



Department of Justice Ministère de la Justice  
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**WORKING DOCUMENT**

**THE RELATIONSHIP  
BETWEEN ILLEGAL DRUGS  
AND FIREARMS**

**A Literature Review Conducted  
for the Department of Justice**

**Eugene Oscapella, B.A., LL.B., LL.M.  
Barrister and Solicitor**

**July 1998**

**UNEDITED**

**Canadian Firearms Center/  
Centre canadien des armes à feu**

**Policy Sector/  
Secteur des politiques**

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Department of Justice Canada. The views expressed herein are  
solely those of the author and do not necessarily  
represent the views of the Department of Justice Canada.*

# TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>v</b>
<b>1.0 INTRODUCTION.....</b>	<b>1</b>
1.1 INTERVIEWS WITH CANADIAN POLICE OFFICERS.....	1
1.2 LINKS BETWEEN FIREARMS AND ILLEGAL DRUGS -- AN OVERVIEW .....	2
<b>2.0 THE LINKS IN DETAIL .....</b>	<b>5</b>
2.1 PHARMACOLOGICAL LINKS BETWEEN DRUGS AND FIREARMS.....	5
2.2 ECONOMIC/COMPULSIVE LINKS TO VIOLENCE AND FIREARMS.....	8
2.3 LINKS BETWEEN THE DRUG TRADE AND FIREARMS .....	9
2.4 DRUGS AS A CURRENCY IN TRANSACTIONS TO OBTAIN FIREARMS .....	19
2.5 COMMON TRADE ROUTES FOR DRUGS, FIREARMS AND OTHER CONTRABAND .....	25
2.6 DIFFUSION OF FIREARMS OUTSIDE THE DRUG SCENE.....	25
2.7 ENHANCING THE ARMAMENTS OF THE POLICE IN RESPONSE TO THE REAL OR PERCEIVED FIREPOWER OF DRUG TRAFFICKERS .....	28
<b>3.0 CONCLUSION .....</b>	<b>33</b>



## EXECUTIVE SUMMARY

This brief study examines the links between illegal drugs and firearms. The study uses two methods: literature reviews and interviews with several Canadian police officers who have worked in drug law enforcement.

Because the links between illegal drugs and firearms have not been explored extensively in Canadian literature, the literature review produced information primarily relating to the United States, with occasional references to other countries. It may be unwise to extrapolate the findings of foreign studies to Canada without considering the differing Canadian environment. Still, the description of the relationship between firearms and illegal drugs found in the literature can serve as a useful starting point for an analysis of the Canadian situation.

Drugs and firearms appear to be linked in several ways. The drug trade is regulated by violence, often with firearms. Dependent drug users may need to commit crimes to get the money to buy illegal drugs; they may use firearms when committing these crimes. Drug users may commit crimes of violence when under the influence of drugs; sometimes they may use firearms.

Furthermore, there may be a diffusion of weapons from the drug milieu to communities that would otherwise have no contact with drugs.

The literature review and interviews done for the present study identified several additional links between firearms and illegal drugs:

- the exchange of firearms for drugs, and drugs for firearms
- the existence of common trade routes for firearms and drugs
- the increase in police firepower (the “militarization of the police”) in response to the real or perceived firepower of drug traffickers, and the corresponding increase in power of weaponry by drug traffickers, leading to an “arms race”

In some cases, the links between drugs and firearms appear to be consistent from country to country. For example, those who simply use illegal drugs occasionally and are not involved in the drug trade generally do not possess or use firearms more than those who do not use drugs. Dependent users may resort to firearms when committing crimes to get the money for drugs. However, resort to firearms for acquisitive crime appears to be relatively uncommon in both Canada and the United States. In almost every jurisdiction discussed in the literature, the illegal drug *trade* is the principal link between drugs and firearms.

In general, and across many jurisdictions, the literature suggests that:

- firearms are in fact a major means for regulating the illegal trade in drugs, including protecting shipments of drugs, intimidating customers or competitors, enforcing debts, resolving disputes, eliminating competition, and killing or injuring informants
- the illegal drug trade increases the demand for illegal and legal firearms, and these firearms may be used in ways that threaten even those who are not connected to the trade
- firearms are not often used in crimes committed to obtain the funds to buy drugs on the black market
- drug use generally does not appear to be associated with the possession or use of a firearm, absent involvement in acquisitive crime or the drug trade itself
- dependent users sometimes exchange weapons for drugs.

On several points, however, the Canadian experience appears to differ from the experience of the United States:

- in Canada, there appears to be little “diffusion” of firearms to young people beyond the drug trade, although the dynamics of diffusion bear watching. This apparent lack of diffusion contrasts with the United States, where several authors have argued that the proliferation of firearms in the drug trade, particularly among the young, leads to a proliferation of firearms among those who have nothing to do with the trade;
- the widespread introduction in the United States of paramilitary policing units responding to anticipated or actual drug trade violence does not seem to be occurring to the same extent in Canada. This may in part be because Canada’s drug trade has generally been less violent than that of the United States or because it is more difficult for Canadian police forces to get access to increased firepower. However, a recent media report suggests that Canadian police are in fact acquiring and using heavier armaments for various facets of policing, including drug law enforcement. The extent to which this apparent increase in police firepower is driven by the perceived need to respond to well-armed drug dealers is not evident, and should be explored further. Similarly, the extent to which increased police firepower may encourage those in the drug trade to enhance their weaponry is not clear, and may warrant further study;
- there appears to be little evidence that the drug and gun markets frequently operate together in Canada; the enormous profits from the drug trade make it unlikely that drug dealers would also deal in firearms on a large scale; that said, some street level dealers may sell firearms that they obtain from addicts, but that is not to be confused with an organized system of weapons and drug trafficking;

- in Canada, there appears to be little large-scale exchange of weapons for drugs. In the United States, the situation appears to be different. Drug traffickers, terrorist and paramilitary groups in foreign countries may provide drugs for weapons; and
- the trade in drugs and guns is generally separate in Canada, according to anecdotal evidence from a limited survey, but there is also evidence to the contrary.

This brief literature review and informal survey of several police officers cannot be taken as an authoritative analysis of the links between drugs and firearms in Canada. However, it identifies several links that may warrant further examination, particularly in light of the emphasis attached to both drug and firearm policy issues in Canada.

## 1.0 INTRODUCTION

This study examines the links between illegal drugs and firearms, links that may appear painfully obvious to some, but that are more complex than might seem at first glance. The study uses two methods: literature reviews and interviews.

Because the subject has not been explored extensively in Canadian literature, the literature review (including news articles) produced information primarily relating to the United States, with occasional references to other countries. It may be unwise to extrapolate the findings of foreign studies to Canada without considering the differing Canadian environment. For example, Canadian attitudes towards firearms often differ from the attitudes of Americans, as do our laws.<sup>1</sup> This may affect the relationship between guns and drugs. Similarly, the Canadian and American markets for illegal drugs may differ. Even so, the description of the firearms and illegal drugs relationship found in American and other foreign literature can serve as a useful starting point for an analysis of the Canadian situation.

Two further caveats: The literature often speaks of the link between illegal drugs and *violence*, but does not specifically mention firearms. It is therefore necessary to make some assumptions about this violence -- that some of it is associated with firearms. This appears to be a safe assumption. However, it is risky to assume, for example, that the rate of homicide with firearms for Canada as a whole will be the same as the rate of homicide with firearms in the drug trade. Second, the literature often speaks only of “drug-related” violence or the “drug-related” use of firearms. Such literature was of little value for this study; it does not state whether the firearm use related to the drug trade, the commission of “acquisitive” crimes for money to buy drugs on the black market, or violence by a drug user under the influence of a drug.

This is not intended to be a comprehensive study. The author made every effort to survey the literature within the terms of this study, but a lengthy review was not possible under the terms of the study. The review was intended instead to identify patterns in the relationship between firearms and illegal drugs. An understanding of these patterns may encourage further, more detailed, studies.

### 1.1 Interviews with Canadian Police Officers

To supplement the relatively sparse Canadian literature on the relationship between drugs and firearms, interviews were conducted with several officers from Ontario’s Provincial Weapons Enforcement Unit, as well as an undercover drug squad member from Ontario. Based on their direct experience with the drug milieu, these officers offered anecdotal evidence about the links between illegal drugs and firearms in Canada. However, their views should not necessarily be taken to represent the opinions or experience of police officers in other parts of Canada.

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<sup>1</sup> Gabor, Thomas. *Firearms and Self-Defense: A Comparison of Canada and the United States*, Department of Justice Canada, 1997.

The officers were asked to discuss various possible links between drugs and firearms:

1. The use of drugs and the possession or use of firearms;
2. The commission of “acquisitive” crime and the possession or use of firearms;
3. Drug trade activities and the possession or use of firearms;
4. Parallel trafficking routes for illegal drugs and firearms;
5. “Diffusion” of firearms into the hands of those outside the drug community;
6. Police response to the possession or use of firearms in relation to drugs, including possible increases in police firepower; and
7. Drug trafficking to obtain weapons for terrorist or paramilitary purposes.

## **1.2 Links Between Firearms and Illegal Drugs -- An Overview**

To a casual observer, drugs and firearms can appear to be linked in several ways. The drug trade is regulated by violence, often with firearms. Dependent drug users may need to commit crimes to get the money to buy illegal drugs; they may use firearms when committing these crimes. Drug users may commit crimes of violence when under the influence of drugs; sometimes they may use firearms.

In a 1985 United States study, Goldstein described the “drugs/violence nexus” as follows:

Drugs and violence are seen as being related in three possible ways: the psychopharmacological, the economically compulsive, and the systemic. Each of these models must be viewed, in a theoretical sense, as “ideal types,” i.e., as hypothetically concrete . . . “devices intended to institute comparisons as precise as the stage of one's theory and the precision of one's instruments allow.”<sup>2</sup>

Blumstein explains Goldstein’s analysis more fully:

Paul Goldstein has provided a useful taxonomy of the drug-crime connection as being composed of three components other than the sale or possession of the drugs themselves:

- 1) *pharmacological/psychological* consequences, where the drug itself causes criminal activity. The most widely recognized connection here is between alcohol and the violence it induces;
- 2) *economic/compulsive crimes*, which are the crimes committed by drug users to support their habit. The most common connection here is the property crimes committed by heroin addicts who cannot function in the regular economy, and who commit crimes to get the money to buy their drugs; and

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<sup>2</sup> Goldstein, Paul J. "The Drugs/Violence Nexus: A Tripartite Conceptual Framework", *Journal of Drug Issues* 39 (1985):143-174.

