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Solution Final Paper

Mass incarceration, the imprisoning of a large portion of a population, is a phrase often associated with the United States. As of 2023, the United States is the country with the most number of people in prison, at around 2 million. The next closest country is China, with about 1.6 million, and Brazil after that, with about 800 thousand (Fair and Walmsley). Countries like China and Russia have population sizes much larger than that of the United States, so why does the US still have the most people in prison? On top of that, forty percent of the prison population are African Americans, yet African Americans only make up six percent of the population (13th). Almost half of the prison population are non-violent drug offenders (Hayes and Barhnhorst). According to The Drug Policy Alliance, “Nearly 80% of people in federal prison and almost 60% of people in state prison for drug offenses are black or latino”. Through an analysis of the readings, films, and lectures provided in class, a conclusion can be drawn that historically, movements to criminalize drug use have disproportionately affected people of color and is one of the major factors that led to mass incarceration. A solution that I offer to this problem is to implement harm reduction approaches to the half of the prison population community that was arrested for nonviolent drug related crimes, as well as communities of color. The goal of using harm reduction in this case is to lower the American prison population and to actually give real help to communities of color that struggle with drug related issues.

Mass incarceration is an issue that can be understood by learning about our country's historical criminalization and oppression of black people. America has continuously criminalized blacks and forced them into a system of oppression. Mass incarceration is just another form of oppression towards black people, like modern day slavery. One of the biggest contributing factors to mass incarceration is the War on Drugs. According to the article "Ending the War on Drugs" by Bersy Pearl And Maritza Perez, the War on Drugs was launched by President Richard Nixon in 1971. Drug use was heavily criminalized, and communities of color were disproportionately impacted. President Nixon used specific drug laws to target African American people. An example of this is the criminalization of cocaine. The punishments for the use of crack cocaine and powder cocaine were drastically different, with much harsher sentences for the use of crack cocaine. Crack cocaine was the form of cocaine that was cheaper and was more likely to be used in communities of color. Powder cocaine was more expensive and more likely to be used by a white person in a wealthier neighborhood. The heavy punishment on crack cocaine targeted communities and people of color, leading to their increased incarceration rates. If a white person were to be caught with powder cocaine, their punishment would be nowhere as harsh as a black person caught with crack (13th). John Elrichman, the assistant to the President for Domestic affairs under president Richard Nixon confirmed that the War on Drugs was targeted: "You really want to know what this [war on drugs] is about? The Nixon campaign in 1968, and the Nixon white house after that, had two enemies: the antiwar left and black people. 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." (Pearl and Perez). Black people were specifically targeted by the War on Drugs, leading to their mass incarceration. Jeffrey McCune

also explains how the police systems view all black men as the same and how there is a “history of police profiling within black communities, whereby mostly black men are targets of crime, without due reason”(137). Because black people were specifically targeted by the justice systems for crimes like drug use, they now make up 40% of the prison population. The disproportionate amount of people of color within our prison systems is a clear issue that needs to be addressed.

Though it is events in history that have led to the disproportionate incarceration rate for African Americans, this issue is not one of the past. Though the War on Drugs was launched in 1971, we can see how black people continued to be targeted when it comes to the legal system. Ta-nehisi Coates’ article, “The Enduring Solidarity of Whiteness” discusses how the black experience is always inherently different from the white experience, especially when it comes to incarceration rates. Coates offers information based on a chart that provides incarceration statistics based on location and race: “... the incarceration rate in the most afflicted black neighborhood is 40 times worse than the incarceration rate in the most afflicted white neighborhood. But more tellingly for our purposes, incarceration rates for white neighborhoods bunch at the lower end, while incarceration rates for black neighborhoods bunch at the higher end” (9). Coates published this article in 2016, showing that almost 50 years after the War on Drugs was launched, black people continue to be targeted by our incarceration systems. It was the policies of the War on Drugs that significantly contributed to racial and socioeconomic disparities in drug arrests, further embedding racial disparities within the criminal justice system.

The issues of mass incarceration and the unproportional amount of people of color within prison systems is honestly something not often represented by the media, which is part of the issue. I also had never heard about the War on Drugs before this class because it has so little representation in the media. However, there has been a lot of representation with how people of

color are targeted by law enforcement. Just a few years ago, the Black Lives Matter movement became a big part of American culture. I remember seeing instagram posts, news casts, and media articles about the Black Lives Matter movement. It all started with a post about George Floyd, who died at the hands of white police officers. This sparked a huge movement against the systemic racism embedded into our legal systems, and was covered widely by all media platforms. Another example of police brutality and systemic racism depicted in popular culture is through film. One film I watched that highlighted these issues was called “The Hate U Give”. This film tackled the issues of racism and injustice that are experienced by people of color in our country. These are two pop culture examples that I have experienced, and although they do not directly cover the issues of mass incarceration, they touch upon the roots of why things like the War on Drugs and mass incarceration of people of color exist. Recently, there has been more and more media coverage and pop culture representation of the issues of racism faced in our country, specifically with law enforcement and legal systems, which directly relate to the topics I have chosen.

