

Marijuana Arrests in South Dakota

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Marijuana Arrests in South Dakota

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Sources and Methods

All data on marijuana arrests in South Dakota were derived from the U.S. Department of Justice's Uniform Crime Reporting (UCR) Program, specifically from these three data sets: County Level Detailed Arrest Data, Arrests by Age, Sex, and Race (ASR), and the National Incident-Based Reporting System (NIBRS). NIBRS data is based on a different classification than the other two data sets. It provides greater detail about arrests, however, because of classification issues, it provides similar but not identical tallies of the number of arrests. There are also minor differences between the County Level and ASR datasets produced by estimation techniques utilized in the County Level data set. Because of compliance levels by South Dakota law enforcement agencies, these are usually not significant to data reporting for the state. State publications reporting NIBRS and UCR data for the state have also been reviewed for the preparation of this report. In addition, the FBI's Crime Data Explorer (CDE) website provides updated data from the UCR and NIBRS programs and is the source for 2017 and 2018 arrest data used in this report.

Arrest rates have been calculated for various demographic groups. The population data used for these calculations was obtained from the United States Census Bureau.

Data reported on the prevalence of marijuana use in South Dakota was obtained from the National Survey on Drug Use and Health conducted by the Substance Abuse and Mental Health Services Administration of the U.S. Department of Health and Human Services.

Data on Criminal Justice expenditures in South Dakota was obtained from the Bureau of Justice Statistics of the U.S. Department of Justice and the South Dakota Legislative Research Council.

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Introduction

The possession and/or sale of marijuana in South Dakota is subject to severe criminal penalties.

The possession of more than two ounces but less than eight ounces of marijuana in South Dakota is a Class 6 felony, which is subject to a sentence of up to one year. Possession of two ounces or less is a Class 1 misdemeanor but subject to the same maximum sentence. Possession of between eight ounces and one pound, a Class 5 felony, is subject to a five-year prison sentence, 1 to 10 pounds carries a maximum penalty of 10 years, and over that a penalty of 15 years.

Sales of one ounce or less is subject to a one-year sentence, with sales of less than half an ounce a misdemeanor, while the sale of a greater amount is a felony. Sales of one ounce to half a pound is subject to a five-year sentence, a half-pound to a pound a 10-year sentence, and sales of an amount over 10 pounds is subject to a 15-year sentence.

Nonetheless, 12.12% of South Dakotans reported using marijuana in the period 2017/2018, an increase from a prevalence of 8.96% reported in 2008/2009. In other words, in 2017/2018 marijuana was used by 79,000 adults and 7,000 juveniles in the state. The various characteristics of marijuana arrests in South Dakota presented below will be examined in greater detail and specificity in the report that follows.

According to data from the Uniform Crime Reporting (UCR) program, from 2009 to 2018, South Dakota law enforcement officers arrested 31,883 people for marijuana offenses, 95% of them for possession offenses. From 2007 to 2013, law enforcement significantly increased arrests of South Dakotans by 13.6% annually before arrests leveled off in the years from 2014-2016. Arrests have increased by 28%, however, in 2017 and 2018, from an average of 3,392 from 2013 to 2016 to an average of 4,347 from 2017 to 2018. However, as indicated above, this did not reduce the prevalence of marijuana use in the state. South Dakota is regularly among the states with the highest arrest rate for marijuana possession in the country. In 2016 South Dakota's marijuana possession arrest rate of 385 per 100,000 population was the second highest in the United States.

According to data from the National Incident-Based Reporting System (NIBRS), which categorizes arrest data differently from the UCR program, the people arrested for marijuana offenses during the 10-year period from 2007 to 2016 were 76% male and had an average age of 25. Juvenile offenders (of both sexes) accounted for 17% of all arrests. Eighteen-year-olds accounted for 10%; those aged 19 accounted for 9.5%; and those aged 20 to 24 accounted for another 27%. Thus, South Dakotans under the age of 25 accounted for 63% of all marijuana arrests in the 10-year period from 2007 to 2016.

NIBRS data shows that from 2007 to 2016 Whites accounted for 63.5% of marijuana arrests. Blacks comprised 6.9% of the total. Native Americans, though, accounted for 20.3% of all arrests. The arrests of Blacks and Native Americans represent significant racial disparities in marijuana law enforcement in South Dakota. Native Americans accounted for 8.9% of the population of South Dakota in 2016, for example, but based on UCR data, they comprised 29.3% of all marijuana possession arrests that year. Blacks make up 2.1% of the population but accounted for 10% of possession arrests in 2016. These disparities are not explained by differences in the use of marijuana. The prevalence of annual marijuana use among these three groups is similar. In 2018 the prevalence of annual use among Whites nationally was 15.6%, among Blacks 17.3%, and among Native Americans 24%. While the prevalence of use by Native Americans is 1.5 times higher than for Whites, this does not explain why the possession arrest rate for Native Americans (1,271 per 100,000) is 4.7 times higher than for Whites (271 per 100,000).

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Based on the more detailed NIBRS data, most of these arrests were for possession or concealment (77.3%) and using/consuming (16.9%) while a small number were for distribution or sales (2.3%).

Another significant characteristic of marijuana arrests in South Dakota concerns their impact on juveniles. The arrests of 2,816 of the 75,000 adults who used marijuana in 2016 amount to the arrest of 3.75% of all adult users. The arrest of 558 juveniles out of 8,000 juvenile users amounts to 6.97% of all juvenile adult users, almost twice the percentage of adult users subject to criminal sanctions. While the number of arrests of juveniles is considerably smaller than those of adults, the impact of these arrests is greater. For example, juveniles arrested for marijuana offenses are labeled as “delinquents.” Their arrests impact their ability to get jobs because disclosure of arrests is required on most job applications. Furthermore, arrests for drug offenses can have negative effects for receiving grants or loans for financing college education.

The nature of marijuana arrests also highlights the arbitrary and random quality of marijuana arrests. First, people arrested for marijuana offenses are only arrested for marijuana offenses. These offenses are not associated with other criminal charges. According to NIBRS data, 98.2% of marijuana violations in South Dakota from 2007 to 2016 were not associated with other criminal offenses.¹ In addition, in 99.1% of these incidents, no weapons were seized by police. About 60% of these arrests occurred on highways, roads, or parking lots, and nearly 20% occurred at home. So, why were the small percentage of marijuana users in the state subject to arrest and criminal sanctions? It appears they were in the wrong place at the wrong time, in circumstances that brought otherwise law-abiding citizens to the attention of law enforcement, and their possession of small amounts of marijuana resulted in their arrest. For those arrested and subject to misdemeanor charges, about 70% possessed seven grams or less of marijuana at the time of their arrest.

It is challenging to estimate the precise cost of enforcing South Dakota’s marijuana laws. The costs of prospective jail terms are calculated using data from the state’s Legislative Research Council. The costs of enforcement can be modeled using expenditure data on county and local expenditure data provided by the federal Bureau of Justice Statistics. However, these costs can be also be understood in terms of a qualitative look at the various requirements of processing arrests in the criminal justice system. This includes police officers’ time, which can be understood in terms of opportunity costs. Every hour law enforcement officials spend addressing marijuana offenses is an hour not spent addressing other public safety concerns. An overview of these costs will be reviewed in Part Three below.

¹ The NIBRS dataset addresses this issue in multiple ways. The most direct is through variable V6010, which indicates whether multiple offenses are involved in a recorded incident. For the years 2007 – 2016, there are 26,366 incidents in which marijuana was seized by police. Of these, 99.5% did not involve multiple offenses. Another variable, V20061, indicates the primary charge for an incident in which marijuana was seized. This variable provides detail on the other offenses involved with a marijuana seizure. The additional offenses indicated by this variable are itemized in this report. The 98.2% figure cited here refers to this more detailed variable, V20061. The difference between these two variables concerns reporting categorizations.

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Part One. State Level Arrests

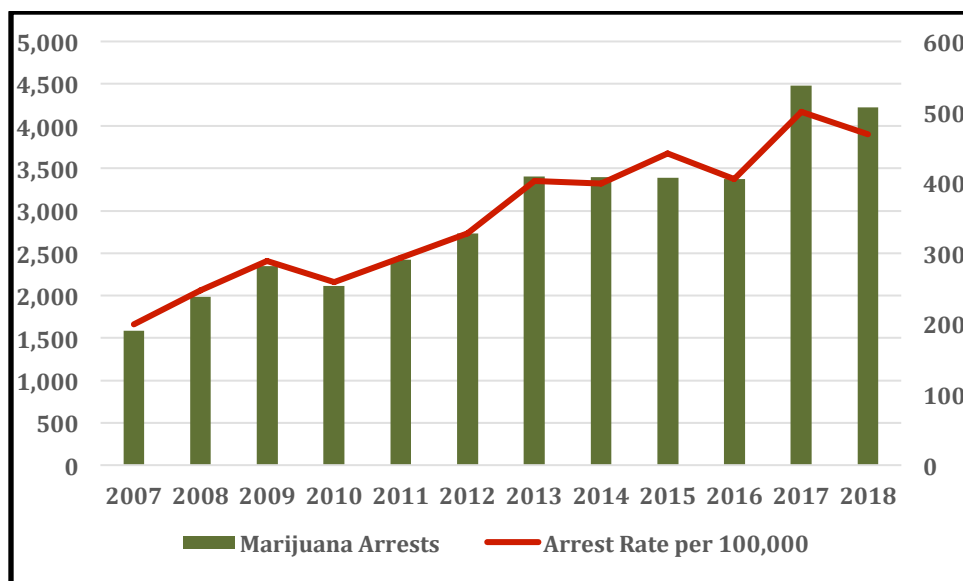
A. Historical Trends

There were 4,218 arrests for marijuana offenses in South Dakota in 2018. Of these, 4,035 (95.7%) were for possession and 183 (4.3%) were for sales/distribution. The arrest rate for marijuana offenses was 468.25 per 100,000 residents. There were 4,476 arrests in 2017, with an arrest rate of 500.47. The number of arrests and the arrest rate for these two years were at the highest level ever, surpassing 2,602 arrests in 2000 and an arrest rate of 349.39 in 1999. Arrests declined to 1,186 in 2005 before beginning their rise to 2017/2018 levels.

The data for 2007 -2014 were obtained from the Uniform Crime Reporting (UCR) Program of the Federal Bureau of Investigation (FBI), which are made publicly available by the Inter-University Consortium for Political and Social Research (ICPSR) at the University of Michigan. The 2015 and 2016 data were obtained from the National Incident-Based Reporting System, also from the FBI, which is replacing the UCR Program. More recent data on 2017 and 2018 was obtained from the FBI's Crime Data Explorer (CDE), a public access web service based on both UCR and NIBRS data.

As noted earlier, the severe penalties for possession of over one-half pound (eight ounces) of marijuana is sanctioned as a maximum five-year prison sentence. These penalties have two significant effects on marijuana users. First, it produces especially harsh penalties for marijuana users who wish to minimize their contact with the illegal market by securing larger quantities for personal use over time, much like the beer drinker who prefers to buy by the case. Second, it encourages consumers to purchase small amounts, which benefits the illegal market in terms of increasing the volume of sales and greater profits from the sale of small quantities. South Dakota arrested 51,956 people for marijuana offenses from 1999 to 2016, and 31,883 in the ten years from 2009 to 2018. Marijuana arrests increased 9.3% per year from 2007 to 2018. (See Figure 1 and Table 1.)

Figure 1. South Dakota Arrests 2007-2018
(Arrest rates are per 100,000 population)



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Table 1. South Dakota Marijuana Arrests 2007- 2018
(Arrest rates are per 100,000 population)

All Year	All		Possession		Sales	
	Total	Rate	Total	Rate	Total	Rate
2007	1,586	199.20	1,456	182.87	130	16.33
2008	1,989	247.33	1,862	231.54	127	15.79
2009	2,350	289.28	2,232	274.75	118	14.53
2010	2,111	259.28	1,988	244.17	123	15.11
2011	2,423	294.03	2,284	277.16	139	16.87
2012	2,734	328.07	2,589	310.67	145	17.40
2013	3,402	402.66	3,203	379.11	199	23.55
2014	3,401	398.63	3,262	382.34	139	16.29
2015	3,394	441.48	3,242	421.70	152	22.96
2016	3,374	405.05	3,215	385.97	159	22.58
2017	4,476	500.47	4,240	474.08	236	26.39
2018	4,218	468.25	4,035	447.93	183	20.32

B. Arrest Characteristics

Marijuana arrests are usually stand-alone events. They are most often singular incidents not associated with other criminal activity.

The National Incident-Based Reporting System (NIBRS), which is also part of the UCR program and publicly available from ICPSR, provides a variety of data on each crime incident known to police including the nature and types of specific offenses in the incident. This data includes the number of offenses for which an arrest is made as well as the types and amounts of drugs seized. Because of reporting procedures required by NIBRS, the aggregated data differ slightly from the UCR data on the total number of arrests (27,365 total marijuana arrests reported by NIBRS for 2007-2016 compared to 26,557 total marijuana arrests reported by UCR for the same period).

NIBRS data for 2007 through 2016 indicates that 98.2% of marijuana arrests are stand-alone events. In other words, 98.2% of the incidents involving marijuana arrests only involve one arrest record. (See Table 2.) Similarly, 99.1% of marijuana offenders were unarmed at the time of their arrest.

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Table 2. Marijuana Arrests and Additional Criminal Offenses (2007 – 2016)

Criminal Violation	Violations	Pct.
Marijuana Violation Alone	26,882	98.2%
Marijuana with Additional Violation		
Aggravated Assault	28	
All Other Larceny	27	
Arson	2	
Burglary/Breaking and Entering	17	
Counterfeiting/Forgery	9	
Destruction/Damage/Vandalism of Property	25	
Embezzlement	1	
False Pretenses/Swindle/Confidence Game	97	
Forcible Fondling	1	
Forcible Rape	1	
Impersonation	75	
Intimidation	22	
Kidnaping/Abduction	1	
Motor Vehicle Theft	15	
Robbery	6	
Shoplifting	20	
Simple Assault	10	
Stolen Property Offenses	1	
Theft from Building	16	
Theft from Motor Vehicle	9	
Theft from Motor Vehicle	10	
Subtotal - Additional Violations	483	1.8%
Total	27,365	

NIBRS data for 2007 to 2016 also indicate that marijuana arrests in South Dakota were likely to occur in public places, with 53.6% taking place on roads, streets, or highways. Another 6.8% occurred in parking lots. Arrests were made at home in 19.7% of the cases and in other locations in the remaining 20% of the incidents.

South Dakota marijuana laws encourage marijuana users to possess less than two ounces of marijuana. NIBRS data also indicate that most marijuana possession arrests under this two-ounce threshold involve much smaller quantities of marijuana. Over the 10-year period from 2007 to 2016, in 88.7% of these possession arrests the amount of marijuana seized was one ounce or less and amounts of seven grams or less were seized in 71.6% of arrests under this threshold. Approximately one-third (34.5%), though, involved one gram of marijuana or less. (See Table 3.)

