SUMMARY. Sociologists at the University of Wisconsin-Madison reviewed 6 years of California data (from January 2014 to December 2019) to analyze racial disparities in arrests, charges, and convictions. This factsheet summarizes our analysis of policing and prosecution as to violations of California Health and Safety Code Sections 11358—"unlawful cultivation of marijuana"—and/or 11359— "unlawful possession of marijuana for sale." This factsheet looks at disparities overall, as well as comparative disparities before and after the implementation of Proposition 64 ("Prop 64"), which legalized the personal use of marijuana for adults in California and reduced the severity of possible penalties for convictions of marijuana-related violations and offenses in 2017, and legalized marijuana sales with a license in 2018.

The data show that *racial disparities increased* since the implementation of Prop 64, though the *absolute* arrest and charging rates *decreased* in all racial groups for both of these offenses with the exception of marijuana cultivation arrests for Asians which is the only group and offense for which the absolute rates increased after the implementation of Prop 64.

Unlawful cultivation of marijuana: Asian people were increasingly likely to be arrested for, charged with, and convicted for marijuana cultivation after the implementation of Prop 64: Asians were roughly on par with white people in arrests, prosecutions and convictions for this offense compared to their share of the population prior to the implementation of Prop 64, but the Asian-white disparity nearly tripled in the rates of arrest or prosecution for marijuana cultivation after the recreational use of marijuana was legalized.

Marijuana possession for sale: Before and after the legalization of marijuana sales, the greatest disparity statewide for arrest, prosecution, and conviction of marijuana possession for sale was for the Black population. The Black-white disparity in arrests and prosecutions further increased after Prop 64. Prior to the legalization of marijuana sales, Black people were 4.5 times as likely to be arrested and 3.9 times as likely to be prosecuted for this offense as white people. After the legalization, however, Black people were 5.5 times as likely to be arrested and 4.1 times as likely to be prosecuted. Although the Hispanic-white disparities were less stark compared to the Black-white disparities, there was an increase in Hispanic-white disparities over time as well.

INTRODUCTION

Primary Inquiry. We analyzed the total rates of arrest, prosecution, and conviction, as well as the racial differences, for alleged violations of marijuana cultivation (Cal. Health and Safety Code § 11358) and possession of marijuana for sale in California (Cal. Health and Safety Code § 11359). We also compared the rates and racial disparities for different time periods. For the analysis of marijuana cultivation, we compare the "Pre-Legal Use Period" (January 1, 2014, to November 9, 2016) and the "Legal Use Period" (November 9, 2016, to December 31, 2019), when Proposition 64 ("Prop 64") legalized the personal use and cultivation of marijuana by adults in California and reduced the severity of possible penalties for convictions of marijuana-related violations and offenses. For the marijuana sales, we compare the "Pre-Legal Sales Period" (January 1, 2014, to December 31, 2017) and the "Legal Sales Period" (January 1, 2018, to December 31, 2019), when Prop 64 legalized marijuana sales with a license.

Data. We analyzed administrative criminal records data accessed through the California Department of Justice (known as CORI data). For this analysis, we considered 16,901 cases of individuals charged with marijuana cultivation (11,573 cases from January 1, 2014, to November 8, 2016; and 5,148 cases from November 9, 2016, to December 31, 2019) and 48,923 cases of individuals charged with marijuana possession for sale (40,553 cases from January 1, 2014, to December 31, 2017; and 8,370 cases from January 1, 2018, to December 31, 2019). This constitutes the entire CORI database of relevant data for these time periods. (For more information about the dataset, see Fact Sheet 000 in this series, available [here](#).)

Analyses Conducted. We conducted four analyses. First, we analyzed absolute arrest, prosecution, and conviction rates for these time periods. Second, we analyzed the number of arrests, prosecutions, and convictions for marijuana cultivation and possession for sale as a percentage of the state's population and by race. This was calculated by counting all the arrests for Health and Safety Code §§ 11358 and/or 11359 and dividing it by the sum of yearly population of California (obtained from the American Community Survey). This was separately calculated for each racial group to allow a comparison across racial groups. Third, we conducted a temporal analysis that shows racial disparities in arrest and prosecution rates by each quarter. Lastly, we examined the racial disparities in arrest and prosecution rates by each county.

## DECREASES IN ARREST, PROSECUTION, AND CONVICTION ABSOLUTE RATES

After the implementation of Prop 64, the total number of people arrested for, prosecuted for, and convicted of cultivation and possession for sale decreased markedly. This was also true for each offense when analyzed independently.

The total number of people arrested for marijuana cultivation changed from 11,573 in the Pre-Legal Use Period, to 5,148 in the Legal Use Period. The Pre-Legal Use rate of 11.1 arrests per day decreased to 4.5 per day in the Legal Use Period.

The total number of people prosecuted for marijuana cultivation decreased from 5,778 in the Pre-Legal Use Period, to 2,146 in the Legal Use Period. The Pre-Legal Use rate of 5.5 arrests per day decreased to 1.9 per day in the Legal Use Period.

The total number of people convicted for marijuana cultivation decreased from 1,959 in the Pre- Legal Use Period, to 878 in the Legal Use Period. The Pre-Legal Use rate of 1.9 arrests per day decreased to 0.8 per day in the Legal Use Period.

