



THE NEW YORK STATE BLACK, PUERTO RICAN, HISPANIC, AND ASIAN LEGISLATIVE CAUCUS

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New York State Black, Puerto Rican, Hispanic, and Asian Legislative Caucus Join Community Groups to Call for an End to the Marijuana Possession Law

Marijuana possession is the number one arrest in New York City and a top arrest in New York State, leading to racial discrepancies, while costing taxpayers \$600 million over last decade

Albany, NY – Today members of the New York State Black, Puerto Rican, Hispanic, and Asian Legislative Caucus, together with Senator Daniel Squadron, and Albany County District Attorney David Soares, gathered to end the biased and costly practices of falsely arresting tens of thousands of people in New York for low-level marijuana possession. Joined by dozens of advocates and impacted people from around the state, the Caucus urged members of the Senate and Assembly to support Governor Cuomo's marijuana decriminalization proposal. The proposal, outlined in his 2013 State of the State Address, would end the practice of arresting tens of thousands of young people for possessing marijuana in public view by fixing the law and standardizing the penalties for marijuana possession.

The arrest statistics say it all; Approximately 45,000 people were arrested in New York for marijuana possession in 2012 alone; nearly 40,000 of those arrests were in New York City, far exceeding the total marijuana arrests from 1981-1995. The cost to taxpayers was nearly \$75 million last year alone, and over \$600 million in the last decade, a profound waste of money. With budgets tightening everywhere, legislators and advocates joined together to call for sensible reforms. Fixing the law and standardizing penalties will bring us closer to ending racially discriminatory marijuana arrest practices while focusing our limited resources more effectively.

Assemblyman Karim Camara, Chair of the New York State Black, Puerto Rican, Hispanic and Asian Legislative Caucus, (D-Brooklyn-43rd AD), said, "This legislation will ensure that possession of a small amount of marijuana, whether public or private, is treated as a violation and not as a misdemeanor. We can't continue to let minor offenses like this ruin the future of everyday New Yorkers, particularly

minority youth, leading to the deterioration of communities across the state. Nor can we continue to waste millions of dollars in law enforcement resources, while detracting from the prosecution of serious crime. This legislation will ensure that individuals who possess small amounts of marijuana are sanctioned appropriately while avoiding permanent damage on their records. This legislation will bring fairness to our justice system.

“We cannot have the same laws applied differently to different groups of people when the dividing line is race,” said **Gabriel Sayegh, New York State director for the Drug Policy Alliance**. “The governor’s proposal is an essential step towards bringing greater fairness and equity to both our drug laws and policing practices in our state. The criminalization of our young people must end – the legislature must now act now to enact reform.”

"I fully support legislation that standardizes the punitive charges for marijuana-related arrests. Too often, Blacks and Hispanics suffer the disproportionate and biased effects of the existing laws that render how violations are treated. I am eager to see the day when marijuana violations are accorded a more sensible and coherent methodology in terms of how they are classified and applied, if for nothing else, to mitigate the more pernicious effects of stop & frisk policing." **Assemblyman Luis Sepulveda, (D-Bronx-87th AD)**.

"Each day that the crisis of rampant marijuana arrests in New York goes unaddressed, hundreds of young people lose the opportunity to fully participate in our state’s economy and local communities. The use of this loophole in our drug laws to target and criminalize Black and Latino youth is not only ethically wrong, but it is bad economic policy. By standardizing penalties for marijuana possession with the laws that have been in effect since 1977, we will save taxpayer money, provide broader opportunity for social growth, and promote greater fairness throughout the New York State." **Assemblyman Walter Mosley, D-Brooklyn-57th AD)**

"I strongly support and urge for the passage of a bill that will decriminalized marijuana. I represent the Police Precinct with the highest amount of "stop and frisk" cases in the entire city and state of New York. Everyday in my district young men of color are being victimized for carrying small amounts of marijuana because of current policing policies. Arrests made for petty marijuana charges desensitizes the youth to the justice system and negatively impacts the rest of their lives," stated **Assemblyman Member Rafael L Espinal Jr, (D-Brooklyn-54th AD)**.

