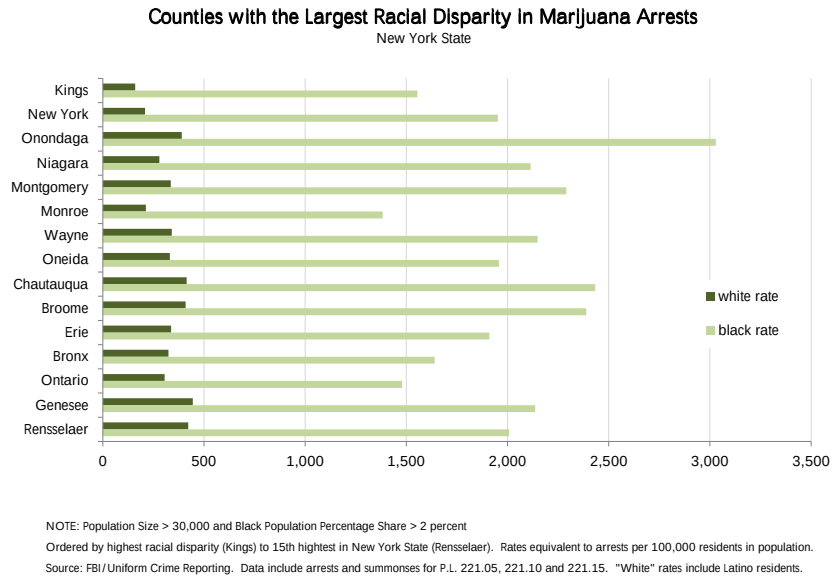
NYCLU Analysis Exposes Gaping Racial Disparities in Marijuana Arrests in Counties Across New York State

FOR IMMEDIATE RELEASE

June 6, 2013 – There are gaping racial disparities in low-level marijuana arrests in counties across New York State, according to a New York Civil Liberties Union analysis released today of federal crime reporting data from 2010.

The greatest racial disparities occur in Kings County (Brooklyn) and New York County (Manhattan), where black New Yorkers are more than 9 times more likely than whites to be arrested for possessing marijuana. But the problem is not limited to New York City. Enormous racial disparities exist in counties throughout the state, including several of the state's most populous counties, such as Onondaga (7.75 times more likely), Niagara (7.56 times more likely), Monroe (6.5 times more likely) and Erie (5.66 times more likely).

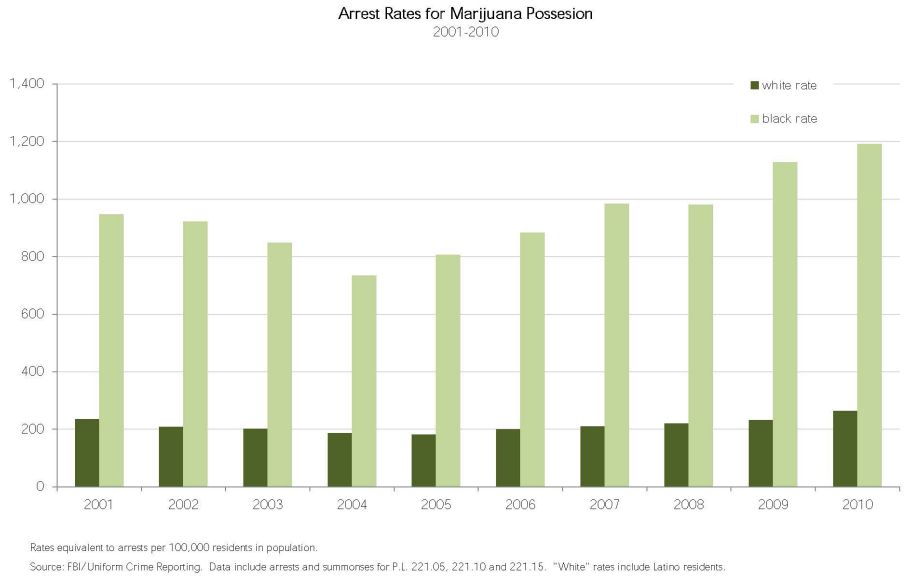
"In all corners of New York State, police are targeting people of color for marijuana possession arrests," NYCLU Executive Director Donna Lieberman said. "Arresting and jailing thousands of people for possessing small amounts of marijuana does not make safer streets. It only needlessly disrupts people's lives and fosters distrust between the police and the communities they are sworn to serve."



