

thus imposes less cost on dealers—less than a million dollars spent on conventional enforcement, which includes asset seizures.<sup>3</sup>

#### REDUCING COCAINE-RELATED CRIME

Many Americans are worried about the crime associated with cocaine production, distribution, and use. Working with data on the causes of drug-related crime, Caulkins and his colleagues estimated the crime reduction benefits of the various alternatives. They found no difference between conventional enforcement and mandatory minimums in relation to property crime. Conventional enforcement, however, should reduce crimes against persons by about 70 percent more than mandatory minimums. But treatment should reduce serious crimes (against both property and persons) the most per million dollars spent—on the order of fifteen times as much as would the incarceration alternatives.

Why is treatment so much better? Most drug-related crime is economically motivated—undertaken, for example, to procure money to support a habit or to settle scores between rival dealers. The level of economically motivated crime is related to the amount of money flowing through the cocaine market. When a treated dealer stays off drugs, that means less money flowing into the market—therefore, less crime. When a dealer facing greater enforcement pressure raises his price to compensate for the increased risk, buyers will reduce the amount of cocaine they purchase. Money flow equals price times quantity bought. Which effect predominates—the rise in price or the drop in consumption? The best evidence suggests that they cancel each other out, so the total revenue flowing through the cocaine market stays about the same. The effect of the enforcement alternatives is therefore limited almost entirely to the relatively small number of crimes that are the direct result of drug consumption—crimes “under the influence.”

#### SENSITIVITY OF THE RESULTS TO CHANGES IN ASSUMPTIONS

The values shown in Figure 1 are dependent, of course, on various assumptions the researchers made. If the assumptions are changed, the values change. As an example, the results are dependent on the time horizon of interest to those making decisions about cocaine control strategy. Figure 1, for example, ignores any benefits and costs accruing more than 15 years beyond program initiation. A 15-year horizon is a typical one for analyzing public-policy effects. But what if that horizon were closer?

Figure 2 shows the relative cost-effectiveness of treatment and the enforcement alternatives against typical dealers, analyzed when time horizons are set at various points from 1 to 15 years. At 15 years, the lines match the heights of the two short bars and the tallest bar in Figure 1. As the horizon is shortened, treatment looks worse, because treatment's costs, which accrue immediately, remain, while the benefits, which accrue as long as treated individuals reduce their consumption, are cut back. If the horizon is made short enough, long sentences look better, because the costs of additional years of imprisonment are ignored, while the benefits remain. Those benefits, again, are the cocaine price increase and consumption decrease that occur as soon as the imprisonment risk increases. The time horizon must be shortened to three years before long sentences look preferable to additional conventional enforcement, and to little more than two years before they look preferable to treatment. Hence, longer sentences for typical drug dealers appear cost-effective only to the highly myopic.

More generally, large departures from the assumptions underlying the analysis are re-

quired for mandatory minimums to be the most cost-effective approach. Figure 3, for example, displays departures from two key assumptions underlying the results in Figure 1: that it costs the federal government \$20,000 to arrest a dealer and that a dealer wants additional drug sales income amounting to \$85,000 for risking an additional year of imprisonment. These two assumed values are depicted by the star in Figure 3. The bounded areas and labels indicate which program is the most cost-effective for any combination of substitutes for those two numbers. As the figure shows, mandatory minimums would be the most cost-effective alternative only if arrest cost were to exceed \$30,000 and a dealer were to value his time at over \$250,000 per year. Such figures would typify only those dealers who are both unusually difficult to arrest and at a fairly high level in the cocaine trade. For dealers costing less than \$30,000 to arrest, cocaine control dollars would be better spent on further conventional enforcement. For dealers demanding less than \$250,000 compensation for imprisonment risk, the money would be better spent treating heavy users.

Long sentences could thus be a smart strategy if selectively applied. Unfortunately, because mandatory minimum sentences are triggered by quantity of drug possessed, they are not selectively applied to the highest-level dealers. Such dealers often do not physically possess the drugs they own and control; they hire others to carry the drugs and incur the associated risk.

