

Washington Marijuana Penalties

■ mandatory + medical

		Incarceration	Fine
Possession			
Less than 40 g	misdemeanor*	MMS 1 Day - maximum 90 days	\$250-\$500
40 g or more	felony	5 years maximum	\$10,000
Sale or Cultivation			
Less than 40 g	felony	0 - 6 months	\$10,000
40 g or more	felony	5 years maximum	\$10,000
Sale to minor at least 3 years younger than seller	felony	double penalty	double penalty
Miscellaneous (paraphernalia, license suspensions, drug tax stamps, etc...)			
Dirty paraphernalia possession, manufacture or delivery	misdemeanor*	90 days	\$1,000
<p>*Any convictions of a misdemeanor carry a 24-hour mandatory minimum sentence and a mandatory minimum fine of \$250. For subsequent convictions the possible prison sentence doubles. Any conviction of a juvenile causes driver's license suspension for 1 year.</p>			
Details			
<p>Possession of less than 40 grams is punishable by up to 90 days in jail and a fine up to \$1,000. For amounts of 40 grams or more the penalties increase to up to five years in prison and a fine up to \$10,000.</p> <p>Cultivation, delivery or sale of marijuana is punishable by up to five years in prison and a fine up to \$10,000. Any sale to a minor at least three years younger than the offender doubles the possible penalties.</p> <p>It is an affirmative defense to violations of marijuana-related laws that the person, possessing no more than is necessary for personal medical use for up to sixty days, has valid documentation and meets all criteria as a qualifying patient or as a primary caregiver.</p> <p>Possession, manufacture or delivery of paraphernalia is punishable by up to 90 days in jail and a fine up to \$1,000.</p> <p>Any convictions of a misdemeanor carry a 24-hour mandatory minimum jail sentence and a mandatory minimum fine of \$250.</p> <p>For any subsequent convictions the possible prison sentence doubles.</p> <p>For drug offense convictions of juveniles, the offender's driver's license is suspended for one year.</p>			

■ **Mandatory minimum sentence:** When someone is convicted of an offense punishable by a mandatory minimum sentence, the judge must sentence the defendant to the mandatory minimum sentence or to a higher sentence. The judge has no power to sentence the defendant to less time than the mandatory minimum. A

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prisoner serving an MMS for a federal offense and for most state offenses will not be eligible for parole. Even peaceful marijuana smokers sentenced to "life MMS" must serve a life sentence with no chance of parole.

+ Medical marijuana: This state has medical marijuana laws enacted. Modern research suggests that cannabis is a valuable aid in the treatment of a wide range of clinical applications. These include pain relief, nausea, spasticity, glaucoma, and movement disorders. Marijuana is also a powerful appetite stimulant and emerging research suggests that marijuana's medicinal properties may protect the body against some types of malignant tumors, and are neuroprotective. For more information see NORML's Medical Marijuana section. http://norml.org/index.cfm?Group_ID=3376

Also see Federal Laws http://norml.org/index.cfm?Group_ID=4575

About this Report

NORML's State Guide to Marijuana Penalties outlines most penalties for prohibited marijuana conduct in the 50 states, the District of Columbia, and under federal law. To view the list of prohibited conduct and penalties, click the map icon to the left to find your jurisdiction.

Marijuana laws and penalties change rapidly and are enforced and interpreted differently even in the same legal jurisdiction. Please consult a criminal defense lawyer if you have been busted or if you want to know how a particular conduct might be punished. If you spot an error or have information that should be included in NORML's State Guide to Marijuana Penalties, please inform the NORML Foundation (foundation@norml.org).

Please note:

- The guide does not list penalties for every marijuana offense nor every enhanced sentence such as possessing marijuana near a school, involving a minor, and automatic driver's or professional license suspension. Your state may require an enhanced sentence even if the enhancement is not in the guide.
- Unless otherwise specified, please assume that listed penalties apply only to first convictions. Prior convictions often place a defendant in a higher penalty range, and convictions while on probation for a previous offense may result in revocation of probation.
- Except where indicated otherwise, a listed fine is the maximum fine for the conviction and the minimum fine is zero.
- "Possession" usually means "possessing marijuana only for personal use". If the government accuses you of possessing marijuana for other reasons, the accompanying penalties will probably exceed those for possessing marijuana for personal use. Possessing large amounts of marijuana frequently results in more serious charges of "possession with intent to distribute", "trafficking", and/or "sale".
- Many factors contribute to a defendant's sentence. Factors include level of involvement in the prohibited conduct, location, age, presence or absence of minors, use or presence of weapons, conduct for which a person has been acquitted, and many other things.
- If you are in trouble, please know your rights and hire an attorney.

Warning: The information contained in this report is for informational purposes only. Individuals are encouraged to confirm their state's laws before engaging in any particular behavior, or before going to court without a lawyer.

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The National Organization for the Reform of Marijuana Laws (www.norml.org)

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Metric units to United States units of measurements:

One ounce (oz.) = 28.35 grams

One pound (lb.) = 16 ounces = 453.59 grams

One kilogram (kg.) = 1,000 grams (g) = 2.2 pounds (lbs.)