"You could say I lead a double life," says Victoria beat cop David Bratzer, "but I don't. It's not inconsistent to enforce drug prohibitions while criticizing them. It's my duty to do both"

POLITICS -2012-

THE WAR ON THE WAR ON DRUGS

Backed by a growing roster of politicians, health officers, and legal experts, a single beat cop blows the whistle on prohibition

BY PAUL WEBSTER

For all the hype, says Const. David Bratzer, the life of a downtown cop is about wordplay more often than gunplay. As the scores of drug offenders who've served jail time at his insistence will attest, his main weapon isn't his service revolver, it's polite, persistent persuasion. As he unrolls his six-foot frame from a floatplane in Vancouver harbour on a humid summer morning, that's a weapon he plans to level once again at the very drug laws he's charged with enforcing. "It's tough for a cop to admit," he says, heading down the wharf while buttoning his charcoal jacket, "but our laws just don't make sense."

Today's plan is to sell that message around town as forcefully as possible. Bratzer, 35, serves with the Victoria police department, but he is also a spokesman for the Washington, D.C.-based Law Enforcement Against Prohibition. Thanks largely to his relentless campaigning in recent years, LEAP is starting to gather momentum in B.C.: today's first task is to open a Canadian bank account and deposit $5,000 in seed money from American donors. Then he's heading to West Vancouver to meet Dr. Evan Wood, a UBC researcher who also believes drug prohibition does more harm than good in criminalizing what is in large measure a mental health issue. Together, they have an 11:00 appointment with John Weston, MP for West Vancouver–Sunshine Coast and a member of the Conservative caucus that last March enacted the toughest drug prohibitions in Canadian history, increasing federal drug enforcement budgets while cutting funds for treatment programs. Next, he's scheduled to meet with Darrell Mussatto, mayor of North Vancouver. In between, there will be time for a quick lunch with Martin Millerchip, editor of the *North Shore News*. Tomorrow morning, he'll be back in uniform. "You could say I lead a double life," Bratzer muses while heading over the Lions Gate Bridge, "but I don't. It's not inconsistent to enforce drug prohibitions while criticizing them. It's my duty to do both."

PORTRAIT BY DAVID FIERRO

Standing in the morning sunshine on the sidewalk out front of Weston's office in a low-rise commercial building on 17th street, Bratzer quickly summarizes his speaking points. Honed in scores of meetings with powerbrokers across North America, his policy advice is concise: politicians, having hugely oversold tough-on-crime messages to voters spooked by violent crime, need to take a more responsible approach. Law enforcement officers across British Columbia are weary of imposing drug prohibitions that devour the bulk of police, court, and prison budgets yet have negligible impact on the complex factors propelling drug use. For a start, Bratzer argues, marijuana—which 35 percent of people aged 15 to 24 in B.C. are estimated to have smoked in the last year—should be decriminalized and commercialized within the same sort of regulatory frameworks governing booze and tobacco. Tax B.C.'s 430,000 pot smokers, Bratzer will urge Weston (who in March voted to force judges to issue mandatory minimum jail sentences for petty pot offenders) and use the resulting government income to fund programs to rescue people from drug-related suffering. Only barbarians, his logic goes, would criminalize people suffering from mental-health afflictions such as addiction. "For 40 years we've waged a war on drugs here in B.C. and around the world that has flatly failed, even while creating immense carnage and misery," Bratzer sums up as Wood, also wearing a grey suit, arrives. "As so many police officers will privately tell you, prohibition itself is by far the biggest part of what makes drugs so incredibly dangerous to so many people. The time is long overdue for police officers to start saying so publicly."

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A few hours later, over lunch with Millerchip downstairs from the *News* office, Bratzer summarizes his encounter with Weston before the discussion turns to the endless community violence that, like backwash from a battleship, follows the narcotics trade. "Prohibition is a relic from a bygone era," Bratzer intones with the insistence of a man accustomed to courtroom arm-twisting. "In the 1920s, alcohol prohibition gave criminal groups massive liquor profits and unleashed a wave of violent carnage. These days, prohibition of pot and the other illegal drugs causes exponentially more violence."

