Societal Perceptions of the U.S. Drug Trade Culture

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Thank you to my Heavenly Father in which I find the strength to press on
To my encouraging family who continues to bless and teach me each day
To my advisor for her encouragement, dedication, and inspiration
I am deeply thankful
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Are public policies and drug control influential in determining public opinion on the U.S. drug problem? Is there a deeply ingrained racial identification of crime and drug use in the American psyche? Is there a linkage between racial attitudes and policy attitudes on the drug crisis? How do some Americans justify the morality of drug dealing? In this paper I hope to explore the complexities of race, drug misappropriation, and political behavior by focusing primarily on the effect a drug trade participant’s race and class have on the American public’s perception and justification of individuals active within the underground economy. I would like to call into question the labelization of African Americans as prime drug trade actors by the American public, media, and political parties despite African Americans’ infrequent involvement in the drug trade. The American public seems to construct African American men as primary drug dealers and reinforce this racial and class distinction within the U.S. drug trade. This paper will attempt to undercover these patterns of apparent bias in the drug trade by examining society’s attitudes and stances towards individuals who engage in social acts that are deemed detrimental to the social order. Furthermore, I will try to identify racial distinctions and considerations that may be present in how individuals rationalize certain drug trade activities performed by different racial groups. How do individuals unconsciously or
subtly justify certain racial groups' activities based on their personal racial considerations and attitudes? My goal in this paper is to answer these questions by using vignettes to examine the process by which individuals justify and interpret persons of distinct backgrounds and classes who participate in illegal activity due to certain scenarios and unfortunate outcomes. Furthermore, the use of vignettes will help me uncover the reasoning behind why and how individuals assign specific illegal activities, behaviors, racial attitudes, and policy attitudes to certain racial groups.

In the American society, race has been the lens through which drug problems have been viewed. The construction of drug users and drug dealers is in accordance to race. For instance, race influences a sense of danger posed by those who sell or use drugs, the choice of drug that triggers the most public attention, the type of strategies used to combat the drug market, and the types of individuals law enforcement profiles. Race has become the main characteristic in determining how our society and criminal justice system identify the types of persons using illicit drugs. For instance, the criminal justice system use of race to identify drug offenders is formalized in criminal profiles. At times, the Drug Enforcement Agency uses a “drug courier profile” to identify drug traffickers at airports and bus stations. This type of profile is referred to as an “informally compiled abstract of characteristics thought typical of persons carrying illicit
drugs” (Roberts 1951). Drug enforcers and even local law enforcement agencies frequently incorporate race as one of the prime characteristics for identifying and prosecuting potential drug offenders.

The War on Drugs was a powerful contributor to this racialization of drug use. On July 14, 1969, in a special message to congress, President Richard Nixon identified drug abuse as a “serious national threat” and popularized the term “war on drugs” in 1971 (Lamar 1986). He accordingly called for a national anti-drug policy at the state and federal level after identifying a dramatic increase in drug-related juvenile arrests and street crimes between 1960 and 1967. Later on in 1982, President Ronald Reagan also declared illicit drugs to be a threat to the U.S. national security. Reagan stated “drugs were menacing our society” and promised to fight for drug-free schools and workplaces, expand drug treatment, implement stronger law enforcement and drug prohibition efforts, and provide greater public awareness (Lamar 1986). However, while “drugs” and “tough on crime” were the words used by Reagan to entice an apprehensive white electorate with strict new drug laws, the real, however undeclared, subject was race. Although President Reagan’s solution to combat drugs was created to reduce drug use within all U.S. communities, his drug policies seemed to be widely linked exclusively to African American communities.

The inception of these anti-drug polices has had disparate effects on
certain racial groups within the U.S. For instance, the War on Drugs has had a substantial effect on African American communities nationwide. For instance, law professor, Kenneth B. Nunn, stated that as the drug war proceeded African Americans have been disproportionally investigated, detained, searched, arrested, and charged with the use, possession, and sale of illegal drugs (Nunn 1). While blacks and other people of color in the United States comprise less than 15 percent of all drug users, the damage caused by substance abuse and by the destructive impact of the federal government’s drug war is felt much more deeply in those communities. An FBI study notes the fact that while Blacks represent only 12 percent of all illegal drug users, Blacks are 41 percent of all those arrested on cocaine and heroin charges (Lusane 45). Nationally, more African American males go to prison than attend college. Furthermore, African American males are incarcerated at a rate that is approximately eight times higher than that for white males. These statistics regarding the racial disparities of African Americans and whites in the U.S. drug trade affirms that African American males in particular are the prime targets in the country’s drug enforcement efforts (Jones 22). As a result to these disparities, a great number of African Americans have been jailed and imprisoned due significantly to the severe drug trafficking laws established as part of the War on Drugs.

These racial disparities regarding anti-drug polices can be greatly
attributed to the War on Drugs. The racial politics centered around the War on Drugs significantly conveyed the message of blacks as prime drug users and dealers. The main goal of the administrations was to quickly demonize the use of illegal substance as well as provide the public with a clear perpetrator to the drug war. For instance, the Reagan administration launched a public relations campaign intended to alter public perception of drug use and the hazardous effects posed by illegal drugs (Bayer 21). Reagan’s statement of war aligned with the growing public response against illegal drug use and dangerous substances. Many citizens viewed drugs as a threat to their communities and were willingly supportive of Reagan’s proposals to combat the drug problem. This public support for an extensive intervention into the drug problem explains the political significance of the War on Drugs. Both Republicans and Democrats were eager to basically exploit the public’s reaction against drugs. Therefore, it became necessary to further escalate their support on the war so that they were not viewed as being “soft” on this critical problem. For example, throughout the election, the Republican Party expressed its full commitment to a drug free America and tougher policies for drug users. The Republic Party’s platform stated, “Our policy is strict accountability, for users of illegal drugs as well as for those who profit by that usage. The drug epidemic didn’t just happen. It was fueled by the liberal attitudes of the 1960s and 1970s that tolerated drug usage”
The Republican plan was geared towards stricter enforcement and authorizations to eliminate drug use. Nonetheless, the Democrats attempted to counter the Republicans’ soft-on-crime accusation by implementing an even tougher agenda on drugs and crime but were unsuccessful in their endeavor. The Democratic presidential candidate, Michael Dukakis, was against the death penalty and was unable to lessen the effects of the George H. Bush’s campaign advertisements, which effectively blamed Dukakis for crimes committed by Horton, a black murderer and rapist furloughed from a Massachusetts state prison. The “get tough advertisements” that featured murderer Horton provided visual representation of an African American criminal predator (Peavie 21). Due to these advertisements on crime, African Americans were represented in more threatening contexts than whites, which helped shape public perceptions about race and criminal threat. The racial identification and construction of crime was perpetuated through inaccurate portrayals of black criminality and overreaching linkages of black males and criminal expectancies. Blacks were instantly defined as criminals and crime was instantly defined as what black individuals consistently participate in.

The advertisement not only labeled Dukakis as the politician responsible for these unthinkable crimes, the advertisement also constructed the type of enemy involved in the drug problem. For the constituency the Reagan
Administration was trying to reach, it was easy to construct African Americans, Hispanics, and other people of color as the enemy in the War on Drugs. These are the groups that the majority of white Americans have always viewed as the sources of drugs and crime. Reagan's anti-drug rhetoric was skillfully planned to take advantage of these deeply held racial and cultural attitudes about minorities and their associations to drug use and other illicit behavior (Bayer 30). Therefore, Reagan's declaration of a war on drugs had a deliberate political influence. For instance, Elwood states, "Such rhetoric allows presidents to appear as strong leaders who are tough on crime and concerned about domestic issues and is strategically ambiguous to portray urban minorities as responsible for problems related to the drug war and for resolving such problems" (Peavie 40). Thus, President Reagan was able to establish a public relations campaign that promised to wage "war on drugs" without explicitly labeling minorities as the intended enemy and the potential targets. The primary goal of the campaign was to impose a new rhetorical strategy aimed at demonizing drugs and ostracizing drug users (Nunn 387). Both political parties were advocating tougher enforcement for political gain. The anti-drug polices and law enforcement practices commenced by the Regan administration were further continued by the Bush and Clinton administration (Nunn 1).

Bush's continued attacks on the Democratic nominee, Dukakis, for being
soft on crime left few in Congress eager to invite the same criticism. The Congressional Quarterly stated that the death penalty involving the infamous Horton advertisement became a kind of a "litmus test" for being tough on crime, and opponents could find no way to minimize the emotional rhetoric. Nonetheless, the decision to "out-tough" the Republicans on drugs and crime in 1988 only increased the focus of the political rhetoric on the issue. After the Bush presidency, the new Clinton administration wanted to reduce the drug war that they inherited (Munger and Mendel, 1991). However, since the public had grown accustomed to hearing a "get tough" line on drugs and crime, the Clinton administration knew that the public would not favor reforms that would appear to be generous to drug dealers or drug users. Furthermore, the former head of the New York City Police Department, Lee Brown, and the attorney general's, Janet Reno's, concern over the Clinton administration's handling of the drug problem further questioned Clinton's ability to solve the rising drug epidemic. For instance, the former head of the NYC Police department emphasize to the Clinton administration the importance of seeing substance-abuse addiction as a health problem in order to aggressively break the cycle of hard-core drug use. He believed that Clinton's previous strategies did not address the hard-core users who consumed roughly 80 percent of the available cocaine and committed the majority of inner-city crimes. In addition, Attorney General Janet Reno ordered a
review of mandatory sentences for drug offenses. She was concerned that "nonviolent offenders were often serving mandatory ten or fifteen year sentences, filling up the nation's prisons while we watch dangerous offenders going free." The report found the impact of mandatory minimums to be severe because of the nearly 60 percent of inmates in federal prison for drug offenses and low-level dealing. After hearing statements from both Lee Brown and Janet Reno, White House officials worried that it would make Clinton look soft on crime. As a result, the administration decided to lower its reformist rhetoric and favor tougher drug policies as oppose to a serious look at fundamental changes in a failing strategy. The priority among the Clinton administration was clearly maintaining political power and public support (Munger and Mendel, 1991).