3) *systemic* crime, which includes the crimes committed as part of the regular means of doing business in the drug industry. This would include the violence used as a means of dispute resolution between competing sellers or as retribution between a seller and a buyer as a result of renegeing of some form in a drug deal. Reiss and Roth highlight the various ways in which this readiness to engage in systemic violence stimulates the individuals involved to engage in violence *outside* any connection to the drug industry.<sup>3</sup>

Blumstein further develops the argument made by Reiss and Roth -- the broader *community disorganization* effect of the drug industry and its operations on the larger community. (Others call this the “diffusion” of weapons from the drug trade to people outside the drug trade.) Says Blumstein:

This [community disorganization] includes the manner by which the norms and behaviors within the drug industry, which can become an important activity within some communities, influence the behavior of others who have no direct connection to the drug industry. For example, the influence of the widespread prevalence of guns among drug sellers may stimulate others in the community to similarly arm themselves for self-defense, to settle their own disputes that have nothing to do with drugs, or to gain respect.<sup>4</sup>

In sum, Goldstein and Blumstein identify a total of four links between drugs and crime: pharmacological/psychological, economic/compulsive, systemic (related to the drug trade) and the community disorganization created by adoption within the community of the norms of the drug industry.

The literature review and interviews done for the present study identified several additional links between firearms and illegal drugs:

- the use of drugs as a currency in transactions to obtain firearms, and vice versa
- the existence of common trade routes for firearms and drugs
- the increase in police firepower (the “militarization of the police”) in response to the real or perceived firepower of drug traffickers, and the corresponding increase in power of weaponry by drug traffickers, leading to an “arms race”

The remainder of this paper explores all these links.

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<sup>3</sup> Alfred Blumstein, “Youth Violence, Guns, and the Illicit-Drug Industry”, (1995) 86 *Journal of Criminal Law & Criminology* 10 at 26-27 (references to footnotes omitted).

<sup>4</sup> *Ibid.*



## 2.0 THE LINKS IN DETAIL

### 2.1 Pharmacological Links Between Drugs and Firearms

Goldstein noted that the most widely recognized pharmacological link between any drug and violence occurs with alcohol. There is little evidence to show that the *use* of illegal drugs *alone* is a significant cause of serious violence with firearms or of the need to acquire firearms. In one analysis of the causes of violence in the United States, Cohen and Swift argue, for example, that “contrary to popular opinion, research does not generally support a causal link between illicit drug use and violence.”<sup>5</sup> Furthermore:

The [Contra Costa County Health Services Department] Prevention Programme’s paper, *The Relationship Between Alcohol, Other Drugs, and Violence*, concludes that illicit drug use is not the cause of violence. The research shows that while some illicit drugs are a contributing factor in violent situations, it is the drug trade that is most closely associated with violence, not drug use.<sup>6</sup>

The authors state that the research from the above paper led to the conclusion that the relationship between drugs and violence is complex. “While there is clear evidence that they are interrelated in some way, the notion that the relationship is causal is open to serious doubt, particularly with regard to certain drugs. The strongest relationship between drugs and violence seems to stem in many cases from their illegal status, that is, the violence caused by illegal drug sales, rather than their psychopharmacology.”<sup>7</sup>

In 1994, Sheley reported survey data collected from juveniles incarcerated in United States maximum security reformatories. The data pertained to firearms possession, carrying, and use, use of heroin, cocaine, and crack, the sale of drugs, and involvement in armed robbery. The author noted first that little research has been conducted concerning drug use and weapons generally, and much less concerning drug use and firearms.<sup>8</sup> About the link between impairment by drugs, violence and the possession of firearms, the author reported:

[T]here is only limited evidence that ingestion of substances is a direct, pharmacological cause of aggression (Fagan 1990:241). . . . Beyond relationships inferred from links between predatory crime and drug abuse, empirically documented associations between abuse and weapons activities are scarce. . . .<sup>9</sup>

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<sup>5</sup> L. Cohen and S. Swift, “A public health approach to the violence epidemic in the United States”, (1993) 5 *Environment and Urbanization* 50 at 58.

<sup>6</sup> *Ibid.* at 59 (references to footnotes omitted).

<sup>7</sup> *Ibid.*

<sup>8</sup> J.F. Sheley, “Drug Activity and Firearms Possession and Use by Juveniles”, (1994) 24 *Journal of Drug Issues* 363.

<sup>9</sup> *Ibid.* at 364.

. . . [I]t is clear that there is little relationship between hard-drug use score and gun activity. The tendency to have owned a regular shotgun generally increased with level of drug use. Beyond this, however, no statistically significant association emerged concerning ownership of revolvers, automatic or semiautomatic handguns, or military-style automatic and semiautomatic rifles and hard-drug use score. Nor was drug use related to number of guns owned or to the routine carrying of guns.<sup>10</sup>

Seeking evidence of a relationship between drug activity and possession and use of firearms, we noted early in the presentation of findings that substantial numbers of *nonusers* of drugs in the sample engaged in all forms of gun activity examined here. We found little by way of a progressive, linear relationship between either hard-drug use score or “heavy” drug use and gun possession, including number of guns owned and the routine carrying of guns. We did find, however, that when we compared nonusers with users who did not sell drugs, significant differences in levels of gun activity did appear.<sup>11</sup>

The author concluded that the relationship between drug *use* and the possession, carrying, and use of guns is less compelling than seems to be assumed by press and public, at least in relation to the serious young offenders examined in the study.<sup>12</sup>

Another recent study obtained similar results. Data were collected by researchers in interviews during the first three months of 1995 with more than 4,000 recent arrestees in 11 United States cities. The author noted that those who tested positive (via urinalysis) for illegal drugs were no more likely to report possession or use of a firearm than those whose test results were negative.<sup>13</sup> Again, this suggests that drug use alone is not strongly linked to possession or use of a firearm.

Ostrowski presents further anecdotal evidence of the lack of a substantial link between drug use and violence:

When the New York City Police Department announced that 38 percent of murders in the city in 1987 were “drug-related,” Deputy Chief Raymond W. Kelly explained that “[w]hen we say drug-related, we’re essentially talking about territorial disputes or disputes over possession. . . . We’re not talking about where somebody is deranged because they’re on a drug.”<sup>14</sup>

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<sup>10</sup> *Ibid.* at 370-371.

<sup>11</sup> *Ibid.* at 375.

<sup>12</sup> *Ibid.* at 376.

<sup>13</sup> J. Travis, “Arrestees and Guns: Monitoring the Illegal Firearms Market”, (1995) *National Institute of Justice Research Preview* 1.

<sup>14</sup> James Ostrowski, “The Moral and Practical Case for Drug Legalization”, (1990) 18 *Hofstra Law Review* 607 at 651 (references to footnotes omitted).

Goldstein examined 414 homicide incidents that occurred in New York City from March to the end of October 1988. Over half, 218, were classed as “drug-related”. Of these 218, 31 were “psychopharmacological” homicides, which included a person under the influence as the victim rather than the perpetrator; alcohol was the sole drug related to the large majority of these psychopharmacological homicides -- 21 (68 percent) -- and was implicated in some of the others. Only three homicides could be directly attributed to crack, and two of these were considered to be “victim-precipitated”; the murder victim, not the perpetrator, was using crack. In the sole murder committed by someone who had used only crack, the perpetrator beat someone to death.<sup>15</sup> Thus, even a powerful stimulant such as crack was related to only a tiny proportion of these 218 “drug-related” homicides.

Joseph Califano, former Secretary of Health, Education and Welfare under United States President Carter, noted in his foreword to a recent United States study<sup>16</sup> of drugs and imprisonment:

Contrary to conventional wisdom and popular myth, alcohol is more tightly linked with more violent crimes than crack, cocaine, heroin or any other illegal drug. In state prisons, 21 percent of inmates in prison for violent crimes were under the influence of alcohol -- and no other substance -- when they committed their crime; in contrast, at the time of their crimes, only 3 percent of violent offenders were under the influence of cocaine or crack alone, only 1 percent under the influence of heroin alone.

The Canadian police officers interviewed for this study also noted the lack of connection between the *casual use* of illegal drugs and the possession and use of firearms, consistent with the analyses in the American literature. Crime committed by “casual” users tended to be car entries and break and enters. However, one officer suggested that, although only rarely, people under the influence of drugs, especially cocaine, can become violent.

A 1998 Canadian survey reported the relationship between the use of drugs and alcohol and solved firearm homicides.<sup>17</sup> From 1991 to 1996:

- there was no report of alcohol or drug use by the accused in 32.8 percent of solved firearm homicides
- the accused was reported to have used alcohol in 20.6 percent of these homicides

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<sup>15</sup> Paul J. Goldstein, Henry H. Brownstein, Patrick J. Ryan and Patricia A. Bellucci, "Most Drug-Related Murders Result from Crack Sales, Not Use", *The Drug Policy Letter*, March/April 1990, p. 6, referred to in Arnold Trebach and Kevin Zeese, ed., *Drug Prohibition and the Conscience of Nations* (Washington, D.C., The Drug Policy Foundation, 1990) at 75.

<sup>16</sup> National Centre on Addiction and Substance Abuse (CASA), *Behind Bars: Substance Abuse and America's Prison Population* (Columbia University, January 1998); referred to in National Drug Strategy Network, *Newsbriefs*, January 1998 at 3-4.

<sup>17</sup> Homicide Survey, Policing Services Program, May 29, 1998.

- the accused was reported to have used alcohol and drugs in 12.3 percent of these homicides
- the accused was reported to have used drugs alone in 4.5 percent of these homicides, and
- in 29.7 percent of the solved firearm homicides, it was not known whether the accused had used alcohol or drugs.

The inherent weakness in these figures is that they alone do not indicate whether the use of alcohol or drugs *caused* or substantially contributed to the firearm homicides. That is, there may be a statistical relationship between the use of alcohol and drugs and violence, but these figures do not show a *causal* relationship.

