

ACLU
Wisconsin

A stylized, high-contrast illustration of a woman's face and upper torso. She has dark skin and is wearing a red top. Her hair is styled in numerous braids, outlined in a dark teal color. She is wearing glasses where the lenses are replaced by two green cannabis leaves. The background consists of swirling, abstract patterns in shades of purple, blue, and pink. The overall style is graphic and modern.

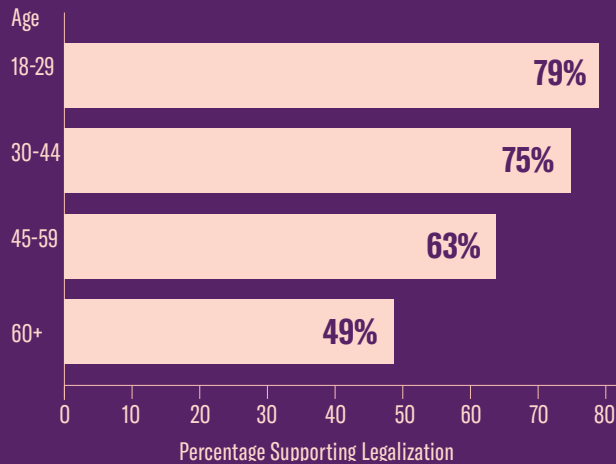
**THE STATE OF
CANNABIS IN
WISCONSIN**

POPULARITY ACROSS THE BOARD

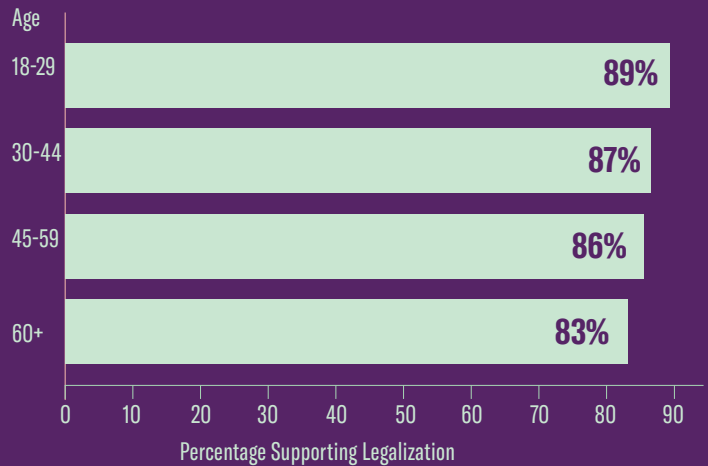
63% of registered voters in Wisconsin support legalized **recreational weed**¹

86% of registered voters in Wisconsin support legalization of **medical weed**²

SUPPORT FOR RECREATIONAL WEED BY AGE³



SUPPORT FOR MEDICAL WEED BY AGE⁴



SUPPORT FOR RECREATIONAL WEED BY POLITICAL PARTY³

83% Democrats

62% Independents

46% Republicans

SUPPORT FOR MEDICAL WEED BY POLITICAL PARTY⁴

95% Democrats

84% Independents

78% Republicans

1. https://law.marquette.edu/poll/wp-content/uploads/2024/02/MLSP77ToplinesRV.html#E5: Marijuana_legalization

2. https://law.marquette.edu/poll/wp-content/uploads/2024/02/MLSP77ToplinesRV.html#E6: Medical_marijuana_legalization

3. https://law.marquette.edu/poll/wp-content/uploads/2024/02/MLSP77CrosstabsRV.html#E5: Marijuana_legalization

4. https://law.marquette.edu/poll/wp-content/uploads/2024/02/MLSP77CrosstabsRV.html#E6: Medical_marijuana_legalization

MARIJUANA ADVISORY REFERENDUM RESULTS

Wisconsin voters made their voices heard in a series of advisory referendums about marijuana legalization in 2018 and 2022.

An advisory referendum is a type of ballot measure that is non-binding, meaning the outcome of the ballot measure does not change the law. The general purpose of advisory referendums is to allow government officials to gauge public opinion on certain policies or to encourage officials to take certain actions.



RACIAL DISPARITIES

5.29x⁵

In 2022, Black people were 5.29 times more likely than white people to be arrested for marijuana possession in Wisconsin, despite comparable national marijuana usage rates.

