searches decreased for all races after legalization; However White drivers were still

less likely to be searched than minority drivers.⁶¹ Authors used a threshold test to identify how high or low “the bar” is set for a law enforcement searches based on inferred likelihood of having contraband.⁶¹ Pierson et al. found that Whites had a “higher bar,” or were searched when they met a higher standard of inferred likelihood of having contraband compared to Blacks and Hispanics, who were searched when their likelihood was lower (inferred threshold: 20% for Whites, 16% for Blacks, and 14% for Hispanics).⁶¹ This research suggests that although all drivers were searched less overall, minority drivers continued to be searched at higher rates than Whites.⁶¹

Gray Literature: Decriminalization

The gray literature provides additional information and often moves faster than peer-review; However, it may be subject to less critical review. In 2008, Massachusetts decriminalized up to one ounce of cannabis, and from 2008 to 2009, the ACLU reported that there was an 85% decrease in cannabis possession arrests.⁷⁰ As a result, Massachusetts had the lowest cannabis possession arrest rate in the country (2010: 18 per 100,000).⁷⁰ Despite these decreases, racial disparities worsened.⁷⁰ While the total number of arrests decreased, the difference in arrest rates for Blacks (2010: 61 per 100,000) in comparison to Whites (2010: 16 per 100,000) increased.⁷⁰

The 2014 Center on Juvenile and Criminal Justice report, “*Reforming Marijuana Laws; Which Approach Best Reduces the Harms of Criminalization? A Five-State Analysis*,” examined whether recent cannabis policy changes in Colorado, Washington, California, Connecticut, and Massachusetts affected cannabis arrests.⁵⁴ In Massachusetts, decriminalization was the policy intervention of interest.⁵⁴ Males et al. 2014 found that cannabis possession arrests and high-level cannabis misdemeanor and felonies (*when measured*) decreased following cannabis policy changes. However, despite overall decreases in cannabis-related legal consequences, racial and ethnic disparities persisted.⁵⁴

Gray Literature: Adult-Use Legalization

A 2018 Colorado report, *Impacts of Marijuana Legalization in Colorado*, analyzed cannabis arrests from 2012-2017 and found that overall arrest rates decreased for all cohorts, with Whites experiencing the greatest reduction (-56%), compared with Hispanics (-39%), and Blacks (-51%).⁵⁵ This report suggests that cannabis arrest rates remain unequal.⁵⁵ In 2017, Whites had an arrest rate of 118 per 100,000, Hispanics had an arrest rate of 133 per 100,000, and Blacks had an arrest rate of 233 per 100,000.⁵⁵ Hispanics and Blacks were also more likely to have an on-view arrest (*i.e. taken into custody and arrested without a warrant based on law enforcement observations*) compared to Whites.⁵⁵ Despite overall decreases in youth arrest rates, Black juveniles also had a disproportionately higher arrest rate (642 per 100,000) compared to Whites (517 per 100,000) and Hispanics (369 per 100,000) in 2017.⁵⁵

A 2018 report from The Drug Policy Alliance highlighted the trend of persisting disparities in arrest rates despite decreases in the total number of arrests for all racial and ethnic groups following adult-use legalization.⁵⁶ This pattern was identified in Colorado, Washington, Alaska, and Washington D.C. samples.^{54-56,61} Authors concluded that cannabis legalization can make

progress in reducing arrests, but law enforcement reform is simultaneously needed to address persisting disparities.⁵⁶

Gaps in the Literature

Peer-review literature lags, in part, due to its rigor and review processes. To date, no peer reviewed work with Massachusetts law enforcement data were identified and this remains an important gap in our knowledge and ability to rectify potential disparities. Additional research will be necessary to assess the impacts of adult-use cannabis legalization and social equity provisions in legislation on disparities.

In addition, problems identified in this report related to data sources hinder research. In the current literature, few studies have included Hispanic, Asian, and other non-Black/White samples.^{40,59} Women are also underrepresented in the research.⁴⁰

Research gaps also exist in the analysis of the mechanisms that drive disproportionate impacts and the impacts of cannabis reform laws. Importantly, Mitchell and Caudy 2017 note that most research in this field uses aggregate rather than individual level data, which hinders the ability for research to isolate specific factors that could assist in explaining mechanisms of concern.⁴⁸

X. Seal and Expunge

AIM: This section briefly explains sealing and expungement in Massachusetts and identifies research gaps.

Sealing a record limits access to past criminal and court record(s) for most people/groups, including employers and housing authorities. Most misdemeanors and felonies may be sealed after a waiting period if other conditions are met.⁷³ Judges may seal first-time drug possession offenses if all probation terms and any other requirements are met.⁷³ Additionally, “Any recorded offense which is no longer a crime, shall be eligible for sealing forthwith, except in cases where the elements of the offense continue to be a crime under a different designation” (M.G.L. C. 276 § 100A).⁷⁴ In a guide to sealing cannabis offenses, Greater Boston Legal Services noted that past possession cases for two ounces or less of cannabis, may be eligible for sealing without a waiting period.⁷⁵

Sealed records cannot be used to disqualify an individual from “any examination, appointment or application for public service in the service of the commonwealth or of any political subdivision thereof; nor shall such sealed records be admissible in evidence or used in any way in any court proceedings or hearings before any boards or commissions, except in imposing sentence in subsequent criminal proceedings.”⁷⁴

Expungement goes farther than sealing and refers to the destruction of a record.⁷⁵ Fewer records are eligible for expungement than for sealing. Eligible cases for expungement may be “time-based” or “non-time based.”⁷⁶ In Massachusetts, “time-based” cases refer to juvenile or adult cases that occurred before age 21 where there were no other criminal or juvenile court cases and any other criteria, including waiting periods, are met.⁷⁷ In a guide to expungement, Greater Boston Legal Services emphasized that cases eligible for expungement are limited.⁷³ To be eligible, the case must be the first and only case; any other case on his/her record (excluding motor vehicle charges with penalties \$50 or under) may make an individual ineligible for expungement.⁷³

“Non time-based” cases that may be eligible for expungement include offenses that are no longer a crime, cases where the person was innocent or misidentified, and cases resulting from law enforcement or another(’s) mistake.⁷³ For more information on sealing and expungement, see <https://www.mass.gov/service-details/find-out-if-you-can-seal-your-criminal-record>

Less accessible methods to limit access to criminal records include governor’s pardons which are official acts of clemency, similar to sealing, that are issued by a governor, and vacating convictions.³⁵

Research assessing the impact of sealing and expungement on employment and other outcomes is extremely limited and a major research gap.³⁵ In an observational study of participants in a record cleaning legal clinic, Selbin et al. 2018 examined employment rates and average earning before and after record cleaning for early and late adopters.³⁵ Authors found that after records were clean, participants had better employment rates and higher average real earnings.³⁵ Additional research is needed in this area.

XI. Massachusetts Cannabis Control Commission Equity Programs

AIM: This section outlines Massachusetts Cannabis Control Commission's equity programs and eligibility.

Massachusetts codified a commitment to addressing the harms of cannabis prohibition, including Chapter 94C convictions, through avenues that prioritize and promote participation of disproportionately affected individuals and communities in the adult-use cannabis industry. As discussed above, drug records and 94C violations may decrease employment opportunities particularly for minorities and other disproportionately impacted cohorts. [See Section III. *M.G.L. c. 94C Controlled Substance Act* for an overview of Chapter 94C provision violations and Section VIII. *Employment and Drug Law Violations*].

Economic Empowerment Program

The Cannabis Control Commission's Economic Empowerment Certification Program (2018) prioritized license review for applicants residing in communities disproportionately impacted by cannabis prohibition, and explicitly included those affected by past drug convictions as indicated by a drug-related CORI (see below). As of February 2019, four of the 123 applicants that were accepted into the Economic Empowerment Program submitted license applications for review.

To qualify, applicants had to meet at least three of the following criteria:

- Majority of ownership belongs to people who have lived in areas of disproportionate impact^b for five of the last ten years;
- Majority of ownership has held one or more previous positions where the primary population served were disproportionately impacted, or where primary responsibilities included economic education, resource provision or empowerment to disproportionately impacted individuals or communities;
- At least 51% of current employees/sub-contractors reside in areas of disproportionate impact and will increase to 75% by first day of business;
- At least 51% of employees or sub-contractors have a drug-related CORI, but are otherwise legally employable in a cannabis-related enterprise;
- A majority of the ownership is made up of individuals from Black, African American, Hispanic, or Latino descent; and
- Owners can demonstrate significant past experience in or business practices that promote economic empowerment in areas of disproportionate impact.

^b See <https://mass-cannabis-control.com/wp-content/uploads/2018/04/Guidance-for-Identifying-Areas-of-Disproportionate-Impact.pdf> for list of cities designated areas of disproportionate impact.

Social Equity Program

The Cannabis Control Commission's Social Equity Program (2018 – ongoing) will provide comprehensive support, skills-based training, mentorship, fee waivers, and connections to pro-bono resources for accepted applicants. The Social Equity Program also explicitly includes those with past drug-convictions. Qualifying criteria include: Massachusetts residency (for at least past twelve months) with a prior drug conviction or with a child or spouse with a past drug conviction or residing in an area of disproportionate impact for five or more of the past ten years with income not exceeding 400% of the federal poverty limit.

Please see <https://mass-cannabis-control.com/equityprograms/> for additional information and applications or contact Shekia Scott, Director of Community Outreach. The efficacy and reach of these programs will be evaluated in future reports.

XII. Equity Baseline Data

Economic Empowerment Program Survey (Preliminary)

To better understand the barriers Economic Empowerment participants encountered in navigating the application process, the Cannabis Control Commission sent out a survey to all participants and potential applicants in the system in July 2018 (326 surveys were successfully sent, 75 successfully completed [Response Rate: 23%]).

For participants who completed the economic empowerment application, 67.2% stated that they were satisfied with the application process while another 7.8% reported partial satisfaction.

For those indicating they did not apply for a license (54 total), the reason(s) for not applying differed: (1) 46.7% reported difficulty raising funds or capital, (2) 41.3% reported difficulty obtaining approval from a city or town, (3) 40% reported that they are still developing a business concept/plan, (4) 21.3% reported difficulty understanding the application, (5) 20% reported that their desired license type is not offered (*e.g. social consumption/delivery etc.*), and (6) 16% reported “Other” reason(s). Qualitative answers responding to why the economic empowerment participant(s) or potential applicant(s) did not apply for a license included:

- *Need for mentoring program;*
- *Back room deals;*
- *Inability to identify contacts in municipality to discuss potential process;*
- *Violations to municipality tax;*
- *Moratoriums and zoning;*
- *Host approval; and*
- *Complexities with finding investment capital.*

Seventy-six percent of participants or potential applicants reported that they were aware of the Cannabis Control Commission’s Social Equity Program.

Disproportionately Impacted Cities/Towns

Table XII.1. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C violations documented by the Massachusetts State Police stratified out by cities and towns identified as disproportionately impacted from 2010-2018. These cities/towns were identified as “disproportionately impacted” by a 2017 study contracted by the Cannabis Control Commission and conducted by Dr. Jon B. Gettman, Associate Professor, Shenandoah University.⁷⁸ This study used Uniform Crime Reporting (UCR) arrest data via the Inter-University Consortium from 2001-2015, which includes data from 160 localities (total drug arrests account for 78% of state population) and 148 localities (cannabis arrests account for 75% of state population). For Boston, the Boston Police Department (BPD) provided Class D arrests from June 2015 – September 2017, stratified by precinct. This study reports the arrest rates and created an index ranking score based on six factors: (1) arrest rate for sales, (2) arrest rate for possession, (3) total number of arrests, (4) population size, (5) percent of families below poverty line, and (6) employment rates. Each community was ranked for each variable. Next rankings were summed. This index score aims to objectively gauge the impact of drug arrests on the community, while accounting for difference in arrests, population, and economics.⁷⁸

Table XII.2. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C violations recorded in NIBRS stratified out by each city/town identified as disproportionately impacted from 2000-2018. Boston does not submit data to NIBRS, so it is not included in this table. Additionally, cities with over 100,000 people (Boston, Lowell, Springfield, and Worcester) are subdivided by census tract numbers according to U.S. Census unemployment data, and only certain tracts qualify as disproportionately impacted; However the data provided includes violations from the whole city.⁷⁹ In order of most to least, the following jurisdictions had the greatest incidences of M.G.L. c. 94C violations (as reported in NIBRS) were Worcester (5.6%), Springfield (5.4%), and New Bedford (4.2%).

Table XII.3. show the statistics (frequency [%]) of incidents of M.G.L. c. 94C violations recorded by the Massachusetts State Police (MSP) stratified out by each city/town identified as disproportionately impacted from 2010-2018. Although cities with over 100,000 people (Boston, Lowell, Springfield, and Worcester) are subdivided by census tract numbers according to U.S. Census unemployment data, and only certain tracts qualify as disproportionately impacted; However the data provided includes violations from the whole city.⁷⁹ In order of most to least, the following jurisdictions had the greatest incidences of M.G.L. c. 94C violations reported by the MSP were Boston (8.2%), Springfield (6.6%), and Worcester (5.5%).

