



LAW ENFORCEMENT AGAINST PROHIBITION

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“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. For twelve of those years Jack worked as an undercover narcotics officer. His investigations spanned the spectrum of possible cases, from street drug users and midlevel drug dealers in New Jersey 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.

After retiring, Jack dealt with the emotional residue left from his participation in the unjust 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 also presented papers at international conferences and spoken on drug policy reform in the European Parliament, as well as presenting over 600 times to students, educators, professional, civic, benevolent, and religious groups in Australia, Canada, Central 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 prospective of the US war on drugs from the view of a veteran drug-warrior turned against the war.

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“End Prohibition Now!”

By Retired Narcotics Undercover Officer, Jack A. Cole,

I represent LEAP (law enforcement against prohibition) an international nonprofit educational organization that was created to give voice to all the current and former members of law enforcement who believe the war on drugs is a failed policy and who wish to support alternative policies that will lower the incidence of death, disease, crime and addiction — four categories of harm that were supposed to be alleviated by the war on drugs but which in truth were made infinitely worse by that war. We went public with our speakers' bureau in January 2003 and have grown from our five founding members to over 10,000. LEAP has 85 speakers; a powerful and respected Advisory Board, made up of a U.S. Governor, four sitting Federal District Court judges, a sheriff, five former police chiefs, a Canadian Senator who is retired from the Royal Canadian Mounted Police, the former Attorney General of Colombia, South America and from the United Kingdom, a former Chief Constable.

The first thing I need to tell you good people is that the U.S. policy of a “war on drugs” has been, is, and forever will be, a total and abject failure. This is not a war on drugs, this is a war on people — our own people — our children, our parents, ourselves.

I joined the New Jersey State Police in 1964 and six years later joined their narcotic bureau. I started working in narcotics at the beginning of the war on drugs. The war has been one of the least partisan policy determinations in the history of US politics. Every president since Nixon has escalated this war and its unintended consequences but the term “war on drugs” was coined and created by Richard Milhous Nixon in 1968 when he was running for president. Mr. Nixon believed a “tough on crime” platform would garner a lot of votes but if he could be in charge of a war — wow! Of course as we all know, it worked. Mr. Nixon was elected President and by 1970 he had convinced Congress to pass legislation giving massive funding to any police department willing hire officers to fight his war on drugs. To give you an idea of how large those grants were, in the New Jersey state police during 1964 we had 1,700 officers and a seven man narcotics unit. That number had always seemed adequate for the job we needed to do. Six years later, when I was trying to join the narcotics unit we still had the same numbers. Then overnight in October 1970 we went from a seven man narcotics unit to a seventy-six person narcotics bureau. All paid for by federal tax dollars. And that program was replicated in police departments across the country. When an organization is increased by eleven times it sets up

certain expectations. Since police are mainly judged by the number of arrests they make that meant we were expected to arrest at least eleven times as many people in the coming year for drug offenses as we did in 1969.

One-third of the seventy-six new detectives were designated “undercover agents.” I happened to fall in that one-third and that is how I spent most of the next fourteen years of my life. After two-weeks training we hit the streets, where we were supposed to start arresting drug dealers. That was not an easy job in 1970 for a couple of reasons.

First, we really didn’t have much of a problem with drugs in 1970 and what problem we did have was basically with soft drugs, marijuana, hashish, LSD, psilocybin (mushrooms), etc. Hard drugs such as methamphetamine, cocaine, and heroin were almost unheard of back then — certainly unheard of compared to what they are today. 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 on homes or choking to death on food at their own dinner tables.¹ Second, back then neither we nor our bosses had any idea of how to fight a war on drugs. Our bosses did know one thing though; they knew how to keep that federal cash-cow being milked in their personal barnyard. To accomplish that they had to make the drug war appear to be an absolute necessity. So early on we were encouraged to lie about most of our statistics and lie we did. Because dealers were not on most street corners or in all our schools — as they are now — we targeted our undercover officers on small friendship groups of kids in college, in high school or in-between who were “dipping and dabbing” in drugs — their term for experimentation.

So we arrested people who were basically drug-users and charged them as drug-dealers. We exaggerated the amount of drugs we seized by adding the weight of any cutting agents we found (lactose, mannitol, starch, or sucrose) to the weight of the illegal drug. So we might seize one ounce of cocaine and four pounds of lactose — but somewhere between the location where we seized it and the police laboratory it all magically became cocaine. We also inflated the worth of the drugs we seized by releasing the “estimated street value” of those drugs to the media, which vastly elevated their importance.² For instance in 1971 I was buying individual ounces of cocaine for fifteen hundred dollars each but when we released the estimated street value of one ounce of cocaine to the media it was closer to \$20,000. Just ratchet it up a little and the drug war would appear absolutely essential. The federal dollars would keep flowing to our departments and our bosses would be happy. Who was to question our estimates and if they did who would they come to with their questions? Us. We could always justify them in some way.

However, as the war on drugs ground on we no longer had to lie about its getting worse. With each passing year of this continuing war, the “drug problem” has become exponentially more dreadful — an unintended effect caused by the war itself. The war publicized and aggrandized the use and sale of drugs and peaked the interest of a large portion of the youth of our country. In many cases, the drug culture portrayed in movies and on television seemed exciting and romantic to American teenagers. Many poor young people in the centers of our larger cities looked to the drug dealer as a role model — and the only way out of the poverty and misery of the ghetto. The dealer was the one person in their communities with the hot cars, hotter women, “money to burn,” and leisure time in which to burn it.

In the first years the vast majority of arrests we made were for using or transporting marijuana, the drug that was easiest to interdict due to its sheer bulk and the fact that police officers could actually detect the odor of the drug if large amounts were being carried in the trunk of a

vehicle they had stopped on the highway. At that time the media equated marijuana with heroin and cocaine; and the majority of the public hardly knew the difference between one drug and another. Marijuana seizures were the first drug interdictions that the police could count in the thousands of pounds but to the public drugs were drugs and a thousand pounds was an awful lot of drugs — this also made the drug problem appear much more important than it actually was at the time.

There have been many unintended consequences in the war on drugs. One of the unintended consequences of the successful interdiction of large amounts of marijuana was that it caused many marijuana dealers to switch to harder drugs that were less detectable and far more profitable, pound for pound. Among those drugs were heroin, cocaine, and methamphetamine. An even worse consequence was that in a few short years the price of marijuana increased by 2,500 percent, from \$160 a pound to \$4,000 a pound, causing many users to switch to harder drugs, which were less detectable, more plentiful and were becoming ever cheaper. The war on drugs actually increased drug usage and made it more likely that those using soft drugs would choose harder drugs such as heroin and cocaine.

Political motivation has always been evident in many of the drug arrests made by police. Holdovers from the “turn-on and drop-out” flower children of the late 1960s, most of whom also protested the United States’ involvement in the war in Vietnam, were among the first groups we concentrated on but we quickly included activist groups from racial and ethnic minorities, such as the Black Panthers. After all, H.R. Haldemann, Richard M. Nixon’s Chief of Staff, recorded in his 1969 diary entry that Nixon emphasized, “You have to face the fact that the whole problem is really the blacks. The key is to devise a system that recognizes this all while not appearing to.” The system they devised was the war on drugs and for Nixon’s purposes he could have hardly hoped for more.³ The war on drugs has spawned the most racist laws seen in the United States since slavery. Indeed, there are more black and brown men in prison in the United States today (1,300,020)⁴ than the total number of male slaves populating this country in 1840 (1,244,384).⁵

By three years into the war, we were actually arresting some real mid-level dealers of other drugs, such as, the members of “The Breed” Motorcycle Gang who were selling methamphetamine out of the Philadelphia, Pennsylvania area.

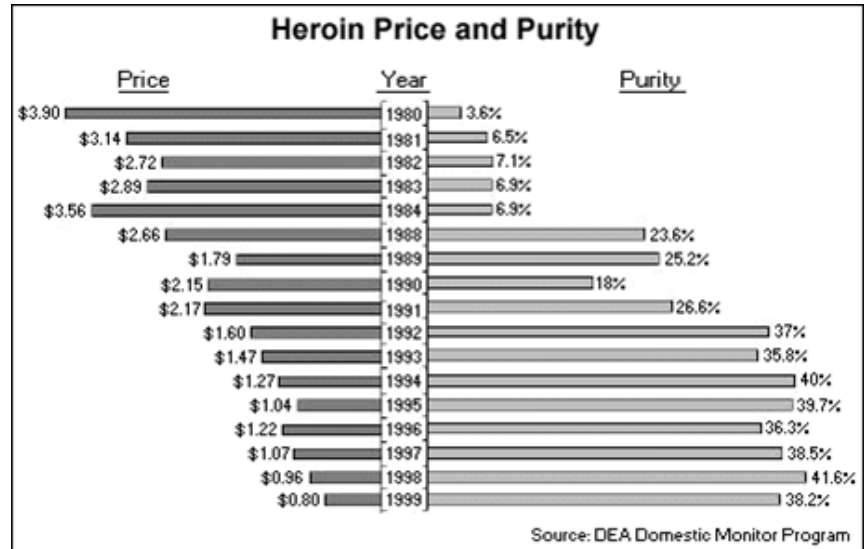
In 1977, seven years into the drug war, I kicked down a door in the Corona section of Queens, New York and seized around 350 thousand dollars and what was touted by the newspapers as “the largest shipment of Mexican brown heroin ever confiscated in the United States.” We were in the newspapers over a week on that case — the heroin seizure, which is a little embarrassing to mention today, amounted to nineteen pounds. But the “drug problem” kept right on expanding, to the point that by 1978 I was working on Billion-Dollar, international, cocaine and heroin trafficking rings.

Then in 1982 I was assigned to a deep cover investigation, 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. It took me two years to finish that job and when I returned to New Jersey in 1984, I never worked another narcotic case. I was very happy about that. This is the reason why.

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. The

cost they are talking about was the average cost that one heroin user had to pay to “get high” one time and the purity they talk of was the average purity of one dose of street level drugs, which the heroin user purchased. DEA started their chart in 1980 but as I mentioned above I started buying heroin in 1970 so I can back this chart up ten years.

In 1970, we purchased “tre-bags” of heroin so called because they cost three dollars per bag. We bought them in multiples of two, because a heroin user needed to shoot two of those bags to get high. Two bags at \$3 each, so in 1970 it cost \$6 to get high. At that time the purity of the product was only about 1.5 percent⁶ (purity means how much of the white or brown powder contained in the small glassine envelopes was actually heroin). It was called



“garbage drugs” on the street. After ten years of fighting the “drug war,” the purity had more than doubled 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 80 cents in 1980 equivalent dollars because the purity of heroin had increased by 25 times its original level — then registering over 38 percent pure in street buys.⁷ By the year 2000 the purity of heroin had become greater than 70 percent in Newark, New Jersey and Philadelphia, Pennsylvania.⁸

Heroin users are four times more likely to die of an overdose today than they were in 1979.⁹ Why are so many people overdosing on drugs today? Addicts do not consume more and more drugs each day until their bodies can no longer take the poison and they die. That is a myth. They overdose because they get what is known in the trade as a “Hot-Shot.” If for any reason the drug dealer is distracted while mixing the nearly pure heroin he gets from another country with the cutting agent he is using to dilute the drug before reselling it he is left with a lumpy product. On that day, some of his clients are going to be very angry because they get the part that contains mostly cutting agent and they think the dealer tried to beat them out of their money. But another unlucky group of his clients will get the part of the mix that contains mostly pure heroin. When they cook up and inject the powder they think is 10 percent heroin and it is really 80 or 90 percent heroin, they don’t get angry they get dead — there is no second chance for them. That is why we are hearing of more and more cases where 5, 10, even 20 people overdose in the same suburban town on the same day. That is due to a bad mix. And folks, these kids who are overdosing are somebody’s children — they could be mine or yours.