Marijuana Possession Arrest Rate	Black Arrest Rate	White Arrest Rate	Black-White Rate Ratio
216.0	868.6	164.1	5.29x

13,400

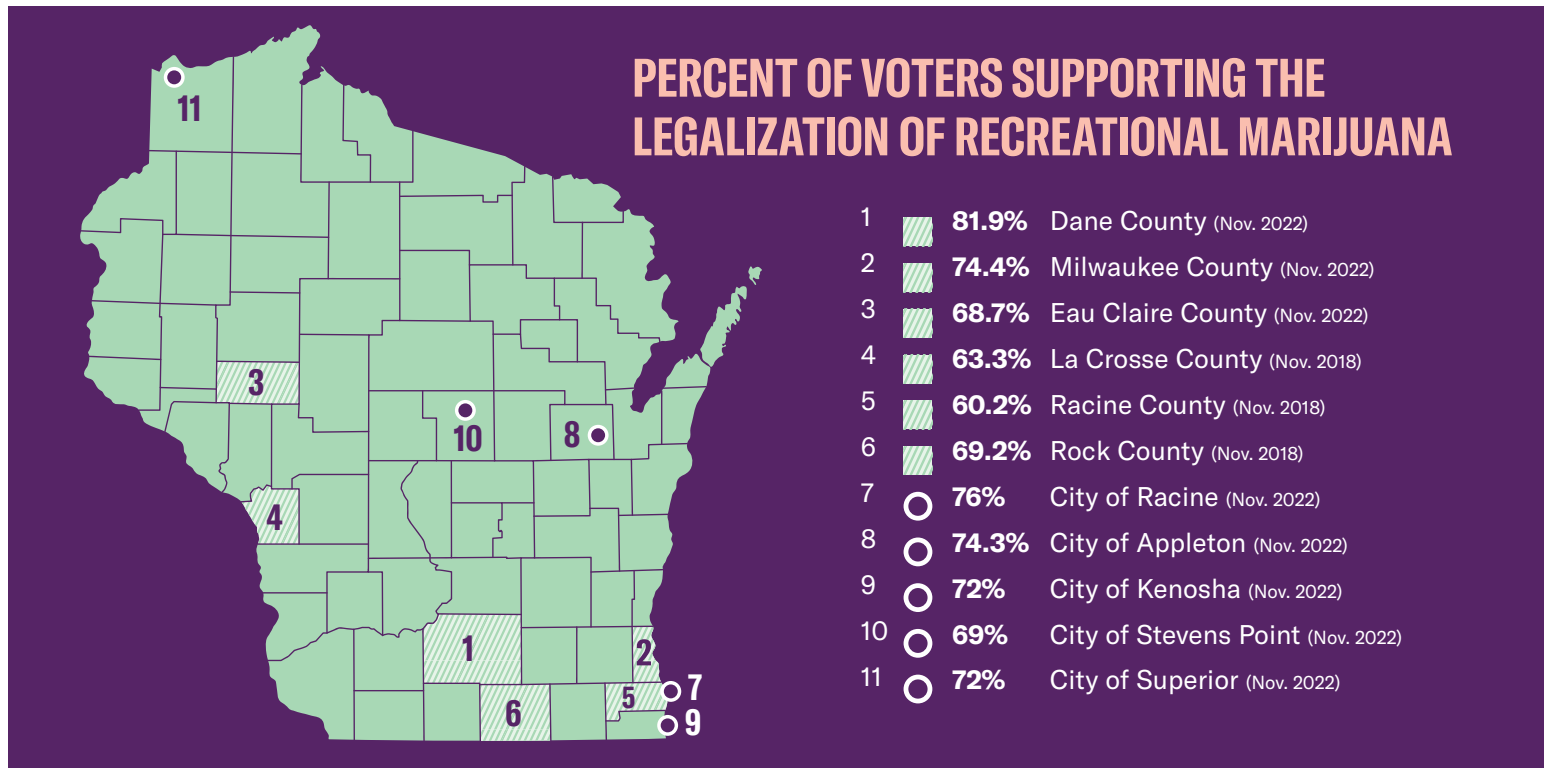
In 2022, there were more than 13,400 arrests in Wisconsin for cannabis offenses, the overwhelming majority of which were for simple possession.⁶

That means tens of thousands of people – disproportionately people of color – are thrown into our criminal legal system simply for possessing marijuana.

In June 2023, the Wisconsin Supreme Court ruled that police officers have probable cause to arrest and search a person during a traffic stop if they believe the vehicle smells like cannabis.



In April 2020, the ACLU released a research report, [A Tale of Two Countries: Racially Targeted Arrests in the Era of Marijuana Reform](#), detailing marijuana arrests from 2010 to 2018 and examining racial disparities at the national, state, and county levels. The racial disparity between Black and white marijuana possession arrest rates in Wisconsin has increased since this original report was published.



5. The marijuana possession arrest data presented here was obtained from the FBI's Uniform Crime Reporting Program (UCR) Program via the Crime Data Explorer. Not all law enforcement agencies reported a full year's worth of data to the FBI, meaning that the data reported here do not include a comprehensive total of all marijuana possession arrests that occurred in Wisconsin in 2022. However, in 2022, the population covered by a reporting agency averaged 98% of Wisconsin's total population, so error introduced by agencies underreporting possession arrests is likely minimal. These figures reflect the raw reported totals of arrests without imputation of missing values.