In order to maintain widespread public support, the Clinton administration had to adhere to the type of rhetoric that associated the deviant behaviors within the drug war to a specific racial group and catered to the growing concerns of the American public. For instance, the type of behavior that the government finds threatening can be made criminal, not only to punish and arrest those who engage in the behavior, but to alter the attitude of the public toward the behavior. For instance, Nunn argues, "Certain groups or individuals, particularly those viewed as subversive or threatening to the dominant order in some way, can be further ostracized by their designation as criminals" (Nunn
The threat of drugs is initialized when an individual or group outside of the mainstream or dominant society is perceived as a potential threat to the social order. In order for the drug threat to be invoked, however, a credible scapegoat must be identified by society. Nunn elaborates on this argument by stating, "Before the possession, sale and use of drugs can be criminalized, a group of potential criminals must be identified. In the case of the War on Drugs, African Americans and other people of color provide that group of potential criminals (Nunn 441). Therefore, the intersection of race and crime in American culture labels and condemns certain racial groups as the poster child of particular criminal offenses. The frequent identification of African Americans as potential criminals is due in part to their presence within the pool of surplus criminality in the United States. Nunn uses this theory of the surplus criminality to explain why African Americans are consistently under suspicion and policed closely for various criminal activities identified by the white elite. For example, his concept of the pool of surplus criminality asserts that African American criminals needed as scapegoats for issues and threats perceived by the white community (Nunn 385). Therefore, he uses this concept to explain why the perceived drug problem was, by white Americans, instinctively identify African American people as the primary source of the drug war threat. By solely targeting them in the drug war, mainstream society intentionally used drug substances to undermine the
reputation of minority societies. This weakening of a racial group can establish limitations in its ability to resist white economic or social structures through alternative agendas.

In accordance to Nunn’s beliefs that African Americans were portrayed as targets in the drug threat, Roberts also provides additional confirmation regarding America’s portrayal of black criminality and deviance. Roberts argues that one of the central tests in American culture for distinguishing law-abiding from lawless people is their race. For example, she states, “Many, if not most, Americans believe that Black people are “prone to violence” and make race-based assessments of the danger posed by strangers they encounter. The myth of Black criminality is part of a belief system deeply embedded in American culture that is premised on the superiority of whites and inferiority of Blacks” (Roberts 85). For example, police officers in general are known for using race as a representation for criminal tendencies. Police routinely consider an individual’s race in their decision to stop and detain him. Therefore, in the decisions of law enforcement, the color of one’s skin is considered a crucial factor to use to decide whether or not an individual should be considered a criminal suspect.

Furthermore, Lusane also attributes the disproportionate investigations and incarcerations of African Americans by law enforcement as a result of the established racism embedded within American culture. Within the American
culture, police officers are more suspicious of African Americans and believe that they are more likely to engage in crime. As a result, police concentrate their efforts in areas frequented by African Americans and detain African Americans at a greater rate. (Lusane 21). Therefore, it is not infeasible that in the minds of the criminal justice system’s supervisors, implementers, and workers, drugs are recurrently associated with African American citizens and their communities. It is this way in which American culture distinguishes and identifies law-abiding citizens from lawless individuals encourages the American society to use characteristics other than criminal offenses to identify criminal offenders. Furthermore, the American culture shows that it incorporates racist social norms that help to perpetuate stereotypes of Black criminality instead of dismantle these falsities. This negative social influence refutes the claim that the order privileged by order-maintenance policing upholds only positive community norms” (Roberts 83). Therefore, the methods in which police officers categorize the disorderly does not consist of natural categories that consist of fixed and unbiased explanations. Instead, these policing techniques impose norms on the community and reinforce their biased notions of what defines criminality, disorder, and lawlessness (Roberts 84). The police strategies are simply influencing how these categories of lawlessness and obedience are shaped and created for distinction. It is this perception of African Americans and drug
participation that shapes the criminal justice system's policies and practices. For instance, police allocate more resources and time scrutinizing predominately Black neighborhoods for drugs infractions than in white neighborhoods and likewise focus the majority of their efforts on Black suspects rather than their white counterparts. The increasing effect of differential enforcement patterns is that blacks receive greater prison sentences because they have more contact with law enforcement, and consequently have a greater likelihood of conviction and longer criminal history (Lusane 30).

These racialized enforcement patterns reinforce the role race plays in the construction of crime. For instance, Nunn argues, "Race forms a special relationship with crime, which enhances the ideological function of both of these socially constructed categories" (Nunn 434). Therefore, since crime and race simultaneously define each other, acts that are conceived as unlawful or unaccepted factors of social conduct, are commonly associated with certain racial groups, such as African Americans. Nonetheless, Nunn argues that the accepted parameters of social conduct rely on the act on crime. For example, he exclaims, "Crime allows a community to determine its norms and label other conduct as deviant. This labeling process allows the dominant group to clothe its values and priorities with the guise of morality" (Nunn 429). Therefore, violation of social norms can be stigmatized on the bases of immorality rather than the inability to
conform to the norms placed by society. In addition, the labelization of conduct as deviant sets the boundaries and values of "law-abiding society" (Nunn 429).

Likewise, the demonization of African American images and criminality are perpetuated by the media and reinforced by the large number of blacks being seized and convicted to the public. Therefore, media and statistics help construct the meaning of race in the American society. The ideology of crime in America is thus determined by race. It is also legitimated and enforced by the law. The image of black drug dealers lurking in alleys rivaled that of Willie Horton in the panoply of white fears. Furthermore, the racialization of the distinction between law-abiding and lawless people also causes the stereotypes of Black criminality and the patterns of racial biases. Myths of black criminality appear to be so embedded in the white mentality that it seems expected to many Americans that Blacks are disproportionately stopped for traffic infractions, arrested for drug offenses, swept off the streets for loitering, and sent to prison (Roberts 1947). Furthermore, since these socially expected perceptions of black criminality have never been contested, these social understanding appear natural, inevitable, and common amongst the black race.

The goal of this paper is to assess the hypothesized black stereotyping of crime among the public and learn about public perceptions of different types of criminals, drug crimes, possible justifications of these criminal acts, and whether
racial attitudes influence more general policy attitudes toward drug abuse. Nonetheless, this association of criminality and African Americans are not only embedded the minds of law enforcement, but of the greater public. These inaccurate perceptions of the African American community create discriminatory assumptions about the character and attitude of the African American culture. Also, these biases prove detrimental in the public’s perceptions of certain acts of deviance. For instance, instead of the public relying on objectivity and factual observations, individuals seem to bring into account the possibility of racial biases and motives as determining factors in certain deviant behaviors. In the next chapter, I will elaborate on my experimentation on societal perceptions of specific acts of deviance. My ultimate goal will be to determine if these preconceived notions of African American criminality overcompensates for the factual evidence and observations disclosed to the public. Furthermore, I would like to contend to the possibly ideology that one can completely remove subjective motivations from his or her analysis and decision-making in order to prevent biased targeting from the public and law enforcement.
Aims of Experimentation and Vignette Procedures

In order to explore how people perceive these issues regarding the association of primarily African American males and drug trade participation, I decided to do a research study that focused on how individuals evaluate certain acts of deviance. My research study attempted to uncover these patterns of apparent bias in the drug trade by examining society’s attitudes and stances towards individuals who engage in social acts that are deemed detrimental to the social order. Furthermore, my project will try to identify racial distinctions or considerations that may be present in how individuals rationalize certain drug trade activities performed by different racial groups. The overall aim of the study was to focus primarily on how and why individuals assign specific races to certain types of deviant behaviors. I thought that by understanding the reasons
behind society's perceptions of certain unlawful acts and the individuals involved in these acts, I would gain a better understanding regarding why there is a tendency to consistently label minorities as active participants in deviant acts. The vignettes will be useful and crucial in identifying how individuals ascribe certain behaviors, such as selling illegal drugs, to specific racial and class groups. Furthermore, the evidence obtained through these procedures will guide and illustrate my theory as well as allow me to analyze why individuals associate specific groups and behaviors interchangeably. I hoped to use this research study to identify how the appearance and behavior of individuals may be determined by the terms used to categorize them, and is associated with the concept of stereotyping. My research tried to investigate how deviance is not inherent to an act, but is instead attributed to negative attitudes and cultural beliefs that equate specific racial groups with behaviors deemed unacceptable and threatening to the social order.

The study utilized vignettes as a means to undercover how individuals assign deviant behaviors to certain racial groups. The vignette was based on the real-life 2011 Columbia University drug bust of five students allegedly charged with selling LSD-laced candy and other drugs at three fraternity houses and other residences on the Ivy League campus. The massive and scandalous bust came after a five-month investigation in which undercover officers purchased
approximately $11,000 worth of various controlled and illegal substances—
including marijuana, cocaine, Ecstasy, prescription stimulants such as Adderall,
and liquid LSD swabbed on Altoids and SweeTarts—from the suspected
students and their off-campus connections in Manhattan's East Village and
Brooklyn (Huffington Post 2010 Online). The five Columbia students arrested in
the campus drug bust pleaded not guilty to charges in court. However, the most
intriguing part of this bust was the reasons the alleged Ivy League drug dealers
confessed as their primarily motives for participating in this illegal act.
According to the Washington Post, one of the students told police that he sold
drugs to "pay tuition" because his father would not pay for his school fees.
(Huffington Post 2010). The justification of their acts as well as the complexities
of the case, such as the unanticipated race and socioeconomic status of the
perpetrators, provided a vast amount of topics that I wanted to incorporate into
my vignette.

My vignette focused on topics relating to race relations, class, and the U.S.
drug trade. Furthermore, the vignette will focus on specific individuals of
distinct backgrounds and classes who participate in illegal drug activity due to
various motives. Like the actual Columbia drug bust, my vignette focused on a
college student who was incriminated for selling marijuana and cocaine within
his campus. The student is, likewise, busted after providing illegal drugs to an
undercover officer. Nonetheless, the student also justifies his selling of drugs as a way to afford college after his father refrains from supporting his higher education financially. The vignette also incorporates the student's sentencing after pleading guilty to his drug charges. An example of the vignette provided to the participants of the study is shown below:

Vignette Example

Student A, son of a Boston-area plastic surgeon, was a third-year engineering student with a 3.5 grade point average, a prestigious scholarship, and a former intern at a cancer research facility when he was recently busted for campus drug dealing. He was busted for selling roughly $1,400 worth of cocaine and pot to undercover detectives outside his dorm last fall. As the tuition, fees, room and board at College X topped $55,000 a year, Student A justified selling drugs as a way to afford college. Student A told police that he sold drugs to pay his tuition after his family had cut him off financially because of his marijuana habit. He further argued that it was impossible for him to work through college and that he had to find another means to support himself financially. Since the College X drug bust, Student A has plead guilty to his drug charges and will be sentenced to six months in jail and five years probation in August.