While the limited evidence canvassed here suggests that the use of illegal drugs itself is unlikely to lead to violence, the environment in which the use occurs may influence users to carry firearms (This is discussed in greater detail below). This may help to explain why some studies show users of illegal drugs as somewhat more likely than non-users to possess firearms. To buy drugs, a user often must deal with the potentially violent street drug market. The user may become armed for protection against violent sellers or the prospect of being robbed of drugs or the cash needed to buy drugs. The user may also carry or use a firearm in committing crimes to obtain the money needed to buy drugs on the black market. This is not, however, violence or firearm use or ownership caused by the pharmacological effects of the drug itself.

## **2.2 Economic/Compulsive Links to Violence and Firearms**

Economic/compulsive crimes, sometimes called “acquisitive” crimes, are the crimes committed by users to be able to pay the black market price of illegal drugs.

Goldstein’s study of New York City’s drug-related homicides in 1988 specifically looked at the link between crack and homicide. Of the 218 “drug-related” homicides, only eight were “economic/compulsive”, all related to crack. In one of these eight cases, the victim was the crack user. In another, both the victim and the perpetrator were crack users. The remaining six murders were committed by crack users during robberies or burglaries to obtain money to buy crack on the black market.

Still, most acquisitive crime appears to be non-violent, although this is difficult to measure. Duke and Gross conclude that marijuana generates very little predatory crime in the United States.<sup>18</sup> This suggests that the most commonly used illegal drug (both in Canada and the United States) does not directly lead to a need to possess or use a firearm.

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<sup>18</sup> Steven Duke and Albert Gross, *America’s Longest War: Rethinking our Tragic Crusade Against Drugs*, (New York: G.P. Putnam’s Sons, 1993) at 53.

Duke and Gross note that the situation is different with heroin and crack “addicts” -- heavy dependent users, as opposed to occasional users. Still, they argue, even dependent users do not usually commit crimes of violence:

Heroin addicts rarely commit murders, and, apart from prostitution, virtually never commit sex crimes, but the theft of money and property is a way of life, simply because the addict has no other way to pay for the drugs needed to stave off withdrawal symptoms.

. . . In virtually all studies of [heroin] addict crime, nonviolent, cash-generating crimes predominate; violent crime is comparatively rare. . . . When addicts commit so many crimes, however, a small percentage of violent crime is still significant: [Referring to one Miami study of 573 heroin users] 6,000 robberies and assaults in one year by 573 persons, an average of more than 10 each, is a lot of robberies and assaults.<sup>19</sup>

Duke and Gross also suggest that the vast majority of crimes committed by cocaine addicts were non-violent.<sup>20</sup>

A 1994 report by the British Columbia Chief Coroner on illicit narcotic overdose deaths in that province notes the same dynamic of crime committed by chronic drug users: “It is well recognized by law enforcement agencies that a good proportion of chronic drug users commit criminal acts to support their drug habits.”<sup>21</sup> One police officer interviewed for the present study stated that a serious heroin habit might cost a Toronto user from \$200 to \$300 daily, and sometimes more -- as much as \$700 per day.

The Canadian police officers interviewed for this paper stated that few drug users carried weapons. However, heavy users of cocaine or heroin were more likely to be armed in order to commit the crimes necessary to obtain funds for drugs. According to one officer, a desperate addict would use any available weapon, from BB guns to replicas to sawed-off shotguns, to commit the crimes necessary to feed a habit. Still, much of this crime, even by heavy users, was non-violent. In any event, many heavy users cannot afford a firearm and will use one only if they have free access to it. One officer stated that addicts were also likely to sell any weapons they managed to obtain so that they could buy drugs.

### **2.3 Links Between the Drug Trade and Firearms**

There is clear and substantial evidence that firearms are an essential tool for regulating the illegal trade in drugs, including protecting shipments of drugs, enforcing debts, resolving disputes, eliminating competition, killing or injuring informants and defending against enforcement

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<sup>19</sup> *Ibid.* at 108-09.

<sup>20</sup> *Ibid.* at 109.

<sup>21</sup> Office of the Chief Coroner, *Report of the Task Force into Illicit Narcotic Overdose Deaths in British Columbia* (Ministry of Attorney General, 1994) at 66.

personnel. Some stories and reports that speak of violence flowing from the drug trade do not explicitly mention the use of firearms, but it is clear from the context of the stories that much of the violence is carried out with firearms.

Baltimore Mayor Kurt Schmoke wrote that 335 homicides occurred in that city in 1992. Of these, 48 percent were ruled “drug-related”. Schmoke wrote further that 70 percent of victims were killed by a handgun.<sup>22</sup> The drug trade was the primary source of these “drug-related” homicides.

Boyd, writing in 1991, touches on Goldstein’s research (described above) into the 414 murders in New York City. Of 218 “drug-related” homicides, 152 were associated with disputes over the territory for cocaine or crack, disagreements over debt collection or quality of product. Boyd describes one incident involving the regulation of the drug trade through firearms:

Goldstein offers an example of the most common type of cocaine homicides. “The victim was a twenty-four year-old black male, standing with a female at a telephone booth in a drug-sales location. He was approached by a thirty-year-old black male, who shot him in the head three times, using a nine-millimetre automatic. The victim was a low-level crack dealer, working for a higher-level dealer, but trying to freelance by taking over a portion of the big dealer’s territory.”<sup>23</sup>

The Goldstein study noted further that 68 percent of the 414 homicides he studied (of which 218 were drug related) involved the use of firearms. The vast majority were handguns, with .38 caliber and 9 mm. weapons being prevalent.<sup>24</sup>

Between 1988 and 1991, the homicide rate in Washington, D.C. increased by 32 percent -- from 369 to 489. A significant portion of those homicides during those years -- varying between 30 and 50 percent -- related to the drug trade.<sup>25</sup> Many homicides were likely committed with firearms.

Duke and Gross summarize one reason for the link between the drug trade and firearms:

Criminals who deal in large quantities of contraband and illicit cash are especially vulnerable to predatory outlaws. They are often robbed, even kidnapped for ransom. They are not only disabled from seeking help from the police, they can’t even use the services of a bank or an armoured car company. They need weapons, more deadly or more numerous than those possessed by their predators. Drug money provides the funds with which to purchase them.

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<sup>22</sup> Kurt Schmoke, “Time to Get Real About Guns and Drugs, *The Washington Post*, Sunday, October 3, 1993.

<sup>23</sup> Neil Boyd, *High Society: Legal and Illegal Drugs in Canada* (Toronto: Key Porter Books Limited, 1991) 58-59.

<sup>24</sup> *Supra* note 14.

<sup>25</sup> Drug Policy Foundation, *The Bush Drug War Record: The Real Story of a \$45 Billion Domestic War* (Washington, D.C.: Drug Policy Foundation, 1992) at 16.

As drug proceeds mushroomed during the seventies and early eighties, midlevel drug distributors were able to buy not only rifles and handguns, but automatic weapons, bazookas, grenades, even rockets. . . . To counteract such offensive and defensive power, other more powerful weaponry is marketed, and so on up the spiral. Virtually everyone who deals in drugs or drug money has at least a handgun. Stash houses and laboratories are arsenals.

Guns would be a serious problem even if there were no drug prohibition, but the drug business, a creature of prohibition, provides an expanding, capacious market for guns, especially weapons capable of mass destruction, and in turn provides a powerful reason for citizens to arm themselves.<sup>26</sup>

Nadelmann also discusses the drug trade's links with violence:

During Prohibition, violent struggles between bootlegging gangs and hijackings of booze-laden trucks and sea vessels were frequent and notorious occurrences. Today's equivalents are the booby traps that surround some marijuana fields, the pirates of the Caribbean looking to rip-off drug-laden vessels en route to the shores of the United States, *and the machine gun battles and executions carried out by drug lords* -- all of which occasionally kill innocent people. Most law enforcement officials agree that the dramatic increases in urban murder rates during the past few years can be explained almost entirely by the rise in drug-related killings.<sup>27</sup> [emphasis added]

Nadelmann notes that the international investigations of the United States Bureau of Alcohol, Tobacco and Firearms (ATF) by the late 1980s increasingly focussed on gun running to Brazil, Colombia, the Dominican Republic and the Philippines, "but an increasing share of [the ATF's] international investigations, as well as most of the firearms reported to it from abroad for tracing, involved drug trafficking cases."<sup>28</sup>

Kevin Riley, an American researcher, expands on the use of violence -- which could include firearms -- as part of managing and operating the drug business:

Violence is used as a mechanism of control over subordinates and rivals, as a method of resolving disputes, as a means of regulating market share and as an act of retribution.<sup>29</sup>

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<sup>26</sup> *Supra* note 18 at 111-13.

<sup>27</sup> E. Nadelmann, "The Case for Legalization", in David Boaz, ed., *The Crisis in Drug Prohibition*, (Washington, D.C.: Cato Institute, 1990) 13 at 29.

<sup>28</sup> E. Nadelmann, *Cops Across Borders: The Internationalization of U.S. Criminal Law Enforcement* (University Park, Pennsylvania: The Pennsylvania State University Press, 1993) 172.

<sup>29</sup> Kevin Jack Riley, *Snow Job: The War Against International Cocaine Trafficking* (New Brunswick, New Jersey: Transaction Publishers, 1996) 27. The book is based on the author's Rand Graduate School dissertation.

A recent study on drug abuse and social policy in the United States further explains the link between the drug trade and firearms:

In New York City, the number of cases including loaded guns handled by juvenile court increased between 1986 and 1992 by 50 percent, with 53 percent of homicides in 1988 drug related.

