

# Bills self as First Multidisciplinary Non-Partisan Analysis

- 1) US has the most punitive & the Biggest Drug Problem  
Most + Cons. previous harms of Drugs - Those caused by prohibition crime, corruption, disease, disorder
- 2) Legalization "taboo" topic - sending the wrong signal  
2000 400,000 imprisoned for drugs 1985 fewer than 50,000  
Gene Ber serik  
Black & Hispanic -  $\frac{3}{4}$  of drug offenders  $\frac{1}{2}$  of property & violent crime
- 4/5 Depenalization (Decrim) of Pot doesn't change use or attitudes.
- 5) Harm are borne principally by the urban poor ~~and those rebellions.~~ <sup>and those rebellions.</sup>
- 6) Other Vices - Prostitution - example of Harm Reduction not help.  
Tobacco - Cut by over  $\frac{1}{2}$  the generation  
Gambling - complete switch
- 7) Another - Power of Educ. - using accurate information  
Strong impact on youth drinking fatality rates (though not on drinking)
- 7) US won't restrict marketing once a vice is legalized - that's what would happen to drugs: in less doctors in control.
- 8) Scientifically ~~is~~ <sup>is</sup> little apparent link between drug law enforcement and the prevalence of drug use. ~~☆☆☆☆~~
- 9) Drug Enforcement contributes to the spread of aids. AIDS
- 9-10 - It is commercialization not "depenalization" that would lead to high & growing use rates
- 11) Depenalization - Minimal consequences for prevalence of pot or anything else, No more harm, less cost, less cost in civil liberties / respect for law  
South Australia - Model - Cannabis - Depenalization & removal of sanctions for home production and gifts WOW  
And legalization will increase prevalence because promotion cannot be controlled in the united states. THEREFORE - There is no advantage in going beyond decrim w/ home production
- 12) To win Politically - must have high certainty of gain from any legal change & not offend fundamental values.
- 13) Harm maintenance makes scientific sense / not political in US  
Cannabis depenalization generates important gains and no losses. RAND  
False Dichotomy in Debate - moderate alternatives buried or crushed
- Now only goal prevalence reduction, but (14) quantity reduction and harm reduction are valid goals
- 14) Public could shift views radically and unexpectedly.  
Reasonable empirical and ethical basis for major reforms exists.
- 16) Scorn discussion, in light of extraordinary problems is to be frivolous and uncaring. WOW

- 16 Alcohol & Tobacco - Most who use a # of times have use in decades  
 illegal drugs - Most have quit within 5 years &  
 18 - 1 million Heroin addicts  
 2 million smoke pot daily  
 20 See most pot users would like to quit & unable to do so?  
 10% of Cannabis users become dependent

### Drug War Heresies

ASSUME ADDICTORIAL

Chen say - addiction is so modest  
 CANNABIS



That there is nearly NO research on treatment of Cannabis addiction

This book provides the first multidisciplinary and nonpartisan analysis of how the United States should decide on the legal status of cocaine, heroin, and marijuana. It draws on data about the experiences of Western European nations with less punitive drug policies as well as new analyses of America's experience with legal cocaine and heroin a century ago and of America's efforts to regulate gambling, prostitution, alcohol, and cigarettes. It offers projections on the likely consequences of a number of different legalization regimes and shows that the choice about how to regulate drugs involves complicated tradeoffs among goals and conflict among social groups. The book presents a sophisticated discussion of how society should deal with the uncertainty about the consequences of legal change. Finally, it explains in terms of individual attitudes toward risk, why it is so difficult to accomplish substantial reform of drug policy in America.



Robert J. MacCoun, a psychologist, is Professor of Public Policy and Law at Goldman School of Public Policy and Boalt Hall School of Law, University of California, Berkeley. Previously, he was Behavioral Scientist at RAND from 1986 to 1993, where he is now a consultant. Professor MacCoun's work with Peter Reuter on street-level drug dealing in Washington, DC, European drug policies, harm reduction, and other drug policy topics has appeared in *Science*, *Psychological Bulletin*, *Journal of Policy Analysis and Management*, *Journal of Quantitative Criminology*, and *American Psychologist*. His research on jury decision making and civil litigation has appeared in *Science*, *Psychological Review*, *Journal of Personality and Social Psychology*, *Law and Society Review*, *Law and Human Behavior*, and *The Handbook of Psychology and Law*. Professor MacCoun's current work examines bias in the interpretation of research results (*Annual Review of Psychology*, 1998). He has testified before Congress and given policy briefings to many government officials in the United States and Europe and is a member of a National Academy of Sciences committee on drug policy research.

