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# The mass incarceration of black people during the ‘War on Drugs’: rethinking the prison system in the United States?

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The Mass Incarceration of Black People during the ‘War on Drugs’: Rethinking  
the Prison System in the United States?

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Under the supervision of Dr. CHATALIC Molly

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## Introduction

In her 2010 non-fiction book *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, the writer and civil rights activist Michelle Alexander talks about the different racial caste systems that have existed in the United States: slavery, the segregation under the Jim Crow laws and the War on Drugs which sparked a massive incarceration of African American people in the carceral system.

The idea of a racial caste system is a system of social control where a community, in our case the Black community, is placed at an inferior position in a social hierarchy. Alexander describes that even if progress has been made after the end of each racial caste, the same pattern continues:

It is during this period of uncertainty that the backlash intensifies and a new form of radicalized social control begins to take hold. The adoption of the new system of control is never inevitable, but to date it has never been avoided. (Alexander, 27)

The period of uncertainty that Michelle Alexander describes is the period between the different racial caste systems that are put in place when a backlash occurs from white people who do not want to be placed on an equal footing with communities of color in the social hierarchy (which leads them to create another racial caste). In order to support her point at stating that the mass incarceration which is ongoing in the United States is a new racial caste system, Michelle Alexander uses statistics from an American organization called ‘The Sentencing Project’ which has witnessed an unprecedented number of people in the prison system in the United States, inside of which “one fourth of young African American men were now under the control of the criminal justice system” (71). The explanation behind the rise of African American people in the prison system is because of the use of dog-whistling politics as well as the use of race-neutral terms, leading to ‘colorblindness’ and allowing governments to pass draconian and racist legislations, which would inevitably impact communities of color, without getting backlash.

The new racial caste system of mass incarceration finds its roots in the War on Drugs launched by Richard Nixon in the 1970s. As social movements and civil rights movements grew stronger and more radical in the decade of the sixties, some people grew fearful of the protests, started to associate protesters with ‘criminals’ and aspired to bring law and order back in the United States. Richard Nixon surfed on the fears of millions of United States citizens and also aspired to bring ‘law and order’ back in the United States which led him to

begin his so-called War on Drugs. This method was then used by Ronald Reagan during the intensification of this war in the 1980s which also sparked a mass incarceration of African Americans.

It is in this context that we are going to question the War on Drugs launched in the 1970s. At first designed to help and treat drug addicts, we can now question its real intentions due to its continuity over the decades and under several presidents, whether they are from the Republican party or the Democratic party. The decade of the 1980s which saw the beginning of the crack cocaine epidemic also paved the way to an unprecedented increase of the prison population in the United States under Ronald Reagan. Finally the decades of the 1990s witnessed the continuity of this so-called war under different presidents to finish with president Bill Clinton who launched one of the war's most harmful pieces of legislation.

It seems important to interrogate the impact of the War on Drugs over the years since it is a war that has criminalized drug addiction and incarcerated people from low-income communities as well as communities of color, such as the Black community which is the focus of our thesis. As we shall see, this mass incarceration has been possible through dog-whistling politics over the years.

Through this examination of the War on Drugs over the decades, it is important to look into the carceral system where thousands of people from the Black community have been incarcerated over the years and are still locked up to this day. Furthermore, the carceral system which has been since described as a system of oppression against the Black community has an impact on this community: whether they are currently incarcerated or were so in the past. It is for these reasons that it is important to look into the prison system of the United States and to interrogate it. A link between the War on Drugs and the prison system exists since both disproportionately impact the Black community, in particular if we compare the impact that the War on Drugs has on other communities such as the white community for example.

The War on Drugs, associated with the mass incarceration of the Black community, seems to reflect, despite the presidents' claim that their intentions are towards the continuity of the war, the systemic racism that exists and is prevalent in the United States society. If the United States aspires to move past the War on Drugs and the mass incarceration it seems evident that they need to address the racist roots of this so-called war and of the incarceration that is ongoing in the country. Until the roots are fully addressed and the system is questioned, the War on Drugs and everything that exists surrounding it (whether it is the mass incarceration or the questioning of the prison system) will continue to persist over the years.

In order to properly answer all of these questions, we are going to focus on three different parts. The first part will be on the historical context of the War on Drugs from its genesis under the Republican president Richard Nixon to one of its most harmful pieces of legislation under the self-proclaimed New Democrat president Bill Clinton. The second part will center on the consequences of the mass incarceration on the Black community: before, during and after their time in the prison system. Lastly, the third part will be on a rethinking of the decisions behind the War on Drugs as well as a questioning of the United States carceral system throughout two movements which established themselves in the US: the prison reform movement and the prison abolition movement which rethink the prison system and its place in society as a whole. As we have said above, the carceral system in the United States has been described as an oppressive system over the decades which led people and organizations to question it and think of alternatives which would properly rehabilitate and heal the people.

The aim with this thesis is not just to question the War on Drugs or the prison system but to question the system as a whole. This war and the carceral system in the United States are simply a reflection of the United States society which is a society that has been built over the centuries on a social hierarchy where certain communities are placed in an inferior position to the others (which is, as we have said above, the system of caste and in our case a system of racial caste). Although there has been some progress over the decades, the War on Drugs and its unprecedented mass incarceration happening in the United States shows us that the U.S. society is still deeply flawed and progress still needs to be made.

It seems necessary to mention beforehand that although I explore a subject that is about the United States society, I am a white woman from France which means that my experience(s) differ from the experiences of a United States citizen and furthermore from those of a Black United States citizen. My aim with this thesis is to observe and analyze one example of the systemic racism that exists and subsists in the United States throughout the historical event of the War on Drugs. In order to analyze this historical war, I will be focusing on books, academic articles as well as figures and statistics that are important to support the point.



## I) Historical context of the War on Drugs

### Genesis of this so-called war: Richard Nixon

The fifties and the sixties saw the rise of various social movements fighting for their specific rights. Several movements such as movements from different minority communities (Native American, women, the gay and lesbian community, the Latino community as well as the Black community) decided to fight for equal rights and equal opportunities whether it was economic opportunities or no discrimination in school, in the job space or in housing for example. As the years passed, these social movements led to social changes. Indeed the restless protests of the civil rights movement and the Black community led to the signing of the Civil Rights Act in 1964 by Lyndon B. Johnson, the Democrat president at the time. This act “barred segregation in public accommodations and outlawed discrimination based on race, ethnicity, gender, and national or religious origin” (Abramson et al., *“The Sixties”*, The American Yawp). Another act was passed a year later: the Voting Rights Act in 1965 “which abolished voting discrimination in federal, state, and local elections.” (Abramson et al.).

The growing distrust towards the United States government and the general weariness with the fact that there seemed to be no end in sight to the Vietnam War also led to the beginning of another movement: the anti-war movement as the United States inhabitants discovered the ‘hidden side’ of this so-called ‘living room war’. Indeed, several official figures claimed that the United States could win the Vietnam War but the reality was different. The Tet Offensive of 1968 where American and South Vietnamese emplacements were attacked also emphasized the reality for thousands of anti-war protesters that the United States needed to end this war which had already caused the injuries and the deaths of so many people.

Not seeing a radical change in sight but only slow changes, the movements started to radicalize themselves as they wanted more than just political achievements. These radicalizations and sometimes the violence that they brought with them led some United States inhabitants to become fearful of what could happen next.

It was in this context of restless and radical demonstrations that Richard Nixon played on the fears of some United States citizens. Launched in 1968, his presidential campaign aspired to bring ‘law and order’ back to the United States. Throughout his campaign, several advertisements for his presidential campaign were shown on the television for the United States citizens to watch. One of the television campaign advertisements dealt with law and

order in the United-States<sup>1</sup>. This campaign, which is almost dystopian-like in its atmosphere, depicts images of protesters from an anti-war protest, as we can most likely interpret from one image from the advertisement: two adults making a peace sign.



Figure 1: Richard Nixon’s “Law and order” advertisement campaign (1968) (0:12)

It also depicts images of cops, guns, destroyed streets with debris as well as firefighters extinguishing a fire in a building. The images alternating with each other, the piercing music as well as Richard Nixon’s voice-over convey a very clear message in this advertisement: Nixon “pledge[s]” to be the president who will bring order back to the United States.



Figure 2: Richard Nixon’s “Law and order” advertisement campaign (1968) (0:06)

Nixon aims at doing this by assimilating the protesters with “dissent” and “violence” which opposes them to the “order” and “peace” that Nixon aims at achieving through his presidency. This advertisement is very striking because it shows the real intentions of Richard Nixon behind his call for “law and order” in the United States as he places himself in the position of a savior for the people who are growing afraid of the, often radical, protests and who hope to

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<sup>1</sup> Richard Nixon. “Law and order” advertisement campaign. Youtube, uploaded by Congressional Archives Carl Albert Center on June 24, 2020. [https://youtu.be/IV\\_14O5wuDM](https://youtu.be/IV_14O5wuDM). Accessed on January 23, 2023.

find a candidate who will bring peace in the United States. The campaign advertisement ends with the sentence “This time, vote like your whole world depended on it” on a black screen in a complete silence, which aims at emphasizing the dystopian-like atmosphere that we talked about earlier: Nixon aims at being the United States’ savior throughout what can be seen, in the advertisement, as an apocalyptic situation.

But aiming to achieve ‘law and order’ in a country where social movements are fighting for equal rights and equal opportunities as well as a radical change seems to represent the protesters and supporters of these movements as people who do not respect the order nor the law, and could classify them as ‘criminals’ of the country. Using the terms ‘law and order’ in this case could be assimilated to a political strategy called the ‘Southern strategy’ which aims at talking about crime and designating some behavior with other terms as a way to persuade Democrat voters to vote for the Republican party. Although this declaration has never been confirmed and will never be confirmed, a former Nixon advisor, John Ehrlichmann, could have used this strategy for the presidential campaign. He allegedly stated:

The Nixon campaign in 1968 and the Nixon White House after that, had two enemies: the antiwar left and black people. You understand what I’m saying? 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. We could arrest their leaders, raid their homes, break up their meetings and vilify them night after night on the evening news. Did we know we were lying about the drugs? Of course we did.<sup>2</sup>

If this was a real declaration from Ehrlichmann, it would show what the Southern strategy is. By deciding to “criminaliz[e]” certain people and certain groups through this assimilation, governments and law enforcement officers could easily arrest people who they deemed ‘criminals’ without being questioned by the citizens. It was also a tactic to appease the citizens’ fears because they saw the supposedly ‘criminals’ being arrested (and law and order being brought back in the country).

At the beginning of Richard Nixon’s presidency, in 1970, Congress passed a law entitled the Comprehensive Drug Abuse Prevention and Control Act. This law, which Nixon talked about in his “Special Message to the Congress on Drug Abuse Prevention and Control”<sup>3</sup>, contains, among others, another act: the Controlled Substance Act (CSA) which classifies drugs in 5 different categories based on the medical use and the dependence

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<sup>2</sup> “Top Adviser to Richard Nixon Admitted that ‘War on Drugs’ was Policy Tool to Go After Anti-War protesters and ‘Black people’.” Drug Policy, March 22, 2016. Accessed on March 11, 2023.

<sup>3</sup> You can find the transcript of the message in Appendix 1.

potential. The CSA categorizes drugs from schedule I which are the most dangerous drugs and can make the users quickly addicted, such as LSD or heroin, to schedule V which are the least dangerous drugs. There are different sentences depending on which drugs people possess and or dealing/distributing, from schedule V to schedule I.

According to the Act, people who possess and/or intend to distribute schedule I or II drugs could be sentenced with jail time and fines: maximum \$25,000 for the fine and/or a time of imprisonment of maximum 15 years. However people who have been arrested with possession of and/or with the intention to distribute schedule V drugs have a lighter fine and a lighter jail sentence: maximum \$5,000 for the fine and/or a time of imprisonment of maximum 1 year. Although the sentences and the fines depend on which schedule the drugs are, there are still threats of jail time and fines although Richard Nixon's first intentions with the "War on Drugs" was supposed to focus on treating rather than on criminalizing drug addicts.

The United States history took a turn when on June 17<sup>th</sup> 1971, Richard Nixon officially declared that "America's public enemy number one in the United States is drug abuse"<sup>4</sup> during a press conference. This conference followed the discovery of several cases of drug-related deaths that happened to many soldiers abroad in Vietnam. With this conference, Nixon aspired to allocate more funds towards the treatment of drug illness. Indeed he wanted to increase the fundings by \$155 million which would bring the total to over \$350 million for the budget for drug enforcement and drug treatment. As well as an increase in funds, he hoped to combat this "offensive" (Nixon, "Remarks About an Intensified Program for Drug Abuse Prevention and Control", see Appendix 2) as he called it by calling a doctor called Jerome Jaffre who was, at the time, leading a successful Drug Abuse Prevention program. Throughout his press conference, Richard Nixon seemed to aspire to treat drug abuse in both ways: with enforcement and with treatment, especially with the presence of Doctor Jerome Jaffre, which could remind us of the Narcotic Rehabilitation Act of 1966 under Lyndon B. Johnson. Enacted by the Senate and the House of Representatives of the United States of America, which were both majoritarily constituted of people from the Democratic party at the time, this Act stated that people who were convicted of violating federal criminal laws and were addicted to any form of drugs could choose to be treated as opposed to prosecution; it

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<sup>4</sup> Richard Nixon. "President Nixon Declares Drug Abuse 'Public Enemy Number One'". Youtube, uploaded by Richard Nixon Foundation on April 26, 2016. <https://youtu.be/y8TGLLOID9M>. Accessed on October 1, 2022. You can find the transcript of the press conference in Appendix 2.

also referred to treating drug abuse through law enforcement and through the criminalisation of people who suffer from drug illnesses.

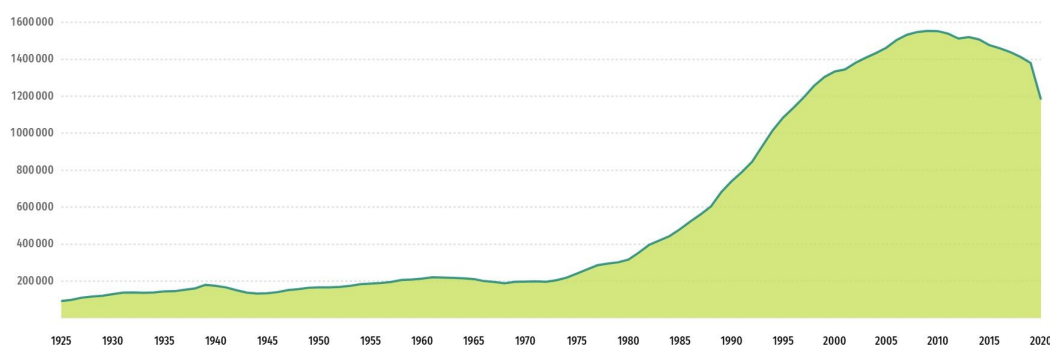
Throughout the conference, Richard Nixon used several fear-mongering terms such as “enemy” or “danger” that aim at qualifying drug abuse and he hoped, through his terms and through this “offensive” on drug abuse, to succeed in “defeat[ing]” (Nixon) this enemy. These terms are interesting because it seems that when Nixon used them, he was hoping to divide in a Manichean way the citizens who suffered from drug illness, the ‘bad people’, and the citizens who did not suffer from these illnesses, the ‘good people’. By assimilating drug abuse and drug illnesses to a harsh designation of “public enemy number one”, what Nixon was doing was to assimilate the people who suffer from this drug abuse with “enemies” of the United States, which led to their stigmatization as addicts. Usually the context where these types of fear-mongering terms are used is in the context of a war which is precisely what Richard Nixon aimed at starting by “wag[ing] an all-out offensive” on what he stated as an enemy to the United States. As William N. Elwood stated in his article “Declaring War on the Home Front: Metaphors, Presidents, and the War on Drugs” in 1995:

Enemies also are those who cannot or who choose not to subordinate their surroundings; their simple presence threatens American ideals because enemies cannot or will not achieve the ideals in question (Elwood, 96)

By using a war metaphor, Richard Nixon created a division between the United States citizens by categorizing some people as enemies of the country which allowed him to allocate more funds towards law enforcement as it justified the use of force against individuals who were opposed to the United States “*ideals*” (Elwood). Concurrently, this would not anger the citizens who would judge this decision to have more enforcement as normal to combat “enemies” of the United States. Although Richard Nixon’s first aim with this so-called “war” might have been treating drug illnesses, the use of military terms that we saw earlier signaled something else: the United States had to “fight this enemy” and not only treat it, although by treating it the enemy could be more easily fought than using enforcement towards it. By declaring the drug abusers as “enemies” of the United States, Richard Nixon declared that the country also had to fight against them with “a new, all-out offensive”.

The line chart below, the figure 3, is a line chart from the organization ‘The Sentencing Project’ which “advocates for effective and humane responses to crime that minimize imprisonment [...] by promoting racial, ethnic, economic, and gender justice” (The Sentencing Project, “About Us”) and it depicts the total of the United States prison population

over the years, from 1925 to 2019. Throughout Richard Nixon’s term, the prison population went up from 196,429 in 1970 to 218,466 in 1974, which was the year he was impeached.



**Figure 3:** U.S. Total prison population from 1925-2019 (The Sentencing Project, “Growth in Mass Incarceration”)

### Intensification during the 1980s: Ronald Reagan

At the beginning of the 1980s, a new drug emerged and made its way into the United States: cocaine. Used as a powder in the wealthy spaces of the countries, it quickly became known as the drug of the elite, the drug of the wealthy. People working in pressure-filled jobs often used powder cocaine as a way to relax. But as the years went by, cocaine would emerge in another form: crack cocaine which is the raw form of the drug, almost in the form of a rock. Sold at a cheaper price than powder cocaine, crack can be accessed by poor people more easily. Used in its powder form by the wealthy people to relax, cocaine would be used in a “free base” form by poor people as a way to escape their daily lives which were filled with poverty, unemployment and scarcity.

Ronald Reagan’s election as the new Republican President of the United States would also see the intensification of the “war on drugs”, launched a decade earlier, with the crack cocaine epidemic as a way to justify this escalation.

On September 14<sup>th</sup>, 1986, Ronald Reagan and his wife Nancy Reagan made a televised address<sup>5</sup> to talk to the United States citizens about the drug abuse that was ongoing in the country. The crack cocaine epidemic was continuing in the country and violence was starting to happen: as drug dealers were getting wealthier, they could afford guns and most of the time the gun fights resulted in deaths (whether it was the deaths of drug dealers or the deaths of bystanders). In this televised address, Ronald Reagan talked about the epidemic of crack

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<sup>5</sup> Ronald Reagan and Nancy Reagan. “*President Reagan's Address to the Nation on the Campaign Against Drug Abuse - 9/14/86*”. Youtube, uploaded by Reagan Foundation on August 3, 2011. [https://youtu.be/Gj8gAQ\\_cO7Q](https://youtu.be/Gj8gAQ_cO7Q). Accessed on February 6, 2023. You can find the transcript of the televised address in Appendix 3.

cocaine as well as the work that Nancy Reagan was doing throughout her campaigns entitled “Just say No”. He also talked about proposals that would be introduced in the country in order to create a “drug-free America” (Appendix 3). The use of a televised address to talk to the United States citizens was a way to be more close and intimate with the citizens, as the Reagan couple was ‘in the house’ of millions of United States citizens. This strategy was linked to the aim of the Reagan couple: they hoped to alert the citizens to the dangers of crack cocaine and they also hoped that each and everyone of the American citizens would help people around them who might suffer from drug abuse and drug addiction. Being an ex-Hollywood actor, Ronald Reagan knew how to captivate the audience. Just like Richard Nixon a few years earlier, Ronald Reagan used fear mongering terms to describe drug abuse and the “war” that they had to fight. Comparing the drug abuse that was currently ongoing in the United States with an actual war, World War II, by stating that the United States was going through “war for [their] freedom” (Reagan) in both wars, Reagan evoked the urgency that he hoped to convey throughout his address.

In 1986, a few weeks after the death of a young basketball player, Len Bias, due to a drug-related death, the Anti-Drug Abuse Act was passed<sup>6</sup>. This Act introduced mandatory minimum sentences for drug related offenses. It was signed into law under Ronald Reagan’s presidency on October 27 of the same year.

With this act, Ronald Reagan and his government hoped that “a combination of tough laws” (Reagan, “Remarks on Signing the Anti-Drug Abuse Act of 1986”, see Appendix 4) would help to end the drug epidemic that was ongoing in the United States, even describing this Act as “a vaccine” (Reagan) against it, as if the crack cocaine epidemic and more generally drug abuse could be eliminated with the mere signature of an Act. While hoping that tough laws would eliminate drug abuse, Reagan stated that he did not want to “punish drug users” (Reagan) but rather “help them” (Reagan) which was an antithesis, especially when he was about to sign a new Act that would most certainly punish drug users and punish minorities. Indeed, the Anti-Drug Abuse Act introduced the 100:1 ratio. This ratio meant that, for example, if people were caught in possession of 5 grams of crack cocaine they would receive the same prison sentence, which is at least 5 years of imprisonment, the same as if they were caught with 500 grams of powder cocaine.

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<sup>6</sup> It is worth noting that at first his death was thought to be a crack cocaine related death. We can assume that the death of a rising basketball star, if it was said to be due to crack cocaine, might have had an impact on the decision of the Congress.

Even though Ronald Reagan seemed to hope that this legislation would not be harmful, it would undeniably be harmful towards people who suffered from drug addiction, and minorities as they are often the ones who use crack cocaine because as stated before it is cheaper than powder cocaine. If Ronald Reagan and his government really hoped, as he stated, to give the support the drug addicts needed then he would have allocated fewer funds towards law enforcement and more funds towards treatment, especially more funds towards what people who deal with drug addictions needed. As we saw above with the crack cocaine epidemic, people who fall into drug addictions often use it to escape their daily lives and their daily struggles which come from a lack of necessities (employment, education, wealth, better housing). Allocating funds towards drug treatment should not be thought of as the only solution against drug abuse, it is only a short-term solution and not the long-term solution that politicians might think it is. One of the long-term solutions that would mostly help drug addicts who seek help is to, as we have seen above, allocate more funds towards necessities. Since it can be said that drug addicts ‘fall into drugs’ because of their living conditions then the focus of the War on Drugs needs to change in order to address those living conditions that are imprisoning people and drug addicts in a life that they feel the need to escape from through drugs. The money that taxpayers are paying every year for the fight against drugs has to be allocated towards domains of the society that are in need of them, especially due to the fact that they are seeing their funds being reduced because of the War on Drugs.

The reason there was a disproportion in the quantity of grams of crack cocaine that triggered the mandatory minimum sentence as opposed to powder cocaine is because it was said that crack cocaine was more harmful than powder cocaine, that it could be more addictive and that its effects were felt instantly after the consumption. However, a report from 2002 created by the United States Sentencing Commission indicates that “in terms of pharmacological effects, crack cocaine is no more harmful than powder cocaine” (USSC, “Report to the Congress”), what could be more harmful is the method of using the drug as well as the repeated use of the drug. Although the report was made a few decades after the signing of the Anti-Drug Act, it clearly indicates that the disproportionate ratio between crack cocaine and powder cocaine is useless and obsolete.

As a way to prevent people from using drugs and becoming addicts, a few campaigns were launched during Ronald Reagan’s presidential terms. One of those was the campaign created by his wife, Nancy Reagan, entitled “Just Say No”. The name of this campaign comes from a conversation that Nancy Reagan had with children who, as she stated in the televised address she made with her husband, asked her what they should say if someone was offering

them drugs (Reagan, “Address to the Nation on the Campaign Against Drug Abuse”, see Appendix 3). The answer she gave them was to give this easy, yet unrealistic response in some cases, which was to simply say “no”. Throughout the decade of the eighties, Nancy Reagan made talks aimed at discouraging children and teenagers from trying recreational drugs. Nancy Reagan’s hopes with this campaign was to bring awareness to drug abuse, protect children and “provide them a drug-free world”<sup>7</sup>.

