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## Why California Latinos Against Marijuana Use Should Support Legalization

*Legalization would move the marijuana market out of our streets and schools and into licensed, regulated stores that do not sell to kids. At the same time, legalization would prevent thousands of cartel killings every year in Mexico<sup>1</sup> and reduce the number of gang homicides in California, whose victims are mostly Latino.<sup>2</sup> Legalization would stop thousands of Californians from being permanently deported away from their families every year for marijuana offenses, mostly simple possession.<sup>3</sup> Legalization would also stop the police from using marijuana to discriminate against Latino and black youth. Though Latinos in California are 43% less likely to use marijuana than the non-Hispanic white population,<sup>4</sup> they are significantly more likely to be arrested for marijuana offenses.<sup>5</sup> Finally, legalization would save California hundreds of millions of dollars every year in criminal justice costs and tax revenue.<sup>6</sup> We should be investing in our communities instead of spending \$47,000 per person per year to incarcerate marijuana dealers.<sup>7</sup>*

Legalization may sound scary, but it means removing the marijuana market from our streets and schools and putting it in licensed, regulated stores that do not sell to kids. We know regulation works better than prohibition because of our experiences with tobacco and alcohol.

1. For almost two decades, high school students have reported that it is easier to buy marijuana than beer.<sup>8</sup> Liquor stores refuse to sell to minors because, unlike illegal marijuana dealers, they have a valuable license at stake. Today, if kids want to buy marijuana, they can. They have an easier time buying marijuana today under prohibition than they would under legal regulation.
2. Over the last 20 years, the fraction of high school students using marijuana has stayed constant. Over the same period, the percentage of high schoolers smoking cigarettes has fallen by 50%.<sup>9</sup> It may seem logical that the best way to stop something is to make it illegal, but evidence shows that legal regulation can be more effective. Far from "sending the message that smoking is okay," tobacco regulation has turned cigarettes from "sexy" to "gross." We can do the same with marijuana regulation.

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<sup>1</sup> <http://www.fbi.gov/news/testimony/drug-trafficking-violence-in-mexico-implications-for-the-united-states>

<sup>2</sup> <http://www.vpc.org/studies/cayouth2014.pdf>

<sup>3</sup> <http://trac.syr.edu/immigration/reports/349/>

<sup>4</sup> Author's analysis based on National Survey on Drug Use and Health (NSDUH) data from 2002-2009; see <http://www.icpsr.umich.edu/icpsrweb/content/SAMHDA/rdas.html>

<sup>5</sup> <http://oag.ca.gov/sites/all/files/agweb/pdfs/cjsc/publications/candd/cd13/cd13.pdf?>

<sup>6</sup> <http://object.cato.org/sites/cato.org/files/pubs/pdf/DrugProhibitionWP.pdf>

<sup>7</sup> [http://www.vera.org/sites/default/files/resources/downloads/Price\\_of\\_Prisons\\_updated\\_version\\_072512.pdf](http://www.vera.org/sites/default/files/resources/downloads/Price_of_Prisons_updated_version_072512.pdf)

<sup>8</sup> <http://www.casacolumbia.org/addiction-research/reports/national-survey-american-attitudes-substance-abuse-teens-2012>

<sup>9</sup> <http://www.drugabuse.gov/related-topics/trends-statistics/infographics/monitoring-future-2013-survey-results>

Legalization would prevent thousands of cartel killings every year in Mexico. According to the White House, American consumers spend \$34 billion on marijuana every year, just over \$1,000 per second.<sup>10</sup> Outside of Colorado, Washington, Oregon and Alaska, which now permit licensed businesses to sell marijuana, all of this money goes straight to drug dealers. Billions go to Mexican cartels that grow marijuana and distribute it to dealers across the US. According to FBI and DEA officials, marijuana is the cartels' primary source of income.<sup>11</sup> Since 2006, when the Mexican government sent the military into the streets to fight them, the cartels have been using this money to assassinate mayors and journalists, massacre civilians at funerals and kill more than 10,000 people every year.<sup>12</sup> Removing the cartels' primary revenue source will not destroy them overnight, but it is the most powerful step American voters can take toward stopping the violence in Mexico.

Legalization would also reduce the number of gang homicides in California, whose victims are mostly Latino. Billions of dollars in marijuana revenue end up in the pockets of drug-dealing street gangs, whose turf wars kill thousands of young people every year on the streets of our cities. Drug- and gang-related violence claimed roughly 3,000 lives in the U.S. in 2012,<sup>13</sup> ten times more than our death toll in Afghanistan<sup>14</sup> and 35 times more than in all the mass shootings like Sandy Hook that year.<sup>15</sup> In California, over half of all homicide victims under age 25 are Latino, a homicide rate almost four times higher than for the white population.<sup>16</sup> We all abhor drug cartels and gangs, yet today we resign ourselves not only to living with them but also to providing the funding they need to buy influence, machine guns, bombs and grenades.

