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War on Drugs Legislation in the 1980s:  
Failed Policies That Created Racial Injustice

Shane Smith

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For 40 years now, the War on Drugs has continued to damage millions of African American lives around the United States. As a result of failed drug control policies, not only have prisons become extremely overcrowded, but millions of people are still facing consequences such as massive poverty, broken family dynamics, violence, and tensions with law enforcement in their communities. Although this has become a contemporary issue, it is even more important to understand the origins of how this came to be. Digging to the source of the mess is the first step to understanding how we, as a society, can move forward and fix the issue. Massive prison booms and violence did not just arbitrarily hit these communities, but it was a result of failed government intervention that started in the 1970s and 1980s.

Discrimination in the criminal justice system goes back to the implementation of the 13<sup>th</sup> Amendment in the U.S. Constitution. This Amendment, passed in 1865, prohibited slavery in the United States and its jurisdiction, “except as a punishment for crime whereof the party shall have been duly convicted.”<sup>1</sup> Immediately, this was exploited by southern plantation owners and the first prison boom skyrocketed.<sup>2</sup> Throughout the next several decades this problem would continue. It wouldn’t be until the Civil Rights Act of 1964 that African Americans would begin to break out of this cycle, only to have continue in less than 10 years later with President Richard Nixon declared the War on Drugs in June of 1971. Mandatory minimum sentencing and no-knock warrants became accepted through Nixon’s proposed legislation.<sup>3</sup> However, it wouldn’t be until Reagan passed the Anti-Drug Abuse Act of 1986 that this problem would cultivate into a problem that unequally discriminates African Americans in the criminal justice system.

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<sup>1</sup> U.S. Constitution, amend. 13, sec. 1.

<sup>2</sup> Ava Duvernay, dir., *13th*, Kandoo Films, 2016, <https://www.netflix.com/title/80091741>.

<sup>3</sup> “A History of the Drug War,” *Drug Policy Alliance*, accessed 10 February 2022, <https://drugpolicy.org/issues/brief-history-drug-war>.

With the War on Drugs being such a contemporary issue, few historians have researched this topic heavily. Prominent legal scholars and criminologists have noticed the effects on the legal system today. Michelle Alexander, a very prominent legal scholar, and former member of the American Civil Liberties Union (ACLU), was one of the first to look at the topic and incorporate historical components to back up her argument. Alexander released her book, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* in 2010, then released the second edition in 2020. In the second edition, she addresses the changes and what continues to be a problem, but she still explains a lot of the historical context. Alexander describes the mass incarceration problem as a caste system, in which African Americans are at the bottom tier and unable to move up because of Whites in control of the system. Like slavery and segregation, mass incarceration is another form of Whites holding their position of power by trying to disadvantage African Americans. Regarding why the war started, she notes that “The drug war had little to do with public concern about drugs and much to do with public concern about race.”<sup>4</sup> This theme would be central to the arguments that formed from her findings.

As much of a problem as this issue was, Alexander’s book did not take off right away. She noted that it took a few years to become a bestseller and she had trouble getting people to even listen to her talk. She released the second edition to address some of the changes between the ten years (like police brutality and bipartisan support for ending the mass prison problem). During this time, historians and criminologists picked up and expanded on her argument. Matthew D. Lassiter is among the few historians to focus his research on the War on Drugs. Lassiter took a similar approach to Alexander, noting her work in his article and agreeing with her that this is more of a war on race rather than on drugs. Lassiter explains that the War on

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<sup>4</sup> Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, 2nd ed. (New York: The New Press, 2020), 62-63.

Drugs is a new form of racial and social control of minority urban areas, while in the suburbs those affected by the problem are “innocent” and “victims.”<sup>5</sup> Alexander notes a lot of the economic problems that affected urban centers in the 1980s- like globalization of companies- which took a lot of jobs from blue-collar workers.<sup>6</sup> This point agrees with Lassiter because the government took it upon itself to enforce social control, instead of helping the areas that needed it, which only made the problem worse.