Figure 1. Number of Arrests, Prosecutions, and Convictions Per Day: Marijuana Cultivation
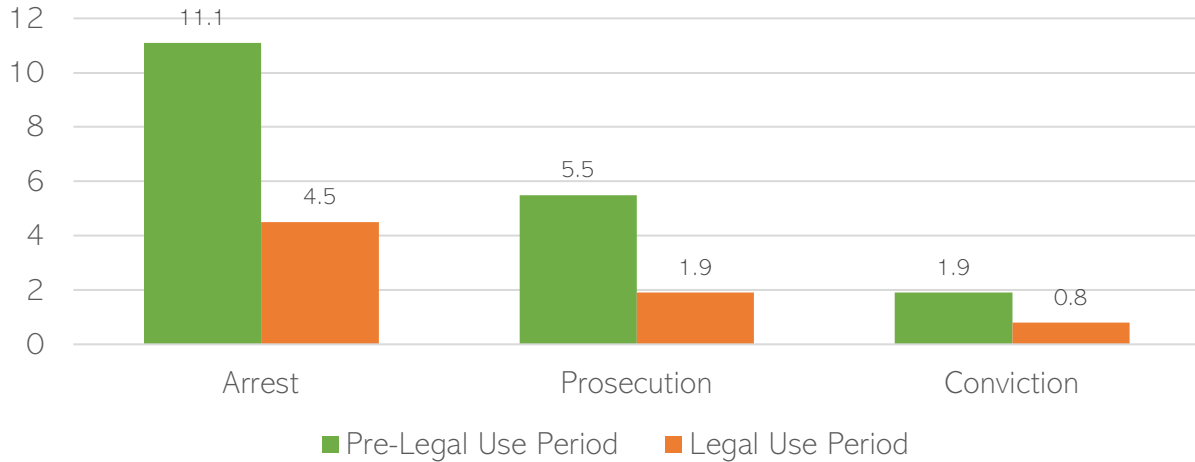

The total number of people arrested for marijuana possession for sale changed from 40,553 in the Pre-Legal Sales Period, to 8,370 in the Legal Sales Period. The Pre-Legal Sales rate of 27.8 arrests per day decreased to 11.5 per day in the Legal Sales Period.

The total number of people prosecuted for marijuana possession for sale decreased from 21,071 in the Pre-Legal Sales Period, to 3,873 in the Legal Sales Period. The Pre-Legal Sales rate of 14.4 arrests per day decreased to 5.3 per day in the Legal Sales Period.

The total number of people convicted for marijuana possession for sale decreased from 8,143 in the Pre-Legal Sales Period, to 1,362 in the Legal Sales Period. The Pre-Legal Sales rate of 5.6 arrests per day decreased to 1.9 per day in the Legal Sales Period.

## Figure 2. Number of Arrests, Prosecutions, and Convictions Per Day: Marijuana Possession for Sale
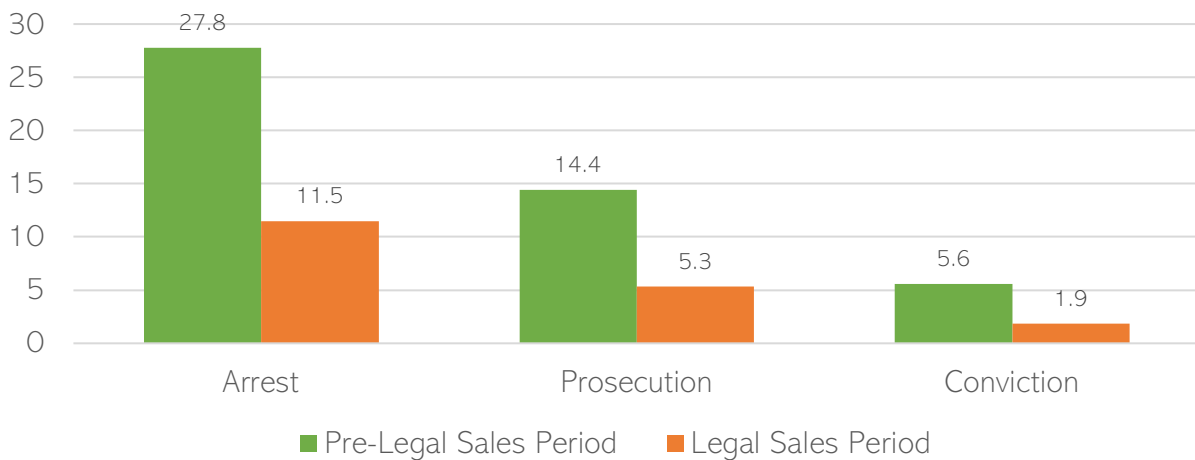
We examined the racial disparities in arrest, prosecution and conviction rates per population when an individual is arrested for unlawful cultivation of marijuana (Health and Safety Code § 11358) specifically. The most dramatic change in disparities for this offense following the enactment of Prop 64 was for the Asian population—for whom the arrest and prosecution rates increased from being comparable to the rates for the white population prior to the enactment of Prop 64, to being nearly three times higher than the arrest and prosecution rates of the white population in the later temporal period studied. On the other hand, for this offense, specifically, the rate of arrest and prosecution for the white population was greater than the Black population in the Pre-Legal Use Period, and then roughly on par with the rate of arrest of the Black population in the Legal Use Period. The rate of arrest for the Hispanic population was greater than the rate for the white population in both periods.

In the Pre-Legal Use Period, there were 0.964 cultivation arrests per day per 100,000 white people. The rate for the Black population was 0.8 times the rate of the white population (0.814 arrests per day per 1,000 Black people); the rate for the Hispanic population was 1.4 times the rate of white population (1.330 arrests per day per 1,000 Hispanic people); and the rate for the Asian population was nearly identical to that of the white population (1.001 arrests per day per 1,000 Asian people).