Another campaign launched during the decade of the eighties as a way to discourage the United States citizens from engaging in drug use was one of the advertisements made by the Partnership for a Drug-Free America in 1987 which has become well-known today. This advertisement<sup>8</sup> depicts a man standing in the kitchen of an apartment and showing an egg, a comparison to the audience’s brains, to the camera. Then, he moves towards a pan, which is presented as a comparison to drugs. Breaking the egg, he lets it fry and shows the frying pan to the camera while stating “This is your brain on drugs”. This advertisement is meant to show the effects of drug use, or drug abuse, on the brains of people. Broadcast on television as a way to reach more people, it might have been used as a scare tactic to prevent people from using drugs.

In October 2006, 20 years after the signing of the Anti-Drug Abuse Act, the American Civil Liberties Union released a report entitled “Cracks in the System: Twenty Years of the Unjust Federal Crack Cocaine Law” written by Deborah J. Vagins, the Policy Counsel for Civil Rights and Civil Liberties and Jesselyn McCurdy, the Legislative Counsel. This report was issued to detail how the Anti-Drug Abuse Act of 1986 was harmful to the African American and low-income communities. One of the impacts of this Act was the mass incarceration of African American people that followed the signing. Indeed:

In 1986, [...] the average federal drug sentence for African Americans was 11% higher than for whites. Four years later, the average federal drug sentence for African Americans was 49% higher. (Vagins and McCurdy, 7)

These lines from the report shows us that through the difference in sentences between crack cocaine and powder cocaine, the Black community was more harmed as they were the community that was using crack cocaine due to its accessibility through its cheap price. This disproportion of incarceration between communities and this mass incarceration of African

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<sup>7</sup> ReaganFoundation.org. “Mrs. Reagan’s Crusade”. Accessed through web.archive.org on February 9, 2023.

<sup>8</sup> Partnership For A Drug-Free America. “This Is Your Brain On Drugs” advertisement campaign. Youtube, uploaded by Anthony Kalamut on March 22, 2010, <https://youtu.be/GOnENVyIxpI>. Accessed on March 11, 2023.

American people, most of the time Black men, contributed to lack of economic gains for families that could have already been low-income, leading to the lack of economic gains for families, for children, thus creating a vicious circle as the families could already be poor. If one of their family members is incarcerated, it does not help.

Two years after signing the Anti-Drug Abuse Act of 1986, Ronald Reagan decided to continue the intensification of the war on drugs through the signature of another Anti-Drug Abuse Act entitled the Omnibus in 1988<sup>9</sup>. This Act introduced a mandatory minimum penalty even if it was a first offense of possession. If someone had already been convicted for crack cocaine possession before, it would trigger a 5 year mandatory minimum sentence if the defendant was caught in possession of “more than 3 grams of cocaine base” (USSC, “Special Report to the Congress”) and the same sentence if someone was caught with “more than one gram of crack” (USSC) if they had already been convicted of two or more earlier crack possession convictions.

Throughout the United States history, the country knew the opening of several private prisons but, during Ronald Reagan’s presidential terms in the nineteen-eighties, the United States saw the rise in the construction of private prisons as we can read in a report from the ACLU written by David Shapiro entitled “Banking on Bondage: Private Prisons and Mass Incarceration” which was released on November 2011:

In 1980, private adult prisons did not exist on American soil, but by 1990 private prison companies had established a firm foothold, boasting 67 for-profit facilities and an average daily population of roughly 7,000 prisoners. (12)

Private prisons are facilities which incarcerate people for profit, “they are run by private, third-party companies rather than the state government, who runs traditional public prison” (Criminal Justice Programs, “Private Prisons vs Public Prisons”) and they “receive their funding from government contracts and many of these contracts are based on the total number of inmates and their average length of time served” (Criminal Justice Programs) as defined on the Criminal Justice Programs website, a website where information about criminal justice is shared and provided.

Private prisons companies, such as the Corrections Corporation of America, now CoreCivic, which is the largest private prison company in the United States, gain money and acquire profit the more they incarcerate people which means that it is only in their interests that arrests and incarcerations do not decrease. This aspiration for profits leads private prison

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<sup>9</sup> You can find the transcript of the signature of the Act in Appendix 5

lobbyists to give money to politicians who might vote for harmful, ‘tough on crimes’ laws as a way afterwards to incarcerate more people. This lobbying of politicians by private prisons companies makes them sign more draconian laws which leads to an increase in the incarceration of people within private prisons. In 2010, the former Governor of Arizona, Jan Brewer, signed the Support Our Law Enforcement and Safe Neighborhoods Act (known as Arizona SB1070). It is a tough law which aims at trying to stop illegal immigration. Opponents to this law thought it would lead to further racial profiling from the law enforcement officers (and more incarceration from communities of color). A backlash was sparked after the signing since it was found that Jan Brewer “accepted nearly \$60,000 in campaign contributions from people associated with private prisons” (Shapiro, 15). This rise in incarceration also leads to an increase of profits for private prisons companies. All together, it becomes a vicious circle.

Although Ronald Reagan hoped, when he signed the first Anti-Drug Abuse Act in 1986, not to punish the drug users but to help them, we can easily see through figures that his hope was not achieved. As we can see throughout the figures uploaded on their website by the Sentencing Project: the number of the prison population jumped between 1980 and 1990. As we can see on the line chart above, on figure 3, in 1980 315 974 people were incarcerated in the United States as opposed to 739 980 in 1990. This line chart shows the increase in incarcerated people which clearly shows that Ronald Reagan’s aim at “[not] punish[ing] drug users” (Reagan, “Remarks on Signing the Anti-Drug Abuse Act of 1986”, see Appendix 4) failed. But that may not even have been his aim in the first place.

Over the years people started to question Ronald Reagan and the CIA’s implication in the crack cocaine epidemic and started to wonder if Ronald Reagan and his government did not knowingly let people smuggle cocaine into the United States. In the 2021 documentary *Crack: Cocaine, Corruption & Conspiracy*<sup>10</sup> directed by Stanley Nelson, a theory is explored and explained. As a way to overthrow, and ultimately defeat, communism in Central America, Ronald Reagan and his government decided to get involved with the Contra rebels in Nicaragua who were overthrown by the Sandinista movement, a Marxist leftist movement. By selling missiles to Iran, the United States could fund guns to the Contra rebels whom they let smuggle cocaine into the United States. The involvement of Reagan’s government as well as the CIA might have had an impact on the cocaine epidemic as it led to cocaine entering the country.

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<sup>10</sup> This documentary is available on the streaming platform Netflix.

## Later presidents: George H. W. Bush and Bill Clinton

After a decade of criminalizing drug addicts, and throughout this criminalization of Black people as well because they were users of crack cocaine and received a harsher sentence than powder cocaine users, the media such as television started to represent Black people and other minorities as “criminals”. Portraying and depicting Black people as “criminals”, “predators” or even “superpredators” (Caldwell, “Unpacking the Racially-Charged Term “Superpredators”, JSTOR Daily) in some cases, pushed people to assimilate violence and crimes with certain communities of people. This assimilation made by the United States citizens allowed politicians to sign harmful and tough crime laws that mostly harmed minorities and communities of colors, who were most often depicted on television as “dangerous” and as “criminals” without the television channels nor the governments being afraid of being categorized as “racists”. This could remind us of the strategy that we talked about earlier called the ‘Southern strategy’, as a way to lead Democrat voters into voting for the Republican party by appealing to them through fear-mongering, or even by using ‘dog-whistle politics’.

When Ronald Reagan left the presidential office in 1989, politicians thought that the United States needed to be governed by someone who was as tough on crime like Reagan or someone even tougher. It is in this context that the presidential campaign between George H. W. Bush, the Republican party candidate, and Michael Dukakis, the Democratic party candidate, took place. After an event happened during the campaign, it quickly revolved around a question: who is going to be ‘tougher on crime’?

The event that happened was the murder and the rape of a woman by William Horton, nicknamed Willie during the presidential campaign. Horton was an incarcerated man benefiting from a furlough program which allowed him to be released from prison certain weekends. Horton committed this crime while being on furlough which raised the question of the program again. It also raised a broader question on ‘being tough on crime’ as Michael Dukakis, who at the time was the governor of Massachusetts which is the State where William Horton was incarcerated, supported the furlough as a way to rehabilitate incarcerated people. This event as well as the support of Michael Dukakis for this program was seized by George H. W. Bush as an opportunity to proclaim himself as the ‘tough on crime’ candidate.

William ‘Willie’ Horton’s name as well as his mugshot picture were both used throughout the presidential campaign by George H. W. Bush and his team as a means to

discredit Michael Dukakis' campaign. But the use of the mugshot picture has since been criticized because, especially during and after the decade where Ronald Reagan was in office, the media representation of crime and criminals was often pictures and videos of Black people, often Black men, being arrested by white cops. This is why their use has been heavily criticized over the years. The use of this case to talk about who is going to be tougher on crime could have been racism in disguise by George H. W. Bush and his presidential campaign team to continue the harmful representation of Black people as criminals and as predators. The myth of the 'Black rapist' is recurrent in the representation of Black men in the media. If we look at D. W. Griffith's 1915 movie *Birth of a Nation* in which a Black man, played by a white actor<sup>11</sup>, attempts to rape a white woman or more recently at the lynching and the murder of the young Emmett Till who was accused of whistling a white woman, we see that Black people and Black men in particular are represented, throughout the history of the United States, as threats towards white people and in particular towards white women, who "need" to be saved by white men. By seizing this case as a way to gain more voters and by proclaiming himself as tougher on crime than Michael Dukakis, George H. W. Bush played into this representation of assimilating crime with Black men.

It is a form of dog-whistling politics which means that through some words and some terms such as "criminals" or "tough on crime", George H. W. Bush might not designate Black people directly when he uses those terms but he still does it through assimilation with the aspiration of gaining votes from people without the risk of being called out.

After being elected in November 1988, George H. W. Bush, who had been the former vice-president under Ronald Reagan became the new President in office. Inaugurated in January of the following year, Bush made his first televised address<sup>12</sup> as the new president in September 1989 and devoted it to announcing that he would continue the war on drugs. Just like Richard Nixon and Ronald Reagan, the former Republican presidents, did in their addresses, George H. W. Bush decided to continue with the fear mongering lexical field. Describing the drug issue as "threatening" and "important" (Bush, "Address to the Nation on the National Drug Control Strategy", see Appendix 6), Bush starts his address by saying that

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<sup>11</sup> The decision to have a white actor play a Black character, which is an example of what is called "blackface", also raises a lot of questions. It is not the focus of our thesis so we will not be talking about it but it is still interesting to think about it and to question it (especially since this kind of representation is built on stereotypes that are created by white people and perpetuated by them, as we can see with the example of *Birth of a Nation*).

<sup>12</sup> George H. W. Bush. "President Bush Speech on Drugs/Democratic Response on Drug Strategy by Senator Biden". Youtube, uploaded by US National Archive on March 17, 2016. <https://youtu.be/mtlkyBk6rcc>. Accessed on February 28, 2023. You can find the transcript of the televised address in Appendix 6.

the “gravest domestic threat facing [the United States] is drugs” (Bush), which is nothing that the American audience had not seen or heard before.

Allocating more funds for drug treatment, thus increasing it by \$321 million, Bush hoped to give help to drug users and drug addicts. Although it might have come from a good intention, a wish to help, it did not solve the roots of drug abuse. As we have seen with the crack epidemic, crack cocaine was mostly used in poor neighborhoods by poor people. Treating the people who are addicted to crack cocaine might help them in the short term but once they go back to their neighborhoods where the housing is poor, where there is a lack of opportunity for employment and where they are living in poverty they might fall into drug addiction again as a way to escape their reality. Like Richard Nixon and Ronald Reagan, George H. W. Bush wanted to provide treatment for drug users but his program did not provide radical help to help drug addicts who might be tempted to use drugs again due to their living conditions and socio-economic issues.

Instead of actually helping drug users, George H. W. Bush decided to continue vilifying them as enemies of the United States: “Who’s responsible? Let me tell you straight out – everyone who uses drugs, who sells drugs, and everyone who looks the other way” (Bush, “Address to the Nation on the National Drug Control Strategy”, see Appendix 6). By continuing to divide the United States citizens between those who are good and those who are bad as well by creating enemies in people who were in need of help, George H. W. Bush aspired to be “much tougher” towards the drug criminals “than [they] are now” (Bush). His solution? Allocating more funds on law enforcement and creating “more prisons, more jails, more courts, more prosecutors” (Bush) to punish drug sellers and drug criminals.

In a United States marked by the decade-long Ronald Reagan presidency, members of the Democratic party who aspired to be elected to the presidential office had to appear more “tough on crime” than their predecessors which included adopting a more centrist position politically. This was the choice made by Bill Clinton who self-proclaimed himself as a “New Democrat” which is a more moderate and centrist position in the Democratic party. Clinton knew that in order to get elected he had to convince not only Democrats but also, and most importantly, Republicans who had members of their party elected for the past years, and the past terms.

A few months after his inauguration in 1993, Bill Clinton quickly signed the Violent Crime Control and Law Enforcement Act in September 1994<sup>13</sup>. Also known as the “1994 Crime Bill”, this act is Bill Clinton’s aspiration to be seen as someone who is tough on crime

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<sup>13</sup> You can find the transcript of the allocation in Appendix 7.

to Democrat politicians and voters as well as Republican politicians and voters, and maybe tougher on crime than his predecessors. This act witnessed the intensification of law enforcement officers and police officers on the street, “a 20% increase” (Clinton, “Remarks on Signing the Violent Crime Control and Law Enforcement Act of 1994”, see Appendix 7), as well as the building of more prisons that would keep “100,000 violent criminals off the street” (Clinton) and would be made possible through the reduction “by 270,000 positions” (Clinton) of the Federal workforce and the allocation of this money towards law enforcement and prisons.

This act also introduced an habitual offender law, also called the “three strikes” law, which means that if a defendant had two prior convictions, whether violent or non-violent, they would be imposed a sentence and an incarceration of, at least, 25 years of their lives if they were convicted for a third conviction. This law gained a huge support from politicians especially after tragic events such as the kidnapping and the murder of Polly Klaas. Klaas was a teen girl, who was kidnapped in October 1993 during a slumber party with her friends. The case gained national attention but despite the manhunt, Polly Klaas was never found alive. As the investigation continued, it led to Richard Allen Davis who had already been convicted for burglary and assault but had been released on parole. After the trial, he was convicted of first-degree murder and sentenced to death. As of today, he remains on California’s death row. This tragic murder led Polly Klaas’ father, Marc Klaas, to advocate for the “three strikes” law. Alongside with the father of another murdered teen girl, Mike Reynolds, the father of Kimber Reynolds, they advocated for the passing of this law. Some might argue that if the “three strikes” law had already been passed, Polly Klaas would still be alive today. Bill Clinton referred to the teen girl as well as to other victims of murder, victims of “violent crime” and aspired that this law would prevent these kinds of murder from happening again. This law received vast support from California politicians as well.

The “three strikes” law has harmful impacts for the people who might have been released from prison once their sentence was over because the prison system continues to impact them after they are out of it through the limitation of support, the limitation of employment opportunities as well as, sometimes, the withdrawal, the disenfranchisement of people who have been formerly incarcerated. All of these harmful consequences might lead people who were formerly incarcerated to reoffend and end up in the prison system once again, with no way out which will be discussed in the second part of this thesis.

The Crime Bill also introduced the death penalty for 60 offenses (The United States Department of Justice Archives, “The Federal Death Penalty Act of 1994”) which fall into

three categories: homicide offenses, espionage and treason and non-homicidal narcotics offenses. Seventy-four is the percentage of defendants within the five years of the Bill's passage who were sentenced to the death penalty (Shannon), and they were all people of color (among which 44% were Black and 21% were Hispanic). The death penalty is already a sentence that is harming communities of color much more than the white community as it has been found that it is triggered more easily when it is a Black defendant than when it is a white defendant. As we can read in Mumia Abu-Jamal's autobiography *Live from Death Row* which was published in 1995 and tells the story of Abu-Jamal who was, once, sentenced to the death penalty:

[...] As Africans, just over 11 percent of the nation's total, grow into 40 percent of America's national death row. More often than not, capital punishment in America carries a black, brown, or red face. (Abu-Jamal, 32)

This clearly shows us that the death penalty is harmful towards the people from communities of color as they are often the ones who have to face this hard and tough sentence. Abu-Jamal also adds on the same page that in 1988,

the state court administrator's office recorded 107 people on Pennsylvania's death row, and, of that total, 50 from Philadelphia alone. Of that 50, 40 were of African blood, with 7 whites and 3 Hispanics. (Abu-Jamal, 32)

For the Black incarcerated people who have to serve the death row sentence, more often than the incarcerated people of the other communities, a tough life awaits them as they know that they are never going to be free again due to a decision that is often motivated by racism.

Bill Clinton proclaimed the crime bill he was signing as "the toughest and smartest crime bill in our history" (Clinton, "Remarks on Signing the Violent Crime Control and Law Enforcement Act of 1994", see Appendix 7) which shows his aspirations to become a tough-on-crime president, if not the toughest in United States history. As we have seen before, it was a political strategy for him to be seen as tough on crime as a means to get elected by a majority of United States citizens who had been shown hundreds of images of crimes on their television during the past decade(s), thus growing fearful of what they were being shown and eager to elect a president who would save the country from the violence and the crime that it was experiencing.

Throughout the two terms of the "New Democrat" president, the United States prison population reached 1,000,000 incarcerated people; in 1993, at the beginning of Clinton's presidency the prison population was at 932,074 people incarcerated (The Sentencing Project,

“Growth in Mass Incarceration”) and when he left office, it had reached at 1,345,220 people incarcerated (The Sentencing Project).

Over the decades, the different presidents in office advocated for tougher political decisions regarding the War on Drugs as they thought the intensification of this so-called war would decrease the drug illnesses. But instead, this War on Drugs led to a mass incarceration of communities of color, including the Black community, and today we can question this mass incarceration since it allows us to completely rethink the different governments’ intentions behind the War on Drugs. Moreover, we can question the impact of mass incarceration on these communities and wonder if the Black community was pushed into another “racial caste” with the War on Drugs.



## II) The consequences of mass incarceration

### Black people pushed into another “racial caste”?

As we have seen in the introduction of this thesis, a racial caste system is built from the belief that there are inherent racial differences between communities of people, between the races. It comes from the ideology of white supremacy which claims that white people are superior to the other “races”. In our thesis, white people are believed to be inherently superior to Black people. These beliefs create a racial caste which is a system of control and power over a certain community who is placed in inferiority to another community. Each racial caste system brought a period of equality and of measures giving freedom and rights to Black people (as we have seen after the abolition of slavery when Black people were freed) but it also brought another a different racial caste system as some white people were reluctant to be in a position of equality with another community whom they thought were inferior to them in the social hierarchy. This is when the creation and re-creation of another racial caste happens: despite the progress that had been made, there was a backlash and another racial caste was created to keep the social hierarchy in which white supremacists believe in. And unless the racial caste system is questioned, then the same pattern will repeat itself over and over again, as Michelle Alexander has stated in her book *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*: “The adoption of the new system of control is never inevitable, but to date it has never been avoided.” (Alexander, 27)

As we have seen earlier, during the 1980s and during Ronald Reagan’s presidency, a drug epidemic emerged in the United States: the crack cocaine epidemic. During this epidemic, crack cocaine developed and poor people started to access it due to its cheaper price. As millions of United States citizens lost their access to welfare aid and support such as food stamps or access to lunch programs in schools for their children, poverty grew in the United States which led poor people to turn to crack cocaine and drugs in general as a means to escape their daily lives.

The term and the myth of the “welfare queen” emerged during Ronald Reagan’s presidency. This derogatory term was used as a way to vilify and demonize single (Black) mothers who were recipients of the Aid to Families with Dependent Children, the AFDC. This aid was established in 1935 and it granted cash welfare payments for children “who had been deprived of parental support or care because their father or mother was absent from the home, incapacitated, deceased, or unemployed” (“Aid to Families with Dependent Children”)

but its recipients were quickly demonized as people were starting to assimilate them with people who were living off and profiting off of taxpayers' money.

A few years before Ronald Reagan's presidential terms, in 1976, Linda Taylor was arrested and found guilty of welfare fraud which led Reagan to use the term "welfare queen" throughout his presidency campaign as a way to continue to vilify welfare recipients. At the time, the Republican candidate for the Office stated at the New Hampshire Republican Presidential primary about an unidentifiable woman who we can presume is Linda Taylor: "She has 80 names, 30 addresses, 12 Social Security cards and is collecting veterans' benefits on four non existing deceased husbands" ("Welfare Queen Becomes Issue in Reagan Campaign"). With this statement, Reagan generalized welfare recipients as poor people who were profiting off the system (instead of working and making their own money for example) and throughout this statement, he also defined clearly who were the people that he accused of profiting off taxpayers' money. As Carly Hayden Foster states in her article "The Welfare Queen: Race, Gender, Class, and Public Opinion", through the myth of poor people profiting off the taxpayers money, there is a direct assimilation with Black people and single Black mothers especially: "the Welfare Queen stereotype for example, applies not to African American people in general, nor to all women, but specifically to African American single mothers" (Hayden Foster, 167).

The mediatization and sensationalization of stories like Linda Taylor's story as well as the demonization, by the politicians, of people who are recipients of welfare support led to a decrease in support for welfare by the United States citizens. This decrease in support for welfare aid from the United States citizens is very interesting since it can be argued that United States citizens are not against welfare, they are just against this term which has been demonized over the years due to stories like the one we have seen earlier. In Carly Hayden Foster's article, she uses graphics from the American National Election Survey of 2000 where two distinct questions, on the same subject (welfare support), were asked to a certain number of U.S. citizens (818 people). The answers and the results were not the same: if the question is "Should federal spending on welfare be increased, decreased, or kept the same?" more than 60% of the people who are interrogated think that it should stay the same, however, if the question is "Should federal spending on aid to poor people be increased, decreased, or kept the same?" the results are changing and more than 50% of the people who were interrogated think that it should be increased. These results clearly show us that the United States citizens do not have a problem with welfare, which is help and support towards poor people, they just

have a problem with the word “welfare” itself, as well as its recipients, who have been vilified, through lies and myths such as the ‘Welfare Queen’, over the years.

This decrease in support for welfare might have allowed politicians to reduce their decisions supporting welfare support which lead to the reduction of food stamps and lunch programs thus creating more poverty for the recipients who were benefiting from these welfare aids. In addition, during the year of 1982, the United States witnessed the highest rate of unemployment: around 12 million, which is around 10,8 percent (Flaim, “Unemployment in 1982: the Cost to Workers and their Families”) of the whole United States population. Unemployment and the denial of welfare support leave people without financial freedom and without resources. All of these might lead people to fall into drug use as a way to escape their daily lives and their daily struggles which might lead them towards addictions (through the buying of crack cocaine which is, as we have seen before, cheaper than powder cocaine).

Although the Black community is mostly the one who is arrested for possession or selling of crack cocaine, in the numbers they are not the largest population to be crack cocaine users but since they are the ones who are mostly portrayed as crack cocaine users and crack cocaine sellers in the media, they are mostly the ones who are arrested, convicted and in the end, incarcerated. In their article “The War on Drugs is a War on Racial Justice”, Deborah Small writes that even though the United States is known to be a land where everyone is, or at least should, be equal

Blacks constitute 13 percent of all drug users, but 35 percent of those arrested for drug possession, 55 percent of those convicted and 74 percent of those sent to prison. (Small, 898)

where she references the report from the Human Rights Watch entitled “Punishment and Prejudice: Racial Disparities in the War on Drugs” published in May 2000. These arrests of Black men and these convictions are made through racial profiling, defined by the Cambridge Dictionary as “the practice by the police of thinking that people of a particular race or color will behave in a particular way, especially that they will commit crimes” (Cambridge Dictionary, “Racial profiling”).

As we saw above, despite what the media representation is stating, the Black community is not the community who is mostly using crack but they are the ones who are most impacted by mass incarceration. This leads them to spend time behind bars where they, sometimes, have to provide prison labor in these buildings.