Another big argument Lassiter makes that contributed to the findings of Alexander was that a lot of legislation that was pushed through was supported by “concerned parents” of white teenagers affected by drugs. When drugs started hitting suburban areas, organizations like the National Federation of Parents for Drug Free Youth (NFP) started to push Reagan for tougher legislation.<sup>7</sup> Thus, legislators had the backing of White parents. Minimum sentencing and disparities in sentencing started to come about as a result. Alexander never really talked about how the legislation was pushed through, but Lassiter gives a glimpse of why the government acted the way it did.

Another scholar that took Alexander’s claim and expanded on it was criminologist, Anthony B. Bradley. Bradley took a different approach by examining the causes of the massive prison population but also looking at solutions to fixing the problem. With regards to this issue being a human rights issue, he focuses on the idea of personalism, where once one enters the criminal justice system, they are stripped of their human identity and no longer seen as a person.<sup>8</sup> He agreed with Alexander by explaining a lot of the consequences that people will face out of

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<sup>5</sup> Matthew D. Lassiter, “Impossible Criminals: The Suburban Imperatives of America’s War on Drugs,” *Journal of American History* 102 (2015): 127.

<sup>6</sup> Alexander, *The New Jim Crow*, 63-54.

<sup>7</sup> Lassiter, “Impossible Criminals,” 128.

<sup>8</sup> Anthony V. Bradley, *Ending Overcriminalization and Mass Incarceration: Hope from Civil Society* (New York: Cambridge University Press, 2018), 7.

the prison system like finding jobs and receiving loans. Bradley expands on her point by explaining that the effect is not solely on the drug user and their punishment, but it has massive consequences on those around them.<sup>9</sup> In terms of health, housing, and funding, this point explains the other issue the War on Drugs caused outside of the prisons.

As historians, criminologists, and scholars from other disciplines have focused more on how the War on Drugs is affecting African Americans today, this essay will look at the role the government played in creating these problems in the first place. This research will back up Alexander's claim that this war was a war on race and not a war on drugs. This essay will attempt to answer, "Did the response by the federal government to the growing drug epidemic help Americans or did it create a never-ending cycle that disproportionately affected African Americans during the 1980s?" Using public laws, public hearings, and editorials from journalists, I will examine how the government failed to respond appropriately to the growing drug problem in America, which resulted in one of the most damaging cycles to victims and their families in history.

Drug use was growing. It became one of the central political questions at the time. Americans hold values like personal autonomy and freedoms, yet this often gets tangled up with drugs. Michael Tonry notes that Americans believe an individual has the right to do whatever they want, but, at the same time, they believe that if it affects society, it should be against the law.<sup>10</sup> He notes the problem with this is that it is very vague on what constituents are "affecting society." The founder of Drug Policy Alliance, Ethan Nadelmann, explains this point further in a brief video. Throughout history, when the dominant group is using drugs, it is regarded as fine; however, when the minority groups start to use drugs (African Americans with cocaine,

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<sup>9</sup> Bradley, *Ending Overcriminalization and Mass Incarceration*, 18.

<sup>10</sup> Michael Tonry, "Race and the War on Drugs," *University of Chicago Legal Forum*, no. 1 (1994): 38.

Mexicans with marijuana), laws are passed to prevent them.<sup>11</sup> Nadelmann expanded on Alexander's argument further noting that the reason it is called the "modern-day Jim Crow," is not because it doesn't affect Whites, but that African Americans were hurt much more by the system than Whites were. It was when African Americans started using the drug that the American public became concerned and blew the issue out of proportion.

