

## Research Paper

## Evaluating ballot initiative support for legalised marijuana: The case of Washington

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## ABSTRACT

**Background:** In 2012, Washington and Colorado became the first U.S. states to legalise recreational marijuana. By 2016, eight states and the District of Columbia had legalised recreational marijuana, with more expected to consider it in 2018. Despite this trend, little academic research explains what drives ballot-initiative vote choice on marijuana legalisation.

**Methods:** This paper uses a pre-election random sample voter survey to examine the individual characteristics that correlated with Washington voters' support for legal recreational marijuana.

**Results:** We find that voting on marijuana ballot initiatives largely reflects public opinion about marijuana and is particularly shaped voters' political ideology, party affiliation, religious affiliation and practice, and education. Notably, we find that those reporting experiences (i.e., someone they know) with the criminal justice system are more supportive of legalisation than those who do not.

**Conclusion:** We conclude that marijuana legalisation voting behavior generally aligns with public opinion on the issue. However, one key aspect of Washington's legalisation campaign—the criminal injustices of marijuana illegality—helped shape Washington state voting behavior. Further research is needed to examine if, when, and in what contexts criminal justice campaign themes are likely to strengthen or undermine future states' marijuana legalisation efforts.

## Introduction

In 1996, California voters passed Proposition 215 with 56 percent of the vote, making it the first U.S. state to legalise medical marijuana. Since then, twenty-seven states and the District of Columbia have passed laws (either via ballot initiative or legislation) that allow the use of marijuana for medicinal purposes (see [Appendix A Table A1](#) for a list of states). In 2010, California became the first state in recent years to consider legalising marijuana for recreational use. That year, voters rejected Proposition 19 by a seven-point margin (46.5 in favor, 53.5 opposed). Two years later (November 2012), voters in Washington and Colorado decisively approved the legalisation of recreational marijuana in their states (both with 55 percent of the vote). They became the first two states to legalise the recreational use of marijuana, initiating a wave of state-level policy diffusion to other states ([Boehmke & Witmer,](#)

[2004](#); [Mintrom & Vergari, 1998](#); [Shipan & Volden, 2008](#)). In 2014, voters in Alaska, Oregon and the District of Columbia elected to legalise marijuana for private recreational consumption. Even as these states struggled to address policy challenges introduced by their new marijuana laws, five additional states placed recreational marijuana initiatives on their 2016 ballots: California, Arizona, Nevada, Maine, and Massachusetts. That November, voters in all but one of those five states (Arizona) legalised recreational marijuana. At the time of this research, eight states and the District of Columbia allow, regulate and tax the use of recreational marijuana.<sup>1</sup>

Public support for expanding marijuana legalisation to include recreational use is continuing to grow nationwide (see [Fig. 1](#)) and is at an all-time high ([Geiger, 2016](#); [Swift, 2016](#)). Today, as many as sixty percent of Americans support legalising recreational use. All age groups—including older voters—currently register higher levels of

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<sup>1</sup> For research on the impact that state-based marijuana legalisation has had on state budgets and its cross-border spill-over effects, see [Caulkins, Coulson, Farber, and Vesely, \(2012\)](#). In addition, a recent review of legalisation's effects suggests that legalisation may bring higher consumption due to market incentives ([Pacula & Smart, 2017](#)), which may contribute to deleterious social effects such as increased drugged driving ([Caulkins, Kilmer, & Kleiman, 2016](#)), as well as greater cognitive effects amongst users ([Caulkins et al., 2016](#)). However, because state laws and their regulation vary considerably the social benefits and ills from legalisation will likely also vary by state.