#### CONCLUSION

Long sentences for serious crimes have intuitive appeal. They respond to deeply held beliefs about punishment for evil actions, and in many cases they ensure that, by removing a criminal from the streets, further crimes that would have been committed will not be. But in the case of black-market crimes like drug dealing, a jailed supplier is often replaced by another supplier. Limited cocaine control resources can, however, be profitably directed toward other important objectives—reducing cocaine consumption and the violence and theft that accompany the cocaine market. If those are the goals, more can be achieved by spending additional money arresting, prosecuting, and sentencing dealers to standard prison terms than by spending it sentencing fewer dealers to longer, mandatory terms. The DPRC researchers found an exception in the case of the highest-level dealers, where sentences of mandatory minimum length appear to be the most cost-effective approach. However, it is difficult to identify those dealers solely by quantity of drug possessed. It might be easier to identify them if, in passing sentence, the criminal justice system could consider additional factors, e.g., evidence regarding a dealer's position in the distribution hierarchy. Such factors, ignored by mandatory minimums, can be taken into account by judges working under discretionary sentencing.

#### FOOTNOTES

<sup>1</sup>All cost calculations in this brief are in 1992 dollars. To convert costs in 1992 dollars to 1996 dollars (the latest year for which inflation data are available), multiply by 1.119. To convert kilograms of cocaine consumption reduced per million 1992 dollars spent to kilograms reduced per million 1996 dollars, divide by 1.119.

<sup>2</sup>Data on quantities possessed by convicted dealers are not readily available below the federal level, so for typical dealers, the researchers assessed, in lieu of the true mandatory minimums, a program applying longer sentences to all who were convicted.

<sup>3</sup>As shown in earlier RAND research, treatment is more cost-effective than enforcement, even though the great majority of users revert to their cocaine habit following treatment. Treatment is so much cheaper than enforcement that many more users can be targeted for the same amount of money—so many

more that the sum of the small individual effects expected are larger than the effects expected from enforcement.

STATEMENTS BY KRISTEN GARNER, SHYLA BLAIR, AND SHELLY OUELLETTE, REGARDING SAME SEX MARRIAGE

### HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1997

Mr. SANDERS. Mr. Speaker, for the benefit of my colleagues I would like to have printed in the RECORD this statement by high school students from Proctor, VT, who were speaking at my recent town meeting on issues facing young people.

Ms. BLAIR. Recently in December Hawaii ruled that the state must recognize single-sex marriages. Judge Kevin Chang based his ruling on the fact that there's no legal reason against it. He also ruled on the theory that sexual orientation is fixed at birth and denying them the right to marry is sexual discrimination. Because of this ruling about 20 states have passed laws restricting homosexual marriages. We intend to prove that there is no legal argument against it and that there are only moral arguments based on prejudice.

Ms. GARNER. Some people think of homosexuals as promiscuous or abnormally sexually active, but that has nothing to do with sexual preference. Homosexuals are very committed to their partners. A 1992 study showed that 55.5 percent of all gay men and 71.2 percent of lesbians are in a steady relationship. There are between 1 million and 5 million lesbian mothers and between 1 million and 3 million gay fathers in the United States today. Although the majority of children come from previous homosexual marriages, homosexuals are still acting as active parents. Homosexuals who have not been in a heterosexual relationship in which to have children have many options. Adoption, foster parenting or artificial insemination are also ways of becoming parents.

Some people think that homosexuals will influence their children to become homosexuals, but 35 different studies have showed that the children of gay and lesbians are no more likely to be homosexual than the children of homosexual parents.

Ms. OUELLETTE. Homosexuals have good reasons for wanting to marry. They don't want to marry just to make people mad or start an argument. Homosexuals want to marry for the same reasons heterosexuals want to marry: Love, companionship, shared interests, common goals, emotional and financial security and to raise a family. If we deny homosexuals the right to marry, they will not have the automatic right to medical, legal or financial decisions on behalf of their partner. They can be denied access to visit their partner in the intensive care unit or other hospital departments.

