

**U.S. PROGRAMS**  
**Campaign for a New Drug Policy**  
**Summary of Recommended Grants**  
**Docket I - April 6, 2012**

**Program Area/Organization**

Organization	Grant Code	Recommended	Term	2012	2013	2014
<b>Promoting Alternatives to Punitive Drug Policies</b>						
Community Studies of New York	T1: 21128	\$450,000	30 months	\$150,000	200,000	\$100,000

<b>Total Recommended:</b>	<b>\$ 450,000</b>	<b>\$ 150,000</b>	<b>\$ 200,000</b>	<b>\$ 100,000</b>
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<b>GRANTMAKING TOTAL THIS DOCKET:</b>	<b>\$ 450,000</b>
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*Angela Veir*  
Approval Signature

4/12/12  
Date

## MEMORANDUM

**TO:** Aryeh Neier  
**CC:** Diana Morris and Leonard Noisette  
**FROM:** Andy Ko and Kima Taylor  
**DATE:** March 30, 2012  
**RE:** Campaign for a New Drug Policy, April Docket Meeting

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The Campaign for a New Drug Policy recommends one grant to **Community Studies of New York (CSNY)** for the April 2012 Docket. CSNY proposes to research and publically disseminate information regarding racial biases in drug related arrests involving marijuana in New York City and in other large communities across the United States. This grant would advance the Campaign's goal of promoting alternatives to punishment-based drug policies. This would continue OSF's past support of work by City University of New York professor Harry Levine, which contributed in 2011 to a number of reform efforts, including a formal resolution by the NAACP opposing punitive and racially disparate drug policies and opposition to the more than 50,000 marijuana possession arrests annually in New York City. Levine and his staff propose to continue and greatly expand this work in the coming years.

**Grant ID:** 20035606

**Legal Name of Organization:** Community Studies of New York

**Tax Status:** 501(c)(3) public charity

**Name of Fiscal Sponsor:** n/a

**Purpose of Grant:** to research and publically disseminate information regarding racial biases in drug related arrests involving marijuana in New York City and in other major cities and counties in the United States

**Grant Description:** to provide a project grant over 30 months to Community Studies of New York to support its Marijuana Arrest Research Project. The project would research, document and disseminate quantitative and qualitative information that calls public attention to the racial disparities in marijuana possession arrests in New York City and in other major cities and counties in the United States. The project, in partnership with civil right groups and drug policy reform advocates, seeks to educate the public and policymakers about the damaging and costly consequences of current drug policies generally and marijuana prohibition specifically. This grant would advance the Campaign for a New Drug Policy's goals of building support within communities of color for drug policy reform and of ensuring that evidence based information is available to guide the public and policy makers in considering alternatives to the War on Drugs.

**Previous OSI Support:** \$395,000 Total  
\$126,000 from National Drug Treatment Initiative 2010  
\$89,000 Criminal Justice Fund 2009  
\$180,000 Sentencing and Incarceration Alternatives 2006

**Organization Budget:** \$480,600 per year

**Project Budget:** \$549,150 over 30 months

**Major Sources of Support:** n/a

**Amount Requested:** \$549,150

**Is this a contingent grant?** Yes

**Amount Recommended:** \$450,000 (\$150,000 from the Campaign for a New Drug Policy 2012 budget, T1: 21128; \$200,000 from its 2013 budget, T1: 21128; and \$100,000 from its 2014 budget, T1: 21128)

**Term:** 30 months, beginning May 1, 2012

**Matching Requirements:** n/a

**Description of Organization:**

Community Studies of New York, Inc. (CSNY) is a 501(c)(3) nonprofit organization founded in 1993 to establish and oversee the Infoshare Community Information System. Infoshare is a project of the Department of Urban Studies at Queens College/CUNY, developed in 1988 to provide public, neighborhood-level information using a full range of demographic and health data as well as information about public assistance, immigration, employment, housing, crime, child care, public school, land use, business patterns, and other issues concerning the communities and boroughs of New York City.

The Marijuana Arrests Research Project is co-directed by CUNY sociologist Dr. Harry Levine and attorney and communications professional Loren Siegel. Levine has been engaged long-term in research, writing and advocacy regarding U.S. drug policy and racial bias in its enforcement. In 2005, Levine began research and advocacy regarding racially-biased marijuana possession arrests in New York City and nationwide.

Levine and Deborah Small of Break the Chains produced a 2008 report for the New York Civil Liberties Union regarding New York City's escalating marijuana arrests, *Marijuana Arrest Crusade: Racial Bias and Police Policy in New York City, 1997-2007*. Some of the project's more significant recent work includes a report that contributed to the NAACP taking a formal position against punitive drug policies, documentation of racially-biased marijuana arrests in the major counties and cities of California, and a series of reports regarding New York City that led, in part, to Police Commissioner Ray Kelly requiring compliance with statutory and constitutional requirements in marijuana arrests.

Siegel has worked as a communications consultant and was Communications Director for the ACLU from 1981 to 2002. She has supported the work of the Marijuana Arrests Research Project since 2007.

**Description of Program for Which Funding Is Sought:**

The mission of the Marijuana Arrest Research Project is to document the level of marijuana arrests, racial bias in their enforcement, and fiscal impacts. The project researches and disseminates information regarding the collateral consequences of marijuana law enforcement for individuals, families and communities. During the period of this grant, the Marijuana Arrest Research Project would pursue three major objectives in its research, public education and advocacy, including:

- Monitoring New York City marijuana arrests;
- Documenting and publicizing racial disparities in marijuana possession arrests in other cities, counties and states; and
- Generating ideas, policies and models for alternative marijuana policies.