Thus, it came to no surprise when Ronald Reagan, the 40th President of the United States, passed the Anti-Drug Abuse Act of 1986 and the Anti-Drug Abuse Act of 1988 with bipartisan support.<sup>12</sup> As Lassiter had noted, parents of Whites were in full support of this measure. The government, backed by the people, was able to push through harsh legislation that punished the drug users instead of helping them. The Anti-Drug Abuse Act of 1986 put in place a budget along with numerous policies. The most notable was the new mandatory minimum sentencing which is also known as the "100-to-1" ratio.<sup>13</sup> This law mandated that 500 grams of powder cocaine (typically associated with Whites) would be equal to the sentence of 5 grams of crack cocaine (typically associated with African Americans). The law also pushed heavily for a system of incarceration while focusing less on treatment and rehabilitation programs. Thus, the budget allocated over 70% of the budget for law enforcement, yet only allowed around 20% to treatment programs. Despite these changes, Ronald Reagan promised the American people that, "This legislation is not intended as a means of filling our jails with drug users..."<sup>14</sup> As the numbers will show, this is exactly what happened as a result of this legislation.

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<sup>11</sup> Ethan Nadelmann, "The Racist War on Drugs," *Big Think*, video, February 5, 2014, <https://bigthink.com/videos/ethan-nadelmann-on-race-and-prohibition/>.

<sup>12</sup> Bradley, *Ending Overcriminalization and Mass Incarceration: Hope from Civil Society*, 21.

<sup>13</sup> Anti-Drug Abuse Act of 1986, Public Law 99-570, 99th Cong. (October 27, 1986).

<sup>14</sup> Gerald M. Boyd, "Reagan Signs Anti-drug Measure; Hopes for 'Drug-Free Generation,'" *New York Times*, October 28, 1986.

Evidence from the Department of Justice backs up the ACLU's claim that these laws were disproportionately affecting African Americans. In 1980, 200/100,000 people (or 450,000 people) were arrested for drug use or possession of drugs; however, by 1989 this number had risen to 400/100,000 people (close to 1 million people).<sup>15</sup> As a result, the number of people going to prison during this time skyrocketed. The interesting thing was that while the White arrest rate for drugs only increased 56%, the arrest rate for African Americans increased 219%, almost four times that of Whites.<sup>16</sup> The African American arrest rate increased more than 150% more than Whites during this time. This increase was due to the unequal sentencing guidelines Reagan enacted with the Anti-Drug Abuse Act of 1986. Despite what he had said about this legislation not filling our prisons, this is exactly what happened. And even worse, it significantly affected African Americans at higher rates.

The reason this happened was because of the mandatory minimum sentencing enacted by Reagan. Even though it takes 500 grams of powder cocaine, but only 5 grams of crack cocaine to be convicted, the US Sentencing Commission reported no pharmaceutical differences between the two drugs.<sup>17</sup> This not only explains why African Americans were convicted at higher rates, but it also proves Alexander's point that this was a war on race and less of a war on drugs. The question remains of why African Americans were arrested at higher rates. The ACLU reported that Whites used drugs- even crack cocaine- at higher rates than African Americans.<sup>18</sup> Therefore, why were African Americans arrested more often?

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<sup>15</sup> US Department of Justice, *Arrest in the United States 1980-2009*, by Howard N. Snyder, NCJ 234319, September 2011: 12.

<sup>16</sup> US Department of Justice, *Arrest in the United States 1980-2009*, 13.

<sup>17</sup> Deborah J. Vagins and Jesselyn McCurdy, "Cracks in the System: 20 Years of the Unjust Federal Crack Cocaine Law," *The American Civil Liberties Union* (2006): 1.

<sup>18</sup> Vagins, "Cracks in the System," 1.



A report published by Human Rights Watch gives a glimpse into why this disparity exists. They noted that “It was [low-income] neighborhoods which more visibly suffered from crack addiction, and the nuisance and violence that accompanied the struggle of different drug-dealing groups to establish control over its distribution in the 1980s and 1990s.”<sup>19</sup> As a result of the economic failures Alexander had mentioned, and addiction becoming very prominent in these areas, law enforcement and our leaders found it more fitting to police the areas it was affected the most. Tonry noted that it was easier for law enforcement to make arrests in areas where there wasn’t a lot of communal organization and drug dealing and use happened on the streets.<sup>20</sup> Therefore, the suffering economy and social institutions of these areas became patrolled at higher rates. This sharpened the existing divide between law enforcement and African Americans. Instead of helping the crowded and poor cities, the government threw in police to enforce tough laws. As a result, African Americans were imprisoned at higher rates than Whites, and the never-ending cycle that Alexander other scholars describe started.