In the Legal Use Period, the arrest rate for the Black population for marijuana cultivation was nearly identical to that of the white population, and the Hispanic-white disparity was 1.5 times. For the Asian population during this period, the disparity tripled. In fact, the Asian population is the only group that experienced an *increase* in absolute arrests for the offense of marijuana cultivation *after* the legalization of marijuana use and cultivation—with 13% more Asians arrested per day for this offense in the Legal Use Period as compared to the Pre-Legal Use Period. All other groups experienced a significant decline in arrests for this offense in the Legal Use Period.
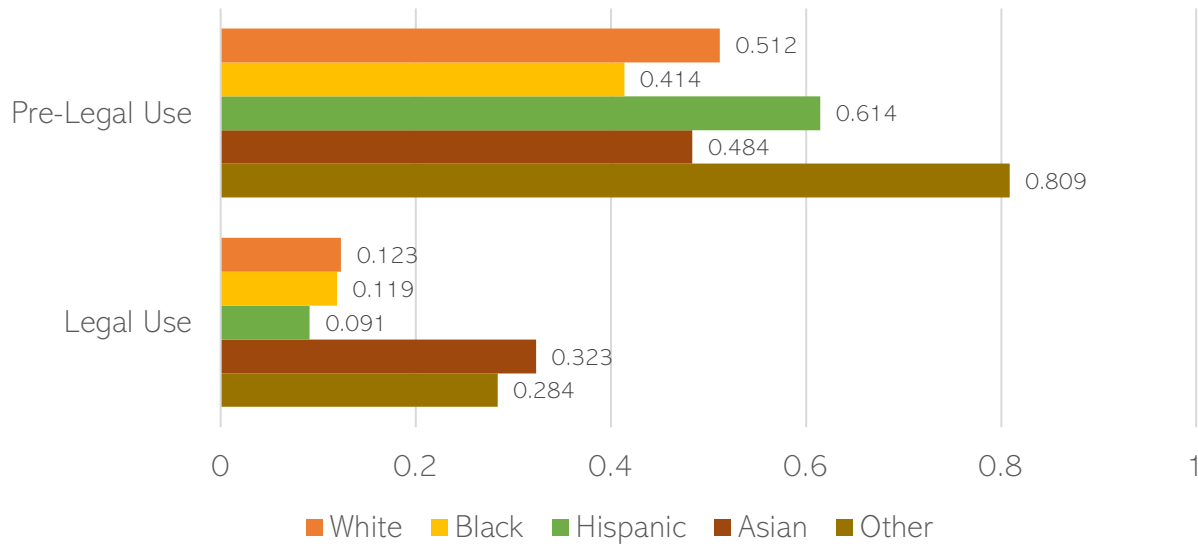
Figure 3. Arrests per day per 1,000 People, Marijuana Cultivation
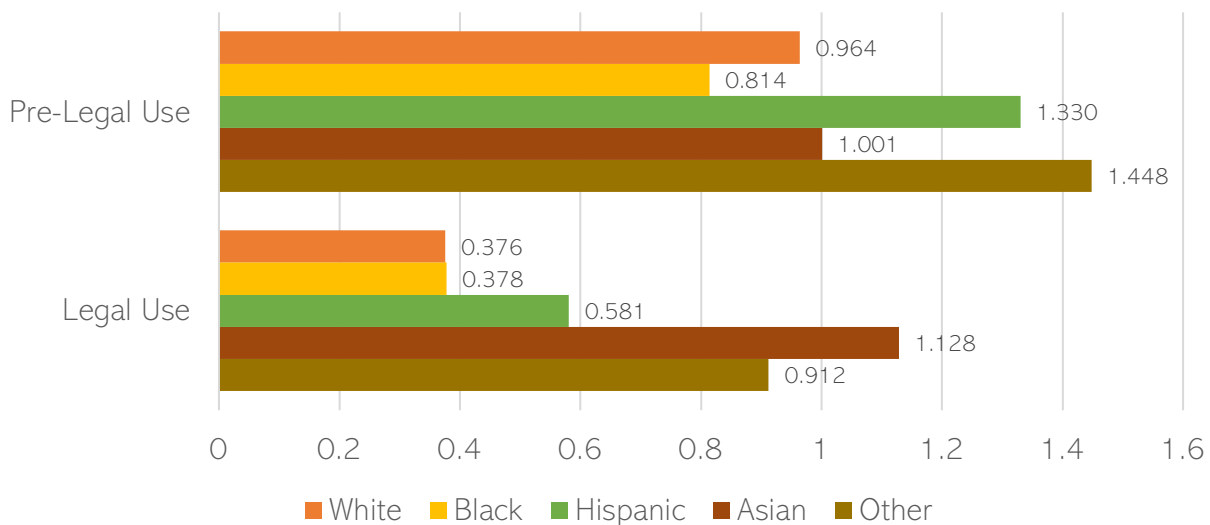
In the Pre-Legal Use Period, there were 0.512 prosecutions per day per 1,000 white people for the offense of marijuana cultivation. The Asian prosecution rate for this offense was slightly lower than the white population's rate (0.484 cultivation prosecutions per day per 1,000 Asian people). Meanwhile, the Black prosecution rate was 0.8 times the white prosecution rate (0.414 prosecutions per day per 1,000 Black people); and the Hispanic prosecution rate was 1.2 times the white prosecution rate (0.614 prosecutions per day per 1,000 Hispanic people).

In the Legal Use Period, the Black-white disparity was 0.9 times, and the Hispanic-white disparity was 0.7 times. For the Asian population during this period, the Asian-white disparity grew to be about 2.6 times.

Figure 4. Prosecutions per day per 1,000 People, Marijuana Cultivation

In the Pre-Legal Use Period, there were 0.141 convictions per day per 1,000 white people for the offense of marijuana cultivation. The rate for the Black population was 0.9 times the rate for the white population (0.124 convictions per day per 1,000 Black people); the rate for the Hispanic population was 1.7 times the rate for the white population (0.237 convictions per day per 1,000 Hispanic people); and the rate for the Asian population was 1.4 times the rate for the white population (0.205 convictions per day per 1,000 Asian people).