20  
 60 Billion  
 RAND  
 60 Billion  
 Illegal Drug market

Peter Reuter, an economist, is Professor of Public Policy, School of Public Affairs and Department of Criminology, University of Maryland. He founded the RAND Drug Policy Research Center, directed it from 1989 to 1993, and continues to serve there as a consultant. Professor Reuter is currently editor of the *Journal of Policy Analysis and Management*. He is a member of the National Academy of Sciences' Committee on Law and Justice and has served on two Institute of Medicine panels. His early research focused on the organization of illegal markets and resulted in the publication of *Disorganized Crime: The Economics of the Visible Hand* (1983), which won the Leslie Wikins award as most outstanding book of the year in criminology and criminal justice. Recent papers have appeared in *Addiction*, *Journal of Quantitative Criminology*, *American Journal of Public Health*, *Journal of Policy Analysis and Management*, and *Science*. He testifies frequently before Congress and has addressed senior policy audiences in many countries, including Australia, Chile, Colombia, and Great Britain. He has served as a consultant to numerous government agencies.

- 21 CRIME - frequent use of M does not seem to be criminogenic  
 22 - crime from extraordinary value of drugs

On Drug Deaths from illegal drugs 14,000 per annum  
Alcohol 107,000 Tobacco 400,000  
No control - adulteration  
no byzine

The Business

24 Book - Prohibition Bureaucracy Drug War 'Business'  
has grown from nearly nothing to 10 Bil in mid 80s to 40  
Billion today

24 SCALE, & PUNATIVENESS, have been striking in U.S. response  
to drugs

1980 - 31,000 in jail 1996 400,000

more than half of all sent to Federal Prisons Federal Prisons  
are the consciousness heretic gulags for the cultural  
prisoners of Imperial America. This problem is <sup>The Feds</sup> grandstanding.

28 Doubling of pot busts in past 5 years  
"reduces the credibility of government generally.  
intrusiveness" A whole array of legal  
innovations Profiling, Drug testing - even candidates

29 Clinton sez drug test teen drivers licence applicant  
Don't change the crack sentencing disparity.

So, essentially we've done just about what the most  
rabid proposed. cause nobody willing to step up.

30 Toughness Not effective in reducing use

32 Prevention Maximized Through Regulation.

TREATMENT - "can indeed show substantial success"

25% of drug budget on treatment and prevention

33 - D.W. Eval. of Effectiveness - Not needed since punish  
ment is what they deserve.

34 Public Treatment system - poorly funded & inadequate - still  
can strongly justify itself in cost/benefit analysis.

35 TREATMENT - A major benefit - Lower Crime.

70% on methadone - Nixon wanted to cut crime

33 - Claim - TREATMENT. 120,000 Treatment episodes WHAT

35 Claim - Criminal system plays key role in getting addict Treatment  
36 DARE - a hodgepodge Repeated evaluations Success

of DARE have shown no effect on drug use. & no other  
programs do much either.

36 - Targeting Tobacco was most influential 1990 Adolescents

37 Kandel 1993 Goes with Schickent Block 1990

Prevention - could only make modest contribution - 2% - 11%  
on Drug use.

- 38 Case can be made - for truly Radical Alternative moving Criminal Sanctions to the margins.
- 39 Wall Street Journal - advocate of major reform.
- 40 1900 - Numerous States Prohibited Ale, cigarettes - Cakes & Ho Legal
- 41 Bipartisan firm resistance to even discussion or study.

### RAND Studies in Policy Analysis

43 Graph of drug paranoia - "most important problem"

EDITOR: Charles Wolf, Jr., Series Economic Advisor and Corporate Fellow in International Economics, RAND

44 James Q Wilson - Eloquent forceful defense of prohibition

Policy analysis is the application of scientific methods to develop

46 the and test alternative ways of addressing social, economic, legal,

12 international, national security, and other problems. The RAND

studies Studies in Policy Analysis series aims to include several significant,

that timely, and innovative works each year in this broad field. Selection

Decision is guided by an editorial board consisting of Charles Wolf, Jr.

in the (editor), and David S. D. Chu, Paul K. Davis, and Lynn Karoly

700 (associate editors).