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Table 3. Amounts Seized in Marijuana Possession Arrests* (2007 – 2016)

Amount	Percentage
4 to 8 ounces	1.5%
3 to 4 ounces	2.3%
2 to 3 ounces	0.9%
1 to 2 ounces	6.6%
.5 to 1 ounce	8.4%
.25 to .5 ounce	8.7%
1 to 7 grams	28.7%
1 gram	8.4%
less than one gram	34.5%

*Class 1 Misdemeanor and Class 6 Felony arrests involving no more than 8 ounces.

B. Demographics

The people arrested for marijuana offenses during this 10-year period were 76% male and had an average age of 25. Adult offenders accounted for 83.5% of all arrests and 80.1% of possession arrests in 2018. From 2007 to 2018, adult arrests ranged from a low of 80.2 % (in 2012) to a high of 84% (in 2009). (See Table 4.)

According to both UCR and NIBRS data, juvenile offenders (of both sexes) accounted for 16.5% of all arrests in 2018. (See Table 5.) According to NIBRS data, 18-year-olds accounted for 10% of arrests, those aged 19 accounted for 9.5%, and those aged 20 to 24 accounted for 27%. Thus, South Dakotans under the age of 25 accounted for 63% of all marijuana arrests in the 10-year period from 2007 to 2016.

Table 4. South Dakota Marijuana Arrests for Adults (2007-2018)
(Arrest rates are per 100,000 population)

Adult Year	All			Possession			Sales		
	Total	Rate	Pct. of All Arrests	Total	Rate	Pct. of All Arrests	Total	Rate	Pct. of All Arrests
2007	1,316	219.82	83.0%	1,203	200.95	75.9%	113	18.88	7.1%
2008	1,649	272.16	82.9%	1,531	252.69	77.0%	118	19.48	5.9%
2009	1,973	321.98	84.0%	1,866	304.52	79.4%	107	17.46	4.6%
2010	1,770	289.43	83.8%	1,663	271.94	78.8%	107	17.50	5.1%
2011	2,031	327.55	83.8%	1,907	307.55	78.7%	124	20.00	5.1%
2012	2,192	348.92	80.2%	2,062	328.23	75.4%	130	20.69	4.8%
2013	2,827	444.17	83.1%	2,651	416.52	77.9%	176	27.65	5.2%
2014	2,784	433.30	81.9%	2,671	415.71	78.5%	113	17.59	3.3%
2015	2,744	474.18	80.8%	2,617	452.23	77.1%	127	25.48	3.7%
2016	2,816	449.39	83.5%	2,673	426.57	79.2%	143	27.00	4.2%
2017	3,716	565.68	83.0%	3,533	537.83	78.9%	183	27.86	4.1%
2018	3,524	532.10	83.5%	3,379	510.21	80.1%	145	21.89	3.4%

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Table 5. South Dakota Marijuana Arrests for Juveniles (2007-2018)
(Arrest rates are per 100,000 population)

Juvenile Year	All			Possession			Sales		
	Total	Rate	Pct. of All Arrests	Total	Rate	Pct. of All Arrests	Total	Rate	Pct. of All Arrests
2007	268	135.66	16.9%	254	128.57	16.0%	14	7.09	0.9%
2008	335	168.93	16.8%	328	165.40	16.5%	7	3.53	0.4%
2009	375	187.86	16.0%	364	182.35	15.5%	11	5.51	0.5%
2010	340	167.79	16.1%	325	160.38	15.4%	15	7.40	0.7%
2011	389	190.66	16.1%	375	183.80	15.5%	14	6.86	0.6%
2012	542	264.23	19.8%	528	257.40	19.3%	14	6.83	0.5%
2013	565	271.10	16.6%	546	261.99	16.0%	19	9.12	0.6%
2014	607	288.14	17.8%	585	277.70	17.2%	22	10.44	0.6%
2015	650	341.92	19.2%	625	328.77	18.4%	25	15.27	0.7%
2016	558	270.41	16.5%	542	262.66	16.1%	16	9.17	0.5%
2017	762	352.83	17.0%	709	328.26	15.8%	53	24.54	1.2%
2018	694	320.67	16.5%	656	303.11	15.6%	38	17.56	0.9%

In 2018 the marijuana possession arrest rate in South Dakota for Native Americans (827.59 per 100,000) was 2.9 times higher than the rate for Whites (289.06). However, the racial disparity between arrests rates for Whites and Native Americans was uncharacteristically low in 2018, even though the rate for Native Americans was nearly three times higher. From 2007 through 2017 the Native American arrest rate for marijuana possession was on average five times higher than for Whites. The marijuana possession arrest rate in 2018 for Blacks (1,490.34 per 100,000) was 5.2 times higher than the rate for Whites (289.06). This racial disparity in marijuana possession arrest rates has been a characteristic of marijuana possession arrests in South Dakota for the last twelve years. (See Figure 2.) On average, the arrest rates for Native Americans and Blacks has been over 5 times higher than for Whites for the 10-year period from 2007 to 2018. (See Table 6.)

Another way of characterizing the difference in the prevalence of marijuana possession arrests is to compare the racial composition of those arrested for marijuana possession with the general population. In 2018 Native Americans accounted for 10.3% of the population, but they comprised 19% of those arrested for marijuana possession. In 2018 Blacks accounted for 2.9% of the population, but they comprised 9.8% of marijuana possession arrests.

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Figure 2. South Dakota Marijuana Possession Arrest Rates by Race (2007-2018)
(Arrest rates are per 100,000 population)

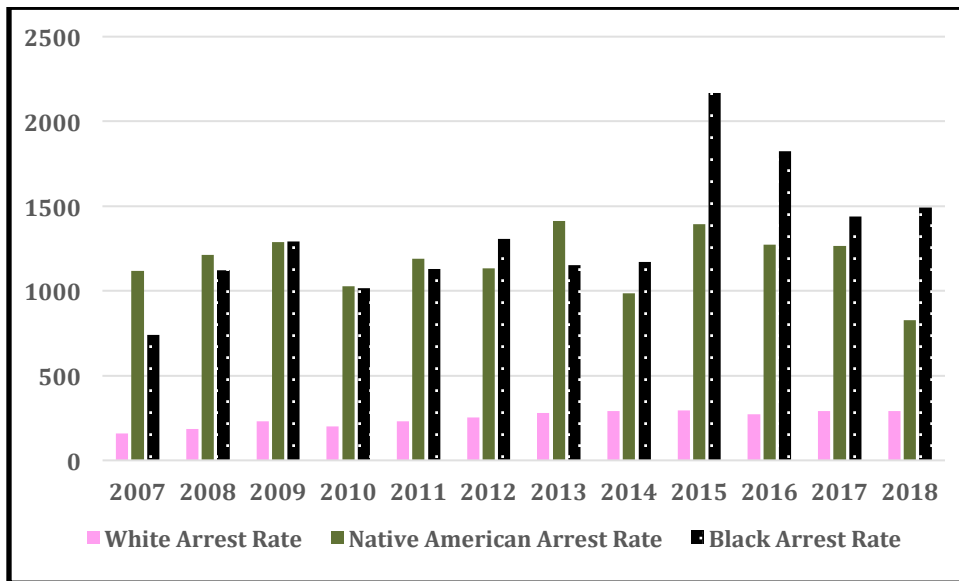


Table 6. Marijuana Possession Arrest Rates by Race (2007-2018)
(Arrest rates are per 100,000 population)

Year	Total Rate	White			Native American			Black		
		Rate	Pop. Pct.	Arrest Pct.	Rate	Pop. Pct.	Arrest Pct.	Rate	Pop. Pct.	Arrest Pct.
2007	206.44	157.16	91.8%	69.9%	1,118.72	4.7%	25.3%	740.44	1.2%	4.4%
2008	243.45	185.92	91.6%	70.0%	1,211.24	4.8%	24.1%	1,122.60	1.2%	5.7%
2009	296.52	229.57	90.8%	70.3%	1,287.49	5.3%	22.9%	1,292.50	1.3%	5.8%
2010	255.05	200.59	89.6%	70.5%	1,028.83	5.8%	23.3%	1,015.76	1.5%	5.8%
2011	289.95	231.25	90.0%	71.8%	1,188.27	5.3%	21.7%	1,128.21	1.6%	6.1%
2012	318.95	252.19	88.8%	70.2%	1,131.90	6.0%	21.1%	1,308.16	1.9%	7.7%
2013	358.36	279.44	88.3%	68.9%	1,412.39	6.0%	23.8%	1,150.84	2.1%	6.6%
2014	363.49	291.10	85.3%	68.3%	987.07	9.0%	24.5%	1,169.50	2.0%	6.4%
2015	421.70	294.21	85.3%	0.60	1,394.23	9.0%	29.9%	2,167.98	1.9%	9.9%
2016	385.97	271.59	85.0%	0.60	1,271.72	8.9%	29.3%	1,823.93	2.1%	10.0%
2017	474.08	289.22	84.7%	51.7%	1,265.23	10.3%	27.4%	1,437.95	2.9%	8.7%
2018	447.93	289.06	84.7%	54.6%	827.59	10.3%	19.0%	1,490.34	2.9%	9.8%

Similar trends are evident in arrests for marijuana sales. In 2018 the marijuana sales arrest rate in South Dakota for Native Americans (27.01 per 100,000) was twice as high than the rate for Whites (13.37). The marijuana sales arrest rate in South Dakota for Blacks (72.65 per 100,000) was 5.7 times higher than the rate for Whites (13.37). This racial disparity in marijuana sales arrest rates has also been a characteristic of marijuana possession arrests in South Dakota for the twelve ten years. From 2007 to 2018, the arrest

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rates for Native Americans for marijuana sales averaged 3.9 times higher than for Whites, and the arrest rate for Blacks has been 4.8 times higher than for Whites. (See Table 7.)

Table 7. Marijuana Sales Arrest Rates by Race (2007-2018)
(Arrest rates are per 100,000 population)

Year	Total Rate	White			Native American			Black		
		Rate	Pop. Pct.	Arrest Pct.	Rate	Pop. Pct.	Arrest Pct.	Rate	Pop. Pct.	Arrest Pct.
2007	21.62	19.17	91.7%	81.3%	79.42	4.3%	15.9%	39.88	1.5%	2.8%
2008	22.61	17.46	91.1%	70.4%	105.48	5.0%	23.2%	95.17	1.5%	6.5%
2009	19.27	18.25	91.4%	86.5%	45.51	4.5%	10.6%	35.27	1.6%	2.9%
2010	21.12	18.99	90.3%	81.3%	63.63	4.4%	13.4%	64.57	1.8%	5.4%
2011	21.49	18.37	90.0%	77.0%	63.63	4.8%	14.3%	77.40	1.8%	6.4%
2012	21.69	17.25	88.4%	70.3%	70.08	5.8%	18.8%	104.31	2.1%	10.2%
2013	23.90	20.70	89.2%	77.2%	66.15	4.7%	13.1%	85.56	2.3%	8.3%
2014	17.99	14.19	86.8%	68.5%	59.93	7.0%	23.4%	64.25	2.3%	8.1%
2015	22.96	17.84	85.5%	66.5%	59.30	8.4%	21.7%	126.93	2.1%	11.8%
2016	22.58	16.08	84.8%	60.4%	63.92	8.7%	24.5%	145.82	2.3%	15.1%
2017	26.39	14.65	84.7%	47.0%	88.20	10.3%	34.3%	62.18	2.9%	6.8%
2018	20.32	13.37	84.7%	55.7%	27.01	10.3%	13.7%	75.65	2.9%	10.9%

The disparity in arrest rates is not explained by differences in the prevalence of marijuana use among these demographic groups. The differences in arrests among Native Americans, Blacks, and Whites is a difference in magnitude. However, there is not a comparable difference in the prevalence of marijuana use – which is similar among these groups. As noted above, in 2018 the NSDUH reports that nationally 15.6% of Whites used marijuana in the last year, while among Blacks, the prevalence of past year use was 17.3%, and among Native Americans, the prevalence of annual use was 24%. If the difference between the annual prevalence of marijuana use among Native Americans and Whites matched the disparity in South Dakota’s arrest rates, the annual use percentage among Native Americans would be five times higher than for Whites, which would constitute a considerable and unlikely difference from the national data. In any event, there is no evidence that differences in marijuana use among Whites, Native Americans, and Blacks account for the racial disparities in marijuana possession arrest rates.

Given the data that nearly three out of five marijuana arrests take place on roads, highways, streets, and parking lots, it is likely that racial disparities in marijuana arrests are explained by differences in levels of police deployment and other factors that account for increased interaction between law enforcement and racial minorities.

Marijuana Arrests in South Dakota

Part Two. County Level Arrests

As noted above, from 2007 to 2013 marijuana arrests in South Dakota increased at a rate of 13.6% annually. In both 2007 and 2013, 15 counties accounted for 80% of all state marijuana arrests. (See Table 8.) Considering these counties, in Lawrence, Meade, Hughes, and Yankton, the rate of growth in marijuana arrests was relatively modest. In two counties a substantial growth rate is explained in part by having fewer than 10 arrests in 2007. A dramatic annual increase was seen in Brookings County, from two arrests in 2007 to 100 in 2013, an annual rate of increase of 91.9%. Similarly, the increase in Lake County from eight arrests in 2007 to 55 in 2013 produced a growth rate of 37.9%. Pennington County led the state in arrests in 2007 with 348 and had the second highest arrest total in 2013 with 607, producing an annual growth rate for this period of 9.7%. Significant changes in arrest totals occurred in Minnehaha (24.2% annual growth), Codington (25.7% annual growth), Lincoln (28.8% annual growth) and Roberts County (23.6% annual growth).

Table 8. Growth in Arrests in Selected Counties (2007-2013)
(Arrest rates are per 100,000 population)

County	2007 Arrests	2013 Arrests	Annual Growth Rate
Minnehaha	214	784	24.2%
Pennington	348	607	9.7%
Codington	53	209	25.7%
Brown	105	170	8.4%
Lincoln	30	137	28.8%
Meade	114	116	0.3%
Hughes	87	112	4.3%
Brookings	2	100	91.9%
Roberts	28	100	23.6%
Davison	49	94	11.5%
Yankton	92	88	-0.7%
Beadle	40	82	12.7%
Lawrence	63	81	4.3%
Lake	8	55	37.9%
Charles Mix	30	51	9.2%

The highest possession arrest rates in 2016 were in Dewey (1,636 per 100,000), Buffalo (847), Hughes (817), Todd (770), and Roberts County (731). (See Table 9.) Other counties with notable arrest rates include Oglala Lakota (683 per 100,000), where all 99 arrests were from the Native American population, Pennington (454) with 514 arrests, Minnehaha (419) with 929 arrests, and Brown County (593) with 232 arrests.

Detailed county level data on possession and sales arrests from 2007 to 2016 are contained in Appendix 1. County level possession arrests by race for 2016 are provided in Appendix 2. Also, county possession

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arrest rates and percentage of arrests by race, along with adult and juvenile percentages of total arrests are provided in Appendix 3.