“For generations Bronx families have been suffering from inequities rooted in a criminal justice system that often turns its collective back on the needs of people of color,” **Assemblywoman Vanessa L.**

Gibson, (D-Bronx, 77th AD), said. “Ending the harsh penalties for those arrested for possessing small amounts of marijuana is an essential first step in bringing equity and fairness to our court system, and removing a barrier that has blocked access to opportunity for generations of African-Americans and Latinos throughout our state.”

Stephen G., a 31 year old African-American resident of the Bronx, was arrested twice in one year for marijuana possession despite an operations order from NYPD Commissioner Kelly instructing police not to make arrests in connection with stop and frisk searches. “I was minding my own business walking home when police stopped me and asked if I had anything in my pockets,” Stephen, a member of **VOCAL New York**, recounted about the most recent arrest in October 2012. “They began searching me without my permission and then arrested me for having a tiny amount of marijuana in my pocket. While I was being processed, a couple officers rushed me, with one grabbing my throat and another one ripping my jacket, and I was then held overnight in Central Booking. It makes me feel like the whole system is stacked against people like me.” After another arrest for marijuana possession, in November 2011, Stephen was kicked out of a job training program after he was arrested and held for three days.

“We must close the loophole in the law that allows a person who complies with the lawful order of a police officer and takes marijuana out of their pocket to be charged with a misdemeanor, arrested, and taken into the system,” **Assemblyman Herman D. Farrell, (D-Manhattan-71st AD)** said. “Even the law enforcement community is asking for the law to be clarified. For too long, young men and women of color have had their futures ruined because of this quirk of the law, and we must all agree to fix this problem as soon as humanly possible.”

“The discriminatory and archaic marijuana possession law has been debilitating Black and Brown communities across New York State for too long, and now is the time to change the statute. The existing law encourages biased police tactics, like stop and frisk, which results in thousands of unnecessary arrests in my neighborhood of Harlem, and throughout New York City. We must eliminate the pointless, low-level arrests that stem from current statute by creating a fair and consistent law that our citizens deserve” said Assemblyman **Keith L.T. Wright (D- Manhattan- 70th AD)**.

"Far too often, law-abiding New Yorkers are made to feel like suspects targeted by law enforcement instead of citizens protected by it. Reforming the in-plain-view marijuana statute and the inconsistent way it's enforced would be an important step toward ending these inequities. It's time for Albany to act. Thank you to Governor Cuomo, Assemblyman Camara, the Caucus, the Drug Policy Alliance, and all of our colleagues here today fighting to bring justice to each and every New York

community," **Senator Daniel Squadron (D-Brooklyn/Manhattan-26th SD)**, who sponsors Senate legislation to reform the in-plain-view statute.

“Let's get clear on what this is about. Passing the marijuana reform bill is a critical building block for furthering public safety and health, especially for low-income youth and communities of color, “ said **Kyung Ji Kate Rhee, Juvenile Justice Director at the Center for NuLeadership on Urban Solutions (CNUS)**. “We trust that Governor Cuomo will provide the critical leadership necessary to make our communities healthier and safer by ensuring equity, education, justice, and civil rights. “

The reform proposal outlined by Governor Cuomo is supported by dozens of community organizations throughout the state, state legislators, NYC Council and Mayor Bloomberg. Additionally, the reforms are supported by law enforcement leaders from across the state, including NYPD Commissioner Ray Kelly, all five NYC District Attorneys (Democrat and Republican) and District Attorneys from Long Island, Buffalo, Albany, and police leaders like the Albany Sheriff and Rochester Police Chief. The New York Times, the Daily News, the New York Post, the Syracuse Times-Standard, and the Buffalo News are among the papers that have written editorials in support the of the reform.

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