**Amend Controlled Substances Act**

We have some drugs listed as Schedule I drugs that are not as harmful as we once thought. There are other drugs that are listed as Schedule IV drugs that are much more harmful than we originally thought. We need to convene a drug council to bring in experts, scientists, pharmacists, and the public to have an open discussion as to the effects of the drugs listed in the Controlled Substances Act. Many of these drugs need to be reclassified, based on updated research.

Marijuana is one that should definitely be moved from Schedule I to Schedule IV (making it legal, but controlled) or removed entirely because it does have significant medical purposes and is much less harmful than many of the OTC (over-the-counter) medications on the market today. A compromise could be that marijuana with less than 0.3% THC (the substance that causes a “high”) would be legal over the counter, but marijuana with more than 0.3% THC would only be available with a prescription. This would make marijuana legal in all 50 states.

Some pain medication is so physically addictive that the patient needs another medication to combat the severe withdrawal symptoms when the patient is weening off of the pain medication. These pain medications are highly dangerous and addictive; some have even been linked to suicide.

**PREFERRED AMENDMENT TO CONTROLLED SUBSTANCES ACT**

In June 1971, President Richard Nixon declares a “War on Drugs” and identifies drugs as “public enemy No.1”. In 1984, First Lady Nancy Reagan launched her “Just Say No” anti-drug campaign. Their “war on drugs” is still continuing today. How is the war on drugs working?

40 Years + $1 TRILLION = FAILURE

Some of the headlines from various sources:

“U.S. Drug War Has Met None of Its Goals: After 40 years and $1 trillion, drug use is rampant and violence pervasive” – NBC News[[1]](#footnote-1)

“Associated Press: After 40 Years, $1 Trillion, US Drug War ‘Has Failed to Meet Any of Its Goals’” – Huffington Post[[2]](#footnote-2)

“War on Drugs a Trillion-Dollar Failure” - CNN[[3]](#footnote-3)

“Four Decades and Counting: The Continued Failure of the War on Drugs” – CATO Institute[[4]](#footnote-4)

DEA (Drug Enforcement Administration) has a FY2019 budget of $2.8622 Billion![[5]](#footnote-5) Of the more than 1.6 million drug arrests in 2017 (typical average since 1995), 85.4% (1,394,515) of them are for possession, and 14.6% for the sale of manufacturing of a drug.[[6]](#footnote-6) This provides a lot of data for us to think about. Drugs arrests fluctuate from year to year, but have remained pretty steady at about 1.5 – 1.6 million arrests per year for the past 25 years. It does not look like drug use is declining.

Quite the contrary. In 1999, there were 16,849 drug overdose deaths in the United States.[[7]](#footnote-7) That number has steadily increased through 2017 (most current year of data), when there were 70,237 drug overdose deaths in the United States.7 In July 1999, the U.S. population was 273 million. In December 2017, the U.S. population was 326 million. The drug-related deaths have quadrupled at a time when our population has increased by only 19%. The deaths from opioids has gone from 8,048 to 47,600; 3,442 to 17,029 for prescriptions; 1,960 to 15,482 for heroin; 547 to 10,333 for psychostimulants (including Methamphetamine); 3,822 to 13,942 for cocaine; and 1,135 to 11,537 for Benzodiazepines.7

Also, the vast majority of drug arrests are for possession, not selling or manufacturing drugs. It looks like we are going after the drug addicts more than the drug dealers and cartels. The drug users and addicts are victims in this mess. Arresting them and slapping them with a criminal record is not going to do anything to cure their addiction. It just makes their situation even more unbearable.

The War on Drugs has resulted in an explosion in arrests, courts flooded with drug cases, prisons overflowing, more than a $1 TRILLION of taxpayer money being wasted, more and more drug-related deaths each year, and no end in sight. You would be hard pressed to find anyone who can state that the War on Drugs has been a success. By every metric, it has been an absolute failure. Can the war on drugs even be won?

