



LAW ENFORCEMENT AGAINST PROHIBITION

121 Mystic Avenue, Medford, Massachusetts 02155 - Tele: 781.393.6985 Fax: 781.393.2964 info@leap.cc www.leap.cc

Jack A. Cole

State Police Lieutenant - Undercover Officer

jackacole@leap.cc (617) 792-3877

“This is Not a War on Drugs—it’s a War on People.”



Jack Cole knows about the “war on drugs” from several perspectives. He retired as a Detective Lieutenant after a 26-year career with the New Jersey State Police—fourteen in narcotics, mostly as an undercover officer. His investigations spanned cases from street drug users to international “billion-dollar” drug trafficking organizations. Jack ended his undercover career living nearly two years in Boston and New York City, posing as a fugitive drug dealer wanted for murder, while tracking members of a terrorist organization that robbed banks, planted bombs in corporate headquarters, court-houses, police stations, and airplanes and ultimately murdered a New Jersey State Trooper. Jack is a founding

member and for eight years was executive director of *Law Enforcement Against Prohibition*, an organization representing 50,000 cops, judges, prosecutors, prison wardens, and supporters from 78 countries, who know a system of legalized regulation of all drugs will remove the violence which is the result of drug prohibition. He is now their Board Chair.

After retiring, Jack dealt with the emotional residue left from his participation in this failed and destructive war on drugs by working to reform current drug policy. He moved to Boston to continue his education. Jack holds a B.A. in Criminal Justice and a Masters degree in Public Policy. Currently writing his dissertation for the Public Policy Ph.D. Program at the University of Massachusetts, his major focus is on the issues of race and gender bias, brutality and corruption in law enforcement. Jack believes ending drug prohibition will go a long way toward correcting those problems.

Jack has taught courses to police recruits and veteran officers on ethics, integrity, moral decision-making, and the detrimental effects of racial profiling. As Executive Director of LEAP, he has presented papers at international conferences and spoken on drug policy reform in the European Parliament, as well as presenting 1200 times to professional, civic, educational, political, and religious groups in Australia, Canada, Central and South America, Europe, New Zealand, Southeast Asia, and across the United States.

Jack is passionate in his belief that the drug war is steeped in racism, that it is needlessly destroying the lives of young people, and that it is corrupting our police. His discussions give his audience an alternative perspective of the US war on drugs from the view of a veteran drug-warrior turned against the war.

To book a speaker, contact:

Shaleen Title, Speakers Bureau Director

speakers@leap.cc

cell: (617) 955-9638

Jack A. Cole's presentation at
"Urban Drug Policy in a Globalized World" Conference
Obecní Dům, Prague, Czech Republic
Friday October 1, 2010, 16:30 – 18:00
Parallel Session 1: The Police and Policing
617-792-3877 jackacole@leap.cc

Updated May 14, 2011

You Be the Judge:

Comparing Relative Categories at the Beginning of the War on Drugs with those Same Categories today

By Jack A. Cole

*This is the text of the PowerPoint presentation I have now given nearly
1,200 times across the US and in 23 other countries.*

My name is Jack Cole. I am the chair of the Executive Board of Law Enforcement Against Prohibition (LEAP). I am also a retired detective lieutenant—26 years with the New Jersey State Police and 14 in their Narcotic Bureau, mostly undercover. I bear witness to the abject failure of the U.S. war on drugs and to the horrors produced by its unintended consequences.

I didn't come to Prague to tell you how to conduct your business or make your laws. I know you are perfectly capable of doing that yourselves. What I came here for was to warn you, no, to beg you not to follow the United States down the road to prohibition because it is a road to despair, a road to disaster, a road to destruction.

LEAP is an international, nonprofit, educational organization that represents more than 50,000 police, judges, prosecutors, prison wardens, DEA & FBI agents, and supporters in 78 countries, who believe the war on drugs has not only failed but it has become a self-perpetuating, constantly expanding policy disaster. We know ending drug prohibition will reduce death, disease, crime, and addiction; four categories of harm made infinitely worse by this war.

We want to end drug prohibition just as we ended alcohol prohibition in the United States in 1933 because as law-enforcers we understand that when we ended that nasty law, the next morning Al Capone and all his smuggling buddies were out of business. They were no longer killing each other to maintain their share of that lucrative market; they were no longer killing us cops charged with fighting that useless war; they were no longer killing our children caught in crossfire and drive-by shootings.

If we end drug prohibition we will remove the violence from the equation. If we treat drug abuse as a health problem rather than a crime problem we can bring the millions of young people whose lives we are sacrificing at the altar of the drug war back into our society.

I am going to discuss what the United States was like in before we started this war on drugs in 1970 and what it is like today so you can make the comparison and decide for yourself if drug prohibition has been an effective policy.

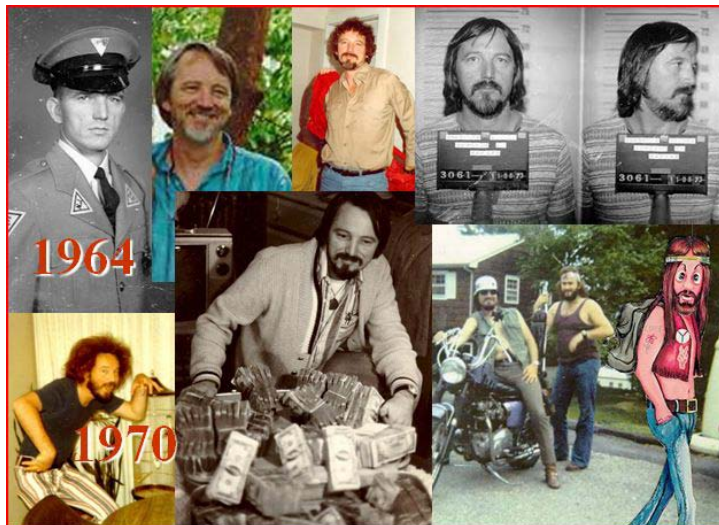
We didn't have an illegal drug in the U.S. until 1914.

As you can tell from this 1901 ad, back then anyone could go into a grocery store and, if you had \$4.85 in your pocket, purchase an ounce of heroin. But for various reasons having little to do with drug policy the federal government decided to make heroin illegal. They needed to point to a reason for prohibiting the drug so they said that they estimated **1.3 percent** of the population of this country was addicted to drugs.¹ Then they passed the 1914 Harrison Anti-narcotics Act which outlawed opiates.



Now let's flash forward 56 years: It is 1970 and we are getting ready to start a war on drugs and that is when I came into the picture.

I joined the New Jersey State Police in 1964; the picture on the upper-left-corner of the below collogue is from when I graduated that year. And the picture directly below it is more or less when I graduated from their Narcotics Bureau in 1970. The other pictures are from various undercover jobs.



The war on drugs was actually coined and created in 1968 by Richard Milhous Nixon and it had nothing to do with the "drug problem." It had to do with the fact that Mr. Nixon was running for the presidency of the United States—for the second time—and that time he thought it would really be nice if he won. He knew a "tough on crime" platform would garner a lot of votes but if he could be in charge of a war—wow! How those votes would pour in. Of course as we all know, it worked.

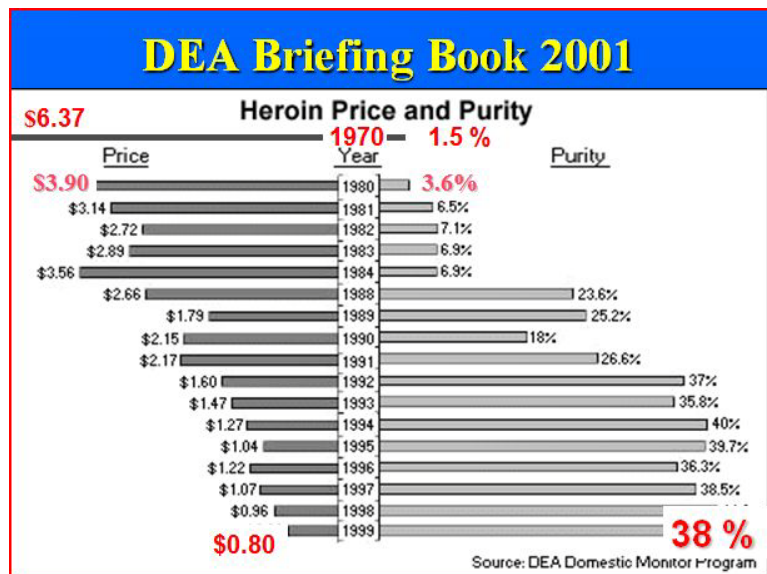
Let me make it clear here that I am not trying to blame Republicans for what has happened. The drug war has been a nonpartisan disaster. Every President since Mr. Nixon, whether Democrat or Republican, has escalated the war and made things far worse.

But in 1970 the government needed an excuse to start a war on drugs so they did a quick survey and concluded that **1.3 percent** of the population was addicted to drugs.² We couldn't have that—so we started a "war on drugs"!

A war on drugs was probably not the best solution since we really didn't have much of a problem with drugs in 1970. Drugs were more a nuisance than a threat to our society. For instance, in 1970 people were less likely to die as a result of the drug culture than from falling down the stairs in their own homes or choking to death on food at their own dinner tables³ and as far as I know we haven't yet started a war on stairways or dinner. But who knows, maybe there is still time, if some politician figures out a way to get another vote by such a policy.