As shown in the vignette example, the race, class, and name of the student are not revealed throughout the vignette. This action was intentionally enacted in order to determine how participants would label the race and class of the student with the limited information provided in the vignette. The findings would essentially offer some insight into how individuals evaluate the deviant act committed by the student and what information within the vignette is used to ultimately assign racial and socioeconomic identification of the subject described.
Along with the vignette, participants were also asked to answer the six-open ended questions following the vignette as well as record their race and age in the option field. The six open-ended questions assigned with the sensitive and complex issues brought up within the vignette. The primary purpose of the open-ended questions was to discover how participants analyzed the vignette as well as what information did they gather from the scenario that ultimately enabled them to determine the identity of the student. For instance, the first two open-ended questions asked the participants to assign a race and class to the college student as well as elaborate on their assumptions. These two questions required the participants within the research study to utilize the information provided in the vignette as well as utilize past experiences and knowledge in order to specify the race and class of the student. I ultimately wanted to discover if individuals relied on the information placed before them in determining the identity of a perpetrator or if media and societal constructs of the typical drug dealer or criminal would sway the assumption of my participants.

1) What race would you assign to Student A? Explain your assumption.
2) What class would you assign to Student A? Explain your assumption.

The third open-ended question focused on the deviant act of the student. Given the students reasoning behind committing the act, I wanted to ask my participants if they felt that the motives stated by the student were justifiable.
given the circumstances. This question was of particular importance because it brings attention to the morality of society. The “morality” of my participants refers to their personal or cultural values, codes of conduct, or overall social mores. The question was not imposed to connote objective claims of right or wrong, but to encourage participants to honestly and directly unveil what they consider right or wrong within certain contexts and circumstances.

3) Is Student A’s participation in the drug trade justifiable given his circumstances?
4) Student A initially decided to sell drugs in order to attain higher education. How do you feel about Student A’s motives for selling drugs in the first place?

The last two open-ended questions focused primarily on the sentencing and punishment of the student. The goal of these two questions was to examine the critical standpoint taken by individuals on a specific deviant act. I wanted each participant to elaborate on his or her critiques of sentencing policy regarding this particular crime. Primarily, I wanted to examine with certain factors of the vignette, such as the student’s justification for committing the act, his race, and his class, had any bearing of society’s perception of crime, which may in turn influence their approval or discontent with the sentencing procedure for the case. Furthermore, the last questioned concentrated more on the racial identity of the student and if the leniency or accuracy would hold if the student was of a difference race or background. My main purpose in incorporating this question
was to discover society's stance on the justice system's fairness towards different racial groups. I felt that it was imperative to get a clear picture of society's perceptions of racial differences in crime rates as well as to understand the relationship between race and crime within the United States. Furthermore, determining this relationship will provide insight into possible explanations regarding why most Americans at least suspect that a certain race is more likely to commit a particular crime than another. In addition, participants acknowledging apparent disparities within the sentencing and punishment policy of particular races open a dialogue that seriously questions the principles that underlie our entire criminal justice system. Having participants elaborate on their views of the sentencing procedures of the case allowed me to determine if a part of society sees possible disparities within the criminal justice system whether constitutional problems exist if criminal legal proceedings seem to turn out differently for people of different races and backgrounds. Furthermore, these inquiries call into question the moral code of the legal system as well as logically constructed forms of thinking about drug policies.

5) Do you agree with the sentence given to Student A? Was the sentence too lenient or did it align with the crime committed?  
6) Do you think the sentence given to Student A would be similar if he was of a different race and class?
The recruitment procedures of my research study consisted of tabling in a centrally located campus and library in order to select subjects for my study. I believe that tabling for the research study provided me with a wider pool of participants as well as a more diverse group of participants to study. In order to recruit participants for my project, I used the Swarthmore College campus as the prime location to randomly select my subjects with a more liberal and youth interpretation of certain social issues and policies. As for the racial and ethnic make-up of the institution, Swarthmore College is composed of 13.1% Hispanic, 6.6% Black or African American, 43.4% White or non-Hispanic, 13.7% Asian, and 6.9% of students who identify with two or more races (Swarthmore Common Data Set, 2011). In addition, I recruited young adults and elders residing in the Philadelphia suburbs, through a local library located in the Philadelphia suburb. The participants were then provided with consent forms for them to read and sign. The vignette was immediately distributed for individuals to read and complete the open-ended questions. The participants were also asked to provide their race and age as an optional component. The research procedure took approximately 10 minutes to complete in one single session. After completing the vignette, my participants placed their questions inside a box. By placing their questions inside the box, I was unable to subconsciously assign the answers of the questions to a particular participant. This method also helped to protect the
confidentiality of my subjects. For my study, I surveyed approximately 40 college students and residents within the greater Philadelphia area. My subjects ranged in age from 18 to 65. Regarding demographic data, the college students, young adults, and elders the participated in the study were primarily Caucasian and African American.

The residents within the greater Philadelphia area were based in the Yeadon and Lansdowne Boroughs. Yeadon is a borough in Delaware County, Pennsylvania, United States. It borders the City of Philadelphia. The population was 11,762 at the 2010 census. As of the 2010 census, there were 11,762 people, 4,696 households, and 2,967 families residing in the borough. The racial makeup of the borough was 7.5% White, 88.6% African American, 0.21% Native American, 0.89% Asian, 0.01% Pacific Islander, 0.41% from other races, and 2.15% from two or more races. Hispanic or Latino of any race was 1.02% of the population (U.S. Census Bureau, 2010)

There were 4,696 households out of which 31.2% had children under the age of 18 living with them, 37.6% were married couples living together, 20.0% had a female householder with no husband present, and 36.8% were non-families. 32.2% of all households were made up of individuals and 10.9% had someone living alone who was 65 years of age or older. The average household size was 2.43 and the average family size was 3.09. In the borough the population
was spread out with 24.5% under the age of 18, 7.7% from 18 to 24, 29.8% from 25 to 44, 22.7% from 45 to 64, and 15.4% who were 65 years of age or older. The median age was 38 years. The median income for a household in the borough was $45,550, and the median income for a family was $55,169. Males had a median income of $39,830 versus $35,118 for females. About 12.5% of families and 14.6% of the population were below the poverty line, including 5.1% of those under age 18 and 6.7% of those age 65 or over (U.S. Census Bureau, 2010).

Lansdowne is a borough in Delaware County, Pennsylvania, United States located 5 miles southwest of downtown Philadelphia. As of the census of 2010, there were 11,044 people, 4,724 households, and 2,749 families residing in the borough. The racial makeup of the borough was 47.1% White, 44.6% African American, 0.2% Native American, 3.6% Asian, 0.01% Pacific Islander, 5.5% from other races, and 2.37% from two or more races. Hispanic or Latino of any race was 12.5% of the population.

There were 4,724 households out of which 27.0% had children under the age of 18 living with them, 42.7% were married couples living together, 12.0% had a female householder with no husband present, and 41.8% were non-families. 34.9% of all households were made up of individuals and 12.8% had someone living alone who was 65 years of age or older. The average household size was 2.33 and the average family size was 3.08. In the borough the population
was spread out with 23.0% under the age of 18, 6.7% from 18 to 24, 32.7% from 25 to 44, 23.7% from 45 to 64, and 13.9% who were 65 years of age or older. The median age was 38 years. The median income for a household in the borough was $87,017, and the median income for a family was $90,305. Males had a median income of $75,475 versus $63,257 for females. About 0.6% of families and 0.4% of the population are below the poverty line, including 4.3% of those under age 18 and 8.2% of those age 65 or over (U.S. Census Bureau, 2010).

From the data given above, it is evident that the Yeadon borough has a higher percentage of African American residents as opposed to the Lansdowne borough. The racial makeup of the Lansdowne borough is evenly distributed among the black and white racial groups. As far as class groups, both boroughs are generally middle class have a higher percentage of African American residents, but are generally middle class. In comparison to the Swarthmore racial make-up, the Swarthmore community is predominately white and has roughly 8.9 percent of its students that come from families that make less than $40,000 dollars a year. Therefore, the socioeconomic status and racial identities of the Philadelphia residents and Swarthmore students vary in range and provide a diverse perspective to the vignette responses.
Vignette Analysis of Respondents

In Table 1, the respondents’ attributions to the vignette drug dealer varied. Among the Swarthmore students, 78% of the students labeled the vignette drug dealer as white, 11% of the students labeled the dealer as black, and 11% were undecided about the race of the dealer in question. However, in comparison with the Philadelphia residents, 53% of the residents characterized the drug dealer as white, 24% characterized the dealer as black, and 24% residents chose adamantly to not disclose their judgments of the dealers racial identity.

<table>
<thead>
<tr>
<th></th>
<th>Black</th>
<th>White</th>
<th>N/A</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Swarthmore</td>
<td>2(11%)</td>
<td>14(78%)</td>
<td>2(11%)</td>
<td>18</td>
</tr>
<tr>
<td>Philadelphia</td>
<td>4(24%)</td>
<td>9(53%)</td>
<td>4(24%)</td>
<td>17</td>
</tr>
<tr>
<td>Total</td>
<td>6(17%)</td>
<td>23(66%)</td>
<td>6(17%)</td>
<td>35</td>
</tr>
</tbody>
</table>

Table 1 also shows that overall 17% of the respondents depicted the dealer as black, 66% respondents believed the dealer was white and 17% of the respondents would not assign a particular race for the vignette dealer. The majority of Swarthmore students and Philadelphia residents seemed more inclined to assign the dealer as white because of the vignette’s representation of a
"typical story" of a privileged student that is mostly represented amongst white individuals and communities. This representation of a "privileged student" may have been displayed in the financial support given to the dealer initially. The fact that the dealer was able to receive financial assistance from his family, but took for granted this financial stability, was a possible indicator to many respondents of the dealer’s privileged lifestyle despite his rebellious actions. In addition, many Swarthmore students considered the prestigious occupation of the dealer’s father and his region of residency as major factors in their racial assumptions. For example, the students took into account the fact that the dealer’s father was a plastic surgeon. Many Swarthmore respondents viewed an occupation as a plastic surgeon as an occupation that symbolized “immense” entitlement and exclusivity. Furthermore, these respondents specifically associated the occupation of a plastic surgeon with the white race rather than the black race because of their personal experiences. Many claimed to have never witnessed black people as plastic surgeons. Therefore, there seems to be a stereotypical ideology of the type of races who pursue a career as plastic surgeons. In addition, the area in which the father worked and resided indicated another reason for most Swarthmore respondents to suspect the drug dealer was white. For instance, one respondent stated that she believed that the drug dealer’s racial identity was statistically more likely given the geographic location and region.
She added that Boston, as compared to a city in a more southerly state, is predominantly white and the fact that the father is a plastic surgeon makes her judgment more legitimate (Swarthmore student, Age 21). In addition, a few of the Swarthmore students used their personal experiences and previous interactions with drug dealers as accurate accounts of the common racial identity of drug dealers. For example, a few respondents claimed to have known and witnessed most drug dealing by white individuals within their own predominantly white environment. This explanation showcases many respondents’ willingness to project their previous experiences and knowledge to similar situations. The fact that these respondents used their own personal experiences to construct their interpretation of the racial make-up of drug dealers runs counter to what Dorothy Roberts attests in her literature. For example, Roberts believes that individuals, specifically white Americans, define criminals or lawless individuals primarily on the basis of pre-existing stereotypes about a racial group’s criminality and character. Furthermore, these stereotypes reinforce the misconception that drug users belong to a segment of society different from their own or that drug abuse is remote from their environment. However, the inclusion of personal experiences from these Swarthmore respondents indicates an inaccuracy in Roberts claim. Some individuals do not seem to rely solely on stereotypical beliefs of certain racial groups. Instead, these individuals rely on
factual and personal experiences in order to determine how they assign a race to a particular criminal behavior.