In the Legal Use Period, the Black-white disparity was 0.8 times, and the Hispanic-white disparity was 0.6 times. For the Asian population during this period, the Asian-white disparity was 1.6 times.

**Figure 5. Convictions per day per 1,000 People, Marijuana Cultivation**
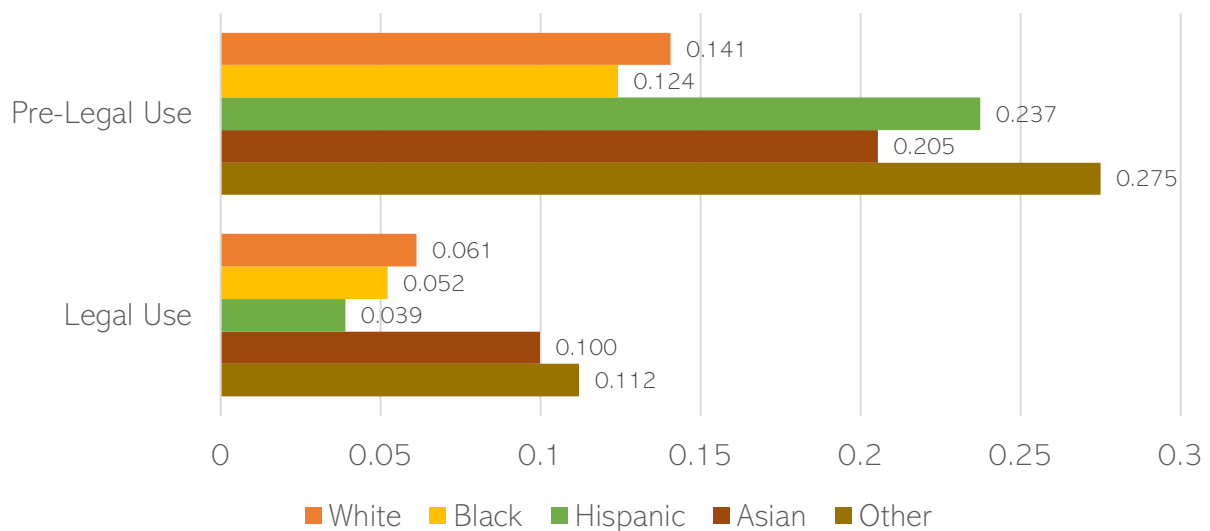
CHANGES IN RACIAL DISPARITIES FOR MARIJUANA POSSESSION FOR SALE

We examined the racial disparities in arrest, prosecution and conviction rates per population for the offense of marijuana possession for sale (Health and Safety Code § 11359) specifically. For this offense, the greatest disparity statewide for arrest, prosecution and conviction was for the Black population in each of the temporal periods analyzed. In comparing arrests and prosecutions, the disparity increased significantly in the later temporal period. The Hispanic-white disparity in arrest, prosecution and conviction also increased during the latter temporal period.

In the Pre-Legal Sales Period, there were 1.533 arrests per day per 1,000 white people for the offense of marijuana possession for sale. The rate of arrest for the Black population was 4.5 times that of the white population (6.944 arrests per day per 1,000 Black people). The rate of arrest for this offense for the Hispanic population was nearly identical to that of the white population (1.593 arrests per day per 1,000 Hispanic people), and the rate of arrest for this offense for the Asian population was 0.6 times the rate for the white population (0.890 arrests per day per 1,000 Asian people).

In the Legal Sales Period, the Black-white disparity in arrests for this offense increased to 5.5 times, the Hispanic-white disparity increased to 1.4 times, and the Asian-white disparity increased to 1.1 times.

Figure 6. Arrests per day per 1,000 People, Possession for Sales
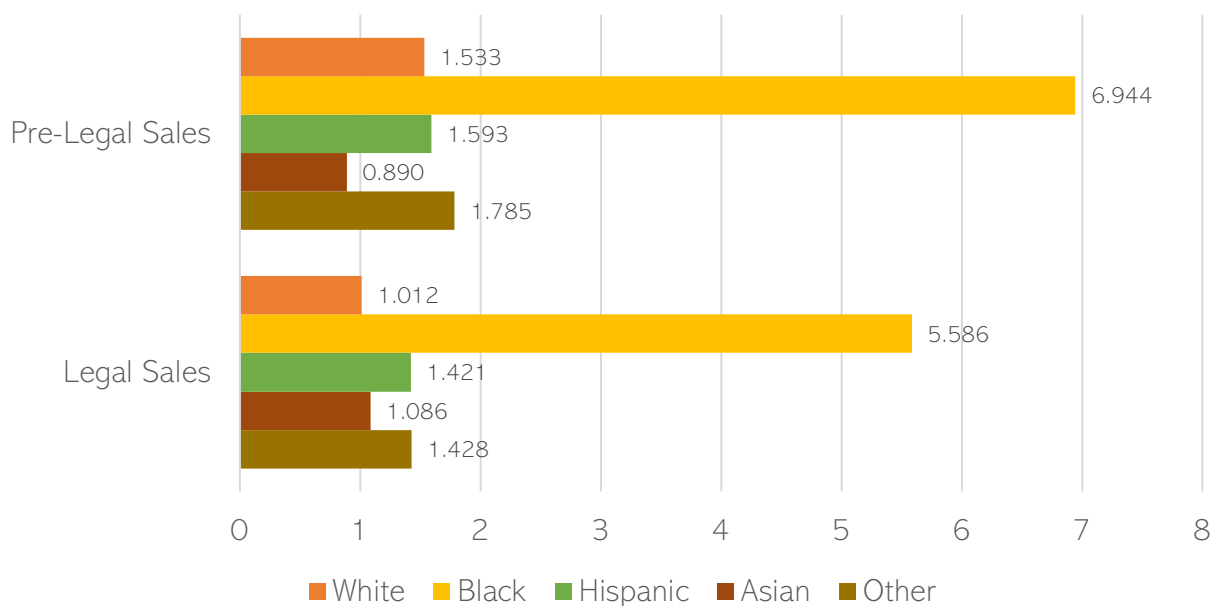
In the Pre-Legal Sales Period, there were 0.838 prosecutions per day per 1,000 white people for the offense of marijuana possession for sale. The Black prosecution rate was 3.9 times the rate for the white population (3.274 prosecutions per day per 1,000 Black people). The Hispanic prosecution rate was nearly identical to the rate for the white population (0.802 prosecutions per day per 1,000 Hispanic people). The Asian prosecution rate was 0.6 times the white population's prosecution rate (0.530 cultivation prosecutions per day per 1,000 Asian people).