We don't have to fund them. In the 1920s, alcohol prohibition caused Al Capone and other gangsters to fight over the lucrative alcohol market, engulfing our cities in violence.<sup>17</sup> Instead of resigning ourselves to alcohol gangs, we ended alcohol prohibition. With no more illegal alcohol-dealing turf to fight over and no more alcohol money to fund them, the gangs mostly disappeared. Today, how many young people are shot for selling alcohol or cigarettes? Legalization won't stop gang violence, but it will remove their primary revenue source, which is the single most effective option we have today to reduce the violence.

Legalization would also stop thousands of Californians from being permanently deported away from their families every year for marijuana offenses, the majority of which are only for possession. Nationwide, 11,700 people are deported every year for marijuana offenses, including around 6,500 for possession alone. For people who entered the U.S. legally, marijuana possession was the third most common reason for deportation after DUI and traffic offenses.<sup>18</sup> Once deported, these people are usually banned from returning, often separating families for life.

Legalization would also stop the police from using marijuana to discriminate against Latino and black youth. In most California cities, Latinos are twice as likely to be arrested for

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<sup>10</sup> [http://www.whitehouse.gov/sites/default/files/page/files/wausid\\_report\\_final\\_1.pdf](http://www.whitehouse.gov/sites/default/files/page/files/wausid_report_final_1.pdf)

<sup>11</sup> <http://www.fbi.gov/news/testimony/drug-trafficking-violence-in-mexico-implications-for-the-united-states>

<sup>12</sup> [http://www.pbs.org/newshour/bb/world-jan-june12-mexico\\_06-27/](http://www.pbs.org/newshour/bb/world-jan-june12-mexico_06-27/)

<sup>13</sup> <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2012/crime-in-the-u.s.-2012/offenses-known-to-law-enforcement/expanded-homicide>

<sup>14</sup> <http://icasualties.org/>

<sup>15</sup> <http://www.thenation.com/blog/171774/fifteen-us-mass-shootings-happened-2012-84-dead>

<sup>16</sup> <http://www.vpc.org/studies/cayouth2014.pdf>

<sup>17</sup> <http://www.nber.org/papers/w6950>

<sup>18</sup> <http://trac.syr.edu/immigration/reports/349/>

marijuana offenses as Caucasians<sup>19</sup> even though they are significantly less likely to use marijuana.<sup>20</sup> Federal government surveys consistently show that Latinos use marijuana at significantly lower rates than the non-Hispanic white population. In California, survey data from 2002-2009 shows that 15.7% of the non-Hispanic white population used marijuana in the past year, compared to 8.7% for the Latino population (Figure 1). Yet while Latinos are 26.5% of California's marijuana users, they make up 43.0% of all individuals arrested for marijuana offenses (Figure 2).<sup>21</sup> As a result, Latino kids in California are twice as likely as white kids to have a parent in jail.<sup>22</sup> Black Californians are four times more likely to be arrested and 10 times more likely to be incarcerated on marijuana charges.<sup>23</sup> How are such enormous disparities possible? Police deploy undercover sting operations and conduct searches primarily in Latino and black neighborhoods, seeing Latino and black youth as more threatening than white youth due to unconscious bias.<sup>24</sup>

