

**LOSING AMERICA'S DRUG WAR: "JUST SAY NO"  
TO "JUST SAY NOTHING"**

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**HEARING**  
BEFORE THE  
SUBCOMMITTEE ON NATIONAL SECURITY,  
INTERNATIONAL AFFAIRS, AND CRIMINAL JUSTICE  
OF THE  
COMMITTEE ON GOVERNMENT  
REFORM AND OVERSIGHT  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED FOURTH CONGRESS  
SECOND SESSION

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OCTOBER 10, 1996  
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# LOSING AMERICA'S DRUG WAR: "JUST SAY NO" TO "JUST SAY NOTHING"

THURSDAY, OCTOBER 10, 1996

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON NATIONAL SECURITY,  
INTERNATIONAL AFFAIRS, AND CRIMINAL JUSTICE,  
COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,  
*Phoenix, AZ.*

The subcommittee met, pursuant to notice, at 9 a.m., in the Kenneth Coffin Auditorium, Sunnyslope High School, 35 W. Dunlap Avenue, Phoenix, AZ, Hon. John Shadegg, presiding.

Present: Representatives Shadegg and Souder.

Also present: Representatives Hayworth and Salmon.

Staff present: Sean Littlefield, professional staff member; Chris Marston, legislative assistant; and Kim Williams, minority professional staff member.

Mr. SHADEGG. Good morning. I would like to call this morning's hearing of the House Committee on Government Reform and Oversight, Subcommittee on National Security, International Affairs, and Criminal Justice field hearing to order. We will begin with the presentation of the arms.

[Presentation of the arms and Pledge of Allegiance.]

Mr. SHADEGG. Good morning. I would like to begin by thanking all of you for being here today, and I would like to particularly thank Chairman Bill Clinger of the House Committee on Government Reform and Oversight for making this opportunity available to me.

I would also like to thank Subcommittee Chairman Bill Zeliff and his staff, as well as the principal, James McElroy, and the staff and teachers of Sunnyslope High School for their diligent work in turning this opportunity into a reality.

Finally, I want to express my appreciation to Congressman Mark Souder of Indiana, a member of this subcommittee, as well as to my colleagues, Congressman J.D. Hayworth and Congressman Matt Salmon, for their appearance and participation this morning.

I am especially pleased to be here this morning and to see high school students from throughout the Fourth Congressional District. As a Congressman, it is a great privilege for me to conduct a hearing in the district I represent. It is a greater privilege for me to invite Arizonans to participate in an open forum, giving them a voice in solving the drug problems we are facing today.

I can assure you, we will bring the knowledge that we gain at today's hearing back to Washington to use it in setting the course for a national drug policy to reverse the recent dramatic upward

trend in drug use amongst our youth. Since the day the 104th Congress was sworn in, this subcommittee has been holding hearings to help find ways to combat our Nation's growing drug problem. I commend Chairman Zeliff for his efforts that he has personally taken over the last 18 months to try to fill the leadership vacuum surrounding the drug issue.

However, this hearing today could not come at a more appropriate time. A time when, more than ever, we should be concerned about the effects that drug use is having on our Nation's children. Recently, it was announced that drug use amongst American teenagers has doubled since 1992.

According to the annual results of the National Household Survey on Drug Abuse, overall drug use surged by 33 percent between 1994 and 1995. It has increased 105 percent since 1992. Today, drug use is up for juveniles in every drug category: heroin, crack, cocaine, LSD, non-LSD hallucinogens, stimulants, inhalants, and marijuana.

Today, one in three high school seniors has smoked marijuana, and today's marijuana is 25 times more potent than that in the 1960's. In 1994, three-quarters of a million more teenagers used drugs than in 1992, a reversal of the 1981 to 1992 downward trend. Arizona is no exception to this rule.

According to the 1995 Substance Abuse in Public Schools survey published by the Arizona Criminal Justice Commission, current use of methamphetamine, hallucinogens, and marijuana among Arizona high schoolers is the highest it has been since 1988.

I personally find these statistics to be both tragic and frightening.

The war on drugs should be a bipartisan issue. It concerns all the parents in my district, regardless of their party affiliation. The issue is far too important to politicize. As the father of a 14-year-old daughter who started high school this year, and a 10-year-old son, I worry every day that my children will be exposed to illegal drugs.

Regrettably, however, this administration politicized the drug issue, beginning in 1993, by reversing drug control policies that were in place and were clearly working. Before 1993, we were winning the war on drugs. During the 1980's and early 1990's, as the charts displayed before you show, the United States experienced a dramatic reduction in the casual use of drugs because of increased penalties, an increase in leadership, and a strong national anti-drug message.

Upon taking office, the President inexplicably took a number of actions to dismantle America's antidrug policies and strategies. In February 1993, the staff of the Office of National Drug Control Policy was cut by a staggering 83 percent. The administration, in fiscal year 1995, called for a reduction in its budget which would eliminate 621 drug enforcement agents at the DEA, the FBI, INS, Customs, and the Coast Guard.

While many of these cuts were restored, the DEA lost 227 agents between September 1992 and September 1995. The current administration has also shown a decreased enthusiasm toward Federal drug prosecutions.

For example, the number of individuals prosecuted for Federal drug violations dropped from more than 25,000 in 1992 to less than 22,000 in 1994. Recently, we learned that the Director of the FBI and the head of the DEA, in a letter personally delivered to the President, told him our current drug policy is failing, and a Department of Defense report prepared by this administration confirmed the FBI and DEA letter and its indictment of our drug policy.

Since coming to this office, the administration has conveyed an indifference toward illegal drug use. In seven major addresses to the Nation in 1993 and 1994, the President never mentioned illegal drugs once. Of more than 3,300 Presidential statements, interviews, and addresses over those same years, illegal drugs were mentioned only 24 times.

Before I go any further, as a lifelong Arizonan, I must raise a serious concern. From my experience as a father, I believe children are dramatically more perceptive than we give them credit for. They can see through hypocrisy in an instant, and they consistently judge us more by what we do than by what we say.

In that regard, I am deeply concerned by proposition 200, the Drug Legalization Initiative, that will appear on Arizona's ballot next month. I am convinced to the depth of my soul that, if we pass that initiative, we will be sending our children exactly the wrong message and making the fight against drugs immeasurably harder.

Though its proponents would have you believe that it is a harmless and reasonable initiative, let me tell you what it really does. Proposition 200, if passed, would permit the dispensing of Schedule 1 illegal drugs, including heroin, LSD, methamphetamine, and marijuana, by a physician, to those who claim they need these drugs as a result of a physical illness.

While I recognize that it is an act of compassion to afford seriously and terminally ill patients access to treatment which would lighten their burden, however, there is no medical consensus on the appropriateness of using drugs such as heroin, LSD, methamphetamine, or even marijuana for medical treatment.

Not one American health association accepts marijuana as a medicine, much less heroin, LSD, or methamphetamine. Such arguments have been considered and rejected by the American Medical Association, the National Multiple Sclerosis Society, the American Glaucoma Society, the American Academy of Ophthalmology, and the American Cancer Society.

Knowing what the proposition actually does, I am particularly worried by the language that appears on the Arizona ballot. In fact, if you read the ballot language alone, you would believe that this initiative gets tougher on drugs. Let me read you the first sentence of the ballot language.

That line states that a "yes" vote shall have the effect of requiring the entire sentence to be served by persons who commit violent crimes while on drugs. Reading that sentence alone, voters may be deceived into believing this initiative will help us win the war on drugs. In fact, it will do the opposite.

The frightening provisions of proposition 200 would result in the immediate release of 1,000 so-called nonviolent drug offenders from our prisons and jails. This would happen without regard to the true criminal histories of this convicted drug offenders, many of whom

have committed crimes other than drug offenses for which they were sentenced.

In addition, the initiative mandates that a judge must sentence future convicted drug users to probation with no option of imprisonment. Jail is not an option unless the user violates his or her probationary sentence three times. Under both of these schemes, there is no incentive to stop drug use.

The current practice frequently relied upon by Arizona judges to use the threat of jail time as a mechanism to require drug users to go through drug treatment would be lost forever.

I strongly oppose this initiative because it sends the wrong message to our children. Proposition 200 sends a message that Schedule 1 drugs, including heroin and LSD, are safe and effective medicines for medical treatment, rather than dangerous drugs and addictive substances.

I believe society must take an unequivocal stand against illegal drugs, like the stand we took against drunk driving through organizations such as Mothers Against Drunk Driving and Students Against Drunk Driving. Legalizing drugs reduces the stigma of using drugs and will unquestionably be interpreted by some, particularly our youth, as tacit approval for the use of drugs. If this initiative succeeds, the message we will send to our children will change dramatically from "Do drugs, do time" to "Do drugs, so what?"

This morning during this hearing, entitled, "Losing America's Drug War: From 'Just say no' to 'Just say nothing,'" we will hear from three distinguished panels, and I want to thank them for their leadership on this issue.

We will hear testimony from real life witnesses to the war on drugs, including victims of drug-related domestic violence; Border Patrol agents shot while apprehending drug offenders; recovered addicts; a mother of children who are recovering drug users; a teacher who has students whose lives have been impacted by drugs; and an emergency room doctor who deals with drug-related crises on a daily basis. We will also hear testimony from Federal, State, and local law enforcement officials.

All of these people have been in the front lines of the war on drugs. Their testimony will help us to better understand the crisis we face.

The committee and subcommittee will continue to search for drug policies which will give us the weapons to win the war on drugs. While some may argue that we will never win the war on drugs—and, depending upon how you define winning, they may be right—the evidence of the last 4 years, I believe, clearly establishes that we can lose the war on drugs and that the consequences for our children and our society are unacceptable.

It is time for us to wage a full-fledged battle against drugs and, if we fail to do so, our children will pay the price.

I would like, at this time, to call on my colleagues for any opening remarks they may have. Congressman Souder.

Mr. SOUDER. Thank you. It's a privilege to be here today. I represent my friend Dan Quayle's old district in northeast Indiana. I first want to dispel a rumor: I am not moving to Arizona. That's not why I came today. [Laughter.]



It has been a real privilege in the freshman class to serve with my Arizona colleagues. There is a big difference. I was a staffer in Washington for quite a few years. I was Republican staff director of the Children, Youth, and Family Committee. I worked on the Senate side. We brought in a group of people who are deeply committed to trying to change the way things work and who stand for real, solid values and are committed to how best to protect our children and families in this country.

When we saw the problem developing early on in our first term, my three colleagues from Arizona and many of our others became very upset. While we're trying to control the budget, we realized you can't fight this drug war without money, and it's a matter of targeting and using your money in the wisest ways and the best ways.

We saw what had happened early in this subcommittee, when we had Nancy Reagan and people from the administration testify in March 1995, we have had the pressure on steady ever since then.

We have had many hearings in Washington on everything from the music industry to movies to treatment to education. I'm on both education subcommittees of the Education Committee.

I understand how we have to reach kids and how we have to do prevention messages and treatment messages, but, quite frankly, if we can't stop the flood of drugs getting into this country, there is little we can do. The biggest drug bust, single bust, on crack in the history of Fort Wayne—we have been inundated and historically have been coming in from Detroit—came in across Nogales through Arizona, up through the Midwest and into Fort Wayne.

We are not interconnected in this Nation anymore, and we have to have a method, because there is only so much we can do in our schools in Fort Wayne, only so much we can do in the treatment centers in Fort Wayne, and there's only so much we can do in the local police forces in Fort Wayne, if we have millions of dollars of cocaine, or heroin, of potent marijuana flooding our State.

It's true all over the country. We've had hearings in New England. We've had hearings throughout the Midwest, several in California. We were just in Hollywood looking at movies and television. John and I were at a hearing there.

We will be in Florida on Monday. I've been down in Mexico, Peru, Colombia, Bolivia, and Panama, trying to talk directly with the leaders there, and telling them there's going to have to be changes. We have to make changes in our country, too.

So it's a privilege to be here in Arizona. It's been helpful in all of these hearings to see what is being done at the grassroots level, to hear from the DEA, Border Patrol, and Customs, where appropriate in those regions, very specific things, because each region is slightly different, but we're all battling the same evil, and it will take both the combination of law enforcement and changes in people's hearts, and personal responsibility to do this.

Referendums like are happening in California and Arizona are not helpful, by implying that there are medicinal benefits and low risk to users, and I strongly support what Congressman Shadegg earlier said.

I'm looking forward to your testimony today.

Mr. SHADEGG. Congressman Matt Salmon.

Mr. SALMON. I would like to thank Congressman Shadegg for giving us this wonderful opportunity. I don't think there is a more pressing issue facing our Nation than drug abuse.

I think most people understand that violent crime in our society is heavily impacted by the use of illicit drugs. In fact, it is estimated that probably more than 80 to 85 percent of the crime in our society today is committed and related to the use or sale of illicit drugs.

I would just like to speak to the young adults in the audience just a little bit, because you're really the best hope and brightest chance we've got for our future in beating this terrible, terrible problem. Like Congressman Shadegg, I have two children that are in high school. I have one that is a freshman in high school and one that's a sophomore.

I recall—it doesn't seem like that long ago—when I went to high school. I remember that it was a time when you're really starting to come into your own, you're trying to figure out what you want to be for the rest of your life.

You're wondering, as you sit in your calculus class or your geometry class or your history class, "How in the heck does this relate to what I want to do for my future? I may want to be a dancer; I want to be a professional basketball player; I'm going to be a bricklayer; I'm going to work on cars. What does this have to relate with me?"

The pressures are very, very intense, both from your families, on the requirements that you have, the schools, and you feel a lot of pressure. Then, some person comes up to you and says, "Hey, I want you to try this joint" or "I want you to try this particular kind of drug or that particular kind of drug."

You say, "No." You muster all the courage and strength that you've got, and then they make fun of you and they say that you're a chicken and you're really square. You don't understand what it's all about.

I would just like to give you a little bit of encouragement from a parent, that drugs are never the answer. They are always leading to misery. I have a nephew who is in jail right now, and he will be for the next 5 months. I was just visiting with my sister up in Utah and she was telling me about how she is only able to visit him 1 day a week and has a very limited amount of time, and it's excruciating for her.

But she has mixed emotions. One, she is happy he's there, because he's off of drugs now. Two, it's very, very painful for her, because she misses him, and it's a very embarrassing thing to have to live with.

But you know something? She told me about my nephew and when he was taking the drugs and how it changed his personality and how he was trapped. He couldn't get out of that cycle. He couldn't not use drugs, because it's addictive.

It's a terrible, terrible thing. It takes your life away and rips it into shreds, and it ruins your chances of having any kind of success in the future, or real happiness and, many times, even worse than jail, it leads to death and brain damage. I could go on and on with the impacts of drugs. It's terrible, it's bad, and just don't do it.

It is the right thing to do. Have the courage to do the right thing and you'll be a lot happier and a lot healthier.

To the older adults, some of your parents and some of the folks that are out there in the audience who are as concerned as we are about this terrible scourge upon our land, let me say this.

We place a lot of emphasis in this country on role models, and I think it's despicable that we have a sitting President who said on MTV that if he had the chance to do it again, he would have inhaled. That's the bad message to send to our youth. It's despicable that he is sending that kind of a message.

Then to appoint somebody like Joycelyn Elders as surgeon general, who recommended legalizing drugs, and then we scratch our heads and wonder aloud, "Why do we have the problem? Why has drug use doubled during this administration?"

No, I'm not politicizing it. If it was a Republican in office, I would be saying exactly the same thing. We've got to take this seriously.

I think the idea that we're willing to send our troops around the world to protect world peace is not more important than protecting our own land and fighting this drug war with every ounce of fiber that we have and eradicating this scourge from our country, because it's not only killing and hurting our youth, but it's causing most of the violent crime in our society.

I thank John Shadegg for holding this hearing. I thank you all for this opportunity.

Mr. SHADEGG. Thank you. Congressman J.D. Hayworth.

Mr. HAYWORTH. Thank you, Congressman Shadegg and Congressman Souder, Congressman Salmon, our distinguished panelists, ladies and gentlemen, and students in our assembly and hearing today.

Sitting here and listening to my colleague from the first district remember his high school days, it comes back to you, albeit it the fact that they were some 20 years ago, as I prepare for my 20th high school reunion.

But I think that, these times, you cannot help but become reflective. Sitting here listening to Matt reminds me that, when I attend my high school reunion later in November, I can take a look at those who are no longer with us, some of whom died as a direct result of their addiction or their connection in some way to drug abuse or to drug trade.

If statistics are to be believed, for every nine students in our assembly this morning, at least one has experimented with illegal drugs. It was mentioned earlier, the curiosity of having a candidate for President, now the President of the United States, say in a "Rock the Vote" special on MTV that yes, if he had it to do over again, he would inhale, and then it was suggested that he was somehow joking. What's so funny? Where's the joke? The humor is lost upon me.

We are talking about what for many among us is literally a life and death decision. Many of you in attendance today I had the chance to visit with years earlier as part of your graduation ceremonies from the D.A.R.E. Program run by the Maricopa County Sheriff's Office, where you were confronted with a series of decisions. Those lessons remain valid, even as the years pass.

I welcome this hearing today. I salute Congressman Shadegg's leadership, the tenacity of Congressman Souder, and I will review the testimony of our panelists with great, great interest, because I salute them for being on the front lines here in Arizona and beyond to stop this scourge and reclaim our Nation, for better days and for more noble pursuits than the abuse of illicit drugs.

Thank you very much.

Mr. SHADEGG. Thank you. At this point, let me call off the names of our first panel.

They are Christine Newton, Open Door Shelter; Chris Ann Stefanski, Open Door Shelter; Sophia Lopez, president and founder of Mothers Against Gangs; Dr. Patrick Connell, president, Arizona Chapter of the American College of Emergency Physicians; Suzanne Brayer, teacher, North Canyon High School; Alex Romero, executive director, Drug Watch, Arizona; Rev. Snow Peabody, executive director of Teen Challenge of Arizona; and Rev. Angel Rosa, director, Greater Phoenix Teen Challenge.

If I could ask you to each stand, I have to begin by swearing you in.

[Witnesses sworn.]

Mr. SHADEGG. Let the record reflect that they all answered in the affirmative, and let's begin with Christine Newton. Christine.

By the way, let me simply say quickly, the rules of a congressional hearing require that each of you have 5 minutes for your presentation. We are supposed to have a small, little box that has three lights on it—a green light, a yellow light, and a red light—and the yellow light is supposed to come on when you have a minute left and then the red light comes on when you are finished.

Regrettably, when the staff was flying out here yesterday, that light broke, so we have in front of you just the one very large bright, red light. That is not intended to shock you or otherwise startle you. It's just the only substitute they could apparently rig overnight.

We would ask you to try to hold your testimony as close as you can to 5 minutes, though we will not be rigid about that. If you do see the red light come on, do what you can to try to conclude your testimony within a few minutes thereafter, as quickly thereafter as you can.

Christine. You may sit if you want. You can be comfortable and relaxed. But you may need to move one of those microphones a little closer. I think it needs to be even closer. There we go. It does sound like a shark tank. We apologize.

**STATEMENTS OF CHRISTINE NEWTON, OPEN DOOR SHELTER; CHRIS ANN STEFANSKI, OPEN DOOR SHELTER; SOPHIA LOPEZ, FOUNDER AND PRESIDENT, MOTHERS AGAINST GANGS; PATRICK CONNELL, PRESIDENT, ARIZONA CHAPTER, AMERICAN COLLEGE OF EMERGENCY PHYSICIANS; SUZANNE BRAYER, TEACHER, NORTH CANYON HIGH SCHOOL; ALEX J. ROMERO, FOUNDED PRESIDENT, ARIZONANS FOR DRUG FREE YOUTH AND COMMUNITIES, INC., AND MEMBER, BOARD OF DIRECTORS AND ARIZONA DELEGATE, DRUG WATCH INTERNATIONAL; REV. SNOW PEABODY, EXECUTIVE DIRECTOR, THE TEEN CHALLENGE OF ARIZONA; AND REV. ANGEL ROSA, DIRECTOR, GREATER PHOENIX TEEN CHALLENGE**

Ms. NEWTON. I'm Christine Newton. I'm a 33-year-old single mother. I'm an ex-drug addict.

At the age of 5, my mother died. There were 13 of us left without a mother to raise us. My father was an alcoholic. I had an abusive home life. At the age of 25, I started experimenting with drugs. I started off by selling crack cocaine, and curiosity got the best of me. I wanted to know what the rage was that everybody got so much out of it from, and curiosity won out.

I started seeing what everybody got out of it. It went on for about 4 years. It got to the point where I was about ready to lose my kids. My sister stepped in. She wanted me to go to rehab and she wanted to place my kids in a home. I wouldn't be able to see them for 6 months.

I came to the conclusion, "No, I can kick this on my own." So one day, I just woke up, got my kids, left, and never looked back, and I've been clean for 3 years. [Applause.]

Now, since I've been clean and off of drugs and away from drugs, I see what it did to me and what it did to my children. My oldest daughter, the only way she could get my attention was to get in the middle of the street and yell, kick, and scream at me for me to talk to her.

My baby, every day she would go to school she would ask me, "Mom, are you going to be at home when I get here?" Even until this day now, 3 years later, every so often, she'll ask me the same question: "Are you going to be home when I get here?" She knows now if I'm not there, I'll be in that door 15 minutes later after she gets there.

When we first moved to the Open Door shelter, she would not sleep. I had to put the chair up to the door to make her feel safe. We've been there almost about a year. Right now, she is very settled. She goes to school. She doesn't ask me am I going to be at home when she gets there.

My son, he was in denial. You can ask him to this day, "Did your mother ever do drugs?" He'll just nod his head and say, "Ask her."

But, through all of that, he is my child that didn't suffer. He's on the honor roll at Camelback High School. He's on the football team. He holds a little job. He is, I want to say, the only one that it hasn't affected, but I think somewhere down the line he might have problems dealing with it when it finally hits him and he realizes that I was a drug addict.

I would like to thank the people at the Open Door for giving me a chance and opportunities that I have now. I'm working, I'm going to school, I have other possibilities opening up to me within a few months. If I was still on drugs, I wouldn't have those opportunities. Nobody would have took the time and the trust or the effort to try to help me do anything with my life. For that, I thank them.

[The prepared statement of Ms. Newton follows:]

**Testimony Before the Subcommittee on National Security,  
International Affairs and Criminal Justice  
Congressman John Shadegg**

**October 10, 1996**

Congressman Shadegg and esteemed members of the subcommittee, I am Christine Newton, I am 33 years old, a single mother and survivor of chronic domestic violence and addiction. I wish to thank you for the opportunity to testify before you about my experience with drugs and the violence in brought to my home.

My mother died when I was five years old...twenty-eight years ago...yet I remember as if it were yesterday. Her death was the result of "accidental injuries" due to massive brain hemorrhage caused by "a blunt force trauma to the head." Thirteen children were left without a Mother to raise them, each one would grow up with their own vivid memories of the violent attacks our Father, an alcoholic, inflicted on our Mother. Not one of us ever accused him out loud, the attending physicians were divided as to the cause of her death, but I grew up knowing that my Mother was gone because of my Fathers uncontrollable rage and chemical dependency to alcohol.

Years later as my Grandfather lay on his deathbed, I heard my Father accuse my Grandfather of having killed his Mother in just the same way. . .my father was so angry I was afraid he would kill Granddaddy That was the first time I thought about the relationship between violence and addiction and the first time I saw how it got passed on from one generation to the next, like a bad seed. I grew up in a home where I was exposed to violence and addiction everyday. I learned to ignore and avoid the violence, I didn't have time to think about the past--the present was bad enough.

Even though I should have known better--by the age of twenty-two I was dealing "crack" to support my three children and soon began using--mostly out of curiosity. Curiosity? I saw what it did to people! I took jewelry, groceries, the last dime out of someone's pocket sometimes--but that wouldn't happen to me--I was too smart for that! I grew up learning how to "take care of business" without feeling a thing.

The first time I smoked "crack" I didn't feel anything--a few more times and all I got was a headache. I couldn't figure out what it was about this stuff that literally took people from "riches" to 'rags' overnight. So I kept on--finally it hit me and I was 'up there'--I could handle anything, turn any deal. I could use and still 'take care of business.' I didn't see how it affected me--I became violent and moody just like my Father. It got so bad at one point my children went to live with my sister for almost a month--they couldn't handle my rage and anger. Fortunately for me, my family members intervened.

My sister Linda took matters into her own hands and arranged for me to go into a rehab unit...I couldn't believe I had let things go so far--I was out of control. I refused to go into rehab--I looked at my babies and their sad little faces--I saw myself at their age and I was crushed by what I had allowed to happen in their lives. I couldn't bear the idea of leaving my children. I left my longtime partner, Roger Moore, still a chronic user as far as I know, and for the first time there was peace in my home for my children and me. Roger found another chronic user to keep company with--he asked about me among old associates, people who didn't see me anymore--I knew he would be too high to make it to the other side of town.

My family was nearly destroyed--every partner I had was violent and addicted to something. It was so much like the family I grew up in that I hardly noticed--same 'ole...same 'ole. For several years my daughter Mariette asked me everyday--"Momma, are you going to be here when I get home from school?" At the age of eight, my daughter was mothering me--I can never undo the fear and panic my addiction has caused her. My oldest daughter, Monique would confront me in the only way she knew how--she would scream, kick, fight--whatever it took to get my attention. I can't take back the things my daughters have seen or the violence they have experienced first hand. In spite of my behavior and all the exposure he has experienced, my son makes the honor role every semester--he excels in every sport and keeps his body clean and healthy. To this day he denies that I was every out of control--I have never known why he refuses to accept the obvious. My fear is that his denial will cause problems for him at some future time.

When I came to The Open Door I learned about the frightening cycle of domestic violence and the generation cycle it follows. The connection between substance abuse and violence in the home is unmistakable. Virtually all of the women who come to domestic violence shelters are leaving a lifestyle that involves substance abuse--theirs, their partners or both. At The Open Door we have an opportunity to share our experience on a daily basis both formally, in group, and informally among ourselves. The community is small and our backgrounds are very similar. All the women there have experienced life-threatening violence at the hands of their partners. The pattern and the role of substance abuse becomes very clear--our family lives were completely destroyed and drugs played the predominant role. Misuse of money, chronic unemployment, mood swings and complete personality changes are typical scenarios. We are all women with a history of chronic domestic violence--we all tried to "stick it out" until we noticed what was happening to our children. It is so true..."Children learn what they live." I have my work cut out for me. I thank God everyday that I have the chance to teach them something different.

If street drugs are made even more accessible than they already are--and they are cheap and readily available in every area of the city right now--there will not be a family in the State of Arizona that is safe from the poverty, violence and health risks that are part and parcel of addiction. Maybe we haven't been all that successful in preventing the spread of drug use--but to give up (and that's what this law would do) is to hand over our babies, our families, to a life of hardship and despair. That's not what America stands for, I don't want my children to have to live through what I have been through. When all the things that come with drug use are known, it's not glamorous, it's not cool and it's not the future we envision for our children. The war on drugs may be a never ending battle--but there is no real alternative.



Mr. SHADEGG. Thank you very much. [Applause.]

Chris, before we move on, first of all, it's difficult for us to know, we can hear, but just barely. Can people in the audience hear? Would you raise your hands if you cannot hear? OK. We will do what we can to try to improve that, because we do want you to be able to hear the hearings here today, and be able to benefit from the testimony of these witnesses.

Second, it is one of the rules of a congressional hearing that we cannot allow any kind of a showing of support or approval or disapproval, so while there is a natural instinct to want to applaud and, indeed, many of the witnesses you will hear this morning have had startling experiences and have overcome, perhaps as Christine had, a drug problem, and they deserve applause, that simply is not permitted at a congressional field hearing.

So I would ask you that at no point are you allowed to express any approval or disapproval, so you will have to hold your applause, and that is the rule.

Chris.

Ms. STEFANSKI. My name is Chris Stefanski. I am also from the Open Door shelter. I'm on the other side. I was the one watching somebody do it. I'll just read my story to you. It kind of gets me emotional.

Congressman Shadegg, and esteemed members of the subcommittee, I am Chris Ann Stefanski. I am 32 years old, a single, working mother and a survivor of chronic domestic violence that is a direct result of progressive drug addiction.

Thank you for the opportunity to submit my testimony regarding the devastating effects of prolonged, habitual drug abuse and the role it plays in domestic violence. It is my sincere hope that my testimony will help this committee and those reviewing the final report to make cautious and more fully informed decisions in addressing this problem.

The violence and devastation of habitual drug abuse goes far beyond the problem of random acts of violence in our communities. It is experienced every day at the very core of our society, in our families.

Most importantly, the violence and moral decay resulting from drug addiction is visited upon our children, the silent victims of violence in the home. Our children are born into this world at the mercy of all else with no alternative but to trust us to protect and care for their safe passage into adulthood.

When that trust is violated, when it is more dangerous to be inside your house at night than it is to be outside on the street, violence in the home moves into future generations producing a multitude of problems for the greater community.

Decriminalizing some drugs may temporarily lessen the burden of crime and reduce the immediate cost associated with incarceration—a quick fix—but it will not change the violent, anti-social behavior of a drug abuser where the real damage is first experienced—at home, behind closed doors, and away from public scrutiny.

I have been married for 10 years. My husband and I have a daughter, Andrea, who is 4 years old. Over the course of our marriage, my husband developed a chronic drug abuse problem, his

drug(s) of choice being cocaine and/or methamphetamine and a sort of alcohol "chaser." He was a heavy drinker and a "casual" drug user when I met him.

I noticed from the beginning how drastically his personality would change when he was "using", so much that he would want to hurt someone—anyone. I felt that his drug abuse hurt him the most. In reality, it hurt everyone around him. I never thought that he would want to hurt me.

I cannot count the number of times I scrambled around picking up the pieces of our marriage, unaware of the magnitude of his drug use and confident that love and faithfulness would change his increasingly abusive, controlling, and paranoid nature. My husband is an intelligent man and a hard worker, but he has always had problems holding down a job.

From day one, we were in debt and, each year, we fell farther into the hole. He claimed to love us dearly and often said we were his whole life, but his addiction soon grew to be more important to him than the family he claimed to worship.

Nine months ago my husband tried to kill me—really kill me—without warning. Shortly after he had come home from work, my husband lunged at me, threw me to the ground and tried to choke the very life out of me. He said he had been thinking about killing me for 2 days, and he wouldn't wait any longer.

If it had not been for my daughter screaming and the momentary distraction it caused, I would not have survived to be here today. I barely escaped with my daughter to an emergency shelter.

We moved to the Open Door shelter within the month where Andrea, our two cats, and I have our own apartment, security, the support of a wonderful community of women, supportive counseling, and a year or more to recover and rebuild our small but peaceful little family.

While we escaped with our life, I live in fear every day that my husband will find us and destroy us somehow. Maybe his addiction will kill him before he gets to us—not exactly a prize-winning alternative.

Every woman here is faced with the same lackluster choices. We are thankful for all that we have and the new friends we have made, all that we have learned and the second chance we have been given. But we are far from the life we planned for ourselves and for our children.

All the hopes and the dreams that went into those early years, however naive they may have been, all the excitement we felt starting to build our lives and our families—all that is gone now, and will never be recovered. The very best we can do is try to stop our children from carrying those violent memories into another generation. At least I would like to believe that I can somehow "undo" the violent memories that haunt my daughter Andrea.

Decriminalization may appear to solve some of our immediate problems as a community, like random crime and prison overcrowding. Taxation under Government control might actually make more money available for treatment.

The undercurrent of permissiveness regarding drugs has already cost us dearly as a society. The so-called "war on drugs" is nothing more than a bad joke. Most people agree that the money could be

better spent elsewhere, but few of us could come up with any viable alternative.

All in all, decriminalization virtually ignores the potential impact of drug abuse on the very building blocks of our community—the families that live in them. Limited treatment is already available, but most users don't consider themselves addicts and don't want treatment. Easy access to cheaper drugs isn't going to solve that problem.

Decriminalization inadvertently legitimizes the use of substances known to be addictive in a high percentage of the population, so-called recreational drugs that have demonstrated a multitude of pronounced, adverse effects on individual health, productivity, and social interaction.

I can only offer you this, but I give it to you as an irrefutable fact: drug abuse ruins families and destroys lives.

Mr. SHADEGG. Sophia Lopez. Sophia.

Ms. LOPEZ. Thank you. My name is Sophia Lopez, and I'm the president and founder of Mothers Against Gangs. Our organization has been active for 4 years, and unfortunately, it started because of a tragedy that happened to our family.

I can only tell you that losing a son is the worst thing that anyone can ever go through. With some of the problems that we've seen among our young people, because we work closely with those who have been victims of gang violence—and when you talk about gangs and drugs, they come in hand-in-hand.

When we work with a lot of the young people, and we talk about, you know, the problems that they're facing today, and one of the biggest problems is peer pressure. In peer pressure, drugs come along.

It's really sad that, you know, we see many parents who want to do something. I really applaud this mother who, both of these ladies, to make an effort to stand up and say, "We're not going to live this way. We're going to become stronger and do better for our community."

But we also have to look at what is happening to a lot of our young people. When we talk about drugs, you know, and if we're going to legalize the drugs, and we might as well say, "It's OK to do drive-by shootings, it's OK to molest children, and it's OK." We're supposed to accept all the bad things that are happening in our community.

By legalizing this, then why do we need law enforcement? I believe that this is not something that needs to be legalized and it's not even a topic, to say, "We're going to legalize it." We need to stand up and say, "Children, there's got to be consequences that will be faced." Educating them and teaching them that drugs are not something that we should be involved with is key.

I have five children and I will protect them as much as I can. I grew up around the drug problems and I've seen what it did to a lot of my family members. I always said that I would never allow this to happen to my family.

Some of the things that we deal with among our young people and the drugs that they're using, they don't understand the problems that they're going to face. When you work with children that are born addicted to crack, it really breaks our hearts to see inno-

cent children, you know, crying and screaming and shaking—children that don't have a clue as to what is happening to them.

We really need to do something to prevent these things from happening, not to say, "Yes, it's OK to legalize it." It's not about profits, it's about saving children's lives. I really support the Congressmen for taking a stand and saying, "No, we are not going to allow this to happen."

When we hear that kids are involved in these underground parties, rave parties, and they use these drugs like Ecstasy, because there is no alcohol involved in these parties, but when we see children hurting each other and sometimes to where they will steal and rob people to get these drugs, it hurts. You know, it's not just happening to those people on that side of town, or rich, or the poor. It's happening to all of us and it hurts all of us, because it is an effect that happens to all of us.

So it's important that, you know, parents and educators and children get involved in doing something positive to protect us from being hurt. It's time that we say no to drugs and really say no, and we really need to fight this and say, "No, we're not going to tolerate this. We're going to prevent this from happening and coming into our schools and coming into our homes."

If it's happening in our homes it's not something to be accepted. We really need to say, "No, we don't want this."

If you see parents doing this in front of children, then we really need to say, "Mom, Dad, no, that is not good for you and you are a role model to us, and we really need to stop this."

So it's important that we all support the Congressmen and say, "No, we don't want this drug to happen or these to be legalized." We really need to say, "We're going to prevent this from coming into our homes."

Thank you.

[The prepared statement of Ms. Lopez follows:]

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 Founder and President  
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**"WOMEN CAN MAKE A DIFFERENCE"**

Mothers Against Gangs was founded in 1992, by a grieving mother, after her son was shot and killed by a gang member. Ms. Lopez was prompt to establish Mothers Against Gangs.

The objective of Mothers Against Gangs (MAG) is to provide individualized guidance and assistance to agencies, families and techniques and comprehensive case management. We strive to educate the public, raise the consciousness of city and state officials with regards to gang violence and their intimidations.

MAG addresses families of victims, community education and court advocacy. MAG priorities are to champion victims rights.

Ms. Lopez has contributed to various Arizona Attorney General publications on gang issues and has participated in numerous conferences dealing with the problems of gangs. She is dedicated to promoting social, cultural, leadership and character development among youth and their families.

Ms. Lopez is involved in several Commissions, such as the Criminal Justice Commission, Gun Meltdown Commission, Human Services, Curfew Committee, ACJC, Youth and Crime Task Force, Governor's State Gang Advisory Committee member and a Graduate of the Citizens Police Academy. She has received three proclamations on White Ribbon Campaigns to Stop Violence and bring peace and hope to our communities. She has appeared on the Rikki Lake Show, Geraldo Show and Good Morning America.

Ms. Lopez was invited by Vice-President Gore to the White House to discuss the Crime Bill and was recognized as a recipient of the prestigious Presidential Points of Light Award for volunteerism in Washington D.C. by President Bill Clinton. Recently, Ms. Lopez was honored by the 1996 Olympic Torch Relay Committee as a "Community Hero" and carried the Olympic Torch as it traveled through Arizona. General Schwarkops (Stormin Norman) has also come to visit Mothers Against Gangs and did a clip on the NBC Date Line Show with Tom Brokaw.

**Presentation topics:**

*Bereavement	*Victims Rights
*Prevention/Intervention	*Youth Conversion
*Gang Awareness	*Women Empowerment
*Community Empowerment	

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*Recipient of the distinguished Presidential Service Award*

**MOTHERS AGAINST GANGS:**

IN THE FOUR YEARS OF THE COMMENCEMENT OF MAG, OUR FIRST PRIORITY IS VICTIM RIGHTS AND WORKING TO MAKE OUR COMMUNITY SAFE FROM GANGS AND GANG VIOLENCE. BUT IN WORKING WITH YOUTH IN THE DIFFERENT PARTS OF THE STATE WE HAVE LEARNED THAT GANGS AND DRUGS WORK HAND IN HAND.

STATISTICS SHOW THAT DRUGS AMONG YOUTH ARE AT A HIGH LEVEL.

TEENS ABUSE DRUGS ON A DAILY BASIS, WHERE THEY WILL DO WHAT EVER IT TAKE TO GET THEM, AS FAR AS STEALING, ROBBERY, PROSTITUTION, THEFT FROM THEIR PARENTS AND SOME TIMES KILL FOR IT.

TYPES OF DRUG USAGE: ARE SPEED, MARIJUANA, COCAINE, METH, AND ACID, HEROIN HAS RISEN IN POPULARITY OVER THE LAST YEAR BECAUSE WHAT THEY ARE GETTING IS VERY PURE, ANOTHER FORM OF HEROIN USAGE IS TO MIX HEROIN WITH METH AND MAKE WHAT IS CALLED SPEED BALLS.

WE AS A SOCIETY NEED TO FIGHT THE DRUG WAR AND NOT SCRIMMAGE, STOP THE PROBLEM BY ACTIVITY BEING INVOLVED IN OUR COMMUNITY. PULLING ALL OF OUR RESOURCES TOGETHER PUTTING MORE MONEY INTO PREVENTION. GIVING HARDER JAIL SENTENCES TO THOSE WHO USE CHILDREN TO TRANSPORT, DEAL AND DISTRIBUTE IN OUR SCHOOLS. WE NEED TO BAN TOGETHER TO DO THIS TO SAVE OUR CHILDREN. BY LEGALIZING DRUGS WE ARE SAYING IT'S OKAY TO HAVE DRIVE BY SHOOTINGS, CHILD MOLESTERS AND KILLINGS. WHAT IS THE POINT OF HAVING LAWS IF WE ARE NOT GOING TO ENFORCE THEM. BY PASSING THE RIGHTS TO HAVE DRUGS, WILL MEAN WE WILL HAVE TO FACE THE CONSEQUENCE MEANING MORE HOSPITALS FOR CHILDREN WITH DRUG RELATED MEDICAL PROBLEMS, CRACK BABIES AND DEFORMITIES. THEREFORE AS MOTHERS AGAINST GANGS ARE TOTALLY AGAINST THE LEGALIZING OF ANY TYPE OF DRUGS.

