

RESOLUTION CALLING FOR AN END TO THE WAR ON DRUGS

Since its inception in 1969, 40 years ago, at the hands of then-President Richard M. Nixon, the “War on Drugs” has been a dismal failure. Responsible for approximately half of the 2 million people incarcerated each year in the United States, the “War on Drugs” has unnecessarily destroyed countless lives and families.

In fact, the “War on Drugs” is largely responsible for this country’s dramatic increase in incarceration over the past four decades. In the 1980s, as the general arrest rate rose by 28 percent, arrests for drug offenses rose by 128 percent. If not for the “War on Drugs,” the number of people annually incarcerated in the United States between 1980 and 2000 would not have increased more than fourfold, from less than 400,000 to more than 2 million people.

This so-called war has been primarily focused on marijuana, which accounts for nearly a quarter of drug arrests, and is the fourth most common cause of arrest, in the United States. By all appearances, the “War on Drugs” has been applied in a highly disproportionate way with people of color experiencing the brunt of arrests and incarcerations. Of those arrested for drug offenses in 2005, nearly forty-five percent were Black, more than 20 percent were Latino and 28.5 percent were White, compared to the racial breakdown, generally, in the United States of 12.1 percent, 12.5 percent, and 69.1 percent respectively.

The institutionalized nature of how the “War on Drugs” has disproportionately affected people of color can also be seen in the disparity in sentencing. For example, although showing signs of changing, for many years Black Americans were sentenced more harshly for crack cocaine offenses than Whites were for powdered cocaine. Also, in 2006, eighty-two percent of those sentenced under federal crack cocaine laws were Black, yet more than two-thirds of people who use crack cocaine are White.

Over the years, the “War on Drugs” has siphoned untold amounts of money from important social programs. The federal government's annual "Drug Control" budget increased from \$1 billion in 1980 to more than \$20 billion today. Spending by local, state and federal governments exceeds \$40 billion a year and continues to increase unabated. The U.S. also uses the "War on Drugs" to further its political and economic influence in other countries. For example, between 2000 and 2006, the U.S. spent \$4.7 billion on "Plan Colombia," an unsuccessful effort to eradicate coca production in Colombia. Other similar imperialist efforts involving the federal Drug Enforcement Administration and the U.S. military have been used in Peru, Mexico, and Afghanistan, among other countries. Despite the incredible social and economic costs of the "War on Drugs," illicit drugs have become cheaper, more pure, and continue to be readily available.

For these and other reasons, the National Lawyers Guild strongly opposes the “War on Drugs,” calling instead for an end to drug prohibition. It is prohibition that has caused such a dramatic increase to our incarceration rates, the destruction of countless lives and families, and the unfair application of laws against people of color in this country.

Examples in other countries of drug decriminalization and legalization, under strict taxation and regulation schemes, have shown that such policies will not increase drug abuse and have sharply reduced crime and the need for incarceration. By avoiding incarceration as a means of punishment or rehabilitation for drug use, a methodology that has failed at the societal level, we can and should establish a more humane approach that utilizes harm reduction and drug treatment methods when necessary.

The Drug Policy Committee of the National Lawyers Guild demands that the federal government end its unnecessary, harmful and imperialistic war against people who use drugs, mainly people of color and low income. Instead of criminalizing drug use, the federal government should implement the means to regulate and tax drug use by adults.

Therefore be it resolved that this resolution be implemented by the Drug Policy Committee in the following ways:

Organizing events (panels, debates, and presentations) in law schools; writing amicus briefs in relevant cases; and reaching out to the media in reaction to articles about current events related to the harms of the War on Drugs, including border wars and prison overcrowding.