

How Drug Laws Hurt Gunowners

by John Ross

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I frequently use the term "gun culture" in my writing. The popularity of my novel *Unintended Consequences* has helped bring this term into widespread use, even by the mainstream media. For those not familiar with the term, let me define it here, in one sentence. The gun culture is comprised of those people for whom shooting skills hold great importance.

People in the gun culture do not necessarily own a lot of guns, just as accomplished musicians may not own many instruments, though of course some do. However, members of the gun culture shoot whatever guns they do own quite a bit. They are voracious consumers of ammunition because they are serious about improving and maintaining their skills, just as serious musicians practice daily, and serious readers spend hundreds (or thousands) of dollars and many hours each year on books. An estimated 100 million people in this country own at least one gun, but these are not all members of the gun culture.

Though a few police officers are members of the gun culture, these days most are not. This should not surprise anyone who thinks about it for a few moments. Police have many responsibilities, but firing a gun in the line of duty is something many never need to do during decades of service.

Police training is comprised mostly of the things officers have to do every day: investigative techniques, crime scene evidence gathering, interrogation, report writing, radar gun operation, etc. Firearms training is all too often last on the list. This works fine, for there are many officers who go work for over 20 years without ever drawing their duty weapon, although frequently the officers who are best with guns are the ones least likely to use them. It's a truism that the only gun that most officers have ever used in the line of duty is a radar gun.

It was not always so. Years ago, people with military and/or hunting experience gravitated toward law enforcement. These were the people who liked to hunt and target shoot, and were apt to develop marksmanship skills on their own for enjoyment, whether required to or not. They were members of the gun culture.

Now, such people are actively screened out of many departments (and virtually all urban ones) with psychological testing. I cannot remember the last time I met a big-city police chief who was in the gun culture, so in big departments, the tendency is more noticeable the higher up you look.

We now have entire urban police departments without a single officer in the gun culture, and the result is that no one on the force fires any handgun except when he or she has to. In many cases this is 50 rounds a year. By contrast, many dedicated sport shooters fire ten times that many rounds per week. In some cases, where range facilities have closed or where there is a friendly supervisor, officers go years without firing a single practice shot. Get a police instructor's certificate, train some officers, and get an eye-opening education on current police firearms proficiency.

This situation, where few police are members of the gun culture, has created an unfortunate mentality among police chiefs in big cities. Though the general shooting public has greater gun-handling skills than the general law enforcement community, many big-city chiefs have adopted attitudes of "we're the professionals and you can't be trusted" when it comes to private citizens and guns. This is especially true when

the issue of lawfully carrying concealed weapons comes up. To this unfortunate state of events, we have to add another reality...

The Drug Culture

Despite (or because of) the expenditure of billions of taxpayer dollars, there is now a large and growing worldwide drug culture. These are people for whom using recreational drugs is a regular part of their lives. There are also people who do not use recreational drugs, but accept without rancor the fact that others do. This latter group is huge. Consider this little gem: on February 8, 1998, 26-year-old Canadian snowboarder Ross Rebagliati won the men's giant slalom in the Olympic Winter Games in Nagano, Japan, then immediately tested positive for marijuana and was stripped of his gold medal on February 10. (For those who don't know this, pot is not a drug which enhances athletic performance.) The following day, the IOC returned the medal, saying it did not have the power to take it. The Olympic Court for Arbitration of Sport (CAS) voted unanimously to reinstate Rebagliati's gold medal. The unspoken understanding here is pretty obvious: hey, he's a snowboarder, for Christ's sake, of course he smokes pot—you might as well start testing rugby teams for beer consumption! The other unspoken understanding is that no one really believes that marijuana is all that bad for your health.

This reality was driven home four years later at the 2002 Winter Olympics. In front of journalists, one competitor held out an imaginary microphone and, in a mock newscaster's voice, "interviewed" his teammate (who had just won a silver medal snowboarding): "Danny Kass, you've just won the silver medal. What's next? Are you going to go home and—smoke crack?" Kass started to answer in the enthusiastic affirmative, then gave an exaggerated double-take in recognition of his surroundings, and launched into "Noooo, noooo, drugs are bad! Bad!"