Much of the violence seen on our city streets is related not to the direct effects of illicit drugs but to their sales and the need to control distribution. Gang activity and violence, which have increased greatly over the past decade, have been directly associated with drug sales.<sup>30</sup>

In a 1996 interview, Blumstein discusses the dramatic growth of youth homicide in the United States beginning in the mid-1980s, despite the overall relatively flat trend in homicide over the past 25 years. Drawing on his recent study,<sup>31</sup> Blumstein attributes that growth to the recruitment of young people into illicit drug markets:

Responding to the growth in the demand for crack [starting in 1985], the drug industry recruited a lot of young, inner city kids who saw no other economic opportunities for themselves. The problem was that these kids, like their adult counterparts, armed themselves for protection.<sup>32</sup>

Kevin Riley reports a recent United States Drug Use Forecasting (DUF) system survey that asked arrestees about their use of firearms:

Preliminary survey results found that a sizeable fraction of those participating in drug markets are armed, that drugs, gang membership, and firearms are linked in significant ways, and that many juvenile arrestees indicated that they had access to, and had used, guns. Perhaps most disturbingly, many arrestees (juvenile and adult) indicated that guns and violence were acceptable methods for garnering respect, protecting oneself, and seeking revenge.<sup>33</sup>

A recent *New York Times* story<sup>34</sup> examined the links between the drug trade and rising homicide rates in some mid-sized United States cities, a trend that runs counter to national trends:

[T]he surges in killings [in some mid-sized cities], often a byproduct of drug activity, contrast sharply with the decline in the overall crime rate across the United States.

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<sup>30</sup> Barry Stimmel, *Drug Abuse And Social Policy In America: The war that must be won*, (New York: The Haworth Medical Press, 1996) 15-16.

<sup>31</sup> Blumstein, A., "Youth Violence, Guns, and the Illicit-Drug Industry, [1995] *Journal of Criminal Law and Criminology* 10.

<sup>32</sup> Stewart, R., "Alfred Blumstein: Youth, Guns and the Drug Trade", *The Drug Policy Letter*, Summer 1996, 28-30

<sup>33</sup> *Supra* note 29 at 27.

<sup>34</sup> January 15, 1998.

Though there is much debate about drops and increases in murder rates, police officials and other experts point to evidence of a rising, more violent drug trade in medium-sized cities, and the fact that some of these cities are just catching up with the latest trends in crime-fighting.

“Smaller cities are going through what bigger cities went through five years ago,” Alfred Blumstein, a professor of public policy at Carnegie-Mellon University in Pittsburgh, said of drug use contributing to homicides. “There is a lag effect in the smaller cities, caused not necessarily by the saturation of drugs in big cities but the propagation of markets. There may be entrepreneurs from big cities looking to expand or new entrepreneurs in small cities looking to get involved.”

In any case, Blumstein said, *the influx of drugs into cities like Louisville and Nashville with their under-served markets is touching off the same cycle of violence that big cities have long been accustomed to: turf wars between dealers, leading to gunplay as the ultimate in conflict resolution*, then increased efforts of law-enforcement agencies and community groups to fight the rising crime.

Only then do crime rates fall, the law-enforcement experts say, as they have in New York, Los Angeles and other large cities, which James Alan Fox, dean of the college of criminal justice at Northeastern University in Boston, called “a market correction” after a startling rise in killings through the 1980s.

These officials say that over the last five years, drug dealers in large cities like New York, Miami, Los Angeles, Chicago and Detroit have reached a market peak, prompting them to stake out customers in smaller cities and escape turf wars that are thinning their ranks.

Chief Douglas Hamilton of the Louisville Police Department said he recently spoke to the chief of a “major Eastern city” police department who told him that drug activity there was peaking largely because dealers were helping to eliminate problems “two by two”, a reference to turf battles in which one drug user is killed and the other is arrested.

Governments too are ready to acknowledge the association between the drug trade and violence. Barry McCaffrey, the United States official responsible for that country’s drug strategy, unveiled a plan in February 1998 to increase United States-Mexican cooperation against drug trafficking. A report accompanying the announcement discusses many aspects of drug trafficking, including the flow of illegal firearms.<sup>35</sup>

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<sup>35</sup> *Houston Chronicle*, February 7, 1998.

As well, Thomas Constantine, head of the United States Drug Enforcement Administration (DEA), is reported to have said recently that sophisticated drug syndicates from Mexico have eclipsed organised crime groups from Colombia as the premier law-enforcement threat facing the United States today. The article continues, “Bosses have at their disposal airplanes, boats, vehicles, radar, communications equipment and weapons in quantities which rival the capabilities of some legitimate governments.”<sup>36</sup>

A January 1998 *New York Times* article<sup>37</sup> reports that Mexican authorities were holding two American college students for questioning in connection with the transfer of more than 1,000 firearms, including automatic rifles, to Mexican drug traffickers:

Under police questioning, the brothers acknowledged having sold arms to the Juarez drug cartel, according to a statement issued Tuesday by the federal attorney general's office. . . .

The statement said the men were detained after a complaint presented by the United States authorities, who have asserted that “the Ambriz Duarte brothers introduced into Mexico more than 1,000 firearms, including hundreds of AK-47 rifles.” The report said some of the weapons were later confiscated from members of the cartel.

The real world consequences of drug-trade violence are dramatic. A 1997 survey<sup>38</sup> in *The Economist* about the expanding drug trade in Mexico documented the violence (including the use of firearms) in the trade:

. . . A beauty queen, once the mistress of a top general, was identified as an agent for drugs barons but now ready to name names. She was shot dead on a Guadalajara street; hours later, military policemen turned her house upside down.

Carrillo's [a major Mexican drug trafficker] demise in July has unleashed a fierce battle among rivals and lieutenants. . . . The struggle has already prompted an unprecedented wave of killings across Mexico.

Nowhere has this been more violent than in Ciudad Juarez, where Carrillo was based. This grimy city long had a murder rate twice that of New York City, but the killings happened mostly at night in the shanties. Now assassins operate during the day, in crowded plazas. Gunmen, some wearing police uniforms, have abducted dozens of people . . . . Thousands of locals staged a brave protest in August to “take back the town”; an hour later, three men were shot on the same spot.

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<sup>36</sup> “Mexico’s Drugs Menace: Poison across the Rio Grande”, *The Economist*, November 15, 1997.

<sup>37</sup> Wednesday, January 14, 1998.

<sup>38</sup> *Supra* note 36.

The Arellanos [another Mexican drug trafficking family] had already made such bloodshed commonplace in Tijuana. Of its 1.2m residents, over 400 died in drug-related murders last year; this year looks worse. The mobsters pay street gangs to terrorise innocents and murder enemies, honest police not least. The head of the federal police in Tijuana, Ernesto Ibarra, and two of his officers were killed by machinegun on a main street days after he accused some of his men of being “not just friends of traffickers, but their servants.” Godin Gutierrez-Rico, a state prosecutor in Baja, California, was shot 100 times, then run over by a car, after he had helped the DEA identify some of the Arellano clan’s gunmen.

*The Economist* article continues that Mexican drug mobs have infiltrated the United States, bringing their violence with them:

Drug-related murders in south-western [United States] cities are multiplying. The mobs hire street gangs of illegal migrants—such as “Calle 30” (“30th Street”) in San Diego or “Wetback Power” in Phoenix—to carry out executions. The killings used to be confined to Mexican ghettos, but now suburban whites are hit too. Many young killers—an arrogant generation known as narco-juniors—are well-heeled lawyers and businessmen.

United States newspapers are replete with similar accounts. A February 1998 article<sup>39</sup> in the *Dallas Morning News* reports on the same violent Mexican struggle noted by *The Economist*:

CIUDAD JUAREZ, Mexico - Few lament the death of purported drug lord Amado Carrillo Fuentes as much as some residents of this bullet-riddled town.

Since the drug lord’s purported freakish death following 8½ hours of plastic surgery and liposuction last July, the bodies have piled up as blood spills in a nasty fight over control of a \$10 billion annual drug empire just across the United States border town of El Paso.

The battle for control of Mr. Carrillo's empire has claimed the lives of at least 50 people in Juarez, some slain in spectacularly brutal fashion. Last month, a former federal police commander with alleged ties to narcotics traffickers sat inside a Jeep parked outside a hotel on a Sunday afternoon when a man with an AK-47 assault rifle opened fire, State Judicial Police investigators said.

At least 51 slugs struck the commander, Hector Mario Varela Mendoza, more than 10 tearing through his skull, police forensics expert Dr. Enrique Silva Perez said.

Still other victims vanish - more than 150, about 17 of them United States citizens from El Paso, according to human-rights groups.

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<sup>39</sup> *The Dallas Morning News*, February 16, 1998.

Violence in the drug trade also occurs in Canada, although to a much lesser extent to date. Boyd, writing in 1991, notes that the Canadian situation was not as violent as that of the United States:

There has been some of this traffic-related violence in Canada, but comparatively little, and certainly the portrait of homicide in New York City is very different from the portrait of homicide in Canada.<sup>40</sup>

Boyd describes the level of violence in the cocaine trade in Canada:

There is occasional violence and violent death associated with the trade: a few dozen homicides annually and hundreds of assaults. The report of two recent arrests in Montreal speaks for itself: "In early 1988 authorities in Montreal seized 18 kilograms of 93 percent pure cocaine, as well as \$54,000, three handguns and two rifles. . . . An undercover operation in February 1988 resulted in the seizure of eight kilograms of cocaine, as well as quantities of other drugs, \$154,000 in cash, one Uzi submachine gun, two twelve gauge shotguns, one .38 calibre and two .45 calibre handguns, 12 sticks of dynamite, and four detonators."

The distribution of cocaine is generally more organized in Montreal and Toronto than in Vancouver, and more likely to have firearms attached.<sup>41</sup>

Although this situation does not look particularly grim next to that of Mexico and the United States, recent weapons seizures suggest that the drug trade in Canada is becoming more violent. "Operation Snipe", one of the largest joint forces operations in Canadian history, took place in eastern Ontario from April to September of 1995. This operation targeted illegal firearms, stolen weapons and drug dealing. Some 148 weapons were seized in this operation, 28 of which had been reported stolen. Ottawa-Carleton police chief Brian Ford was quoted as saying: "I have never seen a seizure of this many firearms in my career." The Chief Superintendent of the OPP headquarters in Ontario said, "This is part of a violent sub-culture where guns and drugs go hand in hand. Machine guns are available virtually within eyesight of Parliament Hill."<sup>42</sup>

Chief Ford was also quoted as saying, "It's very frightening in a sense because many of these weapons are automatic and semi-automatic weapons."<sup>43</sup> Among the weapons were 31 handguns and six machineguns. They included an M-1 assault carbine; a .9 millimetre semi-automatic handgun, with clips and a shoulder holster; a Chinese assault rifle; an M-1 and two .15 shot magazines; a machine pistol; an M-1 .30 calibre carbine and 15-round clip; a Chinese

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<sup>40</sup> *Supra* note 23 at 58-59.

