THE CLANDESTINE MANUFACTURE OF ILLICIT DRUGS

HEARINGS

BEFORE A

SUBCOMMITTEE OF THE

COMMITTEE ON

GOVERNMENT OPERATIONS

HOUSE OF REPRESENTATIVES

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[1] Resigned from committee October 10, 1985.
[2] Appointed to committee October 10, 1985.

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APPENDIX

THE CLANDESTINE MANUFACTURE OF ILLICIT DRUGS

TUESDAY, SEPTEMBER 24, 1985

HOUSE OF REPRESENTATIVES,
GOVERNMENT INFORMATION, JUSTICE,
AND AGRICULTURE SUBCOMMITTEE
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Oklahoma City, OK.

The subcommittee met, pursuant to notice, at 10 a.m., in the Federal Courthouse, Oklahoma City, OK, Hon. Glenn English (chairman of the subcommittee) presiding.

Present: Representatives Glenn English and Gerald D. Kleczka.

Also present: William G. Lawrence, counsel; Euphon L. Metzger, clerk; and John J. Parisi, minority professional staff, Committee on Government Operations.

OPENING STATEMENT OF CHAIRMAN ENGLISH

Mr. ENGLISH. The hearing will come to order.

As many of you know, this subcommittee has held 29 hearings on drug trafficking in the past 3 years. One thing that we have learned from those hearings is that the illegal drug situation can change rapidly from year to year and that our law enforcement agencies have to be ready to change to meet this new threat.

We have seen changes in the drug smuggling routes over south Florida, where law enforcement pressures have caused traffickers to divert much of their activity to other parts of the country. The seizure of 750 pounds of cocaine in Oklahoma City last week is evidence of this shift. Another example of the shift caused by law enforcement pressure was the recent dramatic increase in domestic marijuana growing, which has happened largely in response to the pressure which was put on South American smugglers by the Coast Guard. As seizures of smuggled marijuana rapidly increased, so did the production of domestic marijuana.

Relatively fast changes also occur when drug abuse preference patterns change, as well. This was the case with cocaine, which surged in abuse levels when it suddenly gained the reputation of being a high-class recreational drug. Drug supply quickly fills an increased demand.

And changes in the drug abuse patterns can also occur when technology of illegal drug manufacturing becomes more widespread. This is the problem that we are looking into this morning, as we examine the recent increase in clandestine drug laboratories.

These operations produce such illegal drugs as amphetamine, methamphetamine, PCP, and, most recently, cocaine. We have no foreign country to blame for these crimes, as we do with heroin or cocaine. The production and distribution of these clandestine drugs is an American crime problem, and it has increased at an incredible rate.

In Oklahoma, there were no clandestine labs seized in 1981. In 1982, the Bureau of Narcotics found only one. In 1983, eight labs were discovered. In 1984, this increased to 9, and so far this year they have already seized 13 such laboratories with additional investigations ongoing. Arkansas has reported a similar situation.

In Texas, the department of public safety reports seizures increasing from 6 labs in 1981 to 58 last year. They have already seized 52 labs this year, and will easily surpass last year's figures.

To call the criminals who operate most of these labs chemists is like calling Jack the Ripper a brain surgeon. While there are cases where qualified chemists were arrested for manufacturing illegal drugs, most of the lab operators are common criminals who are trying to follow a formula which they obtained from an underground source. And don't confuse most of the clandestine labs with sophisticated research facilities. They are usually primitive cooking operations, and the illegal drugs which they produce are frequently laced with lethal impurities like cyanide.

Some chemicals which are used in these labs, such as ether, are extremely volatile, and it is not uncommon for the labs to explode violently during the cooking process. The Daily Oklahoman reported last week that in Vian a suspect deliberately detonated his lab as the police closed in. Clearly, these criminal activities pose a great danger to the homes and people in the areas surrounding these labs, as well as a danger to the law enforcement officials who must raid them.

Our preliminary review of clandestine drug manufacturing shows that there may be differences in various regions of the country in the drugs that are produced and the distribution networks through which they flow. Our first witness is going to be the Director of the Drug Enforcement Administration's Dangerous Drug Section, and he will give us an idea of the national picture.

I might say before he testifies, though, Mr. Tom Heggy, who will be representing the Governor, is going to say a few words.

They will be followed by law enforcement officials from Texas, Arkansas, and Oklahoma. And we will also hear from the district attorney for Oklahoma County, Bob Macy, who will tell us his experience in prosecuting clandestine lab cases.

I also want to welcome to the State of Oklahoma, Congressman Gerald Kleczka, from Wisconsin. Congressman Kleczka, do you have some comments you would care to make?

Mr. KLECZKA. Yes, I do. Thank you, Mr. Chairman.