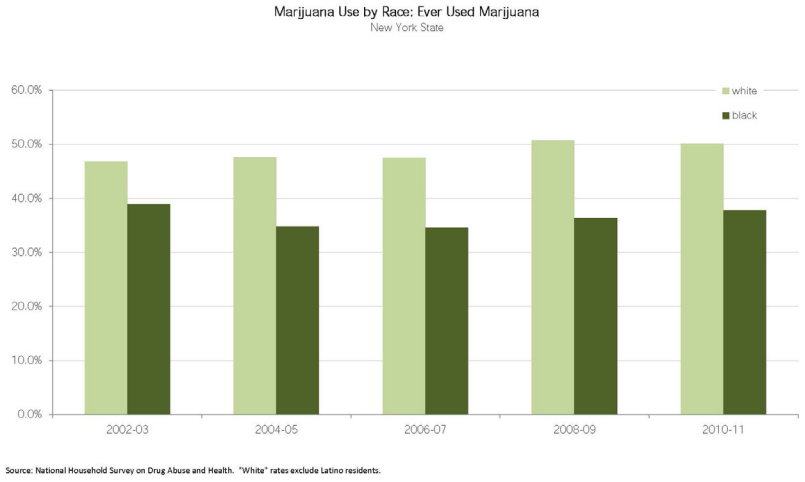
Statewide, black people are 4.5 times more likely than white people to be arrested for marijuana possession. They are at least twice as likely to be arrested for possessing marijuana in 52 of the state's 62 counties. Nationally, blacks are more than 3.7 times as likely as whites to be subjected to marijuana arrests.

There were consistently large racial disparities in marijuana arrests in New York State between 2001 and 2010. While arrest rates of whites increased slightly, black people shouldered a greater portion of the increases in marijuana arrests, with the black arrest rate increasing 26 percent over that time span.

NYCLU
NEW YORK CIVIL LIBERTIES UNION



These gaping racial disparities in marijuana arrests exist even though government surveys show that whites use marijuana at higher rates than blacks do.



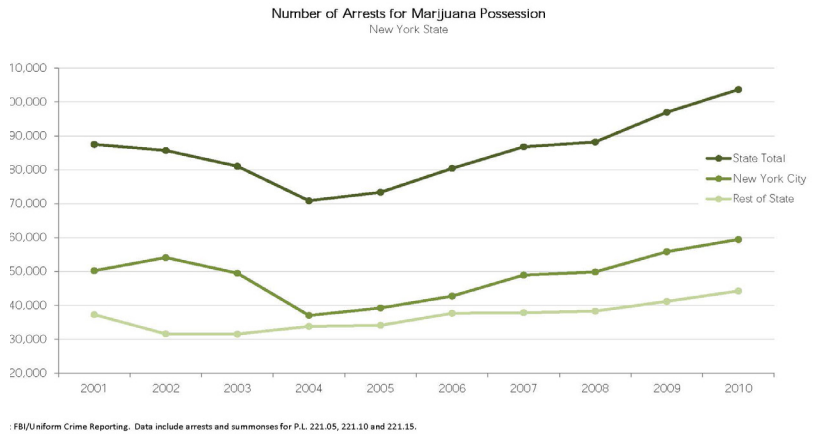
An American Civil Liberties Union report released this week on marijuana arrests nationwide showed New York leads the nation in marijuana arrests. In 2010, there were 103,698 marijuana-possession arrests in New York State – more than 29,000 more arrests than the state with the second-highest total, Texas with 74,286 arrests. New York's marijuana arrest rate of 535 arrests per 100,000 people was double the national average and was the highest arrest rate of any state.

"New Yorkers should be embarrassed that our state leads the nation in marijuana arrests," Lieberman said. "The crackdown on low-level marijuana possession needlessly hurts individuals and families – subjecting them to all sorts of collateral consequences like the loss of student financial aid and job opportunities. Governor Cuomo has pledged to clarify the state's marijuana laws to bring justice and common sense to drug enforce-

ment in our state. We urge him to keep that promise."

New York City is the nation's marijuana arrest capital. Arrests for marijuana possession in the city skyrocketed from only 774 in 1991 – for the lowest misdemeanor offense – to 50,383 in 2010 – an increase of 6,409 percent. The explosion in marijuana arrests happened despite the fact that New York State made marijuana possession a violation in 1977, like speeding or ignoring a stop light.

The number of marijuana-possession arrests in the state annually was consistently high between 2001 and 2010 and increased over the final three years of that time span.



