



Re: "Mexico Eases Ban on Drug Possession" Wall Street Journal (August 22)

To the Editor:

The violence that is tearing apart Mexico is 100% funded by the users of illegal drugs. President Calderon and President Obama recently targeted American demand for drugs as a key driver of this violence. In light of "Mexico Eases Ban on Drug Possession" (August 22) we must ask "What effect do the Mexicans think their decision to decriminalize personal consumption of illegal drugs will have on their domestic consumption of illegal drugs and thus on their drug-related violence?"

It is difficult to imagine that decriminalization of illegal drugs will have any effect on drug use and drug-caused violence in Mexico other than to increase them both. Further it is hard to imagine that this action in Mexico will have any effect -- good or bad -- in the United States. All of the costs of this ill-considered decision will be borne by Mexico.

Supporters for the decriminalization of drugs claim that law enforcement resources that are now devoted to the arrest and prosecution of drug users will be shifted to target major traffickers, suggesting that law enforcement efforts aimed at major drug traffickers are constrained by their actions dealing with drug users. This flies in the face of every principal of law enforcement in the allocation of scarce resources and suggests that the police, and others, are incapable of prioritizing their actions rationally.

This change in the law signals that the Mexican government thinks of illegal drug users as innocent victims and therefore the government reassures them that they will face no legal penalty for illegal drug use. Who does this help, other than the Mexican drug traffickers? It certainly does not help the Mexican drug users who are seduced into the long-term slavery of addiction by the immediate and predictable pleasures produced by illegal drug use.

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RLD:cs
Enclosure





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Mexico Eases Ban on Drug Possession

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MEXICO CITY -- Mexico decriminalized small amounts of marijuana, cocaine and heroin on Friday, in a move that creates one of the world's most permissive narcotics markets and that opponents say could complicate President Felipe Calderón's war against illegal drug cartels.

The law goes beyond what is allowed in many other countries by making it legal to possess small amounts of a wide array of drugs. For instance, the new law allows the equivalent of about five joints of marijuana or four lines of cocaine.

Legal Limit	
Some of the drugs decriminalized for personal use in Mexico, and amounts allowed:	
 Marijuana 5 grams	 Heroin 50 mg
 Cocaine Half a gram	 Meth 40 mg

The softened approach to small-scale drug possession comes as Mexico fights drug gangs that account for a large part of the marijuana and cocaine sold on U.S. streets. In Mexico, more than 12,000 people have died in the past three years in the cartels' battles for turf and clashes with law enforcement.

The gangs are also selling more and more drugs domestically, fueling drug addiction. A 2008 government survey found that the number of drug addicts in Mexico had almost doubled in the past six years to 307,000, while the number of those who had tried drugs rose to 4.5 million from 3.5 million.

Mexican prosecutors say the law will help the war on drug gangs by letting federal prosecutors focus their attention on traffickers rather than small-time users.

"This frees us from a flood of small crimes that have saturated our federal government and allows the authorities to go after big criminals," said Bernardo Espino del Castillo, an official with Mexico's Attorney General's office who helped design the new law.

Still, Mexico's move could anger some allies in Washington. Mexico tried to pass a similar law in 2005, but the Bush administration objected strongly, killing the initiative.

This time around, the Obama administration has kept largely silent on the issue. U.S. drug czar Gil Kerlikowske said in July he would adopt a "wait-and-see attitude" about the new Mexican law, which was passed in April.

"We know that Mexican law-enforcement authorities are continuing their efforts to target drug traffickers," Department of Justice spokeswoman Laura Sweeney said on Friday. "Our friends and partners in Mexico are waging an historic battle with the cartels, one that plays out on the streets of their communities each

day. Here in the United States we will continue to enforce federal narcotics laws as we investigate, charge, and arrest cartel leaders and their subordinates in our joint effort to dismantle and disrupt these cartels."

Julie Myers Wood, who worked closely with Mexican authorities when she headed Immigrations and Customs Enforcement under President George W. Bush, said she was opposed to decriminalizing drugs. "I'm sympathetic with the Mexicans that they need to find a more effective way to deal with the cartels," she said. "But just giving up, in terms of small amounts of drugs like and cocaine and heroin, does not seem to me to be the most sensible approach."

