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Stop the war on pot smokers

By Tony Newman

What do President Obama, Mayor Bloomberg and California Gov. Arnold Schwarzenegger have in common? They are all elected officials who have admitted to smoking marijuana.

This did not hurt their political careers, and in some ways made them seem approachable and hip whether writing about it in memoirs (Obama), being featured in marijuana reform organization advertisements (Bloomberg) or being shown enjoying marijuana in documentary films (Schwarzenegger).

While these public declarations without punishment are a sign of progress toward overcoming the inaccurate "couch potato" stereotypes of marijuana users, you might be surprised that the U.S. is arresting more than 870,000 people a year on marijuana charges - 89% for simple possession alone.

And while New York has a reputation as a tolerant and open-minded city and New York State effectively decriminalized simple possession of up to 25 grams of marijuana more than 30 years ago, Gotham has made so many pot arrests that it now has the unfortunate distinction of being the marijuana arrest capital of the world.

Last year, the New York Civil Liberties Union released a report, by Harry Levine and Deborah Small, showing that New York City arrests more people on marijuana charges than any city on Earth. The report's authors found that since 1997, city police have arrested hundreds of thousands of people for low-level, misdemeanor marijuana possession offenses.

Levine has just released new arrest data showing that, in 2008, arrests for possessing small amounts of marijuana have increased again to 40,300 people, most of them teenagers and young adults under 26. In the 12 years from 1997 to 2008, the NYPD made more than 10 times the number of pot possession arrests than in the previous 12 years.

Prior to 1997, the lowest-level marijuana arrests were 1% of all arrests in the city. Since 1997, marijuana arrests have averaged 10% of all arrests in the city.

If possession of marijuana is supposed to be decriminalized in New York, how does this happen? Often because, in the course of interacting with the police, individuals may be asked to empty their pockets, which results in the pot being "open to public view" - which is, technically, a crime.

New York City's marijuana arrests show stark racial disparities. In 2008, 87% of those charged with pot possession were black or Latino. These groups represent only about half of the city's population, and U.S. government surveys consistently find that young whites use marijuana at higher rates than blacks and Latinos. Yet blacks and Latinos are arrested for pot at much higher rates, in part because officers make stop-and-frisks disproportionately in black, Latino and low-income neighborhoods.

Once someone is convicted of a drug offense, they can lose college financial aid, food stamps, public housing and, in some cases, even voting rights. Money wasted and lives ruined . . . and for what?

What if New York's current marijuana policy had been in effect in the 1980s when Barack Obama was a marijuana-using college student living on the edge of Harlem? His chances of being arrested and jailed would have been fairly high. And, if he had been arrested and jailed for pot, his political ambitions would have been derailed, just as many young lives are derailed every day in New York through these arrests.

There is growing momentum to change our ineffective marijuana policies. Elected officials from Schwarzenegger to Gov. Paterson have said that marijuana legalization should be considered and debated. Forty-eight percent of Americans in East Coast states support taxing and regulating marijuana the same way alcohol is. A bill pending in the California Legislature to tax and regulate marijuana like alcohol is garnering national attention.

Meanwhile, some Oakland, Calif., activists aren't waiting for their legislature in Sacramento to act; they have drafted a voter initiative and are gathering signatures to qualify it for the 2010 ballot.

New York is swimming against the tide. While Bloomberg has admitted to smoking marijuana and even said he enjoyed it, tens of thousands of other New Yorkers are being arrested and jailed in a shameful example of a destructive and ineffective policy.

http://www.nydailynews.com/opinions/2009/08/25/2009-08-25_stop_the_war_on_pot_smokers.html?print=1&page=all

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