Nonetheless, one resident also provided reasons similar to many Swarthmore students' beliefs of a privileged individual in regards to agency. For instance, the resident stated that the vignette drug dealer must be white because he believed that if the student was black and came from a struggling family, he would "respect the money" and not be involved in illegal activity (Yeadon resident, Age 51). However, if the student came from a white and affluent family, the student would be more inclined to take advantage of his good fortune because he would be guaranteed an opportunity to go to college and would have parents willing to pay for his higher education. Furthermore, a white individual would be willing to participate in self-regarding and risky behavior due to his privileged circumstances.

Among the Philadelphia residents, more residents stated that they were unsure of the race of the dealer than the Swarthmore students. 24% of the Philadelphia respondents did not indicate the race of the vignette drug dealer. The respondents refrained from providing a racial identity to the dealer because they believed that the evidence provided in the vignette could be attributed to any racial group. For instance, one respondent believed that the occupation of the father could be assigned to a black or white race, therefore he did not think it
was appropriate to choose one race over the other (Lansdowne resident, Age 51). Furthermore, these resident proclaimed that they were indifferent to assigning a race to the drug dealer because they believed that all races have been involved in the drug trade. For example, one respondent stated that, “I don’t [assign races] because there is an epidemic of drug use and drug selling in all races” (Yeadon resident, Age 61). These impartial explanations indicate that some respondents are maybe not willing to adhere to common stereotypes of predominate actors within the drug trade or their awareness of the universality of drug dealing among vast races. Furthermore, their respondents acknowledges many Philadelphia resident’s unwillingness to assign a race to the dealer because they believe that they cannot label an individuals based on financial, occupational, or educational factors because any race can have those attributes. Despite these explanations, the majority of Philadelphia resident responders believed that having a Boston area plastic surgeon provided sufficient evidence to label the drug dealer as white. In addition, the fact that the student received a prestigious scholarship influenced their judgment in the racial identity of the student dealer. Also, one Philadelphia resident used the actions of the drug dealer’s family as evidence of the race of the dealer. For instance, the respondent claimed that she was certain that the race of the dealer was white because she was only familiar
with white families cutting their children off financially and she did not know any other races who would impose such an act (Lansdowne Resident, Age 27).

The difference between the percentage of Swarthmore students and Philadelphia residents who refrained from labeling the vignette drug dealer can be greatly attributed to the race and age of both respondent groups.

Table 2: Race of Vignette Drug Dealer by Respondents Race/Ethnicity

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Black</th>
<th>White</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>African</td>
<td>2(100%)</td>
<td>0(0%)</td>
<td>0(0%)</td>
</tr>
<tr>
<td>African American</td>
<td>1(6%)</td>
<td>13(81%)</td>
<td>2(13%)</td>
</tr>
<tr>
<td>White</td>
<td>0(0%)</td>
<td>4(67%)</td>
<td>2(33%)</td>
</tr>
<tr>
<td>Biracial</td>
<td>2(25%)</td>
<td>5(63%)</td>
<td>1(13%)</td>
</tr>
<tr>
<td>Asian</td>
<td>0(0%)</td>
<td>0(0%)</td>
<td>1(100%)</td>
</tr>
<tr>
<td>Total</td>
<td>5(15%)</td>
<td>22(59%)</td>
<td>6(18%)</td>
</tr>
</tbody>
</table>

In Table 2, the majority of racial groups believed that the vignette drug dealer was white. For instance, 59% of the total respondents believed that the vignette dealer was white. This total includes: 81% African Americans, 67% whites, and 63% Biracial. However, there were a few respondents that thought that the dealer was an African American. Overall, a total of 15% of the respondents believed that the dealer was African American. These figures include: 25% Biracial, 6% African American, and 100% African. In regards to the percentage of respondents that did not assign a race to the vignette drug dealer, there was a total percentage of 18% respondents. This total also includes: 13%
African American, 33% white, and 15% Biracial. The most fascinating finding amongst these responses is the disparity between the African and African American responses to the race of the vignette dealer. All of the African respondents believed that the drug dealer was African American whereas the majority of African Americans believed the racial makeup of the dealer was white. This disparity between the African and African American responses could be attributed to the Africans’, or immigrants’, eagerness to disassociate themselves from the African American’s damaging reputation. Furthermore, the disparity can be attributed to the immigrants’ familiarity of the African American’s stereotypes portrayed through the media and political rhetoric. For example, in Waters book, Black Identities, she observed that the immigrants continually tried to distance themselves from being labeled as “African American” as well as notify other people about the dissimilarities between them. For instance, Waters states, “They saw themselves as superior to black Americans, and they were disappointed and dismayed at the behaviors and characteristics they associated with black Americans. Although some adopted the term “American” as part of their identity, they did not want to be seen as simply “black American” because for most of them assimilation to black America was downward mobility” (Waters 65). The immigrants did not want to have strong racial ties with African Americans because they deemed them inferior.
and detrimental to their own progress and upward mobility. However, the stereotypes the immigrants had regarding the "black Americans" greatly emphasis the disparity between the African and African American responses as well as the reasoning behind the Africans' intolerance of black Americans. For instance, Waters states, "Both the middle-class and the working class immigrants argued that West Indians were much hard-working than black Americans and that they were less likely than black Americans to engage in all kinds of wrongdoing, from being discourteous to using drugs and murdering people" (Waters 65). Despite having similar racial identities, the immigrants are quite adamant about disassociating themselves from the violent and insensible stereotype of the black Americans. The immigrants see many differences in their livelihood and culture and the lives and motives of the black Americans. Furthermore, there seems to be a surmountable amount of blame and bitterness targeted on black Americans for the negative connotations immigrants have to withstand. Therefore, if Africans are aware of how the American culture portrays African American criminality and drug use, it would not be uncommon for Africans to utilize these stereotypes as evidence for African American involvement within the drug trade.

Table 3: Respondents Perceptions of the Class of Vignette Drug Dealer

<table>
<thead>
<tr>
<th></th>
<th>Upper Class</th>
<th>Middle Class</th>
<th>Lower Class</th>
<th>N/A</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Swarthmore</td>
<td>9(53%)</td>
<td>6(35%)</td>
<td>2(12%)</td>
<td>0(0%)</td>
<td>17</td>
</tr>
<tr>
<td>Philadelphia</td>
<td>11(65%)</td>
<td>2(12%)</td>
<td>2(12%)</td>
<td>0(0%)</td>
<td>17</td>
</tr>
</tbody>
</table>
In Table 3, the majority of respondents label the socioeconomic status of the dealer as upper class. For instance, 53% of the Swarthmore students state that the dealer is upper class as well as 65% Philadelphia residents. From these responses, it seems that the Philadelphia residents were more likely to assign a higher class to the vignette drug dealer than their Swarthmore counterparts. As for the respondents who believed that the dealer was within the middle of societal hierarchy, 35% of the Swarthmore students and 12% Philadelphia residents assigned the dealer to the middle class. In Table 3, only 12% of the Swarthmore students as well as Philadelphia residents believed that the dealer was of a lower class. In addition, only 12% of the Philadelphia residents do not declared a certain class for the dealer.

Also, some Philadelphia residents’ associated the intelligence and the ability of the student to attend a prestigious institution as an indicator of the overall socioeconomic status of the dealer. One resident even made an observation that the dealer must be of a middle class than lower class because most low class individuals do not make it past high school and the upper class are usually the ones buying the drugs. This explanation infers that this respondent associates particular deviant behaviors with specific social classes. For example, the lower class is deemed less likely to sell drugs because of they are perceived as being less educated and less equip to participate in the drug
trade. The upper class is also deemed less likely to sell drugs because of they are financially comfortable and are more likely to obtain drugs for personal use rather than sell drugs as a financial necessity. In accordance to the Swarthmore students, the act of selling drugs seems to be a prime indicator of the dealer’s class among the Philadelphia residents’ responses. Furthermore, the profession of the dealer’s father as well as the type of institution the dealer attends were factors in many of the Philadelphia respondents. For instance, many associated a profession in plastic surgery as acquiring an outstanding income of roughly six figures. Furthermore, the fact that the student was attending an elite and private institution was deemed unfortunately rare for lower class people to do so. The respondents believed that only an elite occupation, such as a plastic surgeon, could financially support a college education. Therefore, these respondents seem to believe that there are social indicators or social positions that determine specific behaviors, rights, and obligations of individuals within a specific social situation. These social positions together with social roles determine individual’s place in the social environment as well as the individual’s behavior within the social organization. The Swarthmore and Philadelphia respondents seem to agree that the personal hierarchy or position one holds in society can outmaneuver acts of deviance. Therefore, one’s social role or status can be a significant indicator of one’s likeliness to participate in deviant acts. However,
once again, many believed that individuals of all classes are capable of selling drugs and that they are unwilling to play into the stereotypes of today’s society. Among the Swarthmore students, a few believed that since the student could not finance his education independently that he was of a lower class. Interestingly, one Swarthmore student believed that the vignette drug dealer was in the upper class because of the type of drugs the student was selling on campus. For instance, the Swarthmore respondent claimed that cocaine is an expensive substance and that he believes that the dealer started using cocaine before he sold it. Therefore, the ability to obtain such an expensive drug was associated with the dealer’s ultimate wealth.

