

New book personalizes the reality of harsh cannabis laws

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Credit: Brian Summers

A new co-authored book by University of Toronto Mississauga professor Akwasi Owusu-Bempah examines how harsh cannabis laws have contributed to racial injustice—and how to repair the communities most

affected.

"Waiting to Inhale" illuminates how the War on Drugs has disproportionately impacted Black and Indigenous communities in the United States through the stories of people who are on the front lines of advocacy. Written alongside entrepreneur and cannabis industry leader Tahira Rehmatullah, the book is set to launch this month with MIT Press.

"The book really provides an overview of how drug law enforcement and the policing of drugs, especially cannabis, has been used to target Black, Indigenous and other racialized populations," says Owusu-Bempah, an associate professor in the department of sociology at UTM.

"We talk about the huge impact that this has had not only on these individuals but their families and their communities."

In the 1970s, the U.S. government-led campaign, referred to as the War on Drugs, was established to stop illegal drug distribution and use. In Canada, Prime Minister Brian Mulroney initiated a national drug strategy in July 1982.

But the criminalization of drug use and its history of systemically targeting racialized communities runs deeper.

In the U.S., The Marihuana Tax Act of 1937 made the possession or transfer of cannabis illegal. According to the University of Pennsylvania, a trillion dollars have been spent enforcing drug policy since 1971. By contrast, about a billion dollars have been spent in Canada. Meanwhile, cannabis legalization in Canada and globally is a multibillion-dollar industry.

While discussions and [political campaigns](#) about cannabis legalization

have largely focused on the positive societal and [economic factors](#), it has in most cases failed to acknowledge the injustices of the War on Drugs.

"Waiting to Inhale" personalizes the need for criminal justice reform in the United States through interviews with people who have served unjust cannabis convictions. Some are now dedicated to advancing cannabis amnesty.

This includes Evelyn LeChapelle. The young mother in Oakland, Calif., spent 87 months in prison after a 2013 arrest for a small role in a cannabis distribution operation, despite having no previous criminal record. LaChapelle was released in 2018 and is now a social justice advocate and entrepreneur who offers employment to those with a similar story.

In 1994, Michael Thompson received a prison sentence of 42 to 60 years for selling three pounds of cannabis to a friend (and police informant) in Michigan. Thompson was incarcerated for 25 years until the recreational use of cannabis became legal in the state in 2018. He is the longest-serving, non-violent offender in Michigan's history.

"When we look at the harsh penalties associated with the simple possession of cannabis in many U.S. states, they are much more consequential than other more serious crimes like [financial fraud](#) or even violent offenses," Owusu-Bempah says.

Canada & cannabis

While "Waiting to Inhale" focuses on the decriminalization of cannabis in the United States, many parallels can be drawn to the Canadian context—and it's a conversation Owusu-Bempah is leading.

Owusu-Bempah is a member of Canada's Black Justice Strategy's

steering committee, which groups recommendations to the federal government. Established to help reform Canada's criminal justice system, the committee stems from a 2019 commitment from the [federal government](#) to address anti-Black racism and the overrepresentation of Black Canadians in federal prisons.

The criminalization of cannabis in Canada traces back to the 1920s when a moral panic was cultivated around its use, targeting Black and Indigenous populations. After a change in drug law during the Mulroney administration, Black Ontarians experienced increased placement in the province's correctional facilities. According to a 2021 report, one in 15 young Black men in Ontario has experienced jail time, compared to nearly one in 70 young white men.

Before legalization, Canadian youth had among the highest rates of cannabis use globally, yet marginalized people are still most likely to be arrested for cannabis possession and use, Owusu-Bempah says.

Moving forward

Owusu-Bempah and Rehmatullah identify key action items to overturn racist policies and rebuild affected communities of cannabis criminalization.

While pardons have taken place at a slow pace in both the U.S. and Canada, clearing the records of those convicted remains vital in reconciliation, as it opens avenues for employment.

Other key factors include redistributing tax revenue generated from legal cannabis sales to reinvest in and revitalize neighborhoods.

Owusu-Bempah would also like to see the legal industry create employment opportunities for people with cannabis or other [drug](#)

convictions.

"What we want to see is space within this legal industry for those people who've been targeted by the War on Drugs," Owusu-Bempah says.

"The billions of dollars spent on police, courts and corrections were not spent on schools, hospitals, community centers, and community health care centers within those neighborhoods.

"We highlight these possibilities [in the book] and think that at the most basic level, the criminal records of people who've been convicted of activities that are now no longer illegal should be cleared."

Provided by University of Toronto Mississauga

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