

Race, Place, and Policy Change: Variation in the Effects of Urban Criminal Justice Reform

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WORKING PAPER

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Abstract

The past decade has seen a wave of criminal justice reforms aiming to reduce criminal penalties for drug offenses. However, it is not yet clear whether these reforms will successfully disrupt racialized patterns in urban drug enforcement. Using detailed data from Los Angeles, we examine whether California's Proposition 47 has been applied equitably across race and location. Our findings indicate that drug arrest rates and racial disparities declined citywide between 2010-14 and 2015-19. However, 18.6% of the reduction was driven by a decrease in extraordinarily high arrest rates in a single, majority Black neighborhood. At the same time, the disproportionate arrests of Black people *increased* in the highest quintile percent white neighborhoods. We conclude with discussion of how cities can advance future reforms, such as by addressing drug arrest practices that are specific to the issue of racial and spatial concentrations.

Keywords

Drug War; criminal justice, racial disparities, urban policing, police reform

The “War on Drugs” was first coined as a political talking point by President Richard Nixon in 1971. Shortly after Nixon declared drug use the nation’s “public enemy number one,” the criminalization of drugs gained traction in the media and in political rhetoric, and was subsequently made a reality through drastic increases in federal anti-drug spending (Drug Policy Alliance 2015; 2021). What emerged in the following years was a set of policies and practices that prioritized aggressive surveillance and enforcement to eliminate the trafficking, street sales, and possession of illegal substances.

Almost 50 years later, Representatives Bonnie Watson Coleman and Cori Bush introduced the Drug Policy Reform Act, calling on Congress to initiate an end to this punitive approach. As Watson Coleman argued, “The War on Drugs stands as a stain on our national conscience since its very inception. ...[It] has destroyed the lives of countless Americans and their families. As we work to solve this issue, it is essential that we change tactics in how we address drug use away from the failed punitive approach and towards a health-based and evidence-based approach” (Sutton 2021).

This break from the past has not only been championed at the federal level. Rather, the recent decade has seen a wave of criminal justice reforms across the U.S. designed to change how state and local agencies respond to low-level drug offenses. In part, this shift has been catalyzed by fiscal concerns; as the Great Recession strained state budgets, legislators in many states attempted to reign in decades of spending on incarceration (Lerman and Mooney 2021). At the same time, social conceptions of drug use have shifted. While criminalizing addiction has long been the dominant paradigm in drug enforcement, recent political debates have emphasized the need to shift towards an approach focused on public health and treatment alternatives (Stemen 2017, Shachar et al 2020).

Many recent reforms aimed at scaling back the drug war have successfully reduced incarceration rates, without increasing recidivism or violent crime (e.g., Bird et al. 2018; Bird, Nguyen and Grattet 2021) and a majority of Americans (65 percent) now generally support these efforts (Drug Policy Alliance 2021). However, it is not yet clear whether these changes have disrupted long-standing features of drug-related policing. In particular, the recent evolution of arrest practices may well have been experienced differently across neighborhoods, as well as across the racial/ethnic groups residing within them. Put simply, we do not yet know whether reforms aimed at reducing drug-related arrests have been applied equitably across race and place.

In this study, we use detailed data to examine racial and geographic trends in arrests for drug possession in the City of Los Angeles from 2010-2019. Like other states, California has implemented reforms to scale back drug war-era enforcement, such as legalizing marijuana, reducing low-level drug offense classifications, and diverting people to treatment. Proposition 47, a ballot initiative passed in 2014, was a key reform that reduced criminal penalties for drug possession and several property crimes to misdemeanors, leading to declines in drug arrests and incarceration (Bird et al. 2018; Lofstrom et al. 2018; Lens et al. 2019). The reform effort also led to declining racial disparities in drug arrests statewide (Mooney et al. 2018). Citing these results, proponents argue that the proposition provides a clear and replicable roadmap “for safely and successfully reducing unnecessary incarceration and removing the devastating consequences of a criminal record” (Hernandez and Lyman 2015).