Arresting people for possessing small amounts of marijuana does not reduce serious or violent crime. According to a study by two University of Chicago professors, these arrests only pull police off the streets and divert them into nonessential police work.[1] According to the National Household Survey on Drug Abuse and Health, the rise in marijuana arrests has not corresponded with a reduction in the use of marijuana in New York State.[2]

Marijuana possession arrests drive thousands of young men of color into the criminal justice system. It does so at significant taxpayer expense. In 2010, marijuana arrests cost state taxpayers $678.5 million in police and court costs.

"At a time when county governments across New York are cutting services to close huge budget deficits, police should not be wasting scarce resources arresting people for small amounts of marijuana," Lieberman said.

Marijuana arrests needlessly harm individuals and families. They can affect eligibility for public housing and student financial aid, employment opportunities, child custody determinations and immigration status. Marijuana convictions can also subject people to more severe charges and sentences if they are ever arrested for or convicted of another crime. In addition, the targeted enforcement of marijuana laws against people of color sows mistrust between communities and the police, weakening public safety.

1. www.econ.brown.edu/fac/glenn_loury/louryhomepage/teaching/Ec%20222/marijuana-arrests-Ludwig.pdf

2. www.icpsr.umich.edu/icpsrweb/content/SAMHDA/rdas.html

2010 Marijuana Arrests and Summonses by New York County

County	Population	Arrests	Black Arrests	White Arrests	Times More Likely
Kings	2,508,515	20,413	12,544	1,443	9.68
Bronx	1,387,159	16,001	6,943	497	5.06
New York	1,587,481	11,221	4,047	1,596	9.37
Queens	2,233,895	9,456	3,449	1,135	4.62
Erie	918,751	4,991	2,425	2,516	5.66
Suffolk	1,494,388	4,520	1,260	3,237	4.20
Onondaga	467,253	3,136	1,612	1,497	7.75
Monroe	744,635	2,895	1,638	1,238	6.50
Westchester	950,283	2,457	1,057	1,390	3.68
Richmond	469,393	2,360	618	931	4.47
Orange	373,551	1,700	368	1,328	2.08
Albany	303,889	1,660	475	1,162	2.44
Ulster	182,473	1,538	265	1,258	2.93
Nassau	1,341,033	1,477	497	921	3.57
Rockland	312,520	1,107	447	644	4.35
Franklin	51,609	1,099	45	1,027	0.58
Oneida	234,870	1,005	303	688	5.91
Broome	200,368	978	243	728	5.83
Dutchess	297,739	899	200	695	2.29
Niagara	216,542	870	319	539	7.56
Rensselaer	159,465	817	217	596	4.75
Saratoga	219,988	803	51	749	4.20
Sullivan	77,470	657	159	497	2.84
Chautauqua	134,813	630	86	528	5.87
Schenectady	154,932	570	182	381	3.68
Oswego	122,166	508	14	491	3.21
Chemung	88,830	504	115	388	3.93
St. Lawrence	111,917	495	22	442	2.06
Warren	65,723	479	22	454	5.05
Clinton	82,143	476	29	441	1.49
Tompkins	101,654	469	34	424	1.60
Jefferson	116,680	390	34	338	1.73
Putnam	99,718	389	22	362	2.27
Greene	49,160	382	50	328	2.31
Madison	73,464	373	24	335	3.57
Columbia	63,020	368	57	308	3.57
Wayne	93,783	367	64	301	6.30
Ontario	108,095	353	38	312	4.85
Washington	63,322	349	14	334	1.27
Livingston	65,349	338	22	313	2.57
Cayuga	79,997	310	28	279	2.23
Cattaraugus	80,250	288	15	236	4.44
Genesee	60,080	288	36	251	4.81
Chenango	50,396	286	10	275	5.19
Otsego	62,227	253	26	223	5.90
Steuben	98,938	243	29	213	8.15
Allegany	48,951	237	12	220	4.52
Fulton	55,471	234	8	226	1.72
Schoharie	32,692	230	8	221	2.42
Cortland	49,324	224	29	193	8.42
Orleans	42,861	212	33	178	2.79
Herkimer	64,481	190	14	175	6.91
Delaware	47,843	186	9	177	2.92
Montgomery	50,260	186	26	160	6.82
Essex	39,316	179	5	168	1.01
Seneca	35,206	169	14	152	1.83
Tioga	51,095	157	3	154	2.49
Wyoming	42,138	102	4	98	0.64
Yates	25,367	77	2	74	3.22
Lewis	27,101	51	0	51	0.00
Hamilton	4,835	50	2	48	5.64
Schuyler	18,338	49	2	47	4.65

Sources: FBI Uniform Crime Reporting, US Census, DCJS, Criminal Court of New York

NYCLU
NEW YORK CIVIL LIBERTIES UNION