

To: City-County Heroin, Opioid and Cocaine Task Force
 From: Paul Mozina
 Re: Outcomes of Prosecuting the War on Drugs

The [Journal Sentinel reported](#) that 17 of the 407, 2019 overdose deaths reported by the Milwaukee County Medical Examiner’s Office were intentional— the other 390 were “accidents”.

No, it is not an “accident” that the War on Drugs has had the eminently predictable outcome of creating a marketplace where super potent and highly profitable synthetic opioids like fentanyl are used to adulterate substances that are then bought and sold by people who have no idea regarding the purity and dosage of what they are transacting.

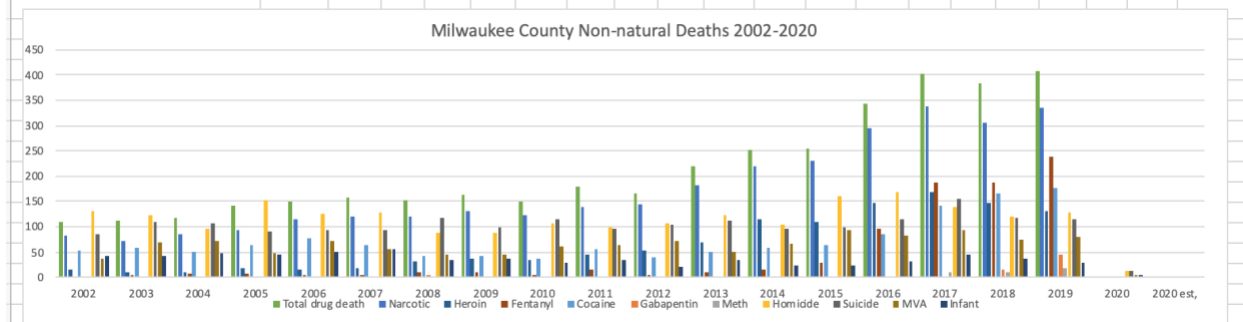
It is the arbitrary criminalization of “controlled substances” that results in these “accidents”. If the 390 people who died “accidentally” could have simply purchased what they needed and wanted from a regulated source of known purity and dosage — they would still be alive. They were “suicided” by the War on Drugs, which is at root a denial of every Human Being’s fundamental Natural Right to be the master of their own body.

I encourage you to [listen](#) to the sobering words of Dr. Brian Peterson, the Milwaukee County Medical Examiner, as he reported the 2019 drug overdose deaths to the Milwaukee County Intergovernmental Cooperation Council at their meeting on Monday February 10, 2020.

Death type	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2020 est,
Total drug death	109	112	117	142	149	159	152	163	149	180	167	220	251	254	343	401	384	407	3	
Narcotic death*	83	73	84	94	115	121	121	131	123	139	144	181	220	231	294	337	305	334	1	
Heroin-related death	16	11	9	19	16	17	31	37	34	45	53	69	116	110	148	168	146	130	1	
Fentanyl alone or in combination	3	5	7	7	6	4	9	11	6	16	5	11	16	30	97	188	188	238		
Cocaine alone or in combination	52	59	50	64	76	65	43	43	38	57	39	51	58	63	85	142	165	176	1	
Gabapentin/Pregabalin	0	3	2	3	0	2	4	3	2	0	3	0	0	0	0	0	15	44		
Methamphetamine	0	0	0	0	0	0	0	1	1	0	1	0	0	1	1	11	11	17	1	
Homicide	131	124	97	152	125	127	87	87	106	100	108	123	103	161	168	140	120	128	12	
Suicide	86	109	107	92	93	93	117	100	114	95	104	113	96	99	114	156	117	114	14	
Motor Vehicle Accident	37	68	72	47	72	56	45	44	61	63	72	51	67	93	82	94	74	80	4	
Infant death	43	43	47	46	51	55	35	36	30	34	22	34	24	24	32	45	38	30	4	
Autopsies (Milwaukee County)	1289	1413	1243	1276	1015	1057	938	957	981	977	967	971	951	988	1073	1086	1050	1181	146	1302
Autopsies (referral, private)	1	0	0	0	0	0	13	93	76	179	314	323	367	360	347	466	686	604	60	536
Autopsies (total)	1290	1413	1243	1276	1015	1057	951	1050	1057	1156	1281	1294	1318	1348	1421	1558	1736	1786	206	1838