Table 4: Justification of Vignette Drug Actions

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Swarthmore</td>
<td>2(12%)</td>
<td>14(82%)</td>
<td>1(.06%)</td>
<td>17</td>
</tr>
<tr>
<td>Philadelphia</td>
<td>5(29%)</td>
<td>12(71%)</td>
<td>0(0%)</td>
<td>17</td>
</tr>
</tbody>
</table>

In Table 4, the number of Swarthmore respondents who believe that the vignette drug dealer’s actions are justifiable due to his circumstances is 12% compared to 29% of the Philadelphia residents. However, the majority of respondents deem that the dealer’s behavior is unjustifiable regardless of any outside factors or circumstances. For instance, 82% of the Swarthmore students and 71% of the Philadelphia residents considered the actions unjustifiable. In addition, only one
Swarthmore student would not state his position on the justifiability of the dealer's drug actions. Many Swarthmore students, who responded that the dealer's actions were unjustifiable, provided alternative actions that the student could have considered before participating in the drug trade. For instance, many Swarthmore students stated that the vignette dealer could have searched harder for a campus job, applied for financial aid, took out a loan, or applied for a scholarship to finance his college fees. Another Swarthmore student states that the dealer's actions are unjustifiable regardless of the fact that he was cut off financially by his family and did not have any other means to support himself. One student stated that the dealer's actions are not legally justifiable, but that they make sense due to his situation (Swarthmore student, Age 21). A few Swarthmore students refer to the drugs the dealer sold as the main reason for her adamant disapproval of the dealer's actions. For instance, she states that since cocaine is a deadly drug and can even be fatal on the first use, the vignette dealer's actions are inexcusable and potentially harmful to the individuals buying the drugs from him. In addition, she points out that the damages and harm that marijuana does to various communities and families (Swarthmore student, Age 20) Another student claims that his situation justifies his actions, but that he should have considered the consequences of his actions more carefully (Swarthmore student, Age 21). However, one Swarthmore respondent
was unsympathetic to the dealer’s circumstances and reasons for initially selling drugs. She adamantly responded that since she works 12 hours a week here at Swarthmore to finance her education, the dealer should have also dealt with his issues and found another occupation that would not negatively affect the individuals and communities around him (Swarthmore student, Age 21).

Table 5: Morality of Drug Dealing

<table>
<thead>
<tr>
<th></th>
<th>Right</th>
<th>Wrong</th>
<th>N/A</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Swarthmore</td>
<td>6 (35%)</td>
<td>11 (65%)</td>
<td>0 (0%)</td>
<td>17</td>
</tr>
<tr>
<td>Philadelphia</td>
<td>4 (24%)</td>
<td>12 (71%)</td>
<td>1 (.06%)</td>
<td>17</td>
</tr>
</tbody>
</table>

In Table 5, a total of 68% of the respondents indicated that the act of drug dealing was not considered as morally acceptable. The question of the morality of drug dealing differs greatly from the previous question regarding the justification of drug dealing because morality is categorized as a system of shared values that ultimately rationalizes or justifies the actions of others. The justification of certain actions, however, involves bringing others to see one’s actions as reasonable. A course of action is justified if there are better moral reasons in favor of a course of actions than there are against it. Therefore, for this question on the morality of drug dealing, I wanted to determine if respondents believed that drug dealing was the best course of action considering the circumstances of the vignette dealer.
Overall, 11 Swarthmore students and 12 Philadelphia residents believed that drug dealing was wrong. Most Swarthmore student acknowledged the illegality of drug dealing as their prime reason for citing drug dealing as immoral. However, the majority of Swarthmore students who cited his actions as an illegal trade also considered his actions "noble" and "valid". For instance, one student responded that his motives could be considered noble, but no an excuse to sell drugs (Swarthmore student, Age 22). In addition, another student added that though his intended use of the drug money was noble, the means could not be considered justifiable (Swarthmore student, Age 21). From these respondents, many Swarthmore students seem to applaud his desire to finance his higher education after being cut off financially from his family. Despite the illegality of drug dealing, these Swarthmore students seemed to admire his independence and willingness to obtain higher education by any means necessary. The Swarthmore students' perspective on drug dealing aligns significantly to psychologist, Lawrence Kohlberg's Stage 2 Moral Development theory. Kohlberg's Moral Stage 2 is referred to as the individualism and exchange stage. At stage 2, individuals begin to recognize that there is not just one right view that is handed down by the authorities. Different individuals have different viewpoints. Furthermore, since everything is relative, each person is free to pursue his or her individual interests. In terms of the morality of drug dealing, it
seems that these Swarthmore students are focusing primarily on the realistic outlook of drug dealing instead of unquestioning obedience. Despite, the illegality of drug dealing, these students might believe that the vignette dealer possesses “good motives” for his actions and that he should be able to pursue these intentions freely as he sees fit (Kohlberg, 1976, p. 38). Therefore, these Swarthmore students seem to support this concept that individuals should be granted the capacity to act independently and to make their own choices. However, these students seem to neglect the social structures within society, such as social class, ethnicity, and forms of privilege, that play a role in deterring or benefiting the actions and choices of the vignette drug dealer.

Nonetheless, some believe that the dealer could have a non-illegal trade to pursue in order to accumulate enough funds for college. Yet, some individuals point out that drug dealing might have been the most logical choice for the vignette student to choose. The respondents who believe that drug dealing may be immoral, but logical for financing higher education may be considering the prosperity obtained as a drug dealer as opposed to the minimum wage earnings obtained as a worker within the institution. For example, in author Ryan King’s research review entitled, “The Economics of Drug Selling” he provides a Levitt and Venkatesh study which estimates that annual earnings for drug gang leaders are between $50,000 and $130,000. Furthermore, the second level of the
hierarchy, are estimated to earn $12,000 per year. These estimated wages are only marginally higher than minimum wage for a full-time job or even a part-time job at one's college or university (King 2003). Therefore, it is possible for some to obtain legal work and make roughly the same wages as second level drug dealers. However, the fact that drug dealing requires minimal skills, does not require on to wait for any job opening, and allows participants to obtain their earnings instantaneously, makes drug dealing a tempting alternative to work study positions.

Likewise, the majority of Philadelphia respondents believed that there was no justifiable reason for the vignette dealer to be selling drug illegally and exclaimed that the dealer should have gotten a "real job" instead of participating in an illegal trade. However, there were a few Swarthmore students that sympathized with the vignette dealer. These students referred to insurmountable financial burden the dealer faced as the sole contributor of his college education and tuition. The students emphasized that acquiring a "real job" or a "campus job" would not have been sufficient enough to finance his college education. However, one Philadelphia respondent seemed to agree with the actions of the dealer, but criticized the type of drugs he sold at his institution. For instance, the respondent stated that the vignette dealer was "in the right place" but sold "the wrong drugs" (Lansdowne resident, Age 18). His response seems to infer that the
selling of drugs would be susceptible if the dealer had not used such a hard drug as cocaine. For instance, the respondent states that the dealer should have stuck with softer drugs, such as marijuana or pot. This explanation suggests that the type of drug sold can determine the justifiability of one's deviant behaviors. Selling "soft" drugs may have been deemed acceptable or justifiable to the Lansdowne resident re believed to be non-addictive and with fewer dangers associated with their use. The term "soft drug" is considered controversial by its critics because it implies that the drug causes no or insignificant harm.

Table 6: Morality of Drug Dealing by Age Groups

<table>
<thead>
<tr>
<th></th>
<th>Noble</th>
<th>Immoral</th>
<th>N/A</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>19-22</td>
<td>11(55%)</td>
<td>9(45%)</td>
<td>0(0%)</td>
<td>20</td>
</tr>
<tr>
<td>23-40</td>
<td>2(22%)</td>
<td>6(67%)</td>
<td>1(11%)</td>
<td>9</td>
</tr>
<tr>
<td>41+</td>
<td>0(0%)</td>
<td>4(100%)</td>
<td>0(0)</td>
<td>4</td>
</tr>
</tbody>
</table>

In Table 6, I provide the specific age groups of the overall respondents. The table indicates that among the 19-22 age groups, 55% and 45% of the respondents believed that drug dealing was a noble or immoral act respectively. Furthermore, among the age groups between 23-40, only 22% of the respondents believed that the act of drug dealing was noble compared to 67% of the respondents who deem drug dealing as immoral. In the 41 and over age group, none of the respondents believed that drug dealing was a noble act. Every member within this age group agreed that drug dealing was a deviant and immoral behavior.
regardless of the circumstances at hand. The vast difference between the 19-22 age group and the older respondents, indicates an apparent generational gap between the younger and older generation. The younger generation seems to be able relate to the vignette dealer’s financial and educational hardships. They are able to sympathize with the dealer and his behavior because they are also dealing with similar struggles. As current college students, they understand the frustrations and inabilities to afford higher education without parental support. Therefore, this age group may find the dealers eagerness to finance independently is education as a noteworthy action that should be acknowledged and accepted by society. Furthermore, in a generation where drug use and experimentation is common amongst American teens and young adults, the act of using and selling drug maybe considered a common or normalized occurrence among the younger generation. A recent study by the Healthy Daily News cites that more than 15 percent of them meet the criteria for substance abuse. In addition, the study also found that 81.4 percent of the oldest teens reported the opportunity to use illicit drugs, 42.5 percent used drugs, and 16.4 percent were drug abusers (HealthDay News, 2012). Therefore, if the number of young adults using drugs is growing exponentially, the likelihood that this younger generation has grown accustomed to this deviant behavior and have failed to attach any negative connotations towards the usage of illicit substances can provide a
possible explanation to this apparent generational gap between the morality of drug dealing.

