



National Institute on Drug Abuse
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Dr. Nora Volkow,

We applaud your passionate and powerful [message](#) acknowledging not only the need to “confront systemic racism” in America, but also the reality that people of color are disproportionately impacted by the vigorous enforcement of the war on drugs (“A Message from the Director on Racially Motivated Violence,” Nora’s blog, June 4, 2020).

You declare, “Whites and Black/African Americans use drugs at similar rates, but it is overwhelmingly the latter group who are singled out for arrest and incarceration.” You also acknowledge that the disproportionate enforcement of anti-drug laws has historically been utilized “as a lever to suppress people of a particular race,” and that this abuse of law enforcement power “has had devastating effects on communities of color.”

To those of us who have long advocated for social justice-based cannabis policy reforms, we know these unfortunate truths far too well.

America’s decades-long prohibition of marijuana was founded upon racism and bigotry. Look no further than the sentiments of its architect, Harry J. Anslinger, Commissioner of the Federal Bureau of Narcotics, who [declared](#): “*[M]ost [marijuana consumers in the US] are Negroes, Hispanics, Filipinos and entertainers. ... [M]arijuana causes white women to seek sexual relations with Negroes. ... Reefer makes darkies think they’re as good as white men.*”

These racial biases were later exploited by the Nixon administration when it ramped up the drug war in 1970 and declared cannabis to be “public enemy #1.” As former Nixon adviser John Ehrlichman later [acknowledged](#): “*The Nixon campaign in 1968, and the Nixon White House after that, had two enemies: the antiwar left and black people. You understand what I’m saying? We knew we couldn’t make it illegal to be either against the war or black, but by getting the public to associate the hippies with marijuana and blacks with heroin, and then criminalizing both heavily, we could disrupt those communities. We could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the evening news. Did we know we were lying about the drugs? Of course we did.*”

Today, the modern era of marijuana prohibition continues to be disproportionately applied to people of color. Annually, [over 650,000 Americans are arrested](#) for violating marijuana laws. Yet, according to an [analysis](#) of these arrests released earlier this year by the ACLU, “In every single state, Black people were more likely to be arrested for marijuana possession, and in some states, Black people were up to six, eight, or almost ten times more likely to be arrested. In 31 states, racial disparities were actually larger in 2018 than they were in 2010.” In New York City alone, an estimated [80 percent](#) of those arrested for marijuana violations over the past decades were either Black or Latinx.

Those arrested for violating cannabis laws face a litany of punishments. Penalties stemming from a marijuana-related arrest, even for a first-time offense, include the possibility of jail and a lifelong criminal record; probation and mandatory drug testing; loss of employment; loss of child custody; removal from housing; loss of student aid; loss of voting rights; loss of adoption rights; and the loss of certain federal



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welfare benefits, such as SNAP benefits. In many cases, those facing these severe penalties and the lost opportunities that accompany them are young people just beginning their adult lives.

Furthermore, in many underprivileged communities, marijuana prohibition is routinely utilized by law enforcement as the pretext for police misconduct. Take the case of Philando Castile, for example, who was shot and killed by a police officer during a traffic stop. The officer in the case cited the smell of cannabis as his justification for the use of lethal force, [stating](#), *“I thought I was gonna die. And I thought if he’s, if he has the guts and the audacity to smoke marijuana in front of the 5-year-old girl and risk her lungs and risk her life by giving her secondhand smoke and the front seat passenger doing the same thing then what, what care does he give about me.”* A Washington Post feature, entitled, “Marijuana really can be deadly, but not in the way you probably expect,” [highlights](#) several other incidences where suspected marijuana use was the key factor in police engagements that resulted in unnecessary civilian fatalities

Now, more than ever, the public is aware of these realities and is demanding change. We were encouraged to see you lend your voice to this effort, acknowledging, “Entrenched, systemic, pervasive racism is perpetuated by silence, and we cannot let it continue.” We agree. That is why we are asking to take your sentiments to their logical conclusion and to demand an end to marijuana prohibition.

We believe that taking this public position would be consistent with NIDA’s mission to promote and enhance public health. NORML recognizes that, from a public health perspective, cannabis is not altogether harmless. It can be mood-altering; some consumers can become dependent upon it, and some can experience adverse effects. But we believe, and based upon your recent public statements we have faith that you do too, that marijuana’s potential public health risks to the individual adult consumer pale in comparison to the known public health burden imposed by its continued criminalization.

Will marijuana legalization and regulation alone fix over a century of systemic racism in America? No. But nonetheless we understand, all too well, the role that marijuana criminalization has played – and continues to play – in upholding the systemic racism that NIDA has now gone on record to condemn. That is why, in the interest of both enhancing public health and confronting the institutional racism that plagues our nation, we ask you and NIDA to publicly acknowledge that the perpetuation of the criminal enforcement of marijuana prohibition, as well as the stigmatization of those adults who use it responsibly, is far more detrimental to public health than is the behavior these policies are intended to discourage.

We all have an important part to play right now in acknowledging the role that racially-motivated drug war policies have played in perpetuating systemic injustice in America. We hope that you continue to use your voice to call attention to this issue, and that you consider joining those of us in calling for long overdue public policy changes.

Sincerely,
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