



LAW ENFORCEMENT AGAINST PROHIBITION

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In Support of H1393, an Act providing for the medical use of marijuana

My name is Jack Cole. I do not use, nor do I intend to use, marijuana or any other illegal substance. I retired as a Detective Lieutenant after a 26-year career with the New Jersey State Police. For fourteen of those years I worked as an undercover narcotics officer. My investigations spanned cases from street drug users to international "billion-dollar" drug trafficking organizations.

I am here today to respectfully encourage this committee to support replacing the current failed marijuana prohibition laws with a workable system of providing for the medical use of marijuana.

Bills such as H1393, when enacted across the US, will reduce the harms prohibition has imposed on our society. They will allow hundreds of thousands of patients suffering from various diseases to legally access medicine vital to maintaining a decent quality of life.

But that is far from the only good reason for passing such bills. They will also help police to return to important jobs, such as tracking down violent criminals. They will save billions of tax dollars while creating additional revenue of billions more. They will remove a large portion of the obscene profits currently collected by violent Mexican drug cartels. And they will ultimately reduce the number of under aged people using marijuana recreationally. This is a great start, but only a start.

I am the Chairman of LEAP, an organization founded by five former cops to give voice to law-enforcers who believe the war on drugs is not only a dismal failure but worse; it is a self-perpetuating, constantly expanding policy disaster. In the eight years of our existence, LEAP has grown to represent more than 30,000 people and we are no longer just cops—we are police, judges, prosecutors, prison wardens, DEA & FBI agents, and others, who know a policy of regulation and control of drugs is much more efficient and ethical than a policy of prohibition. Nothing can be regulated or controlled while it is illegal.

For 40 years, with a budget of 1½ trillion dollars, the United States has fought the war on drugs by implementing ever-harsher policies. During those years, we have made 41 million arrests for nonviolent drug offenses—nearly half of which were for marijuana violations. Currently, two million three-hundred-thousand people are imprisoned in the United States, far more per capita than any country in the world. And what do we have to show for all those ruined lives and that misspent money: Today drugs are cheaper, stronger, and far easier for our children to access than they were when the war began in 1970 and I started buying those drugs as an undercover officer. That is the very essence of a failed public policy.

As public servants, we all work to ensure quality of life for our citizens, and we seek and support decisions that favor the "greater social good." Having an arrest record of any kind is certainly a life-altering event. It will impact social status, possibly employment status, the ability to secure housing, and it will certainly increase stress within the family unit. Drug charges and conviction will destroy a college student's opportunity for continued federal financial aid.

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According to government sources, more than 97 million Americans currently admit to having tried marijuana. How fortunate we are, in many ways, that they were not all arrested and prosecuted!

Nearly a thousand people experimenting with drugs went to jail as a direct result of what I did as one undercover narcotics agent. Most were young adults, many self-medicating with marijuana. I can't say how many of those folks would have gone on to become valuable citizens had I not intervened, but I am sure that my intercession caused nearly all of them to be sucked into that whirlpool of incarceration from which it is almost impossible to escape. That was not just the fate of the individual; their whole families suffered greatly as a result of their arrest.

Think of all the people you know personally who as youngsters used an illegal drug, then put the drugs behind them and went on to live very productive lives. You can do that if you haven't been arrested. You can get over an addiction, but you will never get over a conviction. A conviction will track you every day of your life because it is on a computer—every time you apply for a job it is over your head like an ugly cloud. Employers look at your record and say, "Druggo, we don't want you." The only place those folks can find acceptance is right back in the drug culture—the very group we say we are trying to save them from.

The current drug policy prevents police from solving significant crimes because the police spend so much time and energy chasing marijuana law violators. In 1963, before we had a war on drugs, police were credited with solving 91 percent of all murders but in recent years they have solved only 61 percent. The crime rate of the US has dropped 40 percent since the 1990s but even with that tremendous reduction in workload, police fail to solve 40 percent of murders, 60 percent of rapes and arsons, and 75 percent of robberies. We have more police per capita than we did in 1963; they are better paid, educated, and trained, and they have technology at their disposal never imagined in 1963. Since the war on drugs started police have had to spend so much time and energy chasing nonviolent drug offenders we no longer have time to protect citizens from violent criminals. H1393 and similar bills will, by implementing a system of legalized regulation of medical marijuana, effectively reduce a large number of arrests for marijuana violations and allow the police to work on far more important issues.

