



Unveiling Histories: Understanding Drug Policies *through* Indigenous Perspectives

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*Adapted from the [Drug Policy Alliance's Drug Policy History](#)

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The background features a light blue gradient with several overlapping, semi-transparent ribbons in shades of yellow, orange, and light green. Two stylized flowers with orange and yellow petals are positioned behind the text. On the right side, there is a vertical bar with a blue-to-orange gradient.

Objective: enhance understanding of the historical interplay between race, Indigenous sovereignty, and drug policy in the U.S.

Aims for the Objective

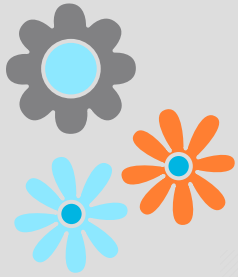
- We will spotlight the interplay of drug policy's impact on Indigenous communities and analysis of policy evolution and advocacy for informed, equitable visions for the future.
- We do so through respect and service to Indigenous peoples' unique historical and contemporary experiences with substance use and accessible, community-based knowledge sharing.

The Evolution of Drug Policy: An Overview

Drug policies encompass the laws and regulations governing the use, possession, distribution, and manufacture of drugs.

These policies have evolved significantly over time, influenced by social, political, and economic factors.





DRUG POLICY SNAPSHOT TIMELINE



1621

1870

1920

1960

1980

2000

2024

1621: First Substance Regulation (sale of alcohol) regarding Native Peoples by Plymouth Colony

1875: The First U.S. Anti-Drug Law Targeted Chinese Immigrant Communities

1914: Anti-Cocaine Laws Targeted Southern Black People

1937: First Federal Marijuana Law Targeted Mexican Immigrants

1971: Nixon Declared a "War on Drugs"

1981: Just Say No Campaign Highlights Disproven "Abstinence Only"..
1980s: "Hysteria" about crack cocaine led to Mass Incarceration

2020: First U.S. Law to Decriminalize Drugs Passed (in Oregon) +
2022: U.S. States Continue to Legalize Marijuana



I. Early Drug Policies

- The origins of drug legislation trace back to efforts to control the use and distribution of substances considered harmful or undesirable.
- Early policies were often influenced by racial and economic motivations, setting the stage for future drug laws.



First Substance Policies to Impact Indigenous Peoples in the Americas (post-1500s)

- Settlers introduced **alcohol**, leading to various social and health problems
- These regulations were often justified as measures to “protect” from its harms but they also served as tools for exerting control and economic gain.
- **1621**: the First Substance Regulation by Plymouth Colony with colonial governments attempted to regulate and manipulate the trade and consumption of alcohol...



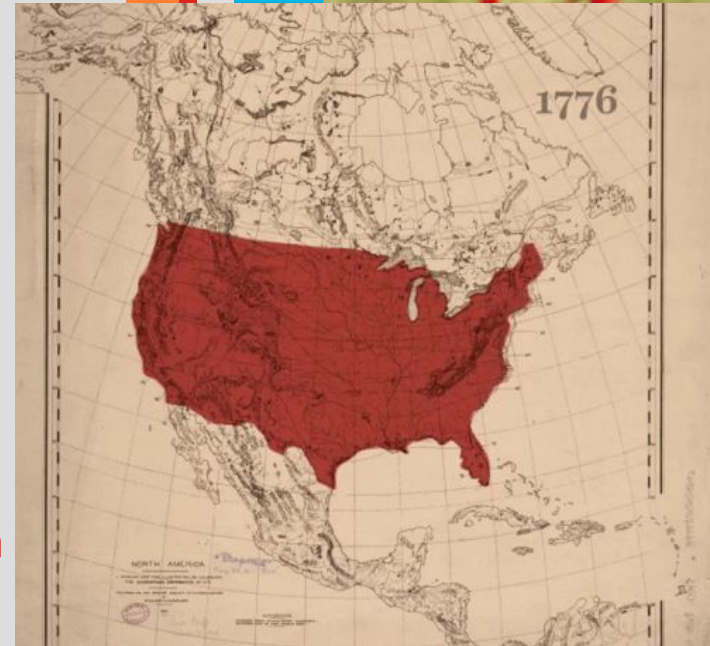
Substance Policy to Impact Indigenous Peoples (continued)...

