



RESEARCH AND ADVOCACY FOR REFORM

Disparity By Geography

The War on Drugs in America's Cities

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Urban black Americans have borne the brunt of the War on Drugs. They have been arrested, prosecuted, convicted, and imprisoned at increasing rates since the early 1980s, and grossly out of proportion to their numbers in the general population or among drug users. By every standard, the war has been harder on blacks than on whites; that this was predictable makes it no less regrettable. – Michael Tonry¹

The “war on drugs,” beginning in the 1980s, represented a profound shift in the way in which the United States practiced law enforcement, and ushered in a new era in American policing. Overall, between 1980 and 2003, the number of drug offenders in prison or jail increased by 1100% from 41,100 in 1980 to 493,800 in 2003,² with a remarkable rise in arrests concentrated in African American communities. This precipitous escalation began as the result of a tangible shift in law enforcement practices toward aggressively pursuing drug offenses.

This report analyzes the implementation of the drug war on the “ground level,” and how it has played out in arrest patterns in the nation’s largest cities. Our examination reveals broad disparity in the use of discretion regarding the scope of drug arrests, and consequently its effect on the communities most heavily impacted by these practices. We also look at the consequences of the policy choice made to respond to drug abuse through mechanisms of law enforcement rather than a public health model and discuss how this decision has affected American society, particularly communities of color.

This study represents the first longitudinal analysis of drug arrests by race at the city-level, analyzing data from 43 of the nation’s largest cities between 1980-2003, the period during which the “war on drugs” was initiated and expanded.³ A city-level study offers a number of advantages in helping assess the impact of the “war on

¹ Michael Tonry (1996). *Malign Neglect: Race, Crime, and Punishment in America*. Oxford University Press, USA, p. 105.

² Marc Maurer and Ryan S. King, *A 25-Year Quagmire: The War On Drugs and Its Impact on American Society*, The Sentencing Project, September 2007.

³ See Appendix A for a discussion of the methodology.

drugs.” Most importantly, national level data obscures variations that exist among jurisdictions, while a city-level analysis of drug arrests can more effectively outline the contours and local nuances of drug enforcement. This is of paramount importance, as the analysis in this report will show that the discretion intrinsic to domestic drug enforcement fosters an environment in which local decision making plays a defining role in shaping arrest patterns.

Key findings of this report include:

- Since the inception of the “war on drugs” in 1980, there have been more than 31 million arrests for drug offenses in the United States.
- Forty of the nation’s 43 largest cities experienced growth in drug arrests from 1980-2003. Of these, six experienced more than a 500% increase during this period: Tucson (887%), Buffalo (809%), Kansas City (736%), Toledo (701%), Newark (663%), and Sacramento (587%).
- Growth in drug arrests varied significantly among the nation’s cities from 1980-2003. The top ten cities’ average growth of 592% was nearly 12 times that of the 50% average growth for the bottom ten cities.
- Extreme variations in drug arrests exist even within states. In Texas, despite the fact that Dallas and Fort Worth are separated by only 30 miles, Fort Worth experienced an 81% rise in drug arrests between 1980 and 2003 while Dallas had a decline of 42%. In Arizona, Tucson’s rise of 887% was 17 times that of the 52% increase in Phoenix.
- In the nation’s largest cities, drug arrests for African Americans rose at three times the rate for whites from 1980 to 2003, 225% compared to 70%. This disparity is not explained by corresponding changes in rates of drug use.
- In 11 cities, black drug arrests rose by more than 500% from 1980 to 2003.
- The extreme variation in city-level drug arrests suggests that policy and practice decisions, and not overall rates of drug use, are responsible for much of this disparity.

THE BIRTH AND EXPANSION OF THE “WAR ON DRUGS”

Over the course of the 20th century, the United States engaged in several “wars on drugs,” but the birth of the modern day “war on drugs” can be traced to a July 14, 1969 message sent to Congress by President Richard M. Nixon in which he declared drug abuse to be a “growing menace to the general welfare of the United States.”⁴ In 1971, Nixon reiterated the country’s commitment to fighting drug abuse, calling it “America’s public enemy number one,” and designated a White House office to oversee a national strategy of enforcement and treatment, which dedicated more than \$350 million to fund the effort.

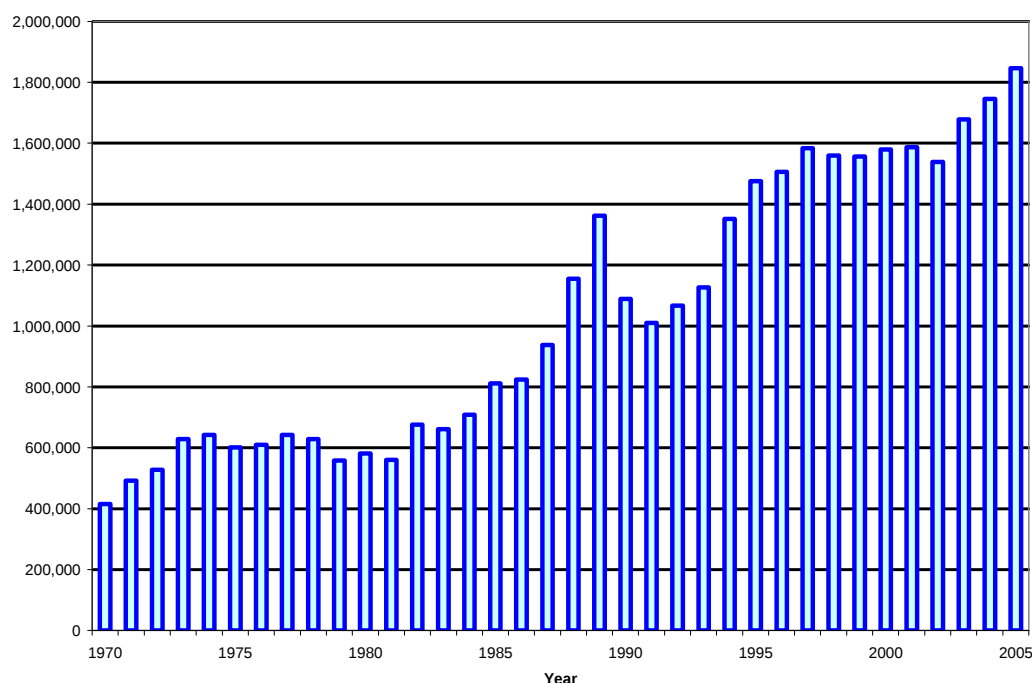
While President Nixon may have led the effort to prioritize drug enforcement policy nationally, it was the administrations of Presidents Reagan, Bush and Clinton that oversaw a historic redeployment of American law enforcement to target drug offenses. The combined influence of federal leadership, in the form of political initiatives, law enforcement grants, and civil asset forfeiture provisions, redefined law enforcement priorities virtually overnight. The impact of this change has been felt throughout the country, as the “war on drugs” has touched all Americans, either directly through personal or familial involvement, or indirectly, resulting from a strategic reorientation of policing, prosecution, and corrections. While there is widespread agreement that drug abuse presents potentially harmful consequences for individuals, families and communities, there remains significant disagreement about the best way to deploy public resources in response. Proponents of a sanctions-oriented approach, which has been the dominant paradigm of the “war on drugs” era, argue that swift and stern punishment is necessary to deter drug sales and use. Proponents of a “harm reduction” model advocate for a public health centered

⁴ John Woolley and Gerhard Peters, *The American Presidency Project* [online]. Santa Barbara, CA: University of California (hosted), Gerhard Peters (database). Available from World Wide Web: (<http://www.presidency.ucsb.edu/ws/?pid=2126>).

approach, with an emphasis on public education, prevention and treatment, while reserving law enforcement only for cases in which public safety is jeopardized.

In the 1980s, the United States undertook a dramatic redeployment of its domestic law enforcement resources. In 1980, the rate of drug arrests in the United States was 256 per 100,000, only 2.5% higher than the rate of a decade prior.⁵ During that year, drug offenses comprised 5.9% of all arrests. By 1990, this figure had nearly doubled to 11.1%, and currently, one of every eight arrests is for a drug offense. Figure 1 illustrates the growth in the number of arrests during this time period. After a spike between 1970 and 1973, the number of drug arrests remained stable until 1982, when a period of sustained growth culminated in a peak of 1.36 million arrests in 1989. After a brief decline to a total of 1 million arrests in 1991, the “war on drugs” entered a new era of growth through 2005, when the United States arrested more than 1.8 million people for a drug offense. Between 1980 and today, the number of annual drug arrests increased by 218%, from 581,000 to more than 1.8 million. Overall, there have been more than 37 million arrests for a drug offense since 1970, of which 31 million have occurred since 1980.

⁵ Bruce L. Benson and David W. Rasmussen, *Illicit Drugs and Crime*, The Independent Institute, 1996.

Figure 1—Total Drug Arrests, 1970-2005

The aggressive and proactive emphasis on targeting drug use and sales in the 1980s, primarily concentrated in urban areas, represented a wholesale departure from prior efforts at drug enforcement. While law enforcement had long been actively pursuing drug offenses, the scale of resources allocated for apprehending persons for narcotics sales and use was historically unparalleled.

City-level drug arrests reflected this national trend in law enforcement as well.

In 1980, as seen in Table 1, in only three cities (7%) of the 43 analyzed – Los Angeles, Milwaukee, and San Diego – did drug offenses account for more than 1 in 10 arrests. By 2003, 32 (74%) of the cities were above the 10% figure.

In 2003, drugs accounted for at least one of every five arrests in 14 cities, including a high of 39.1% in Newark. The Newark figure represents a quadrupling of the drug arrest proportion between 1980 (8.2%) and 2003 (39.1%).