Mr. SHADEGG. Dr. Connell.

Dr. CONNELL. Congressman Shadegg and fellow citizens, my name is Patrick Connell. I am an emergency physician. I practice at Maryvale Samaritan Hospital here in Phoenix. I have practiced emergency medicine in Phoenix for approximately 20 years, 9 months, and 4 days.

I'm a graduate of the University of Arizona College of Medicine and I am board certified in emergency medicine.

The emergency department is the safety net of the medical community. As the president of our national college said recently, a memorable statement in my mind, is the following: "No shirt, no shoes, no sobriety, no insurance, you are our patients." That's who I take care of.

So, by default, the 300 or so emergency physicians in Arizona treat the homeless, the mentally ill, the uninsured, and we are the primary source of treatment for those that have acute medical problems related to the abuse of street drugs.

In my 20 years of practice, I have treated about 60,000 patients and, of that, several thousand who have the effects, the medical effects, due to the use of street drugs.

When I first started practice in the mid-1970's, heroin and hallucinogenic drugs, such as LSD and PCP, were the primary drugs of abuse. Cocaine and methamphetamine, or crystal-like drugs, were only an occasional player.

During the 1980's, the amount of drug abuse in our patient population decreased significantly. There was less heroin abuse. Hallucinogenic drug use also declined.

However, in the late 1980's, crack cocaine emerged as the leader among those drugs which brought people to medical attention. Now, cocaine and also methamphetamine, or crystal, and some of the congeners of that, such as—known as Ecstasy and some of those things—have some particularly nasty medical effects that bring people to my attention.

One of those effects is sudden death. I don't know how many of you remember Len Bias, the very promising young basketball player, who died of sudden death due to cocaine. This is something I don't see every day, but I see it on a weekly basis. I see it with a significant frequency, sudden death of a young person due to drug abuse, usually cocaine or crystal.

There are other, less dramatic effects than that. One of them is heart failure, myocardial infarction, or heart attack, stroke, and enlargement and thinning of the heart muscle.

Now, in the last 3 or 4 years, the drug problem has gotten much worse among the patient population that I deal with. Cocaine is a major player. Crystal methamphetamine is a huge, huge problem.

There has been a significant increase in the medical problems related to drug abuse among my patient population. Now, I'm not a sociologist or a demographer, and there are multiple factors, I'm sure, at work, including the availability of relatively cheap methamphetamine, changes in enforcement and interdiction, and, perhaps more importantly, the somewhat permissive attitude that has evolved in society toward the use of drugs.

I would estimate that I see three or four people a day who have significant medical problems related to drug abuse. This ranges

from the person in an auto accident who has been impaired by some drug to the person who is having a heart attack or a stroke directly related to drug abuse.

Several weeks ago I saw a young woman in her early 20's who—it was about 8 weeks after the birth of a child, and she was suddenly unable to move the right side of her body, and she was suddenly unable to speak. A scan of her brain showed that the left side of her brain essentially was dead, it was gone. It was permanently blown out.

This woman, tragically, would never be able to speak, never be able to talk to her child, never be able to walk without assistance. She would require, or will require, a nursing home-type support for the rest of her life, and she could well live another 40, 50, 60 years like this. She had several other children, and will never be able to enjoy the fruits of growing up in a normal existence with her children.

Now, the reason she had that stroke was crystal methamphetamine. Unfortunately, the person who—who is going to pay the tab for that woman's medical costs and her nursing home costs for the rest of her life? I assume that her dealer probably doesn't have good liability coverage, so I suspect it is the taxpayers who are going to pay that cost.

I could give you a number of examples. I could go on and on. Since I've prepared this testimony I've had three or four more good examples of day-to-day medical problems.

But, in my experience, young people—and I look back to myself. When I was 16, 17, I'm not sure that I would have been terribly convinced by some doctor reciting all of these medical problems he's seen over the years due to drug abuse. I'm not sure that would have convinced me not to experiment with drugs, had that been an option that I had considered at that time.

I feel it's our attitude as a society toward drugs, that is reflected in our laws and our enforcement structure, that will ultimately win or lose the war on drugs.

So in summary, as a medical practitioner with years of experience dealing with drugs of abuse on a daily basis, I would conclude the following:

No. 1, there has been a dramatic increase in drug abuse, in the medical effects of drug abuse, in the last 3 or 4 years in my practice.

No. 2, the incidence of significant and very expensive adverse medical outcomes continues to increase.

Third, the war on drugs, which appeared in the mid-1980's to be working, is now failing.

Finally, the decriminalization of entry-level drugs, such as marijuana, is not a message that reflects the values of our society and I believe will have a number of unintended consequences over time that will be detrimental to society.

Thank you.

[The prepared statement of Dr. Connell follows:]



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## WAR ON DRUGS

I have practiced emergency medicine in Phoenix for 20 years. I am a native of Arizona and a proud graduate of the University of Arizona College of Medicine. I am Board Certified in Emergency Medicine, and I serve currently as the President of the Arizona Chapter of the American College of Emergency Physicians, a professional society representing over 300 emergency medicine specialists in the State of Arizona.

The emergency department is the safety net of the medical community. We treat the homeless, the mentally ill, the uninsured, the ill and injured of every socioeconomic class. And we are the primary source of care for those who have acute medical problems related to the abuse of street drugs. I have treated over 60,000 emergency department patients and have treated several thousand people who have suffered the effects of street drug abuse.

During the mid-1970's when I started practice, heroin and hallucinogenic agents such as LSD and PCP were the primary drugs of abuse. Cocaine was only an occasional player.

During the 1980's there was less drug abuse seem in the emergency department. Heroin abuse decreased markedly among our patient population and hallucinogenic drug use declined as well.

Then in the late 1980's crack cocaine emerged as the leader among those drugs which brought people to medical attention. Cocaine, especially in the crack form produces some particularly nasty medical effects including sudden death due to cardiac arrest, heart attacks, heart failure, stroke, and enlargement and thinning of the heart muscle.

In the 1990's the drug problem is much bigger than it ever has been during my years of practice: heroin is back, cocaine is a major player, and crystal methamphetamine, which has similar medical complications as cocaine at a third of the street price, has become a huge problem.

Thus there has been a significant increase in medical problems related to drug abuse among the patient population I treat in the last three or four years. I am not enough of a demographer or sociologist to pretend to explain the many forces that have caused this dramatic increase. Clearly there are multiple factors at work including supply and demand, the easy availability of relatively cheap methamphetamine, enforcement and interdiction, and more permissive attitudes toward drugs in society have all been factors in a rather marked increase in drug abuse.

I would estimate that I see three or four people a day who have significant medical problems related to drug abuse. This ranges from the automobile driver drug impaired and involved in an accident, to the patient who is having a heart attack or stroke directly related to drug abuse.

Let me give some examples. Several weeks ago I saw a young woman in her twenties who was suffering from an acute stroke. She was 8 weeks post partum, and suddenly was unable to move the right side of her body and unable to speak. A CT scan of her brain showed that a large portion of the left side of her brain was gone--dead--permanently gone. This unfortunate woman with an eight week old infant and several older children would now never walk, never talk, and require a nursing home type environment for support for the rest of her life. Her significant other denied any street drug abuse on the part of his now speechless partner; I did a drug test on this patient as part of her work-up--it showed significant levels of crystal methamphetamine in her system. That's what caused her stroke. And tragic as this incident is for this sad patient, this scenario is repeated all over the country. And who do you think will pay the tab for the medical costs and nursing home costs for this person for the next forty years? Maybe the dealer has good liability coverage!

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Last week I saw a young man age 31 in congestive heart failure. That's a problem generally of the elderly, when the heart muscle doesn't have enough strength to properly circulate the blood. So what we had was a 31 year old man with an 81 year old heart. This man couldn't walk across the street without being short of breath. His life expectancy is maybe a year or two. What caused this problem: street drug abuse, cocaine and crystal. And you know what--this guy knew that 60% of his heart was dead and still he couldn't stop using.

I could go on and on with examples. But in my judgment the public is not easily convinced by anecdotal reports like this of the consequences of drug abuse. Street drug abuse is primarily a problem of the young. And most of us feel invulnerable until we reach thirty or more. I certainly did. "It won't happen to me." I feel that it is our attitude as a society toward drugs as reflected in our laws and our enforcement structure that will ultimately win or lose the war on drugs.

As a physician I am empowered by the laws of this state to dispense a large number of substances that are not available to the public at large. There are a number of potent therapeutic agents that society has judged are best controlled by those with substantial education and training in their use, side effects, interactions with other agents, their effect in the presence of a variety of diseases, and the like.

We as a society have decided that unlimited access to these agents by the public would do more harm than good in society. Look at the example in Mexico and some other countries where the public can buy antibiotics without prescription: the incidence of drug resistant organisms is three times that in the United States. Is that something we want in the United States. I think not.

Look at the Oregon experience: when they decriminalized marijuana in the late 1980's, the use of marijuana among high school students tripled. That was clearly an unintended consequence of the law. But laws are a mirror of society's

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attitudes. An attitude of tolerance did not send the message to our young people that I think needs to be sent. Look at the experience in Holland. Walk around Amsterdam and see the hordes of stoned young people. Look at the crime rates in Holland have they gone down since drugs are now legal?--not at all, they've gone up. Is this where we want to be headed? Do we want our children to get message that we so prevalent in the 60's: "drop out and get stoned."

As a medical practitioner with years of experience dealing with medical consequences of substance abuse on a daily basis, I can make the following conclusions:

1. There has been a dramatic increase in street drug abuse in the last three or four years in my medical practice.
2. The incidence of significant adverse medical outcomes has increased commensurately with the increase in abuse.
3. The war on drugs which appeared for a while a decade ago to be working is now failing.
4. The decriminalization of entry level drugs such as marijuana is not a message that reflects the values of our society and will have a number in unintended consequences over time that will be detrimental to society.

Thank you.



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Mr. SHADEGG. Thank you. Ms. Brayer.

Ms. BRAYER. Thank you, Congressman Shadegg. I wish to thank you for the opportunity to speak on a subject which is of great concern to me.

I teach in a predominantly white, middle-class high school of 2,400 students in North Phoenix. Over the 16 years that I have been teaching, I have become acutely aware of the increased drug use among the students. The drugs of choice are marijuana, crystal meth, cocaine, and acid, with marijuana the most popular.

Accompanying this increase and probably causing it is the changed attitude on the part of the students. They are no longer secretive about their drug use. In fact, many—even non-users—don't believe using drugs is entirely wrong.

Monday morning conversations focus on the weekend "rave parties" where drugs and alcohol are prevalent. One of my students said, "Each year more kids do it and each year more think it's cool."

They tell me that there is nothing wrong with smoking weed. They don't see drug use as a major problem. They don't understand why adults are so concerned about the use of drugs, especially the marijuana. A common comment is, "Natural drugs like pot are OK."

I believe the following comments typify the attitude of today's drug user. Stephanie told me: "I have used marijuana, meth, cocaine, and LSD, and I don't regret it, because I think, as long as you have a good head on your shoulders, it's OK to experiment. Kids just want to have fun."

I've heard that comment more than once in the last weeks in my conversations with my students.

The fact that drugs are easily available and inexpensive makes them all the more tempting. One or two queries in the school hallway will provide anybody with the desired drugs.

With movies, musicians, talk shows, sitcoms promoting drug use, and disseminating incorrect information, the students are seeing a very lopsided picture. The D.A.R.E. messages of earlier years are forgotten. The chance to have some fun with their friends is foremost in their minds.

Most students, I believe, believe that marijuana is a harmless high. Combine that attitude with the desire to be cool, be accepted, and marijuana is the drug. Users will not accept the possibility of marijuana leading them into other drugs.

I personally know of too many situations where marijuana was the introduction into a life of hell. For example, Allison, a friend of mine, began smoking pot in the seventh grade. By ninth grade, she was stealing from her parents to support her cocaine habit. By age 16, she had run away and was not heard from for over a year.

Ryan, a student in my class, began smoking pot as a freshman, but he did not get the desired high, so he immediately advanced to acid. This is a description of his experience:

"I was an absolute mess for over 6 hours. I could not control my emotions. My hearing and vision became delayed, and I lost all reasoning skills. I became very cold, and a pervading sense of paranoia took me.

"After I came down, I became depressed more than I have ever been. For some ludicrous reason, I decided to do it again and again and again."

Another boy I have, Scott, began smoking in the fourth grade. By age 15, he had moved on to cocaine and heroin. One night, he picked up a baseball bat, and he beat his father almost to death.

In the past 2 weeks, since I've been doing questioning of my students, they have shared with me more similar stories.

I believe one reason we see more experimentation at younger ages is the influence of parents who do drugs. One student informed me that her parents smoked pot occasionally. Another said, I have a best friend whose mother did about every drug possible. Once we found speed on the stairs. I asked what she did with it. She said that she flushed it down the toilet.

Another reported, "I have a friend whose parents supply the stuff and let us party there any time we want to." The mother of one of my students a couple of years ago would put out lines on the kitchen table for her daughter and her friends to use when they came home from school.

Two of my students—yesterday this was testimony I received from them. Two of my students living with drug using parents have assumed the responsibility for younger children. They feed, they clothe them, they transport them. They take care of them, because the parents are unable to do so.

One girl admitted that her parents, grandmother, and aunt all regularly use drugs. At 16, she is just waiting to turn 18 so that she can leave home.

Another girl spoke of the shock and disbelief when she learned the truth about her mother's drug use. She left home to live with a friend and she tells that me she will "never trust her mother." She is also devastated that her brother has become a "pothead."

It is my hope that these children will have the strength to become responsible citizens and good parents and overcome the examples that they have observed in their own families.

Our administration at my school and the staff have made great efforts to identify, aid, and support students in their needs. We do locker checks. That probably helps to keep drugs off campus. Random drug testing program for athletes appears to be a deterrent. We've only had 1 positive test in 24 this school year.

We have support groups led by trained teachers. However, these don't appear to be very effective. We've only had one group in the last 3 years.

What can we as a society do to change this self-destructive behavior?

Many of my students indicated that talking with adults they like and respect can help. I tend to agree. We can educate them, but not with scare tactics like in the past. We need to be honest with these young adults. We need to teach them to make intelligent decisions.

Schools and society can send the consistent and repetitive message of "Just say no." As corny as it sounds, I think it works. They know not to drink and drive, they know to put their trash in a bin, and they know to save aluminum cans. They know this because we

have pushed these messages their entire lives. I think we can do the same thing with drug use.

In addition, we must educate parents. Many students told me that they have never spoken about drugs with their parents. They believe that their parents are very naive.

Parents need help in raising their children. They need to learn how to discipline with love, how to be consistent in their rules, how to recognize real problems, and how to communicate with their children at every age.

In a transient community such as Phoenix, we often are thousands of miles away from our extended family and our friends. Young parents don't have the community or the family resources necessary to help them cope. I believe that schools, community centers, and churches can help to fill that void by providing more programs.

One last comment. Your request for my comments before this committee prompted me to have many serious conversations with the students on my campus. I had hoped to be able to report that my suspicions were unfounded. Unfortunately, I cannot. Our adolescents are using drugs. Most of them have experimented. Many are recreational users. Too many are addicted. I hope we can find a way to help them.

Thank you.

Mr. SHADEGG. Thank you. Mr. Romero.

Mr. ROMERO. Thank you. My name is Alex J. Romero. I'm the founding president of Arizonans for Drug Free Youth and Communities. We sponsor the annual Red Ribbon Campaign. I'm a member of the board of directors of Drug Watch International and serve as the Arizona delegate to Drug Watch International.

I'm here to share a part of my personal nightmare. That is, I stand before you as a father and a grandfather whose life and personal life has been touched by heroin, cocaine, methamphetamine, and marijuana. It has devastated my family.

I was born and brought up in a very violent, alcoholic world, and so I have experienced many of the things that drugs do to the family and impact the family system.

I have been a grassroots prevention activist in the area of substance abuse since the early 1980's, and have seen the public's attitude become passive in the area of the war on drugs. I truly believe that the public has become desensitized in the epidemic of substance use and abuse that has taken us to a level of frustration, hopelessness, and helplessness that has conditioned the American public to the point of apathy and, to some degree, a willingness to surrender.

Only those of us who have felt the pain and the helplessness of seeing our loved ones dying a spiritual death 1 day at a time from the disease of addiction to mood-altering chemicals can know the effect on a family system. Only those of us who have watched our children who have embraced an X-rated world slip away into another world filled with more pain and hunger for their drug of choice can understand the shame that eats us alive and closes the human spirit.

We are the ones who want to yell, "Please don't give up the fight against those who would, if they could, enslave our world and put

us into a drug-induced prison so that they could profit and live their obscene lives of pleasure and degradation.”

We are at the threshold of being taken hostage by the pro-legalization advocates. We have become weakened, vulnerable, and have shown a willingness to listen to their propaganda, half-truths, misinformation, and outright lies.

I am here today to sound the alarm, to sound the wake-up call, not only for Arizonans, but for all Americans. The pro-legalization advocates have been successful in putting an initiative on the ballot on November 5, not only in Arizona, but in California.

I say this. It happened during the time when I believe Arizonans were sleeping. They didn't look at what was going on around them. This is not an Arizona issue only. This is part of an international and national strategy of the pro-legalization lobby.

In a recent petition, as Representative Shadegg said a while ago, we were asked to sign a petition. We put an initiative, a referendum on the ballot for November 5. It all sounds good. However, when you delve into it and see what the agenda was of the pro-legalization people that put it there, you will begin to understand and be able to pierce the veil of deceit that this initiative has put before us.

On the surface, it seems like a referendum worthy of public support. But it goes on to talk about decriminalizing and making Schedule 1 drugs available for medical use. You need to understand that pro-legalization lobby, their agenda, their national strategy is to do exactly what they have done in Arizona. You need to know that \$333,000 was contributed to the Arizona initiative.

Out of that \$333,000, \$325,000 of it came from the Drug Policy Foundation and Mr. George Soros, a multibillionaire who is the godfather of the pro-legalization movement in the world, and who finances such activities all over the world, not just in the United States.

The doctor earlier mentioned the name of Dr. Joycelyn Elders. Dr. Joycelyn Elders was recently appointed as a member of the board of directors of the Drug Policy Foundation.

You have to ask yourself, does this pass the smell test? Why would the pro-legalization lobby, housed in New York City, Hialeah, FL, and Washington, DC, pump \$333,000 into the State of Arizona? The answer being, that is their strategy, that is their agenda. That's what they want to do.

The toxic level of chemicals cannot be voted on. There is nothing that can deny what those drugs do to the human body and to the human spirit. This is a warning. This is the thing that is being put before you, because the pro-legalization lobby knows that we are ripe for picking.

We have become desensitized. We have heard so much about the drug issue, about what it has done to us, that the American public has essentially shut themselves off, gotten tired of hearing the message, and no longer want to hear the warnings.

So I just want to close with saying, please, not only you young people who will be voting in a very few years, but the members of the esteemed panel and the members of the panel here with me today, please, open your eyes. Look at what the initiative brings be-



fore you. It is an effort to bring legalization of drugs to America, to Arizona, and to the world.

Thank you.

[The prepared statement of Mr. Romero follows:]

**TESTIMONY BEFORE THE U.S. HOUSE OF REPRESENTATIVE COMMITTEE  
ON GOVERNMENT REFORM AND OVERSIGHT**

**SUBCOMMITTEE ON NATIONAL SECURITY, INTERNATIONAL AFFAIRS,  
AND CRIMINAL JUSTICE**

**OCTOBER 10, 1996**

**PHOENIX, ARIZONA**

I am Alex J. Romero, Founding President of Arizonans for Drug Free Youth and Communities, Inc. and a member of the Board of Directors of Drug Watch International and serve as the Arizona Delegate to Drug Watch International.

I have been a grassroots prevention activist in the area of substance abuse since the early 1980's and have seen the public's attitude become passive in the area of the war on drugs. I truly believe that public has become desensitized and the epidemic of substance use and abuse that has taken us to a level of frustration, hopelessness, and helplessness that has conditioned the American public to the point of apathy and to some degree, a willingness to surrender.

Only those of us who have felt the pain and the helplessness of seeing our loved ones dying a spiritual death one day at a time from the disease of addiction to mood altering chemicals can know of the effect on a family system. Only those of us who have watched as our children who have embraced an x-rated world slip away to another world filled with more pain and hunger for their drug of choice can understand the shame that eats us alive and closes the human spirit. We are the ones who want to yell "Please don't give up the fight against those who would, if they could, enslave our world and put us into a drug induced prison so that they could profit and live their obscene lives of pleasure and degradation."

We are at the threshold of being taken hostage by the pro-legalization advocates. We have become weakened, vulnerable and have shown a willingness to listen to their propaganda, half-truths, misinformation and outright lies.

I am hear today to sound an alarm, to sound the wake-up call to not only Arizonans, but to all Americans. The pro-legalization advocates have been successful in putting an initiative on the ballot for the November 5th, 1996 general election while Arizonans were sleeping. This is not an Arizona only issue. This is part of the international strategy of the pro-legalization strategy.

In a recent petition, Arizonans were asked to add a referendum to the fall elections that would require people convicted of violent crimes committed while under the influence of illegal drugs to serve 100% of their sentence. In addition, non-violent offenders convicted of personal possession or use of a controlled substance, could be released from prison and placed on court-supervised drug treatment and probation/parole.

On the surface, this seems like a referendum worthy of full public support. Indeed, so did 202,500 Arizonans. This has become Proposition 200 on the November ballot. However, Proposition 200 would also make Schedule 1 drugs, including crude marijuana, medically, by prescription, available in Arizona. These drugs are dangerous drugs, and are NOT MEDICINE. Persons with diseases such as glaucoma, cancer, AIDS and multiple sclerosis would be allowed access, by prescription, to Schedule 1 drugs, including crude marijuana.

### LETS TALK ABOUT THE SMELL TEST

The three chief financial backers of this initiative are not doctors and not one major medical association has endorsed it. The drug legalization lobby is behind this initiative. George Soros, a multimillionaire financier from New York who has contributed large amounts of money to drug "decriminalization" efforts nationally and internationally is one of three who have given nearly all of the money to qualify the Drug Medicalization, Prevention, and Control Act of 1996 for the ballot. Mr. Soros contributed \$100,000. The single largest contributor is the Drug Policy Foundation (DPF), \$200,000, giving the same address as Mr. Soros in New York City. The third major contributor, in the amount of \$25,000, is Richard Wolf of Hialeah, Fl. president of Richland Mills, who recently was appointed to the Board of Directors of the Drug Policy Foundation. (DPF Newsletter - Summer 1996) .... Here are the figures, a total of \$333,948 has been contributed to Arizonans for Drug Policy Reform, as reported on their campaign finance report dated August 28th, 1996, that means that a total of \$325,000 has been contributed by the **OUT OF STATE pro-legalization lobby**. These pro-legalization advocates believe the public will be more likely to support even further legalization of marijuana if it is first approved for medical use. It clearly is part and parcel of their national agenda and strategy to liberalize and decriminalize drugs.

### **DOES THIS PASS THE SMELL TEST ????**

The toxic properties of chemical molecules and their cellular damage are not matters of opinion or debate. They are not determined by scientifically uneducated lawyers, legislators, judges, or

'doctors' without the facts (anecdotal stories). Certainly they are not determined by Abbie Hoffman, William Buckley, or the mayors of our beleaguered cities.

We cannot vote for or against the 'toxicity' of a drug. How much a drug impairs cell structure or chemical function is neither subject to nor governed by congressional committee, public referendum, or federal constitution.

We cannot govern the electromagnetic behavior of chemical molecule by popular vote, judicial proclamation, personal opinion or individual desire.

Everyone is entitled to his own 'opinion.' He is not entitled to his own 'facts.' Chemically, marijuana is a far more dangerous drug than most of the scientifically uninformed American consumer has been duped into believing."

This initiative sends the wrong message to our children that Schedule 1 drugs, including marijuana are a safe, effective medicine for medical treatment rather than a dangerous, illegal drugs and exempts these drugs from all regulations which protect consumers from unsafe drugs. **THE MESSAGE WOULD BE "DO DRUGS --- DON'T DO TIME" and "DO THE CRIME AND YOU WON'T DO THE TIME"**

I would close by telling the people of Arizona to take the opportunity to fight off the efforts of the pro-legalization lobby by voting on November 5th, 1996 against Proposition 200. You can't vote against what our kids see on TV or what they hear in the music on MTV but you can keep the drug advocates with their lame claims to bring their brand of "snake oil" out of Arizona . This is a rare chance for us to vote out something clearly targeting all of us here in arizona.

Mr. SHADEGG. Thank you. Reverend Peabody.

Reverend PEABODY. Congressman Shadegg, thank you very much for the invitation, and the committee.

From our days when we were on the Senior Men's Honorary at the University of Arizona, I have been involved with Teen Challenge, volunteering, or now in leadership. These years have been filled with a lot of joy, in seeing young people's lives turned around from a life of addiction.

But I must tell you, it's been filled with a lot of tragedy, too, in seeing so many that are addicted, that have caused so much pain to their own lives, certainly, but their families and the community. These are the young people, young adults that I have attempted, through my life, to reach out to and help and to redirect their lives as positively as I can.

Teen Challenge, over the years—now some 35 years in existence nationally, here in Arizona approximately 30 years—has been effective in the going out on the streets where young people are at.

As a minister, some people think I pastor a church, possibly, but the conventional aspect, it's not that at all. If anything, my church is the streets. Our efforts are focused on going out where kids are at, talking with young people and meeting with them on the streets, talking with gang members and letting them know that there is hope and there is someone who cares and loves them.

Certainly in our work, we talk to a lot of young people that are searching for love and searching for acceptance. Really, the drug problem, Congressman Shadegg, is a symptom of the real, deeper problem in our society today—the breakdown of the family, the breakdown of communication between adult and youth to just understand where each is coming from.

We attempt to go out on the streets and talk about issues and talk about things that kids are dealing with, and really let them know they have a friend, that someone cares and understands. By doing that, we've seen tremendous results.

I've found that young people want to know if there is hope, what you can do to improve where you're at as far as the life of a family where it's broken, there is no relationship with father and mother. It's no wonder why gangs are so popular today. Because most young people can feel accepted and a part of the group and feel that there is some encouragement there of some sorts, and love and acceptance.

But I must tell you that programs like ours have been effective because young people really, deep down inside, want help. They want to succeed. They want to be able to know that somebody really is proud of them, that they can do something to achieve, and people can applaud their efforts, even if it's minimal in nature, just to be able to know that somebody is behind them that really cares.

I've attempted to do that through my life, and the staff that works with me, that's our calling, if you will. That's our goal, is to get out where young people are at and let them know that there is hope and direction that they can have in their lives, that maybe they felt that there was no way, prior to that.

I must tell you that, over the years, here in Arizona, I've seen the drug problem escalate to epidemic proportions. My days, when I was at the University of Arizona with Congressman Shadegg,

there was certainly drug use on the campus and schools at that time.

But I've found, over the years, the drug problem escalating to a degree beyond measure. When you see the tragedy of a young person whose mind has been blown on hallucinogenic drugs, or you've seen a young person who is a crack addict, or using crystal meth, black tar heroin, and the results of the usage of those drugs that have caused them to become violent and caused them to lose relationships with family and friends, there is such tragedy that's involved.

To me, it's incredulous that there would even be a consideration of legalizing drugs today, in that the real issue is not legal or illegal, it's abuse. People are abusing their lives, their bodies, their families, through drug use today.

That's the issue. It is how we can address that, not whether or not we can decriminalize or legalize drugs. This gets to the abuse issue of dealing with the hurt and the families and the love and acceptance and care that they really need.

As the national director for 3 years, from 1987 to 1990, of Teen Challenge—some 125 facilities at that time I oversaw, in 42 different States—I can tell you that this problem of drug use today is really out of control. Our facilities are full all the time. Here in Arizona we have 130 beds, and we have people on waiting lists wanting to get help, wanting to get in.

I hope that, for programs like ours, that receive no Government funding—we're a faith-based organization with a federally documented study that was done some years ago, but indicative of today, an 86-percent cure rate, probably the highest, if not the highest, cure rate in any nation as far as drug abuse programs is concerned.

We are hoping that, in the days ahead, through tax credit, Congress might consider programs like ours that are out there on the front lines, not heretofore receiving any Federal money, but through efforts like tax credit to taxpayers to give to organizations like ours, it could better our efforts, we could have more beds. We could use another 100 beds here in Arizona, for our program alone.

I hope that that will be considered, and our remarks here today, Congressman Shadegg, that your committee might address how programs across the country, that are really doing the job, not standing around moralizing about it—we've got a lot of that going on—but actually getting the job done with high cure rates that are effective, proven results, will get attention by those in Congress to see how they might help them in a better way.

Thank you.

[The prepared statement of Reverend Peabody follows:]



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and Families

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# TEEN CHALLENGE

OF ARIZONA, INC.

## TESTIMONY BEFORE THE SUBCOMMITTEE ON NATIONAL SECURITY, INTERNATIONAL AFFAIRS AND CRIMINAL JUSTICE

OCTOBER 10, 1996

PHOENIX, ARIZONA

Congressman Zeliff, members of the Subcommittee, Congressman Shadegg, I am Rev. Snow Peabody, Executive Director of Teen Challenge of Arizona, Inc. I have served on staff with Teen Challenge over the last 26 years and for the past 21 years as Executive State Director. During 1987-1990 it was my privilege to serve as the National Teen Challenge Director, overseeing 122 Teen Challenge facilities in 42 states. I wish to thank you for the opportunity to testify before you today concerning the urgency of combating the drug problem facing this generation and to express the outstanding results we are experiencing through our faith based rehabilitation program.

These are my personal observations as an ordained minister and as having served as the Executive Director for the last 21 years with Teen Challenge of Arizona. I have seen an escalation in drug use and the aftermath of crime and death that it brings over these years escalate in our state. The drug problem has, in my opinion, raised to epidemic proportions throughout our country. Those in our program tell me the drug prices are cheaper overall than in the past years. For example, "Rock" (Cocaine) can be purchased for \$5 on the street where in past years, it would go for \$10 or more. Crystal Meth is the leading drug in Arizona and is available on the streets at \$5 to \$10 a hit. Some on this drug have committed violent acts and several of them we have read about in our local newspapers. Heroin is more available. "Black Tar" can be purchased for \$5 to \$10. In the midst of all of this terrible usage of drugs by youth and young adults in this generation, at the same time we are seeing an ever increasing number approaching us for help to rid themselves of this terrible plague on our society. I am pleased to report that the Teen Challenge program to my knowledge has one of the highest cure rates anywhere in the world.

The Teen Challenge program began in 1958 when David Wilkerson went to New York City to reach out to teenage gang members in the inner city. There in the heart of this big city slum, the ministry and outreach of Teen Challenge started. Today, there are approximately 133 Teen Challenge centers throughout the United States, and others internationally. Teen Challenge helps individuals suffering

from life controlling problems, such as drug and alcohol abuse. Individuals of *all ages* benefit from our programs and services which are offered free of charge!

Arizona Teen Challenge began in 1965. Its goal, like the other Teen Challenge centers, is to assist people with these life controlling problems, to become mentally stable, emotionally balanced, socially adjusted, physically well and spiritually alive. As a 501 (c) (3) tax exempt organization, Arizona Teen Challenge provides a variety of services, has extremely effective prevention programs directed primarily toward today's youth, and outreaches in the substance abuse area. The dedicated staff literally put their lives on the line every day as they go out on the streets where the kids are and interact with them one on one. The contagious power of love draws these youth, many of them experiencing this for the very first time. Teen Challenge also offers many community services, such as feeding the homeless, jail visitation, an inner city outreach, a neutral ground gang cafe for gang members, and a home for runaways and youth in crisis.

The success of Teen Challenge was so phenomenal, that the Federal Government's Health, Education and Welfare Department (HEW) took it upon themselves to investigate this unique program to determine the validity of the success stories they were hearing. A government study was undertaken and headed by Dr. Catherine Hess, a noted authority on drug abuse. The HEW study declared that Teen Challenge had an amazing 86% cure rate of graduates from the Teen Challenge program, seven years later! Recently, while questioned about the study, Dr. Hess went on record as saying, "It was probably the most effective rehabilitation program I have ever seen anywhere, and it still is." Many other independent studies of Teen Challenge's program have been conducted over the years, all indicating similar phenomenal success rates. Teen Challenge is underwritten primarily by individuals, churches and businesses who care about the hurting element of our society, and believe that their investment with Teen Challenge is a good one.

A second study of Teen Challenge was undertaken at the local center in Chattanooga, Tennessee. It was conducted by Dr. Roger Thompson, head of the Criminal Justice Department at the University of Tennessee at Chattanooga. The survey of alumni was begun in the summer of 1992 and completed in the fall of 1994. The researchers surveyed men who had spent four to six months in the Chattanooga program and then transferred to one of two "second-phase" Teen Challenge facilities in Cape Girardeau, Missouri, or the farm in Rehrersburg, Pennsylvania. A total of 213 alumni from a 13-year period (1979-1991) were included in the study. The survey examined a number of issues, including the individuals' status concerning a continued drug-free lifestyle, employment, legal status, education and church attendance. The results of Dr. Thompson's research produced the following findings:

- 72 per cent of the respondents had undergone drug treatment prior to entering Teen Challenge, but 88 per cent had no additional drug treatment since Teen Challenge.
- 60 per cent continued their education upon completion of the program.



- 60 per cent were either under the jurisdiction of the court and subject to community supervision or had charges pending when they entered Teen Challenge. At the time of the interview, 76 per cent were free of legal interference.
- 76 per cent of the alumni studied attended church regularly, and 60 per cent became members of local churches.
- 60 per cent indicated that their relationship with family was categorized as being good in comparison to fair or poor or no change, as prior to their Teen Challenge experience.
- 92 per cent of the respondents claimed that Teen Challenge had a great impact on their life.

The needs are so great. Currently, Arizona Teen Challenge has 133 bed spaces which are full most of the time with youth and young adults ages 17-35 on the waiting list and who want to get into the program for help. Our Springboard Home in Tucson for adolescent girls, ages 8-17, provides shelter care for runaways and youth in crisis and has a waiting list of 25 any day of the week, seeking help to get off the streets. Our desire is to continue expanding each year to try to respond to these needs. The continuing epidemic demands aggressive expansion plans, which are primarily limited by a lack of funding. No government grants or tax dollars have been used by Teen Challenge since its inception, even though over the years it has proven its viable success in dealing with the drug problem in America. It is our hope that in the days ahead, Congress can help organizations like Teen Challenge by making it easier for citizens to give to organizations like ours through tax credits.

I want to thank the members of the Subcommittee for your interest in Teen Challenge and for the opportunity to address you this morning. We have results you can see. I would be pleased to respond to any questions.

Rev. Snow Peabody  
Executive Director  
Teen Challenge of Arizona, Inc.

## ENDORSEMENTS FOR TEEN CHALLENGE

"I sincerely appreciate your efforts to reach and rehabilitate the many young people who, in the present, have no hope in life. The work and dedication of the staff of Teen Challenge deserve the commendation of every citizen."

*Ronald Reagan*

"... of all the programs reported to the commission, the most successful is the religiously based program conducted by Teen Challenge."

*Dr. John A. Howard  
National Commission on Marijuana  
and Drug Abuse*

"In my opinion, Teen Challenge is doing the best all-around job of providing kids with something meaningful in their lives. And that's what they need."

*Art Linkletter*

"I believe in the work of this great organization. A government-funded research project concluded that Teen Challenge has the highest success rate in helping people move from substance abuse, off substance abuse."

*John Ashcroft  
U.S. Senator*

"I wholeheartedly endorse Arizona Teen Challenge. I have visited the Springboard Home and Teen Challenge Center and talked to many kids and adults whose lives were saved through the efforts of Teen Challenge. I hope the people of Arizona will continue to support this vital front-line ministry to Arizona's young people. There is none better!"

*Pat Boone*

"The Phoenix Suns are very pleased, that through their sponsorship of Teen Challenge, they are able to play a small role in the fight against drug abuse among the young people in our community... The Suns feel that this work is being done, at an astonishing rate of success, in the area where it will do the most good, among teenagers. The Suns salute your dedicated work, knowing that your success benefits us all!"

*Thomas P. Ambrose  
Vice President/Public Relations  
The Phoenix Suns*

"It is amazing how the lives of so many individuals have been redirected and how they are now pursuing productive careers. I am amazed at the magnitude of the accomplishments of Teen Challenge."

*Gerald P. Richards II, Esq.  
Phoenix Police Department  
Gang and Substance Abuse*

"Teen Challenge is not only the most effective drug and alcohol treatment program in existence; it is a heart treatment program. As hearts are changed, lives are filled with the joy and excitement of serving the Lord."

*Dr. Robert J. Reilly  
Urological Assn. of Southern Arizona*

**Rev. Snow Peabody  
Executive Director  
Teen Challenge of Arizona**

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- **A native of Tucson, Arizona.**
- **Has served on staff with Teen Challenge of Arizona over the last 26 years and as Executive State Director the last 21 years.**
- **Served as National Teen Challenge Director from 1987-1990.**
- **Member of the Arizona Coalition for Tomorrow since 1993.**
- **The last six years to present, has served on the National Board of Directors for the Evangelical Council for Financial Accountability.**
- **Alumni of the University of Arizona and was one of thirteen students selected to be on the Bobcats Senior Class Honorary. Selected for Who's Who in American Universities for 1971-1972.**
- **Received Ordination in 1975 with the Assemblies of God.**
- **On behalf of Teen Challenge nationally and locally, has received commendations from President Bush and Former Vice President Dan Quayle.**
- **Began the Springboard Home for Runaways and Youth in Crisis in 1976. Over the last 20 years, 5,000 youth have received care through this Tucson based Home.**
- **Snow and Ladelle Peabody have been married for 20 years. Ladelle serves as the State Music Director for Teen Challenge of Arizona. They have three children, Sunny (18), Heaven (15), and Crystal Rain (11).**

### ***Here's What People Are Saying About TEEN CHALLENGE***

"On behalf of the State of Arizona, I want to congratulate Teen Challenge of Arizona...Where once residents saw only blight and despair, today there is hope and opportunity. Arizona is proud of the difference you will make in the lives of so many of our young people."

*Fife Symington, Governor  
Arizona*

"I wholeheartedly endorse Arizona Teen Challenge. I have visited the Springboard Home and Teen Challenge Center and talked to many kids and adults whose lives were saved through the efforts of Teen Challenge. I hope the people of Arizona will continue to support this vital front-line ministry to Arizona's young people. There is none better!"

*Pat Boone*

"The Phoenix Suns are very pleased, that through their sponsorship of Teen Challenge, they are able to play a small role in the fight against drug abuse among the young people in our community...The Suns feel that this work is being done, at an astonishing rate of success, in the area where it will do the most good, among teenagers. The Suns salute your dedicated work, knowing that your success benefits us all."

*Thomas P. Ambrose  
Vice President/Public Relations  
The Phoenix Suns*

"On behalf of the Scottsdale City Council, I want to thank Teen Challenge for their commitment to helping individuals with drug, emotional and societal problems. Your program has been instrumental in redirecting many young lives and setting them on the path to pursuing productive careers."

*Herbert R. Drinkwater, Mayor  
Scottsdale*

"It is amazing how the lives of so many individuals have been redirected and how they are now pursuing productive careers. I am amazed at the magnitude of the accomplishments of Teen Challenge."

*Gerald P. Richards II, Esq.  
Phoenix Police Department  
Gang and Substance Abuse*

"Thank you Teen Challenge of Arizona for your great efforts in our community. Teen Challenge is meeting a need that is so evident in our city. Men, women and children are hurting and have a need for hope. You are giving that hope. And you do it at no cost to the taxpayer."