<sup>41</sup> *Ibid.* at 71. Note that the dynamics of the drug trade can change rapidly, and Boyd's assertion about the extent to which firearms and the drug trade are related in various cities in 1991 may not hold true for the market in 1998.

<sup>42</sup> *The Ottawa Sun*, Thursday, September 21, 1995.

<sup>43</sup> *Ibid.*

fully automatic assault rifle; a sawed-off .22 calibre Winchester with threaded barrel for a silencer; a .303 Enfield; and an FN fully automatic machine gun.<sup>44</sup>

A 1996 UPI story<sup>45</sup> from Montreal reported claims that the special Wolverine anti-biker squad appointed to end a drug turf war between the Hell's Angels and their rivals, the Rock Machine, had crippled biker gang activity in Quebec. UPI reported that to that date, at least 27 gang members had died in a series of bombings and shootings and scores more had been injured. The report continued that the Wolverines had made more than 100 arrests and recovered large numbers of weapons, including machine guns, and large quantities of explosives.

In September 1997,<sup>46</sup> *The Gazette* (Montreal) reported an RCMP bust of a gun running ring operating in Ontario and Quebec. The ring sold high-calibre machine guns, machine pistols, handguns, explosives and hand grenades:

Police believe the gang sold as many as 400 weapons plus 500 pounds of C-4 plastic explosive and thousands of rounds of ammunition to biker gangs and other criminals in Quebec and Ontario since at least February 1996, when the investigation, called Project Chevreau, began.

In February 1998, the Associated Press<sup>47</sup> reported the arrest of a Canadian teenager in Maine after United States police found 32 pounds of marijuana and other drugs, along with three machine guns -- an Uzi, a semiautomatic Mac 10 and a fully automatic Mac 10, all with silencers -- in his motel room.

Further evidence of the links between the drug trade and violence using firearms comes from a survey of firearm homicides<sup>48</sup> in Canada. The survey reported drug related firearm homicides. It defined "drug related" homicides as homicides where there was "evidence of drug trafficking or settling of drug related accounts". From 1991 to 1996, 16.7 percent of firearm homicides in Canada were thought to be drug related, ranging from a low of 14.0 percent in 1993 to a high of 20.9 percent in 1994. In actual numbers, 1296 firearm homicides occurred in Canada from 1991 to 1996; 217 of these were thought to be drug related. The actual number and percentage of drug related homicides may be higher, since in 12.3 percent of the firearm homicides over that period it was not known whether the homicide was drug related.

The same survey reported the type of firearms used in the 217 homicides that were thought to be drug related. From 1991 to 1996:

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<sup>44</sup> The list of weapons was made available to the author in 1995 to help him prepare for a hearing before the Standing Senate Committee on Legal and Constitutional Affairs.

<sup>45</sup> Martin Stone, April 5, 1996.

<sup>46</sup> Thursday, September 25, 1997, p. A1.

<sup>47</sup> Thursday, February 5, 1998. The report was filed from Westbrook, Maine.

<sup>48</sup> Homicide Survey, Policing Services Program, June 5, 1998. The survey notes that drug related firearms homicides may or may not include cases where drugs were consumed.

- 76.5 percent (166 in total) of drug related firearm homicides were committed with handguns, ranging from a low of 65.9 percent in 1992 to a high of 87.9 percent in 1995;
- 6.5 percent (14 in total) were committed with a fully automatic firearm, ranging from a low of 2.6 percent in 1991 to a high of 9.8 percent in 1994;
- 8.3 percent (18 in total) were committed with a sawed-off rifle, ranging from a low of 3.2 percent in 1996 to a high of 13.2 percent in 1991;
- 8.8 percent (19 in total) were committed with a rifle or shotgun, ranging from a low of 3.0 percent in 1995 to a high of 14.6 percent in 1992; and
- none of the homicides were committed with other types of firearms.

The Canadian police officers interviewed for the present study all agreed that strongest link between firearms and drugs arises from their use in regulating the drug trade. The problem has grown. One officer who served on the Toronto drug squad in the late 1970s said it was rare then to seize a firearm in a raid on a drug dealer. When the officer returned to the drug squad in the mid-1980s, firearms were being seized “all over the place” in such raids. The introduction of firearms into the drug trade seemed to coincide with the introduction of crack. Now firearms are almost always found in drug trade searches. A current undercover drug squad member stated that firearms are accessible in every drug trade “project” and that he was aware of no drug projects since 1986 where guns were not accessible.

The undercover officer stated that drug dealers usually use handguns. Another officer stated that, at the street level, drug dealers are using cheaper “Saturday night specials”. The more sophisticated dealers like “fancier” semi-automatic and automatic firearms that have larger magazines.

The undercover officer noted that the weaponry in the trade is definitely more powerful than in previous years. He stated that within the drug trade firearms are used as status symbols, a means of protection and a vehicle for executions in disputes between trade rivals. Sometimes these executions involve powerful weapons. Dealers also use weapons to intimidate potential informants and to enforce debts.

Some of the officers suggested that in southern Ontario the drug trade primarily involves handguns -- .44 and .357 calibre weapons are popular. These are often used for intimidation, as are AK-47s. For example, a dealer may simply open his jacket to expose his firearm when negotiating a drug deal. According to the undercover officer, this is the “intimidation” element that makes the presence of weaponry, including larger weapons, important. The officer stated that, “the whole allure of a gun is that you have it”.

The officers interviewed suggested that drug dealers have several sources of weapons, including legal weapons acquired in break and enters and gun store robberies, and illegal weapons

obtained through smuggling. Since many of the preferred dealer weapons (for example, the Mach 11 and Tech 9) are illegal in Canada, the only way they can become available to dealers is through smuggling.

The undercover officer suggested that firearms are rarely used against the police, since few “bad guys” want to kill a police officer. For this reason, police always try to announce their presence before an arrest, to avoid drug dealers mistaking them for trade rivals.

#### **2.4 Drugs as a Currency in Transactions to Obtain Firearms**

Both drugs and firearms have value as “currency”. In some cases, drug users will trade their weapons directly for drugs (the converse being that drug sellers will exchange their drugs for firearms). These are often small, one-on-one transactions. The informants in one 1995 American study reported numerous small transactions involving guns for drugs or drugs for guns:

“That’s what I did, sell drugs. Crack fiends stole guns from houses, cars, and pawnshops and brought them to me for drugs. I’d sell the guns to anyone who needed them.”

“I traded a 9mm for a half loaf of cocaine [cocaine worth \$1,000]. You can swap anything for drugs.”

“People who steal things sell them to drug dealers . . . [As a drug dealer] I wouldn’t mess with a gun that was stolen, but nine times out of ten other drug dealers would take a stolen gun. For some [guns] that I gave away I got drugs, but not as much drugs as the guns were worth.”

“I would only trade drugs for a gun if I wanted the gun, if it were one I didn’t already have, but no one would ever turn down an AK-47. Once I traded \$50 drugs for a 9mm. That gun would have cost me \$239 at a pawn.”<sup>49</sup>

The authors continue that some guns acquired by drug dealers are passed within the drug dealing chain, sold to bigger dealers, or given to smaller dealers for protection:

“I sold drugs and guns. Sometimes I’d trade drugs for guns. The guns I sold to bigger drug dealers.”

“I sold guns and drugs, but not to the same people because the gun might be used against me. I sold the guns to bigger drug dealers.”

“Sometimes the big man will give you a gun. Most of the time he does. It’s yours to keep. He does it because he wants to protect his drugs.”<sup>50</sup>

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<sup>49</sup> P.J. Cook, S. Molliconi and T. B. Cole, “Regulating Gun Markets”, (1995) 86 *Journal of Criminal Law & Criminology* 59 at 85-86 (references to footnotes omitted).

The authors conclude that guns are readily exchanged for cash or drugs. “They have value to the owner in trade as well as in use. Youthful offenders and adult felons tend to be quite active in both sides of the gun market.” As well, the market for stolen guns does overlap with the illicit drug market.<sup>51</sup>

The Canadian police officers interviewed for the present study also reported that dependent users trade weapons, as they will trade almost any commodity, for drugs. This exchange has the tendency to keep weapons passing through, rather than staying in, the hands of the users, although it puts weapons into the hands of drug dealers.

One officer spoke of a larger scale transaction where drug dealers in Canada smuggled heroin into the United States and returned to Canada with cocaine and firearms. Thus, there may be some larger transactions between drug dealers involving the exchange of guns for drugs.

A 1997 United Nations report speaks of transactions in California during 1994. These involved both direct exchanges of drugs for guns and exchanges of drugs for money for guns:

An investigation was initiated on a methamphetamine trafficking organization. The group was purported to be trafficking large quantities of methamphetamine from a clandestine laboratory in southern California. The members of this organization were armed Mexican nationals. An informant stated that group members purchased firearms to sell in Mexico. Later the same year, two members of the organization traded 1 pound of methamphetamine with an undercover ATF special agent for two AK-47 machine-guns and United States currency.<sup>52</sup>

Sometimes these direct exchanges take on even larger dimensions, such as when paramilitary or terrorist groups trade drugs for weapons. Thus, groups in drug source countries (Colombia, Thailand, Pakistan, among many others) might supply drugs to American criminals in exchange for weapons (the United States being a major manufacturer of weapons).

In other cases, the exchange is not direct. Terrorist groups may themselves sell drugs for cash, or “tax” drug producers to get sufficient funds to buy weapons. Sometimes there are multiple steps between the drug transactions and the purchase of weapons. This type of indirect exchange may give the would-be purchasers a greater choice of weapons, since they would not be tied to any individual supplier of weapons. When drugs are exchanged directly for weapons, on the other hand, the choice of weapons might be more limited.

One recent article about Canada and drug trafficking in the Americas describes variants of these drugs-for-guns arrangements:

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<sup>50</sup> *Ibid.*

<sup>51</sup> *Ibid.* at 90 (references to footnotes omitted).

<sup>52</sup> 6<sup>th</sup> session of the Commission on Crime Prevention and Criminal Justice, “United Nations International Study on Firearm Regulation (Draft)”, (E/CN.15/1997/CRP.6, 25 April 1997) United Nations Office at Vienna 58.