Not benefiting  
The CIA.

48 Marijuana is not typically associated w/ criminal underworld

49 - for 20 yrs 70 to 80% oppose pot legalization

Also in the series:

61% - Alaska

David C. Gompert and F. Stephen Larrabee (eds).

America and Europe: A Partnership for a New Era

55 - Purely "Moral" Arguments play prominent role - Bad per se.

Just wrong

57 the John W. Peabody, M. Omar Rahman, Paul J. Gertler, Joyce Mann,

James Q Donna O. Farley, Jeff Luck, David Robalino, and Grace M. Carter,

wilson Policy and Health: Implications for Development in Asia

Moral argument in but its based on crack.

Samantha F. Ravich, Marketization and Democracy:

59 East Asian Experiences

Full John Stewart Mill Quote "On Liberty"

61-62 Alcohol has more risks for non users than pot.

62 Risk Different with different drugs - low-pot, prescription

64 James Q Wilson Cocaine alters ones Soul - tell it to signed friend

Bennett Drug user bad parent, neighbor, employee, poor student.

74 Ques from with legalization - How many of the new users Disprove him - the fact is Judge Gaurio

75 Most Drug use - brief period of casual use, without harmful

77 - Econ sequences.

Will argue - commercial promotion matters more than availability

82 3% average annual risk of pot smoker getting busted

84 Legal Risk - Less influence on decisions than assumed

85 Pot use go up? People say "not interested" more than fear of the law

In humans CRIME on Beh. Criminal gains are more influential

than penalties.

89 it undermines Drug Law Effectiveness when people think

1) invasion of privacy 2) Too harsh, 3) minorities singled out 4)

4) Hypocritical given alc. & tobacco

90 Forbidding Fruit Effect May Activate some drug use  
More attractive because illegal ① 2 y olds - want toys behind screen  
② People want censored information

91 Children - Bust Criminals sanction → stigmatization - / labeling  
Enhance the chance of future offending, alienates individual, promoting contact w/ deviants - Enhance likelihood of future beh.  
Further Praise for Drug War Heresies - fitting the label

A Shaming  
Can be done  
in a healthy  
community  
way, but  
absent

"Confronting the failure of our highly punitive prohibitionist policy, MacCoun and Reuter thoroughly examine the consequences of drug legalization in the United States. Marshaling the available empirical evidence, they provide an example of what a rational, sophisticated inquiry into U.S. drug policy ought to be. Works like Drug War Heresies are needed to shatter the current ideological barriers to vigorous public debate on alternatives to repression."

- Gerald M. Oppenheimer, Columbia University

③ features  
it is  
dis-inte  
grative

"The authors have produced a clearly and well-written analysis of the complex and interconnected empirical and normative issues that make drug policy debate so contentious in the USA and elsewhere. Given the intellectual dominance of American research and thinking about drug policy in the international drug policy debate, the book has a significance that goes beyond the narrowly parochial context of the USA. The reputation and track record of the authors will guarantee the book a wide international readership."

Wayne Hall, University of New South Wales, Australia

pg 94  
summary  
sentence

We should  
be sure they absolutely have to be there before putting someone in jail  
So Prohibitors could encourage drug use 2 ways 1) Labeling 2) Forbidding Fruit

96-98 Do crim/Depenalization - Nearly no effect on pot use  
many lines of evidence

100 Legalization may actually strengthen informal self controls and social controls  
Too many uncertainties to predict with specificity what would be effects of drug legalization.

101 its Income from sales that cause many of the problems.

102 No drug policy is without adverse consequences - balance costs

103 Cocaine Deaths - 4000, they pump up to 10,000.

105 ① It seems advisable to treat each drug separately

106-107 [50] Diminutions of Drug War Cost or Harm  
CRIME/VIOLENCE - D.W. effect on price → crime violence

111 CRIME/VIOLENCE QUOTE

114 Pot Selling arrests 70,000 - other drug selling 220,000

115 Prison "can hardly be called rehabilitating, crowding reduced programs

116 - Prison Fodder - incarcerating dealers just exp and s the group.

Trail on Nailon Jailon strategy - Encourages survival of more violent rep.

117 Corruption South America

119 Forfeitures - put under Corruption Fed's 4 Bil by 1994 - Depts. that get more money than cellos spend more time on drug arrests.