The financial repercussions of drug prohibition are staggering. A 2008 report commissioned by LEAP and written by Harvard University economics professor Jeffrey Miron estimates that drug legalization and regulation would reduce the US government expenditure by \$44 billion annually, with roughly \$30.3 billion of that accruing to state and local governments and \$13.8 billion accruing to the federal government. Approximately \$12.9 billion of the potential savings annually would result from the legalization of marijuana alone. Dr. Miron further estimates that drug legalization would yield tax revenue of \$33 billion annually, assuming that legal drugs are taxed at rates comparable to those placed on alcohol and tobacco. Approximately \$7 billion of that annual tax revenue would be the direct result of the regulation and taxation of marijuana. **Dr. Miron estimates that Pennsylvania currently spends \$408 million yearly on marijuana interdiction and that legalized regulation of all marijuana would result in an additional revenue source of \$88 million; savings and new revenue could amount to nearly \$500 million dollars.**

Current policy also results in our children telling us it is easier to buy marijuana than it is to buy beer and cigarettes because no one checks ID while selling marijuana. This Bill will reduce marijuana use in Pennsylvania. In every country where illicit drugs have been decriminalized and regulated the rate of drug use has been reduced when compared to neighboring countries that have not decriminalized. This reduction in marijuana use by juveniles has also held true in US states where medical marijuana has been legalized or marijuana decriminalized.

In closing, I would like to thank the committee for allowing me to speak in support of H1393. This bill is an important step in reducing the harms of drug prohibition. By supporting it you are speaking out in favor of a public policy that will be far more effective, more ethical, less damaging and far less costly than that of marijuana prohibition. Thank you for your time.

Sincerely,



Jack A. Cole
August 19, 2010



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LEAP Statement of Ten Principles

1. LEAP does not promote the use of drugs and is deeply concerned about the extent of drug abuse worldwide. LEAP is also deeply concerned with the destructive impact of violent drug gangs and cartels everywhere in the world. Neither problem is remedied by the current policy of drug prohibition. Indeed, drug abuse and gang violence flourish in a drug prohibition environment, just as they did during alcohol prohibition.
2. LEAP advocates the elimination of the policy of drug prohibition and the inauguration of a replacement policy of drug control and regulation, including regulations imposing appropriate age restrictions on drug sales and use, just as there are age restrictions on marriage, signing contracts, alcohol, tobacco, operating vehicles and heavy equipment, voting and so on.
3. LEAP believes that adult drug abuse is a health problem and not a law-enforcement matter, provided that the abuse does not harm other people or the property of others.
4. LEAP believes that adult drug use, however dangerous, is a matter of personal freedom as long as it does not impinge on the freedom or safety of others.
5. LEAP speakers come from a wide divergence of political thought and social conscience and recognize that in a post-prohibition world it will take time to strike a proper regulatory balance, blending private, public and medical models to best control and regulate "illicit drugs." LEAP speakers are free to advocate their view of better post-prohibition stratagems without toeing a LEAP "party line."
6. LEAP recognizes that even in a post-prohibition world, still, drugs can be dangerous and potentially addictive, requiring appropriate regulation and control. Even in a free-market economy, reasonable regulation for the purposes of public health is a long-standing, accepted principle. Such regulation must not allow casual, unfettered or indiscriminate drug sales.
7. LEAP believes that government has a public health obligation to accurately ascertain the risks associated with the use of each "illicit drug" and a duty to clearly communicate that information to the public by means of labeling and warnings similar to what is done regarding food, tobacco, alcohol and medicine.

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Law Enforcement Against Prohibition

8. LEAP believes that an inordinate number of people have been misguidedly incarcerated for violation of zero-tolerant, nonviolent, consensual “drug crimes.” The end of drug prohibition will allow those persons to be promptly released, to have their record of conviction expunged, and their civil rights completely restored. However, the repeal of drug prohibition does not imply the exoneration from charges for connected offenses, such as violent crimes, gun crimes, theft, or driving under the influence of drugs. Furthermore, LEAP believes that people using alcohol or other drugs must be held accountable for any misbehavior, which harms other people or property of others, while under the influence of mind-altering substances.
9. LEAP believes that persons suffering from drug abuse afflictions and addiction, who want help, should be provided with a variety of help, including drug treatment and drug maintenance, even for uninsured addicts. LEAP believes that with an end to drug prohibition and regained control of criminal justice expenditures, a fraction of those savings would be more than sufficient to pay for expanded addiction services.
10. LEAP recognizes that different “illicit drugs” pose differing risks of harm. As such, in a post-prohibition world, LEAP recognizes that an appropriate set of regulations and control for one substance may not be a suitable or sufficient regulation and control for another substance. LEAP believes that the nation states of the world and various states within the United States must be given the regulatory latitude to try new models that wisely balance the notions of freedom over one’s own body with the need for common sense regulation of drugs to reduce death, disease, addiction and harm.

Adopted by LEAP Board of Directors March 19, 2010