The population data used to calculate arrest rates was obtained from the US Census Bureau's 2022 5-year American Community Survey (ACS). The white population was derived from the number of people identifying as White Alone, regardless of ethnicity, and the Black population was derived from the number of people identifying as Black Alone or in combination with any other race. The UCR arrest data does not feature robust accounting of Latine populations, so both the white and Black population totals are inclusive of Hispanic individuals.

Rates are the number of arrests per 100,000 individuals of that race in Wisconsin. Rate ratios are calculated by dividing the Black arrest rate by the white arrest rate.

6. UCR data for 2022 shows 12,706 arrests for "marijuana possession" and 781 arrests for "marijuana drug sale/manufacturing."

WISCONSIN IS AN OUTLIER IN THE MIDWEST/NATIONWIDE

MINNESOTA

- Recreational marijuana has been legal in Minnesota since August 2023. Governor Tim Walz signed House File 100 on May 30, 2023, legalizing the use, possession, and cultivation of cannabis statewide.
- In May 2014, Governor Mark Dayton signed a bill into law legalizing medical marijuana for the treatment of nine severe medical conditions, including cancer, severe epilepsy, HIV/ AIDS, glaucoma, Tourette's syndrome, ALS and Crohn's disease.

ILLINOIS

- On May 31, 2019, the Illinois General Assembly passed the Illinois Cannabis Regulation and Tax Act to legalize recreational marijuana use starting on January 1, 2020.
- Illinois reported \$445 million in tax revenues from the sale of cannabis. Wisconsin's nonpartisan Legislative Fiscal Bureau estimated that \$36 million of the tax revenues in Illinois were paid by Wisconsin residents who crossed the border to make purchases.
- Wisconsin residents spent \$121 million in 2022 on cannabis sales in neighboring IL.
- The Illinois General Assembly passed the Compassionate Use of Medical Cannabis Pilot Program Act in 2013 (MCPPI). The law legalizes the use of medical cannabis in tightly controlled circumstances.

Wisconsin residents spent \$121 million in 2022 on cannabis sales in neighboring Illinois, contributing an estimated \$36 million to Illinois tax revenue.⁷

MICHIGAN

- Michigan legalized medical cannabis use in 2008, and in November 2018 legalized recreational cannabis use by ballot referendum.
- In 2023, Michigan collected more than \$270 million in marijuana tax revenue, a 42% increase from the year before.
- In February 2024, the Michigan Department of Treasury announced that “more than \$87 million is being distributed among 269 municipalities and counties as a part of the Michigan Regulation and Taxation of Marijuana Act. Over the next few days, 99 cities, 30 villages, 69 townships and 71 counties will receive payments from the Marijuana Regulation Fund. For the state of Michigan's 2023 fiscal year, this means each eligible municipality and county will receive more than \$59,000 for every licensed retail store and microbusiness located within its jurisdiction.”

REPUBLICANS BLOCK PUBLIC HEARINGS

- Senator Melissa Agard sparked conversation around legalization by introducing legislation during the [2013-14](#), [2015-16](#), [2017-18](#), [2019-20](#), [2021-22](#), and [2023-24](#) legislative sessions to make weed legal and available to adults 21 and older in Wisconsin, **but these bills never received public hearings from the Republican controlled legislature.**
- Senators Mary Felzkowski and Kathy Bernier and Representative Pat Snyder introduced medical marijuana proposals during the [2019-20](#) and [2021-22](#) sessions. **One public hearing was held in 2022, but only after the legislature adjourned for the year.**
- Bipartisan proposals to reduce the penalty for possessing 14 grams or less of marijuana from a misdemeanor to a \$100 civil forfeiture during the [2019-20](#), [2021-22](#), and [2023-24](#) sessions, **but no public hearings were held.**
- Governor Tony Evers also included decriminalization and medical cannabis in his 2019-21 executive budget and adult-use and medical legalization in his 2021-23 budget, **but the Republican-led Joint Finance Committee nixed these efforts.**
- The Legislative Fiscal Bureau [projected](#) Wisconsin would generate \$165.8 million in tax revenue per year in Wisconsin after legalization under the Governor's 2021-23 proposed Executive Budget.
- Governor Evers called for legalization again in his 2023-25 biennial budget request, but **Republicans again removed this proposal from the budget.**
- In January 2024, Assembly Speaker Robin Vos proposed creating state-run dispensaries for medical marijuana, but the bill died a month later without receiving a public hearing.⁸

7. https://www.dailycardinal.com/article/2023/03/wisconsinites-spent-121-million-in-illinois-on-cannabis-in-2022-survey-finds?ct=content_open&cv=cbox_latest

8. <https://www.jsonline.com/story/news/politics/2024/02/15/wisconsin-medical-marijuana-bill-likely-dead-robin-vos-says/72613003007/>

9. <https://wtmj.com/news/2023/12/22/assembly-speaker-robin-vos-on-marijuana-dei-budget-surplus-and-more/>



“I am a dead-set opponent of recreational marijuana.”⁹
– Assembly Speaker Robin Vos