

April 22, 2021

To: Common Council Public Safety and Health Committee Alders

From: Paul Mozina

Re: Please table CC File 201585 – Resolution relative to acceptance and funding of the 2021 High-Intensity Drug Trafficking Area project awards – to allow further review.

Year after year the MPD submits grant requests for federal dollars to fund HIDTA's Drug War enforcement efforts in the City of Milwaukee and the Common Council approves the grants without getting any evaluation of the outcomes. Earlier this year the Common Council accepted the COPS Grant (CC File 200676) and another Operation Legend Grant (CC File 201460) that are both closely aligned with HITDA and the War on Drugs. It is long past time that the Common Council demanded a report from the MPD evaluating the outcomes – good and bad – of the City's continued participation in the Federal HIDTA **Program** and Operation Legend.

The MPD characterizes the HIDTA Grant as a "Project" rather than a "Program", which gives them the excuse of responding "N/A" to the Research & Evaluation section of the HIDTA Grant Award Summary. According to the HIDTA Director's website¹:

- **The mission of the HIDTA Program** is to disrupt the market for illegal drugs in the United States by assisting Federal, state, local, and tribal law enforcement entities participating in the HIDTA **Program** to dismantle and disrupt drug trafficking organizations, with particular emphasis on drug trafficking regions that have harmful effects on other parts of the United States.

The COPS Grant dedicated 27 veteran MPD members to Operation Legend Drug War Task Forces for 4 years and this was bolstered by a second grant for overtime and equipment. These grants were fully funded, in contrast to the HIDTA Grant which requires the City to provide \$1,404,786 (79%). The HIDTA Grants are two-year grants requested every year and they overlap each other by one year i.e., the 2020 HIDTA Grant covered January 1, 2020 – December 31, 2021, and the 2021 HIDTA Grant covers January 1, 2021 – December 31, 2022. So, if you accept this grant, you are committing the City to pay for the 12 MPD members that are assigned to the 5 HIDTA Task Forces by explicitly allocating the money for this in your 2022 budget. Every year the HIDTA Grant essentially forces the City to continue to partner with the Federal government's HIDTA Program while the Common Council never requires the MPD to report and evaluate the outcomes of what amounts to an incremental federalization of law enforcement in the City. Together the COPS and HIDTA Grants dedicate 39 MPD members to fighting Richard Nixon's endless, racist, futile – War on Drugs.

What are the outcomes – both good and bad? We have a right to know. The City is facing a pension cliff from the police hiring binge that followed passage of the 1994 Crime Bill. The City hired approximately 500 members from 1995-1997 and the retiring chickens are coming home to roost in 2023. The City simply cannot afford to continue pretending that "tough on crime", "drug war" strategies are working. It is time to "have the talk", as Alderwoman Dimitrijevic said during the COPS Grant deliberations.

We need to have this talk with the MPD. How do we really measure the outcomes of Operation Legend and the HIDTA Program? Did Operation Island Hopper and taking down the Buffam Meinecke Boys last spring make any lasting impact on the availability of guns, cannabis, methamphetamines, cocaine or fentanyl in the City? Can we arrest our way out of the problems caused by drug prohibition? What is the collateral damage caused by the War on Drugs?

MPD's HIDTA Grant states:

The mission of HIDTA is to disrupt and dismantle drug trafficking and criminal organizations engaged in the distribution of narcotics in the greater Milwaukee area.

[and]

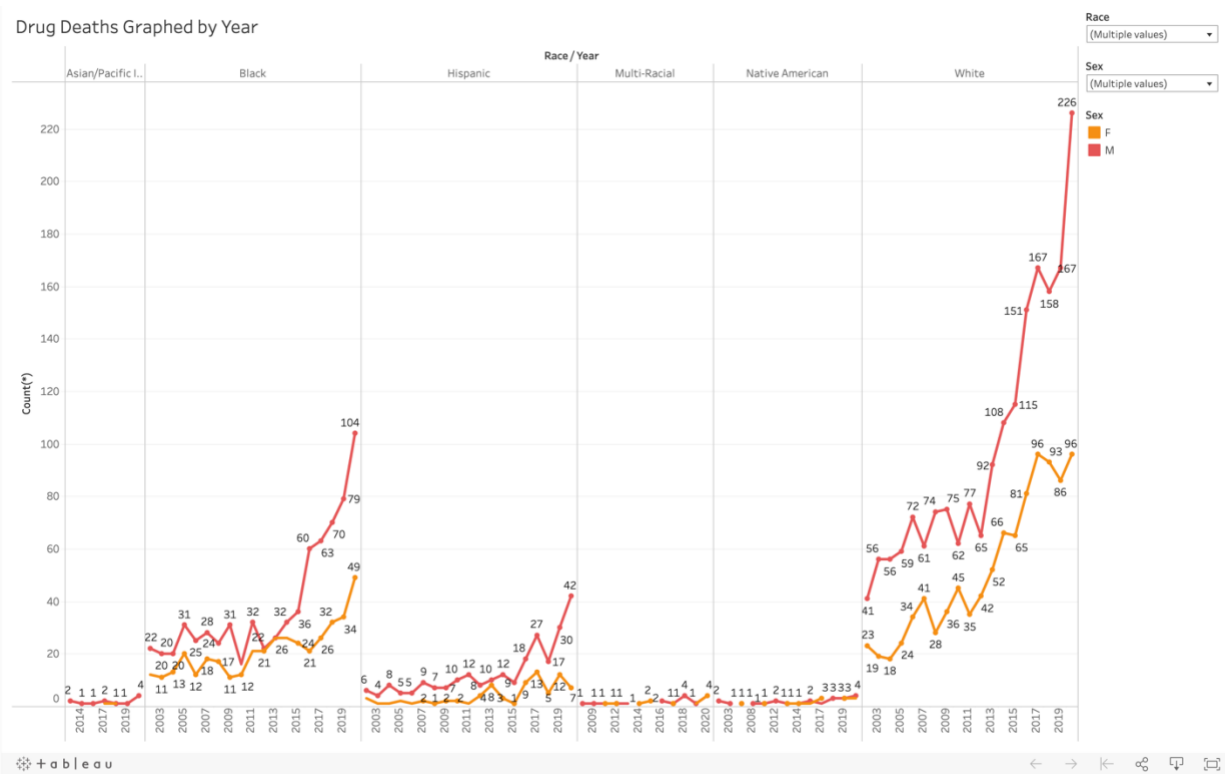
... reduce the prevalence and demand for illegal narcotics in the City of Milwaukee.