Table 1- Drug Arrests as Proportion of All Arrests

1980 and 2003

CITY	ARRESTS FOR DRUGS,	ARRESTS FOR DRUGS,
	1980	2003
NEWARK	8.2%	39.1%
BALTIMORE	9.8%	28.6%
CHICAGO	4.8%	28.2%
SAN DIEGO	14.3%	24.4%
OAKLAND	5.8%	23.8%
LONG BEACH	6.5%	23.7%
SAN FRANCISCO	7.3%	22.9%
BOSTON	5.5%	22.8%
PHILADELPHIA	4.6%	22.1%
SAN ANTONIO	4.3%	21.3%
BUFFALO	3.8%	21.1%
SACRAMENTO	3.0%	21.0%
SAN JOSE	7.4%	20.7%
PITTSBURGH	5.2%	20.4%
LOS ANGELES	10.3%	19.9%
ATLANTA	8.2%	18.5%
LOUISVILLE	9.0%	17.5%
OKLAHOMA CITY	7.6%	16.8%
PORTLAND	4.5%	16.3%
ST. LOUIS	7.5%	16.2%
NEW YORK	5.3%	13.9%
TUCSON	5.0%	13.1%
HOUSTON	5.4%	12.9%
CHARLOTTE	4.6%	12.3%
OMAHA	4.2%	12.3%
MEMPHIS	3.6%	12.2%
DETROIT	5.3%	12.1%
KANSAS CITY, MO	1.8%	11.1%
COLUMBUS	4.1%	10.8%
DENVER	3.3%	10.6%
TULSA	9.1%	10.5%
EL PASO	5.8%	10.4%
PHOENIX	6.7%	9.6%
DALLAS	7.8%	8.9%
INDIANAPOLIS	2.0%	8.7%
AUSTIN	7.2%	8.4%
ALBUQUERQUE	3.0%	7.8%
VIRGINIA BEACH	6.9%	7.8%
TOLEDO	2.2%	6.6%
MILWAUKEE	10.2%	5.9%
LAS VEGAS	4.1%	5.5%
FORT WORTH	5.7%	5.3%
HONOLULU	4.2%	4.4%

While the number of drug arrests grew dramatically between 1980 and 2003, what is notable is the variation in this trend among the nation's largest cities. This can be seen in Table 2, which displays the growth in the rate of drug arrests for the period 1980-2003. Several key findings emerge from these data:

- Forty of the 43 largest cities experienced growth in drug arrests from 1980 to 2003. The only cities showing a decline were Los Angeles (-8%), Las Vegas (-37%), and Dallas (-42%).
- Six cities experienced more than a 500% rise in drug arrests during this period: Tucson (887%), Buffalo (809%), Kansas City (736%), Toledo (701%), Newark (663%), and Sacramento (597%).
- There were extreme variations in the rate of increase of drug arrests for the 40 cities with growth during this period. Tucson's rise of 887% was 68 times that of San Diego's 13% growth. The average increase of 592% for the top ten cities was nearly 12 times the average 50% increase for the bottom ten cities.
- Substantial variations persist not only nationally, but within the same state.
 - In Texas, despite the fact that Dallas and Ft. Worth are separated by only 30 miles, Ft. Worth experienced an 81% rise in drug arrests while Dallas had a decline of 42%.
 - In Arizona, Tucson's rise of 887% was 17 times that of the 52% increase in Phoenix.

**Table 2- Change in Rate of Drug Arrests per 100,000
1980-2003**

CITY	1980	2003	Change 1980-2003
TUCSON	857	8461	887%
BUFFALO	280	2548	809%
KANSAS CITY, MO	529	4430	736%
TOLEDO	272	2182	701%
NEWARK	970	7409	663%
SACRAMENTO	616	4295	597%
OMAHA	826	4280	418%
BALTIMORE	2231	11276	405%
PHILADELPHIA	683	3375	394%
BOSTON	532	2192	312%
NEW YORK	1120	4610	311%
SAN ANTONIO	609	2498	310%
PITTSBURGH	695	2637	279%
CHICAGO	1433	5216	264%
MEMPHIS	359	1307	264%
AUSTIN	748	2473	231%
LONG BEACH	1890	6167	226%
INDIANAPOLIS	600	1929	221%
DENVER	1266	3867	205%
VIRGINIA BEACH	641	1931	201%
HOUSTON	696	2013	189%
ST. LOUIS	1121	3180	183%
PORTLAND	993	2679	170%
COLUMBUS	373	1001	168%
LOUISVILLE	1660	4230	155%
CHARLOTTE	603	1353	124%
OAKLAND	1338	2996	124%
ALBUQUERQUE	965	2142	122%
TULSA	1050	2328	122%
SAN FRANCISCO	2777	5752	107%
SAN JOSE	1774	3466	95%
FORT WORTH	760	1379	81%
ATLANTA	2202	3527	60%
MILWAUKEE	1932	2954	53%
PHOENIX	1463	2225	52%
EL PASO	1301	1855	43%
OKLAHOMA CITY	2111	2932	39%
DETROIT	581	803	38%
HONOLULU	517	646	25%
SAN DIEGO	4669	5264	13%
LOS ANGELES	2867	2630	-8%
LAS VEGAS	2727	1716	-37%
DALLAS	2078	1215	-42%

These broad variations in rates of increase in drug arrests during the height of the drug war period should raise concern among local political officials and law enforcement leadership. Unlike violent offenses such as murder, rape, or armed robbery, where police respond to crime reports, drug law enforcement is not necessarily offense-driven, but results from priorities established by local law enforcement and political leadership.

These priorities may reflect a variety of considerations. Local variations in drug use, either by volume or type of drug, may influence the degree of enforcement activity. But the level of arrests may also be a function of local decision making regarding the scope of drug law enforcement, ranging from only targeting high-level traffickers to casting a net for all drug offenders, including cases of low-level possession. In some jurisdictions, political initiatives to “get tough on drugs” have also influenced the degree and breadth of law enforcement activities.

Given the extreme variations in city-level drug arrests that we have observed, it is unlikely that changes in drug use or drug selling alone can account for this variation. For example, it is difficult to imagine that the level of drug use in Tucson increased at 68 times the rate of use in San Diego during this period. Nor is it likely that the neighboring cities of Dallas and Ft. Worth would have such disparate rates in drug use trends to explain the large gap in their arrest trends.

Thus, these data suggest that local political and law enforcement decisions are at least partly driving arrest trends, as opposed to drug use or selling. The means by which this has resulted is related to the “victimless” nature of drug offenses. Since relatively few drug crimes are reported to police, tactics used by law enforcement have increasingly included surveillance and undercover operations. These methods of policing, including surprise “jump outs,” wiretaps, certified informants, and “buy and bust” operations, have significantly reframed the relationship between law enforcement and communities. As will be seen in the following section, these methods have contributed substantially to both a growing divide in arrest rates by race and burgeoning mistrust of police in many communities of color.

THE “WAR ON DRUGS” IN THE AFRICAN AMERICAN COMMUNITY

There is perhaps no single factor that has contributed as significantly to the expansion of racial disparity in the criminal justice system as the “war on drugs.” Prior to the inception of the drug war in 1980, African Americans were nearly twice as likely to be arrested for drug offenses as whites. Per 100,000 residents, there were 684 black arrests compared to 387 white arrests, producing a 77% higher rate for black arrests. But as drug arrests climbed around the nation, so too did the racial disparity in drug arrests. Black drug arrests rose by 225% during this period, compared to an increase of 70% in white drug arrests.

Thus, by 2003, African Americans were arrested for drug offenses at a rate that was 238% higher than whites, which translates into African Americans being 3.4 times more likely to be arrested for a drug offense than whites.

Table 3- Drug Arrests per 100,000 by Race, 1980-2003

RACE	1980	2003	GROWTH
WHITE	387	658	70%
BLACK	684	2221	225%

Overall, as seen in Table 4 below, in 36 of the 43 cities studied, black drug arrest rates increased at a faster pace than white drug arrest rates from 1980 to 2003. But, as we have seen in arrest rates overall, the disparity between black and white rates of increase varied enormously over the nation.

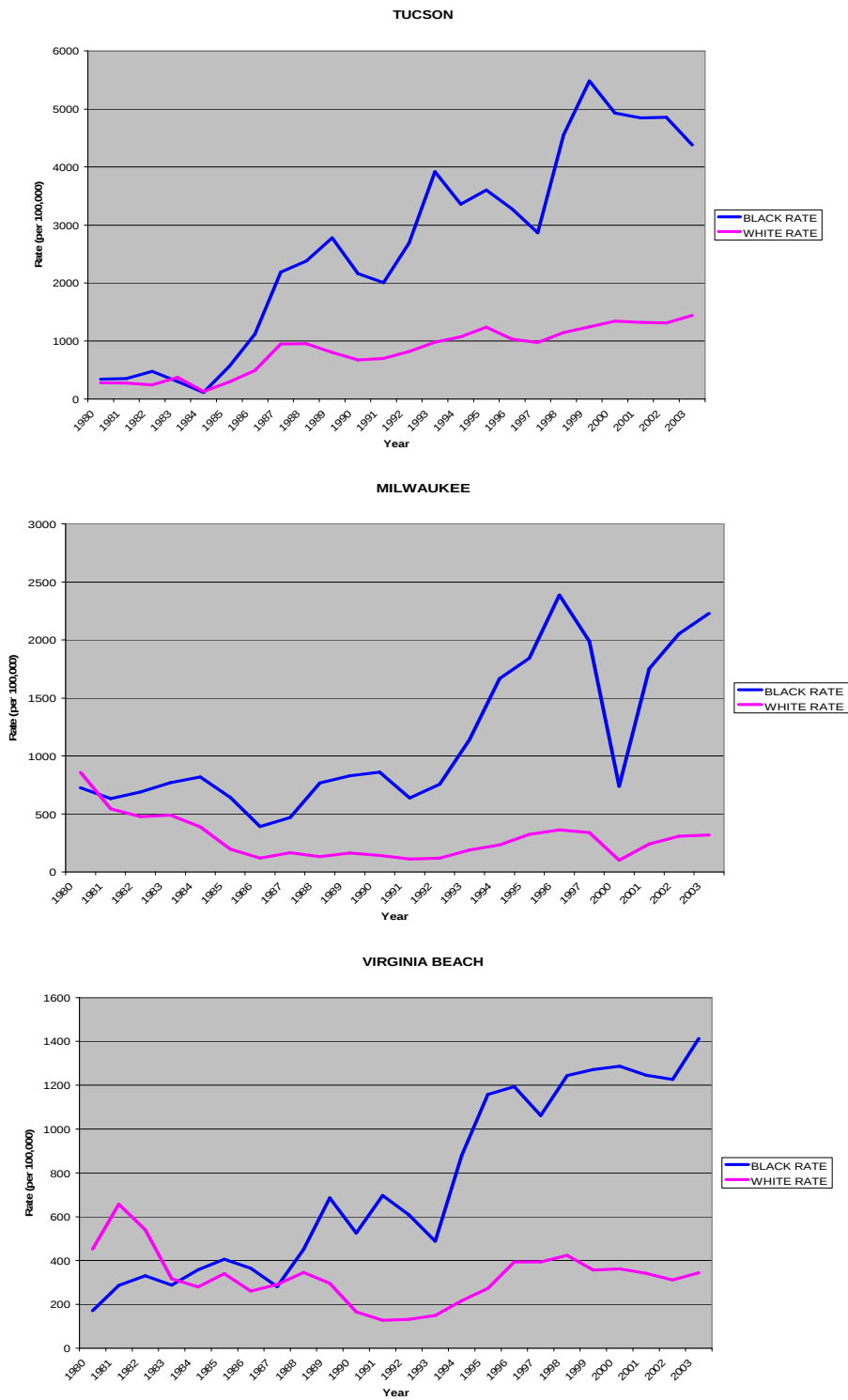
Table 4- Changes in Drug Arrest Rate per 100,000 by Race, 1980-2003