Homosexuals want to feel emotionally and financially safe just like heterosexuals. Homosexuals can attain some benefits of legal marriage when many homosexuals do not have the time or money it takes to get legal aid. Until the United States allows same sex couples to marry, homosexuals will not have rights and benefits that heterosexuals have. By not letting homosexuals marry, we are denying them rights every person should have.

Ms. GARNER. Prejudice is a common threat that people of minorities and different opinions face every day. Homosexuals are a large

target. The way they live is constantly opposed by people from every direction. The battle homosexuals fight today for the right to marry is not unlike the battle fought nearly 40 years ago also for the right to marry. This was the case of Loving versus Virginia, a black woman, Diana Jetter, and a white man, Harvey Loving, because interracial marriage was banned in the state of Virginia. They went to Washington, D.C. and got married. Because of the law, when they returned to the state they were arrested and sentenced to one year in prison. This sentence was only suspended because they promised not to return to the state for 25 years. In today's society, most people would think this unheard of, two consenting adults unable to marry because of a petty difference? Maybe 40 years from now people will look back at the prejudice we are bestowing on homosexuals and ask how could we?

It's not fair to stereotype that heterosexuals are immoral because of their sexual preference, that they should be denied access to plans or things that heterosexuals get just because of their sexual preference.

#### TRIBUTE TO DR. RALPH CUTLER

### HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 17, 1997*

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine work and outstanding medical service of Dr. Ralph Cutler of the Loma Linda University Medical Center and the Jerry L. Pettis Memorial Veterans Hospital in Loma Linda, California. Dr. Cutler is retiring on July 14 after a highly distinguished medical career and will be recognized for his 40 years of service to others at an event in his honor on June 26.

Ralph Cutler graduated with honors from UCLA in 1952. After completing his medical degree in 1956, Dr. Cutler began his post-graduate training as an intern and medical resident at the Los Angeles County General Hospital. He served in the U.S. Navy Medical Corps from 1961-63 and worked as the department head of the Metabolic and Arthritis section at the U.S. Naval Hospital in Oakland.

Dr. Cutler has also had a most remarkable academic career at both the University of Washington School of Medicine and the University of Loma Linda School of Medicine. He joined the University of Washington faculty in 1963 and served for 18 years as the chief of nephrology at Harborview Medical Center. In 1981, Dr. Cutler joined the faculty of the University of Loma Linda School of Medicine as a professor of medicine and pharmacology and the chief of pharmacology. He has also spent much of his time working at the Jerry L. Pettis Memorial Veterans Medical Center as the chief of nephrology.

Over the years, Dr. Cutler has been a mentor, teacher, friend, and inspiration to numerous men and women pursuing their dream of practicing medicine. He has also been a leader through his involvement in numerous professional medical organizations. His research and extensive writings have reshaped the body of medical knowledge in a number of areas. To say the least, Dr. Cutler has made and continues to make a difference in the lives of those people he touches.

Mr. Speaker, Dr. Cutler provides an example of leadership that is deeply respected and

admired by his professional colleagues and the community at large. I ask that you join me, our colleagues, and Dr. Cutler's many admirers in thanking him for his remarkable medical service over the years and wishing he and Carol the very best in the years ahead.

#### STAND DOWN '97

### HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 17, 1997*

Mr. HORN. Mr. Speaker, I rise today to pay tribute to an outstanding program and the outstanding group of individuals who run it each year in Long Beach, CA. Stand Down '97, a comprehensive program designed to help homeless veterans reenter mainstream society, will be held in Long Beach on June 20-22.

The seventh annual Stand Down will add to the 3,500 homeless veterans who already have been served in previous years by the tireless work of hundreds of volunteers and a dedicated core group of committee chairs. Stand Down provides a wide range of services to homeless veterans, including medical and legal assistance, employment counseling, mental health services, financial counseling, showers, haircuts, and counseling for substance abuse, AIDS, stress, and exposure to agent orange. The veterans also receive donated shoes and clothing, shelter, and all the food they can eat, in addition to being treated to two variety shows.