What little problem we did have in 1970 was basically with soft drugs, marijuana, hashish, LSD, psilocybin (mushrooms)—the mind-bending drugs. Hard drugs such as methamphetamine, cocaine, and heroin were almost unheard of back then—certainly unheard of compared to what they are today.

This “Heroin Price and Purity” chart was created by the Federal Drug Enforcement Administration (DEA) and placed on their Internet web site in what they called “The DEA Briefing Book 2001.” The chart depicts the cost and purity of heroin—by year—from 1980 to 1999. Running off to your left is the average cost that one heroin user paid to “get high” one time in each of those years and DEA has kindly converted those prices to 1980 dollars to account for inflation. Running off to your right is the average purity of street level drugs, which the heroin user purchased.



Since I started buying heroin in 1970 I can back this chart up ten years.

When I purchased heroin on the streets then, I bought what were called “tre-bags” because they cost three dollars per bag. When that three dollars was adjusted to 1980 dollars as DEA did with all the prices on their chart it meant heroin users then spent the equivalent of **\$6.37** to get high at the beginning of the drug war. Actually, they needed to shoot two bags to get high, because as I told you, hard drugs were almost unheard of in 1970. To have enough heroin to go around it was so diluted down it was called “garbage drugs” on the street. It was coming in at one-and-one-half percent pure. But after ten years of fighting the “drug war,” DEA says the purity had more than doubled. to 3.6 percent and the cost to get high had dipped to \$3.90. And after thirty years of “drug war” the price to “get off” on heroin had plummeted to an equivalent of 80 cents in 1980 dollars. The reason it was so relatively cheap to get high by 1999 was because the purity of heroin had increased to 38 percent. That is a problem 25 times greater than it was at the beginning of the war.⁴ In the next few years, DEA was recording street-level heroin on both coasts and in Chicago at more than 70 percent pure.⁵

According to DEA, before the war was implemented in 1970, 4 million people in the United States above the age of 12 who had used an illegal drug; that was 2 percent of that population but now DEA tells us there are 112 million people who have used an illegal drug; that is 46 percent of this population.⁶ Something is going terribly wrong here.

In 1970 Mr. Nixon wanted police departments to hire more officers to fight his war on drugs so he saw that 100 million dollars went into the drug war from the federal government. Those bills resulted in the New Jersey State Police increasing the number of officers in our seven man narcotics unit to 76 detectives—overnight—all paid for by the federal government. When you increase the number of police assigned to one job by eleven times its size the expectation is that in the coming year they will make at least eleven times more drug arrests. And that is when we started the “numbers game” of who can make the most drug arrests.

However, the cost of fighting the war has increased slightly over the years. When you consider federal, state and local funds combined, today that cost amounts to 70 billion tax dollars per year.⁷ One would think that such a huge investment would assure us that fewer drugs were arriving in our country and that the drugs making it through our borders would be more expensive. Not so.

In 1970 a decent seizure for a local or state police officer executing a search warrant on a house was “one ounce of cocaine” or “one-quarter of an ounce of heroin.” An officer making many of those seizures, which we called “weight” was likely to get promoted.

Today law-enforcers are making individual seizures of multiple tons of hard drugs: ten tons of heroin, twenty tons of cocaine!⁸ And nothing changes on the street, except drugs keep getting cheaper, more potent, and far easier for our children to access. And when I say cheaper, I really mean cheaper.

According to DEA, the wholesale price of cocaine has dropped by 60 percent since the beginning of the war. The wholesale price of heroin has dropped by 70 percent since the beginning of the war.⁹

Let’s talk about overdose rates. If there is any way to judge the efficacy of a policy it should be, is the policy is saving lives. At the beginning of the drug war we had 28 overdose deaths per 100,000 heroin users. But by 2003 we were registering 141 heroin overdose deaths per 100,000;¹⁰ nearly a five-fold increase. From my 14-years undercover in the drug war, I can attest to the fact that people don’t die of an overdose because they shoot more and more dope. They die because they don’t know how much of that small package of powder they buy is really the drug and how much is the cutting agent. Too much drug and you’re dead. It’s like Russian Roulette without a gun. And in an illegal unregulated market they will never know what is in that package.

What about the number of people we arrest? The below table depicts the number of arrests we make each year for nonviolent drug offenses.

Before we started the war on drugs you could count those arrests in the tens of thousands but thanks to that 1970 federal funding bill to hire more narcotics police the arrest figures jumped to 415,000. It crept up slowly for the next ten years until 1980, when we were making a little over a half-million arrests each year.

Year	Total Drug Arrests	Increase in All drug arrests from 1965	Total Marijuana Arrests	Increase in Marijuana arrests from 1965	Marijuana Trafficking/Sale Arrests	Marijuana Possession Arrests
2009	1,663,582	27	858,408	46	99,815	758,593
2008	1,702,537	28	847,863	45	93,640	754,224
2007	1,841,182	30	872,720	46	97,583	775,137
2006	1,889,810	31	829,627	44	90,711	738,916
2005	1,846,351	31	786,545	42	90,471	696,074
2000	1,579,566	26	734,497	39	88,455	646,042
1995	1,476,100	24	588,964	31	85,614	503,350
1990	1,089,500	18	326,850	17	66,460	260,390
1980	580,900	10	401,982	21	63,318	338,664
1970	415,600	7	188,682	10		
1965	60,500	1	18,815	1		

Then two things happened that changed U.S. drug policy and made it a self-perpetuating system. First, the politicians got into the act. They told us, “You cops are doing a wonderful job, but if you just arrest more people, we promise we will back you a hundred percent. We’ll create the harshest laws that have ever existed; mandatory-minimum-sentences, three-strikes-you’re-out laws. You will only have to deal with these folks a couple times, then they will go to prison forever; case closed, problem solved.

Also in 1980, we got a new man in the Whitehouse, Ronald Reagan. Mr. Reagan said, “You cops are doing a good job but you are going about this the wrong way. You should think of it as an economics equation. You are on the supply-side, arresting dealers. You should be on the demand-side, arresting users. If you arrest enough users, you will frighten them away; No users, no dealers.

Well, that seemed to have a certain kind of logic; we’ll try it, we said. And that was our downfall. You can see how rapidly the arrests increased after that. By 2006 we had quadrupled the number of people we were arresting for nonviolent drug offenses; topping 1.9 million arrests that year.

And look at what those arrests are for, 52 percent are for marijuana offenses. And since we were told to also arrest drug users you can see at the upper right of the table that 88 percent of the marijuana offenses were for possession. Today we make 27 times as many drug arrests as we did in 1965 and 46 times as many marijuana arrests as we did in 1965.¹¹

Every one of those 1.9 million arrests also cripples the lives of the arrestee’s family.

What happens to a young man or woman, say 21, perhaps with a child, when we arrest them for possession of a marijuana cigarette? They could be caught smoking in their bedroom and still in most states in the US the first thing we do is take away their driver’s license. What does that mean to a breadwinner living in rural or suburban America? It means they can no longer be gainfully employed because we don’t have public transportation out there. They can no longer get to school. And if they live in the cities where we do have public transportation but they are poor they can’t go to college anyway because they are no longer eligible for a grant or loan to go to college. If they are even poorer and have to live in government subsidized housing—they don’t any longer. Get caught with one marijuana cigarette and you have to leave your home. And if you live with your grandparents, those old folks have to hit the street also. The US

Supreme Court has ruled that this kind of mass punishment is OK. Why? Because we are fighting a War on drugs and when you fight a war you can justify almost anything.

We have a saying at LEAP, “You can get over an addiction but you will never get over a conviction.” A conviction will track you everyday for the rest of your life. You can move to another state or even another country—it doesn’t matter because that record is on a computer. Every time you go to get a job it is over your head like a big ugly cloud. The employer looks at that record and says, “Druggo, we don’t want you.” No, the only place those folks are welcome is right back in the drug culture—the very thing from which we say we are trying to save them.

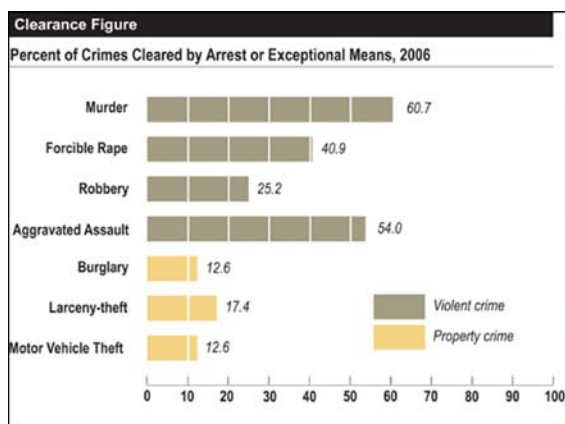
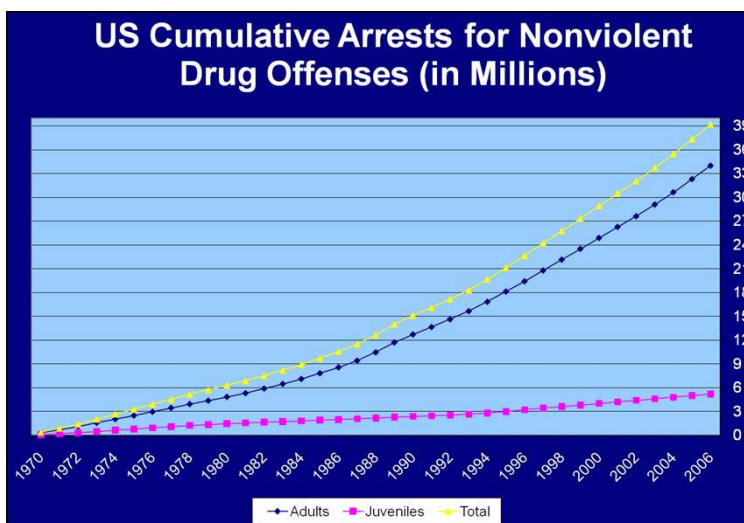
What about the money we have already committed to this disastrous war? Over nearly four decades we have already invested more than One Trillion of our tax dollars to waging it.¹² And here is what we have to show for all that trillion dollars.