According to researchers, Matthew Robinson and Renee Scherlen, “The increased deadly nature of drugs under prohibition led to 15,000 more deaths in 2000 than would have occurred had prohibition not made drugs more dangerous [than they were in 1979], assuming everything else remained constant.”¹⁰

Traditionally the worse the problem gets the more police and money we throw into the mix. Local and State police where not the only ones benefiting from the influx of “big bucks” being offered them to fight the war on drugs. The Drug Enforcement Administration of the federal government had 2,775 employees when it was created in 1972, to replace the old Bureau of Narcotics and Dangerous Drugs. By 2005 DEA had quadrupled its staff to 10,894 but its budget, the money we give it to fight a failed war, had increased to 34 times the original amount — from \$65 million in 1972 to over \$2.1 Billion in 2006.¹¹

In 1980 we got a new man in the White House. President Ronald Reagan told us we were doing a good job arresting people but we were going about it the wrong way. “Think of it as an economics equation,” he said. “You are working on the supply side arresting drug dealers when you should be working on the demand side arresting drug users. If you arrest enough users you will frighten them away and without users there will be no dealers.”

At roughly the same time the politicians told the cops, “Just do your job better. Arrest more people and we will back you up a hundred percent. We will pass the harshest laws ever conceived (mandatory minimums and ‘three strikes, you’re out’). ‘Lock them up and throw away the key’ and our problem will be solved.” Well, lock them up we did — but our problem was not solved.

Arrests for Nonviolent Drug Offenses						
Marijuana Arrests and Total Drug Arrests in the US						
Year	Total Drug Arrests	Total Marijuana Arrests	Marijuana Trafficking/Sale Arrests	Marijuana Possession Arrests	Total Violent Crime Arrests	Total Property Crime Arrests
2005	1,846,351	786,545	90,471	696,074	603,503	1,609,327
2004	1,745,712	771,605	87,286	684,319	590,258	1,649,825
2003	1,678,192	755,186	92,300	662,886	597,026	1,605,127
2002	1,538,813	697,082	83,096	613,986	620,510	1,613,954
2001	1,586,902	723,628	82,519	641,109	627,132	1,618,465
2000	1,579,566	734,497	88,455	646,042	625,132	1,620,928
1999	1,532,200	704,812	84,271	620,541	644,770	1,676,100
1998	1,559,100	682,885	84,191	598,694	675,900	1,805,600
1997	1,583,600	695,201	88,682	606,519	717,750	2,015,600
1996	1,506,200	641,642	94,891	546,751	729,900	2,045,600
1995	1,476,100	588,964	85,614	503,350	796,250	2,128,600
1990	1,089,500	326,850	66,460	260,390		
1980	580,900	401,982	63,318	338,664		
1970	415,600	180,000				

Sources: <http://www.fbi.gov/ucr/05cius/arrests/index.html>, Crime in the United States: FBI Uniform Crime Reports 2005 (Washington, DC: US Government Printing Office, 2006)

That was when the “war on drugs” became a self-perpetuating and ever-expanding policy. By 2004 we had quadrupled the yearly arrest figures of 1970, to where we are now arresting 1.9 million nonviolent drug offenders each year — with nearly half of those arrests for marijuana violations and because Mr. Reagan said arrest users 88 percent of the marijuana arrests were for possession. I’m throwing around a lot of

numbers here and numbers out of context are meaningless. Just how many are 1.9 million people? That number is larger than the population of New Mexico. So just imagine that this year we arrest every man, woman, child and baby in the state of New Mexico. And next year we will have to find a new state because we continue making 1.9 million arrests every year.

More than a thousand people were arrested as a result of my undercover work. I can't tell you how many of those young folks would have gone on to have a perfectly productive life had I not intervened but I am sure the number is huge. 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 every day of your life because it is on a computer. Every time you go to get a job it is hanging over your head like a big ugly cloud.

You know, I could even live with that if it made a bit of difference to lowering the incidence of death, disease, crime, and addiction but it doesn't. And the policies are so destructive. Think of all the people you know personally who have ever used an illicit drug when they were young — then put the drugs behind them and went on to lead a perfectly happy and productive life. If you can't think of any and I doubt that, I can name a few for you. You remember the fellow who was in the news so much a few years ago — the one who used to smoke but didn't inhale? That's right, President William J. Clinton. But I don't want to just pick on Democrats. We have a man in the White House today who used illicit drugs, George W. Bush. And Vice Presidents, Al Gore and Dan Quayle, along with former speaker of the house, Newt Gingrich used illicit drugs. The line is too long to enumerate but all those folks have two things in common. They all used illicit drugs when young then put them down and went on to become powerful politicians and once they got there they all got selective amnesia. They forgot where they came from. Suddenly they came to believe police have to arrest young people for doing exactly what they did — in order to save them — and guarantee those arrested will never achieve the levels of success of our current politicians.

And what have we accomplished with all our hard work and monetary investment. On February 5, 1994, I clipped a photograph out of the New York Times Newspaper. It caught my eye for several reasons. There was no accompanying article, just the picture and that picture was buried on page 23 of the newspaper. The event occurred in the Corona section of Queens, New York, just down the street from where 17 years earlier I had made the largest seizure of brown heroin — nineteen pounds. As you can see, they did a little better than I did. The caption relates, "police and federal authorities recovered 4,800 pounds of cocaine, with an estimated street value of \$350 million...."

Nearly two and a half tons of cocaine and according to the paper of record, the *New York Times*, this seizure didn't even rate a single article — let alone being in the paper every day for a week. "How could that be?" you might ask. How could we have degenerated to this point where the seizure of tons of cocaine hardly matters. I'll tell you how. It is because by 1994 the police were doing such a great job for us, regularly seizing tons of not just cocaine but heroin. We were seizing so much and so often that the New York Times apparently felt it couldn't keep up with us writing articles so they just took to summarizing those multi-ton shipments. As they did in Joseph B. Treaster's July 15, 1994 article, "3 Arrested in Smuggling Cocaine Found in Newark Cargo," on page B3 of the *New York Times*. Mr. Treaster wrote of, the seizure of "[t]hree tons of cocaine hidden in



Nancy Siesel/The New York Times

Cocaine Seized in Industrial Machine Imported from Venezuela The police and Federal authorities recovered 4,800 pounds of cocaine, with an estimated street value of up to \$350 million, and arrested four men unpacking the drugs at a warehouse in the Corona section of Queens. Police officers and agents from the United States Customs Service and the Drug Enforcement Administration strained to load the drugs into a truck.

cargo at the Port of Newark,” but he also mentioned, “Five tons of Cocaine in Houston...three [more] tons in San Francisco...five [additional] tons in El Paso” — all in a three-month period.¹² So are you getting the picture here--this is a long, long way from nineteen pounds. We are being flooded with high grade hard drugs.

And how has the war on drugs aided our children? Has it reduced drug availability or use in our schools? (When I give my public presentations, I always ask how many people know who John Walters is. Almost no one ever knows. I tell them John Walters is the Drug Czar of the United States — the “Top Cop” — the one in charge of coordinating the U.S. war on drugs. But I also tell them there is no reason they should know his name since every year or so we throw out the old Czar and appoint a new one because the old one has never been capable of diminishing this country’s “drug problem.” However, I suggest to them, we shouldn’t be too hard on the drug czars because we have given them an impossible task — we cannot arrest our way out of our drug problem. So the only thing that really changes from the old drug czar to the new drug czar is the new drug czar tends to lie a whole lot better than the old one. And John Walters is really a pip. He would have you believe we are winning this war. He pointed to “*Monitoring the Future 2002*,”¹³ the largest government funded study ever done on the behaviors, attitudes, and values of American secondary school students, college students, and young adults, and said, “This survey confirms that our drug-prevention efforts are working....”¹⁴ What did the report really say? The study asserted that over a ten-year period, between 1991 and 2002, marijuana use among students in all school grades across the United States increased. How much did it increase? — 30 percent for twelfth graders; 65 percent for tenth graders; and for eighth graders, an 88 percent increase!¹⁵ How can John Walters say this study shows our drug prevention efforts are working? Could the drug-warriors possibly be lying to us?

A 2002 drug survey by the National Center on Addiction and Substance Abuse at Columbia University revealed that schoolchildren across the country say it is easier for them to buy marijuana than it is to buy beer and cigarettes.¹⁶ How can that be?

The answer is really not very complicated. When I first worked undercover, I was hanging out with about 20 kids in front of a bowling alley at a suburban strip-mall. They were not criminals. They didn’t mistreat anyone, rob, or steal. And they were not drug dealers, at least not as I identify the term. In the words of one of the more courageous Juvenile Court Judges who later threw out many of these types of cases, “They were not selling drugs they were simply accommodating friends.” What would happen was one night “person A” got a chance to use his parents’ car so he could make the trip to New York City to buy drugs for the whole group (at the beginning of the war one had to go to a large city to buy drugs). The next night it might be “person B” or “person C” who made the trip to the city. Whoever made the run, first went to all the friends, took orders for what each wanted and collected enough money from them to pay for the drugs they ordered. On returning from the city, the individual doses of drugs were handed out to those who had ordered them. No profit was made on the transactions. Most probably didn’t even earn enough to pay for their gas.

Because I had befriended them, I could also buy drugs from them in that manner. That after all is the job of an undercover agent. It is not the romanticized work you see in the movies or on television. Every war must have a spy and in the war on drugs the spy is the undercover agent. You see, the drug culture may not involve victimless crimes but it does involve consensual crimes. Both the seller and the buyer get something they want from the transaction and neither is going to report the other party to the police. That is why it is necessary to infiltrate that world with an undercover agent who is willing to arrest any-and-all players, whether they are dealers or users. The job of all undercover agents is to become the best friend and closest confidant of the persons they are targeted

against — so they can betray them and send them to jail. And when they are through with each person they are targeted against the next and the pattern repeats — friendship-betrayal-jail — over and over, hundreds of times.

But I digress. Let's get back to those kids in the parking lot. None of them were 21 years old but they could and did sell me any kind of illegal drugs you can name. However, they often came up to me and said, "Hey Jack, we're thirsty — will you go into the liquor store and buy us some beer? We can't buy beer." They could get all the illegal drugs they wanted but couldn't buy beer. How can that be?

