

# Blacklisted

## race, drugs and crime

Latest Home Office figures reveal that the percentage of black people jailed for drug offences has soared from 18% of the total in 1998 to 30% in 2002. Could we be headed for a US-style 'warehousing' of young black people in prison?

**Anita Kalunta-Crumpton** chronicles the history.

**T**HE answer to Lynn Jones's parliamentary question which revealed these figures is a stark indication of how the black community has come to occupy such a prominent position in the prison population for drug offences, particularly drug trafficking. And it is a position that has been a long time coming.

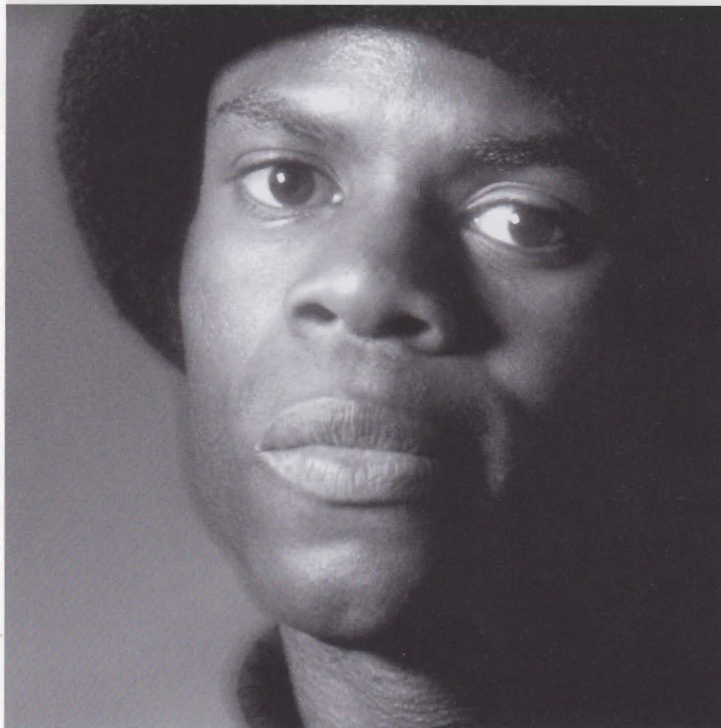
For many years, race has constituted one of the social factors contributing to the high profile of drug trafficking in the political agenda. Following post-2nd World War black immigration into Britain, race became deeply intertwined with explanations surrounding the sale and use of a 'new' type of drug – cannabis.

As the use of cannabis became widespread among the indigenous white population, its sale was associated with West Indian immigrants. The perceived threat posed by cannabis and the alleged role of black people in drug dealing made up some of the main areas of political and media concerns.

### STOP AND SEARCH

Police powers to control drugs increased under the 1964 Dangerous Drugs (Prevention of Misuse) Act. Such powers authorised them to arrest without a warrant a person who was committing, or 'reasonably suspected' of having committed a drug offence and to search premises if there was evidence that a drug

**Dr Anita Kalunta-Crumpton** is Lecturer at the Institute of Criminal Justice Studies, University of Portsmouth



offence was being committed.

Greater powers were accorded the police under the 1965 Dangerous Drugs Act and the 1967 Dangerous Drugs (Prevention of Misuse) Act. The drug laws of 1965 and 1967 were used by the police to discriminate against black people who were subjected to indiscriminate police stop and search practices.

The drug laws, which enabled the police to utilise 'their specialised force for vice and drug detection, and for the surveillance of suspects' invariably allowed them 'to abuse discretion and infringe the law as a means to that greater end'.<sup>2</sup>

In 1971, the Misuse of Drugs Act was passed to consolidate previous legislation. It further increased criminal justice powers to deal with drug offences. By the late 1970s, black localities had become notorious for drug dealing which met with uncritical acceptance among politicians and the media – who perpetuated stereotypical views of black youth which developed from 'muggers' to more recent concepts of 'Yardies' and 'posses'.

#### **XENOPHOBIA**

Political and public concerns about drugs reached new heights in the 1980s whereby drug 'dealing' or 'pushing' became drug 'trafficking' to reflect the heightened seriousness attached to the activity. Black communities attracted media attention, and over-policing operations were justified through descriptions of those communities as a mafia-style drug market saturated with big-time professional black drug traffickers whose origins were in the Caribbean and West Africa.

The foreigner representations of drug trafficking meant that immigrants from countries such as Jamaica and Nigeria were held principally responsible for importing controlled drugs into Britain. Invariably, black people's disproportionate presence in the prison figures, especially in the female prison population is illuminated by the high numbers of foreign nationals – from West Africa and the Caribbean – charged or

convicted for importing illegal drugs.

While at one end, the media were focusing on the 'alien threat' to our shores, from 'organised crime', low-level policing was given top priority. Policing at this level was to involve street-level surveillance, with stop and search practices geared towards detecting retail drug markets. Its activities were to concentrate on specific areas such as council estates, public houses, private flats and streets in deprived inner-city areas mostly populated by black and minority ethnic communities.

In 1994 The Advisory Council on the Misuse of Drugs acknowledged the drastic implications of this policy for race relations, 'An important element of street level policing is the tactic of stop and search of individuals suspected of involvement in drug offences. A significant amount of activity involving drugs is concentrated in our inner cities, where ethnic minorities are also heavily represented. In turn, this can result in apparently disproportionate numbers of ethnic minorities being stopped and searched compared with the general population'.<sup>1</sup>

But for the police, it has always been easier to pick off black drug dealers at street level to demonstrate activity in this area because of the huge problems of apprehending white traffickers who tend to be concentrated at the top level of the drug trade as suppliers and distributors with access to the lucrative parts of the drugs market.

With the ongoing emphasis on street level policing and its intensive focus on small-scale drug dealers at the retail level, black people remain vulnerable targets and ideal scapegoats for stringent criminal justice practices. Meanwhile, the powerful forces protected by wealth and power are far removed from detection and punishment. ■

### **STATESIDE 'JUSTICE'**

Such a drugs law enforcement strategy is not confined to the UK. For example, the racialisation of drugs is evident in the United States where drug policies disproportionately criminalize the black community, particularly black men.

Despite that black people are in reality also positioned at the margins of the drugs economy. The disproportionate law enforcement attention assigned to inner-city localities where African-Americans mostly reside means that this ethnic group make up a high percentage of those arrested, convicted and incarcerated for drug trafficking and drug possession.

The racial lines determining policy and practical responses to the US drug problem are clearly marked in the sentencing patterns of the courts toward illegal possession of crack cocaine and cocaine powder. Crack cocaine possession, for which African-Americans are mostly incarcerated, attracts a lengthier prison sentence than the possession of cocaine powder, which is mostly applicable to whites.

#### **references**

- 1 Advisory Council on the Misuse of Drugs (1994) *Drug Misusers and the Criminal Justice System*, London: HMSO
- 2 Humphrey, D. (1972) *Police Power and Black People*, London: Panther.