- The prohibition was a means of **social control** and **moral legislation**
- The broader strategy reflected the colonists' **paternalistic** attitudes and moral judgments towards Native societies, as well as the fear of the social disruptions that alcohol could cause
- It was also influenced by the Puritanical beliefs of many colonists, who saw excessive alcohol consumption as **sinful** and **detrimental** to society.



Early Substance Regulations Affecting Native Communities (early 1800s)

- The **Indian Intercourse Act of 1834** prohibited the sale of alcohol to Native people; to regulate non-Indian interaction with individual people and Indian tribes on Indian lands.
- It included provisions to "preserve peace on the frontier," making it illegal for any person to sell, exchange, or give spirits or wine to an Indian under penalty of fine or imprisonment.



The First U.S. Anti-Drug Law Targeted Chinese Immigrant Communities (1870s-1910s)

- The **San Francisco Opium Den Ordinance** of **1875** made it a misdemeanor to maintain or visit places where people smoked opium.
- These places were mainly in Chinese immigrant neighborhoods. Similar racially inflammatory state laws emerged. Then, the first federal drug law, the **1909 Smoking Opium Exclusion Act**, prohibited importing and using opium.

with San Francisco, 1875, p. 100.

THE OPIUM-SMOKING DEN

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Police Found—New Order Propos

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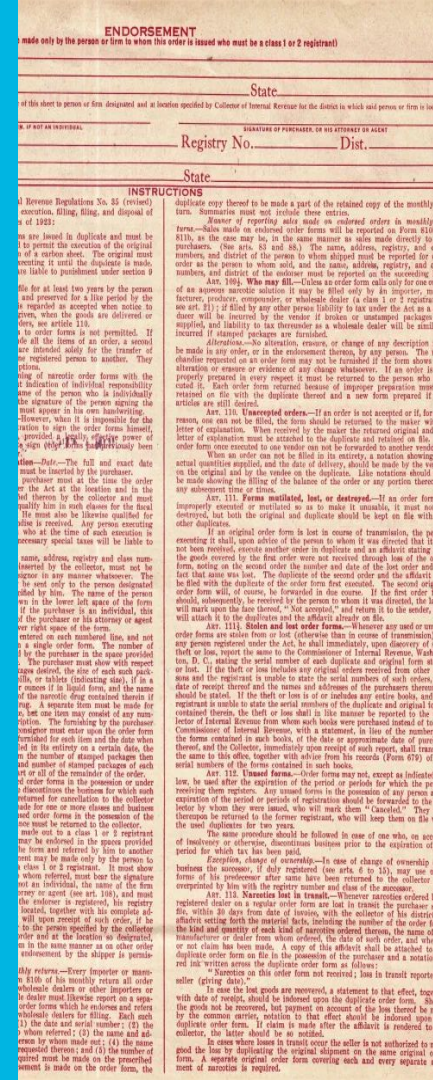
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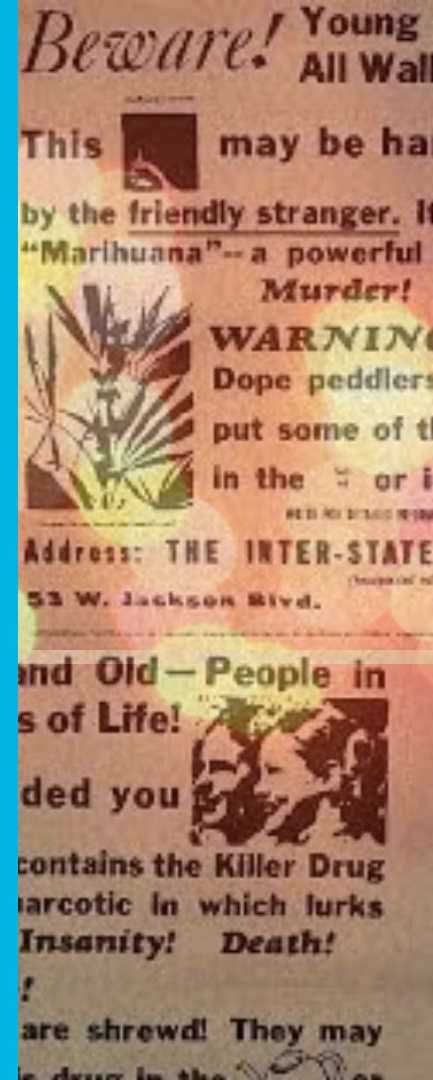
Anti-Cocaine Laws Targeted Southern Black People (1914)