These committee chairs do not seek recognition for their contributions, but I would like to take the opportunity to applaud their work. They are: Gus Hein, Gary Quiggle, Randy Scottini, Sergeant Dave Anderson, Pam Welty, Kenny Elmore, William Frink, Dr. Becky Gill, Tom Crochet, Earl and Volney Dunavan, Dr. Bob Delzell, Frank McGrath, Ted Mandl, Paul Ashby, Lori Debose, Don Richardson, Dr. Cal Farmer, John Ek, Mary Lou Hein, Mike Campbell, David L. C. David, Dave Holden, Howard Hargrove, Craig Mandeville, and Al Hamilton.

The ultimate thanks to each of these individuals comes from the smiles on the faces of the homeless veterans at the end of this outstanding 3-day event.

I extend my heartfelt thanks and congratulations to each of the committee chairs and other volunteers. Each has made invaluable contributions to the veteran population and the community at large. Homeless veterans not only need our help, they deserve it. Veterans have a hallowed place in American society for the sacrifices they made, and we owe them all the help we can give. Stand Down '97 will give a needed and well-deserved hand-up to homeless veterans in our area.

#### STATEMENT BY KATE HAYES REGARDING NATIONAL ENDOWMENT FOR THE ARTS FUNDING

### HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 17, 1997*

Mr. SANDERS. Mr. Speaker, for the benefit of my colleagues I would like to have printed

in the RECORD this statement by a high school student from Vermont, who was speaking at my recent town meeting on issues facing young people.

Ms. HAYES. Writer Justice Conrad said the artist appeals to that part of our being which is not dependent on wisdom, to that in us which is a gift and not an acquisition and, therefore, more permanently enduring. He speaks to our capacity to delight, for delight and wonder, to the sense of mystery surrounding our lives, to our sense of pity, beauty and pain.

The arts cross geographical, ethnic and socioeconomic barriers to enter into the lives of both children and adults. The arts are the heritage we leave to our children and a vital arts environment helps the economic development of this country. You may not know it, but attendance there shows that throughout the United States more people attend art galleries, museums, ballet, theater, opera and symphony concerts in a year than go to all the major professional sports combined. That's good box office, it's good business and it's good for the country.

In particular, I know how important funding is to the arts and the joy and happiness that exposure to arts brings to our residents. For the past six years I have performed in a traveling youth circus that has brought the thrill and antics of the big top to communities throughout New England. Our performances cross all age barriers. The child, the teenager and adults alike all share in the excitement of seeing live performances. If funding disappears, how will we provide that experience of such entertainment to the thousands of Vermonters who cannot travel to the big top in New York?

I've heard people suggest that the Government has no role in supporting the arts and humanities yet in Europe, governments recognize that arts are part of the economy and add essential vitality to modern life. Most European countries support their museums, orchestras, dancers, poets and visual artists to a far greater degree than the U.S. Government has ever done. With the creation of the National Endowment for the Arts in the 1960s, we took a step forward in providing a rich cultural advantage to all citizens. Now in the 1990s we are faced with the attacks by foes who are picking insignificant battles and efforts to undermine the support of the arts.

With cuts up to 40 percent survival is paramount. The focus on funding public arts programs will be on the projects of very wide public appeal and accessibility. Gone will be the funding for public programs of great scholarly significance but smaller audience draw. The proposals to shrink government by severely reducing or eliminating funds for the National Endowment for the Arts is also a move of far-reaching effects on the strength of all art programs.

There are creative ways to fund the arts. In my research I've discovered many new and innovative ways already successful on the state level. In particular, I believe we need to take a look at endowment funds, income tax check-offs and lotteries. Together with local initiatives, we can guarantee support for the arts. Just look at what some state initiatives are, license plate programs, corporate filing fees, special tax districts, local option taxes earmarked for the arts and bond issues.

Endowment funds offer long-term investment opportunities for the arts by using interest only to fund current affairs. Should we offer our wealthy citizens a tax haven through contributions to the arts endowment, we will build up a significant amount to fund the arts well into the next century. Just like the presidential campaign check-