The committee is here today, my friends, in a continuing effort to win the war on drugs. However, we are now seeing an expanded battlefield due to the increase of illegal drug manufacturing laboratories.

Since I arrived in Congress some 15 months ago, I have had the pleasure of working closely with Congressman Glenn English on the critical problem of illegal drug use, which wreaks untold havoc

on millions of our fellow Americans. Through Congressman English's efforts on this issue not only in the State of Oklahoma but also nationwide, we have seen a real cooperative arrangement between drug officials and the Department of Defense, using the most modern radar and aircraft and naval vessels to curtail drug trafficking. Further, Congressman English has worked to ensure that drug agencies have the necessary resources to do an effective job.

Now, as I have said, the battlefield has expanded to clandestine laboratories as evidenced by the shocking increase in seizures by DEA and local drug officials. The purpose of this hearing is to point out the severity of this problem, not only to this committee but to the entire Congress and, most importantly, to the American people.

To the criminal element who manufacture illegal drugs, we say to you that you are not welcome here in Oklahoma or in my State of Wisconsin or in any of the other 48 States. To the drug abuser, we point out the primitive and unsanitary lab conditions utilized. The ensuing health risks, such as Parkinson's disease, are surely not worth the risk.

I look forward to hearing from today's panel of experts, so we can take this information back to Washington and continue the war on drugs on the new battlefield of clandestine labs.

Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you very much, Congressman Kleczka.

First of all, I would like to recognize Mr. Tom Heggy, who is special assistant to Gov. George Nigh, and he is also, of course, director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs. Tom, we want to welcome you and hear whatever words you might have for us this morning.

STATEMENT OF TOM HEGGY, SPECIAL ASSISTANT TO GOV. GEORGE P. NIGH, REPRESENTING THE OKLAHOMA STATE BUREAU OF NARCOTICS AND DANGEROUS DRUGS

Mr. HEGGY. Thank you very much.

On behalf of the Governor, I do want to welcome you here, and we appreciate you holding hearings in Oklahoma City.

We have a problem in this State. The problem as we see it is not only PCP but, rather, narcotics. I want to commend you also for the fact that in the past year we have been able to use the National Guard to some extent, used their helicopters and troops not only in the field to cut and burn marijuana in large areas but also for surveillance and overflights by Air National Guard helicopters.

The other factor we have is the problems of the amount of money involved in labs, and the other factor probably is that everybody is heavily armed. There is much at stake in PCP; when you talk about the overdoses, you talk about the suicides, you talk about the debilitation of the body, and you talk about the loss of man-hours because of the use of PCP when you talk to people from industry, and I am talking about major companies here in the city, and they talk about the attrition rate, and they talk about absenteeism because of the use of drugs. This is a factor I don't think that a government fully takes into consideration when we talk about the cost of drugs to the country.

The other thing we get into is the fact of the dangers to the agents, and I think a part of it is manning level. The narcotics agents of the Federal Government are sorely stretched across the State, they are minimal. The State agencies have to deal in numbers, but it would appear that with the advent of the PCP labs, we are seeing a major increase in those, and I would not doubt but what we will see 18 to 20 labs take off by the end of this year because of the financial remuneration to those who run them.

This morning I have with me Agent Lyman, he is a field agent with the bureau of narcotics, and his backup will be Agent Fred Means, one of the top agents, and these gentlemen have worked PCP labs for a number of years and have a wealth of experience, I am sure they will share with you some of their experiences on some of the problems in the State, and again I thank you for being here.

Mr. ENGLISH. Thank you very much, Tom. We appreciate your words, and they are helpful for us. It is always nice to see you.

We are going to take things a little bit out of order, I think. I notice that the Oklahoma State Bureau of Investigation has provided us with a drug laboratory. As I understand it, Drug Supervisor Richard Dill is here and will demonstrate that. It might be helpful to us as we begin, Mr. Dill, if you could come forward and tell us a little bit about the laboratory and give us a demonstration before we get into the actual discussion of many of these drugs. I want to welcome you here today.

STATEMENT OF RICHARD DILL, DRUG SUPERVISOR, OKLAHOMA STATE BUREAU OF INVESTIGATION

Mr. DILL. Thank you, Mr. English.

Mr. ENGLISH. Thank you.

Mr. DILL. What we have here is most of the reactions beginning in a vessel of this nature.

Mr. ENGLISH. Now, could I interrupt you just a minute? Are these from an actual working laboratory that you have confiscated?

Mr. DILL. Yes, sir; everything on this table was once taken from a laboratory. It may be parts of two or three different laboratories. It is fairly sophisticated equipment. I believe the approximate value on this table would be somewhere around $1,500 or $2,000 if they had to purchase the items.

Mr. ENGLISH. Could those items be purchased in any store?