*Paul Johnson, Mayor  
Phoenix*

"The Teen Challenge program is the best I know to get a person off drugs"

*Dr. Catherine Hess  
National Institute of Drug Abuse*

"...of all the programs reported to the commission, the most successful is the religiously based program conducted by Teen Challenge"

*Dr. John A. Howard, member  
National Commission on Marijuana  
and Drug Abuse*

"In my opinion Teen Challenge is doing the best all-around job of providing kids with something meaningful in their lives. And that's what they need...Thank you for your continuing support of Teen Challenge"

*Art Linkletter*

"Teen Challenge is not only the most effective drug and alcohol treatment program in existence, it is a heart treatment program. As hearts are changed, lives are filled with the joy and excitement of serving the Lord"

*Dr. Robert J. Reilly  
Urological Assn. of Southern Arizona*

"I sincerely appreciate your efforts to reach and rehabilitate the many young people who have at the present no hope in life. The work and dedication of Teen Challenge deserves the commendation of every citizen."

*Ronald Reagan*

***"Teen Challenge of Arizona has also been personally endorsed by President George Bush and Vice President Al Gore. We receive endorsements weekly from not only community leaders, but also from many of the individuals and their family members who have changed lives, as a result of Teen Challenge's outreach. Please help us continue this vital work. Thank you.***

Mr. SHADEGG. Thank you very much. Reverend Rosa.

Reverend ROSA. Congressman John Shadegg and members of the subcommittee, my name is Angel Rosa and I am the director of Greater Phoenix Teen Challenge. I want to thank you for the opportunity to testify before these young people and the committee here today.

I would like to talk to you a little bit about the effectiveness of our program, Teen Challenge, of the program working with drug and alcohol abuse, in making a difference in our community. We presently have 40 men in our center here in Phoenix, AZ, as a treatment program, providing 24 hours a day residential care.

I think that the thing that we need to look at is that most of these are programs that are on the front line, are supported through individuals, churches, and some corporate funding, but no Federal funding as a result.

Testifying today about the effectiveness of Teen Challenge, I can only say that, coming from the inner city of New York in the South Bronx, growing up with my grandfather being a drug dealer and my father being a drug dealer and my mother walking the streets of New York, at 9 years old I became involved with drugs. From that point on, it was hell on Earth for me being, in that time of my life, without hope and direction, because I didn't know who to turn to.

Even though society tried to, I always felt that they did not have an answer for me. I felt like there was just a place, a vacuum in my life, where I didn't really have a direction.

I didn't know how I was going to turn my life around, so I kept using drugs, primarily heroin, cocaine. Then I went on. Actually, I started off with injecting heroin at 9 years old, and then went on to cocaine and then on to LSD, and to the point where I was trying to find direction for my life. By the time I was 17, I was already a full-blown alcoholic, involved in drugs and all kinds of activities and gang activity there in the South Bronx.

When I finally came to a place in my life where I needed to turn around, I didn't have any place to go, so I went into the military, got involved there. Actually, my distorted mind was that I would eventually become a hit man so that I could come back and work with my father at the Government's expense, you see, because I would receive the training that I needed at the time. But that's the mindset that I had, being involved in the drug scene.

When I finally went into the military, I overdosed on five hits of PCP and I went into an emergency room, and there I was diagnosed with drug abuse psychosis and, basically, the diagnosis was that I would never recover again because of the brain damage that had taken place.

Well, that was 21 years ago. After leaving the military and going to a mental institution, I escaped the mental institution and ended up on the streets and committed burglary. After being arrested, my probation officer recommended that I would go to Teen Challenge.

I was so thankful that Teen Challenge was there for me, because I didn't have insurance, I didn't have Mastercard or Visa. What I needed was somebody to help me and, as I reached out, Teen Challenge was there. As a result, I spent a year in Teen Challenge, learning how to be a productive citizen back in society. Also, be-

cause it was a Christian-based program, I learned a lot about myself and about my relationship with the Lord Jesus Christ.

From that point on, my life has never been the same. Today, I have three children. I'm a father. I didn't know how to be a father, but I learned. I've been married for 15 years and today, I direct the Teen Challenge Center, helping other people.

But the amazing thing was that I was totally restored back into society. I've had the opportunity to graduate from college with a 3.6 grade point average, go to graduate school, and start a Ph.D. program in managing family therapy.

Because the problem of drugs had infiltrated my family to such a degree that even my sister became a heroin addict at 14, my influence to my sister, when she got involved in drugs, was to get out of it, and that I would help her out. Today, my sister is a narcotics officer. It's amazing how things turn around when you look for help.

The thing was, the incarceration really just put a Band-aid on me. The rehabilitation that I received from Teen Challenge was really what I needed, was some direction. I did not want to go to prison, but I thank God for a judge that was sensitive. Even today, the judge has given me a letter of commendation for our success in working with young people.

What I want to say is that working together with the community has been very effective. I've had the opportunity to be involved with Oakland-University Park Neighborhood Association which, as of August 1995 to August 1996 has had a tremendous impact in shutting down 75 drug houses in our area. So we can do something, if we work together, and I appreciate the opportunity to be before this panel of distinguished Members.

I would like to say that we want to continue to do what we love to do best, and that is to reach out to young people and reach out to people that are hurting. Thank you so very much.

[The prepared statement of Reverend Rosa follows:]

**TESTIMONY BEFORE THE SUBCOMMITTEE NATIONAL  
SECURITY, INTERNATIONAL AFFAIRS AND CRIMINAL  
JUSTICE**

**October 10, 1996**

**Phoenix, Arizona**

**Congressman John Shadegg and members of the Subcommittee. My name is Angel Rosa and I am the Director of the Greater Phoenix Teen Challenge.**

**I want to thank you for the opportunity to testify before this committee. I would like to speak with you concerning the effectiveness of Teen Challenge in the area of drug and alcohol abuse as a program that is making a difference in our community. We presently have forty men in our residential treatment program, providing 24 hours a day supervision.**

**At present Teen Challenge does not charge a treatment fee. There is a entry fee of \$125.00 for processing, but beyond that Teen Challenge is funded through giving by corporations, individuals, churches, and fund raising efforts done by the organization. Teen Challenge receives no federal funding.**

**Number one, the allotted time does not allow me to thoroughly discuss all the benefits of Teen Challenge, but I would like to make you aware of the fact that in our community alone we have been working with the Oakland University Park Neighborhood Association, which has been involved in clearing the drug houses in the area. In the last year from August 95 to August 96 The Oakland University Park Neighborhood Association has assisted in closing down at least 75 drug houses. The community leaders and Teen Challenge have worked well together in helping this area become drug free. However, as you may know the problem just moves to another neighborhood. Unfortunately, drugs, gangs, and crime are still on the rise in surrounding neighborhoods. I would like you to know that Teen Challenge is doing everything within it's means to house and rehabilitate some of these that are being arrested and incarcerated for drug abuse and drug dealing.**

**At present we own two acres of land right in the heart of the inner city where we have plans to build a multi-purpose facility that will help us to continue to reach gang members. Unfortunately, like any other faith based Christian program, funding is really a major problem that keeps us from doing the work we do so effectively. With Teen Challenge having an 86% success rate, documented by the Department of Health, Education, and Welfare and the National Institute of Drug Abuse, I believe the way Congress can help Teen Challenge is by making it easier for citizens to fund the work on a local level.**

**I want to thank members of the Subcommittee for the opportunity to address you this morning and I would be pleased to respond to any questions you may have.**

**Thank You**

**WILLIAM C. BLACK**

Senior District Court Judge

2109 Bird Creek Terrace  
Temple, Texas 76502Telephone (817) 778-0699  
Facsimile (817) 778-0500Post Office Box 704  
Belton, Texas 76513

November 22, 1995

Rev. Angel Rosa  
Greater Phoenix Teen Challenge  
1515 W. Grand Ave.  
Phoenix, Arizona 85002-3444

Dear Angel:

The surprise visit to your church in September was one of the greatest thrills of my life. Certainly yours is the most astonishing turnaround of any former defendant in my experience in the judiciary. Rarely indeed is a judge in the criminal justice system so rewarded by a complete change of character by an individual as I was by you.

You, your wonderful wife, Laurie, your staff and the volunteers in all of your endeavors can indeed be proud of the accomplishments at the Phoenix center. The lives that have been changed, the works that have been performed, and triumphs yet to come about through inspired service under your leadership are literally unbelievable. I cannot recall another individual that I have seen in forty one years in the courts that has had so great an influence upon the lives of so many in need.

The young men currently in the Center are to be commended for their commitment. Imagine what those forty "stout hearted" Christians can accomplish; they can soon give you "ten thousand more". They will emerge as "citizens", not convicts. They are each being saved at a cost of less than half the annual expense of keeping a prison inmate. The beneficial influence they will have on the lives of others is immeasurable.

Dorris and I thank you for the visit, the inspiration and the blessing in our lives. May the Lord continue to support and guide you. We are thankful that you have Jeff Richards, and all the staff and volunteers to help. We would add our thanks to God to yours for their good work and invaluable assistance.

In all humility, you and Laurie are making a difference. The Lord has given many talents to you both. The sharing of those gifts is your witness, and your expression of gratitude. "Of Thine own have we given Thee."

With best wishes,

*Bill*

Bill Black



Mr. SHADEGG. I would like to thank each of the witnesses for their prepared testimony and begin this round of questioning with questions from Congressman Souder.

Mr. SOUDER. First, let me say to Chris Ann and Christine that I really appreciate you coming forward today, and by sharing such recent struggles, while you're still recovering from it and working through that. Hopefully, it will have an impact on not only the people here today and any media that's present but also to us here and in the future.

That's the kind of thing that's important for people to hear, because you can hear the hurt and the pain, and you hope something comes from that greater than that. By coming forward, we at least have a chance to have an impact and have other people not go through that.

One of the reasons we keep pushing so hard on this drug issue is that, as I kind of alluded to in the beginning—and I want to give you a couple of specifics—I'm very frustrated, and I don't think we'll ever again see our Federal Government back off the way they did for 2 years and watch much of this get accelerated in this process.

It was occurring anyway. But there's little that can be done at the State level to stop border-type things. I mean, in the last 2 years, or I should say the last 4 years, the first 2 years of the Clinton administration, they took the AWACS that were tracking the planes coming in, moved one over to Bosnia and one up to Alaska.

They took money that was supposed to be for eradication. One hundred percent of the cocaine comes from the back side of the Andes Mountains in Bolivia and Peru, and they took money that was supposed to be going in there, and backed off. In addition to the general public's signals, it's no wonder that it's up in quantity, down in price, and up in purity.

You can't have the Federal Government back off and then not have these kind of problems happen. I hope that all politicians in the future, just because it isn't a big winner in election year and, you know say, "Oh, we did all the drug war in 1989," so then they retreat off and, bang, we're right back in the middle of the problem again, and real people are dying and struggling because of that. It's important to hear it in a very practical way, whether it's in the hospitals or in schools.

I think there's not enough about how the alcohol and drug abuse affects domestic violence and beatings and the impacts on kids and then the children of alcoholics, the children of drug abusers are an immediate threat. Your concern as a parent is real to try to reach your kids and try to show them how to recover from that and not have them repeat that pattern. It's a real danger.

One of the things that I have, it's a really troubling type of thing, because I don't believe that the Federal Government—and I know you alluded to tax credits and I believe that I have an increase in the charitable deduction, which is more likely to work long term than a credit, but it's the same kind of principle. Senator Coats, who has the credit, I used to work for. I was his legislative director when we developed some of that.

But whether it's Alcoholics Anonymous, which is more amorphous than a Christian particular dedication, or whether it's a par-

ticular Christian or, quite frankly, a Muslim dedication—we have seen at Johns Hopkins and their Crack Cocaine Institute for crack mothers and others, they say there's about a 90-percent recidivism rate.

Yet, in many of the programs, whether it's AA or Muslim or Christian which, in the black and Hispanic communities is pretty heavily evangelical, you see basically no recidivism.

Have you seen very many cases that can hold to a commitment without a change of the heart in a very deep commitment, at a personal level? I want to ask Reverend Peabody and Reverend Rosa this, first. Do you think it will hold?

Because isn't a lot of this rooted to esteem, or looking for a high, or looking for an adventure? Unless you can change the heart, just going through a program, getting dried out for a little while, doesn't really do it.

Reverend ROSA. Absolutely. Absolutely. I think you're correct on that. I needed direction for my life. I can speak for myself and 21 years of working with drug addicts. You begin to see a pattern of those that truly commit and want a change, not only for themselves, but their families. Consequently, when you touch the heart, you touch the soul of the man.

I believe that that's where we need to focus on, because everything else becomes a byproduct of the things that we've been talking about—the loneliness, the lack of love, the lack of acceptance.

The symptom is the drug addiction. You see, we search out the things that satisfy. Unless that person is content and sincerely dedicated to finding fulfillment in his life that would not be destructive—because there is pleasure in getting high. I mean, if we sat here and told these kids, "You're not going to have fun when you get high," we would be lying to them. There is pleasure.

But, you see, it's the wrong kind of pleasure that we're addicted to here as far as a society going after the drug scene. I think we need to find other, positive things to get addicted to, you see.

Mr. SOUDER. If I could ask Ms. Brayer, I was intrigued by some of your—you've been talking to the kids and so on, and you had one statement in here. I mean, we all realize that if kids have skills and self-esteem and those kind of things are important, but you have one statement that's been of concern to a lot of us.

That is the D.A.R.E. messages of earlier years are quickly forgotten. That isn't a criticism of D.A.R.E., but a very practical statement, that we focus a lot and say if we can just do Head Start, if we can just reach kids when they're real little, we can change the society, when in fact even preschool research shows that, by fourth grade, we lose a lot of the educational advantages that we gained in Head Start.

My feeling is that we've talked a lot to these younger kids, which is important—we need a drumbeat all the way through—but, in fact, the temptation doesn't become real until about junior high or high school.

Do you have any suggestions of how we can, in addition to the examples that you gave, like what we're doing on trash, what we're doing on drinking and driving and aluminum cans? One of my concerns there is that while the pressure, we have changed attitudes on it, those really didn't have any counterbalancing—in other

words, there wasn't much joy from throwing an aluminum can there as opposed to a bin.

The drinking and driving, if you felt you were actually going to die, then you feel the risk a little more pressing.

Do you have any—and I would be interested, too, as you talk to these kids in the future—(a), what would you do to try to move it into the junior high and high school, if we don't do scare tactics? Trainspotting tries to give the pros and cons of heroin, which net comes out as the pros of heroin.

Even if you did do a series of things, can you do it if the music, TV, and movies are pushing the way they are, when both parents are frequently working, come home exhausted?

I know my son has all kinds of stuff in his CD's that I would not want to listen to. But I'm exhausted when I get there, and I don't like to hear the music, anyway, so it doesn't make me really desirous of sitting down and sorting through it. I don't particularly want to argue with him when I haven't seen him at different times.

How—I'd just like you to stumble through some of that, because those are very real concerns that those kids are facing in your school, and we're trying to figure out the best ways to deal with that.

Ms. BRAYER. Well, no, they are very real concerns. I think—I think the first thing that we need to see is that the message needs to change with the age of the kid.

Yes, we can talk about, you know, the D.A.R.E. program and all of the—one kid said to me yesterday, "That's sappy stuff." Well, when you're 7 and 8 years old, sappy stuff is OK. But when you're 12 and 13, then we need to change the message.

I guess the bottom line is we need to be honest with these kids. He made the comment, "Yes, drug use is fun." I mean, it can be fun. That's what the kids are saying, "I want to have fun. Why can't I go out and have fun?"

I think we need to say, "Well, it's also fun to drive 150 miles an hour. It's also fun to jump out of an airplane, but I'd like to have a chute. There are some things that we do. We just have to make decisions in our life based upon intelligence, and we need to search for the evidence we need to make critical decisions."

Our job as teachers is to teach these kids how to critically think. But I get a student in my class, and he's 14 years old, he probably already has a history. Most of the kids that I talked with had histories of beginning drug use, beginning pot smoking, when they were in fifth, sixth, seventh grade.

Where do they get it? They get it from their parents, they get it from their big brothers, they get it from their big sisters. It comes from the family.

What can I do in the school? I don't know. Do you want to give me some more money, please? Teachers know what I'm talking about.

If you want us to take on another program—in my day, I'm trying to teach history, I'm trying to teach psychology, I'm trying to teach English. If you want to help me to take on that program, give me the time, give me the money, give me the training.

Not every teacher can do it. Not every teacher wants to do it. Not every teacher is a good role model so you also have to be very selective about who is going to present these kinds of messages.

I'm really concerned about family. I mean, that is my major concern, because a lot of these kids come from wonderful families, that don't do drugs, but don't have the parenting skills that they need.

A long time ago, when my kids were first born, Phoenix College taught a class called Parent Study. I signed up because I knew about high school kids, but I didn't know anything about 2-year-olds, and so I signed up for Parent Study.

It was wonderful to be able to talk with other parents and say, "Oh, are these the things you're having happen with your kids?" [Oh, that's normal? Oh, good.] "That's not normal? OK. Now, I need to focus."

Parents need to get a book, you know, when the kid is born, and they need to go to classes and they need to learn. All of us need to learn how to become parents. You know, we know how to get pregnant, we just don't know how to become parents.

Mr. SOUDER. Mr. Romero.

Mr. ROMERO. If I could, I would like to add to that.

My experience has been that every human being is born and launches into a spiritual journey. Now, that spiritual journey will bring fulfillment and meaning to our lives. What happens is people who are raising families such as mine—I'll use mine as an example—are born into a family system who has no values, who has no parenting skills.

So, consequently, I'm not taught life skills. Some people would call it parenting skills. It doesn't make any difference. There are seven significant skills that every human being needs.

Now, because of the lack of that, we launch into that spiritual journey and we end up knocking on the wrong doors. We find fulfillment in alcohol, drugs, sex, whatever, that brings meaning and fulfillment and a sense of spirituality to our lives—spirituality in the sense that it gives us something that we have the greatest spirit and enthusiasm about.

Given that this person has no values, has no life skills, the wrong door that he knocks on seemingly is the right door for him. He experiences a euphoric high, he feels great, and he goes on with his life, becomes addicted, abusive, and dependent on drugs.

Now, I contend that too many of our people in our school systems come from family systems, through no fault of their own, that weren't able to give those children life skills. People are out there seeking that spiritual journey, knocking on the wrong door.

Until the students, until our youth have the foundation, have a toolbox filled with those seven significant skills, they will continue to knock on the wrong doors, because we simply don't know any better.

If there is something that would bring those life skills to us—be it D.A.R.E., be it anything—those are very significant skills that we must have.

Angel Rosa just talked about his experience growing up. There's an example of someone, through no fault of his own, was on that search, but didn't have any tools in his toolbox, and I know what that feels like, because that's the way it was for me growing up.

All I want to say is I contend that, unless you're willing to give our youth those life skills at some level—hopefully the earlier ages, the better—they will for sure knock on the wrong doors.

Mr. SOUDER. Thank you.

Mr. SHADEGG. Thank you very much. Ms. Newton and Ms. Stefanski, I too want to thank you for coming forward.

I have to tell you candidly that when my staff said, "Well, we have two witnesses from a spousal abuse shelter," my first reaction was, "Well, what's the connection between drug abuse and spousal abuse?"

That's how naive I suppose I can be, and I've been in this now for 18 months, working and holding hearings, and I have not heard that testimony at any of the hearings that I've attended, and I appreciate it very much.

Ms. Newton, I want to begin by asking you a question that really takes off of the testimony of Ms. Brayer.

Ms. Brayer related to us a direct quote from a student, which was—and I'll just shorten the quote—"I think as long as you have a good head on your shoulders, it's OK to experiment." That's a direct quote from one of Ms. Brayer's students.

She goes on, and she posits the proposition, "Users will not accept or do not accept the possibility of marijuana leading them into other drugs." Yet, if I understand your testimony, it began at that level of experimentation and led on up.

I guess I would like to ask you, how would you relate that kind of an attitude amongst today's youth that, "Well, it's OK if you have a good head on your shoulders, it's OK to experiment"? What would you say to them? What can we do for them to dispel that notion, and how do we convince them that beginning their use of marijuana creates a dangerous risk of moving on up into much more serious drugs, as you did?

Ms. NEWTON. What I would say is that it's not OK to experiment. That's what got me started, experimenting and curiosity. One hit leads to another and, before you know it, you're a full-blown addict. You want to rob and steal whatever you can get to support your habit.

What I would say to them is, you know, stop and think. Don't let your friends, peer pressure, or anything put you into that place where you want to feel what they feel. The first time I did it, not knowing that it could have killed me, just like that—I didn't stop to think about that, what it would do to me, or anything.

In some cases I think, you know, you might have to show some people what it would do to them instead of just, you know, talking to them. You know, you take them to places, rehabs, different parts of town, and let them see what people are doing with their lives and with their bodies with it.

Those types of people will be in that position for the rest of their life, until it kills them, or somebody comes along to rob them for it. To me it's not worth it. I regret of starting to sell it and experimenting with it, but that's something that I cannot change. For that, it made me a better person, and that's a battle that I have to struggle with every day. I have to fight that.

Mr. SHADEGG. Thank you. Ms. Brayer, I found your testimony riveting, and I must confess I found it in part riveting because

North Canyon High School is not located in an economically disadvantaged area of our city. It's located in an area where, when you listen to your testimony, one might expect that to come from somewhere else in the valley, but it doesn't. It comes from an area of this city where I think the drug problem is very much underground and very much not perceived as being real. I think there's an attitude of, "Well, that happens over there, not here."

With regard to the issue of giving teachers another job, I have to tell you I think our society has already asked teachers to do way too much. I think our society has abdicated as parents, as political leaders, in every way, so much responsibility and said, "Well, we'll let the schools do it."

I believe very much that children, I think, kids, young people are incredibly perceptive, and they see through saying something out of one side of your mouth and doing something else instantaneously. My general belief is that, as a society, we have not made up our minds about drugs and, therefore, we send inconsistent signals to our children and they figure that out very quickly.

So I guess, quite frankly, I'm against giving that additional task to the schools, not that they shouldn't play a role in it, but it's one thing for parents to say that it's not my job, it's the schools', they're supposed to teach my children not to use drugs.

I guess I'd like to ask you, you indicated in your testimony that you, as a result of the invitation to come here today, had a series of conversations with your students, and in hopes, I think, of having them say, "No, it's not as bad as you think," discovered it was worse.

In your teaching career, can you see a trend? Is it dramatically worse today than it was 5 or more years ago?

Ms. BRAYER. Yes, I do think so. That was the thing. I remember about 3 years ago in the cafeteria, we were just talking about it, and how you teach Egyptian civilization to kids who are not really paying too much attention because they're talking about what they were doing for the weekend.

We started to notice these trends, and we were just talking about it at lunch one time. It was a colleague of mine who said, "You know, we need to get some training. We need to be able to know what to do with these kids in class. Maybe today we ought to put the map back up and not talk about Egyptian civilization and do something else."

Some teachers would be very uncomfortable doing that. She, in fact, was able to get a grant and a number of us were trained to be support group leaders, if you will, for student groups having to do with, yes, drug abuse and other issues, too, you know, alcohol abuse or depression. There are a number of groups that we have established on our campus to deal with just this issue.

So I got back to her and was talking to her, because I had not dealt with the kids on the drug abuse issue, and I said, "So tell me about these drug abuse groups and how many we've been able to support for the last 3 years since we started doing this." And she said "One."

Now, it's volunteer, of course, but the teachers are going to try to identify the students, talk with the students, and then ask them if they want to get involved in this kind of peer support group.

Well, that didn't seem to be the answer and, I don't know, I don't know where the answer lies. But how can I teach a kid in a class, you know, an issue that has to do with democracy and Government and what have you, whatever my subject is, when, in fact, he's stoned? It scares me.

Another thing that has come up in my conversations with these students—and I asked them to send me anonymous notes and just, you know, write this out anonymously for me. One of the things that I observed was that many of the seniors are starting to get their head back on straight. I think that we have a number of seniors who are saying, "I did that when I was an eighth grader, a ninth grader, or a sophomore, and now I know that that was stupid and I'm not doing it anymore."

So I'm hoping that maybe what we're seeing—I teach sophomores and juniors—I'm hoping that what I see here is that, by the time that they grow up a little bit and become seniors, that they're starting to see the danger.

Kids talk about the fact that nobody has any peer pressure, and yet they do, and they don't seem to realize it sometimes. But I was impressed, and I have to tell you this, with the number of kids who could sit in the middle of a group of their friends who were at a party and were doing drugs say, "No, not me, I'm just going to sit here and, you know, I'll drive you home." I was impressed with that. But I didn't see it as much as I wanted to.

Mr. SHADEGG. I guess I want to echo another point I think you made, which I think is very important, and that is adapting the message, because probably to the 10-year-old and the 14-year-old, different messages work, and I think your point is exactly right.

I think we are struggling to figure out what that message is but in part that message, I think, cannot be either that we ought to legalize some drugs, nor can that message be that it's OK for us to abandon our efforts—and this committee has heard substantial testimony about how much we have abandoned our efforts—at source country interdiction, drug kingpin efforts, interdiction before the drugs reach our border, interdiction at the border, arrest and prosecution of drug dealers within our society.

We have abandoned, to a great degree over the last 4 years, perhaps with good intentions, so much of that, and now we see the consequences.

Dr. Connell and Reverend Peabody, let me just ask you as a concluding question, both of you in your prepared testimony had reference to the fact that drug prices on the streets seemed to have dropped and availability seems to have increased. Neither one of you touched upon it in your comments.

I guess, Dr. Connell, if you could tell us how you see that as having impacted your practice, or what you see and, Reverend Peabody, how it's affected Teen Challenge and the flow of young people or addicts you see in Teen Challenge.

Doctor.

Dr. CONNELL. What I've seen in medical practice is, 10, 15 years ago, cocaine was the primary stimulant drug of abuse, and it was relatively expensive, and so it was the drug that was often the choice of the suburban middle class, upper middle class people, and

also the people on the far end of the spectrum who were engaged in high-profile crimes and things.

The problem now is that the price of cocaine has dropped dramatically, and so it's available to a much wider spectrum of people. Second, the ease with which crystal methamphetamine and similar drugs like Ecstasy and that sort of thing are manufactured in a sort of a backyard laboratory has made those things much, much more available and fairly cheap on the streets, and that's had a big impact in the use among a wide variety of young people, primarily.

Mr. SHADEGG. Reverend.

Reverend PEABODY. I would echo the doctor's remarks. I think sometimes we have this concept that the drug dealer is this guy with a trench coat and just kind of hangs out, you know, in a low-ride car or something. But the truth of the matter is that most young people that are involved with drugs are dealing drugs.

On the note of prevention I might say, Congressman Shadegg, that I've had a wonderful relationship with many of our administrators and principals and teachers over the years here in Arizona, and I think if there's one message that I'd like to resound to this committee, it's that I believe our teachers are doing a wonderful job, as best they can, as has been stated here today.

But I believe there is an opportunity to go in, as we've seen with the Teen Challenge program, for example, with preventative messages to these young people, with former addicts themselves who have been there.

I've talked with a lot of young people that don't like to be lectured about drugs. They don't want to hear another lecture. Matter of fact, most kids probably here in this audience could stand up and tell us about drugs more than some of us who work in the field, because they know about it, the street lingo and what's out there.

The fact of the matter is that when someone stands up before them, like an Angel Rosa or a peer, and tells them what they've been through, what's happened in their family, how it was destroying their lives, and how they had been able to turn it around, how they found love and acceptance, I'll tell you what—and I'll just conclude this, this will give you an example.

In one of the schools 2 years ago, we had a drug prevention message like this. At the conclusion, a young man took me to his locker, opened it up, handed me over a brick of marijuana and said, "Listen, you guys got it right. I don't need this." Now I'm standing with this stuff, out in the hall.

But anyway, the point is that we can make a difference.

Mr. SHADEGG. Congressman.

Mr. SOUDER. I want to make a couple of brief comments here at the end to Ms. Lopez. I'm on another subcommittee. We just about got done, and we're going to have to pick it up at the beginning of next year, on the Juvenile Justice Act, which directly relates to a lot of the things that you, I'm sure, are working with in your anti-gang program, so hopefully we can be back in touch to do some followup of some of your experiences and the interrelationships, too, between drugs and gangs and how we address that in the juvenile area.



I also wanted to reinforce something Mr. Romero said, and that is that these are clearly coordinated efforts around the country that you're battling. In this referendum here in California, we have a whole fleet of candidates around the country—in Indiana, the Libertarian Party—that want to legalize marijuana, cocaine, heroin, and the whole bit, and it's become an issue.

But there were two particularly chilling lines that came, one from Chris Ann and one from Ms. Brayer, that I think show that referendums that say, "Oh, individuals aren't the problem; this isn't a crime that one does alone"—because 80 percent of the crime, for example, in Fort Wayne, is now either drug and alcohol-related, either because they're stealing for it or abusing.

But one line was, that Chris Ann said, "Maybe his addiction will kill him before he can get to us." It shows it isn't just him who is affected by his addiction. You and your daughter are living in fear because of that addiction.

The statement that [the mother of one of my students would put out lines of cocaine on the kitchen table for her daughter and her friends when they came home from school] shows it is not a victimless crime. There are multiple victims, and you have to have laws that reach beyond just saying, "Oh, if I do it and don't deal it, it's no big deal."

It is a big deal, and you've given us great testimony today to illustrate that to a lot of people.

Mr. SHADEGG. I'd like to thank this panel. I think you each gave superb testimony.

I fervently hope that the media was here and will have listened to your remarks, and they may want to speak to some of you after you leave the panel. I cannot tell you how much I appreciate the time and effort each of you put into preparing your testimony and taking the time out of your lives to be here today. Thank you very much. [Applause.]

I thank the audience for your patience and for your discipline.

At this time, I would like to call the second panel, which will address at-the-border drugs and the erosion of our Nation's boundaries.

First, Sylvia Martinez, project coordinator, Vecinos-Puentes de Amistad; Antonio D. Kyriakis, president and founder of Tourism, Patronage of Nogales, Sonora; Scott Coffin, Deputy Chief Patrol, U.S. Border Patrol; Juanita Santana, Border Patrol agent, U.S. Border Patrol; and Arturo Lopez, Border Patrol agent, U.S. Border Patrol.

Would you come forward, please? I would ask you to stand and be sworn.

[Witnesses sworn.]

Mr. SHADEGG. Let the record please reflect that each of them answered in the affirmative.

We had invited to participate in this panel a woman who lives in Douglas, AZ and who has a homestead near the border. Her name is Theresa Murray, and she could not join us because it was just physically impossible for her to get from Douglas to Phoenix today.

However, she did prepare written testimony and I think some of it is very, very useful. I would like to begin by reading some por-

tions of that testimony into the record. Again, her name is Theresa Murray, and I will be reading her words.

"I have lived at this address and at the homestead near here—2 miles from the border—all my life. For the last 25 years, I have been robbed about 30 times. Illegal aliens have broken my windows, cut fences, broken furniture, and burned my rugs. They have robbed me of over \$30,000 in clothes, electrical appliances, and tools and \$5,000 in jewelry, Hummels, and guns.

"When this first started, we thought we would be safe with a cyclone fence around three acres, a fence around the pool, at the back of the house, and a barbed-wire fence around 5 acres, as well as two big dogs. They poisoned those dogs, and others since.

"Then we spent \$2,000 to put up razor wire and get more dogs. Illegals cut the cyclone fence, dug under it, came over it, and robbed us.

"Next came the alarm system that cost another \$2,000. Again, they broke in and ransacked the house, cut telephone wires, turned off the electricity. They broke the sliding glass door and bedroom window, and again they took jewelry and a gun. Twice they have torn the alarm system off the wall.

"This year, in April, while I spent 2 days in the hospital in Tucson, they were in my house. They took the microwave, the television set, the vacuum cleaner, the waffle iron, the toaster, and all my shoes.

"Yes, I do think the drug problem is worse than ever. I now have wrought iron bars on my windows and doors all around my home, which is for sale. I was born here (Homestead). It used to be a great place to live but, at this point, I don't think I could take another robbery. I don't feel safe going out in the back yard without my 'life-line'—another purchase made due to circumstances—and my cellular phone."

I won't read any more of her testimony, but she clearly has confronted a problem caused by the drug trafficking along our border.

[The prepared statement of Ms. Murray follows:]

Testimony for Theresa Murray  
October 10, 1996

I have lived at this address and at the Homestead near here - two miles from the border, all my life. For the last twenty-five years, I have been robbed about 30 times. Illegal aliens have broken my windows, cut fences, broken furniture, and burned my rugs. They have robbed me of over \$30,000 in clothes, electrical appliances, and tools and \$5,000 in jewelry, hummels and guns. When this first started, we thought we'd be safe with a cyclone fence around three acres, a fence around the pool (back of the house) and a barbed wire fence around 5 acres as well as two big dogs. They poisoned those dogs and others since. Then we spent \$2,000 to put up razor wire and get more dogs. Illegals cut the cyclone fence, dug under it, came over it and robbed us.

Next came the alarm system that cost us another \$2,000. Again they broke in and ransacked the house, cut telephone wires, and turned off the electricity. They broke the sliding glass door and bedroom window and again they took jewelry and a gun. Twice they have torn the alarm system off the wall.

This year, in April, while I spent two days in the hospital in Tucson, they were in my house. They took the microwave, the television set, the vacuum cleaner, the waffle iron, the toaster and all my shoes ( List enclosed for April robbery).

My mother was also robbed many times after my father passed away. Gold jewelry and keepsakes from my great grandparents including clothes, crocheted bed spreads and table clothes that my great grandmother had made. One time, when my mom was gone, they broke in and destroyed everything they couldn't take with them, put toilet cleaner in the sugar, urinated in a bottle that had a small amount of dish soap in it and took jewelry, clothes and all the silverware.

One of my neighbors, Ada Christiansen who is 85 years old and lived near Paul Speer also

on the border was robbed of her car, jewelry and everything that would fit in her car. They bound and tied her to a chair and gagged her. She managed to get to the road, still in the chair, where someone found her.

Illegal aliens also took the car and belongings of another neighbor, Ann Beeghly, also near Paul Speer. They threatened to kill her dog if she didn't hold on to him. They had blind-folded her and tied her to a chair. Needless to say, Ada moved away and is in a rest home near Sierra Vista.

I have seen illegals coming out of the house and buildings at The Ranch (the homestead) with bundles and pickups meet them on the road and also at the side of my house. No one could do anything about this because everyone is too short-handed.

Yes, I do think the drug problem is worse than ever. I now have wrought iron bars on my windows and doors all around my home which is for sale. I was born here (homestead). It used to be a great place to live but at this point I don't think I could take another robbery. I don't feel safe going out in the back yard without my "life-line" (another purchase made due to circumstances) and my cellular phone.

While we were building our home, if we didn't have someone staying here, we were robbed many times. Everything can always be traced to south of the border. One evening my husband and I had been bowling. I came home early and my mother said that she had heard dogs barking. I found what I thought were shavings from the front door all over the front porch. There were four illegal aliens still in the house. I began yelling in Spanish, "George, bring the gun...kill them." They left with everything they could carry. All my husbands clothes which we had just cleaned for a trip to Germany. They had been eating our food. I hope this helps to give you an idea of what my life has been like living on the border.

Mr. SHADEGG. I want to thank you each for being here today. We'll begin with Antonio Kyriakis, president and founder, Tourism Patronage of Nogales, Sonora. Yes, sir, would you begin?

**STATEMENTS OF ANTONIO D. KYRIAKIS, PRESIDENT AND FOUNDER, TOURISM PATRONAGE OF NOGALES, SONORA, MEXICO; ROBERT S. COFFIN, DEPUTY CHIEF PATROL AGENT, U.S. BORDER PATROL; JUANITA SANTANA, AGENT, U.S. BORDER PATROL; ARTURO LOPEZ, AGENT, U.S. BORDER PATROL; AND SYLVIA MARTINEZ, PROJECT COORDINATOR, VECINOS-PUENTES DE AMISTAD**

Mr. KYRIAKIS. I would like to thank you, Congressman Shadegg, and members of the committee, for this opportunity given to me to express some concerns that we have concerning our communities of Nogales, AZ and Nogales, Sonora, Mexico.

My testimony today is based on two different areas. First is the Nation's drug war, and the second area is the effects and the causes and effects within our borders, Nogales, AZ and Nogales, Sonora, Mexico.

Concerning the Nation's drug war, my testimony you see is pretty profound. We concentrate primarily on the national basis, the world basis, the national and local basis.

To win the war on drugs, one thing is to win the war on drugs in the streets and the other thing is to win the war on drugs on a permanent basis, which is on a worldwide level. That's a much more complicated thing. I don't think I can go into detail on it today, but in my testimony it's pretty clear.

I would like to concentrate now mostly on our border towns, what problems that drugs and illegal aliens have caused in our communities.

The major problem that we see is in our territory is how drugs have affected our economy. Our economy was becoming very dependent on narco dollars.

Now, the illegal alien problem also is a big industry which created another big economic dependency on illegal aliens' business. These are two big industries. So this is the biggest effect that we have felt in our border town, is that our economy was being dominated now by the underground world of drugs and the huge industrial economy of the illegal alien business.

So one of the effects is that Nogales has been traditionally, its income has been tourism, it has been in imports and exports. Now, we have a whole industry which has given Nogales a base, a solid base for labor. These are the positive things.

In January 1993, we reach a very high peak of illegal aliens reaching our borders. That's when all chaos broke loose. Concerning the Border Patrol officers that were doing a very good job on the Arizona side, they were sending back to Mexico an average of 700 to 900 a day. You can imagine we were having what we called a floating population of 4,000 people a day.

Now, this created tremendous labor demands on illegal labor on both sides that would like to take care of these two industries. These are the worst conditions that we experienced.

So basically, because I have 5 minutes, I don't want to go too long, and leave it open for questions that you would like me to an-

swer. But the most important thing that's happened to our border is that, because of citizenship, because we've been involved in helping solve these problems, and also by the excellent work that the Border Patrol has done on the Arizona side, we have put this problem down to about 300 to 400 people per day, so you can imagine what the problem was there.

So my testimony is too long. I'll just leave it open for questions that you would like me to answer.

[The prepared statement of Mr. Kyriakis follows:]

## PATRONATO DE TURISMO DE NOGALES, SONORA, MÉXICO.



PATRONATO DE TURISMO DE  
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011-52-631-2-19-44 PHONE & FAX

October 7, 1996

Congressman John Shadegg  
Subcommittee on National Security,  
International Affairs, and Criminal Justice

Gentlemen,

My name is Antonio D. Kyriakis Georgousses, born in Nogales, Arizona, U.S.A. on September 4, 1940, son of Demetrio P. Kyriakis Immigrant from Greece at the age of 14 who settled in Nogales, Mexico, married to Apsasia Georgousses native of Phoenix, Arizona born from Greek Immigrants.

Myself and nine brothers and sisters all born in Nogales, Arizona, U.S.A., and because of my father's businesses and properties, myself and three brothers became Naturalized Mexican Citizens except for one brother casualty of the Korean War.

All our family are tri-lingual in English, Spanish and Greek, educated in Nogales, Arizona, some through Junior High and others through High School. The four surviving brothers finished our schooling and college education in Mexican Universities.

I am married to Patricia Joffroy for the past 29 years and have three children. My wife is also a daughter of Immigrants to Mexico of Greek, French and Spanish descent.

At present I am a legal immigrant to the U.S.A. with permanent residence since 1967, my wife, a naturalized U.S.A. Citizen and our three children are U.S. Citizens.

My business background, a restaurateur, fourth generation in Nogales, Sonora, Mexico and founder and President of Patronato de Turismo de Nogales, Sonora, A.C. (Tourism Patronage of Nogales, Sonora, a non-profit organization), serving both our communities in tourism development and security.