CITY	WHITE 1980	WHITE 2003	CHANGE 1980-2003		BLACK 1980	BLACK 2003	CHANGE 1980-2003
TUCSON	282	1444	411%		341	4381	1184%
BUFFALO	35	468	1204%		166	1717	930%
TOLEDO	96	307	218%		175	1730	884%
INDIANAPOLIS	61	291	375%		166	1637	884%
KANSAS CITY, MO	139	699	400%		326	3202	881%
SACRAMENTO	247	885	258%		314	3006	856%
BALTIMORE	573	1633	185%		832	7152	759%
NEWARK	448	2501	458%		471	4002	749%
VIRGINIA BEACH	452	343	-24%		170	1413	729%
OMAHA	138	511	269%		411	3280	698%
MEMPHIS	220	182	-17%		131	840	541%
AUSTIN	386	448	16%		352	1742	394%
CHICAGO	433	910	110%		790	3856	388%
BOSTON	136	465	242%		328	1594	385%
PHILADELPHIA	226	870	284%		430	2080	383%
SAN ANTONIO	261	807	208%		348	1668	379%
PITTSBURGH	267	579	117%		428	1981	362%
LOUISVILLE	763	950	24%		721	3227	347%
HOUSTON	323	450	39%		350	1516	333%
LONG BEACH	524	1320	152%		1188	4665	293%
COLUMBUS	145	85	-41%		188	740	293%
DENVER	395	828	109%		592	2302	289%
NEW YORK	279	1236	343%		718	2753	283%
ST. LOUIS	335	417	25%		720	2631	265%
ALBUQUERQUE	250	401	60%		398	1435	260%
TULSA	390	518	33%		384	1289	235%
CHARLOTTE	256	209	-19%		346	1144	230%
MILWAUKEE	859	320	-63%		727	2227	206%
PORTLAND	212	359	70%		626	1730	176%
OAKLAND	295	578	96%		840	2167	158%
ATLANTA	1162	629	-46%		1040	2513	142%
SAN FRANCISCO	618	859	39%		2061	4891	137%
OKLAHOMA CITY	581	553	-5%		837	1779	113%
FORT WORTH	283	415	46%		449	927	106%
SAN JOSE	499	997	100%		1081	1962	82%
DETROIT	222	206	-7%		359	584	62%
PHOENIX	329	454	38%		769	1196	55%
EL PASO	274	611	123%		813	1075	32%
HONOLULU	180	123	-31%		203	261	28%
SAN DIEGO	1111	1086	-2%		3196	3524	10%
LOS ANGELES	569	663	16%		2019	1913	-5%
DALLAS	742	313	-58%		946	750	-21%
LAS VEGAS	635	336	-47%		1652	1015	-39%

Data on these changes in a number of cities are particularly striking:

- Black arrests rates increased by more than 500% in 11 cities, while this was the case for whites in only one city (Buffalo).
- Tucson led the nation in the increase of black drug arrest rates between 1980 and 2003. African American arrest rates grew by 1184%, nearly three times the growth in white drug arrest rates.
- In Milwaukee black rates were about 15% lower than white rates in 1980, but then rose by 206% by 2003, while white rates declined by almost two-thirds.
- White arrest rates in Virginia Beach were more than 2.5 times the rate for blacks in 1980, but then declined by 24% by 2003 while the black rate rose by 729%.

Figure 2-Drug Arrest Rate in Selected Cities by Race



Another means of assessing the racial impact of the drug war is to examine the change in the black/white likelihood of arrest for a drug offense from 1980 to 2003. As seen in Table 5, in only five cities (Buffalo, El Paso, Los Angeles, New York, and San Jose) did this ratio decline during this period. In the remaining 38 large cities, what was already a large disparity in the rate of arrest in 1980 became even more racially disparate by 2003. At the extremes, the black/white ratio of arrests increased more than ten-fold (10.91) in Virginia Beach and more than eight-fold (8.22) in Milwaukee. Overall, in 21 cities, the black/white ratio of arrests more than doubled.

Table 5- Change in Black/White Ratio of Drug Arrests, 1980-2003

CITY	BLACK/WHITE RATIO 1980	BLACK/WHITE RATIO 2003	CHANGE IN BLACK/WHITE RATIO, 1980-2003
VIRGINIA BEACH	0.38	4.11	10.91
MILWAUKEE	0.85	6.96	8.22
MEMPHIS	0.59	4.61	7.76
COLUMBUS	1.29	8.66	6.69
ATLANTA	0.89	3.99	4.46
AUSTIN	0.91	3.89	4.26
CHARLOTTE	1.35	5.47	4.05
LOUISVILLE	0.94	3.40	3.59
HOUSTON	1.08	3.36	3.10
TOLEDO	1.82	5.62	3.09
BALTIMORE	1.45	4.38	3.01
ST. LOUIS	2.15	6.31	2.93
SACRAMENTO	1.27	3.40	2.67
TULSA	0.99	2.49	2.52
TUCSON	1.21	3.03	2.51
CHICAGO	1.82	4.24	2.33
ALBUQUERQUE	1.59	3.58	2.25
OKLAHOMA CITY	1.44	3.21	2.23
OMAHA	2.97	6.42	2.16
PITTSBURGH	1.60	3.42	2.13
INDIANAPOLIS	2.71	5.61	2.07
KANSAS CITY, MO	2.33	4.58	1.96
DALLAS	1.27	2.39	1.87
DENVER	1.50	2.78	1.86
HONOLULU	1.13	2.11	1.86
DETROIT	1.62	2.83	1.75
SAN FRANCISCO	3.33	5.69	1.71
PORTLAND	2.95	4.81	1.63
LONG BEACH	2.27	3.53	1.56
SAN ANTONIO	1.33	2.07	1.55
NEWARK	1.05	1.60	1.52
BOSTON	2.41	3.43	1.42
FORT WORTH	1.58	2.23	1.41
OAKLAND	2.84	3.75	1.32
PHILADELPHIA	1.90	2.39	1.26
LAS VEGAS	2.60	3.02	1.16
SAN DIEGO	2.88	3.24	1.13
PHOENIX	2.34	2.63	1.12
SAN JOSE	2.17	1.97	.91
NEW YORK	2.57	2.23	.87
LOS ANGELES	3.54	2.89	.81
BUFFALO	4.64	3.67	.79
EL PASO	2.97	1.76	.59

While it has long been recognized that issues of race and the American criminal justice system are lamentably inextricable, the growth in the racial disparity of arrest rates for drug offenses since 1980 is especially noteworthy. There are no national data that would suggest that black rates of drug use or selling rose dramatically more than white rates during the period 1980-2003. In fact, data from the Substance Abuse and Mental Health Services Administration of the Department of Health and Human Services documents that African Americans use drugs at a rate proportional to their share of the general population. African Americans comprise 12% of the general population and, according to self-report data from the 2003 National Household Survey on Drug Abuse, they also comprise 12% of regular drug users.⁶ While these national figures do not preclude the possibility of spikes in drug use rates among African Americans in particular cities, neither do they suggest that this is either likely or widespread.

In fact, both quantitative and qualitative analyses demonstrate that much of the increase in drug arrests in African American communities stems from conscious policy decisions made at a city level. In Seattle, for example, a sophisticated assessment of black drug arrests controlling for drug use, type of drug, and role in the drug trade, concluded that while whites comprised the majority of persons who sell serious drugs, nearly two-thirds of persons arrested by police were African American.⁷ And in New York City, an analysis of 175,000 “stop and frisk” encounters during a 15-month period by the state Office of the Attorney General concluded that African Americans and Hispanics were significantly more likely to be stopped by police, a disparity that could not be explained by legal factors such as differential patterns of criminal offending.⁸ Moreover, fewer than

⁶ Office of Applied Studies. (2004). *Results from the 2003 National Survey on Drug Use and Health: National Findings* (DHHS Publication No. SMA 04-3964, NSDUH Series H-25). Rockville, MD: Substance Abuse and Mental Health Services Administration., at Table 1.28B.

⁷ Katherine Beckett, *Race and Drug Law Enforcement in Seattle*, Prepared on behalf of the Defender Association’s Racial Disparity Project, May 2004.

⁸ Office of the Attorney General, New York State, *The New York City Police Department’s “Stop and Frisk” Practices: A Report to the People of the State of New York from the Office of the Attorney General*, 1999, at 93-94.

a third of all police encounters resulted from a person meeting the description of a criminal suspect, suggesting that these were proactive practices of the police rather than responses to crime reports.⁹

Thus, as with the varying rates of increase of drug arrests overall among the 43 cities, local leadership at the city level should examine the changing racial demographics of drug arrests to determine whether these are warranted by legitimate public safety factors or whether they have resulted from policy and practice choices that target low-income communities of color.

⁹ Ibid at 122 [Footnote 30].

CHANGING TRENDS IN THE WAR ON DRUGS

The data presented in this report for city-level drug arrests for the period 1980-2003 demonstrate a dramatic shift in the significance of drug offenses for overall law enforcement priorities and resources. As we have seen, there was a substantial rise in the number and proportion of persons arrested for a drug offense during this period, as well as a broad divergence in the racial composition of arrests, with the increase in the rate of black arrests far outpacing that for whites during this time. And as noted, there have been broad variations among the nation's cities as well in the degree to which these trends have developed, suggesting that local priorities and politics may be influential in producing these contrasts.

There is also value to examining the period between 1980 and 1992 separately from the period of 1992 to 2003, as important and distinct changes occurred in each period. While arrests were rising continuously during both time periods in most cities, the degree of racial disparity change was broad in the first period but relatively modest in the second.

