

## RACIAL DISPARITY IN DRUG LAW ENFORCEMENT

### PROBLEM

Despite the fact that only 8% of the general Seattle population is Black, two-thirds (67%) of those who are arrested for delivery of a serious drug (narcotics other than marijuana) in Seattle are Black. Yet, a rigorous, data-driven analysis of drug use, delivery, and law enforcement patterns in Seattle, conducted in 2008, indicates that this tremendous racial disparity in arrest rates does not reflect the reality of the local drug economy, nor it is a function of public health, public safety, or civilian concerns.

### KEY POINTS

- **Seattle has one of the highest rates of racial disparity in drug arrests in the United States.** According to Seattle Police Department (SPD) arrest figures, the total black drug arrest rate was more than 13 times higher than the white drug arrest rate in 2006. Blacks were more than 21 times more likely to be arrested for selling serious drugs than whites in 2005-2006, despite the fact that multiple data sources suggest that whites are the majority of sellers and users of serious drugs in Seattle. This rate of disparity is surpassed by only one of the other 38 comparably-sized cities in the nation for which data are available.
- **Law enforcement's focus on crack cocaine – despite the presence of other serious drugs in the City – drives the extreme racial disparity in Seattle arrest rates.** The data suggest that the primary cause of racial disparity in Seattle's drug law enforcement is SPD's focus on crack cocaine – to the virtual exclusion of other serious drugs like heroin, powder cocaine, Ecstasy, and methamphetamine. In 2005-2006, *nearly three-quarters (74.1%) of all planned arrests for delivery of a serious drug involved crack cocaine*, a pattern that has remained consistent over time. Of those individuals arrested for crack cocaine delivery, 73.4% were Black. By contrast, fewer than 20% of those arrested for delivering any other serious drug were black.
- **The over-representation of crack-cocaine offenders among drug arrestees does not appear to be a function of public health and safety concerns, nor of resident complaints.** Powder cocaine and Ecstasy – not crack cocaine – are the most widely used serious drugs in Seattle. Although crack cocaine use poses health risks, it is less likely than other serious drugs, such as heroin and other opiates, to be associated with infectious disease and drug-related mortality. Moreover, those arrested for crack cocaine offenses were *least* likely to possess a dangerous weapon at the time of arrest. Lastly, there is little geographic correspondence between the areas identified by civilian complainants and the places where planned drug delivery arrests occur.
- **A less harmful approach to drug law enforcement is necessary.** Community-based diversion programs provide a viable alternative to traditional drug law enforcement methods.

### LIST OF ENCLOSED MATERIALS

- Beckett, Katherine. “Executive Summary.” *Race and Drug Law Enforcement in Seattle: Report Prepared for the ACLU Drug Law Reform Project and The Defender Association*. September, 2008.
- Beckett, Katherine. *Race and Drug Law Enforcement in Seattle: Report Prepared for the ACLU Drug Law Reform Project and The Defender Association*. September, 2008.
- Beckett, Katherine, Kris Nyrop and Lori Pfingst. 2006. “Race, Drugs and Policing: Understanding Disparities in Drug Delivery Arrests.” *Criminology* 44, 1: 105-138.
- Beckett, Katherine, Kris Nyrop, Lori Pfingst and Melissa Bowen. 2005. “Drug Use, Drug Possession Arrests, and the Question of Race: Lessons from Seattle.” *Social Problems* 52, 3: 419-41.