Mr. DILL. There are quite a few chemical supply houses in the United States. Various competing companies sell equipment. They may not ask too many questions as to why equipment is being purchased.

Mr. ENGLISH. OK. Is this laboratory set up to produce any particular type of drug?

Mr. DILL. Yes, sir. Most of the equipment here is generally found in amphetamine or methamphetamine laboratories.

Mr. ENGLISH. If you would, proceed and demonstrate how it works.

Mr. DILL. The initial reaction takes place in a vessel, a large 2,000 mililiter, which is that size, or maybe a 12 liter flask of this nature. The item is heated by use of a varial which controls the

temperature and boils the fluids. This causes a fuming action. The fumes rise up in here, and this is a condenser where water, cold water, is flowed through the condenser, which cools the gas fumes and at that point they drop back into the condenser, back into the reaction vessel where the reaction takes place, usually about 15 hours of reflexing, or reacting the various chemicals, starting with the phenylacetic acid for methamphetamine or for the amphetamine.

After this reaction is completed, the substance is taken out, and what they are searching for is called phenyl-2-propanone, or phenylacetic acid, or phenyl acetone, I am sorry.

At that point, it is somehow extracted out of the reaction mixtures and placed in a chamber here. Then again it is cooked or reflexed, but instead of reflexing directly back down into the main substance, it is then purified by this apparatus and condensed and collected over here. The final product here would hopefully be the purified phenyl-2-propanone.

At that point, it is then taken from this vessel and placed back into another flask where the final process takes place in the manufacturing of methamphetamine or amphetamine.

So, various paraphernalia: This is a large Buchner funnel and a vacuum system. They have a vacuum motor of some nature to draw or dry the substance in their purification and getting the powder, into the final powder for distribution, and, of course, the scales for weighing.

Mr. ENGLISH. Mr. Dill, how long would it take to go through this process and actually produce the finished product, methamphetamine, say?

Mr. DILL. The phenyl-2-propanone, I believe, is usually about 15 to 20 hours of actual cooking. Then they would take maybe an hour or so, depending on how versed they are in the process, and clean up their product, placing it in here. Very little time is involved here in the actual distilling of phenyl-2-propanone; probably an hour again to distill off the final product—the precursor and at that point, they go into the final reaction. I believe methamphetamine takes a period of about 5 hours at that point.

Mr. ENGLISH. So we have a total of what?

Mr. DILL. So straight through, maybe a total of 24 to 30 hours, somewhere in that nature.

Mr. ENGLISH. And a lab of that size, how many pounds could they produce in a week, say?

Mr. DILL. Well, again, you can get larger and larger equipment, or maybe their initial starting point would be at this nature. If they started with 100 pounds of phenylacetic acid and they react all of that, then they are going to end up with approximately 50 pounds of the phenyl-2-propanone, and then when they make the final product, again it would be about 25 pounds of methamphetamine or amphetamine, is how I see it.

Mr. ENGLISH. And what would that be worth?

Mr. DILL. It is not 100 percent yield in these type processes. I don't know how long it would take them—again, depending on size of how much they are going to cook. You could probably cook maybe about 3 pounds, 3 to 4 pounds, starting here, of the phenyla-

cetic acid and end up with 1 pound or 1½ pounds of the finished product.

Mr. ENGLISH. And you said they would have about 25 pounds a week? Is that what you said?

Mr. DILL. Oh, they could probably do more than that if they wanted to work continuously and if they had enough people to take turns watching. You know, they are going to be able to sleep, make the P2P, you have got a 20-hour time here, so you are talking about 4 times 20 would be about—every 20 hours they could take 4 pounds or use about four pounds of phenylacetic acid.

Mr. ENGLISH. So, say, 28 pounds then, if you just went 4 pounds a day, say?

Mr. DILL. Yes.

Mr. ENGLISH. And that would be worth what? How much money would that be worth?

Mr. DILL. You would probably have to talk with the bureau of narcotics again on the actual value. I believe—it varies widely. I am not sure of the actual value at this time.

Mr. ENGLISH. My staff tells me it is worth about $1,500 per ounce or $25,000 a pound, so that would be well over $600,000?

Mr. DILL. The finished product, here again, would be cut and diluted with diluents, and so a pound of this may be cut quite a lot and may be 10 pounds on the street.

Mr. ENGLISH. So we are talking about well over a half million dollars, and probably well in the neighborhood of three-quarters of a million dollars?

Mr. DILL. Yes, sir.

Mr. ENGLISH. For 1 week's effort—excuse me, 1 day's effort.

Mr. DILL. If they proceeded in that manner; yes, sir.

Mr. ENGLISH. Thank you very much. We appreciate that, Mr. Dill. That is very helpful and very enlightening.