For example, as seen in Table 6, the African American drug arrest rate increased 199% during the 1980s, but then grew by only 9% between 1990 and 2003. Meanwhile the rate of drug arrests for whites during the 1980s increased by 43%, slightly more than one-fifth of the growth for African Americans. But between 1990 and 2003 the rate of drug arrests for whites outpaced that of African Americans increasing by 19%.

Table 6- Change in Black/White Ratio of Drug Arrests per 100,000, 1980-2003

RACE	RATE OF DRUG ARRESTS		INCREASE, 1980-1992		RATE OF DRUG ARRESTS		INCREASE, 1992-2003
	1980	1992			1992	2003	
WHITE	387	552	43%		552	657	19%
BLACK	684	2047	199%		2047	2221	9%

While we do not have sufficient data to analyze the shift in these trends for all cities, possible explanations for the relative “stability” in the racial gap include:

Abnormally high black rate approaches limits – As a result of the drug war, by 1992 the black rate of arrest for drug offenses was at a record high and in some cities approached 4% of the total African American population. These unprecedented rates are likely to have covered a very substantial portion of all African Americans in a given city who used or sold illegal drugs, even on an occasional basis, and therefore left little room for growth.

Shift in drug focus – As previously documented by The Sentencing Project, there was a significant shift in the drug of focus by law enforcement in the drug war after 1992.¹⁰ In the 1980s, drug arrests were primarily targeted toward cocaine and heroin, but since 1992, nearly half of all drug arrests have been for marijuana and 82% of the growth in drug arrests has been for marijuana as well. The significance of this change for the racial composition of drug arrests is that marijuana offenses produce a smaller (though still disproportionate to drug use) proportion of African Americans than do cocaine or heroin. On average, during the late 1990s, slightly fewer than one-third of persons arrested for a marijuana offense were African American, while half of persons arrested for a heroin or cocaine offense were black.¹¹ However, in some cities, the patterns of racially

¹⁰ Ryan S. King and Marc Mauer, *The War on Marijuana: The Transformation of the War on Drugs in the 1990s*, The Sentencing Project, May 2005.

¹¹ Federal Bureau of Investigation, Uniform Crime Report Program's Arrests by Age and U.S. Arrests by Sex Reports, provided directly to author by request.

disparate arrests for heroin and cocaine were replicated in marijuana enforcement as well. For example, an analysis of the spike in arrests in New York City for misdemeanor marijuana offenses during the 1990s found that African Americans and Latinos were significantly more likely to be arrested, detained, convicted, and sentenced to jail than were whites during that period.¹² But nationally, the shift to marijuana arrests may have inadvertently preserved the racial gap at roughly its peak of 1992.

“Hidden” nature of Latino arrests – One limitation of analyzing these arrest data is that these statistics are broken down by race but not ethnicity. Therefore, as an ethnic group, Latinos are not enumerated separately but are generally contained within the categories of black or white. Since the vast majority of Latinos identify themselves as white and since the Latino population of the United States has been rising substantially since the 1990s, it is quite possible that the apparent rise in the white arrest rate for drugs masks a disproportionate increase for Latinos within that category. To the extent that this may be the case, this could be due to legitimate public safety objectives related to absolute levels of drug use or it could be a function of unwarranted disparate treatment by law enforcement, similar to that observed in many black communities.

¹² Andrew Golub, Bruce D. Johnson, and Eloise Dunlap, “The Race/Ethnicity Disparity in Misdemeanor Marijuana Arrests in New York City,” *Criminology & Public Policy*, Vol. 6, (1), February 2007, at 131-164.

WHY HAS THE “WAR ON DRUGS” EXACERBATED RACIAL INEQUALITY?

In his book, *Malign Neglect*, Michael Tonry argues that the patterns of racial inequity witnessed in policing and imprisonment over the past three decades should not have come as a surprise. “Anyone with knowledge of drug-trafficking patterns and of police arrest policies and incentives could have foreseen that the enemy troops in the War on Drugs would consist largely of young, inner-city minority males.”¹³ Tonry contends that historical law enforcement practices coupled with institutional incentives should have made it clear in advance to any interested observer that a ramped-up prosecution of drug offenses would fall disproportionately upon the shoulders of low-income communities of color. A number of factors have contributed to the patterns documented in the cities in this study.

First, overall crime rates are higher in many low-income African American communities, resulting in a higher police presence in these neighborhoods. The fact that policing practices are centered in these communities increases the likelihood of police contact and arrest. The two leading indicators of crime – the National Crime Victimization Survey (NCVS) and the FBI Uniform Crime Report (UCR) – indicate elevated rates of crime and victimization in black neighborhoods.¹⁴

Second, drug sales in many low-income African American communities occur in public spaces, making detection by law enforcement an easier task. Sociologist John Hagedorn, in an ethnographic study of drug selling in Milwaukee, describes African American drug selling markets as ones dominated by “concentrated areas

¹³ Tonry, *supra* note 1, at 4.

¹⁴ Prior research suggests that arrests for violent and property crime represent reasonable reflections of offending patterns (see Tonry, Blumstein, 1993), but this conclusion does not apply to drug offenses.

of gang sales” and individual markets on various street corners in which smaller “entrepreneurial” sellers engage in hand-to-hand sales.¹⁵ Although many of the sellers had regular clientele, African American markets were also characterized by stranger-to-stranger sales. Tonry echoes this observation, noting that “[t]he stranger buying drugs on the urban street corner or in an alley or overcoming local suspicions by hanging around for a few days and then buying drugs, is commonplace.”¹⁶ This type of business practice leaves the proprietors vulnerable to the common police tactic of “buy and bust,” in which undercover officers make small purchases from sellers and then make an arrest. These arrests are quick and easy, but are only possible in an open market that can be penetrated by strangers without raising suspicion.

In contrast, Hagedorn describes drug markets in white, suburban communities as far more insular.

Drugs are sold mainly by “word-of-mouth” means in the suburbs and to white youth. There are no stable, neighborhood, drug-selling locales like [in the African American neighborhoods studied] . . . White youth and suburban drug dealers hire very few employees, and drug dealing is more part of a “partying” lifestyle than a job. Drugs are sold to whites through contacts at work, at taverns and athletic leagues, and at alternative cultural events . . . These methods are more hidden from law enforcement than neighborhood-based sales.¹⁷

The drug market model that Hagedorn describes as characteristic of the suburbs poses greater challenges for law enforcement to infiltrate and make arrests.

“[N]early all drug transactions were at places of employment or at after-work leisure activities . . .” This presents a scenario in which investigating law enforcement agents would need either a trusted reference in order to befriend a

¹⁵ John Hagedorn (1998). *The Business of Drug Dealing in Milwaukee*. Wisconsin Policy Research Institute. Retrieved from <http://www.csdp.org/research/drugdeal.pdf>.

¹⁶ Tonry, *supra* note 1, at 106.

¹⁷ Hagedorn, *supra* note 15, at 1-2.

drug seller or an undercover presence in the workplace. Neither of these options are efficient or practical, making mere detection, let alone penetration, of these markets extremely labor intensive. Hagedorn concludes that the insular nature of white suburban drug markets, contrasted with the public nature of black urban selling practices, “is a major reason for the racial disparity in arrests for drug offenses.”¹⁸ Thus, although drug sales and drug use (and abuse) take place in neighborhoods regardless of race, ethnicity, or social class, the economics of drug distribution in African American communities contributes to a heightened likelihood of detection and apprehension.

Institutional incentives have likely driven the increase in drug arrests in African American communities as well. One of the vexing issues in law enforcement is that the common metric used to define agency success in providing public safety is the number of arrests. Using arrests as a standard of success is problematic for two key reasons. First, as this report highlights, arrests are the product not only of crimes being committed but also result from discretionary decisions by law enforcement. Fluctuations in arrests can result from a number of different factors. An increase in criminal activity obviously may result in more arrests as a response. But an administrative decision to deploy officers in a different manner can have the same impact as well. Or, particularly germane to this report, a decision to focus on certain conduct, such as drug activity, can rapidly lead to a spike in arrests, but is not necessarily an indicator of more crime. Second, an arrest is not a determination of guilt, and simply apprehending an individual does not necessarily translate into enhancing public safety.

However, for better or worse, arrests are the most common yardstick used to measure the success or failure of a police force. And, because the national drug control strategy was focused on supply-reduction – law enforcement and interdiction – and not demand-reduction efforts such as investing in treatment and prevention, this translated into substantial funding for police departments.

¹⁸ Ibid at 2.

Policymakers crafted budgets to respond to public pressure to make communities safer by directing, on average, about two-thirds of the annual federal drug control budget to supply-reduction, which was converted into billions of dollars for law enforcement to make arrests.

Because drug selling in African American communities is more visible, it is likely to draw more public complaints. The open air drug markets of the 1980s in cities like Washington, DC and Los Angeles, often in close proximity to public landmarks and high-traffic areas, brought public attention to the issue of drug selling in urban communities. The response was outrage at the seeming ease with which narcotics marketplaces were operating in plain view. While drug selling and abuse were simultaneously occurring in American suburbs across the country, the visceral impact of public markets put pressure on the police and lawmakers to respond. And, considering the ease of entering these markets to make purchases, the police were able to increase arrests accordingly and present tangible results in the form of statistics reflecting rising numbers of apprehensions. As discussed, the investment of time necessary to infiltrate a white drug selling operation in the suburbs versus the relative ease of a “buy and bust” in an African American neighborhood ensured that the frontline of the “war on drugs” would be fought in the country’s black, urban core.