The National Drug Control Strategy of 1989 explains the logic of the government. Despite this coming after Reagan’s presidency, it explains the goals of the national government to stop the war on drugs. From 1989-1992 each National Drug Control Strategy followed the same four principles: reducing the number of Americans using drugs; holding drug users responsible; reducing the supply and the demand for drugs; calling for a nationwide effort.<sup>21</sup> The problem with this strategy is that it directly targeted those using drugs and justified the massive incarceration problem. The strategy never mentions anything about helping drug users get past

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<sup>19</sup> Jamie Fellner, “Race, Drugs, and Law Enforcement,” *Stanford Law & Public Policy Review* 20, no. 2 (2009): 263-264.

<sup>20</sup> Tonry, “Race and the War on Drugs,” 52.

<sup>21</sup> US Department of Justice, *National Drug Control Strategy: Progress in the War on Drugs 1989-1992*, The Office of National Drug Control Policy, January 1993: 2-3.

addiction; the strategy only mentions holding them accountable and saying this problem needs to end now. A lot of emphasis was put on law enforcement and the criminal justice system, but not a lot was put into treatment and rehabilitation services.

Bradley notes that there are five reasons why we punish those that have violated drug laws: “deterrence, incapacitation, rehabilitation, retribution, and restitution.”<sup>22</sup> Deterrence is the first effort to try to scare people not to commit crimes because of the punishments they would have to pay. Incapacitation (which was pushed strongly through the two drug abuse acts) did not deter very many users or dealers, as can be seen from the massive incarceration spike. Retribution was supposed to be another form of deterrence, but it justified the government in keeping its social and political control by taking away personal rights like voting and loans. This also had a major effect on recidivism rates, which we will get into later. Overall, the government was more focused on deterring and punishing the victims of drug abuse, instead of focusing on solving the issue. Thus, with African Americans being convicted at higher rates, the legislation passed did not help, it only hindered the rights and created an unjust system.

Bradley noted that no system of rehabilitation had worked in America since the War on Drugs started.<sup>23</sup> Deterrence- specifically incarceration- was seen as the favorable option. Yet, in 1987, the American Medical Association (AMA) labeled drug dependency a medically treatable disease.<sup>24</sup> As previously mentioned, incarceration rates still boomed in the 1980s. It came as no surprise that the budget for rehabilitation and treatment programs was increased in the Anti-Drug Abuse Act of 1988.<sup>25</sup> The fact that drug dependency was medically treatable, yet incarceration

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<sup>22</sup> Bradley, *Ending Overcriminalization and Mass Incarceration: Hope from Civil Society*, 18.

<sup>23</sup> Bradley, *Ending Overcriminalization and Mass Incarceration: Hope from Civil Society*, 18.

<sup>24</sup> “History of Drug Treatment,” *American Addiction Centers: Desert Hope Treatment Center*. Accessed November 11, 2021, <https://deserthopetreatment.com/addiction-guide/substance-abuse/treatment-history/>.

<sup>25</sup> Anti-Drug Abuse Act of 1988, Public Law 100-690, 100th Cong. (November 18, 1988).

was still the favored punishment for addicts did not make sense. Along with that, many Americans were facing consequences from the preexisting laws, and law enforcement was still substantially more funded. Thus, the government failed to act appropriately to the situation at hand, resulting in the creation of the cycle we know today.