Table XII.1. MSP M.G.L. c. 94C Cannabis and Class D Violations by Disproportionately Impacted Cities/Towns, 2010-2018

94C Violations	Cities/Towns of Disproportionate Impact		All other Cities/Towns	
M.G.L. c. 94C Provisions: Cannabis Specific				
Trafficking Cannabis¹	22	(39.3)	34	(60.7)
Cannabis Possession²	82	(46.3)	95	(53.7)
Cannabis Possession (civil)³	753	(31.4)	1,648	(68.6)
M.G.L. c. 94C Provisions: Class D Specific				
Cultivate/Manufacture Class D⁴	2	(11.1)	16	(88.9)
Distribute or Intent Class D⁵	478	(45.6)	570	(54.4)
Possession Class D⁶	1,465	(53.1)	1,292	(46.9)
M.G.L. c. 94C, § 32J				
Drug Violation Near School/Park⁷	417	(81.3)	96	(18.7)

*Notes: Percentages reflect % of cohort(s) per M.G.L. c. 94C provision violation

¹ M.G.L. c. 94C, § 32E (Trafficking Cannabis)

² M.G.L. c. 94C, § 34 (Cannabis Possession (>1 ounce until 7/2017 and >2 ounces after 7/2017))

³ M.G.L. c. 94C, § 32L (Cannabis Possession (≤1 ounce until 7/2017 and ≤2 ounces after 7/2017))

⁴ M.G.L. c. 94C, § 32C (Cultivate/Manufacture Class D Substance)

⁵ M.G.L. c. 94C, § 32C (Distribute or Intent to Distribute Class D Substance)

⁶ M.G.L. c. 94C, § 34 (Possession Class D Substance *Note: this category may also contain "Cannabis" violations)

⁷ M.G.L. c. 94C, § 32J (Drug Violation Near School/Park *Note: this is not specific to Cannabis/Class D Substances, but does include them)

Table XII.2. M.G.L. c. 94C Cannabis Violations by Individual Disproportionately Impacted Cities/Towns, NIBRS 2000-2013

Massachusetts Reporting Disproportionately-Impacted Municipality	Frequency	Percent
Abington	658	0.7
Amherst	1,235	1.4
U-Mass Amherst (Amherst)	1,142	1.3
*Boston	N/A	N/A
Braintree	974	1.1
Brockton	1,683	1.9
Chelsea	592	0.7
Fall River	1,361	1.5
Fitchburg	426	0.5
Greenfield	764	0.9
Haverhill	669	0.8
Holyoke	1,397	1.6
*Lowell	931	1.1
Lynn	561	0.6
Mansfield	924	1.0
Monson	356	0.4
New Bedford	3,704	4.2
North Adams	504	0.6
Pittsfield	373	0.4
Quincy	758	0.9
Randolph	804	0.9
Revere	545	0.6
Southbridge	398	0.4
Spencer	922	1.0
*Springfield	4,738	5.4
Taunton	516	0.6
Walpole	502	0.6
Wareham	68	0.1
West Springfield	521	0.6
*Worcester	4,912	5.6

***Notes:**

*Communities with a population of more than 100,000 people (Lowell, Springfield, and Worcester) are subdivided by census tract numbers according to U.S. Census unemployment data, and only certain tract numbers qualify.⁸⁰ This table includes data for the full city. Boston is not included in this sample. [For all reporting cities/towns (not solely disproportionately impacted cities/towns), see *Appendix V. Disproportionately Impacted Cities/Towns: Table V.1. NIBRS 94C Cannabis and Class D Violations by Disproportionately Impacted Cities/Towns, 2000-2013*].

Table XII.3. MSP M.G.L. c. 94C Cannabis and Class D Violations by Individual Disproportionately Impacted Cities/Towns, 2010-2018

Massachusetts Reporting Disproportionately-Impacted Municipality	Frequency	Percent
Abington	1	0.01
Amherst	3	0.04
*Boston	610	8.17
Braintree	41	0.55
Brockton	193	2.58
Chelsea	74	0.99
Fall River	85	1.14
Fitchburg	119	1.59
Greenfield	92	1.23
Haverhill	66	0.88
Holyoke	219	2.93
*Lowell	77	1.03
Lynn	96	1.29
Mansfield	6	0.08
Monson	7	0.09
New Bedford	203	2.72
North Adams	30	0.4
Pittsfield	123	1.65
Quincy	52	0.7
Randolph	28	0.37
Revere	214	2.87
Southbridge	10	0.13
Spencer	36	0.48
*Springfield	496	6.64
Taunton	85	1.14
Walpole	10	0.13
Wareham	26	0.35
West Springfield	28	0.37
*Worcester	409	5.48

***Notes:**

*Communities with a population of more than 100,000 people (Boston, Lowell, Springfield, and Worcester) are subdivided by census tract numbers according to U.S. Census unemployment data, and only certain tract numbers qualify.⁸⁰ This table includes data for the full city. [For all reporting cities/towns (not solely disproportionately impacted cities/towns), see *Appendix V. Disproportionately Impacted Cities/Towns: Table V.2. MSP 94C Cannabis and Class D Violations by Disproportionately Impacted Cities/Towns, 2010-2018*].

XIII. Massachusetts Equity Spotlights

Individual municipalities may create their own social equity programs or provisions in their licensing and zoning processes. This subsection highlights five Massachusetts cities or counties with innovative equity provisions.

Somerville, Massachusetts

In November 2018, the City of Somerville’s Board of Aldermen passed an ordinance which requires that the City only accept certain priority cannabis-license applications in their first two years.^{81,82} Priority applicants include certified CNB Economic Empowerment applicants, Somerville resident-owned businesses with at least half of its ownership made up of Somerville residents, or cooperatively owned entities (“co-ops”).⁸¹ After two years, non-priority applicants can be accepted, but the number of non-priority licenses may never exceed the number of licenses given to those with priority.⁸¹

Boston, Massachusetts

In February 2019, Councilor Kim Janey introduced an ordinance establishing a Boston Cannabis Board to license cannabis establishments in the City, with one out of the five board members (or their parent, sibling, or child) required to be a person previously incarcerated for a cannabis conviction.⁸³

For two years, the Board would only license equity applicants, defined as meeting at least three of the following criteria:

- A person who has resided in an area of disproportionate impact, as defined by the Cannabis Control Commission, for at least 5 of the past 10 years;
- A person who has a past conviction for the possession, sale, or trafficking of Marijuana (“cannabis”), who has been a resident of Boston for the past 12 months; OR a person who is married to or is the child of a person with a past conviction for the possession, sale, or trafficking of Marijuana (“cannabis”), who has been a resident of Boston for the past 12 months;
- A person who has resided in the City of Boston for at least the past 5 years;
- A person who is of Black, African American, Hispanic, or Latino descent; and/or
- A person whose annual household income is below 400% of the federal poverty level.

After two years, the City would maintain a ratio of two equity applicants for every one general applicant. The Board would provide services such as technical assistance and legal capital to the equity applicants.⁸³

Easthampton, Massachusetts

As of spring 2019, the Easthampton City Council is considering a short, straightforward ordinance that would reserve a certain number of retail licenses for economic empowerment applicants certified by the Cannabis Control Commission, participants of the Social Equity Program, minority-owned businesses, women-owned businesses, cooperatively owned entities or businesses owned by Easthampton residents.⁸⁴

Cambridge, Massachusetts

The Cambridge City Council adopted zoning for adult-use cannabis establishments in December 2018, which will be effective after the adoption of a Cannabis Business Permitting Ordinance (which could allow for priority to Economic Empowerment or Social Equity designations) or before April 20, 2019, whichever comes earlier. Additionally, certain zoning provisions give priority to equity program participants (*see below*).⁸⁵

In the Business A1 district, only applicants that have been designated as Economic Empowerment Applicants or certified as eligible to participate in the Social Equity Program by the Massachusetts Cannabis Control Commission may be permitted and it shall be made a condition of the special permit that such designation or eligibility shall be maintained.

A Cannabis Retail Store shall not be permitted within one thousand and eight hundred (1,800) feet of another Cannabis Retail Store, except if the applicant has been designated as an Economic Empowerment Applicant or certified as eligible to participate in the Social Equity Program by the Massachusetts Cannabis Control Commission and it is made a condition of the special permit that such designation or eligibility shall be maintained.

Suffolk County, Massachusetts

During her 2018 campaign for Suffolk County District Attorney, former Assistant U.S. Attorney, Rachael Rollins, released a [list of fifteen charges](#) which her office would decline to prosecute by default.⁸⁶ Unless supervisor permission is obtained, her campaign website noted that cases for minor offenses including drug possession, and drug possession with intent to distribute, would be dismissed outright or diverted as appropriate. In a speech in Illinois just after she won the election, former President Barack Obama praised her and other top prosecutors nationwide for “looking at issues in a new light.”⁸⁷ After she was inaugurated in early 2019, District Attorney Rollins noted that she was taking a hard look at the list and that incarceration would be the last option with respect to the fifteen charges.⁸⁸

Part 3: Preventing Cannabis-Violations

XIV. The Prevention Framework and Public Awareness Campaigns

The public health prevention model is an inclusive model targeting the overall health of the public at large rather than an individualized or small group prevention model. Public health frameworks emphasize the varying systems that surround an individual (*e.g. familial/peer groups, neighborhood, community, society, economics, health infrastructure, etc.*) and affect individuals' behaviors, aiming to impact his/her choice(s) to partake in a behavior. This contextual framework also applies to public safety.⁸⁹⁻⁹²

Preventing cannabis-related law violations and the consequences of violations should be considered in a broad prevention framework. This includes surveillance, detection, and investigation of an issue, such as cannabis law violations and their consequences. In the Commonwealth, this would occur at both the local and state levels. High-impact interventions refer to focused efforts to prevent cannabis-law violations within a short time-frame, such as identifying misunderstood or commonly violated parts of the laws and validating tools for education and prevention.

Public safety policies that aim to prevent, detect, and control rates of cannabis-law violations, would include: ensuring sound scientific data to support evidence-based policies, working with local state, health, and public safety departments to both prevent and control violations, as well as helping community leaders improve local plans and education efforts.⁹³

Implementing evidence-based interventions is critical in a prevention framework. [CrimeSolutions.gov](https://www.crimelibrary.com/crime-solutions/) is one searchable resource that local decision makers, policymakers, and researchers can use to identify programs and interventions with an evidence basis.

Cannabis Public Awareness Campaigns: All States

Massachusetts is one of seven states that have implemented a comprehensive public awareness campaign to either inform constituents of the non-medical adult-use cannabis laws and provisions within their states and/or educate youth or parents on the harms of cannabis use for adolescents whose brains are still maturing. Surveillance and consistent monitoring of public safety and related court trends in varying groups, including racial and ethnic minorities, and across localities will be critical to prevent and minimize adverse consequences.

Table XIV.1. States with Non-Medical Adult Cannabis Laws and Public Awareness Campaigns

State	Campaign Name	Website
Massachusetts	<i>More About Marijuana</i>	https://www.mass.gov/learn-about-marijuana or www.moreaboutmj.org
Alaska	<i>Get the Facts About Cannabis</i>	http://dhss.alaska.gov/dph/Director/Pages/cannabis/default.aspx
California	<i>Let's Talk Cannabis</i>	https://www.cdph.ca.gov/Programs/DO/letstalkcannabis/Pages/LetsTalkCannabis.aspx
Colorado	<i>Good to Know</i>	https://www.colorado.gov/good-know
Nevada	<i>Good to Know</i>	http://goodtoknownv.com/
Oregon	<i>Stay True to You</i>	http://www.staytrueto you.org/#home
Washington	<i>Listen2YourSelfie</i>	https://www.youcanwa.org/

XV. Massachusetts's Public Awareness Campaign

Based within a public health prevention framework, Massachusetts's *More About Marijuana*, is a collaboration between The Massachusetts Cannabis Control Commission (CNB), The Department of Public Health (DPH), and The Bureau of Substance Addiction Services (BSAS) within DPH, who contracted with MORE Advertising to collaboratively research, devise, and implement *More About Marijuana* in the Commonwealth.



The goals of the campaign are threefold:

1. Conduct research to assess the current knowledge of both:
 - Cannabis overall; and
 - Massachusetts Chapter 55, *An Act to Ensure the Safe Access to Cannabis*, law and provisions.
2. Develop the campaign based on research results. Research for this campaign consisted of two primary mechanisms:
 - Focus groups with pre-group surveys; and
 - Online (“pre” implementation) survey of Massachusetts residents ≥ 21 . The campaign targets both the general population, as well as parents and youth. [See research methods and results below]; and
3. Implement the campaign to educate constituents on the varying provisions within the law and potential harmful effects of using cannabis.

The implementation of the campaign has two waves. The first wave was implemented in August 2018 and targeted parents of youth. The second wave of implementation will target a general audience and is planned for implementation in spring of 2019.

Massachusetts Cannabis Public Awareness Campaign Objectives

Similar to Part 1 of the Public Safety report, which assessed cannabis-impaired driving [See: *A Baseline Review and Assessment of Cannabis Use and Public Safety Part 1: Operating under the Influence of Cannabis: Literature Review and Preliminary Data in Massachusetts*], part of the public awareness campaign targeting the general public included education and information about Massachusetts cannabis laws and provisions, including M.G.L. c. 94C Cannabis and Class D Substance Violations, such as trafficking across state lines and possession limits.

Focus Groups

The campaign conducted eighteen 90-minute focus groups from May 7-18, 2018 in three disparate geographic locations in Massachusetts:

1. Boston, MA “Urban;”
2. Framingham, MA “Suburban;” and
3. Greenfield, MA “Rural.”

At each location, six specific groups were conducted, stratified by either: age and use status or parental status and grade of child(ren). Overall, the 206 focus group participants represented a mix of race/ethnicity, income, and education consistent with the state census data for the respective geographic regions [See *Appendix VI. Table 1. Focus groups stratified by geographic location and cohort, May 7-18, 2018* for additional information on focus groups].

Prior to commencing the focus groups, participants completed an anonymous pre-group survey. Moderator guides were developed to lead the various groups through a series of questions.

The research objectives for the focus groups were to:

- Explore knowledge, attitudes, and practices around cannabis and the new law;
- Determine preferences as they relate to existing campaigns (*i.e. Colorado, California*);
- Establish preferences for Massachusetts’s overarching campaign brand (*i.e. name, logo*);
- Identify informational needs/desires and preferred channels/vehicles to receive information about the new law; and
- For parents/guardians, explore:
 - Concerns about youth cannabis use;
 - Knowledge of impact of cannabis use on youth;
 - Intention to talk to kids, including motivators and barriers; and
 - Self-efficacy around talking to kids and resources needed to support effective communications.

Focus Group Results Regarding Cannabis Law and Violations

Knowledge of Adult-Use Legalization:

- In adult (parents and non-parents) groups, all but four adults, had heard of the adult-use cannabis law in the May 2018 focus groups.
- There was some confusion about whether the legal age to use cannabis was 18 or 21, and older participants (40 years and older) were more likely to be confused about the legal age.
- When asked the two most important things people need to know about the law, most frequent responses included: where you can and cannot smoke (“consume”); information on what constitutes operating under the influence (“OUI”); exceptions to state law; (*i.e. landlords, employers, towns, federal government*) legal age of 21; possession and grow limits; information about edibles; consequences of not following law; cannabis side effects; not to take across state lines; health effects for kids; and information about storing cannabis at home.
- Parent groups noted that tips for talking to kids about the law would be helpful.
- The majority of participants expressed interest in visiting a website to learn the specifics of the law and consequences.

Knowledge about Possession Limits and Storage:

- Participants were aware that possession and grow limits existed. Most were unsure of the exact limits and wanted more information. Some participants were knowledgeable about possession vs. selling vs. “gifting.”
- All participants knew that some towns had voted to permit or stop sales of cannabis in their jurisdiction. This was frequently interpreted as the laws around possession and use may vary from town to town, or at least state law implementation and enforcement (*e.g. for public use*) may vary considerably from town to town.
- The storage requirement was new to participants and there were questions about whether it was enforceable and why laws were stricter for cannabis than they might be for alcohol, prescription pills, opioids, household cleaning productions. Many questioned whether this was only relevant for households with children or for all households.

Knowledge of Public Use:

- Most participants understood that the law does not allow for public use, but some were unsure.
- Many users talked about the prevalence of public use and wondered if this would be routinely enforced or only in cases where there was already a disturbance.

Knowledge about Transporting Across State Lines:

- Participants acknowledged that not taking cannabis across state lines was “common sense,” but were concerned it may be easily and unknowingly violated.