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TESTIMONY BEFORE THE SUBCOMMITTEE ON NATIONAL SECURITY,  
INTERNATIONAL AFFAIRS AND CRIMINAL JUSTICE

OCTOBER 7, 1996

NOGALES, ARIZONA

CONGRESSMAN JOHN SHADEGG, MEMBERS OF THE SUBCOMMITTEE, I AM ANTONIO D. KYRIAKIS, PRESIDENT OF THE TOURISM PATRONAGE OF NOGALES, SONORA, MEXICO. I WISH TO THANK YOU FOR THE OPPORTUNITY TO TESTIFY BEFORE YOU ON A SUBJECT WHICH CONCERNS BOTH OUR COMMUNITIES, NOGALES, ARIZONA AND NOGALES, SONORA, MEXICO.

## NATION'S DRUG WAR

CONSIDERING ALL THE EFFORT OF OUR GOVERNMENT, IT IS OBVIOUS WE ARE NOT WINNING THE WAR ON DRUGS WHEN OUR NEIGHBORING COUNTRIES FROM SOUTH AMERICA, LIKE BOLIVIA WHOSE PRESIDENT, GONZALO SANCHEZ DE LOZADA IS A MEMBER OF THE INTERAMERICAN PRO-DRUGS GROUP, WHO PROMOTES OPENLY LEGALIZATION OF DRUGS, ALBERTO FUJIMORI, PRESIDENT OF PERU WHO REFUSES STUBBORNLY TO ERADICATE COCA PLANTATIONS BECAUSE OF FEAR THAT THE PERUVIAN PEASANTS WILL JOIN THE FILES OF THE "SENDERO LUMINOSO" NARCO TERRORISTS, ALSO LOSE HUNDREDS OF MILLIONS OF DOLLARS ANNUALLY IN THE PERUVIAN ECONOMY AND WITHOUT THAT INCOME THEY WONT BE ABLE TO SERVICE THEIR EXTERNAL DEBTS. COLOMBIA'S PRESIDENT, ERNESTO SAMPER PIZANO, IS SOLE PROPERTY OF THE CALI CARTEL. MEXICO DESPITE ALL EFFORTS, CORRUPTION AT ALL LEVELS, FEDERAL, STATE AND LOCAL, REMAINS THE LARGEST CORRIDOR OF DRUGS ENTERING THE UNITED STATES.

ILLEGAL DRUGS ENTERING THE UNITED STATES, CANADA AND EUROPE HAS DOUBLED IN THE LAST TEN YEARS FROM 1985 TO 1995. CONSERVATIVE ESTIMATES FROM \$259 BILLION DOLLARS IN 1985 WENT TO \$521 BILLION BY 1995. WHICH IS AN INCREASE OF 101%. IN THE SAME PERIOD OF TIME, HEROIN WENT FROM \$30 BILLION TO \$122 BILLION, MARIHUANA WENT FROM \$79 BILLION TO \$163 BILLION, COCAINE WENT FROM \$102 BILLION TO \$104 BILLION, THIS SMALL DIFFERENCE IS DUE TO THE INCREASE OF PHYSICAL PRODUCTION OF COCAINE UP 104% BUT IN DOLLARS AND CENTS IT COMPENSATED BECAUSE OF THE FALL IN PRICES PER OUNCE OF COCAINE ON THE STREETS OF THE UNITED STATES AND EUROPE. SYNTHETIC DRUGS LIKE METHAMPHETAMINES, PCP AND LSD IN THE SAME PERIOD INCREASED ALMOST THREE FOLD FROM \$48 BILLION TO \$132 BILLION.

EVEN THOUGH CULTURAL PESSIMISM EXISTS THAT ERADICATION OF DRUGS IS IMPOSSIBLE VERSUS THE CULTURE OF LEGALIZATION THAT WOULD DEVALUE THE PRICE OF DRUGS AND THEREFORE MAKING IT NOT AFFORDABLE TO PRODUCE, IS A MYTH AND FANTASY, AND A WELL KNOWN FACT IS THAT LEGALIZATION WOULD GUARANTEE A TREMENDOUS INCREASE IN THE CONSUMPTION OF DRUGS. THIS IS THE GOAL OF PRO-LEGALIZATION GROUPS, TO CREATE A TREMENDOUS MARKET AT LOW PRICES AND A WELL KNOWN FACT ESPECIALLY BY THE GROWERS OF MARIHUANA IN THE UNITED STATES ARE TRYING TO CONSOLIDATE AND CORNER THE



**SPECIAL CONDITIONS FOR ILLEGAL DRUG TRAFFIQUERS  
AND ILLEGAL IMMIGRANTS THROUGH OUR BORDER  
AND THE EFFECTS CREATED BY THEM IN BOTH OUR COMMUNITIES**

FIRST OF ALL, WE MUST UNDERSTAND THAT ALL BORDER TOWNS BETWEEN THE U.S.A. AND MEXICO DON'T SHARE THE SAME CIRCUMSTANCES FOR REASONS SUCH AS TOPOGRAPHY, SIZE OF BORDER TOWN, IMPORTANCE OF TRADE AND COMMERCE BETWEEN THE TWO COUNTRIES, DISTANCE BETWEEN TWO COMMUNITIES DIVIDED BY A FENCE, ETC.

NOGALES, ARIZONA AND NOGALES, SONORA, MEXICO TRADITIONALLY HAVE BEEN CALLED THE TWIN CITIES OR AMBOS NOGALES BECAUSE OF THE IMMEDIATE CLOSENESS OF OUR COMMUNITIES DIVIDED BY A FENCE. THE TOPOGRAPHY OF NOGALES IS SURROUNDED BY HILLS AND MOUNTAINS. BOTH OUR COMMUNITIES SHARE LOTS OF THINGS IN COMMON, HAVING FAMILIES ON BOTH SIDES OF THE BORDER, FRIENDS AND RELATIVES, SAME CULTURAL AND ETHNIC BACKGROUND, TRADITIONS AND CUSTOMS WHICH MAKES US FEEL AS ONE, BUT THE REALITY IS WE ARE TWO DIFFERENT COUNTRIES, TWO DIFFERENT STANDARDS OF LIVING, AND HAVE LAW AND ORDER CULTURAL DIFFERENCES. BECAUSE OF ALL THESE CIRCUMSTANCES IT MAKES IT DIFFICULT FOR MANY PEOPLE TO UNDERSTAND THE MULTIPLE PROBLEMS THAT WE SHARE.

IT IS IMPORTANT TO UNDERSTAND THAT WE CANNOT SEPARATE THE PROBLEM OF ILLEGAL DRUG TRAFFICKING FROM THE ILLEGAL FLOW OF IMMIGRANTS THROUGH BOTH OUR COMMUNITIES.

ILLEGAL TRAFFICKING OF DRUGS THROUGH NOGALES IS A VERY COMPLICATED MATTER. BIG CARTELS AND MANY SMALL AND MEDIUM SIZE DRUG RINGS OPERATE THROUGH THIS BORDER AS WELL AS THROUGH THE EAST AND WEST BOUNDARIES OF NOGALES, TAKING ADVANTAGE OF THE HILLS AND MOUNTAINS THAT GIVES THEM THE PERFECT COVER, ALSO USING THE ARROYO SYSTEM THAT COMES THROUGH NOGALES, MEXICO TO NOGALES, ARIZONA AND ALL ITS RAMIFICATIONS THAT FLOW INTO THE CENTRAL SYSTEM AT UNDERGROUND LEVEL. THIS CREATES A PERFECT CONDITION FOR DRUG RUNNING AS WELL AS BUILDING NARCO TUNNELS. ONE WAS LOCATED AND DESTROYED, WORTHY TO MENTION THIS TUNNEL WAS USED BY DRUG RINGS FROM TIJUANA, BAJA CALIFORNIA. ALSO, RAILROAD CROSSING, U.S. CUSTOMS IMPORTS AND EXPORTS TRUCKING COMPOUND, AUTOMOBILE CROSSING ON BOTH GATES, DOWNTOWN DECONCINI'S PORT OF ENTRY AND U.S. CUSTOMS PORT OF ENTRY ON MARIPOSA ROAD, PEDESTRIAN TRAFFIC THROUGH OUR DOWNTOWN DECONCINI BORDER PORT OF ENTRY WELCOMES ON A WEEKLY BASIS APPROXIMATELY 200,000 TO 250,000 PEOPLE, AUTOMOBILES CROSSING OUR BORDER WEEKLY, AVERAGE 20,000 TO 25,000. BECAUSE THE IMMEDIATE BOUNDARIES OF BOTH NOGALES, SONORA AND NOGALES, ARIZONA DIVIDED BY A FENCE, THIS AREA IS USED CONSISTENTLY BY DRUG RUNNERS THROWING BAGS OF DRUGS OVER TO THE AMERICAN SIDE OF THE FENCE. AT THIS POINT WE INTRODUCE THE PROBLEM OF ILLEGAL IMMIGRANTS CROSSING THROUGH MANY DIFFERENT CORRIDORS TO THE AMERICAN SIDE, IT IS VERY IMPORTANT TO MENTION THAT THE DRUG RUNNERS HAVE AN UNLIMITED SUPPLY OF HUMAN DONKEYS CARRYING BUNDLES OF ILLEGAL DRUGS TO THE AMERICAN SIDE. THE WAY THIS OPERATES, THE GREAT MAJORITY THAT HAVE NO MONEY TO MAKE

MARKET, SINCE THEY PRODUCE APPROXIMATELY 34% OF THE WORLD PRODUCTION, NEXT TO COLOMBIA 24%, MEXICO 21%, AND OTHERS 21%.

YES, THERE IS A SOLUTION FOR ERADICATION OF DRUGS. NOT EXAGGERATING UP TO 90% IS POSSIBLE WITH THE SUFFICIENT POLITICAL WILL OF NATIONAL GOVERNMENTS ESPECIALLY THE ONES WITH THE ADEQUATE RESOURCES AND MODERN TECHNOLOGY LIKE THE UNITED STATES. WOULD HULL IN GREAT PROPORTION THE THREE MAJOR ILLICIT DRUGS LIKE MARIHUANA, OPIUM, AND COCAINE. CONCERNING SYNTHETIC DRUGS, IT WOULD BE MUCH MORE DIFFICULT TO PERSUE BECAUSE OF THEIR CHEMICAL COMPOSITION, AND MAKES THE RAW MATERIALS EASILY OBTAINABLE IN THE MARKET.

TO MAKE THIS POSSIBLE IT WOULD REQUIRE A WELL COORDINATED ACTION ON THE THREE MAJOR FRONTS BY THE PARTICIPATING COUNTRIES. **FIRST**, BY UTILIZING OUR HIGH SPACE TECHNOLOGY BY LOCATING WORLD WIDE PLANTATIONS OF MARIHUANA, COCA TREES AND OPIUM PLANTS, THIS WOULD MAKE THE ERADICATION POSSIBLE BY PUTTING PRESSURE ON THESE COUNTRIES EITHER BY SANCTIONS OR POLITICAL AND ECONOMICAL SOLUTIONS. **SECOND**, BECAUSE OF THE MONUMENTAL PROBLEM OF INSPECTION OF LEGAL CARGO ENTERING THE UNITED STATES YEARLY: APPROXIMATELY 3% GETS INSPECTED OF THE 9 MILLION CONTAINERS ENTERING OUR PORTS, THE SAME OF HUNDREDS OF MILLIONS OF PASSENGERS THAT CROSS OUR BORDERS, 12 MILLION CARGO PLANES AND 47 MILLION TRUCKS, NOT COUNTING PEDESTRIAN TRAFFIC IN OUR NORTHERN AND SOUTHERN BORDERS, MAKES THIS THE GREATEST CHALLENGE TO OUR LAW ENFORCEMENT AGENCIES. BY USING EXISTING HIGH TECHNOLOGY AND OTHERS UNDER DEVELOPMENT, WITH DETERMINATION THIS GOAL CAN BE REACHED. **THIRD**, IF MONEY LAUNDERING IS NOT ERADICATED EVERYTHING ELSE WILL FAIL. LAUNDERING MONEY COMES FROM DIFFERENT SOURCES, FROM ILLEGAL DRUGS, FISCAL EVASION, CAPITAL FLIGHT, ILLEGAL GAMBLING AND PROSTITUTION, CONTRABAND AND ILLEGAL SALE OF ARMS. ESTIMATES COULD REACH AS HIGH AS 1.1 TRILLION DOLLARS PER YEAR. AS WE CAN SEE A GREAT CHALLENGE FACES OUR U.S. TREASURY, PERSUING THE WORLD WIDE BANKING SYSTEM AND ULTIMATELY TO THE FEDERAL RESERVE BOARD TO ACHIEVE CHECKS AND BALANCES IN THE CIRCULATION OF OUR CURRENCY. THIS IS THE CHALLENGE THAT OUR COUNTRY FACES TO WIN THE WAR ON DRUGS.

S O U R C E S :  
 NNICC; INCSR; DEA; ONU; OFECDD, PERU; PGR, MEXICO; ANF, PAKISTAN;  
 NALA; ABT ASSOCIATES; NORML.

THEIR TRIP TO THE UNITED STATES, ARE USED AS HUMAN DONKEYS TO CROSS DRUGS AND THIS WAY GET PAID FOR THE SERVICES AND GETS THEM TO THEIR DESTINATION. A LOT OF ILLEGALS THAT REACH OUR BORDER WITH PLENTY OF MONEY TO CONTINUE TO THEIR DESTINATION, ARE CONSISTENTLY ASSAULTED, PHYSICALLY ABUSED, RAPED, STRIPPED OF THEIR PERSONAL BELONGINGS AND CLOTHING, ALSO PUTS THEM IN THE SAME CATEGORY OF HUMAN DONKEYS. ORGANIZED GANGS ARE RESPONSIBLE FOR THESE CRIMES.

THE EFFECTS CREATED BY ILLEGAL DRUG TRAFFICKING AND ILLEGAL IMMIGRANTS IN BOTH OUR COMMUNITIES ARE VERY EXTENSIVE, HERE SOME FOR CONSIDERATION:

- 1.-BECAUSE OF MANY INCIDENCES AT THE BORDER, THROUGH THE YEARS THE NEWS MEDIA HAS WRITTEN LOTS OF STORIES, SOME TRUE, SOME FALSE, SOME SENSATIONALIZED, THIS HURT THE TOURISM INDUSTRY ABOUT 70%.
- 2.-ON THE MEXICAN SIDE, THE MAIN TOURIST SHOPPING DISTRICT WAS INFESTED WITH BANDALISM AND REACHED A PEAK OF 150 TO 200 PETTY THEFT INCIDENCES PER DAY, ALSO AT THAT TIME BECAUSE OF POOR CONDITIONS OF THE DIVIDING FENCE THE SAME PHENOMENON WAS BEING EXPERIENCED ON THE AMERICAN SIDE BY ALL THESE BANDALS GOING ACROSS OUR BORDERS AT WILL.
- 3- THE VOLUME OF ILLEGAL DRUG TRAFFICKING AND ILLEGAL IMMIGRANTS, CREATED HUNDREDS OF ILLEGAL JOBS ON BOTH SIDES OF THE BORDER TO SERVICE THOSE NEEDS.
- 4.-WORST AND MOST OF ALL THIS CREATED IN OUR COMMUNITIES A FALSE ECONOMIC CLIMATE DEPENDING ON NARCO DOLLARS ALSO A TREMENDOUS INDUSTRY OF TRAFFICKING OF ILLEGAL ALIENS. TRADITIONALLY THE BASE OF OUR ECONOMY HAS BEEN TOURISM, IMPORTS AND EXPORTS, TWIN PLANTS CALLED (MADUILADORAS) HAVE CREATED A SOLID EMPLOYMENT BASE AND ALSO AN INFLUX OF FRESH CLEAN DOLLARS IN THE ECONOMY.
- 5.-THIS NEGATIVE CLIMATE ON THE MEXICAN SIDE CREATED CORRUPTION TO EXTREME LEVELS, ALL LAW ENFORCEMENT AGENCIES, IMMIGRATION AND MEXICAN CUSTOMS, CAUSED THE ABANDONMENT OF SECURITY TO OUR CITIZENS WITH GREAT CONSEQUENCES AND DISTRESS. IT IS OBVIOUS THAT AN (X) % OF CORRUPTION HAS SPILLED OVER TO THE AMERICAN SIDE OTHERWISE ILLEGAL ACTIVITIES WOULD NOT FUNCTION AT ALL. I MUST REMIND YOU THAT THERE IS DIFFERENT WAYS OF CORRUPTION, LIKE BEING ON THE MONEY TAKE, COMPLACENCY BECAUSE OF CULTURAL AND ETHNIC BACKGROUNDS, LOOKING THE OTHER WAY BECAUSE OF FAMILY AND FRIENDLY RELATIONSHIPS AMONG ETHNIC GROUPS.

**WHAT IS BEING DONE BY AUTHORITIES ON BOTH SIDES OF THE BORDER AND POSITIVE RESULTS ACHIEVED**

- 1.-WITH THE RECENT REFORMS TO THE MEXICAN CONSTITUTION CONCERNING LAW ENFORCEMENT AND A NEW PROGRAM OF NATIONAL SECURITY PROMOTED BY PRESIDENT ZEDILLO, HAS OPENED THE DOORS TO CREATE PRIVATE AND CIVIL POLICE CORPORATIONS, ALSO OPENED THE DOORS TO STATES AND MUNICIPALITIES TO ASK THE ASSISTANCE OF THE MEXICAN ARMY TO HELP IN CIVIL LAW ENFORCEMENT. THIS IS A TREMENDOUS STEP IN THE RIGHT DIRECTION.

- 2.-ON THE MEXICAN SIDE, PRIVATE AGENCIES HAVE SPRUNG UP AND ARE PROVIDING PERSONAL SECURITY SERVICES TO AMERICAN INDUSTRIES, LOCAL BUSINESSES. BANKS AND OTHERS PAID DIRECTLY BY THE PRIVATE SECTOR. THIS HAS HELPED TREMENDOUSLY THE COMMERCIAL AND INDUSTRIAL ACTIVITIES BUT NO INDENTATION AT ALL TO THE COMMUNITY LEVEL.
- 3.-ALSO ON THE MEXICAN SIDE DESPITE OF THE LOCAL POLICE EFFORTS TO CONTROL CRIME, THE FORCE IS TOO SMALL AND THE CITY HAS NO BUDGET TO INCREASE IT. CORRUPTION IS HIGH IN LOCAL, STATE AND FEDERAL POLICE FORCES THAT SERVICE OUR AREA, INCLUDING THE NEW BETA FORCE THAT IS SPONSORED BY THE U.S. GOVERNMENT AND CONSIDERED A FLOP. ALSO ADDED A NEW FORCE COMPETING WITH THE OTHER CORRUPT FORCES.
- 4.-THE TOURISM PATRONAGE OF NOGALES, SONORA IN REPRESENTATION OF MORE THAN 400 BUSINESSES ESTABLISHED IN THE MAIN TOURISM SHOPPING DISTRICT, WAS CREATED TO ADDRESS THE SERIOUSNESS OF THE PROBLEMS OF THIS AREA. I WILL ADDRESS THESE INDEPENDENTLY:
  - (A) THIS AREA HAS BEEN THE MOST DESIRED BY BANDALS FOR ASSAULTS ON CITIZENS, TOURISTS AS WELL AS PETTY THEFT AND MAJOR THEFTS IN LOCAL STORES AND BUSINESSES.
  - (B) ONE OF THE LARGEST AREA FOR DRUG PUSHERS AT STREET LEVEL, A SANCTUARY FOR CORRUPT POLICE OFFICERS OF THE THREE LEVELS OPERATE THEIR PRIVATE BUSINESSES, ALSO INDEPENDENT DEALERS.
  - (C) A CORRIDOR OF DRUG TRAFFIQUERS PENETRATES THE TUNNEL THROUGH THE DOWNTOWN AREA TO RUN DRUGS ACROSS THE BORDER, USING HUMAN DONKEYS FROM LOCAL BANDALS AND ILLEGAL ALIENS.
  - (D) MOST OF THE HOTELS ARE LOCATED IN THIS AREA AND ARE THE MAIN SANCTUARY FOR ILLEGAL ALIENS ARRIVING TO NOGALES, SONORA. THE COMBINATION OF BOTH REACHED THE POINT BY JANUARY 1993 A FLOATING POPULATION OF ABOUT 4,000 ILLEGAL ALIENS PER DAY, AND INCLUDES AN AVERAGE OF 800 ILLEGALS DROPPED BY THE U.S. BORDER PATROL AT THE DECONCINI MAIN POINT OF ENTRY. TO THIS FIGURE WE ADD APPROXIMATELY 300 POLLEROS (PUSHERS OF ILLEGALS), AND OTHER 250 ENSANCHADORES (ILLEGAL FINDERS), 20 TO 100 BAJADORES (CRIMINALS THAT ASSAULT THE ILLEGALS), 80 TO 100 COYOTES (U.S. BUYERS OF ILLEGAL ALIENS FROM THE POLLEROS, SENDS OR TRANSPORTS THEM TO THEIR DESTINATION).
- 5.-BY REQUEST OF OUR LOCAL MAYOR OF NOGALES, SONORA, WHO ASSIGNED THE TOURISM PATRONAGE TO CONDUCT AN INDEPTH STUDY AND ANALYSIS OF THE MAIN TOURIST SHOPPING DISTRICT AND FIND OUT WHAT HAD TO BE DONE TO REACTIVATE AND PROMOTE TOURISM TO OUR BORDER. AFTER CONDUCTING THIS ASSIGNMENT, TOGETHER WITH BOTH CHAMBER OF COMMERCE, AUTHORITIES, BUSINESS AND COMMUNITY LEADERS, TOURISM DEPARTMENT OF THE STATE OF ARIZONA AS WELL AS AN INQUEST OF MORE THAN 300 TRAVEL AGENCIES IN ARIZONA AND MUCH MORE, WE CONCLUDED AND CONFIRMED THAT THE GENERAL CONSENSUS THOUGHT IT WAS DANGEROUS TO VISIT NOGALES BECAUSE OF ALL THE EFFECTS CREATED BY ILLEGAL DRUGS PUSHERS AND ILLEGAL IMMIGRANTS.

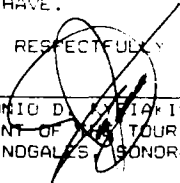
- 6.-THE ANSWER TO ADDRESS THESE PROBLEMS WAS TO ESTABLISH SECURITY IN THE MAIN TOURISM SHOPPING DISTRICT SPONSORED BY DONATIONS OF LOCAL MERCHANTS AND BUSINESSES. THROUGH THE TOURISM PATRONAGE WAS BORN THE SPECIAL SECURITY AND TOURIST GUIDE POLICE FORCE NAMED ACHILLES HEEL (TALON DE AQUILES GUIA Y SEGURIDAD TURISTICA), LEGALIZED BY SIGNING AN AGREEMENT BETWEEN THE MAYOR, AND THE DIRECTOR OF SECURITY AND LAW ENFORCEMENT DEPARTMENT WITH THE TOURISM PATRONAGE IN ORDER TO OPERATE LEGALLY AND CONSTITUTIONALLY.
- 7.-THE ACHILLES HEEL SECURITY AND TOURIST GUIDE WENT INTO OPERATION ON JUNE 18, 1995 WITH WORKING HOURS FROM 9:00 A.M. TO 7:00 P.M. SUFFICIENT TO SAY FROM DAY ONE UNTIL THIS MOMENT OUR PROBLEM HAS NOT BEEN FIGHTING CRIMINALS AND BANDALS BUT EVERY SINGLE LAW ENFORCEMENT AGENCY. FEDERAL, STATE, LOCAL, BETA FORCE, DEPARTMENT OF IMMIGRATION AS WELL AS MEXICAN CUSTOMS. ALL OF THESE INSTITUTIONS AND AGENCIES ARE INVOLVED DIRECTLY AND INDIRECTLY IN THESE TWO HUGE ILLEGAL INDUSTRIES. BY CONSEQUENCE, INNOCENTLY AND UNWILLINGLY WE HIT THE JACKPOT BY ENTERING THE EYE OF THE HURRICANE AND FOR THE LAST 15 MONTHS EVERYTHING HAS BEEN TRIED BY ALL OF THESE TO DESTROY THE ACHILLES HEEL PROGRAM.
- 8.-BY THE TREMENDOUS WILL AND COURAGE OF MEMBERS OF THIS TOURISM PATRONAGE SUPPORTED BY OUR LOCAL MERCHANTS AND BUSINESSES AS WELL AS THE AWARENESS OF OUR CITIZENS HAVE BACKED US UP PUBLICLY AND SUPPORTED US EVERYTIME THAT THEY HAVE TRIED TO DESTROY US. SINCE WE HAVE CLEANED UP 80 TO 90% OF ALL THESE PROBLEMS IN OUR AREA, IT HAS BECOME A WAR OF WHO CONTROLS THIS TERRITORY.
- 9.-BY THIS SIGNIFICANT ACHIEVEMENT ON THE MEXICAN SIDE AUTOMATICALLY SOLVED A BIG PERCENTAGE OF CRIME AND BANDALISM IN THE NOGALES, ARIZONA SIDE. WE SUCCEEDED IN PUSHING AND DETOURING ILLEGAL ALIENS TO THE EAST, WEST AND THE SOUTHERN BOUNDARIES OF OUR CITY. ALSO CLOSED MAIN CORRIDORS OF DRUG RUNNING THROUGH OUR AREA, AND ELIMINATED APPROXIMATELY 80% OF DRUG PUSHING IN OUR STREETS. IT IS OBVIOUS TO UNDERSTAND THE EXTREME EFFORTS OF ALL THESE GROUPS TO ELIMINATE THE ACHILLES HEEL PROGRAM SINCE THEIR INTERESTS HAVE BEEN HURT IN QUANTITIES UNMEASURABLE.
- 10.-IT IS VERY IMPORTANT TO MENTION AT THIS TIME THAT IF IT WASN'T FOR THE PRESENCE, UNDERSTANDING, SUPPORT AND COMMUNICATION WITH THE U.S. BORDER PATROL, ALL THESE ACHIEVEMENTS WOULD HAVE BEEN IMPOSSIBLE. IT'S IMPORTANT TO STATE THAT WE DON'T UNDERMINE ALL OTHER AMERICAN LAW ENFORCEMENT AGENCIES, BUT IT'S IMPORTANT TO DISTINGUISH THE U.S. BORDER PATROL BECAUSE OF ITS UNIQUE FUNCTIONS BEING 100% STAFFED AS FIELD OFFICERS IN ALL AREAS INSIDE AND OUTSIDE OF THE CITY LIMITS OF NOGALES, ARIZ.
- 11.-THIS UNIQUE COMBINATION OF BINATIONAL AND MUTUAL SUPPORT BETWEEN THE U.S. BORDER PATROL AND THE ACHILLES HEEL PROGRAM GOVERNED BY THE TOURISM PATRONAGE OF NOGALES, SONORA HAS BEEN A TREMENDOUS SUCCESS.
- 12.-SINCE THIS MUTUAL SUPPORT AND COMMUNICATION STARTED IN LATE JANUARY 1996, OUR BORDER TOWN HAD REACHED AN EXTREMELY PRECARIOUS SITUATION BECAUSE OF THE AVERAGE OF 4,000 ILLEGAL ALIENS ARRIVING TO THIS BORDER DAILY PLUS APPROXIMATELY 1,000

ILLEGAL ACCESSORIES TO SERVICE THESE PEOPLE AND SEVERAL HUNDRED OTHERS INVOLVED IN TRANSPORTING THEM. WE ARE PROUD TO SAY TODAY THAT THE DANGEROUS LEVEL HAS DROPPED TO AN AVERAGE BETWEEN 200 AND 300 PER DAY AND IS SO OBVIOUS TO EVERYONE IN BOTH OUR COMMUNITIES OF THE TREMENDOUS CHANGE. ALSO BY THE STRATEGICAL CHECKPOINTS INSTALLED BY THE U.S. BORDER PATROL AND THE PHYSICAL PRESENCE OF THEIR FIELD OFFICERS IN MOST OF THE CORRIDORS USED BY ILLEGAL ALIENS AND DRUG RUNNERS RECORD HIGHS IN DRUG CONFISCATION HAVE BEEN ACHIEVED. BECAUSE OF THIS INTENSE PRESENCE BY THE U.S. BORDER PATROL, IT HAS SENT A STRONG MESSAGE ALL THE WAY DOWN TO CENTRAL AMERICA, AND THE INTERIOR OF MEXICO, THAT IT IS VERY DIFFICULT TO CROSS THE NOGALES BORDER AND ITS EXTREME BOUNDARIES, EAST AND WEST, ACHIEVING DISCOURAGEMENT AND FINALLY DETOURING THIS TREMENDOUS INFLUX OF ILLEGALS THROUGH DIFFERENT BORDER TOWNS BETWEEN ARIZONA AND MEXICO, LIKE NACO, AGUA PRIETA, SASABE, SONOITA AND SAN LUIS, RIO COLORADO. NO EVALUATION HAS BEEN MADE CONCERNING DRUG RUNNERS. BUT SOMETHING IS HAPPENING IN THE RIGHT DIRECTION.

AS I COME TO A CLOSE, AND LOOK ON THE WAR ON DRUGS WITH A BROAD UNDERSTANDING, WORLD WIDE, NATIONALLY AND LOCALLY, THE PROBLEM LOOKS SO GREAT AND IMPOSSIBLE BECAUSE OF ALL THE IMPLICATIONS THAT I HAVE PRESENTED HERE TODAY. WE SAY NO, WE ARE DOING SOMETHING IN OUR COMMUNITY, THE RESULTS ARE OBVIOUS. WITH DETERMINATION, PERSEVERANCE AND A GREAT CITIZEN'S WILL, NOTHING IS IMPOSSIBLE. HERE IN NOGALES THE SPIRIT OF BINATIONAL SUPPORT AND COOPERATION IS WORKING AND IF OUR GOVERNMENT THROUGH THE HOUSE OF REPRESENTATIVES PAYS ATTENTION TO THIS MATTER WITH THE SAME SPIRIT LIKE WHEN THEY WERE DETERMINED TO PUT A MAN ON THE MOON, THIS PROVES THAT WE HAVE THE FINANCIAL POWER, THE TECHNOLOGICAL TOOLS, THE GREATEST WAR MACHINE THAT MANKIND HAS EVER KNOWN. ALL THAT THIS SPELLS AND PROVES THAT THE UNITED STATES GOVERNMENT WHEN IN NEED HAS PROVEN THE POLITICAL WILL AND DETERMINATION TO MAKE POSSIBLE THE IMPOSSIBLE. GOD BLESS AMERICA!

I WANT TO THANK MEMBERS OF THE SUBCOMMITTEE FOR THE OPPORTUNITY TO ADDRESS YOU THIS MORNING AND I WOULD BE PLEASED TO RESPOND TO ANY QUESTIONS YOU MAY HAVE.

RESPECTFULLY YOURS,

  
 ANTONIO D. XIPELL IS GEORGIOUSES  
 PRESIDENT OF THE TOURISM PATRONAGE  
 OF NOGALES, SONORA, MEXICO.

Mr. SHADEGG. Thank you very much. Mr. Coffin.

Mr. COFFIN. Congressman Shadegg and members of the subcommittee here, I want to thank you for inviting us to be here today. Accompanying me today are a couple of our agents—Juanita Santana and Art Lopez, who are seated to my left.

They are here today to share some incidents that they have experienced while performing their duties along the border. They are too modest to brag on themselves, so I guess I'm going to take the opportunity to brag a little bit for them.

The truth of the matter is, we are proud of them. They were both wounded by gunfire while performing their duties, and they exhibited tremendous courage under fire, and in a little bit they will relate some of those experiences to you.

I am also very proud of all of our agents working in the Tucson sector.

Our sector begins at the New Mexico-Arizona border, and we are responsible for 281 miles that extends over the Yuma County line. Our primary mission, of course, is to apprehend illegal aliens who attempt entry into the United States between the ports of entry, and we have been given primary responsibility for the interdiction of narcotics between the ports of entry.

The interdiction of narcotics is a natural role, because of the geography that both alien smugglers and narcotics smugglers use, the routes they use, and some of the methodology. The bottom line is, we are there when it happens, and wind up interdicting a lot of narcotics.

I've attached some statistics to my prepared testimony. We've seen an increase in the amount of marijuana, particularly, that we have interdicted over the last 3 years. In addition to that, this last year we arrested over 305,000 aliens attempting entry.

We have, thanks to Congress's efforts in the last 2 years, increased our force by 410 agents which, of course, enables us to cover a lot more ground and do a better job.

Economic problems in Mexico and the devaluation of the peso, have increased our workload and have caused citizens of Mexico, in many cases who had jobs, to lose their jobs when the devaluation occurred, so that exacerbated the problem.

In response, as I said, to the workload, and that increase in workload, the Congress has made border control a top priority of the Border Patrol. We have fared very well over the last couple of years in obtaining additional resources.

Our sector is attempting to put into place a three-pronged strategy. We are putting more agents on the border, for a high visibility deterrent, especially where crossings have been historically high. We have had success in the Nogales area with that strategy because, as Mr. Kyriakis said a few short years ago, we really had a situation in Nogales that was out of control.

Through the construction of our fence along the Nogales area, we were forcing the traffic out to the east and west sides of the border, and have been able to have some success there.

Our second strategy is to establish 24-hour checkpoints, all-weather checkpoints, on major roads leading from the border. There has been some controversy and some resistance to those checkpoints. We understand that, in some ways, they're an incon-

venience, but I believe that, given the very elaborate road structure in southern Arizona, both in unimproved and improved roads, that it will be very difficult for us to truly control the border until we can take some of those easy routes away from smugglers, whether they're smuggling aliens or narcotics.

In fact, in other areas of the country, where they're using full-time interior checkpoints—I will use Kingsville and Falfurrias, TX as an example—they are very successful in the interdiction of narcotics, and they do quite well there.

Our third prong or strategy is to improve our infrastructure and make new of new technology. We have a fingerprint system called IDENT, which enables us to identify people in a matter of a very few minutes who have criminal histories that, heretofore, we would not have been able to find out about because of the fact that we couldn't hold them long enough to make the determination. Now we're able to prosecute some of those people when we find them.

I would just make one comment about that. We work very closely with DEA, Customs, and also the military, and intend to do so in the future. I think that with additional resources that are en route over the next year, I think that we will be able to—and assuming that we get these checkpoints established—I think we will exercise more control over the border.

Thank you.

[The prepared statement of Mr. Coffin follows:]



Congressman Shadegg and Members of the Subcommittee, I am pleased to appear before you regarding the United States Border Patrol's role in the interdiction of illicit narcotics. With me are Border Patrol Agents Juanita Santana and Art Lopez, two heroes of our efforts to control the border.

Border Patrol Mission: Intercept Illegal Aliens and Narcotics

In addition to facilitating legal entry, the mission of the Immigration and Naturalization Service and its Border Patrol is to secure, in cooperation with other agencies, the external borders of the United States from illegal immigration. The Border Patrol also has primary responsibility for drug interdiction between ports of entry. This additional role is a natural one. Not only do narcotics smugglers operate in the same geographic areas as do alien smugglers, some traffickers garner profits from both narcotics and alien smuggling. In some cases, the same people work as guides for both alien and narcotics smugglers and use the same routes of travel. Aliens and narcotics are guided across the border to be loaded into vehicles for transportation to interior locations. Most strikingly, our agents have found aliens smuggled into the United States in conditions more appropriate for goods than for human beings.

Economic instability in Mexico has increased the challenge we face. Peso devaluation, inflation, and the lack of jobs for many citizens in the Mexican workforce have all led to more people seeking entry into the United States for employment. This has resulted in an increased flow of illegal immigrants all along the Southwest border. However, as the Border Patrol has established greater control over illegal entries in the El Paso and San Diego corridors, attempts at illegal entry have increased in Arizona and the Tucson Border Patrol Sector.

Congress has supported INS with the resources necessary to carry out a comprehensive enforcement strategy along the Southwest border.

We are following a step by step approach toward a border that deters illegal immigrants, drug trafficking, and alien smuggling. The INS enforcement goals are:

- To effectively patrol the border by deploying more agents, equipment, infrastructure and technology;
- To regain control of major corridors of illegal immigration; and,
- To shift illegal crossing routes to areas that are remote and difficult to cross and where the Border Patrol has the tactical advantage.

The Tucson Sector is pursuing three initiatives:

1. Establishing a visible deterrent presence at the immediate border.
2. Utilizing checkpoints to interrupt the movement of illegal aliens and drugs into the interior.
3. Improving our infrastructure and utilizing technology to multiply the effectiveness of our agents.

#### Establishing a Deterrent Presence at the Border

We have found that placing additional agents on the immediate border, particularly in Nogales and Douglas, will deter illegal immigration. Since September 1994, we have increased the number of Border Patrol Agents by 148 percent, from 277 to 686 agents. From January 15 to August 15 of this year, INS detailed 40-90 Border Patrol Agents from outside the Sector to assist while new agents were in training. We still have nearly 100 agents in training, the last of which will complete training and be physically stationed in Arizona by February 1997.

The areas worked by the Nogales, Naco and Douglas Border Patrol stations historically have been heavily used crossing points. When smugglers can successfully bring aliens or contraband into populated areas, they are able to use the highway system to reach interior locations. The road system in southern Arizona, both improved and unimproved, is extensive and makes the area attractive to smugglers of both aliens and narcotics.

#### Interior Checkpoints

We are working to establish twenty-four hour permanent check points on many of the roads leading from the border to the interior. Checkpoints are a vital part of our multi-faceted approach to controlling the border. We have operated temporary checkpoints on many of these roads, but permanent checkpoints with well designed work areas and better lighting will provide a more efficient and safer environment for both our officers and the public.

We recognize that there are other views on the need for permanent checkpoints. We will continue to work with the Arizona Congressional delegation and the affected communities on this issue.

#### Improving our Infrastructure and Using Technology

With the help of the military, we have constructed fencing on the border at the cities of Nogales and Naco. We are extending the fence at Nogales and are working with the City of Douglas to solicit its views on the feasibility of erecting a fence there.

Our experience at Nogales has been that the fence, although not a panacea, has forced traffic from the populated areas. Persons, who historically entered close to town, are now entering east and west of town where it is more difficult and takes more time. The deterrent effect of the fence and additional visible Border Patrol Agents in Nogales have apparently caused many smugglers and individual aliens to shift their attempts at illegal entry to Douglas and Naco. We have

installed landing mat fence in areas of the border where loads of narcotics were driven into the United States through easily cut, chain-link fences. Those same locations were used to drive stolen vehicles and other stolen property into Mexico.

By multiplying the effectiveness of every officer, technology also helps us meet the challenge of stopping drugs and illegal immigration at the border. To track the movement of individual aliens and smuggling groups, we use electronic sensors and infrared night scopes and, specifically in Nogales, low-light television cameras. Furthermore, an automated identification system (IDENT) enables us to collect the photographs and fingerprints of apprehended aliens. In a matter of minutes, we can identify aliens who have criminal histories. This system is in place at four stations: Douglas, Naco, Nogales and Tucson. IDENT will be installed in all sector offices during the coming year.

We are now identifying aliens who have narcotics trafficking convictions. Prior to our acquisition of this technology, such persons would not have been detected, as we could not detain them long enough to obtain a fingerprint check. With this criminal history, the United States Attorney's office is prepared to prosecute them for re-entry after deportation, even if there is no other felony charge. The additional resources, both human and technological, enabled us to become more effective in dealing with the large numbers of persons attempting illegal entry.

