

Drugs and crime¹ essay



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Do drugs really cause crime, or is it our governments way of controlling the communities? Many people blame drugs for every problem in our society, but is it the true evil in our society? No one person can answer that question. There are only opinions and supposed theories on this issue. We have been taught over the years that drugs were bad and that they only affected the poor and less fortunate, and turned them into crazy criminals, but this isn't true to any extent. The laws controlling and prohibiting drugs are the true culprit. Would our crime levels decline if drugs were legalized to some extent, or would we just increase the destruction of our country? Over the past fifty years, prohibition has been proven to actually increase crime and drug use instead of its intended purpose, which was to extinguish the use of illicit drugs in the United States. We constantly here of prison over crowding, and why is that? Most of our prisons are filled with drug offenders, ranging from use to distribution of supposed illicit drugs. What is our country coming to? The purpose of this research paper is to view the advantages and disadvantages of the legalization of illicit drugs in the United States. I will examine each side of this major problem plaguing our fine country from past to present.

People wake everyday to their normal and monotonous life without even thinking about what they are doing. They do not realize that they have been conditioned by the government and its laws to obey and follow the supposed norm of society. What is the norms of society, and who set the guidelines for them? No one can explain how these norms came about, they only know that they must follow them, or they could get in trouble with the law. We are going into the twenty first century, and we still follow laws that were passed

hundreds of years ago. Why is this? We are a highly advanced country, but we spend time, lives and money on abiding by laws that were around before the automobile was even invented. I will begin with the history of our drug control policies, which have failed miserably, and examine the drug-crime connection. Drugs have been in this country since the beginning of time in some shape or form, which was used for personal and medicinal use. Usage of marijuana has been reported to date back to the founding of Jamestown (1). George Washington himself cultivated and used to relieve the pain of an aching tooth. Opium was accessible to anyone who wanted to purchase it, as Tylenol is today. People were able to obtain these drugs at any pharmacy or grocery store that stocked them. It was socially acceptable to use and sell drugs, but the addictive properties were not known at this time in history. In the beginning of the twentieth century, the Progressive movement wanted some form of drug regulation (1). There were a few factors that affected the change in public opinion. First, the US acquired the Philippine Islands, which gave the US a legal supply of opium to supply addicts. Second, was the concern over the affects that drugs had on people. Journalist at that time, who were highly influenced by the government, published many fictional articles about crazy drug addicts, who raped and killed because of their drug use. Third, drugs were associated with blacks and Chinese immigrants, and this caused panic through the white communities(1). In the early 1900's, President Roosevelt appointed three men, Rev. Charles Brent, an Episcopal bishop, Dr. Hamilton Wright, and Charles Tenney, a China missionary, to represent America at The Hague International Opium Convention of 1912. At this conference, the modern movement for abolishing narcotics trafficking was began with the US involvement in the Philippines (2). Although there

was regulations abroad, there was no legislation protecting the United States. In 1913, New York Representative Francis Harrison introduced two bills into Congress. One was to prohibit use and importation of opium, and the other was to regulate the manufacturing of smoking opium within the US. It was recognized as a revenue bill, but was not intended to produce revenue. A few months after the bills were introduced, President Wilson signed the bills, which took affect March 1, 1914. Under the Harrison Act, the maximum sentence that could be imposed was a five year prison term or a \$2, 000. 00 fine or both. The average term was one-and-a-half years, which was considered too low by many. The Harrison Act did not prohibit the use of narcotics, but rather regulated the distribution of them. Any one connected to the manufacture or distribution of narcotics had to be licensed and pay a graduated occupational tax. Doctors were no longer allowed to supply addicts with drugs. This began a controversy over the question, were drugs an addiction or a crime, and should an addict be treated as a sick person or an addict (2)? Eventually, the Harrison Act caused more drug use than it prevented. A committee was formed to investigate this problem, which found that illicit use of narcotics had increased dramatically while the act had been in affect. Instead of improving the act, they only stiffened penalties. In 1918, the Volstead Act was passed, even over President Wilson's veto. It provided legislation for the enforcement of prohibition. Headed by Levi Nutt, a pharmacist, a special Narcotics Division was formed within the Prohibition Bureau, due to the problems with the Harrison Act. The narcotic officers within this division were hired by strict guidelines according to the Civil Service (1). Through the 1920's, various studies and investigations were conducted to see if drugs were addicting and crime causing. Dr. Lawrence <https://assignbuster.com/drugs-and-crime1-essay/>

Kolb's research supposedly proved that addicts and normal people will have different effects to the same drug. He believed that excessive amounts of opium would not induce criminal tendencies, but inhibit it, which would show no connection between drugs and crime. By now, the Harrison Act was back on line, closing maintenance clinics, which shut down 44 of them by the end of 1921. Addicts could no longer obtain drugs legally and addicts were denied ambulatory treatment. Addiction was not categorized as a crime, so it was not constitutional to arrest every addict and imprison them. As it is now, prison space was limited and prisons already housed double their capacity. In 1922, supporters of the Harrison act were relieved when Congress passed the Narcotic Drugs Import and Export Act (1). This act gave the Surgeon General power to regulate the importation of crude opium and coca leaves, which were restricted to medicinal and scientific use. The Federal Bureau Board was created to enforce sentencing and fines for unlawful importation. This new act was accused of doing nothing to stop illegal import, but was associated with the increase in prices on the illicit drug market. In 1929, the Porter bill was passed, which was for the construction of two prison hospitals. These hospitals were for treatment of addicts, who were either assigned by court or by voluntary participation. These facilities were capable of treating one thousand addicts.