Finally, in addition to the structural and institutional issues governing law enforcement that have driven the racial inequities in the “war on drugs,” is an even more troubling explanation that has contributed to the disparity: racial profiling. In his book, *Profiles in Injustice*, law professor David A. Harris meticulously documents the ways in which racial profiling is inextricably linked with policing practices in many jurisdictions, particularly in the “war on drugs.”¹⁹ Over the last twenty years many law enforcement agencies routinely used the race and ethnicity of individuals as identifiers in seeking to detect criminal behavior. Despite data demonstrating the inefficiency and ineffectiveness of this approach,

¹⁹ David A. Harris (2003). *Profiles in Injustice: Why Racial Profiling Cannot Work*. W. W. Norton & Company.

an examination of policing practices in many American cities, towns, and counties reveals practices of racial profiling that are structurally embedded and perpetuated both explicitly and implicitly through training and mentoring. A former attorney general for New Jersey describes the mixed messages that police recruits would receive regarding racial profiling: “On one hand, we were training them not to take race into account. On the other hand, all the intelligence featured race and ethnicity prominently.”²⁰ Research in New Jersey, Maryland, Florida, and Illinois reveal patterns of police work that show a reliance on race in determining traffic stops.²¹

The high degree of subjectivity involved in detecting and making an arrest for a drug offense, relative to a personal or property offense in which there is frequently an aggrieved party and complainant, creates an atmosphere where racial profiling can prosper under the aegis of professional discretion. Noted criminologist Alfred Blumstein observed that there is greater room for discretion among lower-level offenses and drug offenses, and that “the room for discretion also offers the opportunity for the introduction of racial discrimination.”²² While many state and local law enforcement agencies have responded to the complaints of racial profiling by implementing oversight mechanisms and reforming organizational protocol, there remain numerous instances of racially disparate treatment by police, such as the aforementioned studies of Seattle and New York City.

²⁰ Ibid at 50.

²¹ Ibid at 53-66.

²² Alfred Blumstein (1993). Racial Disproportionality of U.S. Prison Populations Revisited. *University of Colorado Law Review*, 64(3), 743-760, at 746.

CONSEQUENCES OF THE “WAR ON DRUGS”

On Sentencing and Incarceration

A small cottage industry of researchers has emerged in the last 25 years that has attempted to quantify the role that race plays in shaping the sentencing decisions of judges. Of the two key questions under discussion –the decision to impose a prison sentence and the length of prison terms – the evolving consensus is that much of the racial disparity at sentencing relates to the decision whether to sentence a person to prison versus community supervision.²³ This is important for a key reason relevant to this study. If race plays a role primarily in the marginal cases in which a judge has the discretion to sentence a defendant to either custody or community supervision, then this represents a finite and well-defined classification of cases that will likely fall along the less severe end of the offense spectrum. For example, a defendant facing a murder or robbery charge is very likely to be sentenced to prison. However, for many property offenses as well as low-level drug offenses, a judge may have a fair degree of leeway to sentence to incarceration or to the community. The presence of judicial discretion, particularly with drug cases, presents the potential for racially disparate outcomes for African Americans.

Impact on African American Communities

The financial and social impact of drug abuse has been particularly devastating in many African American communities, as entrenched poverty, uneven access to quality healthcare, and a crumbling infrastructure in many urban areas combine with the scourge of drug abuse. In addition to the direct costs of drug abuse, the indirect toll of the “war on drugs” is vast in urban communities of color as well. The measurable impact of the drug war includes the financial cost and monies diverted into law enforcement and away from drug treatment and prevention

²³ Stephen Demuth & Darrell Steffensmeier (2004). Ethnicity Effects on Sentence Outcomes in Large Urban Courts: Comparisons Among White, Black, and Hispanic Defendants. *Social Science Quarterly*, 85(4), 994-1011, at p. 996.

strategies, the hundreds of thousands of lives lost to incarceration, the additional lives lost to violence, and the irreparable damage done to African American families.

Additionally, the “war on drugs” has had more subtle, but no less profound, impacts on the social fabric of African American life in the American urban core. One aspect of this is the potential for delegitimization of law enforcement in many African American communities. Racially disparate patterns of arrest and incarceration have helped create a culture of mistrust of law enforcement in many African American communities. Legislation that mandates sentences measured in decades for a drug offense has contributed to this mistrust. United States District Judge for the District of Columbia Reggie Walton, testifying before the United States Sentencing Commission regarding the racial disparity caused by federal cocaine sentencing laws, observed that “people in the community are astute enough to know about the disparity, and they bring concerns into the courtroom as potential jurors . . .”²⁴ Judge Walton voiced a concern of many, that differential treatment of African Americans in the criminal justice system is eroding respect for the law. The result may be a reluctance to participate in juries or to vote for conviction where the defendant is a black man charged with a drug offense, or an unwillingness to take on a partnership role with law enforcement in the community to identify and root out criminal behavior. Judge Walton notes that while “fundamental fairness” in the criminal justice system is obviously crucial, “the perception of fairness . . . is just as important, and . . . we should be able to go to all parts of our citizenry and represent to them that we have a system that’s treating them fairly.”²⁵ Unfortunately, the methods of the “war on drugs” have undermined both the perception of fairness in treatment of African Americans as well as fundamental fairness in the day-to-day practice.

²⁴ U.S. District Judge for the District of Columbia Reggie Walton, *U.S. Sentencing Commission Public Hearing On Cocaine Sentencing Policy*. (2006). Georgetown University Law Center.

²⁵ *Ibid* at 109.

Professors Paul H. Robinson and John M. Darley echo the warnings of Judge Walton by arguing that the racial disparity resulting from the “war on drugs” has profoundly undermined the credibility and force of criminal law. “[T]he criminal law’s moral credibility is essential to effective crime control, and is enhanced if the distribution of criminal liability is perceived as ‘doing justice,’ that is, if it assigns liability and punishment in ways that the community perceives as consistent with the community’s principles of appropriate liability and punishment.”²⁶ In order to reinforce the public perception of credibility, and thus intrinsic support for its dictates, “the criminal law [must] make clear to the public that its overriding concern is doing justice,” which can be achieved through the following:

- “punishing those who deserve it under rules perceived as just,
- protecting from punishment those who do not deserve it, and,
- where punishment is deserved, imposing the amount of punishment deserved, no more, no less.”²⁷

If a community senses deviation from a system of general fairness, then the credibility of the law is damaged. Criminal law has an expressive function which can serve to facilitate the creation of shared codes of conduct if the community sees the laws as just. Unfortunately, perceptions of racially disparate treatment in the enforcement of drug laws have had the opposite effect in many communities of color. This, in turn, reduces the likelihood of cooperation with members of law enforcement in ongoing investigations. The United States Sentencing Commission, in evaluating the impact of the disproportionately severe sentences handed down to crack cocaine defendants in the federal court system, 80% of whom are African American, observed that “[p]erceived improper racial disparity fosters disrespect for and lack of confidence in the criminal justice system among

²⁶ Paul H. Robinson and John M. Darley (1997). The Utility of Desert. *Northwestern University Law Review*, 91(2), 453-499, at 457.

²⁷ Ibid at 477.

those very groups that Congress intended would benefit from the heightened penalties for crack cocaine.”²⁸

In addition to fostering an uncooperative and suspicious relationship with law enforcement by effecting an atmosphere of mistrust, racial disparities such as these can undermine the efforts of prosecutors to gain convictions in the courtroom. As noted by Judge Walton, as well as a number of legal observers and courtroom practitioners, there is an increasing reluctance by some African American jurors to convict African American defendants of certain drug offenses. This practice is all the more noteworthy when considering that it is the very communities of black jurors that are directly impacted by the consequences of drug abuse, drug sales, and the associated costs of drug enforcement. Interviews with families and community members in Washington, D.C. neighborhoods that experience high rates of arrest and incarceration for drug offenses express frustration with a system that did not address the underlying reasons for the criminal conduct.²⁹ The effects of racial disparity are magnified by the apparent senselessness of arresting and incarcerating an individual and not accounting for the services necessary to change individual behavior. It is an alarming commentary on the state of the American criminal justice system that subverting the guilt determination phase of a drug trial is the only recourse some may feel to express their frustration with a system that unfairly targets certain neighborhoods. Yet, the racial disparities outlined in this report have contributed to this reality.

²⁸ Report to the Congress: Cocaine and Federal Sentencing Policy. (2002). United States Sentencing Commission, at 103.

²⁹ Donald Braman (2006). Punishment and Accountability: Understanding and Reforming Criminal Sanctions In America. *UCLA Law Review*, 53, 1143-1216.

RECOMMENDATIONS

There has been a radical transformation in the domestic enforcement of illegal drug laws since 1980, regarding both the scope of resources dedicated to the pursuit of drug offenders and the particular communities targeted. While the overall number of drug arrests, concentrated among young African American men, continues to increase each year, there has been little measurable effect on indicators of efficacy. Although the amount of federal and state resources dedicated to drug control have expanded exponentially since 1980, general measures of cost, purity, and the availability of illegal drugs indicate little to no tangible effect. This has come at the expense of investment in prevention and treatment strategies. Moreover, the stark localism of drug enforcement, with different jurisdictions experiencing dramatically different trends in drug enforcement over time, suggests that the orientation of practitioners and policymakers from one community to the next is driving arrest patterns rather than a reasoned response to an identifiable problem. In light of these and other well documented concerns regarding the dubious record of the “war on drugs,” it is time for an honest evaluation of the last quarter-century of domestic drug enforcement with an eye toward learning lessons from past failures and crafting promising solutions for the future. Key areas of focus should be:

Shift Funding Priorities

The federal drug control budget directs two-thirds of its resources toward enforcement and interdiction. These national-level decisions in resource allocation affect the agenda of state and local leaders, which favor enforcement over prevention and treatment. In many low-income communities of color, this means fewer resources for public-treatment options. For many people of limited means, the first opportunity to enter drug treatment may come as a result of being arrested then diverted to a treatment program. Shifting our national drug control strategy to emphasize demand-reduction is crucial to addressing racial disparity. This also requires the recasting of drug abuse as a public health

challenge and not the exclusive domain of criminal justice practitioners. Funding should be made available to expand public treatment options for individuals seeking assistance without the prerequisite of arrest.

Reconsider Law Enforcement Practices

In 2005, the number of arrests for drug abuse offenses reached a historic high of nearly 1.8 million. Eight in ten of these arrests were for a possession offense and nearly half were for a violation involving marijuana. While there was an argument to be made in the 1980s that police were targeting higher-level sellers of heroin and cocaine, the 21st century version of the “war on drugs” is defined by low-level arrests, largely for marijuana. There is serious question as to the wisdom of using vast policing resources to make so many low-level arrests, many of which will be dismissed. It has been demonstrated that this approach diverts scarce law enforcement personnel from investigating other types of crime. A number of jurisdictions, including Seattle, Oakland, and Denver, have decided to de-prioritize marijuana possession enforcement in an effort to have police focus on more serious offenses. While this is a promising strategy, it is worthwhile to consider redefining more broadly the role that law enforcement plays in a national drug control strategy. This might include police partnering with social service providers, such as hospitals, shelters, and treatment facilities, to place persons needing assistance in the proper setting, rather than utilizing these services as an afterthought at sentencing. By rethinking the role that law enforcement officers can play in addressing substance abuse in communities of color, we can make progress in reducing racial disparity.