The 13<sup>th</sup> Amendment of the United States Constitution states:

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. (Constitution Annotated, “Thirteenth Amendment”)

which means that this amendment contains a loophole through which United States citizens can be reduced to slavery if they are punished and convicted of a crime. This exception has been discussed in Ava DuVernay’s 2016 documentary *13<sup>th</sup>*<sup>14</sup>. It is stated that the loophole in the Amendment was used after the abolition of slavery, when millions of Black people were freed. The economic system of the period of slavery had to be rebuilt meaning that politicians had to find a way to bring Black people back into this economic system and gain profits off them. Black people who were once free were arrested and convicted for minor offenses as a way to have them working to rebuild the economy. Although one can argue that slavery is not legal anymore in the United States, this loophole shows us that slavery is still legal in the country. And, moreover, incarcerated people are doing labor in prison for which they are not paid nor protected.

In June 2022, a report from the ACLU, an organization introduced earlier, and the University of Chicago Law School entitled “Captive Labor: Exploitation of Incarcerated Workers” was released. This report was issued as a way to “[examine] the use of prison labor throughout the state and federal prisons in the U.S.” (ACLU and the University of Chicago Law School) and ultimately calls “for far-reaching reforms to ensure prison labor is truly voluntary and that incarcerated workers are paid fairly, properly trained, and able to gain transferable skills” (ACLU and the University of Chicago Law School). As we have seen before, the exception in the 13<sup>th</sup> Amendment of the United States Constitution is used as a loophole to make incarcerated people work during their time in prisons but this work is often underpaid and the workers are not protected, nor are they able to create unions among themselves to gain workplace rights. Although they are not the only community incarcerated in the United States prison system, the numbers of Black people in the United States prison system remain disproportionately high:

Black Americans are incarcerated in state prisons at nearly five times the rates of whites, and in 12 states, more than half the prison population is Black, despite constituting 13 percent of the nationwide general population. (ACLU and the University of Chicago Law School)

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<sup>14</sup> This documentary is available on the streaming platform Netflix.

The Black community is thus disproportionately impacted by mass incarceration which can make them predominantly impacted by prison labor. This prison labor, as we have seen before, is not protected and is often excluded from workplace statutes which are “all Laws and Orders relating to labor, employment, or employment practices” (Law Insider, “Workplace Statutes Definition”) as defined by the Law Insider, a website providing definitions for legal terms. Incarcerated people who do prison labor are excluded from these protections which means that they do not receive a minimum wage, they are not able to create unions among workers to demand better working conditions, and so on and so forth. They are completely excluded from laws and rights that workers, outside of the prison system, normally have. The incarcerated people who are executing labor “produce more than \$2 billion a year in goods and commodities and over \$9 billion a year in services for the maintenance of the prisons where they are warehoused” (ACLU and the University of Chicago Law School) while not being paid a fair minimum wage.

The prison labor in the United States could be described as modern slavery as the incarcerated people are working while not having protection, while not accessing a fair minimum wage and while not having the opportunity to build unions and this modern slavery is allowed through the exception in the 13<sup>th</sup> Amendment of the United States Constitution which makes slavery legal if people are convicted of a crime.

### Representation of the Black community

Throughout the first part of the thesis, we have seen how, over the years, the politicians in power depicted the Black community as a community that could be a “threat” to other people and to white people especially. But the media also plays a huge part in the representation of the Black community. From the depiction of a black man in the 1915 movie *Birth of a Nation* to the depiction of “criminals” in a reality TV show, it is important to realize that all of these representations are biased and are created in order to incite fear in the audiences who are watching these depictions. These media representations are not innocent since they can have an impact on the audiences, as well as the communities depicted in the media.

The question of the representation of communities of color in the media has been studied by the Department of Sociology and Criminal Justice at Old Dominion University in Norfolk (in the state of Virginia, USA). The study entitled “*Are reality TV crime shows*

*continuing to perpetuate crime myths?*” and conducted by four members of this department (Elizabeth Monk-Turner, Homer Martinez, Jason Holbrook and Nathan Harvey) examined the TV reality show “*COPS*” which aired from 1989 to 2020 and depicts the daily lives of police officers during service. The aim of the study was to analyze the episodes and look into several elements which can be separated in different categories: race, gender, US Uniform Crime Report type of offense and the type of crime depicted. The question they asked themselves before conducting this study was: “Given official arrest data, do reality television programs dramatize this race difference in their programming?” (Monk-Turner et al., 4) as their aim was to compare the representation on television with real figures and real data.

Their analysis started in June 2004 during which the researchers watched around 8 hours of airtime, corresponding to all the television episodes. Throughout the episodes, they have noted that the majority of the characters were white: 62% of all the characters and 67% of these characters were portrayed as police officers. Among the non-white characters on the show, 90% were shown as crime perpetrators. More than half of the crimes, which is around 54%, shown on the show are UCR Part I offenses (which are offenses that involved murder, rape, robbery, aggravated assault, burglary, ...) and 55% of the perpetrators of these crimes were African-American men. Usually, when white offenders were apprehended by the police, 61% of them were involved in a UCR part II offense (which are offenses related to cars and alcohol: DUI, drag racing, ...). Not only does a show like *COPS* depicts a violent society, but it depicts a violent society with people from minorities as criminals and as threats.

The TV show “*COPS*” presented as a reality TV show gives the illusion to the audience that what they are seeing is reality, especially if it portrays the daily lives of officers which audience might feel like they can trust, although when real figures are compared to what is being shown on screen, we see that there is a disproportion in the representation of communities of colors (Black people and Latino people). Furthermore, the reality show has been critically acclaimed as “one of the best crime dramas on television” over the years: indeed, it had been nominated several times at the famous Primetime Emmy Awards, and it has won an award for best reality-based program at the American Television Award in 1993 which could make us understand how the audience would be more inclined to trust this acknowledged ‘reality’ show.

The media representation of the Black community impacts Black men but it also impacts Black women, and more specifically Black women who are mothers.

During the decade of the nineteen eighties and onwards another myth started: the myth of crack addicted mothers giving birth to “crack babies”. This myth comes from a study by

Doctor Ira Chasnoff who did a study on 23 babies and then published a paper on “crack babies”. The babies born from crack addicted mothers were thought to have development issues. This study and the mediatization that happened afterwards provoked a wave of fear and led to an increased vilification of crack cocaine users, and particularly crack cocaine addicted mothers.

The report “Cracks in the System: Twenty Years of the Unjust Federal Crack Cocaine Law” from the American Civil Liberties Union that we mentioned earlier shared the conclusion of Doctor Deborah Frank who is a professor of pediatrics at Boston University which they had reached after a “10-year study of the developmental and behavioral outcomes of children exposed to powder and crack cocaine in the womb” (Vagins and McCurdy, 12). Dr. Frank stated that:

small but identifiable effects of prenatal exposure to crack or powder cocaine are prevalent in certain newborns’ development, but they are very similar to the effects associated with prenatal tobacco exposure. (qtd. in Vagins and McCurdy, 12)

This clearly indicates that, in hindsight, the consequences on newborn babies who are born from crack cocaine addicted mothers are no different from the consequences from powder cocaine addicted mothers, as well as mothers who are addicted to other substances (such as tobacco) when giving birth. What this shows us is that the demonization of crack cocaine addicted mothers was built on no scientific evidence and biased by the politicians and by the media afterwards. Dr. Frank even “concluded that based on years of careful research, the term ‘crack baby’ is a grotesque media stereotype not based on science” (qtd. in Vagins and McCurdy, 12) which, although essential to the discourse, sadly comes too late as the representation and the depiction of crack cocaine addicted mothers as mothers who are irresponsible was already prevalent in the media.

The studies impact the communities of color in one way or another. As seen with the supposed “reality” TV show ‘COPS’, the audience can be directly impacted as the TV show depicts a biased representation of the Black community, as well as other communities of color, which will eventually impact their beliefs and their thoughts. If people are seeing certain communities depicted as “criminals” and as “violent” in the media, no matter what media it is, they might be more inclined to actually believe that these communities are as “violent” in real life and wish to have draconian laws as a way to place these “criminals” in an environment where they will not commit crimes anymore: the prison system. And the representation of crack cocaine addicted African American mothers can lead to a

representation of them as “irresponsible” for themselves or their child(ren), thus further adding to the stigmatization of the Black community. This depiction had the same aim as the myth of the ‘Welfare Queen’ during Ronald Reagan’s presidency which was to vilify not only Black people but Black mothers especially by depicting them in a bad light which would inevitably serve the interests of governments who used dog-whistling to push draconian laws.

The representation of the Black community in the media is a vicious circle. Laws are signed and applied which are severely impacting the communities of color, especially the Black community, which lead to a mass incarceration of this part of the population. And due to this mass incarceration people are more inclined to believe that members of the Black community are really the “criminals” and the “threat” that the media state they are. This mass incarceration might lead to racial profiling from the law enforcement, the justice system and the police. As seen above, racial profiling is the belief by police officers that a certain community are most likely to commit crimes which lead to an increase in arrests of this community and often lead to a high percentage of incarceration of this community because if police officers only arrest people who are from a certain community than there are a lot of “chances” that they will find, amongst them, people who committed crimes. But this does not mean that the community should be categorized as “criminal”.

Today, the Black community in the United States is estimated at around 14% (Moslimani et al.) of the whole country’s population, which represents around 47 million of people (Moslimani et al.). This is a small increase from the year 2000 where the Black community was estimated at around 13% (36,3 million of reported Black people).

A report written by Thomas P. Bonczar, who is from the Bureau of Justice Statistics, entitled “*Prevalence of imprisonment in the U.S. population, 1974-2001*” depicts several tables, including one which is a table that shows the “percent[age] of adult population ever incarcerated in a State or a Federal prison, by gender, race, Hispanic origin, and age”<sup>15</sup>. This table was published in 2001 by the U.S. Census Bureau. On the table, we can see that the percentage of Black males who are incarcerated between the ages of 18 to 24 is at 8,5% while the percentage of white males who are incarcerated between the same ages is 1,1%. These numbers show that there is a huge incarceration of Black men, during the formative ages of their adult lives, if we take into consideration that there was around 13% of the United States population who reported themselves as being Black. The highest percentage of Black men incarcerated in a state or a federal prison in 2001 was between the ages of 35 to 44, which represents 22% while, at the same age, 3,5% of white males are incarcerated. These numbers

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<sup>15</sup> This specific table can be found at page 6 of the report by Thomas P. Bonczar.

show us that the Black community, and Black men especially, are disproportionately impacted by the prison system as they are the ones who are hugely incarcerated despite not representing a large number in the United States population.

One of the ways the Black community has found to counter the representation that the media was doing of their community is through hip-hop, which is a cultural movement, and more specifically rap music, which is part of hip-hop. Quoted in the article “Gangsta Rap, the War on Drugs and the Location of African-American Identity in Los Angeles, 1988-92” written by Elizabeth Grant, Tricia Rose stated in her book *Black Noise: Rap Music and Black Culture in Contemporary America* that “rap music is a black cultural expression that prioritizes black voices from the margins” and that “[it] articulated the pleasures and problems of black urban life in contemporary America” (qtd. in Grant, 2) which clearly shows that through rap music, the Black community were able to take their power back and talk about the issues that they were facing throughout their daily lives.

It has been established that the War on Drugs had, and still has, an impact on the Black community so it is no wonder that rap music has been used through the years as a way for Black people to speak about the impact it has and to denounce it in their music.

The decade of the Civil Rights movement has been an inspiration for rap musicians during the decades that followed these defining years in United States history. In his article entitled “From Civil Rights to Hip Hop: Towards a Nexus of Ideas”, Derrick P. Alridge mentions how some hip hop artists have used the ideas of the Civil Rights movement to create a message through their music. He uses the example of the hip hop band Public Enemy, which rose during the 1980s, and says that they “consistently explored contemporary problems of urban strife, poverty, and discrimination in the context of the black experience” (Alridge, 229) and they have “articulated their ideas in relationship to the long history of black struggle” (229). Throughout their careers, artists from the hip hop movement have used technics in their music and their music videos such as sampling<sup>16</sup> or scratching<sup>17</sup> in order to integrate “voices and images of civil rights figures and events in their music or videos” (229) which means that hip hoppers have used these techniques as a way to make their musical bands and their music more “socially and politically conscious” (226). Using techniques to bring leaders of the Civil Rights movement into their songs, they have thus managed to create a voice for their new

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<sup>16</sup> This technique “digitally replicate[s] sounds or voices into a song, performance, or video” (Alridge, 229)

<sup>17</sup> DJs use this technique “by sliding the needles on their turntables back and forth across the surfaces of records as a means of lifting snippets of songs and sounds and transporting them to another source” (229)

generation while taking and drawing inspiration from the decades and the historical events that happened before them.

As we have seen, over the years of the War on Drugs, the representation of the Black community has been fuelled with racism and was centered on the idea that Black people were “criminals”: Black mothers were deemed to be irresponsible with their children or they were pictured as people who steal from the taxpayers money and Black men were pictured as “threats” and “predators”. The hip hop movement and rap artists sought to build their own representation and their own history set apart from the representation in the media or the history that was shown in the media, often fuelled by racism.

Focusing on Los Angeles, Elizabeth Grant states, in her article that was mentioned earlier, that through the image of the gangsta, the aim was to “project LA’s Black population as self-contained, cohesive, self-sufficient and empowered against police brutality and political corruption” (Grant, 9). Through this self-representation as ‘gangsta’, Black people who were a part of this self-representation aimed at self-determination which is the aspiration to freedom and to control of one’s life.

Self-determination is an aspiration that has been ongoing in the African-Americans community for decades and even centuries, since the time of slavery, as Black people sought to “gain freedom and to control their social, economic, and political destinies” (Alridge, 234) as they were enslaved in a society controlled by white people. This aspiration for self-determination has endured through the centuries and it is something that was still prevalent in the decade of the 1980s and the 1990s through rap music:

[Gangsta rap] advocated self-determination by illuminating problems of police brutality, deterioration of black urban schools, and unjust political and judicial systems, and then provided strategies for addressing these problems. (Alridge, 236)

The aim through their rap music was to inspire and bring social and political consciousness to their listeners. Using the examples of rappers such as NWA, Ice-T or Public Enemy, Alridge depicts a generation of rappers who became socially and politically conscious after the decade of the Civil Rights movement and aimed at carrying on the ideas and the ideologies of this grassroots movement. Their experiences as Black people in a United States marked by the Civil Rights movement as well as by the presidential terms of Republican presidents allowed them to build an awareness and to use their music to

[call] for African Americans to resist ‘the man’, oppressive institutional entities, particularly the police; to take control of their own communities; and to use the capitalist system to improve their economic and social conditions. (Alridge, 236)

Self-determination also comes with the wish of building an educational system<sup>18</sup> that is independent from the education provided by the school system in the United States, which is marked by a history created by white people and marked by white supremacy. Throughout their music, artists from the 1970s “have also criticized the U.S. educational system and argued that the public schools often perpetuate ‘mis-education’”. (239)

But rap artists and rap musicians using civil rights leaders in their songs and in their videos have not been met without nuance regarding their decisions. In his article, Derrick P. Alridge talks about how there was a gap and a conflict between the two generations. Although the rap artists during the 1980s and the 1990s have tried to bring social and political consciousness to their songs through the techniques that we mentioned earlier, “some activists and scholars of the civil rights era criticize[d] the Hip Hop generation for failing to carry on the struggles of the [Civil Rights movement]” (227). However, Alridge does not agree with this point of view and states that

while Hip Hop has not dramatically changed oppressive institutional structure or organized itself at anywhere near the level of civil rights organizations [...] it shares with the [Civil Rights movement] a critique of the problems that plague U.S. African Americans and other oppressed people throughout the world (Alridge, 28)

Nonetheless, it can still be interesting to see how the two generations have managed to raise social and political consciousness as well as find a way to fight against the oppression that they were suffering from throughout different mediums.

As we have seen, hip hop and rap music have been used as a way to counter the representation that was made of the Black community and to gain their power back through the aspiration of self-determination. This was the aim of the rap musicians who were using their medium to bring political awareness to the audience that was listening to them and who aimed at making the latter gain consciousness of the United States society that they were living in and advocate or fight against it. It also seems important to mention, as Alridge said

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<sup>18</sup> There had already been cases of trying to access “liberatory education” (Alridge, 238) for the African American community with the creation of Freedom Schools in the United States. During the decade of the 1960s, schools were created for African American people, and white people from poor families, as an alternative to the school system. They were free and provided “a progressive, experiential curriculum that emphasized student-centered teaching and learning-by-doing” (Education & Democracy, “Welcome to the Freedom School Curriculum Website!”) to allow the students to receive an education and more political awareness.

in his article, that as rap artists (and he brings up the names of artists such as Public Enemy, which we already mentioned before, as well as Mos Def, Talib Kweli, and so on and so forth) promoted the ideology of self-determination, their music and their videos “receive little to no airplay on mainstream radio or television” (238) which might show that they were being censored for what they were saying and the impact that they could have on the Black community who might listen to their songs and resonate with them, inspiring them to create a lasting change in the United States society as we know it today.

### The impact of mass incarceration in the long-term

In the system of mass incarceration, a wide variety of laws, institutions, and practices – ranging from racial profiling to biased sentencing policies, political disenfranchisement, and legal employment discrimination – trap African Americans in a virtual (and literal) cage. (Alexander, 229)

The previous quotation is from chapter 5 entitled “*The New Jim Crow*” in Michelle Alexander’s book *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* published in 2010, then republished in 2020 for the book’s tenth year anniversary. Mass incarceration can be defined as a system before the incarceration, during the incarceration and after the incarceration as we are going to see during this part. Formerly incarcerated persons are impacted by the prison system even when they leave the prison walls due to consequences that follow them their whole lives when they have committed a crime and are categorized as “felons”. Mass incarceration can be described as a system of oppression if we look into the figures of communities of color, the Black community in our thesis, since they are the most impacted by the prison system and will be impacted afterwards.

The War on Drugs and the media representation of the Black community stigmatized the drug users, the Black community, the incarcerated and formerly incarcerated people as well as their relatives and surrounding community. In their article “An Introduction and Brief Review of the Impacts of Incarceration on the African American Family” published in 2001, the authors R. Robin Miller, Sandra Lee Browning and Lisa M. Spruance aim at examining how the incarceration of African American people, especially fathers, have a direct impact on the incarcerated person as well as on the social and familial sphere of their family’s lives. Over the years, “the incredibly high rate of incarceration has harmed the African American community in general, and African American men, more specifically” (Miller et al., 3) due to the fact that, as we saw earlier, the African American community and the African American

men are most likely to be depicted as “threats” by the media which lead to racial profiling from police officers. But,

While the common portrayal of the incarcerated male includes the depiction of a loner, a social misfit, or an individual who has been totally separated from the workings of society, many of these men are young, and many of them have formed families separate from their families of origin. (4)

This shows that the incarceration of African American men has an impact on themselves as well as on their relatives as it excludes a son, a brother, a father and/or a husband from their familial, domestic sphere. Furthermore, the incarcerated people’s relatives are impacted by the prison system. Gwenola Ricordeau wrote in her book *Pour elles toutes: Femmes contre la prison* released in 2019:

L’expression, souvent utilisée aux États-Unis, de « prisonnier.ère.s de deuxième génération » (second-generation prisoners), rend compte d’un phénomène [qui existe aussi ailleurs]: les personnes incarcérées ont souvent eu un proche et plus particulièrement un père, qui a été incarcéré. (Ricordeau, 131)

These second-generation prisoners, as Gwenola Ricordeau referred to in her book, are also impacted by the prison system.

For the spouses, the separation from the incarcerated partner can lead to an increase in mental load (due to the increase in responsibilities now that the partner and/or the parent is incarcerated) or an impact in the relationship between the spouse and their partner who is incarcerated: “though their loss of contact, they experience a loss of closeness” (Miller et al., 5), the incarcerated time has an impact on the relationship as they are apart from each other and a common lack can grow between the two partners. Another impact of the incarceration is that during the time that passes, when the person is incarcerated, their families and their close ones go on with their lives and

[they] can have trouble coping with the positive changes [their partner] has experienced while [they] have been away. With increased independence, [their partner] may have changed jobs, attained further schooling, and/or made new friends. (5/6)

A gap can exist after the incarcerated person is released from prison as they see that their families and relatives have gone on with their lives, despite the hardships. Even if visits are allowed, sometimes the family is living far away or it might not be enough to catch up and keep the contact between the loved ones.

The incarceration of a person also impacts their relation with their child(ren) if they have one and/or more. The parents are not able to get involved in their child(ren)'s education and they lost a closeness with them: "closeness, involvement, and of course contact, all declined sharply for fathers and their children, representing a considerable threat to the viability of these families" (6). Despite their wishes, incarcerated parents are not able to get involved in their child(ren)'s lives as they would want to. As Gwenola Ricordeau wrote:

Cependant, il ne faut pas se méprendre: le risque d'être incarcéré dépend essentiellement de facteurs sociaux, et ce phénomène souligne la reproduction des inégalités sociales – et non que les hommes incarcérés sont de mauvais pères ou que l'absence du père du foyer familial entraîne un risque d'incarcération pour les enfants. (Ricordeau, 131)

With "more than 1.5 million children in American" (Miller et al., 8) who have a parent behind bars, this incarceration has an impact on the child(ren), who can grow up and suffer from "feelings of rejection and guilt" (8) and who can "exhibit discipline problems, and a decline in school performance" (8). Separation with their child(ren) impacts the incarcerated people as it breaks a close bond that they are forming with their child(ren) but it also impacts the child(ren) who has to grow up with a parent behind bars which can leave them with emotional damage.

A form of stigmatization can also surrounds the incarcerated person and their families:

personal business has become part of the public domain. The reputation of her and her spouse in the eyes of the community can be damaged and she can feel that sense of loss deeply. (Miller et al., 8)

The incarcerated person, as well as their relatives, can feel shamed due to the stigma that comes with incarceration: "the imprisonment of one's son or relative (or one's own imprisonment) is experienced as a personal failure – a failure of personal responsibility" (Alexander, 208). Incarceration can bring stereotypes as well as stigmatization creating shame from the formerly and/or incarcerated people as well as their families who often result in lying as a way to escape the stigma and the judgment from other people.

But the social and domestic sphere are not the only spheres being impacted when a person is incarcerated or when a person was formerly incarcerated.

As we have seen above, the incarceration of a family member has an impact on the social and the domestic spheres of the family. But incarceration also has an economic impact on the family, "blacks and whites differ significantly in occupations and income, with about

one-third of blacks living below the poverty line compared to 9 percent of whites” (Miller et al., 5) so if a family is already impacted by economic difficulties before one of the members and provider is incarcerated than during (and even after) the incarceration of the spouse, it can lead to an increase in financial difficulties.

Prison labor that can impact the incarcerated person economically can also impact their families because their incarcerated relatives can not send money due to the lack of resources that they receive for their prison labor (as mentioned before, usually prison labor does not provide a minimum wage for the incarcerated people). The ACLU report “Captive Labor: Exploitation of Incarcerated Workers” stated that “of the more than 1,2 million people incarcerated in state and federal prison, over 65 percent work” (ACLU and the University of Chicago Law School), which represents around 780,000 incarcerated people doing prison labor in the United States carceral system.

As can be seen in a figure from the United States Census Bureau and the Bureau of Justice Statistics entitled “U.S. adult population and U.S. prison population by race and Hispanic, 2017”<sup>19</sup>, although the Black community constitutes 12% of the whole United States adult population, 33% of them are incarcerated in the carceral system as opposed to the white community who constitutes 64% of the country’s population but 30% of those are incarcerated in the prison system. According to these figures, it can be argued that the Black community are most likely to be impacted by prison labor, which means a lack of resources and a lack of workplace rights. If one-third of Black people are living below the poverty line and if they are most likely to be incarcerated and then provide labor in prison then they are most likely to still be in a difficult financial situation before, during and after their incarceration (as well as their families). Economic issues that were already present before their incarceration continue while they are doing time in prison as the incarcerated people have no way to economically support their families.