The reason I chose the topic of the war on drugs and mass incarceration is because it is by far the most interesting topic I have learned in the class so far. One of the reasons that I am so drawn to this topic is because I never knew about the war on drugs or about mass incarceration before this year. I have taken many years of American history, but I didn’t even know about the War on Drugs. It is shocking to me how I have never been taught or heard about these issues because from what I have learned, they are very important to understanding American history. The War on Drugs was launched during my parents lifetime, and our country’s struggle with drugs is something that is currently ongoing. This issue speaks to me personally because as a minority, it is extremely frustrating to see how our country has treated people throughout history

and even in the present. Although I am not directly a part of the specific groups targeted by the war on drugs or disproportionately incarcerated, I still feel it is a topic that everyone should learn about. These topics are important to American studies because they serve as a symbol for more widespread social problems in the US, including systemic racism, social inequality, and the criminalization of particular communities. The War on Drugs is just one of the many examples of historical racism, and the disproportionate amount of incarcerated people of color can be seen as a modern form of slavery.

If I had enough resources, political power, good will, and community support, my solution would involve two parts. The first part: Free those in prison that were arrested for non-violent drug related crimes and instead use harm reduction strategies to address their drug related issues. The goal of this solution is to lower the inflated prison population, while simultaneously helping people who suffer with substance abuse or drug related issues. Those who get arrested for drug related crimes are being punished, instead of helped. The point of this is to help decriminalize substance abuse, and prevent future incarceration. The second part: offering harm reduction services to communities of color. As we have seen throughout history, people and communities of color are targeted and criminalized for drug related issues. By actually offering them help, the disproportionate amount of incarcerated people of color can be reduced. First of all, harm reduction acknowledges that drug use is a complicated social and public health issue and that incarcerating users doesn't do anything to treat the underlying causes of addiction. Harm reduction seeks to minimize the negative consequences of drug use, one of them being incarceration. There are multiple public health options that fall under harm reduction. Some of these include syringe access programs, safe injection facilities, and law enforcement assisted diversion (Pearl and Perez). But why harm reduction? While the option of drug

prohibition is always available, it has not been proven to always be effective. In “Harm Reduction: Shifting from a War on Drugs to a War on Drugs-Related Deaths”, Jeffrey Singer explains that restricting the supply of certain drugs has little effect on their negative consequences. He states “The U.S. government’s current strategy of trying to restrict the supply of opioids for nonmedical uses is not working... harm reduction has a success record that prohibition cannot match. Decades of experience in several developed nations show harm-reduction strategies reduce overdose deaths, the spread of infectious diseases, and, in many cases, the nonmedical use of dangerous drugs”. Harm reduction has proven to be an effective policy when dealing with drug related issues, which is why it is a big part of my solution to help reduce the disproportionate amount of people of color within the prison systems, as well as the prison population as a whole.

The first part of my solution involves freeing the prison population that has been arrested for nonviolent drug related crimes. I chose this specific group for a reason. While I recognize that not all drug related crimes directly correspond with substance abuse, “research shows that an estimated 65% of the United States Prison population has an active substance abuse disorder” (National Institute on Drug Abuse). Based on this statistic, the population that gets freed from prison is likely to have a substance abuse disorder, and education about harm reduction can help prevent one in the future. Those who will be freed should also have been incarcerated because of nonviolent crimes. I feel that this is important because putting someone who was arrested for a violent crime back out on the street would not be safe. For this solution, harm reduction will be used to help these freed inmates with their drug related issues that led to their original arrest. Harm reduction works to lessen the negative effects of drug use, which helps keep people out of trouble with the law and lowers the chance that the freed inmates would reoffend. Giving those

who have been released from jail access to drug treatment and support programs is another way that harm reduction can benefit them. Since many inmates have a history of drug addiction, giving them access to quality drug treatment can help keep them from committing crimes again. Harm reduction can assist the freed individuals in breaking the cycle of addiction and lowering their risk of reoffending by offering drug treatment and support programs. If half the prison population is freed, less money would have to be spent on maintaining the giant prison systems. This money can be used to fund certain harm reduction programs. So, adopting harm reduction practices can save money, improve social justice and public health, and lower the prison population.

The second part of my plan involves implementing more harm reduction practices in communities of color. Because these communities have been historically targeted by drug legislation in the past, black and hispanic people make up a disproportionate amount of the prison population. These communities need the most help. People of color are more likely than other groups to reside in places with poor access to resources for addiction treatment and medical care. Harm reduction can assist in lowering the probability that persons of color would enter the criminal justice system as a result of drug-related offenses by expanding access to these services. The distribution of harm reduction products and sterile injection equipment will be important to provide to communities of color. The spread of infectious diseases like HIV and hepatitis C, which are more common among communities of color, can be slowed down as a result. By ensuring that people have access to clean needles and other supplies, providing harm reduction items can also help to lower the likelihood of an overdose. This is important because communities of color are more likely to have poor access to social services and healthcare. Another beneficial harm reduction strategy, Law Enforcement Assisted Diversion, means that

policing in communities of color can actually be beneficial. Pearl and Perez explain “Through LEAD, law enforcement officers are empowered to redirect individuals with substance use disorders to social services, rather than making low-level arrests”. Instead of arresting people of color, they would be redirecting and helping individuals. Assuming police in neighborhoods of color are willing to partake in this practice, it would end up really helping the people of color who struggle with substance issues. They would no longer be criminalized for using drugs and sent off to prison. Overall, my solution would ultimately help to lower the disproportionate amount of people of color in prison, as well as lower the numbers of people in prison overall.

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