Social Equity:

- Several participants raised concerns about the potential of the law to disproportionately impact certain groups (*e.g., people of color and families who receive home visits from*

state agency personnel). Participants in Greenfield were more likely to talk about cannabis and social justice than those in Boston and Framingham.

- Many participants, particularly current users, were concerned that in an effort to enforce the new law, people might be more likely to be fined, arrested, or get a record for things they had historically done without harassment.
- Greenfield groups raised concerns about how drug laws have historically been used to police specific communities and were concerned that such discrepancies would continue under the new law.

Cannabis Laws and Cannabis M.G.L. c. 94C Violations

Education segments on the provisions of Massachusetts cannabis laws were integrated in the Public Awareness Campaign targeting a general audience, so constituents know the legal parameters of the varying laws and provisions. There are multiple key provisions of medical and non-medical adult-use cannabis laws that are important to understand as they may coincide with Massachusetts's Controlled Substance Act, M.G.L. c. 94C, such as possession (*i.e. age of legal possession, cultivation, possession public vs. private property, storage, etc.*) and trafficking (*i.e. cannabis possession across state lines*).



Massachusetts laws and provisions around cannabis or controlled substances that constituents should be aware of as they may violate M.G.L. c.94C, include:

- **Age of legal use:** Cannabis is legal for adults aged 21 years-old-or-older to possess, cultivate, and consume.
- **Possession:**
 - In private property, such as your home:
 - Maximum of ten ounces of cannabis in the residence (see *Securing cannabis* below), equating to six plants (with one adult in home) or twelve plants (with two adults living in home);
(***Note:** Not more than five grams of cannabis may be in the form of concentrate [Concentrate: resin extracted from any part of the plant of the genus Cannabis and every compound, manufacture, salt, derivative, mixture or preparation of that resin but shall not include the weight of any other ingredient combined with cannabis to prepare cannabis products]).⁹⁴
 - Public property, such as public roads:
 - Adults aged ≥ 21 years old or older, legal to possess ≤ 1 ounce;
 - Adults 18-20 years old, cannabis decriminalized for possession of ≤ 2 ounces;
 - For youth < 18 , cannabis possession decriminalized for ≤ 2 (civil fine and mandatory drug education program), delinquency proceedings are possible for possession of greater than 1 ounce.

***Specific to cannabis possession in motor vehicles:** It is illegal to possess an open container (*i.e. broken cannabis package*) of cannabis or cannabis products in the passenger area of a motor vehicle (*i.e. any area readily accessible by driver or any passenger while vehicle is in operation with few exceptions*).⁹⁵
- **Consumption:**
 - Public: Consuming cannabis or using cannabis products is not permitted in public or federal lands.
 - Rental Property: Landlords can prohibit smoking cannabis consumption; However, rental contract may not prohibit other methods of consumption unless in violation of Federal or other state regulations.
 - Government buildings/schools: Government buildings and schools can prohibit cannabis consumption. Additionally, they are not required to provide a reasonable accommodation even for persons with medical cannabis card(s).
 - Work: Employers can restrict cannabis consumption at work.
- **Securing cannabis:**
 - In private property, such as your home, any possession of more than one ounce of cannabis or cannabis products need to be secured by a lock.

- For licensed cannabis establishments: (1) entrance(s) to the establishment need to be secured so that access to areas containing cannabis are restricted to employees and others permitted by the establishment to access the area and to agents of the commission or state and local law enforcement officers and emergency personnel, (2) inventory and equipment need to be secured during and after operational hours, and (3) no establishment can cultivate, process, test, store or manufacture cannabis or cannabis products at any location other than at a physical address approved by the commission and within an area that is enclosed and secured in a manner that prevents access.⁹⁶
- **Trafficking:** It is illegal to cross states lines (*i.e. out of Massachusetts into a surrounding state or into Massachusetts from a surrounding state*) with any cannabis or cannabis product or possess 50-2,000 pounds of cannabis (“trafficking”).
- **Sale:** Unless a person/entity is a licensee of the Cannabis Control Commission, selling cannabis or cannabis products is illegal;^{96,97} However, it is within legal limits to give away (“gift”) or otherwise transfer one ounce of legally obtained cannabis (not more than 5 grams of concentrate) to a person 21 years of age or older, as long as the transfer is not advertised or promoted to the public.⁹⁴

Graphics and examples from the Massachusetts Public Awareness Campaign regarding potential M.G.L. c. 94C violations with the implementation of cannabis laws/provisions are shown below:

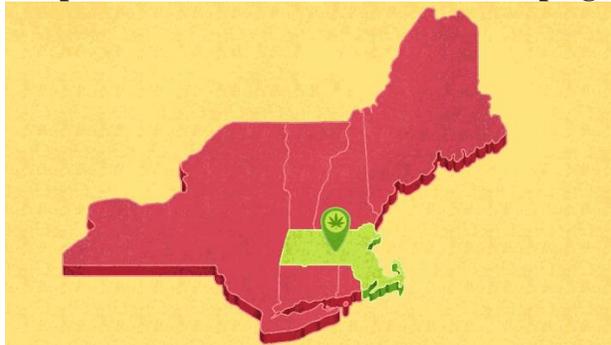
Graphic XIV.1. Public Awareness Campaign, General Awareness, Age of Legal Use



Graphics XIV.2-3. Public Awareness Campaign, General Awareness, Possession Limits



Graphic XIV.4. Public Awareness Campaign, General Awareness, State Lines



Graphics XIV.5-6. Public Awareness Campaign, General Awareness, Public Consumption



Graphics XIV.7. Public Awareness Campaign, General Awareness, Securing Cannabis Supply (private residence)



XVI. Research Gaps and Considerations

Research Gaps: M.G.L. c.55 § 17

The main impediment for future M.G.L. c.55 § 17(a)(vii) research on cannabis-related violations is the availability and lack of systematic data collection. After a baseline review of the data and science regarding M.G.L. c. 94C provision violations, the Cannabis Control Commission's Research Department highlight gaps in our collective knowledge and provide research considerations for the Commonwealth. If considerations are implemented, these changes would permit a full assessment of all research agenda items included in M.G.L. c.55 § 17(a)(vii) and potentially guide evidence-based policy decisions in the future.

In regard to assessing M.G.L. c. 94C violations, no research or data sources were identified that link criminal justice data from first-interaction with law enforcement through any court decisions and/or incarceration periods, thus, we were unable to assess (1) prosecutions, (2) incarcerations and (3) sanctions imposed, and (4) average sanctions of the persons charged for violations of M.G.L. c. 94C. Civil penalties also could not be assessed, as there are currently no mechanism(s) to track or require the payment of these fines at local clerk offices. Additionally, the specific demographic characteristic, "country of origin," was unable to be assessed given current data collection mechanisms and measures.

Future research related to M.G.L. c. 94C provision violations should consider sampling and weighting techniques to reduce bias, continue to assess prevalence and risk factors across cohorts, and monitor any racial/ethnic disparities to increase equity.

As Massachusetts implements the first cannabis Social Equity Program in the U.S., research is needed to comprehensively evaluate the program and its impact. Baseline data, including quantitative data (*e.g. demographic information etc.*) as well as qualitative data (*e.g. interviews and focus groups*), are needed to assess individual, vendor, and program outcomes.

[See *Part 1: 94C Cannabis-Violations, Section V. Data Sources and Limitations*].

Research Gaps: Peer-Review Scientific Literature

In addition to an assessment of research feasibility to assess St. 2017 c. 55 § 17 research items, the Research Department identified gaps in the scientific, peer-review literature.

- Massachusetts law enforcement data regarding M.G.L. c. 94C cannabis-related violations and disparities remain an important gap in our knowledge and ability to rectify potential disparities.

[See *Part 2: Impact of Cannabis Violations, subsection: IX. Social Equity Literature Review*].

- Few studies include Hispanic, Asian, and other non-Black/White cohort samples when assessing impact(s) of cannabis-related violations/enforcement.^{40,59} Women are also underrepresented in the research.⁴⁰

[See Part 2: Impact of Cannabis Violations, subsections: VII. Cannabis Prohibition and Disproportionate Impact, VIII. Employment and drug law violations, IX. Social Equity Literature Review].

- Research gaps exist in the analysis of the mechanisms that drive disproportionate impacts and the impacts of cannabis reform laws; this knowledge gap would be informed by individual-level data analyses.⁴⁸

[See Part 2: Impact of Cannabis Violations, subsection: IX. Social Equity Literature Review].

- Research about the impact of sealing and expungement services is limited.
[See Part 2: Impact of Cannabis Violations, subsection: X. Seal and Expunge].

- Additional research will be necessary to assess the impacts of non-medical adult-use cannabis legalization and social equity provisions in legislation on disparities.

[See Part 2: Impact of Cannabis Violations, subsections: IX. Social Equity Literature Review, XI. Massachusetts Cannabis Control Commission Equity Programs].

XVII. Policy Considerations for the Commonwealth

Based on this preliminary (“baseline”) review of the scope of the M.G.L. c. 94C violations in Massachusetts and in order to successfully assess all research agenda items included in M.G.L. c.55 § 17(a)(vii), the Cannabis Control Commission’s Research Department, in consultation and collaboration with varying Massachusetts law enforcement agencies and internal Departments, make the following considerations to the Commonwealth.

94C Violations and Public Safety

- **Consideration 1:** Consider formalizing data tracking mechanisms around cannabis-related M.G.L. c. 94C violations within and between law enforcement agencies. This should include research and analytic methods to track a person from first contact with law enforcement to court outcome(s), including demographic comparisons (excluding personal identifying information, please see note below).
- **Consideration 2:** Consider necessary changes to court system data access or availability to support research efforts.
- **Consideration 3:** Consider ways to support municipality use of NIBRS, (*e.g. assessing barriers to use, education around accessing and interpreting relevant local data to make it useful to police chiefs*).

[See *Part 1: 94C Cannabis-Violations, Section V. Data Sources and Limitations*].

***Note:** These mechanisms for tracking individuals for research purposes should be done without personal identifiable information (PII) for easier access for research purposes without potential adverse effects to persons presumed in violation of (pre-trial) or convicted (post-trial) of M.G.L. c. 94C provision violation(s).

94C Violations and Impact [Social Equity]

- **Consideration 1:** All Massachusetts law enforcement agencies to track the race/ethnicity of all persons with cannabis-related M.G.L. c. 94C violation incidents.
- **Consideration 2:** Consider formalizing law enforcement agencies tracking to include collecting additional demographic information, such as country of origin.
- **Consideration 3:** Consider tracking M.G.L. c. 94C cannabis civil violations, including incidences, and demographics of persons found in violation (*e.g. age, gender, race/ethnicity*).

[See *Part 1: 94C Cannabis-Violations, Section VI. Baseline Data subsection M.G.L. c. 94C Controlled Substances Act, Tables: (1) Table VI.A.4. MSP Total M.G.L. c. 94C Cannabis and Class D Substance Violations by Race/Ethnicity, 2010-2018, (2) Table VI.A.7. U.S. Census Race Percentages, 2010 and 2018 Estimates, and (3) Table VI.A.5. MSP M.G.L. c. 94C Cannabis and Class D Substance Violations by Residency, 2010-2018; Part 2: Impact of Cannabis Violations, subsections: VII. Cannabis Prohibition and Disproportionate Impact, VIII. Employment and drug law violations, IX. Social Equity Literature Review*].

***Note:** These mechanisms for tracking individuals for research purposes should be done without personal identifiable information (PII) for easier access for research purposes without potential adverse effects to persons presumed in violation of (pre-trial) or convicted (post-trial) of M.G.L. c. 94C provision violation(s).

94C Violations and Prevention [Education]

- **Consideration 1:** Massachusetts Cannabis Control Commission with collaboration with the Executive Office of Public Safety and Security and varying relevant state agencies to continue public education via public awareness campaigns targeting Massachusetts constituents, including efforts to educate on:
 - Laws and statutes of medicinal and non-medical adult-use cannabis laws that may intersect with M.G.L. c. 94C violations.

*All education materials must be inclusive, multi-lingual, and reach all affected communities.
[See *Section XV. Public Awareness Campaign*].

XVIII. Appendices

Appendix I: Terminology and Acronyms Tables

Table I.1. Terminology

Term	Definition
Adjournments in Contemplation of Dismissal	A legal process that postpones a case and allows the offense to be dismissed at the later date if conditions are met.
Cannabis	Cannabis (“marijuana”) is the term often used in the United States (U.S.) to define the crude drug consisting of dry, shredded components of several Cannabis plant varieties, including: Cannabis Indica and Cannabis Sativa, the two most common varieties consumed in the United States (U.S.) ⁹⁸
Concentrate	Resin extracted from any part of the plant of the genus Cannabis and every compound, manufacture, salt, derivative, mixture or preparation of that resin but shall not include the weight of any other ingredient combined with cannabis to prepare cannabis products.
“Crime and Punishment”	Refers to the War on Drugs culmination of fear of street crime that created a “morally and justified” reason for the heavy punitive response to drug crime phenomena that disproportionately affected minority groups.
Gray Literature	Reports and articles that not were published through academic reviewed journals and may not be subject to peer review.
“Law and Order”	Refers to the War on Drugs politicization of crime phenomena that disproportionately affected minority groups.
Peer Review Literature	Scientific articles that have undergone a full and rigorous review process and were published in an academic journal.

Table I.2. Acronyms

Acronym	Meaning
ACLU	American Civil Liberties Union
BPD	Boston Police Department
BSAS	The Bureau of Substance Addiction Services
CMR	Code of Massachusetts Regulations
CNB	Cannabis Control Commission
CORI	Criminal Offender Record Information
CSA	Controlled Substance Act
DC	District of Columbia
DEA	Drug Enforcement Agency
DPH	Department of Public Health
EEA	Economic Empowerment Applicants
EOPSS	Massachusetts Executive Office of Public Safety & Security
FBI	Federal Bureau of Investigations
LEA	Law Enforcement Agency(ies)
LEOKA	Law Enforcement Officers Killed and Assaulted
MA	Massachusetts
MBTA	Massachusetts Bay Transportation Authority
MGL	Massachusetts General Law
MSP	Massachusetts State Police
NE	New England
NIBRS	National Incident-Based Reporting System
NSDUH	National Survey on Drug Use and Health
PD	Police Department
PII	Personal Identifiable Information
SRS	Summary Reporting System
UCR	Uniform Crime Reporting
US	United States

Appendix II: 94C Controlled Substances Act and Provisions

94C: Controlled Substances Act⁹⁹

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXV/Chapter94C>

Massachusetts has a multitude of laws/provisions and regulations on the varying aspects of cannabis legality (*e.g. possession, sale, trafficking, driving after cannabis use*). Specific to manufacturing, distribution, dispensing and possession of controlled substances, including cannabis, Massachusetts General Law Chapter 94C: Controlled Substances Act establishes regulations pursuant to the Federal Controlled Substance Act (CSA) of 1970 for the Commonwealth. This establishes parameters for criminal penalties for violations. Under M.G.L. c. 94C's categorization of controlled substances, Cannabis ("marihuana") is considered a "Class D" substance.