119-120 Why should rich fight drug war They target for money  
Police - One state - 1/3 of Budget demanded from forfeiture

120 RAND - Domestic Police corruption Not so bad - International is Terrible Then says - What about CIA/DEA

"police manipulation of the court process lying providing Routine Perjury" POLICE LIE ROUTINE

124 Violent CRIME increased by intensive drug enforcement

## Drug War Heresies

124 Children Intensive enforcement brings high potency drugs (says "ambiguous")  
Learning from Other Vices,

125 Most Times, and Places  
60% - 67% of the cost (Illegal Drugs) is Crime or Crime Control Related

127 Conclude Tough Enforcement responsible for much of damage observed

Robert J. MacCoun  
134 Gambling - was most responsible for Police Corruption  
University of California, Berkeley prior to "Drugs"

Police Lie - "Perjured testimony by police apart of the routine"

Peter Reuter  
Gambling legalized - police corruption greatly drops v.  
University of Maryland

144 Prostitution - Why not more of push for legalization, in light of good European Models.

Many harms of Prostitution could be mitigated by legalization and regulation.

146 Says the US functions on De Facto Tolerance? of Prostitution?

151 Anglo places - Victoria, Aust, Canada Criminal Penalties

153-155 - Prevalence of Prostitution of minimal concern

156 - Alcohol - causes Enormous Damage Because its effects

159 Prohibition Enforcement - More like what we would call De crim - Enforcement never very intense

160 Homicide declines for years after prohibition ends

165 ALC. was not regarded as evil in itself.

166 ALC - "is a major public health problem in Mod. Am. Society 5 + times the rate w/ Native Americans

79% of pop are abusing or Dependent  
167 ALC. Tax Low - only 1/2 of what's needed just to cover the externalized costs of drinking

169 Tobacco Before 1895-1921 14 States - Tobacco Prohibition  
173 " use doesn't go below 1/4 of pop.

174 Smolensky CAMBRIDGE UNIVERSITY PRESS  
initiation (is) highly sensitive to cost.

179 If you cut out Advertising - to sports promotion you can cut Tobacco Rates.  
Has been cut in Half - but 1/4 still use.

180 - Why Not Tobacco Prohibition - even if far from perfect  
Could save 100,000 lives!

183 Legal Cocaine - Heroin - 1890-1920 Often H. & Cocaine was  
Legal - A.C. Cigarettes illegal.

185 There was LESS Cocaine consumption when it was legal

186 Cocaine's treatment for nausea & vomiting

187 1900 Catarrh Cures were leading form of cocaine product  
8 tons when legal - 300 tons today 1/5 to 1/10 current levels.

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198 - Turn of - 1900 - Addicts were older middle class, particularly  
women - Repeated

199 Early  
Opium  
law  
clearly  
racist  
in intent,

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- Addicted to scripts  
in S. Gray

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by 1/3.

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Let doctors

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We created

with our self righteous segregation (unopposed) "monism" - the drug

addiction monster

since prior to 1914 Cocaine was NOT rising and

opioid use was falling

until the 60s it fell further

203 - The manufacturers continued to push coke - till international

agreements

204 Still - Nation had smaller drug prob. when eroin

H.K. Cocaine was legal. legal

206 Western European Experience - Highly varied policies

Methodone - in England's Netherlands anal freely.

207 and as always - toughness of enforcement has little effect

on drug use patterns

222 Youth Marijuana use very much higher in U.S. than Europe

233 Italy Re loosened up in 1993 Because of a Radical/Green Party Referendum

240 Netherlands Pot Policy

Huge enforcement & seizures against big growers/sellers

Since 44% of European total

243 Dutch signed 1961 U.N. Single Convention of N.Y. on Drugs

246 Article 36 Paragraph 4 of U.N. Single Conven. - gives way out

Dutch legal principle - gedoogbeleid → Formal, systematic, application of discretion → expediency

247 gedoog - look the other way if you must

249 - Dutch have consensus/agreement about their policy

261 Dutch Depenalization - ~~the~~ many kinds of reduced costs with no use <sup>increase</sup> For Madeline and Timothy

harm of cannabis RAND - "cannabis related harm goes

unmeasured in part because the average harm per user is so

modest - less tangible & dramatic

263 - Depenalization in Netherlands - No effect on use

Coffee shop commercialization, marketing - clear increase in use

265 Harm Reduction - Aggressive opposition is peculiarly American

269 - All we have is vengeance Swiss - Needle Exchange - Geneva

Police find a needle on an amphetamine. They replace it with a new one.