This is a graph of the cumulative arrests for nonviolent drug offenses since we started this war— **39 Million and counting!**

That is a lot of misspent money and a lot of wasted lives but at least our Herculean efforts have finally paid off, because today only 1.3 percent of the population of the U.S. is addicted to drugs!¹³

That’s right, nothing has changed in a hundred years; 1.3 percent when drugs were completely legal, 1.3 percent after drugs had been illegal for 56 years and we were getting ready to start a “war” on them, and 1.3 percent after waging this 40-year-long war. This is the only statistic that never changes.

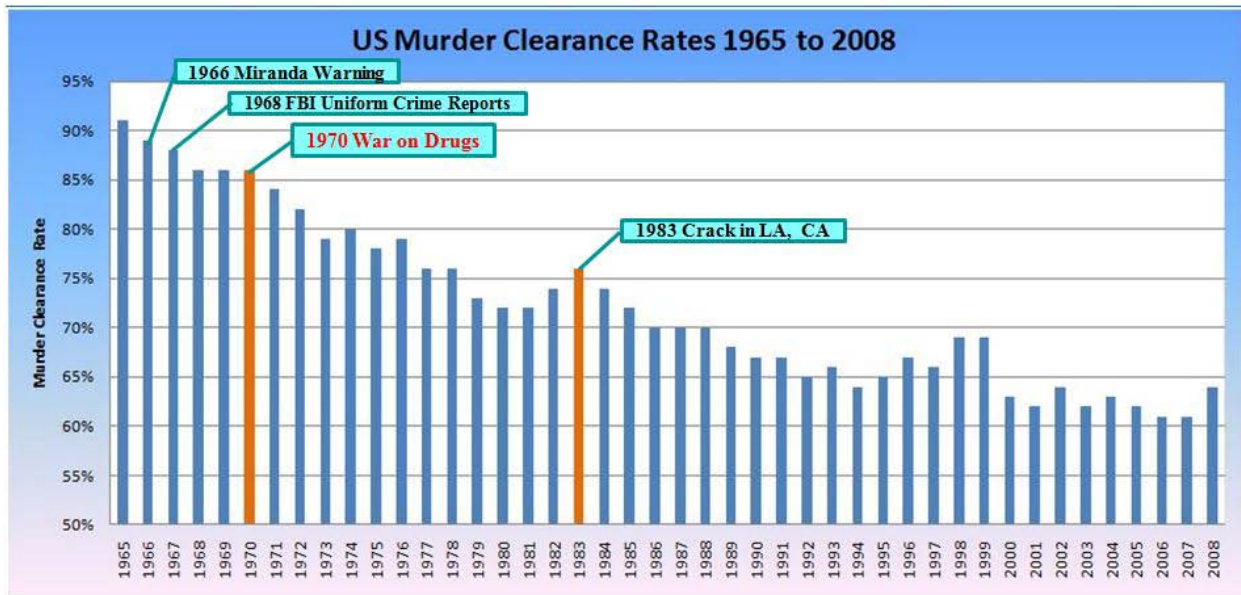
But some statistics have changed.¹⁴



This table lists crimes in the United States cleared by arrest in 2006. The opposite of that are the crimes still unsolved: 40 percent of the murders unsolved; 60 percent of the rapes and arsons unsolved; 75 percent of the robberies unsolved; and if you want to commit a property crime, you are almost guaranteed to get away with it because 83 percent of property crimes in the United States are unsolved.

I’d like to point out that in 1963 our police were correctly credited with nationally solving 91 percent of murders. But by 2006, the murder clearance rate had dropped to 61 percent.¹⁵ That is one-third fewer murders solved today than were solved half-a-century

ago. To what can we attribute this tremendous change? There are far more police per capita today than there were in 1963; they are better educated, better trained, better paid, and have technological advantages never imagined 45 years ago. The police, judges, and prosecutors of LEAP know this change started at the beginning of the war on drugs in 1970. We believe that police today spend so much time and energy chasing nonviolent drug offenders they no longer have resources to protect people from violent predators and child molesters.



Source: "FBI's estimated homicide clearance rates from 1965-2008," Scrippsnews: a Scripps Howard News Service Publication¹⁶

How has the war on drugs changed drug availability or drug use in our schools? This is the issue that really interests me. I'm a grandfather now and all my kids are grown. I don't have to worry about them but I have some grandchildren out there and I don't want any of them using any kind of drug—legal or illegal—until they are adults and can make a rational decision about what they want to put in their bodies. And once they are adults, the law-enforcers at LEAP believe the people to have something to say about what they choose to put in their bodies should be their families, perhaps their friends, social workers, or medical practitioners, or even religious practitioners—but never, never police.

Police are very good at protecting us from others but we are absolutely worthless at protecting individuals from themselves. How many cases have you ever heard of when police made illegal searches or lied on the stand in a murder or rape investigation. It is when we are ask to protect people from themselves that we resort to violations of individual's civil and Constitutional rights. But let's get back to the discussion of our schools.

"Monitoring the Future," the largest study ever done on attitudes of our schoolchildren about drugs, says our children in high school and junior high report it is easier for them to buy illegal drugs than it is to buy beer and cigarettes.¹⁷ How can that be?

Simple. Beer and cigarettes are legal, regulated commodities. When young people try to buy them from locations where we say they can be sold, they get carded. Someone asks, "Are you old enough to buy these drugs?" Now, I'm sure you don't imagine that the drug dealer on the street corner or seated in the next row at your child's school is going to ask for an ID. "Show me the money!" that's all they want to see. And once they have seen the money it doesn't matter if that child is four-years-old, he will get the dope. We know that because there are recorded cases of exactly that happening.

How much money is spent around the world on illicit drug each year? Enough to bribe a cop? It happens every day. Enough to buy a judge or a politician? Regularly in our country and even more regularly in some other countries. Enough to convince a banker to wash that dirty money in their legitimate banks? In the banks located in just the southern half of Florida, 7 billion dollars washed through in one year. We are not talking about enough money to buy a cop; we're talking about enough money to buy whole countries. Five-hundred-billion dollars—every year, like clockwork. That's a lot of money. I know that's a lot of money because until two years ago that was 100-billion-dollars more than the United States defense budget.

That is an unbelievable amount of money and every penny goes into the underground market; ending up in the pockets of drug lords and terrorists. Osama Bin Laden made all his money by selling heroin from Afghanistan to drug users in the U.S. Then he turned his profits to destroying our society.

How much is \$500-Billion-Dollars? I can't even get my mind around the idea of a figure like 1.9 million arrests per year. So I have this visual to help you understand how much 500 billion is. This is a picture of a mere \$207-million-dollars that was seized from one drug dealer in Mexico.¹⁸ That is stacks of hundred dollar bills. To accommodate 500-billion-dollars you would need a room 2,415 times this size.



So let me summarize what I have said so far.

For 40 years we have fought the longest war in the history of the United States, the war on drugs. We have spent over a trillion tax dollars on that war, made over 39 million arrests, and today our prisons are filled to the breaking point with 2.3 million people, far more per capita than any country in the world; 1.6 times as many as our closest competitor, Russia, and 6 times as many as in China. The results of this useless policy? Today drugs are cheaper, more potent, and far easier for our children to access than they were at the beginning of this war, when I started buying them as an undercover officer. That is a failed policy. When a strategy has failed this long and this miserably is time to look for alternatives.

LEAP Alternative to Drug Prohibition

LEAP wants to reduce death, disease, crime, and addiction just as we did when we ended alcohol prohibition in 1933. The only way to do that is to remove the profit motive, which means ending drug prohibition.

STEP 1

So our first step in this process must be to legalize all drugs. Legalize them, so we can control and regulate them, and keep them out of the hands of our children. Nothing can be regulated and controlled when it is illegal.

Many countries have already decriminalized drugs to some extent. It began when the Netherlands decriminalized marijuana in 1976. Then Portugal decriminalized all drugs in 2001. In August this year Mexico decriminalized small amounts of all drugs and three days later the Supreme Court of Argentina effectively did the same, declaring arresting people for personal possession or use of any drug was unconstitutional.¹⁹ This was followed on September 10 by the Supreme Court of Colombia making the same ruling as in Argentina. In January 2010 the Czech Republic also decriminalized all drugs.

“But won’t decriminalization or legalization cause everyone to use drugs?” That is the first question I am asked whenever I suggest a new paradigm to deal with drug abuse. The answer is NO.