Can we afford to spend money disrupting and dismantling drug trafficking and criminal organizations that, like the weeds in spring, come back thicker than ever after mowing? Is the goal of the City for its police department to increase cooperation and coordination with its law enforcement partners irrespective of the outcomes that ensue from that participation?

Are you ready to "have the talk" now, or is that conversation going to be pushed off again?

Milwaukee County is suffering from an epidemic of overdose deaths, most of which occurred in the City of Milwaukee, that demonstrates *ONE* of the outcomes of the War on Drugs. When Dr. Brian Peterson presented his overdose death data to the Milwaukee County Intergovernmental Relations Committee back in February 2020, he said regarding the opioid epidemic that there was "No end in sight", and that is certainly true if we don't "have the talk" **WITH THE MPD** and evaluate the outcomes of the HIDTA Program and the DOJ's Operation Legend. Has the MPD reduced "the prevalence and demand for illegal narcotics in the City of Milwaukee."? Is it possible to stop the production, distribution and sale of synthetic opioids like fentanyl, which Alderman Murphy asserted in 2017, can yield a return of \$200,000 on a \$2,000 investment?

According to testimony given by former MPD Captain Alex Ramirez, fentanyl can be purchased on the "dark web" by anyone. With a modest stake, anyone with get rich quick dreams can become a fentanyl dealer providing the "hot load" the addicts are seeking. Tragically, neither seller nor buyer knows the dosage or purity of the substances they are dealing with².



Not only does the War on Drugs lead to the proliferation of new, evermore powerful, dangerous and profitable substances, it creates the infamous “nexus” between guns, drugs and money. I could be wrong, but I suspect that the numbers of homicides and non-fatal shootings directly related to the illegal market for controlled substances are very much understated. The Milwaukee Homicide Review Commission has resumed its work and recently updated their website³ with the Dashboard below (14 drug-related homicides and 48 drug-related non-fatal shootings in 2020, the vast majority of which involved black males). We can only guess at how many times the primary factors of Argument/Fight, Gang Related, Other, Unknown or Retaliation that led to a homicide or non-fatal shooting were actually a result of drug related turf war or dispute.



There is a way out, but it requires not only that we “have the talk” but that we listen to the evidence. Thanks to the efforts of the Drug Policy Alliance⁴,

Today [February 1, 2021], Oregon became the first state in the United States to decriminalize possession of small amounts of all drugs and greatly increase access to treatment, recovery, harm reduction and other services.

They had “the talk” in Oregon and they listened to the evidence. Are you willing to listen? We know you can’t change the state and federal laws in the short term, but there are ways to deal with the complicated choices that free human beings make without criminally penalizing them and destroying their lives.

The Common Council should demand that the MPD research and evaluate the outcomes – good and bad – of their HIDTA and Operation Legend efforts. This could best be done in the context of the Milwaukee City-County Heroin, Opioid and Cocaine Task Force, which will meet again for the first time in over a year on May 5th. Please table this HIDTA Grant request until the MPD

and the people most impacted by the War on Drugs have put all of the facts and outcomes on the table. The City of Milwaukee cannot afford to throw good money after bad. The evidence shows that the outcomes of the War on Drugs include overdose deaths with “no end in sight” and more guns, mobile drug dealing, and drug-related homicides and non-fatal shootings.⁵

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. Lieutenant (now Inspector) Shaun Doyne, MPD Narcotics Division – HIDTA, **December 1, 2017** CCHCO Task Force Meeting.

¹http://hidtdirectors.org/wp-content/uploads/2021/02/2020_HIDTA_Program_Information.pdf

²<https://public.tableau.com/profile/paul.mozina#!/vizhome/MCMEODrugDeathsInMilwaukeeCounty2002-2020/DrugDeathsGraphedByYearDashboard>

³<https://www.mcw.edu/departments/epidemiology/research/milwaukee-homicide-review-commission/reports/dashboards>

⁴<https://drugpolicy.org/press-release/2021/02/drug-decriminalization-oregon-officially-begins-today>

⁵The Harmful Side Effects of Drug Prohibition, by Randy Barnett
<https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1837&context=facpub>

cc: Common Council Alders