No, it can’t until we admit that we are looking at the problem from the wrong perspective. Then, and only then, can we change our view and stand a chance at actually solving the problem. As much as it nauseates me to admit it, that most logical and reasonable solution is to legalize all drugs, but still consider them “controlled substances” that need to be regulated with government oversight.

Two things will happen immediately once drugs are legalized. The first is that the government will finally be able to control and regulate the drug market, ensuring that the drugs being sold are not altered (“laced”) with unknown substances that can make the drug even more dangerous. The government can also begin research into making the drugs better and safer. For instance, marijuana can be made extremely safe and medically beneficial by eliminating (or nearly eliminating) the amount of THC in it. Even we cannot do that with other drugs, we can possibly make it safer and see more medical benefits of many of these drugs. We may even be able to control the addictiveness of these drugs.

The second thing that will happen immediately once drugs are legalized is that the government can TAX it. Instead of throwing trillions of dollars down the drain, we can have more money coming into our government. But, don’t get too excited yet. That money NEEDS to go into building, maintaining, and operating long-term treatment facilities for addicts. One of the biggest obstacles people face once they are addicted is that they cannot afford the more effective long-term treatment programs and facilities. At best, they are able to get into cheap short-term programs that have very high failure (relapse) rates. By taxing drugs, the government will finally have a revenue stream to funnel into real, long-term, and highly effective treatment centers all around the nation so we can actually CURE the disease of addiction once a person is ready to get that treatment.

Another huge bonus is that gangs will be starved of their primary income source. But, this bonus benefit has its dark side. They will just find other ways to make money, probably increasing human trafficking, so we need to be on guard and ready to combat that issue as well.

Another great benefit to legalizing drugs is that we can take the production and sale of drugs out of the shadows and put those “drug dealers” to work in labs that are producing safer recreational drugs. This gives the former illegal drug dealer a legitimate job, earning legitimate pay, which can then be taxed as taxable income. Again, making this a profitable venture, while funneling the majority of the revenue to treatment programs and actually curing the problem.

There is no way to truly legislate our way out of the drug business. If laws were all that were needed to control human behavior, we would not have any murders in the United States. We can make it more difficult and less appealing to engage in certain behavior and reward desirable behavior, but in the end, this is a free nation and people are free to make their own choices – whether good or bad.

In the end, the solution requires us to look at the addict as a patient, not a criminal. They need our compassion, mercy, and assistance. They need us to bridge that gap between addiction and recovery, not block their path to recovery with prison time.

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5. Department of Justice, Drug Enforcement Administration (DEA), <https://www.justice.gov/jmd/page/file/1033151/download>, accessed December 17, 2018. [↑](#footnote-ref-5)
6. Drug War Facts, “Total Annual Arrests in the US by Type of Offense”, [https://www.drugwarfacts.org/node/235#](https://www.drugwarfacts.org/node/235), accessed December 17, 2018, citing “Crime in the United States 2017 – Arrests,” FBI Uniform Crime Report (Washington, DC: US Dept. of Justice, September 2018), p. 1, and Arrest Table: Arrests for Drug Abuse Violations, <https://ucr.fbi.gov/crime-in-the-u.s/2017/crime-in-the-u.s.-2017/topic-pages/persons-arrested>, <https://ucr.fbi.gov/crime-in-the-u.s/2017/crime-in-the-u.s.-2017/tables/arrest-table>; also citing “Crime in the United States -2000,” FBI Uniform Crime Reports (Washington, DC: US Governmental Printing Office, 2001), p. 216, Tables 29 and 4.1., <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2000/toc00.pdf>. [↑](#footnote-ref-6)
7. National Institute on Drug Abuse, Overdose Death Rates, <https://www.drugabuse.gov/related-topics/trends-statistics/overdose-death-rates>, accessed February 1, 2019. [↑](#footnote-ref-7)