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Submitted by Deborah Peterson Small, Open Society Institute, U.S.A.
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The Impact of U.S. Drug Policies on Communities of Color

Thank you Chairman, Commissioners and Secretariat for the opportunity to address this body. My name is Deborah Peterson Small, I am part of the NGO delegation sponsored by the Open Society Institute. I hail from New York in the United States and am Executive Director of Break the Chains, a national advocacy organization committed to promoting drug policies grounded in public health, social justice and human rights. My remarks are directed specifically at the domestic impact of US drug policies on minority communities. Earlier this week the U.S. representative delivered a statement to this body on the status of drug control efforts in the United States. He said that the U.S. is “on the right track and has plenty to be proud of” in its efforts to reduce the demand and supply of illicit drugs. Unfortunately, the brief statement left out some important facts that should be included in any assessment of U.S. drug policies.

Despite the Herculean effort expended to fight the “war on drugs,” its impact on the rate of drug use and addiction in the United States is unclear. There is some indication of improvement in age of initiation and drug use by youth - however, these gains are offset by increases in indications of abuse. It is beyond dispute that the human and social costs of the war on drugs in the United States have been steep. Nowhere has the impact been felt more acutely than in minority communities:

- Black Americans comprise about 13% of the U.S. population, but are over 70% of those incarcerated for drug offenses. This disparity is not due to any differences in the use of drugs between blacks and other racial groups. From racial profiling to arrests, incarceration and post-conviction sanctions, to access to drug treatment and infectious disease prevention, black communities have been devastated by punitive drug policies. According to the most recent government survey on the use of illicit drugs, about 62% of all drug users in the United States are white, and about 15% of all users are black, percentages close to each group’s representation in the general population.
- Latinos are similarly over-represented in the criminal justice system, particularly on the federal level. In 2001 Hispanics were arrested by the U.S. Drug Enforcement Administration at a rate nearly three times their proportion of the general population and accounted for 43% of individuals convicted of drug offenses in 2000 according to the Bureau of Justice Statistics. From 1985 to 1995, the number of Latinos in U.S. prisons grew by 219% -- faster than any other ethnic group.
- HIV, AIDS and Hepatitis C are much more prevalent among communities of color. African-Americans constitute 37% of all AIDS cases; Latinos account for another 20%. Almost half of these HIV infections are drug-related. By continuing to say no to providing leadership and funding for needle exchange and other proven ‘harm reduction’ programs, the U.S. government is saying yes to continued high rates of HIV/AIDS infection among injection drug users, their partners and loved ones. This position, by a

country that considers itself an international leader and wants others to follow its policy prescriptions and example should be considered unconscionable by the international community.

Because of get tough policies and a disproportionate emphasis on drug law enforcement many state governments now devote more money to corrections and incarceration than to higher education.

The U.S. representative advocated for an increased emphasis on cannabis control – citing concerns about possible mental health issues. The science linking chronic cannabis use to mental health problems is far from conclusive, what is beyond dispute is the impact of marijuana law enforcement on the lives of millions of U.S. residents, particularly minority youth, who acquire criminal records because of marijuana arrests that stigmatize them for the rest of their lives, affecting their ability to fulfill their lives and enjoy the same rights and privileges as others.

Any reasonable assessment of national drug policies has to weigh the benefits against their costs. In the United States the cost of punitive drug policies are borne disproportionately by the poor, the marginalized, the newcomers and those targeted for discrimination because of race, ethnicity, religious beliefs, sexual orientation or citizenship status. The test of a great society is its ability to care for and protect those least able to protect themselves – unfortunately United States drug policies make these groups the principal casualties of the “war on drugs”.

As we reflect on progress over the past 10 years and set a course for the next ten, the point made yesterday by the representative of France is an important one – the U.N. drug conventions and related instruments should not be considered unchangeable. One area that deserves greater review is giving the same emphasis on providing effective drug treatment, alternatives to incarceration and public health approaches to drug use and addiction as is currently given to law enforcement, interdiction and crop eradication. Doing so would begin to provide balance and greater flexibility to a legal and political approach to the global drug problem that in some places causes more harms than the drugs we are committed to fighting.