

Marijuana Arrests

Background:

On 4/12/21 during the regular monthly PAC meeting a document was presented by Mr. Sterling documenting and discussing the marijuana prosecution policy of the State's Attorney's Office and the arrest data / policy of the Montgomery County Police. The document and the information shared during the meeting portrayed that MCPD had 5030 marijuana arrests in 2018 and 3715 arrests in 2019. Based on the data presented Asst. Chief Patil believed that the numbers were not consistent with a physical arrest. Asst. Chief Patil was asked by the PAC to look into the situation and report back to the PAC by 4/19/21.

Findings

Asst. Chief Patil met with MCPD records and crime analysis staff to discuss the questions regarding the data, and these are the results of those meetings.

1. MCPD reports crime statistics to the FBI via the Maryland State Police.
2. The Maryland State Police report statewide crime data in the Uniform Crime Report format (Not NIBRS). This methodology uses hierarchy; thus a marijuana "arrest" would be one that could have underlying lower offenses as well.
3. The data reported "Crime In Maryland 2019 Uniform Crime Report" does not differentiate between a civil citation vs. a criminal arrest. It reports the "arrest" if the agency reports it as an arrest.
4. MCPD learned that although MCPD was directed by MSP to report civil & criminal charges as "arrests", Prince George's County Police does not, which would account for the significant difference in the agencies marijuana arrest numbers.
 - a. MCPD is following up to see if reporting rules may have changed. If so MCPD will adapt their reporting practices as appropriate.
5. MCPD does not have the ability to segment data related to whether a civil charge was placed vs. criminal arrests in the current records management system.
6. MCPD evaluated the MCPD data regarding marijuana cases where charges were placed, that was reported to the Maryland State Police (MSP).
 - a. MCPD determined that the numbers did not match what is reported for Montgomery County in the "Crime In Maryland 2019 Uniform Crime Report".
(see chart below)
7. A spot check of MCPD marijuana "arrest" cases revealed that approximately 95% of the marijuana cases with charges were civil violations only. (under 10 grams). The Records staff pulled one random case per month in 2018 & 2019.

8. The Maryland State Police crime report includes data from the following agencies:

- Chevy Chase Village Police Department
- Gaithersburg Police Department (included in MCPD submission)
- Maryland National Capital Park Police (Montgomery County)
- Montgomery County Police Department
- Montgomery County Sheriff's Office
- Rockville City Police Department (included in MCPD submission)
- Takoma Park Police Department
- Maryland State Police - Rockville Barrack - Barrack N

9. MCPD does not provide data in for the following agencies:

- a. Takoma Park Police
- b. Maryland National Capital Park & Planning Commission Police
- c. Chevy Chase Village Police
- d. Maryland State Police
- e. Montgomery County Sheriff's Office
- f. Metro Transit Police

Montgomery County Drug Charging Data

2019 Arrests for Possession of Marijuana			
	Adult	Juvenile	Total
January	281	28	309
February	254	28	282
March	351	36	387
April	344	41	385
May	318	25	343
June	199	7	206
July	226	19	245
August	195	11	206
September	175	22	197
October	195	23	218
November	196	33	229
December	173	19	192
Grand Totals	2907	292	3199

2018 Arrests for Possession of Marijuana			
	Adult	Juvenile	Total
January	380	37	417
February	320	27	347
March	368	31	399
April	401	34	435
May	326	38	364
June	280	33	313
July	360	22	382
August	322	26	348
September	289	27	316
October	262	35	297
November	309	25	334
December	272	26	298
Grand Totals	3889	361	4250

The below data is included in the Maryland report for Montgomery County

MSP marijuana possession arrests in Montgomery County:

2018: 75

2019: 61

Takoma Park PD marijuana possession arrests (all civil citations):

2018: 69

2019: 30

Maryland National Capitol Park and Planning Commission Police – Montgomery County Division

2018

Adult Arrests	25
Juvenile Arrests	83
Tickets	545
TOTAL	653

2019

Adult Arrests	12
Juvenile Arrests	54
Tickets	347
TOTAL	413