In the Legal Sales Period, the Black-white disparity increased to 4.1 times, the Hispanic-white disparity increased to 1.4 times, and the Asian-white disparity increased to 1.3 times.

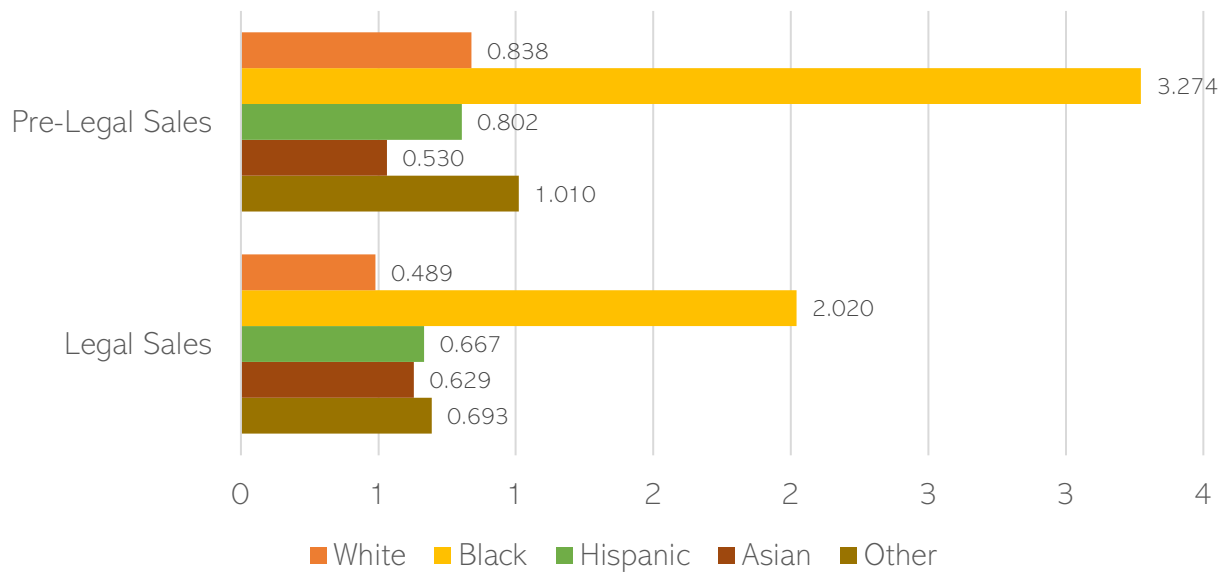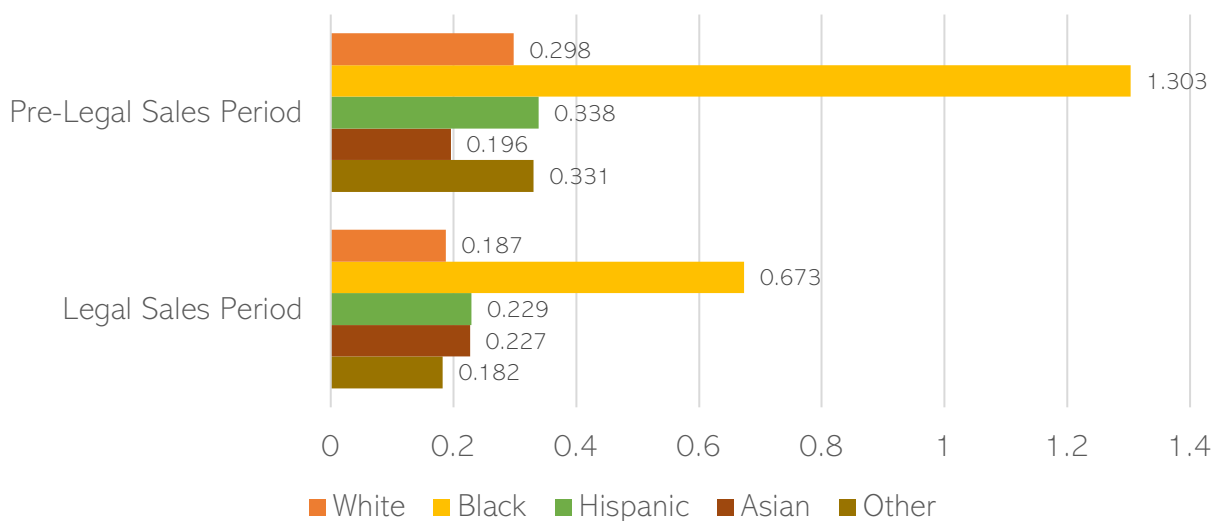## Figure 7. Prosecutions per day per 1,000 People, Possession for Sales

Pre-Legal Sales
- White: 0.838
- Black: 3.274
- Hispanic: 0.802
- Asian: 0.530
- Other: 1.010

Legal Sales
- White: 0.489
- Black: 2.020
- Hispanic: 0.667
- Asian: 0.629
- Other: 0.693

Legend: White, Black, Hispanic, Asian, Other

In the Pre-Legal Sales Period, there were 0.298 convictions per day per 1,000 white people for the offense of marijuana possession for sale. The rate for the Black population was 4.4 times the rate for the white population (1.303 convictions per day per 1,000 Black people). The rate for the Hispanic population was 1.1 times the rate for the white population (0.338 convictions per day per 1,000 Hispanic people), and the rate for the Asian population was 0.7 times the rate for the white population (0.196 convictions per day per 1,000 Asian people).

