

# [investiGATE: Border Crossings](#)

Marijuana is now legal in Massachusetts. Based on recent legislative activity in Connecticut, that state may also reach legalization soon. Based on activity in RI, once thought a pretty liberal, forward-thinking state, we have a good chance of ending up the only New England state to continue prohibition. That's not because our citizens have become more conservative - it's because our legislature can't get out of its own way (see story page 14). The result is analogous to Barrington being a dry city, with numerous grandfathered exceptions, thriving liquor stores on every border and a ridiculous DUI rate.

What does neighborly legalization mean for RI'ers who want to cross state borders with products purchased in Mass and brought back home?

First of all, don't consume everything in Mass and drive home. There isn't a real test for driving under the influence of cannabis yet (there are existing kits, but they're not in use in RI), but all the laws of distracted driving apply. Driving like you're stoned, driving erratically or driving like you're not paying attention will get you a ticket whether they can demonstrate you're high or not. Not to mention, it's dangerous.

RI has decriminalized possession of up to one ounce of reefer even if you don't have a medical card. That means if you have an ounce or less (per person in the vehicle), your stakes are much lower than they used to be. (Note: if you are under 18, the consequences are much more severe. Don't risk it; wait a few years.) If you're not too far from the border, and want more than an ounce, bring along a friend or make multiple trips. (After all, RI policy apparently wants to incentivize RI'ers to cross the border as often as possible, and spend as much as possible in neighbor states. We don't understand this either, but it seems to be a thing.)

If edibles or vape products are what you're bringing back, it becomes very hard to gauge how much an ounce actually is. Since this legal gray area has yet to be court tested, it's unlikely any given officer will want to become the test case (if you're looking for your 15 minutes of fame, this actually might be a ticket you want, since it will be entering interesting legal territory).

It's no guarantee, but it may also make you feel better to realize that while the RI police are steadfastly against legalization institutionally, many individual officers are not eager to go after marijuana arrests. Should cannabis be legalized in the near future, it's unclear what would happen to those convictions.

Arrest statistics show that since decriminalization of small amounts in 2013, RI arrests for marijuana have dropped by 50% - but that doesn't mean you're out of the woods. There are still roughly 1,000 citations a year, mostly in the form of \$150 fines (and confiscation) for having under the one-ounce maximum. Over that is still a criminal charge. We definitely don't recommend loading 185 pounds of ganja into your van, as a gentleman in Cranston was caught doing in February.

Enforcement also varies significantly by town. In a recent study by the Media and Law class of URI journalism professor Peter Phipps ([regulateri.com/decrim-report](http://regulateri.com/decrim-report)), data from each police department was compiled. Per capita, they found far more rigorous enforcement in Warwick, Pawtucket and Johnston. Warwick, despite having only half the population of PVD, wrote 10 times as many citations. Johnston, despite being 90% white by population, cited more black people than white people for cannabis in 2016. (National studies have found the percentage of pot use in black and white populations

to be roughly equal, while the percentage of arrests for pot use skews dramatically toward black people). Johnston police also have a reputation for focusing patrols on the Providence border, although we couldn't get the department to verify that. Towns where citations are on the rise include East Greenwich and Barrington, although some of the numbers are too small to draw meaningful conclusions. Urban areas, including "Providence, Woonsocket, East Providence and Cranston write relatively few possession citations," according to the report.

Based on this data, crossing town borders may be more hazardous than crossing state borders. And if you're coming from Mass with your bud and you're not sure if it counts as an ounce or not, maybe don't come down through the Bucket (or at least don't get off 95 there).

If you have a medical card, of course, you're set in either state, up to the limits allowed by the card (two and a half ounces in RI).

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