Regarding manufacturing, distributing, dispensing or cultivating, or possessing with intent to manufacture, distribute, dispense or cultivate cannabis as a Class D substance in M.G.L. c. 94C Section 32C:

(a) Any person who knowingly or intentionally manufactures, distributes, dispenses or cultivates, or possesses with intent to manufacture, distribute, dispense or cultivate a controlled substance in Class D of section thirty-one shall be imprisoned in a jail or house of correction for not more than two years or by a fine of not less than five hundred nor more than five thousand dollars, or both such fine and imprisonment.
*(b) Any person convicted of violating this section after one or more prior convictions of manufacturing, distributing, dispensing, cultivating or possessing with intent to manufacture, distribute, dispense or cultivate a controlled substance as defined by section thirty-one under this or any prior law of this jurisdiction or of any offense of any other jurisdiction, federal, state, or territorial, which is the same as or necessarily includes the elements of said offense shall be punished by a term of imprisonment in a jail or house of correction for not less than one nor more than two and one-half years, or by a fine of not less than one thousand nor more than ten thousand dollars, or both such fine and imprisonment.*¹⁰⁰

Regarding Trafficking Cannabis ("marihuana") in M.G.L. c. 94C Section 32E:

Section 32E. (a) Any person who trafficks in marihuana by knowingly or intentionally manufacturing, distributing, dispensing, or cultivating or possessing with intent to manufacture, distribute, dispense, or cultivate, or by bringing into the commonwealth a net weight of fifty pounds or more of marihuana or a net weight of fifty pounds or more of any mixture containing marihuana shall, if the net weight of marihuana or any mixture thereof is:

(1) Fifty pounds or more, but less than one hundred pounds, be punished by a term of imprisonment in the state prison for not less than two and one-half nor more than fifteen years or by imprisonment in a jail or house of correction for not less than one nor more than two and one-half years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of one year and a fine of not less than five hundred nor more than ten thousand dollars may be imposed but not in lieu of the mandatory minimum one-year term of imprisonment, as established herein.

(2) One hundred pounds or more, but less than two thousand pounds, be punished by a term of imprisonment in the state prison for not less than 2 nor more than fifteen years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of 2 years and a fine of not less than two thousand and five hundred nor more than twenty-five thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(3) Two thousand pounds or more, but less than ten thousand pounds, be punished by a term of imprisonment in the state prison for not less than 3 1/2 nor more than fifteen years. No sentence imposed

under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of 3 1/2 years and a fine of not less than five thousand nor more than fifty thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(4) Ten thousand pounds or more, be punished by a term of imprisonment in the state prison for not less than 8 nor more than fifteen years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of 8 years and a fine of not less than twenty thousand nor more than two hundred thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(b) Any person who trafficks in a controlled substance defined in clause (4) of paragraph (a), clause (2) of paragraph (c) or in clause (3) of paragraph (c) of Class B of section thirty-one by knowingly or intentionally manufacturing, distributing or dispensing or possessing with intent to manufacture, distribute or dispense or by bringing into the commonwealth a net weight of 18 grams or more of a controlled substance as so defined, or a net weight of 18 grams or more of any mixture containing a controlled substance as so defined shall, if the net weight of a controlled substance as so defined, or any mixture thereof is:

(1) Eighteen grams or more but less than 36 grams, be punished by a term of imprisonment in the state prison for not less than 2 nor more than 15 years. No sentence imposed under this clause shall be for less than a minimum term of imprisonment of 2 years, and a fine of not less \$2,500 nor more than \$25,000 may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(2) Thirty-six grams or more, but less than 100 grams, be punished by a term of imprisonment in the state prison for not less than 3 1/2 nor more than 20 years. No sentence imposed under this clause shall be for less than a mandatory minimum term of imprisonment of 3 1/2 years, and a fine of not less than \$5,000 nor more than \$50,000 may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(3) One hundred grams or more, but less than two hundred grams, be punished by a term of imprisonment in the state prison for not less than 8 nor more than twenty years. No sentence imposed under the provisions of this clause shall be for less than a mandatory minimum term of imprisonment of 8 years and a fine of not less than ten thousand nor more than one hundred thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(4) Two hundred grams or more, be punished by a term of imprisonment in the state prison for not less than 12 nor more than twenty years. No sentence imposed under the provisions of this clause shall be for less than a mandatory minimum term of imprisonment of 12 years and a fine of not less than fifty thousand nor more than five hundred thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(c) Any person who trafficks in heroin or any salt thereof, morphine or any salt thereof, opium or any derivative thereof by knowingly or intentionally manufacturing, distributing or dispensing or possessing with intent to manufacture, distribute, or dispense or by bringing into the commonwealth a net weight of 18 grams or more of heroin or any salt thereof, morphine or any salt thereof, opium or any derivative thereof or a net weight of 18 grams or more of any mixture containing heroin or any salt thereof, morphine or any salt thereof, opium or any derivative thereof shall, if the net weight of heroin or any salt thereof, morphine or any salt thereof, opium or any derivative thereof or any mixture thereof is:--

(1) Eighteen grams or more but less than 36 grams, be punished by a term of imprisonment in the state prison for not less than 3 1/2 nor more than 30 years. No sentence imposed under this clause shall be for less than a mandatory minimum term of imprisonment of 3 1/2 years, and a fine of not less than \$5,000 nor more than \$50,000 may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(2) Thirty-six grams or more but less than 100 grams, be punished by a term of imprisonment in the state prison for not less than 5 nor more than 30 years. No sentence imposed under this clause shall be for less than a mandatory minimum term of imprisonment of 5 years, and a fine of not less than \$5,000 nor more

than \$50,000 may be imposed, but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(3) One hundred grams or more but less than two hundred grams, be punished by a term of imprisonment in the state prison for not less than 8 nor more than 30 years. No sentence imposed under the provisions of this clause shall be for less than the mandatory minimum term of imprisonment of 8 years, and a fine of not less than ten thousand nor more than one hundred thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established therein.

(4) Two hundred grams or more, be punished by a term of imprisonment in the state prison for not less than 12 nor more than 30 years. No sentence imposed under the provisions of this clause shall be for less than a mandatory minimum term of imprisonment of 12 years and a fine of not less than fifty thousand nor more than five hundred thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established therein.

[Subsection (c1/2) inserted by 2015, 136 effective February 22, 2016.]

(c1/2) Any person who trafficks in fentanyl, by knowingly or intentionally manufacturing, distributing, dispensing or possessing with intent to manufacture, distribute or dispense or by bringing into the commonwealth a net weight of more than 10 grams of fentanyl shall be punished by a term of imprisonment in state prison for not more than 20 years.

For purposes of this subsection, "fentanyl" shall include any derivative of fentanyl and any mixture containing more than 10 grams of fentanyl or a derivative of fentanyl.

(d) Any person serving a mandatory minimum sentence for violating this section shall be eligible for parole after serving one-half of the maximum term of the sentence if the sentence is to the house of correction, except that such person shall not be eligible for parole upon a finding of any 1 of the following aggravating circumstances:

(i) the defendant used violence or threats of violence or possessed a firearm, rifle, shotgun, machine gun or a weapon described in paragraph (b) of section 10 of chapter 269, or induced another participant to do so, during the commission of the offense;

(ii) the defendant engaged in a course of conduct whereby he directed the activities of another others who committed any felony in violation of chapter 94C; or

(iii) the offense was committed during the commission or attempted commission of a violation of section 32F or section 32K of chapter 94C.

A condition of such parole may be enhanced supervision; provided, however, that such enhanced supervision may, at the discretion of the parole board, include, but shall not be limited to, the wearing of a global positioning satellite tracking device or any comparable device, which shall be administered by the board at all times for the length of the parole.

Regarding controlled substances violations, such as cannabis under M.G.L. c. 94C Section 32J:

Section 32J. Any person who violates the provisions of section thirty-two, thirty-two A, thirty-two B, thirty-two C, thirty-two D, thirty-two E, thirty-two F or thirty-two I while in or on, or within 300 feet of the real property comprising a public or private accredited preschool, accredited headstart facility, elementary, vocational, or secondary school if the violation occurs between 5:00 a.m. and midnight, whether or not in session, or within one hundred feet of a public park or playground shall be punished by a term of imprisonment in the state prison for not less than two and one-half nor more than fifteen years or by imprisonment in a jail or house of correction for not less than two nor more than two and one-half years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of two years. A fine of not less than one thousand nor more than ten thousand dollars may be imposed but not in lieu of the mandatory minimum two-year term of imprisonment as established herein. In accordance with the provisions of section eight A of chapter two hundred and seventy-nine such

sentence shall begin from and after the expiration of the sentence for violation of section thirty-two, thirty-two A, thirty-two B, thirty-two C, thirty-two D, thirty-two E, thirty-two F or thirty-two I.

Lack of knowledge of school boundaries shall not be a defense to any person who violates the provisions of this section.

Any person serving a mandatory minimum sentence for violating this section shall be eligible for parole after serving one-half of the maximum term of the sentence if the sentence is to a house of correction, except that such person shall not be eligible for parole upon a finding of any 1 of the following aggravating circumstances:

(i) the defendant used violence or threats of violence or possessed a firearm, rifle, shotgun, machine gun or a weapon described in paragraph (b) of section 10 of chapter 269, or induced another participant to do so, during the commission of the offense;

(ii) the defendant engaged in a course of conduct whereby he directed the activities of another who committed any felony in violation of chapter 94C.

(iii) the offense was committed during the commission or attempted commission of the a violation of section 32F or section 32K of chapter 94C.

A condition of such parole may be enhanced supervision; provided, however, that such enhanced supervision may, at the discretion of the parole board, include, but shall not be limited to, the wearing of a global positioning satellite tracking device or any comparable device, which shall be administered by the board at all times for the length of the parole.

Regarding inducing or abetting minor(s) to distribute or sell controlled substances, such as cannabis, in, on, or near school property under M.G.L. c. 94C Section 32K:

“Section 32K. Any person who knowingly causes, induces or abets a person under the age of eighteen to distribute, dispense or possess with the intent to distribute or dispense any controlled substance as defined herein, or to accept, deliver or possess money used or intended for use in the procurement, manufacture, compounding, processing, delivery, distribution or sale of any such controlled substance shall be punished by imprisonment in the state prison for not less than five years nor more than fifteen years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of five years and a fine of not less than one thousand nor more than one hundred thousand dollars may be imposed but not in lieu of the mandatory minimum five-year term of imprisonment established herein.”

Regarding possession of cannabis under M.G.L. c. 94C Section 32L:

“Notwithstanding any general or special law to the contrary, possession of one ounce or less of marihuana shall only be a civil offense, subjecting an offender who is eighteen years of age or older to a civil penalty of one hundred dollars and forfeiture of the marihuana, but not to any other form of criminal or civil punishment or disqualification. An offender under the age of eighteen shall be subject to the same forfeiture and civil penalty provisions, provided he or she completes a drug awareness program which meets the criteria set forth in Section 32M of this Chapter. The parents or legal guardian of any offender under the age of eighteen shall be notified in accordance with Section 32N of this Chapter of the offense and the availability of a drug awareness program and community service option. If an offender under the age of eighteen fails within one year of the offense to complete both a drug awareness program and the required community service, the civil penalty may be increased pursuant to Section 32N of this Chapter to one thousand dollars and the offender and his or her parents shall be jointly and severally liable to pay that amount.

Except as specifically provided in "An Act Establishing A Sensible State Marihuana Policy," neither the Commonwealth nor any of its political subdivisions or their respective agencies, authorities or instrumentalities may impose any form of penalty, sanction or disqualification on an offender for possessing an ounce or less of marihuana. By way of illustration rather than limitation, possession of one ounce or less of marihuana shall not provide a basis to deny an offender student financial aid, public housing or any form of public financial assistance including unemployment benefits, to deny the right to operate a motor vehicle or to disqualify an offender from serving as a foster parent or adoptive parent. Information concerning the offense of possession of one ounce or less of marihuana shall not be deemed "criminal offender record information," "evaluative information," or "intelligence information" as those terms are defined in Section 167 of Chapter 6 of the General Laws and shall not be recorded in the Criminal Offender Record Information system.

As used herein, "possession of one ounce or less of marihuana" includes possession of one ounce or less of marihuana or tetrahydrocannabinol and having cannabinoids or cannabinoid metabolites in the urine, blood, saliva, sweat, hair, fingernails, toe nails or other tissue or fluid of the human body. Nothing contained herein shall be construed to repeal or modify existing laws, ordinances or bylaws, regulations, personnel practices or policies concerning the operation of motor vehicles or other actions taken while under the influence of marihuana or tetrahydrocannabinol, laws concerning the unlawful possession of prescription forms of marihuana or tetrahydrocannabinol such as Marinol, possession of more than one ounce of marihuana or tetrahydrocannabinol, or selling, manufacturing or trafficking in marihuana or tetrahydrocannabinol. Nothing contained herein shall prohibit a political subdivision of the Commonwealth from enacting ordinances or bylaws regulating or prohibiting the consumption of marihuana or tetrahydrocannabinol in public places and providing for additional penalties for the public use of marihuana or tetrahydrocannabinol."¹⁰¹

Regarding possession of cannabis under M.G.L. c. 94C Section 32M:

"An offender under the age of eighteen is required to complete a drug awareness program within one year of the offense for possession of one ounce or less of marihuana. In addition to the civil penalties authorized by Section 32L and 32N of this Chapter, the failure of such an offender to complete such a program may be a basis for delinquency proceedings for persons under the age of 18 at the time of their offense. The drug awareness program must provide at least four hours of classroom instruction or group discussion and ten hours of community service. In addition to the programs and curricula it must establish and maintain pursuant to Section 7 of Chapter 18A of the General Laws, the bureau of educational services within the department of youth services or any successor to said bureau shall develop the drug awareness programs. The subject matter of such drug awareness programs shall be specific to the use and abuse of marihuana and other controlled substances with particular emphasis on early detection and prevention of abuse of substances."

Regarding possession of cannabis under M.G.L. c. 94C Section 32N:

"The police department serving each political subdivision of the Commonwealth shall enforce Section 32L in a manner consistent with the non-criminal disposition provisions of Section 21D of Chapter 40 of the General Laws, as modified in this Section.

The person in charge of each such department shall direct the department's public safety officer or another appropriate member of the department to function as a liaison between the department and persons providing drug awareness programs pursuant to Section 32M of this Chapter and the Clerk Magistrate's office of the District Court serving the political subdivision. The person in charge shall also issue books of non-criminal citation forms to the department's officers which conform with the provisions of this Section and Section 21D of Chapter 40 of the General Laws.

