

Drug War Follies - Skunk Magazine Issue #15

Since moving down here to Texas from New York a couple of years ago I've been nosing around the drug war situation in these parts and from what I can tell, it stinks. It's not as bad as it used to be—there was a time, 20-30 years ago when you could get 40 years for a joint, and some people got it. These days most personal possession cases don't carry much jail time. But—and this is a capital B-U-T-T, what they do in small towns like mine is not to charge you with the possession per se. Instead, they routinely claim people were seen passing the joint, then charge you with distribution of a controlled substance, which carries a long time in a wretched place. But after you've sat in the County Jail for 90 or 180 days (Texas District Attorneys don't like to set bail for drug offenders, who are typically portrayed as dangerous, predatory scum) the DA will generally offer a deal: Take six months in a prison drug rehab and 10 years probation or face a jury trial where you might be looking at 20 and the DA is going to try to get all of it.

So you take the probation. Hell, you can stay clean for 10 years, right? Not here in Texas you can't. And it's worse in small town Texas, where once you're on the small police force's radar screen, it's hard to get off it.

Two recent cases I investigated: In one, an 18-year-old, Chris Sellers, was busted by police on the word of three tripping teens who said he was present when someone gave them acid. The kids said Chris walked away and didn't take any but the police still got him for distribution. It was a 20-year prison sentence if he took it to court. He didn't. He took the six months in the rehab, 10 years probation.

Rehab was bad: The guards routinely had forced sex with prisoners, stole their commissary money and beat them. All rehab prisoners had to stand naked in front of the prison's entire population—which included violent lifers—for two minutes every Friday afternoon. Rehabees who objected were sent to the cell block with the lifers for a few weeks at a clip.

It was so ugly that the county I live in, Johnson, finally pulled all of its kids out of rehab for their own safety—too little, too late, of course, but better than leaving them there.

The state turned around and charged Sellers with not completing his rehab and sent him to the county jail for 8 months and then on to a state prison for 14 more months. He got out, failed a piss test a couple of months later and was sent back to prison—with his probation revoked—for nearly two more years.

He got out again and stayed clean for over a year. Then he failed a piss test and did another 18 months in the county jail. Then, two months before his parole was up the local Narcotics Task Force claimed they got a tip he was selling drugs. Sellers was back inside for three months or so before the DA told him what he would be charged with: possession with intent to distribute ecstasy. Cops claimed Sellers told them where to find it after he gave them permission to enter his house without a warrant. Yeah. Sure as shit that happened.

Sellers was induced to take four more years prison time—this time with no time off for good behavior—on a plea, rather than face a jury and a possible 20.

So the original charge will have ballooned to more than 10 years out of 14 in jail or prison for Sellers. Some probation.

Similar story occurred with Ryan Peucker. Busted pawning some stuff a friend stole from his own parents (the kid wasn't old enough to pawn things), Peucker wasn't charged with possession of stolen merchandise. Instead he was charged with burglary of a habitation, which in Texas is punishable on a first offence by up to 20 years. Peucker took the same deal Sellers did: prison drug rehab and 10 years probation.

He did the rehab, came out, had pot in his pee, was sent back County for a year and then back to rehab. Came out, had pot in his pee a couple of months later, sat in county jail for a year. Got out, had pot in his pee, had his probation revoked and was sentenced to 5-years on the original burglary charge. Did nearly three of them, got out, and stayed clean for a year-plus. Six months before his parole was up cops come to his house and say he failed a pee-test some months earlier. The bring him in and claim that he tried to head-butt them as they walked into jail—with him handcuffed and held by the arm by two burly cops. So he's faced with assault of a police officer, good for 10 years with his prior. After 14 months in the county jail they make him an offer: Do two years in state prison for the head-butt or face jury trial. He took the two.

Those cases—where both kids had minor infractions that wound up pretty much ruining their lives over failed piss tests—are typical of probation down here in Johnson County but true all over Texas as well. Between 70-80% of all people in Texas on probation will fail and wind up doing prison time. As one high ranking probation officer explained: "It's set up so they fail. It's just a funnel for keeping the prisons full."

That's the US drug war and how it plays out in the trenches. Rotten to the core. If it's not one fucking thing it's another. As I write this, the US Congress is debating whether or not to legalize torture. Now we have already been busted torturing people, so it's not a hypothetical question. We've been found out flying people to secret little CIA detention centers all over Europe, and we've been caught in Abu Gharib and at Guantanamo in Cuba. And a lot of people in the USA want to see some high ranking people, the high ranking people who allowed, or worse, encouraged the torture, to do their time for the crime. But Georgie Porgie has a better plan: Why not just freaking legalize it and then we can stop all those simpering anti-torture lefties from whining.

Sure, why not?

And exactly what are you going to tell your children when they come for you? On September 26, the British Columbian Supreme Court set extradition hearings to begin on May 28, 2007 for Marc Emery, Michelle Rainey and Greg Williams in the great seed caper. Emery and the others are wanted by the US to face trial on charges related to cannabis seed distribution that could bring a life sentence to Marc E and considerable time to the others. The US DEA is claiming that Emery is responsible for 100,000 pounds of pot grown in the US in each of the 11 years he was in business. That's 1.1

million pounds.

Hmmm…let’s do the math. At a germination rate of one out of two seeds, and with half the seeds being male and an indoor production of 1 ounce per female plant (we’ll skip cloning, okay?) that would come to one ounce of weed for every four seeds. That would work out to be about 6.4 million seeds sold annually, just in the USA. Wow, that’s a lot of envelopes to lick.

Is everyone in the damned DEA high or what???? If Marc sold seeds for \$5 each that would come to \$32 million US dollars a year he was taking in. Incredible! That’s like breaking an ounce down to 60 very very thin toothpick joints and imagining that each would be sold at 20 bucks and then claiming the ounce was worth \$1,200! Wait! They already do that!

And on the very same day Marc’s extradition hearing was set, two founders of the Cali Cartel, Gilberto and Miguel Rodriguez Orejuela were sentenced in the US to 30 years in prison.

The moral is if you supply drugs the US can make money off, and you get caught, you get 30 years. If you supply seeds that get people off, you face life.

Ain’t that a bitch? Now, imagine Jenna Jamison or Brianna Banks taking care of your business. Girls, imagine whomever you want. Tell me those stories I wrote aren’t a lot less fun to read than getting head. I dare ya. It would all be funny if people weren’t dying and the prisons weren’t full.

About the Author

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