



NEW YORK STATE SENATOR

Daniel L. Squadron

Squadron, Camara, Drug Policy Alliance, Nyclu, Vocal-NY Urge Senate Passage of Marijuana Reform

DANIEL L. SQUADRON June 13, 2013

| ISSUE: **CRIME, CONTROLLED SUBSTANCES, CONSTITUENTS CORNER**

New Data Finds NY Leads the Nation in Marijuana Arrests

Across State, Black New Yorkers 4.5 Times More Likely to Be Arrested as White New Yorkers; Disparity is 9-to-1 in Brooklyn and Manhattan

ALBANY -- With new data highlighting dramatic racial disparities in low-level marijuana arrests around New York, State Senator Daniel Squadron, Assemblymember Karim Camara, members of the Black, Puerto Rican, Hispanic, and Asian Legislative Caucus, the Drug Policy Alliance, the New York Civil Liberties Union, VOCAL-NY, and community members made an end-of-session push for Senate passage of legislation to bring consistency and fairness to marijuana arrests.

The legislation would decriminalize the possession of small amounts of marijuana (less than half an ounce) in public view, adjusting it from a misdemeanor to a violation (the same penalty for private possession) -- reforming the statute and the inconsistent way it is enforced.

A new American Civil Liberties Union report shows that New York leads the nation in marijuana arrests. An [NYCLU analysis](#) found that, across the state, Black New Yorkers are 4.5 times more likely to be arrested for marijuana possession than White New Yorkers. Brooklyn and Manhattan see the greatest racial disparities, with Black New Yorkers more than nine times as likely as White New Yorkers to be arrested for marijuana possession.

According to the [ACLU report](#), in 2010 the estimated annual fiscal cost of marijuana possession enforcement in New York was \$678,450,560. Marijuana possession accounted for nearly 60 percent of all drug arrests.

The Assembly passed the legislation last month. Governor Andrew Cuomo has come out strongly for the reform.

"Let's be clear: a large number of people carry small amounts of marijuana. But the vast majority of people who get criminal records for it are young Black and Latino men," said **Senator Daniel Squadron (D-Brooklyn/Manhattan)**, who is the Senate sponsor of legislation to reform the in-plain-view marijuana statute. "In fact, Black New Yorkers in Brooklyn and Manhattan are nine times more likely to be arrested for marijuana possession than white New Yorkers. That's simply immoral and unacceptable. None of us should accept living in a place where the color of your skin, your gender, and your age define whether your behavior is a criminal act or not. Reforming the in-plain-view marijuana statute and the inconsistent way it's enforced would be an important step toward ending these unacceptable racial disparities. It's time for the Senate to act and bring justice to each and every New York community."

"For too long, a loophole in the 1977 marijuana possession law has led to the law being applied differently to different groups of people based solely on race, age and geography," said **Caucus Chairman Assemblymember Karim Camara (D-Brooklyn, 43rd AD)**, who is the Assembly sponsor of the legislation. "By closing this loophole and standardizing the law, this legislation will help restore fairness, equity, and sensibility to our marijuana possession laws. Marijuana remains illegal, and penalties for possessing it remain on the books, but no longer will someone incur a lifelong criminal record for simple possession. This is a civil rights issue, and I'm proud of my colleagues in the Assembly for passing this important bill. Now it's time for our colleagues in the Senate to act, so we can deliver this bill to Governor Cuomo for his signature."

"Protection of our civil rights is a social justice issue that is equally as important as the Women's Equality Agenda, Campaign Finance Reform, Casino Gambling and Public Integrity legislation," said **Senator Ruth Hassell-Thompson (D-Bronx/Westchester)**. "We should not let the 2013 Legislative Session come to a conclusion without reforming these laws that are racially biased and targeted toward young men of color."