We will hear our next witness now from the Drug Enforcement Administration. We have Mr. Raymond Vinsik, who is the Director of the Dangerous Drug Investigations Section.

Mr. Vinsik, we will let you identify the gentleman who is accompanying you, although he is certainly known to this committee.

STATEMENT OF RAYMOND L. VINSIK, CHIEF, DANGEROUS DRUG INVESTIGATIONS SECTION, DRUG ENFORCEMENT ADMINISTRATION, ACCOMPANIED BY PHIL JORDAN, SPECIAL AGENT IN CHARGE, DALLAS DIVISIONAL OFFICE, AND FRANK MALDONADO, RESIDENT AGENT IN CHARGE, OKLAHOMA RESIDENT OFFICE

Mr. VINSIK. Thank you, Mr. Chairman.

I have on my left Phil Jordan, who is the special agent in charge for the Drug Enforcement Administration of the Dallas Divisional Office, and on my right I have Frank Maldonado, who is the resident agent in charge of the Oklahoma Resident Office.

Mr. ENGLISH. We want to welcome each of you gentlemen to the committee. We appreciate your coming along and look forward to your testimony.

Mr. Vinsik, we will let you proceed.

Mr. VINSIK. Chairman English, members of the subcommittee, I am pleased to be here today to represent the Drug Enforcement Administration as you explore the important matter of clandestine manufacture of dangerous drugs.

When we discuss drug trafficking, most people think in terms of heroin, cocaine, marijuana, and pills. They never think much beyond the last category in terms of production, distribution and the relative level of harm caused by pills.

Although the least amount of public attention is generally given to them, abuse of dangerous drugs is a very serious problem. Dangerous drugs are responsible for approximately 70 percent of emergency room episodes reported to the National Drug Abuse Warning Network [DAWN]. We estimate that approximately 20 percent of the dangerous drug mentions correspond to drugs produced clandestinely.

A clandestine laboratory is defined as any laboratory, whether it be sophisticated or makeshift, which clandestinely manufactures dangerous drugs. Clandestine laboratory chemists may be formally educated in chemistry or have no knowledge of chemistry. They may have obtained the necessary chemical formulas or have been schooled by a chemist. Law enforcement is mainly concerned with five laboratory types: Methamphetamine, amphetamine, PCP or phencyclidine, cocaine, and P2P.

There are many and serious dangers involved in the enforcement operations against laboratories. Primarily due to the caustic chemicals used, many labs are very flammable and explosive. Clandestine operators also boobytrap laboratories to injure raiding enforcement teams or to provide a screen or cover to escape arrest.

Agents who dismantle labs face a serious health problem caused by the inhalation of dangerous fumes emitted by chemicals used to produce these drugs.

The seizure of clandestine laboratories places a large financial burden on law enforcement agencies. Large amounts of hazardous chemicals must be destroyed according to the Environmental Protection Agency's standards. And this is extremely costly.

Generally, methamphetamine, amphetamine, and P2P are produced throughout the United States in clandestine labs. PCP is usually produced in areas near large cities where there is a demand for it, such as Washington, DC. Cocaine conversion laboratories have been mainly detected in the Florida area; however, this drug is used throughout the United States. The Texas-Oklahoma-Arkansas areas are mainly concerned with clandestine production of methamphetamine, amphetamine, and PCP.

Over the past 5 years, there has been an 85-percent increase in the number of clandestine laboratories seized in the United States: from 192 in fiscal year 1981 to 356 in fiscal year 1985. There has been a 220-percent increase in clandestine labs seized between 1981 and 1985 in Texas and Oklahoma.

The majority of clandestine laboratory seizures conducted during 1984 took place in the Southwest and Western United States. Six of DEA's 19 field divisions—San Francisco, Dallas, Houston, Seattle, Miami, and San Diego—accounted for more than 62 percent of the total 1984 laboratory seizures.

The eastern region—Boston, Newark, New York, Philadelphia, and Washington, DC—accounted for nearly 20 percent of the 1983 laboratory seizures. This share decreased to 9 percent in 1984.

To implement our enforcement program targeted against clandestine manufacturers of dangerous drugs, we have monitored the number and locations of laboratories seized. We have a chart hidden behind there which I would like to show you later. We analyze changing patterns in the DAWN mentions. In 1984 the Administrator of DEA issued a directive mandating that each DEA domestic division establish a clandestine laboratory investigating group and/or agent that would be responsible for investigating clandestine laboratories. Each division has designated a special agent, and he is responsible for establishing liaison with chemical companies and in general working on clandestine laboratories.

DEA expends approximately 13 percent of its agents' man-hours on dangerous drug cases, both the illicit diversion cases and the clandestine laboratory cases. In the Dallas division, the agents expend approximately 34 percent of their time investigating dangerous drug cases. Oklahoma City falls within the Dallas division.

