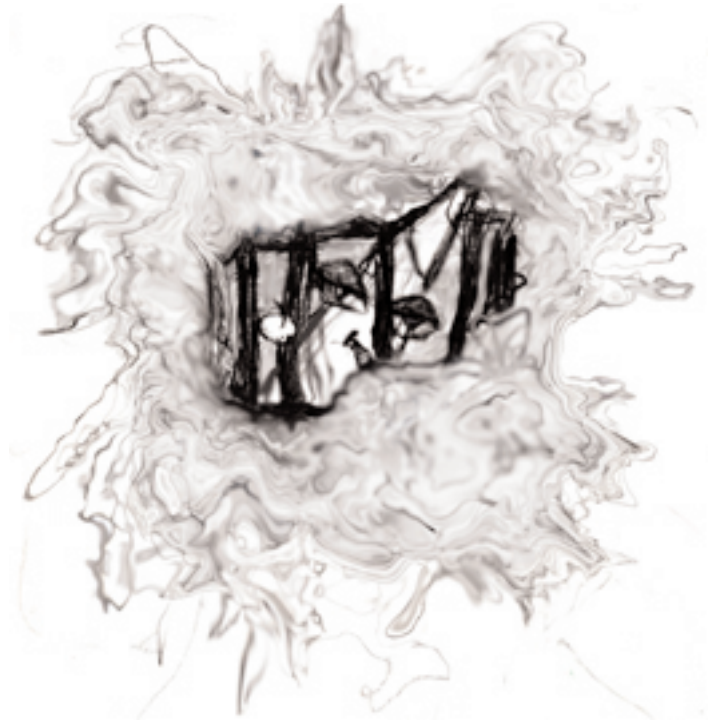


Reefer Madness

Marijuana has not been de facto legalized, and the war on drugs is not just about cocaine and heroin. In fact, today, when we don't have enough jail cells for murderers, rapists, and other violent criminals, there may be more people in federal and state prisons for marijuana offenses than at any other time in U.S. history

by Eric Schlosser

In the state of Indiana a person convicted of armed robbery will serve about five years in prison; someone convicted of rape will serve about twelve; and a convicted murderer can expect to spend twenty years behind bars. These figures are actually higher than the figures nationwide: eight years and eight months in prison is the average punishment for an American found guilty of murder. The prison terms given by Indiana judges tend to be long, but with good behavior an inmate will serve no more than half the nominal sentence. Those facts are worth keeping in mind when considering the case of Mark Young. At the age of thirty-eight Young was arrested at his Indianapolis home for brokering the sale of 700 pounds of marijuana grown on a farm in nearby Morgan County. Young was tried and convicted under federal law. He had never before been charged with drug trafficking. He had no history of violent crime. Young's role in the illegal transaction had been that of a middleman—he never distributed the drugs; he simply introduced two people hoping to sell a large amount of marijuana to three people wishing to buy it. The offense occurred a year and a half prior to his arrest. No confiscated marijuana, money, or physical evidence of any kind linked Young to the crime. He was convicted solely on the testimony of co-conspirators who were now cooperating with the government.



On February 8, 1992, Mark Young was sentenced by Judge Sarah Evans Barker to life imprisonment without possibility of parole.

There was so much talk in the 1970s about the decriminalization of marijuana, and the smoking of marijuana is so casually taken for granted in much of our culture, that many people assume that a marijuana offense these days will rarely lead to a prison term. But in fact there may be more people in prison today for violating marijuana laws than at any other time in the nation's history. Calculations based on data provided by the Bureau of Prisons and the United States Sentencing Commission suggest that one of every six inmates in the federal prison system—roughly 15,000 people—has been incarcerated primarily for a marijuana offense. The number currently being held in state prisons and local jails is more difficult to estimate; a conservative guess would be an additional 20,000 to 30,000. And Mark Young's sentence, though unusual, is by no means unique. A dozen or more marijuana offenders may now be serving life sentences in federal penitentiaries without hope of parole; if one includes middle-aged inmates with sentences of twenty or thirty or forty years, the number condemned to die in prison may reach into the hundreds. Other inmates—no one knows how many—are serving life sentences in state correctional facilities across the country for growing, selling, or even possessing marijuana.