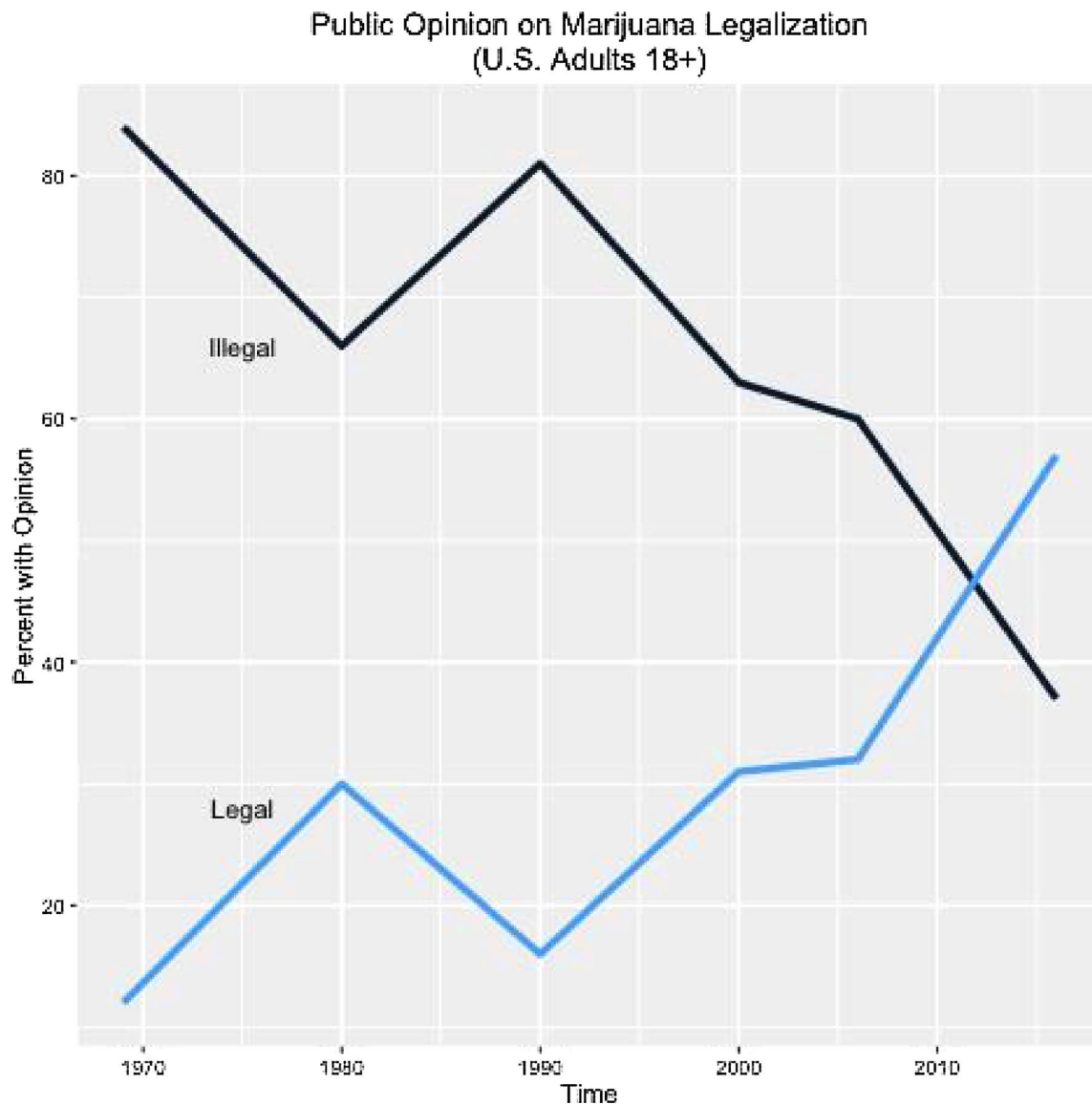


Fig. 1. U.S. adult opinion on marijuana legalisation across time.  
Source: Pew Research Center

support for legal recreational marijuana than they did in 2003 or 2005 (Swift, 2016). This comes at a time when the United States' "war on drugs" is under scrutiny for enabling racially biased arrests (ACLU, 2013) and for contributing to the disproportionate mass incarceration of non-violent minority drug offenders (Alexander, 2012). California's Proposition 64—the initiative that legalised recreational marijuana use in 2016—promised to "stop ruining people's lives for marijuana" (State of California, 2016). Advocates of legalisation are increasingly highlighting the criminal injustices enabled by existing drug laws and enforcement practices.

Given these recent ballot-initiative successes, scholars and policymakers anticipate an increase in state ballot initiatives to legalise recreational marijuana in 2018 and beyond. Despite these expectations, no academic research to our knowledge has considered what shapes voters' preferences on ballot-initiative legalisation. Khatapoush and Hallifors (2004) examine how public attitudes have changed as a result of medicinal legalisation. More recently, Schnabel and Sevell (2017) examined how attitudes towards both marijuana legalisation and same-sex marriage have become more favorable over time. However, these articles examine general public attitudes. They do not focus on attitudes among voters considering specific, upcoming marijuana-legalisation

ballot initiatives. Unpacking the individual-level drivers of support for legalisation is critical for state policymakers, law-enforcement officials, criminal-justice activists, and marijuana enthusiasts alike as they evaluate if and when to expend political capital and resources on marijuana-legalisation efforts. In states that legalised recreational marijuana, who supported these changes and who opposed them? We begin to answer this question by analysing attitudes among voters in Washington State in the month before Washington's 2012 ballot initiative.

Research on direct democracy suggests that the demographic patterns and partisanship affiliations that shape ballot-initiative voting behavior can mirror the patterns that shape candidate-centred elections.<sup>2</sup> Smith and Tolbert (2001) found that voting behavior on California ballot initiatives that addressed immigration, health care,

<sup>2</sup> Research has shown that ballot-initiative elections can lack traditional heuristics of partisan identification, especially when partisan elites make minimal cues to influence their partisan constituents (Lewkowicz, 2006; Magleby, 1984). Instead of party cues, voters may rely on other sources, such as cues from initiative campaigns, non-partisan elites, or the mass media (Banducci, 1998; Bowler & Donovan, 1994; Bowler, Donovan, & Tolbert, 1998; Karp, 1998).

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