



Cannabis and Racial Justice

What do we gain by arresting and citing more than 650,000 Americans on cannabis charges every year?

The United States has the highest incarceration rate in the world; almost half of all offenders are serving time for drug offenses. Many advocates interested in combating institutional racism see ending cannabis prohibition as a critical step in forging a new approach.

Although cannabis use is roughly equal among blacks and whites, African Americans are over three times more likely to be arrested or cited for cannabis possession as compared to whites, according to an ACLU review of government data.

Cannabis prohibition has racist origins.

Cannabis prohibition began in the early 20th century and was based on racism, not science. The laws were originally used to target Latinos and black jazz musicians. This history continues to manifest itself in the current criminal justice system.

Cannabis prohibition plays a major role in filling our prisons with people of color.

- While African Americans are far more likely than whites to be arrested for cannabis, use rates are about the same across races.
 - The federal National Survey on Drug Use and Health found that, in 2014, 49% of whites reported having consumed cannabis at least once in their lifetime. This is compared to 42% of African Americans and 32% of Latinx.
 - Two-thirds of all people in state prisons for drug offenses are people of color.
 - According to FBI data, half of all drug arrests are for cannabis; of those, 92% are for possession.
 - Each year, roughly 6,000 people are deported for cannabis possession.
 - Cannabis convictions make it more difficult to obtain housing, jobs, and an education. Since the enforcement of cannabis laws is unequal, Latinx and African Americans are disproportionately affected by this stigmatization.
 - More people are arrested for nonviolent cannabis offenses than for all violent crimes combined.
-

Resistance to failed cannabis policies is growing.

Leaders of color are taking a stand: U.S. Rep. Barbara Lee (D-CA), former U.S. Surgeon General Joycelyn Elders, U.S. Senator Cory Booker, and former President Barack Obama have spoken out

against our cannabis laws. The National Black Caucus of State Legislators, the National Organization of Black Law Enforcement Executives, the National African American Drug Policy Coalition, and other prominent African American leaders have also criticized our nation's cannabis laws.

A coalition of more than 100 organizations — including the NAACP, ACLU, and Human Rights Watch — endorsed the legalization of cannabis with additional steps to repair the damage of the war on drugs, which has been waged in a racially discriminatory manner.

There is a better way: Taxing and regulating cannabis.

Drug abuse is a real problem nationwide, but our current cannabis laws haven't helped — they've simply clogged our courts and jails with people of color. By taxing and regulating cannabis similarly to alcohol, we can:

- **Stop branding people as criminals for using a substance that is safer than alcohol.** Criminal records derail dreams and separate families. Cannabis convictions make it more difficult to obtain housing, jobs, and an education.
- **Make our communities safer.** Removing cannabis from the criminal market frees up law enforcement resources so police officers can focus on serious crimes.
- **Establish control over the cannabis market.** Cannabis is sold by licensed businesses that require proof of age and do not expose consumers to other drugs, contaminants, or illegal pesticides.
- **Save taxpayer dollars and generate revenue.** In regulated and taxed markets, cannabis sales create revenue and jobs for our communities rather than for the illicit market.

Arrests in all legal states and Washington, D.C. for the possession, cultivation, and distribution of cannabis have plummeted since voters legalized, saving those jurisdictions hundreds of millions of dollars and preventing the criminalization of thousands of people.

A selection of quotes:

For evidence of marijuana prohibition's racist beginnings, one need look no further than a statement from our nation's very first commissioner of the Federal Bureau of Narcotics, Harry Anslinger, who declared:

"There are 100,000 total marijuana smokers in the U.S., and most are Negroes, Hispanics, Filipinos and entertainers. Their Satanic music, jazz and swing, result from marijuana usage. This marijuana causes white women to seek sexual relations with Negroes, entertainers and any others."

"Mass incarceration is the most pressing racial justice issue of our time."

— Michelle Alexander, *New York Times* best-selling author and law professor

"From a public health perspective, there is a solid case to be made that arresting marijuana users, giving them criminal records, and disrupting careers and families, does more harm to more people than the drug itself does."

— Joycelyn Elders M.D., former U.S. Surgeon General (*Toronto Globe and Mail*, 2002)

“The racially disproportionate nature of the war on drugs is not just devastating to black Americans. It contradicts faith in the principles of justice and equal protection of the laws that should be the bedrock of any constitutional democracy; it exposes and deepens the racial fault lines that continue to weaken the country and belies its promise as a land of equal opportunity; and it undermines faith among all races in the fairness and efficacy of the criminal justice system.”

— Human Rights Watch, *Punishment and Prejudice: Racial Disparities in the War on Drugs*, 2000
