

HEALTHY MINDS
A WEEKLY COLUMN ALL ABOUT MENTAL WELLNESS
Elliott B. Sewell, MAE, LPCC, NCC

Prohibition Versus Legalization



Although the United States makes up less than 5% of the world's population, it houses almost a quarter (25%) of the world's prisoners. These shocking statistics are true. The land of the free has more people locked up, per capita and in absolute numbers than any other country in the world. Many of those in prison are there because they have run afoul of drug laws, and they represent only a fraction of Americans who might be liable for drug prosecution or who have evaded detection for public intoxication.

Statistics show that about four out of every ten Americans have tried marijuana, and a large percentage have tried or continue to use other illicit substances, particularly cocaine (and crack cocaine), methamphetamines, heroin, and various mind altering pharmaceuticals illegally obtained. Other substances, such as ecstasy and other designer drugs are widely abused.

Although penalties have become harsher and arrests have increased, the so called "war on drugs" has been a failure. Our country still has the highest rate of cocaine and marijuana usage, and addiction to legal drugs, whether doctor-prescribed pharmaceuticals, alcohol, tobacco, caffeine, or unhealthy and life-shortening foods.

Basically, we are living in another era of Prohibition, similar to the one our country endured from the beginning of 1920 to the end of 1933, fourteen long years. During this time prescriptions for alcohol from doctors increased dramatically, and the rise of the alcohol cartels, huge crime syndicates, characterized American life, from the alcohol runners (like drug smugglers) to the illegal stills (like meth labs), to the speakeasies where the booze was consumed (like crack and heroin houses). Alcohol kingpins, like Al Capone, profited from the illegal operations of tens of thousands of petty criminals, and turf wars for control of these operations were part of the landscape, just as they are today in this country, and in neighboring Mexico, and virtually all other countries. Prohibition was lifted in 1933 in all but a few of the states and counties of the United States. Where it is still in place, as it is in much of Kentucky, for example, drinking just goes underground and illicit businessmen supply some of the residents who prefer to buy locally.

Alcohol addiction, like drug addiction, does not end with the criminalization of sales and possession. As a drug counselor treating prisoners in a local jail I know full well that criminalization does not stop use or sales, and just adds to society's burden. I am furthermore not alone in my observations.

A large and influential national organization made up of members of law enforcement, Law Enforcement Against Prohibition (LEAP at www.leap.cc) gives their opinion in no uncertain terms.

“After nearly four decades of fueling the U.S. policy of a war on drugs with over a trillion tax dollars and 37 million arrests for nonviolent drug offenses, our confined population has quadrupled making building prisons the fastest growing industry in the United States. More than 2.2 million of our citizens are currently incarcerated and every year we arrest an additional 1.9 million more guaranteeing those prisons will be bursting at their seams. Every year we choose to continue this war will cost U.S. taxpayers another 69 billion dollars. Despite all the lives we have destroyed and all the money so ill spent, today illicit drugs are cheaper, more potent, and far easier to get than they were 35 years ago at the beginning of the war on drugs. Meanwhile, people continue dying in our streets while drug barons and terrorists continue to grow richer than ever before. We would suggest that this scenario must be the very definition of a failed public policy. This madness must cease!”

In last month's Time Magazine online edition, the featured story, tells the story of the first country to officially do away with drug prohibition and all criminal penalties for the possession of cocaine, heroin, methamphetamine, and marijuana, and the consequences of this decision 8 years later.

It is not The Netherlands, but rather its European neighbor to the south – Portugal. Policy makers held lengthy talks and panels, because they realized that incarceration only drove users underground, and was much more costly than treatment, and much less effective.

The resulting new laws who find people found guilty of possessing small amounts of drugs are directed to a panel of a psychologists, social workers and legal counselors for drug treatment, which they have the option of refusing. There is no jail time.

Five years after prohibition ended Portugal, which had a high rate of hard drug use and HIV infections from shared needles, is now managing better than any other country in the Western World. Marijuana use is now down to 10% compared to our 40%. HIV infections fell dramatically, and over three times as many heroin users are on a methadone treatment program than were before the new laws were formulated and passed. Though not forced by drug courts or other legal bodies, twice as many Portuguese drug users are voluntarily seeking and entering drug treatment programs. With the new emphasis, there is now plenty of funding to devise and run these new treatments.

All studies of decriminalization have shown that decriminalization does not promote increased drug use. That is why two US senators, Arlen Specter and

Jim Webb suggested that Congress create a national commission, like Portugal's, to overhaul drug-sentencing policy.

As mainstream media begins to report the successes brought about by these new programs, and with the support of outstanding leaders in the justice and legislative systems, it seems that our drug policy may be moving into a more realistic and effective mode.

TIP OF THE WEEK: Although it is true that when children witness domestic violence by one parent directed against another (usually the mother), they learn this negative behavior, and they hold it in their subconscious mind for a long time. However, if the mother develops positive coping skills they are at least able to prevent more than half of the negative behavior and emotions in their children, when compared with mothers who cannot cope. This may be small consolation to the abused parent, but it does show that you must at least stay strong for your children and that children are resilient and can cope as well, when they see their parent coping as well.