- A **1914** New York Times article stated, “**NEGRO COCAINE “FIENDS” ARE A NEW SOUTHERN MENACE,**” blamed “cocaine-crazed negroes” for “[i]nciting” homicidal attacks.” In 1914, Congress passed the **Harrison Act**, effectively outlawing opiates and cocaine. Experts testified that “most of the attacks upon white women of the South are the direct result of a cocaine-crazed Negro brain.”



First Federal Marijuana Law Targeted Mexican Immigrants (1937)

- Harry Anslinger became the first commissioner of the Federal Bureau of Narcotics. He claimed marijuana caused psychosis and violence. Only one of 30 scientists agreed. Anslinger shared a letter with Congress, "I wish I could show you what [marijuana] can do to [...] degenerate Spanish-speaking residents." The **1937 Marijuana Tax Act** was the first federal U.S. law to criminalize marijuana.



Prohibition Era (1920-1933)

- Nearly three centuries later from 1621, the Prohibition era was similarly motivated by a mix of social control and moral concerns. The **temperance movement**, which led to Prohibition, was rooted in a belief that alcohol was responsible for many societal ills, including crime, moral decay, and health problems.
- Prohibition was supported by various groups to “reform” and improve public morals. However, like earlier policies, it **disproportionately affected certain groups**, including Natives, immigrants and working-class communities.



II. War on Drugs

- the era of the War on Drugs is marked by a series of significant events and policy decisions aimed at reducing so-called illegal drug use, distribution, and trade by increasing and enforcing penalties for “offenders”



Nixon's war on drug addicts

From **RICHARD SCOTT**

Washington, June 17

President Nixon told Congress today that the drug problem in the United States had assumed the dimensions of a national emergency. He asked for an additional \$64 millions to

Nixon Signed the Controlled Substances Act (1970)

- President Richard M. Nixon signed the **Controlled Substances Act (CSA)** into law in **1970**. It classifies drugs into five “schedules” rated by medical benefits and level of potential for abuse. The classification ended up relying on fear and stigma rather than science. This resulted in the seemingly arbitrary scheduling we still see today.



Nixon Declared a War on Drugs (1971)

- In **June 1971**, President Nixon declared a “war on drugs.” He **increased** the size, presence, and funding of federal drug control agencies. He pushed through measures such as **mandatory sentencing and no-knock warrants**. In **1973**, he created the **Drug Enforcement Administration (DEA)**.

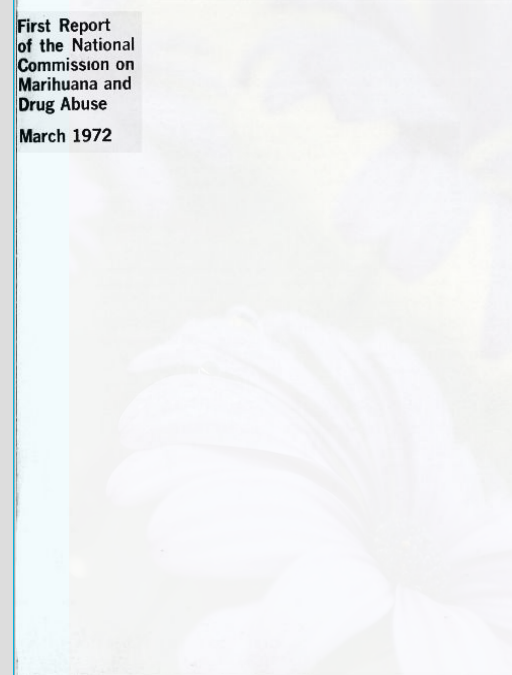


Nixon Ignored His Advisors' Call to Decriminalize Marijuana (1972)