Focus on Prosecutorial Discretion and Defense Sentencing Advocacy

Prosecutors and defense counsel are key stakeholders who have an important role in addressing racial disparity. Prosecutors reserve a great deal of discretion in their charging decisions and in some states have veto power on whether a defendant is eligible for alternative sentencing provisions. When appropriate, prosecutors should use their authority to seek alternatives to incarceration for

drug offenses, particularly if a defendant has a documented history of untreated drug abuse. Moreover, because so many criminal defendants must rely on the public provision of counsel at trial, defender offices require adequate resources to assess their clients and prepare a sentencing plan that can be presented to the prosecutor and judge as an alternative to incarceration. In too many cases, past histories of abuse, addiction, and mental health problems do not come to light because defense counsel lacks the resources to conduct an appropriate investigation. Providing the necessary resources for a thorough pre-sentence investigation will help reduce racial disparity by helping connect people with necessary services.

Restore Appropriate Judicial Discretion

The passage of mandatory minimum sentencing provisions, determinate sentencing initiatives, and punitive sentencing guidelines has come to define American drug control policy. These policies have been a major contributing factor to the racial disparities in prison and jail. The loss of judicial discretion has resulted in countless cases of persons being sentenced to serve terms in prison disproportionate to the crime for which they have been convicted. Taking steps to restore judicial discretion will help return some semblance of fairness and proportionality to criminal sentencing and be a critical factor in reducing racial disparity.

APPENDIX A—METHODOLOGY

This study analyzes 23 years of arrest data (1980-2003), disaggregated by race and offense type for 43 of the largest cities in the United States. The cities in the study were chosen based on a two-step process. First, all cities with a population of 250,000 and greater were chosen. Secondly, only cities with comprehensive offense data were included. Depending on the year, there were anywhere from 55 to 63 cities identified with a population exceeding 250,000. Due to substantial missing data for certain years or broad inconsistency in reporting drug arrest data, some cities were excluded from the analysis. In total, 43 cities were included in the study. While 7 of the 43 cities in the study did not have complete data for every offense type and year, they were included because the missing data was limited.³⁰

The arrest data in this analysis are official Federal Bureau of Investigation Uniform Crime Report (UCR) age, sex, and race data made available from the National Consortium on Violence Research. The dataset comprises raw number counts of arrests by jurisdiction and can be categorized by offense type and race. Arrest rates were calculated using Census data for each year. Unfortunately, annual city population data were not available by race, so the racial proportions from the 1990 decennial Census for each city were applied to the overall population from each year in order to estimate the general population by race.

One caveat in interpreting the results of this study is the issue of ethnicity data. The UCR data does not consider the ethnicity of the arrested individuals. Thus, a number of persons identified as white or African American are also Latino.

³⁰ There were incomplete data for 2003 in Austin, Boston, Louisville, New York, Portland, and Toledo. In all cities but New York and Toledo, data for 2002 were substituted. New York and Toledo had incomplete data for 2002 and data for 2001 were substituted. There were also incomplete data for Indianapolis in 1980 and data for 1981 were substituted.

Because the majority of Latinos identify their race as white, this means that the white rates of arrest are likely to be inflated due to the presence of Latinos, increasingly over time given the growing proportion of Latinos in the overall population.³¹ Because non-Hispanic whites and Latinos have demonstrably different experiences in the criminal justice system, this is not a mere statistical issue, but also one of real world policy considerations.

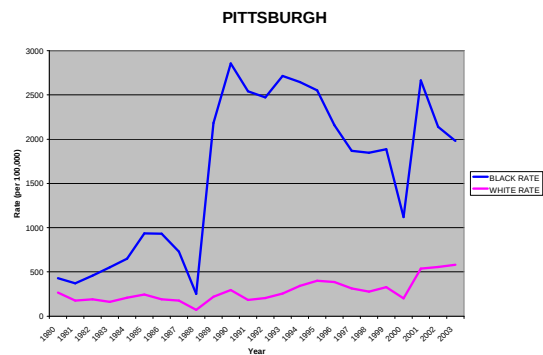
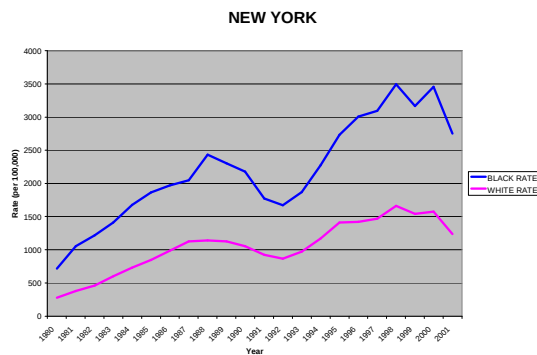
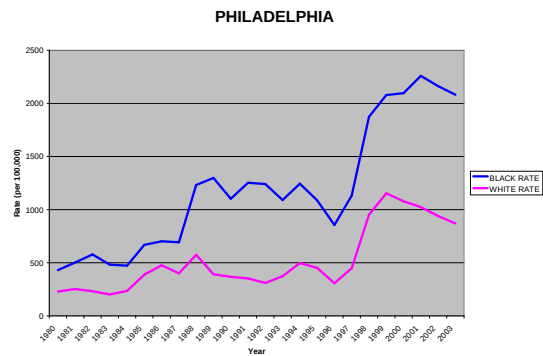
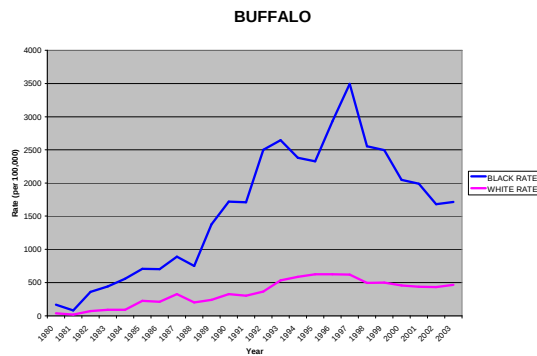
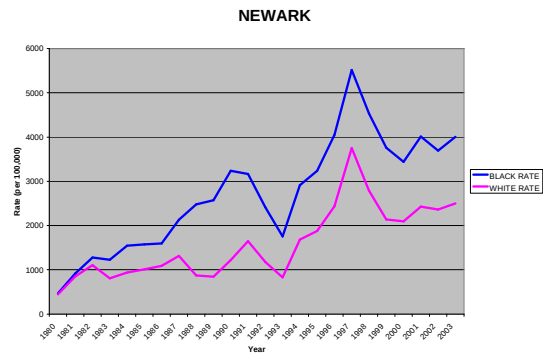
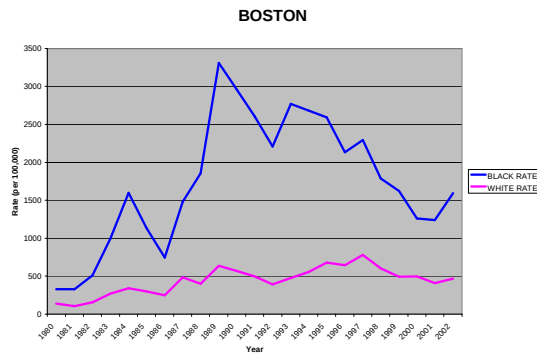
As noted above, some cities in this report presented missing data. In those cases, one of two approaches was employed. In the case of the figures in Appendix B the lines were smoothed and the midpoint between the two adjacent years was used. In the case of Tables 1, 2, 4, and 5, data from an adjacent year were inserted for 1980, 1990, or 2003.

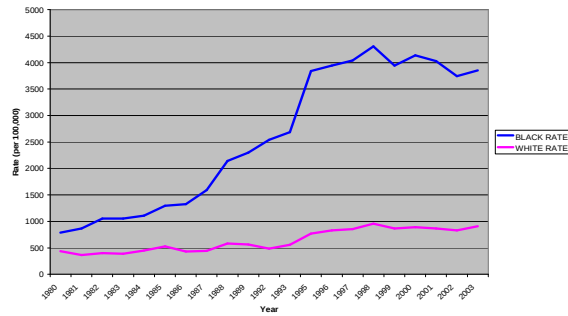
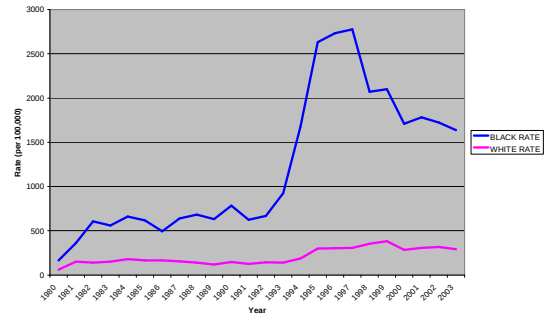
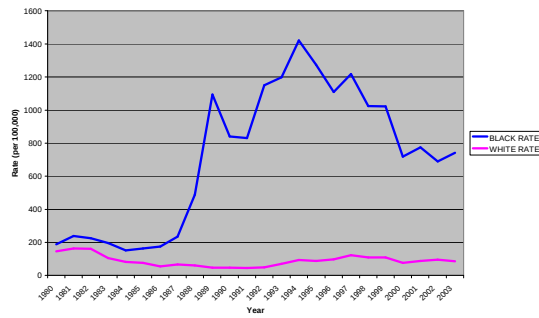
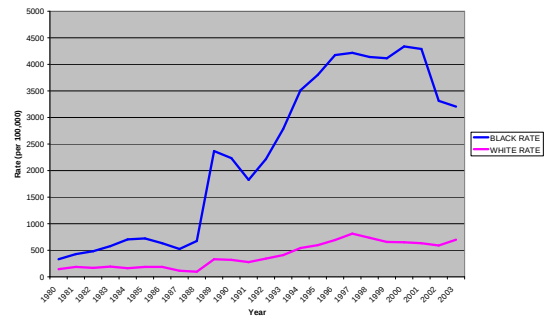
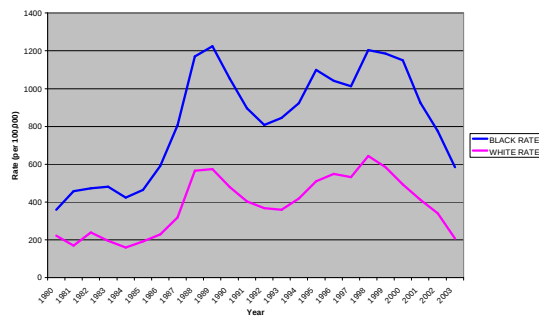
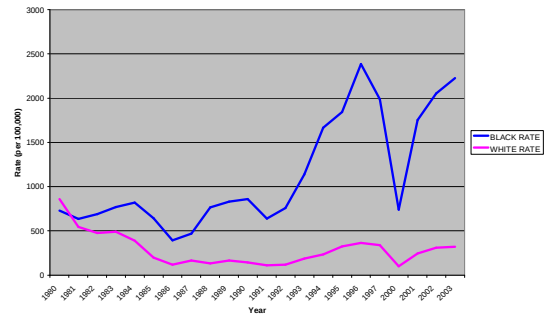
In some cases, the arrest rates presented appeared artificially high or low. In that situation, the outlier was replaced with an adjacent year. Any substitutions have been noted in Footnote 30.