In the Legal Sales Period, the Black-white disparity decreased, but to a still significant disparity of 3.6 times. The Hispanic-white disparity was 1.2 times during this latter period, and the Asian-white disparity increased to 1.2 times.

Figure 8. Convictions per day per 1,000 People, Possession for Sale

Pre-Legal Sales Period
- White: 0.298
- Black: 1.303
- Hispanic: 0.338
- Asian: 0.196
- Other: 0.331

Legal Sales Period
- White: 0.187
- Black: 0.673
- Hispanic: 0.229
- Asian: 0.227
- Other: 0.182

Legend: White, Black, Hispanic, Asian, Other

There are significant racial disparities for the offenses of marijuana cultivation and/or possession for sale in the period after the implementation of Prop 64 in many counties where county-level data is available. Racial disparities in arrests and prosecution for these offenses have also increased in many of the counties in California since the implementation of Prop 64.

County Analysis for Violations of Health and Safety Code § 11359

Table A-1 of the Appendix lists the Asian-white disparities in cultivation arrest rates for all the counties that have yearly county population in the American Community Survey and have more than 10 prosecuted cases for each racial group of the county since November 9, 2016. There are marked racial disparities in most counties for the most recent period analyzed—November 9, 2016, through December 31, 2019, the Legal Use Period.

In the Pre-Legal Use Period, there were significant Asian-white disparities in all counties with sufficient data for analysis with the exception of Los Angeles, where Asians were 0.4 times as likely to be arrested for marijuana cultivation during this period. The greatest Asian-white disparities for the offense of marijuana cultivation in the Pre-Legal Use Period were in Sacramento (5.4 times), Riverside (2.9 times) and San Joaquin (2.4 times). The Los Angeles rate, given the county's population size, affected the statewide rate such that the Asian population was only slightly more likely to be arrested for marijuana cultivation as the white population prior to Prop 64. (See Figure 3, above.)

The greatest Asian-white disparities for the offense of marijuana cultivation in the Legal Use Period increased markedly, to 12.5 times in San Bernardino, 9.5 times in Sacramento, 7.1 times in Riverside, 3.4 times in San Joaquin, and 2.5 times in Kern. All of the counties except for Santa Clara showed a marked increase in Asian-white disparities between the Pre-Legal Use Period and the Legal Use Period with San Bernardino increasing 7.1 times.

The racial disparities in prosecution rates for these counties showed similar patterns as arrest rates. Here too the Los Angeles rates of prosecution in the Pre-Legal Use Period again resulted in a very modest Asian-white disparity in prosecution of marijuana cultivation statewide even though all other counties with measurable statistics had significant disparities prior to the implementation of Prop 64. All counties showed significantly increased Asian-white disparities in prosecution of marijuana cultivation offenses when comparing the Pre-Legal Use and the Legal Use Periods. (See Table A-2.)

County Analysis for Violations of Health and Safety Code § 11358

Table A-3 of the Appendix lists the Black-white and Hispanic-white disparities in arrest rates for marijuana possession for sale for all the counties that have yearly county population in the American Community Survey and have more than 10 prosecuted cases for each racial group of the county since January 2018.

There were significant Black-white disparities in all counties analyzed in both the Pre-Legal Sales and Legal Sales Periods for the offense of marijuana possession for sale. The greatest Black-white disparity in both periods was in San Mateo, which had a 16.2 Black-white arrest gap for marijuana possession for sale in the Pre-Legal Sales Period and a 27.8 Black-white arrest gap in the Legal Sales Period. Other counties with particularly high Black-white disparities in both temporal periods analyzed were Alameda (8.7 in the Pre-Legal Sales Period, 9.7 in the Legal Sales Period), Santa Clara (7.9 in the Pre-Legal Sales Period, 5.8 in the Legal Sales Period), Kern (7.9 in the Pre-Legal Sales Period, 4.3 in the Legal Sales Period), and Sacramento (7.4 in the Pre-Legal Sales Period, 5.3 in the Legal Sales Period).

There were significant Hispanic-white disparities in most counties analyzed in both the Pre-Legal Sales and Legal Sales Periods for the offense of marijuana possession for sale. The greatest Hispanic-white disparities at the county level for arrests for this offense in the most recent period analyzed, the Legal Use Period, are: San Mateo (2.9), Alameda (2.6), Santa Clara (2.6), Los Angeles (1.9), Fresno (1.7), Kern (1.7), Sacramento (1.6), and Riverside (1.5).

In most counties, there were increases in Black-white and Hispanic-white disparities of arrest rates in the Legal Sale Period as compared to the period prior to the legalization of marijuana sales (the Pre-Legal Sales Period).

