

The Race/Ethnicity Disparity in Misdemeanor Marijuana Arrests in New York City

Update of analyses through 2006

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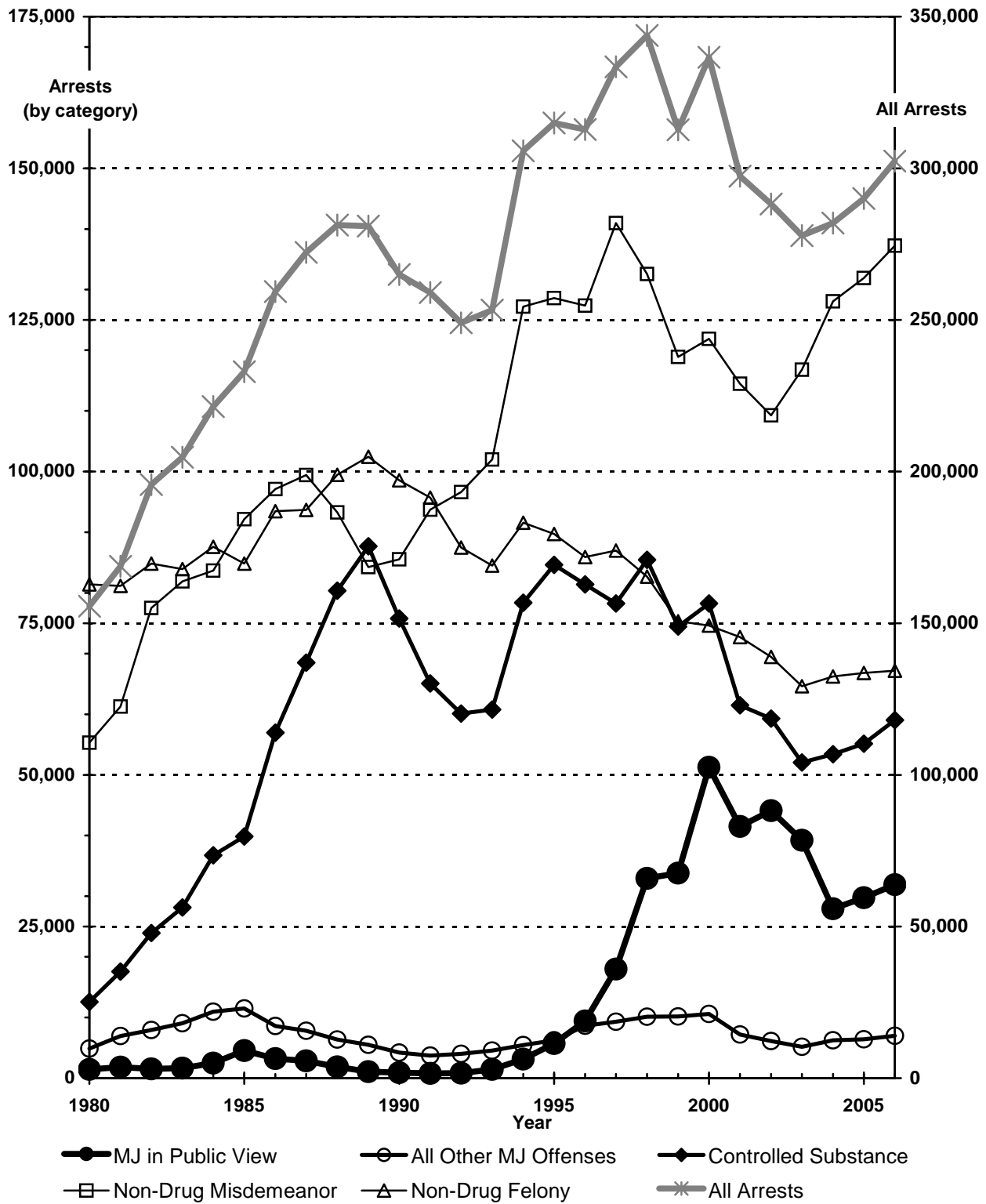
Adult Arrests by Charge Type and Year, NYC 1980-2006

