

Resolution on the Civil Rights Challenge of the Decade: Mass Incarceration as the New Jim Crow

Submitted by: Professional Staff Congress

Whereas, as Michelle Alexander has shown in her 2011 book, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, the explosion in the U.S. prison population between 1980 and 2006, from 350,000 to 2.3 million, reflects changes in laws and policies rather than an increase in crime rates, and the changes include:

- convictions for non-violent and minor crimes, particularly the possession of drugs rather than their sale, which explain most of the increase in prison population over this 25-year period; and
- long sentences mandated by the “War on Drugs” and various “three strikes” laws; and
- some politicians’ usage of the “War on Drugs” and “tough on crime” rhetoric as coded signals to stimulate inter-racial fear and hostility; and
- substantial financial incentives for local police departments to prioritize drug interdiction, ensuring the dramatic growth in drug arrests through federal funding and forfeiture laws; and
- police interdiction efforts have focused overwhelmingly on poor black and Hispanic communities despite repeated studies that demonstrate that the rate of drug use among whites nationally is similar to or slightly higher than among blacks; and

Whereas, the media and many public officials continue to inaccurately portray illegal drug use and drug crime as primarily a black and brown issue; and

Whereas, the differential enforcement of federal drug laws and the severe penalties for crack possession as compared to cocaine possession are racially discriminatory; and

Whereas, had the police chosen to wage the “War on Drugs” in predominantly white suburbs or college campuses rather than neighborhoods of people of color, the interdiction would have been stopped in short order; and

Whereas, decades of such selective enforcement of federal drug laws have marginalized a significant number of blacks and Hispanics, keeping many under the control of the criminal justice system practically for life; and

Whereas, this marginalization is analogous to containment of the black community under Jim Crow, as has been powerfully argued by Michelle Alexander and the NuLeadership on Urban Solutions, following earlier work by Angela Davis; and

Whereas, being convicted or pleading guilty to a youthful drug offense

will likely preclude access to employment, public housing, education, or voting rights for one's entire life in some states; and

Whereas, while ex-felons in only two states (Maine and Vermont) never lose their voting rights, ex-felons in two states (Kentucky and Virginia) and certain ex-felons in eight states are permanently disenfranchised, and ex-felons in the remaining states face barriers to the restoration of their voting rights (National Conference of State Legislatures); and

Whereas, the U.S. imprisons a larger percentage of its black population than South Africa at the height of apartheid, with one in three young African American men currently under the control of the criminal justice system; and

Whereas, in New York, the huge expansion of the prison industry, with its absorption of state funds, has correlated directly with decades of underfunding of public higher education; and

Whereas, NYSUT has a strong record of support for civil rights and racial justice and a strong record of leadership of that struggle within organized labor; therefore be it

RESOLVED, that NYSUT educate its members about the true costs that the War on Drugs has imposed both on New York's poor communities of color and on educational stakeholders; and be it further

RESOLVED, that NYSUT support public policies that promote drug treatment rather than persecution for drug-users; and be it further

RESOLVED, that NYSUT support the restoration of full citizenship rights for non violent drug offenders on probation or parole including the right to vote, serve on a jury, and full access to government services such as financial aid for education and housing and employment assistance; and be it further

RESOLVED, that NYSUT support legislation that ends the federal financial incentives that result in racist police practices of targeting and criminalizing poor communities of color within the context of the "War on Drugs."