*Narcotic drug deaths are any in which opioids (morphine, heroin, etc.) or synthetic opioids (oxycodone, fentanyl, etc.) are involved

Updated 2/10/2020 - drug-related totals lag by a few weeks.



Referring to the 2019 overdose data he published he explained: “We actually had the highest number of overdoses ever in Milwaukee County last year. I don’t see any end in sight to that.”

Unfortunately, he repeats the commonly embraced personification of drugs, implying they are capable of acting with volition rather than acknowledging that they are inanimate substances subject to the laws of supply and demand. He warns of the danger if methamphetamine ever gets a foothold here, again, as if it were an invading army under the direction of some cruel general.

He speaks of the collateral outcomes of the “drug trade” in terms of Homicides and the spread of Hepatitis C and HIV/AIDS. But how many homicides would result if consumers could simply purchase what they wanted from a regulated source of known purity and dosage? How many opiate/opioid users would inject the substance if a regulated source of known purity and dosage were available in an ingestible form?

Dr. Peterson goes on to say: “Fentanyl is so cheap you could lace just about anything with it really.”

Fentanyl is so potent that now it takes several doses of NARCAN or putting the unwitting person on a drip of the antidote in the hospital, to keep them breathing.

“We see about a dozen analogues, variations on fentanyl, in Milwaukee County. I expect to see more.”, he says.

Yes, the synthetic opioid genie is out of the bottle. Read [Fentanyl Inc.](#), by Ben Westhoff, to get an idea of the futility of preventing the derivation and distribution of endless varieties of synthetic opioids.

This reminds me of the words of then Lieutenant Shaun Doyne, MPD Narcotics Division — HIDTA, spoken at the December 1, 2017 City-County Heroin, Opioid and Cocaine Task Force Meeting:

I Feel the fentanyl issue is truly driving the epidemic we have right now, and the stats definitely prove that. If you look at it, if you go through year to year, it’s doubled, quadrupled, and I hate to say it, but if we could get back to the heroin status it would be success. But really that’s kind of where it’s at really when we’re talking about fentanyl.

Ah yes, if we could just get back to “the good old days” when it was just heroin.

The prohibition of “controlled substances” does not release them from the laws of supply and demand. The pressure put on the supply of opiates by the War on Drugs has led directly to the emergence of more powerful, more profitable “hardened” synthetic opioids, which, truth be told, can be manufactured anywhere and for which law enforcement is utterly incapable of preventing the distribution of.

Back to Dr. Peterson's comments...

Regarding his predictions on the total number of drug deaths — the green bar on the graph above: "I think the number of deaths will absolutely continue to increase."

When asked about solutions, he had this to say:

Sadly, when it comes to solutions, I'm not the guy. I kind of follow along at the end of the parade cleaning up (much laughter). I wish I could tell you. There are right now — the current best practice I think — is the medical assisted withdrawal ok. There are drugs to assist with that. There are VIVITROL and that kind of injection. That stuffs inordinately expensive and it works in a small percentage. The problem is we're talking great big numbers. So, you may be able to rescue a few. I know there was an in-patient methamphetamine treatment facility in the Bay Area when I was back in California, they said you had to be inpatient 365, 24/7 for 5 years and they could probably rescue you. Well, that's expensive so then it comes down to a matter of dollars and cents.