The answer is so simple that it has apparently never occurred to our drug czars. Beer and cigarettes are legal commodities and the people who sell them are licensed to do so. Selling those drugs is the way they make their livelihood and they will do whatever they can to protect those licenses. I am not saying if drugs were legal that no children would be able to get drugs. Nothing works perfectly. But no illicit drug dealer is going to worry about checking your child's birth certificate to see if he or she is old enough to buy drugs — the street dealer only want to see one thing — "Show me the money!" And once they've seen the money it doesn't matter if the child is four years old, he or she will be given the drugs. We know this because we have recorded cases of exactly that happening.

So, how much money am I talking about here? Enough money to bribe a cop? Enough to buy a judge or a politician? Enough to convince legitimate bankers to wash that dirty money through their banks? In just the banks of the Southern half of Florida in one year over seven billion dollars washed through. I'm not saying the money spent around the world on illicit drugs each year is enough to bribe a cop. I'm saying it's enough money to buy a whole country. Over 500 billion dollars is spent each year on illegal drugs.¹⁷ That's a lot of money. Until a year ago that was 100 billion dollars more than the US Defense Budget and the US Defense Budget is larger than the next 13 nations with high budgets — combined. It also amounts to eight percent of the world's total international trade, about the same as spent in the international textile trade.¹⁸ One of the main differences between the two trades is that folks in the textile industry only make a few percent profit on their investment — in the illegal drug industry nearly everything is profit. After all, what are we are talking about here — simply weeds. It doesn't matter whether we are talking about marijuana from the Cannabis plant, cocaine from the coca bush, or heroin from the opium poppy — it is all just weeds. Those of us charged with destroying it, cut it down or pull it up by the roots or fly over it and spray it with poison. We also poison the poor folks growing it but we don't seem worry about that. However, the point is, we have to go back and destroy the plants all over again each year. They are so hardy and they will grow nearly anywhere that they literally have zero value — No value at all. That is, until we make them illegal. Once we prohibit them, their value becomes astronomically high; nearly beyond belief. So much so that marijuana is worth more ounce-for-ounce than gold and heroin worth more than uranium,¹⁹ with cocaine worth something in between. From the locations where it is grown, mostly in third-world countries such as Afghanistan and Colombia, to where it is sold in New York or Los Angeles, the increase in value can be up to seventeen thousand percent! How would you business folks reading this like to work on a mere 17,000 percent increase in value of your product?

I realized long ago that when uniformed officers arrested a robber or rapist the number of rapes and robberies declines. They took someone off the streets that made our communities safer for everyone. But when I arrested a drug dealer the number of drug sales didn't change at all. I was simply creating a job opening for a long line of people more than willing to risk arrest for those

obscene profits. It was actually worse than that. I wasn't just creating a job opening; I was creating a safe job opening because if they tried to get the job while the dealer was still on the corner he would probably shoot them. I would suggest to you that whole armies of police cannot stop drug trafficking when the profits are this immense.

A hundred years ago there was not a single federally illicit drug in the United States. In 1914 the US government decided it wanted to justify making certain drugs illegal so it estimated that 1.3 percent of the population was addicted to drugs. "We can't have that," they said, and they passed the 1914 Harrison Anti-Narcotics Act. Fifty-six years later the US government wanted to justify a policy starting a war on drugs, so they conducted a survey that showed 1.3 percent of the population was addicted to drugs.²⁰ After nearly four decades of fueling this war with over a trillion dollars of our taxes²¹ and making over 39 million arrests for nonviolent drug offenses,²² what are the results? Our court system is choked with the escalating number of drug prosecutions and our quadrupled prison population has made building prisons this nation's fastest growing industry; with 2.3 million incarcerated today and another 1.9 million arrested every year for nonviolent drug offenses. The United States now imprisons 1,009 per 100,000 population,²³ more per capita than any country in the world; 1.6 times as many as Russia (our closest competitor) and 6 times as many as China.²⁴ Where will it end? The United States has 4.6 percent of the world's population and 22.5 percent of its prisoners²⁵ — right here in this "land of freedom"! And today, 1.3 percent of the population is addicted to drugs.²⁶

The only thing that has changed in a hundred years, whether drugs were legal, whether they were illicit, or whether they were illicit and we were involved in a war against them, is that those drugs are now cheaper, more potent, and far easier for our children to access. Drug barons continue to grow richer every year and terrorists now make fortunes on the trade, while our citizens continue dying on our streets. This represents the very definition of a failed public policy. Will Rogers said, "If you find yourself in a hole, the first thing to do is stop digging." So what we're suggesting at LEAP is that we stop digging in the hole of a failed war on drugs and start searching for alternative strategies.

Now I am now going to make a couple of suggestions that I hope will answer what I think is your obvious question — "Is there anything that can be done to stop this scourge on our nation and the world?"

I believe there is.

I am going to offer you a policy model I have been working on for some thirty years. However, I am not presenting it to convince you of its worth as much as to open your mind to the fact that workable alternatives to these failed drug policies do exist. If you ever get to hear another LEAP speaker you may get an alternative policy that differs slightly as to how we might distribute drugs once they are legal. All LEAP requires of its speakers is that they believe the war on drugs is a failure and that the speakers support alternative policies that will reduce the incidence of death, disease, crime and addiction by ultimately ending drug prohibition.

We speak to thousands of very intelligent people like yourself during our presentations and what we are hoping is that once the public's mind is open to alternative solutions, they will think of workable policies that are much better than any we have yet considered.

This then is my suggested solution.

Alternative Drug Policy

The first thing we must do is admit a few things: most of the incidence of death, disease, crime, and addiction, attributed to drug use are actually caused by drug prohibition and that prohibition coupled with the war on drugs has increased the number of people in the US above the age of twelve who have used illegal drugs from 4 million (two percent of the population) in 1965 to 112 million (46 percent of the population) in 2005,²⁷ while maintaining the percent of the population addicted to drugs at exactly same the level for the past hundred years; 1.3 percent of the population. Once we have acknowledged those facts as the US Conference of Mayors unanimously did in June 2007,²⁸ we can stop the horrors associated with prohibition by removing the profit motive generated within the drug culture.

Step 1: How do we do that? — simple — we end drug prohibition! We legalize drugs! We legalize all drugs — legalize them so we can regulate and control them and keep them out of the hands of our children.

“Ah...” I hear you saying, “But won’t legalization cause everyone to use drugs? Won’t we become a drugged-out zombie nation within a year?” The answer is NO! Drugs were not illegal in this country until 1914 and we seemed to get through the first 200 years without that occurring.

If we look around the world, we have many fine examples of policies we could try. Policies that show us drug use will not increase with legalization. In Holland where drugs have been virtually legal since 1976 the police look the other way unless the user and the seller are causing some other kind of trouble. If you are an adult, you can go into a coffee shop there and order from a menu that offers a multiple choice of several brands of marijuana and hashish. You make your choice, put your money on the counter and they sell you five grams of that product — each time you walk through the door. You can smoke it there or put in a doggy bag and take with you — nobody cares. In Holland, researchers conducted a survey to determine how many tenth graders had tried marijuana: 28 percent had tried it.²⁹

Then they conducted the same survey in the United States. Here, where people like me will not only arrest your sons and daughters for possessing so much as one joint but we will take away their driver’s licenses (even if the arrest occurred in their bedroom). That means if they live in rural America or the suburbs where there is no public transportation, they can no longer get to schools or hold gainful employment. If they reside in urban centers that have public transportation but happen to live in government-subsidized housing, we will not only throw them out of the house but their whole family will be evicted — and if they live with their grandparents, those old folks will also have to hit the street, because the Supreme Court of the United States ruled in 2003 that this kind of massive punishment is OK. It is OK, according to them, because, “We are fighting a war on drugs” and when you fight a war nearly anything is acceptable.³⁰

Also, thanks to the “zero tolerance” attitude fostered from years of prohibition, when this punished child finally gets free from the lockup and wants to better their condition by going back to school, the State tells him or her they can’t get a government educational grant or loan for that schooling. However, in another crazy paradox of fighting a war on drugs, if they were simply convicted of murder or rape there would be no problem for them. Just apply for it and the loan would be available.

In this country, 41 percent of tenth graders have used marijuana.³¹ How is that possible? Twenty-eight percent where marijuana is virtually legal and 41 percent where it’s the devil’s own

weed — yet another unintended consequence of the war on drugs. The researchers couldn't square this fact in their minds so they went to Amsterdam and spoke with The Netherlands' drug czar, who happens to be the Minister of Health, because in Amsterdam they treat drug use as a health problem rather than as a crime problem. When the Minister was asked, "How can this be?" he answered very sensibly, "Well, I think what we have done in Holland, is we have managed to make pot boring."³² Young people are not likely to act out by doing things they believe are boring. Children in the Netherlands know that when they reach the age of 18 they can go in a coffee shop and get all the marijuana they want. What this means is they don't start using drugs at the tender age of fourteen, which is the entry-level age for drug use in the United States. If they wait those four very formative years from 14 to 18 to decide if they are going to use drugs, far fewer will ever choose to use an illicit drug. In the fact, as the Minister pointed out, the per capita use of soft drugs, marijuana and hashish in The Netherlands is half the per capita use in the United States. Since they separate soft drug purchases allowing them to be bought in coffee shops, users don't have to buy their marijuana from criminal dealers who would rather sell them hard drugs. The result is the per capita use of hard drugs, heroin, cocaine, methamphetamine, etc. is one-fourth what is in the U.S. Another plus is that their homicide rate is also only one-fourth the per capita rate of the United States. And they really manage to accomplish all this on the cheap, spending less than one-sixth the per capita spending of the United States for drug-related law enforcement.

Comparing Important Drug and Violence Indicators in the US and the Netherlands

Social Indicator	Years	USA	Netherlands
Lifetime prevalence of marijuana use (ages 12+)	2001	36.9% ¹	17.0% ²
Past month prevalence of marijuana use (ages 12+)	2001	5.4% ¹	3.0% ⁴
Lifetime prevalence of heroin use (ages 12+)	2001	1.4% ¹	0.4% ¹
Incarceration Rate per 100,000 population	2002	704 ³	100 ⁴
Per capita spending on drug-related law enforcement	1998	\$379 ⁵	\$223 ⁵
Homicide rate per 100,000 population	1999-2001 average	5.56 ⁶	1.52 ⁶

Source *Drug War Facts*, Victoria, BC, Canada: Common Sense for Drug Policy, 2004, p. 144, Multiple sources 1 through 6.³³

So what would the outcomes of drug legalization entail?

The first outcome would be that we wouldn't have to arrest 1.9 million every year for nonviolent drug offenses.

Not arresting those 1.9 million people would be very monetarily important to every person in this country because each year our local, state, and federal government spends 69 Billion dollars to interdict drugs at our borders and beyond³⁴; to arrested the dealers and users of the 90% of those drugs that penetrate that sieve at the border; to prosecute those arrested; and to warehouse those convicted of nonviolent drug violations — many for the rest of their lives³⁵ — to the tune of \$25,000 per person, per year,³⁶ nationally. And around \$35,000 each in my home state of Massachusetts.