The next logical step was to form an independent Bureau of Narcotics, which would be separated from the Prohibition Bureau, so it could be more effective. In 1930, the bill was passed, and President Hoover's signature formed what we know as the Federal Bureau of Narcotics. Harry Anslinger was appointed to the head position of commissioner. His main

responsibilities were to enforce the Harrison Act with the powers provided in the Jones-Miller Act (4). The major problem with enforcement was detecting and preventing illegal importation of narcotics. Anslinger manipulated the media over his years in office. The media reported false reports of crime connected to drug use, which would gain him political benefits. Even though Anslinger admitted that marijuana wasn't addictive, he categorized it with heroin. He said it was "about as hellish as heroin". The Harrison Act had been under review five times since it was passed, and was published as a failure in the St. Louis Post. In 1937, a new bill was introduced that would impose a transfer and occupational excise tax on dealers. In August of 1937, President Roosevelt signed the bill, which would ban marijuana, and it took effect on October 1, 1937 (1). A dollar transfer tax was charged for registered users, and a one hundred tax for those not registered. Naturally, no illegal dealer would register with the government. Violations were punishable by a \$2,000.00 fine, 5 years imprisonment, or both (1). World War II interrupted the normal patterns of international drug distribution, which created a "starving time" for addicts (1). In 1942, Anslinger was convinced that Japan had started the war on western civilization ten years earlier by using narcotics as weapons (1). He then realized the political advantages of identifying global spots of international distribution. In October 1938, the New York Academy of Medicine established a special committee to conduct a citywide investigation in the effects of marijuana. The report was released revealing that marijuana had no irregular or criminal effects of human beings, nor was it related to crime and juvenile delinquency. Next came the enactment of the Boggs Act, which further stiffened penalties for drug offenders. The Boggs Act enforced a two-year

minimum sentence for first time offenders, and five to ten years with no chance for probation for second time offenders. Third time offenders really felt the impact of this act by getting a mandatory twenty years with no chance for probation. Opposers of the bill argued that the wording of the bill fell primarily on addicts and traffickers, not the dealers and distributors. They also argued that these strict jail sentences would not stop importation, because the profit was too fruitful. Even though there was much opposition to the Boggs Act, it was approved and signed into affect on November 2, 1951 by President Truman. Even though there was supposed decline in illicit drug use, Anslinger started to push for even stiffer penalties. Instead of approving a new bill, the American Bar Association created a committee that was in charge of investigating the Harrison Act and the first nationwide investigation of illicit drugs. Arising from this investigation was the Narcotic Control Act, which was the most severe antidrug legislation put into affect(3). The NCA doubled the lengthy sentences of the Boggs Act, and added the death penalty in some cases. These laws also failed in extinguishing the drug epidemic. By now, most states specified that marijuana and heroin penalties should be identical, and consequently marijuana penalties were adjusted upward every time heroin sentences were increased. During the sixties, marijuana became the most popular drugs, particularly among college students. Due to the rise in usage, the federal government attempted to cut off the supply at the Mexican border. This was known as Operation Intercept, which consisted of closer automobile inspections and over eighteen hundred strip searches in its first week. In 1963, Anslinger ended his long tenure as head of the FBN, and the Presidential Commission on Narcotics and Drug Abuse reversed the harsh

penalties of the mandatory minimum sentences. They then created the Bureau of Drug Abuse Control (BDAC) to deal with the increase in drug usage among young people. In 1968, the FBN merged with the BDAC to become the new Bureau of Narcotics and Other Dangerous Drugs (BNDD). During President Nixon's time in office, he waged war on drugs and created the Office of Drug Abuse and Law Enforcement (ODALE) and the Office of National Narcotics Intelligence (ONNI). In 1973, he also initiated Reorganization Plan No. 2, which changed the BNDD into the Drug Enforcement Administration. The Comprehensive Drug Abuse Prevention and Control Act of 1970 created five schedules that categorized drugs according to their effects and availability by prescription (1). The Omnibus Drug Enforcement, Education, and Control Act of 1986 was introduced to stiffen penalties for pushers, increased customs and border patrols, outlawed synthetic drugs, and improved treatment and prevention programs. Even though all of these drug control policies have been in effect for many of years, all of them have failed (2). Drug use continues to increase and will continue if we do not do anything about it, either in legalization or legislation.