	MPV	Other MJ	Non-Drug Misdemeanor	Non-Drug Felony	Controlled Substance	Total
1980	1,438	4,891	55,326	81,396	12,574	155,625
1981	1,831	6,953	61,289	81,142	17,559	168,774
1982	1,512	7,947	77,523	84,813	23,951	195,746
1983	1,660	9,052	81,896	83,933	28,157	204,698
1984	2,464	10,951	83,675	87,618	36,759	221,467
1985	4,546	11,490	92,163	84,849	39,870	232,918
1986	3,209	8,588	97,132	93,482	56,975	259,386
1987	2,847	7,796	99,431	93,678	68,503	272,255
1988	1,861	6,355	93,277	99,451	80,384	281,328
1989	1,062	5,491	84,254	102,452	87,691	280,950
1990	891	4,225	85,538	98,565	75,782	265,001
1991	774	3,740	93,721	95,723	65,061	259,019
1992	812	3,995	96,618	87,486	60,121	249,032
1993	1,450	4,536	101,977	84,498	60,759	253,220
1994	3,141	5,475	127,201	91,568	78,368	305,753
1995	5,716	6,250	128,615	89,714	84,628	314,923
1996	9,433	8,657	127,377	85,918	81,384	312,769
1997	17,992	9,287	140,970	86,984	78,251	333,484
1998	32,936	10,132	132,576	82,697	85,455	343,796
1999	33,819	10,158	118,904	75,329	74,471	312,681
2000	51,269	10,593	121,877	74,628	78,265	336,632
2001	41,521	7,183	114,490	72,707	61,488	297,389
2002	44,111	6,104	109,285	69,471	59,290	288,261
2003	39,213	5,168	116,774	64,636	52,041	277,832
2004	27,944	6,249	128,069	66,237	53,427	281,926
2005	29,752	6,427	131,925	66,807	55,138	290,049
2006	31,928	6,970	137,250	67,171	59,039	302,358

MPV arrests dropped by 25% in 2004 but were still quite common by 2006.

- In 2004, MPV arrests dropped from about 40,000 down to about 30,000 where it remained through 2006 (see graph on next page).
- By 2006, total arrests had inched back up over 300,000 due primarily to an increase in non-drug misdemeanors.
- MPV arrests accounted for 10% of all NYC adult arrests in 2006.

Figure 1: NYC Adult Arrests by Charge Category, 1980-2006



Race/Ethnicity of Adult MPV Arrestees by Year, NYC 1980-2006

Year	<u>MPV Arrestees</u>				<u>All Arrestees</u>			
	Black	Hispanic	Either	White	Black	Hispanic	Either	White
1980	53%	23%	76%	24%	53%	20%	73%	26%
1981	58%	21%	79%	20%	54%	21%	75%	25%
1982	68%	13%	81%	19%	54%	15%	69%	30%
1983	68%	10%	77%	23%	53%	14%	67%	33%
1984	64%	18%	82%	17%	52%	20%	71%	28%
1985	64%	25%	90%	10%	51%	27%	78%	21%
1986	62%	22%	84%	16%	51%	29%	80%	19%
1987	54%	23%	77%	22%	52%	29%	81%	18%
1988	56%	23%	79%	20%	53%	29%	81%	17%
1989	57%	23%	79%	21%	52%	30%	82%	17%
1990	59%	16%	75%	24%	51%	31%	82%	16%
1991	59%	19%	78%	21%	50%	31%	82%	16%
1992	56%	27%	83%	16%	50%	31%	81%	16%
1993	63%	26%	89%	11%	50%	32%	82%	16%
1994	64%	27%	91%	8%	51%	32%	83%	15%
1995	57%	30%	87%	12%	50%	32%	82%	15%
1996	54%	30%	85%	15%	51%	31%	82%	15%
1997	53%	30%	84%	15%	51%	31%	82%	15%
1998	52%	31%	83%	16%	51%	31%	82%	15%
1999	50%	33%	83%	15%	50%	32%	82%	15%
2000	52%	32%	84%	15%	51%	32%	83%	15%
2001	55%	29%	83%	15%	50%	32%	82%	15%
2002	52%	29%	81%	17%	50%	32%	81%	15%
2003	55%	20%	75%	23%	51%	23%	74%	22%
2004	58%	16%	74%	20%	51%	15%	67%	24%
2005	58%	17%	75%	13%	50%	17%	67%	17%
2006	58%	29%	87%	11%	50%	31%	81%	15%

The racial disparity in MPV arrests as compared to the residential composition of the city remained through 2006. The disparity for MPV arrests is only slightly higher than the average across all arrests.