The “narco-guerrillas” are more politically oriented groups of guerillas that have become involved in the drug trade, for example, the Shining Path in Peru and the M-19 in Columbia. These groups are primarily motivated by political considerations, contrary to the “narco-terrorists.” They are trying to overthrow the system and generally seek a fairer redistribution of income. Their involvement in the drug trade takes a number of forms: they may protect the local peasant populations from the “narco-terrorists” or the law enforcement agencies in exchange for a “war tax” that funds their guerrilla activities. They may also cooperate with the drug dealers in exchange for weapons or funds to finance their activities.<sup>53</sup>

An example of the potential complexity of the guns-for-drugs exchange comes from Somalia:

[M]ost of Somalia’s annual frankincense crop, grown in an area under the control of the Somalia National Movement, is smuggled to the Arab Gulf states and sold at a profit enhanced further by the evasion of (now uncollectible) export duties. Some of the proceeds are brought back in cash dollars to be sold, at another healthy premium, for shillings on the local currency black market. The shillings are used to buy qat; and the qat in turn used as the currency with which to pay for militiamen and their weapons.

Nor does it end there. For much of the food and fuel these armed gangs hijack or extort from international aid shipments is sold on the black markets of Kenya and Ethiopia from whence both qat and weapons are imported.<sup>54</sup>

A 1995 study on covert commerce in the arms black market described the relationship between almost any form of contraband and weapons, arguing that these provide many ways for a guerrilla or paramilitary group to meet its logistical needs:

Much of the world’s underground traffic in diamonds, rubies, emeralds, lapis lazuli, jade, ivory, teakwood and “recreational drugs” along with part of the traffic in looted antiquities is currently, if not actually controlled at source by this or that insurgent group, then at least taxed by them.

Thus, just as the growth of the international underground economy greatly facilitates the physical process of arms supply, simultaneously it makes it easier for insurgent groups to find the means to pay for them - albeit in a wide variety of forms - provided the gun-runner is willing to cooperate.<sup>55</sup>

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<sup>53</sup> D. Berthiaume, H.P. Klepak and G. Aureano, “Hemispheric addiction: Canada and drug trafficking in the Americas”, (1997) Canadian Foundation for the Americas: *The Focal Papers* 5 at 17.

<sup>54</sup> R.T. Taylor, “Loose cannons: Covert commerce and underground finance in the modern arms black market”, (1995) 22 *Crime, Law & Social Change* 1 at 45.

<sup>55</sup> *Ibid.* at 42-43.

The same author cites as an example the drugs-for-guns escapades of one errant capitalist:

Hanafi Arslanian, an Armenian from Turkey . . . arranged for morphine base to be imported from Turkey and Syria into Italy to be resold to mafia heroin traffickers, and for the export back again to the Middle East, especially to Lebanon, of huge amounts of weaponry.

. . . Caught by United States Drug Enforcement Administration in 1972, he [Arslanian] simply went on their payroll, while continuing to import morphine in wholesale lots; and he simultaneously cultivated close enough relations with the Italian secret services to assure an uninterrupted flow of material from the Italian arms industry to fill his return cargoes.<sup>56</sup>

Similarly, some Israeli army veterans who had seen both service and fields of marijuana in Lebanon, bought 1800 kilos, hid it in a consignment of Italian furniture bound for Britain, and would have used the resulting cash to buy weapons for resale to the IRA - if they had not been caught.<sup>57</sup>

The author concludes that drugs have become a natural commodity for guerilla groups to exploit for weapons:

It is often asserted that one of the most important means of financing weapons, especially light ones, is to barter “recreational drugs” (morphine, heroin, cocaine, hashish oil and even bulk marijuana) directly against them. Given the massive production of drug raw material in precisely the areas where civil disturbance and insurgency abound, drugs would seem a natural export commodity for a guerrilla group to exploit. And given the wide spread between the export and landed prices of illicit drugs, the double profit from direct arms-drugs exchanges must be a big temptation for an arms dealer.<sup>58</sup>

Thus, double profits also mean double danger. And the notion of a guns-for-drugs swap requires three cautionary clarifications.

One is that most direct swaps likely occur in servicing small-scale criminal rather than large-scale insurgent demand.

The second is that even where wholesalers like Hanafi Arslanian operate in both commodities, rather than a swap it is a matter of selling drugs for cash and using cash to buy weapons - making the financial mechanics in principle no different from an oil-for-cash-for-arms arrangement like the British-Saudi Tornado deal.

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<sup>56</sup> *Ibid.* at 25.

<sup>57</sup> *Ibid.* at 46.

<sup>58</sup> *Ibid.* at 46.

The third is that in most cases the insurgent group is organizationally (and ideologically) distinct from any geographically contiguous drug traffickers. The main link of most insurgent groups to drugs, if any, is their taxation of the traffic, along with everything else, in the areas under their control.<sup>59</sup>

Nadelmann suggests that, among all Latin American countries, Stroessner's Paraguay stood out for the blatant involvement of its officials in the contraband trade, including drug trafficking. Nadelmann cites one 1971 report that he considered typical of the reports of corruption in Paraguay. The report states:

Since the early sixties the contraband traffic has replaced the public sector as the major source of finance for the purchase of equipment by the Paraguayan armed forces. Arms for the armoured divisions, which were previously paid for by syphoning funds from the state alcohol monopoly (AAL), are now financed out of the profits from the traffic in contraband cigarettes. . . . Traffic in Scotch whiskey has likewise replaced funds from the state water board (CORPOSANA) in the case of Stroessner's own crack *Regimento Escolta*. And the traffic in heroin has replaced the customs department as the major financial support for the counter-insurgency Regiment group -- R114 -- whose chief . . . is one of the organizers of the heroin smuggling.<sup>60</sup>

Veteran American journalist Hugh Downs argues that the enormous profits made available to criminal drug organizations because of the war on drugs has allowed them to create efficient, modern armies -- "in effect, creating departments of defense to protect themselves":

Some of these organizations sprawl across national boundaries creating new political realities. In Burma, a drug general named Khun Sa commands an army of at least 20,000 soldiers. Khun Sa pays for this enormous military and political apparatus by exporting heroin . . . .

Armed with profits [from drug sales] . . . drug organizations secure technically advanced weapons systems. . . .<sup>61</sup>

In a 1994 interview, Interpol's chief drugs officer, Iqbal Hussain Rizvi, told Reuters News Agency:

The end of the Cold War had left global terrorism without financiers, prompting the groups to turn to the drug business, he said. . . . "Drugs have taken over as the chief means of financing terrorism. There are no more free gifts from the earlier

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<sup>59</sup> *Ibid.* at 47.

<sup>60</sup> *Supra* note 28 at 273-74.

<sup>61</sup> Downs, H., "The Longest War", in Arnold Trebach et al., ed., *The Pioneers of Reform: Reflections and Visions* (Washington, D.C.: The Drug Policy Foundation Press, 1996) 85. This article was from Mr. Down's series of radio perspectives, and was broadcast on August 28, 1995.

patrons,” Rizvi said. . . . He said a bloody Kurdish revolt in Turkey was largely financed by money from heroin trafficking.<sup>62</sup>

One author discusses the direct political assault by drug traffickers against political authority in Colombia. He concludes, however, that this is not the only threat that they pose to Colombia: “Cocaine trafficking revenue supports violent right-wing militias that terrorize the Colombian countryside and are responsible for a large fraction of Colombia’s murders.”<sup>63</sup>

The *Sunday Times* (London) reported in January 1998 that Loyalist paramilitaries have established contacts with Scottish drug dealers to bring large quantities of cocaine and heroin into Northern Ireland to finance their terrorist activities.<sup>64</sup>

The *Sunday Times* article continues:

In recent years senior figures within the UDA and UVF, the mainstream loyalist organisations, have clashed in a series of local disputes over drugs. They believe a sophisticated network could result in the organisations becoming totally self-financing, rather like terrorist groups in parts of South America.

*That would enable them to purchase large consignments of arms if their ceasefires end, or prepare them for a move into the more lucrative drugs scene in Britain if they hold.*

“In theory, these organisations could become self-financing in the foreseeable future. *That would have serious implications because they would be in a position to buy weapons in much larger quantities,*” said a security source. [emphasis added]

In April 1998, an Australian newspaper<sup>65</sup> reported that Australian guns are being swapped for drugs in a growing trade which is arming Papua New Guinean rebels and seeing high-grade cannabis flood the local Australian market:

According to a Federal Police intelligence report, the outlawed weapons are being bought and swapped with Papua New Guineans and other islanders for large quantities of cannabis.

Criminal syndicates in Australia then distribute the drugs along the eastern seaboard.

Recent seizures included a .357 Magnum revolver, pump-action shotgun, pistols, SKK and SKS Chinese assault rifles and hundreds of kilos of cannabis.

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<sup>62</sup> Jawed Naqvi, Reuters (New Delhi), December 15, 1994.

<sup>63</sup> *Supra* note 29 at 155.

<sup>64</sup> Sunday, January 18, 1998.

<sup>65</sup> *Daily Telegraph*, April 2, 1998.

## **2.5 Common Trade Routes for Drugs, Firearms and Other Contraband**

The establishment of “trade routes” for one illegal substance may be inherently suitable for other substances. The same networks of corrupted officials exist, there may be common routes of entry, and a ready-made distribution network is in place at the destination. Furthermore, the capability to protect one “hot” good through weapons and violence facilitates shipping the second type of contraband.

A 1998 New York Times article<sup>66</sup> on illicit alcohol production in Southern United States towns cited law enforcement officials as saying that the illegal manufacture and sale of whiskey is a multimillion-dollar business, with ties to gun trafficking and drugs. The article continued that, according to United States law officials, bootleggers sell the whisky to the operators of unlicensed after-hours bars where customers can also buy drugs and firearms.