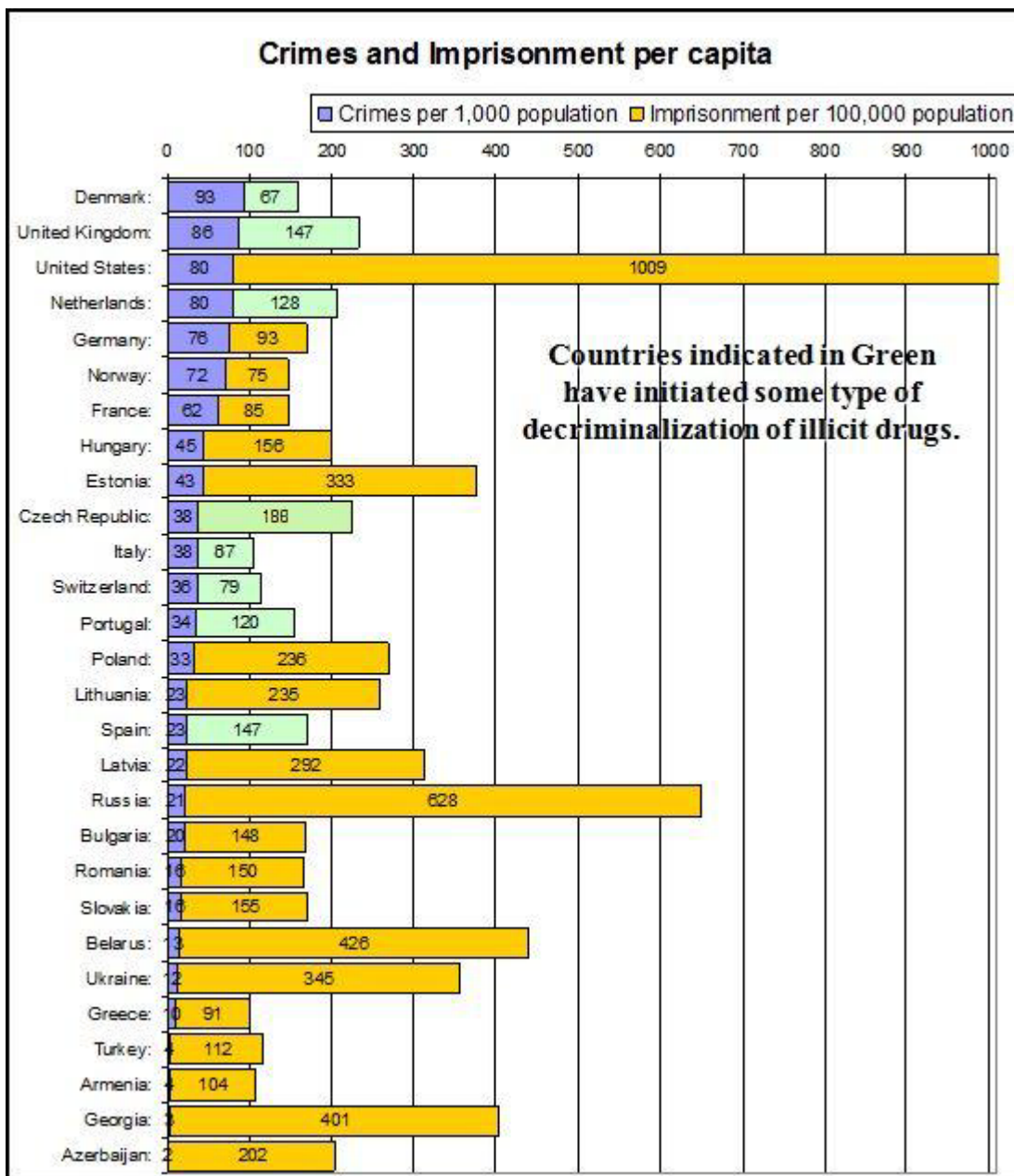
In the Netherlands for instance the rate of marijuana use among tenth graders is 28 percent, while marijuana use amongst tenth graders in the United States (where we consider marijuana the devil’s own weed) is 41 percent. The per capita use of marijuana in the United States is twice what it is in Holland. The use of hard drugs such as heroin, cocaine, and methamphetamine in the United States is four-times what it is in Holland and the murder rate in the United States is four-times what it is in Holland. So they must be doing something right.

In Portugal, where all drugs were decriminalized nine years ago, an adult can use any drug he or she wants. Not only that but they can also have up to ten days supply of their personal drugs of choice on their person and not get arrested. One would think that kind of law would lead to chaos but exactly the opposite happened. Since they decriminalized, drug use among children, 13 to 15 years old, decreased by 25 percent. Drug use among young people, 16 to 18 years old, decreased by 22 percent.²⁰ Because they treat heroin users as a health problem rather than a crime problem people are not afraid to go for help or take a friend for help when overdosing. Heroin overdose deaths have therefore decreased by 52 percent since decriminalization. And HIV infections reported by drug users is down by an amazing 71 percent since decriminalization, while HIV infections in non drug users has remained at exactly the same level. Loosening up these repressive laws really helps reduce the harms of drug prohibition. The only thing decriminalization will not help with is the violence. To stop the violence you must legalize and regulate all drugs.

Western Australia also created a model of prohibition with civil penalties in 2002. Possession of cannabis for personal use is subject to a fine and the violator must attend a drug information session, but no criminal record exists. There is also a public information campaign on cannabis offering true facts about the drug and its effects.

According to a study by the Curtin University of Technology, from 2002 to 2007 in Western Australia, the proportion of those using cannabis fell from 19% to 12%.²¹

The United States is a very punitive country. We seem to believe a good long prison sentence will solve nearly any problem. All the European countries imprison there people at the rate of 150, or less per hundred-thousand population.



Source: One in 100: Behind Bars in America 2008, The PEW Center on the United States, February 2008, page 35.²² http://www.pewcenteronthestates.org/uploadedFiles/8015PCTS_Prison08_FINAL_2-1-1_FORWEB.pdf

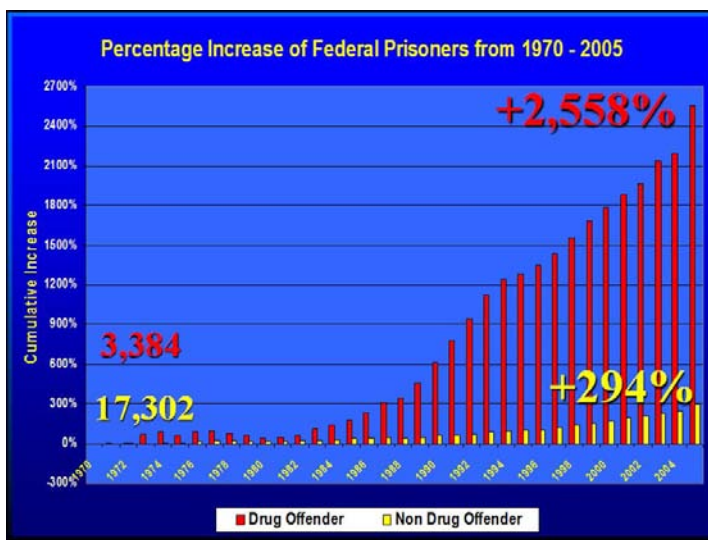
We imprison 1,009 people per hundred-thousand population in the United States; far more per capita than any country in the world. Either the people of the United States are

the most diabolically criminal population that exists in any country in the world or there is something very wrong with what we are doing.

Comparing the crime rate of countries that have decriminalized drugs to some extent with the crime rates of those who have not, the above chart begs the question: "What does imprisoning people for Non-Violent drug offenses have to do with reducing crime?" Apparently nothing.

In 20 years the US prison population quadrupled in size to 2.3 million, making building prisons the fastest growing industry in the United States. That's something of which to be proud?

As depicted in the below graph, in 1970 those in federal prison for nonviolent drug offenses numbered 3,384, while those serving time for other offenses numbered 17,302. As the years past the larger group which included the violent criminals increased by 294 percent, while the nonviolent drug offenders (indicated by red vertical lines) increased by 2,558 percent.²³



It is the drug war that is filling our prisons to the bursting point. And finally, with every state experiencing deficit spending, we have run out of money to build more new prisons but the drug offense prisoners just keep coming. Some states think they have found the answer. Alabama, Arizona, and Virginia have started a system of early release to make room but who are they releasing early? They can't release incarcerated drug offenders because they are all serving mandatory-minimum sentences, so

they are releasing the violent prisoners to make room for the never-ending stream of nonviolent drug offenders. At some point, US drug policy verges on insanity.

But other horrors have been created by the war on drugs. To find more racist policies in the United States than the implementation of that war you would have to go back to slavery. I know that is a harsh statement but I think I can make my case for its veracity.

Who uses and sells illicit drugs in the U.S.? According to the 1998 Federal Household Survey 72 percent of all drug users and dealers in the U.S. look like me; basically a bunch of white guys. Only 13.5 percent are Black folks.

But who gets arrested? Thirty-seven percent of those arrested for drug violations are Black.

Who goes to prison? Sixty percent of those in state prisons for drug felonies are black and 81 percent of those charged with federal drug violations are Blacks. Blacks are now severing an average sentence of six years for the same drug violations for which whites serve an average of only four years. Of defendants convicted of drug violations, only 33

percent of whites received a prison sentence but 51 percent of Blacks received prison sentences.²⁴

The FBI has even taken notice of this, in their Uniform Crime Report they asserted a young couple giving birth to a Black male baby has an expectancy of one-in-three that the child will serve time in prison. This is one of the saddest statements I've heard in my life. What must that young couple be think when they discover their baby is a boy. If we only changed one word in that sentence, if we changed black baby to white baby, we would have ended the war on drugs 30 years ago because the people in power would not stand for it.

And what about Disenfranchisement? Because so many states say no one convicted of a felony can vote, because nearly all drug violations are now felonies, and because we arrest seven times as many black men per capita as white men for drug felonies— 14.5 percent of the total voting population of black men in the U.S. have lost their right to vote. In Texas and Florida 31 percent of black men have lost their voting rights.²⁵ Do you think that might have been enough votes to swing an election one way or another?

