



Peace and Justice Commission

CONSENT CALENDAR
January 29, 2008

To: Honorable Mayor and Members of the City Council

From: Peace and Justice Commission

Submitted by: Steve Freedkin, Chairperson

Subject: Changing the United States Drug Policy

RECOMMENDATION

1) Recognize the leadership of Congresswoman Barbara Lee in advocating for reduced military spending by the federal government; 2) declare that United States drug policy should be re-oriented toward programs for demand reduction in the United States and to support the rights of people with the diseases of alcoholism and drug dependency to receive effective treatment; 3) urge Representative Lee to step up her leadership to terminate all military assistance to the Colombian Army, and to re-direct these funds to the United States Department of Health and Human Services for substance abuse prevention, harm reduction, and treatment programs; 4) call for a policy toward Colombia that at its forefront promotes respect for human rights and the rule of law, by conditioning economic aid to the Colombian government on effective action to end impunity for human rights violations and collaboration with paramilitary groups; and 5) oppose proposals to expand into Mexico and Afghanistan the failed strategies of aerial fumigation and militaristic approaches to drug trafficking.

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECT

Over 23 million Americans are affected by substance abuse, including many members of our community, as documented by the Alcohol and Other Drugs Policy Council in its July 2006 report, *City of Berkeley Taking the Lead in Combating Alcohol and Other Drug Problems*.

Retail cocaine prices fell and purity of cocaine on the street increased between 2003 and 2006, according to the White House Office on National Drug Control Policy, and recent reported increases in street price of cocaine are not the result of counter-drug programs in South America, where “cocaine production appears to be stable or increasing,” according to the Justice Department National Drug Threat Assessment for 2008.

BACKGROUND

At the meeting of December 3, 2007, the Peace and Justice Commission approved the following motion: **M/S/C** (*Bohn/Cohen*) that the Berkeley City Council approve the following recommendation:

WHEREAS, the Peace and Justice Commission advises the City Council on all matters relating to the City of Berkeley's role in issues of peace and social justice (Berkeley Municipal Code (BMC) Chapter 360.070); and

WHEREAS, over 23 million Americans are affected by substance abuse, including many members of our community, as documented by the Alcohol and Other Drugs Policy Council in its July 2006 report, *City of Berkeley Taking the Lead in Combating Alcohol and Other Drug Problems*; and

WHEREAS, a study by the Rand Corporation showed that spending on drug interdiction of the sort conducted in Colombia is 23 times less effective in reducing illegal drug use than treatment of drug users in the United States (U.S.); the U.S. has spent \$4.7 billion on Plan Colombia since 2000, primarily in training, equipment and intelligence for the Colombian Armed Forces, in what was promoted as a plan to reduce in half the cultivation of coca leaves, a primary ingredient of cocaine, by 2005; and the most recent data released by the State Department show that more land in Colombia was cultivated with coca in 2006 -- 388,000 acres -- than when the effort began in 2000; and

WHEREAS, retail cocaine prices fell and purity of cocaine on the street increased between 2003 and 2006, according to the White House Office on National Drug Control Policy, and recent reported increases in street price of cocaine are not the result of counter-drug programs in South America, where “cocaine production appears to be stable or increasing,” according to the Justice Department National Drug Threat Assessment for 2008; and

WHEREAS, many units of the Colombian Army, including the commander of the Colombian Army, have been credibly reported to have collaborated with paramilitary death squads, themselves declared by the State Department to be a Foreign Terrorist Organization, but almost none have been successfully prosecuted for their atrocities, and an investigation by international jurists and Colombian human rights organizations documented 955 extrajudicial executions committed by the Colombian armed forces from July 2002 to June 2007, representing an increase of 65% from the previous five years, and of which only two had resulted in a judicial conviction and sentence, and in August 2007, six Colombian military officers who were recipients of U.S. military training

were charged by Colombian prosecutors with serving in the organization of a drug mafia baron included on the FBI's Ten Most Wanted list, thus making U.S. assistance to the Colombian Army an asset to the very entities the policy purportedly targets, and

WHEREAS, the administration of President Bush proposes to expand such failed strategies to other nations, including Mexico, where "Plan Mexico" would designate \$500 million in mostly military, police and surveillance equipment and involve unaccountable civilian mercenaries, and to Afghanistan, where a plan to aerially fumigate poppies is opposed by Afghan and European officials, Pentagon officials and Members of Congress; and the U.S. Comptroller General reported in August 2007 that "the U.S. government is on a 'burning platform' of unsustainable policies and practices," including "fiscal deficits" and "overseas military commitments"; and

WHEREAS, Congressional Representative for Berkeley, the Honorable Barbara Lee, has consistently supported both reductions in military spending and efforts to increase drug treatment funding, such as Proposition 36, and is a member of the two Appropriations Subcommittees responsible for most military spending in Colombia (Foreign Operations) and for most domestic federally funded drug treatment programs (Health and Human Services), and is thus in a unique position to reorient U.S. counter-narcotics spending away from Colombia and towards U.S. social programs; and

WHEREAS, the U.S. government should not provide arms and military assistance to any government that is directly connected to and associated with paramilitary death-squad organizations that listed on the U.S. State Department terrorist list and is directly linked with organized drug export criminal organizations.

NOW THEREFORE, BE IT RESOLVED that the Peace and Justice Commission recommends that the Council of the City of Berkeley 1) recognize the leadership of Congresswoman Barbara Lee in advocating for reduced military spending by the federal government; 2) declare that U.S. drug policy should be re-oriented toward programs for demand reduction in the United States and to support the rights of people with the diseases of alcoholism and drug dependency to receive effective treatment; 3) urge Representative Lee to step up her leadership to terminate all military assistance to the Colombian Army, and to re-direct these funds to the U.S. Department of Health and Human Services for substance abuse prevention, harm reduction, and treatment programs; 4) call for a policy toward Colombia that at its forefront promotes respect for human rights and the rule of law, by conditioning economic aid to the Colombian government on effective action to end impunity for human rights violations and collaboration with paramilitary groups; and 5) oppose proposals to expand into Mexico and Afghanistan the failed strategies of aerial fumigation and militaristic approaches to drug trafficking.

BE IT FURTHER RESOLVED, that copies of this Resolution be sent to Representative Lee and Senators Barbara Boxer and Dianne Feinstein.

Ayes: Bohn, Brody, Cohen, Freedkin, Kafin, Litman, McDonald, Sherman, Sorgen, Winkelman; **Noes:** None; **Abstain:** Wornick; **Absent:** Seaton.

Commissioner Wornick abstained from the vote for the following reason: "With all due respect to the people of Columbia, I'd prefer to see a broader resolution aimed at ending the current policy of fighting drug production and distribution worldwide and rather redirect sufficient funding to drug education and substance abuse treatment. Furthermore, I do not believe that the timing is right for a resolution of this nature and therefore believe that my vote to abstain will not affect action on this item whatsoever."

CITY MANAGER

The City Manager takes no position on the recommendations of the Commission.

CONTACT PERSON

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