In addition to the notice requirements set forth in Section 21D of Chapter 40 of the General Laws, a second copy of the notice delivered to an offender under the age of eighteen shall be mailed or delivered to at least

one of that offender's parents having custody of the offender, or, where there is no such person, to that offender's legal guardian at said parent or legal guardian's last known address. If an offender under the age of eighteen, a parent or legal guardian fails to file with the Clerk of the appropriate Court a certificate that the offender has completed a drug awareness program in accordance with Section 32M within one year of the relevant offense, the Clerk shall notify the offender, parent or guardian and the enforcing person who issued the original notice to the offender of a hearing to show cause why the civil penalty should not be increased to one thousand dollars. Factors to be considered in weighing cause shall be limited to financial capacity to pay any increase, the offender's ability to participate in a compliant drug awareness program and the availability of a suitable drug awareness program. Any civil penalties imposed under the provisions of "An Act Establishing A Sensible State Marijuana Policy" shall inure to the city or town where the offense occurred."

Regarding possession of cannabis under M.G.L. c. 94C Section 34:

"No person knowingly or intentionally shall possess a controlled substance unless such substance was obtained directly, or pursuant to a valid prescription or order, from a practitioner while acting in the course of his professional practice, or except as otherwise authorized by the provisions of this chapter. Except as provided in Section 32L of this Chapter or as hereinafter provided, any person who violates this section shall be punished by imprisonment for not more than one year or by a fine of not more than one thousand dollars, or by both such fine and imprisonment. Any person who violates this section by possessing heroin shall for the first offense be punished by imprisonment in a house of correction for not more than two years or by a fine of not more than two thousand dollars, or both, and for a second or subsequent offense shall be punished by imprisonment in the state prison for not less than two and one-half years nor more than five years or by a fine of not more than five thousand dollars and imprisonment in a jail or house of correction for not more than two and one-half years. Any person who violates this section by possession of more than one ounce of marijuana or a controlled substance in Class E of section thirty-one shall be punished by imprisonment in a house of correction for not more than six months or a fine of five hundred dollars, or both. Except for an offense involving a controlled substance in Class E of section thirty-one, whoever violates the provisions of this section after one or more convictions of a violation of this section or of a felony under any other provisions of this chapter, or of a corresponding provision of earlier law relating to the sale or manufacture of a narcotic drug as defined in said earlier law, shall be punished by imprisonment in a house of correction for not more than two years or by a fine of not more than two thousand dollars, or both.

If any person who is charged with a violation of this section has not previously been convicted of a violation of any provision of this chapter or other provision of prior law relative to narcotic drugs or harmful drugs as defined in said prior law, or of a felony under the laws of any state or of the United States relating to such drugs, has had his case continued without a finding to a certain date, or has been convicted and placed on probation, and if, during the period of said continuance or of said probation, such person does not violate any of the conditions of said continuance or said probation, then upon the expiration of such period the court may dismiss the proceedings against him, and may order sealed all official records relating to his arrest, indictment, conviction, probation, continuance or discharge pursuant to this section; provided, however, that departmental records which are not public records, maintained by police and other law enforcement agencies, shall not be sealed; and provided further, that such a record shall be maintained in a separate file by the department of probation solely for the purpose of use by the courts in determining whether or not in subsequent proceedings such person qualifies under this section. The record maintained by the department of probation shall contain only identifying information concerning the person and a statement that he has had his record sealed pursuant to the provisions of this section. Any conviction, the record of which has been sealed under this section, shall not be deemed a conviction for purposes of any disqualification or for any other purpose. No person as to whom such sealing has been ordered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his failure to recite or acknowledge such arrest, indictment, conviction, dismissal, continuance, sealing, or any other related court proceeding, in response to any inquiry made of him for any purpose.

Notwithstanding any other penalty provision of this section, any person who is convicted for the first time under this section for the possession of marihuana or a controlled substance in Class E and who has not previously been convicted of any offense pursuant to the provisions of this chapter, or any provision of prior law relating to narcotic drugs or harmful drugs as defined in said prior law shall be placed on probation unless such person does not consent thereto, or unless the court files a written memorandum stating the reasons for not so doing. Upon successful completion of said probation, the case shall be dismissed and records shall be sealed.

It shall be a prima facie defense to a charge of possession of marihuana under this section that the defendant is a patient certified to participate in a therapeutic research program described in chapter ninety-four D, and possessed the marihuana for personal use pursuant to such program.

[Paragraph added by 2015, 46, Sec. 90 effective July 1, 2015. See 2015, 46, Sec. 216.]

Notwithstanding any general or special law to the contrary, a laboratory may possess, store, analyze, process and test medical marijuana and medical marijuana-infused products; provided, however, that such laboratory shall do so in accordance with the department's regulations and written guidelines governing procedures for quality control and testing of products for potential contaminants.”

Regarding theft of a controlled substance, such as cannabis from a registered manufacturer, wholesale druggist, pharmacy or other person authorized to dispense or possess the controlled substance under M.G.L. c. 94C Section 37:

“Whoever steals a controlled substance from a registered manufacturer, wholesale druggist, pharmacy or other person authorized to dispense or possess any controlled substance shall be punished by imprisonment in the state prison for not more than ten years or in a jail or house of correction for not more than two and one-half years or by a fine of not more than five hundred dollars.”

Appendix III: U.S. Census Data definitions of inclusion for race/ethnicity

Table III.1. Census Data definitions of inclusion for race/ethnicity

White	A person having origins in any of the original peoples of Europe, the Middle East, or North Africa. It includes people who indicate their race as "White" or report entries such as Irish, German, Italian, Lebanese, Arab, Moroccan, or Caucasian.
Black or African American	A person having origins in any of the Black racial groups of Africa. It includes people who indicate their race as "Black or African American," or report entries such as African American, Kenyan, Nigerian, or Haitian.
American Indian and Alaska Native	A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment. This category includes people who indicate their race as "American Indian or Alaska Native" or report entries such as Navajo, Blackfeet, Inupiat, Yup'ik, or Central American Indian groups or South American Indian groups.
Asian	A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. This includes people who reported detailed Asian responses such as: "Asian Indian," "Chinese," "Filipino," "Korean," "Japanese," "Vietnamese," and "Other Asian" or provide other detailed Asian responses.
Native Hawaiian and Other Pacific Islander	A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. It includes people who reported their race as "Fijian," "Guamanian or Chamorro," "Marshallese," "Native Hawaiian," "Samoan," "Tongan," and "Other Pacific Islander" or provide other detailed Pacific Islander responses.
*Hispanic	A person having origins in any of the original peoples of Mexican, Puerto Rico, Cuba, South or Central American or other Spanish culture or origin *regardless of race.*

***Note:** The Hispanic cohort is divided out separately as persons reporting Hispanic or Non-Hispanic regardless of race

Appendix IV: NIBRBS Participating Law Enforcement Agencies

Table IV.1. NIBRBS Participating Law Enforcement Agencies, 2000-2013

Law Enforcement Agency	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Abington	65	64	60	50	48	78	109	64	78	22	8	2	3	4
Acton	38	31	84	213	64	92	41	22	47	8	8	3	1	9
Acushnet	3	18	17	16	18	20	27	14	27	3	3	4	4	1
Adams	6	8	4	3	16	4	9	13	12	6	8	0	2	6
Agawam	82	49	27	74	46	22	55	37	40	9	5	15	26	18
Amesbury	51	86	48	81	82	87	126	111	81	6	4	3	9	2
Amherst	0	0	26	118	132	98	108	115	111	118	93	100	121	93
Andover	117	75	36	79	81	123	84	193	185	68	35	21	12	16
Arlington	0	2	7	18	19	10	27	22	17	4	6	10	4	13
Ashburnham	19	5	17	7	7	12	9	15	6	2	0	1	7	1
Ashby	30	0	0	30	49	0	55	0	4	0	14	0	0	0
Ashland	18	36	28	39	18	19	18	15	20	15	5	11	2	1
Assumption College	0	0	0	4	0	0	15	15	11	9	0	3	2	0
Athol	22	13	24	29	24	25	35	31	32	5	12	16	20	8
Attleboro	0	0	0	0	38	54	59	94	135	35	43	31	26	39
Auburn	35	0	84	67	76	100	51	39	40	4	24	10	8	9
Ayer	5	14	24	37	15	19	10	15	22	1	2	2	5	0
Barnstable	48	90	74	138	146	275	172	143	192	87	94	91	70	45
Barre	0	4	3	1	29	44	37	24	22	2	2	2	1	9
Bedford	1	6	0	0	0	2	2	19	11	10	8	10	4	4
Belchertown	7	19	12	38	48	37	27	17	24	11	5	6	5	2
Bellingham	28	3	16	30	125	23	25	30	0	10	6	5	6	6
Belmont	0	0	13	9	4	9	6	8	6	1	4	3	1	5
Berkley	0	0	0	0	0	0	0	3	4	0	0	0	2	3
Berlin	16	7	3	10	4	4	2	2	5	3	0	0	2	0
Bernardston	0	0	0	0	1	0	0	0	0	0	0	0	2	0
Beth Israel Deaconess	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Beverly	23	52	68	50	51	43	37	69	69	28	38	8	22	19
Billerica	2	2	9	25	8	21	35	11	18	2	8	11	2	4
Blackstone	10	11	5	4	14	4	21	11	23	0	1	1	4	2
Bolton	1	4	6	2	3	3	0	7	8	4	5	2	5	4
Boston University	0	0	0	0	0	0	44	14	28	10	24	18	25	18
Bourne	33	34	30	33	26	40	40	43	27	8	6	13	9	21
Boxboro	0	0	5	13	24	11	17	34	12	4	23	6	6	3
Boxford	1	3	6	5	2	0	0	0	0	0	1	0	0	0
Boylston	12	7	11	26	16	37	9	18	25	0	2	4	0	0
Braintree	80	96	56	107	137	70	74	108	85	29	46	17	23	46
Brewster	0	5	5	8	7	6	17	19	12	4	3	3	0	5

Bridgewater	4	13	0	12	10	11	12	11	23	1	2	0	0	0
Bridgewater State University	0	0	0	0	0	0	0	0	13	4	15	6	1	7
Brimfield	0	0	3	3	0	1	0	5	3	0	0	0	1	0
Brockton	0	1	33	222	260	185	231	200	222	68	69	72	65	54
Brookline	0	0	0	0	0	0	0	0	42	39	21	21	38	25
Burlington	0	0	0	7	5	15	26	19	22	6	18	9	9	9
Cambridge	0	0	0	0	0	0	0	128	72	25	32	28	42	24
Canton	17	11	15	6	14	17	7	15	15	10	9	12	4	5
Carlisle	6	1	7	0	1	0	0	0	1	0	0	0	0	0
Carver	6	15	34	25	10	7	5	4	10	4	4	2	6	5
Charlemont	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Charlton	0	36	27	45	35	32	28	21	42	5	12	3	2	11
Chatham	0	0	0	27	14	2	2	12	8	0	1	1	1	1
Chelmsford	66	63	49	47	48	48	46	45	30	14	15	5	12	4
Chelsea	30	52	34	58	58	60	52	63	83	24	19	26	16	17
Chesterfield	1	5	4	2	0	0	1	1	0	0	0	0	0	0
Chicopee	89	122	71	174	153	138	71	73	58	18	25	5	8	14
Chilmark	0	0	0	0	0	0	0	0	5	3	3	0	3	0
Clinton	39	23	42	61	32	38	24	40	25	6	13	4	3	2
Cohasset	18	12	10	33	4	5	8	7	13	5	3	5	0	0
Concord	46	45	51	60	38	33	82	46	68	3	5	4	12	3
Dalton	7	11	19	51	20	8	23	23	17	2	2	0	2	0
Danvers	34	82	72	99	65	96	81	81	56	14	5	21	13	6
Dartmouth	21	23	8	8	21	21	14	21	22	3	19	10	10	7
Dedham	1	1	3	12	5	3	7	6	7	6	1	0	2	0
Deerfield	3	2	5	5	11	12	9	11	19	1	3	5	3	3
Dennis	37	47	40	57	49	24	42	52	23	8	8	26	8	8
Douglas	16	26	26	28	35	44	34	34	38	7	16	3	2	9
Dover	0	0	0	0	0	0	2	2	2	0	3	2	1	2
Dracut	0	7	12	19	40	31	34	31	8	0	0	0	0	2
Dudley	0	0	0	0	3	53	120	72	71	11	18	7	11	4
Dunstable	0	0	0	0	0	0	0	0	0	0	0	0	0	4
Duxbury	0	0	0	0	0	0	0	4	0	4	6	2	2	0
East Bridgewater	0	2	10	4	8	16	24	17	25	7	7	10	4	7
East Brookfield	19	18	8	11	17	2	12	18	10	2	5	1	1	0
East Longmeadow	1	2	3	8	8	16	10	11	11	0	1	3	4	7
Eastham	15	33	12	8	0	3	3	6	6	0	0	1	2	2
Easthampton	31	12	14	32	29	28	37	24	33	1	2	8	7	5
Easton	8	3	7	16	1	23	6	12	16	4	8	5	3	2
Edgartown	0	0	0	0	0	0	0	0	7	0	1	5	0	1
Environmental Police	0	0	0	0	0	0	0	0	7	0	1	0	3	2
Erving	11	10	4	2	5	8	7	5	6	2	0	5	7	10

