



11350 Random Hills Road, Suite 800, Fairfax, Virginia 22030 Phone (703) 934-6101 Fax (703) 352-3678

fff@fff.org www.fff.org

More Drug-War Victims **by Sheldon Richman**

Opponents of the so-called war on drugs (it's a war on *people*) have long cautioned that enforcement of victimless-crime laws is by nature a mockery of justice. We have a vivid example in Cory Maye.

You haven't heard of Cory Maye? Few people have, despite the best efforts of blogger-journalist Radley Balko (TheAgitator.com). Maye, 25, is sitting on death row in Mississippi, the latest victim of the government's indefensible war on drug makers, sellers, and consumers.

Maye, who had no criminal record, was convicted of capital murder last year in the 2001 killing of 29-year-old Prentiss, Mississippi, policeman Ron Jones. Jones was shot as he and a squad of narcotics cops burst into Maye's side of a duplex late one night as Maye and his 18-month-old daughter slept. The police had a warrant to look for marijuana on the premises, although Maye was not named in the warrant. He says the police neither knocked nor announced themselves. The police dispute this. But as Balko points out, a knock and announcement would have little effect on a sleeping man. (Thugs also have been known to claim they are police to get at their victims.)

When Maye heard people entering his home, he went to his daughter's bedroom armed with a handgun. When the police entered that room, he fired, hitting Jones, who later died of his wounds. Maye is black. Jones, the son of the then-Prentiss police chief, is white.

According to Balko, "Immediately after the raid, police first said they found no drugs in Maye's apartment. Days later, they say they found a small bag of 'allegedly marijuana,' and three pieces of a burnt cigar, also containing 'allegedly marijuana.'" Needless to say, this is suspicious.

Maye's appeal is currently before the Mississippi Supreme Court.

This case reeks. Whether they knocked or not, why were police entering his home late at night? Because an informant is reported to have told police marijuana was stored there.

Nothing is more corrupt than the police-informant relationship in drug enforcement. Countless times informants have fingered innocent people in order to take the heat off themselves or to bargain for leniency. Drug raids are notorious for leading to the deaths of people, often cases of mistaken identity, who tried to defend themselves against late-night visits from militarized SWAT teams.

What makes Maye's case different is that he was the killer, not the killed. But if the facts are as they appear, he is the innocent victim. If so, he should not just be released from death row; he should be freed.

Such horrible events will occur as long as the government asserts power over what we may and may not ingest. In a truly free society it would have no such power. When government enforces laws against consensual activities police terror is inevitable. Since there is no complaining witness in drug sales (as there is in real crimes), police turn to foul tactics to catch lawbreakers. Entrapment and reliance on untrustworthy informants are two common tactics.

Why has the Maye case brought no outcry from the anti-death penalty crowd? It may be, as a friend suggests, that Maye's use of a handgun apparently in self-defense makes him unattractive to that crowd. But don't look for support from the conservative right. They like guns, but they love the war on drugs even more and could never bring themselves to believe that someone could kill a policemen in self-defense.

From the looks of things, Cory Maye acted to protect his daughter and himself. The government put them and Ron Jones in jeopardy by its senseless persecution of drug consumers. Let's hope the Mississippi Supreme Court keeps this horror from getting worse.

*Sheldon Richman is senior fellow at The Future of Freedom Foundation, author of **Tethered Citizens: Time to Repeal the Welfare State**, and editor of [The Freeman](#) magazine.*

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