Instead of stemming the supply of drugs, Bratzer argues, prohibition passes control to the highly efficient, ruthless, and violent organized-crime groups that vacuum up billions in profits. These groups have fenced off a sizable share of the income from B.C.'s $7 billion pot industry and big chunks are reinvested in additional toxic activities, including trade in cocaine, heroin, and other highly destructive drugs; and the often-interlinked sex trade, human trafficking, and more traditional mafia-style pursuits such as extortion and contract killing. Given the explosion in money from the pot industry, it's not surprising that between 1997 and 2009 the number of annual gang-related homicides in B.C. nearly doubled to 43 while the proportion of all homicides in BC attributable to gangs increased from 21 percent to 34. After Portugal dropped all drug prohibitions in 2001, it achieved reductions in drug use, drug-related harms, and criminal justice overcrowding. "Millions and millions of families the world over could be spared the hellish grief of addiction. Let's make criminals choose between starvation and getting honest jobs."

Bratzer's education in the contradictions surrounding Canada's drug-enforcement industry started in 2003, when, after training as an air traffic controller in Ontario, he switched flight paths and signed on with the Victoria police. With two brothers on the force, it was an easy fit. His first job was in the force's cell block, a tiny outpost of the vast legal catch net that incarcerates nearly 50,000 Canadians for drug offences annually—with Vancouver and Victoria consistently topping national lists. Canadian prisons, he quickly realized, are holding pens for huge numbers of people sideswiped by addiction and other mental-health problems. Far from offering effective help, they seem built to reinforce drug problems. As John Farley, a Vancouver physician who works in prisons, notes, they offer addicts meagre help, and, because one in four inmates inject drugs often using shared needles (needle exchanges and other buffers against HIV and hepatitis transmission are prohibited in many jails), provincial and federal prisons actually pose risks to society.

Early in his career, Bratzer moved to street patrol. The new job offered even broader lessons about the often self-serving dynamics of drug enforcement. Victoria, for all its touristic charm, hosts a downtown drug scene smaller in scale but strikingly similar to Vancouver's. Patrolling the gritty edges of Chinatown, Bratzer began to appreciate the interconnected web of tragedies so often awaiting people addicted to hard drugs. Charged with quelling an epidemic of public intravenous injection viewed by politicians and business leaders as a "nuisance problem" hurting tourism, he recognized that policing strategies—no matter how they are executed—cannot resolve problems deeply rooted in mental illness. Corralling people into back alleys won't heal them or prevent them from overdosing, he concluded. Nor will it reduce their risk of HIV and hepatitis. As for arresting them? He'd seen how prisons inflame addiction. As his experiences widened, his perspectives shifted: "It was a gradual evolution in which I began to question the logic of the whole purpose of drug enforcement."

Over several years, Bratzer became convinced that prohibition, by blocking rational controls on the supply and use of drugs, supports an ocean of related misery. He'd also discovered that, concealed behind the official messages emanating from Canadian police departments, large numbers of serving officers oppose prohibition—albeit in secret. "Among their peers, cops find it difficult to admit," he explains, "but get a cop alone and talk one on one and you'll be surprised what they say: large numbers of officers will admit that prohibition is a failure."

In 2008, with encouragement from LEAP and inspired by Vince Cain, a former RCMP superintendent and B.C. chief coroner who wrote a path-breaking 1994 report for the provincial government recommending decriminalization with law enforcement funding channelled to treatment programs for addicts, Bratzer went public in an interview with *Times-Colonist* columnist Jody Patterson. "That proved very controversial with my colleagues," he remem-

LIP SERVICE

How can we trust beholden politicians?

Politicians care what happens to people like me 19%

bers. "Some thought I was in league with drug dealers."

In November 2009 he passed the point of no return, breaking ranks with the Victoria force by travelling to Ottawa to tell the Standing Senate Committee on Legal and Constitutional Affairs that the Harper government's plan to stiffen drug laws was misguided. "There was some push back from within senior ranks in the force," he explains dispassionately. "But my union always said I was free to speak. So that's what I do."

No provincial party truly represents my views 59%

Right now, that frank talk is happening in an overfurnished portable behind North Van City Hall. "For every offender doing time for a serious crime like trafficking," Bratzer emphasizes as mayor Mussatto nods enthusiastically, "there are literally thousands of people in jail for totally petty crimes that stem from drug use." Most of these are committed by addicts seeking cash to pay the outrageous prices that result from letting crime groups control drug supplies, Bratzer posits. If drugs were decriminalized under tight government control, much of the vast budgets allocated to prisons could be used to fund treatment programs—which at present receive an estimated one-30th as much funding as enforcement. Mussatto emphasizes how much he agrees, and the two men, suddenly relaxed, plunge into a discussion of B.C. police personalities. "This meeting could be shorter than I figured," Bratzer grins. Soon enough, Mussatto is on the phone arranging a lift to get Bratzer down to the Seabus terminal.

