

EDITORIAL

Racially Biased Arrests for Pot

By The Editorial Board

June 15, 2013

Researchers have long known that African-Americans are more likely to be arrested for marijuana possession than whites, even though studies have repeatedly shown that the two groups use the drug at similar rates.

New federal data, included in a study by the American Civil Liberties Union, now shows that the problem of racially biased arrests is far more extensive than was previously known — and is getting worse. The costly, ill-advised “war on marijuana” might fairly be described as a tool of racial oppression.

The study, based on law enforcement data from 50 states and the District of Columbia, is the most detailed of its kind so far. Marijuana arrests have risen sharply over the last two decades and now make up about half of all drug arrests in the United States. Of the more than eight million marijuana arrests made between 2001 and 2010, nearly 90 percent were for possession. There were nearly 900,000 marijuana arrests in 2010 — 300,000 more than for all violent crimes combined.

Nationally, African-Americans are nearly four times as likely to be arrested for marijuana possession as whites. The disparity is even more pronounced in some states, including Illinois, Iowa and Minnesota, where African-Americans are about eight times as likely to be arrested. And in some counties around the country, blacks are 10, 15 or even 30 times as likely to be arrested.

This nationwide pattern is evident in all kinds of communities — urban and rural, wealthy and low income, in places where the African-American populations are large and in places where they are small.

As the report notes, police officers who are targeting black citizens and black neighborhoods are turning “a comparatively blind eye to the same conduct occurring at the same rates in many white communities.”

Paradoxically, this is happening at a time when polls show growing public support for full legalization. Two states, Colorado and Washington, have legalized the drug for general use by adults; 18 others and the District of Columbia have legalized it for medical use. The mindless push to make low-level possession arrests distracts the police from serious crime, wastes billions of dollars and alienates minority citizens from the law. It also brings disastrous consequences for young people, as convictions can lead to fines, jail time and temporary loss of federal student financial aid — not to mention criminal records that make it difficult for them to find housing or work. The report urges the states to license and regulate marijuana, legalizing it for people 21 or older.

Regardless of laws in individual states, federal officials and local police departments need to abandon policies that evaluate officers based on numerical arrest goals, which encourage petty arrests, along with illegal stops that violate the Fourth Amendment.

This also means restructuring a main federal program that finances state and local efforts to enforce drug laws so that petty marijuana arrests are no longer counted as evidence of effective police performance. Beyond that, law enforcement agencies need to put an end to what is obviously a widespread practice of racial profiling.

[Meet The New York Times's Editorial Board »](#)

A version of this article appears in print on , Section SR, Page 10 of the New York edition with the headline: Racially Biased Arrests for Pot