As I said before the United States is a very punitive nation imprisoning 1,009 per hundred-thousand, while Western European countries imprison their men at rates between 68 and 148 per hundred-thousand population.

Racism drives the war on drugs in this country. We imprison **948 white men** per hundred-thousand population. Before I tell you how many black men we imprison in the U.S. let me point out that under the most racist regime in modern history, under South Africa's Apartheid Law in 1993, they imprisoned 851 black men per hundred-thousand. In 2008 under the United States' Drug Prohibition Law we imprisoned **6,667 black men** per hundred-thousand population.²⁶ And Blacks are only 13 percent of the problem. How anyone could look at that one statistic and not see institutionalized racism in the U.S. drug laws, I don't know.

Drug prohibition is an effective tool used by the United States' prison industrial complex to maintain the largest per capita rate of incarcerations in the world. There are more black men in US prisons today than there were slaves in 1840 and they are used for the same purpose, to make a great deal of money for those in power. Prisons for profit do not belong in a democratic society.

What are the outcomes of legalizing drugs under the alternative suggested by LEAP? The first outcome is that we would not have to arrest 1.9 million people next year for nonviolent drug offenses. And not doing that would mean something very valuable to everybody in this room, to everybody in this State, which is experiencing deficit spending like all the other states, to everybody in this country, because every year to continue to prosecute this war on drugs costs us 70 Billion of our tax dollars!

STEP 2

The second step is to have the federal government produce those drugs. LEAP believes that government has a public health obligation to accurately ascertain the risks associated with the use of each "illicit drug" and a duty to clearly communicate that information to the public by means of labeling and warnings similar to what is done regarding food, tobacco, alcohol, and medicine. Government production will assure

quality Control guaranteeing consistent standardized measurements indicating the ingredients and their potency. That will result in a virtual end to overdose deaths. People don't die from an overdose because they shoot more and more drugs. They die because they don't know how much of the powder in that tiny package they have bought is actually the drug and how much is the cutting agent. Too much drug and you are dead. It is Russian roulette without a gun. It is impossible in an illegal, unregulated market to tell how much drug is in those packages.

STEP 3

The third step explains how we should distribute these commodities once they become legal. There are many possible ways to do this, each of which calls for selling drugs only to adults and only in places that we designate. We don't want to leave this one to the open market. LEAP recognizes that even in a post-prohibition world, still, drugs can be dangerous and potentially addictive, requiring appropriate regulation and control. Even in a free-market economy, reasonable regulation for the purposes of public health is a long-standing, accepted principle. Such regulation must not allow casual, unfettered, or indiscriminate drug sales.

For an excellent review of what things might look like post prohibition see, "[After the Drug War: A Blueprint for Regulation.](#)"

We might regulate sales as we do with other dangerous drugs such as alcohol and cigarettes—selling them from state package stores—only without any advertising or branding of packages, and then applying a hefty sin tax to the sales.

My personal favorite would be to distribute free maintenance doses of drug to any adult requesting them. And the key word here is FREE. That sounds pretty radical but it is not. We have been doing something similar to that for the last 25 years. (PAUSE) The methadone maintenance program. Methadone helps some folks but it has some problems, it is a much stronger drug than heroin and far more addictive. There is a reason they call it methadone maintenance—if you go on the program you will probably be on it for life.

There are better ways to do this; such as treating heroin addiction by giving users heroin. It started in Switzerland in 1994 but it has worked so well that similar policies have been picked up by the Netherlands, Germany, and Denmark.

The Swiss got tired of arresting their children because they made the mistake of using heroin. They decided to treat heroin use as a health problem rather than a crime problem. In a pilot program they set up 23 clinics around the country where heroin users were allowed to come in and inject that drug up to three times a day, with clean needles, under medical supervision. But there are also social workers there, educators and job specialists, trying to wean their clients off heroin. They saw the heroin users three times every day of the year and they quickly became trusted friends. We know how much power a friend has in modifying someone's behavior — certainly a lot more than a judge has when ordering that person to rehabilitation.²⁷ The outcomes of those policies are nothing short of amazing. In Switzerland, thanks to the quality-controlled drug production, there hasn't been one overdose death related to this project in 15 years.²⁸ Because heroin users are now "fixing" with clean needles Switzerland has the lowest per capita rate of AIDS and Hepatitis of any country in Europe. Crime was slashed by 60 percent. The heroin is provided on a sliding monetary scale but if a user has no money the drug is free. That means users don't have to prostitute themselves or steal goods to pay for their

drugs. And there are no heroin dealers on the streets where these projects exist because you can't beat free; what fool would buy from a street dealer? That means drug dealers are no longer shooting each other to protect their turf, no longer killing cops charged with fighting this useless war, no longer killing children caught in crossfire or drive-by shootings. And even more important, since drug dealers are not on the streets they are no longer enticing young novices to start using heroin. On June 2, 2006 the prestigious medical journal, "*Lancet*," released a report on the Swiss project stating that over the past ten years Zurich has "seen an 82 per cent decline in new users of heroin."²⁹

Step 4

The fourth step has to do with how we are going to spend the [76.8 billion dollars that will be available to the US treasury](#) by ending drug prohibition.³⁰ We should redirect that money to programs that offer people hope for the future.

Instead of thinking in terms of spending that money on harsher mandatory minimum prison sentences, imagine a world where we legalized drugs today and next year spent 70 billion dollars to create mandatory minimum education for everyone, mandatory minimum health care for everyone. How about thinking in terms of some form of basic housing for everyone, job training and employment for all those who want to work. And instead of talking about minimum wages let's talk about livable wages. Instead of offering young folks a choice between flipping burgers at the local fast food joint for \$7.25 per hour or flipping dope on the street corner for \$725 per day, how about offering them a decent livable wage. If we create these programs offering people hope for the future think of how many fewer drug users there will be!

While we're talking about hope for the future, what about rehabilitation centers? Two-thirds of those addicted to hard drugs, who come begging us for help find there is no room at the inn. We spend so much money to destroy their lives through arrest and imprisonment we don't have any left to provide rehabilitation.

And the results of offering people hope for the future is there is less need to use drugs—which means less drug addicts. Wasn't that the whole point of the war on drugs to have less drug addicts?

We would still have money left to create programs that offer true education about drugs.

Does education work? You bet it does. I'm not talking about education as taught in the DARE programs. We now have over a hundred studies that show the [DARE programs are worthless](#) but education does work. The best example I can offer you is for the most addictive social drug none to humans and far and away the worst killer; cigarettes. The nicotine in cigarettes is far more addictive than heroin and still, every year 430,000 people die in the US from ingesting cigarette smoke. Another 85,000 die from ingesting alcohol. I'm not talking about getting drunk while driving and killing yourself or others, I'm just talking about ingesting alcohol. It is a poison. It eats holes in you brain and your liver and it will kill you in the end. Does anyone know how many die each year from ingesting all the illicit drugs combined? About 12,000. Now 12,000 is a lot of deaths but it is nowhere near the half-a-million who die from cigarettes and alcohol. But we have started a war on illicit drugs.

By 1966, 42 percent of adults in the US smoked cigarettes.³¹ In 1985 we decided that we could no longer tolerate the huge number of people dying each year from that

addiction. But we didn't start a war on cigarette smokers. We started a very strong education program and then we pretty much regulated smoking tobacco out of existence. In Massachusetts you can still smoke but you can't smoke in a public building, you can smoke at home or you can smoke in your car but you can't smoke where you will be bothering the public. This is regulation and regulation works. So by 2007 we had cut the number of adults smoking tobacco in half—19.7 percent—and it is falling more with each successive year.³²

The point we at LEAP want to make is we didn't have to destroy one life to achieve this wonderful success story—we didn't have to imprison one human being. There are better ways to spend our money than fighting a war on drugs.

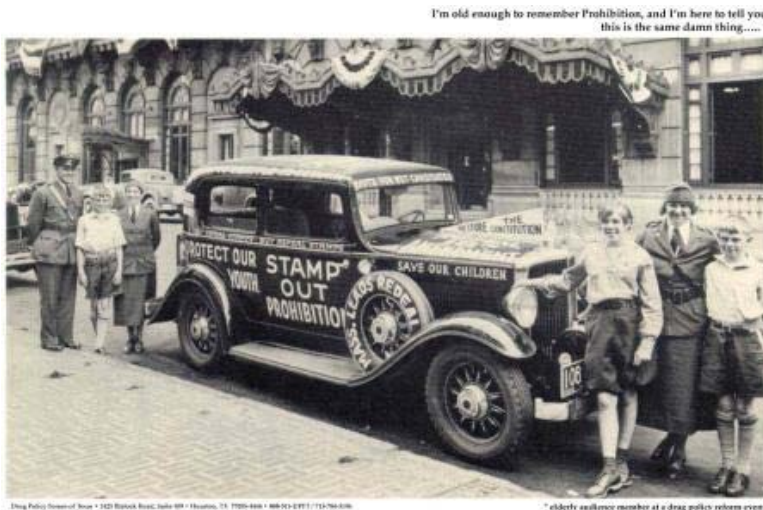
So that is my suggestion for an alternative policy. Let me leave you with this. Perhaps we should listen to some of the smarter people in the world.

For instance to Albert Einstein who about prohibition had this to say:

The prestige of government has undoubtedly been lowered considerably by the Prohibition law. For nothing is more destructive of respect for the government and the law of the land than passing laws which cannot be enforced. It is an open secret that the dangerous increase of crime in this country is closely connected with this.