**Table 9. Top 25 Counties by 2016 Possession Arrest Rates
(Arrest rates are per 100,000 population)**

County	Total	Rate	County	Total	Rate
Dewey	115	1,636	Minnehaha	929	419
Buffalo	18	847	Moody	29	416
Hughes	144	817	Fall River	27	397
Todd	77	770	Edmunds	14	352
Roberts	81	731	Clay	46	330
Tripp	38	706	Brookings	113	323
Oglala Lakota	99	683	Yankton	73	322
Corson	33	651	Beadle	49	264
Brown	232	593	Lyman	10	257
Walworth	28	506	Jerauld	5	253
Davison	93	468	Marshall	12	251
Pennington	514	454	Union	38	247
Codington	123	439			

Of the 25 counties with the largest Native American populations in the state (by percentage of total population), 17 have possession arrest rates at least 50% higher than the statewide possession arrest rate (over 600 compared to the statewide rate of 400). (See Table 10.) These include Dewey (with 112 arrests and a Native American arrest rate of 2,176), Minnehaha (with 122 arrests and a Native American arrest rate of 2,036), Pennington County (with 176 arrests and a Native American arrest rate of 1,543), and Oglala Lakota (with 99 arrests and a Native American Arrest rate of 734 per 100,000).

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Table 10. Marijuana Possession Arrests in the Counties with the Top 25 Largest Native American Populations by Percentage, Sorted by Native American Arrest Rate (2016)
(Arrest rates are per 100,000 population)

			White			Native American				Black		
County	Total	Rate	Rate	Pop. Pct.	Arrest Pct.	Total	Rate	Pop. Pct.	Arrest Pct.	Rate	Pop. Pct.	Arrest Pct.
Davison	93	468	381	93.7%	76.3%	20	3,309	3.0%	21.5%	585	0.9%	1.1%
Hughes	144	817	490	84.6%	50.7%	64	3,265	11.1%	44.4%	4,725	0.8%	4.9%
Tripp	38	706	294	82.3%	34.2%	23	2,990	14.3%	60.5%	10,204	0.4%	5.3%
Dewey	115	1,636	66	21.5%	0.9%	112	2,176	73.2%	97.4%	3,268	0.4%	0.9%
Brown	232	593	483	89.9%	73.3%	29	2,146	3.5%	12.5%	4,228	1.7%	12.1%
Minnehaha	929	419	303	87.3%	63.2%	122	2,036	2.7%	13.1%	1,832	5.2%	22.8%
Roberts	81	731	62	58.4%	4.9%	76	1,841	37.3%	93.8%	1,286	0.7%	1.2%
Yankton	73	322	282	92.3%	80.8%	12	1,708	3.1%	16.4%	419	2.1%	2.7%
Moody	29	416	180	79.5%	34.5%	16	1,650	13.9%	55.2%	1,635	1.8%	6.9%
Pennington	514	454	334	83.6%	61.5%	176	1,543	10.1%	34.2%	1,393	1.3%	4.1%
Walworth	28	506	386	79.6%	60.7%	10	1,254	14.4%	35.7%	0	0.6%	0.0%
Buffalo	18	847	0	15.5%	0.0%	18	1,044	81.2%	100.0%	0	0.8%	0.0%
Todd	77	770	0	9.2%	0.0%	77	877	87.8%	100.0%	0	0.5%	0.0%
Oglala Lakota	99	683	0	4.6%	0.0%	99	734	93.0%	100.0%	0	0.2%	0.0%
Clay	46	330	302	90.1%	82.6%	3	671	3.2%	6.5%	2,018	1.8%	10.9%
Lyman	10	257	0	55.9%	0.0%	10	648	39.7%	100.0%	0	0.6%	0.0%
Charles Mix	23	224	30	64.1%	8.7%	21	643	31.9%	91.3%	0	0.4%	0.0%
Meade	51	212	197	91.1%	84.3%	4	581	2.9%	7.8%	659	1.9%	5.9%
Marshall	12	251	237	88.2%	83.3%	2	480	8.7%	16.7%	0	1.0%	0.0%
Bennett	6	176	0	34.4%	0.0%	6	298	59.1%	100.0%	0	0.5%	0.0%
Brule	3	57	44	86.1%	66.7%	1	199	9.6%	33.3%	0	0.4%	0.0%
Corson	33	651	1,381	31.4%	66.7%	5	154	64.2%	15.2%	18,796	0.3%	9.1%
Bon Homme	3	43	48	89.1%	100.0%	0	0	7.9%	0.0%	0	1.3%	0.0%
Fall River	27	397	436	87.6%	96.3%	0	0	6.9%	0.0%	0	1.4%	0.0%
Custer	7	83	89	92.9%	100.0%	0	0	3.8%	0.0%	0	0.6%	0.0%

Three counties accounted for 61% of the juvenile arrests for marijuana possession: Minnehaha (159 arrests), Pennington (122 arrests), and Hughes County (60 arrests). In all three counties the arrest rate for Native American juveniles was significantly higher than for white juveniles. In Minnehaha County the Native American arrest rate for juveniles was 5.2 times higher than for white juveniles. In Pennington County the Native American arrest rate for juveniles was 2.7 times higher. In Hughes County the Native American arrest rate for juveniles was 1.8 times higher. (See Table 11.)

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Table 11. Juvenile Marijuana Possession Arrest in Selected Counties, by Race (2016)
(Arrest rates are per 100,000 population)

County	Total	White Arrests	White Rate	Native American Arrests	Native American Rate	Black Arrests	Black Rate
Minnehaha	159	103	305	26	1,581	14	270
Pennington	122	76	439	39	1,196	3	181
Hughes	60	23	747	9	1,374	3	1,807
Brown	21	17	224	2	404	1	256
Lincoln	19	17	125			1	213
Davison	17	14	353	3	1,111		
Yankton	16	14	337	1	833	1	524
Beadle	14	8	252			1	1,667
Meade	11	9	166				
Codington	9	4	66	5	2,083		

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Part Three. Criminal Justice System, Public Safety, and Social Costs of Arrests

Enforcement of South Dakota's marijuana laws takes up a significant portion of the state's criminal justice and public safety resources. Much of this enforcement involves arresting, jailing, and prosecuting adults for marijuana offenses, the vast majority of those being offenses that involve only possession of small amounts. In 2018, according to the FBI's Crime Data Explorer approximately 1 out of every 10 arrests in South Dakota was for marijuana (4,218 marijuana arrests out of 44,389 total arrests, or 9.5%).

Proponents of criminal penalties for marijuana offenses argue that the fiscal costs of marijuana laws can be disregarded because prosecutors and courts will be lenient by disposing of cases through plea-bargaining, probation, and short sentences, especially for first-time offenders. However, if so, what is the argument in favor of severe statutory penalties if in practice they are not applied? More important, though, is considering what the cost would be if severe penalties were indeed applied.

According to the South Dakota Legislative Research Council, the cost of one day in jail for someone convicted of a Class 5 or 6 Felony is \$90.26. On this basis, the annual cost of jailing all 4,218 people arrested for marijuana in South Dakota for only 15 days each would be \$5.7 million. A sentence of 90 days each would cost the state \$34.3 million. (See Table 12.) Sentencing each to a full year in prison, the statutory maximum for possession of eight ounces or less, would be \$139 million.

Table 12. Prospective Jail Costs* if All 2018 Marijuana Arrestees Served 90 days or Less

Days in Jail	Cost per Arrest*	Projected Cost of Arrests in 2018
15	\$1,354	\$5,711,172
30	\$2,708	\$11,422,344
45	\$4,062	\$17,133,516
60	\$5,416	\$22,844,688
75	\$6,770	\$28,555,860
90	\$8,123	\$34,262,814

*Calculated based on 4,218 arrests at \$90.26 day

Most marijuana arrests are made by county and local police agencies. According to the Department of Justice's Bureau of Justice Statistics (BJS), the cost of county and local law enforcement in South Dakota in 2015 was \$152.1 million. County and local courts cost \$33.3 million. The combined cost of policing and courts at the local level was \$185.4 million. Law enforcement brought 3,394 marijuana arrests to the court system in 2015. Marijuana arrests accounted for 7.4% of the 46,170 arrests reported by the Uniform Crime Reporting Program for South Dakota this year. This percentage of arrests, applied to the total cost of law enforcement and courts, would amount to a cost of \$13.7 million to enforce marijuana laws. This is approximately \$4,000 per arrest.

This cost estimate for police and the courts should be taken as a rough approximation, especially since both the police and the courts have other responsibilities aside from processing arrests. But consider what costs begin to pile up with each arrest. The police officer takes the offender into custody, transports them to the police station, and fills out an arrest report. The offender is taken into custody

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and placed in jail, then brought before a judge or magistrate where bail is determined and, if necessary, a lawyer if provided by the court. A file on the case is generated for both the prosecutor and the court. Time is scheduled and devoted by the prosecutor to reviewing the case and, if warranted, negotiating a plea bargain. The case is eventually brought before a judge, whether to approve a plea bargain or to preside over a trial (which has its own requirements and costs). The disposition of the case will involve either incarceration, at \$90.26 a day for jail time or, in a more severe case, \$44.86 a day for prison time or probationary supervision, which also incurs costs to the taxpayers.

The burden of enforcing South Dakota's marijuana laws can also be considered in terms of opportunity costs. There is some evidence in scholarly literature that clearance rates for violent crimes and property crimes may increase following implementation of laws that legalize the possession of marijuana for adults (Malkin, et al. 2018). It is difficult to say with precision how much time a police officer may spend on a given marijuana arrest. One report that analyzed police activity in New York City estimates that two to five police-officer-hours are spent per marijuana arrest. Assuming a conservative average of 2.5 hours per arrest, one can estimate that South Dakota police officers spent more than 10,000 hours (or the equivalent of 439 days) in 2018 arresting people for marijuana offenses (Levine and Siegel, 2013). It is reasonable to consider that this amount of time, if dedicated to the investigation or prevention of other crimes, could have a positive effect on the clearance rates for other offenses.

Though similarly difficult to quantify, it is also worth noting the costs associated with the individuals who are arrested (and in some cases, their families). In addition to jail time, fines, and other sentences imposed by a marijuana conviction, marijuana arrests often lead to other harmful consequences that can follow an individual long after formal punishments are completed. In South Dakota, depending on the nature of the offense, these can include: loss of eligibility for adoption or foster parenting; loss of eligibility for public housing; loss of eligibility for Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance to Needy Families (TANF); difficulties securing employment due to employer discrimination; barriers to professional licensure; loss of educational aid; revocation of driver's license; and loss of the right to possess a firearm.

On a qualitative basis, the enforcement of marijuana laws consumes criminal justice resources. From the moment of arrest, the costs begin to accumulate. It can be argued that the police and the courts have a policy of reducing the cost of enforcement of marijuana laws, whatever the true cost may be. However, the most effective way of reducing the costs of marijuana laws is to reduce the penalties used to sanction marijuana users.

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Appendix

Marijuana Arrests in South Dakota

Appendix Contents and Notes

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

The source for the 2007 - 2014 data is the Uniform Crime Reporting Program County Level dataset. The published dataset contains imputed data to produce annual totals for each county. The data is imputed from the available reported data. Arrest rates were calculated from population data provided for each county in the published dataset. The source for the 2015-2016 data is the Uniform Crime Reporting Program Age, Sex, Race (ASR) data set.

Appendix 2. South Dakota County Level Marijuana Possession Arrests, by Race (2016)

The source for the arrest data in this appendix is the Uniform Crime Reporting Program Age, Sex, Race (ASR) data set. Unlike the County Level dataset, the ASR dataset does not contain imputed data. The population data used to calculate arrest rates was obtained from the United States Census Bureau. Counties with small arrest totals can produce statistically large arrest rates among demographic groups with small population sizes relative to the county population.

For example, in 2016 Jerauld County had 5 marijuana possession arrests, of which 2 were white and 2 were Black. Thus, each demographic group accounted for 40% of all arrests in the County. Whites were 97.6% of the county population, producing an arrest rate of 104 per 100,000. Blacks were .2% of the county population, producing an arrest rate of 67,611 per 100,000. There were only 2 Blacks arrested for marijuana possession in Jerauld County. Extremely large arrest rates must be interpreted within the context of the total number of arrests involved.

Appendix 3. Selected Characteristics of South Dakota Marijuana Possession Arrests, by County (2007-2016)

The source for the arrest data in this appendix is the Uniform Crime Reporting Program Age, Sex, Race (ASR) data set. Unlike the County Level dataset, the ASR dataset does not contain imputed data. The population data used to calculate arrest rates was obtained from the United States Census Bureau. Counties with small arrest totals can produce statistically large arrest rates among demographic groups with small population sizes relative to the county population. See above discussion for Appendix 2.

Also, in some years some police agencies have not reported to the Uniform Crime Reporting Program, often because of budget constraints. Appendix 3 reports county level data, meaning the data from reporting agencies has been aggregated to produce county totals. The "Reporting Agency Coverage" information indicates the amount of the county populations included in the jurisdiction of the reporting agencies for the county and year of the table entry. Thus, for some counties there is no data for some years, and for some counties there is incomplete data for the whole county. The reported arrest rates are for the demographic populations in the jurisdictions of the reporting agencies.

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
Aurora	2007	7	239.81	4	137.03	3	102.77
Aurora	2008	0	0	0	0	0	0
Aurora	2009	1	35.05	0	0	1	35.05
Aurora	2010	5	184.5	3	110.7	2	73.8
Aurora	2011	7	255.2	7	255.2	0	0
Aurora	2012	2	73.42	1	36.71	1	36.71
Aurora	2013	1	36.05	1	36.05	0	0
Aurora	2014	1	36.68	1	36.68	0	0
Aurora	2015	2	72.99	2	72.99		
Beadle	2007	40	255.49	37	236.33	3	19.16
Beadle	2008	42	270.1	39	250.8	3	19.29
Beadle	2009	41	259.59	39	246.93	2	12.66
Beadle	2010	44	252.9	41	235.66	3	17.24
Beadle	2011	51	289.61	47	266.89	4	22.71
Beadle	2012	47	264.83	44	247.93	3	16.9
Beadle	2013	82	455.86	63	350.23	19	105.63
Beadle	2014	83	454.27	76	415.96	7	38.31
Beadle	2015	61	333.88	60	328.41	1	5.47
Beadle	2016	51	275.26	49	264.46	2	10.79
Bennett	2007	14	390.73	14	390.73	0	0
Bennett	2008	15	436.94	15	436.94	0	0
Bennett	2009	7	207.04	4	118.31	3	88.73
Bennett	2010	2	58.29	1	29.15	1	29.15
Bennett	2011	1	28.79	0	0	1	28.79
Bennett	2012	44	1264.37	39	1120.69	5	143.68
Bennett	2013	12	347.22	12	347.22	0	0
Bennett	2014	9	260.27	9	260.27	0	0
Bennett	2015	5	146.67	5	146.67		
Bennett	2016	6	175.90	6	175.9		
Bon Homme	2007	0	0	0	0	0	0
Bon Homme	2008	2	28.3	2	28.3	0	0
Bon Homme	2009	0	0	0	0	0	0
Bon Homme	2010	3	42.43	3	42.43	0	0
Bon Homme	2011	1	13.97	1	13.97	0	0
Bon Homme	2012	2	28.32	2	28.32	0	0
Bon Homme	2013	3	42.46	3	42.46	0	0
Bon Homme	2014	16	226.98	16	226.98	0	0
Bon Homme	2015	4	156.19	3	117.14	1	39.05
Bon Homme	2016	3	43.13	3	43.13		

