

The effect of cannabis use and race on sentencing outcomes

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BACKGROUND:

- Cannabis is the most widely used illicit drug globally (Hansen et al., 2023).
- The Black community is disproportionately incarcerated for cannabis related crimes (DeVylder et al., 2021).
- Black defendants receive harsher sentences for all crimes compared to white defendants (Doerner & Demuth, 2010).

Our study aimed to investigate how both **race** and **cannabis use** affect the **perceived guilt** of a suspect.

METHODS

1. 106 participants from the University of Maryland's Sona pool.
2. Conducted via an online survey
3. Participants read different versions of fictional case file and acted as mock-jurors
4. Cases were identical except for if the suspect was Black/White and a user/non-user
5. Suggested verdict and sentence length were recorded as a measure of perceived guilt.

HYPOTHESES

- Black suspects will receive longer sentence recommendations than white suspects
- Cannabis users will receive longer sentences, but only if the suspect is also Black.

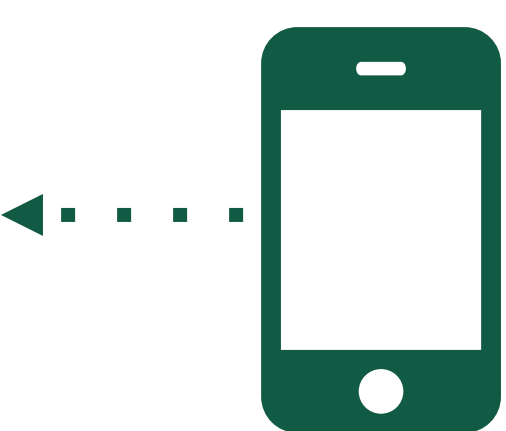
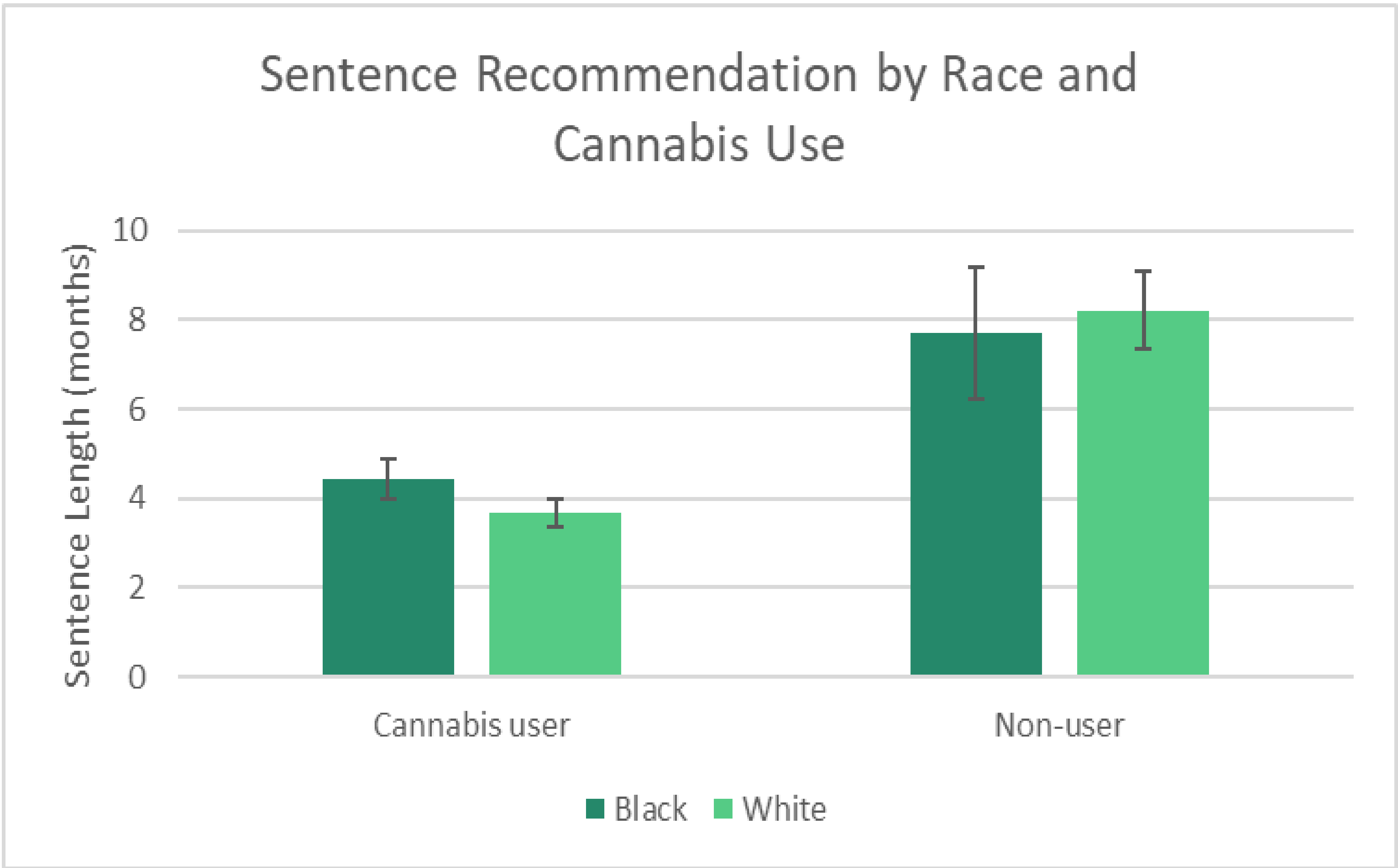
RESULTS