#### Coordination with Other Law Enforcement Agencies

We have excellent working relationships with Federal, State, county and local law enforcement agencies. On March 25, 1996, the Commissioner of the INS and the Administrator of the Drug Enforcement Administration (DEA) signed a Memorandum of Understanding (MOU) allowing Chief Patrol Agents and Special Agents in Charge to enter into local agreements. We are working on an agreement that will allow Border Patrol Agents, within parameters yet to be established, to

prepare for prosecution narcotics cases they interdict. This arrangement will promote efficiency, eliminating the need for DEA Agents to expend time developing for prosecution such Border Patrol cases. We plan to work with DEA's Sierra Vista, Nogales and Tucson offices for this purpose.

We also have a full time representative at the Arizona Operation Alliance Planning Committee for intelligence sharing and coordination of multi-agency operations. Our representative there also acts as a liaison to active-duty military and National Guard units.

The Tucson Sector has traditionally seized large amounts of narcotics and firearms while carrying out our primary mission to prevent and apprehend persons entering the United States illegally. The attached charts depict the magnitude of those seizures and the number of aliens arrested while attempting entry through the sector.

#### Increasing Danger for Agents

The increasing number of assaults committed against our officers while carrying out their mission represents the real danger we face. With me today are two officers who have personally experienced this danger.

Border Patrol Agent Juanita Santana of our Tucson station was shot four times after stopping a suspicious vehicle. She was struck twice in the chest and also received a minor wound in her left forearm. Fortunately her concealable body armor saved her from serious injury. Agent Santana returned fire as the vehicle sped away. She radioed for assistance and followed until the suspects stopped the vehicle and fled on foot. Information that Agent Santana provided and evidence obtained from the vehicle led to the arrest of one assailant and the identification of and warrant of arrest for the driver.

Border Patrol Agent Art Lopez of our Nogales station was shot in the back by a Nogales, Sonora Police officer. Agent Lopez and his partner were patrolling on the east side of Nogales near the border fence and observed officers in Nogales, Sonora police uniforms attempting to arrest what appeared to be border bandits. Believing that the Sonoran officers had everything under control, Agent Lopez and his partner turned to go back to their vehicle. At that point one of the Sonoran officers shot Lopez in the back. The officer, who was under investigation by Mexican officials for assaulting Lopez, was later shot and killed in an unrelated incident. The motive for the shooting of Lopez has not been determined. However, a Sonoran officer, who was also present when Lopez was shot, has since been arrested for trafficking in narcotics.

These are only two examples of the dangerous environment in which our officers work.

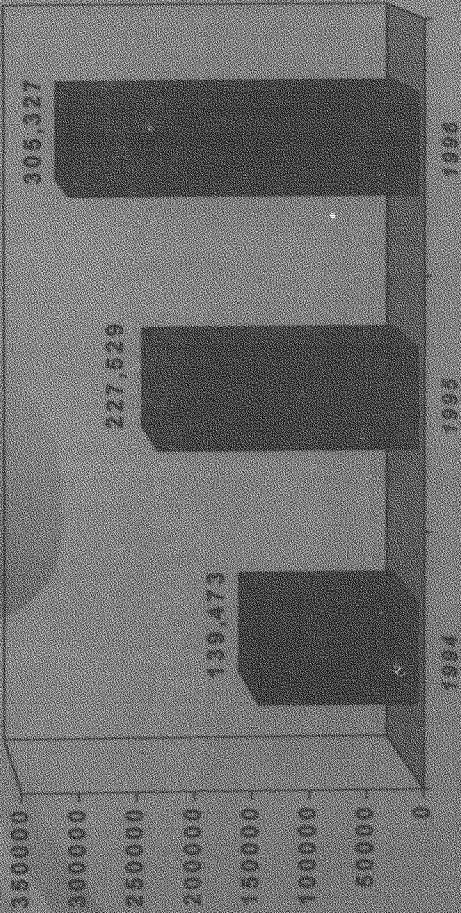
#### Conclusion

We are pleased with the positive results we have had so far from our new deterrent strategy, increased personnel and technological support. Overall, apprehensions for the year have increased by 34 percent, as we deployed the resources to address and intercept a greater portion of the elevated illegal immigrant movement through Arizona. Now we are beginning to see evidence of the deterrent effect. We are particularly pleased that during the month of September, apprehensions at Douglas were 24 percent below the numbers for the same period in Fiscal Year 1995. Similar results were achieved earlier in the Nogales area of operation.

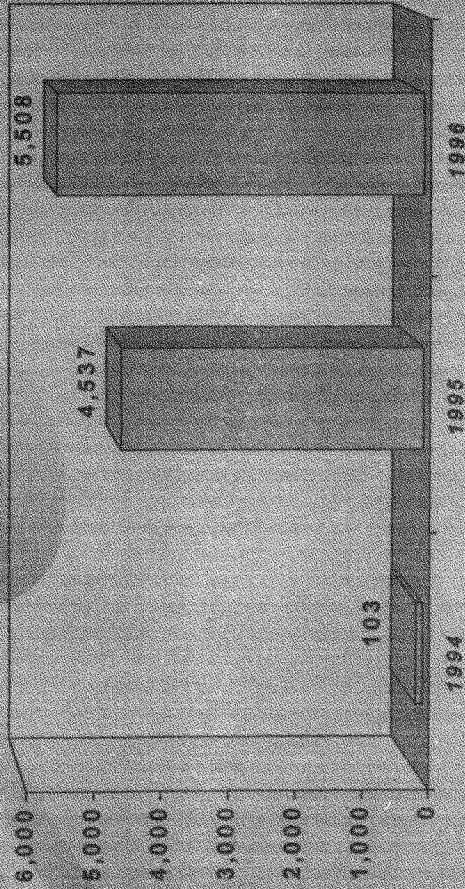
Deterring and preventing illegal immigration and transport of illegal drugs at the border are ongoing tasks. With additional resources to be added to the Tucson Sector this coming year, we will expand our effective control of the border beyond the Nogales area.

Thank you for the opportunity to testify.

# Tucson Sector Apprehensions FY-94-FY96



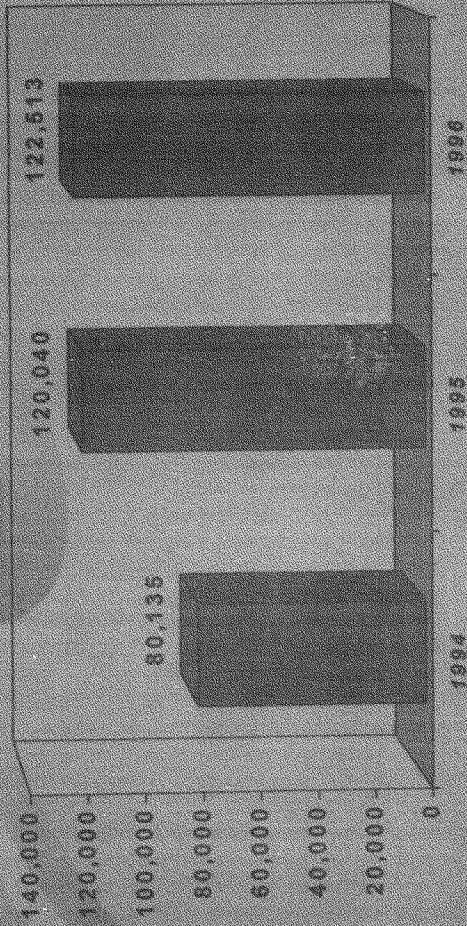
# Tucson Sector Total Pounds Cocaine Seized FY94- FY-96



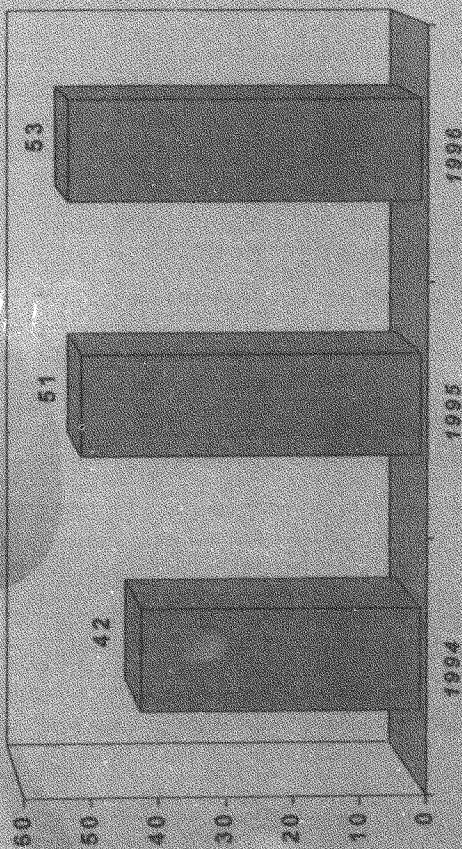


# Tucson Sector

## Total Pounds Marijuana Seized FY94-FY96

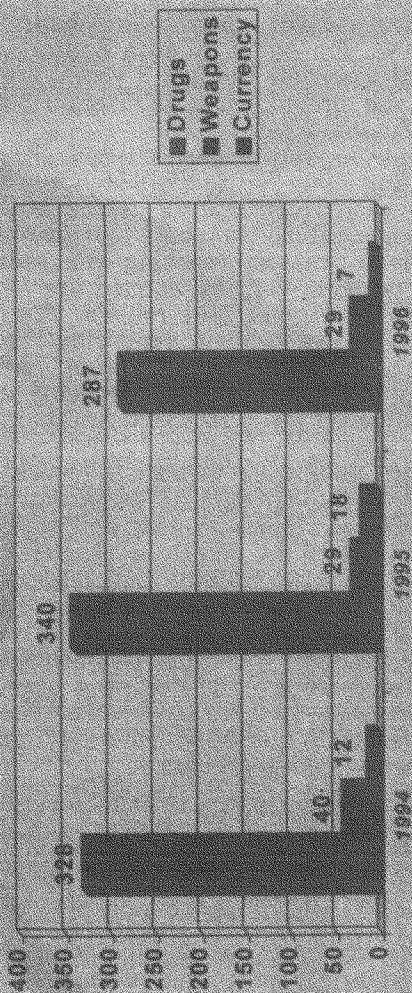


# Tucson Sector Total Weapons Seized FY94 - FY96



## Tucson Sector

Border Patrol Arrests Turned over to other Agencies (DEA, ATF, USCS)  
for Prosecution FY94 - FY96



Mr. SHADEGG. Thank you. Agents Santana and Lopez, let me first thank you very much for coming, and ask if you would share with us the experiences that you have had.

Ms. SANTANA. I'm Agent Juanita Santana. I have been a Tucson Border Patrol agent for the last 3 years, and I have been assigned to work in the greater area of Tucson and the local highways around the Tucson area.

I will narrate to you the events which occurred on June 29, 1995. I was patrolling State Route 89, which is a route that connects the Tucson area with Interstate 19, which is the direct nexus to the border. I made a vehicle stop on a four-door sedan with three males visible. When I was approaching the sedan, the driver turned around and, without warning, opened fire.

I was shot four times, four rounds. The first round struck the speed loaders in my gunbelt, rendering them useless. I then suffered two more hits in the chest area, had two rounds near the heart and lungs area, but I was wearing a protective bulletproof vest and I survived those impacts. Another round hit my left forearm.

I backed off, used their vehicle for cover, and engaged in fire. I returned fire to the driver, who was the shooter. At that moment, the driver put the vehicle in gear and took off and left the scene.

I returned back to my vehicle, contacted central communications and informed them of my situation. I knew that I was wounded, that I was injured, but I was not critical. Training came back to me real quick, and I knew at that time that it was important to apprehend the suspects, because they were showing total disregard for the law and the lives of others. I knew it was critical to get ahold of these guys, because they were going to hurt someone else. If they showed total disrespect for a law enforcement officer, what were they going to do to others?

So I got back in my vehicle, put it in gear, and decided to pursue the suspects.

Shortly afterwards, they abandoned their vehicle on a side street and ran into the desert. This time, I knew I was injured. I knew there were other Border Patrol agents responding to the scene, some police officers, Sheriff's Department officers, and I knew that they would do whatever was possible to apprehend the suspects.

Later on, I learned from some police officers that the vehicle contained \$25,000 in U.S. currency and cocaine. We apprehended one suspect that night and the shooter, the main fugitive, remains at large in Mexico. Through the Federal Bureau of Investigations, the Pima County Strike Force, the Fugitive Strike Force, and the Aggravated Assault Unit from the Tucson Police Department, they continue following leads and they continue searching for the suspects.

Mr. SHADEGG. Thank you. Agent Lopez.

Mr. LOPEZ. On August 10, 1995, I was patrolling the United States-Mexican border east of Nogales, AZ. At approximately 2 p.m., my partner and I observed three individuals entering the United States illegally by jumping the border fence. They were being chased by the Mexican police.

I immediately contacted my office to see if the Mexican police needed help. I immediately got response from the station, and they

said that no one has called and they would try to contact them. I then drove to the area, which is on top of a ridge overlooking Smuggler's Gulch.

When I reached the top of the ridge, I heard several shots in the bottom of the gulch. I observed three subjects—well, two subjects—running up the east side of the canyon. The Mexican police were shooting at the guys and they apprehended them, next to the United States border.

We were approximately 200—

Mr. SHADEGG. That's quite all right. Take your time.

Mr. LOPEZ. OK. We were approximately 200 yards from their position. One of the Mexican police started beating up the subject. He then turned his pistol on us—and we were in a complete uniform on a dirt road, no vegetation around—and started firing at us.

I sought cover, and I was hit on the fifth shot, on the fifth shot. The only thing we could do was to get to the border fence line, and I had to crawl.

Then the Mexican police officers entered the United States and pinned us down next to the Mexican border, or the United States-Mexican border. I called for backup, and they immediately came in, and we found the two Mexican officers still in the gulch with the two subjects, and they denied everything at that time.

After investigation between the United States and Mexico, the subject that apparently shot me committed suicide, and his partner was caught smuggling drugs.

Mr. SHADEGG. Let me begin by simply commending all of you, but particularly Agents Santana and Lopez, for your courage and bravery in carrying on this effort. I hope you were able to be here for the testimony of the prior panel, which was provided by citizens in the fight against drugs here in the United States, and people, including schoolteachers and counselors, who tried to make it clear how vitally important this effort is and how vitally important your efforts and your sacrifices are.

I also want to thank you for coming forward today and sharing your testimony.

Let me begin the questioning, Mr. Coffin, with you. You indicated that there had been in the last—and I'm not sure I took correct notes on how many years—410 agents added. Is that 410 agents added to the Border Patrol in total or 410 agents added to your sector? Could you clarify that for me?

Mr. COFFIN. Yes. Since 1994, that would be for our sector, Tucson sector.

Mr. SHADEGG. As Congressman Souder indicated during our discussion with the last panel, he and I both participated in two hearings last month, one in Los Angeles on the influence of the media and movies on the drug problem here in the United States, and a second hearing in San Luis Obispo, where we heard from officials of both Customs and Border Patrol on a wide array of issues having to do with the drug problem.

One of the things that was emphasized there by your counterparts in the San Diego border section was how much they had gotten in additional resources and, indeed, the additional resources that have been poured into the San Diego sector I think are quite well publicized and well known.

The question I asked there is the question I want to ask you. That is, I want to ask if, in fact, that additional effort on the California-Mexico border, in the San Diego sector, to your knowledge, has resulted in increased pressure on your sector and, if so, how that was being reflected in the flow of either illegal aliens or drugs in your sector and how it was being met with regard to resources?

Could you address that?

Mr. COFFIN. We certainly saw an effect of the efforts that were taking place in San Diego and El Paso. I think it's a combination of things. I think the devaluation of the peso and some other things certainly contributed to the increase in our workload but, in response to their workload, we did receive these additional agents and we will be receiving some more.

So to answer your question, yes, we are getting more resources. In fact, I've been doing this for over 27 years and, quite frankly, we've benefited more in the last few years than we have for a long time in response to that, as I said, thanks to Congress's efforts.

Mr. SHADEGG. Agent Santana, I've apparently been mispronouncing your name. I apologize.

Let me ask a question either to Mr. Coffin or to Mr. Kyriakis. Can you see, in your day-to-day efforts with regard to this problem, the effects of what is pretty well acknowledged to be a decrease over the last few years in our efforts toward a drug kingpin strategy in source countries and eradication strategy in source countries, or a kind of interdiction effort short of the border?

Have you been able to detect the effects of that in any way or perhaps the effect of changing price in the marketplace here?

Mr. COFFIN. I would have to defer to the next panel, my colleagues in DEA and Customs, who do extensive investigations in the upper reaches and the hierarchies of these drug organizations.

Our work is basically interdiction and, as I said, we've seen an increase in the amount of narcotics we're interdicting, so to that degree there's certainly more drugs out there and, obviously, because of the availability and the price, we're certainly not getting anywhere near all of them.

But I'm going to have to defer to them on the kingpin question.

Mr. KYRIAKIS. In my written statement, I have pretty good information. The question is whether it's increased or decreased. It has increased, definitely. When you take Colombia, Bolivia, and Peru, they have doubled their production in the last 10 years.

Production has increased. It's doubled its production in the South American countries, and we have noticed it in our border. Like in Dallas, you have drug-running from big cartels, medium cartels, but most of all you have a lot of independent rings that operate in our area, which means not only the three large cartels from South America, but there's a lot of producers, you know, a lot of small producers.

So this is where you have big cartels, medium organizations, then you have a lot of independent rings. This is what we observed in the Nogales area. Of course, when you're talking about increase, yes, there has been a lot of increase.

Now, also, we will note that on the synthetic drugs there has been a three-to-one ratio of increase versus the other drugs. Now, concerning the price that you asked me about cocaine, yes, cocaine

has dropped in the market price, on the streets, which means that there is more production and, of course, there will be more markets. So when their markets are expanding, they can afford to drop the prices.

Mr. SHADEGG. My time has run out, but I'm going to ask one concluding question, and then I'll turn it over to Congressman Souder.

Mr. Coffin, I would like you to comment on this and perhaps Agent Santana or Agent Lopez can simply comment on it, as well.

We received testimony in California at the hearing, with regard to border crossings or smuggling across the border, that the tactics used by drug smugglers had changed over the years and that whereas a number of years ago, large loads would come across in semis. It now appears that the strategy was that large loads would come somewhere close to the border, they would then be broken up into many, many smaller-type loads, given to either individuals to carry across or placed in passenger cars, broken up into smaller loads to get across the border, and then their testimony was that, subsequent to that, it's reassembled here into larger loads for shipment and distribution throughout the United States.

I guess I would like to ask if, in fact, in your sector, you have witnessed that, or any other changes you may have witnessed in the tactics being used by smugglers, and how that impacts your workload and perhaps even to some degree, given the testimony of Agent Santana and Agent Lopez, the danger factor or the fear factor that your agents face?

Mr. COFFIN. As far as the tactics go, Congressman, it seems that we are getting a lot more—the loads aren't as large, 200 to 300, a lot of smaller cars. We have not—we have not to any significant degree encountered larger semi-trailer trucks or tractor loads or whatever.

I think one of the reasons for that, and one of the reasons it's so important for us to establish those checkpoints, is that where checkpoints were established and operating, they seemed to have more success in that area, because they still backpack the narcotics in, they carry it on horses and, for a time—and they still do in some areas, they drive it across in vehicles. Our fencing has eliminated some of that, where they can no longer physically do that, and that's been a help.

But our experience has been that we'll stop loads in pretty much a standard type of vehicle—car, truck, whatever. A few years ago it seemed that we would get U-haul-type trucks with larger quantities of narcotics in it. That doesn't seem to be the case now.

Again, I'll reiterate. I think one of the reasons it's very important for us to establish these checkpoints is because of the different methods that can be used to detect this stuff, and the opportunities to overlook these vehicles.

Mr. SHADEGG. Have either of you noticed some change in that regard?

Ms. SANTANA. From my experience working with an anti-smuggling unit in Tucson-Phoenix areas and in the border, what I have noticed is that they continue to aggressively seek other routes and other perhaps different secondary roads, but the methods are basically the same.

The purpose is, the goal is to bring them across and to bring them to States and areas. They are just more aggressive doing it, but they continue to pursue their goal, which is to get them across.

Mr. SHADEGG. Agent Lopez.

Mr. LOPEZ. I agree.

Mr. SHADEGG. Very well. Congressman Souder.

Mr. SOUDER. I have a couple of different things. One is that it can get very frustrating, because you feel like it never stops. At the same time, one of our goals is to drive up the price, which you do every time you make them spread out.

What we've seen in some efforts in South America is that as we really put the pressure on again in the last year, we're starting to see, even in the last few months again, an increase in the number of people providing coca leaves saying, "Hey, maybe we ought to switch to bananas," because as we raise the cost of interdiction for the dealers, they pay less to the people who are growing the stuff.

I also want to thank particularly Agent Santana and Agent Lopez, because one of the things I've been doing, you may have heard me say earlier that our biggest bust we've ever had came through with a million dollars of street value of crack. They also got it back to St. Louis and brought it back through and coordinated with DEA, and joint all the way back through. It was the second one, major, in the last 3 to 6 months coming from that direction into our region.

I've spoken to four high schools in the last 2 days in the Northeast and I'm going to be speaking to 16 in the next 30 on the drug issue. In effect, you both took bullets for some kids in my district, because there's a good chance that some of that would have been headed up there or, if not there, somewhere else in this country, and there would have been some kids dead if you hadn't taken the bullets.

So sometimes it gets frustrating, and I know it gets scary, but your willingness to risk for other people and for your Government, we appreciate it very much.

I think also I've got a couple of other particular questions that have come up in a few hearings. One, we understand that there's been an increasing problem on the border, particularly when dealing with President Zedillo and some people in Mexico. There is a concern as to how we trace money laundering.

I know that, Mr. Kyriakis, you raised the question of money laundering in your written testimony. If we get to the money laundering, we have huge problems here.

I have heard that one of the problems is that much of this is now going through the currency exchanges, because they don't honor the same banking laws, and we're having to make some adjustments. Have you seen that in Nogales?

Mr. KYRIAKIS. You're talking about the agreement that you signed with Mexico?

Mr. SOUDER. Yes, and we're trying to figure out did you in fact see it in different exchanges or have you heard of that happening? What other places do we need to watch, other than traditional banking structures, because when we get the big cartel busts, because it comes through money laundering, it's like the IRS, you know, way back.



The question is, are they finding creative ways to create some exchanges? What are the things we should be looking for?

Mr. KYRIAKIS. Well, this agreement that we signed with Mexico is definitely positive, it's in the right direction. But you have to see that we're talking about local level and national level and worldwide levels. Tracking down money, we're talking about millions of dollars, even as much as \$1 trillion. You're talking about just not local banks. It's a whole strip of the banking system that feeds right back sooner or later into the Federal Reserve, where you keep the currency, keep track of the currency.

So when you're talking about winning the war, when we're talking about the war on drugs, you know, we're talking here global levels. The war on drugs has to be fought on the worldwide level.

For instance, you take national countries like the United States or like, let's say, Western Europe, England. Can you get together? You have to fight the drugs directly from the source of supply. We have the technology to spot the growth of coca plants, marijuana, opium plants in South America, all over the world. You have to attack that on a worldwide level.

Now, when you're talking about national level, concerning Mexico, let's say, in our borders, Mexico is a primary producer of marijuana, but they have done a big effort to reduce those plantations.

But there has to be a general effort, you know, worldwide effort and, you know, the United States has to take a strong position that, on Western Europe, the only one that has to enter the problem is England. So if the United States and England can get together, you can knock this off. But you have to hit three major fronts. It's production, interdiction at borders, as well as money laundering. If those three things are not done, the war on drugs will never be won.

Now, I will say that on legalizing drugs, I'm totally against legalizing drugs, because we know the disastrous thing that this will be to the world. But I think the Congress has to take a look at this more seriously, you know, at the world level, and not just the local level. We put too much emphasis on the local level, which is important, yes; but we have to attack this on the world level basis.

Mr. SOUDER. Part of the reason we have gone down to Central America, in particular—we were the first Members of Congress to go to Colombia since the clear and present danger, because people were too afraid to go in. We tried to support the Attorney General and the national police, who were being very aggressive down there, have lost an equivalent of about 3,000 police out of the fighting there.

Mr. Coffin, I wanted to ask, one of the big things in my district was to say, in the debate over NAFTA, that we ship, probably a third to half of our agricultural products go out of America, much of it to Central and South America, including Mexico. We have a lot of companies that have plants and facilities there—Dana, G.E., others who have major facilities in my district.

There's a lot of concern about the trucking trends and relaxed standards with the shipping and whether or not the Border Patrol and people on the borders are going to be able to keep track, with the new trade agreements supposedly making trade easier. At the same time, we now see 80 percent of the cocaine coming in through

the Mexican border as opposed to going through Florida or through the air and into Florida and Louisiana, which presents a real challenge.

The other night there was a TV program that showed drug dogs and different things, tracking and trucks and cars and following a day in the life in San Diego.

But could you explain to me a little bit, given the long lines we see at the borders—and the few places I've been seem fairly confusing, trying to deal with that, a lot of times heavy traffic, the idea that there are spotters watching for the busiest times to send the stuff through, how heavily disguised it is. Is it possible—what percent do you think you catch?

I was really interested in the statistic—one statistical question. Could you give me an idea of how effective can we be, and have we relaxed the standards over the last couple of years? Do you have, with the new trade agreements—just give me a little feedback on what you have in the Tucson sector on the dogs, on the equipment? Could you trace it, so we don't have as much concern?

Can you alleviate any of my concerns about lowered trade barriers?

Mr. COFFIN. No, I'm not going to be able to alleviate your concerns, I don't think. But I think that there is a problem. I honestly don't have an answer. I don't know how to address it.

Obviously, NAFTA was passed to promote trade and commerce across the border. Some of my Customs counterparts could answer this a lot better than I could, because they're responsible for checking goods and trucks down at the border, and I think we'll see some of that later on today.

I don't know where the balance is. I don't know how you continue to rapidly move the kinds and the quantities of goods across the border that we do, and set up a system where you're going to be able to check them and interdict the narcotics that are contained in those things. Over the years, I've talked to Customs people who, as you know, these large ports where they have these cargo containers come in and fifth wheel rigs pick them up.

There is so much of that stuff, and Customs probably could tell you what the percentage is if they could actually check. But I don't know where the promise is, honestly. I don't have an answer for that.

Again, if we get permanent checkpoints established, and we have canines there and we check a certain amount of those, I think quite honestly the percentage is going to be fairly low. The way we will work that is, I suppose, the way any law enforcement agency does. A lot of it has to do with informants and information rather than actually the ability to check all that stuff. So it's a big problem.

Mr. SOUDER. I have just a clarification question. You show that, in 1994 to 1996, a fairly predictable growth of marijuana—80, 120, 122 million interdicted—and, in cocaine it jumps from 1994, from a 103 total, jumping to 4,537.

Why would cocaine have been so low and had that huge a jump?

Mr. COFFIN. I don't know. I will tell you one thing. It's something that has been a curiosity to me. On one occasion, in an area you will see today that we call Mariposa Canyon, a few years ago, out of the clear blue, they tried to bring in over 4,000 pounds of cocaine

on the back of track horses. That's a fairly built-up area. Very, very unusual to have that happen and, quite frankly, it hasn't happened since.

Of course, when you get 4,000 and some pounds in one load, then that spikes your statistics for the year. But I don't know why that happened and I don't know anybody else that does.

As you can see, predominantly, we're into interdicting marijuana as opposed to cocaine, but every once in a while you'll get those large loads, and I don't know whether it correlates to problems they're having perhaps getting them into loads through the ports. I don't know what caused that.

Mr. SOUDER. If I could make one other comment, Agent Lopez, your story was so confusing to me, I don't even know how to sort it through. When we were down in Mexico and met with Congress and the House and Senate as President Zedillo at a different time and the foreign minister for a day-and-a-half, one legislator from Baja, CA in particular was all over my case, as well as a couple of others, because we were there right after what had happened when one of the vans had ran across the California border and wrecked, and there was also a border patrol incident. All I heard was how American people were beating up Mexican nationals.

Your story is so completely complex. I mean, you had a Mexican, if I understand, a Mexican policeman beating up a drug person, but now in retrospect it may be that they were involved in drug smuggling themselves, and then the Mexican police were shooting at you. Did I understand what you said correctly?

Mr. LOPEZ. Yes. What it was was the Mexican police apprehending a couple subjects and started beating up on the individual and, for unknown reasons—either I was there, I saw something I wasn't supposed to see, we'll never know—he started shooting at me.

Mr. SOUDER. The policeman started shooting?

Mr. LOPEZ. The policeman started shooting at me.

Mr. SOUDER. I just wanted to make sure I had that straight, because it's so contrary to all that I've been, you know, been told from the other direction.

Do you find—I mean, obviously not very many people get shot, or we would hear more about it. I mean, we have heard that relationships across the border are, at best, erratic. But I mean, are they that hostile very often? I mean, that's what I would say is the ultimate hostility, to actually shoot the police from the other side.

I mean, do you find that normally—you obviously crossed thinking you were going to get some cooperation or something.

Mr. LOPEZ. Well, the reason I was there was to provide them with backup. I was going to help them. I was unaware that they were going to turn their guns on me.

A lot of times you hear shots, but you never see where they're coming from or who shot them, but this time I did.

Mr. SOUDER. Does your case study impact the attitudes of other Border Patrol people and how they view the police on the other side of the border?

Mr. LOPEZ. There's a lot of agents on the line that it could have been them, and I'm sure they have a different outlook now. They're a little bit more cautious, I would say.

Mr. SOUDER. OK. Well, thank you.

Mr. SHADEGG. Just a follow-up on that. Agent Lopez, as I understand the testimony at least, one of the Mexican police who was involved in that—perhaps the shooter, perhaps not the shooter—was subsequently I guess arrested or convicted for drug smuggling or being involved in drug smuggling?

Mr. LOPEZ. Yes, we was. It was about a week after the other officer committed suicide.

Mr. SHADEGG. OK. If I could go back to the statistics—no, let me go back. You made a reference in your testimony, Mr. Lopez, to Smugglers' Canyon.

Mr. LOPEZ. Smugglers' Gulch.

Mr. SHADEGG. Yes, Smugglers' Gulch. If you could just briefly elaborate on that, tell us where it is and how it got that nickname?

Mr. LOPEZ. It's east of Nogales, the town of Nogales, about 2 miles, and it got its name for smuggling. It runs narcotics through there, aliens, and any other type of contraband.

Mr. SHADEGG. All hours of the day and night?

Mr. LOPEZ. Yes.

Mr. SHADEGG. That sounds fairly brazen, I guess.

Mr. LOPEZ. Well, I was shot at 2 p.m.

Mr. SHADEGG. Agent Coffin, in your questioning with Congressman Souder, in talking about the dramatic increase in cocaine that you seized from 1994 to 1995, you made reference to this one large 4,000-pound load that I guess came through in 1995, but I guess of concern to the people in the last panel and people throughout the Nation would be that cocaine in fact went up again the following year to over 5,500 pounds, so it looks like it's on the rise.

Mr. COFFIN. Yes, I think we're seeing an increase in both marijuana and cocaine. The reference that I gave you, I'm not sure that happened in 1995. I use that as an example to show you how the statistics can get skewed with one load. That in fact happened, and I used it for an example. So I'm not sure when that happens, and I've wondered about it.

You would think that, if that was done to any significant degree, that we would get a lot more of that, and we don't, so it's an unusual occurrence, and I pointed that out as an illustration.

Mr. SHADEGG. Let me just briefly—one last quick question. We're out of time.

But the law enforcement officers that we heard from, including the Border Patrol officers at the hearing in California expressed their view that that sent the wrong message, and it had a demoralizing effect on some of the people involved in the effort. Do you share that view?

Mr. COFFIN. Yes, I do. I think that's the wrong message. In fact, a personal observation of some of the other witnesses talking about examples for children, I've for a long time wondered, we see celebrities and sports-type people who have these problems and, to me, there seems to be—oh, I won't say excuse-making, but there doesn't seem to be any tangible consequences to these people's actions.

I don't think young people see that there's tangible consequences, because when people are making that kind of money, I suppose a 5-day suspension or a 5-game suspension doesn't mean a whole lot. I wonder sometimes how come we don't go out and find some people who have managed to succeed and conduct their lives in an up-

right fashion and not become involved in that at all. That's always been a curiosity to me.

Mr. SHADEGG. Agent Santana or Agent Lopez, do you care to comment on that?

Ms. SANTANA. I often speak to young groups, and I go to schools, to do presentations, and it's amazing how much you can impact a small crowd, a younger crowd in a small group, where you can have one-on-one contact. I think that education is basically essential. If we want to do something serious about it, we have to start there in the schools.

Mr. SHADEGG. Agent Lopez.

[No response.]

Mr. SHADEGG. OK. Let me thank you all very, very much for coming. You literally put your lives on the line, and I think Congressman Souder said it very well, and I want to express my appreciation for your testimony here today. Thank you.

If I could ask the next panel to come forward? Col. Alex Mahon, counterdrug coordinator, Arizona National Guard, Joint Counter-narcotics; Daniel Sharp, assistant chief of police, Tucson Police Department; John Howe, assistant special agent in charge, U.S. Customs; Bruce Gebhardt, special agent in charge, Phoenix, Federal Bureau of Investigations; and Tom Raffanello, assistant special agent, Drug Enforcement Administration.

Now, that you have all gotten seated, let me ask you if you can stand to be sworn in.

[Witnesses sworn.]

Mr. SHADEGG. Let the record reflect that each of the witnesses answered in the affirmative. I thank you each for being here today and for having prepared testimony for the panel. We appreciate all of your efforts and look forward to both your testimony and your answers to our questions.

Colonel Mahon, can we begin with you?

**STATEMENTS OF COL. ALEX MAHON, COUNTERDRUG COORDINATOR, ARIZONA NATIONAL GUARD JOINT COUNTER-NARCOTICS TASK FORCE; DANIEL G. SHARP, ASSISTANT CHIEF, TUCSON POLICE DEPARTMENT; BRUCE J. GEBHARDT, SPECIAL AGENT IN CHARGE, FEDERAL BUREAU OF INVESTIGATIONS, PHOENIX; JOHN HOWE, ASSISTANT SPECIAL AGENT IN CHARGE, U.S. CUSTOMS SERVICE; AND THOMAS RAFFANELLO, ASSISTANT SPECIAL AGENT IN CHARGE, DRUG ENFORCEMENT ADMINISTRATION, PHOENIX, AZ**

Colonel MAHON. Thank you, Congressman Shadegg, Congressman Souder. I am Col. Alex Mahon of the Arizona Air National Guard.

I am the director of the Arizona National Guard Joint Counter Narcotics Task Force, a group of 230 full-time active duty Guardsmen who provide support services to the Federal, State, and local law enforcement agencies in Arizona, particularly in the area of drug law enforcement, interdiction, and investigations; things of that nature.

We also have a substantial portion of our members that are involved in the demand reduction arena, providing assistance in com-

munity mobilization and working with antidrug coalitions to assist the nonlaw enforcement community in the effort.

I am also Arizona's Director of Methamphetamine Control Strategy and, in that role, I was responsible for trying to put together a uniform strategy for Arizona on how we're going to deal with the developing growth of methamphetamine in Arizona.

My personal background includes not only my military experience but, back quite a few years ago, I was a special agent with the Drug Enforcement Administration in Detroit and I spent 8 or 9 years on the street in Detroit dealing with the narcotics problems back in the 1970's, so I bring that perspective to the hearing today.

I bring the perspective of the director of the National Guard Counterdrug Task Force that's been involved in that issue and, of course, over the years, I bring the perspective of a citizen.

So a lot of the things that I'm going to be talking about today, in fact some of the things that I think are very, very important points, are borne more out of my experience as a citizen that has watched this issue develop over the years, with a very, very interested and perhaps a little bit more focused eye than some.

I would like to cover four issues today. The first thing I would like to talk about is the National Guard of the United States, and that includes the National Guards of all the other States and the territories.

I think it should be clear to the panel and those that have watched the development of the National Guard since 1989 in the counterdrug arena to realize that the National Guard is performing a very, very large function. At any given day, we have 3,700 full-time, active duty people who are bringing extraordinary military-related skills to the counterdrug arena, especially those skills that work with the law enforcement agencies.

One of the big things we bring is our cost effectiveness. Generally the active duty military forces that are being used in the areas of intelligence analysis, case support, special operations, aviation support, transportation, and things of that nature are bringing unique military skills to the arena, especially along the Southwest border, which is a very, very—in many cases—very forbidding territory.

Quite frankly, in some of those arenas, if our folks weren't out there on a daily basis digging into these remote listening posts and observations posts, it's the kind of work that would be very, very difficult to go ahead and duplicate. We need your continued support in that regard, and I'll make a little bit of a pitch at this point.

Over the course of the last years, since 1989, the funding for the National Guard program has been up and down and 1993 was probably a very high year with that funding, and then it almost took a nosedive. I want to thank the panel and the rest of Congress for this year giving us the kind of financial support that we need nationwide for the National Guard to continue to perform the services that have become critical to the law enforcement agencies that we serve.

The Arizona National Guard is a microcosm of the larger National Guard, the U.S. National Guard. As has been pointed out by Congressman Souder, Arizona is a transit zone and, even though we are a State agency and under the command and control of the Governor and the State authorities, we are essentially performing

a Federal mission, especially in the interdiction arena and the investigative analysis arena, where we assist in those investigations that target the major traffickers and major smugglers.

Incidentally, right now I am anticipating a 200-percent increase in our support to the border here in Arizona, which I think, given the goals that I just reviewed, was part of the representative from U.S. Customs testimony. I think we are going to see a very large increase in Arizona as far as our participation in the interdiction arena.

Today, as we will see, when we go down to the border area there, we will be showing you certain areas, and you'll see exactly how porous this border is, and how it's almost impossible in a lot of areas to go ahead and stop the drug trafficking. The physical barriers just aren't there.

As far as the meth strategy is concerned, there's five goals. Two of them basically go to making methamphetamine unavailable, whether it's finished product coming from Mexico and from southern California or whether it's to stop the clandestine laboratories that are popping up all over Arizona.

These are primarily law enforcement oriented-type goals and I'll tell you quite frankly, the law enforcement agencies in Arizona, the Federal, State, and local agencies are virtually doing everything they can to go ahead and affect that problem. I'm not sure that there's much more that could be done that isn't already being done. That's the bad news.

The good news is, implicit in that, is that those people arrayed against it are working very, very hard.

The key element, I think, in the methamphetamine strategy, though, is going to be awareness. I would like to make some key points here, and it has been brought up in the earlier panels. To me, awareness is a key.

America absolutely lacks the will to defeat drugs. I think that that cannot be said loud and clear enough. The drug problem has been trivialized; interest is down. The mere fact that there is just a very, very limited representation from the media today tells me that the media is no longer interested. To them, drugs is a shop-worn issue, and I think that's evidenced by their lack of interest in today's proceedings.

I think we have to create the will to defeat drugs because I think we can, if we do create that will. How? I hate to say that this is a cure, but I think there are methods to change the attitudes and the behavior.

The first thing we have to do is tap into the professional advertising arena, and don't do it with our hats in our hands asking for free, pro bono services from the media networks and so on and so forth.

Of that \$15-plus-billion, we're going to have to add some more money to that. We're going to have to pay hard, cold cash. We're going to have to go to Madison Avenue. We're going to have to use them, ask them to use and pay for them to use the creative and persuasive powers that they possess to change attitudes in America.

When they change attitudes in America, they will begin to change the behavior and when the behavior of America stops be-

coming so susceptible to the scourge of drug use, then we will see some progress.

As was said before, you have to target specific audiences. These aren't generic messages you can just throw out there. You've got to appeal to the 7th and 8th graders, the 10th and 12th graders.