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
Brookings	2007	2	7.01	2	7.01	0	0
Brookings	2008	40	135.9	40	135.9	0	0
Brookings	2009	44	147.22	44	147.22	0	0
Brookings	2010	114	356.64	110	344.13	4	12.51
Brookings	2011	151	466.71	148	457.44	3	9.27
Brookings	2012	135	414.25	124	380.5	11	33.75
Brookings	2013	100	302.54	93	281.36	7	21.18
Brookings	2014	156	469.3	150	451.25	6	18.05
Brookings	2015	139	415.26	135	403.31	4	11.95
Brookings	2016	120	343.45	113	323.41	7	20.03
Brown	2007	105	300.19	96	274.46	9	25.73
Brown	2008	88	250.26	81	230.35	7	19.91
Brown	2009	60	170.44	58	164.76	2	5.68
Brown	2010	76	208.04	71	194.36	5	13.69
Brown	2011	104	281.27	100	270.45	4	10.82
Brown	2012	121	324.95	116	311.53	5	13.43
Brown	2013	170	449.43	158	417.7	12	31.72
Brown	2014	147	384.08	139	363.18	8	20.9
Brown	2015	183	492.41	182	489.72	1	2.69
Brown	2016	236	602.98	232	592.76	4	10.22
Brule	2007	10	192.09	9	172.88	1	19.21
Brule	2008	3	57.89	3	57.89	0	0
Brule	2009	5	96.15	5	96.15	0	0
Brule	2010	6	114.18	6	114.18	0	0
Brule	2011	14	263.21	11	206.81	3	56.4
Brule	2012	9	168.48	9	168.48	0	0
Brule	2013	14	262.42	13	243.67	1	18.74
Brule	2014	22	407.71	21	389.18	1	18.53
Brule	2015	2	83.16	2	83.16		
Brule	2016	3	56.95	3	56.95		
Buffalo	2007	2	92.94	2	92.94	0	0
Buffalo	2008	3	140.91	3	140.91	0	0
Buffalo	2009	3	138.76	3	138.76	0	0
Buffalo	2010	3	156.9	3	156.9	0	0
Buffalo	2011	3	155.04	3	155.04	0	0
Buffalo	2012	3	149.25	3	149.25	0	0
Buffalo	2013	9	435.84	8	387.41	1	48.43
Buffalo	2014	7	341.96	7	341.96	0	0
Buffalo	2015	16	752.94	16	752.94		
Buffalo	2016	18	847.06	18	847.06		

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
Butte	2007	2	20.98	2	20.98	0	0
Butte	2008	8	83.81	8	83.81	0	0
Butte	2009	2	20.68	2	20.68	0	0
Butte	2010	5	49.46	5	49.46	0	0
Butte	2011	9	87.95	9	87.95	0	0
Butte	2012	12	115.67	12	115.67	0	0
Butte	2013	18	174.22	15	145.18	3	29.04
Butte	2014	24	230.97	22	211.72	2	19.25
Butte	2015	14	136.07	12	116.63	2	19.44
Butte	2016	21	192.93	20	183.74	1	9.19
Campbell	2007	1	67.8	1	67.8	0	0
Campbell	2008	0	0	0	0	0	0
Campbell	2009	0	0	0	0	0	0
Campbell	2010	0	0	0	0	0	0
Campbell	2011	0	0	0	0	0	0
Campbell	2012	0	0	0	0	0	0
Campbell	2013	1	72.46	1	72.46	0	0
Campbell	2014	1	76.8	1	76.8	0	0
Campbell	2015	1	73.64	1	73.64		
Charles Mix	2007	30	321.78	29	311.06	1	10.73
Charles Mix	2008	39	436.78	37	414.38	2	22.4
Charles Mix	2009	39	439.29	38	428.02	1	11.26
Charles Mix	2010	30	328.62	30	328.62	0	0
Charles Mix	2011	35	378.79	35	378.79	0	0
Charles Mix	2012	30	322.16	29	311.43	1	10.74
Charles Mix	2013	51	548.03	50	537.29	1	10.75
Charles Mix	2014	41	442.1	41	442.1	0	0
Charles Mix	2015	32	398.85	32	398.85		
Charles Mix	2016	25	243.76	23	224.26	2	19.5
Clark	2007	3	81.74	2	54.5	1	27.25
Clark	2008	4	117.41	4	117.41	0	0
Clark	2009	5	148.15	5	148.15	0	0
Clark	2010	0	0	0	0	0	0
Clark	2011	0	0	0	0	0	0
Clark	2012	14	381.58	10	272.55	4	109.02
Clark	2013	8	223.9	6	167.93	2	55.98
Clark	2014	4	111.36	4	111.36	0	0
Clark	2015	5	138.39	5	138.39		
Clark	2016	3	82.33	3	82.33		

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
Clay	2007	34	266.46	30	235.11	4	31.35
Clay	2008	43	325.98	43	325.98	0	0
Clay	2009	146	1084.94	146	1084.94	0	0
Clay	2010	36	263.22	35	255.9	1	7.31
Clay	2011	39	281.71	37	267.26	2	14.45
Clay	2012	30	214.01	27	192.61	3	21.4
Clay	2013	35	247.66	34	240.59	1	7.08
Clay	2014	32	232.12	31	224.87	1	7.25
Clay	2015	30	218.99	30	218.99		
Clay	2016	48	343.86	46	329.54	2	14.33
Codington	2007	53	198.18	52	194.44	1	3.74
Codington	2008	89	336.14	81	305.93	8	30.21
Codington	2009	87	329.31	75	283.89	12	45.42
Codington	2010	93	341.57	87	319.54	6	22.04
Codington	2011	122	442.7	108	391.9	14	50.8
Codington	2012	144	518.9	132	475.66	12	43.24
Codington	2013	209	748.51	195	698.37	14	50.14
Codington	2014	158	563.44	146	520.65	12	42.79
Codington	2015	139	496.84	123	439.65	16	57.19
Codington	2016	129	460.35	123	438.94	6	21.41
Corson	2007	0	0	0	0	0	0
Corson	2008	5	118.57	5	118.57	0	0
Corson	2009	5	120.8	5	120.8	0	0
Corson	2010	2	49.38	2	49.38	0	0
Corson	2011	3	73.19	3	73.19	0	0
Corson	2012	13	319.65	11	270.47	2	49.18
Corson	2013	19	462.74	19	462.74	0	0
Corson	2014	21	493.31	20	469.81	1	23.49
Corson	2015	29	692.12	29	692.12		
Corson	2016	33	650.50	33	650.5		
Custer	2007	0	0	0	0	0	0
Custer	2008	2	25.3	2	25.3	0	0
Custer	2009	9	114.1	9	114.1	0	0
Custer	2010	12	146.06	11	133.89	1	12.17
Custer	2011	15	180.38	11	132.28	4	48.1
Custer	2012	4	47.44	4	47.44	0	0
Custer	2013	21	249.41	21	249.41	0	0
Custer	2014	31	363.59	30	351.86	1	11.73
Custer	2015	11	136.66	11	136.66		
Custer	2016	7	82.71	7	82.71		

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
Davison	2007	49	253.61	39	201.85	10	51.76
Davison	2008	109	570.59	85	444.96	24	125.63
Davison	2009	79	415.94	64	336.97	15	78.98
Davison	2010	90	461.44	63	323.01	27	138.43
Davison	2011	94	476.17	65	329.26	29	146.9
Davison	2012	117	588.77	98	493.16	19	95.61
Davison	2013	94	470.24	80	400.2	14	70.04
Davison	2014	102	512.1	95	476.96	7	35.14
Davison	2015	91	457.82	87	437.69	4	20.12
Davison	2016	102	512.95	93	467.69	9	45.26
Day	2007	12	207.4	11	190.11	1	17.28
Day	2008	13	231.61	12	213.79	1	17.82
Day	2009	12	219.66	11	201.35	1	18.3
Day	2010	12	210.16	11	192.64	1	17.51
Day	2011	13	224.95	12	207.65	1	17.3
Day	2012	14	241.13	13	223.91	1	17.22
Day	2013	26	462.8	24	427.2	2	35.6
Day	2014	23	412.78	22	394.83	1	17.95
Deuel	2007	14	323.55	14	323.55	0	0
Deuel	2008	11	259.37	9	212.21	2	47.16
Deuel	2009	10	234.63	9	211.17	1	23.46
Deuel	2010	4	91.66	4	91.66	0	0
Deuel	2011	3	67.92	3	67.92	0	0
Deuel	2012	1	22.69	1	22.69	0	0
Deuel	2013	4	90.5	4	90.5	0	0
Deuel	2014	4	92.66	4	92.66	0	0
Deuel	2015	1	23.36	1	23.36		
Dewey	2007	0	0	0	0	0	0
Dewey	2008	0	0	0	0	0	0
Dewey	2009	0	0	0	0	0	0
Dewey	2010	1	16.4	1	16.4	0	0
Dewey	2011	0	0	0	0	0	0
Dewey	2012	1	15.89	1	15.89	0	0
Dewey	2013	5	77.39	5	77.39	0	0
Dewey	2014	3	46.42	3	46.42	0	0
Dewey	2015	145	2224.27	144	2208.93	1	15.34
Dewey	2016	121	1721.44	115	1636.08	6	85.36

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
Douglas	2007	0	0	0	0	0	0
Douglas	2008	1	33.6	1	33.6	0	0
Douglas	2009	0	0	0	0	0	0
Douglas	2010	2	66.62	2	66.62	0	0
Douglas	2011	0	0	0	0	0	0
Douglas	2012	0	0	0	0	0	0
Douglas	2013	1	33.5	1	33.5	0	0
Douglas	2014	1	32.96	1	32.96	0	0
Douglas	2016	2	44.64	2	44.64		
Edmunds	2007	2	49.1	2	49.1	0	0
Edmunds	2008	9	226.3	9	226.3	0	0
Edmunds	2009	7	174.65	7	174.65	0	0
Edmunds	2010	3	73.69	3	73.69	0	0
Edmunds	2011	2	48.53	1	24.27	1	24.27
Edmunds	2012	5	121.89	5	121.89	0	0
Edmunds	2013	12	297.25	12	297.25	0	0
Edmunds	2014	18	445.88	17	421.1	1	24.77
Edmunds	2015	19	482.23	19	482.23		
Edmunds	2016	16	402.41	14	352.11	2	50.76
Fall River	2007	4	54.2	3	40.65	1	13.55
Fall River	2008	11	152.71	10	138.83	1	13.88
Fall River	2009	4	56.09	4	56.09	0	0
Fall River	2010	7	98.67	7	98.67	0	0
Fall River	2011	12	167.13	12	167.13	0	0
Fall River	2012	19	269.12	19	269.12	0	0
Fall River	2013	36	516.35	35	502.01	1	14.34
Fall River	2014	14	206.55	13	191.8	1	14.75
Fall River	2015	15	433.03	13	375.29	2	50.3
Fall River	2016	27	396.77	27	396.77		
Faulk	2007	0	0	0	0	0	0
Faulk	2008	1	44.62	1	44.62	0	0
Faulk	2009	3	135.01	3	135.01	0	0
Faulk	2010	0	0	0	0	0	0
Faulk	2011	2	83.58	2	83.58	0	0
Faulk	2012	1	41.77	1	41.77	0	0
Faulk	2013	1	41.72	1	41.72	0	0
Faulk	2014	3	125.37	3	125.37	0	0
Faulk	2015	5	213.40	3	128.04	2	29.39

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
Grant	2007	16	219.39	14	191.96	2	27.42
Grant	2008	19	267.76	17	239.57	2	28.18
Grant	2009	18	255.72	17	241.51	1	14.21
Grant	2010	17	231.1	16	217.51	1	13.59
Grant	2011	19	255.2	18	241.77	1	13.43
Grant	2012	21	286.42	20	272.78	1	13.64
Grant	2013	35	480.9	32	439.68	3	41.22
Grant	2014	33	453.86	31	426.35	2	27.51
Gregory	2007	7	164.51	6	141.01	1	23.5
Gregory	2008	8	197.73	7	173.01	1	24.72
Gregory	2009	7	174	7	174	0	0
Gregory	2010	8	187.31	7	163.9	1	23.41
Gregory	2011	9	208.19	8	185.06	1	23.13
Gregory	2012	10	234.58	9	211.12	1	23.46
Gregory	2013	17	395.72	16	372.44	1	23.28
Gregory	2014	16	377.18	15	353.61	1	23.57
Haakon	2007	3	162.43	3	162.43	0	0
Haakon	2008	4	220.87	4	220.87	0	0
Haakon	2009	4	223.84	4	223.84	0	0
Haakon	2010	2	103.25	2	103.25	0	0
Haakon	2011	2	101.99	2	101.99	0	0
Haakon	2012	2	103.73	2	103.73	0	0
Haakon	2013	5	255.49	5	255.49	0	0
Haakon	2014	4	211.75	4	211.75	0	0
Hamlin	2007	2	35.11	2	35.11	0	0
Hamlin	2008	7	124.03	7	124.03	0	0
Hamlin	2009	11	193.49	8	140.72	3	52.77
Hamlin	2010	3	50.82	3	50.82	0	0
Hamlin	2011	2	33.47	2	33.47	0	0
Hamlin	2012	3	49.63	3	49.63	0	0
Hamlin	2013	3	50.35	3	50.35	0	0
Hamlin	2014	2	33.45	2	33.45	0	0
Hamlin	2015	2	38.28	2	38.28		
Hamlin	2016	14	177.22	11	139.24	3	37.97

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana		Possession		Sale	
		Arrests	Rate	Arrests	Rate	Arrests	Rate
Hand	2007	0	0	0	0	0	0
Hand	2008	1	30.96	1	30.96	0	0
Hand	2009	0	0	0	0	0	0
Hand	2010	0	0	0	0	0	0
Hand	2011	0	0	0	0	0	0
Hand	2012	0	0	0	0	0	0
Hand	2013	4	117.75	2	58.88	2	58.88
Hand	2014	1	29.54	1	29.54	0	0
Hanson	2007	0	0	0	0	0	0
Hanson	2008	0	0	0	0	0	0
Hanson	2009	0	0	0	0	0	0
Hanson	2010	0	0	0	0	0	0
Hanson	2011	1	29.66	1	29.66	0	0
Hanson	2012	1	29.29	1	29.29	0	0
Hanson	2013	1	29.29	1	29.29	0	0
Hanson	2014	1	29.21	1	29.21	0	0
Harding	2007	0	0	0	0	0	0
Harding	2008	0	0	0	0	0	0
Harding	2009	2	177.46	2	177.46	0	0
Harding	2010	0	0	0	0	0	0
Harding	2011	0	0	0	0	0	0
Harding	2012	0	0	0	0	0	0
Harding	2013	1	74.13	1	74.13	0	0
Harding	2014	1	78.86	1	78.86	0	0
Hughes	2007	87	505.05	64	371.53	23	133.52
Hughes	2008	68	400.68	51	300.51	17	100.17
Hughes	2009	52	309.34	41	243.9	11	65.44
Hughes	2010	70	411.23	66	387.73	4	23.5
Hughes	2011	57	330.84	42	243.78	15	87.06
Hughes	2012	56	320.24	50	285.93	6	34.31
Hughes	2013	112	632.7	109	615.75	3	16.95
Hughes	2014	98	555.62	95	538.61	3	17.01
Hughes	2015	136	768.40	135	762.75	1	5.65
Hughes	2016	148	840.10	144	817.39	4	22.71

