

An open letter to the nation's drug czar

General Barry McCaffrey
Director, Office of Drug Policy
The White House

Dear Gen. McCaffrey:

Our great country is reeling from wounds which we have been inflicting upon ourselves because of our current failed drug policy. It is clear that we are not in better shape today than we were five years ago regarding drug use and abuse and all of the crime and misery which accompany them, and, unless we change our approach, we can have no legitimate expectation that we will be in better shape next year than we are today. However, we will not pursue change until we realize, as a country, that it is all right to talk about this issue - and that just because we talk about the possibility of changing our drug policy does not mean that we condone drug use or abuse.

Change for the better starts with a leader who has a proven record of honesty, dedication, experience, and results - one who will be able to discuss realities without effectively being labeled as "soft" on crime or criminals. Our country desperately needs a person in authority who will not be afraid to take a fresh and objective look at our most basic assumptions and recommend changes based upon the evidence. Our country needs you.

You are known to be an intelligent, non-political, dedicated public servant who is in that position of authority and respect.

If you would speak about our country's futile efforts to eradicate the growing of these dangerous drugs in, and the shipping of them from, various foreign countries, people in and out of our government will listen.

If you would quote the Rand Corporation study of June, 1994, which concluded that drug treatment is seven times more effective than drug prosecution even for heavy drug users and 11 times more effective than interdiction at our country's borders, people will begin to realize why we are going broke trying to incarcerate our way out of this pervasive and multi-faceted problem.

If you would acknowledge that no one in law enforcement will even tell us with a straight face that we seize more than 10 percent of the illegal drugs in our society and that the more candid estimate is that we seize only about five percent, our people will begin to understand that each seizure of a ton of cocaine is not a victory, but is instead merely a symptom of the depth of the problem.

Our citizens and taxpayers will then realize that for every ton of cocaine we seize, we easily fail to seize between nine and 19 tons.

In the War on Drugs, victory is now literally being viewed as slowing down the pace of defeat.

Our present policy has made cocaine the most lucrative crop in the history of mankind. It has made marijuana the most lucrative crop in my home state of California, easily outdistancing the second leading crop, which is corn.

Our present policy is directly responsible for the material and demonstrable reduction of our cherished liberties under the Bill of Rights. Our present policy is directly funneling tens of billions of dollars per year into organized crime, with all of its accompanying violence and corruption, both in our country and around the world.

Our present policy is directly causing our children in the inner cities and virtually everywhere else to have drug dealers as their role models, instead of people like you who have gotten their education and who have worked hard to be successful.

Our present policy has directly spawned a cycle of hostility by the incarceration of vastly disproportionate numbers of our minority groups.

And our present policy is directly responsible for medical doctors being unable to prescribe appropriate medications for their patients who are either in pain or are suffering from a number of devastating diseases. We all understand the necessity of holding people accountable for their actions. However, our citizens recognize that what we are doing in the critical area of drug policy is not working. They are frustrated because their ostensible leaders are afraid to discuss the subject openly.

As a result, thousands of Americans such as Dr. Milton Friedman, former Secretary of State George Shultz, Mayor Kurt Schmoke of Baltimore, and former San Jose Chief of Police Joseph McNamara have signed a resolution calling for the investigation of change by a neutral commission.

This resolution actually was passed by Congress and signed into law by President Clinton as a part of the recent crime bill; however, it has been widely ignored since that time. The signatories include a formidable list of judges; civic, business, and religious leaders; probation officers and prison officials; medical doctors; teachers; and counselors. There is wide support for the investigation of change - our present policy simply will not stand scrutiny. However, our country needs a credible person in government like you to step forward and legitimize the discussion.

We do not ask you to support any particular method or approach for addressing the drug problem. We simply ask you to agree that there are fundamental problems with our current policy and that both our government and our citizens need better to understand the history and social forces, which drive this problem, and our options for the future.

We need to investigate the possibility of change. Education and the honest exchange of information are the only ways we will begin to reduce the continuing harm wrought by these dangerous drugs in our country. Accordingly, we ask you publicly to join us in a non-partisan and

non-political search for the truth. If you would do this, you simply could not provide our country and its entire people with a greater or more lasting service.

Sincerely,
Judge James P. Gray

Judge Gray is a judge in the Superior Court of California in Orange County.