Even after their time in prison, formerly incarcerated people are still impacted by the carceral system. Labeled as “felons”, they have little to no access to welfare support, employment, or housing:

Barred from public housing by law, discriminated against by private landlords, ineligible for food stamps, forced to “check the box” indicating a felony conviction on employment application for nearly every job, and denied licenses for a wide range of professions, people whose only crime is drug addiction or

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<sup>19</sup> This figure can be found in John Gramlich’s article “The gap between the number of blacks and whites in prison is shrinking”, next to paragraph 4.

possession of a small amount of drugs for recreational use find themselves locked out of the mainstream society and economy – permanently. (Alexander, 118)

This lack of support after their time in incarceration can lead formerly incarcerated people to reoffend since they have no means to support themselves as they are completely excluded from every single way that could rehabilitate themselves.

In 1998, the Quality Housing and Work Responsibility Act was passed and it authorized the exclusion, by the Public Housing Agencies, of applications from United States citizens who had criminal records to have housing. If we expect formerly incarcerated people to rehabilitate themselves and re-enter society after their prison time then they need to have a housing solution otherwise they might have to ask their families for a place to live or they might end up homeless:

A study conducted by the McCormick Institute of Public Affairs found that nearly a quarter of guests in homelessness shelters had been incarcerated within the previous year – people who were unable to find somewhere to live after release from prison walls. (184)

It can be understood that formerly incarcerated people having access to proper housing after their time behind bars can decrease the risk of reoffending since they will have access to something that will provide them with better conditions to re-enter society after their time in the prison system. Nevertheless formerly incarcerated people continue to be impacted by their time behind bars in the United States due to the difficulty in finding housing upon leaving prison..

Formerly incarcerated people with a drug-related felony can also be excluded from welfare support due to a welfare reform signed in 1996 by president Bill Clinton. As introduced before, the self-proclaimed “New Democrat” president Bill Clinton aspired to be tougher on crimes than his predecessors as a means to be elected in a country shaped by Ronald Reagan’s presidency so it is no wonder that his aspirations to be tough on crime continued to impact formerly incarcerated people even after they were released from the prison walls: “The law also requires that states permanently bar individuals with drug-related felony convictions from receiving federally funded public assistance” (Alexander, 197). People who have been formerly incarcerated have no way to support themselves or their families due to the prison system impacting them even after they have left the walls that were incarcerating them.

The impact of the prison system even after formerly incarcerated people have left the prison as a building does not allow them to rehabilitate themselves as they are excluded from

society (through the lack of welfare support) but they are also excluded from the democratic stage of society as many of them are permanently banned from exercising their right to vote.

The Fifteenth Amendment to the United States Constitution states:

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude. (Constitution Annotated, “Fifteenth Amendment”)

What we have seen throughout the War on Drugs is that the Black community is more likely to be incarcerated than the white community: “the rate of imprisonment for black men in 1996 was 8.5 times that of white men” (The Sentencing Project and the Human Rights Watch”) as we can read in the report entitled “Losing the vote: the Impact of Felony Disenfranchisement Laws in the United States” by the Sentencing Project, an organization we introduced earlier, and the Human Rights Watch in October 1998.

This disparity in the incarceration of people in the United States has an impact on the formerly incarcerated people: they lose welfare support, they have no access to employment, housing, and in addition they also lose the right to vote.

In the United States, although the laws might change depending on the State it is applied in, a total of 48 States prohibit people from voting during and/or after being incarcerated: these laws impact around 5,85 million United States citizens (ACLU, “Felony Disenfranchisement Laws”). The states of Vermont and Maine are the only two who allow everyone the right to vote<sup>20</sup>.

This situation where “although African-Americans comprise only 12 percent of the country's general population, they account for 40 percent of those who are disfranchised” (ACLU, “ACLU History: Felony Disenfranchisement: A Relic of Jim Crow”) can remind us of the Jim Crow era, the period of legalized discrimination in the United States when “African Americans were denied the right to vote through poll taxes, literacy tests, grandfather clauses, and felon disenfranchisement laws” (Alexander, 238). Denied the opportunity to vote and to have their voices be heard in the poll, millions of United States citizens, including thousands of incarcerated and/or formerly incarcerated African Americans, are unable to exercise their democratic role of voting. As W. E. B. DuBois, one of the founders of the National Association for the Colored People (NAACP), said: “The power of the ballot we need in sheer defense, else what shall save us from a second slavery?” meaning that if Black people are not

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<sup>20</sup> In both States, incarcerated persons can vote via absentee ballots. Regarding the decision to allow incarcerated people to vote, Matthew Dunlap, the former Secretary of State of Maine, stated that “*either you are a citizen and you have rights or you are not a citizen and you do not have rights*” in an interview by Emily Tadlock for WABI TV5.

able to exercise their voting rights, they are not able to “fight” against political powers that would be against them.

Although we can read in the Fifteenth Amendment that the right to vote should not be denied “on account of race, color” (Constitution Annotated, “Fifteenth Amendment”), it can be argued that in practice this is what is happening in the United States. If the right to vote can be denied after a time in prison and if a large percentage of Black people are going to be faced with prison time during their life (which will lead them to lose their right to vote) then the Fifteenth Amendment can be questioned since it completely loses its purpose.

Formerly incarcerated people become completely excluded from the United States society even after they have done their time behind bars. Indeed they are asked to re-enter society and rehabilitate themselves but, and as we have seen, they are not given the keys to properly re-enter the society and they can sometimes reoffend since they are not able to support themselves after their time behind bars. Consequently they can fall, or do fall back, into poverty and into poor living conditions.

It is for these reasons that certain people and certain communities argue that the prison system in the United States is discriminatory towards communities of color, towards the Black community, and aspire to reform it or to abolish it as a whole.

### III) Rethinking the prison system in the United States?

#### Examining the decades-long choice of criminalisation

The choice of criminalization is peculiar since, as we have seen over the decades, the War on Drugs has been a complete failure. This failure can be explained due to the fact that the different presidents and governments have not allocated funds towards real and radical changes: instead, they have made the decision and the conscious choice to criminalize drugs in general (which ultimately includes a criminalization of drug users and drug addicts).

Although it was explained at the beginning of this so-called War on Drugs that it was going to focus on treatment rather than criminalization, especially, as we have seen above, with the appointment of Doctor Jerome Jaffre who was a specialist in the treatment of drug addicts, we can now argue that this “war” has failed. It has failed because over the decades the focus has been shifted towards a stigmatization, a criminalization and an incarceration of drug addicts as well as more broadly, a criminalization and an incarceration of communities of color such as the Black community which is the focus of the thesis.

This war led to the opposite of helping people, even though Ronald Reagan stated when he signed the Anti-Drug Abuse Act of 1986: “We must be intolerant of drugs not because we want to punish drug users, but because we care about them and want to help them” (Reagan, “Remarks on Signing the Anti-Drug Abuse Act of 1986”, see Appendix 4). If Ronald Reagan’s aspiration during his two terms was to offer help towards drug addicts, he would not have signed the Anti-Drug Abuse Act of 1986 that introduces the 100:1 ratio, that we have talked about above, which disproportionately harms the users of crack cocaine.

But the real intentions behind the War on Drugs might explain why this so-called war has been a total failure over the decades. Through the criminalization of drug addicts and more generally the criminalization of communities of color<sup>21</sup>, the harmful legislation behind the War on Drugs has been able to incarcerate and completely exclude the Black community, who have been disproportionately impacted by it, from the United States society.

The total failure of the War on Drugs could be linked to the fact that the intention behind this war was not to provoke a radical change in the United States society to properly help the persons who suffer from drug addictions. But this failure can be linked to racism: the mass incarceration of the Black community in the prison system and the impact that this same

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<sup>21</sup> Through dog-whistling politics as well as the media representation of certain communities as we have seen above with the study covering the reality TV show “*COPS*”

system has on them even after their incarceration, placing them as pariahs of the United States society they are a part of.

But the War on Drugs has also proven itself to be a failure due to its lack of addressing the roots of drug addiction. Often stemming from poor living conditions (poverty, unemployment or sometimes mental health issues, which can sometimes be linked to the dire conditions that people are living in), drug usage, as we have seen above, can be interpreted as an escape from the daily lives that people are going through. It means that criminalization of drug use and drug abuse is not the solution that many governments think it is. Although funds might be allocated towards treatment programs, it is not and it can not be enough. The reason why it is not enough is because it does not address the roots of drug addiction. It can help during a short period of time but if a drug addict has the access to a treatment program and it ends, they might go back to the same living situation that they were already living in and sadly fall back into their addiction.

Not only has the War on Drugs proven itself to be a complete failure due to the fact that it does not actively seek to help people who suffer from drug addictions but this war also costs a lot of money from taxpayers per year, while not achieving anything that the previous governments have stated it would achieve (which is reducing drug abuse). The money that is directed toward the War on Drugs every single year (which means the money towards the mass incarceration of thousands of members of communities) costs the American government over 68 billion dollars (Stevenson, “Drug Policy, Criminal Justice and Mass Incarceration”). Drug addictions have been treated as a criminal issue as opposed to a healthcare issue over the years. Moreover, they have not been treated as a societal issue. The War on Drugs costs billions of dollars per year from the American governments, which means from the United States citizens, and it is billions of dollars that could be placed somewhere else, in domains that lack support.

The choice of criminalization from the different United States governments has allowed decades of surveillance in every domain. Surveillance that inevitably harmed low-income communities including the Black community who were largely impacted by the War on Drugs. Surveillance has not been enforced only by law enforcement officers but also with different jobs or different functions in different domains. The War on Drugs which has been, over the decades, treated as a criminal issue rather than a healthcare issue progressively implemented a surveillance of United States citizens.

As we have seen above, employment is one of the domains where the War on Drugs has an impact. After the conviction of a United States citizen or after their incarceration, they

can be refused a job and be faced with unemployment since criminal records are sometimes examined when someone applies for a job. This unemployment after incarceration can continue to make people live in poverty. But the War on Drugs also has an impact before an incarceration since there can be drug tests<sup>22</sup> for the employees. It is important to mention that drug tests do not state how much was consumed nor if they are intoxicated at the moment the test is done. It simply states and shows if drugs can be found in someone's system. Drug testing can create a barrier for those who are seeking to be employed or for those who are currently employed at a job.

The barriers from employment that United States citizens are faced with can disproportionately impact the Black community, and Black men specifically who are very much concerned by criminalization and incarceration as we have seen above, which can result in unemployment, leading to poverty, health issues as well as a higher chance of using drugs and falling into drug addiction.

The criminalization during the War on Drugs has also led to an increase in surveillance in the housing domain in the United States. After the signing of the Anti-Drug Abuse Act of 1988 under president Ronald Reagan, Public Housing Authorities were prohibited from “allowing tenants to engage in drug-related activity on or near public housing premises and deemed such activity grounds for immediate eviction” (Cohen et al., 4). This surveillance also continued a decade after, as we have seen above with the Quality Housing and Work Responsibility Act which was passed in 1998, when it authorized the exclusion, by the Public Housing Agencies, of applications from United States citizens who had criminal records.

This surveillance in the housing domain can have an impact on the Black community, and Black men especially, who, since they have a higher percentage of being arrested and being convicted of a crime, due to criminalization and racial profiling as we have explained above, can face a higher possibility of not getting the housing that they apply for due to these reasons.

Public benefits are also impacted by the surveillance that happens with the War on Drugs. In an article entitled “How the War on Drugs impacts social determinants of health beyond the criminal justice system” written by Aliza Cohen, Sheila P. Vakharia, Julie Netherland and Kassandra Frederique, it is mentioned that people who have a drug conviction lose their rights to the Supplemental Nutrition Assistance Program (SNAP)<sup>23</sup> and the

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<sup>22</sup> Through urine testing.

<sup>23</sup> The SNAP allows low-income households to access healthy food through monthly funds.

Temporary Assistance for Needy Families (TANF)<sup>24</sup>. The Temporary Assistance for Needy Families which supports fewer families than its predecessor, the Aid to Families with Dependent Children (AFDC), due to the different eligibility requirements that are require from the families, will inevitably support even fewer families if they ban people who have a drug conviction.

Furthermore, as we have seen above, people who have been formerly incarcerated can also lose their access to welfare support which means that they sometimes continue to live a life of poverty due to the fact that they have become pariahs of the United States society once they leave the prison walls.

It should not be forgotten that since communities of color, such as the Black community, have a higher percentage at getting arrested, convicted or incarcerated due to criminalization and racial profiling for example, then they have a higher percentage of losing their welfare support which means that they have a higher risk of continuing their lives in poverty.

As it is stated in the article “How the War on Drugs impacts social determinants of health beyond the criminal legal system”:

the drug war’s frontline enforcers are no longer police alone but now include physicians, nurses, teachers, neighbors, social workers, employers, landlords, and others who are required to engage in these forms of surveillance and punishment.  
(Cohen et al., 3)

These methods of surveillance in the employment, in the housing and in the welfare support domains are a continuation of the government’s desire for criminalization and surveillance from the law enforcement.

All of these measures of surveillance in different domains, such as employment, housing and public benefits, allow the government and the law enforcement to become a part of the daily lives of the United States people. The surveillance does not only remain within the “limits” of the law enforcement but it extends to different jobs that make it one of their functions to surveil as well as to deny people who have convictions, such as drug convictions (since this is the subject of this thesis), the ability to have access to certain benefits as well as elements that are necessary in order to survive such as housing or employment. This kind of surveillance has also been described in George H. W. Bush’s speech when he said in his

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<sup>24</sup> The TANF replaced the Aid to Families with Dependent Children, which we talked about above in the first sub-part of the second part “The consequences of mass incarceration”. The only difference between both is that the Temporary Assistance for Needy Families provides less assistance to families in need which ultimately leaves some families still in a situation of poverty.

televised address: “Who’s responsible? Let me tell you straight out – everyone who uses drugs, who sells drugs, and everyone who looks the other way” (Bush, “Address to the Nation on the National Drug Control Strategy”, see Appendix 6). United States citizens are asked, during the War on Drugs, to become part of this surveillance and if they do not, they are put in the same category as people who have drug addictions: they are identified as ‘enemies’ of the United States since they are not respecting the ‘law and order’.

The prison system which has been described and identified as an oppressive system over certain communities, such as the Black community, due to the fact that convictions and incarceration disproportionately impact these communities and relocate them to a life without support. But the prison system has also been identified as a system that does not properly help the persons it incarcerates and heals the victims of some crimes has been questioned over the past decades. It is for these reasons that many people and organizations call for a reform of the prison system or the abolishment of the prison system as a whole.

### Should the prison system be reformed?

Prison reform by definition is “the attempt to improve conditions inside prisons, improve the effectiveness of a penal system, or implement alternatives to incarceration” (HubbsLaw, “What is Criminal Justice Reform?”), and it also aims at “ensuring the reinstatement of those whose lives are impacted by crimes” (HubbsLaw).

One of the earliest prison reformists was John Howard, a British philanthropist. Howard traveled around Europe to visit different prisons which led him to publish a book entitled *The State of the Prisons* in 1777 in which he wrote down his observations and the changes he deemed necessary for the improvement of the living conditions of incarcerated persons. Inspired by his faith, Howard advocated for single-celling, or also advocated solitary confinement, as he believed that this method could help in the rehabilitation of incarcerated people.

In the first chapter chapter of his 1975 book *Discipline and Punish: The Birth of the Prison*, Michel Foucault describes in great detail the torture Robert-François Damiens was submitted to. Torture was used, not only as a way to punish the convicted of a crime he had committed but also to have an effect on the audience, the spectators who would witness it. Torture was seen as a method to discourage spectators from committing a similar crime. Although physical torture might no longer be shown in front of an audience, they are still

impacted by the imprisonment of citizens who have committed a crime: the incarceration of convicted people whose freedom is abolished is seen as an effective way to discourage the audience from perpetuating crimes. The convicted person is convicted for their crimes but they also become an example for the audience: “La prison doit prendre ses effets les plus intenses chez ceux qui n’ont pas commis la faute” (Foucault, 113).

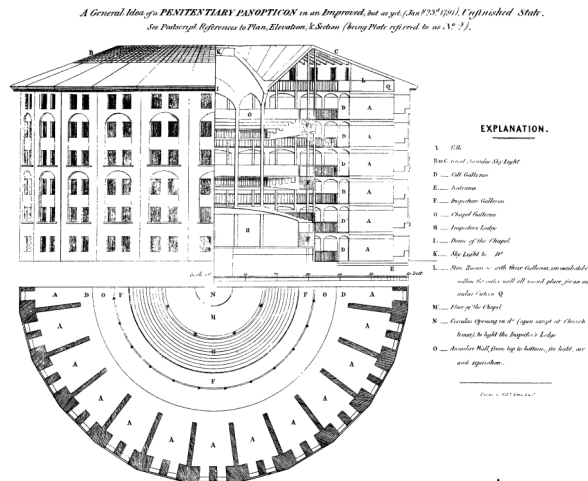
Imprisonment is seen as a way to punish the offenders and as a way to protect the victims and the other citizens outside the prison bars. As Angela Davis writes in her 2003 book *Are Prisons Obsolete?*, punishment is also used as a form of discouragement for the citizens who might “want” to commit a crime that will inevitably put them at a risk of being tortured (as it was the way before), convicted and shut behind bars:

Prior to the appearance of punitive incarceration, such punishment [whipping, brandings, amputations] was designed to have its most profound effect not so much on the person punished as on the crowd of spectators. (Davis, ch.3)

Although we saw earlier examples from England with John Howard or France with Michel Foucault, the United States is not an exception concerning the torture that was inflicted on convicted people and incarcerated persons. One facility called the Auburn Correctional Facility which opened in the 19<sup>th</sup> century introduced the barbaric Auburn system where incarcerated persons were “beaten if they stepped out of line or were caught speaking to one another” (Neal, “Were Early American Prisons Similar to Today’s?”, JSTOR Daily) and they were “constantly forced to work hard labor in silence” (Neal).

John Howard’s advocacy for single-celling, or solitary confinement, also got imported into the United States prison system afterwards. As we have seen before, Howard thought that solitary confinement could be a method for rehabilitation since he believed that the isolation of the incarcerated persons could be used as a time for reflection but today this method is heavily criticized. Solitary confinement can have a traumatic impact on the incarcerated person who is denied contact with other inmates and with their families while they are kept in a small cell. The use of the solitary confinement as punishment could be described as a form of modern torture in the modern prison system.

Another example of a reform is in the architecture of the prisons which its creator believed would be useful for the incarcerated persons. It is the panopticon form of the prison invented by Jeremy Bentham, a British philosopher.



**Figure 4:** “A general idea of penitentiary panopticon” by Jeremy Bentham (Bentham, *The Works of Jeremy Bentham*, volume 4)

As we can see on the picture, the architecture of the panopticon prison is in a circle with a tower in the middle, where a guard is positioned and has a whole view on the incarcerated people in their cells, and cells around. Bentham’s idea with this architectural form of the prison aims at achieving self-discipline through self-reflection from the incarcerated people. Michel Foucault, who devotes a whole chapter on panopticism in his book, that we introduced before, *Discipline and Punish: The Birth of Prisons* describes the situation that the incarcerated people encounter:

Celui qui est soumis à un champ de visibilité, et qui le sait, reprend à son compte les contraintes du pouvoir; il les fait jouer spontanément sur lui-même; il inscrit en soi le rapport de pouvoir dans lequel il joue simultanément les deux rôles; il devient le principe de son propre assujettissement. (Foucault, 236)

Through the architectural form of the panopticon, the incarcerated people are supposed to have good behavior (due to the possibility that they are observed by guards). This good behavior is aimed through self-reflection on what they have done and what they could do if they were not kept under close watch, and it leads to self-discipline as we said above. Through this surveillance, the incarcerated person is said to gain responsibility and morality. They have to always have good behavior in case they might be seen, whether by a prison guard and anyone else. Through this self-reflection, Bentham hopes that it would lead to a rehabilitation of the incarcerated persons.

This method of surveillance and of discipline which was invented in the 18th century is interesting for its longevity even in today’s society. As we have seen above, the surveillance established through the War on Drugs has expanded itself beyond the law enforcement and is now conducted by people from our daily lives such as “physicians, nurses, teachers,

neighbors, social workers, employers, landlords and others” (Cohen et al.) as we have seen with the article “How the War on Drugs impacts social determinants of health beyond the criminal legal system”. This is also what Michel Foucault has described in his chapter on panopticism in his book *Discipline and Punish: The Birth of Prisons* that we introduced earlier, as surveillance and the panoptical form of the prison have become a daily instance even outside of the prison walls:

Un assujettissement réel naît d’une relation fictive. De sorte qu’il n’est pas nécessaire d’avoir recours à des moyens de force pour contraindre le condamné à la bonne conduite, le fou au calme, l’ouvrier au travail, l’écolier à l’application, le malade à l’observation des ordonnances. Bentham s’émerveillait que les institutions panoptiques puissent être si légères: plus de grilles, plus de chaînes, plus de serrures pesantes; il suffit que les séparations soient nettes et les ouvertures bien disposées. (Foucault, 236)

Foucault succeeds in his book at showing how discipline, as well as the architectural form of the panopticon, knows no border and has been achieved in different institutions in yesterday’s and today’s society. The panopticon form of the prison which aimed at discipline and was thought for the prison system has emancipated itself from this same system in which it was given birth to become what could be an architecture of the United States society<sup>25</sup> as a whole. Based on discipline and a quest for morality through the fear of being watched, the panopticon form has extended its reach towards people who have never been incarcerated, nor convicted through a fear of being punished (either with being convicted and/or incarcerated). The fear of being watched, and maybe being caught while one is doing something that is deemed criminal and/or illegal, is enough for one to stop their actions from happening. Especially in the country of the United States as we can see that a conviction and an incarceration means that the citizen will be impacted for their whole life afterwards and will become a pariah of the United States society as a whole.

Past methods of torture and current methods of punishment lead reformists to think about ways in which the prison system can be changed in order to allow incarcerated persons to have better living conditions as well as implement solutions to lead incarcerated people towards a rehabilitation while they are behind bars.

One historical example that led to questionings surrounding a possible reform of the prison system is the uprising that occurred at the Attica Correctional Facility in the State of New-York. Although there had already been riots and takeovers of correctional facilities, the

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<sup>25</sup> And it surely does not solely apply to the United States society but other societies as well but the main focus of our thesis is the country of the United States

uprising at the Attica prison represented an unprecedented event in United States history. Lasting from September 9 to September 13 of 1971, the uprising was organized by inmates who seized control of the facility and took prison staff hostage to draw attention to their living conditions and ask for improvements. The incarcerated persons during the riot made a list of demands and negotiated with New York State's new commissioner of correctional services Russell Oswald. The demands focalized on obtaining better living conditions such as: access to basic necessities (more toilet paper<sup>26</sup>, toothbrushes and daily showers), more visiting hours, better medical treatment, religious freedom, a higher wage for jobs as well as access to education.

Before the uprising, a program giving the incarcerated persons the possibility to rehabilitate themselves after their time behind bars was launched in the Attica Correctional Facility and was called the Attica's Division of Vocational Rehabilitation (DVR). The program which was created, at first, for the rehabilitation of physically disabled inmates included activities such as

extensive psychological and group counseling, a monthly newspaper, a token economy system that immediately rewarded inmates for good work, and, perhaps most important, continuing services for prisoners after parole or release (Benjamin and Rappaport, 202)

But due to its cost, the program was restricted to 4 percent of the inmate population, leaving the rest of the incarcerated persons without access to a rehabilitation program that would help them during and after their time of incarceration when they were to leave the facility.

What is surprising in the lack of funding towards giving incarcerated persons education is that the prison is supposed to be a place where incarcerated people need to rehabilitate themselves but if we do not give them the keys (such as better living conditions and education), they are not going to be able to properly rehabilitate themselves. When Congress passed the 1994 Crime Bill which we saw earlier, it implemented the intensification of law enforcement officers, the launch of the "three strikes" law as well as the death penalty for more offenses but it also cut the Pell Grants for incarcerated people which is a "federal funding many low-income students depend on to pursue a college degree" (Chew, "The Rise and Fall of Prison Education"). A demand that had been accepted after the Attica Correctional Facility riot and led to the enrollment of thousands of incarcerated people in college-prison programs was slashed down less than two decades afterwards in a government's hope to be "tougher on crime".