Nadelmann speaks of possibly integrated trade routes in Paraguay:

With the death of [Panamanian] General Torrijos in 1981 and the emergence of Noriega as Panama’s de facto ruler, the 15,000-person Panama Defense Force evolved into a “kind of Mafia that makes millions from kickbacks and drug dealing.” . . . In June 1986, the investigative reporter, Seymour Hersh, provided an extensive exposé of Noriega’s, and the Panamanian military’s, involvement in drug and arms trafficking and money laundering activities.<sup>67</sup>

Some of the Canadian police officers interviewed in this study commented on the issue of parallel markets. They suggested that drug smuggling and gun smuggling rarely occurred together; drugs often come into Canada in large shipments, whereas firearms usually do not. Drug smuggling is also much more profitable. According to the officers, it therefore made little sense for a drug trafficker to smuggle weapons. However, there is an alternative view<sup>68</sup> that organized crime is flexible

## **2.6 Diffusion of Firearms Outside the Drug Scene**

Duke and Gross argue that the drug business and the violence associated with it have produced a trend in the United States toward the acquisition of weapons for “defensive” purposes:

People not even remotely involved in the drug trade feel the need to carry a weapon in reaction to drug-prohibition-related violence. In city after city across

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<sup>66</sup> Monday, February 2, 1998.

<sup>67</sup> *Supra* note 28 at 275-76.

<sup>68</sup> Personal communication to the author by a member of the Core Group on the Illegal Movement of Firearms.

the country, girls and their grandmothers are taking lessons in how to kill people with a handgun.<sup>69</sup>

The authors suggest that the strong incentive for citizens to arm themselves leads to a “proliferation of armaments” that bears a causal connection to thousands of crimes which would otherwise appear unrelated to drugs.<sup>70</sup>

As William Finnegan put it in a pair of *New Yorker* articles on drugs in New Haven, it is “primarily cocaine money that finances the proliferation of guns, but once the guns are in circulation they take on a life of their own. Among teenage boys, especially, they become status items. . . . And they end up settling petty disputes that until recently were settled with fists.”<sup>71</sup>

Duke and Gross note that at least 400,000 American youngsters take guns to school. They also discuss the increase in vigilantism as a vehicle for removing drug traffickers from some communities.<sup>72</sup> Among the examples they cite are groups of citizens burning or bulldozing crack houses. However, the vigilante action directed against drug dealers could just as easily -- at least in the United States -- be the “offensive-defensive” acquisition and use of firearms by citizens against drug dealers.

A recent study on drug abuse and social policy in America further explains the diffusion effect:

As a result of the flourishing drug trade, handguns, including semiautomatics, have become readily available even to children, with increasing numbers of both intentional and accidental shootings reported most prominently in the inner cities. . .<sup>73</sup>

Blumstein also discusses the diffusion of weapons to adolescents who are not in any way involved in the drug scene. “Because [drug] markets are illegal, the participants must arm themselves for self-protection, and the resulting “arms race” among young people results in a more frequent resorting to guns as a major escalation of the violence that has often characterized encounters among teenage males”:<sup>74</sup>

I believe that an awful lot of homicides that we’re seeing -- particularly by young people with guns -- are, in an indirect sense, drug-related. The guns are out there as a direct consequence of the drug markets, which use violence as a means of dispute resolution. That approach gets picked up and is amplified by gangs, some of which are in the drug trade, and some of which are not. So, there’s an

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<sup>69</sup> *Supra* note 18 at 112.

<sup>70</sup> *Ibid.* at 113.

<sup>71</sup> *Ibid.* at 112.

<sup>72</sup> *Ibid.* at 118-19.

<sup>73</sup> *Supra* note 30 at 15-16.

<sup>74</sup> *Supra* note 31 at 10.

escalation of the willingness to engage in violence, which results, in part, from the mores of the drug trade.<sup>75</sup>

A study on youth violence in Boston found a similar diffusion effect. The authors argue that this may be the second effect of drug trafficking on troubled communities:

For some years, it has been a commonplace [belief] that the decade-old surge in youth gun violence stemmed from inner-city crack cocaine trafficking. There is reason to believe, however, that gun acquisition is today not so closely linked to drug trafficking. In particular, it appears that the urban environment has become so threatening even for youth not involved in the drug trade that many are arming themselves (and engaging in other nominally self-protective behavior such as joining gangs) for self-defense. We may thus be entering into a second phase of the impact of drugs and drug trafficking on troubled communities.

In the first phase, trafficking and competition among traffickers caused high levels of violence, just as occurred during Prohibition. . . .

This new regime of guns and violence has created a very high level of fear among young men in affected communities. More than forty percent of the high school students surveyed by Sheley and Wright reported having been shot at or threatened with a gun; nearly half knew schoolmates who had actually been fired on.

Not surprisingly, these youths sometimes arm themselves as a means of self-defense. Sheley, Wright, and M. Dwayne Smith report that for the high-school students they surveyed, a population not heavily involved in drug trafficking, “the desire for protection and the need to arm oneself against enemies were the primary reasons to obtain a gun, easily outpacing all other motivations.” Nearly a quarter had done so, and more than a third carried a gun at least occasionally.

In such an environment, the “senseless” shootings that have become an urban commonplace should come as no surprise. These kids are armed, edgy, and believe that they cannot be insulted or walk away from a fight without irretrievably losing face and thereby risking additional victimization. They are surrounded by violence, leading them to feel that they have few alternatives. They cannot get out of Dodge, nor is anybody making them check their guns at the edge of town. It is more surprising, perhaps, that there is not even more gun violence.

If this picture is correct, that is, if the youth gun problem has become “decoupled” from the drug and gang activity that sparked it some ten years ago, it is an important insight. It implies that measures aimed only at drug trafficking, gang activity, and serious offenders will not be sufficient responses to the problem. It

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<sup>75</sup> *Supra* note 32 at 28-30.

also seems very likely, however, that drug trafficking, serious offenders, and gangs remain a core part of the problem. . . .<sup>76</sup>

The Canadian police officers interviewed for this study identified no similar “diffusion” of firearms beyond the drug using community in this country. It was felt that, in part, this was because of the greater difficulty in acquiring firearms in Canada. They said that many teenagers carry knives, but infrequently does one hear of a teenager possessing a firearm if not involved with the drug trade; to the extent that teenagers outside the drug community are using guns, it seems the weapons are almost always replicas or starter pistols.

## **2.7 Enhancing the Armaments of the Police in Response to the Real or Perceived Firepower of Drug Traffickers**

As traffickers resort to weapons in regulating the drug trade, including weapons in encounters with the police, police departments may want to increase their own firepower. The converse may also occur. Drug traffickers, fearful of increased police firepower, may in turn increase their own firepower so that they can respond to police enforcement.<sup>77</sup>

A recent news story about violence related to the Mexican drug trade underlines why some police forces might want to increase their firepower:

When senior police officer Jorge Frias Orosco and his partner, both armed with .38-caliber pistols, stopped the men believed to be members of the hit team, they were sprayed with bullets from an AK-47. Mr. Orosco was killed. His partner survived.

“We’re obviously at a disadvantage,” Chief Reygadas said. “This is no way to fight a war.”

The significant drug trade firepower recently intercepted by Canadian police may also lead to calls for increased police armaments. For example, the 1995 “Operation Snipe” in eastern Ontario uncovered 148 weapons, including machineguns, automatics and semi-automatics.<sup>78</sup> Many of these weapons were said to be destined for the drug trade. Similarly, a September 1997<sup>79</sup> RCMP bust of a gun running ring in Ontario and Quebec uncovered many high-calibre machineguns, machine pistols, handguns, explosives and hand grenades. Police believe the gang sold hundreds of weapons to biker gangs (many of which were involved in battles over drug turf)

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<sup>76</sup> D.M. Kennedy, A.M. Piehl and A.A. Braga, “Youth Violence In Boston: Gun Markets, Serious Youth Offenders, And A Use-Reduction Strategy”, (1996) 59 *Law and Contemporary Problems* 147 at152-155 (references to footnotes omitted).

<sup>77</sup> “US: Selling SWAT”, *Covert Action Quarterly*, Fall 1997, 22. “US: The Rise in Paramilitary Policing”, at 20-25: “[Peter Kraska, of Eastern Kentucky’s School of Police Studies] is not optimistic . . . [H]e sees martial force being answered by greater force by law-breakers and fears a Cold War-style escalation of armaments in the streets of America”: “US: The Rise in Paramilitary Policing”, at 20-25.

<sup>78</sup> *The Ottawa Sun*, Thursday, September 21, 1995.

<sup>79</sup> *The Gazette* (Montreal), Thursday, September 25, 1997, at A1.

and other criminals. Purchases from arms dealers by police double agents included three heavy machine guns with 3,000 rounds of ammunition, two AR15 rifles with ammunition, one AK47 semi-automatic and one AK47 automatic rifle with ammunition, one semi-automatic machine pistol and two handguns.

United States police forces appear to be arming themselves with increasingly powerful weapons, in large part due to the “war on drugs”. A 1997 study by Kraska and Kappeler examined what they described as the “enormous” growth in the number of, and a significant shift in the character of, United States police paramilitary units (PPUs). A survey of all police departments serving cities of 50,000 people or more provided the first comprehensive national data on PPU’s:<sup>80</sup>

PPUs are equipped with an array of militaristic equipment and technology. They often refer to themselves in military jargon as the “heavy weapons units,” implying that what distinguishes them from regular police is the power and number of their weapons. The weapon most popular among these units is the Heckler and Koch MP5 submachine gun; its notoriety originates from elite military “special operations” teams, such as the “Navy Seals.” . . . Other weapons include tactical, semi-automatic shotguns, M16s, sniper rifles, and automatic shotguns referred to as “street-sweepers.”<sup>81</sup>

Kraska and Kappeler’s research found that the majority of “call-outs” of these PPU’s were to conduct what the police call “high risk warrant work,” mostly “drug raids”. Warrant work accounted for 75 percent of all paramilitary activity in 1995:

[P]olice using PPU’s “proactively” for high-risk warrant work surged in the late 1980s and early 1990s. . . . The drug war of the late 1980s and early 1990s required the servicing of an unprecedented number of search warrants and a lesser number of arrest warrants. Rather than reactively responding to traditional crimes such as robbery, the police can go into the population and proactively produce cases against an almost limitless number of drug users and low-level dealers (Barnett 1987) – hence, the dramatic increase in “call-outs.” Most traditionally reaction-oriented PPU’s enthusiastically accepted the new function of executing large numbers of warrants; many PPU’s now conduct between 200 - 700 warrants/drug raids a year.

According to our respondents, “warrant work” consists almost exclusively of what police call “no-knock entries.” Generally a search warrant is obtained through either a police informant or a tip from a neighbor. After securing a warrant, the paramilitary unit conducts a “dynamic entry,” generally on a private residence. . .