The journalists ate it up, and it was reported in one of the major weekly news magazines. So did the public, who thought it was hilarious when they read about it. It's common knowledge, assumed and expected: college students and other young people smoke pot and enjoy other recreational drugs such as ecstasy. Bodybuilders and other strength athletes do illegal anabolic steroids. Hollywood types who can afford it hire call girls. Pro athletes and other people with way too much money do cocaine. The general public *does not care* if productive members of society (people who pay income tax) do these things. They may pretend to care, however, because there is one segment that cares about this issue a very great deal.

The Police Culture

Years ago, we called policemen "peace officers." Our mental image of a peace officer in a rural area was Andy Griffith, resolving disputes with gentle reason and only rarely needing to back it up with something stronger. In a big city like New York, a peace officer was the cop who walked his beat on the sidewalks of his precinct. He knew all the neighborhood kids by name, who their parents were, and if a kid was being raised without a father.

The peace officer has now in many jurisdictions been replaced by the "law enforcement officer." There wasn't much money in being a peace officer, but there is a veritable gold mine in law enforcement. The laws most regularly being broken are

speed limits and anti-drug laws. Thus, Andy Griffith may now be a deputy with a radar gun, hiding on a 200-yard section of limited-access highway that traverses a corner of his jurisdiction. The fines he collects make his department very flush indeed. Never mind that the people who live in his town are unaffected by the speeders on the interstate.

The beat cop is largely gone, too, replaced by faceless two-person teams in patrol cars who drive around all day but don't know any of the people in the neighborhood because they never stop and get out of the patrol car to talk to them. Urban departments now have extensive drug squads, and whenever a big bust happens, there is always a big pile of cash. Who's to day the cops need to turn in all of it? Or any of it, for that matter.

Make no mistake, money (and power) is the key. Automatic photo radar is here, to nail people running lights at intersections and fine them. Interesting catch: municipalities installing photo radar are reducing the time the "yellow" is on for their traffic signals from five seconds to three. Why? Because if the yellow is on for five seconds, almost everyone stops in time.

Similarly, to help justify ever-increasing budgets, more and more substances are demonized and scheduled as illegal drugs. A personal example: I sometimes have trouble getting to sleep, and I used to go to health food stores to buy a natural supplement (the body itself produces it) called gammahydroxybutyrate¹. When I took this with water at bedtime, I would fall into deep REM sleep within 20 minutes and awake five hours later feeling great. Now GHB is illegal and called a "date-rape drug," because somebody allegedly raped a girl after she took it and fell asleep. News flash: there are other sleep aids out there, including the heavily advertised Ambien(R). Ambien is addictive, which is why I won't use it anymore, though that hasn't stopped the people who get prescriptions from getting more than one billion dollars worth of Ambien every year. Is Ambien a "date-rape drug"? I guarantee if a guy powders two pills (they're really small) and mixes them into his date's margarita, she'll fall asleep.

Demonizing more substances, personal activities, and inanimate objects means more power, money and authority for law enforcement, and less for you and me. What if things were not this way? How many people would choose to be policemen if their only permitted duties were to apprehend those who had committed crimes against known, specific victims who had made a complaint? What if the entire drug squad was disbanded and the officers reassigned to burglary and stolen-property recovery? What if the vice squad cops had to quit getting freebies from hookers and join robbery and homicide? What if the speed trap cops were all reassigned to auto theft? We'll probably never get to find out.

I realize I am being harsh here and that someone reading this in a small town in Wyoming may see no resemblance here to his local department. But make no mistake: being a policeman has become, for many people, a lifestyle choice. More than once I

¹ Biologist Henri-Marie Laborit synthesized this compound in 1960 and publicly advocated its use as a safe sleep aid and anti-aging supplement until his death in 1995. He considered his work with GHB as great an accomplishment as the work he is best known for, developing the therapeutic use of Thorazine as the first drug to effectively combat schizophrenia.

have heard a cop extol the joys of “fucking with people” as a benefit of his employment. But the greatest benefit is something else.

Police are Exempt

How often have we seen a police car cruise by us at a speed 20 miles per hour over the posted limit? How often do we see police cars parked in no parking zones, and policemen getting free meals? How often do we read about the big undercover drug operation, where officers immerse themselves in the drug trade for months at a time, buying and using drugs to gain the trust of drug traffickers? In all these cases, the officers are exempt from the laws everyone else must obey. When the laws don't appear to apply to the police themselves, it amplifies the “us versus them” police mentality that is so damaging to good relations with the public.

