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

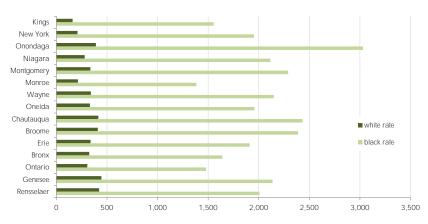
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June 6, 2013 – There are gaping racial disparities in low-level marijuana arrests in counties across New York State, according to a New York Civil Liberties Union analysis released today of federal crime reporting data from 2010.

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."





NOTE: Population Size > 30,000 and Black Population Percentage Share > 2 percent

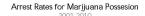
Ordered by highest racial disparity (Kings) to 15th hightest in New York State (Rensselaer). Rates equivalent to arrests per 100,000 residents in population

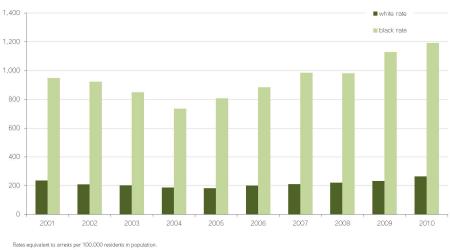
Source: FBI/Uniform Crime Reporting. Data include arrests and summonses for P.L. 221.05, 221.10 and 221.15. "White" rates include Latino residents.

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.

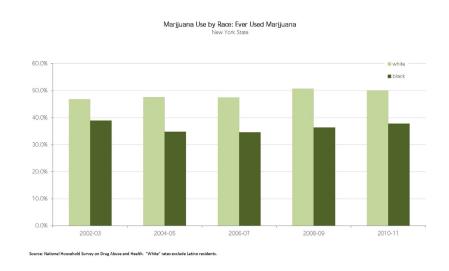






Source: FBI/Uniform Crime Reporting. Data include arrests and summorses for P.L. 221.05, 221.10 and 221.15. "White" rates include Latino residents

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

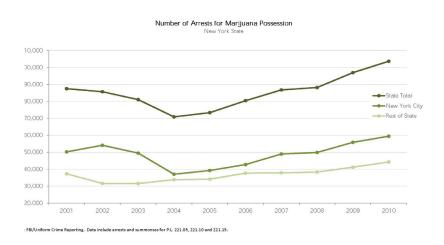


An American Civil Liberties Union report released this week on marijuana arrests nationwide showed New York leads the nation in marijuana arrests. In 2010, there were 103,698 marijuana-possession arrests in New York State – more than 29,000 more arrests than the state with the second-highest total, Texas 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 enforcement 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. 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/qlenn 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

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