



LAW ENFORCEMENT AGAINST PROHIBITION

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February 22, 2012

Senators
The Senate of Canada
Ottawa, Ontario
Canada
K1A 0A4

Re: Learning from the U.S.'s Mistakes: The Case Against Mandatory Minimum Sentences for Minor Marijuana Offenses in Canada

Dear Senators:

We are writing to you as leaders among the large and growing group of current and former law enforcement officials aiming to end the substantial harms of marijuana prohibition in the United States. We are respectfully asking you to endorse the taxation and regulation of marijuana in Canada. We also emphasize that the Prime Minister's recent comments on the issue, stating that marijuana law reform in Canada would cause your country a "great deal of trouble" at the U.S. border and inhibit Canada-U.S. trade, are inaccurate and alarmist.

In fact, in recent years, marijuana policies in the United States have become much more progressive than those in Canada. For instance, sixteen US states and the District of Columbia have passed laws allowing some degree of medical use of marijuana, and 14 states have taken steps to decriminalize marijuana possession. In November 2008, voters in Massachusetts adopted a state-wide marijuana decriminalization law by a margin of 65 percent to 35 percent. On September 30, 2010, then California Governor Arnold Schwarzenegger signed into law S.B. 1449, a bill that decriminalizes the possession of up to one ounce of marijuana. The bill reduces simple possession from a misdemeanor to an infraction. This law treats possession of less than 28.5 grams of cannabis like a traffic ticket, punishable by a \$100 fine. We assume this news will not make you consider closing the borders with the United States.

We fully support Canadian groups who have recently called for the taxation and regulation of marijuana in Canada. Similarly, there are several planned initiatives to overturn marijuana prohibition for the 2012 election in the United States. Specifically, Washington State, California, and Colorado, are all preparing to have ballot initiatives in 2012. Polling shows that each of these initiatives has a good chance of passing. Despite poor voter turnout from the demographic that most commonly supports marijuana law reform, the *Regulate, Control & Tax Cannabis Act*, also known as Proposition 19, was only narrowly defeated on the November 2010 California statewide ballot.

You may wonder why, as former police chiefs and other senior drug law enforcement officials, we are writing to you endorsing the call to tax and regulate marijuana. Our answer is simple. Through our years of service enforcing anti-marijuana laws, we have seen the devastating unintended consequences of these laws. Among the greatest concerns is the growth in organized crime and gang violence. Just as with alcohol

prohibition, gang violence, corruption and social decay have marched in lockstep with marijuana prohibition. We are aware that certain regions in Canada are dealing with similar organized crime concerns as a direct result of marijuana prohibition.

We are also extremely concerned that Canada is implementing mandatory minimum sentencing legislation for minor marijuana-related offenses similar to those that have been such costly failures in the United States. These policies have bankrupted state budgets as limited tax dollars pay to imprison non-violent drug offenders at record rates instead of programs that can actually improve community safety. Marijuana prohibition drives corruption and violence and tougher laws only worsen the problem.

In addition to gang violence, incarceration and criminal records for non-violent drug offenders have ruined countless lives. Based on this irrefutable evidence, and the repeal of these mandatory sentencing measures in various regions in the United States, we cannot understand why Canada's federal government and some provincial governments would embark down this road. History will be a harsh judge of those who enact laws that waste tax dollars on programs that do not achieve their stated objectives, and instead only serve to ruin lives while benefiting organized crime and driving gang violence.

We are individuals who were deeply involved with the war on drugs and have now accepted, due to our own experience and the clear evidence before us, that these policies are a costly failure. We changed our minds and we encourage you to do the same. Taxation and regulation of marijuana have the potential to dramatically improve community safety, raise tax revenue for cash-starved governments and allow precious law enforcement resources to be directed towards criminal activities where law enforcement actually reduces crime.

Please consider these facts as the debate to tax and regulate marijuana grows in both Canada and the United States. There is no longer any room for alarming rhetoric on important policy decisions such as the taxation and regulation of marijuana, which can undercut organized crime profits and improve community health and safety.

Signed,

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cc Prime Minister Stephen Harper and all Canadian Premiers.