Statistics show that 75 percent of all drug users are employed. Implicitly, they are 17, 18 years old and above. Methamphetamine users, the largest demographic group of methamphetamine users are 17 to 34 years old. Clearly, there is a demographic group that has to be reached through the media.

We have to go prime time. When was the last time anyone saw a major public service drug announcement bracketing the Super Bowl? If we continue to put these messages on the back page of the newspaper, play them at 2 a.m., when no one is watching, nothing will ever be done.

Lots of messages for lots of years. I'm talking about a long-term program. A suggestion I made to General McCaffrey, the director of ONDCP, is not to decrease the \$15.2 billion presently being spent by the United States in the drug arena. You need that money to hold the line, just to keep the problem from getting worse. Continue to work on the interdiction/investigative arena and the treatment arena. It's to add substantial amounts of money. My suggestion was \$2 to \$5 billion.

Partnership For a Drug-Free America in 1992 had almost \$400 million spent in pro bono. If we 10 times that, we may begin to reach the people themselves, and I think law enforcement members here and other law enforcement people I talk to are the first to admit law enforcement cannot do it.

We have to decrease the demand for drugs. We have to make drugs the hottest topic in America. We have to change attitudes. When we change those attitudes, we'll change that behavior.

Thank you for your attention.

[The prepared statement of Colonel Mahon follows:]



COLONEL ALEXANDER T. MAHON  
Arizona Air National Guard

Colonel "Alex" Mahon is the Counterdrug Coordinator of the Arizona National Guard's Joint Counter Narcotics Task Force (JCNTF). In this capacity he directs and manages all activities of the 250-person, self-contained JCNTF, which provides a broad array of military support services to approximately seventy-five of Arizona's key federal, state, and local drug law enforcement agencies. Additionally, the JCNTF is a major collaborator with many of Arizona's key demand reduction coalitions. Colonel Mahon is also Arizona's Director of Methamphetamine Control Strategy, and in that capacity is responsible for the development and execution of a state-wide strategy designed to reverse the explosive growth of illicit methamphetamine manufacturing, trafficking, and use in Arizona.

Colonel Mahon has over thirty years of military service in the Active, Reserve, and National Guard components of the U.S. Air Force. His duties have included financial/organizational management, air defense alert detachment pilot, weapons and tactics instructor, instructor pilot, and squadron commander. He has over 3,500 hours in fighter aircraft, and his last flying assignment was as the Executive Officer of the Air National Guard's largest fighter wing (162nd Fighter Wing, Arizona Air National Guard).

Colonel Mahon also has a broad background in civilian endeavors, to include corporate/insurance financial management, federal law enforcement, the practice of trial law, and teaching at the university level. As a special agent with both the Justice and Treasury Departments, Colonel Mahon served in the Detroit, Michigan offices of the Bureau of Narcotics and Dangerous Drugs (BNDD, predecessor agency to DEA; 1970-1972), I.R.S. - Criminal Investigations Division (1972-1974), and the Drug Enforcement Administration (DEA; 1974-1979). Colonel Mahon practiced trial law from 1982 to 1988, and taught law and law-related subjects at both the undergraduate and graduate levels (1993-1995).

Colonel Mahon was born in Brooklyn, New York in 1944, and has bachelor's (economics), master's (management), and law degrees. He has also completed numerous programs of advanced study in military and governmental management, and is a graduate of the National Defense University's National Security Management program.



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**TESTIMONY BEFORE THE SUBCOMMITTEE ON NATIONAL  
SECURITY, INTERNATIONAL AFFAIRS AND CRIMINAL JUSTICE**

**OCTOBER 10, 1996**

**PHOENIX, ARIZONA**

Congressman Shadegg and members of the Subcommittee, I am Colonel Alex Mahon of the Arizona Air National Guard. I am appearing before you today in two capacities; one, I am the director of the Arizona National Guard Joint Counter Narcotics Task Force (JCNTF). The JCNTF is a full-time active duty force of 230 Arizona Guardsmen who support Arizona's drug law enforcement agencies and demand reduction coalitions by performing complex services that draw on our military skills and experience. My second role is that of Arizona's governor-appointed Director of Methamphetamine Control Strategy.

My personal background in the counterdrug arena goes back to the 1970s. As a Special Agent with Justice and Treasury Department drug and drug-related law enforcement agencies in Detroit, Michigan, from 1970 to 1979, I developed a broad and deep perspective about America's drug problem. As a career military officer in the active and reserve components, I understand how military assets, especially skilled and dedicated people, can be employed in the counterdrug arena. And most recently, in the dual roles I previously mentioned, I have personally witnessed the immense value of the military's contributions to the counterdrug effort.

While I could discuss many things about America's and Arizona's drug problems, I will focus today on four issues:

- The U.S. National Guards' overall impact on America's drug problem;
- The Arizona National Guard's impact on Arizona's drug problem;
- Arizona's Methamphetamine Control Strategy;
- and
- "America's Drug War: Where It Went Wrong"

The U.S. National Guard's overall impact on America's drug problem. On any given day, the National Guards of the United States have almost 3,700 military personnel on active duty supporting America's federal, state, and local drug law enforcement agencies and thousands of demand reduction/prevention organizations. Our activities include:

- Intelligence Analysis
- Case Support
- Cargo Inspection
- Aerial and Ground Reconnaissance
- Communications Support
- Aviation and Ground Transportation
- Foreign Language Translation
- Ground-Based Radar Surveillance
- And many more varied support services.

Since 1989 we have accepted increasingly important and complex roles in combating drugs. We have become extremely important to the governmental agencies and communities we serve, and have developed broad-based expertise in many important areas. We bring many critical skills to the fight; skills that would not be there if we weren't. We are energetic and dedicated full partners in the counterdrug communities. In too many cases, if National Guard support was to cease, those organizations we serve would be dead in the water. And yet in some quarters we're still treated like unwanted stepchildren for whom tablescraps are good enough. It was not until the recently passed Defense budget that the Congress demonstrated for all to see that the National Guard is a key player in the anti-drug effort, and for that we are grateful. But this level of support must continue. Over time we have become a national counterdrug asset that must be preserved. I don't make this up - this is what our partners tell us. The National Guard must be considered a key player in the National Drug Control Strategy and be included in the action plans that evolve from that strategy. We are effective and we are respected. We are, in a word, engaged.

The Arizona National Guard's impact on Arizona's drug problem. We are a microcosm of the nation-wide National Guard I just described, but more so. We have to be - we're on the front lines. Because of Arizona's geographic location, we are a gateway state - through Arizona flow the drugs that choke Chicago, St. Louis, Bangor, and all the rest. Yes, we are a state organization under state authority and state command and control, but we are federally-funded and perform a largely federal mission. We energetically and professionally execute our mission of helping to stop drugs at our border with Mexico or before the drugs can escape Arizona

and be channeled to the rest of America. We are proud to serve the citizens of Arizona and all of America. We ask only one thing - continue to let us serve. Continue to support us philosophically and financially. This is our Arizona. This is our America. This is our problem. As part of the best and the brightest, the Arizona National Guard is a critical element of the cure for the drug ailment that affects us all.

Arizona's Methamphetamine Control Strategy. Arizona is being inundated by methamphetamine from Mexico and Southern California. Methamphetamine laboratories are popping up everywhere. Crime, violence, and death that can be directly attributed to methamphetamine use is increasing astronomically. We have seen what happened in California, and we are scared. Our governor, in an attempt to head-off the problem early, directed me to develop a methamphetamine control strategy that would harness and focus Arizona's anti-methamphetamine effort. The success of the strategy is up in the air - it is way to early to tell. We have accomplished much, but so much more must yet be done. We are hopeful, but only time, years, will tell. The strategy has five goals:

1. To stop finished-product methamphetamine from entering Arizona.
2. To eliminate the clandestine manufacture of methamphetamine in Arizona.
3. To make all Arizonans extremely aware of the harm caused by methamphetamine, and to have them actively join in the anti-methamphetamine campaign.
4. To convince all vulnerable user-groups to reject the use of methamphetamine.
5. To maximize the effectiveness and availability of methamphetamine treatment programs.

The five broad strategic goals are to be achieved by the successful accomplishment of a series of detailed tactical objectives and action directives. More details are included in the attachments to this written testimony.

After some disappointment, and much consideration, it became clear that goal three, public awareness and action, must be the centerpiece of Arizona's strategy - we must create the WILL of Arizonans to defeat methamphetamine. Consequently, the lion's share of our efforts have been dedicated to creating a level of awareness that inspires anti-methamphetamine action.

"America's Drug War: Where It Went Wrong". I do not believe that any grand flaws lie in the interdiction, investigative, or therapeutic arenas. I believe the failure lies in an ineffective prevention effort. We failed to create and nurture the societal WILL to defeat drugs. We complain. We fret. We fear. We blame. We excuse. We pay to see movies that glamorize drug use. We laugh with Jay Leno when he trivializes drug use by joking about it. We politicize it when convenient. We engage in blissful denial when we know our friends or family are involved in it. We pass off our responsibilities to the professionals so we don't have to be inconvenienced by it. We as a society are NOT ENGAGED in defeating drugs. We lack the national WILL to do so.

My cure? Pretend that a drug-free America is a commodity we wish to sell to a disinterested market. Hire the pros that can switch consumers from Pepsi to Coke (and back again); that can convince an already debt-burdened consumer that he must have that expensive new car; that can sell "pet rocks", etc. America's advertising industry changes America's behavior for a living, and they are very successful at it. Harness those creative powers and the persuasive skills to CREATE the WILL to defeat drugs!

To those that will say we have tried it, I say no, we haven't. Begging the media to give free airtime or page space to sometimes very amateurish public service presentations is not a legitimate attempt. Free airtime or page space is worth the price paid. It's free because no one else wants to pay for it. And no one will pay for it because consumers won't watch, listen, or read messages that play between test patterns at 2:00 a.m., or are tucked away in that part of the newspaper that is good for nothing more than lining the kitty-litter box.

Scenario: A superbly-produced message that captures the eye and the attention of T.V. viewers. A message that is so powerful that it changes the attitudes, and ultimately the behavior, of the viewers. Play it during specific times that will be seen by scientifically-targeted demographic populations. Individual messages for individually targeted populations. Prime-time broadcasts. Hundreds of behavior-changing messages played thousands of times each day. For years. CREATE the WILL to defeat drugs!

The projected FY '97 federal counterdrug budget exceeds \$15 billion dollars. The funded programs are required just to "keep the wolf away from the door", and cannot be diverted to a sustained media effort of the magnitude I am suggesting. How much additional money would be required? Two \$ billion per year? Five \$ billion? Big money. But cheap if it works, and I genuinely believe it will.

Effective drug interdiction is a critical part of the solution, as are investigations that target drug trafficking organizations. Therapeutic programs that attend to the victims of failed circumstances are equally necessary. But as long as people want drugs, somehow they'll get them - they'll buy, steal, invent, and produce them. Only when awareness and education dry up the drug-consuming markets upon which the drug lords feed, will America's drug problem be cured. There will be no prevention of drug use until we POSSESS the WILL. The creative use of media assets can CREATE the WILL.

I want to thank the members of the Subcommittee for the opportunity to address you this morning, and I would be pleased to respond to any questions you may have.

Mr. SHADEGG. Thank you very much. Assistant Chief Sharp.

Mr. SHARP. Congressman Shadegg, Congressman Souder, I would like to thank you for inviting me here today. It's certainly a pleasure to be able to represent Chief Doug Smith of the Tucson Police Department in addressing this subcommittee.

Just a little bit about me. I was born and raised in Arizona. I'm a fourth generation Arizonan. I've been a member of the Tucson Police Department for 18 years, in most of the ranks. I've held every type assignment—

Mr. SHADEGG. Chief Sharp, maybe you need to pull that microphone a little bit closer. I can't quite hear you.

Mr. SHARP. OK. Is that better? OK. I've been in virtually every assignment in the Police Department and have seen many, many changes over the years. I've seen what drugs have done, not only professionally but also personally, with people I've known, careers that have been lost, and lives that have been lost, as a result of it.

I have four children. I'm very committed to making the State of Arizona a safe place, making the city of Tucson a safe place to raise my children.

I want to just address a few things that I feel might help, some of the things that could be done that might help to continue some of the efforts and to make us more successful as we battle the problems and the violence related to drugs and drug trafficking as they relate to this country and specifically to Tucson and the State of Arizona.

In the area of interdiction, I feel that the Government needs to change the balance to shift resources back to interdiction. I think interdiction is a real key. Stopping or even just further slowing the drugs into this country is one of the most effective tactics available.

If we restrict the access of drugs into this country, we're going to drive the price up. Driving the price up will provide an incentive for those people that are interested to get treatment and will also act as a disincentive to keep people from getting involved with drugs at all.

Right now, we're only paying lip service to the interdiction effort. Currently, the estimate is that we're doing full inspection of about 1 percent of commercial vehicles crossing into the United States from Mexico. It's certainly not a deterrent effect. It's naive to think that our patchwork surveillance of the southern border is effective at slowing the flow of drugs into the country.

Possible alternatives, and some of the things that I believe Colonel Mahon has already spoken of, is use of the military along the border, augmenting border inspections in all regions, and not just concentrating on what is hot at the moment.

The drug organizations that we deal with have shown that they are able to adapt quickly and to shift their efforts to wherever the areas appear to be soft. They are well financed and they don't have any rules to play by. They don't have to worry about getting the oversight groups to give them permission to change or do anything. They just react, and so we have to be in a position to react with them.

I also feel that there should be a strategic plan in place for the Nation's drug efforts. What we have now is a plan that is more ef-

fort at just dividing the pie and getting the moneys out to the different agencies that are there without a consolidated, coordinated approach. We need to have a common goal. We need to have a common vision, and we need to strive toward that vision.

Our efforts should be quantified. We should have strict performance measures and we should be held accountable for those performance measures with an evaluation process to see how we're doing and make sure that we are on the right track.

I also feel that these plans should be developed with local law enforcement agencies where the needs are known in the specific areas, not in Washington where there is a tendency to be more of generalists in response, and respond to what the people that work for me refer to as the "drug of the day" and then dictate to all regions that we will take a particular enforcement approach. What may be a problem in one city is not necessarily a problem in another city.

Along those same lines, we need to have better coordination among Federal agencies and also between the Federal agency and State and local agencies.

I'm very pleased, because of the coordination that occurs here in Arizona, and a lot of that has to do with the personalities and the people sitting up here. But that can change as people change and, if we have that as part of the strategic planning process, I think that coordination will be institutionalized and it will work better.

Right now, there doesn't seem to be anything that appears to speak to the need for a national plan and something that will institutionalize that type of cooperation.

Finally, I think we need to take a consistent stand on drugs. We can't be expected to stem the flow of drugs without substantial commitments from the countries where these gatekeepers reside. The point where the drugs transition from the distribution to the use has to be interdicted and that's where we need to concentrate a lot of our efforts.

We can't allow the view of these other countries, where the distribution points are the transition to move into the country to take the view that it's our problem and not theirs.

We made progress in working with countries involved in production and distribution of illicit drugs. I feel we have to strengthen these commitments and hold these governments accountable for their efforts. Words absent action are just rhetoric, and I feel that we need to do more in that particular area.

Thank you.

[The prepared statement of Mr. Sharp follows:]



TESTIMONY BEFORE THE SUBCOMMITTEE ON NATIONAL  
SECURITY, INTERNATIONAL AFFAIRS AND CRIMINAL JUSTICE

OCTOBER 10, 1996

PHOENIX, ARIZONA

1. Interdiction - The government needs to change the balance and shift resources back to interdiction. Stopping or even just further slowing the flow of drugs into this country is the most effective tactic available. Restricting access to this country drives up the price of drugs which provides incentives for people to get treatment and disincentives for people to get involved with drugs at all. What we are doing now is merely paying lip service to the interdiction effort. Inspecting 1% of the commercial vehicles crossing into the US from Mexico is not an effective deterrent. It is naive to think that our patchwork surveillance of the southern border is in anyway effectively stopping the flow of drugs.

Possible alternatives are greater use of the military along the border and augmenting border inspections in all regions. We cannot just concentrate on what's hot at the moment...drug organizations

have shown that they can adapt quickly and shift their efforts to whatever area appears to be soft.

2. Strategic Plan - There needs to be a strategic plan for the nation's drug effort. What we have now is a plan that seems to be more an effort at dividing the pie among federal agencies and not at a specific goal. In other words, our perspective is that they take the resources available and each federal agency is given a specific mission but those missions don't necessarily result in a coordinated effort towards a common goal. We need a coherent national strategy and specific strategic plans for each region of the country. Those plans need to be developed with local law enforcement agencies, where the needs of the area are known, instead of in Washington, DC where there is a tendency to respond to the drug of the day and then dictate that all regions of the country spend their money on efforts linked to that drug. While meth may be a problem in City A, it may not be a problem in City B.

Along the same lines, there needs to be better coordination among federal agencies and between federal agencies and state and local agencies. For the most part the level of cooperation now is superficial. While they talk cooperation, it usually amounts to give the federal government your resources and we'll work on the problem. There does not seem to be any genuine interest in working with local agencies.

3. Take a consistent stand on drugs - The United States cannot be expected to stem the flow of drugs without substantial commitments from the countries where the "gate keepers" reside. The point where the drugs transition from distribution to use must be interdicted. We cannot allow their view to be that it's our problem not theirs. We have made progress in working with countries involved in the production and distribution of illicit drugs. We must strengthen these commitments and hold these governments accountable for their efforts. Words absent action are just rhetoric.

Submitted by:

Daniel G. Sharp, Assistant Chief of Police  
Tucson Police Department

Mr. SHADEGG. Thank you very much. Special Agent Gebhardt.

Mr. GEBHARDT. Congressman Shadegg and Congressman Souder, it's an honor for me to be here to represent the Arizona FBI contingent, and I appreciate this invitation. I prepared a statement for you before, and respectfully request that it be submitted for the record.

I've been an FBI agent for 22 years and I've been in the State of Arizona for 1, having come here from the State of New Jersey.

I think it's important to understand the FBI's role in drug investigations and I'm sure both of you are aware, but your audience is not, and I would rather put that in the context of our overall mission so that they have a better understanding of what the FBI does.

As you are aware, our mission in the FBI is to investigate violations of over 270 Federal criminal laws, also to protect the United States from foreign intelligence efforts and to provide training, as well as technical and laboratory support for State, local, and Federal police agencies.

We have five major priorities, and I'm going to discuss drugs and organized crime as the last priority.

One of our priorities is counterterrorism, both domestic and international. Whether the terrorist act has its roots in the United States or its roots in foreign soil, the FBI is the lead agency in this jurisdiction. However, we are starting to see a lot of drugs in the domestic terrorism groups in the State of Arizona.

Another one of our priorities is foreign counterintelligence. By Presidential order and by enactments by Congress, the FBI is the lead agency in conducting and coordinating counterintelligence investigations and operations in the United States in order to identify and neutralize the foreign intelligence services that are operating here on our soil.

Another one of our priorities is violent crimes. The FBI plays a critical role in the coordination with State and local law enforcement agencies. Our partnership with these agencies in safe streets task forces, gang task forces, fugitive task forces, as well as here in the State of Arizona, our safe trails task forces on Indian lands, allows us to bring the full range of Federal tools to pursue violent crimes.

Financial crimes is another one of our priorities. This is one of the FBI's largest programs because of the expansive arena in the white collar crime area throughout the United States and in the State of Arizona.

We are concentrating our resources on fraud in the areas of health care, telemarketing, insurance, bankruptcy frauds, financial institution frauds, as well as corruption, public corruption, crimes that are computer related, and environmental crimes.

One of our other major priorities is organized crime and drugs. The FBI's objective in this priority program is to target the major enterprises who are engaged in a pattern of criminal activity. Organizations such as La Cosa Nostra, Russian organized crime, Asian organized crime, as well as the drug cartels, both Colombian and Mexican, continue to pose a major threat to the United States.

To address all of these five priority program areas successfully, the FBI engages in a coordinated investigative strategy and infor-

mation sharing with other Federal, State, local, and foreign law enforcement agencies.

A prime example of our strategy here in Arizona is what we refer to as our Southwest Border Strategy, and that is a strategy that has been created between the FBI and DEA. This strategy targets four core Mexican criminal enterprises that are primarily responsible for transporting, I've heard, 80 percent of the illegal drugs along the southwest border.

The strategy requires extensive use of title 3 court authorized wiretaps to identify and analyze the sophisticated communications systems used by the command and control structures of these Mexican drug organizations. Through long-term investigations, this DEA-FBI strategy is designed to disrupt and dismantle the Mexican drug organizations.

It's extremely important to note that there is more than just a drug problem in the United States. We find here in the State of Arizona, and you will find in the State of Indiana and elsewhere that drugs is interrelated with corruption.

In the State of Arizona, drugs is interrelated with a great deal of kidnapping. Drugs in Indiana, as well as Arizona, are interrelated with violent crimes. The police departments see it daily, in terms of drugs. It's not just a war on drugs, it is a war on crimes in general, and drugs are interrelated with this. The FBI, in coordination and cooperation with the other agencies, is trying to address these areas.

Solutions. The war on drugs is not the sole responsibility of law enforcement, and sometimes I get tired of hearing that. Law enforcement does play a role in the war on drugs.

Continued dialog by Congress and this government is necessary with the other governments outside the United States—the Government of Mexico and the South American Governments. We need to form some sort of strategy and plan with the other governments.

Continued recognition and appropriation from the legislative and executive branch is important to all of us at this table in the State of Arizona. Legislation is not a solution when you're confronted with these misguided voices who are currently being heard in the State of Arizona.

Yesterday, we had a press conference where all of us were together, along with 15 other law enforcement and community agencies. It was fairly well attended by the media. Section 2 of today's paper is where it appeared—and this is a major problem in the United States, Section 2—and I'm not sure I even saw it in the media last night on television.

As long as there is a demand, I will repeat to the audience, as long as there is a demand for drugs in the State of Arizona, there are going to be suppliers. I wish this room was filled with all students, instead of a few empty chairs.

My success in life has been that I've raised two boys who do not use drugs. My failure in life is that, an FBI agent, when I talk to students, sometimes they do not hear me. They listen, they don't want to hear of the dangers of drugs.

Just in conclusion, gentlemen, in the State of Arizona, in all of our priorities in the FBI, we have declared drugs as our No. 1 priority.

I firmly believe, and all the agents in the State of Arizona, of which I have approximately 180 working all the violations, that illegal drugs are tearing apart our society. They're pitting children against parents, students against teachers, citizens against police, and common sense, in my opinion, as a citizen, has been thrown out the window.

There is no doubt that the drug organizations have a stranglehold on this society. If the American people truly want law enforcement to be effective in breaking this hold, then we have to work together. Please don't rely on law enforcement to solve the drug problem.

I want to thank the members of the committee for holding this forum at a high school. It is vitally important that we get the word to generations of kids, generation over generation over generation, in order to break this stranglehold. Thank you very much.

[The prepared statement of Mr. Gebhardt follows:]

U.S. Department of Justice



Federal Bureau of Investigation

In Reply, Please Refer to  
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Phoenix, Arizona 85012

October 10, 1996

Mr. Chairman and distinguished members of the Subcommittee, thank you for inviting me today. My name is Bruce J. Gebhardt. I am honored to be here to represent the FBI in the State of Arizona, and to participate in this forum on a subject matter of concern to many. This law enforcement panel represents a broad base effort in the fight against drug traffickers in the local, state, national and international arena.

As the Special Agent in Charge of the Phoenix Division of the FBI, I would like to address my remarks regarding our role in the fight against drugs and the related violence associated with the drug world. The FBI as you are already aware, has a broad investigative mission that ranges from White Collar Crime, Domestic and International Terrorism, Violent Crimes, Organized Crime and Drugs. The FBI also provides training and technical and laboratory support to local, state and other federal law enforcement agencies.

The State of Arizona is no different than any other state in regards to its crime problems and the tools it needs to address these concerns. Kidnapings, extortions, property crimes, auto thefts, corruption, violent crimes, gangs, all have a significant effect on the quality of life in Arizona today. An underlying element in all of these criminal activities appears to be illegal drugs.

The Phoenix Division of the FBI has designated Drug Trafficking as our Number One priority and in coordination with DEA, we have created a Southwest Border Drug Strategy. The strategy is designed to disrupt and dismantle Mexican Drug Trafficking Organizations through long term investigations targeting the command and control structures of these groups. Part of our drug strategy is to use sophisticated techniques to gather evidence against the criminal leadership. In the State of Arizona, we are currently utilizing:

- 1 - Court-authorized electronic surveillances
- 2 - Undercover operations
- 3 - Informants and cooperative witnesses
- 4 - Advanced technical tracking and surveillance equipment
- 5 - Broad computerized data bases to allow for the collection and analysis of information

Our strategy however, cannot be successful without a coordinated investigative effort which includes the sharing of information with other Federal, state and local agencies. I have found that cooperation and coordination at all levels of law enforcement in the drug enforcement arena in Arizona is outstanding. Ten years ago we fought the war on drugs in the Caribbean, with an armada of ships, extensive aerial coverage and a significant commitment of human resources. These efforts made a difference. Unfortunately, the battleground has now shifted from the sea to the desert. Now because of the huge geographical area to be covered, the need for a coordinated, multi-agency effort is even more important. We must attack on all fronts - from interdiction to education.

Closely tied to the drug trafficking crime problem is public corruption on both sides of the border. Corruption is promoted through a combination of intimidation and violence as well as substantial monetary rewards. The FBI believes that drug-related corruption is well-organized, well-managed and a deliberate effort on the part of the Mexican drug trafficking organizations to cripple the law enforcement entities charged with drug investigations and interdiction. Until all sources of public corruption are fully identified, targeted and eliminated, drug trafficking in Arizona will continue at the discretion of the traffickers. Therefore, one of our priorities has been to gather intelligence regarding drug-related corruption. An analysis of this intelligence has been instrumental in the predication of drug-related corruption cases. Corruption facilitates the flow of drugs. However, the elimination of corruption will not necessarily stop drug shipments into and through Arizona.

Millions of cars, trucks and people enter the United States along the Southwest Border every year. Most enter for legitimate reasons, but many are drug couriers or traffickers working for the Mexican drug organizations. This places a significant burden on the U. S. Border Patrol, U. S. Customs and INS, as well as local law enforcement agencies along the border.

Sporadic, widespread and increasingly violent criminal acts perpetrated by gangs have become an ever-broadening burden for the FBI and Arizona Law Enforcement. The FBI Gang Task Force in Phoenix, and a multi-agency initiative soon to be started in Tucson will target the gangs and their criminal activities including drug trafficking, property crimes, armed robberies, homicides and drive-by shootings.

Closely associated with drug trafficking is the increasing problem of kidnaping. Drug criminal enterprises use kidnapings to obtain ransoms, intimidate rival criminal groups for revenge, or as threats to control individuals. The FBI works closely with other law enforcement agencies as well as Mexican authorities to resolve these matters as quickly and safely as possible.

The FBI recognizes that Arizona is a significant gateway for the smuggling of illicit drugs into the United States. Drugs such as heroin, cocaine, marijuana and methamphetamine continue to be transported from various points in Mexico into Arizona through a variety of means. Every effort is being made by all agencies at all levels to stop the flow of drugs. Unfortunately, the United States has an insatiable appetite for illegal drugs. The profit margin is great. Consequently, the law of supply and demand continues to ensure a profitable business for the drug traffickers.



\* Law enforcement is only part of the solution:

The United States Government needs to continue a positive dialogue with the Government of Mexico and other countries in an effort to create a partnership to disrupt and dismantle the drug organizations. Without the full support of other countries, especially Mexico, our job will be that much more difficult - if not impossible.

\* Law enforcement is only part of the solution:

The Legislative and Executive branches of our Government last week approved substantial appropriations for most, if not all, Federal agencies involved in the drug effort. This will go a long way in achieving our goals to combat drug trafficking. The continued support of this Committee and others will be greatly appreciated. Especially important to all law enforcement is the \$60 million appropriated for the digital telephony effort. Without court-authorized electronic surveillance, our efforts in the fight against drugs as well as other criminal activity will be next to impossible to address effectively. While \$60 million is a start, continued Congressional support for full funding of the \$500 million authorized by the Communication Assistance for Law Enforcement Act is needed. Without full funding to bring about urgently needed modifications to telecommunications technology, law enforcement's court-authorized electronic surveillance efforts will continue to be hampered by existing technological impediments.

\* Law enforcement is only part of the solution:

Legalization of drugs will never be the solution in spite of what some believe or want others to believe. Drugs are slowly destroying our society and more ready access to illegal drugs will only hasten our demise. In good conscience, we cannot support legalization of drugs, for doing so will ensure an environment far worse for our children and grandchildren. A few misguided voices are getting louder and louder while the majority remain silent. We cannot allow a few to dictate the future of our children.

\* Law enforcement is only part of the solution:

Supply and demand is a basic tenet of economics. The demand for drugs must be reduced through education. Education begins by our example; it must extend to the family, to the schools, and throughout our society. The FBI's Drug Demand Reduction Program, the police DARE Program and many other agency programs are important educational tools for law enforcement to get the message to school age children. More programs are needed, at all levels, to change attitudes about drugs and related violence. Until we as a society learn to resist the temptation of drugs, and reduce, if not eliminate demand, the drug lords will continue to supply the drugs and profit from this illicit enterprise.

\* Conclusion

The FBI in Arizona has declared drugs as the Number One priority for a reason. Illegal drugs are tearing apart our society by pitting children against parents, students against teachers, citizens against police, and common sense has been discarded. There is no doubt that the drug organizations have a strangle hold on American society.

If the American people truly want law enforcement to be effective in breaking this hold, we must all work together.

I want to thank the members of the Subcommittee for giving me the opportunity to appear before you today, and I would be pleased to respond to your questions.

Mr. SHADEGG. Thank you. Special Agent Howe.

Mr. HOWE. Thank you, Congressman Shadegg and Congressman Souder. It's a pleasure to be here today to discuss Customs' role in drug interdiction. With your permission, I would like to summarize my statement and ask that my full written statement be entered into the record.

I've been a Treasury agent for 20 years, and this is my second tour in Arizona. As you know, the Customs Service is responsible for the interdiction of drugs at the Nation's border. Narcotics enforcement is one of the most difficult jobs in law enforcement. Narcotics interdiction is one of the most difficult and dangerous jobs in drug enforcement.

Locally, the Customs Service operates throughout Arizona, a State which shares an international border with the Republic of Mexico. The border stretches 360 miles, from New Mexico to California, and Arizona encompasses more than 100,000 square miles. We have six land ports of entry and two international airports of entry in Arizona.

The Customs Service's enforcement contingent is comprised of approximately 480 personnel—special agents, pilots, air interdiction officers, custom patrol officers, inspectors, and canine officers. The Services Office of the special agent in charge is located in Tucson and we have satellite offices in Douglas, Nogales, Phoenix, Sells, and Yuma.

The main thrust of these investigative offices is drug smuggling and drug interdiction. In Arizona, Customs is actively involved in 8 HIDTA task forces working closely with more than 50 other Federal, State, and local enforcement agencies on its drug enforcement mission.

Our Arizona drug strategy is a direct reflection of the Customs national strategy. Nationally, and in partnership with the Office of National Drug Control Policy, DEA, FBI, Border Patrol, Coast Guard, National Guard, and numerous other enforcement agencies representing every level of Government, Customs has made a long-term commitment to narcotics enforcement. Customs has maintained this commitment.

We believe we have made significant progress in the drug interdiction effort. At the same time, we recognize that drug interdiction is a never-ending task and that drug trafficking, drug abuse, and drug-related crimes remain at unacceptably high levels throughout the Nation.

The Customs Service has accomplished a striking achievement with the interdiction of cocaine and heroin between 1985 and 1995. The total amount of narcotics seized in those years by Customs is staggering—in excess of 1.5 million pounds of cocaine and in excess of 19,000 pounds of heroin.

These figures reflect the excellent and continuous work of the men and women of the Customs Service in frustrating the narcotics industry's ever shifting and sometimes overwhelming attempts to get their products to American streets.

Skeptics respond to these numbers by arguing that drug use has not changed appreciably and that the volume of drugs entering our borders continues to be very high. They sometimes draw the conclusion that drug interdiction is a fruitless endeavor. We strongly

disagree. We believe that if we recognize and learn from our shortcomings and build upon our successes, Customs can be more effective in its drug enforcement mission.

To put it bluntly, drug trafficking and drug abuse statistics persuade us that we should give even more of an effort, not that we should abandon our efforts.

Now that the Southwest border has emerged as a primary entry point for cocaine into the U.S., Customs, along with other law enforcement agencies, is strengthening its enforcement capabilities along our international border. The border is almost 2,000 miles long.

In 1995, 2.8 million trucks, 84 million cars, 232 million people crossed our southwest border through 38 ports of entry. These numbers are so staggering that, if every container that crossed the southwest border contained only one kilo of cocaine, you could meet the annual estimated demand of cocaine use in this country for 6 years.

Consider the problem our inspectors face as cocaine gets broken down into smaller and smaller shipments. Our big load strategy is causing traffickers to reduce load size. Multi-ton seizures have hurt the traffickers. Customs has not only forced them to move west, we have forced them to reduce the size of their shipments.

Briefly, the current situation on the southwest border from an interdiction standpoint is this. Customs is maintaining its air superiority at our borders, despite recent budgetary reductions. The Customs air program continues to maintain a reduced but effective fleet of interdiction investigative support aircraft within the United States and Puerto Rico.

The Border Patrol has substantially increased enforcement between the ports of entry, using the highly and justifiably acclaimed hold-the-line strategy, along with improvements to highway checkpoint operations.

The Border Patrol, in conjunction with DOD and the National Guard, has built fences which substantially improve our enforcement against traffic and between ports, and Customs has been strengthening its enforcement efforts at the ports of entry through Operation Hard Line.

To address the problem of border violence and narcotics port running, Customs strengthened and tightened ports of entry through facility improvements and the use of technology, Jersey barriers, fixed and pneumatic bollards, speed bumps, gates, stop-sticks, narcotic detection dogs, and investigation. All are tools being used to identify and control suspect vehicles.

Each major cargo crossing along the border has received numerous other high-tech tools, such as pallet X rays, X ray vans, fiber-optic scopes, density meters, and laser range finders. Since 1990, millions in high-intensity drug trafficking area funded initiatives have been allocated to support special operations and the purchase of equipment.

In addition to the new cargo examination facilities, Customs is operating a full truck X ray system located in the import lot at Otay Mesa, CA. This is the first X ray of its kind in any port in the United States. It allows us to examine whole tractors and trailers at one time.

Funding has been received and two truck X ray systems will be placed in El Paso, TX with a third scheduled for Calexico, CA. Customs is exploring the possibility of placing additional truck X ray machines at cargo locations along the Southwest border, as funds become available.

Operation Hard Line has relocated Customs special agents to the southwest border to provide investigative support and onsite response to the ports of entry.

In 1994, we had 68 special agents along the Arizona border. By the end of this year, we will have 108. At the largest ports, Customs is forming cross-functional teams of agents, intelligence analysts, and inspectors to research commercial entities and identify high-risk targets.

Customs has implemented a system which provides for multiple screening elements to be used across the flow of traffic at passenger and cargo processing areas within our ports to increase narcotic seizures. During these operations, Customs inspectors and canine teams conduct unannounced and unscheduled intensive examinations on arriving conveyances.

Customs is proud of Hard Line. Hard Line is a bold, innovative change in the way Customs operates.

Customs' efforts to stop drug smuggling do not end at our border. The Customs aviation program is a critical element of the President's international drug control strategy, which embraces the philosophy of attacking the narcotics problem at its source.

In the South American source countries, Customs, in cooperation with the U.S. Southern Command, conducts detection and monitoring missions utilizing Customs P3AEW and P3 Slick aircraft. These two aircraft account for some 45 percent of the U.S. Government's airborne detection and monitoring efforts in South America.

The Customs strategy briefly outlined here is only a summary of a very long-term commitment by this agency to the Nation's drug enforcement effort. We remain committed to working in partnership with ONDCP, DEA, FBI, Border Patrol, Coast Guard, National Guard, and every other Federal, State and local enforcement agency in this fight against drug trafficking.

In conclusion, the interdiction effort and strategy of the Customs Service is essential to the success of the national drug strategy. As I hope to have illustrated to you today, the Customs Service is playing an important role in attempting to close the avenues of opportunity open to the drug smugglers at our Nation's borders. Thank you.

[The prepared statement of Mr. Howe follows:]

Good morning, Mr. Chairman, and Members of the Subcommittee. Thank you for the opportunity to discuss the role of the United States Customs Service in drug interdiction.

### **THE CUSTOMS NARCOTICS INTERDICTION STRATEGY**

As you are aware, as the Nation's principal border agency, the mission of the Customs Service is to ensure that all goods entering and exiting the United States do so in accordance with all United States laws and regulations. It is from this mandate that Customs narcotics interdiction responsibility emanates.

Many years ago, as this nation began to recognize the harm that the narcotics trafficking industry was wreaking on our society, Customs began developing narcotics-specific strategies. While the goal of these strategies - to prevent the smuggling of drugs into the United States by creating an effective interdiction and investigative capability that disrupts and dismantles smuggling organizations - has changed little over the years, the methods that Customs employs to achieve this goal have changed.

Customs current narcotics strategy has eight main objectives:

- To develop and enhance the collection, analysis, and dissemination of actionable intelligence through increased cooperation among all agencies involved in narcotics enforcement.
- To reduce the permeability of the U.S. border through enhanced surveillance and interdiction efforts.
- To focus interdiction efforts to deny the smuggler access to the air space between the source and transit countries and the border of the United States.
- To develop the electronic information systems to more effectively target high-risk cargo, conveyances, and persons at the ports of entry while facilitating the free flow of legitimate travel and trade.
- To develop and implement more efficient, less intrusive technology and techniques to identify smuggled narcotics.
- To conduct a variety of independent and multi-agency investigative programs.
- To increase the level of voluntary compliance through outreach programs to the trade community and general public.
- To work with other nations to disrupt the worldwide smuggling of narcotics.

## OPERATION HARD LINE

Today, it is estimated that 70% of our nation's supply of cocaine enters via our border with Mexico. Accordingly, this region is the current focus of Customs narcotics strategy.

On February 25, 1995, Customs Commissioner Weise announced a new way of doing business for the Customs Service along the Southwest border. The Customs initiative, Operation **Hard Line**, permanently relocated 229 Customs special agents to the Southwest border to provide investigative support and provide an on-site response at the ports of entry. These moves represent the first stage of a Customs response that will eventually involve additional Customs special agents being moved to the Southwest border. At the largest ports, Customs is forming cross-functional teams of agents, intelligence analysts, and inspectors to research commercial entities and identify high-risk targets.

To address the problems of border violence and narcotics port running, Customs is strengthening and tightening the ports of entry through facility improvements and the use of technology. Jersey barriers, fixed and pneumatic bollards, speed bumps, gates, stop-sticks (controlled deflation of tires), aviation, and canine resources are all being used to identify and control suspect vehicles.

Each major cargo crossing along the border has received numerous other high-tech tools such as pallet x-rays, x-ray vans, fiber-optic scopes, density meters and laser range finders. Since 1990, millions of dollars in High Intensity Drug Trafficking Area (HIDTA) funded initiatives have been allocated to support special operations (STOP, TRUNK, SOUTHBOUND, IMPERIAL VALLEY, etc.) and the purchase of equipment. In addition to the new cargo examination facilities, Customs is operating a full truck x-ray system located in the import lot at Otay Mesa, California. This was the first x-ray of its kind at any port in the United States. It allows us to examine whole tractors and trailers at one time. Funding has been received and two additional truck x-ray systems will be placed in El Paso, Texas and a third in Calexico, California. Customs is exploring the possibility of placing additional container x-ray machines at cargo locations along the Southwest border.

