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It's Time for New Battle Plan in the Losing War on Drugs

By Judge James P. Gray

Our great country is reeling from self inflicted wounds resulting from our current failed "war on drugs." 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 that accompany them. 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.

During the election season, let us as voters challenge all candidates for all offices to take a fresh and objective look at our most basic drug policy assumptions and recommend changes based upon the evidence. Let us tell all candidates in the clearest of terms that it is not only all right, but it is essential to discuss this critical issue openly fully.

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 California, easily outdistancing the second-leading crop, which is corn.

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 who have gotten their education and worked hard to be successful.

Our present policy has at the same time both increased street crime and diverted scarce resources away from its prosecution. Our present policy has directly spawned a cycle of hostility by the incarceration of vastly disproportionate numbers of 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.

If there is any universal agreement in any area of drug policy, it is that the education of our young and our not so young people is critically important in combating drug abuse, and that to an appreciable degree for non-addicted users, it works. Social pressure is another effective

deterrent to drug abuse, as is drug treatment, which has been determined by the Rand Corp. in a 1994 study to be seven times more effective than drug prosecution, even for addicted drug users.

Similarly, education, social pressure and treatment have been effective in decreasing the use of other dangerous and sometimes addictive drugs, such as alcohol and tobacco-even though these drugs are not illegal for adults. It may be that the recently documented increased use of marijuana by teenagers, and the frustration and resignation shown by their parents, has resulted from less emphasis upon drug education. If so, maybe we should at least consider investing our increasingly scarce resources where they will be most productive, instead of routinely continuing to spend enormous and never-ending tax dollars on the incarceration of nonviolent drug users.

All responsible citizens understand the necessity of holding people accountable for their actions. However, our citizens are becoming increasingly aware that the criminal justice system is simply not able to make meaningful progress in this area because of the obscene profits to be made in selling illegal drugs.

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 of the resolution include large numbers 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.

We are the ones who elect our governmental officers, so the responsibility for their silence and inaction is ours to bear. However, this can be changed. Let all candidates know that we voters understand that the honest exchange of information is the only way we will begin to reduce the continuing harm wrought by these dangerous drugs in our country. Tell them we demand that the law be followed and the neutral commission be appointed. If we the voters demand that these important issues be discussed, our leaders will follow.

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