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
Hutchinson	2007	0	0	0	0	0	0
Hutchinson	2008	2	27.5	2	27.5	0	0
Hutchinson	2009	1	13.93	1	13.93	0	0
Hutchinson	2010	0	0	0	0	0	0
Hutchinson	2011	5	67.28	5	67.28	0	0
Hutchinson	2012	1	13.63	1	13.63	0	0
Hutchinson	2013	3	41.75	3	41.75	0	0
Hutchinson	2014	4	56.29	4	56.29	0	0
Hutchinson	2015	1	16.89	1	16.89		
Hyde	2007	3	193.05	3	193.05	0	0
Hyde	2008	4	276.82	4	276.82	0	0
Hyde	2009	4	285.1	4	285.1	0	0
Hyde	2010	2	140.85	2	140.85	0	0
Hyde	2011	2	139.18	2	139.18	0	0
Hyde	2012	2	141.84	2	141.84	0	0
Hyde	2013	7	481.43	6	412.65	1	68.78
Hyde	2014	5	360.75	5	360.75	0	0
Jackson	2007	2	68.21	2	68.21	0	0
Jackson	2008	3	107.87	3	107.87	0	0
Jackson	2009	3	111.4	3	111.4	0	0
Jackson	2010	3	98.98	3	98.98	0	0
Jackson	2011	3	97.78	3	97.78	0	0
Jackson	2012	3	93.6	3	93.6	0	0
Jackson	2013	11	336.91	10	306.28	1	30.63
Jackson	2014	10	306.47	9	275.82	1	30.65
Jackson	2015	1	140.85	1	140.85		
Jerauld	2007	4	193.33	4	193.33	0	0
Jerauld	2008	1	50.89	1	50.89	0	0
Jerauld	2009	0	0	0	0	0	0
Jerauld	2010	1	48.29	1	48.29	0	0
Jerauld	2011	0	0	0	0	0	0
Jerauld	2012	6	284.63	4	189.75	2	94.88
Jerauld	2013	3	146.41	3	146.41	0	0
Jerauld	2014	4	193.8	4	193.8	0	0
Jerauld	2015	3	151.67	3	151.67		
Jerauld	2016	5	253.04	5	253.04		

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
Jones	2007	1	93.9	1	93.9	0	0
Jones	2008	2	191.75	2	191.75	0	0
Jones	2009	1	99.01	1	99.01	0	0
Jones	2010	1	99.4	1	99.4	0	0
Jones	2011	1	98.23	1	98.23	0	0
Jones	2012	1	98.62	1	98.62	0	0
Jones	2013	4	391.39	4	391.39	0	0
Jones	2014	3	299.7	3	299.7	0	0
Kingsbury	2007	0	0	0	0	0	0
Kingsbury	2008	9	168	8	149.34	1	18.67
Kingsbury	2009	9	167.88	8	149.23	1	18.65
Kingsbury	2010	7	135.98	7	135.98	0	0
Kingsbury	2011	8	153.52	7	134.33	1	19.19
Kingsbury	2012	8	152.76	7	133.66	1	19.09
Kingsbury	2013	22	416.35	20	378.5	2	37.85
Kingsbury	2014	18	356.22	17	336.43	1	19.79
Lake	2007	8	70.8	7	61.95	1	8.85
Lake	2008	29	254.03	22	192.71	7	61.32
Lake	2009	37	314.39	36	305.89	1	8.5
Lake	2010	24	214.29	24	214.29	0	0
Lake	2011	32	282.29	27	238.18	5	44.11
Lake	2012	32	273.57	29	247.93	3	25.65
Lake	2013	55	457.42	51	424.15	4	33.27
Lake	2014	56	456.36	54	440.06	2	16.3
Lake	2015	42	576.76	37	508.1	5	68.66
Lake	2016	20	155.28	18	139.75	2	15.53
Lawrence	2007	63	272.63	57	246.67	6	25.97
Lawrence	2008	76	321.88	69	292.24	7	29.65
Lawrence	2009	75	315.42	66	277.57	9	37.85
Lawrence	2010	75	311.24	66	273.89	9	37.35
Lawrence	2011	78	319.8	73	299.3	5	20.5
Lawrence	2012	78	317.25	75	305.05	3	12.2
Lawrence	2013	81	328.77	77	312.54	4	16.24
Lawrence	2014	47	187.06	46	183.08	1	3.98
Lawrence	2015	30	121.68	29	117.62	1	4.06
Lawrence	2016	37	148.59	37	148.59		

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
Lincoln	2008	58	189.85	57	186.57	1	3.27
Lincoln	2009	54	199	44	162.15	10	36.85
Lincoln	2010	44	188.24	33	141.18	11	47.06
Lincoln	2011	33	139.49	28	118.35	5	21.13
Lincoln	2012	63	255.4	51	206.75	12	48.65
Lincoln	2013	137	523.1	121	462.01	16	61.09
Lincoln	2014	108	405.51	100	375.47	8	30.04
Lincoln	2015	108	410.10	93	353.14	15	56.96
Lincoln	2016	74	218.08	73	215.13	1	2.95
Lyman	2007	4	100.45	3	75.34	1	25.11
Lyman	2008	7	178.66	6	153.14	1	25.52
Lyman	2009	5	131.3	5	131.3	0	0
Lyman	2010	5	133.16	5	133.16	0	0
Lyman	2011	5	131.54	5	131.54	0	0
Lyman	2012	6	155.88	5	129.9	1	25.98
Lyman	2013	16	418.19	15	392.05	1	26.14
Lyman	2014	14	356.51	13	331.04	1	25.46
Lyman	2015	17	#DIV/0!	17			
Lyman	2016	10	256.94	10	256.94		
Marshall	2007	2	44.78	2	44.78	0	0
Marshall	2008	5	116.36	5	116.36	0	0
Marshall	2009	9	209.25	9	209.25	0	0
Marshall	2010	6	128.87	6	128.87	0	0
Marshall	2011	3	63.65	3	63.65	0	0
Marshall	2012	6	129.06	6	129.06	0	0
Marshall	2013	9	191.04	9	191.04	0	0
Marshall	2014	21	437.59	21	437.59	0	0
Marshall	2015	10	214.13	9	192.72	1	21.41
Marshall	2016	14	292.64	12	250.84	2	41.81
McCook	2007	0	0	0	0	0	0
McCook	2008	0	0	0	0	0	0
McCook	2009	0	0	0	0	0	0
McCook	2010	9	160.2	9	160.2	0	0
McCook	2011	18	316.57	18	316.57	0	0
McCook	2012	5	88.98	5	88.98	0	0
McCook	2013	2	35.4	2	35.4	0	0
McCook	2014	2	35.26	2	35.26	0	0
McCook	2015	1	17.76	1	17.76		
McCook	2016	4	47.20	3	35.4	1	11.8

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
McPherson	2007	0	0	0	0	0	0
McPherson	2008	0	0	0	0	0	0
McPherson	2009	0	0	0	0	0	0
McPherson	2010	0	0	0	0	0	0
McPherson	2011	1	40.18	1	40.18	0	0
McPherson	2012	0	0	0	0	0	0
McPherson	2013	3	122.5	3	122.5	0	0
McPherson	2014	1	40.65	1	40.65	0	0
McPherson	2015	2	101.52	2	101.52		
Meade	2007	114	460.38	104	420	10	40.38
Meade	2008	99	411.97	97	403.65	2	8.32
Meade	2009	80	333.13	76	316.47	4	16.66
Meade	2010	71	279.15	68	267.36	3	11.8
Meade	2011	95	412.97	87	378.2	8	34.78
Meade	2012	170	736.38	168	727.71	2	8.66
Meade	2013	116	495.94	111	474.56	5	21.38
Meade	2014	68	278.28	64	261.91	4	16.37
Meade	2015	87	369.38	84	356.64	3	12.74
Meade	2016	55	228.88	51	212.23	4	16.65
Mellette	2007	12	563.91	12	563.91	0	0
Mellette	2008	3	148.81	3	148.81	0	0
Mellette	2009	3	151.9	3	151.9	0	0
Mellette	2010	13	634.77	13	634.77	0	0
Mellette	2011	17	820.07	17	820.07	0	0
Mellette	2012	12	574.16	12	574.16	0	0
Mellette	2013	3	140.45	2	93.63	1	46.82
Mellette	2014	2	95.51	2	95.51	0	0
Mellette	2015	7	332.54	5	237.53	2	95.01
Miner	2007	1	39.35	0	0	1	39.35
Miner	2008	0	0	0	0	0	0
Miner	2009	3	125.26	2	83.51	1	41.75
Miner	2010	2	83.72	0	0	2	83.72
Miner	2011	0	0	0	0	0	0
Miner	2012	0	0	0	0	0	0
Miner	2013	6	258.06	5	215.05	1	43.01
Miner	2014	3	129.14	3	129.14	0	0
Miner	2015	1	43.71	1	43.71		
Miner	2016	3	136.12	2	90.74	1	45.37

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
Minnehaha	2007	214	117.08	207	113.25	7	3.83
Minnehaha	2008	372	197.74	357	189.77	15	7.97
Minnehaha	2009	728	368.4	706	357.27	22	11.13
Minnehaha	2010	576	302.26	553	290.19	23	12.07
Minnehaha	2011	639	331.29	624	323.52	15	7.78
Minnehaha	2012	740	377.64	720	367.43	20	10.21
Minnehaha	2013	784	389.91	745	370.51	39	19.4
Minnehaha	2014	788	381.67	761	368.59	27	13.08
Minnehaha	2015	919	436.33	879	417.34	40	18.99
Minnehaha	2016	989	445.68	929	418.64	60	27.04
Moody	2007	12	178.12	11	163.28	1	14.84
Moody	2008	16	245.66	15	230.31	1	15.35
Moody	2009	29	452.49	29	452.49	0	0
Moody	2010	46	709.22	39	601.3	7	107.92
Moody	2011	77	1172.89	74	1127.19	3	45.7
Moody	2012	67	1023.21	57	870.49	10	152.72
Moody	2013	42	648.55	41	633.11	1	15.44
Moody	2014	24	375.7	21	328.74	3	46.96
Moody	2015	37	587.02	27	428.37	10	158.65
Moody	2016	29	415.59	29	415.59		
Oglala Lakota	2015	99	699.50	89	628.84	10	70.66
Oglala Lakota	2016	108	745.24	99	683.14	9	62.10
Pennington	2007	348	361.13	328	340.38	20	20.75
Pennington	2008	387	396.94	375	384.64	12	12.31
Pennington	2009	344	344.39	342	342.38	2	2
Pennington	2010	348	344.73	340	336.81	8	7.92
Pennington	2011	330	314.54	324	308.82	6	5.72
Pennington	2012	385	360.76	380	356.08	5	4.69
Pennington	2013	607	556.29	589	539.79	18	16.5
Pennington	2014	650	589.52	633	574.1	17	15.42
Pennington	2015	611	542.11	587	520.82	24	21.29
Pennington	2016	527	465.52	514	454.04	13	11.48
Perkins	2007	1	33.11	1	33.11	0	0
Perkins	2008	3	104.35	3	104.35	0	0
Perkins	2009	1	34.95	1	34.95	0	0
Perkins	2010	2	67.07	2	67.07	0	0
Perkins	2012	1	32.95	1	32.95	0	0
Perkins	2013	1	32.49	1	32.49	0	0
Perkins	2014	4	130.89	4	130.89	0	0
Perkins	2015	3	98.94	3	98.94		
Perkins	2016	2	47.04	2	47.04		

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
Potter	2007	1	43.42	1	43.42	0	0
Potter	2008	3	140.52	2	93.68	1	46.84
Potter	2009	1	48.22	0	0	1	48.22
Potter	2010	1	42.94	0	0	1	42.94
Potter	2011	1	42.43	1	42.43	0	0
Potter	2012	0	0	0	0	0	0
Potter	2013	2	84	2	84	0	0
Potter	2014	2	82.99	2	82.99	0	0
Potter	2016	1	43.27	1	43.27		
Roberts	2007	28	275.75	27	265.91	1	9.85
Roberts	2008	36	364.67	35	354.54	1	10.13
Roberts	2009	75	761.04	75	761.04	0	0
Roberts	2010	54	532.07	54	532.07	0	0
Roberts	2011	68	661.99	66	642.52	2	19.47
Roberts	2012	65	624.88	57	547.97	8	76.91
Roberts	2013	100	959.97	97	931.17	3	28.8
Roberts	2014	104	1011.77	103	1002.04	1	9.73
Roberts	2015	109	1051.11	107	1031.82	2	19.29
Roberts	2016	89	803.39	81	731.18	8	72.22
Sanborn	2007	2	79.11	2	79.11	0	0
Sanborn	2008	1	41.27	1	41.27	0	0
Sanborn	2009	0	0	0	0	0	0
Sanborn	2010	3	127.39	3	127.39	0	0
Sanborn	2011	3	125.84	3	125.84	0	0
Sanborn	2012	3	124.02	3	124.02	0	0
Sanborn	2013	10	429.37	9	386.43	1	42.94
Sanborn	2014	9	388.27	8	345.13	1	43.14
Sanborn	2016	1	33.22	1	33.22		
Spink	2007	15	216.14	11	158.5	4	57.64
Spink	2008	12	179.78	12	179.78	0	0
Spink	2009	20	303.08	20	303.08	0	0
Spink	2010	8	124.71	8	124.71	0	0
Spink	2011	2	30.8	2	30.8	0	0
Spink	2012	5	76.42	5	76.42	0	0
Spink	2013	12	178.39	12	178.39	0	0
Spink	2014	9	134.97	9	134.97	0	0
Spink	2015	1	15.12	1	15.12		
Spink	2016	1	11.22	1	11.22		

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
Stanley	2007	1	35.01	1	35.01	0	0
Stanley	2008	0	0	0	0	0	0
Stanley	2009	14	518.33	14	518.33	0	0
Stanley	2010	4	134.86	4	134.86	0	0
Stanley	2011	6	199.87	6	199.87	0	0
Stanley	2012	1	32.94	1	32.94	0	0
Stanley	2013	1	33.49	1	33.49	0	0
Stanley	2014	8	268.28	6	201.21	2	67.07
Stanley	2015	1	33.70	1	33.7		
Sully	2007	5	347.95	5	347.95	0	0
Sully	2008	11	786.84	9	643.78	2	143.06
Sully	2009	0	0	0	0	0	0
Sully	2010	0	0	0	0	0	0
Sully	2011	0	0	0	0	0	0
Sully	2012	0	0	0	0	0	0
Sully	2013	1	68.68	1	68.68	0	0
Sully	2014	1	68.73	1	68.73	0	0
Sully	2016	1	69.78	1	69.78		
Todd	2007	11	106.1	9	86.81	2	19.29
Todd	2008	17	164.66	15	145.29	2	19.37
Todd	2009	16	155.1	15	145.41	1	9.69
Todd	2010	14	145.65	13	135.25	1	10.4
Todd	2011	14	143.9	13	133.62	1	10.28
Todd	2012	14	140.94	13	130.88	1	10.07
Todd	2013	42	415.39	39	385.72	3	29.67
Todd	2014	36	357.11	34	337.27	2	19.84
Todd	2015	26	259.95	24	239.95	2	20.00
Todd	2016	82	819.84	77	769.85	5	49.99
Tripp	2007	11	180.39	9	147.59	2	32.8
Tripp	2008	21	365.15	20	347.77	1	17.39
Tripp	2009	6	106.76	6	106.76	0	0
Tripp	2010	13	230.33	13	230.33	0	0
Tripp	2011	10	175.04	10	175.04	0	0
Tripp	2012	19	334.62	19	334.62	0	0
Tripp	2013	20	365.43	20	365.43	0	0
Tripp	2014	22	402.34	22	402.34	0	0
Tripp	2015	28	513.48	26	476.8	2	36.68
Tripp	2016	40	743.22	38	706.06	2	37.16

