

Does US Still Need A Drug Czar?

With Current Chief Leaving Office, Some Wonder If He Even Needs To Be Replaced

BY ROB HOTAKAINEN

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WASHINGTON — U.S. drug czar Gil Kerlikowske is leaving office unceremoniously, forgotten long before he was ever known to most Americans.

But for those leading the push to legalize marijuana, he'll be remembered as the tough-talking former police chief from Seattle who never yielded on the question of legalization, always warning of the health dangers linked to smoking pot.

That stance put him at odds with the growing majority of Americans who now back legalization.

As Kerlikowske, 63, heads for a possible job as the U.S. Customs and Border Protection commissioner, his exit prompts suggestions that America's drug czar has become irrelevant and whether President Barack Obama should bother with a replacement.

"One of the most helpful things the president can do right now is to not spend money on filling that position," said Seattle City Attorney Pete Holmes, whose office stopped prosecuting misdemeanor marijuana cases in 2010.

But legalization opponents say it would be a mistake to eliminate the office. They see it as a crucial vehicle for making clear to Americans the dangers and damages of a wide range of other drugs — from methamphetamine to cocaine to heroin — that the U.S. public wants kept illegal.

Kevin Sabet, who served as an adviser on drug issues to Obama and former Presidents George W. Bush and Bill Clinton, said the drug czar could serve as "a powerful conduit for the direction of drug policy."

He said the czar must make sure that the nearly one dozen federal agencies that deal with drug issues work in sync, but that the position had clear limits and no drug czar could legalize a drug that Congress had banned.

"Even if they wanted to, no one in the executive branch could legalize drugs ... because the Controlled Substances Act is the law of the land," he said.

In some ways, the debate over the office is as old as the federal government's war on drugs, an effort that polls suggest has left Americans conflicted. While more now favor legalizing marijuana than keeping it illicit, it's a recent turn of public opinion. And significant support for legalization remains limited to marijuana, not the harder drugs that draw most attention from the czar's office.

Still, Mason Tvert, a spokesman for the pro-legalization Marijuana Policy Project in Denver, said the drug czar's office had a long history "of ignoring evidence and wasting resources" on ineffective policies.

"There is no logical reason for our nation to continue down that path," he said. He contended that Kerlikowske and previous drug czars "refused to acknowledge the simple fact that marijuana is less harmful than alcohol to the consumer and to society."

Critics say the office, which Congress created in 1989, has no real power beyond doling out grants and providing a soapbox for government officials to decry drug use. Getting rid of the Office of National Drug Control Policy could save taxpayers a good chunk of money: For the 2014 budget year, the office asked Congress for \$311 million, including \$23 million to pay salaries and expenses for 97 full-time employees.

In May, Kerlikowske angered legalization backers by releasing a study that said marijuana was the drug most linked to crime in the U.S. At the same time, he described calls for legalization as a "bumper-sticker approach" that should be avoided.

Increasingly, he's looked out of step, even with his bosses at the White House.

After voters in Washington and Colorado last year became the first to legalize marijuana for recreational use, Obama said he had "bigger fish to fry" than to worry about pot smoking in the two states. The number of states that allow medical marijuana recently hit 20, with Illinois and New Hampshire the latest to join the list.

Kerlikowske, who became Obama's top drug-policy adviser in 2009, dismissed the legalization votes as "extreme" and gave a speech in April in which he said that no states or executives had the power to override the federal Controlled Substances Act.

"Gil Kerlikowske seems like a decent, intelligent guy who just didn't accomplish much," said Ethan Nadelmann, the founder and executive director of the pro-legalization Drug Policy Alliance in New York. "All I can think is that this guy was

captured by the anti-marijuana fanatics."

Nadelmann said Kerlikowske had become an ineffective, sideline player in the marijuana debate and that his departure could signal a shift. He called the drug czar's comments on marijuana "absolutely extraordinary," coming at a time when most Americans want the drug legalized.

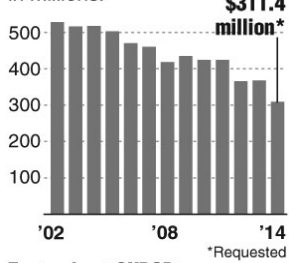
"What has happened now, as far as I can tell, is that the White House has taken authority in this area out of his hands and moved it over to the Justice Department," he said, adding that Kerlikowske is moving "from one thankless job to another."