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<sup>80</sup> P.B. Kraska and V.E. Kappeler, “Militarizing American Police: The Rise and Normalization of Paramilitary Units”, (1997) 44 *Social Problems* 1.

<sup>81</sup> *Ibid.* at 3.

As one commander described these operations, “our unit storms the residence with a full display of weaponry so we can get the drugs before they’re flushed.”<sup>82</sup>

The interviewees also stressed that confiscating guns and money in these drug raids is as important as confiscating drugs. Several commanders noted how confiscated assets sometimes fund the purchase of new paramilitary equipment.<sup>83</sup>

The authors conclude:

Our research found a sharp rise in the number of police paramilitary units, a rapid expansion in their activities, the normalization of paramilitary units into mainstream police work, and a close ideological and material connection between PPU and the United States armed forces. These findings provide compelling evidence of a national trend toward the militarization of United States Civilian police forces and, in turn, the militarization of corresponding social problems handled by the police.<sup>84</sup>

Another force may be at play in the militarization of the police -- marketing of military weaponry to police departments as a means to bolster their effectiveness in enforcing drug laws. Thus, even if the police are not driven by the firepower of drug traffickers to increase their own firepower, marketing by military hardware suppliers may seduce the police into buying greater firepower. The police will then appear more formidable to drug traffickers, who in turn may well increase *their* firepower.

Two articles in a 1997 *Covert Action Quarterly*<sup>85</sup> assess the substantial increase in the use of military weaponry by United States police departments. Much of the increase, the first article argues, flows from attempts by military weapons makers to persuade police that heavier weapons are needed to enforce the United States “war on drugs”:

Competition among weapons manufacturers has been growing fierce. One way Smith & Wesson (S&W), a Springfield, Mass.-based weapons manufacturer, goes after H&K’s [Heckler & Koch] market share is by offering tactical training seminars at well below the \$2,000-plus cost of attending a privately run paramilitary training camp. S&W’s curriculum includes specific tactical advice on hostage situations, barricaded suspects, and executing drug search warrants, the last of these making up by far the major portion of SWAT work. . . .

With weapons manufacturers conducting training, sales hype is transformed into an unnecessarily dangerous, often deadly, reality. Small wonder that local SWAT teams now execute most drug search warrants with essentially the same firepower, military zeal and black-clad storm trooper tactics that British Special Air Service (SAS) used in its 1981 raid on dissidents at the Iranian Embassy, or that military

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<sup>82</sup> *Ibid.* at 3 (references to footnotes omitted).

<sup>83</sup> *Ibid.* at 9.

<sup>84</sup> *Ibid.* at 12 (references to footnotes omitted).

<sup>85</sup> “US: Selling SWAT”, *supra* note 77 at 22; “US: The Rise in Paramilitary Policing” at 20-25.

commandos recently deployed to storm the Japanese ambassador's residence in Peru.

The second *Covert Action Quarterly* article<sup>86</sup> argues that the more powerful weaponry used by police in enforcing drug laws is also now being used in areas of law enforcement where such weapons are clearly not required.

[T]he militarization of local law enforcement . . . is largely a consequence of a drug war that has incrementally evolved into a real domestic offensive with all the accoutrements and ordnance of war.

Increasingly, America's neighborhoods, especially within minority communities, are being treated like occupied territories. In the past 25 years, police agencies have organized paramilitary units (PPUs) variously called SWAT (Special Weapons and Tactics) or SRT (Special Response Team), outfits that go to work in battle dress uniforms with automatic assault rifles, percussion flash-bang grenades, CS gas - and even armored personnel carriers. The number of these units and the situations in which they are [being] deployed are rapidly expanding. . . .

. . . Kraska and Kappeler found that police paramilitary units are now called in to perform relatively mundane police work - such as patrolling city streets and serving warrants. . . .

One commander of a paramilitary unit in a midwestern town of 75,000 described how his team patrols in BDU, cruising the streets in an armored personnel carrier. "We stop anything that moves. We'll sometimes even surround suspicious homes and bring out the MP5s (an automatic weapon manufactured by gun manufacturer Heckler and Koch and favored by military special forces teams). We usually don't have any problems with crackheads cooperating."

The Canadian officers interviewed for this study were asked if a similar "militarization" of policing was taking place in Canada. They saw no such trend. However, they agreed that the use of firearms in the drug trade has proliferated over the last decade and that police forces were also generally better equipped and better trained than before and could cope with the firepower of the drug trade. One of the officers interviewed remarked that police have enough firepower to pin down a drug trafficker until more heavily armed reinforcements arrive. As well, as noted earlier, one officer suggested that violent confrontations between police and drug traffickers rarely occurred. Most of the violence in the drug trade was directed at trade competitors, not the police.

Another suggested that, even if the police wanted to increase their firepower, it would likely not be as easy to do so in Canada as in the United States. Canadian police are more tightly controlled in their access to firearms than are their American counterparts. American police

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<sup>86</sup> "US: The Rise in Paramilitary Policing", *supra* note 77 at 20-25.

forces also often have easier access to the funds necessary to buy powerful weaponry, since laws in many areas of the United States more easily permit the police to keep the proceeds of crime they seize.

However, a recent lead story<sup>87</sup> in *Saturday Night* magazine suggests that Canadian police are adopting some of the same armaments and tactics as their American counterparts:

Special Weapons and Tactics (SWAT) teams were originally established in Canada in the 1970s to handle terrorist incidents. . . . They are also becoming more and more common. Almost every Canadian police force with more than 100 officers has one. Nationwide there are at least 65 tactical squads; the RCMP alone operates twenty-six.

In the past, these teams have had the dangerous job of rescuing hostages or dealing with armed standoffs. But over the last decade or so they have branched out to take more of a role in day-to-day policing, handling potentially violent domestic disputes, drug or customs searches, and suicide threats.<sup>88</sup>

The *Saturday Night* article, unlike the American literature, does not suggest that the war on drugs is the primary motivating force behind growth of emergency response teams in Canada. However, this apparent increase in the armaments and change in tactics of Canadian police may, as in the United States, be due in part to the pursuit of the violent drug trade. For example, the *Saturday Night* article described four SWAT team operations – all of them looking for drugs – that involved violent, heavily armed searches by police SWAT teams.

The very existence of SWAT teams may encourage their use in other areas of law-enforcement:

“Even if a person doesn’t have weapons, if the team is available and there is the possibility for any type of violence, or even if there is not, it makes sense to use a professional team to resolve a situation,” says Sgt. Rob Abramenko, the RCMP’s National Emergency Response Team coordinator. “We encourage the divisions to use the teams as much as possible. We believe it prevents more problems than it causes.”<sup>89</sup>

Says another police officer:

“We’re quick to employ tactical teams – even in a case with moderate risk. But why shouldn’t we? They’re an extra piece of insurance.”<sup>90</sup>

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<sup>87</sup> D. Pugliese, “SWAT You’re Dead”, *Saturday Night* (April 1998) 40.

<sup>88</sup> *Ibid.* at 42.

<sup>89</sup> *Ibid.* at 82.

<sup>90</sup> *Ibid.*



### 3.0 CONCLUSION

This brief study has identified many links between drugs and firearms. In some cases, the links seem to be consistent from country to country. For example, those who simply use drugs occasionally and are not involved in the drug trade generally do not possess or use firearms more than those who do not use illegal drugs. Dependent users may resort to firearms when committing crimes to get the money for drugs. However, resort to firearms for acquisitive crime appears to be relatively uncommon in both Canada and the United States. As well, in almost every jurisdiction discussed in the literature, the illegal drug *trade* is the principal link between drugs and firearms.

In general, and across many jurisdictions, the literature suggests that:

- firearms are in fact a major means for regulating the illegal trade in drugs, including protecting shipments of drugs, intimidating customers or competitors, enforcing debts, resolving disputes, eliminating competition, and killing or injuring informants
- the illegal drug trade increases the demand for illegal and legal firearms, and these firearms may be used in ways that threaten even those who are not connected to the trade
- firearms are not often used in crimes committed to obtain the funds to buy drugs on the black market
- drug use generally does not appear to be associated with the possession or use of a firearm, unless the user is also involved in acquisitive crime or the drug trade itself
- dependent users sometimes exchange weapons for drugs.

These are the consistent findings that emerged from this study -- findings that appear to apply in both Canada and the United States. On several points, however, the Canadian experience appears to differ from the experience of the United States:

- in Canada, there appears to be little “diffusion” of firearms to young people beyond the drug trade, although the dynamics of diffusion bear watching. This apparent lack of diffusion contrasts with the United States, where several authors have argued that the proliferation of firearms in the drug trade, particularly among the young, leads to a proliferation of firearms among those who have nothing to do with the trade.
- the widespread introduction in the United States of paramilitary policing units responding to anticipated or actual drug trade violence does not seem to be occurring to the same extent in Canada; this may in part be because Canada’s drug trade has generally been less violent than that of the United States or because it is more difficult for Canadian police forces to get access to increased firepower. However, a recent

media report suggests that Canadian police are in fact acquiring and using heavier armaments for various facets of policing, including drug law enforcement. The extent to which this apparent increase in police firepower is driven by the perceived need to respond to well-armed drug dealers is not evident, and should be explored further. Similarly, the extent to which increased police firepower may encourage those in the drug trade to enhance their weaponry is not clear, and may warrant further study;

- there appears to be little evidence that the drug and gun markets frequently operate together in Canada; the enormous profits from the drug trade make it unlikely that drug dealers would also deal in firearms on a large scale; that said, some street level dealers may sell firearms that they obtain from addicts, but that is not to be confused with an organized system of weapons and drug trafficking;
- in Canada, there appears to be little large-scale exchange of weapons for drugs. In the United States, the situation appears to be different. Drug traffickers, terrorist and paramilitary groups in foreign countries may provide drugs to the United States in exchange for weapons, since the United States is a major producer of weapons; and
- the trade in drugs and guns is generally separate in Canada, according to anecdotal evidence from a limited survey, but there is also evidence to the contrary.

As indicated at the outset, this brief literature review and informal survey of several police officers cannot be taken as an authoritative analysis of the links between drugs and firearms in Canada. Still, it identifies several links that may warrant further examination, particularly in light of the emphasis attached to both drug and firearms policy issues in Canada.