

Detoxing the War on Drugs

New tactics are being considered that could change the way we deal with illegal substances.

BY TROY ANDERSON

ONE ISSUE GETTING BARELY A MENTION in this year's presidential contest is the rising collateral damage from the war on drugs, including swelling U.S. prison populations and cartel violence that has claimed nearly 50,000 lives in Mexico since 2006.

Each year, some 1.6 million Americans are arrested on drug charges, about half of them for offenses related to marijuana. A 2008 study published in PlosMedicine.org found the United States had the highest level of drug use among the 17 nations surveyed. Recent polls suggest that the momentum against prohibition is growing — but what are the alternatives?

LEGALIZE AND TAX

The most visible alternative to the war on drugs is regulation and taxation. In November, voters in Colorado and Washington will vote on ballot measures that would legalize marijuana for adults. Support for legalization is growing: A recent Gallup Poll found 50 percent of Americans say marijuana should be legal, up from 12 percent when Gallup first asked the question in 1969. Sixteen states already permit the use of medical marijuana.

Advocates argue marijuana should be regulated and taxed like alcohol. Jeffrey Miron, a libertarian economist at Harvard University, estimates that legalizing marijuana would generate \$9 billion in annual tax revenues, and save billions in law enforcement, prosecution, and incarceration costs. Opponents, of course, say legalizing marijuana would only encourage drug use, and wouldn't thwart the cartels. "Anybody who thinks that legalization is going to solve Mexico's fundamental problems doesn't



BALE OUT Texas Border Patrol agents stand guard over a marijuana haul. Legalization would end the war on drugs, proponents say.

understand the situation," Kevin Sabet, a former senior policy adviser in the White House Office of National Drug Control Policy, tells Newsmax.

THE HOPE PROGRAM

One of the most innovative ideas to help drug users is Hawaii's Opportunity Probation with Enforcement program (HOPE).

HOPE is a high-intensity supervision program. Launched in 2004, its objective is to discourage drug abuse by delivering swift, predictable, and immediate sanctions each time a probationer tests positive for drugs. But the incarcerations last just one or two days.

"Historically, what we've done is sporadically punish people and we'd only punish them when we got really mad at them," Angela Hawken, an associate professor of economics and quality analysis at Pepperdine University and co-author of the book, *Drugs and Drug Policy: What Everyone Needs to Know*, tells Newsmax. "And when the sentence was delivered, it was enormous."

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The result: Overcrowded prisons that become training grounds for hardened criminals. HOPE starts with a formal warning, delivered by a judge, that any violation of probation will result in a brief jail stay. Probationers are given random drug tests.

Failing a drug test brings a brief jail stay as a wake-up call. As a result, drug use has fallen dramatically.

After one year in the program, HOPE probationers were 57 percent less likely to be arrested for a new crime. And they were 72 percent less likely to use drugs compared to probationers in a control group, according to a National Institute of Justice study.

The federal government is now testing the program in more than a dozen states, Hawken says.

"If it goes nationwide, I think we can have a significant reduction in our prison population," HOPE designer Hawaii First Circuit Judge Steven Alm says.

THE DRUG MARKET INITIATIVE

Another approach is to use highly targeted law enforcement tactics to close down the open-air drug markets that destroy poor neighborhoods. Michigan State University calls this a "focused deterrence approach." It begins with a crackdown against drug dealers, but quickly shifts to an intervention against low-level offenders, often by



JUST SAY YES A billboard in Denver advocates legalizing marijuana. Colorado voters will decide the issue in November.

enlisting the help of families and neighbors. The ultimate objective is to return control of high-crime neighborhoods to the people who live there.

PORTUGUESE MODEL

In July 2001, Portugal took the controversial step of becoming the first eurozone

nation to decriminalize drugs. According to a report published by the Cato Institute, drug use has declined since the adoption of the new approach, which treats possession as an administrative rather than criminal offense.

When Portuguese police catch people with drugs, they essentially write them a summons rather than make an arrest. The suspects then have 72 hours to appear before a Dissuasion Commission, which has the authority to impose a fine.

Fines are typically waived, however, if there is no evidence of addiction (such as multiple arrests). Drug trafficking cases are referred to criminal court.

The Cato report found "a very strong case" for decriminalization along the Portuguese model as an optional way to actually reduce drug use in the United States. Whether that approach would be politically palatable, of course, is another question altogether. □

Conservatives Say Drug Policies Are a Failure

Much of the pushback against the drug war these days is coming from conservatives.

Viewers of the *700 Club*, for example, were surprised when prominent Protestant leader and CBN founder Pat Robertson declared recently that the time has come for a major reset in the war on drugs. Noting that the United States has just 5 percent of the world's population but 25 percent of its jail inmates, Robertson said it is time to legalize and regulate marijuana.

"I became sort of a hero of the hippy culture, I guess, when I said I think we ought to decriminalize the possession

of marijuana," Robertson told viewers. "I just think it's shocking how many of these young people wind up in prison, and they get turned into hardcore criminals. The whole thing is crazy."

Last year, former Reagan-era Secretary of State George P. Shultz teamed up with former U.N. Secretary General Kofi Annan to write the "Global Commission on Drug Policy" report. It blasted the drug war as a "failure."

Texas Rep. Ron Paul, the libertarian-leaning GOP presidential candidate, concurs. "The 'war on drugs' is a total



failure," he said. "We should look at drugs like the drug alcohol. We saw Prohibition didn't stop people from drinking alcohol ... the American people woke up one day after about 10 years of that and said, This is ridiculous, and they repealed Prohibition. I think we're on the verge of doing this with drugs." □

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