

WHO WILL WIN THE WAR ON DRUGS?

Article

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For the past few decades, law enforcement at the federal, state, and local levels have been waging a war against drugs. Every year, drug abuse kills approximately 14,000 Americans and cost taxpayers an estimated \$70 billion. Drug abuse incites child and spousal abuse, property and violent crime, gang activity, the spread of AIDS and other communicable diseases, and cost employers millions of dollars in accidents, mistakes, and absenteeism.¹

Efforts to eliminate drugs have come from medical professionals, educational institutions, local police, federal agents, and the military. These efforts have included education, eradication, enforcement, treatment, and incarceration. Each year these on-going efforts result in the seizure of literally tons of illegal drugs and the confiscation of millions of dollars in illegal drugs, cash, and property.

The source of these illegal drugs is primarily through importation from other countries, as well as cultivation and manufacturing here in the United States. Drugs are smuggled by air, land, and sea, and it would be virtually impossible to make a significant impact on the volume that is arriving in this country, undetected, on a daily basis. Here in the United States, drug labs that at one time required a high level of expertise and a remote location for operation, can now be transported in the trunk of a car and assembled in a residential home with relative ease.

What Has Been Done to Stop the Use of Illegal Drugs?

Looking back as far as 1915 when the Bureau of Internal Revenue was responsible for federal drug enforcement, there have been several decades of law enforcement efforts to stop the trafficking and use of illegal drugs. By the 1960s there were two agencies responsible for the enforcement of drug laws; the Bureau of Drug Abuse Control and the Federal Bureau of Narcotics.

Over the years, federal agencies continued to work toward stopping the trafficking of narcotics in this country and the flow of illegal narcotics that were being imported from other countries. The United States Drug Enforcement Administration (DEA), which was established in 1973 by President Nixon, had primary responsibility for enforcing the nation's federal drug laws and working in a cooperative effort with local, state, federal, and international law enforcement organizations. The primary mission of the DEA was to identify, target, and bring the most significant drug traffickers in the world to justice.ⁱⁱ

By the early 1980s, many U.S. communities were inundated by violence as a result of the international drug trade. In 1985 the crack epidemic hit the U.S. full force and resulted in escalating violence among rival gangs in many U.S. communities. In 1986, President Reagan signed the Anti-Drug Abuse Act, which authorized \$4 billion to fight illegal drugs, primarily through law enforcement.

During that same year, Attorney General Edwin Meese announced that the strategy for reducing crack cocaine trafficking would be to reduce the amount of cocaine entering this country.ⁱⁱⁱ

In 1987 President Reagan formally announced that there would be a renewed “war on drugs”; a shift away from treatment, and a push towards enforcement and punishment intensified. Law enforcement agencies formed specialized units to address drug enforcement and many agencies joined forces to create regional task forces.^{iv}

The Anti-Drug Abuse Act of 1986 provided \$44 million in funding to the Bureau of Justice Assistance (BJA) grant program for urban law enforcement agencies to enforce drug laws, and \$1.5 million was made available to form five Crack Task Forces in Los Angeles, Houston, Minneapolis, Denver, and Detroit. The Anti-Drug Abuse Act also provided funding for education and treatment programs in an effort to reduce the level of demand for illegal drugs. This led to the establishment of the Office for Substance Abuse Prevention (OSAP), which was aimed at community prevention strategies.

In a continuing effort, the 1988 Anti-Drug Act increased criminal penalties for offenses related to drug trafficking and increased funding for state and local drug enforcement grant programs. This act also addressed drug eradication and interdiction efforts between the U.S. and other countries. Another requirement of this act called for the Secretary of the Treasury to initiate negotiations with governments whose banks were known to engage in significant U.S. dollar

transactions. This requirement helped to identify money laundering and illicit drug transaction funds.

In the early 1990s, President George H. Bush focused national efforts on a drug enforcement strategy that targeted both supply and demand reductions. Heroin was making a comeback in the U.S. and marijuana, which was being overshadowed by crack and heroin, was being cultivated in a manner that increased its potency. At the same time, the eradication of marijuana increased through the advanced technology of thermal imaging. President Bush also expanded the DEA's authority to conduct asset forfeitures for money and property acquired with illegal drug money.

In the mid-1990s, the U.S. experienced a significant increase in the trafficking of methamphetamine and the prevalence of clandestine methamphetamine labs. This prompted new legislation, known as the Comprehensive Methamphetamine Control Act of 1996, which was signed by President Clinton to control precursor chemicals and the lab equipment used to manufacture methamphetamine. During this same time, a debate was raging over the medicinal use of marijuana and at least three states were faced with voter approval of the concept. That debate is continuing through the court systems today.

Currently, under the leadership of President George W. Bush, the U.S. continues its fight against illegal drugs, both here in our country and around the world. Law enforcement continues enforcement efforts and elections typically

contain proposals to construct new correctional facilities to house an ever-increasing prison population. At the same time, there is a continuing push from proponents to legalize drugs, with the theory that legalization would help to end the drug-related violence, but would not increase drug use.

What Has Been Done to Address the Issue of Addiction?

The use of illegal drugs and the resulting issues of drug addiction are certainly nothing new. The concept of treatment for drug addiction goes as far back as the 1950's, when professionals began debating whether drug addiction was a crime or a disease. Since the mid-1970's, there has been a push to expand federal recognition and support for drug addiction treatment. One event of note that helped promote awareness of the magnitude of drug addiction occurred in 1978, when former First Lady Betty Ford admitted to the nation that she was addicted to alcohol and prescription drugs. This opened the eyes of the nation and made people more aware that drugs were a problem at all socio-economic levels.