**Monitor NYC Marijuana Arrests**

The Marijuana Arrest Research Project would monitor the impact of Police Commissioner Kelly's September 2011 directive requiring New York City police to end arrests for small amounts of marijuana, which was decriminalized by the state in the 1970s, except where the drug

was in public view. Marijuana arrests reportedly decreased by 13% in October and November of 2011, yet year-end arrest data indicate that the NYPD had made approximately 50,000 marijuana arrests in 2011 – roughly the same number as in 2010.

The project would pursue its New York City work through three core activities. It would obtain, analyze and compare data regarding marijuana law enforcement before and after the Kelly directive to monitor the number of and racial disparities in marijuana arrests, as well as determine whether any decrease in marijuana arrests is followed by an increase in other forms of over-policing or police misconduct. The project intends to publish its findings in a special report, which will include an analysis of the direct and collateral consequences of receiving a summons for marijuana possession. (A summons, even under marijuana decriminalization, can eventually result in arrest, detention, fines and other civil penalties.) With publication of its New York City report, the project would participate in a campaign to build public support for marijuana policy reform, including engagement with individuals and groups that work in the African American and Latino communities most negatively impacted by the NYPD's marijuana law enforcement practices.

#### Document and Publicize Racial Disparities in Marijuana Possession Arrests in Other Cities, Counties and States

To date, the Marijuana Arrest Research Project has collected and analyzed federally gathered marijuana arrest data from 2003 to 2007 regarding the largest counties in 28 states (counties with more than 200,000 inhabitants). From this data, the project has created a series of graphs and tables that reveal racial disparities in marijuana law enforcement in the majority of these counties. This information has not yet been made widely public, but it has been shared with certain civil rights and drug policy reform groups for specific purposes – e.g., with the NAACP during its consideration of a resolution to oppose the War on Drugs. The project would update and expand quantitative arrest data in these 28 states for 2008-2010 and expand the database to include additional information, such as arrests by age and gender. It will extend data sets beyond the information reported to the federal government by including state gathered arrest data. This will provide for a more accurate analysis where federal data is incomplete because local police agencies have failed to report arrests to the federal government. For example, Illinois and Florida both have large populations of people of color, but keep only state-level records and do not report their arrests to the FBI.

The project will also collect and analyze Latino arrest data, which is not distinguished in federal arrest data. Project researchers will initially focus on states where Latinos are a significant portion of the population, including California, Texas, Arizona, Nevada, Oregon, Washington, Colorado, New Mexico, New Jersey, Illinois and Florida. Following up on this work, the project will reach out to organizations concerned with the rights of Latinos and immigrants to further investigate and publicize Latino marijuana arrests, including the Mexican American Legal Defense and Education Fund, La Raza, the Puerto Rican Legal Defense and Education Fund, and National Network for Immigrant and Refugee Rights.

The project will expand its qualitative research regarding the collateral harms of drug arrests to account for state-level distinctions by interviewing key informants in the 25 largest states. Project researchers will collect qualitative information through interviews with police regarding arrests, with court personnel concerning adjudications and diversion, and with social services professionals concerning the effect of a drug arrest on employment, educational opportunities, housing, and other activities and human needs.

The project will publicize its findings within the relevant jurisdictions and work with local and national advocates to use its research effectively, including by raising awareness of marijuana law reform as a racial justice concern. Of particular importance to jurisdictions where there are active marijuana reform advocates, the project will produce, and place on its website, reports that provide information specific to that community.

**Rationale for Recommendation:**

This grant would advance the Campaign for a New Drug Policy's goals of building support within communities of color for drug policy reform and of ensuring that evidence based information is available to guide the public and policy makers in considering alternatives to the War on Drugs.

The Marijuana Arrest Research Project is based in New York City, but would be active nationally. The project is unusual in its prolific production of research and reports that are directly relevant to drug policy reform efforts. It is also uncommon in the range of its collaborations with groups directly engaged in reform advocacy. The proposed project would substantially build on work previously funded by the Open Society Foundations to advance marijuana law reform and challenge racial disparities in drug arrests, prosecutions and the imposition of collateral harms.

This is a critical juncture in drug policy reform generally and in marijuana law reform specifically. The United States, which has lagged behind many of its counterparts in the western world in reforming its drug laws, now finds itself, in many ways, leading marijuana law reform. A substantial number of Californians voted in 2010 for the unsuccessful attempt to establish regulated marijuana legalization. There will be two similar measures on the ballot in Colorado and Washington in 2012, where public opinion regarding regulated legalization of marijuana is roughly split. There is increasing concern about racial disparities in drug arrests in New York City and elsewhere, much of it generated by the work of the Marijuana Arrest Research Project. The absence of sound data and analysis of drug law enforcement and its fallout is an acute problem for the OSF Campaign for a New Drug Policy and for drug policy reform efforts generally. This project would help meet that need.

This project would also impact a number of other areas of interest to the Open Society Foundations. The ongoing "stop and frisk" policing in New York City and its linkage with marijuana arrests highlight the use of marijuana and other drug laws as a means of exercising police control in lower-income communities and communities of color. Data collection and outreach could also increase public understanding of and concern about the impact of drug arrests in Latino communities, which has been a priority of the Campaign. This work could also impact the drug policy efforts of the Open Society Foundations' international network, given the outside attention focused on United States marijuana reform, particularly in Latin America.

The proposed range of work is ambitious, but the co-directors have extensive experience in their areas of expertise: social science research, law and communications. The project directors are well-known in drug policy reform and civil liberties circles, having a long history within both networks and, more recently, substantial exposure in the news media.

The Campaign for a New Drug Policy staff recommends a project grant of \$450,000 over 30 months to Community Studies of New York for its Marijuana Arrest Research Project to research and disseminate information regarding racial biases in drug related arrests involving marijuana and other drugs in New York City and in other major cities and counties in the United States.