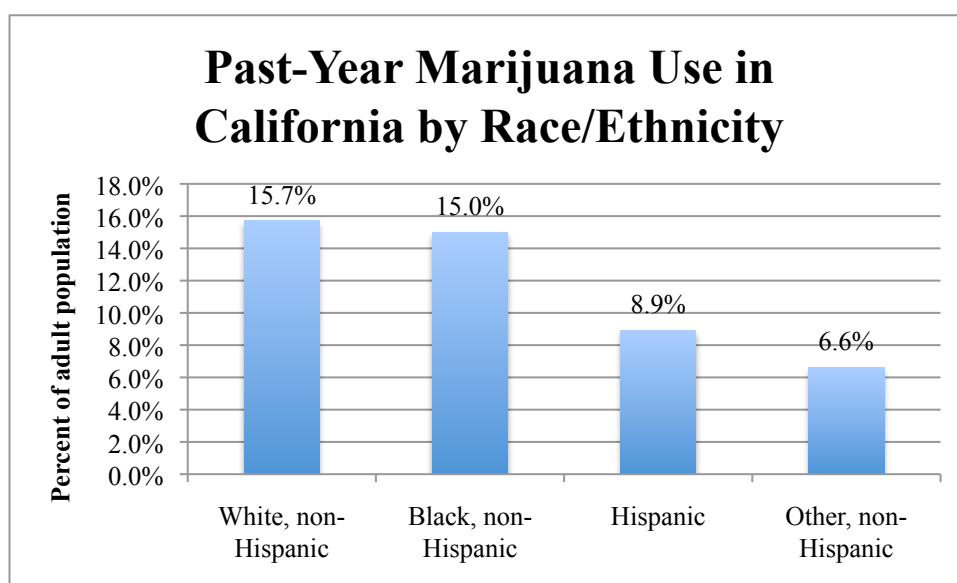


Figure 1: Past-year marijuana use of California residents aged 12 and above by race and ethnicity. Source: R-DAS database of National Survey on Drug Use and Health (NSDUH), 2002-2009<sup>25</sup>

<sup>19</sup> <http://www.drugpolicy.org/docUploads/ElArrestoDeLatinos.pdf>

<sup>20</sup> <http://www.oas.samhsa.gov/NSDUH/2k5NSDUH/tabs/Sect1peTabs67to132.htm#Tab1.80B>

<sup>21</sup> [http://www.cjcj.org/uploads/cjcj/documents/Misdemeanor\\_marijuana\\_arrests.pdf](http://www.cjcj.org/uploads/cjcj/documents/Misdemeanor_marijuana_arrests.pdf)

<sup>22</sup> [http://www.mitpressjournals.org/doi/pdf/10.1162/DAED\\_a\\_00019](http://www.mitpressjournals.org/doi/pdf/10.1162/DAED_a_00019)

<sup>23</sup> [http://www.cjcj.org/uploads/cjcj/documents/Misdemeanor\\_marijuana\\_arrests.pdf](http://www.cjcj.org/uploads/cjcj/documents/Misdemeanor_marijuana_arrests.pdf)

<sup>24</sup> <http://www.atlanticphilanthropies.org/sites/default/files/uploads/Report-Race-and-Punishment.pdf>

