

Position Paper of the Association of Oklahoma Narcotic Enforcers on the Decriminalization of Drug Offenses and Criminal Justice Reform

Adopted by the Executive Board by Unanimous Consent

February 8, 2021

The Association of Oklahoma Narcotic Enforcers (AONE) represents over 1,500 law enforcement professionals and is comprised of an executive board of 13 voting members along with additional non-voting advisors representing various public safety interests. Based on many of the false narratives surrounding drug policy and other criminal justice reform, the executive board desires to publicly release a position paper on these issues.

Within the last several years, drug offenses have been decriminalized in a multitude of ways, each resulting in disastrous consequences for Oklahoma. Initially, we can report that drug ingestion in Oklahoma is up dramatically. This was to be expected as the American Society of Addictive Medicine, a collection of medical professionals who are dedicated to preventing and treating addiction, has stated that legalization efforts result in higher use rates as the “perceived threat” is reduced. From the enforcement perspective, the vast penalty reductions for possession and distribution of drugs have diminished police and prosecutors ability to target and suppress these acts. This idea of curtailing enforcement efforts is not unique or original to Oklahoma, but was first tried on the west coast in places like San Francisco, Seattle and Portland a few years ago. The result of these efforts is quite visible today and AONE need only mention those cities to illustrate the public safety debacle in those locales. Likewise, as law enforcement officers in the field, we can report we are responding to marked increases of mental illness marked by psychosis, destitute drug addiction, as well as the clear increase in homelessness.

To be sure, the ill-effects of increased drug consumption is not limited to possession offenses. The Midwest High Intensity Drug Trafficking Area (Midwest HIDTA) recently conducted an extensive study entitled, *An Examination of the Relationship between Drugs and Crime in the Midwest*. Among the alarming findings, “The Midwest HIDTA determined that 59 percent of the region’s property crime is attributable to drug use and/or drug trafficking.” In addition, 43 percent of the homicides in the Midwest region were related to drug use and/or drug trafficking. The Midwest HIDTA finding is completely consistent with the findings of the most comprehensive study of prisoner recidivism done in history. The study, conducted by the Department of Justice and tracked over 400,000 released prisoners found the following: (1) 44 percent of released prisoners reoffended within the first year of release, (2)

83 percent of released prisoners reoffended during the study period, (3) released prisoners were arrested on average 5 times during the study period, (4) 77 percent of released drug offenders reoffended for a non-drug crime. The drug trade does not exist in a vacuum, and increased drug consumption necessarily results in increased drug related crime. An extensive survey of retailers in Oklahoma (one involving 272 locations) conducted by the Oklahoma Retail Crime Association found that since the decriminalization of drug offenses known theft increased 64 percent.

Like many programs promoted as social justice initiatives, criminal justice reform actually hurts those that the program is supposed to help. Increased use rates result in increased overdoses, with Oklahoma experiencing nearly 700 overdose deaths per year. The treatment funds which were promised as a consequence of the reforms have not materialized in any way, and most importantly, effective law enforcement intervention in alternative courts has been curtailed as many habitual drug users prefer misdemeanor punishments to drug court participation.

One may ask, then just what is the solution? Just what does AONE propose? Less than six years ago, Oklahoma, and the nation, was plagued with a large number of individuals, mostly very young people, having severe dystonic reactions to synthetic cannabis sold in convenience stores as incense (often called "K2" or "spice"). Today, the sale and overdoses related to synthetic cannabinoids is completely non-existent. So, just how did we eliminate that program? No reform movement, treatment, or prevention program had anything to do with solving this epidemic. Rather, policymakers passed laws to outlaw the sale of these substances, police officers targeted unscrupulous businesses selling this poison, and prosecutors targeted the retail dealers with criminal prosecution and seizure of the assets of those who profited from the scourge. There are not law enforcement monies expended to deal with the K2 epidemic, public services are not spending any resources to deal with K2 use, hospitals are not overrun with the K2 overdoses, all because of increased enforcement. Period.

We have not heard from a single police officer or prosecutor that the recent decriminalization of drug offenses or other "criminal justice reform" initiatives have had a positive or even neutral impact on public safety. To the contrary, our members report that reduced enforcement resultant from criminal justice reform measures is resulting in severe, and visible, damage to the communities our members are sworn to protect.