The racial disparities in prosecution rates for the offense of marijuana possession for sale in these counties showed similar patterns as arrest rates. Some counties have significantly higher disparities in prosecution for marijuana possession for sale in the most recent period analyzed, the Legal Use Period, and disparity rates that are heightened even compared to their high Black-white arrest disparities. In particular: Alameda has a 13.4 Black-white disparity in prosecution rates for marijuana possession for sale despite having a 9.7 Black-white disparity in arrest rates for this offense, and a 4.1 Hispanic-white disparity in prosecution rates for marijuana possession for sale despite having a 2.6 disparity in arrest rates for this offense; Santa Clara has a 7.5 Black-white disparity in prosecution rates for marijuana possession for sale despite having a 5.8 Black-white disparity in arrest rates for this offense, and a 3.2 Hispanic-white disparity in prosecution rates for marijuana possession for sale despite having a 2.6 disparity in arrest rates for this offense; and Sacramento has a 2.1 Hispanic-white disparity in prosecution rates for marijuana possession for sale despite having a 1.6 Hispanic-white disparity in arrest rates for this offense. (See Table A-4.).

CONCLUSION

This factsheet analyzed patterns in arrest, prosecution, and conviction for the offenses of unlawful cultivation and/or possession of marijuana for sale in California (Health and Safety Code §§ 11358 and/or 11359). Among other things, this analysis compared the rates that different racial groups are subjected to enforcement of Health and Safety Code §§ 11358 and/or 11359 as a percentage of their representation in the state's population in the periods after the implementation of Proposition 64, which legalized the personal use of marijuana by adults in California and reduced the severity of possible penalties for convictions of marijuana-related violations and offenses including marijuana cultivation, in November 2016, and legalized marijuana sales with a license in January 2018.

Our findings show that the absolute numbers and rates of arrest, prosecution, and conviction of individuals, overall and by race, decreased markedly for these offenses after the implementation of Proposition 64. The sole exception to this trend is for arrests for marijuana cultivation for the Asian population, which increased in absolute numbers during the Legal Use Period as compared to the pre-Prop 64 period.

After the implementation of Proposition 64, however, there were markedly increased disparities, though these varied by offense.

For marijuana cultivation, there was a dramatic increase in disparities of arrest, prosecution, and conviction for the Asian population statewide, who were between two and three times as likely to be arrested and prosecuted for marijuana cultivation in the Legal Use Period. Asians were also 1.6 times as likely as white people to be convicted for this offense in the Legal Use Period. This significant and increasing disparity can be partly explained by dramatic increases in disparities in certain counties, most of which had a significant Asian-white disparity in the Pre-Legal Use Period; as well as by a marked change in the arrest and prosecution rates of Asians in Los Angeles, the largest county in the state and the only county with measurable marijuana cultivation statistics at a county level which did not have a significant Asian-white disparity before Proposition 64.

For marijuana possession for sale, Black people were significantly overrepresented at every stage in the criminal process, compared to the white population, in both of the temporal periods analyzed. In the Legal Sales period, Black people are 5.5 times as likely to be arrested, 4.1 times as likely to be prosecuted, and 3.6 times as likely to be convicted for the offense of marijuana possession for sale as white people. This is a significantly increased disparity in arrests and charges as compared to the Pre-Legal Sales Period. The Hispanic-white disparities also increased since Proposition 64. These disparities were also stark in county-level analyses, particularly in the most disparate counties. San Mateo, the most racially disparate county for both Black and Hispanic people in the most recent period analyzed, had a 27.8 Black-white arrest gap, and a 14.5 Black-white prosecution gap; as well as a 2.9 Hispanic-white arrest gap, and a 2.6 Hispanic-white prosecution gap. Many other counties had marked disparities in arrests and prosecutions for marijuana possession for sale, which often increased after the implementation of Proposition 64.

Further research is needed to examine racial disparities in discretionary arrests and prosecution decisions in other areas, and to develop appropriate policy solutions to inform policing and prosecutorial practices.

Table A-1. White-Asian Arrest Disparities for Marijuana Cultivation by County[12]

County	Pre-Legal Use Period			Legal Use Period			Prop 64 Comparison
	White (A)	Asian (B)	A-W[3] (C)	White (D)	Asian (E)	A-W[3] (F)	A-W (F/C)
All Else	1.237	1.237	1.0	0.271	0.462	1.7	1.7
Kern	0.892	1.304	1.5	0.375	0.951	2.5	1.7
Los Angeles	0.393	0.173	0.4	0.105	0.113	1.1	2.4
Riverside	0.642	1.860	2.9	0.227	1.649	7.1	2.5
Sacramento	0.556	3.001	5.4	0.297	2.827	9.5	1.8
San Bernardino	0.920	1.620	1.8	0.366	4.590	12.5	7.1
San Joaquin	1.764	4.228	2.4	1.091	3.726	3.4	1.4
Santa Clara	0.412	0.479	1.1	0.227	0.253	1.1	1.0

[1] The table lists all the counties that have yearly county population in the American Community Survey and have more than 10 prosecuted cases for each racial group of the county since the implementation of Proposition 64. The table presents the aggregate rates for the other counties in the first row as "All Else."

[2] We remind the reader that arrest rate is defined as the number of arrests per day per 1,000 people in the county.

[3] The A-W gap is the Asian arrest rate divided by the White arrest rate.

Table A-2. White-Asian Prosecution Disparities for Marijuana Cultivation by County[12]

County	Pre-Legal Use Period			Legal Use Period			Prop 64 Comparison
	White (A)	Asian (B)	A-W[3] (C)	White (D)	Asian (E)	A-W[3] (F)	A-W (F/C)
All Else	0.633	0.575	0.9	0.113	0.175	1.5	1.7
Kern	0.633	1.074	1.7	0.262	0.881	3.4	2.0
Los Angeles	0.278	0.086	0.3	0.052	0.044	0.9	2.7
Riverside	0.249	0.594	2.4	0.113	0.681	6.0	2.5
Sacramento	0.192	1.237	6.5	0.148	1.780	11.9	1.8
San Bernardino	0.518	0.642	1.2	0.209	1.998	9.6	7.7
San Joaquin	1.342	2.982	2.2	0.934	2.408	2.6	1.2
Santa Clara	0.268	0.297	1.1	0.087	0.122	1.3	1.2

[1] The table lists all the counties that have yearly county population in the American Community Survey and have more than 10 prosecuted cases for each racial group of the county since the implementation of Proposition 64. The table presents the aggregate rates for the other counties in the first row as "All Else."