Everett	23	32	11	17	23	23	27	26	22	10	9	7	6	15
Fairhaven	16	21	17	74	31	28	17	24	19	8	8	9	6	0
Fall River	0	0	0	0	66	243	217	244	231	44	96	88	58	74
Falmouth	40	72	46	79	38	73	67	62	91	32	24	23	13	17
Fitchburg	0	0	0	51	60	77	79	45	48	11	11	8	27	8
Foxborough	0	0	0	0	0	0	0	0	1	3	0	3	4	5
Framingham	0	0	0	0	0	0	0	1	0	0	0	14	31	27
Franklin	20	14	11	36	48	86	70	154	181	7	6	15	16	6
Freetown	10	16	23	85	30	15	27	22	16	8	54	18	3	5
Gardner	34	32	32	37	27	51	39	44	39	12	12	4	2	4
Georgetown	0	0	0	0	0	0	0	0	1	13	18	14	14	13
Gill	2	0	0	1	0	4	2	3	5	0	2	1	0	0
Gloucester	0	34	54	72	16	17	24	20	10	12	15	16	10	16
Goshen	0	0	1	1	0	0	0	1	3	0	0	0	0	0
Grafton	14	3	2	9	12	11	9	20	21	0	8	4	5	3
Granby	4	4	2	2	7	15	21	18	18	0	1	1	3	0
Great Barrington	0	0	0	0	0	0	0	6	36	6	17	4	1	4
Greenfield	74	45	54	63	109	106	65	74	90	20	34	14	11	1
Groton	9	10	16	2	4	0	2	0	0	0	0	0	2	3
Groveland	22	19	18	9	9	11	11	23	7	0	9	0	0	0
Hadley	0	2	7	7	19	39	17	25	16	5	7	1	0	0
Halifax	12	5	8	8	1	4	6	8	18	0	2	2	3	6
Hamilton	0	0	12	9	17	29	23	17	1	0	1	1	5	3
Hampden	3	2	7	12	15	4	7	18	20	0	1	1	1	2
Hanover	0	0	0	0	0	21	19	42	26	24	4	9	3	0
Hanson	14	19	19	45	26	21	18	12	6	1	3	6	0	9
Hardwick	4	4	3	3	3	4	9	2	6	0	2	3	4	0
Harvard	0	0	0	4	10	4	1	4	1	1	0	2	1	1
Harwich	0	7	5	16	17	53	24	16	27	3	6	3	7	5
Hatfield	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Haverhill	0	0	0	0	20	86	100	123	111	43	41	59	53	28
Hingham	0	0	0	52	37	10	12	22	18	1	0	0	2	6
Holden	22	38	40	29	27	19	26	33	33	4	16	10	6	4
Holliston	21	14	4	41	27	14	17	12	13	3	5	8	2	6
Holyoke	51	142	140	132	111	144	143	132	151	38	73	40	53	47
Hopedale	9	15	16	8	25	21	22	19	22	7	16	11	13	14
Hopkinton	25	9	12	5	1	12	31	68	66	0	4	10	22	8
Hubbardston	22	13	33	11	10	9	17	21	12	8	4	5	3	1
Hudson	30	10	19	15	10	5	20	24	27	3	2	5	5	3
Hull	19	15	14	22	20	33	28	15	32	3	7	5	0	3
Ipswich	0	5	6	2	0	2	1	4	8	1	0	0	1	2
Kingston	2	8	2	16	7	9	11	14	22	5	1	1	2	0
Lakeville	0	0	0	0	0	18	63	144	100	6	2	6	10	8
Lancaster	0	1	2	2	2	5	4	4	2	0	0	2	7	5
Lanesborough	0	0	0	0	0	0	0	0	6	0	3	1	1	0
Lee	0	0	0	0	0	0	0	0	5	3	4	0	11	1
Leicester	9	0	5	27	34	29	45	58	56	41	64	20	17	13

Lenox	0	0	0	0	0	0	0	7	23	5	9	4	1	8
Leominster	72	77	69	102	125	18	30	42	32	11	31	15	13	4
Lexington	27	28	25	37	29	27	35	18	18	0	0	0	4	1
Lincoln	0	0	1	35	48	51	43	58	22	8	0	1	0	4
Littleton	2	11	7	49	25	24	19	14	12	2	2	0	0	0
Longmeadow	4	23	7	4	8	25	8	2	10	1	0	0	11	2
Lowell	0	0	0	0	0	0	0	36	473	90	86	104	94	48
Ludlow	0	18	23	39	33	33	32	27	44	6	11	17	5	9
Lunenburg	6	6	0	3	4	8	7	30	25	1	3	4	5	1
Lynn	0	0	0	0	0	0	0	223	100	43	50	42	45	54
Lynnfield	5	8	2	1	1	2	1	8	12	1	0	1	2	3
MA College Liberal Arts	0	0	0	0	0	0	0	0	0	1	0	0	0	0
Malden	0	0	0	0	29	41	44	44	25	16	17	5	7	8
Manchester- by-the-sea	0	0	0	0	0	0	0	2	2	0	1	2	0	1
Mansfield	130	87	79	91	70	60	90	80	160	17	30	9	6	14
Marblehead	29	29	23	40	37	34	34	25	28	5	2	4	13	5
Marion	0	7	6	10	11	6	10	9	9	1	2	0	1	2
Marlborough	88	93	144	277	257	10	7	41	56	15	20	16	5	8
Marshfield	32	20	12	34	28	25	42	11	32	16	11	6	2	4
Mashpee	15	24	41	44	38	42	61	57	40	12	8	7	3	5
Massasoit CC	0	0	0	0	0	0	0	0	0	0	0	0	0	3
Mattapoissett	7	5	3	17	24	10	7	11	4	1	0	2	2	1
Maynard	32	20	13	4	22	5	18	25	5	0	22	18	11	5
Medfield	2	4	2	0	5	16	9	5	1	1	8	8	5	5
Medford	0	0	0	0	0	0	0	0	0	0	0	0	0	7
Medway	7	0	0	2	6	0	0	0	0	0	3	2	0	0
Melrose	0	0	4	7	18	11	15	6	5	5	3	3	4	0
Mendon	7	8	10	19	15	17	20	16	22	1	3	2	18	17
Merrimac	0	0	7	5	6	9	12	8	8	1	0	1	3	0
Methuen	0	0	9	9	2	7	20	4	32	14	10	11	12	9
Middleboro	33	46	68	47	55	48	51	52	73	9	9	10	28	9
Middleton	0	0	0	2	2	2	0	4	0	0	0	0	0	0
Milford	0	0	0	0	0	0	0	16	24	17	18	0	6	9
Millbury	14	0	2	0	9	9	6	8	7	1	1	0	1	2
Millis	4	0	0	0	0	0	1	0	0	0	0	0	0	0
Millville	1	6	7	3	20	13	2	5	4	0	1	0	2	3
Milton	0	0	0	0	0	0	0	0	0	0	0	0	0	2
MIT	0	0	0	0	0	0	1	2	0	0	0	0	0	0
Monson	27	18	30	60	31	33	50	30	50	7	5	8	7	0
Montague	21	41	42	42	47	43	44	28	39	8	4	6	0	1
Mt. Holyoke College	0	0	7	3	3	1	1	1	0	0	0	0	0	0
Nahant	1	5	3	2	2	2	3	3	2	1	1	0	2	0
Nantucket	0	0	0	0	38	53	33	0	23	3	3	6	9	0

Natick	0	0	0	0	37	49	43	58	54	7	6	5	9	6
Needham	28	47	46	40	18	11	13	16	12	3	5	2	2	3
New Bedford	0	2	0	0	503	439	504	894	718	161	124	132	113	113
New Salem	0	0	3	1	0	0	0	0	2	0	0	0	0	0
Newbury	14	14	19	4	0	20	1	13	24	16	8	2	4	3
Newburyport	18	16	0	26	25	33	50	38	84	10	7	5	27	58
Newton	0	0	0	0	29	29	17	28	26	2	21	10	12	11
Norfolk	0	4	2	5	1	0	2	13	18	13	0	7	4	1
North Adams	33	43	49	82	34	44	69	40	75	8	15	6	1	5
North Andover	19	31	16	20	18	62	21	48	55	4	0	2	6	0
North Attleboro	0	75	125	133	125	128	82	124	147	51	11	8	2	4
North Brookfield	7	11	8	20	11	7	7	9	9	1	9	2	2	5
North Reading	9	11	11	16	21	20	5	8	26	8	7	3	0	2
Northampton	0	0	41	55	42	58	98	108	77	30	16	24	22	21
Northborough	31	26	23	20	29	54	17	25	21	35	14	9	30	30
Northbridge	26	22	33	96	67	52	56	24	29	4	12	7	14	6
Norton	24	38	20	63	7	0	12	15	7	0	0	4	0	0
Norwell	5	13	14	11	9	5	3	11	10	2	0	2	1	0
Norwood	24	25	30	32	36	28	29	46	59	10	13	19	38	33
Oak Bluffs	0	0	0	0	0	0	0	0	26	3	2	7	6	5
Oakham	0	0	0	0	0	2	0	1	0	0	0	0	1	1
Orange	2	6	5	15	12	22	15	11	25	2	9	3	2	1
Orleans	0	2	18	18	10	37	38	34	21	7	8	3	6	8
Oxford	17	16	5	41	33	32	20	9	18	4	4	1	6	6
Palmer	17	31	41	52	38	28	27	26	56	10	17	17	12	20
Paxton	0	7	14	6	1	2	0	0	1	1	0	4	2	0
Peabody	92	100	85	68	62	73	43	46	71	14	18	19	8	7
Pembroke	10	2	5	9	12	10	11	21	41	10	2	3	0	1
Pepperell	0	0	0	7	9	18	10	5	14	0	2	3	2	1
Pittsfield	0	0	0	0	21	55	57	77	93	26	15	13	10	6
Plainville	0	0	0	0	0	20	17	47	49	3	11	6	1	5
Plymouth	208	189	186	285	360	346	157	256	166	44	43	37	14	54
Plympton	0	0	0	0	0	0	0	0	37	1	0	0	3	1
Princeton	6	3	4	3	9	9	5	2	4	2	0	1	0	0
Provincetown	0	0	0	6	5	14	8	9	6	0	4	1	2	2
Quincy	0	0	0	61	112	107	95	94	123	37	48	40	20	21
Randolph	42	47	75	83	110	111	54	60	43	28	44	40	28	33
Raynham	0	0	0	0	0	2	19	13	15	0	0	5	3	4
Reading	10	12	9	4	9	21	20	17	6	5	6	2	6	4
Rehoboth	1	14	22	15	25	22	31	16	21	17	14	4	11	13
Revere	0	22	47	73	47	73	70	86	40	13	18	33	8	8
Rochester	0	0	0	2	13	6	0	8	7	1	1	1	3	0
Rockport	0	0	0	0	0	2	12	5	8	2	1	1	1	0
Rowley	3	12	16	21	24	21	6	4	16	14	0	2	2	2

Royalston	0	0	0	0	0	1	4	5	0	1	0	0	0	0
Rutland	0	0	0	0	2	0	4	10	4	4	7	21	3	0
Salem	0	0	0	0	0	0	0	0	0	0	0	0	9	28
Salisbury	111	74	24	36	32	27	39	38	35	0	19	5	9	15
Sandwich	40	39	20	43	18	14	39	28	22	11	7	10	13	8
Saugus	19	21	7	20	16	13	22	11	17	3	9	19	6	9
Scituate	14	21	11	21	47	35	43	31	31	2	2	6	4	2
Seekonk	16	28	40	26	40	31	11	29	19	1	2	21	5	0
Sharon	0	0	5	9	9	2	2	2	4	2	4	5	4	3
Sheffield	3	1	2	5	0	0	0	0	0	0	0	0	0	0
Shelburne	0	0	2	1	8	1	0	0	6	0	0	0	0	0
Sherborn	0	0	0	12	20	6	6	3	10	7	7	3	3	1
Shirley	2	10	9	6	1	4	0	4	1	1	1	1	1	0
Shrewsbury	62	38	47	46	27	40	18	39	59	5	8	15	7	2
Smith College	0	0	0	0	0	0	0	4	2	2	0	0	0	0
Somerset	24	28	36	72	60	64	67	77	59	20	19	10	4	5
Somerville	0	0	0	0	0	32	44	63	67	20	16	23	7	18
South Hadley	4	9	7	12	22	13	36	21	39	2	0	1	4	0
Southampton	0	0	0	0	0	0	3	13	16	4	5	2	1	0
Southborough	0	2	1	0	0	0	0	0	0	0	0	0	0	0
Southbridge	31	55	34	94	31	20	23	23	34	16	12	10	4	7
Southwick	11	8	7	14	10	16	17	8	11	2	11	2	2	2
Spencer	116	109	71	68	108	72	125	87	39	22	29	14	35	20
Springfield	472	351	372	493	520	519	476	349	409	152	166	157	153	143
Sterling	0	2	4	10	8	6	6	4	10	2	3	2	1	2
Stockbridge	0	0	0	0	0	0	0	0	5	0	0	0	0	0
Stoneham	0	0	0	0	0	0	0	0	0	0	2	8	4	0
Stoughton	45	38	54	79	0	78	97	42	37	14	10	15	18	14
Stow	1	1	1	2	1	8	17	5	15	7	5	8	2	0
Sturbridge	21	47	51	121	100	68	69	59	131	35	17	16	39	11
Sudbury	7	4	9	0	10	26	21	44	47	11	0	9	5	3
Sunderland	0	1	0	2	6	5	9	21	10	6	0	0	0	0
Sutton	26	43	40	108	26	43	48	48	69	6	5	9	4	3
Swampscott	9	2	5	1	15	20	11	15	11	6	5	18	1	1
Swansea	17	20	25	26	34	76	53	31	47	5	4	5	9	4
Taunton	0	0	0	0	62	66	73	92	85	36	42	24	29	7
Templeton	0	2	1	3	0	2	0	7	4	1	3	2	2	1
Tewksbury	38	12	2	27	28	28	7	33	30	8	13	11	12	21
Tisbury	0	0	0	0	0	0	0	0	8	0	3	0	3	0
Topsfield	0	0	18	41	22	2	7	2	0	2	0	0	0	0
Townsend	32	19	13	15	26	47	30	168	191	2	4	3	2	1
Truro	35	37	3	24	13	8	7	4	3	0	10	1	0	1
Tufts University	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Tyngsboro	24	9	9	10	6	10	6	9	19	3	7	2	6	3
U-Mass Amherst	21	16	41	49	113	120	203	162	277	33	65	24	10	8

U-Mass Boston	0	1	0	1	8	0	0	0	7	0	0	0	5	1
Upton	26	15	19	29	19	11	15	13	19	0	0	5	3	2
Uxbridge	24	32	14	11	20	13	14	5	14	5	9	7	6	5
Wakefield	47	25	1	11	9	4	22	21	25	20	10	15	10	11
Wales	0	0	0	0	0	0	0	1	0	2	0	3	0	0
Walpole	14	11	23	28	33	79	61	71	95	22	12	15	27	11
Waltham	0	0	1	43	36	27	34	50	26	16	9	14	15	18
Ware	9	18	16	29	33	15	20	16	14	3	4	2	12	5
Wareham	0	0	0	0	0	0	0	0	0	0	21	16	21	10
Warren	14	16	7	7	2	6	11	12	4	4	1	6	4	3
Watertown	0	0	0	12	27	24	14	13	28	18	11	5	1	4
Wayland	5	2	10	0	22	28	18	22	19	15	7	10	8	12
Webster	33	36	41	31	33	24	34	28	25	18	15	7	14	19
Wellesley	7	20	11	21	43	28	34	8	9	2	9	11	16	12
Wellfleet	0	0	0	0	0	0	0	0	6	0	0	0	0	2
Wenham	0	0	1	14	11	7	17	9	6	1	3	2	3	2
West Boylston	0	0	4	4	33	27	27	21	11	0	2	1	1	2
West Bridgewater	0	0	0	0	0	0	19	44	44	1	4	2	1	1
West Brookfield	11	11	8	14	9	7	10	14	12	1	0	0	0	0
West Newbury	8	13	8	10	15	17	16	16	14	2	2	1	1	4
West Springfield	53	21	32	71	32	65	77	52	57	15	13	15	13	5
West Tisbury	0	0	0	0	0	0	0	0	3	0	0	1	0	1
Westborough	4	14	9	17	15	8	19	16	34	9	16	9	5	7
Westfield	32	50	33	78	38	25	40	24	45	13	6	24	23	34
Westfield SC	4	5	3	4	4	5	13	11	2	1	3	2	1	5
Westford	5	2	0	0	0	44	1	2	9	7	8	9	7	8
Westminster	23	13	0	0	0	0	0	5	28	3	1	0	2	4
Weston	0	0	2	0	0	0	0	0	24	1	1	3	2	2
Westport	8	9	22	25	19	19	10	14	18	6	4	2	6	4
Westwood	0	7	7	10	9	1	5	6	15	13	6	6	10	5
Weymouth	0	0	0	0	0	0	0	0	7	16	30	24	21	22
Whately	0	0	0	1	1	4	2	2	1	0	0	0	0	0
Whitman	0	0	0	0	0	0	0	0	0	15	17	17	14	7
Wilbraham	45	46	37	50	43	25	14	23	20	5	12	15	11	11
Williamsburg	20	9	6	2	4	3	0	5	6	5	0	0	3	3
Williamstown	0	2	8	15	15	21	12	10	21	0	4	2	2	4
Wilmington	0	0	0	0	0	0	0	8	27	13	11	9	6	5
Winchendon	17	18	23	37	34	31	35	17	31	3	1	2	3	0
Winchester	9	37	33	8	17	11	15	18	9	10	10	14	19	10
Winthrop	22	10	12	21	17	7	14	11	9	1	5	6	3	2
Woburn	63	52	36	14	32	20	16	20	15	13	23	14	1	0
Worcester	234	283	309	183	266	604	311	603	761	173	364	252	247	322