In response to the clandestine laboratory problem, DEA initiated "Operation Origination" in 1984. This international effort seeks to limit production of chemicals used in the clandestine production of the four most highly abused dangerous drugs by eliciting the voluntary cooperation of manufacturers who produce these chemicals. This enforcement endeavor focuses on LSD, methaqualone, methamphetamine, and phencyclidine, and the four main precursor chemicals associated with them: ergotamine tartrate, antranillic acid, phenylacetic acid/P2P, and piperidine.

The focus of this approach is on prevention rather than apprehension. By limiting the availability of these chemicals the clandestine manufacture of dangerous drugs can be substantially reduced.

We have also initiated specialized training on clandestine laboratories for both DEA personnel and State and local enforcement officers. We are researching the types of equipment needed by a clandestine laboratory team to effectively dismantle laboratories and limit the danger to personnel involved.

There are currently two DEA-sponsored State and local task forces formed especially to investigate clandestine laboratories: One in Fort Worth, TX, and one in Washington, DC. There are a total of 32 other DEA-sponsored task forces throughout the United States which participate in all type of drug investigations.

In 1985, DEA has held 7 clandestine laboratory schools which trained 149 State and local officers in clandestine investigations.

Mr. Chairman, the clandestine manufacturing of dangerous drugs contributes to our Nation's overall drug problem. We recognize a need to control this domestic drug-produced phenomenon.

The DEA dangerous drug program has a proactive approach to prevent clandestine laboratories from obtaining the essential chemicals. I believe that in the long run these initiatives will take hold. In the interim, DEA, along with our State and local counterparts, continues to target those criminal organizations responsible for this facet of the drug problem.

We appreciate your interest in this matter, and I would be pleased to respond to any questions you may have.

Thank you.
[The prepared statement of Mr. Vinsik follows:]

STATEMENT

RAYMOND L. VINSIK

CHIEF, DANGEROUS DRUG INVESTIGATIONS SECTION

Chairman English, Members of the Subcommittee, I am pleased to be here today to represent the Drug Enforcement Administration as you explore the important matter of the clandestine manufacture of dangerous drugs. Before I discuss this matter in depth, I would like to provide the Subcommittee with some general background information and to place this aspect of the drug abuse and trafficking problem in the context of the overall drug trafficking situation.

Generally, when we discuss drug trafficking, most people think in terms of heroin, cocaine, marijuana and "pills", never thinking much beyond that last category in terms of production, distribution and the relative level of harm caused by "pills." Dangerous drugs, as DEA categorizes them, are either of licit origin, that is manufactured to meet our legitimate pharmaceutical needs, or they are manufactured illegally and clandestinely for the sole purpose of supplying drug abusers.

Although the least amount of public attention is generally given to them, abuse of dangerous drugs is a very serious problem. Dangerous drugs are responsible for approximately 70 percent of the emergency room episodes reported to the National Drug Abuse Warning Network (DAWN). It is important to emphasize that this system cannot distinguish between those drugs diverted from licit channels and those manufactured illegally. However, DEA estimates that approximately 20 percent of the dangerous drugs mentions correspond to drugs produced clandestinely.

For our purposes, dangerous drugs include stimulants, depressants, sometimes called sedative-hypnotics, and hallucinogens. Stimulants, also called "uppers," refer to several groups of drugs that tend to increase alertness and physical activity, and include amphetamines, dextroamphetamines and methamphetamines. There are some legitimate uses for these drugs including control of narcolepsy and short-term treatment of obesity. There can be severe short-term and long-term consequences attendant to abuse of these substances.

Sedative-hypnotics are drugs which depress or slow down the body's functions. At high doses or when they are abused, many of these drugs can cause serious injury and death. The barbiturates and methaqualone are in this category. The hallucinogens or psychodelics affect perceptions, sensations, thinking, self-awareness and emotions. The most common hallucinogens are PCP, LSD and mescaline.

Another form of dangerous drugs are the controlled substance analogs, commonly known as "designer drugs." However, because our methods and operations to control these analogs are, in many respects, unlike those used with respect to other dangerous drugs, I will not discuss this phenomenon today. On the other hand, we traditionally do not categorize cocaine as a dangerous

drug. But because the incidence of clandestine cocaine manufacturing is rising rapidly in the United States I will discuss this activity.

A clandestine laboratory is defined as any laboratory, whether it be sophisticated or makeshift, which clandestinely manufactures dangerous drugs. Clandestine laboratory chemists may be educated in chemistry or have no knowledge of chemistry, but have obtained the chemical formulas or have been schooled by a chemist. Law enforcement is mainly concerned with these five laboratory types: Methamphetamine, Amphetamine, PCP, Cocaine, and P2P which is a major precursor for methamphetamine/amphetamine.