Polls show that support for legalizing marijuana is growing in the U.S. In a Zogby poll in April, 52% of those polled thought marijuana should be legal, taxed, and regulated.

Mexico joins a growing list of countries in Europe and Latin America that are rethinking parts of the decades-long war on illicit drugs. Launched by former President Richard Nixon after the boom in drug use during the 1960s and 1970s, the war on drugs tried to attack demand by passing stricter sentencing laws for users, as well as trying to slow supply by promoting eradication efforts in countries like Colombia, Bolivia, and Afghanistan.

Mexican soldiers prepared to burn packets of marijuana near a methamphetamine lab in Tamazula earlier this month.

Early this year, three former presidents of Mexico, Brazil, and Colombia blasted the drug war as a failure that threatened the stability of countries throughout Latin America and called for the decriminalization of marijuana. Last year, courts in Brazil and Argentina ruled that possession of drugs for personal use was not a criminal offense, putting the courts at odds with local laws. In Ecuador, President Rafael Correa, whose father was jailed in the U.S. for three years for carrying drugs, pardoned hundreds of low-level drug couriers known as mules.

Despite billions of dollars spent both in the U.S. law enforcement system and in eradication efforts, the supply of drugs has grown, while usage remains about the same globally. That has caused some nations to focus more attention on drugs as a public health issue that requires treatment and prevention rather than a criminal issue that is solved by jail time.

In 2001, Portugal decriminalized personal use of psychotropic drugs, including marijuana and cocaine. The U.K. softened its anti-drug laws in 2003, setting guidelines that make it much more difficult for police to arrest someone with small amounts of marijuana. In Switzerland, heroin addicts can go to a doctor to get a prescribed dosage for heroin and can consume it at monitored sites.

Until now, Mexico has followed the law-and-order approach. Possession of any amount of drugs in Mexico was a federal crime, punishable by long jail sentences. But rates of drug use have risen steadily, while corrupt Mexican cops have used the law to shake down casual users for hefty bribes.

The new laws may not change things much in Mexico. Most Mexican police never bothered to arrest someone caught with drugs. Even if an arrest was made, few people were actually prosecuted because federal prosecutors didn't have the time or energy to go after casual users. Of the 21,456 arrests for drug possession in Mexico City from 2005 to 2007, only 1,084 were prosecuted, according to the city government.

The new law states that anyone caught with the small amounts of drugs will be encouraged to seek treatment. For those caught a third time, treatment becomes mandatory. "We think we will have more success preventing local drug use through a combination of prevention and treatment in addition to coercion," said Ricardo Najera, a spokesman for the Attorney General's Office.

Many in Mexico welcomed the changes. "This is a good law. It helps the government focus on the bad guys and lets state and local governments get involved in drug abuse as a public health issue," said

Alberto Islas, a security consultant in Mexico City. Mr. Islas said he didn't think the changes would create a bigger market for local drug cartels, who are more focused on the rich U.S. market.

Javier Armenta, a valet parking attendant in Mexico City who supplements his income by selling a few marijuana joints to customers, is a fan of the new law. He has never been arrested, but he says Mexican police often hit him up for \$50 bribes to look the other way. "This law only recognizes the reality: If someone wants to use drugs, they will use them," he says.

Some Mexicans fear that condoning drug possession will only encourage consumption, including among tourists who visit Mexico. "We believe there should be zero tolerance for consumption," said Regina Kuri, who works at the Monte Fenix drug rehabilitation center in Mexico City.

Still, Mexico is not likely to turn into another Amsterdam, where drugs are legally sold. "This has been confused with the idea that Mexico is allowing people to go out on the streets with drugs. That's false," Mr. Espino del Castillo said. "The new legislation allows police to determine that if a person is dealing drugs, even a smaller quantity than the guidelines, he is committing a crime."

—*Cam Simpson and Ricardo Millan contributed to this article.*

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