Table 7: Do You Agree with Vignette Sentence

<table>
<thead>
<tr>
<th></th>
<th>Fair</th>
<th>Unfair</th>
<th>N/A</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Swarthmore</td>
<td>8(47%)</td>
<td>5(29%)</td>
<td>4(24%)</td>
<td>17</td>
</tr>
<tr>
<td>Philadelphia</td>
<td>10(59%)</td>
<td>7(41%)</td>
<td>0(0%)</td>
<td>17</td>
</tr>
</tbody>
</table>

In Table 7, the majority of respondents believe that the sentence of the vignette drug dealer was fair. Overall, 47% of the Swarthmore students and 59% Philadelphia residents deemed the sentence fair and in accordance to the crime committed. Of the respondents, 35% thought that the sentence was unfair. There were 29% of the Swarthmore students and 41% of the Philadelphia residents who disagreed with the verdict. Among the Swarthmore students, many considered the type of drug the dealer sold as a factor in their final decision. For instance, one student stated that dealing cocaine was a major issue. Furthermore, she thought that people were sentenced for more time in jail for such actions. Many other students seemed to agree that the sentence might be too lenient considering that cocaine is a more serious drug as opposed to a softer drug like marijuana. These responses suggest that Swarthmore students may believe that the sentence
of drug dealing should reflect the degree or type of drug in use. If the vignette dealer had only dealt
marijuana, then many students would agree with the sentence of six months because they do not consider marijuana as being "a big deal". However, the fact that the dealer incorporated cocaine into his illegal trade caused many Swarthmore students to denounce the amount of jail time sentenced.

In Table 7, only 24% of the Swarthmore students refrained from acknowledging if the sentence was fair or unfair. All of the students who did not provide an answer to the question stated their unfamiliarity or indifference with sentencing guidelines and the range of penalties that can be imposed for various offenses. For example, many students exclaimed that they did not know the standard sentences given for selling drugs, therefore, they did not want to provide an answers regarding the relative fairness of the vignette drug dealer compared to other similar cases. In addition, one student proclaimed her lack of interest in jail sentencing guidelines. Her lack interest is motivated by her personal depiction of the vignette drug dealer’s background and lifestyle. For example, she states that she does not care about jail time due to the fact that the vignette dealer is probably a “preppy white boy (in my head)” (Swarthmore student, Age 22). She goes on to exclaim that his race and class most likely brought him less of a sentence than other people of differing racial and economic
backgrounds. The student's response indicates an untrustworthy notion of the judicial system and the ways in which jail-time is determined. In addition, the response infers that sentencing outcomes are not solely determined by the crime committed, but by the backgrounds of the defendant in question.

Among the Philadelphia residents, their responses were more definite than the Swarthmore students. For instance, unlike the students, the Philadelphia residents did not profess their incompetence in the justice system and the sentencing guidelines. Therefore, the concept of legal competence was only brought up amongst the liberal and socially aware students who seemed more wary and heedful about injecting their limited knowledge of the legal system. The students were more open to admit their lack of insight in drug trade sentencing than their Philadelphia counterparts. This openness may be due to the college students' inquisitorial mentalities and their beliefs in acquiring the necessary knowledge of certain matters before providing sound judgments and perspectives. The majority of Philadelphia residents clearly indicate whether or not the vignette dealer's sentence was fair or unfair. However, they do not explain why they believe the sentence is too lenient or aligns with the act in question. For instance, one respondent exclaims that he does not agree with the six months jail sentence, regardless of the vignette dealer's prior conviction history. In addition, the respondent states that he believes that the dealer should
have gotten a "longer sentence" and that the current sentence was "too lenient". Despite his adamant disagreement with the sentence, the respondent does not state his familiarity of the legal system or a thorough explanation on why he believes the sentencing is unfair. Only one Philadelphia respondent conveys his understanding of the law in regards to drug sentencing among different races. He does not delve into further details about his knowledge of racial disparities in drug sentencing. However, his response acknowledges society’s possible ignorance to the judicial system process and the specific range of penalties that can be enacted for various offenses.

Table 8: Vignette Sentence Consistent for all Races

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Swarthmore</td>
<td>2(12%)</td>
<td>14(82%)</td>
<td>1(.06%)</td>
<td>17</td>
</tr>
<tr>
<td>Philadelphia</td>
<td>7(41%)</td>
<td>8(47%)</td>
<td>2(12%)</td>
<td>17</td>
</tr>
</tbody>
</table>

In Table 8, 65% of the respondents believed that the vignette dealer’s sentence would not be consistent or similar for other races. Of the respondents, 82% of the Swarthmore students and 47% of the Philadelphia residents declared that the sentence would vary depending highly on the race of the offender in question. Among the Philadelphia residents, most cited race, educational status, and gang association as primary factors in sentencing. For example, one respondent said that she thinks the drug dealer would have faced a harsher
sentence if he was any other race. In addition, another respondent exclaims that the dealer would have been judged and "looked at differently" if he was black. These responses show that Swarthmore students are aware of the societal perceptions of racial disparity within the criminal justice system. As noted in my initial chapter, minorities are imprisoned for drug offenses at rates greater than their drug-using population. Also, drug-sentencing policies are the root cause of the evident racial disparities.

Nonetheless, the majority of Philadelphia respondents that claimed the sentence would not change depending on the race and class stated that race and class "do not matter". The Philadelphia respondents who supported this claim were all African American and within the age group of 41 and over. The respondents who believed that race and class are not substantial factors in sentencing outcomes were also the ones who did not provide the race and class of the vignette drug dealer. In addition, they adamantly contend that drug trade participation is universal and that society should not pigeonhole specific races as prime actors in the illegal trade. The responses of these majorly older African American residents indicates that elderly minorities are more likely self-aware of stereotypical views held concerning African Americans and their association with the drug trade. They understand the biases portrayed by societal perceptions of what constitutes an ideal drug dealer. Therefore, these
respondents are eagerly attempting to transcend these negative stereotypes of their race by portraying the act of dealing as a deviant behavior portrayed by individuals of different races, cultures, and ages.

Like several Philadelphia respondents, Swarthmore students are also aware of the evident racial disparity in drug sentencing. For instance, one student stated that the sentencing of another dealer would depend on where he or she was tried, however, he thinks the dealer’s class and race “definitely affected” his sentence. In addition, another Swarthmore respondent states that “as much as I hate to say it”, he thinks that the sentence of the dealer would probably have been harsher if he was Hispanic, Black, etc. even if all other things were equal (Swarthmore, 20). Another respondent provides further insight into how race and class could significantly play a role in the sentencing process. For instance, she exclaims that sentences given to minority students are generally tougher than those given to white students. Furthermore, she cites the upper socioeconomic status of the dealer and his family as playing a vital role in the sentencing outcome. The respondent exclaims that the dealer’s parents could still afford to get him an “excellent lawyer” to perhaps reduce his sentence (Swarthmore student, 21). In addition, another respondent acknowledges the type of institution the dealer attended as another possible indicator of drug sentence disparities among races. These responses shed light on factors such as
prestige and wealth, which can play a role in the length of jail-time imposed on specific offenders. Therefore, it can be inferred that respondents do not only find racial bias in sentencing, but bias against the poor. The poor seem to experience higher rates of convictions, long prison sentences and denial of parole (Silver 1). This observation provides evidence that most rich criminals never see the inside of a prison, while the prisons overflow with the lower class. In addition, to these observations, another respondent provided an interesting factor in the reasoning behind the variability in drug sentencing among distinct races. For example, he states that he does not believe that race and class affects the length of drug sentences given the state of the U.S. prison industrial complex. His response infers that the rapid expansion of the US inmate population and the continuous prison building are valid indicators of the universality of drug sentences. The respondent is willing to use the growing prison population to exemplify an unbiased and fair legal system. Furthermore, the respondent seems to infer that the overall make-up of prisoners greatly vary in racial and socioeconomic backgrounds. He does not acknowledge the astounding statistics that African American males represent the largest percentage of inmates held in custody, roughly 35.4 percent as of 2008 (Gabbidon & Greene 37). However, the majority of Philadelphia residents as well as Swarthmore residents seem to be well informed regarding the racial disparities of sentencing guidelines. Most
respondents acknowledge the vital role race plays in determining the outcome of
drug sentences and offenses.
Overview of Marijuana Policies within the U.S.

The open-ended responses of the drug-related vignette provided significant feedback in regards to the linkage between racial attitudes and policy attitudes on the drug epidemic. The responses seemed to confirm the importance of race in determining drug policies and penalties. For instance, the majority of Swarthmore and Philadelphia respondents were aware of the evident racial disparities in drug sentencing. These respondents confidently believed that the sentencing guidelines of a potential drug dealer would greatly depend on the race of the offender. Furthermore, these same respondents acknowledged the fact that race would also play a significant role in determining the harshness or the length of prison time served by the offender.

The responses of the Swarthmore and Philadelphia participants aligned with current interpretations of race, illicit drugs, and drug penalties enforced by the criminal justice system. For example, Lusane attributes the disproportionate investigations and incarcerations of African Americans by law enforcement as a result of the established racism embedded within American culture. Within the American culture, police officers are more suspicious of African Americans and believe that they are more likely to engage in crime. As a result, police concentrate their efforts in areas frequented by African Americans and detain African Americans at a greater rate. (Lusane 21). Therefore, it is not infeasible
that in the minds of the criminal justice system's supervisors, implementers, and workers, drugs are recurrently associated with African American citizens and their communities. It is this perception of African Americans and drug participation that shapes the criminal justice system's policies and practices.

Furthermore, the racial stereotypes and disparities within the drug epidemic is evident in both the current U.S. state and federal sentencing guidelines. Race not only helps to determine which conduct is considered criminal it also helps to determine which crimes to punish the most severely. For example, the state categorizes more seriously the particular drug offenses that are more likely to be committed by African Americans. Both state and federal sentencing guidelines impose harsher penalties for possession of crack than for the possession of cocaine (State Vs. Russell, 477). There has been some controversy over the disproportionate sentences authorized by the Federal Sentencing guidelines for crack cocaine versus powder cocaine since 1986. For instance, even though there is a 5-year minimum sentence for trafficking 500 grams of powdered cocaine, the same sentence could be imposed for mere possession of 5 grams of crack cocaine. Furthermore, there is no mandatory minimum sentence for the simple possession of powder cocaine. This disparity between crack cocaine and powder cocaine has been labeled as a form of institutionalized racism due to the fact that crack cocaine is more common in
inner-city black communities, and powder cocaine in white suburban communities. In addition, this disparity further confirms that crime is not only racialized, but also justified and enforced by the law.

