

Policy Recommendation Memorandum

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MEMORANDUM FOR: Adam E. Namm, Executive Secretary of CICAD

SUBJECT: Recommendations to address the Southern U.S. border crisis to battle drug trafficking.

- 1. Purpose.** The purpose of this memorandum is to present options and make recommendations to the Executive Secretary on what actions the Inter-American Drug Abuse Control Commission (CICAD) can take independently through private, local, federal, and state partners to combat the current rise of drug trafficking on the Southern U.S. border.
- 2. Background.** Since the 1970's when America first declared a "war on drugs," they have spent a combination of over \$1 trillion on counter-narcotics efforts. From 2018-2021, cheap and highly potent fentanyl seizures have increased 4,000 percent on the southern border, with most apprehensions coming from the desert because of smugglers taking advantage of the U.S stretched federal resources. Opioids, synthetic opioids, and opioid derivatives are in a class of drugs including heroin, synthetic opioids such as fentanyl, and prescription drugs like oxycodone, morphine, and many others. These drugs have been used in the medical field to reduce pain and help with other issues for decades.

So far there has been a total of 11,201lbs of fentanyl found in 2021 alone, with only two milligrams of fentanyl being considered a lethal dose for certain body sizes, this amount could kill more than two billion people; this is more than one-third of the whole world's population.¹ According to U.S. Customs and Border Protection

(USCBP), along with fentanyl, 190,861lbs of methamphetamine and 97,638lbs of cocaine have been seized.ⁱⁱ The reason drug trafficking of cocaine and marijuana has decreased is because of how much more the drug Cartels can profit from selling fentanyl, or fentanyl-laced drugs because of its abundance and ease to make themselves with raw materials that they can acquire from China. These illegally made opioids can be fatal because the precise contents, down to the milligram are unknown. But the cartels don't care, all they see is the money that is flowing back I, on its way to being laundered.

In 2019, the World Health Organization (WHO) announced the beginning and spread of the coronavirus outbreak (COVID-19) which implemented tighter restrictions, both land, and air, affecting the supply and demand of drugs around the world. This has led there to be shortages in the heroin supply and the derivative, fentanyl has become a possible switch for these users. As of November 2021, the U.S. land border will begin to open in two different phases, concluding with a fully open border in January 2022 for those who are 'fully vaccinated.' This could lead to another change in the drug flow out of Mexico.

COVID-19 made it possible for the illicit drug flows to change the route as some of the drug supply chains were hindered and caused the traffickers to find new routes. One new route option according to the United Nations Office on Drugs and Crime (UNODC) is maritime routes for many countries, which did not stop trafficking on the border of Mexico as they varied their operation patterns. Instead of Mexican "mules," they chose persons with American citizenship to go through the less populated areas with little surveillance and therefore have a better chance of making

it across without being caught. As a consequence of the pandemic, fentanyl became the 'easiest,' and top drug to smuggle for its very high potency in very small quantities. With organized crime easily overcoming the obstacles attributable to the pandemic, they increased drug sales on the Mexican side of the border and caused a storm of relapses among addicts. As reported by the DEA, Mexican transnational criminal organizations (TCO's) "are producing increased quantities of fentanyl and illicit fentanyl-containing tablets," with some TCO's lacing other drugs with fentanyl because of the copious amount that they have produced. This increases the potency of the drugs and to buyers, it is just disguised as a highly potent drug, like cocaine or heroin. The results of this are thousands of overdoses and larger numbers of new users and drug addicts, that could be two milligrams away from overdosing themselves.

Enforcement encounters have increased tremendously according to U.S. Customs and Border Protection (USBP), with under 500,000 apprehensions in 2020 and more than 1.7 million apprehensions in 2021, the highest number ever. The Biden Administration, upon taking office paused the building of the wall on the Southern U.S. Border for his administration to review the project. In doing so, Biden has diverted more than two-billion dollars back to the Pentagon and "urgent life, safety, and environmental issues."ⁱⁱⁱ With the assumption that the president would adopt a more relaxed approach on the border, there has been a massive increase of migrant "encounters" at the border. With a lack of engagement from Mexican agencies, this is proving a bigger problem especially after the arrest of Salvador Cienfuegos Zepeda, a retired general and former Mexican defense secretary in

2020. Taken into custody on charges of money laundering and international drug trafficking, Mexicans were surprised by the arrest. The joint operation between the U.S.-Mexico border patrol link is currently broken, according to experts in the U.S., and they have restricted any U.S. drug operations, including joint investigations inside Mexico for the time being. Cooperation still exists but is under ongoing negotiations for restored trust and joint operations, which is not an easy task.