As part of our campaign against port runners, our Special Agent In Charge in El Paso led an investigation called Operation *Road Runner*, with the participation of DEA and the El Paso Police Department. This investigation used a full arsenal of investigative techniques, including surveillance, undercover work, source and cooperating defendant debriefings, post seizure analysis, and a Title III wire tap. As a result of this work, it was learned that a smuggling organization based in Juarez, Mexico, was primarily using port runners as a means of transporting their narcotics into the United States. Drivers were recruited and paid \$7,000 per load of cocaine and \$5,500 per load of marijuana. To increase the chance of success, they used "spotters" to profile the primary vehicle lanes and watch for inspector rotations, blitzes, pre-primary roving, or anything out of the ordinary. Communication was maintained with the spotters through cellular phones, digital pagers, and two-way radios. It is believed that this one organization was responsible for approximately 220 port running incidents and 3 shooting incidents. At present, a

total of 26 members of this organization have been arrested, including the head of the organization. This operation has also resulted in the seizure of over 7,000 pounds of cocaine and over 2,500 pounds of marijuana. The dismantling of this organization has been one factor in significantly reducing the number of port runners in El Paso.

Customs has also implemented a system which provides for multiple enforcement screening elements to be conducted across the flow of traffic at passenger and cargo processing areas within our ports to increase narcotics seizures. During these operations, Customs Inspectors and Canine Teams form roving teams to conduct unannounced and unscheduled intensive examinations on arriving conveyances.

In order to improve intelligence collection, analysis, and dissemination related to Southwest border smuggling, Customs is proposing to expand the development of a core group of intelligence production units modeled after the multi-discipline approach. Their sole purpose will be to bridge information obstacles and compartmentalization, including foreign intelligence, and assist in interdiction and enforcement operations. The complete implementation of this concept will establish standardization in intelligence collection and targeting.

Are we achieving success along the Southwest border with Operation **Hard Line**? Looking at the statistics from the operation, I believe that we are showing great successes. On the Southwest border, the amount of narcotics seized from January through May of 1995 versus the same period in 1994 went up 42 percent for cocaine, 330 percent for heroin, and 13 percent for marijuana. The number of port runners was reduced 28 percent.

Customs is justifiably proud of **Hard Line**. The support we have received from Congress and every level of this administration is gratifying. It forward as an important element in a balanced approach to the drug interdiction problem. Operation **Hard Line** is a bold, innovative change in the way Customs operates. Customs developed Operation **Hard Line** using a technique called problem-oriented policing. This approach uses multi-disciplined, cross-functional teams to address the problems we face rather than the symptoms. In the case of drug smuggling, the problem solving team is looking for ways to stop smuggling rather than to just arrest more smugglers. I believe that this will be successful in the long run.

The smuggler is currently attempting to exploit the southwest border, in part, due to the successes of Customs prior counter drug strategies and programs in other areas.



## SMUGGLING VIA PRIVATE AIRCRAFT AND VESSELS

Twelve years ago, South Florida was becoming inundated with cocaine and the related violence associated with narcotic trafficking. An incident at a Dade County shopping center, where a horrifying shootout killed innocent civilians, focused the nation's attention upon the cocaine problem and the flood of cocaine entering through South Florida.

Narcotics-laden private aircraft were landing with great frequency at clandestine airstrips and deserted areas throughout South Florida. In response, the Customs Aviation Program was expanded in both size and sophistication to enhance our detection, pursuit and apprehension capabilities along the border and within the United States. Downward looking aerostat radar balloons were being deployed in the Caribbean to assist in the detection effort. A Treasury Enforcement Communication System - FAA interface was developed which provided field offices flight plan information and the results of intelligence checks within 30 seconds of receipt by the FAA. System modifications were made to support private aircraft enforcement that included an aircraft tracking system and new aircraft lookout procedures.

By 1982, the Customs Air Program was becoming increasingly effective against the air smuggler in South Florida. Consequently, the smuggler resorted to air dropping loads of cocaine to high speed boats and smaller, seeming innocuous vessels off the coast of South Florida. In order to react to this threat, a comprehensive Marine program was initiated. Marine modules were created utilizing a radar platform and two high-speed interceptor vessels and a tightening of reporting requirements for all vessels was developed and instituted.

Due to Customs interdiction successes in Florida's airways and coastal waterways, smugglers were forced to resort to other avenues. In the late 1980's, smugglers began flying the lengthy route from Colombia, over Mexico, and across the Southwest border to land at locations within the Southwestern United States. By this time, Customs had already expanded its Air Program to encompass the entire Southern U.S. border. The network of aerostats were deployed to the Southwest border to provide comprehensive radar coverage, while additional aircraft, specifically configured for the air interdiction mission, were acquired to enhance our ability to intercept and apprehend suspect aircraft. The expansion of the aerostat network along the Southwest Border, the creation of the C3I air interdiction coordination centers, and the enhancement of the Customs fleet of interdiction aircraft - to include the acquisition and deployment of Customs P-3 Airborne Early Warning and long range tracking aircraft - eventually resulted in restricting the smuggler access to the Southwest air bridge as well.

## SMUGGLING VIA CARGO AND COMMERCIAL CONVEYANCES

Having restricted access to U.S. airways, the smuggler had to identify and employ alternative, more costly, and more complex methods of transporting contraband into the United States via the ports of entry.

Every conceivable method of concealment was being used to facilitate the smuggling of narcotics in commercial cargo. Contraband Enforcement Teams, made up of inspectional personnel and canine teams, were formed as a dedicated resource to target and inspect high-risk cargo and conveyances. In Miami, 500 pound-plus shipments of cocaine were being discovered in shipments of cut flowers on an almost daily basis. Around the country, multi-ton cocaine loads were being found in shipments of frozen shrimp, frozen orange juice concentrate, textiles, and bags of coffee. No merchandise was immune from use by the Colombian cartels since they were disguising themselves as legitimate businesses. If the cocaine was not in the commodities being shipped, then the container itself was suspect. Containers were modified with false walls, ceilings and floors. By the late 1980's, approximately 7 million containers entered the United States, therefore Customs developed a container specific interdiction strategy.

This strategy, still in national use today, targets suspect shipments prior to arrival using advance manifest information from the carriers. Customs also began to work closely with DEA and with intelligence agencies to place more intelligence emphasis on the use of commercial shipments by narcotics traffickers. Personnel were dedicated to convert this intelligence into tactical targets in our Automated Commercial System. Customs also established Centralized Examination Stations or CESs to perform more intensive, less intrusive examinations of containerized cargo.

As Customs became successful in interdicting cocaine in cargo, smuggling organizations began using carriers themselves as the next means of transporting the contraband. Hundreds of pounds of cocaine were being detected hidden aboard commercial ocean going cargo vessels and aircraft. Cocaine was being located in areas accessible to only company employees or their contract employees. Customs, as provided by law, began to seize in earnest cargo ships and various aircraft since they were repetitively used in the importation of narcotics into the United States. Customs then launched a campaign to form initiatives with sea carriers and the airline industry. These initiatives evolved into agreements in which the carriers agreed to undertake specific security measures to prevent and deter the use of their conveyances for the smuggling of narcotics and other contraband.

To address the ongoing threat, Customs increased the numbers and expanded the location of canine detector teams because of their effectiveness. These teams became an essential component of the newly formed Contraband Enforcement Teams. These teams were comprised of inspectors and canine enforcement officers dedicated to perform a thorough examination of persons, conveyances, and cargo determined to be high risk. In 1986, the first year of national operation, the Contraband Enforcement Teams were responsible for 30 percent of the heroin and 28 percent of the cocaine seized by Customs throughout the United States.

To assist the inspectional staff in their interdiction efforts, various types of high technology inspectional equipment were developed, acquired, and placed in high-risk ports of entry. For example, the world's first automatic currency reader for tracing drug money was developed and built by Customs. Customs built small parcel x-ray systems which were deployed nationwide. Mobile x-ray systems were delivered to over 40 locations for use in detecting contraband in both incoming/outgoing cargo and baggage.

### **THE SHIFT TO THE SOUTHWEST BORDER**

In 1990, during the course of a Customs investigation, a tunnel was discovered in Arizona that ran from a house on the Mexican side of the border to a warehouse in the United States. A second investigation led to the detection of another tunnel in 1993 near Otay Mesa, California. In both cases, the tunnels were highly sophisticated in their design to simplify the movement of cocaine into the United States. However, the discovery of these tunnels once again forced the organizations to look for alternate smuggling procedures.

Next, the traffickers resorted to smuggling the narcotics between the ports of entry. This was successful until the Border Patrol began their operations between the ports with Hold the Line and Gatekeeper. The presence of Border Patrol officers, every several hundred feet or so in high traffic areas, forced the traffickers to abandon that course of action and look elsewhere. That "elsewhere" was directly through our ports of entry along the Southwest border.

The smugglers turned to breaking down the multi-ton shipments of narcotics and placing loads of between 500 to 700 pounds within trunks of cars. Intelligence gathered subsequent to the September, 1989 Sylmar, California, seizure of 21 tons of cocaine indicated the use of this method. As we became more proficient in the detection of narcotics in vehicles and in cargo at the ports of entry, another development took place.

Smugglers, pressed to get their illegal narcotics into the country, turned to desperate means. This development, called "port running," became widespread in late 1994 and during the first quarter of 1995. Port running involves driving aggressively through the port of entry and avoiding capture by any means available. Port running has resulted in cars full of innocent civilians being rammed by smugglers anxious to escape no matter what the cost. In 1994, there were 795 instances of known port-running on the Southwest Border. This escalation reached the point that in January and February of this year, Customs expected 2-3 instances a day. Even worse, shooting incidents began to average one incident per month and injuries to our border officers and civilians related to port running were increasing at an alarming rate. It was in response to this increased level of violence at the ports of entry along the Southwest border that Operation Hardline was created and announced by Commissioner Weise at San Ysidro, California in February 1995.

## **MONEY LAUNDERING**

In addition to our interdiction efforts at and between the ports of entry, Customs supports the National Drug Control Strategy to dismantle narcotic smuggling organizations by playing a major role in money laundering investigations. In the 1980's, South Florida was the major location for money laundering and the exportation of narcotic profits. Armed with provisions incorporated by the Anti-Drug Abuse Act of 1986, Customs used the authority to conduct complex, covert, money-laundering investigations. Customs aggressively launched a full-scale program to close down the avenues available to smugglers in exporting their ill-gotten gains. Through a variety of intelligence, interdiction, and investigative strategies, Customs prevented the illegal exportation of millions of dollars of hard currency a year out of South Florida. Customs found cash hidden in freezers, air conditioner parts, engine blocks, rolls of candy, and even teddy bears. A number of these seizures led to major investigations of illicit financial institutions both in our country and abroad. These operations seek to identify and target financial manipulative systems, criminal organizations, and professional money managers who launder illicit proceeds. During the last several years, Customs undercover money laundering projects alone were responsible for the seizure of over \$514 million in cash and real property. In addition to these dollar valued seizures, these projects were also directly responsible for the seizure of over 13 tons of cocaine and over 1300 arrests.

Customs initiated Operation CHOZA RICA, an investigation targeting money laundering violations of numerous *Casa De Cambios* or money exchanges that operate on both sides of the U S - Mexican border. The first stage of the investigation led to the return of a 63 count indictment issued by a Federal grand jury for both money laundering and currency reporting violations against a *Casa De Cambio* in McAllen, Texas. The second stage of the investigation in 1992, resulted in the issuance of a 25 count money laundering indictment. Cumulatively, the first two stages of investigation resulted in 23 indictments, 15 arrests, 15 convictions, and the seizure of currency and assets totaling about \$ 50 million. The third stage of the operation resulted in an 18 count indictment against 7 individuals who were responsible for laundering over \$30 million in drug proceeds for an organization based in Matamoros and Monterey, Mexico. This organization is believed to be responsible for the shipment of multi-ton quantities of cocaine into the United States. In total, the Customs Service has seized almost \$30 million of the organization's assets. See Attachment 3 for an explanation of Customs Money Laundering authority.

## **OPERATION CORNERSTONE**

Perhaps one of the best examples of how the various elements of the Customs Service function as an integrated team - whose value is greater than the sum of its parts - is Operation *Cornerstone*, one of the most important and wide-ranging investigations in Customs history. This comprehensive investigation began in 1991 when Customs inspectors, using the newly developed container targeting strategy, discovered 32,301 pounds of cocaine concealed within a shipment of concrete posts, then 14,461 pounds in a shipment of frozen broccoli and another 13,677 pounds

buried within a shipment of coffee. The subsequent investigation conducted by our Office of Investigations determined that those seizures were related. At that point Customs special agents initiated a wide scale investigation, supported by Customs intelligence analysts, import specialists, pilots, air officers, and various other support personnel. The investigation resulted in the seizure of over a million dollars in outbound currency, and led to the just recently announced indictments of 59 individuals including six attorneys.

Operation *Cornerstone* represents an insider's look at the Cali Cartel's drug distribution network, money laundering system, and the organizational support for its members both here in the United States and Colombia. *Cornerstone* was one of Customs most comprehensive investigations into the operations of the Cali Cartel. It exposed the Cali Cartel's attempts to undermine the Colombian judicial system, their breeding of tyranny throughout their own country, and their attempts to export that tyranny. As a result of this investigation, we have uncovered far-reaching information regarding six major smuggling routes used by the Cartel to move hundreds of thousands of pounds of cocaine into the United States since the early 1980's. The investigation also uncovered similar far-reaching information regarding the methods used by Cartel funded attorneys in the United States. These attorneys assisted Cartel associates and took questionable steps to prevent the prosecution of Cartel members in Colombia and the United States.

Absent any one element of the Customs approach, *Cornerstone* would be something less than what it is today. Without Customs Inspectors and Canine Officers, the original seizure would never have occurred. Without the special agent investigators, Customs would have been left with only the seizure, leaving in place the individuals and financial infrastructure. Obviously, if left in place, these same individuals and their almost inexhaustible financial resources would have continued to attack this nation with their monstrous commodity.

#### **SUPPORTING THE PRESIDENT'S INTERNATIONAL DRUG CONTROL STRATEGY**

Customs long ago realized that the protection of our nation's borders does not begin and end at an imaginary line drawn upon a ground, but extends to a commodity's point of origin. The philosophy of "thickening" the United States border is simple; the most sensitive point to control is the source.

In furtherance of its investigative efforts, Customs Special Agents work in foreign offices throughout the world to uncover schemes to illegally import goods into the United States. In the area of interdiction, Customs Aviation Program, in the late 1980's, adopted the "Defense-in-Depth" strategy in which Customs radar aircraft would patrol north of the South American continent to detect narco-trafficking aircraft departing Colombia in route to the United States.

Of course, combating illegal activity beyond our traditional borders requires some level of will and

cooperation on the part of the foreign governments. Under the leadership of President Clinton, this Administration has accomplished much in the area of developing this requisite will and cooperation with many key narcotic source and transit countries.

A critical element of the President's International Drug Control Strategy, which embraces the philosophy of attacking the narcotics problem at its source, is the Customs Aviation Program. In the South American source countries, Customs, in cooperation with the United States Southern Command, conducts detection and monitoring missions utilizing Customs P-3 AEW and P-3 "Slick" aircraft. Whether flying solo or paired together in a "Double Eagle" formation, these two aircraft account for some 45 percent of the U.S. government's airborne detection and monitoring effort in South America and last year fully tracked 80% of the narco-trafficking aircraft they acquired in the source zone.

In cooperation with the Department of Defense, Customs expanded its support to the President's international drug control strategy by dedicating 4 Citation II aircraft and 5 crews to support South American source country counter drug initiatives. These aircraft, whose operating costs are being funded by the Department of Defense, are being used to augment current air interdiction efforts in the region as well as to train South American host nation forces in airborne intercept and tracking tactics.

In the transit zone, Customs maintains, at locations in Central America and Mexico, 5 Citation II aircraft to assist in intercepting and tracking narco-trafficking aircraft departing South America. These aircraft in Mexico provide training to Mexican air officers in the tactics of airborne intercept and tracking. This Mexican training initiative, which is conducted under the aegis of the DEA Operation HALCON, began in 1991 and has been extraordinarily successful.

Customs P-3 aircraft, which conduct regular detection and monitoring missions in the transit zone, have enjoyed similar success. Customs P-3 aircraft, which, in terms of quantity and cost, make up a relatively small percentage of the U.S. government's efforts in the region, in 1994 contributed to some 40 percent of the cocaine seizures made in the transit zone.

To further enhance foreign host nations' ability to counter the narcotics production and trafficking threat in their countries, Customs supports a variety of international training programs.

Customs has a well established international money laundering training program. During the course of week-long seminars, Customs instructs participants on the development and refinement of effective legislation to disrupt and dismantle money laundering activities. Participants in these seminars include executive level policy makers in the legislative, enforcement and banking community who are essential to the formulation of effective legislation and enforcement initiatives. Since Customs began these seminars 3 years ago, recipient countries have instituted pertinent legislation and/or reemphasized their efforts.

Other training that Customs offers to the international community include courses in Contraband

Enforcement Team (CET) tactics, cargo selectivity, and intelligence analysis procedures.

### **ENHANCING OUR CAPABILITIES**

So as to ensure that Customs remains on the forefront of supporting the National Drug Control Strategy, and will continue to realize successes such as Operation Cornerstone, Customs implemented a variety of operational and technological enhancements.

We convened an expert group of Customs employees to review our narcotics interdiction vulnerability in commercial cargo and conveyances. Those systems that need to be improved or refined will be given priority attention. Since our employees are very aware of potential weaknesses in our systems, we are involving them in looking for solutions. A strategic plan to implement the recommendations was finalized and includes short- term and long- term solutions.

The largest Customs elective training initiative in fiscal year 1994 was the training of over 300 southern border officers in cargo narcotic interdiction techniques. This training included inspection techniques, including behavioral analysis and proper utilization of high tech equipment. During fiscal year 1995, an additional 240 officers completed this training.

Customs is actively promoting interagency cooperation. Collaboration between Federal, State, and local law enforcement agencies will bridge any gaps in enforcement along the Southwest border. A coordinated approach among Federal, State, and local entities will ensure that a full range of experience and expertise is applied efficiently across all levels of drug trafficking spectrum. Some multi-agency task force programs, such as the Organized Crime Drug Enforcement Task Forces (OCDETF) and HIDTA bring together Federal, State, and local law enforcement and prosecutorial officers with a commonality of purpose and direction.

Customs has several automated and non-automated cargo processing initiatives in place to identify high-risk shipments. It is the concurrent implementation of all these systems which permits Customs to facilitate legitimate trade through our borders and enforce laws and regulations related to commercial trade violations and narcotic smuggling. Some of our automated programs include Cargo Selectivity within our Automated Commercial System (ACS), the Three-Tier Targeting System, and the Line Release Program.

In support of our automated commercial processing systems, Customs has implemented initiatives to target drivers, carriers, and conveyances.

### **CUSTOMS REORGANIZATION**

While we are changing the way Customs operates externally, we are also making changes internally. Under the Administration's re-invention principles and our own reorganization proposals, we believe we can meet future challenges without continually requesting additional resources if we have the latitude to reduce overhead and reinvest resources into front-line operations at the ports of entry, and in state-of-the-art information systems and technology. We have been greatly encouraged and aided by Treasury Secretary Rubin in our efforts to restructure the Customs Service.

Within our budget constraints, our reorganization calls for some major steps:

- A multi-year effort is underway to reduce Headquarters staffing by approximately 600 positions. We have already achieved a reduction in our Headquarters staffing of 153 full-time positions and 20 other-than-full-time positions, or about 29 percent of our goal.
- Reducing management layers from 4 to 3 by eliminating the seven Customs regions and 45 district and area offices, and replacing them with 20 management centers.
- Reinvesting personnel from Headquarters, regions, and districts into operational positions which will enhance our ability to focus our resources on law enforcement efforts.

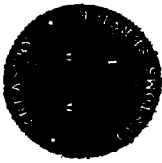
In other words, by changing the way we manage the Customs Service, we will be able to change the way we do business - to deploy our resources to address the threats. And Customs will work with ONDCP to continually review our enforcement initiatives to ensure the most efficient use of our manpower in narcotic interdiction.

## **CONCLUSION**

In conclusion, the interdiction efforts and the strategy of the Customs Service are essential to the success of the national drug strategy. And, as I hope to have illustrated to you today, the Customs Service is playing an important role in attempting to close the avenues of opportunity to drug smugglers at our nation's borders.

I welcome any questions that you might have.

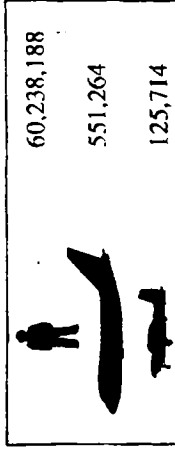




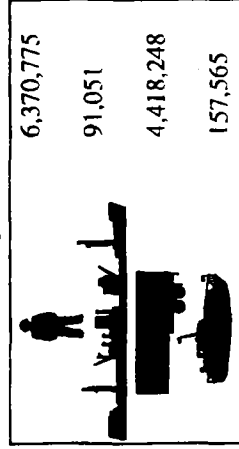
FISCAL YEAR 1995  
WINDOWS OF OPPORTUNITY  
FOR DRUG SMUGGLING  
(National Statistics)



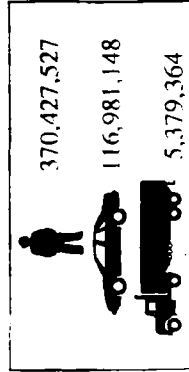
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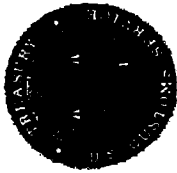


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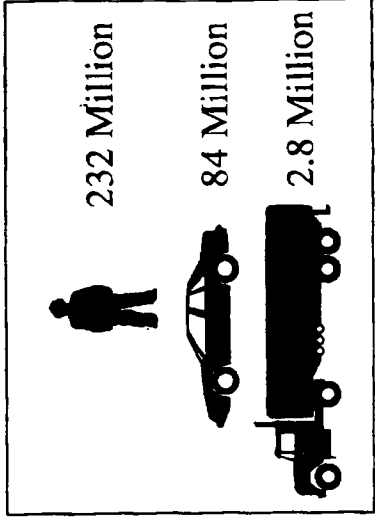
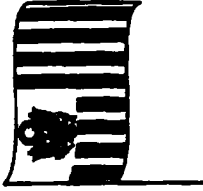


LAND





FISCAL YEAR 1995  
WINDOWS OF OPPORTUNITY  
FOR DRUG SMUGGLING  
(Southwest Border)



**FEDERAL WIDE DRUG SEIZURE  
STATISTICS 1995**

<u>Drug</u>	<u>Total Seized by Federal Agencies</u>	<u>Total Discovered/ Seized by Customs</u>	<u>Customs %</u>
Heroin	2,527 pounds	2,235 pounds	88.4%
Cocaine	221,549 pounds	158,314 pounds	71.5%
Marijuana	1,003,454 pounds	642,013 pounds	64%
Hashish	32,020 pounds	16,616 pounds	51.9%

**Source: Federal Wide Drug Seizure System and U.S. Customs Service**

**FEDERAL WIDE DRUG SEIZURE  
STATISTICS Fiscal 1994**

<b><u>Drug</u></b>	<b><u>Total Seized by Federal Agencies</u></b>	<b><u>Total Discovered/ Seized by Customs</u></b>	<b><u>Customs %</u></b>
Heroin	2,824 pounds	2,519 pounds	87.9%
Cocaine	282,086 pounds	168,453 pounds	59.7%
Marijuana	778,715 pounds	486,269 pounds	64%
Hashish	1,616 pounds	1,151 pounds	51.9%

**Source: Federal Wide Drug Seizure System and U.S. Customs Service**

Mr. SHADEGG. Thank you very much. I would like to note that you did provide very extensive written testimony, and I appreciate that.

Special Agent Raffanello.

Mr. RAFFANELLO. Congressman Shadegg and Congressman Souder, I appreciate the opportunity to testify before this committee today about the challenges that the drug law enforcement community face along the southwest border. I have prepared and submitted a statement for the record.

I'm the assistant special agent in charge of DEA's Phoenix Field Division. This morning I would like to describe to you the drug trafficking situation in the State of Arizona and give you some insight into the workings of the major organizations in Colombia and Mexico.

Gentlemen, as you know, DEA is a single-mission agency. We investigate drug dealers of all shapes and sizes all over the world. We have no other statutes that we have to enforce.

The southwest border has become the focal point of drug trafficking in the United States. I believe Mr. Gebhardt gave a figure of 80 percent and I believe he's correct, some say a little bit more.

The majority of the cocaine, methamphetamine, and marijuana that enters the United States comes across our 2,000-mile border with Mexico. Arizona comprises but 360 miles of the border but, due to its proximity to Texas and California, it is a major transit State for trafficking organizations.

Much of the land along the border is desolate and sparsely populated and, in every State along this border, law enforcement faces formidable challenges. Murders, crime, and violence afflict most communities in the Southwest and the vast majority of these crimes are drug related.

In the 1980's, south Florida was the epicenter of drug interdiction activity but, over the past decade, drug traffickers have shifted their major operations to Mexico. They are taking advantage of the well-established trafficking and smuggling routes and a long history of polydrug smuggling by the Mexican traffickers.

More recently, Colombian traffickers began paying Mexican traffickers in cocaine in lieu of cash. They have also been giving the Mexican traffickers exclusive rights to sales in these specific border areas to avoid any conflict between the Mexicans and the Colombian traffickers. This is a business arrangement, a smart one, and a good one.

When seven top Cali druglords were arrested and jailed this summer, the resulting turmoil inside the Cali organization gave the Mexican traffickers more opportunities to become more of a force in their own right. The Mexican traffickers have emerged as the primary force in the methamphetamine production and trafficking, making the already serious problem along the southwest border even worse.

This year in Arizona, methamphetamine clandestine lab seizures are up 100 percent. I believe in 1995, the number was 55. This year, we're up to 110 and counting. Arrests for meth have doubled in Tucson and tripled in Phoenix.

Right now, the majority of the methamphetamine labs that are seized in Arizona are small. They're mom and pop type labs.

They're mostly cold-cook productions, quite a few of them done with over-the-counter, what we call precursor chemicals, like pseudoephedrine and other things.

But there is a very organized Mexican influence in Arizona, and recent efforts by the DEA, FBI, IRS, United States Customs, and Arizona National Guard, we've gotten together and we've formed a joint clandestine laboratory investigative team on methamphetamine and we're having some early successes with it.

The problems we are experiencing along the southwest border are directly attributable to Mexico's major trafficking and their Colombian bosses. The drug traffickers who are intimidating ranchers or terrorizing communities are on the payroll of the Cali organizations and the Mexican federations.

Four major groups from Mexico operate in the Mexican federation—the Tijuana organization, the Sonora cartel, the Juarez cartel, and the gulf group. The major figures in these organizations are DEA's targets and are responsible for the degradation in the quality of life in so many American communities in the Southwestern United States.

DEA's major responsibility is to target and investigate the world's most notorious drug traffickers. Today's well-financed and sophisticated international narcotics traffickers are a new breed of organized crime.

Most Americans don't view drug traffickers as organized crime figures, because most Americans don't have an insight into the day-to-day operations of these wealthy, influential, and ruthless drug organizations.

During the past 2 years, DEA has focused resources and attention on the southwest border. We are working closely with the FBI, the U.S. Attorney's Office Criminal Division in the Department of Justice, the Border Patrol, the Customs Service, and State and local authorities that are participating in different initiatives along the southwest border.

Cooperation in the border area has increased tremendously in the past 2 years. For example, joint enforcement groups have been created in a number of Texas cities and intelligence groups that include DEA, the FBI, and the Arizona National Guard have been established.

DEA, FBI, United States Customs Service, working through our representatives at the embassy in Mexico City, share drug-related enforcement information with our counterparts in Mexico. Since February of last year, senior representatives from Mexican law enforcement meet regularly with United States law enforcement officials to address a number of issues, including counter-narcotics, fugitives, money laundering, and chemical control.

The southwest border initiative helps reduce corruption, violence, and alien smuggling associated with drug trafficking activities carried out along the border. This project, along with the binational task forces in Monterrey, Juarez, and Tijuana, as well as the specially trained Mexican law enforcement units, will provide a solid base for effective law enforcement operations aimed against the major international traffickers.

DEA remains committed to targeting the highest levels of the drug trade, both internationally and domestically. To that end and

with the specific problems of the southwest border in mind, DEA's fiscal year 1997 budget allows an additional 54 special agents to be stationed along the southwest border.

We believe that this enhancement and other items in our budget will enable us to continue our critical work along the border and improve the quality of life for Americans across the Nation.

Thank you very much.

[The prepared statement of Mr. Raffanello follows:]

*Thomas Raffanello*  
**Testimony of Ernest Howard**  
**Special Agent in Charge**  
**Phoenix Divisional Office**  
**Drug Enforcement Administration**  
**before the Subcommittee on National Security,**  
**International Affairs, and Criminal Justice**  
**Phoenix, Arizona**  
**October 10, 1996**

Congressman Shadegg and Members of the Subcommittee: It is a pleasure to appear before the Subcommittee today. I am the Special Agent in Charge of the Phoenix Field Division. Accompanying me today is Thomas Raffanello, the Assistant Special Agent in Charge. This morning I would like to describe the drug trafficking situation in the State of Arizona, and give you insight into the workings of the major organizations in Colombia and Mexico, and provide you with information on what DEA is doing to address the serious problems that affect the entire region.

Before I begin my testimony I would like to express the Drug Enforcement Administration's appreciation for the support the Committee has given us over the years, particularly with our 1997 budget. Your continued assistance allows DEA to work effectively against the world's most sophisticated drug traffickers.

The Southwest Border has become the focal point of drug trafficking into the United States. Although Arizona has but 360 miles of the 2,000 mile Southwest Border area, Arizona is a major transit State for trafficking organizations due to its proximity to Texas and California. There are 6 legal points of entry in Arizona, however, due to vast deserts and Indian Reservations located within the State, a large



percentage of the border is desolate and presents many opportunities for criminals to smuggle cocaine, methamphetamine and marijuana into the United States. Much of the land along the border is remote and sparsely populated, which facilitates both drug and illegal alien smuggling which combine to give law enforcement a formidable challenge in Arizona and every state sharing the Southwest Border.

Murder, crime and violence have become a reality in most communities in the Southwest United States, and the vast majority of these crimes are drug-related. The organized drug traffickers from Mexico, operating along the U.S.-Mexico border, are becoming more brazen and more violent, threatening and intimidating American ranchers, terrorizing local communities, and operating on American soil. Similar situations exist in small towns and cities all along the border, including areas of Arizona. Indicated in recent reports from Texas, ranchers along the Arizona border are encountering the same problems that are being experienced in Texas with drug and alien smugglers. Further, these organizations are taking advantage of the Indian Reservations in much the same manner to smuggle significant quantities of cocaine into the United States.

Within the past decade, the Cali Cartel shifted a majority of their cocaine smuggling operations from South Florida and the Caribbean, which were the epicenter of drug smuggling activities during the 1980's, to Mexico. Drug traffickers in Mexico have had a long history of poly-drug smuggling, and their well-established trafficking routes and smuggling infrastructure provided a ready alternative for the Colombian drug lords---responsible for the 80% of the world's cocaine supply--- who were seeking safer routes into the United States. The Cali traffickers employed transporters from Mexico to ship cocaine into the United States, and in so doing cemented a partnership between the Cali traffickers and their Mexican counterparts.

More recently, the organized Colombian traffickers began paying drug traffickers in Mexico in kilograms of cocaine, in lieu of cash. With the vast wealth received through the additional profits from being paid in cocaine and the turmoil resulting from the arrests of the seven top Cali leaders, traffickers from Mexico have become a force in their own right. These traffickers from Mexico have also emerged as the pre-eminent force in methamphetamine production and trafficking, further exacerbating the already serious crime problem along the U.S.-Mexico border.

In Arizona, methamphetamine clandestine laboratory seizures are up 100 percent in 1996 and arrests for trafficking in methamphetamine have doubled in Tucson and tripled in Phoenix this year. To date, a majority of the methamphetamine seized in Arizona is manufactured by small "mom and pop" operations, however there are organized Mexican groups who have garnered a significant portion of the market.

To combat the continued increase in methamphetamine trafficking, DEA is a participant in a joint clandestine laboratory team with the Internal Revenue Service, the United States Customs Service and State and local law enforcement departments in Arizona.

These organized criminal groups from Mexico and Colombia possess vast wealth and power to protect their organizations in their respective countries, and are largely responsible for the degradation in the quality of life in so many American communities in the Southwestern United States that share the border with Mexico. DEA's major responsibility, in this nation and in our offices overseas, is to target and investigate the world's most notorious drug traffickers. Today's well-financed and sophisticated international narcotics traffickers are a new breed of organized crime. Most Americans do not view drug traffickers as organized crime figures, because they do not have an insight into the day to day operations of these ruthless drug

organizations and do not see how wealthy, influential and well-organized these organizations have become.

### **THE MEXICAN FEDERATION**

The problems we are experiencing along the Southwest Border are directly attributable to Mexico's major traffickers and their Colombian partners. The drug traffickers who are intimidating ranchers, terrorizing local communities, and encroaching on American soil are on the payroll of the Cali drug trafficking organizations and the Mexican Federation. The major figures in these organizations are targets of the Drug Enforcement Administration.

There are four major trafficking groups from Mexico under the umbrella of the Mexican Federation which control the vast majority of the cocaine and heroin trade in Mexico. A fifth criminal group is responsible for the majority of the methamphetamine imported into the United States from Mexico.

The Tijuana Organization is headed by the Arellano-Felix brothers--Benjamin, Francisco and Ramon. This group is headquartered in Tijuana, Baja California Norte and controls the drug smuggling into California. This is the most violent of the Mexican trafficking groups, and has been connected by Mexican officials to the murder of Cardinal Juan Jesus Posadas-Ocampo at the Guadalajara airport in 1993. Five of the seven recent assassinations of law enforcement officials in Mexico, some which who were actively investigating the Arellano-Felix brothers, occurred in Tijuana. During 1994, this group was engaged in a turf war over methamphetamine territory in San Diego where 26 homicides were reported during the summer as rivals battled for control.

Benjamin Arellano-Felix was indicted on May 2, 1989, in San Diego on charges of maintaining a continuing criminal enterprise which involved the importation and distribution of cocaine. Francisco Arellano-Felix was indicted in San Diego for possession with intent to distribute cocaine. Both remain fugitives in Mexico at this time.

The Sonora Cartel is headed by Miguel Caro Quintero, and operates out of Hermosillo, Agua Prieta, Guadalajara and Culican, as well as the Mexican states of San Luis Potosi, Sinaloa, and Sonora. Rafael Caro Quintero, Miguel's brother, is in jail in Mexico for his involvement in the torture and murder of Special Agent Enrique Camarena in 1985. The Sonora Cartel has direct links to the Colombian syndicates and operates smuggling and distribution routes into California, Arizona, Texas and Nevada. Miguel Caro Quintero was indicted in Arizona for shipping two tons of cocaine from Mexico to Arizona, and he has been indicted twice in Colorado. He is currently a fugitive.

The Juarez Cartel is headed by Amado Carillo-Fuentes, currently the most powerful trafficker in the Mexican drug trade. His organization is linked to the Rodriguez-Orjuela organization in Cali, and his family has ties to the Ochoa brothers in Medellin, Colombia. For many years, this organization ran transportation services for the Cali cocaine traffickers using 727 aircraft to fly drugs from Colombia to Mexico. Amado Carillo-Fuentes used to transport drugs from regional bases in Guadalajara, Hermosillo and Torreon. Carillo-Fuentes has been indicted in Dallas and Miami, and has been a fugitive for eight years.

The Gulf Group was headed by Juan Garcia Abrego until his arrest on January 14, 1996, as one of the FBI's Ten Most Wanted Fugitives. After his arrest, Mexican authorities worked quickly to expel Garcia-Abrego to the United States. His trial began in Houston, Texas on September 16, 1996, in U.S. District Court. He is charged with

conspiracy to import cocaine, the management of a continuing criminal enterprise and money laundering offenses.

The Gulf Group is based in Matamoros, Tamaulipas State. DEA has reports that this organization has smuggled in excess of 30 tons of cocaine into the United States. Humberto Garcia Abrego, Juan's brother, was arrested in June, 1994, by Mexican authorities.

The Amezcua-Contreras brothers --- Jesus and Luis --- are responsible for huge quantities of methamphetamine being smuggled into the United States from Mexico. They have been identified as the largest known importer of ephedrine into Mexico and across the U.S. border. Since September, 1992, over 5 tons of ephedrine have been seized from the Amezcua-Contreras brothers. These brothers have been documented since 1988 as trafficking in cocaine and methamphetamine in both the San Diego and the Los Angeles areas. This organization operates primarily out of Guadalajara, but through agreements with other Mexican trafficking groups, has extended its operations all along the Mexico - US border.

Mexican trafficking organizations, like Colombian organizations, are compartmentalized in cells, allowing for multiple layers of insulation. Compartmentalization is a key element to the success of the Federation's drug trafficking activities and occurs in every stage of their operations, including drug movement, warehousing, repackaging, smuggling, and distribution.

A typical operation involves a quantity of cocaine shipped from Colombia, arriving at one of the many clandestine landing strips in Mexico. A cell is then responsible for unloading the cargo and re-loading it into tractor trailers for transport to cache sites along the U.S.-Mexico border. Another second cell is responsible for smuggling the cocaine into the U.S. by various methods including on foot, by pack

animal, vehicle, rafts, and aircraft. The illicit drugs are then delivered to a Colombian or a Mexican cell in the U.S., which is responsible for the wholesale distribution of drugs and in the case of Mexican groups primarily to cities and towns in the Western half of the U.S. All of these cells use state of the art equipment, such as cellular telephones, HF, VHF, and UHF radios, digital pagers, FAX machines and other secure communications. Their resources are virtually unlimited.

### **DEA's RESPONSE**

DEA has focused resources and manpower on the Southwest Border during the past two years, and we are working closely with other Federal, state and local law enforcement authorities as well as the United States Attorney's Office, Criminal Division, under the mantle of the Southwest Border Initiative. By combining the resources of a number of departments and law enforcement agencies, this multi-agency enforcement effort is simultaneously targeting the Mexican trafficking organizations on both sides of the U.S. - Mexico border. Through intelligence and enforcement operations, the Southwest Border Initiative directs and supports major investigations and operations that target the highest levels of the major drug trafficking organizations operating along the Southwest Border.

Cooperation between law enforcement agencies and the United States Attorney's Office in the border area has increased significantly in the past eighteen months. For example, joint enforcement groups have been created in a number of cities in Texas, and intelligence groups that include DEA, the FBI and military analysts have been established.

The Southwest Border Initiative helps reduce corruption, violence and alien smuggling associated with drug trafficking activities carried

out along the border. This project, along with the binational task forces in Monterrey, Juarez and Tijuana, along with specially trained Mexican law enforcement units, will provide a solid base for effective law enforcement operations aimed against the major international traffickers.

DEA's increased investigative activity directed towards these multi-national criminal organizations operating along the border focuses on disrupting and dismantling operations. These offices assist and support our domestic operations by sharing intelligence and pursuing investigative leads. They not only interact with offices along the border but also with DEA offices as far removed as New York and Chicago where investigations involving these international criminal organizations are being conducted.

## **OPERATION ZORRO II**

One of the most significant results of the Southwest Border Initiative has been the culmination of an investigation known as Operation Zorro II. This multi-agency case clearly indicated to us that drug trafficking in the U.S. is dominated by groups operating out of Colombia and Mexico.