Albert Einstein, 1921³³

Talking about our prohibition? No. Einstein was talking about Alcohol Prohibition, the nasty law that our grandfathers and grandmothers had the good sense to end in 1933.



Here is a picture of the people who were most responsible for ending prohibition.

The picture taken in Boston in 1932 was of members of the Women's Organization for National Prohibition Reform. That's right; it was the women who ended alcohol prohibition. Why would they do that? They wrote their reason on the side of their car; "Protect Our Youth -- Save our Children, Stamp Out Prohibition"!

That's all we are saying at LEAP; **"PROTECT OUR YOUTH -- SAVE OUR CHILDREN, STAMP OUT PROHIBITION"!**

Thank you for your attention.

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Endnotes:

¹ 1.3 percent of US population was addicted to drugs in 1914.

By 1890 there was a maximum of 0.46 percent of the United States was addicted to opiates, "thereafter the rate began a sustained decline." In 1914, the addiction rate for opiates was ranged from 0.32 percent estimated from "statistical evidence upon which objective estimates can be based," to 1.3 percent by government sources whose "authors manipulated or even fabricated data in order to sway public opinion and achieve political ends," by applying estimates of more than a million drug addicts in the United States to the 1910 US Census figure of a population of 91,641,195 people.

Source: Courtwright, David T. *Dark Paradise: A History of Opiate Addiction in America*. Harvard University Press: Cambridge, Massachusetts, 2001. p. 9. and the US Government Decennial Census Information for 1910, <http://fisher.lib.virginia.edu/cgi-local/censusbin/census/cen.pl>.

Source: "Policy is not a Synonym for Justice," by John L. Kane (US District Court Judge for Colorado) *The New Prohibition: Voices of Dissent Challenge the Drug War*, Edited by Sheriff Bill Masters, St. Louis: Accurate Press, 2004, Chapter 5, p. 45.

² 1.3 percent of US population was addicted to drugs in 1970.

Source: "Policy is not a Synonym for Justice," by John L. Kane (US District Court Judge for Colorado) *The New Prohibition: Voices of Dissent Challenge the Drug War*, Edited by Sheriff Bill Masters, St. Louis: Accurate Press, 2004, Chapter 5, p. 45.

³ Number of Americans who died in 1969 falling down stairs: 1,824.

Number who choked to death on food: 2,641.

Number who died from cirrhosis of the liver: 29,866.

Number who died from legal and illegal drugs: 1,601.

Source: Baum, Dan. *Smoke and Mirrors: The War on Drugs and the Politics of Failure*. New York: Little, Brown and Company, 1996.

⁴ DEA Chart indicates the cost to the user (Price) of getting high on heroin and the purity of the substance purchased (Purity) listed by year from 1980 through 1999. DEA adjusted all prices to 1980 dollars to account for inflation. **Source:** DEA Briefing Book 2001 from DEA web site in that year.

According to a United Nations report, "US authorities reported the mean purity level of heroin to be around 6% in 1987 but about 37% in 1997, in which year levels were even reaching 60% in New York."

Source: United Nations Office for Drug Control and Crime Prevention, *Global Illicit Drug Trends 1999* (New York, NY: UNODCCP, 1999), p. 86.

With inflation, every other product has risen in price over the last 30 years but that is not so for illegal hard drugs. According to the economic law of supply and demand when a market becomes saturated with a given product the price of that product will drop as a direct correlation to the over supply.

According to a United Nations report, "Over the past decade, inflation-adjusted prices in Western Europe fell by 45% for cocaine and 60% for heroin. Comparative falls in the United States were about 50% for cocaine and 70% for heroin."

Source: United Nations Office for Drug Control and Crime Prevention, "Global Illicit Drug Trends 1999" (New York, NY: UNODCCP, 1999), p. 86.

⁵ By the year 2000 heroin was registering over 60% pure in Atlanta, Boston, and New York, and over 70% pure in Newark and Philadelphia. A pure gram of heroin was worth between a low of \$300 in San Diego and a high of \$2,740 in St. Louis, which made an ounce worth \$77,460 or about 30 percent of what it was worth in 1970 (\$258,200). **Source:** Drug Intelligence Brief, 2002 Domestic Monitoring Program Drug Intelligence Report, US Drug Enforcement Administration, <http://www.usdoj.gov/dea/pubs/intel/03057/03057.html#e>, July 24, 2005.

⁶ Prohibition coupled with the war on drugs has increased the number of people in the US above the age of twelve who use illegal drugs from 4 million (two percent of the population) in 1965 to 112 million (46 percent of the population) in 2005 **Source:** "Results from the 2005 National Survey on Drug Use and Health: National Findings," Department Of Health And Human Services, Substance Abuse and Mental Health Services Administration, Office of Applied Studies
<http://www.oas.samhsa.gov/nsduh/2k5nsduh/2k5Results.pdf>.

⁷ In 2002 the budget for ONDCP alone was \$523 million and for all federal drug control activities \$19.2 billion. **Source:** Office of National Drug Control Policy, National Drug Control Strategy, Budget Summary. 2003, 17, <http://www.whitehousedrugpolicy.gov/publications/pdf/budget2002.pdf>.

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<http://www.ojp.usdoj.gov/bjs/glance/tables/exptytab.htm>

⁸ Prohibition coupled with the war on drugs has increased the number of people in the US above the age of twelve who use illegal drugs from 4 million (two percent of the population) in 1965 to 112 million (46 percent of the population) in 2005
Source: "Results from the 2005 National Survey on Drug Use and Health: National Findings," Department Of Health And Human Services, Substance Abuse and Mental Health Services Administration, Office of Applied Studies <http://www.oas.samhsa.gov/nsduh/2k5nsduh/2k5Results.pdf>.

⁹ By the year 2000 heroin was registering over 60% pure in Atlanta, Boston, and New York, and over 70% pure in Newark and Philadelphia. A pure gram of heroin was worth between a low of \$300 in San Diego and a high of \$2,740 in St. Louis, which made an ounce worth between \$8,505 and \$77,678 or about 30 percent of what it was worth in 1970 (\$258,200). **Source:** Drug Intelligence Brief, 2002 Domestic Monitoring Program Drug Intelligence Report, US Drug Enforcement Administration, <http://www.usdoj.gov/dea/pubs/intel/03057/03057.html#e>, July 24, 2005.

Prices

Nationwide, in 2000, SA heroin ranged from \$50,000 to \$200,000 per kilogram. SEA and SWA heroin ranged in price from \$40,000 to \$190,000 per kilogram. Wholesale-level prices for Mexican heroin were the lowest of any type, ranging from \$13,200 to \$175,000 per kilogram. The wide range in kilogram prices reflects variables such as buyer/seller relationships, quantities purchased, purchase frequencies, purity, and transportation costs. **Source:** DEA State Factsheet
http://www.dea.gov/pubs/state_factsheets.html

¹⁰ "[W]e calculated the drug-induced death rate per user in 1979 (27.96 deaths per 100,000 users) and compared it with the drug-induced death rate per current user in 2000 (140.7 deaths per 100,000 users) and found that drug-induced deaths per current user were 403% more common in 2000 than in 1979," **Source:** Robinson, Matthew B. and Renee G. Scherlen, Lies, Damned Lies, and Drug War Statistics: A Critical Analysis of Claims Made by the Office of national Drug Control Policy, State University of New York Press, 2007, p140.

¹¹ **Source:** <http://drugwarfacts.org/cms/?q=node/53>

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¹² Drug War Costs vs. Drugs Use Costs

Drug War Costs Vs Drug Use Costs (2002 \$billions)					
		Cost of Drug War ¹		Cost of Drug Use	
Year	Total Cost	Sub-total	% of Total	Sub-total	% of Total
1992	\$144.37	\$96.63	66.9	\$47.74	33.1
1993	\$145.59	\$97.38	66.9	\$48.21	33.1
1994	\$150.29	\$101.73	67.7	\$48.56	32.3
1995	\$156.34	\$108.22	69.2	\$48.12	30.8
1996	\$157.66	\$115.63	73.3	\$42.03	26.7
1997	\$160.27	\$122.03	76.1	\$38.24	23.9
1998	\$165.26	\$127.31	77.0	\$37.95	23.0
1999	\$174.84	\$133.75	76.5	\$41.09	23.5
2000	\$179.24	\$137.87	76.9	\$41.37	23.1
2001	\$184.03	\$141.32	76.8	\$42.71	23.2
2002	\$193.35	\$148.62	76.9	\$44.73	23.1
Grand Totals	\$1,811.24	\$1,330.49 *	73.5	\$480.75	26.5

* - that's over one *trillion* dollars! ¹ - Cost of Drug War includes the total federal [drug war budget](#). Only portions of the budget were included in the ONDCP study. Location of data analysis:

<http://www.briancbennett.com/charts/fed-data/costs/real-costs05.htm>

Discussion:

From 1992 to 2002:

- Overall, annual "costs" associated with illegal drug use rose 34 percent
- Annual drug war costs rose an astounding 53.8 percent, while
- Annual drug use costs actually fell by 6.3 percent

¹³ 1.3 percent of US population is addicted to drugs today.

According to the Office of National Drug Control Policy (ONDCP) there were "3.6 million people who met diagnostic criteria for dependence on illegal drugs in 1999" [which would be 1.32 percent of the population of 272,690,813 in the US that year].