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<sup>26</sup> Before the uprising started, the prisoners were given only one roll of toilet paper per month.

If there is a disparity in the percentage of Black men in their formative ages (as we have seen above, 8,5% of Black men are behind bars between 18 to 24 years old) who have no access to college education since they are incarcerated and who continue to have no college education if they desire it because the college-prison programs have been forbidden for them then it leaves Black men and Black people with no educational programs that they can benefit from. And if they can not benefit from college programs while they are being incarcerated, they do not have the opportunity to learn and rehabilitate themselves. Mumia Abu-Jamal wrote in his book *Live From Death Row*, which we introduced earlier:

What societal interest is served by prisoners who remain illiterate? What social benefit is there in ignorance? How are people corrected while imprisoned if their education is outlawed? Who profits (other than the prison establishment itself) from stupid prisoners? (Abu-Jamal, 54)

Not allowing incarcerated people to pursue a college education and to acquire better education for themselves and for their rehabilitation completely shows how it does not make sense to place people in prison and expect them to rehabilitate themselves without giving them the keys to do so. If we look at the prison system as a system where people are punished and locked up behind bars but also a system where incarcerated people are supposed to learn and rehabilitate themselves to re-enter society then we are completely mistaken since the prison system does not seem to aspire to rehabilitate the people it punishes through bad living conditions and lack of educational opportunities.

The uprising that happened in the Attica Correctional Facility showed the United States and its citizens how the prison system needed to be reformed towards a system where incarcerated people could have better living conditions during their times behind bars.

As we have seen above, the ideas of the people who advocate for prison reform have taken a lot of shapes and forms over the centuries. What was once described as a reform is now described as torture if we look at the example of John Howard, who was a prison reformist and who still advocated for solitary confinement as a solution for rehabilitation. Nowadays, the opinion towards solitary confinement is the opposite of John Howard's advocacy. But nonetheless, the ideas surrounding prison reform have the same aim: giving the incarcerated persons better living conditions and the ability for them to rehabilitate themselves.

Throughout the reforms that prison reformists are aiming for, we can also believe that the prison reform movement can draw a bridge between a society with a prison system and a

society without prisons. Through reforms, it can lead incarcerated persons to have better living conditions and better rehabilitation programs while they are behind bars while still working towards a society where the prison system would have been abolished.

### Or should the prison system be abolished?

It is important to mention that the movement for the abolition of the prison system, as well as other justice-related systems (such as the police), might have begun with the activism of Black people. Black activists have challenged the current system for the past decades, for the past centuries even, and through their activism they have identified certain institutions as being oppressive towards them and other communities of color: the prison system is no exception as we have seen above. As the prison system disproportionately harms the Black community, it is no wonder as to why activists from the Black community have questioned it and started to imagine alternatives for this system.

The opposition towards the War on Drugs which incarcerated thousands of people from different communities, but especially communities of color, sparked the rise of an activist movement advocating against mass incarceration and, more largely, the prison system through the questioning of the hidden racism behind the War on Drugs.

One organization questioning and advocating against the prison system is the organization Critical Resistance<sup>27</sup> created in 1997 by Angela Davis, Ruth Wilson Gilmore and Rose Braz. Primarily located in the United States, this organization seeks to “[challenge] the idea that imprisonment and policing are a solution for social, political, and economic problems” (Critical Resistance, “History”). As we have seen above, during the War on Drugs, imprisoning people who use drugs and/or who suffer from drug addictions has been the solution that the different governments have chosen. But this decision can and should be questioned if we take into account the real reasons that might lead people to fall into drug addictions.

For nearly three decades, the organization has made it its aim to schedule conferences all over the United States to share the ideas behind Critical Resistance as well as organizing locally in the country to develop projects in the country to oppose, and furthermore trying to dismantle and eliminate, what they call the “prison industrial complex”. This term was coined by Angela Davis, a former member of the Black Panther Party, a writer, a professor as well as

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<sup>27</sup> You can find the link to the organization website here: <https://criticalresistance.org>.

one of the founders of Critical Resistance in a 1998 essay entitled “Masked Racism: Reflections on the Prison Industrial Complex”. This term, which resonates with the term military-industrial complex<sup>28</sup>, can be defined by “the overlapping interests of government and industry that use surveillance, policing, and imprisonment as solutions to economic, social and political problems” (Critical Resistance, “What is the PIC? What is abolition?”). As we have seen above, the United States prison system has been used as a solution to replace radical changes that would help citizens in need. Imprisonment has become the solution to socio-economic problems such as poverty (unemployment, drug addictions, bad living conditions, mental illness, ...). Instead of allocating funds that would create a radical change and help citizens who are living in poverty, United States governments have decided to criminalize and imprison people from poor communities and people from communities of color. Imprisoning people from these communities creates a false sense of safety for the citizens who have been impacted by the multiple representations of “criminality” over the years (which, as we have seen above, is most of the time false representation fuelled by racism). But imprisoning people who live in bad conditions, placing them behind prison walls, does not address the roots of many socio-economic issues that they suffer from: it only hides it and relocates it. Funds that are allocated towards prison and sometimes private prisons (which profit off the imprisonment of thousands of incarcerated persons) could have been available for social programs that would benefit the whole country (in the domains of education, of healthcare, of housing, of drug programs, ...).

People who are a part of the prison abolition movement actively criticize the prison system that they deem oppressive towards communities of color but they also deem it as a system that does not provide what the citizens actually need. They argue that more draconian law enforcement is not the solution that a majority of United States citizens and United States politicians think it is. They advocate for a system that would deal with socio-economic problems, and try to heal them eventually, rather than a system where the solution is imprisonment. This is the idea of a system where there is transformative justice.

The decade of the 2010s saw the beginning of a national movement that sparked international conversations: the Black Lives Matter movement<sup>29</sup> which is described by one of the founders as “an ideological and political intervention in a world where Black lives are systematically and intentionally targeted for demise” (Garza, “A Herstory of the

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<sup>28</sup> The term “military industrial complex” was used for the first time by the former U.S. President Dwight Eisenhower in January 1961. The Cambridge Dictionary defines it as “the armed forces and the industries that supply them, considered as a strong influence on government decisions and actions”.

<sup>29</sup> You can find the official website of the Black Lives Matter movement here: <https://blacklivesmatter.com>.

#BlackLivesMatter Movement”, The Feminist Wire). Used as #BlackLivesMatter on different social media platforms, this movement highlighted from its start the work and the changes that needed to be made on a systemic scale and it also built a platform for different abolitionist movements such as the police abolition movement or the prison abolition movement as we are discussing. Created by three Black women: Alicia Garza, Patrisse Cullors and Opal Tomeli in 2013, it followed the acquittal of George Zimmerman, a white American man, who shot and murdered Trayvon Martin, a 17-year-old African American student. This movement protests against police brutality and systemic racism and has grown nationally, then internationally, over the years.

In an article from the Progressive Magazine entitled “One question: How have the Black Lives Matter protests impacted the prison abolition movement?”, K. Agbebiyi who is an organizer and a social worker has witnessed that the protesters “have [...] plugged more people into the movement for prison abolition” (qtd. “One question: How have the Black Lives Matter protests impacted the prison abolition movement?”, The Progressive Magazine) through local efforts and political education surrounding the subject. This answer constitutes an obvious link between the Black Lives Matter movement which advocates against police brutality and systemic racism in general and the prison abolition movement which also advocates against racism in a specific institution, which is the prison system, undeniably reflecting the systemic racism of the whole society.

Despite the fact that the beginning of the 2010s decade was the time where Barack Obama was elected and became the first Black president of the United States, the Black Lives Matter movement highlighted that work still had to be done in this country. Electing a Black man in the presidential office signified for some people the end of racism in the United States, and an article from Forbes entitled “Racism in America is Over” even stated that they believed the United States had entered a period of “past racism against Black people” (McWhorther, “Racism in America is Over”). But the hope and the optimism surrounding Barack Obama’s first election in November 2008 started to shatter when police brutality and the murder of Black people committed by law enforcement officers continued during his two terms. As protests erupted to oppose and denounce these events, everything is telling us that electing a Black man as the new President of the United States is not enough in order to eradicate racism (against Black people) in the country.

Ruth Wilson Gilmore, a geographer and a former professor as well as one of the founders of the organization Critical Resistance, once said “Abolition requires that we change one thing: everything”. This sentence is important for the understanding of the prison

abolition movement as it highlights that abolishing the prison system as we know it today calls for a radical change in our society, a remodeling of the society as we know it today.

As opposed to law enforcement and imprisonment which happen after the crime has been committed, prison abolitionists seek to build a system where crimes would be prevented since most of the social and economic problems that lead people towards crime would be already dealt with.

But several questions subsist in regards to prison abolition. What do we replace the prison system with? How can one build a society, a system where prison would not be needed anymore? Since we live in a system where prisons are seen as the only solution to prevent crimes, this question can arise quickly. It is important to remember that there could not be a single alternative to the prison system, there is a need for “a constellation of alternative strategies and institutions” (Davis, ch. 6) which all have the same aim: the removal of the prison system from our society.

One alternative that seems important, especially surrounding the subject of the thesis, is to decriminalize drugs and drug use in general. The point of decriminalizing drugs is to no longer have penalties for the people who are arrested with drug possessions or for drug use. If drugs are no longer criminalized then the people who are using them or the people who are addicted to a drug in particular are no longer seen as a criminal which leaves room for giving them help if they want to heal from their addictions. This shift goes from criminalization towards active treatment for the addicts, and more if further decisions are taken, as well as radical changes made. In 2021, the State of Oregon was the first State in the United States to pass Measure 110 which is a measure of decriminalization of hard drugs such as LSD, cocaine, and heroin. What is interesting in this Measure is that it decriminalizes drugs that were categorized as schedule I drugs at the beginning of Nixon’s “War on Drugs” when Congress decided to pass the Comprehensive Drug Abuse Prevention and Control Act. Although people who are found in possession of these drugs can still be given a fine, they can decide to replace the fine with a call with a recovery hotline.

By suppressing drug convictions, it is important to mention that people who are in possession of drugs do not risk being impacted their whole life for a drug conviction as we have seen before. People who are arrested for drug possession do not risk losing their welfare support, their jobs or anything that allows them to live and help them live in their daily lives. A year after the measure was implemented, 70 organizations in Oregon counties have received fundings whether it is treatment fundings, the opportunity to see specialists, drug education, and so on (“Drug Decriminalization in Oregon, One Year Later”). The decision

from the State of Oregon has also influenced other States to introduce bills and/or campaigns aiming at decriminalizing drugs and allowing access to healthcare services for the people who wish to use them. The decision to decriminalize drugs has an impact on the people who use drugs and the people who are addicted because they are no longer seen as “enemies”, which was a term that was used in multiple presidential speeches and which highly affects people who suffer from drug addictions. Instead, decriminalization allows the local, State and federal government to find other solutions that would help people who need help for their drug use or their drug addictions.

Another line of thought that is associated with the abolition of the prison system is to see it as a system that is used to dominating other people and, in particular, certain communities. As we have seen over the pages, the prison system has disproportionately impacted and harmed the Black community over the years. Mass incarceration within the prison system is even defined as a new racial caste system by the author Michelle Alexander as we have seen above. And although it is easier said than done, one of the alternatives to the prison system is to totally rethink the society that we exist in as a whole.

If we argue that the prison system is inherently racist and is just the product of the system we live in, which is a system that has been created over the centuries to have a social hierarchy where certain groups and certain communities are considered as “inferior” to others. In short, a system of domination through racism, sexism and classism. As we have seen over the pages, the War on Drugs has shown us over the years that its real intention was not to treat and help the people who suffer from drug addictions but it was disguised in this way to cover the real intentions which were racist intentions. Through this War on Drugs, the Black community continued to be represented as threats and criminals which led law enforcement officers to justify the arrests, the convictions as well as the incarcerations of thousands of members of the Black community. The link of race with punishment and incarceration created over the decades has allowed the prison system to become an oppressive system which stigmatizes an entire community, locks them away from their families and their communities as well as removes them from the entire society from the moment they are convicted and incarcerated. And unless the issue is addressed, the prison system will continue to incarcerate disproportionately members of communities of color and impact them throughout their whole lives.

It can also be argued that the prison system is oppressive against women if we insist that the prison system reflects the system that we are currently living in, which is as we said above a system that is also sexist and patriarchal. This can be seen both inside the prison walls

and outside the prison walls. One of the examples of the oppression that women suffer from inside the prison walls is the strip-and-search phase. About this phase, Assata Shakur dedicates a few paragraphs to talk about it in her autobiography *Assata: An Autobiography* in which she talks about her activism and her incarceration until her escape from the prison walls. Unable to escape the strip-and-search since if they refuse, they are placed “*in the hole*” (Shakur, 83) which is a solitary confinement cell until they agree and consent to being searched. Through the next lines, and it is important to mention that it can be triggering for some people, Assata Shakur describes a scene where she is stripped and searched, against her will:

I thought about refusing, but I sure as hell didn't want to be in the hole. I had had enough of solitary. The ‘internal search’ was as humiliating and disgusting as it sounded. You sit on the edge of this table and the nurse holds your legs open and sticks a finger in your vagina and moves it around. She has a plastic glove on. Some of them try to put one finger in your vagina and another up your rectum at the same time. (Shakur, 83/84)

This phase is something that all the women who are admitted have to go through if they do not want to end up in solitary confinement. Threatened, they are searched and their wishes as well as their humanness are completely taken away from them. Incarcerated women are traumatized as soon as they enter the prison walls, the prison system and the same system is hoping that they will get rehabilitated to re-enter society properly after dehumanizing them.

The prison system also leaves the women who are outside of the prison walls traumatized. As we have seen above, Black men are most likely to enter the prison system in their lives and they can leave behind them, while they are doing their incarceration time, a partner, a wife and sometimes child(ren). This leaves the incarcerated men traumatized from their experience but it also can traumatize the women who are outside since they have to economically support themselves and their families, morally support their partners and their child(ren) if they do have any. It increases a mental load that can be already present in a woman's life.

If we think back to the quote from Ruth Wilson Gilmore which was “Abolition requires that we change one thing: everything”, now it can be easily understood that in order to properly move from a society that “needs” prison to a society that would not longer need any prison system, there is a major societal and radical change that needs to be ongoing.

Especially if we argue that the system that we are currently living in<sup>30</sup> needs to be completely abolished and changed.

Prison abolition can also be achieved through the rethinking of the justice system. Earlier we talked a little about transformative justice. A transformative justice system “believes in fundamentally changing the larger structures that causes crimes in the first place” (qtd. “What if Prisons Were Abolished?”) as it is defined by the Center for Justice and Reconciliation. Gwenola Ricordeau in her book *Pour Elles Toutes: Femmes Contre La Prison* describes transformative justice through 4 aspects:

- 1) Le soutien à la personne survivante, sa sécurité et son autodétermination ;
- 2) La responsabilité de l’agresseur et son changement ;
- 3) Les changements communautaires en faveur de valeurs et de pratiques non oppressives et non violentes ;
- 4) Les changements politiques et structurels des conditions qui permettent au préjudice de se produire. (Ricordeau, 190)

As we have seen through the thesis, the people who suffer from drug addictions often suffer from it due to their socio-economic environment. Often living in bad living conditions and affected by poverty and unemployment, they use drugs as a way to escape. And the access to drugs at a cheaper price, such as crack cocaine during the decade of the eighties, permitted poor people to access it more easily. All of this means that convicting and incarcerating people who deal with drug addictions behind prison walls will not resolve the problems that they live in. One thing that seems important, and that Gwenola Ricordeau stated in her book, is about the second aspect of transformative justice. In order for transformative justice to work efficiently, the person who committed the crime has to accept the responsibility of the crime and decide to change. Depending on the crime that they have committed, we can assume that the aspects Gwenola Ricordeau mentioned above could include crimes that could be linked with sexual assault and/or rape<sup>31</sup>, and that some people who committed the crime would be reluctant to accept the responsibility and accept that they need to change.

They can get rehabilitated during their time in incarceration but when they are released from their incarceration, they are often met with other walls that the society has placed for formerly incarcerated people: little to no access to welfare support, unemployment, no

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<sup>30</sup> As we have seen over the pages, it is a system built on racism, sexism, classism and homophobia which establishes a domination of certain communities, and a social hierarchy placing certain groups as “inferior” to others

<sup>31</sup> Although the aspects of transformative justice can be applied to most of the crimes, it is important to mention it. Transformative justice can not happen if the person who committed the crime does not want to take accountability for what they have done.

housing solutions as we have seen above. This erasure from society does not help them and it can only lead them to return to the situation they were previously in, before entering the prison system (which could also lead them to being convicted again and incarcerated again, leaving them in a vicious circle from which there is no escape).

Through transformative justice, especially in the context of our thesis, this justice system would actively seek to help the people who suffer from drug addictions. Governments who decide to pursue a transformative justice system could allocate more funds towards treatment, health care system, mental health care systems, living wages, so on and so forth as a way to have a radical change in the society through the allocation of more funds towards welfare. A transformative justice system seeks to intervene before a crime can be committed, through a radical healing of the social and economic roots of a crime.

## Conclusion

The War on Drugs has proven itself to be a total failure. Since its genesis in the seventies, its aim, or at least what was said to be its aim, still has not been achieved because the governments have decided to criminalize drug use and drug addictions rather than properly giving the people who suffer from drug addiction the help they want and they need. Launched at the beginning of Richard Nixon's presidency, this war has impacted the prison system since it has incarcerated thousands of United States citizens. It seems important to remember that the prison population at the beginning of the War on Drugs was at around 196,429 incarcerated people (The Sentencing Project, "Growth in Mass Incarceration") and it reached over around 1 million of incarcerated people in 1994 (The Sentencing Project). The increase of the United States prison population was unprecedented.

Instead of helping to treat people who suffer from drug addictions, the War on Drugs has criminalized drug users and drug addicts, has continued to criminalize Black people and represent them in the media and through allocutions as people who are "threats" and "criminals", has caused the massive incarceration of the Black community, and separated and destroyed entire families and communities. It has also caused the exclusion of formerly incarcerated people from the United States society by not giving them the proper keys to help them rehabilitate as we have seen above with the lack of resources towards the formerly incarcerated that would lead them to reintegrate society after their time of incarceration and reintegrate their communities.

Communities of color, the Black community for example since it is the subject of this thesis, have been massively impacted and disproportionately harmed by the War on Drugs. This mass incarceration of the Black community led to a questioning of the intentions behind this so-called War that could be described as racist due to its impact. From media representation to impact after incarceration, the Black community is harmed by the War on Drugs who have painted them as "threats" and as "criminals" over the decades. The impact after their incarceration can also be questioned since they are excluded from the United States society as a whole: through the lack of welfare support, the lack of being able to re-enter society<sup>32</sup> or even the lack of civic rights<sup>33</sup>. This War and the mass incarceration that subsists

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<sup>32</sup> This is, as we have seen above, through the lack of job opportunities or housing opportunities. These often require, on the application, the formerly incarcerated person to mention if they are categorized as "felons" and it can lead to a refusal from either jobs or the housing system.

<sup>33</sup> As we have seen above, the lack of civic rights comes from disenfranchisement which forbids incarcerated people and/or formerly incarcerated people from voting.

has led many people and organizations to actively question the prison system since it has been identified as a system of oppression towards certain communities.

It seems evident that the prison system has to be rethought in light of the ongoing mass incarceration in the United States. Used as a solution against crimes and criminality, it can be argued that the carceral system in the U.S. does not do the job that it is supposed to do.

It fails at rehabilitating the person it incarcerates whether it is within the prison walls, through the bad living conditions, the prison labor that does not offer the incarcerated people a proper living wage or the lack of educational opportunities; and it also fails after their incarceration as we have seen above through the lack of support when a formerly incarcerated person is released from the prison walls. The lack of support after the incarceration of people completely exclude them from the United States society. Although they have done their time behind the prison walls, they are no longer accepted in the society even though they “paid the price” for their crimes. The prison system fails at helping formerly incarcerated people to re-enter the United States society and to help them move on from their time in incarceration. The questions that Mumia Abu-Jamal wrote in his book *Live From Death Row* surrounding the questioning of leaving incarcerated people with no resources to educate themselves<sup>34</sup> can be applied to a lot of the rehabilitative help that should be given to incarcerated and formerly incarcerated people who are left behind and are not given the help and the resources that they need to rehabilitate themselves.

The ‘War on Drugs’ and mass incarceration has thus been identified as a system of oppression against communities of color since it disproportionately impacts them and incarcerates them as we have seen above. Moreover, as we have seen through this thesis, the prison system continues to impact the communities of color even after their incarceration. Considered as pariahs of the United States society even after they have done their time behind the prison walls, formerly incarcerated people can often fall back into poverty and bad living conditions since, as we have said above, they are not given the right to rehabilitate themselves.

Communities of color, and the Black community specifically since it is the subject of our thesis, are massively harmed with the War on Drugs and the prison system (which they have a high percentage of entering during their lifetime). Described as the new Jim Crow by the author Michelle Alexander, the War on Drugs and the mass incarceration that happened during this time shows us that there is a need for systemic change. Humans being broken, families and communities being separated, the prison system that lock away people from their

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<sup>34</sup> The questions raised by Mumia Abu-Jamal can be found in the sub-part on the prison reform movement.

freedom during and after their incarceration are all oppressive towards the Black community for reasons that have been stated throughout this thesis.

As the 2000s and the 2010s unrolled, the United States saw the election of its first Black president: Barack Obama. Alongside his election, hope and optimism also rose since, as we have seen before, people who voted for him thought that his election would move the United States towards a post-racist<sup>35</sup> United States. But as we have seen above with the beginning of the Black Lives Matter protests during the decade of the 2010s and the continuation of the War on Drugs, despite the election of a Black man as a president, the United States did not move to a post-racist era.

In 2010, the Congress passed the Fair Sentencing Act, the FSA, which was then signed by president Barack Obama. This act reduced the ratio of 100:1, that was established in 1986 under the president Ronald Reagan, to 18:1. The law signed by Ronald Reagan has shown, over the years, that it impacts mostly the Black community and the low-income community. At first, the Fair Sentencing Act was supposed to completely remove the ratio that was established in the Anti-Drug Abuse Act of 1986 but due to a compromise between the Republican party and the Democratic party, the ratio was only reduced to 18:1. This ratio means that 28 grams of crack cocaine, as opposed to 5 grams of cocaine before, will trigger a five-year mandatory minimum sentence while 500 grams of powder cocaine triggers the same sentence.

As we have seen, the ratio of 100:1 established under Ronald Reagan disproportionately impacted poor and low-income communities and communities of color (such as the African American community) who were largely using and were sometimes addicted to crack cocaine, because it was sold at a cheaper price than powder cocaine. Although there were some explanations towards this ratio, such as that crack cocaine might be more dangerous than powder cocaine, this has since been debunked and the ratio no longer needed to be put in place since it had no longer any justification supporting it.

The Fair Sentencing Act of 2010 has the option to be applied retroactively to the people who are still incarcerated, meaning that people who have been incarcerated for crack cocaine drug offenses will have the opportunity to have their sentence reviewed (and maybe reduced). But if the aim of the enabled act, the Fair Sentencing Act, was to remove the

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<sup>35</sup> It is important to mention that the so-called post-racism era that was supposed to happen with the election of the Democrat candidate Barack Obama only meant a post-racism era against African American and the Black community. Although it has been proven over the following years after that this era was nowhere to be seen, it is still worth mentioning that with the many communities of color that live in the United-States, a post-racism era is definitely not happening soon.

disparity between the grams of crack cocaine or powder cocaine that triggered the same sentence then there should not have been a compromise between the two parties. Even if the ratio is 18:1, it can and it will still impact poor communities as well as communities of color who have an easier access to crack cocaine. Since it has been scientifically proven that crack cocaine is no more dangerous than powder cocaine, it means that the ratio is not required and should be non-existent. Furthermore, we should not rely on legislation and on laws to solve drug addictions since we have seen over the years that it has completely failed and since it is not a solution. It is certainly not the solution that governments think it is. If we want to move to a society which aims at reducing drug addictions, there needs to be radical changes that are not addressed in draconian laws. Not that the War on Drugs was originally aimed at reducing drug addictions by the way. But if the aim is to reduce drug addictions, then the focus should be on helping people who suffer from drug addictions and who seek help: through treatment but also, as we have said before, through radical change in their daily lives (bettering their living conditions in every domain for example). Even if the Fair Sentencing Act of 2010 might have been seen as an aim to see a change in policy and in legislation, we can decipher that it probably will not change anything since the change does not only need to happen in the legislation.

