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Why Drugs Should be Legal (Yes, All of Them)

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Here's a shocking statistic: America has 5% of the world's population and 25% of the world's prisoners. Since 1970, our prison population has increased by 700% so that 1 out of every 108 Americans now lives behind bars. Not coincidentally, 1971 marked the beginning of the infamous "War on Drugs." First signed into law by President Nixon and further escalated by President Regan, the war on drugs has led to a massive increase in this country's prison population, tremendous fiscal burden to the government, and worst of all has done little to combat the high rates of illegal drug use in this country.

They say that those who don't study history are doomed to repeat it. Just as Prohibition did little to combat the use of alcohol in the 1920's, the war on drugs has done little to combat the use of illicit drugs since the 1970's. With over \$1 trillion spent on this failed war, it is time that the United States changed course. Legalizing marijuana as well as decriminalizing ALL drugs in this country is the most fiscally responsible and practical solution to the war on drugs.

The Fiscal Cost of the War on Drugs

Aside from the \$1 trillion already spent since 1970, the United States still spends more than \$51 billion per year on the war on drugs. According to the Drug Policy Alliance, 1.5 million people are arrested each year on non-violent drug charges, 88% of whom are just charged with possession while the other 12% are charged with selling or manufacturing.

The \$51 billion in expenses also includes paying an average of \$30,000 per year to keep each of some 500,000 people incarcerated for drug-related offenses. In total half of the \$51 billion per year is spent on arrests and incarcerations, while the other half is spent directly on combating the drug war: funding to police departments and federal agencies to patrol the borders, make drug arrests, conduct sting operations, etc.

Has it worked? Studies show that it probably hasn't. Currently, accidental drug-overdose is the leading cause of death in the United States for people between 35 and 54. In total, 38,000 people died from a drug overdose in 2010. And according to the World Health Organization, the United States has some of the highest drug abuse rates in the world.

So right now, the United States is not getting a good return on its investment. We are spending \$51 billion per year and getting terrible results, not just in terms of drug abuse rates and deaths, but also in terms of other social costs as well.

The Social Cost of the War on Drugs

When it comes to mass incarceration, there are significant elements of institutional racism that need to be addressed. People of color are no more likely to use or sell drugs than whites. As a matter of fact, some studies conclude that whites are more likely to abuse drugs. Still though, African Americans are incarcerated at a rate ten times higher than their white counterparts. Blacks also make up 50% of state and local prisoners incarcerated for drug crimes.

While it is indeed appalling to see such large discrepancies in incarceration rates between whites and people of color, it's equally disheartening to see some of the consequences the youth in this country suffer if they are unfortunate enough to get convicted of a drug violation. Whether convicted of a felony or misdemeanor, children with drug offenses on their record are denied federal financial aid. Over 200,000 young students every year lose their eligibility to apply for financial aid.

So not only will these children have a permanent mark on their record, but they also won't be able to get their shot at higher education. Instead of doing what we can to try to rehabilitate these kids, we are forcing them into more and more difficult situations for something as harmless as possessing a couple joints or a couple pills.

The Solution

The problem is clear: our drug enforcement practices are foolish and outdated, created by a now-dead generation of politicians who seemed to have little knowledge or foresight of the consequences to be incurred by future generations. They are also discriminatory, have drained \$1 trillion over 40 years, and continue to cost the country \$51 billion for each additional year. What's the solution? Decriminalize all drugs. It works.

In 2001, Portuguese legislators employed comprehensive reform of their drug laws. They decriminalized all low-level possession and consumption of illicit drugs. Along with this decriminalization, Portugal significantly expanded its treatment and harm-reduction services, which helped people with drug problems instead of incarcerating them.

Shockingly, this seemed to work. After more than ten years, Portugal has reduced their rate of adolescent drug use, obviously reduced the number of people arrested and incarcerated for drugs, reduced the transmission of HIV/AIDS through used syringes, reduced opiate-related deaths, and increased the number of people receiving drug treatment.

The British Journal of Criminology writes, "the Portuguese evidence suggests that combining the removal of criminal penalties with the use of alternative therapeutic responses to dependent drug users...can reduce the burden of drug law enforcement on the criminal justice system while also reducing problematic drug use...and may offer a model for other nations that wish to provide less punitive, more integrated and effective response to drug use."

Seeing that the United States probably wants a more effective response to drug use, our leaders should consider Portugal's methods when (if) we reform our drug laws and end the war on drugs. In Portugal, it is still illegal to sell and manufacture drugs and doing either can result in criminal charges. However, possessing drugs does not. And in the United States, where 88% of drug arrests are for simple possession, employing this form of decriminalization can make a huge difference.

Legalization of Marijuana

Coupled with decriminalizing all drugs should be a legalization of marijuana, the third most prevalently-used drug (behind alcohol and tobacco). Two states have already legalized it and 21 others offer medical marijuana dispensaries. A 2010 report from the Cato Institute said that marijuana could bring as much \$8.7 billion in tax revenue. If enforcing marijuana prohibition costs the government about \$10 billion per year, the legalization could cause an almost \$20 billion net gain to the federal government's balance sheet.

On top of that, the drug is arguably better for you than alcohol or tobacco, both of which are legal drugs. For example, 88,000 people die every year from excessive consumption of alcohol use while 480,000 people die from illnesses associated with cigarettes each year.

On the other hand, it's almost impossible to overdose on marijuana. There are some mental illnesses and cases of lung cancer that have been linked to chronic marijuana use, so it certainly isn't good for you, but it's no worse than alcohol. There really isn't a good reason why adults have the right to get drunk but don't have the right to get high.

So In Conclusion...

The war on drugs costs taxpayers \$51 billion per year and yields poor results in its mission to reduce drug abuse among our citizens. What's more, by failing to legalize marijuana, we are foregoing \$8.7 billion in potential tax revenue. This is in addition to the fact that the United States has more prisoners per capita than any other country in the world largely due to the war on drugs. And a disproportionately high number of those prisoners locked up for drug offenses are African American or Hispanic despite the fact that they are no more likely than their white counterparts to sell or use drugs. And finally, young Americans convicted of drug offenses aren't entitled to student loans for higher education and also have a harder time finding a job due to their "criminal" past.

Through legalization of marijuana and decriminalization of all other drugs, the government can sharply reduce the cost of the war of drugs and start making money on legal marijuana. The United States can also reduce the population of its overcrowded prisons by releasing inmates whose only crime was possession of an illicit substance. And, most importantly, we can finally start to treat drug abuse and drug addiction for what it really is: a health problem, not a criminal matter. This isn't going to solve all of our drug problems just as it didn't solve all of Portugal's, but it's certainly a step in the right direction.