If drugs were legal, we could also alleviate some of the more egregious forms of institutionalized racism within our legal system. For those of you who don't believe this is the case let me suggest the problem is so bad that in order to find more racist policies one would have to return to the centuries of slavery in the United States. I understand that is a pretty harsh statement but I believe the statistics bear out its veracity.

According to the 1998 Federal Household Survey:

- Whites constitute 72% of all drug users in the U.S.
- Blacks constitute 13.5% of all drug users in the U.S.
- But 37% of those arrested for drug violations are Black.
- Over 42% of those in federal prisons for drug violations are black.
- African-Americans comprise almost 60% of those in state prisons for drug felonies.³⁷

According to U.S. Bureau of Justice Statistics:

- Of convicted defendants, 33% of whites received a prison sentence and 51% of African-Americans received prison sentences.
- In New York State prisons Nine in 10 of the 19,000 people serving mandatory sentences for drug offenses are Black or Brown
- According to the FBI Uniform Crime Report, a young couple giving birth to a Black male baby today has an expectancy of one-in-three that their child will serve time in prison
- Disenfranchisement: Due to the fact that many state laws say no one convicted of a felony can vote, the fact that nearly all drug violations are felonies, and the fact that for drug felonies we arrest seven times as many black men per capita as white men, 14% of the total voting population of black men in the U.S. have lost their right to vote — In Texas 31% of black men have lost their voting rights.³⁸

Racism drives the war on drugs. The estimated population of males 18-years-old and above in the US in 2008 was 113,215,601. Of that number the white population was 90,798,912, the Hispanic population was 16,303,046, and the black population was 14,491,597. In 2008 the number of those in prison by race were: Whites = 856,593 or **0.9%** of that population; Hispanics = 451,862 or **2.8%** of that population; Blacks = 966,106 or **6.6%** of that population. That means blacks in the US are being imprisoned at **7-times** the rate that whites are being imprisoned.³⁹

Another way at looking at this issue is in 1993, under the most racist regime in modern history, South Africa's Apartheid Law, **851** black men were imprisoned per 100,000 population.⁴⁰ In 2008 under the United States' Drug Prohibition Law we imprisoned males 18-years-old and above per 100,000 population at rates by race of: 943 white men, 2,777 Hispanic men, and **6,666** black men.⁴¹ Remember that blacks are only 13% of the problem.

Although it is true that the U.S. imprisons more than twice as many Hispanic men per capita as we imprison white men, that statistic actually hides an even worse problem. Today police are monitored rather closely to determine if they are conducting racial profiling stops. By definition racial profiling stops are initiated by an officer because the driver of the suspect vehicle is a dark-skinned person. If a given officer tends to stop dark-skinned people rather than a light-skinned people, every time that officer stops a person whom they then discover can designated as Hispanic it is viewed as a gift. That "Hispanic" is one additional person they do not have to record in the race category as black or white. I suspect that if we could breakdown the list of Hispanic men imprisoned into two groups identified as white or black we would discover that the blacks vastly outnumber the whites.

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 1840⁴² and they are being used for the same purpose; working for private corporations at 16 to 20 cents an hour. Now we are creating private prisons for profit and the owners of those prisons have banded together to hire lobbyists to go to Washington and demand longer mandatory-minimum prison sentences. Prisons for profit do not belong in a democratic society.

Step 2: The US government should import or produce the drugs and control them for quality, potency, and standardized measurement.

This policy would virtually end drug overdoses. Those deaths don't have to happen any more than the deaths attributed to "bathtub gin" during alcohol prohibition had to happen. These deaths are a result of drug prohibition not drug pharmacology. Consumers of bathtub gin and consumers of today's hard drugs don't overdose because they take more and more of the substance but because they don't know how much drug is mixed with cutting-agent in the concoction. Too much drug and you are dead. It is impossible in illegal market to know what is in the packages being sold on the street. Legalization and regulation of drugs can stop the carnage. And if we can keep from overdosing, those people who feel they must continue to use drugs, perhaps we can wean them off their addictions. And folks, these are our children. They are our parents; our sisters and brothers. We should be trying to help them by bringing them back into our society as productive citizens, not by burying them in prisons years before they should have died.

Another important point about governmental production of opium was address by the Senlis Council, a European drug-policy research institution, which according to *New York Times* writer, Maia Szalavitz, has proposed this "truly winning solution":

[T]he developing world is experiencing a severe shortage of opium-derived pain medications, according to the World Health Organization. Developing countries are home to 80 percent of the world's population, but they consume just 6 percent of the medical opioids. In those countries, most people with cancer, AIDS and other painful conditions live and die in agony.

The United States wants Afghanistan to destroy its potentially merciful crop, [of heroin] which has increased sevenfold since 2002 and now constitutes 60 percent of the country's gross domestic product. But why not bolster the country's stability and end both the pain and the trafficking problems by licensing Afghanistan with the International Narcotics Control Board to sell its opium legally?

The World Health Organization has said that opioids are "absolutely necessary" for treating severe pain. Senlis estimates that meeting the global need for pain medications would require 10,000 tons of opium a year - more than twice Afghanistan's current production.

Because farmers aren't the ones who make the big bucks in the illegal drug trade, purchasing their poppies at competitive rates should be possible. But even if we paid exactly what the drug lords do, the entire crop would cost only about \$600 million — less than the \$780 million the United States planned to spend on eradication in Afghanistan this year.⁴³

The Senlis Council, has come up with a sensible policy that will assist drug producing nations with their loss of income after drug prohibition has ended, while creating better conditions for millions of suffers of chronic pain.

Step 3: There are many possibilities for how drugs may be distributed once they are made legal. They could be sold in package stores such as those selling alcohol in some states; stores with no advertising, where drugs are sold only to adults, and highly taxed.

Hard drugs might be distributed via prescription by doctors.

My personal favorite would be to set up clinics where maintenance doses of drugs could be distributed on a sliding monetary scale to any adult requesting them (including free to those users with no money). This is the most important point, the one that actually removes the profit motive from drug dealers. This sounds radical but it really isn't. We have been giving drugs to addicted people for over 25 years, in what is called the methadone maintenance programs.

Methadone helps some heroin users stop using that drug. The trouble with the methadone maintenance programs is that methadone is about ten times more potent than heroin and about ten times more addictive than heroin. There is a reason we call it "methadone maintenance." For the most part, those who start it will be maintained on it forever. Those problems are avoided by treating heroin addiction with heroin. Canada's British Columbia Medical Health Officer Perry Kendall asserts, "Heroin, if it's used on a maintenance basis, in pharmacological doses without any risk of overdose or contamination, is actually a very safe drug." The North American Opiate Medication Initiative, known as NAOMI, recently started offering hundreds of heroin addicts "haunting the slums of Vancouver and Montreal the chance to join a research study that provides free heroin."⁴⁴

Can giving free drugs to addicted people help end those addictions? The answer is YES! In Switzerland, Holland, Germany, and Denmark heroin users have been treated by giving them heroin. The country with the longest record (14 years) is Switzerland. In 1994 the Swiss decided they were tired of treating their children as criminals because they made the mistake of using heroin. They decided to treat heroin use as health problem. Switzerland set up 23 clinics around the country where users were allowed to come in and inject government heroin 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. With the heroin-assisted programs, they also offer drug substitution programs, such as methadone and buprenorphine.

The outcomes of those policies are nothing short of amazing. In Switzerland, thanks to the quality-controlled drug production, there hasn't been an overdose death related to this project since in 15 years.⁴⁵ Because heroin users are now "fixing" with clean needles Switzerland and The Netherlands registers the lowest per capita rate of AIDS and Hepatitis of any country in Europe. Cocaine use among those heroin addicts has also plummeted from 35 to 5 percent. 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. If these clinics were available to everyone there would be no heroin dealers on the streets because you can't beat free; who would buy from a street dealer? That means drug dealers would no longer be 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, if 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.”⁴⁶

This tremendous decrease in incidence of expected new heroin users was masked by “a stable prevalence rate” of current users, which up till now no one bothered to look beyond.⁴⁷

When addicted people wake up in the morning they have only one thought, “Where will I get my fix?” If they know where they might score, the next thought is, “How do I pay for it?” And if they also have money for the drugs then their next thoughts are, “When I go down there is the dealer going to sell me talcum powder and cheat me out of my money? Is he going to beat me up, steal my money and my drugs?” Or worse, “Is he going to sell me a ‘hot-shot’ and end my life?” Because of these thoughts the addicted person’s life is in constant chaos every waking hour. But in Switzerland and the Netherlands, because of these harm reduction programs the addicts were able to stabilize their lives. They are no longer treated as criminals but as people with health problems. Health problems can be solved. Homelessness among the addicts fell from 12 percent to zero and fulltime employment more than doubled to 42 percent of participants. Many participants quit using free government heroin.

Why would they do that? At LEAP we maintain it was because they got their lives back — they once again had hope for the future.

That is the answer to America’s drug problem. Give people hope for the future and they will leave drugs behind. In recent years similar programs to those of Switzerland and Holland have been initiated by Belgium, Canada, Denmark, England, Germany, and Spain.

So what are the outcomes of free governmental distribution?

1. No profit motive for drug distribution
(The underground drug market would no longer exist.)
2. No individuals selling drugs anywhere
(They couldn’t make any money at it.)
3. Less people begin using drugs
(No drug dealers in our communities or schools enticing new customers to use drugs)
4. No crimes committed to obtain drugs
(No pilfering, stealing, or robbing to obtain drugs because for those who still felt they must use drugs they would be free)
5. No criminal association for drug users
(They will not have to go to criminals to obtain their drugs and will not end up in prison with violent criminals, learning how to become successful gangsters, because they use them.)
6. No diseases passed by sharing needles
(AIDS and Hepatitis are terrible medical problems. According to the National Center for Disease Control, more than 1/3 of the AIDS cases in the U.S. can be traced to intravenous-drug-users sharing needles.)⁴⁸
7. Users able to stabilize their addictions and get on with their lives
(Treating addiction and drug abuse as health problems instead of a crime problems allows users to ask for help.)