As we have seen above within the last part of the thesis, drugs are becoming decriminalized in the United States. Oregon has implemented a measure which decriminalized the possession of small amounts of drugs that were, before, categorized as schedule I drugs under the Controlled Substance Act introduced during Richard Nixon's presidency. Several States are also decriminalizing marijuana, and sometimes legalizing it, but as drugs are becoming decriminalized and/or legalized, it seems important to remember that people have been incarcerated or are still incarcerated for drug offense crimes in the United States. For example, the criminalization of marijuana, which was established as a schedule I in the Controlled Substance Act, has impacted a lot of drug users and a lot of people who suffer from drug addiction who were convicted of possessing it. As we have seen above, when a person has a conviction for something it can impact them for their whole lives since it is written in their criminal records: they sometimes can not have a job, they can lose access to welfare support, they can lose access to housing if their criminal records are required/asked for. But if marijuana and other drugs are starting to become decriminalized, it is unfair towards the people who were convicted for drug offense who want to have their criminal records cleaned out or even the people who are or were incarcerated for drug offenses who

want some reparation after spending years in prison for something that has since been decriminalized.

The War on Drugs, or rather its failure, has reflected over the years deeper problems that are within the United States as a whole: the refusal to properly help people who are living in bad socio-economic conditions and racism. Poor, low-income communities as well as communities of color have been criminalized over the years under the different presidential decisions that continued the War on Drugs.

As we have said above, if the governments sought to properly address drug abuse, which they have not since it was not their primary intention, they would find other solutions that would actually properly address drug abuse and help people who suffer from drug addiction. The prison system has been used as a “solution” for the different governments to shift their focus towards something that they might think is the solution but is actually not. They have used the War on Drugs as a way to lock down people from poorer communities and people from communities of color. But the real solutions are something that lies in questioning the “Why?” behind crimes, it is in addressing and focalizing the attention on the roots that sometimes lead people to commit crimes. This is one of the objectives of a society where a transformative justice system is established. Unless the “Why?” behind the crimes will be addressed, then the governments will continue to make decisions that are not actually helping and addressing the issues that they want to fix.

It also seems important to mention that since drugs and drug abuse were not the first intentions of the different governments with the War on Drugs, despite the name of this so-called war, then racism was their first motive behind this war (and we can also think of classism as another intention behind this war). This is in fact something that we have found to be more and more true as the decades went on, especially with the terms of Ronald Reagan. All of this clearly demonstrates how and why the War on Drugs has been a massive failure over the decades and it seems crucial that in order for this war to end then major decisions addressing its primary intentions have to be made. The United States will probably not move past the War on Drugs unless it talks about the real intentions and the real roots of this war which is racism and classism (since it is a war that has also massively impacted poor and low-income communities). Only after the real intentions have been addressed will the country be able to move past a decades long war and endless billions of dollars from taxpayers wasted on a war that is still being waged.

The ongoing War on Drugs has shown us that criminalisation does not effectively work at helping people who have drug addictions; what helps instead is a radical change and a

radical shift in the governments' decision on where to allocate taxpayers' money. The billions of dollars that are allocated every year to the War on Drugs could be used differently if they were allocated towards domains that could actively help the people who deal with drug addiction (since, as we have seen above, they are often people who are living in bad living conditions, do not have the economic resources, and so on and so forth, which leads them to fall into drugs and drug addiction).

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## Richard Nixon's "Special Message to the Congress on Drug Abuse Prevention and Control"

"To the Congress of the United States:

In New York City more people between the ages of fifteen and thirty-five years die as a result of narcotics than from any other single cause.

In 1960, less than 200 narcotic deaths were recorded in New York City. In 1970, the figure had risen to over 1,000. These statistics do not reflect a problem indigenous to New York City. Although New York is the one major city in the Nation which has kept good statistics on drug addiction, the problem is national and international. We are moving to deal with it on both levels.

As part of this administration's ongoing efforts to stem the tide of drug abuse which has swept America in the last decade, we submitted legislation in July of 1969 for a comprehensive reform of Federal drug enforcement laws. Fifteen months later, in October, 1970, the Congress passed this vitally-needed legislation, and it is now producing excellent results. Nevertheless, in the fifteen months between the submission of that legislation and its passage, much valuable time was lost.

We must now candidly recognize that the deliberate procedures embodied in present efforts to control drug abuse are not sufficient in themselves. The problem has assumed the dimensions of a national emergency. I intend to take every step necessary to deal with this emergency, including asking the Congress for an amendment to my 1972 budget to provide an additional \$155 million to carry out these steps. This will provide a total of \$371 million for programs to control drug abuse in America.

### A NEW APPROACH TO REHABILITATION

While experience thus far indicates that the enforcement provisions of the Comprehensive Drug Abuse Prevention and Control Act of 1970 are effective, they are not sufficient in themselves to eliminate drug abuse. Enforcement must be coupled with a rational approach to

the reclamation of the drug user himself. The laws of supply and demand function in the illegal drug business as in any other. We are taking steps under the Comprehensive Drug Act to deal with the supply side of the equation and I am recommending additional steps to be taken now. But we must also deal with demand. We must rehabilitate the drug user if we are to eliminate drug abuse and all the antisocial activities that flow from drug abuse.

Narcotic addiction is a major contributor to crime. The cost of supplying a narcotic habit can run from \$30 a day to \$100 a day. This is \$210 to \$700 a week, or \$10,000 a year to over \$36,000 a year. Untreated narcotic addicts do not ordinarily hold jobs. Instead, they often turn to shoplifting, mugging, burglary, armed robbery, and so on. They also support themselves by starting other people--young people--on drugs. The financial costs of addiction are more than \$2 billion every year, but these costs can at least be measured. The human costs cannot. American society should not be required to bear either cost.

Despite the fact that drug addiction destroys lives, destroys families, and destroys communities, we are still not moving fast enough to meet the problem in an effective way. Our efforts are strained through the Federal bureaucracy. Of those we can reach at all under the present Federal system--and the number is relatively small--of those we try to help and who want help, we cure only a tragically small percentage.

Despite the magnitude of the problem, despite our very limited success in meeting it, and despite the common recognition of both circumstances, we nevertheless have thus far failed to develop a concerted effort to find a better solution to this increasingly grave threat. At present, there are nine Federal agencies involved in one fashion or another with the problem of drug addiction. There are anti-drug abuse efforts in Federal programs ranging from vocational rehabilitation to highway safety. In this manner our efforts have been fragmented through competing priorities, lack of communication, multiple authority, and limited and dispersed resources. The magnitude and the severity of the present threat will no longer permit this piecemeal and bureaucratically-dispersed effort at drug control. If we cannot destroy the drug menace in America, then it will surely in time destroy us. I am not prepared to accept this alternative.

Therefore, I am transmitting legislation to the Congress to consolidate at the highest level a full-scale attack on the problem of drug abuse in America. I am proposing the appropriation

of additional funds to meet the cost of rehabilitating drug users, and I will ask for additional funds to increase our enforcement efforts to further tighten the noose around the necks of drug peddlers, and thereby loosen the noose around the necks of drug users.

At the same time I am proposing additional steps to strike at the "supply" side of the drug equation--to halt the drug traffic by striking at the illegal producers of drugs, the growing of those plants from which drugs are derived, and trafficking in these drugs beyond our borders.

America has the largest number of heroin addicts of any nation in the world. And yet, America does not grow opium--of which heroin is a derivative--nor does it manufacture heroin, which is a laboratory process carried out abroad. This deadly poison in the American life stream is, in other words, a foreign import. In the last year, heroin seizures by Federal agencies surpassed the total seized in the previous ten years. Nevertheless, it is estimated that we are stopping less than 20 percent of the drugs aimed at this Nation. No serious attack on our national drug problem can ignore the international implications of such an effort, nor can the domestic effort succeed without attacking the problem on an international plane. I intend to do that.

#### A COORDINATED FEDERAL RESPONSE

Not very long ago, it was possible for Americans to persuade themselves, with some justification, that narcotic addiction was a class problem. Whether or not this was an accurate picture is irrelevant today, because now the problem is universal. But despite the increasing dimensions of the problem, and despite increasing consciousness of the problem, we have made little headway in understanding what is involved in drug abuse or how to deal with it.

The very nature of the drug abuse problem has meant that its extent and seriousness have been shrouded in secrecy, not only by the criminal elements who profit from drug use, but by the drug users themselves--the people whom society is attempting to reach and help. This fact has added immeasurably to the difficulties of medical assistance, rehabilitation, and government action to counter drug abuse, and to find basic and permanent methods to stop it. Even now, there are no precise national statistics as to the number of drug-dependent citizens in the United States, the rate at which drug abuse is increasing, or where and how this increase is taking place. Most of what we think we know is extrapolated from those few States and cities

where the dimensions of the problem have forced closer attention, including the maintenance of statistics.

A large number of Federal Government agencies are involved in efforts to fight the drug problem either with new programs or by expanding existing programs. Many of these programs are still experimental in nature. This is appropriate. The problems of drug abuse must be faced on many fronts at the same time, and we do not yet know which efforts will be most successful. But we must recognize that piecemeal efforts, even where individually successful, cannot have a major impact on the drug abuse problem unless and until they are forged together into a broader and more integrated program involving all levels of government and private effort. We need a coordinated effort if we are to move effectively against drug abuse.

The magnitude of the problem, the national and international implications of the problem, and the limited capacities of States and cities to deal with the problem all reinforce the conclusion that coordination of this effort must take place at the highest levels of the Federal Government.

Therefore, I propose the establishment of a central authority with overall responsibility for all major Federal drug abuse prevention, education, treatment, rehabilitation, training, and research programs in all Federal agencies. This authority would be known as the Special Action Office of Drug Abuse Prevention. It would be located within the Executive Office of the President and would be headed by a Director accountable to the President. Because this is an emergency response to a national problem which we intend to bring under control, the Office would be established to operate only for a period of three years from its date of enactment, and the President would have the option of extending its life for an additional two years if desirable.

This Office would provide strengthened Federal leadership in finding solutions to drug abuse problems. It would establish priorities and instill a sense of urgency in Federal and federally-supported drug abuse programs, and it would increase coordination between Federal, State, and local rehabilitation efforts.

More specifically, the Special Action Office would develop overall Federal strategy for drug abuse prevention programs, set program goals, objectives and priorities, carry out programs through other Federal agencies, develop guidance and standards for operating agencies, and evaluate performance of all programs to determine where success is being achieved. It would extend its efforts into research, prevention, training, education, treatment, rehabilitation, and the development of necessary reports, statistics, and social indicators for use by all public and private groups. It would not be directly concerned with the problems of reducing drug supply, or with the law enforcement aspects of drug abuse control.

It would concentrate on the "demand" side of the drug equation--the use and the user of drugs.

The program authority of the Director would be exercised through working agreements with other Federal agencies. In this fashion, full advantage would be taken of the skills and resources these agencies can bring to bear on solving drug abuse problems by linking them with a highly goal-oriented authority capable of functioning across departmental lines. By eliminating bureaucratic red tape, and jurisdictional disputes between agencies, the Special Action Office would do what cannot be done presently: it would mount a wholly coordinated national attack on a national problem. It would use all available resources of the Federal Government to identify the problems precisely, and it would allocate resources to attack those problems. In practice, implementing departments and agencies would be bound to meet specific terms and standards for performance. These terms and standards would be set forth under inter-agency agreement through a Program Plan defining objectives, costs, schedule, performance requirements, technical limits, and other factors essential to program success.

With the authority of the Program Plan, the Director of the Special Action Office could demand performance instead of hoping for it. Agencies would receive money based on performance and their retention of funding and program authority would depend upon periodic appraisal of their performance.

In order to meet the need for realistic central program appraisal, the Office would develop special program monitoring and evaluation capabilities so that it could realistically determine which activities and techniques were producing results. This evaluation would be tied to the planning process so that knowledge about success/failure results could guide the selection of future plans and priorities.

In addition to the inter-agency agreement and Program Plan approach described above, the Office would have direct authority to let grants or make contracts with industrial, commercial, or nonprofit organizations. This authority would be used in specific instances where there is no appropriate Federal agency prepared to undertake a program, or where for some other reason it would be faster, cheaper, or more effective to grant or contract directly.

Within the broad mission of the Special Action Office, the Director would set specific objectives for accomplishment during the first three years of Office activity. These objectives would target such areas as reduction in the overall national rate of drug addiction, reduction in drug-related deaths, reduction of drug use in schools, impact on the number of men rejected for military duty because of drug abuse, and so forth. A primary objective of the Office would be the development of a reliable set of social indicators which accurately show the nature, extent, and trends in the drug abuse problem.

These specific targets for accomplishment would act to focus the efforts of the drug abuse prevention program, not on intermediate achievements such as numbers of treatments given or educational programs conducted, but rather on ultimate "payoff" accomplishments in the reduction of the human and social costs of drug abuse. Our programs cannot be judged on the fulfillment of quotas and other bureaucratic indexes of accomplishment. They must be judged by the number of human beings who are brought out of the hell of addiction, and by the number of human beings who are dissuaded from entering that hell.

I urge the Congress to give this proposal the highest priority, and I trust it will do so. Nevertheless, due to the need for immediate action, I am issuing today, June 17, an Executive Order [11599] establishing within the Executive Office of the President a Special Action Office for Drug Abuse Prevention. Until the Congress passes the legislation giving full authority to this Office, a Special Consultant to the President for Narcotics and Dangerous Drugs will institute to the extent legally possible the functions of the Special Action Office.

#### REHABILITATION: A NEW PRIORITY

When traffic in narcotics is no longer profitable, then that traffic will cease. Increased enforcement and vigorous application of the fullest penalties provided by law are two of the

steps in rendering narcotics trade unprofitable. But as long as there is a demand, there will be those willing to take the risks of meeting the demand. So we must also act to destroy the market for drugs, and this means the prevention of new addicts, and the rehabilitation of those who are addicted.

To do this, I am asking the Congress for a total of \$105 million in addition to funds already contained in my 1972 budget to be used solely for the treatment and rehabilitation of drug-addicted individuals.

I will also ask the Congress to provide an additional \$10 million in funds to increase and improve education and training in the field of dangerous drugs. This will increase the money available for education and training to more than \$24 million. It has become fashionable to suppose that no drugs are as dangerous as they are commonly thought to be, and that the use of some drugs entails no risk at all. These are misconceptions, and every day we reap the tragic results of these misconceptions when young people are "turned on" to drugs believing that narcotics addiction is something that happens to other people. We need an expanded effort to show that addiction is all too often a one-way street beginning with "innocent" experimentation and ending in death. Between these extremes is the degradation that addiction inflicts on those who believed that it could not happen to them.

While by no means a major part of the American narcotics problem, an especially disheartening aspect of that problem involves those of our men in Vietnam who have used drugs. Peer pressures combine with easy availability to foster drug use. We are taking steps to end the availability of drugs in South Vietnam but, in addition, the nature of drug addiction, and the peculiar aspects of the present problem as it involves veterans, make it imperative that rehabilitation procedures be undertaken immediately. In Vietnam, for example, heroin is cheap and 95 percent pure, and its effects are commonly achieved through smoking or "snorting" the drug. In the United States, the drug is impure, consisting of only about 5 percent heroin, and it must be "mainlined" or injected into the bloodstream to achieve an effect comparable to that which may have been experienced in Vietnam. Further, a habit which costs \$5 a day to maintain in Vietnam can cost \$100 a day to maintain in the United States, and those who continue to use heroin slip into the twilight world of crime, bad drugs, and all too often a premature death.

In order to expedite the rehabilitation process of Vietnam veterans, I have ordered the immediate establishment of testing procedures and initial rehabilitation efforts to be taken in Vietnam. This procedure is under way and testing will commence in a matter of days. The Department of Defense will provide rehabilitation programs to all servicemen being returned for discharge who want this help, and we will be requesting legislation to permit the military services to retain for treatment any individual due for discharge who is a narcotic addict. All of our servicemen must be accorded the right to rehabilitation.

Rehabilitation procedures, which are required subsequent to discharge, will be effected under the aegis of the Director of the Special Action Office who will have the authority to refer patients to private hospitals as well as VA hospitals as circumstances require.

The Veterans Administration medical facilities are a great national resource which can be of immeasurable assistance in the effort against this grave national problem. Restrictive and exclusionary use of these facilities under present statutes means that we are wasting a critically needed national resource. We are commonly closing the doors to those who need help the most. This is a luxury we cannot afford. Authority will be sought by the new Office to make the facilities of the Veterans Administration available to all former servicemen in need of drug rehabilitation, regardless of the nature of their discharge from the service.

I am asking the Congress to increase the present budget of the Veterans Administration by \$14 million to permit the immediate initiation of this program. This money would be used to assist in the immediate development and emplacement of VA rehabilitation centers which will permit both inpatient and outpatient care of addicts in a community setting.

I am also asking that the Congress amend the Narcotic Addict Rehabilitation Act of 1966 to broaden the authority under this Act for the use of methadone maintenance programs. These programs would be carried out under the most rigid standards and would be subjected to constant and painstaking reevaluation of their effectiveness. At this time, the evidence indicates that methadone is a useful tool in the work of rehabilitating heroin addicts, and that tool ought to be available to those who must do this work.

Finally, I will instruct the Special Consultant for Narcotics and Dangerous Drugs to review immediately all Federal laws pertaining to rehabilitation and I will submit any legislation

needed to expedite the Federal rehabilitative role, and to correct overlapping authorities and other shortcomings.

#### ADDITIONAL ENFORCEMENT NEEDS

The Comprehensive Drug Abuse Prevention and Control Act of 1970 provides a sound base for the attack on the problem of the availability of narcotics in America. In addition to tighter and more enforceable regulatory controls, the measure provides law enforcement with stronger and better tools. Equally important, the Act contains credible and proper penalties against violators of the drug law. Severe punishments are invoked against the drug pushers and peddlers while more lenient and flexible sanctions are provided for the users. A seller can receive fifteen years for a first offense involving hard narcotics, thirty years if the sale is to a minor, and up to life in prison if the transaction is part of a continuing criminal enterprise.

These new penalties allow judges more discretion, which we feel will restore credibility to the drug control laws and eliminate some of the difficulties prosecutors and judges have had in the past arising out of minimum mandatory penalties for all violators.

The penalty structure in the 1970 Drug Act became effective on May 1 of this year. While it is too soon to assess its effect, I expect it to help enable us to deter or remove from our midst those who traffic in narcotics and other dangerous drugs.

To complement the new Federal drug law, a uniform State drug control law has been drafted and recommended to the States. Nineteen States have already adopted it and others have it under active consideration. Adoption of this uniform law will facilitate joint and effective action by all levels of government.

Although I do not presently anticipate a necessity for alteration of the purposes or principles of existing enforcement statutes, there is a clear need for some additional enforcement legislation.

To help expedite the prosecution of narcotic trafficking cases, we are asking the Congress to provide legislation which would permit the United States Government to utilize information

obtained by foreign police, provided that such information was obtained in compliance with the laws of that country.

We are also asking that the Congress provide legislation which would permit a chemist to submit written findings of his analysis in drug cases. This would speed the process of criminal justice.

The problems of addict identification are equalled and surpassed by the problem of drug identification. To expedite work in this area of narcotics enforcement, I am asking the Congress to provide \$2 million to be allotted to the research and development of equipment and techniques for the detection of illegal drugs and drug traffic.

I am asking the Congress to provide \$2 million to the Department of Agriculture for research and development of herbicides which can be used to destroy growths of narcotics-producing plants without adverse ecological effects.

I am asking the Congress to authorize and fund 325 additional positions within the Bureau of Narcotics and Dangerous Drugs to increase their capacity for apprehending those engaged in narcotics trafficking here and abroad and to investigate domestic industrial producers of drugs.

Finally, I am asking the Congress to provide a supplemental appropriation of \$25.6 million for the Treasury Department. This will increase funds available to this Department for drug abuse control to nearly \$45 million. Of this sum, \$18.1 million would be used to enable the Bureau of Customs to develop the technical capacity to deal with smuggling by air and sea, to increase the investigative staff charged with pursuit and apprehension of smugglers, and to increase inspection personnel who search persons, baggage, and cargo entering the country. The remaining \$7.5 million would permit the Internal Revenue Service to intensify investigation of persons involved in large-scale narcotics trafficking.

These steps would strengthen our efforts to root out the cancerous growth of narcotics addiction in America. It is impossible to say that the enforcement legislation I have asked for here will be conclusive--that we will not need further legislation. We cannot fully know at this time what further steps will be necessary. As those steps define themselves, we will be

prepared to seek further legislation to take any action and every action necessary to wipe out the menace of drug addiction in America. But domestic enforcement alone cannot do the job. If we are to stop the flow of narcotics into the lifeblood of this country, I believe we must stop it at the source.

## INTERNATIONAL

There are several broad categories of drugs: those of the cannabis family-such as marihuana and hashish; those which are used as sedatives, such as the barbiturates and certain tranquilizers; those which elevate mood and suppress appetite, such as the amphetamines; and, drugs such as LSD and mescaline, which are commonly called hallucinogens. Finally, there are the narcotic analgesics, including opium and its derivatives-morphine and codeine. Heroin is made from morphine.

Heroin addiction is the most difficult to control and the most socially destructive form of addiction in America today. Heroin is a fact of life and a cause of death among an increasing number of citizens in America, and it is heroin addiction that must command priority in the struggle against drugs.

To wage an effective war against heroin addiction, we must have international cooperation. In order to secure such cooperation, I am initiating a worldwide escalation in our existing programs for the control of narcotics traffic, and I am proposing a number of new steps for this purpose.

First, on Monday, June 14, I recalled the United States Ambassadors to Turkey, France, Mexico, Luxembourg, Thailand, the Republic of Vietnam, and the United Nations for consultations on how we can better cooperate with other nations in the effort to regulate the present substantial world opium output and narcotics trafficking. I sought to make it equally clear that I consider the heroin addiction of American citizens an international problem of grave concern to this Nation, and I instructed our Ambassadors to make this clear to their host governments. We want good relations with other countries, but we cannot buy good relations at the expense of temporizing on this problem.

Second, United States Ambassadors to all East Asian governments will meet in Bangkok, Thailand, tomorrow, June 18, to review the increasing problem in that area, with particular concern for the effects of this problem on American servicemen in Southeast Asia.

Third, it is clear that the only really effective way to end heroin production is to end opium production and the growing of poppies. I will propose that as an international goal. It is essential to recognize that opium is, at present, a legitimate source of income to many of those nations which produce it. Morphine and codeine both have legitimate medical applications.

It is the production of morphine and codeine for medical purposes which justifies the maintenance of opium production, and it is this production which in turn contributes to the world's heroin supply. The development of effective substitutes for these derivatives would eliminate any valid reason for opium production. While modern medicine has developed effective and broadly-used substitutes for morphine, it has yet to provide a fully acceptable substitute for codeine. Therefore, I am directing that Federal research efforts in the United States be intensified with the aim of developing at the earliest possible date synthetic substitutes for all opium derivatives. At the same time I am requesting the Director General of the World Health Organization to appoint a study panel of experts to make periodic technical assessments of any synthetics which might replace opiates with the aim of effecting substitutions as soon as possible.

Fourth, I am requesting \$1 million to be used by the Bureau of Narcotics and Dangerous Drugs for training of foreign narcotics enforcement officers. Additional personnel within the Bureau of Narcotics and Dangerous Drugs would permit the strengthening of the investigative capacities of BNDD offices in the U.S., as well as their ability to assist host governments in the hiring, training, and deployment of personnel and the procurement of necessary equipment for drug abuse control.