There are inherent dangers in the enforcement operations directed against all types of laboratories primarily because of the caustic chemicals used, many of which are very flammable and explosive. Furthermore, in recent years, clandestine laboratory operators have boobytrapped laboratories to injure raiding enforcement teams or provide a screen to cover their escape.

The seizure of clandestine laboratories places a large financial burden on the seizing law enforcement agency. Usually there are large amounts of hazardous chemicals which must be destroyed according to the Environmental Protection Agency's (EPA) standards -- and this is extremely costly.

Generally, clandestinely manufactured methamphetamine/amphetamine/P2P are produced throughout the United States; however, PCP is usually produced in the areas near large cities such as Washington, D.C., and consumed in these cities. Cocaine conversion laboratories have been mainly detected in the Florida areas; however, this drug is used throughout the United States. The Texas, Oklahoma and Arkansas areas are mainly concerned with the clandestine production of methamphetamine and amphetamine and some PCP.

For the past several years there has been an increase each year in the number of clandestine laboratories seized in the United States. Over the past five years there has been an 85 percent increase in the number of clandestine laboratory seizures in the United States, from 192 in FY 81 to 356 in FY 85. There has been a 220 percent increase in clandestine laboratories seized from FY 1981 to FY 1985 in Texas and Oklahoma.

Importantly, between 1983 and 1984 there has also been a significant increase in methamphetamine and cocaine DAWN mentions. There has also been an increase in San Francisco and Philadelphia in Methamphetamine and Washington, D.C., in PCP.

The majority of clandestine laboratory seizures conducted during fiscal and calendar years 1984 took place in the southwest and western United States. Six of the 19 DEA Field Divisions

(San Francisco, Dallas, Houston, Seattle, Miami and San Diego) accounted for more than 62 percent of the total DEA laboratory seizures for fiscal and calendar years 1984. A comparison of 1983 and 1984 data for those six field divisions shows that those divisions accounted for 51 percent of the FY 1983 laboratory seizures and 56 percent of CY 1983 laboratory seizures. All of these Field Divisions, with the exception of Miami, are located in the western and southwestern regions of the country.

The eastern region (Boston, Newark, New York, Philadelphia and Washington, D.C.), which accounted for nearly 20 percent of fiscal and calendar 1983 laboratory seizures, decreased its share substantially in fiscal and calendar 1984 with only 9 percent of the total seizures.

To implement our enforcement program targetted against clandestine manufacture of dangerous drugs, we monitor the number and location of laboratory seizures, and analyze changing patterns in the DAWN mentions. In 1984, in recognition of the increasing problem of illicit dangerous drug manufacture and abuse, the Administrator of DEA issued a directive mandating that each DEA domestic division establish a clandestine laboratory investigative enforcement group. Subsequently, each division has designated a special agent who is responsible for establishing liaison with the chemical supply companies in his division to monitor sales of precursor chemicals.

Nationally, DEA expends approximately 13 percent of its agent manhours on dangerous drugs cases, both the licit diversion cases and the clandestine laboratory investigations. In the Dallas Division, the agents expend 34 percent of their time investigating dangerous drug cases.

In response to the clandestine laboratory problem, DEA initiated "Operation Origination" in 1984. This international effort seeks to limit production of chemicals used in the clandestine production of the four most highly abused dangerous drugs by eliciting the voluntary cooperation of the manufacturers who produce those chemicals. This enforcement endeavor focuses on the following drugs/precursor chemicals:

Drug	Precursor
LSD	Ergotamine Tartrate
Methaqualone	Antranillic Acid
Methamphetamine	Phenlyacetic Acid/P2P
Phencyclidine	Piperidine

The focus of this approach is prevention rather than apprehension. By limiting the availability of these chemicals the clandestine manufacture of dangerous drugs can be substantially reduced.

The Dangerous Drugs Investigations Section of DEA has computerized the information in the Precursor Control Information System (PCIS) and the Controlled Substances Information System (CSIS). These computer systems enable ready access of this information to all DEA facilities.

We have also initiated specialized training on clandestine laboratories for both DEA personnel and State/Local Enforcement Officers. In conjunction with this training, we are researching the types of equipment needed by a clandestine laboratory team to effectively dismantle a clandestine laboratory and limit the danger to the involved personnel.

There are currently two DEA sponsored state and local task forces formed specifically to investigate clandestine laboratories, one in Ft. Worth, Texas, and one in Washington, D.C. There are a total of 32 other DEA sponsored task forces throughout the United States which participate in all drug investigations, including clandestine laboratories.

In fiscal year 1985, DEA has held seven (7) clandestine laboratory schools which trained 149 state and local officers in clandestine laboratory investigations.