- President Nixon placed marijuana in Schedule I temporarily, pending review by a commission he appointed. In **1972**, the **National Commission on Marihuana and Drug Abuse** unanimously recommended decriminalizing personal use. President Nixon ignored the report, but 11 states decriminalized possession.

**marihuana:
a signal of
misunderstanding**

First Report
of the National
Commission on
Marihuana and
Drug Abuse
March 1972



President Carter Elected— Simple Marijuana Possession is Decriminalized (1977)

- In **January 1977**, President Jimmy Carter was inaugurated on a campaign platform that included marijuana decriminalization. In **October 1977**, the Senate Judiciary Committee voted to decriminalize possession of up to an ounce of marijuana for personal use.



Just Say No Campaign Highlights Disproven “Abstinence Only” (1981)

- In **1981**, Nancy Reagan began a highly publicized anti-drug campaign, “**Just Say No.**” Los Angeles Police Chief Daryl Gates founded the **D.A.R.E.** drug education program. Gates said, “Casual drug users should be taken out and shot.” D.A.R.E was adopted nationwide despite the lack of evidence of its effectiveness.”



Attitudes Towards Drugs Reverted to Punishment (1980s)

- In the **1980s**, proposals to decriminalize marijuana fizzled out. Parents became more concerned about teen drug use. Media portrayals of people addicted to “crack” fueled public concern. President Reagan expanded the drug war. **Incarceration for nonviolent drug offenses increased from 50,000 in 1980 to over 400,000 by 1997.**



Political Hysteria Led to Mass Incarceration (late 1980s)

- In the **late 1980s**, hysteria about crack cocaine led to draconian federal and state penalties. They rapidly increased the prison population. In **1985**, 2-6% of Americans saw “drug abuse” as a big problem. By **1989**, it was 64%.

Less than a year later, that number dropped to less than 10% as the media lost interest. But policies and incarceration rates remained.



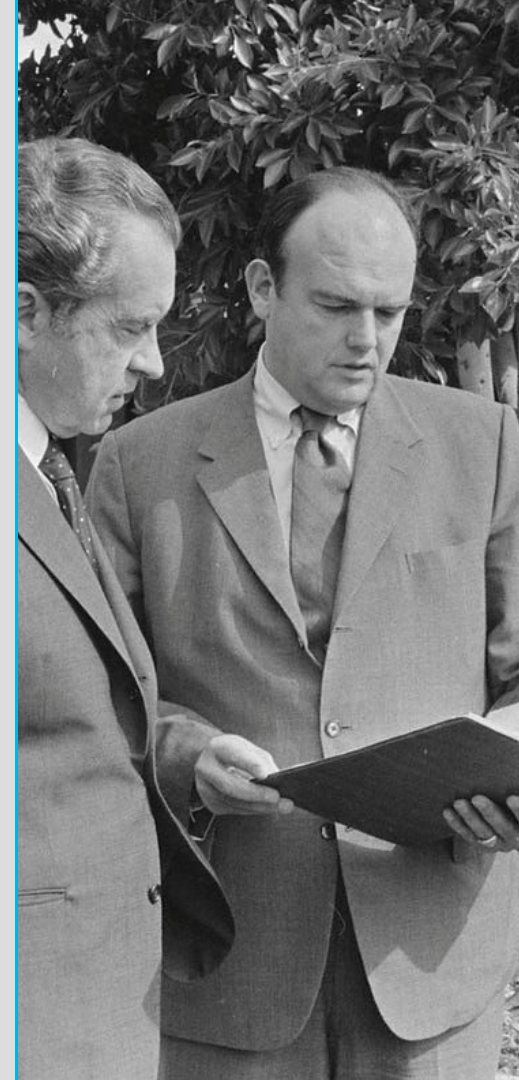
Clinton Reversed Promises of Treatment Over Incarceration (1992)

- In **1992**, President Bill Clinton campaigned on treatment over incarceration. Yet, he **rejected** a Sentencing Commission recommendation to cut the sentencing disparity between crack and powder cocaine. He also **rejected** his health secretary's advice to end the federal ban on funding syringe access programs.