Our findings indicate that drug arrest rates and racial disparities similarly declined citywide in Los Angeles following the passage of California’s Proposition 47. Importantly, however, our data also suggest several critical caveats related to both race and geography. Specifically, we find that changes in the wake of reform were largely driven by decreases in

extraordinarily high drug arrest rates (roughly one per resident in 2010-14) in a single, majority Black neighborhood. In contrast, many other tracts across the city actually saw a *rise* in drug arrest rates, as well as increasing racial disparities. In particular, although disproportionate arrests of Black people declined in the lowest quintile percent White neighborhoods, they rose in the highest quintile. We conclude with a discussion of how cities like Los Angeles can further advance equity through reform, such as by addressing drug arrest practices that are specific to the issues of racial and spatial concentrations.

Race, Place, and Policy Reform

With the creation of the Drug Enforcement Administration and the repeal of federal mandatory minimum sentencing for the possession of marijuana, the Nixon administration focused the nation's attention on the need to reduce demand for drugs (Gill 2008). Nixon's drug war was expanded under President Ronald Reagan, along with the carceral apparatus needed to support it. As Michelle Alexander notes, "Although crack cocaine had not yet hit the streets when the War on Drugs was declared in 1982, its appearance a few years later created the perfect opportunity for the Reagan administration to build support for its new war. Drug use, once considered a private, public-health matter, was reframed through political rhetoric and media imagery as a grave threat to the national order" (2010, 105).

The Comprehensive Crime Control Act of 1984 re-established federal mandatory minimum sentences via standardized sentencing at the federal level, abolished parole for those incarcerated at the federal level after November 1987, and expanded upon existing limits on marijuana possession and trafficking (diGenova and Belfiore 1985). These changes not only led to an increase in the number of people incarcerated, but also extended prison sentences.

According to The Sentencing Project, “In 1986, people released after serving time for a federal drug offense had spent an average of 22 months in prison,” but by 2004, the average length of incarceration for similar offenses grew to 62 months (Sentencing Project 2021).

The War on Drugs continues to shape the US criminal legal system today, driven by aggressive policing and prosecution of drug-related crimes. Policy initiatives throughout the 1980s and 1990s widely promoted the enforcement of low-level offenses, on the assumption that this would help deter and uncover more serious crime (Harcourt 2002). Specifically, these policies included “the concentration of drug law enforcement in inner city areas; harsher sentencing policies, particularly for crack cocaine; and, the drug war’s emphasis on law enforcement at the expense of prevention and treatment” (Sentencing Project 2001). Police departments were incentivized to make drug arrests, while federal training programs advocated high volume stops and searches on the streets or for minor traffic violations as a pretext to discover more serious crimes. As a result, “the proportion of all arrests comprised of drug abuse violations increased from 1 in 14 to 1 in 8” between the 1980s and the beginning of the 21st century. In 2020, 1,155,610 arrests were made for drug law violations (Mauer and King 2007; Drug Policy Alliance 2021). The United States is now the “world’s leader in incarceration” (Sentencing Project 2021), with a population in 2020 of 1.8 million people behind bars and millions more on probation and parole (Kang-Brown et al. 2021; Oudekerk and Kaebler 2021).

It is well-known that the effects of the drug war were not experienced equally across race and space, but instead had a disproportionate impact on low-income and majority-minority communities (e.g. Mauer and King 2007; Alexander 2012). In particular, two interrelated patterns typified the enforcement of drug policies across large urban areas. First, Black and Latinx individuals were over-represented among those targeted by police, with Black people

making up “37% of those arrested for drug offenses and 56% of persons in state prison for drug offenses,” despite estimates suggesting they were just 14% of drug users (Mauer and King 2007; Drug Policy Alliance 2021). Second, activities of the War on Drugs, from surveillance to arrests, were concentrated in particular geographic spaces (Beckett 2016).

