



Will Donald Trump and Jeff Sessions Revamp the War on Drugs to Preserve White Power?

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After years of hard work by activists and reformers, state laws criminalizing marijuana are slowly melting away, and policy makers are grasping the implications of being the world's top prisoner of human beings. Spikes in opioid misuse have forced lawmakers to view drugs through the lens of public health instead of crime and punishment. Modest sentencing reforms found bipartisan support in an otherwise divided Congress. Calls to end the war on drugs have gone mainstream.

However, President-elect Donald Trump has threatened to throw all this progress away by nominating Sen. Jeff Sessions of Alabama to serve as attorney general.

It's no secret that Sessions has sparred with civil rights groups for decades for making racist comments and opposing the interests of women, LGBTQ people and people of color. He also holds views on drugs like marijuana that would make Nancy Reagan proud.

People of color and immigrants have always been disproportionately targeted and imprisoned or deported under anti-drug laws. Now, advocates fear that with Sessions likely becoming the nation's top law enforcement official, he could jumpstart the war on drugs in an effort to preserve white supremacy in a changing nation.

"If he is at the helm and he is pushing for the war on drugs ... that would increase discrimination against all people of color, and then the goal of 'making America white again' will be on its way again to being effected," said civil rights organizer Rev. Susan Smith of the Samuel Dewitt Proctor Conference on a call with reporters last week.

Bill Piper, the policy director at the Drug Policy Alliance (DPA), said the war on drugs has a "long history of being a cover for racial injustice" going back to President Richard Nixon. We now know that when Nixon declared the war on drugs, he was more interested in cracking down on the antiwar and Black liberation movements than in protecting public safety.

"It's not coincidence that the war on drugs was launched right after the civil rights movement made major gains," Piper said.

Fast-forward to four decades later. The nation's first Black president is preparing to wrap up his second term. The Black Lives Matter movement is thrusting racial justice into the national conversation. Native American activists are under fire at Standing Rock. The debate over immigration divides the country as changing demographics pose a challenge to a longstanding white majority.

Then, a virtually all-white voting bloc ushers in a new president who lashed out at Brown people on the campaign trail, and who promises to restore the nation to its prior greatness with vague, racially charged promises of "law and order." So far, Trump has stayed true to his word, inviting right-wing hardliners like Kris Kobach, Steve Bannon and Senator Sessions to build his administration.

A Dinosaur at War With Drugs and Immigrants

Reformers like Piper see Sessions as a "drug war dinosaur," one of the last holdouts who still believe that marijuana cannot be safer than alcohol and that "good people" don't use it. As chair of the Judiciary Committee, Sessions blocked recent bipartisan proposals to reduce sentences for drug offenses and criticized the Obama administration's efforts to reduce the federal prison population by limiting mandatory minimum sentencing.

Sessions was also a key figure in blocking comprehensive immigration reform, and he endorsed Trump's calls to place restrictions on Muslims entering the country long before he was offered a seat in the Cabinet.

Piper said that, as attorney general, Sessions could escalate both the war on drugs and the "war on immigration." In fact, he could combine them.

"The war on drugs could also be a weapon that Sessions and the Trump administration use to spy on, investigate, incarcerate or deport immigrants and other targeted groups," Piper said. "Already President-elect Trump has said he wants to aggressively deport any immigrant who commits any offense, no matter how minor, including drug offenses."

For non-citizens, including legal permanent residents, most drug law violations can trigger automatic detention and even deportation without the possibility for return, according to Piper. Since Obama took office, roughly 40,000 people have been deported for drug law violations each year under an administration that, in the public eye, wasn't considered nearly as hostile toward immigrants.

What Would Sessions' Drug War Look Like?

What exactly could Sessions do to revamp the war on drugs? Perhaps the most immediate damage could be done in states that have legalized medical and or recreational marijuana. Marijuana is still considered dangerous and illegal by the federal government.

Sessions could reverse orders made by Obama's Justice Department that generally limited raids on legal dispensaries. He could dispatch federal officers to arrest dispensary operators and even

their partners in other, non-marijuana businesses. Sessions could also sue states for setting up regulatory structures for marijuana.

Former Attorney General Eric Holder made some progress in reducing prison populations, and Sessions could act to reverse that, according to DPA. In particular, he could accelerate federal prosecutions of drug law violations that carry draconian mandatory minimum sentences. He could also squash Justice Department programs aimed at mending relations between police and communities of color.

"For Mr. Sessions to be in charge of the Department of Justice would mean that all of the current work that the Department of Justice does to stem police abuse will effectively be undone," said Juan Cartagena, president of LatinoJustice.

When combined with Trump's "law and order" proposals, a renewed drug war could spell serious trouble for civil liberties and people of color. For example, Trump has touted "stop-and-frisk" policing to combat crime in major cities. As head of the Justice Department, Sessions could tie federal funding for local police departments to policies like stop-and-frisk and cooperation with federal deportation sweeps.

In New York City, stop-and-frisk policing resulted in widespread racial profiling. Marijuana possession topped the list of charges for which people were arrested under the stop-and-frisk program.

A Coalition Forms Against Sessions

Reformers do see points of leverage for opposing Sessions and a renewed war on drugs. Like many other issues, drug control is an area in which Trump's views are unclear. He's criticized prohibition as far back as the 1990s, and during the Republican primary he said that, while he would oppose marijuana legalization at the federal level, states should have the right to legalize.

Trump is known for telling people what they want to hear instead of maintaining coherent policy positions on certain issues, and marijuana is no different. Support for legalization has soared among every demographic over the past decade, and a pre-election Gallup poll showed national support reaching 57 percent.

If Sessions were to try and crack down on states with legal marijuana regimes, advocates could attempt to hold Trump to a campaign promise that energized young Republicans. Plus, why would Trump want to interfere with a booming, multi-billion dollar business?

"The more we repeat that and hold him to that, the better," Piper said in a recent statement.

"Trump has a yuge ego, his policy positions are fluid, he will want to get re-elected and he is easily influenced by media. We should exploit his weaknesses."

Republicans may control Congress, but GOP lawmakers have come to disagree on issues such as marijuana and sentencing reform now that the drug war is widely seen as a total failure.

"The more they disagree, the less they can get done," Piper said.

As for Sessions, he's not attorney general yet: He still needs to survive a confirmation vote in the Senate, where he was refused a federal judgeship in 1986 after being grilled about making racist comments.

Today, Sessions could face tough scrutiny from prominent Trump critics such as Republican Sen. John McCain, and he has already alienated the libertarian wing of his own party. In fact, the CATO Institute, a right-leaning libertarian think tank founded by the Koch brothers, has joined the DPA and groups like the NAACP in opposing Sessions' nomination, citing his support for cyber-spying mandates and civil asset forfeiture.

Whether Sessions becomes attorney general or not, the next four years may be tough for those seeking an end to the drug war. However, Piper said there is still plenty of momentum in the right direction, especially if advocates continue to hold racial justice at the center of the conversation.

"The rise of Trump and Trumpism has put a national spotlight on white supremacy and misogyny," Piper said. "Everywhere, people are now organizing against hate. Drug policy reformers should be part of that fight."