There is little current debate in the medical field, as to whether illegal drugs are addictive and harmful. There is sufficient scientific data to show the negative effects that drugs have on the human body and their undeniable addictive effects. Researchers at Columbia University have said that drugs are not dangerous because they are illegal; they are illegal because they are dangerous.^v

According to the National Institute on Drug Abuse, drug addiction is a biological and pathological process that alters the way in which the pleasure center, as well as other parts of the brain, functions. All drugs that are addictive can activate the brain's pleasure circuit. Almost all drugs that change the way the brain works, do so by affecting chemical neurotransmission. Some drugs, like heroin and LSD, mimic the effects of a natural neurotransmitter. Others, like PCP, block receptors, and thereby prevent neuronal messages from getting through. Still others, like cocaine, interfere with the molecules that are responsible for transporting neurotransmitters back into the neurons that released them. Finally, some drugs, such as methamphetamine, act by causing neurotransmitters to be released in greater amounts than normal.^{vi}

The key to this is that prolonged drug use changes the brain in fundamental and long-lasting ways. These long-lasting changes are a major component of the addiction itself. It is as though there is a figurative switch in the brain that flips at some point during an individual's drug use. The point at which this flip occurs varies from individual to individual, but the effect of this change is the transformation of a drug abuser to a drug addict.^{vii}

This scientific explanation of the effect that drugs have on the brain, and their addictive qualities, is fundamental to the argument that drug addiction is not a condition of choice, but a legitimate disease. The ability of a drug user to stop using drugs is clearly not as simple as deciding to abstain from further use.

The need for adequate, long-term treatment is crucial as a means of assisting an addicted person in reclaiming their life, and reducing the crime in our nation.

Can Addiction Be Treated?

According to the National Institute of Drug Abuse, treatment for drug addiction is as successful as treatment for other diseases such as diabetes, hypertension, and asthma. Through individualized treatment, people can gain the strength and willpower to overcome their addiction to drugs, and it is estimated that drug treatment reduces drug use by 40-60%.^{viii}

There are several types of treatment available today for drug addiction. Some of the most common methods include short-term residential methods, medicated therapy, outpatient drug-free treatment, and therapeutic communities. These different options make it easier to tailor a treatment option with an addict's particular circumstances. Additionally, looking at treatment as a potential cost saving measure, one year of methadone treatment costs \$4,700 per patient. One year of prison costs \$18,400 per prisoner.^{ix}

What Does the Future Hold without Treatment?

As previously mentioned, prisons are continuing to fill up with drug offenders and, as capacities are reached, more prisons are built. It would appear that drug addicts are being locked up in an attempt to eliminate them

from society, but little is being done to prepare them to function upon their release. This is one of the reasons that parolees often end up back in prison.

A study by The National Center on Addiction and Substance Abuse at Columbia University revealed that the prison population in America, between 1980 and 1996, tripled from 500,000 to 1.7 million. The study showed that this was primarily due to criminal activity that was linked to drug and alcohol abuse. The study revealed that drug and alcohol abuse, and addiction, are implicated in the incarceration of 80% (1.4 million) of the 1.7 million men and women in prison today.^x

Not utilizing the criminal justice system to get non-violent drug offenders into treatment is irrational and poor public policy. Public funds are being wasted on the incarceration of many of our nation's prisoners and repeatedly releasing them back into society without the necessary treatment or tools that they need to function and be successful. It is the practice of releasing drug-addicted inmates without treatment that helps to maintain the market for illegal drugs and the support of drug dealers.

What is the Law Enforcement's Role?

Law enforcement has the primary responsibility for enforcing the nation's drug laws and removing offenders from the streets. Despite their valiant efforts over the past few decades, law enforcement officials must face the fact that there is little they can do to impact the supply of illegal drugs in this country and

should, therefore, invest their energy in an effort to impact the demand by drug abusers. One way to do this would be to promote the recognition of drug addiction as a disease.

Current efforts cannot be abandoned, but must immediately begin to address the problem of drug addiction. Far too many resources in this country are being devoted toward an apparent lost cause and it is crucial that a sincere effort toward change be made. The role of the police is to protect and serve the public, and a better effort needs to be made to do so.

Law enforcement leaders need to join together and actively work with legislators and medical professionals to promote the redirection of resources toward education and treatment. The concept of placing emphasis on treating addiction and educating the public, rather than incarcerating offenders, would require a shift in priorities for law enforcement and a great deal of support from all factions of society. Drug addiction is a disease that has had, and continues to have, a serious impact on the quality of life for the citizens of this country and it is time to address the problem rather than the symptoms of the problem.

Who will win the war on drugs? We will never know if we don't try something new.

Endnotes

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2. "Significant Events in the History of Addiction Treatment and Recovery in America," The National Council on Alcoholism and Drug Dependence, Web site, 2001, available from <http://www.ncadd.org/history/events.html>; Internet accessed 7 December 2001.
3. Ibid.
4. Ibid.
5. "Behind Bars," The National Center on Addiction and Substance Abuse at Columbia University, Web site, 2002, available from http://www.casacolumbia.org/newsletter1457/newsletter_show.htm?doc_id=3567; Internet accessed 5 April 2002.
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