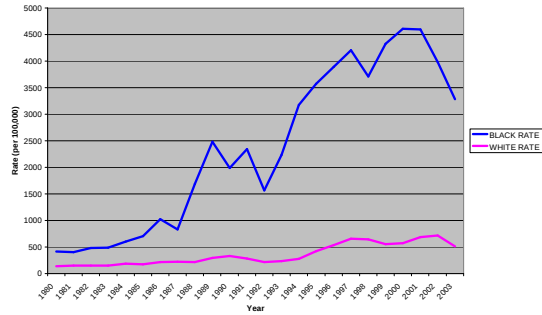
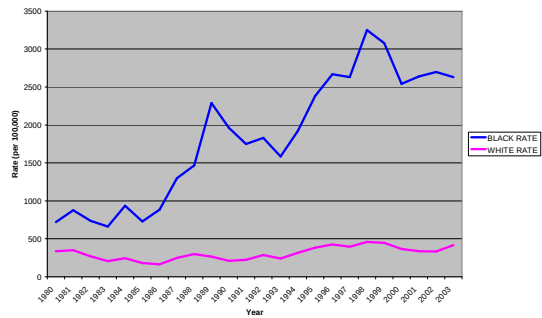
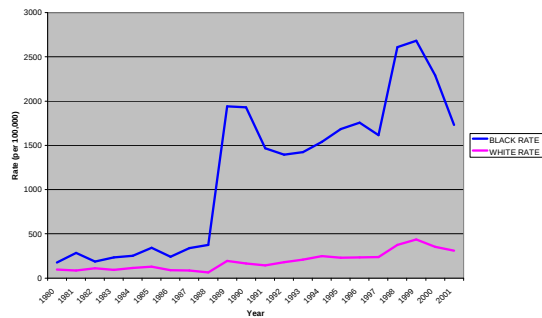
³¹ According to the U.S. Census Bureau's 2006 American Community Survey, 52.3% of Latinos self-identify their race as white, while 1.4% identify as black. The remainder self-identify as some other racial group or as coming from a multi-racial background.

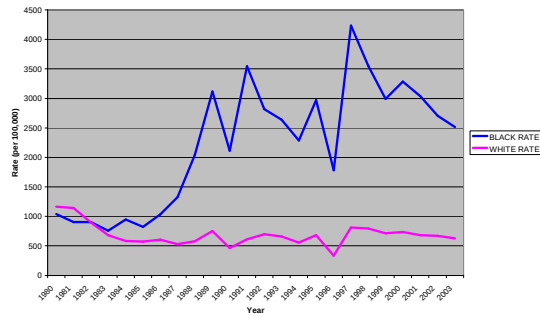
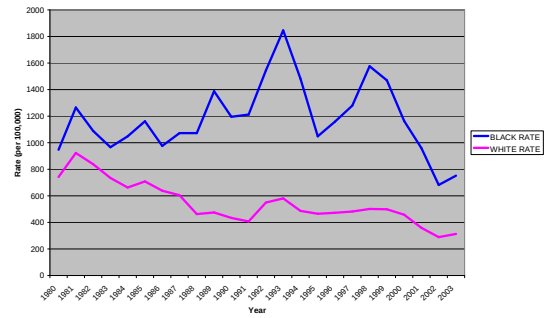
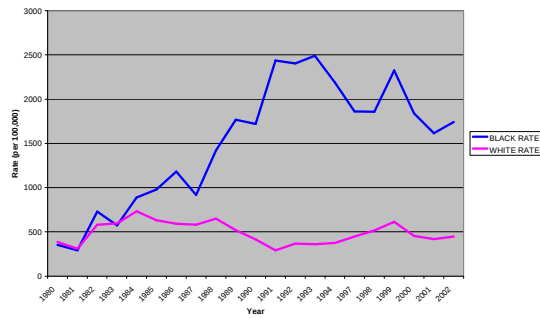
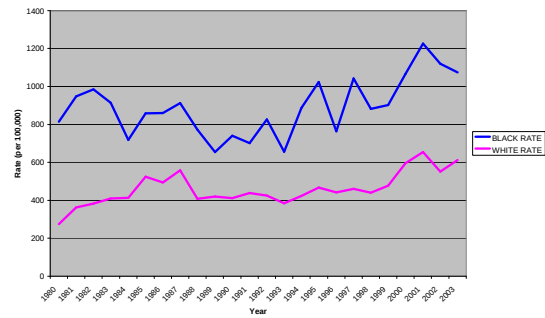
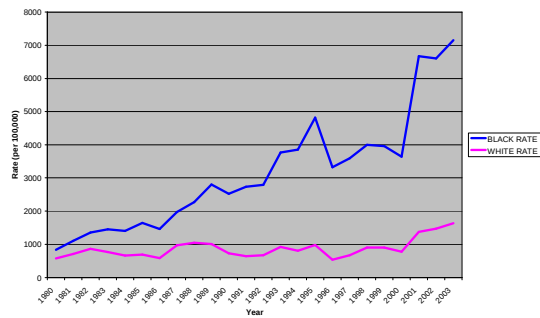
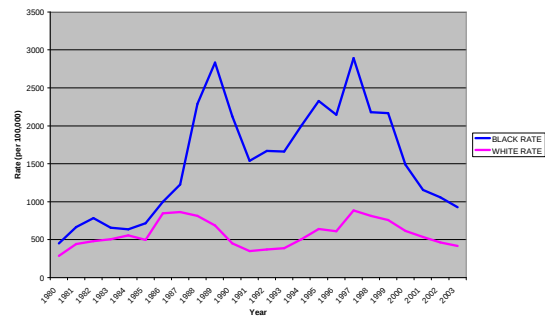
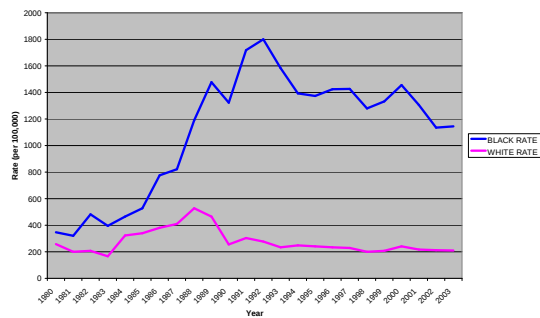
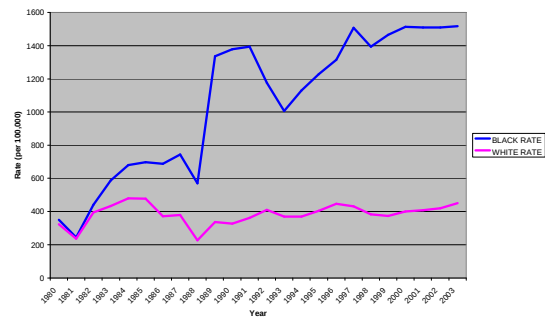
APPENDIX B—DRUG ARRESTS BY RACE, 1980-2003

Northeast



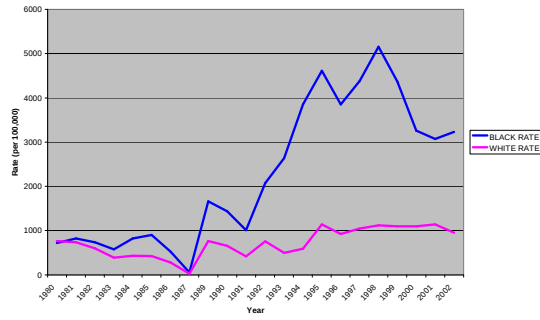
Midwest**CHICAGO****INDIANAPOLIS****COLUMBUS****KANSAS CITY, MO****DETROIT****MILWAUKEE**

Midwest, cont.**OMAHA****ST. LOUIS****TOLEDO**

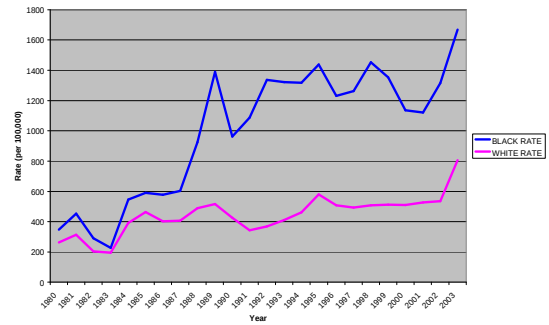
South**ATLANTA****DALLAS****AUSTIN****EL PASO****BALTIMORE****FORT WORTH****CHARLOTTE****HOUSTON**

South, cont.