Allen St. Pierre, the executive director of the National Organization for the Reform of Marijuana Laws in Washington, said the president could acknowledge the growing acceptance of marijuana and show "genuine leadership" by not appointing a new drug czar, or "letting the office go fallow."

"The position of drug czar is the most thankless and set-up-to-fail bureaucratic job in all of D.C.," St. Pierre said. He credited Kerlikowske with reaching out to organizations such as his

The drug czar's office

Budget for the White House Office of National Drug Control Policy (ONDCP), in millions:



Facts about ONDCP

- Advises the administration on national and international drug control policies
- Coordinates anti-drug programs with the federal government
- Has 97 full-time employees
- Established in 1989; has had six directors

Source: The White House Graphic: Judy Treble © 2013 MCT

and for engaging "in the least amount of demagoguery" compared to previous drug czars.

The White House declined to comment, and Kerlikowske isn't talking either. He's said nothing publicly since the president nominated him on Aug. 1 to take over as commissioner

of Customs and Border Protection for the Department of Homeland Security. The White House announced the move just as Congress prepared to leave town for its five-week summer vacation.

Kerlikowske's spokesman, Rafael Lemaitre, said the drug czar wasn't granting any interviews as he awaited a Senate confirmation hearing for his new job. But he gave his boss high marks, saying he'd expanded drug treatment, helped reduce the stigma linked to addiction and helped steer thousands of nonviolent drug offenders into treatment instead of prisons.

"Today, for the first time in 40 years, the prison population is in decline, cocaine use is plummeting and meth use has been cut by a third," Lemaitre said. "That's what real drug policy reform looks like."

Others gave the drug czar credit for his work in promoting addiction as a mental health issue, for trying to fight prescription drug abuse and for his focus on such things as community-based prevention and drug treatment courts.

"He has shown that it is possible to have a drug policy that is both smart and balanced," Sabet said.

(EDITORS: STORY CAN END HERE)

In Seattle, where Kerlikowske headed the Police Department for eight years, city attorney Holmes expressed ambivalence about the drug czar's exit, saying Kerlikowske had become a national voice for "the traditional reactionary law enforcement view of legalization."

But Holmes criticized a federal law that prevents any drug czar from even entertaining the notion of legalization. Unless Congress provides a fix, he said, he'd just as soon see the job remain vacant.

"It's kind of analogous to an NRA-inspired law that says you can't research gun violence," Holmes said. "A legislative gag order is not really conducive to an enlightened debate."

In April, a poll by the Pew Research Center found that 52 percent of Americans want marijuana legalized, the most in four decades of polling. A poll by Gallup, released earlier this month, found that 38 percent of Americans admit to having tried marijuana, only slightly more than the 34 percent who said in 1999 that they'd tried pot.

Backers of legalization are buoyed by the growing support, and they hope that Kerlikowske's exit will provide Obama, who's admitted smoking marijuana as a teen, with a

fresh opportunity to jump on the bandwagon. Biographer David Maraniss recounted in a book last year how the young Obama had inhaled with gusto when he smoked with friends in Hawaii.

Officials in Washington state and Colorado are still awaiting word from Attorney General Eric Holder. In March, he promised Congress an official federal response soon to the states' plans to create systems to tax and allow sales of marijuana for recreational use beginning next year.

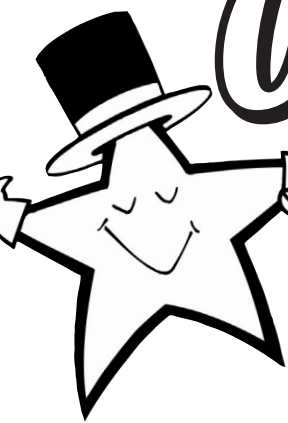
Holmes isn't bothered by the wait, saying he's been pleased by the lack of federal intervention and that "a cautious, hands-off approach is all we could ask for."

"The more time passes, the better off we are," he said. "But we still have to show that our alternative to prohibition is a better one."

In the meantime, Holmes said, state officials are moving quickly. The first state-sanctioned marijuana might be for sale in retail stores by the end of February.

"I never dreamed when I ran for office that we would actually legalize marijuana," he said. "But, you know, the planets lined up."

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Sunday at 6:30pm

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SENIOR CITIZENS: \$10 Gate/Advance

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Saturday, August 24

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20th Annual BULL-A-RAMA

Sunday, August 25