I disagree with Alderman Michael Murphy who was quoted in a story in the [Milwaukee Neighborhood News Service](#): "The goal is obviously to get more and more people into treatment." This approach is fueling the rapid growth of a for-profit, medical, mental health, pharmaceutical, industrial complex — funded by Medicaid no less. I think the goal should be to restore to every human being their Natural, Inherent, Immutable and Inalienable Right to self-medicate — to be the masters of their own bodies. I support a regulated market where all substances are available with known purity and dosage. I support a new model of teaching our young people that they are the masters of their bodies and 100% responsible for whatever they consume and any actions they take forthwith. I support the wide dissemination of accurate and timely information about all existing substances and new ones as they emerge. I support the elimination of all criminal penalties for the inoffensive manufacture, distribution, possession and consumption of any substance, the expungement of criminal records and the release from incarceration of all those convicted for non-violent "drug crimes". And lastly, I support helping people who voluntarily want to stop consuming any substance.

If you support the proposition that the government somehow acquired the "legitimate" right to control what you or I put in our bodies — a right that none of us has vis-à-vis another human being and which none of us can delegate to any association calling itself "government" — than you support human slavery. You are saying that no matter who you are, regardless of your age, sex, race, religion, experience, education, profession, public service, personal rectitude — even in the privacy of your own home — you are subject to the arbitrary whims and violent imposition of force that is the modus operandi of your government masters when it comes to prosecuting their War on Drugs.

Appeal for Sanity and Justice

Like the ONDCP's High Intensity Drug Trafficking Area Program (HIDTA), the CCHOC Task Force has made a conscious decision to ignore the collateral damage caused by drug prohibition. HIDTA measures its results on the Return on Investment (ROI) from the cash and drugs confiscated by its operations, which it boasts are 75:1, and the number of Drug Trafficking Organizations (DTOs) that it has disrupted. Never mind that the DOA reports year after year that the ONDCP and HIDTA have failed to meet any of the goals set out for them by President Obama in 2011.

Neither HIDTA nor the CCHOC Task Force consider the following collateral damage that is a direct result of law enforcement's hyper aggressive prosecution of the War on Drugs:

- Drug-Related homicides and non-fatal shootings reported by the Milwaukee Homicide Review Commission
 - Drug-Related Homicides
 - 13 (15.1%) in 2014
 - 25 (17.2%) in 2015
 - 15 (10.8%) in 2016
 - Drug-related shootings
 - 60 (10.3%) in 2014
 - 68 (10.7%) in 2015
 - 36 (6.4) in 2016
 - *How can we possibly measure the trauma this violence causes to those left behind and ignore the fact that this is a direct result of drug prohibition?*
- Dr. Peterson, MPD Chief Morales, DA John Chisholm, and anyone reading the papers, will confirm the nexus of guns, drugs, money and death. Hopefully the reconstituted MHRC will be able to provide data for 2017-2019 to further lay this bare.
- The boom in Federal and State prisons and County and Municipal Jails correlates exactly with the onset of the War on Drugs. And, tragically this Concentrated Mass Incarceration disproportionately affects people of color. The number of people on Community Supervision has followed this trend.
 - *It is important to consider the damage this causes to the families left behind: broken homes, trauma, interrupted educations, unstable housing (evictions), interventions from Child Protective Services...*
- Consumers overdosing from adulterated substances purchased in an unregulated "street" market.
- Spread of HCV and HIV/AIDs directly related to consumers trying to optimize the effects of scarce and expensive substances.
- Property crimes by desperate addicts due to the high costs of their habits.
- Mobile Drug Dealing and the car-jackings and reckless driving that often accompanies it.
- "[The Harmful Side Effects of Drug Prohibition](#)", by Randy Barnett
 - Drug Laws Punish Users.