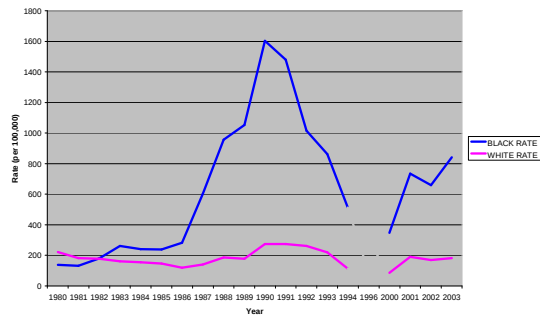
LOUISVILLE



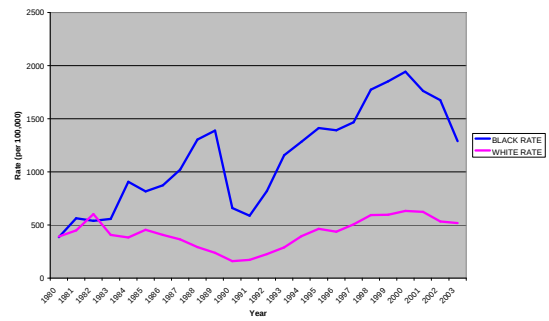
SAN ANTONIO



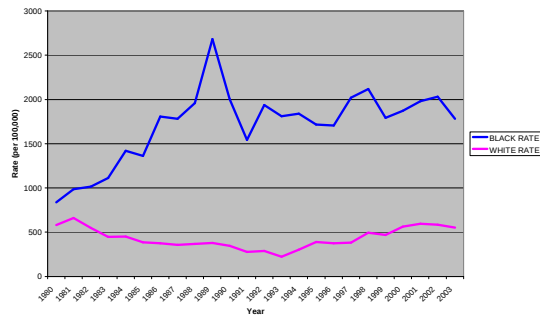
MEMPHIS



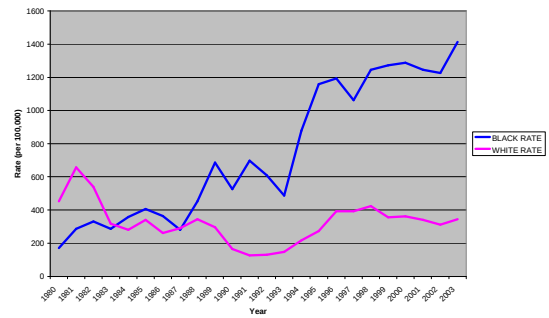
TULSA

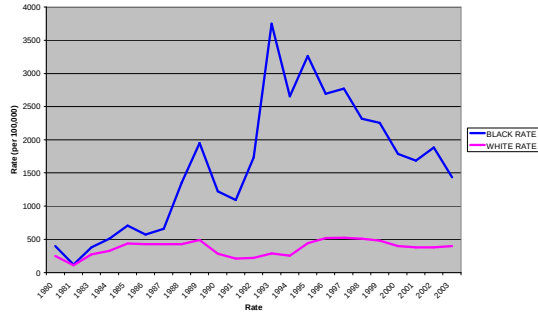
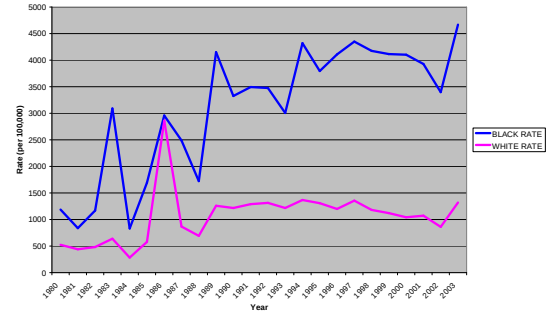
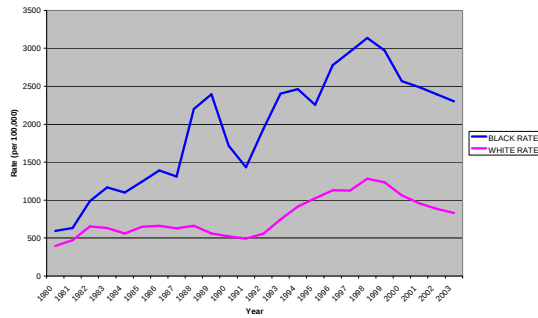
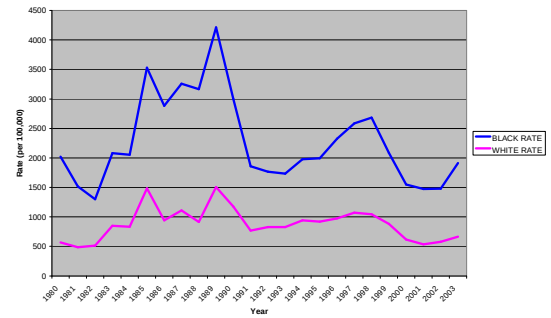
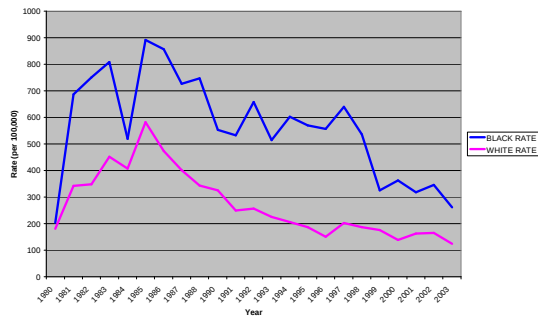
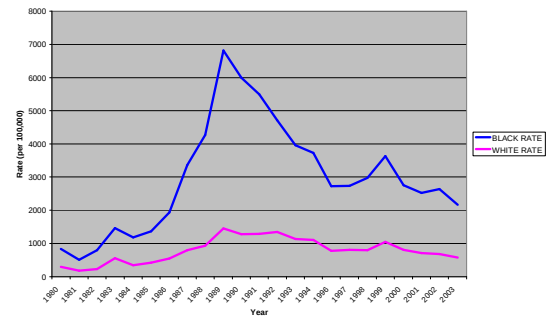
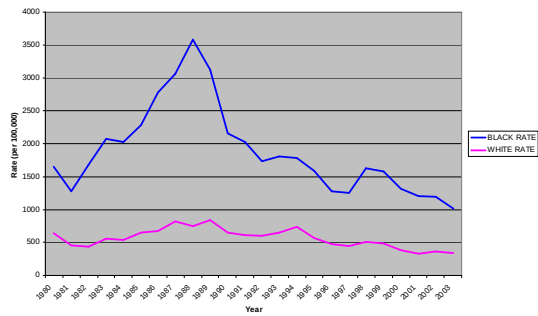
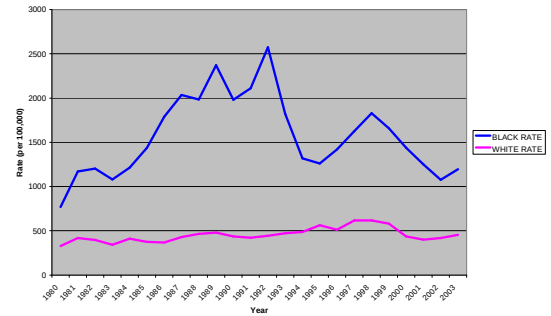


OKLAHOMA CITY



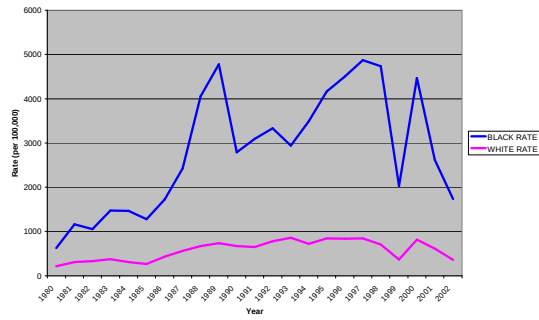
VIRGINIA BEACH



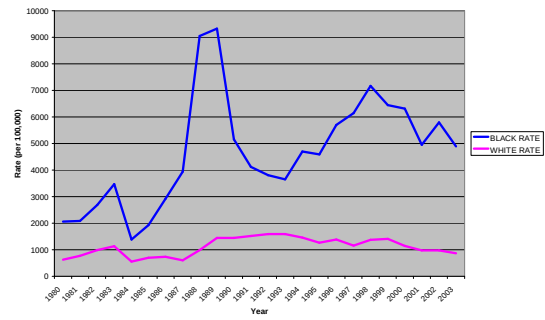
West**ALBUQUERQUE****LONG BEACH****DENVER****LOS ANGELES****HONOLULU****OAKLAND****LAS VEGAS****PHOENIX**

West, cont.

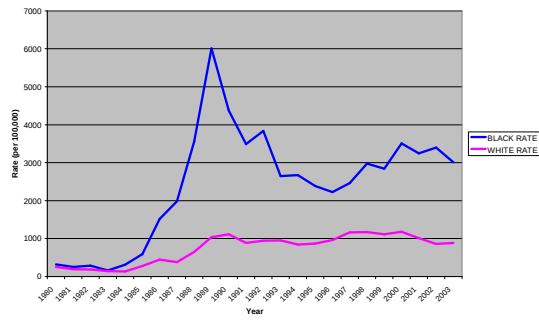
PORTLAND



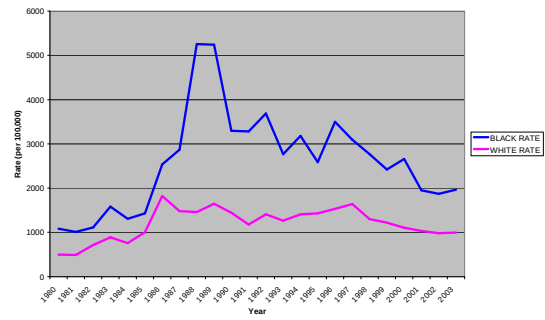
SAN FRANCISCO



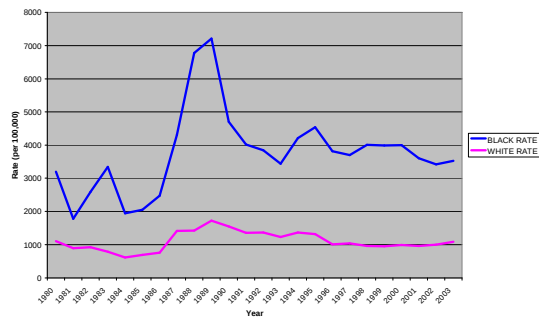
SACRAMENTO



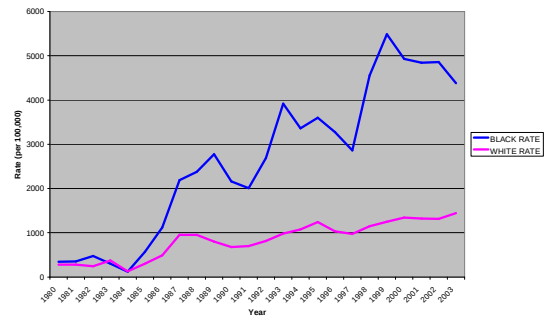
SAN JOSE



SAN DIEGO



TUCSON



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