People indeed need to decide for themselves to get help. Individuals must have personal autonomy to even consider going to rehabilitation. In fact, who knows how many Americans could've used treatment but didn't go in for it. But it was the government's job to assist these people when they were seeking rehabilitation. In a Congressional hearing before the Committee on Narcotics Abuse and Control, Jesse Jackson- civil rights leader and former politician- explained to the committee that: "The waiting line is four to nine months for drug rehabilitation."<sup>26</sup> Although it is up to the person to seek help, it is the job of the government to make sure there are options to help these people out. The waiting line was simply too long. To Alexander's point, Jackson had noted that low-income areas in big cities were especially hit hard. Many African Americans could not afford personal healthcare or medical assistance, and, as a result, did not get the help they needed. The government had the funding available to help these communities yet failed by funding law enforcement excessively rather than funding these programs enough.

An even greater problem that resulted from inadequate funding and Reagan's mandatory minimum sentencing guidelines was issues in the courts. When someone got caught with the minimum amount of drugs (5 grams of crack or 500 grams of powder cocaine), mandatory minimums required that a person had to be behind bars for a certain amount of time. Therefore,

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<sup>26</sup> US Congress, House of Representatives, *The Federal Drug Strategy: What Does it Mean for Black America?: Hearing Before the Select Committee on Narcotics Abuse and Control*. 101st Cong., 1st sess., (September 15, 1989), 21.

judges were not able to look at the circumstances or other factors involved in the cases. Former district court judge John S. Martin Jr. explains that judges, like him, are opposed to mandatory minimum sentencing. Mandatory minimum sentencing removes flexibility from judges and doesn't allow them to have their discretion for the given circumstances.<sup>27</sup> When drug users are arrested and brought to court, judges have no choice but to follow the guidelines given to them by law. Not only does this undermine the checks and balances of our system, but it also punishes drug users instead of helping solve the problem. This goes back to the failure of the government, and it resulted in the problems we have today with the criminal justice system.

As previously mentioned, the money to fund the War on Drugs was being used incorrectly. The ironic thing is that despite supporters of Reagan getting promises for tax cuts and other spending cuts, Americans paid a massive amount of money towards this war. In an editorial in 1989, Liz Sly explained that Americans had already spent \$7.8 billion to fund this war and she questioned if throwing more money at the problem would solve the issue (as it seemed to be believed).<sup>28</sup> Today, this number is substantially higher, but even just in 1989 that was a lot of money. A lot of money is spent funding the wrong services too. Therefore, not only did the government fail all of the African Americans it put behind bars, it failed the American people for funding an unwinnable war.

It was through the media and organizations like NFP that this problem continued to exist. The government, with the backing of angry parents that blamed minorities for their children's drug addiction, was able to push through this unjust legislation. Another pivotal role was the government depicting the issue as much worse than it was. President George H.W. Bush, the

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<sup>27</sup> Martin, John S., Jr., *Why Mandatory Minimums Make No Sense*, 18 Notre Dame J.L., Ethics & Pub, Pol'y 311 (2004): 312.

<sup>28</sup> Liz Sly, "Odds Stacked Against the President," *Chicago Tribune*, September 15, 1989.

41st President of the United States, addressed the nation on September 5, 1989, with his National Drug Control Policy.<sup>29</sup> Not only did he blame all drug users for their actions, and call for the need for more law enforcement, but he painted the problem much worse than it was. As a result, putting drug control as a priority jumped from 22% (in the summer before) to 64%.<sup>30</sup> This massive spike was attributed to the wave of fear President Bush spread. Stephen Chapman, a journalist for the Chicago Tribune highlighted President Bush's lies in his editorial two days after the speech. He noted that it should not be the drug dealer being punished, not the drug user, and blaming the drugs and those using them is like blaming alcohol for the problems that came with alcohol prohibition.<sup>31</sup> Chapman gives a great analogy comparing the two time periods, but he goes further to explain that the government intervention is not helping. It is simply blaming the drug user instead of helping the problem (which is a common theme of both the Reagan and Bush administrations).