Source: Robinson, Matthew B. and Renee G. Scherlen, Lies, Damned Lies, and Drug War Statistics: A Critical Analysis of Claims Made by the Office of national Drug Control Policy, State University of New York Press, 2007, p. 94. Chapter 5 Endnote 3: ONDCP (2000) President's national drug control strategy, P-4.

Source: US Census Bureau, "Historical National Population Estimates: July 1, 1900 to July 1, 1999," <http://www.census.gov/popest/archives/1990s/popclockest.txt>.

¹⁴ 1.3 percent of US population was addicted to drugs in 1914 and in 1979.

Source: "Policy is not a Synonym for Justice," by John L. Kane (US District Court Judge for Colorado) The New Prohibition: Voices of Dissent Challenge the Drug War, Edited by Sheriff Bill Masters, St. Louis: Accurate Press, 2004, Chapter 5, p. 45.

1.3 percent of US population was addicted to drugs in 1914

By 1890 there was a maximum of 0.46 percent of the United States was addicted to opiates, "thereafter the rate began a sustained decline." In 1914, the addiction rate for opiates was ranged from 0.32 percent estimated from "statistical evidence upon which objective estimates can be based," to 1.3 percent by government sources whose "authors manipulated or even fabricated data in order to sway public opinion and achieve political ends," by applying estimates of more than a million drug addicts in the United States to the 1910 US Census figure of a population of 91,641,195 people. **Source:** Courtwright, David T. Dark Paradise: A History of Opiate Addiction in America. Harvard University Press: Cambridge, Massachusetts, 2001. p. 9. and the US Government Decennial Census Information for 1910, <http://fisher.lib.virginia.edu/cgi-local/censusbin/census/cen.pl>.

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Source: US Census Bureau, "Historical National Population Estimates: July 1, 1900 to July 1, 1999," <http://www.census.gov/popest/archives/1990s/popclockest.txt>.

¹⁵ "FBI figures obtained by The Associated Press show that the homicide clearance rate, as detectives call it, dropped from 91 percent in 1963 _ the first year records were kept in the manner they are now _ to 61 percent in 2007." **Source:** Associated Press, "More Are Getting Away With Murder," CHICAGO, December 8, 2008. <http://www.cbsnews.com/stories/2008/12/08/ap/national/main4655959.shtml>

"The number of homicides cleared by arrests of the perpetrator has been declining: 66% of all homicides were cleared in 1997 compared to 79% in 1976." **Source:** The Bureau of Justice Statistics, Crime Data Briefs, written by James Alan Fox, BJS Visiting Fellow, and Marianne W. Zawitz of BJS. January 1999, NCJ173956

Federal Bureau of Investigation, Uniform Crime Report – 2006

Clearance Rates for Violent and Property Crimes

Source: <http://www.fbi.gov/ucr/cius2006/offenses/clearances/index.html#figure> October 31, 2007.

Overview

Nationwide in 2006, 44.3 percent of violent crimes and 15.8 percent of property crimes were cleared by arrest or exceptional means.

Of the violent crimes (murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault), murder had the highest percentage of offenses cleared at 60.7 percent.

Of the property crimes (burglary, larceny-theft, and motor vehicle theft), larceny-theft had the highest percentage of offenses cleared at 17.4 percent.

Eighteen percent of arson offenses were cleared by arrest or exceptional means.

Nationwide in 2006, 40.2 percent of arson offenses cleared by arrest or exceptional means involved only juveniles (individuals under age 18), the highest percentage of all offense clearances involving only juveniles.

Within the UCR Program, law enforcement agencies can clear, or "close," offenses in one of two ways: by arrest or by exceptional means. Agencies may administratively close a case, but this does not necessarily mean that the agency can clear the offense for UCR purposes. To clear an offense within the Program's guidelines, the reporting agency must adhere to certain criteria, which are outlined in the following text. (Note: The UCR Program does not distinguish between offenses cleared by arrest and those cleared by exceptional means in its data presentations. The distinction is made solely for the purpose of a definition and not for data collection and publication.)

Cleared by Arrest

In the UCR Program, a law enforcement agency reports that an offense is cleared by arrest, or solved for crime reporting purposes, when all of the following conditions have been met for at least one person:

Arrested.

Charged with the commission of the offense.

Turned over to the court for prosecution (whether following arrest, court summons, or law enforcement notice).

In its calculations, the UCR Program counts the number of offenses that are cleared, not the number of arrestees. The arrest of one person may clear several crimes, and the arrest of many persons may clear only one offense. In addition, some clearances that an agency records in a particular calendar year, such as 2006, may pertain to offenses that occurred in previous years.

Cleared by Exceptional Means

In certain situations, elements beyond law enforcement's control prevent the agency from arresting and formally charging the offender. When this occurs, the agency can clear the offense exceptionally. Law enforcement agencies must meet all of the following conditions in order to clear an offense by exceptional means. The agency must have:

Identified the offender.

Gathered enough evidence to support an arrest, make a charge, and turn over the offender to the court for prosecution.

Identified the offender's exact location so that the suspect could be taken into custody immediately.

Encountered a circumstance outside the control of law enforcement that prohibits the agency from arresting, charging, and prosecuting the offender.

Examples of exceptional clearances include, but are not limited to, the death of the offender (e.g., suicide or justifiably killed by law enforcement or citizen); the victim's refusal to cooperate with the prosecution after the offender has been identified; or the denial of extradition because the offender committed a crime in another jurisdiction and is being prosecuted for that offense. In the UCR Program, the recovery of property does not clear an offense.

¹⁶ "The Department of Justice considers a homicide case to be cleared when 'at least one person is arrested, charged with the commission of the offense, and turned over to the court for prosecution.' In some cases, a crime may be cleared by 'exceptional means' when an identified offender is killed during apprehension or commits suicide."

Homicide Clearance Rate in US 1965 to 2008

Year Rate

1965	91%	1976	79%	1987	70%	1998	69%
1966	89%	1977	76%	1988	70%	1999	69%
1967	88%	1978	76%	1989	68%	2000	63%
1968	86%	1979	73%	1990	67%	2001	62%
1969	86%	1980	72%	1991	67%	2002	64%
1970	86%	1981	72%	1992	65%	2003	62%
1971	84%	1982	74%	1993	66%	2004	63%
1972	82%	1983	76%	1994	64%	2005	62%
1973	79%	1984	74%	1995	65%	2006	61%
1974	80%	1985	72%	1996	67%	2007	61%
1975	78%	1986	70%	1997	66%	2008	64%

Source: "FBI's estimated homicide clearance rates from 1965-2008," Scrippsnews: a Scripps Howard News Service Publication

<http://www.scrippsnews.com/projects/murder-mysteries/fbis-estimated-homicide-clearance-rates-1965-2008>

¹⁷ "Marijuana Getting Easier To Buy

"Between 2007 and 2009 there was a 37 percent increase in the percentage of teens who say marijuana is easier to buy than cigarettes, beer or prescription drugs, from 19 percent to 26 percent.

"Nearly one-quarter of teens (5.7 million) say they can get marijuana in an hour; four out of ten teens (10 million) can get marijuana within a day."

Source: "National Survey of American Attitudes on Substance Abuse XIV: Teens and Parents," The National Center on Addiction and Substance Abuse. New York: Columbia University, August 2009, p.3.

¹⁸ "MAR 20[2007] -- \$207 million is the largest single drug cash seizure the world has ever seen. This is like law enforcement hitting the ultimate jackpot.

"This money was seized from chemical brokers that were supplying chemicals to Mexican cartels to manufacture huge quantities of methamphetamine—most destined for the United States."

Source: "Statement by Administrator Karen P. Tandy on Two Hundred and Seven Million in Drug Money Seized in Mexico City" <http://www.justice.gov/dea/pubs/pressrel/pr032007.html>

¹⁹ On August 24, 2009 the Argentine Supreme Court asserted in ringing terms that "adults should be free to make lifestyle decisions without the intervention of the state". Source: "The war on drugs is immoral idiocy. We need the courage of Argentina," The Guardian September 4, 2009, p33.

²⁰ Sources: Greenwald, Glenn, "Drug Decriminalization in Portugal: Lessons for creating fair and successful drug policies," Cato Institute, 2009.

²¹ "[A] successful Western Australian model: prohibition with civil penalties. Those found with cannabis for personal use are fined or must attend a drug information session, but they don't get a criminal record. The scheme – introduced in Western Australia alongside a public information campaign on cannabis - has garnered interesting results. From 2002 to 2007, for instance, the proportion of those using cannabis in

Western Australia fell from 19% to 12%, according to a study by the Curtin University of Technology.”
Source: McKenzie, Hamish. “Stirring the Pot”, Listener Magazine, New Zealand, October 23, 2010, p. 30.

²² **Source:** http://www.pewcenteronthestates.org/uploadedFiles/8015PCTS_Prison08_FINAL_2-1-1_FORWEB.pdf

Canada <http://www.cbc.ca/canada/story/2007/11/21/stats-prisons.html?ref=rss>

Source for crimes in Canada: <http://www.statcan.ca/Daily/English/050721/d050721a.htm>

source for inmates in Canada: http://www.prisonjustice.ca/politics/facts_stats.html

²³ In 1970 there were 3,479 prisoners in Federal Custody for drug violations but by 2005 that number had swelled to 99,956, or 28.7 times the number at the beginning of the war on drugs. Although the number of federal prisoners sentenced for nondrug offenses have increased by 294% between 1970 and 2005, federal prisoners sentenced for drug offenses have increased by 2,558% during the same time.