We are constantly building more and more jails every year, why? We do this because it is easier to put drug offenders in jail than it is to try and help them. As Americans, we have an obligation to help our fellow Americans, no matter what color, race or economic background. Many think our drug laws are too strict and offenders should be dealt with by treatment, not incarceration. One million seven hundred thousand Americans are incarcerated in our prisons for drug offenses. The National Center on Addiction and Substance Abuse reported that 80% of all prisoners are drug

offenders, no wonder our jails are over run. Since 1965, ten million people have been arrested for marijuana alone, which doesn't include other illegal drugs. Most of these people imprisoned are non-violent drug offenders, who get longer sentences than most violent offenders. This doesn't sound right, does it? Nearly one half of our police resources are devoted to stopping drug trafficking, instead of preventing violent crimes(The Libertarian Party). Past legislation to control drug use has failed miserably over the years and new legislation will do the same. We are spending hard-earned money out of our own pockets to support prisoners. According to the Federal Bureau of Prisons, total sentenced drug offenders went from 3, 384 in 1970 to 55, 624 in 1998 because of the stricter penalties enforced by the government. This shows that drug arrests are inclining, but according to the Bureau of Justice Statistics, crime has been decreasing over the past few years. How can this be when crime and drugs are so closely related. The economic cost of the states on criminal justice are more than the federal government. We, the tax payers are spending thousands of dollars on the support of each prisoner each year. Most of the drug offenders in prison are low-income people who were trying to support their family the only way they knew how, selling drugs. Is this a crime that should have such a strict penalty attached to it? Why should we have to pay such a high price to house people that were committed of doing such a non-violent crime? If an addict or occasional user is convicted of simple possession of a small amount and sentenced to the five year mandatory minimum sentence, the cost to the public of prison alone is \$110, 00. 00. For the same price, we could give the offender one year in prison, one year of residential drug treatment, and three years of supervised probation and outpatient drug treatment, and still have \$62, 500.

00 left over. The nation spends about 100 billion dollars a year on crime control. We could surely spend this money on something more useful, like schools and poverty. Since 1980, we have tripled our prisons population even though crime rates have been declining since the seventies. In all reality, incarceration does little to deter a criminal from committing another offense when they are released. There are many other programs that would provide drug addicts with the treatment they need to go "straight". Prisons aren't solving our drug problems, but rather adding to it. After these people are released, they are labeled as ex-cons, and that is why most return to jail. Legislation has proven to add to drug use and crime, instead of its intended control of drugs. We should end prohibition of drugs, which has proven its effectiveness on another drug, alcohol. Is there a solution to our overcrowded prisons, or are we fighting a losing battle? Do you use drugs now? Would you use them if they were legal? Would drug use increase if they were legal? These are just some of the questions that plague our society on legalization. Why should other drugs be legal, even though they cause more deaths than all illegal drugs combined. Tobacco kills 390,000, alcohol kills 80,000, while cocaine and heroin only kills about 4500. Marijuana has never been recorded of causing death at any time in US history, according to The Drug Project. America is living through a drug epidemic. Drug related murders and violent assaults are on the rise, but this isn't caused by drugs, rather by the laws that prohibit them. By prohibiting drugs, we are only causing the prices of drug to rise, which means addicts must cause crimes to support their habit. The illicit drug trade market is the second largest business in the world, bringing in over 500 billion dollars a year. Opposers of legalization argue that tobacco and alcohol kill more

because of its legality and availability(3). The solution in their eyes is in education and early prevention. Drug use among America's children is on the rise, and education is a perfect logical way of lowering their usage. Children need to be taught the effects and dangers of drugs when they are young. Children are the future drug abusers if something isn't done. Violence and drugs are thought to be one in the same in most people's eyes, but is this true. Drugs do not turn people into monsters, but rather bring out their criminal tendencies. No one argues that legalization would end violence that is associated with drugs, but it would simply end the violence associated with the black market. Many dealers become dealers due to the profit associated with drugs. If drugs were legalized, the profit would no longer be there. Another hot topic in today's society is the War on Drugs, which is failing. We should not give up on the usefulness of this program(5). We are not just fighting drugs, but the society of drug users. What would our society come to if drugs were legal? Would it improve our society? No one can say for sure unless legalization is given a chance. In my opinion, legalization would solve more problems than it would create. Drugs have been a part of our society for hundreds of years for medicinal and recreational purposes. Legalization would also mean less crowded jails, which would cost tax payers less each year in housing costs. According to a report done by the National Institutes of Mental Health, reported thirty seven billion dollars in savings every year, which would give us money for other things, such as poverty. Before the government's involvement in drug control, no one ever had a problem with drug use. Many of the drugs that are considered illegal are still used in medicinal purposes. So, why is it such a supposed problem today. The laws that regulate drug controls are too strict, and affect everyone, not

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just the user. We should reconsider prohibition on drugs that are considered to be dangerous. I don't think all drugs should be legalized. The most harmful one to our health should be controlled on some level. Lets not give up on our society, but try to improve our way of living, for ourselves and our children.

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