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Contact: Garrison Courtney, 703-296-5619 or garrison@wmagdc.com

Former DEA Administrators Call on Attorney General for Action

Attorney General Asked to Exercise Constitutional Supremacy Clause against Proposition 19

(Washington, DC)-At a news conference held this morning at the National Press Club, all nine former Drug Enforcement Administration (DEA) Administrators asked Attorney General, Eric Holder, to make clear his intent to exercise the Constitutional Supremacy Clause if voters in California pass Proposition 19 in the upcoming election. The former DEA Administrators, who served continuously from 1973 onwards in both Democrat and Republicans Administrations, asked the Attorney General to acknowledge whether he intends to proactively respond to California's Proposition 19 and its direct conflict with Federal Law and treaty obligations.

California Proposition 19, also known as the Regulate, Control and Tax Cannabis Act of 2010, would allow the sale, possession and distribution of marijuana in California, a direct violation of The Federal Controlled Substances Act.

The nine former DEA Administrators, in a letter dated August 24th noted, "...that the Department of Justice acted quickly to assert the Constitution's *Supremacy Clause* in its recent suit to declare null and void certain provisions of an immigration bill passed by the State of Arizona. We would expect the Department of Justice to act just as swiftly and for the same reason to uphold the Supremacy Clause of the U.S. Constitution and the preemption provision of the *CSA* to prevent Proposition 19 from becoming law." We hope and expect the Justice Department to address this issue soon.

Addressing the issue, Peter Bensinger, a former DEA Administrator, responded, "I have great respect for Attorney General Holder, he has been a strong supporter of DEA's mission, has attended memorial services for agents killed in the line of duty and comforted their families. I have every hope and expectation that the Justice Department will speak out on this issue soon and well in advance of the November election." Proposition 19 is a disaster waiting to happen which will increase addiction to drugs and dramatically decrease safety in the workplace, on the highways, as well as on the streets of California.

Robert Bonner, a former DEA Administrator, Federal Judge, US Attorney and served most recently as the Commissioner for US Customs remarked, “We urge the Attorney General to speak out on this issue. Proposition 19 is a cruel hoax on the voters of California. It suggests that sales of marijuana will be taxed and revenue collected by badly strapped state governmental agencies. In reality, it is highly unlikely that any taxes will be paid, for to do so would admit a criminal violation of federal law and expose the seller to federal prosecution. The proponents of Prop 19 either know that no taxes are going to be raised by the State of California or they are smoking something.”

"As a former Administrator of the Drug Enforcement Administration and as a career law enforcement officer who respects the law and the rule of law, I oppose Proposition 19 as a violation of the federal law that I had sworn to defend, and as a violation of the international treaties approved by the Congress of the United States," remarked Jack Lawn, former DEA Administrator. "Each Administrator who has served DEA in its long, distinguished history concurs that Proposition 19 is not only wrong but also, is illegal, and we have expressed this position orally and verbally, most recently in a jointly signed letter to the Attorney General of the United States."

“Proposition 19 is a sad indictment of our society. I hope that the Attorney General of the United States will publicly make it known to the citizens of California that the Proposition is in clear and direct conflict with Federal Law.” Tom Constantine, Superintendent New York State Police 1986 to 1994 and Administrator DEA 1994 to 1996.”

The former DEA Administrators were joined by over a dozen community and law enforcement organizations opposed to California Proposition 19, to include;

- International Association of Chiefs of Police (IACP)
- National Sheriffs Association (NSA)
- National Organization of Black Law Enforcement Executives (NOBLE)
- National Narcotics Officers' Associations' Coalition (NNOAC)
- American Society of Addiction Medicine (ASAM)
- Drug Free America Foundation (DFAF)
- National Council on Alcoholism and Drug Dependence (NCADD)
- National Black Church Initiative (NBCI)
- Family Research Council (FRC)
- World Congress of Families
- Drug Watch International
- National Institute of Citizen Anti-Drug Policy
- Drug-Free Kids: America's Challenge

“The faults, flaws and fallacies proponents of Proposition 19 are spinning are numerous. The public is not being fully apprised of the negative effects that will occur if marijuana is legalized or if the patchwork medical marijuana legislation efforts continue. I encourage the citizens of California to reject Proposition 19 and I urge police chiefs, state police heads and sheriffs to

speak out on the dangers of the movement toward legalization,” said Chief Michael Carroll, President, International Association of Chiefs of Police.

“As a medical doctor who has worked for more than four decades in drug abuse treatment and prevention I am certain that the Regulate, Control and Tax Cannabis Act of 2010, known as Proposition 19, to legalize marijuana use in California will have a seriously negative impact on the nation's public health. If passed, Proposition 19 will lead more people into addiction and subsequently into treatment,” said Robert L. DuPont, MD, Founding Director of National Institute on Drug Abuse.

The Reverend Anthony Evans, President of the National Black Church Initiative said “Illegal drugs have ravished the African American community for the past 30 years, and in no way will the Black church give its stamp of approval for legalizing it. Legalizing such a heinous proposition would be like committing suicide in our community all over again. Approximately 75% of all children in foster care in the nation are there because of parental substance abuse - and many of those children come from the Black community. We do not need to lose more of our children!”

LETTER TO DEPARTMENT OF JUSTICE IS ATTACHED