



Department of Justice

ON THE ROAD TO A DRUG FREE SOCIETY

BY

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BEFORE

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It is good to be back. I was last here just one year ago. At that time, while walking toward the offices here which house the Cornell Law Forum, someone caught up with me in the hall and said that there was a telephone call for me from Washington. I took the call and learned that the Justice Department needed a new Associate Attorney General. Consequently, all I can say is "that a funny thing happened to me on the way to the Forum."

There are enormous differences between practicing law in a fairly substantial law firm headquartered in one of our major urban centers, and working in the Department of Justice. In our law firm, we had a hundred prima donnas, I mean lawyers, plus a requisite number of personnel to support them. Our budget was roughly \$25 million per annum. At the Department of Justice, we have 68,000 people with a budget of roughly \$5 billion per annum. The Department's responsibilities, of course, include practicing civil law for the United States Government and all of its component parts, helping administer the criminal law of our nation, as well as law enforcement. The Department embraces the Bureau of Prisons, the Federal Bureau of Investigation, the Drug Enforcement Administration, the Immigration and Naturalization Service and the United States Marshals Service.

As far as the lawyering responsibility is concerned, I do not remember what our docket was in our law firm, but I now bear the responsibility of supervising over 200,000 civil cases and, on the defense side, we are talking about exposure to liability of something in the neighborhood of \$500 billion.

At the Department of Justice, we are concerned about such things as our program for countering international terrorism, trying to contain white collar crime, maintaining a clean environment, our counterintelligence program to thwart espionage, the reformation of our system of tort law, enforcement of our antitrust laws, administration of our Indian laws, and so many others. But there is no doubt that our number one priority is the war against the trafficking in and use of illegal drugs.

When this Administration took office in 1981, it was surprised to find no strategy in place for combatting illegal drugs. Instead we found a permissive attitude toward drugs. So we rapidly mobilized for a vigorous, systematic attack on the supply of drugs. Today our effort involves 37 federal agencies, including the Department of Defense.

We have scored many successes. We are interdicting more narcotics than ever before. Last year, we seized 20 tons of cocaine, for example, compared to two tons in 1981. We have blazed new trails in international cooperation. Today, fourteen countries are eradicating narcotic plants, compared to only one in 1981. We have also set new records in drug enforcement, bringing the FBI into the effort for the first time in 1982. And since beginning operations in 1983, Organized Crime Drug Enforcement Task Forces in 13 regions have convicted over 3,600 drug criminals.

Our commitment to drug law enforcement has likewise been

reflected in our budgets: Federal spending will triple from about \$700 million in 1981 to \$2.4 billion in FY 1987.

But despite record numbers of arrests and record seizures of narcotics, more drugs are entering the U.S. than ever.

The President has now committed the prestige of his office to a national crusade. On August 4, he announced six new goals designed to build on our past accomplishments and lead us to a drug-free America. Those goals are: one, drug-free workplaces; two, drug-free schools; three, providing effective treatment for those suffering from past drug abuse; four improving international cooperation to stop the inflow of illegal drugs; five, further strengthening law enforcement; and six, increasing public awareness and drug abuse prevention.

The President has declared his intention to use all of the tools at his disposal to attain those six goals. Already he has taken steps, including authorizing drug-testing, to make the Federal workforce, some 2.8 million employees, drug-free. And he has presented to Congress the Drug-Free America Act of 1986, which, when passed, will commit \$900 million of increased resources to the Federal effort against drug abuse.

This omnibus package would remove federal legal barriers to drug testing in the workplace and in the schools; supply funds to help states and localities free their schools of drugs and treat specific drug-related health problems; permit federal officers to make drug arrests in foreign countries; permit deportation of

aliens involved in drug-trafficking; and strengthen criminal penalties.

Title IV of the Act would build upon an idea which has had a most successful shakedown cruise over the past two years: asset forfeiture. The Comprehensive Crime Control Act of 1984 gave us a powerful new weapon in our drug enforcement arsenal -- the seizure and forfeiture of the tools and profits of drug traffickers, thus enabling us to hit the traffickers where it really hurts -- in their pocketbooks. By stripping a drug cartel of its working capital, we destroy its power and its ability to do business. We also made it possible to share the assets federal agents seized from drug criminals with state and local law enforcement agencies who help in making our cases. Last year alone nearly \$250 million in assets were seized by the DEA. Today, assets worth some \$350 million are being managed by the U.S. Marshals Service. Since August of 1985 we've turned \$30 million to state and local agencies. Tens of millions more will be handed over in the next few months.

The President's proposal would give this idea an international dimension. It would empower the U.S. to seize and forfeit property in the United States that represented the fruits or instrumentalities of foreign drug crimes. And it would authorize the Attorney General to share forfeited assets or proceeds with foreign governments in cases involving joint cooperation. We want to broaden the scope of an effective crimefighting device.