- In 2004 and 2005, the percentage of adult MPV that are black or Hispanic remained about the same as in 2003 at 74-75%.
- In 2006, the percentage of Hispanic adult MPV arrestees jumped from 17 to 29%. That same year, the percentage of Hispanics among all arrestees increased even more from 17% to 31%.

Disposition of Adult MPV Arrestees by Race/Ethnicity and Year, NYC 1980-2006

Year	Black				Hispanic				White				All			
	Disp osed	Time Srvd	Fine	Jail	Disp osed	Time Srvd	Fine	Jail	Disp osed	Time Srvd	Fine	Jail	Disp osed	Time Srvd	Fine	Jail
1980	78%	4%	16%	3%	75%	4%	18%	4%	69%	2%	28%	1%	75%	3%	19%	2%
1981	74%	7%	17%	2%	76%	6%	15%	2%	79%	3%	18%	1%	76%	6%	17%	2%
1982	68%	9%	18%	5%	74%	7%	13%	6%	83%	3%	12%	1%	72%	7%	16%	4%
1983	67%	9%	15%	10%	67%	9%	16%	8%	69%	3%	25%	4%	67%	7%	18%	8%
1984	63%	12%	15%	11%	64%	13%	13%	9%	76%	8%	14%	2%	65%	11%	14%	9%
1985	68%	10%	13%	9%	74%	9%	10%	8%	72%	5%	21%	3%	70%	9%	13%	8%
1986	57%	14%	14%	14%	65%	12%	11%	13%	78%	7%	13%	2%	62%	12%	13%	12%
1987	60%	16%	13%	12%	63%	14%	9%	14%	82%	8%	8%	1%	66%	14%	11%	10%
1988	60%	13%	12%	15%	63%	11%	6%	20%	88%	5%	6%	2%	67%	11%	9%	13%
1989	59%	15%	14%	12%	69%	15%	9%	7%	81%	10%	8%	1%	66%	14%	11%	8%
1990	64%	8%	15%	13%	69%	8%	17%	6%	86%	3%	11%	0%	70%	7%	14%	9%
1991	57%	8%	23%	12%	81%	6%	12%	1%	87%	0%	12%	1%	68%	6%	18%	8%
1992	65%	6%	23%	7%	77%	8%	11%	4%	85%	1%	13%	2%	72%	6%	17%	5%
1993	77%	5%	14%	3%	87%	3%	8%	2%	87%	2%	11%	0%	81%	4%	12%	3%
1994	80%	5%	10%	4%	83%	5%	9%	3%	86%	3%	10%	2%	81%	5%	10%	4%
1995	85%	6%	5%	4%	88%	5%	5%	3%	92%	3%	4%	2%	87%	5%	5%	3%
1996	84%	6%	5%	5%	85%	7%	5%	3%	91%	3%	5%	1%	85%	6%	5%	3%
1997	83%	8%	6%	3%	84%	9%	5%	2%	91%	3%	5%	1%	85%	7%	6%	3%
1998	80%	11%	6%	3%	81%	11%	6%	3%	89%	4%	6%	1%	82%	9%	6%	3%
1999	77%	13%	6%	4%	78%	11%	8%	3%	88%	5%	6%	1%	80%	11%	7%	3%
2000	77%	11%	8%	4%	77%	10%	11%	3%	88%	5%	7%	1%	79%	10%	9%	3%
2001	78%	11%	7%	4%	77%	10%	10%	3%	90%	4%	5%	1%	79%	10%	8%	3%
2002	77%	11%	8%	4%	76%	9%	11%	4%	90%	3%	6%	1%	79%	9%	8%	3%
2003	75%	10%	11%	5%	68%	9%	17%	5%	89%	3%	7%	1%	77%	8%	11%	4%
2004	72%	10%	12%	5%	58%	12%	24%	6%	84%	4%	11%	1%	73%	9%	14%	4%
2005	72%	10%	13%	5%	61%	10%	24%	5%	83%	4%	11%	2%	73%	8%	15%	4%
2006	51%	19%	22%	8%	52%	12%	30%	6%	58%	11%	26%	5%	52%	16%	25%	7%

In 2006, dispositions of MPV cases became harsher. There were more arrestees sentence to additional jail time, time served, and fines and fewer cases were outright disposed.