[2] We remind the reader that prosecution rate is defined as the number of prosecutions per day per 1,000 people in the county.

[3] The A-W gap is the Asian prosecution rate divided by the White prosecution rate.

Table A-3. White-Black and White-Hispanic Arrest Disparities for Marijuana Possession for Sale by County[1][2]

County	Pre-Legal Sales Period					Legal Sales Period					Prop 64 Comparison	
	White (A)	Black (B)	Hisp. (C)	B-W[3] (D)	H-W[3] (E)	White (K)	Black (L)	Hisp. (M)	B-W[3] (N)	H-W[3] (O)	B-W (N/D)	H-W (O/E)
All Else	2.123	9.274	2.267	4.4	1.1	1.207	8.272	1.715	6.9	1.4	1.6	1.3
Alameda	1.459	12.726	2.596	8.7	1.8	0.947	9.204	2.483	9.7	2.6	1.1	1.5
Fresno	1.151	4.281	1.308	3.7	1.1	0.741	4.925	1.262	6.6	1.7	1.8	1.5
Kern	1.671	13.171	2.356	7.9	1.4	1.632	6.941	2.743	4.3	1.7	0.5	1.2
Los Angeles	0.740	3.747	0.884	5.1	1.2	0.398	2.305	0.741	5.8	1.9	1.1	1.6
Orange	0.932	4.199	0.856	4.5	0.9	0.617	3.855	0.562	6.2	0.9	1.4	1.0
Riverside	0.849	2.986	1.219	3.5	1.4	0.617	1.962	0.947	3.2	1.5	0.9	1.1
Sacramento	1.432	10.664	2.226	7.4	1.6	1.619	8.642	2.661	5.3	1.6	0.7	1.1
San Bernardino	1.596	7.110	1.507	4.5	0.9	1.289	6.283	1.536	4.9	1.2	1.1	1.3
San Joaquin	2.815	8.959	3.829	3.2	1.4	3.786	12.922	5.432	3.4	1.4	1.1	1.1
San Mateo	1.274	20.582	2.486	16.2	2.0	0.741	20.617	2.112	27.8	2.9	1.7	1.5
Santa Clara	1.055	8.301	2.185	7.9	2.1	1.029	5.940	2.716	5.8	2.6	0.7	1.3

[1] The table lists all the counties that have yearly county population in the American Community Survey and have more than 10 prosecuted cases for each racial group of the county since the implementation of Proposition 64. The table presents the aggregate rates for the other counties in the first row as "All Else."

[2] We remind the reader that arrest rate is defined as the number of arrests per day per 1,000 people in the county.

[3] The B-W gap is the Black arrest rate divided by the White arrest rate, and the H-W gap is the Hispanic arrest rate divided by the White arrest rate.

Table A-4. White-Black and White-Hispanic Prosecution Disparities for Marijuana Possession for Sale by County[12]

County	Pre-Legal Sales Period					Legal Sales Period					Prop 64 Comparison	
	White (A)	Black (B)	Hisp. (C)	B-W[3] (D)	H-W[3] (E)	White (K)	Black (L)	Hisp. (M)	B-W[3] (N)	H-W[3] (O)	B-W (N/D)	H-W (O/E)
All Else	1.089	3.342	1.014	3.1	0.9	0.494	1.468	0.617	3.0	1.3	1.0	1.3
Alameda	0.712	5.425	1.110	7.6	1.6	0.192	2.579	0.796	13.4	4.1	1.8	2.7
Fresno	0.596	1.740	0.596	2.9	1.0	0.453	1.907	0.562	4.2	1.2	1.4	1.2
Kern	1.192	9.890	1.596	8.3	1.3	1.043	3.690	1.468	3.5	1.4	0.4	1.1
Los Angeles	0.493	2.219	0.493	4.5	1.0	0.247	1.043	0.343	4.2	1.4	0.9	1.4
Orange	0.514	1.890	0.418	3.7	0.8	0.302	1.728	0.316	5.7	1.0	1.6	1.3
Riverside	0.452	1.527	0.541	3.4	1.2	0.343	1.193	0.329	3.5	1.0	1.0	0.8
Sacramento	0.719	4.678	1.041	6.5	1.4	0.947	4.390	1.975	4.6	2.1	0.7	1.4
San Bernardino	0.808	3.075	0.726	3.8	0.9	0.521	2.263	0.672	4.3	1.3	1.1	1.4
San Joaquin	2.116	5.842	2.473	2.8	1.2	2.894	10.549	4.143	3.6	1.4	1.3	1.2
San Mateo	0.822	12.151	1.479	14.8	1.8	0.494	7.147	1.262	14.5	2.6	1.0	1.4
Santa Clara	0.692	4.925	1.438	7.1	2.1	0.549	4.102	1.756	7.5	3.2	1.1	1.5

[1] The table lists all the counties that have yearly county population in the American Community Survey and have more than 10 prosecuted cases for each racial group of the county since the implementation of Proposition 64. The table presents the aggregate rates for the other counties in the first row as "All Else."

[2] We remind the reader that prosecution rate is defined as the number of prosecutions per day per 1,000 people in the county.

[3] The B-W gap is the Black prosecution rate divided by the White prosecution rate, and the H-W gap is the Hispanic prosecution rate divided by the White prosecution rate.