In regards to the type of drug used in the vignette, marijuana possession offenses are also considered to be racially motivated. For instance, a study by Dr. Jon Gettman, states that African Americans account for 12% of the population, 14% of annual marijuana users, and 31% of marijuana possession arrests (Gettman 2006). While these are national survey figures, it is unlikely that local differences in the occurrence of marijuana use among blacks and whites account for the substantial disparities in arrest rates. For instance, Gettman’s study concludes, “The disproportionate arrests of blacks for marijuana offenses in the Unites States is not a local or regional phenomenon; it is a national characteristic of marijuana law enforcement, evident in every state, most counties and most local police agencies in the country.” Therefore, in terms of the legal risk of marijuana use, there are subtle differences in how the legal penalties for marijuana possession offences are represent nationally or statewide. However, in this chapter I would like to assess the current marijuana policies of selected states and determine if the specific penalty variables differ across state drug regulations. Furthermore, I would like to discover whether possible differences in state marijuana policies depend on a number of different factors, including
different law enforcement procedures, laws for possession or sell of marijuana, and maximum penalties. These discovers will provide a clear understanding of how marijuana penalties are racialized, how these penalties vary among specific states, and how the responses of the vignette participants align with the moral code of these legal penalties.

Drug policy within the United States signifies the government’s attempt to contest the rising effects of drug addiction and mismanagement in the country. The policies primarily address the demand and supply of drugs in order to suppress the demand of drug usage. Marijuana is currently prohibited by the federal government and classified as a Schedule I controlled substance (21 USC 812, 1992). These substantial variations that exists in state legal approaches to drug policy is evident due to each state’s scheduling of specific drugs. A state’s scheduling consists of penalties associated with possession and sale of specific drugs, medical marijuana allowances. There are established five schedules of controlled substances, known as schedules I, II, III, IV, and V. In addition, these schedules consist of the prominent substances, which are updated on a semiannual on a two-year period beginning one year after the date of enactment (21 USC 812, 1992). Furthermore, the majority of states use their controlled substances schedules as their guiding criteria for developing legislated penalty requirements to be used in state courts for the sentencing of offenders who
illegally manufacture, distribute, possess, or use various controlled substances. For instance, Schedule I substances primarily have greater penalties than Schedules II and III, with Schedules IV and V consisting of fewer penalties (21 USC 812, 1992). Nonetheless, schedules of control are not the primary initiators of statutory penalties. In some cases, states choose to diverge from penalties applied to general schedules of drugs and pass separate laws that provide penalties for specific drug offenses (Impacteen, 2003). These particular laws usually specify a minimum or maximum fine and jail sentence associated with each drug and offense. The offense is defined as the type of drug involved, the action involved, and the number of prior charges. As a Schedule I substance, marijuana is categorized by the government as a substance with a high potential for abuse, no accepted medical use by the federal government despite several states approving the substance for its ability to treat illnesses, and no safe level of use under medical supervision (Becket and Herbet 4). Despite substantial variation amongst local, state, and federal marijuana laws, it is illegal throughout the United States to possess or even distribute any amount of marijuana for any nonmedical reason anywhere in the United States.

In the United States, efforts to reduce marijuana usage have primarily depended on arrest, imprisonment, and incarceration. Nationally, drug arrests have increased by 41%, from 1,089,500 to 1,538,800 since 1992. Marijuana arrests
have also increased significantly since 1992. In 2006, there were 829,625 marijuana arrests and approximately half of the 1.9 million drug arrests were for marijuana usage (Becket and Herbert 4). During this time, the total number of marijuana arrests more than doubled from 327,000 to 697,000, an increase of 113%. According to the Federal Bureau of Investigation (FBI), of the estimated 13,120,947 arrests in 2010, the highest number of arrests was for drug abuse violations, which were estimated at 1,638,846 arrests. Furthermore, there were more than 853,000 people arrested last year for marijuana-related offenses, which is equivalent to approximately one drug arrest every 19 seconds. Of these drug-related arrests, 8 out of every 10 were for simple possession as opposed to distribution or manufacturing. Overall, more than half of all drug related arrests, about 52%, were for marijuana related offenses, and of the marijuana related offenses, 88% of them were for possession. In 2010, the percentage of total marijuana arrests for sale and manufacturing was approximately 6.3 percent. As for possession, the percentage of total arrests for drug abuse violations was about 45.8 percent (FBI Uniform Crime Report, 2010).

In the United States, the legal penalties for violating sale and possession provisions for marijuana vary greatly by the quantity of the substance sold or possessed, and by the type of offense, such as sale or possession. For example, the maximum legal penalty for the sale of a standard retail amount of marijuana
ranges from one year of imprisonment to life in prison for repeated offenses (Gettman, 2007). In addition, there are wide disparities between states in both marijuana arrest rates and the severity of penalties. Thirteen states have decriminalized possession of small amounts of marijuana. However, thirty states have maximum penalties of six months to a year in jail for possession of roughly one ounce of marijuana (Levine, 2007). For possession of two ounces of marijuana, eighteen states have maximum penalties of one year and sixteen have maximum penalties of over one year. On the other hand, enforcement and sentencing policies may be lenient in many jurisdictions. However, the gap between these policies and the severity attached to marijuana possession is quite significant.

The jurisdictions with the highest marijuana arrest rates are the District of Columbia with 677 arrests, Kentucky with 479, and New York with 481 arrests per 100,000 people. In 2007, there were approximately 92,000 arrests for marijuana offenses in New York. There were an estimated 1,880,000 past year marijuana users in New York during 2007. Reconciling this estimate with the number of arrests for marijuana offenses provides an arrest rate of 4,936 per 100,000 users, which ranks New York at number 10 in the nation.

In terms of overall severity of maximum sentences for marijuana possession, New York ranks number 40 in the nation based on penalties for a first offense. When it comes to penalties for just under 1 ounce of marijuana, New York is ranked at
number 7. The penalties for possession of various amounts of marijuana in New
York include the possession of 25 grams or less of marijuana is punishable by a fine
of $100 for the first offense and a penalty of $250 and a maximum of 15 days in jail
time enacted for the second offense (Levine, 2007). On the other hand, possession of
greater than 25 grams or possession of any amount in public where the marijuana is
burning or open to public view, is considered a class B misdemeanor and is
punishable by up to three months in jail and a fine of up to $500. Also, for
possession of greater than two ounces, the penalty increases to a possible one year
in jail and a fine up to $1,000. Statewide, the proportion of marijuana arrests from
New York City also grew exponentially. In 1990, 1.6% of all marijuana arrests
nationally occurred in New York City; that figure more than quadrupled to 7.2%
by 2002. The proportion of possession arrests from New York City grew ten-fold,
from 0.7% to 7.4% of national arrests. This translates into more than 12% of the
City represents approximately 3% of the nation's population and 2.1% of the
nation's total arrests, more than 7% of all marijuana arrests in the entire country
in 2002 occurred in New York City.

<table>
<thead>
<tr>
<th>State</th>
<th>Overall Rank</th>
<th>Rank for 1 ounce Penalties</th>
<th>1 ounce</th>
<th>2 ounces</th>
<th>3 ounces</th>
<th>4 ounces</th>
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<tr>
<td>New York</td>
<td>40</td>
<td>7</td>
<td>3 months ($500)</td>
<td>1 year ($1000)</td>
<td>1 years ($1000)</td>
<td>1 year ($1000)</td>
</tr>
<tr>
<td>Florida</td>
<td>1</td>
<td>1</td>
<td>5 years ($5,000)</td>
<td>5 years ($5,000)</td>
<td>5 years ($5,000)</td>
<td>5 years ($5,000)</td>
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Maximum Marijuana Possession Penalties for Selected Amounts
Under the New York Penal Law 221.05, a person is guilty of Criminal Possession of Marijuana in the Fifth Degree when that person knowingly and unlawfully possesses or marijuana in a public place for public view. The term “possess” in the penal law definition means to have physical possession or control over an illegal substance. Furthermore, the term “knowingly” indicates that the possessor of marijuana is evidently aware that he or she is in possession of marijuana. The term “unlawfully” in the definition alleges that a person possesses marijuana when that person has absolutely no legal or medical right to possess it. (Penal Law §§221.05).

In Arkansas, marijuana is the most frequently used illicit drug by adults and young adults. In 2009, the Arkansas marijuana use rate was comparable to the national average of individuals age 18 and older with 9.8% and 9.9%. Among Arkansas marijuana users, the highest use rate is among individuals age 18 to 25. In 2009, approximately 26.6% reported using marijuana in the past year and 15.3% reported using marijuana in the past month. In terms of criminal justice consequences for marijuana possession and usage, juvenile arrest rates for

<table>
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<tr>
<th>Nebraska</th>
<th>50</th>
<th>11</th>
<th>7 days (%$500)</th>
<th>7 days ($500)</th>
<th>7 days ($500)</th>
<th>7 days ($500)</th>
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<tr>
<td>Pennsylvania</td>
<td>42</td>
<td>9</td>
<td>30 days ($500)</td>
<td>1 year ($5,000)</td>
<td>1 year ($5,000)</td>
<td>1 year ($5,000)</td>
</tr>
<tr>
<td>Arkansas</td>
<td>3</td>
<td>3</td>
<td>1 year ($1,000)</td>
<td>10 years ($25,000)</td>
<td>10 years ($25,000)</td>
<td>10 years ($25,000)</td>
</tr>
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</table>
marijuana possession have fluctuated over the past decade from 679 in 2000 to 230 in 2004 and 732 in 2008. Arkansas juvenile marijuana possession arrests comprise 64% of drug arrest while the manufacture and sales of marijuana comprise of 6% juvenile drug arrests. Statewide, seizures of marijuana have been quite stagnant with 29.7 items per 10,000 population in 2002 to 43.1 items per 10,000 population in 2009 (Arkansas Department of Human Services, 2009).

During 2007, there were 7,043 arrests for marijuana offenses in Arkansas. Marijuana possession arrests accounted for 90% of all marijuana arrests in Arkansas during 2007. In addition, there were 6,368 arrests for marijuana possession in Arkansas in 2007, and 675 arrests for marijuana sales. The arrest rate for marijuana possession in Arkansas was 225 per 100,000 for 2007, while the arrest rate for marijuana sales was 24. Marijuana arrests also accounted for 50% of all drug arrests in Arkansas during 2007. Furthermore, since there was approximately 234,000 marijuana users that year in Arkansas, merging this estimate with the number of arrest for marijuana offenses provides an arrest rate of 3,010 per 100,000 users, which ranks Arkansas at number 30 in the nation (Levine, 2009).