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
Turner	2007	5	56.9	5	56.9	0	0
Turner	2008	3	35.17	2	23.44	1	11.72
Turner	2009	6	70.42	3	35.21	3	35.21
Turner	2010	1	11.72	1	11.72	0	0
Turner	2011	20	231.48	20	231.48	0	0
Turner	2012	6	69.61	6	69.61	0	0
Turner	2013	11	128.76	11	128.76	0	0
Turner	2014	8	93.47	8	93.47	0	0
Turner	2015	7	96.93	7	96.93		
Turner	2016	7	63.78	7	63.78		
Union	2007	82	564.08	72	495.29	10	68.79
Union	2008	80	542.48	79	535.7	1	6.78
Union	2009	70	471.29	65	437.62	5	33.66
Union	2010	63	426.89	62	420.11	1	6.78
Union	2011	96	642.7	93	622.61	3	20.08
Union	2012	64	421.22	63	414.64	1	6.58
Union	2013	46	297.48	44	284.55	2	12.93
Union	2014	82	535.07	81	528.55	1	6.53
Union	2015	35	258.11	34	250.74	1	7.37
Union	2016	38	247.36	38	247.36		
Walworth	2007	15	276.55	15	276.55	0	0
Walworth	2008	10	192.42	10	192.42	0	0
Walworth	2009	27	521.44	25	482.81	2	38.62
Walworth	2010	5	91.95	5	91.95	0	0
Walworth	2011	10	181.69	10	181.69	0	0
Walworth	2012	26	461.16	25	443.42	1	17.74
Walworth	2013	39	709.09	36	654.55	3	54.55
Walworth	2014	38	684.81	36	648.77	2	36.04
Walworth	2015	18	327.27	18	327.27		
Walworth	2016	28	505.87	28	505.87		

Appendix 1. South Dakota Marijuana Arrests, by County (2007-2016)

Arrest Rates per 100,000 Population

County	Year	All Marijuana Arrests	Rate	Possession Arrests	Rate	Sale Arrests	Rate
Yankton	2007	92	416.72	90	407.66	2	9.06
Yankton	2008	74	341	71	327.17	3	13.82
Yankton	2009	66	301.3	63	287.61	3	13.7
Yankton	2010	60	267.43	60	267.43	0	0
Yankton	2011	75	330.27	73	321.46	2	8.81
Yankton	2012	84	367.39	84	367.39	0	0
Yankton	2013	88	385.93	83	364	5	21.93
Yankton	2014	132	579.53	131	575.14	1	4.39
Yankton	2015	105	464.13	104	459.71	1	4.42
Yankton	2016	74	325.98	73	321.57	1	4.41
Ziebach	2007	0	0	0	0	0	0
Ziebach	2008	0	0	0	0	0	0
Ziebach	2009	0	0	0	0	0	0
Ziebach	2010	0	0	0	0	0	0
Ziebach	2011	0	0	0	0	0	0
Ziebach	2012	0	0	0	0	0	0
Ziebach	2013	1	47.85	1	47.85	0	0
Ziebach	2014	2	98.28	2	98.28	0	0

Appendix 2. South Dakota County Level Marijuana Possession Arrests, by Race (2016)

Arrest Rates per 100,000 Population

			White			Native American			Black		
County	Total	Rate	Rate	Pop. Pct.	Arrest Pct.	Rate	Pop. Pct.	Arrest Pct.	Rate	Pop. Pct.	Arrest Pct.
Beadle	49	264	243	86.6%	79.6%	1,062	1.5%	6.1%	1,836	1.5%	10.2%
Bennett	6	176	0	34.4%	0.0%	298	59.1%	100.0%	0	0.5%	0.0%
Bon Homme	3	43	48	89.1%	100.0%	0	7.9%	0.0%	0	1.3%	0.0%
Brookings	113	323	311	93.1%	89.4%	1,015	1.1%	3.5%	1,401	1.6%	7.1%
Brown	232	593	483	89.9%	73.3%	2,146	3.5%	12.5%	4,228	1.7%	12.1%
Brule	3	57	44	86.1%	66.7%	199	9.6%	33.3%	0	0.4%	0.0%
Buffalo	18	847	0	15.5%	0.0%	1,044	81.2%	100.0%	0	0.8%	0.0%
Butte	20	184	156	94.2%	80.0%	795	2.3%	10.0%	3,074	0.6%	10.0%
Charles Mix	23	224	30	64.1%	8.7%	643	31.9%	91.3%	0	0.4%	0.0%
Clark	3	82	86	96.3%	100.0%	0	0.2%	0.0%	0	2.0%	0.0%
Clay	46	330	302	90.1%	82.6%	671	3.2%	6.5%	2,018	1.8%	10.9%
Codington	123	439	389	94.4%	83.7%	2,239	2.4%	12.2%	2,340	0.8%	4.1%
Corson	33	651	1,381	31.4%	66.7%	154	64.2%	15.2%	18,796	0.3%	9.1%
Custer	7	83	89	92.9%	100.0%	0	3.8%	0.0%	0	0.6%	0.0%
Davison	93	468	381	93.7%	76.3%	3,309	3.0%	21.5%	585	0.9%	1.1%
Dewey	115	1,636	66	21.5%	0.9%	2,176	73.2%	97.4%	3,268	0.4%	0.9%
Douglas	2	45	47	95.7%	100.0%	0	2.4%	0.0%	0	0.6%	0.0%
Edmunds	14	352	259	97.2%	71.4%	11,694	0.9%	28.6%	0	0.4%	0.0%
Fall River	27	397	436	87.6%	96.3%	0	6.9%	0.0%	0	1.4%	0.0%
Hamlin	11	139	129	97.8%	90.9%	0	0.6%	0.0%	2,826	0.5%	9.1%
Hughes	144	817	490	84.6%	50.7%	3,265	11.1%	44.4%	4,725	0.8%	4.9%
Jerauld	5	253	104	97.6%	40.0%	0	0.7%	0.0%	67,611	0.2%	40.0%
Lake	18	140	131	95.1%	88.9%	748	1.0%	5.6%	0	1.0%	0.0%
Lawrence	37	149	142	93.6%	89.2%	701	2.3%	10.8%	0	1.0%	0.0%
Lincoln	73	215	195	95.1%	86.3%	1,524	0.6%	4.1%	1,518	1.4%	9.6%
Lyman	10	257	0	55.9%	0.0%	648	39.7%	100.0%	0	0.6%	0.0%
Marshall	12	251	237	88.2%	83.3%	480	8.7%	16.7%	0	1.0%	0.0%
McCook	3	35	36	97.1%	100.0%	0	1.0%	0.0%	0	0.5%	0.0%
Meade	51	212	197	91.1%	84.3%	581	2.9%	7.8%	659	1.9%	5.9%
Miner	2	91	94	96.5%	100.0%	0	0.5%	0.0%	0	1.1%	0.0%
Minnehaha	929	419	303	87.3%	63.2%	2,036	2.7%	13.1%	1,832	5.2%	22.8%
Moody Oglala Lakota	29	416	180	79.5%	34.5%	1,650	13.9%	55.2%	1,635	1.8%	6.9%
Pennington	99	683	0	4.6%	0.0%	734	93.0%	100.0%	0	0.2%	0.0%
Potter	514	454	334	83.6%	61.5%	1,543	10.1%	34.2%	1,393	1.3%	4.1%
Perkins	2	47	49	96.2%	100.0%	0	1.8%	0.0%	0	0.6%	0.0%
Potter	1	43	45	95.4%	100.0%	0	2.1%	0.0%	0	0.4%	0.0%
Roberts	81	731	62	58.4%	4.9%	1,841	37.3%	93.8%	1,286	0.7%	1.2%

Appendix 2. South Dakota County Level Marijuana Possession Arrests, by Race (2016)

Arrest Rates per 100,000 Population

			White			Native American			Black		
County	Total	Rate	Rate	Pop. Pct.	Arrest Pct.	Rate	Pop. Pct.	Arrest Pct.	Rate	Pop. Pct.	Arrest Pct.
Sanborn	1	33	34	97.6%	100.0%	0	0.4%	0.0%	0	0.3%	0.0%
Spink	1	11	12	96.4%	100.0%	0	1.7%	0.0%	0	0.6%	0.0%
Sully	1	70	74	94.9%	100.0%	0	2.5%	0.0%	0	0.4%	0.0%
Todd	77	770	0	9.2%	0.0%	877	87.8%	100.0%	0	0.5%	0.0%
Tripp	38	706	294	82.3%	34.2%	2,990	14.3%	60.5%	10,204	0.4%	5.3%
Turner	7	64	56	97.4%	85.7%	0	1.0%	0.0%	2,296	0.4%	14.3%
Union	38	247	232	95.2%	89.5%	0	0.9%	0.0%	1,296	1.0%	5.3%
Walworth	28	506	386	79.6%	60.7%	1,254	14.4%	35.7%	0	0.6%	0.0%
Yankton	73	322	282	92.3%	80.8%	1,708	3.1%	16.4%	419	2.1%	2.7%

Appendix 3.
Selected Characteristics of South Dakota Marijuana Possession Arrests, by County (2007-2016)
Arrest Rates per 100,000 Population

County/Year	Total Arrests	Reporting Agency Coverage	White Rate	Native American Rate	Black Rate	White Arrest Pct.	Native American Arrest Pct.	Black Arrest Pct.	Adult Pct.	Juvenile Pct.
Aurora										
2007	4	103%	141	0	0	100%	0%	0%	100%	0%
2010	3	100%	0	7,494	0	0%	100%	0%	100%	0%
2011	7	102%	265	0	0	100%	0%	0%	100%	0%
2012	1	99%	38	0	0	100%	0%	0%	100%	0%
2015	2	100%	76	0	0	100%	0%	0%	100%	0%
Beadle										
2008	1	30%	22	0	0	100%	0%	0%	100%	0%
2012	44	99%	200	1,849	1,819	73%	9%	11%	91%	9%
2013	56	99%	299	886	979	86%	4%	5%	86%	14%
2014	70	101%	364	2,152	1,263	84%	7%	6%	80%	20%
2015	60	99%	321	394	1,581	85%	2%	8%	77%	23%
2016	49	102%	243	1,062	1,836	80%	6%	10%	73%	27%
Bennett										
2007	13	105%	0	655	0	0%	100%	0%	69%	31%
2008	15	101%	0	779	0	0%	100%	0%	60%	40%
2009	4	101%	0	211	0	0%	100%	0%	75%	25%
2012	36	102%	424	1,472	0	14%	86%	0%	94%	6%
2013	11	100%	85	485	0	9%	91%	0%	91%	9%
2014	3	101%	0	148	0	0%	100%	0%	100%	0%
2015	5	100%	0	251	0	0%	100%	0%	80%	20%
2016	6	99%	0	298	0	0%	100%	0%	100%	0%
Bon Homme										
2008	2	45%	34	0	3,858	50%	0%	50%	50%	50%
2010	3	65%	73	0	0	100%	0%	0%	100%	0%
2011	1	37%	43	0	0	100%	0%	0%	100%	0%
2012	1	37%	43	0	0	100%	0%	0%	100%	0%
2014	14	37%	558	0	2,973	93%	0%	7%	100%	0%
2015	3	37%	87	0	2,755	67%	0%	33%	100%	0%
2016	3	100%	48	0	0	100%	0%	0%	100%	0%

Appendix 3.
Selected Characteristics of South Dakota Marijuana Possession Arrests, by County (2007-2016)
Arrest Rates per 100,000 Population

County/Year	Total Arrests	Reporting Agency Coverage	White Rate	Native American Rate	Black Rate	White Pct.	Native American Pct.	Black Pct.	Adult Pct.	Juvenile Pct.
Brookings										
2007	2	33%	21	0	0	100%	0%	0%	100%	0%
2008	40	99%	120	1,381	1,575	85%	10%	5%	85%	15%
2009	35	99%	113	855	0	91%	9%	0%	94%	6%
2010	64	100%	196	677	1,078	92%	3%	5%	89%	11%
2011	73	100%	221	874	692	92%	4%	3%	96%	4%
2012	52	100%	148	997	491	87%	8%	4%	96%	4%
2013	33	100%	94	930	0	88%	12%	0%	91%	9%
2014	98	100%	294	0	1,389	93%	0%	7%	96%	4%
2015	135	99%	366	2,034	2,580	84%	7%	9%	99%	1%
2016	113	102%	311	1,015	1,401	89%	4%	7%	96%	4%
Brown										
2007	91	96%	241	909	3,484	85%	10%	5%	81%	19%
2008	73	96%	197	403	4,221	86%	5%	8%	90%	10%
2009	50	96%	141	290	1,255	90%	6%	4%	82%	18%
2010	63	96%	155	1,019	533	81%	17%	2%	78%	22%
2011	94	96%	244	732	2,216	86%	9%	5%	97%	3%
2012	108	96%	272	1,218	925	83%	13%	4%	81%	19%
2013	135	96%	323	1,560	1,788	80%	13%	7%	87%	13%
2014	118	96%	271	1,319	1,862	77%	14%	9%	89%	11%
2015	182	96%	406	1,899	3,321	75%	13%	10%	86%	14%
2016	232	100%	483	2,146	4,228	73%	13%	12%	80%	20%
Brule										
2011	6	46%	187	976	0	67%	33%	0%	17%	83%
2012	6	46%	188	931	0	67%	33%	0%	83%	17%
2013	3	45%	144	0	0	100%	0%	0%	67%	33%
2014	11	46%	234	2,209	10,804	45%	45%	9%	45%	55%
2015	2	46%	48	426	0	50%	50%	0%	100%	0%
2016	3	100%	44	199	0	67%	33%	0%	67%	33%
Buffalo										
2016	18	100%	0	1,044	0	0%	100%	0%	89%	11%

Appendix 3.
Selected Characteristics of South Dakota Marijuana Possession Arrests, by County (2007-2016)
Arrest Rates per 100,000 Population