- 3. Analysis.** In accordance with the CICAD's commitment to discuss and find solutions to the drug problem in America, the following analysis of issues surrounding drugs being smuggled across the southern border is wrapped up in strategies with respect to the current Covid-19 pandemic and ongoing problems in America

The Covid-19 pandemic created a new era of the "war on drugs," with fentanyl being one of the most potent drugs to cross the border in years. Fentanyl's potency is 100 times stronger than morphine. Instead of the pandemic slowing the trafficking of drugs across the border, it has only changed the product in which they choose to smuggle. With the substantial abundance of fentanyl being acquired, cartels are having no problem with mixing hard drugs, like heroin and cocaine, with it so they can make them even more potent, leading to users coming back more often or even dying. The mixing of fentanyl with other drugs increases the likelihood of a fatal interaction by over 50%. There are also new routes being created through the desert areas on the border with less surveillance so TCO's have a better chance of their smuggler to get their product into the U.S. and their money back to Mexico.

Amidst the worst-ever drug crisis the United States has seen, more than 1,300 people are dying per week from opioid or opioid-related overdoses. In 2018 alone,

70 percent of drug overdose deaths involved an opioid. New Psychoactive Substances (NPCs) are getting big on the market with higher demand being created and marketed to all users along with increased local production of drugs throughout the United States. Even drugs that are being legalized in some states have the possibility of being laced with another drug, creating more drug-related deaths in the U.S. than ever before.

The collapse in trust and cooperation between the law enforcement and military in Mexico and the U.S. is another major issue. "They themselves are too afraid to even engage with us because of repercussions from their own government if they get caught working with DEA," said Matthew Donahue, DEA's deputy chief of operations on NPR. With Mexican NGOs refusing to work with the U.S. border patrol, progress cannot be made effectively. The Biden Administration needs to put more pressure and focus on how the Mexican government cooperates with our security measures in place at the border. Mexican and U.S citizens' lives are at risk because of the lack of cooperation of both countries and the corruption happening within border patrol on both sides. With no trust from Mexico's side of the border, it had led to an influx of products crossing the border.

By putting our best foot forward and beginning to decrease the demand for drugs, there would be less reason to smuggle them into the U.S. Furthermore, there needs to be more accessible, and affordable aid present for drug addicts along with more efforts put in place to prove how costly taking drugs can be to a person's life. More law enforcement needs to be present on the southern border, since without our 'first line of defense,' it becomes almost impossible to stop the TCO's.

The Executive Secretary's commitment to finding solutions to the drug problem in America makes addressing key elements of CICAD policy paramount to supporting these strategies. To this end, CICAD, through the cooperation of governments, international organizations, and non-governmental organizations, can combine to suppress drug production, trafficking, and distribution in America. For key actors to participate, demand reduction programs need to be integrated into multiple aspects of health and social well-being programs that influence communities and individuals. This should reduce the untimely consequences of drug abuse for the individual and society as a whole.

- 4. Options.** The Cost-Effective Demand Reduction option - this option works from within the United States to stop the initial want or need for drugs from the get-go. If there was less demand, then there would be less reason for drugs to cross the U.S.-Mexico border, therefore leading to supply reduction as well. This option would consist of an improved drug policy that would provide increased education and information to the public. Children need to learn from a young age the effects of drugs and the abuse they could cause to their bodies. Informing those who need drug education least has been shown to be the most effective, but the focus needs to be on poverty, political, and cultural factors instead of just "abstinence of drugs" as that has proven to not work. Along with this, there need to be better ways to provide treatment to current drug users who do not have the money for rehabilitation or detoxification. Helping those already dealing with addiction find a way to combat it and get away from a life full of drugs would be another step in the right direction of demand reduction. Having facilities cost less is a possible first step. Inpatient rehab

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can cost anywhere from \$6,000 for a 30-day program to the exorbitant amount of \$60,000 for a 90-day program.

Prevention programs need to continuously be addressed as a public health issue. More research should be put into the prevention and treatment of drug users, especially addicts. How to reach a larger audience would also be key to this cause to help them. Without a comprehensive, balanced, and coordinated approach addressing demand reduction and control of supply, this option would fall short of success.