No federal party truly represents my views 55%

As one of only four working police officers among North America's 770,000 cops willing to speak publicly (the other three work in Ontario, Maryland, and Texas) against the laws that buttress an estimated $50 billion in annual spending on police, courts, and prisons in the U.S. and Canada, Bratzer isn't just contrarian; his views are provocative to the point of recklessness. Among police officers, he's seen as either a Gandhi or a Judas, or a bit of both: As one senior Vancouver cop said about Bratzer's tactics, "Maybe throwing a can of gasoline on the fire isn't the best way to operate." But nobody would deny his courage. As Evan Wood says, "What David is doing is extremely rare and it is also extremely brave. He's speaking truth to power."

Most politicians try to do the right thing 37%

As commander of the Vancouver police department's downtown division, Insp. Scott Thompson enforces Canada's drug laws in one of the world's most scrutinized criminal enclaves. Home to 15,000 addicts, the Downtown Eastside attracts the ire of politicians and enforcement bosses in Ottawa and Washington. In New York, U.N. officials routinely denounce it as a weeping sore of planetary proportions. With so many spotlights glaring at him, Thompson is under intense pressure to clean up Canada's drug crime capital. But confronting drug crime is not Thompson's only concern. "What I'm dealing with in this job," he explains on a recent morning in his cramped office at the foot of the Granville Street bridge, "is a massive epidemic of mental illness that requires huge new public health resources."

By nature both meditative and talkative, Thompson views Vancouver's divisive drug dilemmas across three decades of service, starting as a beat cop; over time he became closely involved in fashioning the strategies that have transformed the VPD into the only major police force in North America consistently supportive of scientific investigations predicated on staying—if only partially, temporarily, and experimentally—prohibition.

With strong encouragement from City Hall and virulent opposition from the Harper government and the Canadian Police Association, the VPD has supported the Controlled Drugs and Substances Act-exempted Insite supervised-injection facility, where government-funded employees monitor the consumption of illicit drugs—mostly heroin and cocaine—in a government-financed centre. The VPD also supports two trials investigating the merits of government-controlled and -financed heroin distribution: the North American Opiate Medicalization Investigation, and the Study to Assess Longer-term Opioid Medication Effectiveness.

The VPD also collaborated with community groups like the Vancouver Area Network of Drug Users to buttress legal changes, including a study that in 2003 helped shift governance around the sales of rice wine, a common killer of co-addicted users in the Downtown Eastside. (See "XXX TITLE," page 58) Support for scientific investigation, however, is not the same as support for legal change: as Thompson scrupulously emphasizes, the VPD skirts public discussion of decriminalization. But does his support for Insite and the heroin studies indicate a willingness to at least investigate decriminalization? "Yes," Thompson says cautiously, "I guess so."

This doesn't mean the VPD isn't aggressively battling drugs, Thompson stresses. "The vast majority of our resources involve controlling illicit substances," he says, noting that enforcement is "frighteningly" expensive and that one-third of all police calls for service in Vancouver involved one or more persons apparently suffering from a mental-health issue. "When you are dealing with an addicted population who may be self-medicating for mental illness, it raises questions about the best use of resources." Which is why police focus their efforts on non-addicted traffickers. In large measure, the force already disregards prohibition by only selectively enforcing laws against possession. With rates of cannabis-related arrests—and related police workloads—in Canada rising from 39,000 in 1990 to 65,000 in 2009, law enforcement officials are starting to seek work-arounds. "The courts have sent us a clear message that unless there are extenuating circumstances, there is no great reason to press possession charges," he explains. "At some level, this represents support for anti-prohibition views."

But police are very experiential. "If we want to go to a [government] regulated model, what would it look like? For us this is a very difficult area to go, and I've yet to find a forum where we can discuss it." Unlike clear-cut issues such as drinking-and-driving,

Most politicians just follow the party line 72%

where police unflinchingly pushed for legal changes without risking political blow back, decriminalization remains the solution that dare not speak its name. "We're watching and waiting, looking to see what our appropriate role in this discussion would be," Thompson explains. "If it was a formal request from government to discuss the pros and cons of prohibition, we'd say, 'Sure.' "

The chances of Thompson getting that call are increasing greatly. In April, a coalition of eight B.C. mayors including Vancouver's Gregor Robertson, North Vancouver's Mussatto, and Burnaby's Derek Corrigan called on Premier Christy Clark, Opposition leader Adrian Dix, and B.C. Conservative Party leader John Cummins to support the regulation and taxation of cannabis. So far, the response from provincial politicians has been mute. The mayors cited an Angus Reid poll showing 54 percent of people in B.C. support this idea; Vancouver city council subsequently endorsed a motion to support this call in a unanimous vote. "This is not a partisan issue," Robertson explained at the time. "Widespread access to marijuana for our youth, grow-ops that provide funds for organized crime, and significant costs to taxpayers for enforcement are all compelling reasons to re-examine our failed approach to prohibition."