“

We knew we couldn't make it illegal to be either against the war or black, but by getting the public to associate the hippies with marijuana and the black people with heroin, and then criminalizing both heavily, we could disrupt those communities...Did we know we were lying about drugs? Of course we did.



III. Drug Policy Reform & Push for Legalization(s)

- Amidst a national shift, a growing trend towards drug policy reform and the push for legalizations rise, aiming to balance public health concerns with personal freedoms and reduce the social and legal consequences of prior drug laws



The Drug Policy Alliance is created & Criticism (1994-late 1990s)

- In **1994**, Ethan Nadelmann founded The Lindesmith Center as the first U.S. project of George Soros' Open Society Institute. In **2000**, the growing Center merged with the Drug Policy Foundation to create the **Drug Policy Alliance (DPA)** (today's leading drug policy reform organization).
- Growing criticism of the War on Drugs highlights issues such as **mass incarceration, racial disparities** in drug-related arrests, and the policies ineffectiveness in reducing drug use.



George W. Bush Funded the Drug War (1990s-2000s)

- President George W. Bush rapidly **escalated the militarization of domestic drug law enforcement.** His drug czar focused on marijuana and student drug testing. Drug use remained constant and overdose deaths rose rapidly. **By the end of Bush's term,** there were about 40,000 paramilitary-style SWAT raids on Americans every year. Most were for nonviolent drug law offenses.



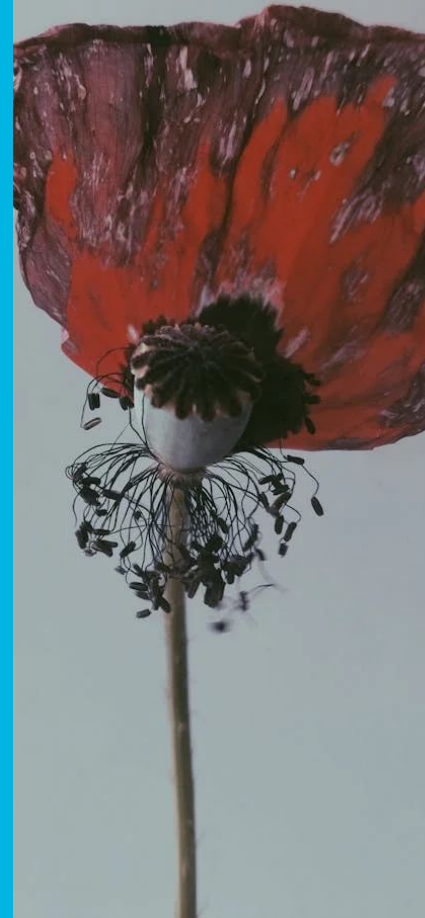
Medical Cannabis is Legalized & Opioid Crisis and Tribal Lands (2000s & onward)

- In **April 2007**, New Mexico becomes the 12th state to legalize medical cannabis with the Lynn and Erin Compassionate Use Act; implications for Native health sovereignty.
- **2010s** saw the surge of increasing opioid use and overdoses; impact on Native communities in New Mexico with a focus on lack of resources and need for culturally sensitive approaches.



Trump Called for Harsher Sentences for Drug Involvement (late 2010s)

- In **2018**, President Donald J. Trump called for the **death penalty for people who sell drugs**. He initiated a policy placing fentanyl-related substances on Schedule 1 without testing these substances for harm or medical benefits (including the ability to reverse opioid overdoses). He resurrected disproven **“Just Say No”** messaging aimed at youth.