8. No shootings of drug dealers by other drug dealers
(When was the last time you heard of two Budweiser distributors shooting it out over who was going to supply the local tavern with beer? A ludicrous idea, right? One would reach in his pocket, pull out a piece of paper and say, "I have a contract for this territory. I'll take you to court." That is a total impossibility for the distributor of prohibited drugs. If you were to encroach on his territory he would reach in his other pocket, pull out a gun, and shoot you! Or if he misses you he might hit some little child behind you.)
 9. No kids caught in crossfire
(Detroit, Michigan, United States of America, in 2002 — eleven children shot down in that one city by drug dealers trying to protect their turf.⁴⁹ This doesn't have to happen!)
 10. No police killed fighting drug war
(This is a big one to me — three colleagues in the Narcotic Bureau died while I was undercover. And around the world more are dying everyday, fighting this failed war on drugs. In Iran alone, over 3,100 police have died fighting the drug war⁵⁰)
 11. No one killed by police in the drug war
(This is also a big one to me: I will only cite two cases but I am sure you can think of similar episodes from where you live. Boston March 1997: Accelyne Williams, a 75-year-old retired Methodist minister, who just happened to be Black, sat in an easy chair in his own living room reading his Bible, when suddenly his door was crushed down with sledge hammers. A dozen police charged in, dressed in black from their booted feet to their helmeted heads, with ski masks over their faces, goggles over the ski masks, wearing knee pads, and elbow pads, and flack jackets; with guns hanging all over them; and each carrying a machinegun with a laser beam type flashlight taped to its barrel. They must have looked like storm troopers attacking from a "Star Wars" movie and for some unknown reason that old minister jumped up and ran for his life. He didn't get far though. In his bedroom his pursuers caught him and wrestled him to the floor. When finally he lay face down on the floor with his hands cuffed behind his back — and his heart stopped — the police discovered something. They discovered that they had hit the wrong apartment.⁵¹
- New York City, May 2003: 57-year-old Alberta Spruill, a respected participant in her church and an employee of the city, who also just happened to be Black, was dressing to go to work when her apartment door was battered open by a SWAT team of New York City Narcotics Police. However, this incident was worse than the last I mentioned — if anything can be worse. Those police, having been told that the occupants of Ms. Spruill's apartment were not only criminals but were armed, tossed in a hand-grenade before running through that shattered door. Affectionately known as a "flash-bang" among police, which just slightly obfuscates its true nature the device used was a concussion grenade. They are implements of war that have been around for sixty years. After charging in, subduing Ms. Spruill and placing her face down on the floor with her hands cuffed behind her back, those police also discovered they had hit the wrong apartment. They picked her up, dusted her off and released her from her bindings, explaining they should have just been a few doors down the hall. But Ms. Spruill's heart was pounding in her chest and she was having a hard time breathing. They called for an ambulance but she never made it to the hospital. The New York City Coroner ruled the death a homicide, finding the police had frightened her to death by their actions.⁵² There are too many WRONG houses!⁵³ It does not need to happen!)

12. No advertisements to aggrandize or romanticize drug use
(The local drug dealer will no longer be a role model for young people trying to extricate themselves from the poverty of the slums of our cities.)
13. Nobody will solicit one more drug user for any reason!
(Why should they. There is no money to be made by doing so. In fact with this model the only way to profit from the drug culture would be as a social worker trying to help drug users stop their addictions.)
14. And no terrorists will make any money from illicit drug sales.

In the 1997 ten kilograms of Reactor-grade plutonium (enough to make an atomic bomb) was valued at \$56,000.⁵⁴ If plutonium sells on the underground market with a thousand percent mark up, ten kilograms would cost \$560,000.

In case you are thinking, "At this point, it's starting to be priced out of the range of your average terrorist," think again. The "average terrorist" makes his living selling illegal drugs.⁵⁵ Heroin, which at the beginning of the war on drugs in 1970 was valued at \$400,000 per kilogram, is still worth \$70,000 per kilogram⁵⁶ today, despite the immense drop in price caused by the glut of supply created by 37 years of a failed war on drugs.

That means the "average terrorist" would have to sell about eight kilograms of pure heroin for every ten kilograms of pure weapons-grade Plutonium he wishes to buy.

That is not a major problem for the terrorist, as long as we continue the policy of drug prohibition. But if we ended that terrible law tomorrow and created a system of legalized regulation of all drugs, the next day no terrorist in the world would make a penny selling drugs.

Step 4: Take a portion of the billions of dollars we save each year thanks to ending drug prohibition and redirect it. According to a Harvard University study by Economist Jeffrey Miron, which was released in December 2008 the United States Treasury would realize an additional 76.8 billion dollars every year if we legalize, regulate and tax today's illicit drugs. We should use that money to first create programs that offer hope for the future. In the more than 35 years I have worked in this field I have found that addicted people tend to have one thing in common — they have very little or absolutely no hope for the future. Give them hope and the vast majority will leave their addictions behind them.

The drug use of U.S. soldiers during and after the Vietnam War reinforces this theory. Many (perhaps the majority) of U.S. soldiers used marijuana during the early part of the Vietnam War⁵⁷ because they had been placed in an untenable position — one where hope for the future was close to nonexistent. When President Nixon heard about the marijuana use, he was worried about the message that would send so he started a very strong enforcement program to track down users and force them to quit. The program was quite successful because the odor of marijuana was so easy to detect but the policy had terrible unintended side effects — it is estimated that half of all the U.S. troops simply switched to the lower priced and easier concealed #4 grade heroin, which was available all over the country.⁵⁸ That heroin was so potent that they could smoke it with tobacco or dip toothpicks in a liquid solution and chew them as they went about their business. Countless soldiers were thus exposed to regular use of heroin over a long period. At the end of their tours when the soldiers expected to return to the United States, their bosses said they could not leave until they came up with clean urine. Talk about an incentive program! So they all cleaned up and returned

home.⁵⁹ Some years later the U.S. media lamented about the many soldiers who became addicted to heroin in Vietnam and continued their addictions after discharge from the service. Actually, only around 5 percent of the soldiers who were regular users of heroin in Vietnam ever returned to the drug once back in the U.S. — and most of those who did return to heroin probably experienced as little hope for their future here as they did in Vietnam.

Hope is essential if we want to lower the incidence of drug addiction. Hope comes in the guise of available rehabilitation centers that offer a way out of the addictions. Two-thirds of the hard drug addicted people who come begging us for help find there is no room in the inn. Due to the “zero tolerance” attitude fostered by prohibition, judges are giving young folks caught smoking a joint on Friday night the choice of going to rehab or going to jail. Which would you choose? Rehabilitation for someone smoking a joint is much less necessary or reasonable than suggesting I need rehabilitation because I will drink a Jack Daniels after I finish writing this tonight. But because courts are needlessly flooding rehabilitation centers with pot smokers those hard drug addicts must continue to go begging. We are spending so much money locking them up we don’t have any left to help them end their addictions.

Hope can also rise on the wings of guaranteed minimums. Instead of creating more mandatory minimum sentences, what would happen if we spent some of that saved money to create mandatory minimum education for everyone, mandatory minimum health care; decent housing; jobs for everybody who wanted to work; instead of thinking about minimum wages how about creating mandatory livable wages for everyone? Can you imagine how many fewer addicts we would have in our society? We are the richest country in the world and we make a very specific decision every year to spend \$69 billion to destroy lives rather than to help people put their lives back together — to alienate rather than ameliorate. Give drug users hope for the future and they have less need to use drugs; less need to use drugs means less drug addicts. And isn’t reducing the rate of drug addiction the reason we concocted the war on drugs?

The last half of step four is to redirect another part of those saved billions to programs that offer true education about drugs. I’m not talking about the failed policy of teaching D.A.R.E.⁶⁰ but real programs that tell the truth about drugs. Does drug education work? You bet it does! Again, we have a perfect example of a policy that did work. In 1965, 42 percent of the adult U.S. population smoked tobacco, the most deadly and addictive drug known to humans. Smoking tobacco kills 435,000 people in the United States every year, while the use of all illicit drugs and the misuse of all prescription drugs combined kills about 17,000 per year.⁶¹ We tend to procrastinate a bit in the U.S. so we didn’t really get angry about all the tobacco deaths until the late 1980s. Then we decided we were going to do something to bring down that death rate. But we didn’t start a war on tobacco. We didn’t start arresting users. We started a very strong drug-education-program aimed at lowering tobacco use. It worked. By 1998 only 24 percent of the adult U.S. population smoked that most dangerous of drugs and the percentage is dropping every year.⁶² We took the worst drug problem known to the United States and nearly cut it in half through education. Now, what we at LEAP want to make clear to you folks is that we didn’t have to send one person to prison to make it work; we didn’t have to destroy a single life to achieve our goal. There are better ways of lowering the incidence of death, disease, crime, and addiction than this failed policy of a war on drugs.

Perhaps we should listen to some of our great thinkers in the United States as they expound on U.S. drug policy. Albert Einstein had this to say about prohibition:

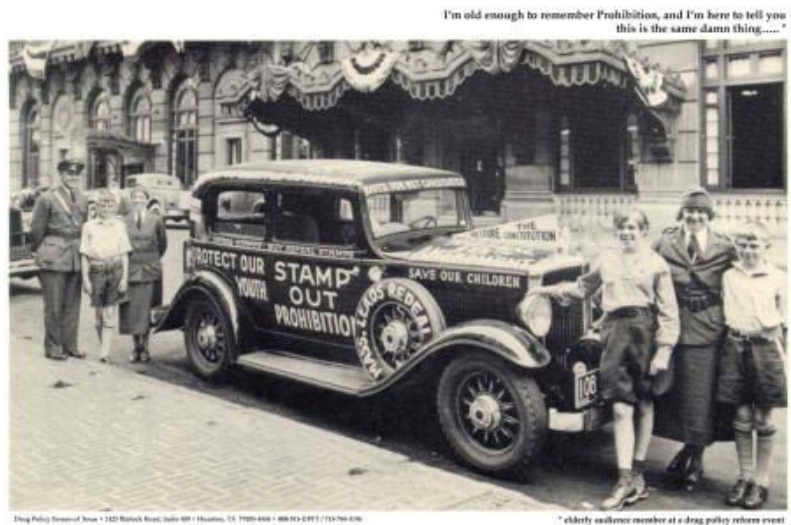
The prestige of government has undoubtedly been lowered considerably by the Prohibition law. For nothing is more destructive of respect for the government and the law of the land than passing laws which cannot be enforced. It is an open secret that the dangerous increase of crime in this country is closely connected with this.”⁶³

Albert Einstein, 1921

Albert Einstein 1921: Talking about our prohibition — No. Einstein was talking about the prohibition our grandmothers and grandfathers had the good sense to do away with in 1933. alcohol prohibition.

There is little difference between alcohol prohibition and drug prohibition but what difference exists made things better under alcohol prohibition. For instance with alcohol prohibition we didn’t arrest users, only sellers and distributors. The drive to arrest drug-users came with the Reagan Administration. So now, we enforce a policy that says we have to arrest our children in order to save them.

When will we ever learn?
This is a picture taken in Boston, in front of Copley Plaza during 1932, one year before that nasty law fell. It’s a picture of those folks who were probably the most responsible for ending that sad stain on American history; members of the Women's Organization for National Prohibition Reform. Why would women want to end alcohol prohibition? They wrote their reason right on the side of their car. “SAVE OUR CHILDREN! — STAMP OUT PROHIBITION!”⁶⁴



That is all we are saying at LEAP, “Save our children — stamp out prohibition!”

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END NOTES

¹ Number of Americans who died in 1969

From falling down stairs: 1,824.

From choking to death on food: 2,641.

From cirrhosis of the liver: 29,866.

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.