The Border Patrol option -- The Inter-American Drug Abuse Control Commission (CICAD), along with other multilateral United States mechanisms, needs to be more broadly reinforced around the country. The latest U.S. anti-drug strategies are becoming increasingly ignored, especially on the organized side of the issue. With about 55 Border Patrol checkpoints currently, fentanyl and other drugs are still getting through the border because of the lack of agents able to stop them. This is preserving the violence and deterioration that comes along with the TCO's; therefore, the use of law enforcement and the USCBP need to be stepped up. Just to partake in these tasks there would need to be a higher quota of officers patrolling the border and checking who, and what comes in and goes out. With more knowledge on the subject, there would be more accurate information of where the most law enforcement would be necessary to continue accurately protecting the border.

With Border Patrol resources being stretched near their breaking point, the military needs to be called in for help. States should be required to offer more aid to

the southern border crisis by sending their own National Guard troops there.

Encouraging Mexico to impose strict controls on the purchase of pill presses would also be another step in the right direction. Drug smuggling has become a 'back burner' problem because of all the illegal aliens crossing the border, yet it is a war we have been fighting for decades. Even at the current 'breaking point,' it is not the time to hang up our hats, give up, and or give in. Yet the biggest issue with this option is finding the funding for it. With money being stretched thin through other organizations and law enforcement, there is little money left for border patrol.

Without the correct funding, this option could not be executed correctly or accurately to the degree necessary.

The Legalization option—The most controversial and risky option, is to legalize the use of drugs recreationally so that the medical field would have full control over the production and distribution of the drugs. With the government being in charge of the production of all illicit drugs and synthetic opioids it could cut the overdose death in half since users would know that what they are taking is not laced with another drug, the most mentionable is fentanyl. Drugs would be made pure and measured correctly and have less of a possibility of harming someone from ingesting unknown substances. For this to happen the government would need to make high-quality drugs cheaply and widely available to terminate the illegal drug market. Prices would have to be monitored and kept low, using the same prices as current illegal dealers on the streets would be the most efficient way. This could be highly beneficial to the United States, it would be a new source of tax revenue and decrease drug-related crimes. But unless these reforms make the illegal drugs cheaply available to any

willing buyers, there will be an illegal market for these substances. Healthy drug-free norms would be promoted alongside this option to support substance prevention as well as emotional, social, and mental health promotion.

The biggest problem with this option is that it is nowhere near 'simple' or easy. In Colorado alone, the legalization of marijuana led to a 48% increase in marijuana-related traffic deaths between 2013-2015. Prohibition of drugs also creates an alleyway for incentives and opportunities for corruption. It could increase the mainstream acceptance of drugs and cause an increase in their use. Marijuana has been labeled a gateway drug which would lead to an increase in harder drugs being used. There is no right answer for this option, which is why it's a back-and-forth debate, but there could be steps in the direction of the legalization of drugs if done wisely and appropriately.

5. Recommendation. The CICAD, the Training and Certification Program for Prevention, Treatment, and Rehabilitation of Drug Abuse, and Violence, should both be reinforced more widely to help all governments in the region expand demand reduction and substance-abuse treatment. Supply reduction of synthetic opioids and other opioid derivatives would be a consequence of these steps with fewer users and a higher price for buyers. Treatment facilities must become more widely available and cost-effective. Possible patients should not be turned away for their lack of being able to pay. This would entail treatment, prevention, and research and with hemispheric cooperation and U.S. leadership, real change and progress are possible. Intensifying efforts to decrease demand is one of many ways to begin combating this issue.

It is necessary to begin demoralizing and preventing the initial use of drugs. By intervening early on in the lives of occasional or non-dependent drug users process towards change can be made. We must treat the negative health consequences of reliance through treatment, rehabilitation, and assistance programs for post-care help to decrease the number of relapses. This will be challenging to get the money necessary for this plan, as the rehabilitation facilities will need more government money to go through with this plan. Though the main reason to follow this plan is for how much help it would spread all over the United States, having the prospect to change the lives of these people forever, and thousands upon thousand all over. For years, CICAD's Demand Reduction Program has helped hundreds by implementing training and education programs for an executive team of individuals to then manage prevention and treatment services in member states. In continuing this by using law enforcement and treatment to achieve these goals of demand reduction. Supply and demand reduction work hand in hand to shrink the market for illicit drugs.

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