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Imprisonment of First-Time Drug Offenders

Racial Impact and Alternative Rehabilitation

For decades, the U.S. criminal justice system has waged war on the poor and marginalized racial and ethnic groups in American society, primarily due to mass incarceration fueled by the War on Drugs. Some of the trademark policies of this "war" were minimum sentences of jail time that were disguised as "tough on crime," yet primarily enforced in urban communities of color, where poverty often leads to drug-related offenses. Along with the physical punishment of prison, those subject to the current system face reduced economic rights and parity upon release, placing them in worse socioeconomic conditions which compel repeat offenses. The merciless imprisonment of first-time drug offenders has contributed greatly to a vicious, historical cycle of negative racial imagery which justifies socioeconomic oppression – and its effects, in turn, confirm the original racial stigma. Therefore, sentencing first-time drug offenders to treatment programs and community service will help reverse the racialization of prisons and dismantle racial hierarchy in American society.

Drug enforcement in the U.S. - including searches, arrests, and sentencing – targets minorities in extreme disproportion, creating what many scholars and activists call "The New Jim Crow" Era. Several studies at the local, state, and national levels have found disparities in drug enforcement among non-white Americans, including a 2016 Chicago report detailing black and Hispanic drivers as four times more likely to be searched by police than whites, despite being half as likely to possess drug contraband among other disturbing statistics ("Chicago

Police Accountability Task Force Report”). Additionally, a study of a national survey determined that although black adolescents were less likely to use or sell drugs than their white counterparts, they were more likely to be arrested (Kakade et al.). Given that youth are more likely to be first-time offenders, black adolescents disproportionately targeted by police serve as steady fodder for the prison system, leading to a cycle of filling these institutions with generations of primarily black men. Subsequently, the imagery of generations of African-Americans within the system forms racial symbolism that suggests blacks are inherently prone to committing crime. That racial imagery informs the implicit bias that police officers use to search, arrest, and brutalize young black men, changing the face of the black man from a slave to a felon. While drastic reform is needed to fully reverse the racialization of prisons, committing first-time offenders can stem the flow of youth into the system and grant them a chance at rehabilitation, while helping prevent further cementation of racial bias.

Perhaps more disastrous than the physical imprisonment of first-time drug offenders is the socioeconomic ruin that incarceration can bring. African-American youth are overrepresented in drug arrests and sentences on account of the War on Drugs; therefore imprisoning first-time drug offenders tears minority youth from their families, damaging and separating their structures in ways akin to chattel slavery. For young black fathers, the effect of incarceration even greater, leaving their children to possibly drop out of school, turn to gangs, and become involved with dangerous drug and sexual activity themselves without the guidance of a father (Joseph and Pearson). Equally catastrophic are the long-lasting material consequences emerging from incarceration for minority youth. As prominent civil rights scholar Michelle Alexander details, incarceration prevents people from acquiring numerous forms of federal aid, landing job offers, and avoiding police scrutiny; therefore, the many blacks who are processed

through the system find themselves likely to be arrested again or suffer from poverty (Alexander). Felons are forbidden from enlisting in the military, working in government, voting, as well as stand to lose their driver's licenses, public housing, and job consideration; additionally, any drug-related offense may suspend eligibility for federal financial aid, especially when incarcerated. (Chin; "Eligibility for Students with Criminal Convictions"). Thus, sentencing first-time drug offenders to alternative rehabilitation rather than prison can increase their chances of recovery and financial well-being, while protecting future possibilities and the families of minority youth.

Incarcerating first-time drug offenders has a drastically disparate effect on young, black individuals and the communities that they come from. Rather than offering rehabilitation, it contributes to an imbedded racial hierarchy within the justice system and the U.S. at large, reinforcing and strengthening a cycle of racial bias and its consequential reality. From tearing apart black families at a rate comparable to slavery to denying chances at socioeconomic stability, the imprisonment of first-time offenders has perpetuated racism in America. While numerous, great factors are involved, the simple policy change of sentencing first-time offenders to alternative rehabilitative options like treatment centers and community services will be leap towards reversing the racialization of American prisons and increasing opportunities and integration of black communities and their youth.

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