Wrentham	19	0	0	0	17	17	0	18	0	15	51	35	21	11
Yarmouth	0	0	0	0	84	68	75	65	55	24	38	33	25	40
Total	4959	5283	5397	8188	8709	9302	8974	10347	11462	3095	3684	3110	2979	2792

Appendix V: Disproportionately Impacted Cities/Towns

Table V.1. NIBRS 94C Cannabis and Class D Violations by Disproportionately Impacted Cities/Towns, 2000-2013

Massachusetts Reporting Disproportionately-Impacted Municipality	Frequency	Percent
Abington	658	0.7
Acton	661	0.7
Acushnet	175	0.2
Adams	97	0.1
Agawam	506	06
Amesbury	777	0.9
Amherst	1235	1.4
Andover	1125	1.3
Arlington	159	0.2
Ashburnham	108	0.1
Ashby	182	0.2
Ashland	245	0.3
Assumption College	59	0.1
Athol	298	0.3
Attleboro	563	0.6
Auburn	548	0.6
Ayer	171	0.2
Barnstable	1676	1.9
Barre	180	0.2
Bedford	77	0.1
Belchertown	259	0.3
Bellingham	313	0.4
Belmont	69	0.1
Berkley	12	0.0
Berlin	58	0.1
Bernardston	3	0.0
Beth Israel Deaconess	1	0.0
Beverly	578	0.7
Billerica	158	0.2
Blackstone	111	0.1
Bolton	54	0.1
Boston University	181	0.2
Bourne	363	0.4
Boxboro	158	0.2
Boxford	18	0.0
Boylston	167	0.2

Braintree	974	1.1
Brewster	95	0.1
Bridgewater	99	0.1
Bridgewater State University	46	0.1
Brimfield	16	0.0
Brockton	1683	1.9
Brookline	186	0.2
Burlington	145	0.2
Cambridge	351	0.4
Canton	157	0.2
Carlisle	16	0.0
Carver	137	0.2
Charlemont	1	0.0
Charlton	299	0.3
Chatham	69	0.1
Chelmsford	492	0.6
Chelsea	592	0.7
Chesterfield	14	0.0
Chicopee	1023	1.2
Chilmark	14	0.0
Clinton	352	0.4
Cohasset	123	0.1
Concord	497	0.6
Dalton	185	0.2
Danvers	725	0.8
Dartmouth	208	0.2
Dedham	54	0.1
Deerfield	92	0.1
Dennis	429	0.5
Douglas	318	0.4
Dover	14	0.0
Dracut	184	0.2
Dudley	370	0.4
Dunstable	4	0.0
Duxbury	18	0.0
East Bridgewater	141	0.2
East Brookfield	124	0.1
East Longmeadow	85	0.1
Eastham	91	0.1
Easthampton	264	0.3
Easton	114	0.1

Edgartown	14	0.0
Environmental Police	13	0.0
Erving	82	0.1
Everett	268	0.3
Fairhaven	278	0.3
Fall River	1361	1.5
Falmouth	679	0.8
Fitchburg	426	.5
Foxborough	16	0.0
Framingham	75	0.1
Franklin	670	0.8
Freetown	332	0.4
Gardner	369	0.4
Georgetown	73	0.1
Gill	20	0.0
Gloucester	316	0.4
Goshen	6	0.0
Grafton	121	0.1
Granby	96	0.1
Great Barrington	75	0.1
Greenfield	764	0.9
Groton	48	0.1
Groveland	138	0.2
Hadley	145	0.2
Halifax	83	0.1
Hamilton	118	0.1
Hampden	94	0.1
Hanover	148	0.2
Hanson	199	0.2
Hardwick	47	0.1
Harvard	29	0.0
Harwich	189	0.2
Hatfield	1	0.0
Haverhill	669	0.8
Hingham	160	0.2
Holden	307	0.3
Holliston	187	0.2
Holyoke	1397	1.6
Hopedale	218	0.2
Hopkinton	273	0.3
Hubbardston	169	0.2

Hudson	178	0.2
Hull	216	0.2
Ipswich	32	0.0
Kingston	100	0.1
Lakeville	357	0.4
Lancaster	36	0.0
Lanesborough	11	0.0
Lee	24	0.0
Leicester	419	0.5
Lenox	57	0.1
Leominster	641	0.7
Lexington	288	0.3
Lincoln	271	0.3
Littleton	167	0.2
Longmeadow	105	0.1
Lowell	931	1.1
Ludlow	299	0.3
Lunenburg	103	0.1
Lynn	561	0.6
Lynnfield	47	0.1
MA College Liberal Arts	1	0.0
Malden	236	0.3
Manchester-by-the-sea	8	0.0
Mansfield	924	1.0
Marblehead	308	0.3
Marion	74	0.1
Marlborough	1037	1.2
Marshfield	275	0.3
Mashpee	397	0.4
Massasoit CC	3	0.0
Mattapoisett	94	0.1
Maynard	200	0.2
Medfield	71	0.1
Medford	7	0.0
Medway	20	0.0
Melrose	81	0.1
Mendon	175	0.2
Merrimac	60	0.1
Methuen	139	0.2
Middleboro	539	0.6
Middleton	10	0.0

Milford	93	0.1
Millbury	60	0.1
Millis	5	0.0
Millville	67	0.1
Milton	2	0.0
MIT	3	0.0
Monson	356	0.4
Montague	366	0.4
Mt. Holyoke College	16	0.0
Nahant	27	0.0
Nantucket	168	0.2
Natick	276	0.3
Needham	246	0.3
New Bedford	3704	4.2
New Salem	6	0.0
Newbury	142	0.2
Newburyport	398	0.4
Newton	185	0.2
Norfolk	70	0.1
North Adams	504	0.6
North Andover	302	0.3
North Attleboro	1015	1.1
North Brookfield	108	0.1
North Reading	147	0.2
Northampton	592	0.7
Northboro	364	0.4
Northbridge	448	0.5
Norton	190	0.2
Norwell	86	0.1
Norwood	422	0.5
Oak Bluffs	55	0.1
Oakham	5	0.0
Orange	130	0.1
Orleans	210	0.2
Oxford	212	0.2
Palmer	393	0.4
Paxton	38	0.0
Peabody	706	0.8
Pembroke	138	0.2
Pepperell	71	0.1
Pittsfield	373	0.4

Plainville	159	0.2
Plymouth	2345	2.7
Plympton	42	0.0
Princeton	48	0.1
Provincetown	57	0.1
Quincy	758	0.9
Randolph	804	0.9
Raynham	61	0.1
Reading	131	0.1
Rehoboth	226	0.3
Revere	545	0.6
Rochester	42	0.0
Rockport	32	0.0
Rowley	143	0.2
Royalston	11	0.0
Rutland	55	0.1
Salem	37	0.0
Salisbury	464	0.5
Sandwich	312	0.4
Saugus	192	0.2
Scituate	270	0.3
Seekonk	269	0.3
Sharon	51	0.1
Sheffield	11	0.0
Shelburne	18	0.0
Sherborn	78	0.1
Shirley	41	0.0
Shrewsbury	413	0.5
Smith College	8	0.0
Somerset	546	0.6
Somerville	290	0.3
South Hadley	170	0.2
Southampton	44	0.0
Southborough	3	0.0
Southbridge	398	0.4
Southwick	121	0.1
Spencer	922	1.0
Springfield	4738	5.4
Sterling	60	0.1
Stockbridge	5	0.0
Stoneham	14	0.0

Stoughton	541	0.6
Stow	73	0.1
Sturbridge	786	0.9
Sudbury	196	0.2
Sunderland	60	0.1
Sutton	480	0.5
Swampscott	120	0.1
Swansea	357	0.4
Templeton	28	0.0
Tewksbury	270	0.3
Tisbury	14	0.0
Topsfield	94	0.1
Townsend	553	0.6
Truro	146	0.2
Tufts University	1	0.0
Tyngsboro	123	0.1
U-Mass Amherst (Amherst)	1,142	1.3
U-Mass Boston	23	0.0
Upton	176	0.2
Uxbridge	179	0.2
Wakefield	232	0.3
Wales	6	0.0
Walpole	502	0.6
Waltham	290	0.3
Ware	196	0.2
Wareham	68	0.1
Warren	97	0.1
Watertown	157	0.2
Wayland	178	0.2
Webster	358	0.4
Wellesley	231	0.3
Wellfleet	8	0.0
Wenham	76	0.1
West Boylston	133	0.2
West Bridgewater	116	0.1
West Brookfield	97	0.1
West Newbury	127	0.1
West Springfield	521	0.6
West Tisbury	5	0.0
Westborough	182	0.2
Westfield	466	0.5

Westfield SC	63	0.1
Westford	102	0.1
Westminster	79	0.1
Weston	35	0.0
Westport	166	0.2
Westwood	100	0.1
Weymouth	120	0.1
Whately	11	0.0
Whitman	70	0.1
Wilbraham	357	0.4
Williamsburg	66	0.1
Williamstown	116	0.1
Wilmington	79	0.1
Winchendon	252	0.3
Winchester	220	0.2
Winthrop	140	0.2
Woburn	320	0.4
Worcester	4912	5.6
Wrentham	204	0.2
Yarmouth	507	0.6
Total	88456	100.0

Table V.2. MSP 94c Cannabis and Class D Violations by Disproportionately Impacted Cities/Towns, 2010-2018.

Massachusetts Reporting Municipality	Frequency	Percent
Abington	1	0.01
Acton	3	0.04
Adams	10	0.13
Agawam	9	0.12
Amesbury	13	0.17
Amherst	3	0.04
Andover	132	1.77
Ashfield	4	0.05
Ashland	3	0.04
Athol	11	0.15
Attleboro	22	0.29
Auburn	68	0.91
Avon	11	0.15
Ayer	3	0.04
Barnstable	49	0.66
Barre	1	0.01

Becket	3	0.04
Bedford	25	0.33
Belchertown	25	0.33
Bellingham	15	0.2
Berkley	4	0.05
Berlin	4	0.05
Bernardston	43	0.58
Beverly	14	0.19
Billerica	38	0.51
Blandford	7	0.09
Bolton	7	0.09
Boston	610	8.17
Bourne	44	0.59
Boxborough	10	0.13
Boxford	18	0.24
Boylston	2	0.03
Braintree	41	0.55
Brewster	1	0.01
Bridgewater	13	0.17
Brimfield	13	0.17
Brockton	193	2.58
Brookfield	1	0.01
Buckland	11	0.15
Burlington	25	0.33
Cambridge	30	0.4
Canton	32	0.43
Carver	6	0.08
Charlemont	11	0.15
Charlton	56	0.75
Chelmsford	39	0.52
Chelsea	74	0.99
Cheshire	24	0.32
Chester	5	0.07
Chesterfield	1	0.01
Chicopee	81	1.08
Clarksburg	1	0.01
Clinton	2	0.03
Concord	18	0.24
Conway	1	0.01
Cummington	3	0.04
Dalton	4	0.05

Danvers	47	0.63
Dartmouth	21	0.28
Dedham	40	0.54
Deerfield	61	0.82
Dennis	7	0.09
Dracut	18	0.24
Dudley	10	0.13
Duxbury	10	0.13
East Brookfield	6	0.08
Eastham	1	0.01
Easthampton	2	0.03
Edgartown	3	0.04
Essex	1	0.01
Everett	82	1.1
Fairhaven	2	0.03
Fall river	85	1.14
Falmouth	3	0.04
Fitchburg	119	1.59
Foxborough	16	0.21
Framingham	17	0.23
Franklin	11	0.15
Freetown	5	0.07
Gardner	33	0.44
Georgetown	6	0.08
Gill	2	0.03
Gloucester	14	0.19
Goshen	3	0.04
Grafton	3	0.04
Granby	9	0.12
Granville	1	0.01
Great Barrington	4	0.05
Greenfield	92	1.23
Groton	1	0.01
Hadley	14	0.19
Hancock	5	0.07
Hanover	3	0.04
Harvard	16	0.21
Harwich	3	0.04
Hatfield	45	0.6
Haverhill	66	0.88
Hawley	2	0.03

Heath	8	0.11
Hingham	7	0.09
Hinsdale	1	0.01
Holbrook	1	0.01
Holden	2	0.03
Holland	10	0.13
Holyoke	219	2.93
Hopkinton	37	0.5
Hubbardston	9	0.12
Hudson	4	0.05
Hull	8	0.11
Huntington	8	0.11
Kingston	16	0.21
Lakeville	8	0.11
Lancaster	18	0.24
Lanesborough	9	0.12
Lawrence	177	2.37
Lee	13	0.17
Leicester	24	0.32
Lenox	8	0.11
Leominster	45	0.6
Leverett	1	0.01
Lexington	10	0.13
Leyden	2	0.03
Littleton	12	0.16
Longmeadow	3	0.04
Lowell	77	1.03
Ludlow	9	0.12
Lunenburg	1	0.01
Lynn	96	1.29
Lynnfield	41	0.55
Malden	31	0.42
Manchester	2	0.03
Mansfield	6	0.08
Marion	5	0.07
Marlborough	32	0.43
Marshfield	1	0.01
Mashpee	2	0.03
Mattapoisett	2	0.03
Maynard	1	0.01
Medford	83	1.11