Zorro II is particularly important because we dismantled not only the United States infrastructure of a Colombian organization producing the cocaine, but we dismantled the organization from Mexico responsible for the transportation of the cocaine. During the course of this eight-month investigation, law enforcement officers coordinated and shared information gleaned from 90 court-ordered wire taps and as a result, arrested 156 people, and over 5600 kilograms of cocaine and 17 million dollars were seized.

At the same time, DEA, the FBI and the USCS working through our representatives at the U.S. Embassy in Mexico City, share drug and drug-related law enforcement information with our counterparts in Mexico on a regular basis through the Mutual Legal Assistance Treaty, (MLAT) between the U.S. and Mexico. The MLAT enables each country to obtain evidence from the other in a form admissible in the respective courts. This streamlined process permits swifter exchange of evidence than is possible through other mechanisms of international evidence sharing.

### CONCLUSION

Mr. Chairman, the Drug Enforcement Administration remains committed to targeting the highest levels of the drug trade internationally and domestically. To that end and with the specific problems along the Southwest Border in mind, the DEA's Fiscal Year 1997 budget allows for an additional 54 Special Agents to be assigned to the Southwest Border Initiative. We believe that this enhancement and other items in the budget will enable us to continue our critical work along the border and improve the quality of life for the Americans across the nation. I will be happy to answer any questions you might have.



Mr. SHADEGG. I want to thank each of you for your testimony and for your efforts in the day-to-day work that you do, and we will begin this round of questioning with questions from Congressman Souder.

Mr. SOUDER. I want to start with Chief Sharp, since you're the only one who forgot to wear his mustache on this panel. [Laughter.]

One of the things that we heard a number of times on this panel, and we heard earlier, too, is that one thing that's happened is there have been smaller amounts, rather than the big shipments coming in.

I wondered, as a practical matter, there obviously has to be—to some degree, they may go into different areas in smaller amounts but, obviously, there's consolidation occurring in transfer points.

First, specifically in Tucson, how do you see it coming in? Does that mean that, because you're relatively close to the border, you're seeing smaller amounts actually coming in to smaller dealers, and not part of a big network or, indeed, do you have transfer points that then wind up hooking into the distribution networks?

Mr. SHARP. Well, actually, I believe all of the above. But what we have happening and what is very unique in Tucson is Tucson is a transfer point where they consolidate loads. We call them stash houses.

It's not unusual for us to have houses with literally tons of drugs that have been placed in storage and are then distributed out through the rest of the country. So a lot of the things that you may see in Indiana could have stopped off in Tucson.

That's very problematic for us, because there is also the potential for rips, where they're stealing from themselves, or from the organization, or where we can stumble upon it and take off fairly large loads, which usually results in significant violence that we see daily in the streets of Tucson.

Mr. SOUDER. We had—I remember when I was working for Senator Coats, one of the more unusual things we would run into is where they used a farm as a transfer point. They went to a farmer, offered him \$30,000 if he would disappear for the night. Then they used his farm as a major transfer point.

One other thing that is kind of a misnomer is, in Fort Wayne, I think we have had—I think they have shutdown 250 crack houses. You think, "How can you have 250 crack houses?" But, in fact, they move to wherever there is abandoned housing. It isn't like they're all up at the same time.

Do you see that type of—what kind of patterns do you see in Tucson as far as the movement of where you find both types of the localized distribution and the transfer points? Is that changing at all?

Is it mostly in abandoned housing or do you see it—I know one of the things that really impressed me in Panama is—and I can't even imagine how Customs deals with this overall—but in their trade zones, you just see piles of stuff coming in and piles of stuff going out. I would think that potentially you would find that in bigger cities, too, as we get the trade free zones or as we find warehousing areas.

Any kind of patterns that you see developing on transfer points?

Mr. SHARP. No. But we do have where we'll shut one down, another one will open. They do tend to be in areas where there is either an acceptance of the crime or a criminal element in there, so we don't have calls on them as readily. They also tend to limit themselves, especially the Mexican drug traffickers, to the area of town where there are Hispanics and Spanish speakers, so again they can fit in better in the area.

One thing that we have seen in the pattern is, wherever these houses go, wherever we move them to, the violence follows. We had an overlay of our aggravated assaults and homicides, and where we're seeing the drugs and the pattern follows almost hand in hand.

Mr. SOUDER. I wanted to followup with Mr. Raffanello. We have heard in Washington and seen a lot in the Washington Post, and it's been in the media all over the country, about the problem of cooperation and lack of confidence in some of the Mexican police forces along the border. Could you give us some insights as to what kind of cooperation level?

The last panel, Mr. Coffin said in the Border Patrol a lot of this stuff depends on tips. Obviously, that means cooperation, it means being able to move back across the border without having your agents shot at by police. Could you elaborate a little on some first-hand experiences?

Mr. RAFFANELLO. I can tell you from my experience in the past—I've been a narcotics agent for 26 years—I think that there is a special—

Mr. SOUDER. Can you pull the mic up?

Mr. RAFFANELLO. Sure. Is that better—there is a very special relationship between our Attorney General and the Attorney General of Mexico, and we have done things with the present regime in Mexico.

I'm not going to sit here and tell you that everything is fine, but I am going to tell you that I notice an improvement. I notice the fact that these bilateral task forces that are being set up at different border cities and working with the governments there and using vetted, special vetted units, has caused a tremendous improvement in the exchange of information with our counterparts in Mexico. It's on the upswing.

Mr. SOUDER. I have tremendous confidence, too, in the national leadership, and they have some nervousness on their own about the regional, and it's encouraging you say you think that the special vetted units are—

Mr. RAFFANELLO. I think that the special vetted units are the way to go, and there is some improvement.

Mr. SOUDER. Because we—you get pretty skeptical. I mean, you yourself expressed quite a bit of frustration with the Cali Cartel, given the fact that the head of it is in prison. It doesn't give us a lot of confidence in Colombia, for example, how they could let him work and run the cartel while he's in so-called house arrest.

We just want to make sure that, in the decentralization which President Zedillo is trying to do in Mexico, that there is a big concern, particularly in the Mexican Federation along the border, in how those relationships go. If you can, make sure you keep us posted, and I know Mr. Constantine will, as well.

Mr. RAFFANELLO. Mr. Constantine is very, very interested in the issue and we're working hard with the Mexican Government to improve the situation.

Mr. SOUDER. I also wanted to say to Mr. Gebhardt that probably what you needed was a guitar and some music, if you wanted to get in the front page or in the TV, on your press conference.

It's really frustrating to try to—how to keep it creative and fresh so that it's newsworthy. I mean, the business, the news business, is there to try to, quite frankly, sell advertising and get attention, and we've got to figure out how we're going to compete with this kind of quasi-romance, return to the sixties, Beatles, marijuana leaf. I feel like I'm in college all over again, doing that.

I also wanted to personally give you the opportunity, if you would like, to put FBI Director Freeh's memo in the record, that we've been trying to get. [Laughter.]

He'll pass.

Mr. GEBHARDT. Is this thing working? I hope it's not. [Laughter.]

Obviously, I can't comment on that. But I will tell you that Colonel Mahon, in his, in my opinion, very eloquent statement, was talking about the need to get out to the community, and those leaders in the community, whether it's athletics or whether it's Congress or the teachers or whatever, and we really have to put forth that effort.

We tried to do that yesterday, on proposition 200. We had law enforcement from Bullhead City to Tucson along the border, all around Maricopa County, trying to explain to the citizens—and you have to use the media to get to the citizens—about the smoke-screen of this proposition 200.

I guess I was just—maybe I'm just too naive. I was hoping to see it on the front page, because it's such an important—drugs are such an important issue in the State of Arizona, and outlining the violent crimes that we have—and maybe you'll ask Chief Sharp to explain what we're going to try to do about the violent crime problem in Tucson that's related to drugs along that central corridor, which he didn't have a chance to explain. But we're going to try to do something, and make an impact there.

It's just trying to sell it to the public. That's why I would rather talk to them than to talk to you. In my speeches that I give to schools and everything, I always address the drug problem and the fact that we have to reduce the demand.

Mr. SHADEGG. I guess I want to begin by saying, Special Agent Gebhardt, that I couldn't help but see the parallel between your testimony and the testimony of Ms. Brayer, a teacher at North Canyon High School this morning. I hope you heard her testimony.

Her message was, "Gee, this is a huge fight. Don't ask the teachers to do it all." Yours is, "This is a huge fight. Don't expect law enforcement to do it all." I hope I conveyed in my opening statement that that is, in fact, my position on this issue, that it is society as a whole that has to do something about this problem.

We can't put it off on the schools and the teachers; we can't put it off on law enforcement; and we particularly cannot do that in the fashion we're doing now, which is really quite unfair.

We're saying to teachers, "Tell kids it's bad." We're telling the law enforcement, "You go out and use all your resources, including

putting your lives on the line, to stop it." But we as a society kind of sit back and treat it as no big deal.

We don't hear outrage over legalization or efforts like the one, proposition 200, on the ballot. We don't hear outrage over that.

Quite frankly, I woke up this morning and read the paper, I was very pleased, because I had not been aware that you were holding the press conference yesterday. I had the opposite reaction. I was pleased that it made B-1. So I thought, "Well, we're making a little progress here."

The first thing I did when I picked up Congressman Souder this morning was to hand him a copy of the Arizona Republic and say, "You need to read this story. This is a part of the fight that's going on here in Arizona."

I do think Colonel Mahon's testimony is eloquent in that regard and, when he calls for a massive effort on behalf of this Nation, not just public service announcements at 2 a.m., but rather, high-profile television advertising at prime time and every other avenue we have to send a single, clear message to this Nation and particularly to its youth that drug use is bad, that it will harm you, I hope and pray that our Nation will do that and, quite frankly, this hearing is being conducted today because it's my small effort to try to help carry that message forward.

Interestingly, Colonel Mahon, I want to say that when Congressman Souder and I were in Los Angeles a week ago or 2 weeks ago Saturday, and held a hearing there on the effect of the media and television and movies on the drug problem in America, one of the proposals was the exact same proposal you made. It was your proposal to get the best and the brightest advertising agents and minds in the country into the effort of writing compelling commercials and PSA's and other kinds of messages to try to convey this image.

That's difficult, when other people in our society are saying, "Well, we really ought to decriminalize it or lower the penalties, that there is no harm."

I thought, quite frankly, Congressman Souder did a brilliant job of pointing out the two different statements in the morning's testimony of how this really is not a victimless crime—the woman who was afraid for her child and herself that she would be murdered and the mother who would lay out the lines of cocaine on the table for her daughter and her friends when they would come home. How someone can then call that a victimless crime is beyond me.

Agent Howe, let me begin with you. We have heard that Border Patrol, I think largely because of the issue of illegal aliens, not because of drugs, has had an increase in their funding. You mentioned budget reductions. We heard testimony in California about budget reductions for Customs and Coast Guard, and other interdiction efforts.

I guess I would like you to comment on that, what you see and what you would like to see.

Mr. HOWE. Well, I can only repeat what my superiors say. We're doing more with less and we would like to do more with more.

Mr. SHADEGG. Let me follow that up with another question that's technical, that kind of interests me.

We heard testimony in California from Coast Guard officials about seizures of ships, and it was quite graphic with regard to the lengths that smugglers go to to build tanks within tanks, to take a large diesel fuel tank on a huge freighter, get into that tank, build a separate compartment on the inside of that tank into which they put the drugs, then fill up the fuel tank, thereby making it almost impossible to detect, and yet the Coast Guard is detecting those.

A question I have goes to your testimony with regard to truck x rays. Do we in fact have technological ability to look at a truck x ray and, in fact, not have it be fooled by some compartmentalization within the trucks?

Mr. HOWE. I'm not an expert. I would suspect that they can always fool us some way. But our technology is getting very good and we are detecting quite a bit more.

Mr. SHADEGG. You mentioned, or at least someone mentioned, and I'm not sure if it was you, that we are only able to inspect 1 percent of the commercial traffic coming across the border. Is that a number you're familiar with?

Mr. HOWE. I've heard that number. I believe the 1 percent refers to the commercial trucks that are loaded, that are completely stripped for narcotics searches.

About 30 percent is a number that I'm more familiar with gets checked in some way, either license tags—well, actually, I believe all license tags are checked—but are checked, and maybe detector dogs are running around, the drivers are interviewed, or partially stripped and searched, or they use the different technologies in various manners.

But 1 percent would be a total: they unload everything and they strip everything and they search everything. When you're talking about 5 million trucks coming into the country a year and another 4 million containers, 1 percent is quite a bit. We only have about 18,000 Customs employees.

Mr. SHADEGG. You're doing more with less. Mr. Raffanello, or Agent Raffanello, your testimony about meth labs I found quite interesting, and to know that the meth labs have doubled in Tucson and tripled in Phoenix.

My own personal experience was that the weekend that we went to California and held these two back-to-back hearings, one on a Saturday and one on a Monday, I flew back into Phoenix Monday night and got home from the airport and began to settle in, and flicked on the television, and it was that evening that they had just shut down or were in the process of trying to shut down a meth lab at a large apartment complex here on the West Side.

The story came on, and they were talking about all of the different agents that were at the scene, and the danger that it posed, and then they mentioned that the gentlemen arrested, one of the two people arrested was a gentleman who had been arrested for the exact same thing, a meth lab, I believe it was 2 weeks earlier. It's got to be a frustrating experience.

I think it's a message that needs to get out. The number of meth labs that you have seized this year, would you elaborate a little bit on that?

Mr. RAFFANELLO. Sure. Last year, in 1995, there were 55 labs seized statewide in Arizona. This year, we're up to 110. So we've doubled it, and we've still got half of this month and 2 more months to go.

Mr. SHADEGG. We have the luxury of having enough time to allow a second round. Congressman Souder, would you like to ask some more questions?

Mr. SOUDER. Yes, I would. I have a couple different things. I'm not going to ask a followup to this. I would really just like a yes or no, because I can ask more in private.

But Mr. Howe, or Agent Howe, one of the things—I honestly don't know if this is true or not but, if it isn't true, it should be true, of how we run the house. As we've gone more to Internet in a lot of our computer systems, and just like what happened over—I think it was the CIA that had the embarrassing break-in in the computer system.

We supposedly have two hackers that are constantly trying to break our system, because we have a lot of internal information and then, when they break it, we try to figure out how to plug it. Like I say, if that isn't true, we should be doing that.

Do you have efforts to test these dogs and the x ray machines where you try to see if you can beat your own systems?

Mr. HOWE. I'm not really familiar if we try to beat the x ray machines. With the dogs, the dogs are constantly being trained and, in the training, they are trying to be beat. That's just the course of their training. They get trained constantly, every—you know, weekly, daily, monthly, they're constantly being trained.

Mr. SOUDER. Because if there's one thing you quickly learn—I'm sure you know this, but we've learned this too—and that is that it isn't like once you figure out how to stop it, it just—it moves around, and you have to be constantly innovative and some of these new technologies are so expensive that boy, we hope we have some adaptability with it.

Mr. HOWE. We do have a pretty good research and development group in Customs and, of course, we deal with the military and everybody else also.

Colonel MAHON. As a comment on that, not only the fixed sites that were referred to, but there's also mobile sites coming on line where the trucks are essentially semis that have transportable devices.

The Arizona National Guard has going a 7-month testing and evaluating program, one in conjunction with DARPA down at Fort Huachuca. We are now fielding that unit. We are getting ready to test the second unit that has even higher technology. Right now, each unit takes around 8 minutes to go ahead and test—check a 40-foot van.

As far as the testing the system is concerned, I will give an example. We have three teams down there. We have the red, the blue, and the white. The white team are the evaluators, the red team are the ones that are trying to fool the blue team, who are standing in for the Customs inspectors.

Basically, our people go—we went through a 7-month testing process to do exactly that, test the technology. We tried every possible method of sneaking contraband through the machine.

We came out with such high confidence that there were certain areas of the vehicles that were no longer going to be tested, because it was clear that that part of the vehicle was 100 percent. Those other parts of the vehicles that we continued to test were tested to 85 percent accuracy.

So the technology you're looking at is very good and, until the bad guys can figure out a way to change the nature of matter, molecules, atoms, so on and so forth, they're going to have a difficult time coming up with the technology to beat the system.

The problem is, once again, the system has only a certain amount of capacity. The fixed sites, ultimately, I believe, there are going to be 11 fixed sites in the United States, spread from Brownsville to San Diego. The one at Otay Mesa right now is a textbook example.

We also intend on fielding probably upwards of eight to a dozen of these mobile units that can go from Douglas to Yuma back to Nogales and so on and so forth, and we have tested them in the field in El Paso. We are in a test right now in Nogales. So it's very, very encouraging that technology is on our side on this one.

Mr. SOUDER. Do you see the logical advancement to this, particularly if what you do forces them to break it down into smaller and smaller units, and coming over in—I think it was donkeys? Was that how it was earlier—that these might move up to I-10 in the interstate system, the mobile units where you actually try to catch it after it's been consolidated?

Colonel MAHON. We could certainly do that, too. The only problem is that, once again, you know, with Customs inspection, you can go ahead, and there's a certain mile limit from the border where you're in the inspection mode. After that, you start getting into the search mode, and so there are some different legal problems that you face, depending on where geographically you wind up doing it.

But that's not to say that these same pieces of equipment are not only being used on trucks, which is the optimal utilization, but are also being used on passenger sized automobiles with the same success.

So the system that you're looking at basically is they use a dog or some other kind of detection device, an ion scanner or something like that, to qualify a piece of machinery as something you want to take a closer look at, and then you put it through the higher tech. device.

Mr. SOUDER. Let me ask you—I'm not an attorney and, quite frankly, I'm proud I'm not an attorney. John is an attorney. [Laughter.]

You said it wasn't—there were legal questions beyond that. Wouldn't that be if you just did it for who you would suspect? If you put these things at these weigh-in areas and did either a fixed random number or just had it in one place for a couple hours and then moved it to another, as long as there wasn't any discrimination, why would there be a legal problem?

Colonel MAHON. You've got problems with the court situations.

I'll tell you quite frankly we just finished with one up in the Northwest, up in Washington, where passive technology was used to detect indoor marijuana grows, and there are certain courts that

will go ahead and view that kind of thing as an intrusion, which computes to a search. There's another court that may look at it as simply a passive detection and, therefore, it is not a search.

Deferring to the Customs side of the house, I forget exactly what the border is, but up to a certain distance from the border, it is classified as an inspection where you don't need probable cause. After a certain point, it is then a search, and you require probable cause and, as a consequence, virtually every vehicle that comes across the border is subject to search.

If you tried to do that north of Phoenix, for example, you would run into legal problems. You would have to show that you had the probable cause to go ahead and perform the search on the vehicle because, once again, this thing looks through the vehicle. It essentially has the old Superman X ray eyes. It's not simply looking at things that the vehicle is emitting. It actually intrudes into the vehicle, which is protected under the fourth amendment.

Mr. SOUDER. I don't see how it's different than random drug testing. I agree that if you were indiscriminately picking out certain people or going on rumors—and maybe we need a legal change to allow that. But if you are doing it as a random process, we allow random drug testing on drivers. Certainly, whenever you get into this drug area, it's a fine line between invasion of privacy and personal liberty and suspects, particularly when you take property. We have to be careful. But, in a random or non-targeted search, it would seem like we would be able to address that in legal terms.

Colonel MAHON. Randomness is not the key. I don't want to diverge too far from this, but the instance you're talking about of random drug testing of drivers primarily has to do with Department of Transportation and safety rules. Joe Schmo driver going down the highway, there is no right of random drug testing of that individual.

The kind of people you're talking about are truck drivers, airline pilots, train drivers, people where there is a significant government interest in protecting the safety and welfare. Then you will wind up giving exceptions to the proscriptions of the Constitution.

But the kind of thing we're talking about, of simply having a person drive down the road without anything else, these guys are looking for essentially a crime violation, and not a safety hazard.

Mr. SOUDER. I view it as kind of a safety hazard for the people who are abusing drugs, but I understand what you're saying.

Mr. SHADEGG. We are running a little short on time, so I will ask you each to be fairly brief in answering this series of questions. But I guess representing a district in Arizona, I feel some obligation to focus for a moment on the issue of our border and its impact on the Phoenix area, the State of Arizona, the Fourth Congressional District.

We heard significant testimony in California about the additional efforts which were being put into the San Diego region of the border, and the logical conclusion to that—indeed, they testified to it—was that, as they put more and more efforts right in there the Tijuana area and then moved eastward, they found the traffic was moving eastward beyond that. Of course, I believe they are now using National Guard helicopters and other efforts to reach out beyond that.



The logical conclusion for me, representing Arizona, is, you push down here, it's going to pop up there. I guess I would like you each to comment, if you are interested, briefly on whether or not you have seen an impact here at the Arizona border of the crackdown which has occurred in the San Diego region.

Let's go down the line.

Mr. RAFFANELLO. Sure. I'll start right here. From DEA's perspective, from intelligence sources and from talking to people who are involved in drug smuggling, and from past performance, yes, it will come this way.

California does a lab a day. If you would have told us last year that we would be in the hundreds and going over 110 in labs in Arizona, I would have been surprised. I can see the Mexican methamphetamine business moving this way. I can see the Mexican cocaine and methamphetamine smuggling moving across the Yuma corridor and all the way across the Arizona border. Absolutely, I concur with that.

Mr. SHADEGG. Agent Howe.

Mr. HOWE. I concur, also. When the Border Patrol started their increases in El Paso and then moved over to California, it just started pushing everything into Arizona.

Mr. SHADEGG. Agent Gebhardt?

Mr. GEBHARDT. I cannot disagree. Approximately 10 years ago, we fought the battle of drugs in the Caribbean. It was a battle at sea. We put a lot of resources there. I'm not saying the war is over there, but it sure seemed to have moved to a battle in the desert, now.

The more pressure that you put in San Diego, which is right on the border itself, you're going to start seeing the corridor, in San Luis, Yuma, open up much more, and then all along the border you're going to see an increase.

I cannot compare what it was like 2 years ago, because I've only been here a year, but I've been told that it is increasing.

Mr. SHADEGG. Mr. Sharp.

Mr. SHARP. I concur with what has been said. I have watched it increase, and we can see what the pressure—we don't necessarily stop it, we just displace it.

Mr. SHADEGG. Colonel Mahon.

Colonel MAHON. It is indeed true. I think one of the things you're seeing right now is, the bad guys are real light on their feet. When they detect that they're running into resistance, they're going to move laterally. What we're doing right now is, we're trying to create strategies and systems where we can be as light on our feet as they are.

Right now, we're putting together integrated intelligence systems that will be able to tell everybody when there are shifts in the traffic, and then we respond accordingly.

Is there going to be a lag factor? Yes, there is. We will always be a day or two or three behind them. But the point is, sometimes just deterring it and making it harder for them is a victory in and of itself.

There are those people, if you go out to the Caribbean right now, if you talk to the people in Puerto Rico and southern Florida, they

will tell you that it is already starting to shift back in their direction.

Things are getting tough enough, there's enough focus on the Southwest Border now, and we've essentially kind of fallen asleep at the switch in southern Florida and Puerto Rico, that there is some feeling out there that either it is a large resurgence of new traffic or there is a shift of the traffic back over into that arena.

You're absolutely right. We're going to continue to chase them. The point is, what is the alternative? You continue to chase them until some other mechanism in society, as we have pointed out before, decreases the demand for drugs, and then there's no reason to ship them into the United States at all.

Mr. SHADEGG. Thank you. Some other testimony we heard in California kind of surprised me. The aerostat balloon has had a kind of a checkered history. Some people have been extremely critical of it, and I think alleged that it was of little or no value. Others have said it is, I guess at times, a useful tool.

We heard testimony in California at the hearing we conducted there that the aerostat balloon network is deteriorating, in terms of its ability to stay up and function, I guess because of age, but also that, because of that deterioration, more is slipping through and that that was a validation of the fact that the aerostats work.

Do any of you want to comment on either whether the aerostat was a successful or is a successful program and/or whether or not it is deteriorating and needs additional support?

Colonel Mahon.

Colonel MAHON. I'll start on that. The aerostat I think initially received some bad press. It definitely had a very strong effect on the traffickers, because they were out there, they had the ability to detect them through the command and control systems out at March Air Force Base. The information was being passed off.

The problem was not so much in the detection arena as it was in the area of the ability to respond. You have to have an end game. You simply can't be a historian tracking traffic as it comes across.

Historically the traffic did diminish. There are some indications now that the traffic is picking up again but, once again, is it because of the aerostat's ineffectiveness or because now other methods have become effective enough so that coming back across the border using air traffic is now the expansion of that bubble that you were talking about?

As far as the plans are concerned, the indications are right now that there is a growing air traffic, but it is at this point not considered to be significant. Most of Customs' aviation air assets of that nature are down in the transit zones in South America. The Customs Aviation Branch budget has been cut substantially. They have had to mothball a lot of their airplanes.

Getting back to the aerostat issue, I think the technology is still sound, but the important thing, it has a deterrent effect.

I often kid about people saying the scarecrow effect. Even if the radar wasn't on, if you stuck the balloon up, that's enough to keep people from flying. They don't know that the technology at that particular day is not keeping up with them. Just the mere fact that

it exists is a deterrent to air traffic. I think we're going to continue to see that.

Obviously, the aerostat needs some work right now. It is old. The technology itself is old. The technology itself is starting to break down. So it's time to go ahead and make the repairs necessary to keep that system at work.

Is it as effective as other approaches might be? Hard to say. But I don't think you can deny its own internal effectiveness, regardless of what the cost/benefit ratio might be.

Mr. SHADEGG. Agent Howe, or would any of the rest of you like to comment on that?

Mr. HOWE. Customs likes the aerostats, and I have some material in front of me that discusses a little bit as far as we prefer it over the Rothar systems. Customs feels that the aerostats are more suited for us, as opposed to the other system.

Mr. SHADEGG. Perhaps, in the interests of time and also the interest of just educating the members of the subcommittee and the full committee about this, we could ask you to submit those statistics for the record. Great.

Agent Gebhardt, I kind of want to conclude with you. I first want to thank you for discussing the interrelationship between the drug war and all the rest of crime. I guess we tend to think of the drug war as the drug war, but it's really so interconnected.

Congressman Souder took his shot at lawyers. I might point out to him that when I went from being a practicing attorney to being a Congressman, I probably did one of the things where I could step my reputation down; and he is a Congressman.

He gave you an opportunity to put Director Freeh's memo into the record, and you didn't take avail of that. I'm going to give you a separate opportunity that you may want to take avail of that.

You mentioned in your testimony that one of your charges is the issue of terrorism. Terrorism legislation, as you may know, has been a hot issue before the U.S. Congress within the last session of Congress, the last year or two. One of the issues that has been controversial has been the issue of wiretaps, and initially a lot of my constituents said to me, "Look, the Government does not need any more authority to conduct wiretaps."

The information I'm getting out of Washington, however, is that cell phones have made the current wiretap statute close to useless, or at least not near as effective as it needs to be.

We've even heard before Congress discussion of drug smugglers or other criminals bring in literally an entire boxload of cell phones and, because they can switch from one to the other so rapidly, the current law, which requires you to identify the particular phone you're tapping and get probable cause to tap that phone and to prove that there is an intentional effort to use multiple phones to defeat the wiretap is unworkable.

That's a little easier question than the Freeh question. Agent Gebhardt, if you would like to speak to that, and also it appears others would like to address it, as well.

Mr. GEBHARDT. I'm also not an attorney. The FBI relies heavily on court authorized wiretaps, and not only in the drug arena but in kidnapping matters and matters of life and death.

The one thing that I want to put forth to the audience, and also to you, in all the readings that I've seen and in the meetings that I've attended, the FBI is not asking for additional authority to wiretap. We're not asking for a relaxation of individual rights.

What the FBI was asking for is assistance from Congress to—financial assistance from Congress, because of the technology of the telephone.

The telecommunications industry has gone too far and has become so complicated that law enforcement, all of us not only do not have the resources and the technology to keep up with this new technology and the telecommunications system, but we're slowly—the gap between new research and law enforcement is getting wider and wider.

It's going to get to a point where we would not be able to use court authorized electronic surveillance probably at all because we wouldn't have the technology for it. Just recently, Congress passed appropriations and gave to the FBI, I believe it was \$60 million, for this reimbursement of the carriers. We are asking the carriers to change their technology so law enforcement can be compatible. We rely heavily on title III, so we have to be compatible with the telecommunications carriers.

In regards to cell phones, cell phones is just an industry now that is taken for granted by the drug organizations. They will use it—and Tom will tell you—they'll use them for a week, they'll throw them away and get another one.

It makes it a lot more difficult for us in law enforcement—and I'm sure Tom will back me up—when they use their telephones like that. They have this feeling that if they're on a cell phone, they can't be tapped. Well, anybody can be tapped, as long as you have probable cause to believe that a crime is being committed in being used over that instrument, and we go to a judge to get the order signed.

So this whole area of digital telephony and telecommunications is becoming much more complex. I personally—and I'm sure the director has probably thanked Congress for the appropriations. I've been told it's not enough, that it's a 5-year program, that we're going to be coming back and asking for more appropriations, just in order, not for us, but for the telecommunications industry to be compatible with law enforcement.

I'm not sure I was responsive to your question, but I hope I was.

Mr. SHADEGG. Let me just state for the record that at least the story in Washington is—and it may not be the FBI—but the explanation that's been presented to us in committee testimony and in other places is that the current wiretap statute requires you to identify the phone number that you are seeking to tap and have probable cause to do that.

If the suspect of the wiretap uses multiple different phone lines—and let's assume it's a hardline situation, that they're using eight different hardlines at eight different locations—the only way you can get authority to tap those multiple other lines is to prove that the reason they are using multiple different phone lines is to avoid a tap.

Well, now, that's almost impossible, because you have to get inside their head and establish that's the reason. If you have the

ability to use eight cell phones from one location, just as you drive down the road, it makes that quite difficult.

There is always the resource issue. The other issue is one that's been presented to us. Let me conclude by letting Agent Raffanello address that, and at least we've advanced the information on each side.

Mr. RAFFANELLO. I agree with Mr. Gebhardt. What we are facing with digital telephone is a technology that is changing every 30 days, while we're dealing with a statute that's over 30 years old.

Typically, a good Colombian violator—I can speak personally on a case where he had—he was using three or four portable phones a day. When we took him down in the lower east side of Manhattan, he had 52 telephones in his trunk. He was using a technique called cloning, where someone will sit on a bridge and capture the electronic serial number of another passerby, of someone else whose phone is in the on position.

The battle that we're facing now—and Mr. Gebhardt put it very, very well—is the technology is changing so fast that if the carriers are not required to give us the opportunity to tap the phones, not only in drugs but in terrorism—and that's the length of the terrorism bill—and just about any other crime where title 3 technique is really an issue, law enforcement will not be able to avail themselves of that technique. We need some help with that.

Mr. SHADEGG. Thank you very much. Do you want to make a concluding remark, Congressman Souder?

Mr. SOUDER. I didn't get a chance to make any comment on the advertising question. It is one that we've been pursuing. Congressman Mica on the subcommittee has introduced a bill that has the networks excited. It's not going to become law soon. But we require them to set aside a certain number of minutes an hour if they don't start taking more voluntary action.

I don't know for sure what we can do with the proliferation of cable and Internet and everything as alternative media, but clearly that's one of the things we need to see more responsiveness out of. On behalf of one of our fellow freshmen, Sonny Bono, I think he likes the term "pro bono" as opposed to implying it was a negative term.

My big concern is, I think that Partnership for a Drug-Free America has shown that they can do very good ads with donated time and that, rather than us paying an industry to do what they should be doing themselves with their best people, I think they should be doing it.

Now, if we need to in the end fund that, I think we've seen that they can do good things. My only concern is that they don't hire the Dole ad team. [Laughter.]

Mr. SHADEGG. I want to conclude this hearing and this panel by thanking again each of you for your testimony. I do appreciate it. I want to thank all of the witnesses who testified earlier today. I think it is important.

You know, we talk about education, and sometimes people think about education as that which occurs in the classroom. I like to think this hearing is an education effort, and I hope the media has been here and I hope they help us get at least a B-1 story tomorrow about this effort and about your testimony and all of your ef-

forts about the facts surrounding proposition 200 and the danger in that proposition.

I want to reiterate again that the “yes/no” ballot language in that measure, if people simply go to the polls and read that, they read the first sentence, they could be easily confused and I think deceitfully tricked into voting “yes” on that proposition in the belief that it makes drug sentences and drug penalties tougher, and it does the exact opposite.

One of the things in the bill that shocks me is that it automatically releases perhaps 1,500 people, maybe more, who are in prison for so-called use offenses. Well, if you believe that anybody—and I’ve spent 7 years in the Arizona attorney general’s office. I consider myself to have been deeply involved in the crime fight.

If you believe that anyone who is in prison for use is there just because they were a user, you badly misunderstand the criminal justice system in this country. If they are in prison for use, the odds are 100 out of 100 that they were pushers or that they committed a series of other crimes. They are not simply there as simple drug users, and I think the proposition in that regard is dangerous and deceitful.

I also think the testimony today, where Angel Rosa talked about the fact—he said, pointblank, “I didn’t want to go to jail.” For that reason, he went to Teen Challenge and he’s now a productive human being.

This initiative would take away the ability of a judge to say, “You are either going to do drug treatment and make your life better, or I’m going to put you in jail.” That seems to me the only thing that has probably saved a whole lot of people who were embarking down a dangerous course.

I guess I need to conclude by saying two additional things. One, I want to again thank Principal James McElroy and the staff of Sunnyslope High School for making this facility available to us and, most important, for bringing the students in here.

I guess I’m going to take one moment of glory and say, Agent Gebhardt, that the idea of bringing it to a school was mine. We were going to do it downtown in the Phoenix City Council Chambers, and I said, “No, let’s try to get it close to the school, for kids.” I think that may have been the single most—just the audience here may have been the most productive thing we did in the hearing.

I also want to thank Colonel Mahon and all of the agencies who are going to be involved in the effort this afternoon.

Some of you may not know Congressman Souder and I and others, including staff of the committee will be leaving here, and we will fly down to Nogales where we do, as a result of the efforts of Colonel Mahon, a tour of the border by helicopter and get a look at how porous it is, and the challenge you face there, the challenge that Customs faces, the challenge that Border Patrol faces, and get a tour of some facilities, both Border Patrol facilities and I think Customs facilities.

I want to publicly thank you all for adding that and for your efforts in making that possible.

I guess I will conclude by saying my opposition to proposition 200 is, I think, made clear here today, but I don’t intend to stop speak-

ing out about it, so if I can help you in the future, I would be happy to do that.

With that, I will declare this hearing concluded. Thank you. [Applause.]

[Whereupon, at 1:05 p.m., the subcommittee was adjourned.]

[The prepared statement of Sylvia Martinez follows:]

Mister Chairman and distinguished members I would like to thank you for the opportunity to address this committee, being a single mother and raising three children in a society that Youth and Adults are subject to prevailing societal factors that potentially contribute to substance abuse.

Yuma County is a rural community, I live in Somerton which is located fifteen miles from Yuma, ten miles from the Mexico border, the rural, agricultural community of Somerton, also bordered by the Cocopah Indian Reservation, has been growing at a 5% rate during the past few years. Although the 1995 census has given the community count of 5,824, the community officials estimate an 8,000 population.

It is important to keep in mind an extremely large percentage (approximately 95%) of the youth who reside within the service boundaries of the Somerton Community are at-risk. Many of the youth are likely to become involved in Chemical abuse, gang related activities, or to drop out of school.

I am one of those families who have been affected by all these factors, my two oldest children were Heroin addicts, like most parents we hide our heads in the ground like ostriches (a most common survival attitude). Then comes the denial period, and that of just giving up.

I have gone through looking for help and finding that in our area of the world there is no help. The hospital which serves all of Yuma County has no detox center or medical wing to house patients. We do have a ten bed area at Behavior Health, but if you look at the population of Yuma County which is 131,277,000. Who are we fooling? We also have an organization which is called Crossroads which houses homeless, who need these services. In all honesty one would not house their children in this location.

**In actually If the person who is addicted does not want help, in most cases we as parents will be fighting a losing battle.**

I am a mother and would not stop in looking for a solution, the same solution many parents are looking for. This evil thing does not look at classes -rich,middle class, poor,educated or uneducated. It over powers and destroys the individual and their families.



It has taken faith, understanding and determination to lead my children in the right path. Drugs affect the lives of millions of Americans. A recent Galup Poll, almost one half (45%) of Americans report that either they, someone in their family, or a close friend has used illegal drugs. Of these, 28 percent characterized the drug use as moderate, while 29 percent described it as a serious addiction. More than half of those who reported knowing someone with a drug problem were living in households with incomes of \$35,000 or more, and most were white. Drugs did not just affect my family it has affected all Americans from every social, ethnic, racial and economic background.

General tolerance of recreational drug and alcohol use; general pro-use norms, especially those glamorized by the mass media; lack of employment, underemployment or lack of opportunity; and oppression and/or racism are more insidious in their impact on substance abuse. **These areas must be addressed.**

Drug prevention and treatment efforts are critical to stopping this progression, remembering that between \$333,000 to \$809,000 can be saved for each individual who does not progress on to a lifetime of drug use.

I had the opportunity to attend The White House Leadership Conference on Youth, Drug Use, and Violence, on March 7, 1996 these specific recommendations for effective strategies were recommended by parents, clergy, youth , reseachers, community and business leaders, entertainers, media,treatment and prevention specialists judges,prosecutors, and law enforcement and prior drug users:

- Give youth the ability to make the right decisions through education that challenges and provide the opportunities for choices.
- Develop a more coordinated approach among the law enforcement, juvenile justice, treatment, and prevention communities to address the needs and problems of youth involved in drug use and violence.
- Create partnerships between schools, parents, and the community that cover all aspects of the school experience.

- Expand education efforts that emphasize the relationships between violence and the use of alcohol and other drugs.
- Support comprehensive gang prevention efforts which begin early and utilize an integrated approach to child development, education, family involvement, and nonviolent conflict resolution.
- Support the formation of coalitions of care providers as a mechanism to maximize availability and continuity of services for children and youth.
- Recognize the need for the juvenile justice system to deal with the entire family, providing counseling for all the members, not just the troubled juvenile.
- Enhance enforcement of minimum age drinking laws and enforcement against adults who supply alcohol to minors.

I have worked as a volunteer for the Governor's Alliance against drugs since 1984 to 1994, I then joined Arizona Mexico Border Health -VECINOS in 1994 to the present. I have cried with parents, clients and my own children, again I would like to thank you for this opportunity and close by saying not to give up on your family member or your community. **We must all work together and continue with our efforts.**

Sincerely,

Sylvia Ann Martinez



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Ms. Sylvia Ann Martínez has been active in her community and state working toward the advance of youth since her youth in 1969 she was awarded an American Legion honor award and served as youth representative 1969 and 1970. Ms. Martinez was appointed by Somerton City Council in 1984 to work with the Governor's Alliance Against Drugs. Where she has served as Councilmember, Vice-Mayor and Interim Mayor since 1984 to the present. In the Governor's Office Against Drugs she served in the Executive Board of the Governor's Office for the State of Arizona. In 1990 Ms. Martinez received recognition by Governor Rose Mofford for her work in the Alliance Against Drugs. Ms. Martinez has also received recognition by organizations such as Chicanos Por La Causa and Fred G. Acosta Job Corp. Ms. Martinez is a Democrat and is presently serving as Precinct Committee Person. Ms. Martinez is presently employed at Puentes De Amistad which is part of an Arizona-Sonora borderwide substance abuse prevention coalition (VECINOS) funded by the Center for Substance Abuse Prevention of the Department of Health and Human Services.

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