

Fighting meth

Law



Legal Provisions against the Use of Meth Methamphetamine, which is more popularly known on the streets as ‘meth,’ is considered as one of the most dangerous addictive drug plaguing the United States today. There may be other more potent illegal drugs, whether these are depressants, stimulants, or hallucinogens. What makes meth different and more dangerous though is that this happens to be one of the most easily acquired drugs. It is cheap and it can be manufactured out of chemical components that that could be obtained legally. Its danger does not just lie in the fact that it has affected a great number of young individuals, a majority of whom are based in the western states. Methamphetamine is a stimulant that is very addictive and particularly targets the central nervous system. This drug is basically derived from amphetamine, an element commonly found in bronchial inhalers and nasal decongestants. However, according to the National Institute for Drug Abuse (NIDA), “methamphetamine differs from amphetamine in that at comparable doses much higher levels of methamphetamine get into the brain, making it a more potent stimulant drug” (n. d.). This particular drug when used frequently could result in long-lasting adverse effects, including psychological issues. Due to its potent addictive characteristics, methamphetamine falls under the Schedule II category of the federal Uniformed Controlled Substances Act or UCSA. There are three bases that could prompt the drug’s categorization in Schedule II of the said law. These are “(1) the substance has high potential for abuse; (2) the substance has currently accepted medical use in treatment in the United States, or currently accepted medical use with severe restrictions; and (3) the abuse of the substance may lead to severe psychological or physical dependence” (Uniformed Controlled Substances Act 1994). With a law that clearly defines <https://assignbuster.com/fighting-meth/>

it as illegal, the framework for the fighting meth addiction through the apprehension, prosecution, and conviction of individuals involved in the manufacture, sale, and ownership of the drug has been established. However, it is necessary to make a further analysis of the law that affirms its illegalization for the purpose of acknowledging the details upon which lie the bases for the law's implementation. Unlike other drugs which require importation of raw materials not endemic to the US, such as coca leaves for cocaine, the chemical components of methamphetamine could be easily acquired from certain medical drugs. Pseudoephedrine, which is the most important element in making methamphetamine, could be derived from very common decongestants, such as Sudafed. The manufacture and sale of pseudoephedrine is legal. Article 4 of the UCSA has stated that certain ingredients of cocaine are considered illegal or prohibited. This renders the manufacture and trade of such components difficult to implement. However, this is not the case with pseudoephedrine. The silence of the UCSA regarding the manufacture and sale of this this chemical that is vital to the creation of methamphetamine is one clear limitation of the UCSA. Apparently, this limitation has also become a major weakness in the fight against meth. The availability of raw materials continues to encourage illegal drug manufacturers and traders to set up a network of smaller laboratories in which meth can be made. As the problem of methamphetamine addiction worsens across the country, a number of states have considered introducing restrictions on the manufacture and sale of pseudoephedrine. One particular proposal is the sale of Sudafed to people who can show a doctor's prescription. However, such " proposals have met with stiff resistance from drug makers and pharmacy groups, who say the measures would place an

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undue burden on cold and allergy sufferers” (Goodnough). However, the manufacturers and pharmacy groups have instead supported suggestions that would heighten the capabilities of the authorities in monitoring the sales of pseudoephedrine. At least, this gives the government a free hand in ensuring that the supply of legally manufactured pseudoephedrine is accounted for. In fighting the proliferation of methamphetamine, the focus for detection, apprehension, prosecution and conviction should definitely be on the manufacturers and traders. When it comes to the issue of illegal drugs, the mere users are not to be treated as criminals but rather as victims. The law, particularly through the UCSA, has defined methamphetamine as an illegal addictive substance, making its production and sale criminal in nature. However, definition clearly is not sufficient to empower the law enforcement and anti-drug bodies in effectively winning the fight against meth. Since manufacturing and selling meth means money for the drug traders, they would never be expected to absolutely stop as long as the raw materials are very accessible. Unfortunately, the law still does not have a specific stand against pseudoephedrine. Since this is still very easily obtainable, detection would have to concentrate in identifying the locations and the operators of the manufacturing laboratories, which happens to be a more difficult procedure. If detection is already hampered by legal obstacles, the rest that follows, from apprehension to conviction would almost be impossible. If an individual is caught acquiring a sizable amount of pseudoephedrine which could be used to produce meth, he could not be caught because this element is not found anywhere in the schedules mentioned in UCSA. A room with all the equipment that can be used for producing meth as well as great amounts of anti-cold pills and

decongestants may actually be considered as a meth manufacturing facility. However, even if the ingredients are there but no actual finished product is found, the operator of the facility may still be able to find a legal argument that will free him from any case. These are situations that clearly show that there is a need to review the particular provisions of the UCSA on methamphetamine. References Goodnough, A. (28 March 2011). States Battling Meth Makers Look to Limit Ingredients. The New York Times. Retrieved 6 January 2012 from <http://www.nytimes.com/2011/03/29/us/29meth.html?pagewanted=all> National Institute for Drug Abuse. (n. d.). Methamphetamine Abuse and Addiction. Research Report Series. Retrieved from NIDA website: <http://drugabuse.gov/researchreports/methamph/methamph2.html#scope> The Uniform Controlled Substances Act. (1994). Retrieved 6 January 2012, from <http://www.law.upenn.edu/bll/archives/ulc/fnact99/1990s/ucsa94.pdf>