Melrose	4	0.05
Merrimac	16	0.21
Methuen	47	0.63
Middleborough	20	0.27
Middlefield	2	0.03
Milford	19	0.25
Millbury	47	0.63
Milton	50	0.67
Monson	7	0.09
Montague	5	0.07
Montgomery	5	0.07
Nahant	3	0.04
Nantucket	5	0.07
Natick	11	0.15
Needham	21	0.28
New Ashford	1	0.01
New Bedford	203	2.72
New Braintree	1	0.01
New Salem	1	0.01
Newbury	21	0.28
Newburyport	4	0.05
Newton	7	0.09
Norfolk	2	0.03
North Adams	30	0.4
North Andover	4	0.05
North Attleborough	10	0.13
North Brookfield	4	0.05
North reading	1	0.01
Northampton	61	0.82
Northborough	5	0.07
Northbridge	1	0.01
Northfield	2	0.03
Norton	6	0.08
Norwell	17	0.23
Norwood	5	0.07
Oak bluffs	4	0.05
Oakham	1	0.01
Orange	18	0.24
Orleans	1	0.01
Otis	3	0.04
Oxford	66	0.88

Palmer	17	0.23
Paxton	2	0.03
Peabody	58	0.78
Pelham	8	0.11
Pembroke	10	0.13
Pepperell	3	0.04
Phillipston	10	0.13
Pittsfield	123	1.65
Plainville	8	0.11
Plymouth	28	0.37
Quincy	52	0.7
Randolph	28	0.37
Raynham	29	0.39
Reading	8	0.11
Rehoboth	2	0.03
Revere	214	2.87
Richmond	6	0.08
Rockland	9	0.12
Rowe	2	0.03
Rowley	3	0.04
Russell	22	0.29
Salem	1	0.01
Salisbury	11	0.15
Sandisfield	2	0.03
Sandwich	5	0.07
Saugus	72	0.96
Savoy	4	0.05
Scituate	1	0.01
Seekonk	3	0.04
Sharon	3	0.04
Sheffield	3	0.04
Shelburne	7	0.09
Shirley	6	0.08
Shrewsbury	16	0.21
Shutesbury	12	0.16
Somerset	8	0.11
Somerville	32	0.43
South Hadley	1	0.01
Southborough	5	0.07
Southbridge	10	0.13
Southwick	10	0.13

Spencer	36	0.48
Springfield	496	6.64
Sterling	10	0.13
Stockbridge	3	0.04
Stoneham	25	0.33
Stoughton	8	0.11
Sturbridge	287	3.84
Sunderland	3	0.04
Sutton	40	0.54
Swansea	13	0.17
Taunton	85	1.14
Templeton	19	0.25
Tewksbury	15	0.2
Tisbury	5	0.07
Topsfield	3	0.04
Townsend	3	0.04
Tyngsborough	8	0.11
Uxbridge	43	0.58
Wakefield	13	0.17
Wales	8	0.11
Walpole	10	0.13
Waltham	19	0.25
Ware	32	0.43
Wareham	26	0.35
Warren	6	0.08
Washington	2	0.03
Watertown	9	0.12
Webster	30	0.4
Wellesley	10	0.13
West Boylston	16	0.21
West Bridgewater	15	0.2
West Brookfield	10	0.13
West Newbury	2	0.03
West Springfield	28	0.37
Westborough	6	0.08
Westfield	37	0.5
Westford	5	0.07
Westminster	34	0.46
Weston	13	0.17
Westport	4	0.05
Westwood	12	0.16

Weymouth	15	0.2
Whately	35	0.47
Williamsburg	2	0.03
Williamstown	3	0.04
Wilmington	42	0.56
Winchendon	2	0.03
Winchester	1	0.01
Windsor	1	0.01
Winthrop	1	0.01
Woburn	42	0.56
Worcester	409	5.48
Worthington	2	0.03
Wrentham	4	0.05
Yarmouth	29	0.39
Total	7,468	100

**Table V.3. Marijuana and Hashish Seizures in Town/City/
Reporting Agency by County from Massachusetts CrimeSOLV**

Drug Type	Hashish	Marijuana
Jurisdiction by County	Seized	
Barnstable County	106	
Barnstable		34
Barnstable State Police		
Barnstable State Police Middleboro		
Bourne		5
Brewster		
Cape Cod Community College		
Chatham		
Dennis		3
Eastham		3
Falmouth		41
Harwich		2
Mashpee		1
MBTA - Barnstable County		
Orleans		1
Provincetown		
Sandwich		6
Truro		
Wellfleet	Wellfleet	1
Yarmouth		9
Berkshire County	21	
Adams		

Alford		
Becket		
Berkshire State Police		
Berkshire State Police Northampton		
Berkshire State Police Weston		
Cheshire		
Clarksburg		
Dalton		
Egremont		
Florida		
Great Barrington		1
Hancock		
Hinsdale		
Lanesboro		
Lee		1
Lenox		2
MA College of Liberal Arts		1
MBTA - Berkshire County		
Monterey		
Mount Washington		
New Ashford		
New Marlboro		
North Adams		3
Otis		
Peru		
Pittsfield	Pittsfield	10
Richmond		
Sandisfield		
Savoy		
Sheffield		
Stockbridge		
Tyringham		
Washington		
West Stockbridge		
Williamstown		3
Windsor		
Bristol County	3	166
Acushnet		
Attleboro	1	4
Berkley		1
Bristol Comm College		

Bristol State Police		
Bristol State Police Framingham		
Bristol State Police Middleboro		
Dartmouth		8
Dighton		
Easton		2
Fairhaven		2
Fall River		19
Freetown		8
Mansfield		3
MBTA - Bristol County		
New Bedford		65
North Attleborough		
Norton		
Raynham		3
Rehoboth		3
Seekonk	2	20
Somerset		5
Stonehill College		
Swansea		3
Taunton		13
U-Mass Dartmouth		
Uncategorized		
Weathon College		
Westport		7
Dukes County		1
Aquinnah		
Chilmark		
Dukes State Police		
Dukes State Police Middleboro		
Edgartown		1
Gosnold		
MBTA - Dukes County		
Oak Bluffs		
Tisbury		
West Tisbury		
Essex County	3	133
Amesbury		2
Andover		8
Beverly		1
Boxford		

Danvers		5
Endicott College		
Essex		
Essex State Police		
Essex State Police Framingham		
Georgetown		3
Gloucester		12
Gordon College		
Groveland		
Hamilton	1	1
Haverhill	1	15
Ipswich		5
Lawrence		
Lynn	1	23
Lynnfield		
Manchester-by-the-sea		
Marblehead		8
MBTA - Essex County		
Merrimac		
Merrimack College		
Methuen		9
Middleton		
Nahant		1
Newbury		2
Newburyport		3
North Andover		2
North Shore CC		
North Shore Community College		
Peabody		11
Rockport		
Rowley		3
Salem		10
Salem State College		
Salem State University		
Salisbury		4
Saugus		4
Swampscott		
Topsfield		
Wenham		
West Newbury		1
Franklin County	1	82

Ashfield		
Bernardston		
Buckland		
Charlemont		
Colrain		
Conway		
Deerfield	1	2
Erving		64
Franklin State Police		
Franklin State Police Holden		
Franklin State Police Northampton		
Gill		
Greenfield		8
Greenfield CC		
Hawley		
Heath		
Leverett		1
Leyden		
MBTA - Franklin County		
Monroe		
Montague		2
New Salem		
Northfield		4
Orange		1
Rowe		
Shelburne		
Shutesbury		
Sunderland		
Warwick		
Wendell		
Whately		
Hampden County	3	190
Agawam		2
Blandford		
Brimfield		
Chester		
Chicopee	1	14
East Longmeadow		
Granville		
Hampden		1
Hampden State Police		

Hampden State Police Northampton		
Hampden State Police Weston		
Holland		
Holyoke		24
Holyoke Community College		
Longmeadow		1
Ludlow		4
MBTA - Hampden County		
Monson		1
Montgomery		
Palmer		5
Russell		
Southwick		3
Springfield		72
Springfield College		
Springfield Technical Community College		
Tolland		
Wales		
West Springfield		10
Western New England Coll		
Western New England University		
Westfield		1
Westfield State College		43
Wilbraham	2	9
Hampshire County	2	35
Amherst		5
Amherst College		
Belchertown		3
Chesterfield		
Cummington		
Easthampton		9
Goshen		
Granby		
Hadley		1
Hampshire College		
Hampshire State Police		
Hampshire State Police Northampton		
Hatfield		
Huntington		
MBTA - Hampshire County		
Middlefield		

Mt. Holyoke College		1
Northampton	2	7
Pelham		
Plainfield		
Smith College		
South Hadley		1
Southampton		
U-Mass Amherst		
Ware		8
Westhampton		
Williamsburg		
Worthington		
Middlesex County	6	235
Acton		1
Arlington		9
Ashby		
Ashland		3
Ayer		1
Bedford		2
Belmont		
Bentley College		11
Billerica	1	6
Boston and Maine Railroad Police Dept		
Boston College		
Boxborough		1
Brandeis University		
Burlington		6
Cambridge		9
Carlisle		1
Chelmsford		1
Concord		1
Dracut		3
Dunstable		1
Everett		12
Framingham		21
Framingham SC		
Framingham State University		
Groton		1
Harvard University		
Holliston		2
Hopkinton		

Hudson		
Lasell College		
Lexington		
Lincoln		
Littleton		2
Lowell		13
Malden		10
Marlborough	1	9
Maynard	1	
MBTA - Middlesex County		
Medford		8
Melrose		
Middlesex State Police		
Middlesex State Police Framingham		
Middlesex State Police Holden		
Middlesex State Police Weston		
MIT		
Mount IDA College		
Natick		
Newton		5
North Reading		2
Pepperell		3
Reading		2
Regis College		
Sherborn		2
Shirley		
Somerville	1	15
Stoneham		2
Stow		
Sudbury		3
Tewksbury		9
Townsend		
Tufts University Medford		
Tufts University prior 01/01/2015		
Tufts University since 01/01/2015		
Tyngsborough		13
U-Mass Lowell		
Wakefield		13
Waltham		5
Watertown	1	
Wayland		1

Westford		8
Weston		1
Wilmington	1	6
Winchester		2
Woburn		9
Nantucket County		5
MBTA - Nantucket County		
Nantucket		5
Nantucket State Police		
Norfolk County	1	134
Avon		
Babson College		
Bellingham		12
Braintree	1	11
Brookline		
Canton		4
Cohasset		
Curry College		
Dean College		
Dedham		
Dover		
Foxborough		3
Franklin		
Holbrook		4
Mass Bay Community College		
MBTA - Norfolk County		
Medfield		
Medway		
Millis		
Milton		3
Mt. Ida College		
Needham		7
Norfolk		
Norfolk State Police		
Norfolk State Police Framingham		
Norfolk State Police Middleboro		
Norwood		9
Plainville		1
Quincy		15
Randolph		28
Sharon		3

Stoughton		2
Walpole		11
Wellesley		2
Wellesley College		
Westwood		7
Weymouth		10
Wrentham		2
Plymouth County	5	102
Abington		2
Bridgewater		5
Bridgewater State University	1	7
Brockton		28
Carver		3
Duxbury		
East Bridgewater		5
Halifax		
Hanover		
Hanson		3
Hingham		5
Hull		6
Kingston		4
Lakeville		3
Marion		1
Marshfield		1
Massasoit Community College		
Mattapoisett		1
MBTA - Plymouth County		
Middleborough	4	5
Norwell		
Pembroke		
Plymouth		9
Plymouth State Police		
Plymouth State Police Middleboro		
Plympton		1
Rochester		2
Rockland		
Scituate		
Wareham		6
West Bridgewater		2
Whitman		3
Suffolk County		36

Beth Israel Deaconess Med Ctr		
Boston		
Boston College		
Boston University		2
Bunker Hill Community College		
Capitol PD, Boston		
Chelsea		9
Emerson College		
Environmental Police		3
Fisher College		
Mass College of Art		
Mass General Hospital		
MBTA		
MBTA - Suffolk County		
MCPHS University		
Northeastern U		
Northeastern University		
Revere		18
Simmons College		
Suffolk State Police		
Suffolk State Police Framingham		
Suffolk State Police Logan Airport		
Suffolk State Police Weston		
Tufts University Suffolk		
Tufts University Suffolk prior to 01/01/2017		
U-Mass Boston		
Wentworth Institute		
Wentworth Institute of Technology		
Winthrop		4
Worcester County	3	239
Ashburnham		1
Assumption College		3
Athol		2
Auburn		4
Barre		
Becker College		
Berlin		3
Blackstone		1
Bolton		8
Boylston		
Brookfield		

Charlton		1
Clark University		
Clinton		2
Col of the Holy Cross		
Douglas		2
Dudley		9
East Brookfield		
Fitchburg	1	12
Fitchburg SC		
Fitchburg State College		
Gardner		1
Grafton		3
Hardwick		2
Harvard		2
Holden		1
Hopedale		3
Hubbardston		
Lancaster		1
Leicester		2
Leominster		7
Lunenburg		
MBTA - Worcester County		
Mendon		1
Milford		1
Millbury		4
Millville		1
Mount Wachusett CC		
New Braintree		
North Brookfield		
Northborough		9
Northbridge		4
Oakham		1
Oxford		6
Paxton		3
Petersham		
Phillipston		
Princeton		2
Quinsigamond CC		1
Royalston		
Rutland		1
Shrewsbury		2

Southborough		3
Southbridge	1	5
Spencer		3
Sterling		2
Sturbridge		10
Sutton		4
Templeton		1
Tufts University Worcester		
U-Mass Worcester		
U-Mass Worcester MA014UM00		
Upton		11
Uxbridge		
Warren		
Webster		13
West Boylston	1	3
West Brookfield		
Westborough		3
Westminster		1
Winchendon		4
Worcester		70
Worcester Polytechnic In		
Worcester State Police		
Worcester State Police Holden		
Worcester State Police Weston		
Worcester State University		
Total		2970

*Note: Disproportionately Effected Towns are highlighted in dark green.

Appendix VI: More About Marijuana Campaign Data

Table VI.1. Focus groups stratified by geographic location and cohort, May 7-18, 2018.

Focus Group Cohort	Framingham (Suburban)	Boston (Urban)	Greenfield (Rural)	Total per Segment
Adults 21-39				6
<i>“Users”</i>	✓	✓	✓	3
<i>“Intent to Use”</i>	✓	✓	✓	3
Adults 40+				6
<i>“Users”</i>	✓	✓	✓	3
<i>“Intent to Use”</i>	✓	✓	✓	3
Parent Groups				6
<i>MS Parents</i>	✓	✓	✓	3
<i>HS Parents</i>	✓	✓	✓	3

Total per Region	6	6	6	18
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