

The Drug War, Prisons, and Police Killings of Black Men

William W. Goldsmith

EARLY ON New Year's Day 2009, a transit officer shot and killed **Oscar Grant** at BART's Fruitvale Station in Oakland, California. Oakland suffered 45 police shootings from 2004 through 2008. Thirty-seven victims were Black and none was White, according to the NAACP. In February 2012, a neighborhood watch coordinator shot and killed **Travon Martin** in a Miami suburb. In July 2014, police on Staten Island put **Eric Garner** in a chokehold, and he later died. Also in July 2014, a policeman shot and killed **Michael Brown** in Ferguson, Missouri. That August, a police officer shot and killed **John Crawford III** while he held a toy gun in a Walmart store near Dayton, Ohio. In November, a policeman shot and killed **Akai Gurley**, who was walking in a Brooklyn stairwell. Also in November 2014, police shot and killed twelve-year-old **Tamir Rice** in a playground in Cleveland. In March 2015, a policeman shot and killed 19-year-old **Tony Robinson** in Madison, Wisconsin. Also in March, a policeman shot and killed **Anthony Hill**, who was wandering naked in an apartment complex in DeKalb County, Georgia, outside Atlanta. In a third March event, a policeman shot and killed **Naeschulus Vinzant** in Aurora, outside Denver. Grant, Martin, Garner, Brown, Crawford, Gurley, Rice, Robinson, Hill and Vinzant, all African Americans, were all unarmed and at least seven of the ten appear to have posed *no* immediate threat to police or anyone else.



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USA Today reports that each year on average from 2006 through 2012, 96 Black persons, nearly two each week, were killed by a White police officer.

In response to this almost unbearable sequence of tragic events and aided by the immediacy of communication, collective pleas of “Hands up, don’t shoot,” “I can’t breathe,” and “Black lives matter” have become widely recognized symbols of the need for justice, a requirement for peace. Too rarely noted, however, is the background to the biased police violence, the long-term, steady development of police-on-Black (and on-Hispanic) repression as the principle element of the long running “War on Drugs” and the closely related explosions of the prison, parole and ex-convict populations. Michelle Alexander calls it *The New Jim Crow*, and she is right. In this brief essay, I sketch the elements of the war and the ghetto-barrio-prison connection. The ensuing police violence against individual men and boys of color may not be an inevitable outcome of the war. But, at the least, this “war” has vilified poor Black and Hispanic men, habituated the public to violence against these men, and created a politics of justification.

The War on Neighborhoods

For a start, there has been and is no war on *drugs*. What we are dealing with is a war on neighborhoods, one aimed almost entirely at the residents of poor city neighborhoods of color, ghettos still, and barrios, a war that takes place almost exclusively in those

neighborhoods and in the jails and prisons to which so many are remanded.

This war creates a climate in which the shooting and killing of Black men by police becomes a standard event, justifiable for those who govern, and all too common. Because drug-law enforcers have for so long attacked inner-city neighborhoods directly, drastically disrupting the lives of poor Black and Latino residents, the recent spate of shootings is business-as-usual. To stunned observers not used to the violence, it makes sense only when the drug war, neighborhoods and prisons are considered together. Prisons, even when distant, function in many ways as integral parts of neighborhoods, their economies, and their social lives.

Figure 1: Drug Arrest Rates for Blacks and Whites, 1972 to 2011
Drug arrest rate per 100,000 by year



Source: Travis, J., B. Western, and S. Redburn, eds. 2014. *The Growth of Incarceration in the United States*. Committee on Causes and Consequences of High Rates of Incarceration. National Research Council. National Academies Press, Figure 2-13, p. 41.

For decades, public spending on the drug war and closely associated prison operations has constituted a major growth industry, supported most strongly by those who otherwise favor budget cuts. Since the surge in drug arrests and imprisonment that began almost simultaneously in the 1980s (see Figure 1), prison issues have taken on a life of their own. Even as evidence mounts about wrongful convictions and of

racial bias in arrests, convictions and sentencing, the nation ignores the most horrific of prison conditions. Solitary confinement, for example, is commonplace, standard practice in so-called “supermax” prisons.