The first of these patterns has implications for the distribution of drug arrests across racial groups. Under the War on Drugs, Black people are more likely to be stopped, searched, and arrested by police, and are more likely to experience the use of force. These disparities in arrest and prosecution are the result of policy, practices, and laws that “treat black offenders much more harshly than white ones” (Tonry and Melewski 2008). From 1980-2000, the drug arrest rate among Black Americans increased from 650 to 2,907 per 100,000, while the rate among Whites increased from 350 to 463 (Donziger 1996; U.S. Department of Justice 2003). These stark racial disparities in drug arrests are not a product of racial differences in drug offending, but result from police decisions regarding the specific neighborhoods, drug types, and people to target (Beckett et al 2005, 2006; Ousey and Lee 2008; Mitchell and Caudey 2015). In particular, disparities in arrests related to the possession of marijuana have contributed to the racial and ethnic disparities in today’s prisons and jails. Although crack and cocaine are often a focus in discussion of the War on Drugs, most drug-related arrests are for possession of small quantities of marijuana, and Black people are 3.64 times more likely to be arrested for marijuana possession than White people (Kennedy et al. 2018; Edwards et al. 2020).

The second, related feature of punitive policing during the War on Drugs is that police concentrated resources in low-income communities of color, with implications for the distribution of drug arrests across geography. In particular, the drug war’s emphasis on the visible use and sale of drugs further targeted people of color by focusing police activities in

certain neighborhoods (Alexander 2012; Herbert 1996). Evidence suggests that arrest and incarceration rates for drug-related offenses are higher for Black (and Hispanic) people not due to a higher incidence of drug offending, but due to these systematic targeting of communities of color. As Saxe et al. (2001) summarize, “[t]he most disadvantaged neighborhoods have the most visible drug problems, but drug use is nearly equally distributed across all communities.”

In addition to the concentration of policing in majority-minority areas, Black and Latinx people are also targeted in majority White communities (Capers 2016). In fact, minorities face the highest risk of being stopped by police when passing through a predominantly White neighborhood (Bass 2001; Meehan and Ponder 2002). In Washington DC, for example, disproportionate drug arrests among Black residents was positively correlated with the percentage of White residents in a given neighborhood. In some neighborhoods, the proportion of drug arrests among Blacks was up to 12 times their proportion of the population (Fielding-Miller et al 2016).

Racialized policing not only in majority White neighborhoods, but also “up and coming” neighborhoods where cities hope to attract wealthy residents (Gibson 2004; Vitale 2008). City governments seeking investment have used policing to remove people associated with disorder, and so-called “quality of life” such as drug use and homelessness, from city centers and gentrifying neighborhoods (Mitchell 1997; Smith 1998; MacLeod 2002; Beckett and Herbert 2011; Walby and Lippert 2012). A stark example of this is the 2006 Safer Cities Initiative in Los Angeles, which stationed 50 police officers in a 50-block area downtown known as Skid Row. Officers made 27,000 arrests in three years, removing homeless people from the area where gentrification efforts were underway (Vitale 2009).

This growth and disproportionality in drug-related arrests over the last half-century has had wide-reaching consequences. Most critically, increasing arrests correspond to an increasing incarcerated population at the local, state and federal levels, as well as the over-representation of racial and ethnic minorities within these institutions. In turn, the Drug War explains the increasing collateral consequences of criminal justice contact. Individuals returning from prison face myriad hurdles to reentry, including loss of access to government benefits; difficulty finding stable housing or employment; and harms to families and communities whose loved ones are removed and returned through the “revolving door” of incarceration (Mauer and Chesney-Lind 2002).

The Path to Reform

Growing recognition of the negative impacts of the War on Drugs, from its failure to effectively curb the use or sale of drugs, to its disproportionate harms to communities of color, has led to calls for reform by politicians and activists alike. In 2010, for example, The Fair Sentencing Act brought renewed attention to the disparities between crack cocaine and powder cocaine sentencing, allowing for the retroactive resentencing of people convicted for the possession of crack cocaine (Bjerk 2017). At the same time, the on-going opioid epidemic has led to greater interest and investment in legislation aiming to “increase access to the overdose antidote, naloxone, as well as ‘911 Good Samaritan’ laws to encourage people to seek medical help in the event of an overdose” (Drug Policy Alliance 2021). More recently, the COVID-19 pandemic has further fueled advocates’ calls to reduce levels of incarceration, resulting in an “unprecedented drop in total incarceration between 2019 and 2020” (Kang-Brown et al. 2021).