Fifth, I am asking the Congress to amend and approve the International Security Assistance Act of 1971 and the International Development and Humanitarian Assistance Act of 1971 to permit assistance to presently proscribed nations in their efforts to end drug trafficking. The drug problem crosses ideological boundaries and surmounts national differences. If we are barred in any way in our effort to deal with this matter, our efforts will be crippled, and our

will subject to question. I intend to leave no room for other nations to question our commitment to this matter.

Sixth, we must recognize that cooperation in control of dangerous drugs works both ways. While the sources of our chief narcotics problem are foreign, the United States is a source of illegal psychotropic drugs which afflict other nations. If we expect other governments to help stop the flow of heroin to our shores, we must act with equal vigor to prevent equally dangerous substances from going into their nations from our own. Accordingly, I am submitting to the Senate for its advice and consent the Convention on Psychotropic Substances which was recently signed by the United States and 22 other nations. In addition, I will submit to the Congress any legislation made necessary by the Convention including the complete licensing, inspection, and control of the manufacture, distribution, and trade in dangerous synthetic drugs.

Seventh, the United States has already pledged \$2 million to a Special Fund created on April 1 of this year by the Secretary General of the United Nations and aimed at planning and executing a concerted UN effort against the world drug problem. We will continue our strong backing of UN drug-control efforts by encouraging other countries to contribute and by requesting the Congress to make additional contributions to this fund as their need is demonstrated.

Finally, we have proposed, and we are strongly urging multilateral support for, amendments to the Single Convention on Narcotics which would enable the International Narcotics Control Board to:

--require from signatories details about opium poppy cultivation and opium production--thus permitting the Board access to essential information about narcotics raw materials from which illicit diversion occurs;

---base its decisions about the various nations' activities with narcotic drugs not only as at present on information officially submitted by the governments, but also on information which the Board obtains through public or private sources--thus enhancing data available to the Board in regard to illicit traffic;

--carry out, with the consent of the nation concerned, on-the-spot inquiries on drug related activities;

--modify signatories' annual estimates of intended poppy acreage and opium production with a view to reducing acreage or production; and

--in extreme cases, require signatories to embargo the export and/or import of drugs to or from a particular country that has failed to meet its obligations under the Convention.

I believe the foregoing proposals establish a new and needed dimension in the international effort to halt drug production, drug traffic, and drug abuse. These proposals put the problems and the search for solutions in proper perspective, and will give this Nation its best opportunity to end the flow of drugs, and most particularly heroin, into America, by literally cutting it off root and branch at the source.

## CONCLUSION

Narcotics addiction is a problem which afflicts both the body and the soul of America. It is a problem which baffles many Americans. In our history we have faced great difficulties again and again, wars and depressions and divisions among our people have tested our will as a people-and we have prevailed.

We have fought together in war, we have worked together in hard times, and we have reached out to each other in division--to close the gaps between our people and keep America whole.

The threat of narcotics among our people is one which properly frightens many Americans. It comes quietly into homes and destroys children, it moves into neighborhoods and breaks the fiber of community which makes neighbors. It is a problem which demands compassion, and not simply condemnation, for those who become the victims of narcotics and dangerous drugs. We must try to better understand the confusion and disillusion and despair that bring people, particularly young people, to the use of narcotics and dangerous drugs.

We are not without some understanding in this matter, however. And we are not without the will to deal with this matter. We have the moral resources to do the job. Now we need the

authority and the funds to match our moral resources. I am confident that we will prevail in this struggle as we have in many others. But time is critical. Every day we lose compounds the tragedy which drugs inflict on individual Americans. The final issue is not whether we will conquer drug abuse, but how soon. Part of this answer lies with the Congress now and the speed with which it moves to support the struggle against drug abuse.”

(Accessed on <https://www.presidency.ucsb.edu>, on February 4, 2023)

## Richard Nixon's "Remarks About an Intensified Program for Drug Abuse Prevention and Control"

"Ladies and gentlemen:

I would like to summarize for you the meeting that I have just had with the bipartisan leaders which began at 8 o'clock and was completed 2 hours later.

I began the meeting by making this statement, which I think needs to be made to the Nation:

America's public enemy number one in the United States is drug abuse. In order to fight and defeat this enemy, it is necessary to wage a new, all-out offensive.

I have asked the Congress to provide the legislative authority and the funds to fuel this kind of an offensive. This will be a worldwide offensive dealing with the problems of sources of supply, as well as Americans who may be stationed abroad, wherever they are in the world. It will be government wide, pulling together the nine different fragmented areas within the government in which this problem is now being handled, and it will be nationwide in terms of a new educational program that we trust will result from the discussions that we have had.

With regard to this offensive, it is necessary first to have a new organization, and the new organization will be within the White House. Dr. Jaffe, who will be one of the briefers here today, will be the man directly responsible. He will report directly to me, and he will have the responsibility to take all of the Government agencies, nine, that deal with the problems of rehabilitation, in which his primary responsibilities will be research and education, and see that they work not at cross-purposes, but work together in dealing with the problem.

If we are going to have a successful offensive, we need more money. Consequently, I am asking the Congress for \$155 million in new funds, which will bring the total amount this year in the budget for drug abuse, both in enforcement and treatment, to over \$350 million.

As far as the new money is concerned, incidentally, I have made it clear to the leaders that if this is not enough, if more can be used, if Dr. Jaffe, after studying this problem, finds that we

can use more, more will be provided. In order to defeat this enemy which is causing such great concern, and correctly so, to so many American families, money will be provided to the extent that it is necessary and to the extent that it will be useful.

Finally, in order for this program to be effective, it is necessary that it be conducted on a basis in which the American people all join in it. That is why the meeting was bipartisan; bipartisan because we needed the support of the Congress, but bipartisan because we needed the leadership of the Members of the Congress in this field.

Fundamentally, it is essential for the American people to be alerted to this danger, to recognize that it is a danger that will not pass with the passing of the war in Vietnam which has brought to our attention the fact that a number of young Americans have become addicts as they serve abroad, whether in Vietnam, or Europe, or other places. Because the problem existed before we became involved in Vietnam; it will continue to exist afterwards. That is why this offensive deals with the problem there, in Europe, but will then go on to deal with the problem throughout America.

One final word with regard to Presidential responsibility in this respect. I very much hesitate always to bring some new responsibility into the White House, because there are so many here, and I believe in delegating those responsibilities to the departments. But I consider this problem so urgent--I also found that it was scattered so much throughout the Government, with so much conflict, without coordination--that it had to be brought into the White House.

Consequently, I have brought Dr. Jaffe into the White House, directly reporting to me, so that we have not only the responsibility but the authority to see that we wage this offensive effectively and in a coordinated way.

The briefing team will now be ready to answer any questions on the technical details of the program.”

(Accessed on <https://www.presidency.ucsb.edu> on October 1, 2022)

## Ronald Reagan and Nancy Reagan's "Address to the Nation on the Campaign Against Drug Abuse"

*"The President.* Good evening. Usually, I talk with you from my office in the West Wing of the White House. But tonight there's something special to talk about, and I've asked someone very special to join me. Nancy and I are here in the West Hall of the White House, and around us are the rooms in which we live. It's the home you've provided for us, of which we merely have temporary custody.

Nancy's joining me because the message this evening is not my message but ours. And we speak to you not simply as fellow citizens but as fellow parents and grandparents and as concerned neighbors. It's back-to-school time for America's children. And while drug and alcohol abuse cuts across all generations, it's especially damaging to the young people on whom our future depends. So tonight, from our family to yours, from our home to yours, thank you for joining us.

America has accomplished so much in these last few years, whether it's been rebuilding our economy or serving the cause of freedom in the world. What we've been able to achieve has been done with your help -- with us working together as a nation united. Now, we need your support again. Drugs are menacing our society. They're threatening our values and undercutting our institutions. They're killing our children.

From the beginning of our administration, we've taken strong steps to do something about this horror. Tonight I can report to you that we've made much progress. Thirty-seven Federal agencies are working together in a vigorous national effort, and by next year our spending for drug law enforcement will have more than tripled from its 1981 levels. We have increased seizures of illegal drugs. Shortages of marijuana are now being reported. Last year alone over 10,000 drug criminals were convicted and nearly \$250 million of their assets were seized by the DEA, the Drug Enforcement Administration.

And in the most important area, individual use, we see progress. In 4 years the number of high school seniors using marijuana on a daily basis has dropped from 1 in 14 to 1 in 20. The U.S. military has cut the use of illegal drugs among its personnel by 67 percent since 1980. These

are a measure of our commitment and emerging signs that we can defeat this enemy. But we still have much to do.

Despite our best efforts, illegal cocaine is coming into our country at alarming levels, and 4 to 5 million people regularly use it. Five hundred thousand Americans are hooked on heroin. One in twelve persons smokes marijuana regularly. Regular drug use is even higher among the age group 18 to 25 -- most likely just entering the workforce. Today there's a new epidemic: smokable cocaine, otherwise known as crack. It is an explosively destructive and often lethal substance which is crushing its users. It is an uncontrolled fire.

And drug abuse is not a so-called victimless crime. Everyone's safety is at stake when drugs and excessive alcohol are used by people on the highways or by those transporting our citizens or operating industrial equipment. Drug abuse costs you and your fellow Americans at least \$60 billion a year.

From the early days of our administration, Nancy has been intensely involved in the effort to fight drug abuse. She has since traveled over 100,000 miles to 55 cities in 28 States and 6 foreign countries to fight school-age drug and alcohol abuse. She's given dozens of speeches and scores of interviews and has participated in 24 special radio and TV tapings to create greater awareness of this crisis. Her personal observations and efforts have given her such dramatic insights that I wanted her to share them with you this evening.

Nancy.

*Mrs. Reagan.* Thank you. As a mother, I've always thought of September as a special month, a time when we bundled our children off to school, to the warmth of an environment in which they could fulfill the promise and hope in those restless minds. But so much has happened over these last years, so much to shake the foundations of all that we know and all that we believe in. Today there's a drug and alcohol abuse epidemic in this country, and no one is safe from it -- not you, not me, and certainly not our children, because this epidemic has their names written on it. Many of you may be thinking: ``Well, drugs don't concern me." But it does concern you. It concerns us all because of the way it tears at our lives and because it's aimed at destroying the brightness and life of the sons and daughters of the United States.

For 5 years I've been traveling across the country -- learning and listening. And one of the most hopeful signs I've seen is the building of an essential, new awareness of how terrible and threatening drug abuse is to our society. This was one of the main purposes when I started, so of course it makes me happy that that's been accomplished. But each time I meet with someone new or receive another letter from a troubled person on drugs, I yearn to find a way to help share the message that cries out from them. As a parent, I'm especially concerned about what drugs are doing to young mothers and their newborn children. Listen to this news account from a hospital in Florida of a child born to a mother with a cocaine habit: "Nearby, a baby named Paul lies motionless in an incubator, feeding tubes riddling his tiny body. He needs a respirator to breathe and a daily spinal tap to relieve fluid buildup on his brain. Only 1 month old, he's already suffered 2 strokes."

Now you can see why drug abuse concerns every one of us -- all the American family. Drugs steal away so much. They take and take, until finally every time a drug goes into a child, something else is forced out -- like love and hope and trust and confidence. Drugs take away the dream from every child's heart and replace it with a nightmare, and it's time we in America stand up and replace those dreams. Each of us has to put our principles and consciences on the line, whether in social settings or in the workplace, to set forth solid standards and stick to them. There's no moral middle ground. Indifference is not an option. We want you to help us create an outspoken intolerance for drug use. For the sake of our children, I implore each of you to be unyielding and inflexible in your opposition to drugs.

Our young people are helping us lead the way. Not long ago, in Oakland, California, I was asked by a group of children what to do if they were offered drugs, and I answered, "Just say no." Soon after that, those children in Oakland formed a Just Say No club, and now there are over 10,000 such clubs all over the country. Well, their participation and their courage in saying no needs our encouragement. We can help by using every opportunity to force the issue of not using drugs to the point of making others uncomfortable, even if it means making ourselves unpopular.

Our job is never easy because drug criminals are ingenious. They work everyday to plot a new and better way to steal our children's lives, just as they've done by developing this new drug, crack. For every door that we close, they open a new door to death. They prosper on our

unwillingness to act. So, we must be smarter and stronger and tougher than they are. It's up to us to change attitudes and just simply dry up their markets.

And finally, to young people watching or listening, I have a very personal message for you: There's a big, wonderful world out there for you. It belongs to you. It's exciting and stimulating and rewarding. Don't cheat yourselves out of this promise. Our country needs you, but it needs you to be clear-eyed and clear-minded. I recently read one teenager's story. She's now determined to stay clean but was once strung out on several drugs. What she remembered most clearly about her recovery was that during the time she was on drugs everything appeared to her in shades of black and gray and after her treatment she was able to see colors again.

So, to my young friends out there: Life can be great, but not when you can't see it. So, open your eyes to life: to see it in the vivid colors that God gave us as a precious gift to His children, to enjoy life to the fullest, and to make it count. Say yes to your life. And when it comes to drugs and alcohol just say no.

*The President.* I think you can see why Nancy has been such a positive influence on all that we're trying to do. The job ahead of us is very clear. Nancy's personal crusade, like that of so many other wonderful individuals, should become our national crusade. It must include a combination of government and private efforts which complement one another. Last month I announced six initiatives which we believe will do just that.

First, we seek a drug-free workplace at all levels of government and in the private sector. Second, we'll work toward drug-free schools. Third, we want to ensure that the public is protected and that treatment is available to substance abusers and the chemically dependent. Our fourth goal is to expand international cooperation while treating drug trafficking as a threat to our national security. In October I will be meeting with key U.S. Ambassadors to discuss what can be done to support our friends abroad. Fifth, we must move to strengthen law enforcement activities such as those initiated by Vice President Bush and Attorney General Meese. And finally, we seek to expand public awareness and prevention.

In order to further implement these six goals, I will announce tomorrow a series of new proposals for a drug-free America. Taken as a whole, these proposals will toughen our laws

against drug criminals, encourage more research and treatment, and ensure that illegal drugs will not be tolerated in our schools or in our workplaces. Together with our ongoing efforts, these proposals will bring the Federal commitment to fighting drugs to \$3 billion. As much financing as we commit, however, we would be fooling ourselves if we thought that massive new amounts of money alone will provide the solution. Let us not forget that in America people solve problems and no national crusade has ever succeeded without human investment. Winning the crusade against drugs will not be achieved by just throwing money at the problem.

Your government will continue to act aggressively, but nothing would be more effective than for Americans simply to quit using illegal drugs. We seek to create a massive change in national attitudes which ultimately will separate the drugs from the customer, to take the user away from the supply. I believe, quite simply, that we can help them quit, and that's where you come in.

My generation will remember how America swung into action when we were attacked in World War II. The war was not just fought by the fellows flying the planes or driving the tanks. It was fought at home by a mobilized nation -- men and women alike -- building planes and ships, clothing sailors and soldiers, feeding marines and airmen; and it was fought by children planting victory gardens and collecting cans. Well, now we're in another war for our freedom, and it's time for all of us to pull together again. So, for example, if your friend or neighbor or a family member has a drug or alcohol problem, don't turn the other way. Go to his help or to hers. Get others involved with you -- clubs, service groups, and community organizations -- and provide support and strength. And, of course, many of you've been cured through treatment and self-help. Well, you're the combat veterans, and you have a critical role to play. You can help others by telling your story and providing a willing hand to those in need. Being friends to others is the best way of being friends to ourselves. It's time, as Nancy said, for America to ``just say no" to drugs.

Those of you in union halls and workplaces everywhere: Please make this challenge a part of your job every day. Help us preserve the health and dignity of all workers. To businesses large and small: We need the creativity of your enterprise applied directly to this national problem. Help us. And those of you who are educators: Your wisdom and leadership are indispensable to this cause. From the pulpits of this spirit-filled land: We would welcome your reassuring

message of redemption and forgiveness and of helping one another. On the athletic fields: You men and women are among the most beloved citizens of our country. A child's eyes fill with your heroic achievements. Few of us can give youngsters something as special and strong to look up to as you. Please don't let them down.

And this camera in front of us: It's a reminder that in Nancy's and my former profession and in the newsrooms and production rooms of our media centers -- you have a special opportunity with your enormous influence to send alarm signals across the Nation. To our friends in foreign countries: We know many of you are involved in this battle with us. We need your success as well as ours. When we all come together, united, striving for this cause, then those who are killing America and terrorizing it with slow but sure chemical destruction will see that they are up against the mightiest force for good that we know. Then they will have no dark alleyways to hide in.

In this crusade, let us not forget who we are. Drug abuse is a repudiation of everything America is. The destructiveness and human wreckage mock our heritage. Think for a moment how special it is to be an American. Can we doubt that only a divine providence placed this land, this island of freedom, here as a refuge for all those people on the world who yearn to breathe free?

The revolution out of which our liberty was conceived signaled an historical call to an entire world seeking hope. Each new arrival of immigrants rode the crest of that hope. They came, millions seeking a safe harbor from the oppression of cruel regimes. They came, to escape starvation and disease. They came, those surviving the Holocaust and the Soviet gulags. They came, the boat people, chancing death for even a glimmer of hope that they could have a new life. They all came to taste the air redolent and rich with the freedom that is ours. What an insult it will be to what we are and whence we came if we do not rise up together in defiance against this cancer of drugs.

And there's one more thing. The freedom that so many seek in our land has not been preserved without a price. Nancy and I shared that remembrance 2 years ago at the Normandy American Cemetery in France. In the still of that June afternoon, we walked together among the soldiers of freedom, past the hundreds of white markers which are monuments to courage

and memorials to sacrifice. Too many of these and other such graves are the final resting places of teenagers who became men in the roar of battle.

Look what they gave to us who live. Never would they see another sunlit day glistening off a lake or river back home or miles of corn pushing up against the open sky of our plains. The pristine air of our mountains and the driving energy of our cities are theirs no more. Nor would they ever again be a son to their parents or a father to their own children. They did this for you, for me, for a new generation to carry our democratic experiment proudly forward. Well, that's something I think we're obliged to honor, because what they did for us means that we owe as a simple act of civic stewardship to use our freedom wisely for the common good.

As we mobilize for this national crusade, I'm mindful that drugs are a constant temptation for millions. Please remember this when your courage is tested: You are Americans. You're the product of the freest society mankind has ever known. No one, ever, has the right to destroy your dreams and shatter your life.

Right down the end of this hall is the Lincoln Bedroom. But in the Civil War that room was the one President Lincoln used as his office. Memory fills that room, and more than anything that memory drives us to see vividly what President Lincoln sought to save. Above all, it is that America must stand for something and that our heritage lets us stand with a strength of character made more steely by each layer of challenge pressed upon the Nation. We Americans have never been morally neutral against any form of tyranny. Tonight we're asking no more than that we honor what we have been and what we are by standing together.

*Mrs. Reagan.* Now we go on to the next stop: making a final commitment not to tolerate drugs by anyone, anytime, anyplace. So, won't you join us in this great, new national crusade?

*The President.* God bless you, and good night.”

(Accessed on <https://www.reaganlibrary.gov>, on February 6, 2023)

## Ronald Reagan's "Remarks on Signing the Anti-Drug Abuse Act of 1986"

"Well, today it gives me great pleasure to sign legislation that reflects the total commitment of the American people and their government to fight the evil of drugs. Drug use extracts a high cost on America: the cost of suffering and unhappiness, particularly among the young; the cost of lost productivity at the workplace; and the cost of drug-related crime. Drug use is too costly for us not to do everything in our power, not just to fight it but to subdue it and conquer it.

The magnitude of today's drug problem can be traced to past unwillingness to recognize and confront this problem. And the vaccine that's going to end the epidemic is a combination of tough laws -- like the one we sign today -- and a dramatic change in public attitude. We must be intolerant of drug use and drug sellers. We must be intolerant of drug use on the campus and at the workplace. We must be intolerant of drugs not because we want to punish drug users, but because we care about them and want to help them. This legislation is not intended as a means of filling our jails with drug users. What we must do as a society is identify those who use drugs, reach out to them, help them quit, and give them the support they need to live right.

Let me take a moment here and salute a special person who has turned the fight against drug abuse into a national crusade. She started long before the polls began to register our citizens' concern about drugs. She mobilized the American people, and I'm mighty proud of her. I know the work Nancy's been doing has been appreciated. And Nancy's made a special commitment to assist young people who are just getting started to quit and to prevent others from starting in the first place. One young person asked her advice about what to do if offered drugs. And she came up with a bit of simple, yet profound, wisdom. She said, "Just say no." And today there are thousands of Just Say No clubs all over America. In all of our endeavors here in Washington, we're striving for a world where our young people can live happier, more opportunity-filled lives. Our goal in this crusade is nothing less than a drug-free generation. America's young people deserve our best effort to make that dream come true.

In the last few years, we've made much progress on the enforcement end of solving the drug problem. Interdiction is up, drug crops are being destroyed while still in the fields all over the

country and overseas, organized crime is being hit and hit hard, cooperation between governments is better than ever before. This legislation allows us to do even more. Nevertheless, today marks a major victory in our crusade against drugs -- a victory for safer neighborhoods, a victory for the protection of the American family. The American people want their government to get tough and to go on the offensive. And that's exactly what we intend, with more ferocity than ever before. But as I've said on previous occasions, we would be fooling ourselves if we thought that new money for new government programs alone will solve the problem.

Let's not forget that in America people solve problems, and no national crusade has ever succeeded without human interest. So, at the same time that government sends a long, loud, clear message, I ask each American to be strong in your intolerance of illegal drug use and firm in your commitment to a drug-free America. United, together, we can see to it that there's no sanctuary for the drug criminals who are pilfering human dignity and pandering despair.

There've been some real champions in the battle to get this legislation through Congress: Senators Bob Dole, Robert Byrd, and Strom Thurmond; Congressmen Bob Michel, Jim Wright, Benjamin Gilman, Charles Rangel, and Jerry Lewis. I'd like to single out Senator Paula Hawkins in particular. She took this battle to the public and has been a driving force behind the effort to rid our society of drug abuse. Like Nancy, she made her commitment to fighting drugs long before it was the popular thing to do. This kind of honest, hard-working leadership is what makes all the difference. And now, Paula, if you and your colleagues will join Nancy and me, we will get on with the signing of that bill, making it the law of the land.”

(Accessed on <https://www.reaganlibrary.gov>, on February 6, 2023)

## Ronald Reagan's "Remarks on Signing the Anti-Drug Abuse Act of 1988"

"Members of the Congress, distinguished guests, and ladies and gentlemen: Welcome to the White House. This is a very special occasion for everyone here, especially Nancy.

For 8 years she's led the fight to not only rid our society of drugs but banish any lingering tolerance of the false image that drugs are somehow "cool" or "hip." As a nation we now acknowledge what Nancy has been saying over the past several years -- that drugs give a false high. They feel good only long enough to weave a web of addiction. And once trapped, the user is drawn into an existence from which nothing good could come.

As many of you know firsthand, Nancy is the cocaptain in our crusade for a drug-free America. She has had help. All across this country, millions of decent Americans have stood up and joined her. In every corner of our society, people are fighting the purveyors of this evil and are just saying no. And the numbers are encouraging. One in particular gives us great hope: Cocaine use by our nation's high school seniors dropped by one-third last year, from 6.2 percent in 1986 to 4.3 percent in 1987. And that's the lowest level in a decade. And the total number of users has leveled off.

This bill helps us close rank on those who continue to provide drugs. Arrests, convictions, and prison sentences of sellers and abusers are rising to record levels.

Several months ago here at the White House, we honored those heroes who gave their lives in this battle. Heroes like DEA Special Agent Enrique Camarena Salazar and a young rookie cop from New York named Eddie Byrne. With us today are Matthew and Ann Byrne, who join us as we give their son's comrades the valuable tools they need to carry forth the fight for which young Eddie so valiantly gave his life. We salute Eddie Byrne. We salute his family for their determination that his death will not have been in vain.

This bill is the product of a bipartisan effort. And I'm obliged to note that several provisions of the bill purporting to require international negotiations must be construed and applied consistent with my constitutional authority to conduct such negotiations. I'm also very

concerned that the congressionally mandated changes in our zero tolerance policy at and around our nation's borders could greatly hamper our drug interdiction effort.

