



Billions of Dollars Wasted on Racially Biased Arrests

A New Report from the American Civil Liberties Union

A new report from the American Civil Liberties Union is the first to examine marijuana arrest rates by race for all 50 states and D.C. between 2001 and 2010. The report, relying on data from the FBI's Uniform Crime Reporting Program and the US Census, reveals a number of troubling trends.

The War on Marijuana is about over-policing.

According to the ACLU's original analysis, marijuana arrests now account for over 50% of all drug arrests in the US. There were 8.2 million marijuana arrests between 2001 and 2010, 88% of which were for possession. In 2010, police arrested someone for having marijuana every 41 seconds – leading to hundreds of thousands of people unnecessarily ensnared in our criminal justice system for a non-violent offense. The price paid by those arrested and convicted of marijuana possession is often significant and can linger for years, if not a lifetime. Arrests and convictions for possessing marijuana can negatively impact public housing and student financial aid eligibility, employment opportunities, child custody determinations, and immigration status.

The War on Marijuana has been enforced with staggering racial bias.

Nationwide, the arrest data reveals a consistent trend: significant racial bias. Despite comparable marijuana usage rates between white people and Black people, Blacks are 3.73 times more likely than whites to be arrested for marijuana possession. Such racial disparities in marijuana possession arrests exist in all regions of the country, in counties large and small, urban and rural, wealthy and poor, and with large and small black populations. Indeed, in over 96% of the counties the report examined, which cover 78% of the U.S. population, Blacks are arrested at higher rates than whites for marijuana possession. Though there were pronounced racial disparities in marijuana arrests ten years ago, disparities have increased in 38 of 50 states and the District of Columbia.

The War on Marijuana wastes time and money.

Police have prioritized aggressive enforcement of marijuana laws across the country and states have spent billions of dollars on such enforcement – yet the use and availability of marijuana has not diminished. In 2010, states spent a combined total of over \$3.6 billion enforcing marijuana possession laws. The money and resources that law enforcement devotes to enforcing marijuana possession laws could be better invested in working collaboratively with communities to build trust and increase community safety; and on addressing and solving serious crimes.

IT'S TIME TO END THE WAR ON MARIJUANA.

As the ACLU's report makes clear, it's time to end the failed War on Marijuana. Our drug laws and policies need to be significantly reworked – it's time they were fairer, more compassionate, and smarter at reducing drug dependency and improving our health and safety. The ACLU recommends that states legalize marijuana possession and use for persons 21 or older through a system of taxation, licensing and regulation, like alcohol. Legalization is the smartest and surest way to end racially biased enforcement of marijuana laws, and would also eliminate enforcement costs while generating revenue for cash-strapped states. If legalization is not possible, the ACLU recommends depenalizing marijuana use and possession by removing all related civil and criminal penalties for such authorized activities for persons 21 or older, or, if depenalization is unobtainable, decriminalizing use and possession for adults and youth by classifying such activities as civil offenses. The ACLU also recommends that police end racial profiling and unconstitutional stop, frisk, and search practices, and that federal and state agencies no longer measure their performance and productivity by the number of stops and arrests they make.



To read the complete report, please visit www.aclu.org/marijuana.

BECAUSE FREEDOM CAN'T PROTECT ITSELF