Many states have also enacted sweeping reforms to decriminalize marijuana and other drugs, amend sentencing laws, and change practices around policing and prosecution (Drug Policy Alliance 2021; Edwards et al. 2020). In 2020, voters in Oregon passed the first measure in the United States to fully decriminalize low-level drug possession (Oregon Health Authority 2021; Drug Policy Alliance 2021). These recent reform efforts have shown promise. The ACLU reports that “arrests for marijuana possession decreased over time (from 2010–2018) in all states that legalized recreational marijuana possession” (Edwards et al. 2020). In California, several state-level reforms pushed back against the punitive policies of the Drug War. These policies likewise proved effective in many ways. For example, California’s Public Safety Realignment (AB 109), which ended mandatory jail sentences for certain drug offenses, substantially reduced prison populations by shifting correctional supervision for non-violent, non-serious offenses from the state to local jurisdictions (Bird et al. 2018).

In this broader context of reform, our analysis focuses specifically on California’s Proposition 47, a ballot measure passed by voters in November of 2014 that reduced criminal penalties for drug possession and several property crimes to misdemeanors (Couzens and Bigelow 2017). Following on AB 109, Proposition 47 led to further declines in the state prison population, as well as declines in the numbers of people arrested or held in county jails for certain offenses (Bird et al. 2018). Racial disparities in drug arrests also declined significantly state-wide after Proposition 47 (Mooney et al. 2018). These reforms had sizable effects at the local level, too. In cities like Los Angeles, misdemeanor arrests dropped by 32% from 2010 to 2015, largely due to city-wide declines in drug arrests (Lofstrom et al. 2018; Lens et al. 2019).

Nevertheless, the effects of reforms like Proposition 47 ultimately depend on how policies and practices are implemented—including how discretionary decisions are made about

what offenses to prioritize for arrest and prosecution, and where to deploy criminal justice activities and resources. As just one example, research on California's Proposition 36, which diverted people arrested for drug offenses to treatment, suggested that officers frustrated with the change responded by using their discretion to disregard some offenses (Gardiner 2012). The result is that the effects of reform may be unevenly distributed in ways that reduce drug arrests overall, but still fail to meaningfully alter differential patterns of policing across racial groups, across unique types of neighborhoods, and across the racial/ethnic groups within them. In this way, the Drug War might continue to shape criminal legal outcomes, leaving concentrated harms to racial minorities and communities of color.

Data and Methods

To examine group- and neighborhood-level arrest trends both before and after the passage of Proposition 47, we use individual-level data on arrests made by the Los Angeles Police Department (LAPD) from 2010-2019, collapsing 5-year periods from 2010-2014 and 2015-2019 to correspond to the period pre- and post-reform. Data include the geocoded location of arrest, race/ethnicity of arrestee, and the arrest charge. Using Arcmap software, we link all arrests that involve a drug possession charge (hereafter referred to as "drug arrests") to Los Angeles city census tracts. Census tract population data to calculate arrest rates and tract composition come from the American Community Survey (ACS) 5-year estimates from 2014 and 2019. Of 1,011 census tracts in the city of Los Angeles, we include tracts with at least 100 residents, and at least one Black, White, and Latinx resident (n=897 tracts).

We calculate race-specific census tract drug arrest rates using denominators obtained from ACS population estimates. To calculate the contribution of each census tract to the *total*

city-wide change in drug arrest rates from 2010/14 to 2015/19, we first multiply the absolute change in the drug arrest rate in the tract by the share of the city's population in the tract. To calculate the contribution of each tract to the citywide change in the *racial disparity* in drug arrests, we multiply the absolute change in the tract's White drug arrest rate by the share of the city's White population in the tract. We then do the same calculation for the Black population, and take the difference. Since tract populations change across time periods, we use an average of the two time periods to hold the effect of tract population change constant.