Source: Table, Prisoners in Federal Custody 1970 to 2005, State and Federal prisoners totaled 1,394,319 in 2003. Jails held another 691,301. The 2005 stats in the chart are from July 2.
<http://www.angelfire.com/rnb/y/federal.htm>.

²⁴ Sources: Substance Abuse and Mental Health Services Administration, National Household Survey on Drug Abuse: Summary Report 1998 (Rockville, MD: Substance Abuse and Mental Health Services Administration, 1999), p. 13;

US Department of Justice, Bureau of Justice Statistics, Sourcebook of Criminal Justice Statistics 1998 (Washington DC: US Department of Justice, Bureau of Justice Statistics, August 1999), p. 343, Table 4.10, p. 435, Table 5.48, and p. 505, Table 6.52;

Beck, Allen J., Ph.D. and Mumola, Christopher J., US Department of Justice, Bureau of Justice Statistics, Prisoners in 1998 (Washington DC: US Department of Justice, Bureau of Justice Statistics, August 1999), p. 10, Table 16.

Federal Sentencing Guidelines Fill Prisons With Blacks, Hispanics, Study Finds:

12/3/04 <http://stopthedrugwar.org/chronicle/365/prisons.shtml>

A United States Sentencing Commission study released November 23 found that the number of minority offenders doing time in federal prisons has climbed dramatically since the introduction of federal sentencing guidelines in 1987. Minorities now make up a majority of the federal prison population, the study found.

Whites made up 60% of the federal inmate population in 1984, but only 35% of federal inmates in 2002. The study pointed to disparities in sentences for blacks and whites as part of the reason. While both groups received average sentences of a little over two years in 1984, blacks are now serving an average of six years, while whites are serving only four. According to the report, the disparity is attributable in part to harsh mandatory minimum sentences for drug crimes enacted by Congress. In 2002, 81% of federal drug offenders were black, the report noted.

Read the study, "15 Years of Guidelines Sentencing," at http://www.ussc.gov/15_year/15year.htm online.

²⁵ **Source:** US Department of Justice, Bureau of Justice Statistics, Sourcebook of Criminal Justice Statistics 1998 (Washington DC: US Department of Justice, Bureau of Justice Statistics, August 1999), p. 343, Table 4.10, p. 435, Table 5.48, and p. 505, Table 6.52;

Beck, Allen J., Ph.D. and Mumola, Christopher J., US Department of Justice, Bureau of Justice Statistics, Prisoners in 1998 (Washington DC: US Department of Justice, Bureau of Justice Statistics, August 1999), p. 10, Table 16.

²⁶ According to the US Dept. of Justice, in the United States "In the 12 months before midyear 2004, the number of inmates in prison and jail rose an estimated 48,452 inmates, or 932 inmates per week. "The rate of incarceration in prison and jail in 2003 was 726 inmates per 100,000 U.S. residents -- up from 716 at midyear 2003. At midyear 2004, 1 in every 138 U.S. residents were in prison or jail." The overall rate of incarceration in prison and jail for men was 1,348 per 100,000 residents, for women

123 per 100,000 residents. The rate for white men was 717 per 100,000, for black men, 4,919 per 100,000, for Hispanic men, 1,717 per 100,000. The rate for white women was 81 per 100,000, for black women, 359 per 100,000, and for Hispanic women, 143 per 100,000.

Source: Harrison, Paige M., & Allen J. Beck, *Bureau of Justice Statistics, Prison and Jail Inmates at Midyear 2004* (Washington, DC: US Dept. of Justice, April 2005), p. 2 and p. 11, Table 14.

²⁷ With the heroin-assisted programs, they also offer drug substitution programs, such as methadone and buprenorphine.

²⁸ **Heroin Fight Needs New Approach**

By Tom Condon, Hartford Courant, (CT) November 10, 2002

As might have been predicted, state and local police are busting drug addicts and dealers left and right in Willimantic. A sting operation last weekend netted 29 arrests. The state's pouring more money and more cops in, following The Courant's series on the local heroin problem.

Can I have a show of hands, everyone who thinks this will do any good?

Dare to dream. Three decades, billions of dollars, prison populations at an all-time high, and the drug problem is as bad as it ever was. That should drive a rational country to try something else.

So. Let's say we explore the idea that drug addiction is more a public health problem than a crime. Then instead of sending in the cops, we'd send in medical people.

The local addicts could go to a local clinic. Those who could sustain themselves on methadone or another synthetic opiate would be given it, along with assistance in education, job training or housing. Those who still needed heroin would be given heroin.

A heroin maintenance program may sound a little jarring, but let's do a cost-benefit analysis.

On the plus side, such a program would greatly improve the health and employment capability of the participants, while bringing about a corresponding decrease in their levels of homelessness, welfare and unemployment. It would cause a steep decrease in crime, and save lives that otherwise would be lost to overdoses, bad drugs or botched crimes.

On the negative side, it might, what, send the wrong message?

This shouldn't be a hard call. Two Yale University scientists, Robert Heimer and Kaveh Khoshnood, who've studied heroin maintenance programs in Switzerland and Holland, say the results there justify a pilot program here.

Heimer, an infectious disease specialist who teaches in the schools of medicine and public health, said by the mid-90s the Swiss had 65 to 70 percent of their heroin addicts on methadone (as opposed to 15 to 20 percent of U.S. heroin addicts). But the rest of the Swiss addicts were doing what addicts do, hanging out, hurting themselves and causing trouble.

So, the thought went, what if we give them the drug they actually want, in a controlled setting? They asked themselves if it was ethical, and determined that it was.

The results for more than 1,000 participants, measured after the first year, were remarkable. The physical and mental health of the participants improved markedly. Full-time employment rose from 14 to 32 percent, while unemployment dropped from 44 to 22 percent. A third of the addicts left the welfare rolls.

Crime - both the number of people committing crimes and the number of crimes - dropped 60 percent. Income from illegal or semi-legal activity dropped from 69 percent to 10 percent. Cocaine use among the addicts dropped from 35 to 5 percent. Those in unstable housing situations dropped from 49 to 21 percent, while homelessness dropped from 12 percent to none.

"The Swiss were so satisfied that it stopped being a trial and became public policy," Heimer said. The Dutch results, released earlier this year, were strikingly similar.

In the first four years of the Swiss program, not a single person died of a drug overdose. In Connecticut in the four years from 1998 - 2001, 241 deaths ruled accidental or suicidal were connected to opiates, 156 of them to heroin, Heimer said.

Heimer and Khoshnood are part of a team of U.S. and Canadian scientists who have spent six years preparing a pilot program to be used in this country and Canada. The Canadians expect to move ahead next year with trials in Vancouver, Toronto and Montreal.

The team expects to apply to the U.S. Food and Drug Administration for permission to run a pilot program. If that is forthcoming, then they'll have to find a clinical provider willing to take the risk.

Heimer said they've gotten interest from some clinics in the state, but they'd need the go-ahead from state officials, probably Gov. John Rowland. Rowland talked about drug treatment in the campaign. Would he "send the wrong message" by approving a heroin maintenance trial?

I don't think so. To take drugs off the street and put them in a clinic is to take both the profit and the illicit romance out of them. It would show addiction for what it is, a self-inflicted medical condition. We once understood this. In the early part of the past century, New Haven had clinics for morphine addicts, and gave them morphine, said Khoshnood, an epidemiologist in the school of public health.

If we medicalized the drug problem, and did it right, there would be hope of ending the urban drug crisis. Or, we can continue to build jails.

²⁹ "The liberalisation of drug laws in Zurich has led to a massive fall in the number of new heroin users, according to a study published yesterday. Now Britain, which has the highest number of drug deaths in Europe, is being urged to follow suit." **Source:** Jeremy Laurance, "Heroin: The solution?" Health Editor, The Independent (UK), 02 June 2006; "The incidence of regular heroin use in the canton of Zurich started with about 80 new users in 1975, increased to 850 in 1990, and declined to 150 in 2002, and was thus reduced by 82%." **Source:** Carlos Nordt, Rudolf Stohler, "Incidence of heroin use in Zurich, Switzerland: a treatment case register analysis," Lancet 2006; 367: 1830-34, Psychiatric University Hospital, Militärstrasse, Zurich, Switzerland (correspondence to Carlos Nordt cnordt@bli.unizh.ch)

³⁰ Source: Jeffrey A. Miron, "The Budgetary Implications of Drug Prohibition," Department of Economics, Harvard University, December, 2008. <http://proxychi.baremetal.com/leap.cc/dia/miron-economic-report.pdf>

³¹ Source: Office on Smoking and Health, "Appendix: Cigarette Smoking In The United States, 1950-1978," Table 1: Estimates of the percentage of current, regular cigarette smokers, adults, United States, 1949-1978, page 8. http://profiles.nlm.nih.gov/NN/B/C/P/H/_/nnbcph.pdf

³² "The annual prevalence of current smoking among U.S. adults declined from 24.7% in 1997 to 19.7% in 2007." Center for Disease Control, from data source: Sample Adult Core component of the 1997-June 2008 NHIS. Data are based on household interviews of a sample of the civilian noninstitutionalized population. http://www.cdc.gov/nchs/data/nhis/earlyrelease/200812_08.pdf

³³ Source: Einstein, Albert. Ideas and Opinions (based on Mein Weltbild, edited By Carl Seelig, and other sources) New translations and revisions by Sonja Bargmann, New York: Crown Publishers, 1982. p. 6. From My First Impressions of the USA (an interview for Nieuwe Rotterdamshe Courant, 1921; The interview appeared in Berliner Patageblatt on July 7, 1921.