But these laws that the police get to ignore pale next to the most appalling problem: out-and-out stealing from citizens, and sometimes murdering them. The asset forfeiture laws as currently being administered encourage police to steal from the people they are supposed to be helping. Entire farms have been seized because police found a few marijuana plants growing on the property (it does grow in the wild, after all).

In California, millionaire Donald Scott was shot dead by law enforcement agents in his own home in 1992. Several dozen law enforcement officers from various federal agencies stormed his 200-acre ranch. Scott, thinking he was being robbed, came to investigate with a gun in his hand and was immediately shot and killed.

The warrant permitting this invasion had been issued based upon the claim that Scott was growing marijuana. None was found, and the warrant was later ruled invalid when the real reason for the raid was discovered.

The real motive was to increase the size of a national park next to Scott's ranch, but Scott had refused to sell his property. That was when park service officers realized they could use the asset forfeiture laws to get Scott's land for free.

Stories like this one happen frequently. Most of them don't involve millionaires, so they don't make the news. According to the Washington-based Institute for Justice, the number of federal seizures of property under asset forfeiture laws increased fifteenfold between 1985 and 1991. This is one of the many great tragedies of the drug war.

The Law of Unintended Consequences

I said earlier that there was once a strong connection between shooting interests and law enforcement. Though that is no longer true in most large departments, many shooters and gunowners don't realize it. They think of the older cops they knew years ago who were shooting buddies, and still see themselves as law enforcement's strongest supporters.

They haven't yet figured out that the rules have changed. The drug war has taught the police how to steal without running afoul of internal affairs. The asset forfeiture laws

abused by the drug cops in the drug war are now starting to be abused by the gun cops in the War on Gunowners.

Many gunowners, thinking they are showing support for law enforcement, take offense at the notion of people using any drug the government says is evil, and wouldn't dream of lighting up a joint or ingesting the "date-rape" drug GHB. Drugs are bad, and drug dealers are worse; lock 'em up and throw away the key, if you can't figure out a way to execute 'em.

This is a dangerous attitude to take, given the draconian antigun laws that have been sprouting up around the country. The gun that was perfectly legal to own last month has become illegal today. (Police, of course, are exempt.) The list of banned guns keeps growing, just like the list of banned substances or prohibited activities. Law enforcement's standard response to a law's failure is, *we need more of it*.

This always creates unintended consequences the exact opposite of the desired result. Our country is awash in cocaine as a direct result of the DEA's concerted efforts in the 1970s and early 1980s to stop marijuana imports. There was a big crackdown, and the DEA seized many tons of marijuana bales. This caused major importers, producers and smugglers to rethink their businesses, and realize that cocaine was much less bulky than marijuana and the per-ounce value much greater. Thus, cocaine was easier and more profitable to import, and well worth the extra money and effort it cost to produce. This resulted in extra profit left over to buy off more cops, customs agents, and judges. Is that what the authorities had in mind? And since the switch in the big players' focus to cocaine gave the DEA more work to do, it made marijuana importation more attractive to smaller new players in the drug game. The result: more of all illicit drugs. And then the cycle repeated itself with crack.

The drug war is like the man who says, "I've sawed this board off three times, and it's still too short." As long as we continue redoubling our efforts in the drug war, it will be used as the law-enforcement template for other prohibitions. Guns are at the top of the list. We already have entire classes of guns that are banned. It won't take much to add to the list every year. Or every month. When it gets to where people can't get any of the guns they want legally, smuggling will start. Then it will really start to get interesting.

Unlike drugs, guns don't smell any different than, say, tractor parts. So forget about using drug-sniffing dogs in the warehouses full of shipping containers. Also, unlike heroin, there are factories all over the world producing weapons with complete legality and the official blessing of their governments. So forget about having other governments even pretend to help the U.S. stop world gun protection.

Last of all, the manpower used to catch people smuggling small arms (that were legal to own a short while ago) has to come from somewhere. Every law enforcement asset focused on catching the groups trying to sneak shipping containers full of carbines into the U.S. is one less asset focused on catching the guy with the nuke.

Come to think of it, that's a pretty compelling reason to end the drug war and reassign all the drug cops, isn't it?