County/Year	Total Arrests	Reporting Agency Coverage	White Rate	Native American Rate	Black Rate	White Pct.	Native American Pct.	Black Pct.	Adult Pct.	Juvenile Pct.
Butte										
2008	7	99%	76	0	0	100%	0%	0%	86%	14%
2009	2	100%	22	0	0	100%	0%	0%	100%	0%
2010	5	100%	52	0	0	100%	0%	0%	80%	20%
2011	1	100%	10	0	0	100%	0%	0%	0%	100%
2012	1	100%	10	0	0	100%	0%	0%	100%	0%
2013	11	100%	113	0	0	100%	0%	0%	73%	27%
2014	17	100%	163	474	0	94%	6%	0%	71%	29%
2015	12	100%	113	488	0	92%	8%	0%	58%	42%
2016	20	100%	156	795	3,074	80%	10%	10%	85%	15%
Campbell										
2007	1	100%	69	0	0	100%	0%	0%	100%	0%
2014	1	94%	79	0	0	100%	0%	0%	100%	0%
2015	1	97%	76	0	0	100%	0%	0%	100%	0%
Charles Mix										
2007	23	90%	56	802	0	13%	87%	0%	74%	26%
2008	33	86%	99	1,164	0	15%	85%	0%	76%	24%
2009	33	85%	59	1,178	8,150	9%	85%	6%	76%	24%
2010	26	86%	117	792	0	23%	77%	0%	58%	42%
2011	30	87%	231	636	10,969	40%	53%	7%	87%	13%
2012	24	87%	115	660	3,268	25%	71%	4%	79%	21%
2013	40	87%	154	1,236	0	20%	80%	0%	73%	28%
2014	32	86%	175	883	0	28%	72%	0%	81%	19%
2015	32	86%	156	882	3,249	25%	72%	3%	69%	31%
2016	23	100%	30	643	0	9%	91%	0%	70%	30%
Clark										
2013	5	99%	143	0	0	100%	0%	0%	80%	20%
2015	5	99%	143	0	0	100%	0%	0%	40%	60%
2016	3	100%	86	0	0	100%	0%	0%	100%	0%
Clay										
2007	30	95%	212	0	3,255	83%	0%	17%	93%	7%
2008	41	97%	254	1,482	3,183	76%	12%	12%	100%	0%
2009	142	100%	1,012	3,296	3,019	88%	8%	4%	96%	4%
2010	33	99%	248	0	1,056	94%	0%	6%	100%	0%
2011	30	99%	190	651	1,507	80%	10%	10%	100%	0%
2012	25	99%	180	0	821	92%	0%	8%	96%	4%
2013	28	100%	148	439	3,054	68%	7%	25%	100%	0%
2014	25	99%	144	1,433	441	72%	24%	4%	100%	0%
2015	30	98%	177	1,258	910	73%	17%	7%	100%	0%
2016	46	99%	302	671	2,018	83%	7%	11%	100%	0%

Appendix 3.
Selected Characteristics of South Dakota Marijuana Possession Arrests, by County (2007-2016)
Arrest Rates per 100,000 Population

County/Year	Total Arrests	Reporting Agency Coverage	White Rate	Native American Rate	Black Rate	White Pct.	Native American Pct.	Black Pct.	Adult Pct.	Juvenile Pct.
Codington										
2007	52	100%	190	611	0	94%	6%	0%	71%	29%
2008	79	100%	282	1,423	0	91%	9%	0%	84%	16%
2009	74	100%	252	1,581	1,572	86%	12%	1%	82%	18%
2010	87	100%	299	1,070	2,021	90%	7%	2%	89%	11%
2011	106	100%	342	2,194	1,520	85%	12%	2%	75%	25%
2012	128	100%	416	2,082	2,840	86%	9%	5%	84%	16%
2013	183	100%	630	2,033	1,348	91%	7%	2%	84%	16%
2014	134	100%	436	2,684	466	87%	13%	1%	81%	19%
2015	123	100%	405	2,041	947	87%	11%	2%	80%	20%
2016	123	100%	389	2,239	2,340	84%	12%	4%	87%	13%
Corson										
2008	2	79%	196	0	0	100%	0%	0%	50%	50%
2009	2	78%	97	48	0	50%	50%	0%	100%	0%
2011	1	81%	100	0	0	100%	0%	0%	100%	0%
2012	8	79%	806	0	0	100%	0%	0%	100%	0%
2013	17	97%	1,163	75	0	88%	12%	0%	88%	12%
2014	19	100%	1,020	147	0	74%	21%	0%	100%	0%
2015	29	100%	1,390	302	18,212	66%	28%	7%	97%	3%
2016	33	100%	1,381	154	18,796	67%	15%	9%	94%	6%
Custer										
2009	7	95%	85	334	0	86%	14%	0%	100%	0%
2010	9	95%	81	1,298	0	67%	33%	0%	89%	11%
2011	3	95%	13	807	0	33%	67%	0%	100%	0%
2012	3	96%	27	372	0	67%	33%	0%	67%	33%
2013	14	95%	94	2,168	1,759	50%	43%	7%	86%	14%
2014	14	96%	145	1,103	0	79%	21%	0%	79%	21%
2015	11	95%	120	688	0	82%	18%	0%	73%	27%
2016	7	98%	89	0	0	100%	0%	0%	43%	57%
Davison										
2007	38	100%	135	1,977	2,026	66%	26%	5%	92%	8%
2008	84	100%	384	1,947	2,973	83%	12%	4%	85%	15%
2009	62	100%	271	1,637	3,785	79%	15%	5%	82%	18%
2010	63	100%	302	1,209	0	89%	10%	0%	89%	11%
2011	65	100%	289	1,971	778	83%	15%	2%	83%	17%
2012	98	100%	438	2,295	1,125	84%	13%	2%	76%	24%
2013	72	100%	340	948	1,430	89%	7%	4%	83%	17%
2014	88	100%	357	2,899	2,471	76%	18%	6%	84%	16%
2015	87	100%	375	1,921	2,715	80%	13%	6%	76%	24%
2016	93	100%	381	3,309	585	76%	22%	1%	83%	17%

Appendix 3.
Selected Characteristics of South Dakota Marijuana Possession Arrests, by County (2007-2016)
Arrest Rates per 100,000 Population

County/Year	Total Arrests	Reporting Agency Coverage	White Rate	Native American Rate	Black Rate	White Pct.	Native American Pct.	Black Pct.	Adult Pct.	Juvenile Pct.
Deuel										
2007	13	100%	305	0	0	100%	0%	0%	100%	0%
2008	8	99%	192	0	0	100%	0%	0%	100%	0%
2009	9	100%	215	0	0	100%	0%	0%	89%	11%
2010	3	100%	70	0	0	100%	0%	0%	100%	0%
2011	3	100%	69	0	0	100%	0%	0%	100%	0%
2012	1	100%	23	0	0	100%	0%	0%	100%	0%
2013	2	100%	46	0	0	100%	0%	0%	100%	0%
2014	3	100%	71	0	0	100%	0%	0%	100%	0%
2015	1	99%	24	0	0	100%	0%	0%	100%	0%
Dewey										
2012	1	100%	71	0	0	100%	0%	0%	100%	0%
2013	2	100%	135	0	0	100%	0%	0%	100%	0%
2014	1	100%	68	0	0	100%	0%	0%	100%	0%
2015	144	100%	134	2,992	3,488	1%	98%	1%	78%	22%
2016	115	100%	66	2,176	3,268	1%	97%	1%	94%	6%
Douglas										
2008	1	94%	37	0	0	100%	0%	0%	100%	0%
2016	2	100%	47	0	0	100%	0%	0%	100%	0%
Edmunds										
2007	2	100%	50	0	0	100%	0%	0%	100%	0%
2008	9	99%	228	0	0	100%	0%	0%	100%	0%
2009	7	100%	151	5,775	0	86%	14%	0%	100%	0%
2010	3	100%	75	0	0	100%	0%	0%	100%	0%
2011	1	100%	25	0	0	100%	0%	0%	100%	0%
2012	5	100%	124	0	0	100%	0%	0%	100%	0%
2013	10	100%	202	8,704	0	80%	20%	0%	100%	0%
2014	13	100%	303	4,290	0	92%	8%	0%	100%	0%
2015	19	99%	417	6,548	7,250	84%	11%	5%	100%	0%
2016	14	100%	259	11,694	0	71%	29%	0%	93%	7%
Fall River										
2008	5	57%	82	380	7,689	60%	20%	20%	80%	20%
2009	4	98%	47	220	0	75%	25%	0%	50%	50%
2010	2	52%	60	0	0	100%	0%	0%	50%	50%
2011	7	54%	150	757	0	71%	29%	0%	57%	43%
2012	14	53%	336	1,186	0	79%	21%	0%	86%	14%
2013	20	52%	512	1,210	2,355	80%	15%	5%	95%	5%
2014	1	51%	0	411	0	0%	100%	0%	100%	0%
2015	13	50%	427	0	0	100%	0%	0%	54%	46%
2016	27	99%	436	0	0	96%	0%	0%	85%	15%

Appendix 3.
Selected Characteristics of South Dakota Marijuana Possession Arrests, by County (2007-2016)
Arrest Rates per 100,000 Population

County/Year	Total Arrests	Reporting Agency Coverage	White Rate	Native American Rate	Black Rate	White Pct.	Native American Pct.	Black Pct.	Adult Pct.	Juvenile Pct.
Faulk										
2008	1	99%	0	0	50,312	0%	0%	100%	100%	0%
2009	3	100%	136	0	0	100%	0%	0%	100%	0%
2011	2	100%	85	0	0	100%	0%	0%	100%	0%
2012	1	100%	42	0	0	100%	0%	0%	100%	0%
2014	2	100%	0	49,248	0	0%	100%	0%	100%	0%
2015	3	100%	87	24,936	0	67%	33%	0%	100%	0%
Hamlin										
2007	2	100%	36	0	0	100%	0%	0%	100%	0%
2008	6	100%	108	0	0	100%	0%	0%	67%	33%
2009	7	99%	125	0	0	100%	0%	0%	57%	43%
2010	3	100%	34	5,019	0	67%	33%	0%	33%	67%
2011	2	100%	34	0	0	100%	0%	0%	50%	50%
2012	3	102%	34	4,474	0	67%	33%	0%	100%	0%
2013	1	100%	17	0	0	100%	0%	0%	100%	0%
2015	2	86%	39	0	0	100%	0%	0%	100%	0%
2016	11	100%	129	0	2,826	91%	0%	9%	100%	0%
Hand										
2008	1	99%	31	0	0	100%	0%	0%	100%	0%
2013	1	100%	30	0	0	100%	0%	0%	100%	0%
Hanson										
2011	1	100%	30	0	0	100%	0%	0%	100%	0%
2012	1	100%	0	6,223	0	0%	100%	0%	100%	0%
Harding										
2009	2	100%	184	0	0	100%	0%	0%	100%	0%
2014	1	100%	83	0	0	100%	0%	0%	100%	0%
Hughes										
2007	60	100%	240	1,340	0	60%	40%	0%	83%	17%
2008	47	100%	177	963	5,334	55%	36%	9%	83%	17%
2009	39	99%	132	1,047	0	49%	51%	0%	82%	18%
2010	61	100%	245	1,335	1,167	59%	39%	2%	70%	30%
2011	29	100%	115	651	0	59%	41%	0%	76%	24%
2012	44	100%	141	1,142	774	48%	48%	5%	82%	18%
2013	98	100%	259	3,133	438	40%	59%	1%	80%	20%
2014	85	100%	267	2,108	2,210	47%	48%	5%	81%	19%
2015	135	100%	380	3,385	7,422	42%	50%	8%	67%	33%
2016	144	100%	490	3,265	4,725	51%	44%	5%	81%	19%

Appendix 3.
Selected Characteristics of South Dakota Marijuana Possession Arrests, by County (2007-2016)
Arrest Rates per 100,000 Population

County/Year	Total Arrests	Reporting Agency Coverage	White Rate	Native American Rate	Black Rate	White Pct.	Native American Pct.	Black Pct.	Adult Pct.	Juvenile Pct.
Hutchinson										
2008	2	91%	31	0	0	100%	0%	0%	100%	0%
2009	1	46%	31	0	0	100%	0%	0%	0%	100%
2011	5	67%	106	0	0	100%	0%	0%	80%	20%
2012	1	75%	0	0	3,086	0%	0%	100%	100%	0%
2014	2	38%	76	0	0	100%	0%	0%	100%	0%
2015	1	81%	17	0	0	100%	0%	0%	100%	0%
Jackson										
2015	1	21%	0	276	0	0%	100%	0%	100%	0%
Jerauld										
2007	4	100%	147	5,333	0	75%	25%	0%	100%	0%
2008	1	99%	52	0	0	100%	0%	0%	100%	0%
2010	1	99%	49	0	0	100%	0%	0%	100%	0%
2012	4	100%	193	0	0	100%	0%	0%	100%	0%
2013	2	99%	99	0	0	100%	0%	0%	100%	0%
2014	3	100%	49	19,448	0	33%	67%	0%	100%	0%
2015	3	99%	155	0	0	100%	0%	0%	100%	0%
2016	5	99%	104	0	67,611	40%	0%	40%	100%	0%
Lake										
2008	14	54%	228	0	0	100%	0%	0%	93%	7%
2009	27	54%	365	1,714	12,343	85%	4%	11%	96%	4%
2010	17	57%	223	6,530	0	82%	18%	0%	100%	0%
2011	21	57%	332	0	0	100%	0%	0%	100%	0%
2012	22	57%	325	1,741	0	95%	5%	0%	77%	23%
2013	28	57%	394	1,545	1,364	93%	4%	4%	64%	36%
2014	34	57%	384	8,508	4,206	76%	15%	9%	68%	32%
2015	37	58%	402	3,041	10,111	76%	5%	19%	84%	16%
2016	18	100%	131	748	0	89%	6%	0%	94%	6%
Lawrence										
2007	57	99%	231	678	1,314	89%	7%	2%	86%	14%
2008	68	100%	279	844	0	93%	7%	0%	88%	12%
2009	66	101%	286	160	0	98%	2%	0%	77%	23%
2010	65	100%	280	0	1,046	98%	0%	2%	83%	17%
2011	70	100%	278	1,078	0	91%	9%	0%	80%	20%
2012	70	97%	301	371	496	96%	3%	1%	83%	17%
2013	67	95%	266	1,108	327	88%	9%	1%	79%	21%
2014	36	98%	150	358	0	94%	6%	0%	97%	3%
2015	29	99%	108	511	0	86%	10%	0%	86%	14%
2016	37	98%	142	701	0	89%	11%	0%	97%	3%

Appendix 3.
Selected Characteristics of South Dakota Marijuana Possession Arrests, by County (2007-2016)
Arrest Rates per 100,000 Population