Although survey research firmly establishes that Black, Hispanic and White rates of drug use are essentially the same, people of color are much more heavily penalized. While tolerating even public display of drug use by middle class or wealthy people, authorities fight the drug war in run-down minority neighborhoods, inflicting massive “collateral” damages on children, partners, neighbors and the local economy and society. The authorities take down drug lawbreakers by real war, not like the federal War on Poverty, where authorities use words and budgets and not like local zoning wars, where planners use public meetings and zoning regulations to thin out liquor stores. The war on drugs is fought with troops in uniforms. They carry weapons, ride in attack vehicles, engage in battle and send people to prison. The warriors who fight against drugs in poor neighborhoods are not rogues. They operate with popular support. The war generates its own internal growth dynamic, enriches profiteers and demonizes an enemy. One tactic is to stop and then search pedestrians, who, when told to empty their pockets, sometimes reveal traces of drugs. In New York City in 2011 the police conducted more than 685,000 such “stop-and-frisk” operations, 87 percent involving Blacks or Latinos. In the end hardly any of the persons stopped were prosecuted and convicted. Another tactic is property seizure, which some police departments use to fund their entire budgets.

The drug war helps fill prisons mainly with Black and Hispanic men arrested in and removed from city neighborhoods, then put back with sub-minimal resources. Governments imprison people for many reasons other than drug violations, but starting about 1980 the intensive, selective enforcement of drug laws pushed like a mainspring pushing up a gargantuan US population of prisoners, former prisoners and their kin. It is odd to think of the so-called “correctional institutions” that now speckle the American rural landscape as extensions of city neighborhoods, but in many ways, that is what they are.

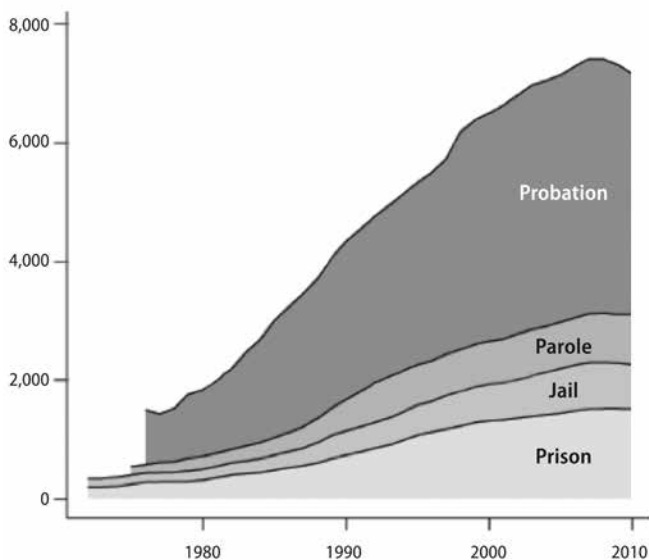
The World's Largest Penal System

The overall system of federal, state and local prisons and jails exerts a militarized political influence not only inside the lockups but also far outside the walls. Jutting out from the prison tree trunk, thick branches cast shadows over many city neighborhoods. Prisons and these neighborhoods have become part of an interconnected military-industrial-prison behemoth.

US prisons constitute the largest penal system in the world, holding more than two million men, women and children in hundreds of institutions. Another five million persons exist on probation or parole (see Figure 2). Many live in the same inner-city neighborhoods in which they were arrested, where the families of most prisoners and parolees live. Prisoners move in a dreary cycle from neighborhood to prison and back again.

Figure 2: Rising Incarceration Rates, 1972 - 2010

Total correctional population in 1000s by year



Source: Travis, J., B. Western, and S. Redburn, eds. 2014. *The Growth of Incarceration in the United States*. Committee on Causes and Consequences of High Rates of Incarceration. National Research Council. National Academies Press, Figure 2.4, p. 41.

The drug war has been a key element in growth of this neighborhood-prison “community.” Marie Gottschalk calls it “a major factor in the construction of the carceral state.” To understand the connection, one must

consider a key distinction between the drug trade and the drug war. In depressed neighborhoods, the drug *trade* serves as a key business, albeit highly risky. The drug *war*, including the illicit drug trade, introduces violence. The *trade* creates local jobs and income, but at the same time it brings danger and stress.