Despite the Anti-Drug Abuse Act of 1986 being a bipartisan issue, there were things Democrats wanted to make sure were included in the bill. The most notable implementation was education. Democratic Senator John D. Rockefeller IV of West Virginia noted that:

“Of the federal Department of Education's \$18.4 billion annual budget, only \$3 million was spent last year on drug education and prevention. Yet during the bill, experts told the Democratic Task Force on Drug Abuse that effective drug education programs were the key to cutting back on adolescent drug use.”<sup>32</sup>

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<sup>29</sup> George H. W. Bush, “Presidential Address on National Drug Policy,” *C-Span*, video, September 5, 1989, <https://www.c-span.org/video/?8921-1/president-bush-address-national-drug-policy>.

<sup>30</sup> Michael Oreskes, “Washington Talk; Drug War Underlines Fickleness Of Public,” *Chicago Tribune*, September 6, 1990.

<sup>31</sup> Stephen Chapman, “The Dishonesty of Bush's War on Drugs,” *Chicago Tribune*, September 7, 1989.

<sup>32</sup> John D. Rockefeller, “Drug Abuse,” *Issues in Science and Technology* 3, no. 3 (Spring 1987): 10.

Despite education being a notable drug treatment and prevention program, limited funds were going towards it. It might not help those already in the prison system, but it could offer a chance at those that have picked up drugs and attempt to deter them. This could have also opened the door for addicts to seek out drug rehabilitation.

One of the most famous attempts in educating the youth during the 1980s came with Nancy Reagan's "Just Say No" campaign. Her mission was to tackle the drug issue in schools and to help the growing epidemic. She noted that implementing systems like this should be a major priority for students as it will help in preventing them from starting drugs.<sup>33</sup> This was a major step in helping prevent the drug problem. She teamed up with athletes and celebrities to push the agenda. One former educator and mother of a Chicago student explained that children needed to be educated on drugs.<sup>34</sup> Therefore, it was clear that implementing this would be beneficial because it would help tackle the issue before it started and give hope to those already addicted.

Although the organization helped a lot of students, it failed many students of color. The first reason was, like many of the other programs, a lack of funding. Outside of donations, the organization relied on how education is normally funded, through local taxes. As a result of redlining and other forms of housing segregation during the Great Migration, African Americans were already in disadvantaged areas with poor housing and community services. Therefore, some districts received a lot less than others. In Illinois, for example, richer districts were spending five times or more on each student compared to poorer districts.<sup>35</sup> Typically, it was the suburban or very affluent inner-city schools that were receiving more funding, but it was lower-income

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<sup>33</sup> Nancy Reagan, "'Just Say No,'" *National School Safety Center* (Spring 1986): 4.

<sup>34</sup> "Helping Children to Just Say No," *Chicago Tribune*, May 25, 1988.

<sup>35</sup> Patrick Reardon and Karen Thomas, "School Fund Scales Tipping Further: Rich, Poor Districts Grow Apart," *Chicago Tribune*, July 9, 1989.

neighborhoods that never got funding but needed it. This wasn't just a local problem, however. According to a public hearing by prominent civil rights leaders, the Secretary of Education, Bill Bennett, and others in the Reagan administration never held the schools accountable for ensuring these services were provided.<sup>36</sup> Therefore, the federal government played a role in ensuring these programs were put in place, yet they didn't do their job. And as a result, schools, specifically in poor inner-city areas, never provided these services, and students in this social class suffered substantially heavier losses.

Similar to how Bush's speech promoted the public to view drug users as the problem and not the drugs or dealers, the "Just Say No" campaign failed by placing the blame on the individual rather than the drugs themselves.<sup>37</sup> This demoralized countless drug users- specifically the youth who these campaigns were targeted at helping. As a result, instead of helping drug users gain education about drugs, it blamed them and amplified the problem. The youth that were already hooked on drugs, and needed the education to get off them, were just blamed for their situation instead of being helped. Thus, the organization helped many students stay off drugs, but it failed to help millions that were already being affected, which made the problem continue.