<sup>25</sup> <http://www.icpsr.umich.edu/icpsrweb/content/SAMHDA/rdas.html>

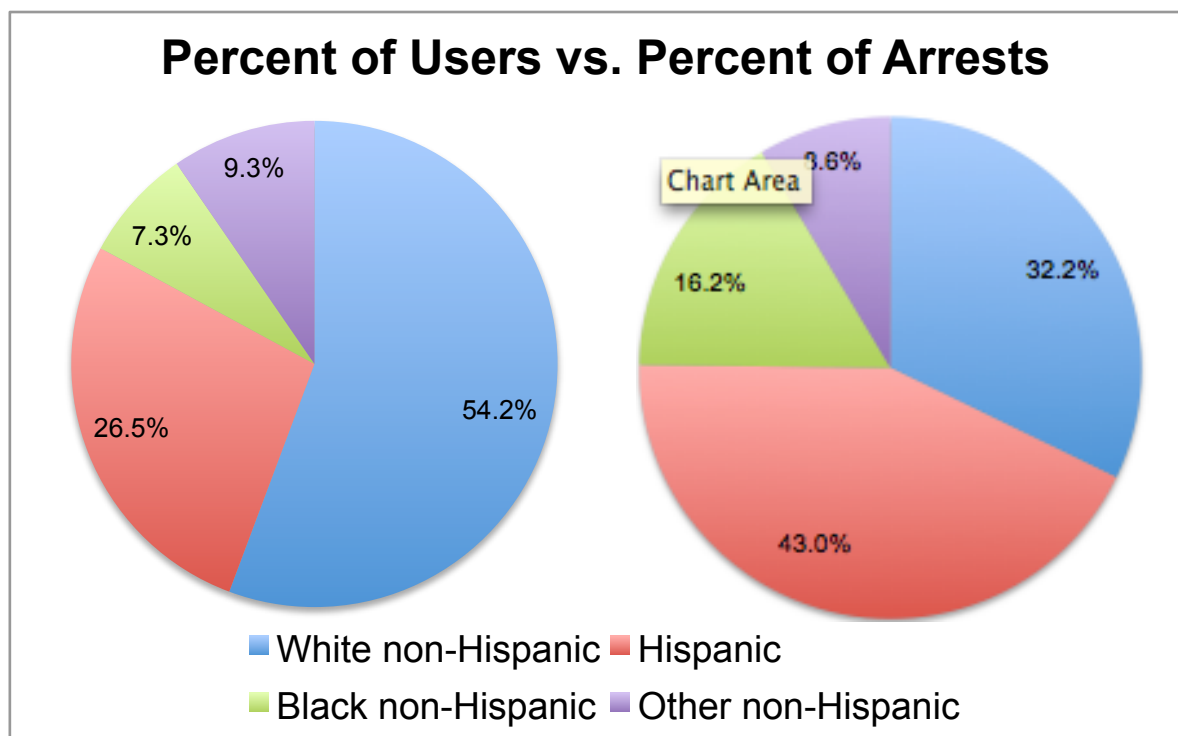


Figure 2: Racial and ethnic composition of Californians who use marijuana and Californians arrested for marijuana offenses. Source: Crime in California 2013 report from the California Department of Justice,<sup>26</sup> Figure 1 data

Arrests and even minor convictions have serious long-range consequences. Arrested individuals can be discriminated against in housing or employment, regardless of whether they were guilty or innocent.<sup>27</sup> If convicted, in most states they will lose their driver's license, college loans, unemployment assistance, food stamps and public housing.<sup>28</sup> If they then become homeless, social services can take away their children.<sup>29</sup> They are now legal second-class citizens, ineligible to vote, serve on a jury or in the military, earn a professional license or adopt a child.<sup>30</sup>

Finally, legalization would save Californian taxpayers over half a billion dollars every year. Analysts estimate that California would make \$400<sup>31</sup> to \$700 million<sup>32</sup> every year on tax revenue from the legal marijuana market. At the same time, California spent \$491 million enforcing marijuana possession laws in 2010 alone, more than our state is spending to pay down pension debts owed to our teachers.<sup>33</sup> Legalization would save \$200 million<sup>34</sup> to \$1 billion<sup>35</sup> on enforcement, as regulated marijuana stores would allow our police, court and

<sup>26</sup> <https://oag.ca.gov/sites/all/files/agweb/pdfs/cjsc/publications/candd/cd13/cd13.pdf>

<sup>27</sup> <http://ir.stthomas.edu/cgi/viewcontent.cgi?article=1146&context=ustlj>

<sup>28</sup> <http://www.mpp.org/assets/pdfs/library/The-Collateral-Sanctions-Associated-with-Marijuana-Offenses.pdf>

<sup>29</sup> [http://www.washingtonpost.com/local/homeless-families-who-turn-to-dc-for-help-find-no-room-risk-child-welfare-inquiry/2012/06/23/gJQAv9bJyV\\_story.html](http://www.washingtonpost.com/local/homeless-families-who-turn-to-dc-for-help-find-no-room-risk-child-welfare-inquiry/2012/06/23/gJQAv9bJyV_story.html)

<sup>30</sup> <http://www.abacollateralconsequences.org/>

<sup>31</sup> <http://www.nerdwallet.com/blog/cities/economics/how-much-money-states-make-marijuana-legalization/>

<sup>32</sup> [http://www.canorml.org/background/ca\\_legalization2.html#Costs](http://www.canorml.org/background/ca_legalization2.html#Costs)

<sup>33</sup> [http://www.huffingtonpost.com/2014/05/13/california-governor-spending-plan\\_n\\_5317054.html](http://www.huffingtonpost.com/2014/05/13/california-governor-spending-plan_n_5317054.html)

<sup>34</sup> <http://object.cato.org/sites/cato.org/files/pubs/pdf/DrugProhibitionWP.pdf>

<sup>35</sup> [http://www.canorml.org/background/ca\\_legalization2.html#Costs](http://www.canorml.org/background/ca_legalization2.html#Costs)

corrections to focus on violent crime. Instead of spending \$47,000 to incarcerate a single inmate,<sup>36</sup> we can invest in our communities.

No matter what you think of marijuana, legalization would help us better control youth use, save Mexican and American lives, reduce deportations, and prevent racially discriminatory arrests and incarceration. It is easy for many of us who have not been affected by the war on marijuana to say that there are more important issues to worry about. But for the people who will lose family members to homicide, deportation and prison this coming year, nothing could be more urgent. Please join us in talking to those around you about why everyone should support legalization in California in 2016.

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<sup>36</sup> [http://www.vera.org/sites/default/files/resources/downloads/Price\\_of\\_Prisons\\_updated\\_version\\_072512.pdf](http://www.vera.org/sites/default/files/resources/downloads/Price_of_Prisons_updated_version_072512.pdf)