On the highly dubious positive side, drug dealers provide jobs for youth, spend money on local business and support some community activities. But of course the negatives overwhelm these small positives. The violence and disruption associated with the illicit drug trade destroy communities. Gangs can constitute informal governments and rule through violence. When police enter to enforce drug laws they undergird the violence and also function as the main conduit from neighborhood to prison. The coexistence of a sometimes-thriving drug economy with neighborhood violence brings bad news not only for the suffering residents and the damaged local economy but also for people in the broader society and economy. The difficulties spread out not only to surrounding city neighborhoods but also to the metropolitan areas and the nation. The worst effects result not from drug use or even from drug marketing, but in the ruin of neighborhoods attacked by the drug prohibition armies.

Crime fighters find it self-evident that when they interrupt selling and street use, they reduce drug use or at least stem its growth. They are wrong. Politicians and pundits call meaninglessly for a “drug free society,” ignoring not only tobacco and alcohol, but also abusive and theoretically illegal drugging by prescription. Assertions that the benefits of the drug war outweigh the costs are highly questionable: such claims generally overestimate the extent to which drug use would expand in the absence of the drug war and underestimate or ignore the extremely high costs of the war itself.

Whatever the future of drug *use*, the current drug *war* has strong downsides – no serious scholar disputes this conclusion. Multi-billion dollar costs burden public budgets. The war destroys communities, dehumanizes individuals. The nation faces a pervasive, militarized incarceration regime, fueled in good part by the drug war. Pronounced racial bias permeates

prison administrations and the neighborhoods of released prisoners. Many people have suffered “civil death,” living imprisoned beyond prisons, suffering from probation, barriers to employment and other limits on citizenship. The domestic society has become more militarized, and international relations suffer. Given these negatives, advocates and supporters would be able to make a case *for* the war only by showing that it achieves at least its principle objective, the reduction of drug use. This they cannot do. Weighing the certain damages against doubtful achievements, most social scientists, economists, legal experts, historians, and independent observers are firm. They judge the drug war to be a failure. We must add to this the widespread acceptance of police violence.

How to End the War

In the face of these almost overwhelmingly negative judgments, why does such a strategy persist? Two plausible answers are available. The first answer is that the direct and visible damages of the drug war mainly burden cities. They burden the poor. They burden African Americans most, Latinos next and poor immigrants. They burden, especially, city neighborhoods and inner suburbs where darker skinned and poorer people live. Elected authorities, and the voters who elect them, have been largely exempt, experiencing little or no fallout in *their* neighborhoods. Few influential groups need

worry about the heavy damages to the troubled neighborhoods.

The second answer to the question – Why does such a failed strategy persist? – is that various groups make use of the war to satisfy their own institutional, financial and ideological interests. People in these groups are not poor, for the most part they are not dark skinned and they are not residents of poor city neighborhoods. Local firms provide jail supplies.

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Why does such a strategy persist? Because the direct and visible damages of the drug war mainly burden cities, and because various groups make use of the war to satisfy their own institutional, financial and ideological interests.

Major corporations manufacture and sell goods, from prison food to paramilitary equipment. Guards and their unions, specialized federal agencies, construction companies, operators of private prisons, arms manufacturers and dealers and money-laundering banks benefit from the drug war. Voters in many rural communities

are sustained by prison construction and operation. Voters in other depressed communities hope for such sustenance. Each of these parties would lose influence and income were there fewer prisoners.

With few exceptions, politicians at all levels support the war in recognition of the power of the myths that surround the evils of drug addiction and drug marketing – addicts and dealers are bad people, ethnically or racially distinct, who deserve punishment, who should be removed from society. The war isolates “them,” delivers retribution and signifies moral outrage focused on cities. The war stigmatizes a segment of society, a social element that people see as an enemy. Only an unusually brave or well-situated active politician speaks the full truth about the drug war. At its root, the war on drugs works as the ultimate anti-urban policy, an attack on poor residents of color in inner-city neighborhoods.

What to do? Decriminalize drug use, but limit it through education, regulation, intervention, and the provision of attractive alternatives. Legalize trade in drugs, but regulate, restrict, and license. The prospect of such changes frightens many. It looks like walking on a path to anarchy, and even the most optimistic of critics must fear political reaction. Yet, as many critics powerfully argue, abundant evidence calls for such changes. **P²**