In addition, important language was dropped from the final version, most notably the easing of the exclusionary rule and random drug testing. Fortunately, the Department of Transportation has been able to proceed with proposals for random drug testing where drug abuse endangers the public safety. While the language that was dropped would have provided effective methods to enhance drug enforcement, the final product nevertheless strikes a balance between tough law enforcement and protection of victims' rights with the constitutional guarantees of the rights of criminals.

The provision providing the death penalty for narcotics kingpins and drug-related murderers, along with tough new provisions dealing with everything from money laundering to international interdiction and State and local drug enforcement are just the weapons Eddie and Enrique's comrades in arms need to fight an effective war.

This bill also addresses the demand side of drug abuse, authorizing \$1\1/2\ billion for expanded drug treatment and prevention programs and nearly half a billion dollars for drug education programs.

Also included in the bill are harsh new laws to deter the greedy and heartless who sell or distribute obscene material or child pornography. With fines up to \$100,000 and prison terms of 20 years, we hope to put these people out of business for good.

Tragically, this legislation comes too late for Dixie Gallery, who is also with us today. Her daughter, Linda, was kidnaped, drugged, repeatedly raped, and then brutally murdered. Who could do such evil things? Three men working for a pornographer. The pornographer was making a movie and, in his words, told those three to ``use a blond." Well, simply because she happened to be in the wrong place at the wrong time, she was killed. Well, Linda is now in the Lord's hands. Just try to tell her mother that pornography is a victimless crime.

Our battles aren't fought by any single person nor can they be won by a single bill, but with the measures we have taken over the past 8 years and the significant additions made today, we

are one step closer to an America free of the degrading and dehumanizing effect of obscene material and child pornography and an America that is drug free.

Eight years ago we set a course. We stuck to it. And the path we blazed is marked by the success of our accomplishments. Our ultimate destination: a drug-free America. And now in the eleventh hour of this Presidency, we give a new sword and shield to those whose daily business it is to eliminate from America's streets and towns the scourge of illicit drugs.

Before I sign the bill, I want to take a moment to thank a very special person. A moment ago I referred to her as the cocaptain. Because of her personal commitment at a time when many others simply chose to ignore the world's drug-abuse problems, we were able to begin turning the tide. Her campaign to raise our nation's and the world's consciousness about illegal drug use has won her the respect and admiration of people the world over.

Nancy, for your tireless efforts on behalf of all of us and the love you've shown the children in your Just Say No program, I thank you and personally dedicate this bill to you.

And with great pleasure, I will now sign the Anti-Drug Abuse Act of 1988.”

(Accessed on <https://www.reaganlibrary.gov>, on February 27, 2023)

## George H. W. Bush's "Address to the Nation on the National Drug Control Strategy"

"Good evening. This is the first time since taking the oath of office that I felt an issue was so important, so threatening, that it warranted talking directly with you, the American people. All of us agree that the gravest domestic threat facing our nation today is drugs. Drugs have strained our faith in our system of justice. Our courts, our prisons, our legal system, are stretched to the breaking point. The social costs of drugs are mounting. In short, drugs are sapping our strength as a nation. Turn on the evening news or pick up the morning paper and you'll see what some Americans know just by stepping out their front door: Our most serious problem today is cocaine, and in particular, crack.

Who's responsible? Let me tell you straight out -- everyone who uses drugs, everyone who sells drugs, and everyone who looks the other way.

Tonight, I'll tell you how many Americans are using illegal drugs. I will present to you our national strategy to deal with every aspect of this threat. And I will ask you to get involved in what promises to be a very difficult fight.

This is crack cocaine seized a few days ago by Drug Enforcement agents in a park just across the street from the White House. It could easily have been heroin or PCP. It's as innocent-looking as candy, but it's turning our cities into battle zones, and it's murdering our children. Let there be no mistake: This stuff is poison. Some used to call drugs harmless recreation; they're not. Drugs are a real and terribly dangerous threat to our neighborhoods, our friends, and our families.

No one among us is out of harm's way. When 4-year-olds play in playgrounds strewn with discarded hypodermic needles and crack vials, it breaks my heart. When cocaine, one of the most deadly and addictive illegal drugs, is available to school kids -- school kids -- it's an outrage. And when hundreds of thousands of babies are born each year to mothers who use drugs -- premature babies born desperately sick -- then even the most defenseless among us are at risk.

These are the tragedies behind the statistics, but the numbers also have quite a story to tell. Let me share with you the results of the recently completed household survey of the National Institute on Drug Abuse. It compares recent drug use to 3 years ago. It tells us some good news and some very bad news. First, the good. As you can see in the chart, in 1985 the Government estimated that 23 million Americans were using drugs on a "current" basis; that is, at least once in the preceding month. Last year that number fell by more than a third. That means almost 9 million fewer Americans are casual drug users. Good news.

Because we changed our national attitude toward drugs, casual drug use has declined. We have many to thank: our brave law enforcement officers, religious leaders, teachers, community activists, and leaders of business and labor. We should also thank the media for their exhaustive news and editorial coverage and for their air time and space for antidrug messages. And finally, I want to thank President and Mrs. Reagan for their leadership. All of these good people told the truth: that drug use is wrong and dangerous.

But as much comfort as we can draw from these dramatic reductions, there is also bad news, very bad news. Roughly 8 million people have used cocaine in the past year. Almost 1 million of them used it frequently -- once a week or more. What this means is that, in spite of the fact that overall cocaine use is down, frequent use has almost doubled in the last few years. And that's why habitual cocaine users, especially crack users, are the most pressing, immediate drug problem.

What, then, is our plan? To begin with, I trust the lesson of experience: No single policy will cut it, no matter how glamorous or magical it may sound. To win the war against addictive drugs like crack will take more than just a Federal strategy: It will take a national strategy, one that reaches into every school, every workplace, involving every family.

Earlier today, I sent this document, our first such national strategy, to the Congress. It was developed with the hard work of our nation's first Drug Policy Director, Bill Bennett. In preparing this plan, we talked with State, local, and community leaders, law enforcement officials, and experts in education, drug prevention, and rehabilitation. We talked with parents and kids. We took a long, hard look at all that the Federal Government has done about drugs in the past -- what's worked and, let's be honest, what hasn't. Too often, people in government

acted as if their part of the problem -- whether fighting drug production or drug smuggling or drug demand -- was the only problem. But turf battles won't win this war; teamwork will.

Tonight, I'm announcing a strategy that reflects the coordinated, cooperative commitment of all our Federal agencies. In short, this plan is as comprehensive as the problem. With this strategy, we now finally have a plan that coordinates our resources, our programs, and the people who run them. Our weapons in this strategy are the law and criminal justice system, our foreign policy, our treatment systems, and our schools and drug prevention programs. So, the basic weapons we need are the ones we already have. What's been lacking is a strategy to effectively use them.

Let me address four of the major elements of our strategy. First, we are determined to enforce the law, to make our streets and neighborhoods safe. So, to start, I'm proposing that we more than double Federal assistance to State and local law enforcement. Americans have a right to safety in and around their homes. And we won't have safe neighborhoods unless we're tough on drug criminals -- much tougher than we are now. Sometimes that means tougher penalties, but more often it just means punishment that is swift and certain. We've all heard stories about drug dealers who are caught and arrested again and again but never punished. Well, here the rules have changed: If you sell drugs, you will be caught. And when you're caught, you will be prosecuted. And once you're convicted, you will do time. Caught -- prosecuted -- punished.

I'm also proposing that we enlarge our criminal justice system across the board -- at the local, State, and Federal levels alike. We need more prisons, more jails, more courts, more prosecutors. So, tonight I'm requesting -- all together -- an almost \$1.5 billion increase in drug-related Federal spending on law enforcement.

And while illegal drug use is found in every community, nowhere is it worse than in our public housing projects. You know, the poor have never had it easy in this world. But in the past, they weren't mugged on the way home from work by crack gangs. And their children didn't have to dodge bullets on the way to school. And that's why I'm targeting \$50 million to fight crime in public housing projects -- to help restore order and to kick out the dealers for good.

The second element of our strategy looks beyond our borders, where the cocaine and crack bought on America's streets is grown and processed. In Colombia alone, cocaine killers have gunned down a leading statesman, murdered almost 200 judges and 7 members of their supreme court. The besieged governments of the drug-producing countries are fighting back, fighting to break the international drug rings. But you and I agree with the courageous President of Colombia, Virgilio Barco, who said that if Americans use cocaine, then Americans are paying for murder. American cocaine users need to understand that our nation has zero tolerance for casual drug use. We have a responsibility not to leave our brave friends in Colombia to fight alone.

The \$65 million emergency assistance announced 2 weeks ago was just our first step in assisting the Andean nations in their fight against the cocaine cartels. Colombia has already arrested suppliers, seized tons of cocaine, and confiscated palatial homes of drug lords. But Colombia faces a long, uphill battle, so we must be ready to do more. Our strategy allocates more than a quarter of a billion dollars for next year in military and law enforcement assistance for the three Andean nations of Colombia, Bolivia, and Peru. This will be the first part of a 5-year, \$2 billion program to counter the producers, the traffickers, and the smugglers.

I spoke with President Barco just last week, and we hope to meet with the leaders of affected countries in an unprecedented drug summit, all to coordinate an inter-American strategy against the cartels. We will work with our allies and friends, especially our economic summit partners, to do more in the fight against drugs. I'm also asking the Senate to ratify the United Nations antidrug convention concluded last December.

To stop those drugs on the way to America, I propose that we spend more than a billion and a half dollars on interdiction. Greater interagency cooperation, combined with sophisticated intelligence-gathering and Defense Department technology, can help stop drugs at our borders.

And our message to the drug cartels is this: The rules have changed. We will help any government that wants our help. When requested, we will for the first time make available the appropriate resources of America's Armed Forces. We will intensify our efforts against drug smugglers on the high seas, in international airspace, and at our borders. We will stop the flow

of chemicals from the United States used to process drugs. We will pursue and enforce international agreements to track drug money to the front men and financiers. And then we will handcuff these money launderers and jail them, just like any street dealer. And for the drug kingpins: the death penalty.

The third part of our strategy concerns drug treatment. Experts believe that there are 2 million American drug users who may be able to get off drugs with proper treatment, but right now only 40 percent of them are actually getting help. This is simply not good enough. Many people who need treatment won't seek it on their own, and some who do seek it are put on a waiting list. Most programs were set up to deal with heroin addicts, but today the major problem is cocaine users. It's time we expand our treatment systems and do a better job of providing services to those who need them.

And so, tonight I'm proposing an increase of \$321 million in Federal spending on drug treatment. With this strategy, we will do more. We will work with the States. We will encourage employers to establish employee assistance programs to cope with drug use; and because addiction is such a cruel inheritance, we will intensify our search for ways to help expectant mothers who use drugs.

Fourth, we must stop illegal drug use before it starts. Unfortunately, it begins early -- for many kids, before their teens. But it doesn't start the way you might think, from a dealer or an addict hanging around a school playground. More often, our kids first get their drugs free, from friends or even from older brothers or sisters. Peer pressure spreads drug use; peer pressure can help stop it. I am proposing a quarter-of-a-billion-dollar increase in Federal funds for school and community prevention programs that help young people and adults reject enticements to try drugs. And I'm proposing something else. Every school, college, and university, and every workplace must adopt tough but fair policies about drug use by students and employees. And those that will not adopt such policies will not get Federal funds -- period!

The private sector also has an important role to play. I spoke with a businessman named Jim Burke who said he was haunted by the thought -- a nightmare, really -- that somewhere in America, at any given moment, there is a teenage girl who should be in school instead of giving birth to a child addicted to cocaine. So, Jim did something. He led an antidrug

partnership, financed by private funds, to work with advertisers and media firms. Their partnership is now determined to work with our strategy by generating educational messages worth a million dollars a day every day for the next 3 years -- a billion dollars worth of advertising, all to promote the antidrug message.

As President, one of my first missions is to keep the national focus on our offensive against drugs. And so, next week I will take the antidrug message to the classrooms of America in a special television address, one that I hope will reach every school, every young American. But drug education doesn't begin in class or on TV. It must begin at home and in the neighborhood. Parents and families must set the first example of a drug-free life. And when families are broken, caring friends and neighbors must step in.

These are the most important elements in our strategy to fight drugs. They are all designed to reinforce one another, to mesh into a powerful whole, to mount an aggressive attack on the problem from every angle. This is the first time in the history of our country that we truly have a comprehensive strategy. As you can tell, such an approach will not come cheaply. Last February I asked for a \$700 million increase in the drug budget for the coming year.

And now, over the past 6 months of careful study, we have found an immediate need for another billion and a half dollars. With this added \$2.2 billion, our 1990 drug budget totals almost \$8 billion, the largest increase in history. We need this program fully implemented -- right away. The next fiscal year begins just 26 days from now. So, tonight I'm asking the Congress, which has helped us formulate this strategy, to help us move it forward immediately. We can pay for this fight against drugs without raising taxes or adding to the budget deficit. We have submitted our plan to Congress that shows just how to fund it within the limits of our bipartisan budget agreement.

Now, I know some will still say that we're not spending enough money, but those who judge our strategy only by its pricetag simply don't understand the problem. Let's face it, we've all seen in the past that money alone won't solve our toughest problems. To be strong and efficient, our strategy needs these funds. But there is no match for a united America, a determined America, an angry America. Our outrage against drugs unites us, brings us together behind this one plan of action -- an assault on every front.

This is the toughest domestic challenge we've faced in decades. And it's a challenge we must face not as Democrats or Republicans, liberals or conservatives, but as Americans. The key is a coordinated, united effort. We've responded faithfully to the request of the Congress to produce our nation's first national drug strategy. I'll be looking to the Democratic majority and our Republicans in Congress for leadership and bipartisan support. And our citizens deserve cooperation, not competition; a national effort, not a partisan bidding war. To start, Congress needs not only to act on this national drug strategy but also to act on our crime package announced last May, a package to toughen sentences, beef up law enforcement, and build new prison space for 24,000 inmates.

You and I both know the Federal Government can't do it alone. The States need to match tougher Federal laws with tougher laws of their own: stiffer bail, probation, parole, and sentencing. And we need your help. If people you know are users, help them -- help them get off drugs. If you're a parent, talk to your kids about drugs -- tonight. Call your local drug prevention program; be a Big Brother or Sister to a child in need; pitch in with your local Neighborhood Watch program. Whether you give your time or talent, everyone counts: every employer who bans drugs from the workplace; every school that's tough on drug use; every neighborhood in which drugs are not welcome; and most important, every one of you who refuses to look the other way. Every one of you counts. Of course, victory will take hard work and time, but together we will win. Too many young lives are at stake.

Not long ago, I read a newspaper story about a little boy named Dooney who, until recently, lived in a crack house in a suburb of Washington, DC. In Dooney's neighborhood, children don't flinch at the sound of gunfire. And when they play, they pretend to sell to each other small white rocks that they call crack. Life at home was so cruel that Dooney begged his teachers to let him sleep on the floor at school. And when asked about his future, 6-year-old Dooney answers, "I don't want to sell drugs, but I'll probably have to."

Well, Dooney does not have to sell drugs. No child in America should have to live like this. Together as a people we can save these kids. We've already transformed a national attitude of tolerance into one of condemnation. But the war on drugs will be hard-won, neighborhood by neighborhood, block by block, child by child.

If we fight this war as a divided nation, then the war is lost. But if we face this evil as a nation united, this will be nothing but a handful of useless chemicals. Victory -- victory over drugs -- is our cause, a just cause. And with your help, we are going to win.

Thank you, God bless you, and good night.”

(Accessed on <https://www.presidency.ucsb.edu>, on February 28, 2023)

## Bill Clinton's "Remarks on Signing the Violent Crime Control and Law Enforcement Act of 1994"

"I think we ought to give the Vice President a hand for all the work that he has done. [Applause] Thank you, Mr. Vice President, for your introduction and for your labors on this bill.

Most of the introductions have been made, but I want to join what has been said. I want to thank the members of my Cabinet, General Reno and Secretary Bentsen and all the others who worked so hard on this. I want to thank all these mayors here, Mayor Giuliani, Mayor Webb, Mayor Rice, Mayor Daley, Mayor James, Mayor Rendell, all the other mayors. I'd like to ask—and there are some county officials here—I'd like to ask all the local leaders who are here to please stand up; they didn't all stand—I'd like to ask them all to stand and be recognized. Mayor Golding, Susan, good to see you. Mayor Schmoke, Mayor Helmke, Mayor Abramson who got cauliflower ear from making his phone calls. [Laughter] I'd also like to ask, even though many of them have been introduced, I would like to ask the people without whom we would not be here today, all the Members of the Congress who are here, Republicans and Democrats, to please stand and be acknowledged; every one of them, I'd like for them to stand up. Thank you.

And let me say to all the representatives of the victims groups and the citizens groups how grateful we are to you; to all the leaders of the law enforcement groups; to all the rank-and-file folks who worked so hard; to all the leaders of the community groups of people who wanted to give our kids something to say yes to and to prevent crime before it occurs; to all the ministers—to all of you, I thank you for being here and for making this day possible.

The American people have been waiting a long time for this day. In the last 25 years, half a million Americans have been killed by other Americans. For 25 years, crime has been a hot political issue, used too often to divide us while the system makes excuses for not punishing criminals and doing the job, instead of being used to unite us to prevent crime, punish criminals, and restore a sense of safety and security to the American people.

For the last 6 years, children have become the most likely victims of violent crime and its most likely perpetrators. And for 6 years, Washington debated a crime bill without action while more and more children died and more and more children became criminals and foreclosed a productive life for themselves.

In the last 2 years, Meghan Sposato lost a mother she had only begun to know; Polly Klaas lost her life to a felon who should never have been back on the streets; and James Darby wrote his President a letter because he was so afraid, only to lose his life walking home before anybody could erase his fears. And still, some people in this town tried to keep this day from happening. But today, at last, the waiting ends.

Today the bickering stops, the era of excuses is over, the law-abiding citizens of our country have made their voices heard. Never again should Washington put politics and party above law and order.

From this day forward, let us put partisanship behind us, and let us go forward—Democrats, Republicans and independents, law enforcement, community leaders, ordinary citizens—let us roll up our sleeves to roll back this awful tide of violence and reduce crime in our country. We have the tools now. Let us get about the business of using them.

One of the reasons that I sought this office is to get this bill, because if the American people do not feel safe on their streets, in their schools, in their homes, in their places of work and worship, then it is difficult to say that the American people are free.

Not so long ago, kids grew up knowing they'd have to pay if they broke a neighbor's window playing ball. I know; I did it once. [Laughter] They knew they'd be in trouble if they lied or stole because their parents and teachers and neighbors cared enough to set them straight. And everybody knew that anybody who committed a serious crime would be caught and convicted and would serve their time in jail. The rules were simple, the results were predictable, and we lived better because of it. Punishment was swift and certain for people who didn't follow the rules, and the rewards of America were considerable for those who did.

Now, too many kids don't have parents who care. Gangs and drugs have taken over our streets and undermined our schools. Every day we read about somebody else who has literally gotten

away with murder. But the American people haven't forgotten the difference between right and wrong. The system has. The American people haven't stopped wanting to raise their children in lives of safety and dignity, but they've got a lot of obstacles in their way.

When I sign this crime bill, we together are taking a big step toward bringing the laws of our land back into line with the values of our people and beginning to restore the line between right and wrong. There must be no doubt about whose side we're on. People who commit crimes should be caught, convicted, and punished. This bill puts Government on the side of those who abide by the law, not those who break it; on the side of the victims, not their attackers; on the side of the brave men and women who put their lives on the line for us every day, not the criminals or those who would turn away from law enforcement. That's why police and prosecutors and preachers fought so hard for this bill and why I am so proud to sign it into law today.

When this bill is law, "three strikes and you're out" will be the law of the land; the penalty for killing a law enforcement officer will be death; we will have a significant—[*applause*]— we will have the means by which we can say punishment will be more certain. We will cut the Federal work force over a period of years by 270,000 positions to its lowest level in 30 years and take all that money to pay for this crime bill. The savings will be used to put 100,000 police officers on the street, a 20 percent increase. It will be used to build prisons to keep 100,000 violent criminals off the street. It will be used to give our young people something to say yes to, places where they can go after school where they are safe, where they can do constructive things that will help them to build their lives, where teachers replace gang leaders as role models. All of these things should be done and will be done.

This bill makes it illegal for juveniles to own handguns and, yes, without eroding the rights of sports men and women in this country, we will finally ban these assault weapons from our street that have no purpose other than to kill.

But my friends, let us be frank with each other: Even this great law, the toughest and smartest crime bill in our history, cannot do the job alone. By its own words, it is still a law. It must be implemented by you, and it must be supplemented by you. Even when we put a new police officer on your block, the officer can't make you safe unless you come out of your home and help the officer do his or her job. Even when we keep our schools open late and give our

children an alternative to drugs and gangs, your children won't learn the difference between right and wrong unless you teach them and they're in those schools when they're open. Our country will not truly be safe again until all Americans take personal responsibility for themselves, their families, and their communities. This day is the beginning, not the end, of our effort to restore safety and security to the people of this country.

Here in Washington there is more that we can do. Today I am naming Vice President Gore, whose reinventing Government report first proposed the cuts in the bureaucracy that will pay for this bill, to head the President's Prevention Council. I want him to work with every Department to make this a coherent and cost-effective effort to give communities the tools they need to prevent crime from occurring in the first place. In a few weeks I will name the head of our program to put 100,000 new police on the street. And early next month, the Justice Department will award grants to put new police on the street in 150 more cities and towns that applied last year.

Last Sunday, I was in Maryland, and Senator Sarbanes told me that already one of our community policing grants had resulted in the capture of a serious felon in a community in his State. This will make a difference. And I want to commend the Attorney General and the Justice Department for being determined to do this right, to get this money out to the grassroots so that we can hire the police and get on with the job.

Thirdly, in the coming months the Vice President and I will hold forums on crime and violence all across our country, with all kinds of people from all walks of life, leading up here to a meeting at the White House next year to launch a national effort at the grassroots level in each and every community to implement the crime bill properly, to enshrine the values and common sense the crime bill represents, and to do something about this terrible scourge of violence that is especially gripping our children and robbing them of their future. We intend to continue the fight, and we want you to keep working with us.

Today we remember the thousands of officers who gave their lives to make our Nation safer, whose names are inscribed in a stone memorial just a mile away from here. We remember the innocent victims whose lives were lost and whose families were shattered by the scourge of violent crime. We remember three, James Darby, Polly Klaas, and Jody Sposato, whose deaths literally galvanized this Nation and shamed our political system into action. It is in their

memories that I dedicate this bill. I hope this law will always be remembered in their names. And I hope, too, that we will remember what the Vice President said, "The ultimate victory of this law will be in the salvation of the children whose names we will never know."

Early in 1992, I was walking through one of the countless kitchens of a hotel lobby in New York on my way to a dinner when a waiter working there came up to me and grabbed me, and he said, "Mr. President"—he didn't call me Governor then—he said, "My 10-year-old boy is studying this election in school, and he says I should vote for you." But he said, "I want to tell you something first. I came here as an immigrant, and the place where I lived was very poor, and we were very poor. But at least we were free. Now we live here, and we have more money, but we are not free. We are not free because my boy can't walk across the street and play in the park unless I am with him. We are not free because my boy cannot walk to school unless I am with him. Make my boy free."

On the day after the crime bill was signed, I received a letter carefully typed from a very young man who is the son of a member of our administration. It was so eloquent. He said, "I live in a good neighborhood. I go to a nice school. You wouldn't think people like me would care about this crime bill, but I have been keeping up with it every day because every time I go out with my friends at night to a movie or to a game, I think someone might shoot me before I get home. Now I feel so much better."

My fellow Americans, this is about freedom. Without responsibility, without order, without lawfulness, there is no freedom. Today the will of the American people has triumphed over a generation of division and paralysis. We've won a chance to work together.

So in that spirit, let us rededicate ourselves today to making this law become the life of our country, to restoring the sense of right and wrong that built our country, and to make it safe, not in words but in fact, in the lifeblood of every child and every citizen of this country who believes in the promise of America. Let us make it real.

Thank you, and God bless you all."

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