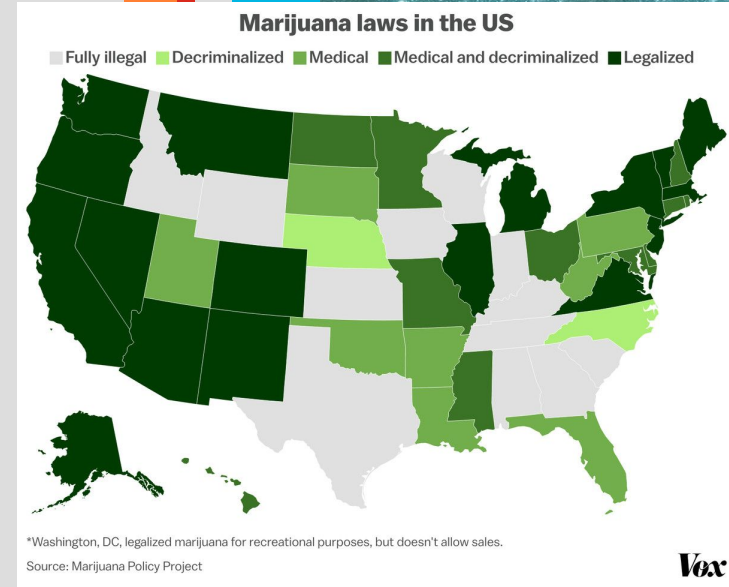
First U.S. Law to Decriminalize Drugs Passed (2020)

- In **2020**, Oregonians overwhelmingly voted for **Measure 110**. This landmark ballot initiative made Oregon the first place in the US to **decriminalize possession of small amounts of all drugs**. This means people are no longer arrested and put in jail for using or possessing drugs. It also directs hundreds of millions of dollars into addiction services and social supports for people who use drugs. The DPA wrote Measure 110 and Drug Policy Action spearheaded the campaign to get it passed.



U.S. States Continue to Legalize Marijuana (2020s-Today)

- In **2021**, New Mexico legalizes recreational cannabis; potential economic opportunities for Native tribes and concerns about public health and social implications.
- By **2022**, 21 states legalized marijuana for adults. That same year, President Joe Biden pardoned federal cases of simple possession of marijuana.

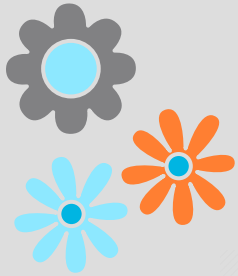


IV. Drug Policy Reform & Addressing Substance Use

- New Mexico has undertaken significant drug policy reforms with a focus on harm reduction, treatment over incarceration, and the legalization of cannabis to mitigate the adverse impacts of previous punitive approaches



**NO MORE
DRUG
WAR. TAKE
ACTION.**



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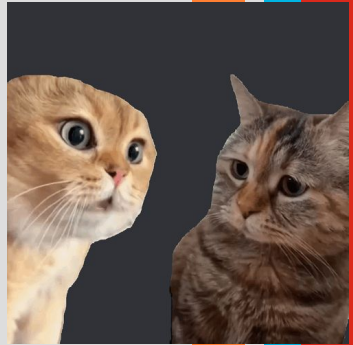
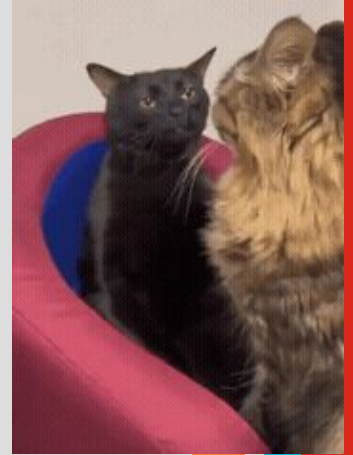
Q: How do we understand these shifts overtime?



Turn & Talk

What are our understandings of drug policies? What do they look like from the past to today in 2024?

Turn to people at your table and discuss.



Shout out our insights.

What did you discuss?





Early prohibition acts, like the Indian Intercourse Act of 1802, **targeted Native people**, leading to a pattern of criminalization and the disruption of traditional life.