Mr. Chairman, the clandestine manufacture of dangerous drugs contributes to our nation's overall drug problem. We recognize the need to control this domestic drug production phenomenon,

just as we seek to eliminate domestic cannabis cultivation and as we work with other drug source nations to eliminate drugs at the source.

The DEA dangerous drug program has a proactive approach to prevent clandestine laboratory operators from obtaining the essential chemicals. I believe that in the long run, these initiatives will take hold. In the interim, DEA, along with our state and local counterparts, continue to target those criminal organizations responsible for this facet of the drug problem.

We appreciate your interest in this matter and I would be pleased to respond to any questions you may have.

Mr. ENGLISH. Thank you very much, Mr. Vinsik.

To try to put this a little more in perspective, we now have some understanding of how a laboratory operates and how even a small lab such as this is capable of producing nearly three-quarters of a million dollars' worth of drugs a day.

What are we talking about in the way of demand out there? And with that, let's exclude marijuana and talk about the so-called hard drugs. As I understand it, we have somewhere in the neighborhood of 9 to 10 million users in this country of various kinds of hard drugs. Is that correct? That is an estimate, I should underscore.

Mr. VINSIK. Yes, sir, it is. Basically, our best estimates at this time are that we have approximately 1½ million hallucinogenic users which includes PCP because of the results the abuser gets. It wouldn't normally fit into that category but for statistics, we put it in there.

We have a little over—we have 2.9 million users of stimulants. We have approximately 4.2 million abusers of cocaine, and a one-half of a million abusers of heroin. The number of marijuana abusers is probably astronomical. And if we included the abusers of legitimately manufactured drugs, that would add another 15 million or so.

Mr. ENGLISH. OK. So basically we are talking about—of drugs that are actually produced in laboratories like we are seeing here of various kinds, you are talking about a little over 4 million people that would use those kinds of drugs; is that correct?

Mr. VINSIK. Basically, 4.4 million people are using drugs that are clandestinely manufactured.

Mr. ENGLISH. As opposed to 4.2 million on cocaine?

Mr. VINSIK. Yes, sir.

Mr. ENGLISH. So there are actually more users of drugs produced by these kinds of laboratories than there are users of cocaine, as far as our estimates are concerned?

Mr. VINSIK. That is true at this time. But, of course, the abuse of cocaine is rising at a very rapid pace where the abuse of clandestine manufactured drugs is rising at a much slower pace.

Mr. ENGLISH. OK. Do you still feel that cocaine usage is increasing at a rapid level, or is that beginning to level off?

Mr. VINSIK. Hopefully, it has peaked and is beginning to level off. I think that our efforts by DEA and State and local counterparts in enforcing the cocaine violations have started to slow down the escalation of cocaine.

Mr. ENGLISH. Do we have any evidence that it has?

Mr. VINSIK. Yes, sir, we do. The price of cocaine has gone up, and the DAWN mentions have basically stayed the same. DAWN mentions are those admissions to emergency hospitals that have contracted with the Government to report emergency room admissions for drug overdose, and then subsequently that information comes to DEA which gives us an idea of what drugs are being abused at certain timeframes.

Mr. ENGLISH. But I don't think the general public has heard as much about these kinds of drugs as they have, say, cocaine or heroin. There has been a good deal more attention focused on that, but the estimated usage of these drugs, then, almost surpasses cocaine and heroin combined. Is that correct?

Mr. VINSIK. Yes, sir. It is not the sexy-type drug that we have had with cocaine where all the nice people apparently were using it, and the TV and movie stars and atheletes. It is more a drug that basically is used by the youth of the Nation, middle-class people and blacks and Hispanics, especially the PCP.

Mr. ENGLISH. Would this drug or these drugs—I should say, methamphetamine and amphetamine in particular, I suppose, and to a much lesser extent, I would think PCP—be used primarily by young people?

Mr. VINSIK. By young people and in their early twenties.

Mr. ENGLISH. A lady was talking to me earlier today about children in high school. Would they be much more likely to be using one of these chemically produced drugs as opposed to cocaine?

Mr. VINSIK. Many times children in school are smoking marijuana that may be laced with PCP, and they don't really have any idea they were getting PCP. It sends them on these hallucinations but they go back and do it again. A lot of these type of drugs are taken by people without the knowledge of what they are really taking. They think they are taking something else. We still have the hard-core number of users of LSD.

Mr. ENGLISH. So if you were going to focus upon those drugs that were the greatest threat to the young people of this country, you would list these kinds of drugs ahead of cocaine; is that correct?

Mr. VINSIK. I, myself, would list them ahead of cocaine as far as the youth of the Nation. Use of cocaine still is an upper-class/middle-class drug of abuse and has not gotten down to people who can't afford it. These drugs are affordable, where cocaine is still expensive enough to keep it away from the youth.