"We must put an end to this illogical and frequently discriminatory law that has mutated beyond its original intent and become a catalyst for hundreds of thousands of unjust arrests and damaged futures, particularly in minority communities," said **Senator Jose Peralta (D-Queens)**. "We waste countless thousands of police man hours and countless millions of dollars on a policy that does society vastly more harm than good. Let's bring some sanity to this corner of our criminal justice system and stop this practice before it does any further damage."

"Most policies New York has regarding marijuana use and possession are out of touch and outdated. The fact that there is a codified difference in penalties for use in public versus use in private is a perfect example. Leveling these penalties is a step in the right direction, but ultimately we need to do away with New York's practice of 'look-the-other-way-legislating' when it comes to marijuana use," said **Senator Martin Malavé Dilan (D-Brooklyn)**.

"This legal inconsistency has led to tragic consequences with breathtaking racial disparities and it cannot be allowed to stand," said **Senator Liz Krueger (D-Manhattan)**. "Every day the Senate Majority fails to move this legislation is a stain and an affront to civil rights and justice in New York State."

"The standing marijuana possession law in New York State is discriminatory and archaic, and has been debilitating Black and Brown communities for too long. The current law encourages biased police tactics, like stop and frisk, which causes thousands of unnecessary arrests in my neighborhood of Harlem and throughout New York City. Last month, the Assembly passed legislation to help eliminate the pointless, low level arrests that stem from this outdated statute. The torch is now passed to the New York State Senate, and I commend Senator Squadron for his commitment to creating a more fair and consistent law that our citizens deserve" said **Assemblyman Keith L.T. Wright (D- Manhattan, 70th AD)**.

"For generations, New York's young adults of color have faced an uphill battle to overcome the harsh penalties that our criminal justice system has imposed on those charged with the possession of small amounts of marijuana," said **Assemblywoman Vanessa L. Gibson (D-Bronx, 77th. AD)**. "Throughout the years, those penalties have blocked thousands of New Yorkers from achieving their dreams and worsened the disparities that have often divided our state upon racial and ethnic lines. The Assembly's passage of this legislation is an important step towards finally balancing the scales of justice and assuring that future generations don't have to carry the burden that goes with the stigma of a criminal record".

"Each day that the crisis of rampant marijuana arrests in New York goes unaddressed, hundreds of young people lose the opportunity to fully participate in our state's economy and local communities. The use of this loophole in our drug laws to target and criminalize Black and Latino youth is not only ethically wrong, but it is bad economic policy," said **Assemblyman Walter Mosley (D-Brooklyn, 57th AD)**. By standardizing penalties for marijuana possession with the laws that have been in effect since 1977, we will save taxpayer money, provide broader opportunity for social growth, and promote greater fairness throughout the State of New York. I urge my colleagues in the Senate to take swift action on this sorely needed reform."

"The Assembly has passed the bill, and Governor Cuomo will sign it, the votes to pass it in the Senate are there – it's time for a vote," said **Gabriel Sayegh, State Director for the Drug Policy Alliance**. "We can no longer a law to be applied differently to different groups of people based on race and geography. We need a vote, today. We need reform, now."

"New Yorkers should be embarrassed that our state leads the nation in marijuana arrests," said **New York Civil Liberties Union Executive Director Donna Lieberman**. "The crackdown on low-level marijuana possession happening across our state needlessly hurts individuals and families – subjecting them to all sorts of collateral consequences like the loss of student financial aid and job opportunities. It is time for the Senate to stop stalling and enact this commonsense criminal justice reform."

"Marijuana arrests in New York are out of control, and they are a stark example of racial bias in policing practices and drug policy in our state," said **Alfredo Carrasquillo, VOCAL-NY's Civil Rights Community Organizer**. "Even though white youth are more likely to use marijuana, the overwhelming majority of arrests are among Black and Latino youth since they are most likely to be stopped and searched by police. Senators Klein and Skelos must allow a vote on this urgent racial justice issue so that we can stop these costly and damaging arrests."

###