Acknowledging and Addressing the Impact of Racism and Racist Drug Policies on our Health Outcomes

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There are 100,000 total marijuana smokers in the US, and most are Negroes, Hispanics, Filipinos and entertainers. Their Satanic music, jazz and swing, result from marijuana usage. This marijuana causes white women to seek sexual relations with Negroes, entertainers and any others.

— Harry J. Anslinger —

“Reefer makes darkies think they’re as good as white men.”

— Harry Anslinger, the first commissioner of the Federal Bureau of Narcotics (1930-1962)
TIMELINE

1930
Federal Bureau of Narcotics created (precursor to DEA)

1944
New York Academy of Medicine report concluded that marijuana use “did not cause violent behavior, provoke insanity, lead to addiction, or promote opiate use” – dismissed by Anslinger

1952
Boggs Act—mandatory sentences 2-10 years for possession

1956
Daniel Act – increased Boggs Act penalties 8x

1970
Controlled Substances Act

1971
Nixon declares War on Drugs: Public enemy #1

1952-1962
Little Boggs Acts enacted by states
Shafer Commission report advocated decriminalizing marijuana for personal use—Nixon rejected.

DEA had acknowledged that decriminalization was worth considering (Carter Administration).

DEA called marijuana the most urgent drug problem facing the United States (Reagan Administration).

1972

1977

1981

1984 Comprehensive Crime Control Act

1986 Anti-Drug Abuse Act

1988 Anti-Drug Abuse Amendment Act

Raised federal penalties for marijuana possession, cultivation, and trafficking; sentences were determined by amounts.
IMPACT OF THE WAR ON DRUGS IN CALIFORNIA

• Community **trauma**
  • Incarceration and family separation

• Felony convictions **jeopardized**
  • Immigration Status
  • Child custody
  • Employment
  • Housing
  • Social services

• Marijuana prosecution concentrated
  • Black and Latino communities
  • *Entirely attributable to racial bias* in law enforcement
  • 90% simple possession
THE IMPACT IN NUMBERS

WHEN THE SMOKE CLEARS
Racial Disparities in California’s Marijuana Arrests
Disparities in Arrest Rates

Across race/ethnic groups people use marijuana at the same rates, yet...

Statewide Black people were 4X more likely to be arrested than whites.
Black-White Disparities in Marijuana Arrests in
Local Disparities

Black Sacramento residents were arrested on marijuana-related charges 29X more often than white residents—7X the state average.

Other notably high cities:
- Palo Alto 26X
- South Gate 26X
- Oakland 25X
- Berkeley 25X
- Fremont 23X
- South San Francisco 22X
- Citrus Heights 21X
THE IMPACT IN NUMBERS

CA Arrests for Marijuana

MISDEMEANORS 45%↑ 100%↑

FELONIES 26%↑ 500%↑
REDLINING: An Example of Institutional Racism

- Official Practice 1934-1968
- Grades that FHA gave to neighborhoods
  - **Green (A)** - “best”
  - **Blue (B)** - “still desirable”
  - **Yellow (C)** - “definitely declining”
  - **Red (D)** for “hazardous”
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1934 - 1968
RED LINING

1952-1962
Little Boggs Acts enacted by states
Fifty Years later in 2018...

• 2/3 of D areas are inhabited by mostly Black and Latinos
• 3/4 of D areas continue to struggle economically
• 91% of A areas remain middle-to-upper-income today
• 85% of A areas still predominantly white
Geographic Disparities

The top 5 booking census tracts in Sacramento County also have median household incomes ranging from $12,355 - $36,902 -- less than 60% of the state median income.
THE IMPACT
Expected Disproportionality

• Violence and Imprisonment
• School underperformance
• Poorly maintained areas
• Food deserts
• Spatial & Economic Vulnerability
• Lower life expectancy
HEALTH INEQUITY

• A **systematic and unjust** difference in health and wellness
• Based on **membership** in an oppressed group with historical/ongoing restricted access to societal resources
• Not “natural”
• Public health has a **responsibility** to remediate inequities
HEALTH EQUITY & MARIJUANA

TOXIC STRESS: Trauma associated with criminalization and community damage

ENVIRONMENT: Advocate for policy strategies that protect communities (advertising, packaging, messaging) from predatory industry practices

**Populations:** Youth, Mental Illness, Pregnant Women

INJUSTICE: Reverse policies (expungements, reparations, equity programs, predatory policing)
THE PROBLEM WON’T GO AWAY ON ITS OWN

• We have **begun to stop** the discriminatory practice of incarceration for drug offenses
  • Prop 47 (2014)
  • Prop 64 (2016)
• Focus on **systems**
• **Restoration** for historic wrongs
• Culture change takes **courage**; is costly and uncomfortable

Hope is **NOT a Strategy**
PROP 64: FUNDING HEALING OR...

**Specific Allocations**

- **$10-50M** Governor’s Office of Business and Economic Development
  - Community Grants to those affected by past drug policies
- **$10M** Public University or Universities in California
  - Evaluate the measure
- **$3M** Highway Patrol
  - Create methods to measure impaired driving
- **$2M** UC San Diego Center for Medical Cannabis Research
  - Study risks and benefits of medical cannabis

**Remaining Allocations**

- **60%** Youth Education, Prevention, Early Intervention and Treatment (DHCS)
- **20%** Environmental Restoration and Protection (Fish and Wildlife and Parks and Rec)
  - Clean and prevent enviro damage
- **20%** State and Local Government Law Enforcement (CHP and BOSCC)
  - Reduce driving while impaired and combat public health and safety risks
PROP 64: ALLOCATIONS

- UC San Diego
- CA Univ
- GoBiz

Remaining Allocation
- Environment
- Youth Fund
- BSCC/CHP

PUBLIC HEALTH ADVOCATES
In the first year post-legalization, state agencies issued $50 million in grants to nonprofits, health departments and tribal communities working in communities of color impacted by the War on Drugs.

This year, the agencies will issue an additional $70 million. The state projects from cannabis revenue will continue to grow over time as more local governments allow for legal businesses.
Opportunities for nonprofit grant funding from Prop 64

- The Community Reinvestment Grants Program managed by the Governor’s Office of Business and Economic Development (GOBiz)
- Elevate Youth California (a youth substance use disorder prevention program) managed by Dept of Health Care Services/Center at Sierra Health Foundation
- Youth Community Access Grants Program managed by CA Natural Resources Agency
- Public Health and Safety Grant Program managed by Board of State and Community Corrections (BSCC)
Cannabis revenue and law enforcement

On average, spending on law enforcement makes up 39% of the general fund of cities.

Many jurisdictions have explicitly used cannabis revenues to create new enforcement units.

The average growth in police budgets for these 28 cities was an increase of 19% over a three-year period.
The New Alliance

Government

Cannabis industry

Law enforcement
Equity Strategy on Cannabis Tax Revenues

- Maintain current cannabis state tax levels
- Advocate for **more revenue** to be invested in grassroots organizations embedded in communities of color
- Advocate **against** cannabis revenue going to law enforcement
- **Oppose criminalization** of the underground market
- Assist local communities on local **cannabis** tax revenue with organizing
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