2-Wav ANOVA:

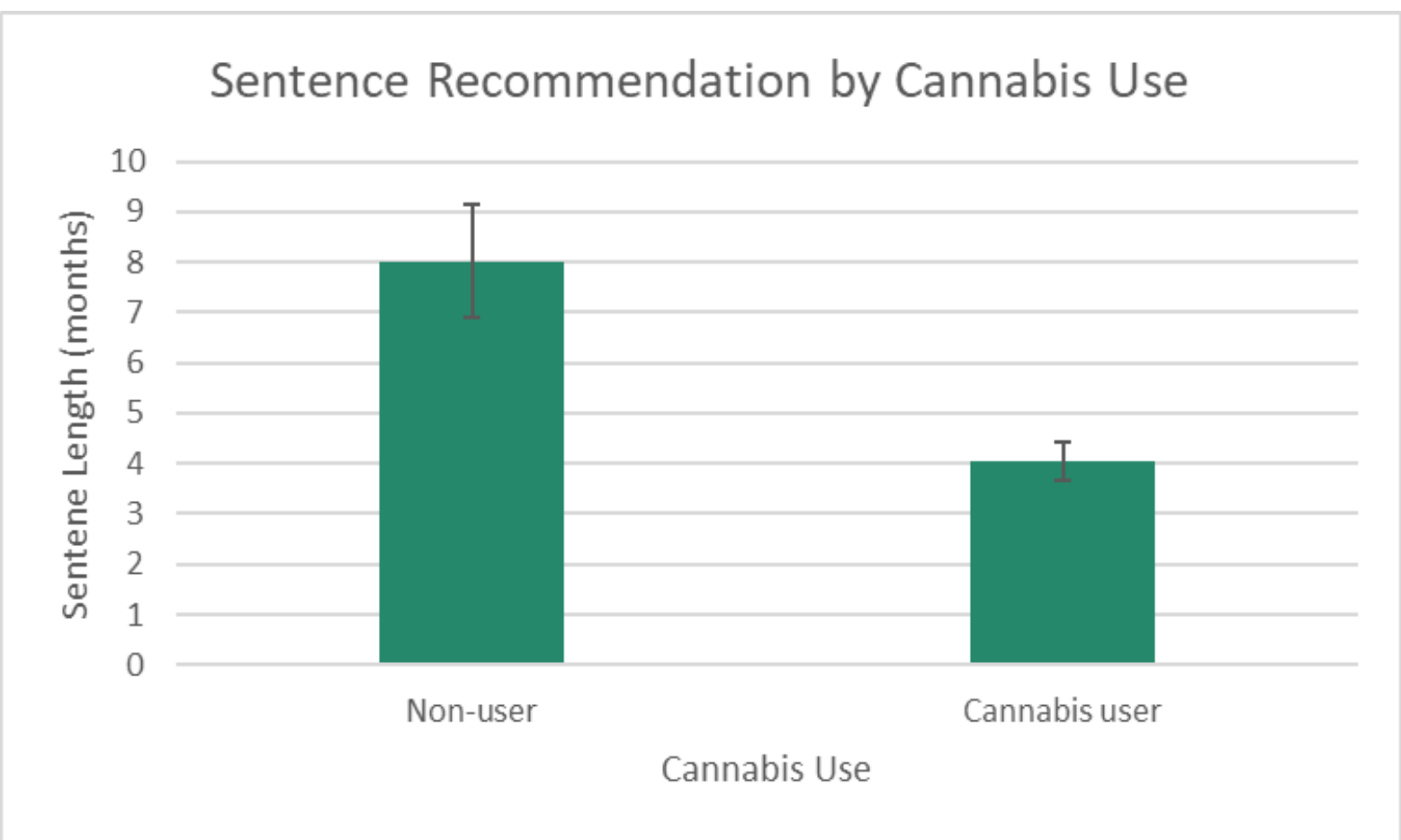
	Df	Sum Sq	Mean Sq	F value	Pr(>F)
race	1	0	0.4	0.005	0.9422
cannabis	1	331	331.3	4.974	0.0285 *
race:cannabis	1	7	7.5	0.112	0.7383
Residuals	82	5462	66.6		