The mayors were in part emboldened by the work of Stop the Violence BC, a multi-stage campaign against prohibition led by Evan Wood that recruited backing from an array of powerhouse supporters including Louise Arbour, the former Supreme Court of Canada judge who once headed the International Court of Justice; and the former presidents of Mexico, Brazil, Colombia, Chile, Switzerland, and Poland. Sitting politicians are also starting to chime in: in May, Colombian president Juan Manuel Santos, Guatemalan president Otto Fernando Pérez Molina, and Costa Rican president Laura Chinchilla strongly signalled their support for rethinking the war on drugs, which, since it was launched by Richard Nixon in 1970, has funnelled at least a trillion dollars into the law enforcement industry in North America alone. In recent years at least 55,000 Mexicans have been killed by drug-fuelled violence even as Mexican heroin production tripled. Over the past decade, the U.N. estimates, the number of narcotics users worldwide has increased tenfold.

Alongside its efforts to recruit international supporters, Stop the Violence BC is also scaling the province's political and law enforcement firmaments, securing endorsements from two former premiers and four former attorneys general, and a host of legal and public health experts. "As someone who was the chief law officer of the government of British Columbia I know that when we think of using law enforcement as a tool we usually think that it`s going to make a problem go away," explained Geoff Plant, who served as B.C. attorney general between 2001 and 2005, at a February press conference. "When you talk about cannabis, the effect of law enforcement is to make the problem worse in almost every respect."

Minutes later, John McKay the former U.S. attorney for western Washington who convicted Mark Emery, Vancouver's "prince of pot", took the podium to argue that decriminalization would raise as much as $65 billion for U.S. public health, drug education, and treatment while undercutting a key business platform for the underground narcotics industry, and the "enormously potent and dangerous environment which is created and maintained by our law enforcement."

Stop the Violence BC kick-started its local efforts with an endorsement from the Health Officers' Council of B.C., which for decades has put pressure on politicians to tackle drugs as a mental-health issue rather than a crime problem. Last year the council issued a report calling on politicians to consider modelling drug control on the provincial government alcohol monopoly ("without the product promotional aspects").

But getting the medical community on side is the easy part, says the province's chief medical officer of health, Perry Kendall, whose office walls in Victoria are checkered with testimonials to his efforts to reform Canadian policies. The tough part will be the police. For them, he explains, although they "largely agree that drug prohibitions are futile, they also know that they keep them employed."

Despite all of the support from retired law enforcement leaders from across the province and around the world, however, only two working law enforcement professionals—Bratzer, and Ian Tully-Barr, a crown counsel with the Attorney General of B.C.—have publicly joined Evan Wood's coalition against prohibition.

Taking on the colossus of the global enforcement machine is indeed an isolating role, Bratzer reflects as he waits for the flight back to the drug-fighting trenches in Victoria. "Policing is an inward-looking culture and this doesn't win me any popularity contests," he mused. "But public debate is important and the public support I've received is what sustains me. And let's face it, the status quo in policing is not always the best approach." VM

THE FINE PRINT

As Vancouver police wage a public fight against drug abuse, a country watches

In 2006, recognizing that the country looks to Vancouver to implement, evaluate, and debate innovate approaches to substance abuse, the VPD adopted a new drug policy. The policy rests on the city's adoption of a European-style "Four Pillars" approach, which encompasses:

Prevention: Throughout the policy drug use is referred to as "psychoactive substance abuse." As with earlier campaigns against smoking and drunk driving, "undesirable behaviour" is identified, judged, and stigmatized.

Enforcement: Though it's the VPD's principal activity, police still exercise judgment, applying possession laws not uniformly but primarily "in circumstances where the users are engaged in behaviours that harm and/or interfere in the lawful use or enjoyment of public or private property."

Harm Reduction: The VPD has advocated by fighting to remove rice wine (responsible for 100 deaths a year) from convenience stores; mounting undercover investigations of so-called "crime hotels" in the Downtown Eastside (improving living conditions for tenant addicts); and focusing on safety over busts at overdose scenes.

Treatment: "Arguably, more cost-effective than the current investment in police arresting and jailing addicts." Perhaps the single greatest call to action in the document.