- In 2006, the percentage of MPV arrestees sentenced to jail jumped from 4% up to 7%. This increase affected black (5% to 8%) and white (2% to 5%) MPV arrestees more than Hispanic MPV arrestees (5% to 6%).
- The percentage of MPV arrestees receiving a fine increased moderately from a low of 8% in 2002 to 15% by 2005 and then jumped to 25% in 2006.
- In 2006, the percentage of MPV arrests disposed dropped from 73% down to 52%.
- The changes in 2006 affected black, Hispanic and white arrestees. The percentage of white MPV arrestees that had their arrest dismissed dropped from 83% down to 58%. More than a quarter of these white MPV arrestees were fined (26%).

Adult MPV Arrests by QOL Priority, NYC 1980-2006

Year	Housing	Outer NYC	Lower Manhattan	Transit	Non-geog precinct
1980	0%	72%	23%	1%	3%
1981	0%	56%	25%	14%	4%
1982	0%	65%	19%	11%	4%
1983	0%	48%	40%	11%	2%
1984	0%	32%	33%	31%	4%
1985	0%	31%	19%	50%	1%
1986	0%	43%	29%	26%	2%
1987	0%	46%	35%	17%	1%
1988	0%	53%	38%	7%	2%
1989	0%	48%	44%	3%	4%
1990	0%	40%	51%	7%	2%
1991	0%	48%	42%	8%	2%
1992	0%	62%	22%	15%	2%
1993	0%	53%	15%	31%	1%
1994	0%	47%	16%	36%	1%
1995	0%	54%	32%	13%	1%
1996	11%	59%	27%	3%	0%
1997	11%	67%	21%	0%	0%
1998	6%	73%	21%	0%	0%
1999	7%	73%	19%	0%	1%
2000	5%	80%	14%	0%	0%
2001	6%	80%	13%	0%	0%
2002	8%	77%	14%	0%	0%
2003	10%	79%	11%	0%	0%
2004	15%	75%	9%	0%	0%
2005	12%	78%	9%	0%	1%
2006	8%	84%	7%	0%	0%

During 2004-2006, the geographic distribution of MPV arrests was even less consistent with the expectations of QOL policing than in previous years.

- The percentage of MPV arrests occurring in the highly-public area of lower Manhattan declined even further from a recent high of 32% in 1995 down to 11% by 2003 and further to only 7% in 2006.

Adult MPV Arrests by Borough, NYC 1980-2006

Year	Kings	New York	Queens	Richmond	Bronx
1980	17%	29%	24%	3%	27%
1981	32%	31%	21%	3%	13%
1982	35%	32%	17%	3%	13%
1983	21%	41%	15%	8%	15%
1984	18%	55%	12%	5%	10%
1985	18%	55%	10%	1%	15%
1986	23%	49%	12%	1%	16%
1987	16%	55%	13%	1%	15%
1988	16%	52%	12%	0%	19%
1989	17%	59%	9%	1%	14%
1990	16%	62%	10%	0%	12%
1991	13%	55%	14%	1%	17%
1992	19%	36%	11%	1%	32%
1993	16%	35%	12%	1%	36%
1994	25%	29%	16%	1%	29%
1995	22%	42%	14%	1%	21%
1996	29%	41%	14%	2%	13%
1997	31%	33%	18%	4%	14%
1998	27%	35%	17%	5%	16%
1999	23%	34%	18%	3%	21%
2000	30%	29%	16%	3%	22%
2001	36%	27%	17%	3%	17%
2002	34%	26%	18%	4%	19%
2003	32%	21%	21%	4%	22%
2004	28%	29%	14%	3%	27%
2005	30%	24%	14%	2%	30%
2006	32%	20%	15%	2%	30%

- The percent of MPV arrests in the Bronx increased from 22% in 2003 up to 30% by 2005. This increase was offset by the decline in Queens from 21% in 2003 down to 14% in 2005.