- Identical sentence recommendations for Black ($M = 5.63, SD = 9.87$) and white ($M = 5.76, SD = 6.83$) suspects
- Significant differences between users and non-users Non-users received longer sentences ($M = 8.01, SD = 11.62$) than users ($M = 4.04, SD = 3.89$)
- No interaction between race and cannabis use

Cannabis users receive shorter, more lenient sentences than non-users, regardless of race.



Take a picture to download the full paper, materials, code, and analysis



Sentence recommendations from cannabis-using versus non-using defendants



Sentence recommendations for Black and White defendants

DISCUSSION

- None of our hypotheses were supported
 - Cannabis use led to less perceived guilt
- May be due to changing normalization of cannabis in college campus culture (Kilwein et al., 2019).

LIMITATIONS

- Sample may not reflect broader population's perception of cannabis use
- Manipulation could have been too subtle

FUTURE DIRECTIONS

- Recreation in a more realistic jury setting
 - In-person, 12 jurors
 - Actors to play suspect, officers, etc.
- Effect of participants' personal perception of cannabis
- Non-student sampling

REFERENCES

DeVylder, J.E., Mittal, V.A., & Schiffman, J. (2021) Balancing the public health costs of psychosis vs mass incarceration with the legalization of cannabis. *JAMA Psychiatry*. 78(3), 246-247. doi:10.1001/jamapsychiatry.2020.2591

Doerner, J.K., & Demuth, S. (2010). The independent and joint effects of race/ethnicity, gender, and age on sentencing outcomes in U.S. federal courts. *Justice quarterly*. 27(1), 1-27. <https://doi.org/10.1080/07418820902926197>

Hansen, C., Alas, H., & Davis, E. (2023). *Where is marijuana legal? A guide to marijuana legalization*. US News. <https://www.usnews.com/news/best-states/articles/where-is-marijuana-legal-a-guide-to-marijuana-legalization>

Kilwein, T.M., Wedell, E., Herchenroeder, L., Bravo, A.J., & Looby, A. (2022). A qualitative examination of college students' perceptions of cannabis: Insights into the normalization of cannabis use on a college campus. *Journal of American College Health*, 70(3), 733-741. <https://doi.org/10.1080/07448481.2020.1762612>