² Law enforcers are still playing this game. Although DEA said in 1996 a kilogram of heroin from Bangkok wholesaled in the US for between 93,000 and 114,000 dollars (Source: "The Price Dynamics of Southeast Asian Heroin," Drug Intelligence Brief, Drug Enforcement Administration, Intelligence Division, February 2001, <http://www.shaps.hawaii.edu/drugs/dea01004/dea01004.html>), a US government press release that year claimed, "To date, approximately 55.5 kilograms of heroin have been seized in connection with the operation. Authorities said the heroin has a wholesale value of between \$150,000 and \$200,000 a kilogram and a retail value of more than \$500,000 per kilo—a total retail value of more than \$26 million." Source: "U.S. Law Enforcement Dismantles International Heroin Smuggling Ring Run Predominantly by Nigerian Women," US Department of Justice Press Release, October, 11, 1996, <http://www.usdoj.gov/opa/pr/1996/Oct96/503crm.htm>.

³ Dan Baum, *Smoke and Mirrors: The War on Drugs and the Politics of Failure*, New York: Little, Brown and Company, 1996, p 13.

⁴ In its annual report, which was issued April 25, the United States Justice Department's Bureau of Justice Statistics said that nationally, 61 percent of prison and jail inmates were of "racial or ethnic minorities." The official study found the nation's prison and jail population at 2,131,180 in 2004. **Source:** Saeed Shabazz, Staff Writer, FinalCall.com News, Updated Jul 1, 2005.

⁵ "Total Male Slaves in United States in 1840," Geospatial and Statistical Data Center, University of Virginia Library, <http://fisher.lib.virginia.edu/cgi-local/censusbin/census/cen.pl?year=840>, July 1, 2007.

⁶ In 1972 "some veteran addicts, disgusted by heroin purity as low as 1 or 2 percent, quit or switched to other drugs." **Source:** David T. Courtwright, *Dark Paradise: A History of Opiate Addiction in America*, Cambridge, MA: Harvard University Press, 2001, pp166. Footnote 18 Chapter 7: "Heroin Crisis Ending?" 16; Richard Callahan to Myles Ambrose, September 7, 1972, Enforcement Program Files, box 2, RG 170-86-0163, National Archives II. Prevalence estimates are discussed below.

⁷ 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.

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 37 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.

A United Nations report states, "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.

Using Tom's Inflation Calculator <http://www.halfhill.com/inflation.html>, I fed in the \$6.00 cost for one heroin addict to get high, one time, in 1970 and discovered that today it should cost \$35.00 to get high. According to DEA in 1980 it cost \$3.90 to get high. With inflation that would mean by 1999 it should have cost \$8.67 to get high. But according to their chart, DEA says that by 1999 it only cost 80 cents in 1980 equivalent dollars. That means they believe the actual cost to get high in 1999 was only \$1.79. That is 30% of the cost at the beginning of the war.

⁸ 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.

⁹ "[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.

¹⁰ **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 DEA has expanded its personnel to four times the amount it had in 1972 and its budget has gone from \$65 million in 1972 to 2.141 Billion dollars in 2005. **Source:** U.S. Department of Justice, Drug Enforcement Administration [Online]. Available 2/6/2006 at <http://www.usdoj.gov/dea/agency/staffing.htm>.

With another increase of \$71 million more for fiscal year 2007 this makes DEA's budget more than 34 times the original size. Some of the increase will be for intelligence sharing and Afghanistan operations. **Source:** "Domestic Programs Take the Hit," The Washington Post, Tuesday, February 7, 2006; Page A19 - FY 2007 Budget Proposal: Agency-by-Agency Breakdown

¹² **3 Arrested in Smuggling Cocaine Found in Newark Cargo**

By JOSEPH B. TREASTER, New York Times, (NY) July 15, 1994, B3

On Tuesday night, Francisco Delgado parked his Lincoln Town Car at 29th Street and Broadway in Manhattan, and began walking away.

But before he had gotten more than a block, United States Customs Service agents grabbed him.

The agents had been following Mr. Delgado, 48, from a warehouse in the Bedford-Stuyvesant section of Brooklyn where they said they had watched him and another man, Alberto Heraldo, 30, load more than 200 pounds of cocaine into the trunk of the Lincoln in three cardboard boxes.

The cocaine, Federal officials said, was the first to be moved to the streets from a record shipment of more than three tons of the drug that the Customs Service said yesterday that it had discovered hidden in cargo at the Port of Newark in early May. Customs agents said they had been watching the cocaine day and night until the arrest of Mr. Delgado, Mr. Heraldo and another man.

It was the largest cocaine seizure ever in New Jersey, the officials said and the fourth big haul of cocaine to be captured by Federal agents in the last two months. Federal agents recovered five tons of cocaine in Houston in May, three tons in San Francisco in June and five more tons in El Paso last week.

Federal agents in New Jersey said there clearly seemed to be a surge in cocaine imports, which according to Drug Enforcement Administration figures, had dropped 25 percent from 1992 to 1993, when the total was 128,374 pounds.

But Thomas A. Constantine, head of the Drug Enforcement Administration in Washington, said he did not believe the latest seizures suggested a change in the way the Colombian traffickers were operating.

"To our knowledge there is nothing to indicate a sudden decision to move a major amount of cocaine in a short period of time," he said.

Rather, he said, the recovery of so much cocaine in such a short period was probably a coincidence -- or, as he put it, "a convergence of information and investigations."

Customs officials said the largest previous seizure of cocaine in New Jersey was 6,116 pounds found nearly three years ago hidden in hollowed-out bars of aluminum stacked in a ship's cargo. The cocaine in the latest case, 6,600 pounds had been concealed in a shipment of roofing material.

¹³ **Monitoring the Future** is an ongoing study of the behaviors, attitudes, and values of American secondary school students, college students, and young adults. Each year, a total of some 50,000 8th, 10th and 12th grade students are surveyed (12th graders since 1975, and 8th and 10th graders since 1991.) In addition, annual follow-up questionnaires are mailed to a sample of each graduating class for a number of years after their initial participation. This 2002 annual survey was funded by the National Institute on Drug Abuse and tracked illicit drug use and attitudes among 44,000 students from 394 schools.

<http://www.monitoringthefuture.org/data/02data.html>. **Source:** Monitoring the Future, a survey of eighth-, 10th- and 12th-graders done for the United States Department of Health and Human Services.

¹⁴ "Drug use on decline for U.S. teens," Associated Press, Washington, December 16, 2002.

<http://www.jointogether.org/sa/news/summaries/reader/0%2C1854%2C555848%2C00.html>.

¹⁵ National Survey Results on Drug Use from the Monitoring the Future Study, 1975-1994, 1996, 1997, 2000, and 2001. <http://monitoringthefuture.org/pubs.html#monographs>.

¹⁶ A drug survey by the National Center on Addiction and Substance Abuse at Columbia University, overseen by Joseph Califano, reported, "[M]arijuana continues to be easily available, even though marijuana use may have slightly declined."

"In one example, teenagers said marijuana is easier to buy than cigarettes or beer. Twenty-seven percent of those surveyed said they could acquire marijuana in an hour or less. It was the first time since the National Center on Addiction and Substance Abuse began its annual survey in 1996 that marijuana was said to be easier to acquire than cigarettes or beer.

"Thirty-four percent of those surveyed said it was easiest to obtain marijuana, compared to 31 percent who said cigarettes and 14 percent who said beer.

"One-fourth of those surveyed said they had tried marijuana. Separately, a federal study by the Centers for Disease Control and Prevention found that 47 percent of teenagers have smoked marijuana by the time they leave high school.

"Glen Hanson, acting director of the National Institute on Drug Abuse, a federal agency, said it is not clear whether students perceive a school to be 'drug free' only because there are signs proclaiming drug-free zones. But he said it is clear that increased education about the dangers of drug abuse has had an effect.

"Since access to beer and cigarettes is restricted at the retail stage, Hanson said, youths have significant hurdles to obtaining them.

"As far as marijuana is concerned, there is not any control there,' he said. 'If you want it, you can get it. That is not good news.'

"The survey was based on a telephone poll of 1,000 students conducted from December 2001 to February 2002. It had a margin of error of 3.1 percent." **Source:** Michael Kranish, "More Students Say Schools Drug Free Yet Survey Finds Marijuana Easier To Get Than Beer," The Boston Globe (MA), August 21, 2002, A2.

¹⁷ "The traffickers are motivated to get into the drug business primarily as a quick way to make money. By attacking the financial gains of trafficking, the trade can be hit where it is most vulnerable. According to estimates by the United Nations, illegal commerce in drugs reached a global level of 500 billion dollars annually, more than the international oil and gas industry, and twice as much as the auto industry." **Source:** Washington File *EPF209 02/08/2000, Text: McCaffrey Urges Global Cooperation Against Drug Trafficking, (ONDCP chief outlines strategies to counter illicit drug trade) (1320)

"The drug business alone had a turnover of about US\$ 500 billion per year in the late 1990s, of which close to 20 per cent had been laundered and used as legal investment." **Source:** "UN Ministerial Meeting Focuses on Links Between Drug Trafficking and Other Forms of Organized Crime," United Nations Information Service, Ministerial Segment of the Forty-sixth Session of the CND, April 27, 2003.

"By most estimates, the traffic in illicit drugs is one of the world's most substantial money earners. The retail value of drugs, at around 500 billion US dollars a year, now exceeds the value of the international trade in oil and is second only to that of the arms trade." **Source:** "Illicit Drugs: Social Impacts and Policy Responses," United Nations Research Institute For Social Development, UNRISD Briefing Paper No. 2, World Summit For Social Development, November 1994.

¹⁸ The international illicit drug business generates as much as \$400 billion in trade annually according to the United Nations International Drug Control Program. That amounts to 8% of all international trade and is comparable to the annual turnover in textiles. **Source:** United Nations Office for Drug Control and Crime Prevention, *Economic and Social Consequences of Drug Abuse and Illicit Trafficking* (New York, NY: UNODCCP, 1998), p. 3.

\$400 Billion is more than the gross domestic product of over 200 countries, leaving only 25 counties with a higher GDP than \$400 Billion.

¹⁹ At the beginning of the war heroin was worth \$258,200 per pure ounce but 30 years later it had fallen to only \$77,460 per ounce, still more expensive than uranium. **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.

²⁰ "Policy is Not a Synonym for Justice," by US District Court Judge John L. Kane, Chapter 5 in *The New Prohibition: Voices of Dissent Challenge the Drug War*, Edited by Sheriff Bill Masters, Lonedell, MO: Accurate Press, 2004, p45.

²¹ Drug War Costs vs. Drugs Use Costs

Drug War Costs Vs Drug Use Costs (2002 \$billions)					
		Cost of Drug War¹		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](http://www.briancbennett.com/charts/fed-data/costs/real-costs05.htm). 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

²² Crime in the United States, FBI annual, Uniform Crime Reports, Estimated arrests for drug abuse violations by age group, 1970-2005, <http://www.ojp.usdoj.gov/bjs/glance/tables/drugtab.htm>.

