

Smoke and Horrors

By CHARLES M. BLOW

Attorney General Eric Holder Jr.'s recent chest-thumping against the California ballot initiative that seeks to legalize marijuana underscores how the war on drugs in this country has become a war focused on marijuana, one being waged primarily against minorities and promoted, fueled and financed primarily by Democratic politicians.

According to a report released Friday by the Marijuana Arrest Research Project for the Drug Policy Alliance and the N.A.A.C.P. and led by Prof. Harry Levine, a sociologist at the City University of New York: "In the last 20 years, California made 850,000 arrests for possession of small amounts of marijuana, and half-a-million arrests in the last 10 years. The people arrested were disproportionately African-Americans and Latinos, overwhelmingly young people, especially men."

For instance, the report says that the City of Los Angeles "arrested blacks for marijuana possession at seven times the rate of whites."

This imbalance is not specific to California; it exists across the country.

One could justify this on some level if, in fact, young blacks and Hispanics were using marijuana more than young whites, but that isn't the case. According to the National Survey on Drug Use and Health, young white people consistently report higher marijuana use than blacks or Hispanics.

How can such a grotesquely race-biased pattern of arrests exist? Professor Levine paints a sordid picture: young police officers are funneled into low-income black and Hispanic neighborhoods where they are encouraged to aggressively stop and frisk young men. And if you look for something, you'll find it. So they find some of these young people with small amounts of drugs. Then these young people are arrested. The officers will get experience processing arrests and will likely get to file overtime, he says, and the police chiefs will get a measure of productivity from their officers. The young men who were arrested are simply pawns.

Professor Levine has documented an even more devious practice in New York City, where possessing a small amount of marijuana is just a civil violation (so is a speeding ticket), but having it "open to public view" is a misdemeanor.

According to a report he issued in September 2009: "Police typically discovered the marijuana by stopping and searching people, often by tricking and intimidating them into revealing it. When people then took out the marijuana and handed it over, they were arrested and charged with the crime of having marijuana 'open to public view.' "

And these arrests are no minor matter. They can have very serious, lifelong consequences.

For instance, in 1998, President Bill Clinton signed a provision that made people temporarily or permanently ineligible for federal financial aid depending on how many times they had been arrested and convicted of a drug offense. The law took effect in 2000, and since 2006 lawmakers have been working to soften it. But the effect was real and devastating: the people most in need of financial aid were also being

the most targeted for marijuana arrests and were therefore the most at risk of being frozen out of higher education. Remember that the next time someone starts spouting statistics comparing the number of black men in prison with the number in college.

The arrests also have consequences for things like housing and employment. In fact, in her fascinating new book, "The New Jim Crow," Michelle Alexander argues that the American justice system is being used to create a permanent "undercaste — a lower caste of individuals who are permanently barred by law and custom from mainstream society" and to discriminate against blacks and Hispanics in the same way that Jim Crow laws were once used to discriminate against blacks.

This wave of arrests is partially financed, either directly or indirectly, by federal programs like the Byrne Formula Grant Program, which was established by the Anti-Drug Abuse Act of 1988 to rev up the war on drugs. Surprisingly, this program has become the pet project of Democrats, not Republicans.

Whatever his motives, President George W. Bush sought to eliminate the program. Conservative groups backed his proposal, saying the program "has proved to be an ineffective and inefficient use of resources."

But Democrats would have none of it. In the last year of the Bush administration, financing had been reduced to \$170 million. In March of that year, 56 senators signed onto a "bipartisan" letter to ranking members of the Senate Appropriations Committee urging them to restore nearly \$500 million to the program. Only 15 Republicans signed the letter.

Even candidate Obama promised that he would restore funding to the program.

The 2009 stimulus package presented these Democrats with the opportunity, and they seized it. The legislation, designed by Democrats and signed by President Obama, included \$2 billion for Byrne Grants to be awarded by the end of September 2010. That was nearly a 12-fold increase in financing. Whatever the merits of these programs, they are outweighed by the damage being done. Financing prevention is fine. Financing a race-based arrest epidemic is not.

Why would Democrats support a program that has such a deleterious effect on their most loyal constituencies? It is, in part, callous political calculus. It's an easy and relatively cheap way for them to buy a tough-on-crime badge while simultaneously pleasing police unions. The fact that they are ruining the lives of hundreds of thousands of black and Hispanic men and, by extension, the communities they belong to barely seems to register.

This is outrageous and immoral and the Democrat's complicity is unconscionable, particularly for a party that likes to promote its social justice bona fides.

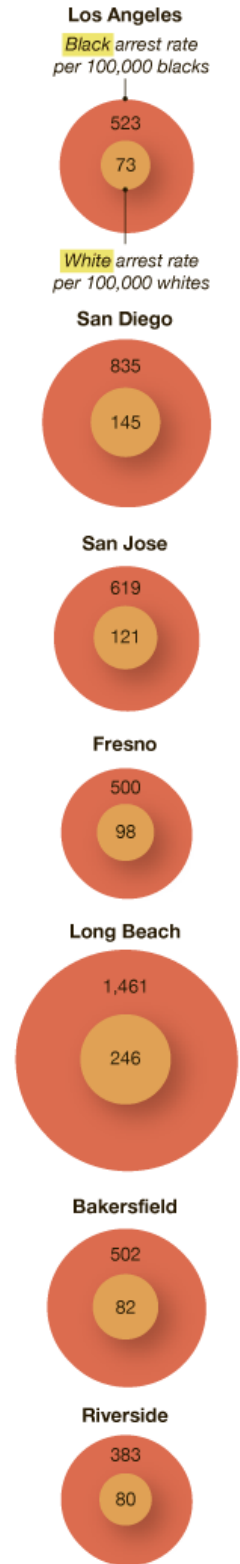
No one knows all the repercussions of legalizing marijuana, but it is clear that criminalizing it has made it a life-ruining racial weapon. As Ms. Alexander told me, "Our failed war on drugs has done incalculable damage."

When will politicians have the courage to stand up, acknowledge this fact and stop allowing young minority men to be collateral damage?

http://www.nytimes.com/2010/10/23/opinion/23blow.html?_r=1&ref=opinion&pagewanted=print

Imbalance in Arrests

Marijuana possession arrest rates in some of California's largest cities, 2006-08.



Source: "Arresting Blacks for Marijuana in California: Possession Arrests in 25 Cities, 2006-08"