- Drug Laws Raise the Price of Drugs to Users.
- Drug Laws Make Drug Users Buy from Criminals.
- Drug Laws Induce the Invention of New Intoxicating Drugs (fentanyl).
- Drug Laws Criminalize Users.
- Negative Impact of Drug Law Enforcement to General Public:
 - Scarce Resources spent to enforce Drug Laws,
 - Increased Crime,
 - Harms Resulting from the "Victimless" character of Drug Use,
 - Incentives Created by Crimes without Victims,
 - Invasion of Privacy,
 - Weakening of Constitutional Rights,
 - Corruption,
 - Injustice

So why does the government persist in trying to execute Drug War policies that are failing in so many obvious ways? **Because Law and Justice are no longer in harmony.**

[The Law](#), by Frédéric Bastiat

It is not because men have made laws, that personality, liberty, and property exist. On the contrary, it is because personality, liberty, and property exist beforehand, that men make laws. **What, then, is law? As I have said elsewhere, it is the collective organization of the individual right to lawful defense.**

Nature, or rather God, has bestowed upon every one of us the right to defend his person, his liberty, and his property, since these are the three constituent or preserving elements of life; elements, each of which is rendered complete by the others, and that cannot be understood without them. For what are our faculties, but the extension of our personality? and what is property, but an extension of our faculties?

If every man has the right of defending, even by force, his person, his liberty, and his property, a number of men have the right to combine together to extend, to organize a common force to provide regularly for this defense.

Collective right, then, has its principle, its reason for existing, its lawfulness, in individual right; and the common force cannot rationally have any other end, or any other mission, than that of the isolated forces for which it is substituted. Thus, as the force of an individual cannot lawfully touch the person, the liberty, or the property of another individual—for the same reason, the common

force cannot lawfully be used to destroy the person, the liberty, or the property of individuals or of classes.

[Vices are Not Crimes: A Vindication of Moral Liberty](#), By Lysander Spooner

VICES are those acts by which a man harms himself or his property. Crimes are those acts by which one man harms the person or property of another.

Vices are simply the errors which a man makes in his search after his own happiness. Unlike crimes, they imply no malice toward others, and no interference with their persons or property.

In vices, the very essence of crime—that is, the design to injure the person or property of another—is wanting.

It is a maxim of the law that there can be no crime without a criminal intent; that is, without the intent to invade the person or property of another. But no one ever practises a vice with any such criminal intent. He practises his vice for his own happiness solely, and not from any malice toward others.

Unless this clear distinction between vices and crimes be made and recognized by the laws, there can be on earth no such thing as individual right, liberty, or property; no such things as the right of one man to the control of his own person and property, and the corresponding and co-equal rights of another man to the control of his own person and property.

For a government to declare a vice to be a crime, and to punish it as such, is an attempt to falsify the very nature of things. It is as absurd as it would be to declare truth to be falsehood, or falsehood truth.”

This is the crux of the issue. Despite the Declaration of Independence, Constitution and Bill of Rights, which purport to preserve and protect our life, liberty, property and pursuit of happiness, we find ourselves under the domination of tyrannous government that demands nothing less than the total submission of our God-Given Natural Right to be the masters of our own bodies.

At least in the case of alcohol prohibition, the government acknowledged that the people had a fundamental right to produce, distribute, possess and consume alcohol, and it had the courtesy and to ask the people if they wanted to relinquish that right. This is not the case with drug prohibition. The government has acted arbitrarily, capriciously, incrementally – violently taking

February 14, 2020

advantage of its monopoly use of force – to illegitimately usurp our Natural Rights, transforming them through “legal” alchemy into privileges. It is not hard to review the history to see by whom and when, where and how this was done, and we can easily see why: as an excuse to dominate and control the people. Did anyone in government ever ask you if you wanted to give up your Natural Right to control your own body? Does anyone think our much vaunted “Founding Fathers” ever imagined that the government they formed, purportedly deriving its just powers from the people, would abandon its principles and presume to exercise a “right” that none of its supporters could delegate to it?

This is the sad state we find ourselves in. A government determined to deny the people a Natural Right that they steadfastly refuse to relinquish. Until the government humbles itself and restores to the people their Natural, Inherent, Immutable, Inalienable Right to inoffensively manufacture, distribute, possess and consume what they choose, the harmful effects and exorbitant costs of the War on Drugs will continue to cripple this Nation and, tragically, all the Nations of the World that participate in it.