²³ "Jail Population (estimate, unduplicated)	723,131
Prison Population (state/federal count)	+1,596,127
Total Inmate Population	2,319,258
Adult Population Estimate	= 229,786,080
Inmates/Adults	= 1 in 99.1

(or 1,009 inmates per 100,000 adult residents)"

Source: "One in 100: Behind Bars in America 2008," Washington, DC: The PEW Center on the States, 2008, p.27

²⁴ Source: One in 100: Behind Bars in America 2008, The PEW Center on the United States: Washington, DC, February 2008, page 35

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

²⁵ "More than 8.75 million people are held in penal institutions throughout the world, mostly as pre-trial detainees (remand prisoners) or having been convicted and sentenced. About half of these are in the United States (1.96m), Russia (0.92m) or China (1.43m plus pre-trial detainees and prisoners in 'administrative detention')." According to the US Census Bureau, the population of the US represents 4.6% of the world's total population (291,450,886 out of a total 6,303,683,217). **Source:** Walmsley, Roy, "World Prison Population List (Fourth Edition)" (London, England, UK: Home Office Research, Development and Statistics Directorate, 2003), p. 1, from the web at <http://www.homeoffice.gov.uk/rds/pdfs2/r188.pdf> last accessed April 29, 2003; and US Census Bureau, Population Division, from the web at <http://www.census.gov/main/www/popclock.html> accessed July 8, 2003.

²⁶ 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 was 1.28 percent of the population 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.

²⁷ 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>.

²⁸ June 2007 225 Mayors unanimously adopted this resolution:

BE IT RESOLVED that the United States Conference of Mayors believes the war on drugs has failed and calls for a New Bottom Line in U.S. drug policy, a public health approach that concentrates more fully on reducing the negative consequences associated with drug abuse, while ensuring that our policies do not exacerbate these problems or create new social problems of their own; establishes quantifiable, short- and long-term objectives for drug policy; saves taxpayer money; and holds state and federal agencies accountable; and

BE IT FURTHER RESOLVED that U.S. policy should not be measured solely on drug use levels or number of people imprisoned, but rather on the amount of drug-related harm reduced. At a minimum, this includes: reducing drug overdose fatalities, the spread of HIV/AIDS and Hepatitis, the number of nonviolent drug law offenders behind bars, and the racial disparities created or exacerbated by the criminal justice system; and

BE IT FURTHER RESOLVED that short- and long-term goals should be set for reducing the problems associated with both drugs and the war on drugs; and federal, state, and local drug agencies should be judged – and funded – according to their ability to meet specific performance indicators, with targets linked to local conditions. A greater percentage of drug war funding should be spent evaluating the efficacy of various strategies for reducing drug related-harm; and

BE IT FURTHER RESOLVED that a wide range of effective drug abuse treatment options and supporting services must be made available to all who need them, including: greater access to methadone and other maintenance therapies; specially-tailored, integrated services for families, minorities, rural communities and individuals suffering from co-occurring disorders; and effective, community-based drug treatment and other alternatives to incarceration for nonviolent drug law offenders, policies that reduce public spending while improving public safety; and

BE IT FURTHER RESOLVED that the Conference supports preventing the spread of HIV/AIDS, hepatitis and other infectious diseases by eliminating the federal ban on funding of sterile syringe exchange programs and encourages the adoption of local overdose prevention strategies to reduce the harms of drug abuse; and

BE IT FURTHER RESOLVED the impact of drug use and drug policies is most acutely felt on the local communities, and therefore local needs and priorities of drug policy can be best identified, implemented and assessed at the local level. A successful national strategy to reduce substance abuse and related harms must invest in the health of our cities and give cities, counties, and states the flexibility they need to find the most effective way to deal with drugs, save taxpayer dollars and keep their communities safe.

Source: United States Conference of Mayors, "A New Bottom Line in Reducing the Harms of Substance Abuse," Adopted Resolution June 2007, p. 49-52.

²⁹ The World Health Organization (WHO) held its European Ministerial Conference on Youth and Alcohol in Stockholm, Sweden in February 2001. Highlights from the conference included a report comparing use of alcohol and other drugs by youth in Europe with use by youth in the US. **"Forty- one percent of 10th graders in the United States had tried marijuana, compared with 17 percent of those in Europe. And 23 percent of the students in the United States had used other illicit drugs, compared with 6 percent of the Europeans."** The study was developed by the Council of Europe with the help of researchers at the University of Michigan's Monitoring The Future project, and compared results from the MTF with results from a European survey, the European School Survey Project on Alcohol and Drugs (ESPAD). **Source:** "Study Finds Teenage Drug Use Higher In US Than In Europe," *New York Times*, February 21, 2001

Roger Van Bakel, "End the Drug War Now!" *Maxim Magazine*, February 2002, pp120-126.

³⁰ Department Of Housing And Urban Development v. Rucker et al. Certiorari to the United States Court of Appeals for The Ninth Circuit, No. 00-1770. Argued February 19, 2002—Decided March 26, 2002.

³¹ "The MTF study found that in 1999 41% of tenth grade students in the United States had used marijuana or cannabis" **Source:** Johnston, Lloyd D., PhD, Patrick M. O'Malley, PhD, and Jerald G. Bachman, PhD, "Monitoring the Future: National Survey Results on Drug Use, 1975-2000, Volume 1: Secondary School Students" (Bethesda, MD: National Institute on Drug Abuse, August 2001), p. 363.
<http://members.lycos.nl/medicalinfo/adolescents.html>.

³² "The Netherlands decriminalized possession and allowed small scale sales of marijuana beginning in 1976. Yet, marijuana use in Holland is half the rate of use in the USA." **Source:** Center for Drug Research, "Licit and Illicit Drug Use in The Netherlands 1997" (University of Amsterdam, The Netherlands: CEDRO, 1999; Netherlands Ministry of Health, Welfare and Sport, "Drug Policy in the Netherlands: Progress Report Sept. 1997-Sept. 1999 (The Hague, The Netherlands: Ministry of Health, Welfare and Sport, Nov. 1999); US Dept. of Health and Human Services, Substance Abuse and Mental Health Services Administration, National Household Survey on Drug Abuse 1998, 1999, and 2000 (Washington, DC: SAMHSA).

See: **"Forbidden Fruit" Effect**

A 1996 Washington Post article, "Marijuana Users' Air of Defiance," quoted several local students' opinions that marijuana is "cool" and that pot smokers get "respect." [14] A National Council on Crime and Delinquency publication notes that children "are sometimes attracted to drugs because they are illegal." [15]

Best-selling natural health author Andrew Weil, M.D., wrote in 1993, "Because drugs are so surrounded by taboos, they invite rebellious behavior. ... Unfortunately, our society's attempt to control drug-taking by making some substances illegal plays into the hands of rebellious children." [16]

The Netherlands Institute of Mental Health and Addiction explains that in order to prevent alcohol and drug abuse, these substances must be "stripped of their taboo image and of the sensational and emotional tone of voice that did in fact act as an attraction." [17] <http://www.mpp.org/adolescents.html>

³³ *Drug War Facts*, Victoria, BC, Canada: Common Sense for Drug Policy, 2004, p. 144, Multiple sources 1 through 6.

Source 1: US Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration, National Household Survey on Drug Abuse: Volume I. Summary of National Findings (Washington, DC: HHS, August 2002), p. 109, Table H.1.

Source 2: Trimbs Institute, "Report to the EMCDDA by the Reitox National Focal Point, The Netherlands Drug Situation 2002" (Lisboa, Portugal: European Monitoring Centre for Drugs and Drug Addiction, Nov. 2002), p. 28, Table 2.1.

Source 3: Walmsley, Roy, "World Prison Population List (fifth edition) (London, England: Research, Development and Statistics Directorate of the Home Office), Dec. 2003, p. 3, Table 2.

Source 4: Walmsley, Roy, "World Prison Population List (fifth edition) (London, England: Research, Development and Statistics Directorate of the Home Office), Dec. 2003, p. 5, Table 4.

Source 5: van Dijk, Frans & Jaap de Waard, "Legal infrastructure of the Netherlands in international perspective: Crime control" (Netherlands: Ministry of Justice, June 2000), p. 9, Table S.13.

Source 6: Barclay, Gordon, Cynthia Tavares, Sally Kenny, Arsalaan Siddique & Emma Wilby, "International comparisons of criminal justice statistics 2001," Issue 12/03 (London, England: Home Office Research, Development & Statistics Directorate, October 2003), p. 10, Table 1.1.

³⁴ Between 1982-2006, direct expenditures by U.S. criminal justice function amounted to 2.815 trillion tax dollars. By 2004 we were spending 193.5 billion dollars per year on that function. **Source:** Justice Expenditure and Employment Extracts, 1982-2004, table 1. An estimated 36 percent of those funds, 69 billion dollars per year, were spent to prosecute the war on drugs. <http://www.ojp.usdoj.gov/bjs/glance/tables/exptyptab.htm>

³⁵ "Every year drug abuse kills 14,000 Americans and costs taxpayers nearly \$70 billion." **Source:** "A Police Chiefs Guide to the Legalization Issue," Federal Drug Enforcement Administration, <http://www.dea.gov/demand/policechief.htm>, June 29, 2003.

³⁶ According to the American Corrections Association, the average daily cost per state prison inmate per day in the US in 2005 was \$67.55. That means it costs states approximately \$16,948,295 per day to imprison drug offenders, or \$6,186,127,675 per year. **Sources:** American Correctional Association, 2006 Directory of Adult and Juvenile Correctional Departments, Institutions, Agencies and Probation and Parole Authorities, 67th Edition (Alexandria, VA: ACA, 2006), p. 16; Harrison, Paige M. & Allen J. Beck, PhD, US Department of Justice, Bureau of Justice Statistics, Prisoners in 2005 (Washington, DC: US Department of Justice, November 2006), p. 9.

³⁷ 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.

³⁸ 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.

³⁹ When you break down the 1,009 inmates per 100,000 adult residents by race and gender you find: Men 18+ imprisoned in the United States: All – one in 54; White - one in 106; Hispanic – one in 36; Black – one in 15. **Source:** "One in 100: Behind Bars in America 2008," The PEW Center on the States: Washington, DC, 2008, p.5 & 26

⁴⁰ Mauer, Marc. *Americans Behind Bars: The International Use of Incarceration, 1992-1993*, The Sentencing Project, September 1994, p.1. <http://www.druglibrary.org/schaffer/other/sp/abb.htm>.

⁴¹ **Source:** "One in 100: Behind Bars in America 2008," Washington, DC: The PEW Center on the States, 2008, p.5 & 26

⁴² U.S. Census Bureau, Table 1. United States - Race and Hispanic Origin: 1790 to 1990, Internet Release Date: September 13, 2002

⁴³ "[T]he developing world is experiencing a severe shortage of opium-derived pain medications, according to the World Health Organization. Developing countries are home to 80 percent of the world's population, but they consume just 6 percent of the medical opioids. In those countries, most people with cancer, AIDS and other painful conditions live and die in agony." "The Senlis Council, a European drug-policy research institution, has proposed this truly winning solution." "The United States wants Afghanistan to destroy its potentially merciful crop, which has increased sevenfold since 2002 and now constitutes 60 percent of the country's gross domestic product. But why not bolster the country's stability and end both the pain and the trafficking problems by licensing Afghanistan with the International Narcotics Control Board to sell its opium legally? **Source:** Maia Szalavitz, "Let a Thousand Licensed Poppies Bloom," New York Times, July 13, 2005.