A big component of Nancy Reagan's political campaign was the need for parents' support.<sup>38</sup> To stop this problem with education, parents need to be on board with helping their children seek out this education. Just as Lassiter had pointed out, this appealed to the affluent, White, and dominantly suburban areas that could offer this support. On the contrary, about 59% of African American families were headed by single-parent mothers.<sup>39</sup> This made it extremely

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<sup>36</sup> US Congress, House of Representatives, *The Federal Drug Strategy: What Does it Mean for Black America?*, 22.

<sup>37</sup> Michael McGrath, "Nancy Reagan and the Negative Impact on the 'Just Say No' Anti-Drug Campaign," *The Guardian*, January 17, 1989.

<sup>38</sup> Reagan, "'Just Say No,'" 4.

<sup>39</sup> US Department of Commerce, "Single Parents and Their Children," by Bureau of the Census, SB-3-89 (November 1989): 1.

hard to get parents' support when they had so many other responsibilities to make ends meet. Along with that, 32.2% of young black men (ages 20-29) were under some form of supervision under the criminal justice system.<sup>40</sup> This number doesn't even include other ages of African Americans, but it would surely be higher if it did. As a result of the massive mandatory minimum sentencing and other guidelines, families were severely affected by the War on Drugs. There couldn't be parents' support in these cases because the parents had already been affected by the war. It was these families that needed the education and treatment programs but were the ones that never got it.

Another impact the War on Drugs had on families was the increased health problems. Not only were families screwed up, but disease started spreading, specifically targeting low-income areas. The National Urban League, an organization committed to ensuring civil liberties in urban areas, noted that 52% of women with AIDS were African Americans and 53% of children with AIDS were African American.<sup>41</sup> Alexander had noted many of the social and economic consequences of the War on Drugs and this was one of the major ones. It wasn't until Obamacare where a lot of these families were able to afford healthcare either. Thus, the War on Drugs put many families in economic turmoil, a problem still unsolved today.

Other economic factors resulted after offenders were released from prison. Going back to Bradley's main point about how prisoners lose their sense of humanity, prisoners had difficulty finding jobs, getting loans for housing, and were denied rights like voting and food stamps.<sup>42</sup> As a result, many former criminals got back into the criminal justice system. For example, because of failures trying to find work, they moved to drug dealing (similar to the prohibition of alcohol).

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<sup>40</sup> Marc Mauer and Tracy Huling, "Young Black Americans and the Criminal Justice System: Five Years Later," *The Sentencing Project*, (October 1995): 1.

<sup>41</sup> US Congress, House of Representatives, *The Federal Drug Strategy: What Does it Mean for Black America?*, 52.

<sup>42</sup> Bradley, *Ending Overcriminalization and Mass Incarceration: Hope from Civil Society*, 17-19.



Unsurprisingly, the recidivism rate for drug users is close to 70% within just three years after release, and 6% higher for African Americans than Whites.<sup>43</sup> This statistic shows us the severity of the problem the War on Drugs created. In contrast to our society claiming its proud feature of respecting personal autonomy and freedom, personal freedoms are targeted when it pertains to drug use. Specifically, African Americans are targeted at a substantially higher rate (with regards to tougher laws on crack) and this disparity has left them disadvantaged not only in terms of getting punished but also with the effects after their release from prison.

As a result of the role of the federal government in response to the growing drug epidemic, the War on Drugs was created, and it put in place one of the most damaging cycles that disproportionately affected African Americans. From harsh prison sentences mandated by mandatory minimums, limitations on options for rehabilitation services, and a broken drug education system, severe health and economic consequences resulted. This issue continues to this day. Millions of families are broken up, millions of young men are in prison, and it is affecting generation after generation. It is by understanding the origins of this drug war that we better address the problem moving forward. This war was not about drugs. It was not about protecting the American people. This was a war on race and maintaining social control. With this background understanding of how Reagan's drug war came into effect, it is our job to ensure this doesn't happen again. And when a politician or organization tries implementing discriminatory measures, we learn from our history to promote a better future.

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<sup>43</sup> US Department of Justice, *Recidivism of Prisoners Released in 1994*, by Patrick A. Langan and David J. Levin, NCJ: 193427, (August 2002): 1.

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