



LAW ENFORCEMENT AGAINST PROHIBITION

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In Support of S1801, an Act to Regulate and Tax the Cannabis Industry

Hearing: Tuesday, March 2, 2010, 1 p.m., Boston Statehouse, Room A-1

My name is Jack Cole. I do not use, nor do I intend to use, marijuana or any other illegal substance, nor do I advocate their use. 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 the spectrum of possible cases, from street drug users to international "billion-dollar" drug trafficking organizations.

I have lived in Massachusetts for 20 years and I am here today to respectfully encourage this committee to support replacing the current failed marijuana prohibition laws with a workable system of regulation and taxation.

Bills such as S1801 will reduce the harms prohibition has imposed on our society, allow police to return to tracking down violent criminals, save billions of tax dollars while creating additional revenue of billions more, and reduce the number of people using these drugs, especially among the young.

I am the executive director of LEAP, or *Law Enforcement Against Prohibition*, 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 also a self-perpetuating, constantly expanding, policy disaster. In the seven years of our existence, we have grown to represent more than 16,000 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 over a trillion dollars, the United States has fought the war on drugs with ever-harsher policies. We have made more than 39 million arrests for nonviolent drug offenses—nearly half of those arrests were for marijuana violations. Two million three-hundred-thousand people are in prison in the United States, far more per capita than any country in the world. Our rate of imprisonment easily beats second-place Russia and is six times the rate of China. And what do we have to show for all those ruined lives and that misspent money: Today drugs are cheaper, more potent, and far easier for our children to access than they were when the war began in the 1970 and I started buying them 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 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.

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 young people who were experimenting with drugs went to jail as a direct result of what I did as one undercover narcotics agent. I can't say how many of those folks would have gone on to become valuable citizens had I not intervened, but I'm sure the number is huge.

Think of all the people you know personally who as a youngster 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, “Druggy, we don't want you.” The only place those folks can find acceptance is right back in the drug culture—the very group from whom we say we are trying to save them.

The current policy prevents police from solving significant crimes. 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. So what could have caused a one-third drop in solving murders in the US? The law-enforcers at LEAP believe that since the war on drugs started police have had to spend so much time chasing nonviolent drug offenders we no longer have time to protect citizens from violent criminals. S1801 and similar bills will, by implementing a system of legalized regulation, effectively end all arrests for marijuana violations and allow the police to work on far more important issues.

In addition to the lives that are needlessly destroyed by nonviolent drug arrests and the valuable time of our law-enforcers that is wasted, 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 would reduce government expenditure by \$44.1 billion annually, with roughly \$30.3 billion 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 \$32.7 billion annually, assuming that legal drugs are taxed at rates comparable to those placed on alcohol and tobacco. Approximately \$6.7 billion of that annual revenue would be the direct result of the regulation and taxation of marijuana.

Current policy also results in our children telling us it is easier to buy illegal drugs than it is to buy beer and cigarettes because no one checks ID while selling illegal drugs. This Bill will reduce drug use in Massachusetts. 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 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 S1801. 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 drug prohibition. Thank you for your time.

Sincerely,



Jack A. Cole
Executive Director