270 Denmark - Methadone - ~~the~~ chief cause of O.D. death

272 Netherlands Harm Reduction is the lens

Dutch Policy Statement - Drug Policy is tied to the dangers of that particular drug

274 - Frankfurt - Harm Reduction leads - 4 yrs - deaths from 183 to 44

Dutch death rate is very low.

279 Swiss have a ~~confederate~~ true Federal govt 23 powerful cantons

280 Swiss are conformist people - little tolerance for deviance. <sup>so US could federate</sup>

286 Heroin Maintenance British 1926 Commission Decision

Maintain Them - Worked fine for 4 decades.

287 1955 - British Medical Establishment fought off another try to get zero tolerance.

PROFESSIONALS

290 Swiss Heroin maintenance - rare reviews Clients allowed to

choose dose - 3 times a day; No H. of p. premissis. Greatly

increased social functioning, crime dropped, many ready to quit

Employment, mental health went up sharply

293 Swiss Rightists use Youth without drugs referendum

The CHILDREN - 70% vote against

a W.H.O. study forced by the U.N. also said - it worked

295 Proved H. Maintenance to improve functioning is possible



296 - if committed addicts are withdrawn - lower efficiency of markets supplying non-addicted users.

299 Sweeds - Hard Line - But Limited ability to invade

⊛ a citizens privacy after 9:00 PM

303 - same - Decrim. doesn't increase use, Commercialization does

Dutch Conclu - beyond most minor complaints unable to document any social harms accompanying increased cannabis use.

⊛ in hard drug use or crime. No rise

Book - imagine AIC - Crack

Prohibition Repeal - 5 yrs. nearly no consumption increase

321 ⊛ Wow Quote to go with George Will - Devastated cities

Harms now borne by urban poor minorities - could be that

BLACKS regulated legalization would improve them

Even with increased drug uses addiction.

332 Legal markets - would have Less Potent Forms

But sharp increase in prevalence and some increase in intensity

of use. Probably, if legalized, the average user would be a safe user

334 afternoon maintenance - won't increase prevalence

will greatly reduce black market access & the

spread of addiction.

341 Cannabis is the cutting edge of legalization

- depenalization - maybe legalization.

342 ⊛ Culture War re: Cannabis

⊛ Book "symbolic role in continuing culture wars"

345 The 4 Harms of Cannabis Gateway Health Beh Addiction

348-349 Addiction - New evidence - C. similar to other drugs

dopamine? Gettman - cite

349 Addiction Animals - Rats won't self administer C.

Contrast to Newspapers - got some animal to use cannabis

350 "dependence is relatively uncommon among typical human users - 10% Max for dependence.

Drug Educ lies - "might discredit warning messages about

Heroin or Cocaine C-users

⊛ Gateway - Market - Dutch less likely to try cocaine.

351 Alliance to any gateway idea is ideology & politics.

352 Cannabis Health LANCET - "Long term smoking of C. is not harmful to health" Australian study ROUND minor health harms

353 Driving - More Departing from Lane - Drive Slower & Leave more space from car in front.

354 10% may become dependent BUT Dependency is very much less harmful than any other - incl alcohol.

355 Needing Treatment - 45% use marijuana only. 7.4% Actual lit. has very little on C. Dependence

356 Most in "treatment" for pot - avoiding more harsh legal sanctions

### Conclu Contents

Dependence occurs frequently but has moderate adverse consequences

The Full Jimmy Carter Statement "No where is this more clear (greater danger from law) than in laws against cannabis."

358 Alc, Tobacco? "Why not remove the inconsistency by changing the pot laws!! yesh legalization with cannabis is as a benefit."

Discusses SUBSTITUTION with cannabis significantly enhance the perceived legitimacy and credibility of the government's control efforts against other illegal drugs.

258-259 - Cannabis depenalization significantly enhance the perceived legitimacy and credibility of the government's control efforts against other illegal drugs. ? Reduce Intrusiveness

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Treatment? Bill of Rights Damage  
Educ. - Do you  
Need threat/coercion?  
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NOT Major Issues

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