But, today, it's clear that the big challenge we face in solving the drug problem is changing attitudes about drugs. It is perfectly clear that if we continue our efforts to eradicate drugs at their source, to interdict drugs before they cross our borders, to investigate drug crimes, to prosecute, convict and incarcerate drug criminals, and to seize the tools and profits of their crimes, we will not, I repeat, we will not solve the drug problem. We will be like the little Dutch boy running up and down the dike, poking his fingers into a hole here and there. We will perhaps stem the tide somewhat, but we will not solve the problem. We must change our citizens' attitudes, for as long as our citizens choose to use drugs, there will be people there to supply them one way or the other. Until we do that, we won't make much progress.

The first step is to rebut the notion that drug use is a victimless crime. Drug abuse is not a private matter. Drugs ruin lives, destroy families and entire communities. Drugs are dangerous, debilitating, disabling and devastating. They put the health and security of our country at risk.

Decisions to buy and consume illicit drugs are tragic. And the trail of harm leads from school playgrounds through blighted neighborhoods infested with street peddlers, to corrupt officials and organized crime bosses and bloody drug murders, to Marxist guerrillas in steamy fields of marijuana, coca and opium plants. Whether viewed geopolitically or personally, every individual's choice to use drugs is a ballot cast for tragedy.

If we are to turn this situation around, leadership will be required -- in the White House and the statehouse, in the pulpit, in schools, at work, at home. We have to change our peoples' appetites for drugs. We can and we will. First with smoking and more recently with alcohol, we've proven how education shapes attitudes, which in turn shapes behavior.

In a way, the public attitude reminds me of the old story about a conversation between two old curmudgeons. One of them asked the other, "Do you know the difference between ignorance and apathy?" The other responded, "I don't know and I don't care." Well, clearly you people do know and you do care.

The scourge of illicit drugs has infected our institutions of learning -- our elementary schools -- our high schools and prep schools and our colleges and universities. No one, of course, is more involved in making our schools drug free than the U.S. Secretary of Education William Bennett. Only two weeks ago, his department published a pamphlet entitled Schools Without Drugs, which provides parents, school officials, students and communities with reliable and practical information about the problem of school-age drug use and what they can do to achieve drug-free schools.

But Secretary Bennett is perhaps best known and rightfully so, for the moral leadership that he has shown in furthering the goal of a drug-free society. Not long ago he called upon the leaders of America's institutions of higher learning to join him

in the fight against drugs. Speaking to the Association of Governing Boards of Universities and Colleges in March, he said:

All colleges must protect students from certain influences -- drugs, criminals, fraud, exploitation.... Specifically, for example, parents should be able to expect colleges to do their best to keep pushers off campus, and get drug users and cheats, frauds and exploiters off campus, if they are already there. Parents expect colleges to be positively and publicly and actively against these things. Parents do not expect colleges to be neutral as between decent morality and decadence.

This past summer Secretary Bennett challenged every college president to write to his students and tell them this:

Welcome back for your studies in September; but no drugs on campus. None. Period. This policy will be enforced -- by deans and administrators and advisors and faculty -- strictly but fairly.

Bill's refreshing candor and directness reminds me of Harry Truman's quip: "I never give them hell. I just tell the truth and they think it's hell." Well, I applaud Secretary Bennett for tackling the problem of drug use on college and university campuses. And I also applaud university presidents, like John

Silber at Boston University, Russell Todd at Norwich University in Vermont, and David Warren at Ohio Wesleyan, who have taken a clear stand against drugs on campus -- not to mention the "zero tolerance" policy of the Citadel and University of Virginia's recent crackdown.

We need your help as leaders in your communities to join us in finding the way back to a drug-free society where our children may attend schools without running a gauntlet of drug predators. Where citizens may live in unblemished neighborhoods and walk streets without fear of being mugged by addicts or assaulted by PCP-crazed youths. Where consumers may buy cars, appliances and homes with confidence that their quality and safety has not been compromised. Where athletic excellence is attained through hard work and honest play, rather than through steroids or doping. And where families and loved ones need not stand prematurely at graveside to say good-bye.

Yes, we need moral leadership. The Ivy League has long excelled in forming young men and women to lead our nation. Today, as we face a drug epidemic that is as much a moral contagion as a medical one, the leadership of universities and colleges like Harvard, Yale, Columbia -- and Cornell -- has never been more acutely needed. I call on you, today, individually and as part of a great university to help us build a better society, a drug-free society.

As I close, I think of Louis Untermeyer, the poet, who was on a lecture tour. He told an upstate audience all his best

stories. After the lecture he was presented with his check, which he realized had been rather a burden on the committee. With a wave of his hand, he offered it back to be put to some good use. The committee faltered. They retired to a back room to decide what to do. The problems settled, they returned, accepted the check and then said that it would be the beginning of a special fund. "And the purpose of this fund?" asked Mr. Untermeyer. Their eyes fluttered unhappily. "It's a fund to get better lecturers next year," they said.

I hope you, too, do better next year. Thank you so much. It's so good to be home.