⁴⁴ Medical Health Officer Perry Kendall says heroin use doesn't knock years off people's lives plus "It doesn't harm the liver, doesn't harm the kidneys per se, and it doesn't kill brain cells unless you overdose and run out of oxygen." **Source:** Amy Carmichael, "Heroin addicts slowly joining study offering free drugs make positive changes," Maclean's Magazine (CN), January 1, 2006.

"Unlike alcohol or tobacco, heroin causes no ongoing toxicity to the tissues or organs of the body. Apart from causing some constipation, it appears to have no side effects in most who take it. When administered safely, its use may be consistent with a long and productive life. The principal harm comes from the risk of overdose, problems with injecting, drug impurities and adverse legal or financial consequences." **Source:** Byrne, Andrew, MD, "Addict in the Family: How to Cope with the Long Haul" (Redfern, NSW, Australia: Tosca Press, 1996), pp. 33-34, available on the web at <http://www.addictinthefamily.org/>.

⁴⁵ **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.

⁴⁶ "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)

⁴⁷ Carlos Nordt and Rudolf Stohler report, "According to Ditton and Frischer, such a steep decline in incidence of heroin use is caused by the quick slow down of the number of non-using friends who are prepared to become users in friendship chains. Musto's generational theory regards the decline in incidence more as a social learning effect whereby the next generation will not use heroin because they have seen the former generation go from pleasant early experiences to devastating circumstances for addicts, families, and communities later on.

"In line with Musto's social learning approach, we think that an additional effect of the liberal Swiss drug policy is possible. Parallel with the decline of heroin incidence, Switzerland adopted its so-called four-pillar strategy to approach the heroin problem; main components of this strategy have been an increased emphasis on treatment and harm-reduction measures. As the Swiss population supported this drug policy, this medicalisation of opiate dependence changed the image of heroin use as a rebellious act to an illness that needs therapy.

"Finally, heroin seems to have become a "loser drug", with its attractiveness fading for young people. Nevertheless, whether drug policy had a positive effect on the number of new heroin users or not, our data could not confirm an increase of heroin incidence as expected by the critics of the liberal Swiss drug policy. Furthermore, even if the prevalence of heroin dependence did not substantially decline the situation for those concerned and also for the whole population was improved by the measures of the Swiss drug policy, as can be seen from a reduction in criminal behaviour surrounding heroin use and falling drug mortality.

"Up to now, there have been few data for trends in incidence and prevalence of problematic heroin use despite the importance of individual and societal problems caused by heroin epidemics. Knowledge of only prevalence rates is insufficient because "for some, heroin addiction has been a lifelong condition associated with severe health and social consequences". As the presented data clearly show, a stable prevalence rate can mask a steep decrease in incidence. Based solely on data routinely obtained in substitution treatments, our straightforward model enables the study of incidence trends across different countries and might enable urgently needed assessments of the effect of different drug policies." **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)

⁴⁸ "Since the epidemic began, injection drug use has directly and indirectly accounted for more than one-third (36%) of AIDS cases in the United States." **Source:** Drug-Associated HIV Transmission Continues in the United States, Center for Disease Control, <http://www.cdc.gov/hiv/resources/factsheets/PDF/idu.pdf> May 14, 2008.

⁴⁹ Suzette Hackney & Ben Schmitt, "Homicide's Tragic Toll; 10 Children Dead in 16 Weeks," *Detroit Free Press*, May 14, 2002

⁵⁰ "After twenty years of anti-opium efforts, the numbers are staggering: The Iranian government says more than 3,100 police and soldiers have been killed, along with more than 10,000 traffickers. Almost 200 soldiers and 800 traffickers were killed last year alone. Iran has spent nearly a billion dollars constructing a series of military outposts, walls, towers, roads and barriers along its 1,100 mile-long border with Afghanistan, a harsh and brutal terrain of deserts and mountains, and 30,000 troops are assigned to fight the drug trade. In the 1990s, Iranian authorities seized more than 1.7 million kilograms of drugs -- mostly opium and heroin -- according to the United Nations Drug Control Program, while the annual haul in recent years has averaged about 200 tons of opium and six tons of heroin." **Source:** Phillip S. Smith, "Iran's War on Drugs Turns Increasingly Brutal, Europe Helps," July 6, 2001, <http://www.alternet.org/story/11168/>.

⁵¹ Kevin Cullen, "Tragedy Seen Inevitable In Drug War," *Boston Globe*, April 1, 1994, p-1.

⁵² William K. Rashbaum, "Fatal Attack After Mistaken Raid is Ruled a Homicide." *New York Times*, May 28, 2003.

⁵³ Radley Balko, *Overkill: The Rise of Paramilitary Police Raids in America*, CATO Institute, Washington, DC, 2006,

⁵⁴ Proliferation Dangers: "[C]ivilian plutonium...can be used to make a nuclear explosive, as demonstrated in a successful 1962 test by the United States Atomic Energy Commission."

"[U]ranium-235 is worth about \$5,600 per kilogram. Since the energy per fission from plutonium-239 and uranium-235 is about the same, the theoretical fuel value of fissile plutonium can be put at \$5,600 per kilogram. Six to ten kilograms of reactor-grade plutonium would suffice to make a nuclear bomb, making the fuel value of one bomb's worth of plutonium between \$26,400 and \$44,000. However, the value of the plutonium would undoubtedly be far greater than this on a potential black market where the objective would be to make a weapon. The danger of plutonium diversion to a black market is particularly acute in Russia where the weakening of central control, combined with the rise of organized crime and poor economic conditions heighten the chances of diversion." **Source:** Makhijani, Arjun. "Plutonium as an Energy Source," Institute for Energy and Environmental Research, February 1997, <http://www.ieer.org/ensec/no-1/puuse.html>.

⁵⁵ Bin Laden "sees heroin as a powerful new weapon in his war against the West, capable of wreaking social havoc while generating huge profits...." He is reported to have approached major opium and heroin dealers in

Afghanistan and Pakistan, offering to buy up all the opium they could grow. **Source:** Jason Burke, "Heroin in the Holy War," *The Observer*, Indian Express Newspapers (India) 6 December 1998.

"According to Middle Eastern intelligence sources, bin Laden rakes off anything up to UKP500m a year from his pivotal role in the drugs' trade. It is more than enough to underwrite the cost of mujahideen training camps in Afghanistan, Pakistan and Sudan and the provision of weapons for bin Laden's personal war against the US and its allies." **Source:** Ian Bruce, "Attack West," *The Herald*, (UK) 28 December 1999.

⁵⁶ "Wholesale weights of Southeast Asian heroin usually are quoted in units—a 700-gram standard weight amount for heroin, which is used throughout Mainland Southeast Asia. The 700-gram unit is used only for finished heroin hydrochloride, also known as "no. 4" or "China White" heroin, in either powder or compressed (brick) form. The 6-inch by 4-inch white brick of pure Southeast Asian heroin (described as a unit and priced at \$3,000 at the refinery) generally is sold in New York City at a wholesale price of \$70,000, **Source:** "The Price Dynamics of Southeast Asian Heroin," Drug Intelligence Brief, Drug Enforcement Administration, Intelligence Division, February 2001, <http://www.shaps.hawaii.edu/drugs/dea01004/dea01004.html>.

⁵⁷ John Steinbeck, the son of the famous author, claimed that 75% of soldiers smoked marijuana while in Vietnam, and "that use of the drug did not seriously affect the soldier's fighting ability, but made the horrors of combat easier to endure." **Source:** Ingraham, Larry. "U.S Denies 75% of GIs in Vietnam Use Marijuana." *New York Times*, 28 December 1967: 10.

⁵⁸ "Heroin overdose deaths, two a month in the spring of 1970, increased to two a day by early fall. By 1971 half of the Army's enlisted men in Vietnam had tried heroin, often smoking it with tobacco or marijuana—a technique made possible because of its purity." **Source:** David T. Courtwright, *Dark Paradise: A History of Opiate Addiction in America*, Cambridge, MA: Harvard University Press, 2001, pp168-9.

Also see: Baum, Dan. *Smoke and Mirrors: The War on Drugs and the Politics of Failure*. New York: Little, Brown and Company, 1996. pp 49-52. McCoy, Alfred, W. *The Politics of Heroin: CIA Complicity in the Global Drug Trade*. Brooklyn, New York: Lawrence Hill Books, 1991. p224.

⁵⁹ "Approximately one out of every three soldiers tried heroin while in Vietnam and half of them became addicted. The point is not whether they were good or bad soldiers, but that heroin use did not necessarily result in dysfunction and life-long enslavement to the habit. When the men returned to the United States, and were removed from the social setting of the war, their craving was minimal. Although heroin was less accessible and more expensive in the States, half the returnees who had been addicted in Vietnam used heroin again at home. Surprisingly, only 12 percent became readdicted—a remarkably low recidivism rate. Many soldiers found they could use heroin, even at the rate of more than once a week, without readdiction." **Source:** Siegel, Ronald K. *Intoxication: Life in Pursuit of Artificial Paradise*. New York: E. P. Dutton, 1989. (305).

Lifton, Robert Jay. *Home From the War: Vietnam Veterans Neither Victims Nor Executioners*. New York: Simon and Schuster, 1973. pp127.

⁶⁰ "The Education Issue," *ReconsiDer Quarterly*, Winter 2001-2002, Vol 1, Num 4, Syracuse, NY: ReconsiDer: Forum on Drug Policy, 2002, pp 30.

⁶¹ Mokdad, Ali H., PhD, James S. Marks, MD, MPH, Donna F. Stroup, PhD, MSc, Julie L. Gerberding, MD, MPH, "Actual Causes of Death in the United States, 2000," *Journal of the American Medical Association*, March 10, 2004, Vol. 291, No. 10, pp. 1238, 1241. A copy of the report is at <http://www.csdp.org/research/1238.pdf>.

⁶² Smoking is a major risk factor for heart disease, stroke, and cancer, and is the leading preventable risk factor of death in adults. In the past few decades, though, the rates of smoking have been declining. In 1965, 41.9% of adults 18 and older smoked; in 1998, only 24.0% of adults were current smokers or smoked on "some days." **Source:** Center for Disease Control Fact Book for 2000-2001, Atlanta, GA, p. 47 <http://www.cdc.gov/maso/factbook/main.htm>.

⁶³ 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.

⁶⁴ We are having to re-learn the same lesson today that they learned 72 years ago. **Source:** Picture of members of the Women's Organization for National Prohibition Reform pose for a photograph in 1932 (courtesy of the Hagly Museum and Library, Wilmington, Delaware).