→ This parallels how modern policies continue to affect Indigenous communities.

Historical Prohibition and Indigenous Communities



→ Importance of **incorporating Indigenous** perspectives and cultural practices into substance use treatment.

→ There remains a need for federal and state policies to support sovereignty and self-determined health strategies for Native populations.

Addressing Substance Use with Cultural and Critical Sensitivity



→ Drug policies have historically undermined **Indigenous sovereignty** by imposing external laws on Native lands, often conflicting with traditional practices and governance.

→ The role of federal policies in the erosion of tribal self-determination and impact on community health outcomes.

Impact of Drug Policies on Indigenous Sovereignty



→ Current trends within substance use by Indigenous populations, focus on **community-led solutions**, such as the integration of traditional healing practices in treatment programs.

→ Q: What (additional) successful programs exist and seek expansion?

Current Trends and Indigenous-Led Solutions

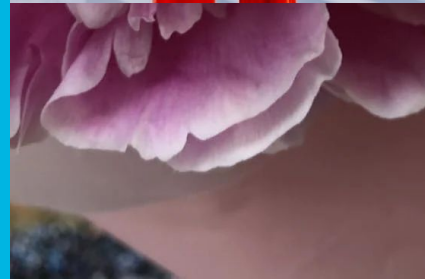


Existing Practices for Engaging Tribal Communities?

How do we continue Sustaining and Strengthening
our Sovereignty for Generations...

“

The Drug Policy Alliance (DPA) is the leading organization in the U.S. working to end the drug war. We are people impacted by the drug war. We have lost loved ones to overdose. We are in recovery. We use drugs. We have experienced the harms of drug criminalization. Join us. Together, we will end the drug war and build a better future shaped by love, not war.





HOW CAN AAIHB HELP YOU & YOUR FAMILY

We provide specialized health services including clinical Audiology and HIV/AIDS prevention education, as well as advocacy, training, innovative capacity building programs and technical assistance.

LEARN MORE

AASTEC (Albuquerque Area Southwest Tribal Epidemiology Center)

Southwest Tribal NARCH (Native American Research Center for Health)

Audiology

Community Health Education and Resiliency Program

Tribal Injury Prevention Resource Center

CHERP Video Recordings

Narcan and Fentanyl Test Strips Order Form

Native Opioid Summit

Positive Directions for Native Health

Reimagine Youth Wellness Summit

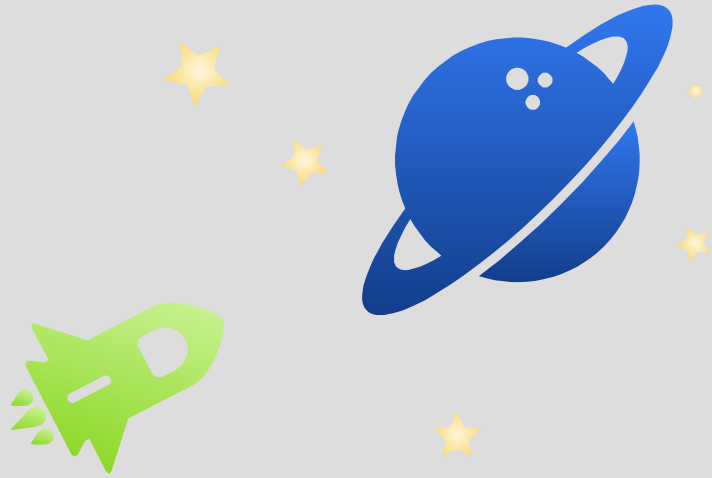
Safe Sex Kit Request

Training Request Form

SERVING TRIBAL COMMUNIT

Welcome to the Albuquerque Area Indian Health Board, Inc. (AAIHB) website. AAIHB is an Indian-owned and operated nonprofit organization serving the Albuquerque, New Mexico, southern Colorado, and west Texas. We offer diverse health promotion and prevention education programs, as well as specialized services that positively impact the health and well-being of the communities we serve.

VISIT WWW.AAIHB.ORG



Any questions?

Thank you!

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