Compared to New York statutory penalties for marijuana, Arkansas is by far the most severe in its maximum sentences of marijuana possession. In terms of overall severity of maximum sentences for marijuana possession, Arkansas'
felony sentencing and convictions are quite extensive. For instance, in Arkansas’ 2010 Uniform Controlled Substances Act, it is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver drug paraphernalia knowingly aware that the drug paraphernalia will be used to plant, cultivate, manufacture, compound, convert, produce, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of Arizona’s Chapter 64 Prohibitions and Penalties code (Arkansas Chapter 64: Controlled Substances Code, 2010). Any person who violates any provision of this chapter by possessing a controlled substance classified in Schedule I or Schedule II that is a narcotic drug is guilty of a Class B felony. Furthermore, any person possessing a noncontrolled substance represented to be a controlled substance classified in Schedule I, Schedule II, or Schedule III is guilty of a Class C felony (Arkansas Chapter 64: Controlled Substances Code, 2010). Since marijuana is classified as a Schedule I narcotic drug, marijuana users would be convicted of a Class B or Class C felony in the state of Arkansas. A Class B felony is a criminal charge that is associated with burglary, felon in possession of a firearm, theft of property, driving under the influence, and theft by deception of more than $2,500 offenses. Felony sentencing under a Class B categorization consists of a sentence that cannot be less than five years, but cannot exceed more than twenty years. A Class C felony is a criminal charge that is associated with
possession of over one ounce of marijuana, felony speeding, and theft of property in an amount less than $2,500 but greater than $500. Felony sentencing under a Class C categorization consists of a sentence that cannot be less than three years, but cannot exceed more than 10 years (Arkansas Department of Human Services, 2009).

In comparison to New York and Arkansas penalties, Nebraska has the most lenient penalties for marijuana possession, but one of the most highest arrest rates in the nation. During 2007, there were 7,430 arrests for marijuana offenses in Nebraska, representing an arrest rate of 419 per 100,000, which ranks Nebraska at number 8 in the nation. There were an estimated 126,000 past year marijuana users in Nebraska during 2007. Furthermore, combining this estimate with the number of arrests for marijuana offenses provide an arrest rate of 5,897 per 100,000 users would result in Nebraska ranking at number 2 in the nation for arrest rates (Impacteen, 2003). The percentage of drug-related federal sentences that were marijuana-related in Nebraska was significantly lower than the national percentage in 2001. According to USSC data in 2001, 10 percent of drug-related federal sentences in Nebraska resulted from marijuana offenses compared with 33 percent nationally. The number of federal sentences for marijuana violations in Nebraska increased from 17 in 1997 to 29 in 2001 (National Drug Intelligence Center, 2003).
Nebraska’s high marijuana arrest rate can also be attributed to the easy accessibility of marijuana within the state. For instance, Marijuana is the most widely available and frequently abused illicit drug in Nebraska. Seizure data reflect the ready availability of marijuana in Nebraska. According to FDSS data, federal law enforcement officials in Nebraska seized 339 kilograms in 1998, 2,120 kilograms in 1999, 1,335 kilograms in 2000, and 438 kilograms in 2001. Law enforcement authorities that reported to Operation Pipeline seized over 2,501 kilograms in 1999 and over 1,009 kilograms in 2000. The Omaha Police Department seized almost 497 kilograms of marijuana in 2001 (Nebraska National Drug Intelligence Center, 2003).

As opposed to Nebraska, the Florida penalties for possession of marijuana are ranked as the most severe penalties nationally. Florida’s penalties for possessing small amounts of marijuana are among the nation’s toughest. Under the enacted Florida law, possession of 25 or more plants is prima facie evidence of intent to sell or distribute, and is a second-degree felony carrying a maximum penalty of 15 years in jail and a $10,000 fine. Furthermore, the possession of 20 grams or less of marijuana is a misdemeanor, punishable by up to one year in jail and a fine of up to $1,000. Possession of greater than 20 grams of marijuana is a felony, punishable by up to five years in prison and a fine of up to $5,000. As for the delivery or selling of 20 grams or less of marijuana for no consideration, it is
considered a misdemeanor and is punishable by up to one year in jail and a fine of up to $1,000. Sale, delivery or cultivation of any other amount up to 25 pounds is a felony and punishable by up to five years in prison and a fine of up to $5,000 (Section 893.13 Florida State Prohibited Act, 2012).

In addition, sale, delivery or cultivation of greater than 25 pounds is considered trafficking, and all trafficking offenses have mandatory minimum sentences. For less than 2,000 pounds or less than 2,000 plants, there is a mandatory minimum sentence of three years and a fine of $25,000. Also, for less than 10,000 pounds or less than 10,000 plants there is a mandatory minimum sentence of seven years and a fine of $50,000. For 10,000 pounds or 10,000 plants or greater, the mandatory minimum sentence is 15 years in prison and a fine of $200,000 (Levine, 2003).

From the data provided, it can be concluded that marijuana possession penalties change significantly depending on the specific state one is situated in at the time. Furthermore, the severity of the penalties as well as the increasing arrest rates seems to be determined by each states demographics. For example, Arkansas, New York, and Florida are by far the most severe in their maximum marijuana possession penalties. Coincidentally, Arkansas, New York, and Florida have a substantial African American population within their states. According to the 2005 Census, Florida has roughly a 17% African American population compared to Arkansas’ 15.7% and New York’s 15.9%. The commonality between the size of these states minority groups and the severity of these states marijuana penalties brings into question the racial motivations within the state laws. Why is it that states with a
larger minority population implement the harshest drug penalties when states like Nebraska, with only a 4% African American population, has the most lenient marijuana penalties? Just as the state and federal sentencing guidelines impose harsher penalties for the possession of crack, so does the state implement more seriously marijuana offenses that are more likely to be committed by African Americans. Therefore, these disproportionate sentencing guidelines further enhance the disparity of marijuana arrests in the United States.

Despite these disparities, the moral obligations of states' sentencing guidelines align perfectly with the majority of Swarthmore and Philadelphia respondents. The respondents indicated that the vignette dealer's sentence was fair because his illegal activity was harming the welfare of other citizens and the communities around him. Therefore, the vignette dealer's willingness to subject innocent bystanders to harmful substances was enough to convict him for possession in a public place. Similarly, the Criminal Possession of Marijuana in the Fifth Degree clearly indicates that a person is found guilty if he or she knowingly and unlawfully possess marijuana for public view. This penal law further supports the respondents' interpretations of the sentencing guidelines as a moral code that protects the livelihood of society and provides strict standards of behavior for society to abide to.
Conclusion

From my experimentation, I can conclude that there are instances in which respondents depended on personal experiences and insights in order to shape their societal perceptions of specific acts of deviance. These respondents relied heavily on the information provided to them and used these resources to ultimately assign a particular race, class, and moral justification of the action of the vignette character. From the responses presented in my experiment, it was evident that the majority of respondents did not rely on preconceived notions of African American criminality or overall racial criminality to determine their perceptions of the racial and class makeup of the vignette. It seemed possible for these respondents to willingly remove subjective motivations for his or her analysis and explanations of the vignette scenario in order to prevent biased categorizations and observations.

In addition, it seemed that the respondents' interpretation and reasoning behind the fairness of the vignette sentencing was aligned with every drug policy implemented throughout the United States. Regardless of the particular state, each drug policy maintained policies that appeared to be based on specific rationales. These rationales symbolized reasons whether explicitly or implicitly that justified the specific drug policy for all areas of drug use and drug selling.
After comparing the responses from my sample to the range of drug policies and penalties throughout the United States, I found that these rationales mentioned above seemed to be designed to primarily to prevent the choices of individuals from impacting in some way a third party. The rationales are heavily based on permitting restrictions on individualized choices that harm third parties, instead of the individuals causing the harm.

From this observation on the rationales behind drug policy, it can be inferred that there is an underlying sense of morality within the different drug policies that depend on the harmfulness of the act. For instance, from the policies implemented within the states, scenarios in which the culprit is putting the well-being of others in danger result in tougher and longer sentences and punishments. For instance, Florida's drug policy also has this conscience and awareness that marijuana and the smoking and ingesting of it is not healthy for an individual, and is specifically not healthy for public safety and the order in society. As a result, sale, delivery or cultivation of greater than 25 pounds is considered trafficking, and all trafficking offenses in Florida have a mandatory minimum sentence of 15 years and a fine of up to $200,000.

From this explanation, it can be concluded that the act of selling drugs to neighboring families and communicates can be strong factors in determining one's justifiable or unjustifiable classifications of drug dealing and the severity of
the punishment that goes along with it. Furthermore, from the responses provide to me, it can be inferred that most of the Swarthmore students believe that the sentence of drug dealing should reflect the degree or type of drug in use. If the vignette dealer had only dealt marijuana, then many students would agree with the sentence of six months because they do not consider marijuana as being "a big deal". Therefore, the similarity between respondents' moral judgments on drug dealing and its negative effects on the moral fabric of society is apparent and enacted in the present U.S. drug policies and penalties.

However, after removing the moral component from the sentencing guidelines, it was quite evident that race continued to play a significant role in the harshness and severity of the marijuana possession penalties. The fact that the penalties were insurmountable among states with a diverse and flourishing minority group further reinforces the role of race and institutional racism present in our criminal justice system.

Overall these observations provided credible insight into how racial attitudes, policy attitudes, and political behavior align with the perceptions of society. The views of the respondents I observed do not fluctuate with the fluid ideologies and expectancies of the political sphere or criminal justice system. Instead, these participants unveiled society's ability to construct their own interpretation of acts of deviants, black criminality, sentencing guidelines, and
the moral code of drug penalties. In the end, these respondents’ views
questioned and silence the beliefs of current political rhetoric and literature.
Furthermore, they offered an eye-opening prospective on how society views and
sides with truly tough issues and regulations within our country.

Bibliography

http://www.myfloridahouse.gov/filestores/web/statutes/fs07/ch0893/Section_08
93.13.HTM


Arkansas Charges for Crimes by Felony Class.
http://www.criminaldefenselawyer.com/resources/criminal-defense/felony-
offense/arkansas-felony-class.htm

Arkansas Department of Human Services, 2009.
http://humanservices.arkansas.gov/dbhs/Documents/Revised%20Epi%20profile
%2006.30.11.pdf.


U.S. Census Bureau. Yeadon Borough Census. 2010  
http://quickfacts.census.gov/qfd/states/42/4286968.html

U.S. Census Bureau, Lansdowne Borough Census, 2010  
http://quickfacts.census.gov/qfd/states/42/4241440.html

Swarthmore College Common Data Set. 2011  