Results

We begin by examining overall change in drug arrests following reform. City-wide, the drug arrest rate in 2010/14 was 1,969 per 100,000 population, with a four-fold higher rate among the Black population compared to Whites and Latinx (6,749 vs. 1,680 and 1,648, respectively). Overall, the drug arrest rate declined by 60% in 2015/19, to 783 per 100,00. Greater declines among the Black population (-4,620, vs. -941 and -932 among Whites and Latinx, respectively) reduced the Black-White difference from 5,069 to 1,391 and the Black-Latinx difference from 5,102 to 1,414 (see Figure 1).

INSERT FIGURE 1

We next examine whether the decline in city-wide disparities was uniform across race and place, or whether we instead see a decline in disproportionate arrests among Black people only within certain neighborhoods. To do this, we first characterize census tracts where each population resides, and how these tract characteristics overlay with the geographic distribution of arrests over time. As the maps of census tract composition shown in Figure 2 suggest, the city is

highly segregated by race/ethnicity, and high rates of drug arrests in 2010/14 were concentrated in those tracts with a high percentage of Black residents.

INSERT FIGURE 2

If declines in extraordinarily high arrest rates in one or just a handful of neighborhoods had an outsize impact on overall change, racially disproportionate arrests within all neighborhoods across the city may not have narrowed. This is largely what we find; although citywide drug arrest rates decreased for all groups, of the 897 tracts, rates actually increased among Black residents in 169, among white residents in 162, and among Latinx residents in 123. Though the Black-white rate difference decreased in 542 tracts and the Latinx-white difference in 388 tracts, it increased in 355 and 509 tracts, respectively.

In addition to rate differences, disproportionate arrests by group within neighborhoods can be conceptualized as a group's share of the drug arrests within the tract, over their share of the tract population. In Figure 3, the area to the right of the x-line of one indicates a group's arrest rates were disproportionately high relative to their share of the tract population. To view disproportionate arrests in the context of the whiteness of the neighborhood, the y-axes represent tract percent white residents.

As the figure shows, White disproportions were tightly aligned along one or below in both periods, with the exception of tracts with very low shares of white residents. For Latinx residents, disproportionate arrests were higher in whiter tracts, while the vast majority of tracts had disproportionate arrests of Black residents. We limit the plots to disproportions of 50 or below for legibility, but in 15 tracts in 2010/14 and 12 tracts in 2015/19, *drug arrests among Black residents were more than 50 times their share of the population*. For example, in one tract, Black people made up 0.5% of residents and 25.9% of drug arrests.

INSERT FIGURE 3

From 2010/14 to 2015/19, the share of tracts with disproportionate arrests of Black residents declined from 79.6% to 64.3%, but remained well above the share among other groups. Among Whites, the share decreased from 57.0% to 53.1%, and among Latinx, the share increased from 45.4% to 47.4%. Overall patterns remained the same, with disproportionate arrests of Black and Latinx residents skewed in whiter tracts, and of White residents only in very low percent white tracts.

To provide additional insight into these variations across race and place, Table 1 shows that in 2010/14, a much higher share of the city's drug arrests were made in the lower quartile percent White tracts, compared to the upper quartile (27.8% vs. 14.2% respectively). However, this difference narrowed in 2015/19 (21.9% vs. 18.2%, respectively). To account for varying population sizes across quartiles, we also look at the concentration of drug arrests in terms of rates per 100,000 population. In 2010/14, rates were approximately 2-fold higher in the lower quartile percent White tracts than those in the upper quartile (2,182 vs. 1,191), but approached equivalence in 2015/19 (668 vs. 585, respectively).