County/Year	Total Arrests	Reporting Agency Coverage	White Rate	Native American Rate	Black Rate	White Pct.	Native American Pct.	Black Pct.	Adult Pct.	Juvenile Pct.
Lincoln										
2007	16	48%	91	0	0	100%	0%	0%	50%	50%
2008	37	63%	153	0	0	100%	0%	0%	86%	14%
2009	38	63%	134	500	1,050	89%	3%	5%	71%	29%
2010	29	50%	129	0	622	97%	0%	3%	83%	17%
2011	24	51%	101	624	0	96%	4%	0%	83%	17%
2012	40	51%	152	2,025	379	90%	8%	3%	63%	38%
2013	101	51%	386	619	1,964	92%	1%	6%	74%	26%
2014	88	52%	311	4,147	593	90%	7%	2%	70%	30%
2015	93	50%	319	5,752	1,152	86%	10%	4%	70%	30%
2016	73	62%	195	1,524	1,518	86%	4%	10%	79%	21%
Lyman										
2014	4	na	na	na	na	0%	100%	0%	100%	0%
2015	17	na	na	na	na	0%	100%	0%	65%	35%
2016	10	100%	0	648	0	0%	100%	0%	60%	40%
McCook										
2010	8	100%	144	0	0	100%	0%	0%	100%	0%
2011	16	100%	287	0	0	100%	0%	0%	56%	44%
2012	5	100%	73	2,934	0	80%	20%	0%	100%	0%
2015	1	100%	18	0	0	100%	0%	0%	100%	0%
2016	3	100%	36	0	0	100%	0%	0%	100%	0%
McPherson										
2011	1	83%	0	40,342	0	0%	100%	0%	100%	0%
2013	2	81%	102	0	0	100%	0%	0%	100%	0%
2015	2	82%	103	0	0	100%	0%	0%	100%	0%
Marshall										
2007	2	100%	49	0	0	100%	0%	0%	100%	0%
2008	5	99%	128	0	0	100%	0%	0%	40%	60%
2009	9	100%	156	724	0	67%	33%	0%	89%	11%
2010	6	100%	73	663	0	50%	50%	0%	100%	0%
2011	3	100%	24	445	0	33%	67%	0%	100%	0%
2012	6	100%	73	687	0	50%	50%	0%	100%	0%
2013	7	99%	73	866	0	43%	57%	0%	86%	14%
2014	19	100%	356	899	0	79%	21%	0%	89%	11%
2015	9	98%	220	0	0	100%	0%	0%	78%	22%
2016	12	100%	237	480	0	83%	17%	0%	83%	17%

Appendix 3.
Selected Characteristics of South Dakota Marijuana Possession Arrests, by County (2007-2016)
Arrest Rates per 100,000 Population

County/Year	Total Arrests	Reporting Agency Coverage	White Rate	Native American Rate	Black Rate	White Pct.	Native American Pct.	Black Pct.	Adult Pct.	Juvenile Pct.
Meade										
2007	104	100%	372	3,205	239	83%	15%	1%	92%	8%
2008	68	27%	1,045	3,659	913	91%	7%	1%	85%	15%
2009	75	99%	311	941	246	91%	7%	1%	77%	23%
2010	67	93%	278	878	322	91%	7%	1%	82%	18%
2011	87	83%	405	1,501	0	91%	9%	0%	92%	8%
2012	161	89%	695	1,968	230	91%	8%	1%	83%	17%
2013	101	86%	407	1,325	211	86%	9%	1%	83%	17%
2014	54	91%	210	1,038	0	87%	13%	0%	87%	13%
2015	84	87%	358	579	453	92%	5%	2%	93%	7%
2016	51	87%	197	581	659	84%	8%	6%	80%	20%
Mellette										
2007	2	100%	0	174	0	0%	100%	0%	0%	100%
2009	0	97%	0	0	0					
2010	12	100%	489	631	49,951	33%	58%	8%	100%	0%
2011	16	100%	243	1,258	0	13%	88%	0%	69%	31%
2012	11	100%	454	644	0	36%	64%	0%	91%	9%
2013	1	100%	0	89	0	0%	100%	0%	0%	100%
2014	1	100%	0	91	0	0%	100%	0%	0%	100%
2015	5	100%	0	462	0	0%	100%	0%	100%	0%
Miner										
2009	2	99%	85	0	0	100%	0%	0%	100%	0%
2014	2	100%	88	0	0	100%	0%	0%	100%	0%
2015	1	100%	45	0	0	100%	0%	0%	100%	0%
2016	2	97%	94	0	0	100%	0%	0%	100%	0%
Minnehaha										
2007	207	100%	97	570	370	79%	12%	9%	80%	20%
2008	354	100%	147	1,067	975	72%	13%	14%	81%	19%
2009	704	100%	295	1,619	1,395	76%	11%	11%	85%	15%
2010	553	100%	244	1,316	893	76%	12%	12%	84%	16%
2011	621	100%	275	1,235	1,001	77%	11%	12%	85%	15%
2012	716	100%	288	1,510	1,393	70%	11%	16%	78%	22%
2013	662	100%	274	1,361	1,025	74%	11%	14%	80%	20%
2014	689	100%	267	1,616	1,013	71%	13%	14%	77%	23%
2015	879	100%	311	1,641	2,049	66%	11%	23%	79%	21%
2016	929	100%	303	2,036	1,832	63%	13%	23%	82%	18%

Appendix 3.
Selected Characteristics of South Dakota Marijuana Possession Arrests, by County (2007-2016)
Arrest Rates per 100,000 Population

County/Year	Total Arrests	Reporting Agency Coverage	White Rate	Native American Rate	Black Rate	White Pct.	Native American Pct.	Black Pct.	Adult Pct.	Juvenile Pct.
Moody	2007	2	60%	31	203	0	50%	50%	0%	50% 50%
	2008	8	100%	74	489	0	50%	50%	0%	50% 50%
	2009	29	100%	151	2,354	9,043	28%	66%	7%	66% 34%
	2010	38	100%	166	3,492	3,339	21%	76%	3%	53% 47%
	2011	72	100%	558	4,618	0	42%	58%	0%	76% 24%
	2012	56	100%	336	4,080	3,585	32%	64%	4%	68% 32%
	2013	37	100%	208	2,737	3,043	30%	65%	5%	76% 24%
	2014	19	100%	134	1,281	1,749	37%	58%	5%	68% 32%
	2015	27	98%	119	2,193	0	22%	70%	0%	89% 11%
	2016	29	100%	180	1,650	1,635	34%	55%	7%	93% 7%
Oglala Lakota	2015	89	100%	0	678	0	0%	100%	0%	88% 12%
	2016	99	100%	0	734	0	0%	100%	0%	91% 9%
Pennington	2007	311	100%	181	1,883	819	49%	48%	4%	78% 22%
	2008	355	99%	208	2,116	630	50%	48%	3%	79% 21%
	2009	323	99%	191	1,808	371	51%	46%	2%	83% 17%
	2010	339	100%	214	1,427	1,308	54%	42%	4%	84% 16%
	2011	324	100%	207	1,229	1,030	56%	39%	4%	75% 25%
	2012	379	100%	245	1,300	1,310	58%	36%	6%	75% 25%
	2013	543	100%	333	1,962	1,402	56%	39%	5%	77% 23%
	2014	576	100%	355	2,070	1,095	57%	40%	3%	74% 26%
	2015	587	100%	343	1,982	2,079	55%	39%	6%	77% 23%
	2016	514	100%	334	1,543	1,393	61%	34%	4%	73% 27%
Perkins	2008	3	99%	109	0	0	100%	0%	0%	33% 67%
	2009	1	100%	36	0	0	100%	0%	0%	100% 0%
	2010	2	100%	69	0	0	100%	0%	0%	100% 0%
	2012	1	59%	58	0	0	100%	0%	0%	100% 0%
	2014	3	100%	101	0	0	100%	0%	0%	100% 0%
	2015	3	100%	103	0	0	100%	0%	0%	33% 67%
	2016	2	100%	49	0	0	100%	0%	0%	100% 0%
Potter	2007	1	86%	55	0	0	100%	0%	0%	0% 100%
	2008	2	82%	118	0	0	100%	0%	0%	50% 50%
	2011	1	50%	87	0	0	100%	0%	0%	100% 0%
	2013	1	49%	88	0	0	100%	0%	0%	0% 100%
	2014	1	85%	52	0	0	100%	0%	0%	100% 0%
	2016	1	100%	45	0	0	100%	0%	0%	100% 0%

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County/Year	Total Arrests	Reporting Agency Coverage	White Rate	Native American Rate	Black Rate	White Pct.	Native American Pct.	Black Pct.	Adult Pct.	Juvenile Pct.
Roberts										
2007	18	68%	23	784	0	6%	94%	0%	89%	11%
2008	34	91%	52	1,024	6,893	9%	88%	3%	76%	24%
2009	74	92%	119	2,221	0	9%	91%	0%	72%	28%
2010	52	91%	70	1,495	0	8%	92%	0%	79%	21%
2011	66	91%	121	1,795	3,795	11%	88%	2%	79%	21%
2012	54	92%	105	1,382	4,734	11%	87%	2%	70%	30%
2013	93	97%	132	2,266	15,787	9%	87%	4%	74%	26%
2014	104	95%	239	2,385	6,688	13%	83%	4%	75%	25%
2015	107	100%	98	2,617	0	6%	93%	0%	79%	21%
2016	81	100%	62	1,841	1,286	5%	94%	1%	77%	23%
Sanborn										
2007	2	100%	40	0	96,835	50%	0%	50%	100%	0%
2008	1	99%	42	0	0	100%	0%	0%	100%	0%
2010	1	100%	43	0	na	100%	0%	0%	0%	100%
2016	1	100%	34	0	0	100%	0%	0%	100%	0%
2014	13	0%	na	na	na	0%	100%	0%	77%	23%
Spink										
2007	11	100%	148	0	0	91%	0%	0%	100%	0%
2008	7	100%	108	0	0	100%	0%	0%	100%	0%
2009	20	100%	313	0	0	100%	0%	0%	100%	0%
2010	7	100%	112	0	0	100%	0%	0%	100%	0%
2011	2	100%	32	0	0	100%	0%	0%	100%	0%
2012	5	98%	79	0	0	100%	0%	0%	100%	0%
2013	9	100%	123	0	2,136	89%	0%	11%	89%	11%
2014	6	100%	94	0	0	100%	0%	0%	83%	17%
2015	1	100%	16	0	0	100%	0%	0%	100%	0%
2016	1	100%	12	0	0	100%	0%	0%	100%	0%
Stanley										
2009	14	97%	373	2,415	0	64%	36%	0%	71%	29%
2010	4	99%	149	0	0	100%	0%	0%	75%	25%
2011	4	100%	111	505	0	75%	25%	0%	100%	0%
2012	1	100%	37	0	0	100%	0%	0%	100%	0%
2014	2	100%	0	870	0	0%	100%	0%	100%	0%
2015	1	100%	38	0	0	100%	0%	0%	100%	0%
Sully										
2007	5	100%	215	7,772		60%	40%	0%	100%	0%
2008	9	100%	591	3,731		89%	11%	0%	100%	0%
2016	1	100%	74	0	0	100%	0%	0%	100%	0%

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County/Year	Total Arrests	Reporting Agency Coverage	White Rate	Native American Rate	Black Rate	White Pct.	Black Pct.	Native American Pct.	Adult Pct.	Juvenile Pct.
Todd										
2014	2	0%	na	na	na	0%	0%	100%	100%	0%
2015	24	0%	na	na	na	0%	0%	100%	100%	0%
2016	77	98%	0	877	0	0%	0%	100%	92%	8%
Tripp										
2007	9	100%	38	917	0	22%	0%	78%	100%	0%
2008	18	100%	102	1,740	0	28%	0%	72%	89%	11%
2009	6	100%	21	639	0	17%	0%	83%	100%	0%
2010	13	100%	64	1,252	0	23%	0%	77%	92%	8%
2011	7	100%	21	630	8,190	14%	14%	71%	100%	0%
2012	13	100%	85	1,151	0	31%	0%	69%	77%	23%
2013	17	51%	384	2,052	0	53%	0%	47%	94%	6%
2014	20	99%	199	1,302	4,582	45%	5%	50%	75%	25%
2015	26	100%	134	2,578	0	23%	0%	77%	92%	8%
2016	38	98%	294	2,990	10,204	34%	5%	61%	89%	11%
Turner										
2007	4	95%	38	0	6,167	75%	25%	0%	100%	0%
2008	2	97%	25	0	0	100%	0%	0%	100%	0%
2009	3	99%	38	0	0	100%	0%	0%	33%	67%
2010	1	100%	12	0	0	100%	0%	0%	100%	0%
2011	19	93%	212	1,208	9,352	84%	11%	5%	68%	32%
2012	5	89%	69	0	0	100%	0%	0%	80%	20%
2013	7	88%	98	0	0	100%	0%	0%	71%	29%
2014	3	78%	32	1,485	0	67%	0%	33%	100%	0%
2015	7	88%	71	1,322	3,157	71%	14%	14%	100%	0%
2016	7	100%	56	0	2,296	86%	14%	0%	100%	0%
Union										
2007	53	70%	548	0	4,563	96%	4%	0%	96%	4%
2008	49	69%	462	4,039	6,815	88%	6%	4%	96%	4%
2009	39	67%	343	1,979	9,277	82%	13%	3%	100%	0%
2010	41	69%	353	3,586	7,335	83%	12%	5%	88%	12%
2011	72	69%	638	2,661	9,915	86%	11%	3%	97%	3%
2012	45	83%	365	0	721	96%	2%	0%	96%	4%
2013	23	85%	182	0	0	96%	0%	0%	83%	17%
2014	66	89%	470	5,206	703	91%	2%	8%	95%	5%
2015	34	91%	216	3,054	2,101	82%	9%	9%	100%	0%
2016	38	100%	232	0	1,296	89%	5%	0%	100%	0%

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County/Year	Total Arrests	Reporting Agency Coverage	White Rate	Native American Rate	Black Rate	White Pct.	Native American Pct.	Black Pct.	Adult Pct.	Juvenile Pct.
Walworth										
2007	12	88%	52	1,166	56,624	17%	67%	17%	100%	0%
2008	4	84%	55	303	0	50%	50%	0%	50%	50%
2009	22	97%	119	2,295	0	23%	77%	0%	91%	9%
2010	5	100%	44	388	0	40%	60%	0%	100%	0%
2011	9	87%	50	1,037	0	22%	78%	0%	100%	0%
2012	22	91%	146	2,340	0	27%	73%	0%	95%	5%
2013	30	100%	155	2,992	0	23%	77%	0%	93%	7%
2014	34	100%	350	2,393	0	47%	53%	0%	94%	6%
2015	18	100%	265	805	0	67%	33%	0%	78%	22%
2016	28	99%	386	1,254	0	61%	36%	0%	93%	7%
Yankton										
2007	90	100%	371	1,454	1,852	87%	7%	7%	86%	14%
2008	71	99%	291	1,898	612	85%	11%	3%	66%	34%
2009	37	100%	125	1,773	896	70%	22%	8%	70%	30%
2010	24	100%	81	1,002	282	71%	25%	4%	88%	13%
2011	64	100%	202	2,561	1,270	67%	25%	8%	75%	25%
2012	75	100%	296	1,050	865	84%	9%	5%	61%	39%
2013	74	100%	302	764	1,052	86%	7%	7%	82%	18%
2014	121	100%	502	1,301	1,367	88%	7%	5%	77%	23%
2015	104	100%	392	1,750	2,043	79%	12%	9%	87%	13%
2016	73	100%	282	1,708	419	81%	16%	3%	82%	18%
Ziebach										
2014	1	72%	201	0	0	100%	0%	0%	100%	0%