In tracts in the lower quartile percent white, disproportion was highest for Whites, and declined from 4.1 in 2010/14 to 3.0 in 2015/19. There was a slight decline in the disproportion among Black residents in these tracts as well, from 2.3 to 1.8, but a slight increase among Latinx residents from 0.6 to 0.8. However, disproportionate arrests among Black residents actually increased in the whitest tracts, from 4.9 to 5.1, which did not occur among white or Latinx residents.

INSERT TABLE 1

Thus far, results suggest that reductions in racial disparities in arrests were driven by large overall declines in the concentration of drug arrests in communities of color, and some decline in disproportionate arrests among Black people in these areas. However, disproportionate arrests were highest in white areas, and this persisted across time. To further explore how variation in drug arrests across location changed under the reform, Figure 4 shows the percent contribution each census tract made to the city-wide decline in total drug arrest rates, and in the Black-white difference. Strikingly, we see that a single tract (206300), the downtown area incorporating Skid Row, had an outsize impact on the city-wide reduction in drug arrest rates overall, as well as the racial disparity. Though home to just 0.2% of the city's residents, 7.8% of the city's total drug arrests occurred in this tract, and 17.0% of drug arrests among the city's Black population. Of 897 tracts, the change that occurred just in tract 206300 produced 10.1% of the reduction in the citywide drug arrest rate, and 18.6% of the decline in the citywide Black-White disparity (see Table 2).

INSERT FIGURE 4

In this tract, more than half of residents were Black (52.0%), compared to 9.0% of the city's population, while shares of Latinx and White residents were much lower than citywide (24.4% Latinx and 18.6% White residents, compared to 47.4% and 28.9% citywide). There was also notable demographic change from 2010/14 to 2015/19 in this area, with a 7.2 percentage point rise in the White population, and declines in Black and Latinx resident shares (-1.3 and -8.7 percentage points, respectively). This compared to changes of less than one percentage point in any racial/ethnic group citywide.

Drug arrest rates in tract 206300 were acutely higher than the city as a whole. Compared to the citywide rate of 1,969 drug arrests per 100,000 population in 2010/14, 100,521 drug

arrests per 100,000 population were made in this tract. Put another way, over the five-year period, drug arrests averaged *one for every resident*. This represented a total of 5,400 arrests, or an average of 3 per day over the five-year period. There were also substantial racial differences, with arrests in this tract averaging 1.3 per Black resident, compared to 0.7 per White and Latinx resident (or rates of 130,888 per 100,000, vs. 73,900 and 66,005, respectively). By 2015/19 arrests in this tract declined by 76%, compared to 60% city-wide. Proportional declines were similar among Black and White residents (-79% and -78%, respectively), but greater absolute declines in the arrest rate among Black residents (-103,732, vs. -57,276 among whites) reduced the Black-white rate difference from 56,988 to 10,531 per 100,000.

INSERT TABLE 2

Discussion

In recent years, pundits, policymakers, and the public have focused increasing attention on the potentially detrimental effects of police encounters. Longitudinal studies have found that the number of police stops, and perceptions of the intrusiveness and injustice of these interactions, are associated with trauma, anxiety, and poorer self-reported health, particularly for Black and Latinx people (Geller et al 2014, McFarland et al 2019; Golemeski and Fullilove 2005). Likewise, at the neighborhood level, police frisking and the use of force that occurs disproportionately among people of color is associated with unequal health outcomes (Sewell and Jefferson 2016).

Like other states over recent years, California has implemented substantial reforms designed to scale back drug war-era enforcement, such as legalizing marijuana, reducing low-level drug offense classifications, and diverting people to treatment. Proposition 47, passed

in 2014, was a key reform in California aimed at accomplishing these goals. Yet while this type of criminal justice reform is an important step back from the punitive approach that dominated the War on Drugs, its benefits might not have been equally felt across race or urban geography.

In this study we examine declining drug arrests in Los Angeles from 2010 to 2019. Our results indicate that overall drug arrest rates and corresponding racial disparities narrowed city-wide, mirroring the state-wide declines in racial gaps shown in earlier research (i.e., Mooney et al. 2018). However, patterns of change were experienced very differently both within and across racial/ethnic groups at the census tract level. Specifically, we find that 10% of the total decline, and 19% of the decline in disparity, was driven by a decrease in drug arrest rates in a single, majority Black tract (Skid Row) where 17% of drug arrests among Black people occurred, at a rate of more than one per resident in 2010/14. In contrast, many tracts actually saw a *rise* in drug arrest rates. Of the 897 tracts, Black-White and Latinx-White disparities increased in 355 and 509 tracts, respectively. In particular, disproportionate arrests of Black and Latinx residents persisted in whiter tracts within the city.

These results have important implications for our understanding of whether and how policing practices change in the context of a reversal of punitive drug policy. Our findings suggest that the retreat from aggressive drug enforcement may be playing out in some communities of color, which have historically been the focus of order maintenance policing (Geller and Fagan 2010). This highlights the hyperlocal nature of urban policing, such that city-wide disparities can be both generated and reversed by police practices in just one majority-minority neighborhood.

Yet, at the same time that the concentration of drug arrests in communities of color declined, we find that disproportionate drug arrests among people of color also persisted or

increased in many neighborhoods—especially those where Whites made up a larger proportion of residents. This finding points to the inelasticity of policing that targets people whose racial characteristics are inconsistent with the neighborhood’s majority, serving to maintain racial segregation (Novak and Chamlin 2012; Capers 2009; Bass 2001; Beckett 2011). As others have suggested (e.g., Gardiner 2012), policies aimed at deprioritizing lower-level offenses can also introduce (or leave in place) broad discretion to enforce them. One result is that Whites in whiter communities may be increasingly likely to be given a pass, while minorities in the same communities continue to be penalized for drug-related and other “quality of life” crimes (Bass 2001; Fielding-Miller et al 2016; Kane et al 2013).

Our study has several limitations. While reductions in the concentration of drug arrests in communities of color and the racial disparities within them is suggestive of a positive trend, it does not necessarily imply a change in disproportionate police contacts in these neighborhoods. This study did not investigate stops that never resulted in arrest or arrests for non-drug offenses, both of which could be persisting alongside declining drug arrests. For instance, if drug offenses were being used to move and control homeless populations in Skid Row, the reduction of drug arrests may have been replaced with other arrest charges or municipal codes and policies to achieve similar ends.

Moreover, reducing arrests and incarceration do not undo the life-long impacts of a prior criminal record. Racial disparities in criminal histories produced by historic policies must be addressed alongside policies that reduce future criminal justice involvement. One such example is California’s Assembly Bill 1793, which passed in 2018 and automatically clears all marijuana convictions that became eligible after legalization. This and other recent reforms represent additional potential to undo the damage of the Drug War.

These caveats aside, the persistence of racial disproportionality within certain neighborhoods has broad implications for the harms inflicted on racial minorities through the criminal legal system. Drug related arrests have had wide-ranging and devastating consequences for Black Americans, from limiting the ability to access housing, employment, and higher education, to abridgment of civic rights, to increased health disparities and the destabilization of Black families and communities (Alexander 2012; Cooper 2015; Massoglia and Warner 2008). Our findings suggest that while policy reform may play an important role in reducing the absolute number of arrests, decriminalization alone need not fully disrupt Black people's disproportionate risk of arrest as they move through different racialized urban spaces.

The divergent changes we describe in drug arrests by race/ethnicity, both within and across neighborhoods, are a reminder of the huge variation in policing within cities (Lynch 2012; Lynch et al 2013) and the importance of examining how trends play out in smaller geographic units as state, county, and city-level criminal justice policies change. The nuanced patterns we find—declines in the rate of drug arrests in some highly concentrated communities of color, even as racial disparities in Whiter communities increased—point to a combination of both positive and also pernicious trends in urban policing that are not evident when rates are aggregated city-wide or reforms are assessed across the state.

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