Mr. ENGLISH. Mr. Kleczka.

Mr. KLECZKA. Mr. Vinsik, in your testimony you indicated that for this type of lab, the seizures have increased over 1 year's period by about 85 percent. However, in the eastern region they have decreased from about 20 percent of the total in 1983 to about 9 percent of the total in 1984. Are we seeing a shift to the southern regions for this type of an operation?

Mr. VINSIK. The answer is twofold: One, yes, we are seeing a shift to the southern regions, and also to California; and, two, because of the rapid increase of cocaine in the New York, Philadelphia, Boston area, there has been actually less work done on the clandestine laboratories not dealing with cocaine. So it is all this——

Mr. KLECZKA. So the laboratories might be on the increase out in the eastern region but not the seizures? Is that what you are saying?

Mr. VINSIK. The laboratories are probably staying the same or decreasing a very minimal amount, with some moving to the West, some moving to California. But there are still plenty of laboratories on the east coast, and because of the problems of heroin and cocaine, there has not been the enforcement activity needed to curtail clandestine laboratories.

Mr. KLECZKA. Given your expertise in this field, what changes would you suggest in either State, local, or Federal law to curtail this type of production? Would it be a stricter control on the chemical compounds used, or is there a way that we could make it illegal

for an individual to own some of the devices as you see on the table?

Mr. VINSIK. At the current time, we are looking into voluntary controls by various manufacturers, or producers of chemicals. We are asking them to cooperate with the Government and with State and local authorities. We also are looking at whether legislation prohibiting some of these chemicals would benefit us or would hinder us because of, one, the tremendous recordkeeping problems that we would have as an enforcement agency and also the companies would have; and, two, that every time we control a chemical, the violators find a way to go around it and make the precursor they need by using other chemicals that are noncontrolled. So we could get into a cycle of controlling everything and not really getting the end results that we wish.

Mr. KLECZKA. Would it be worth our while to look into restricting personal ownership of some of the equipment used or at that point would drug producers find some other type of vessel versus a chemical flask?

Mr. VINSIK. Again, most of the laboratory equipment we have is used legitimately by an awful lot of college chemistry students, by a lot of businesses that make various items. If these products were controlled, traffickers would just pay more money for them and buy them from somebody else. We would end up with people selling glassware making large profits instead of drug peddlers making large profits.

Mr. KLECZKA. Thank you very much.

Mr. ENGLISH. You were mentioning that in this area of the country, we have a 200-percent—220-percent increase in the number of laboratories that have been seized.

To what do you attribute this huge increase? Do we have that many new laboratories that are coming on line in Oklahoma, Texas, and Arkansas, or are we just seeing that law enforcement is being more vigorous in searching out these laboratories?

Mr. VINSIK. I, personally, believe that law enforcement is becoming much more vigorous in working on clandestine laboratories and has gained the expertise to work on clandestine laboratories; that is why we are seizing more. Texas, of course, has increased the number of labs seized each year, and I am sure that their total this year is not going to be as high as what they get next year. The same is true for California. The number keeps on going up. It is not because there are more and more and more labs, it is because we are doing a better job as law enforcement personnel in finding the labs.

Mr. ENGLISH. So you estimate there is not a dramatic increase in the number of laboratories; is that correct?

Mr. VINSIK. In my estimation, there is not a dramatic increase in the number of labs producing chemicals, but there is a dramatic increase in the number of labs that we are seizing.

Mr. ENGLISH. We were talking about the drugs that are produced in these laboratories. We are dealing with PCP, amphetamine, methamphetamine, and cocaine. Can you describe to us the effect that these various drugs have on an individual?

Mr. VINSIK. Well, PCP or phencyclidine is either taken in a liquid form, laced into cigarettes and smoked, or in a powdered

form, which is snorted similar to cocaine. It gives the user hallucinations, a great tolerance to pain, a great feeling of strength, and in actuality sometimes greatly increases the strength of the user. Often times it will take five or six police officers to arrest a person under the influence of PCP because of his tremendous strength. There are horror stories of people under the influence breaking apart handcuffs, or being shot four and five times with no effect on a person who keeps coming. It has a very serious effect on the user.

Methamphetamine and amphetamine have basically the same effect with different variances. Amphetamine, which is called speed, along with methamphetamine, makes a person feel exhilarated. They make him faster, they make him move, they make him last longer in a work atmosphere. They make the users do crazy things that they wouldn't normally do because they are stimulants.

And they are taken differently—amphetamine is taken orally; methamphetamine is normally taken through a needle, like heroin. Methamphetamine can be taken in other ways, but the normal use of it is intravenously. This creates a very quick surge of energy in the body, a very big rush to the person, a big high which makes it a desirable drug for the abuser. It also makes him do many things he wouldn't normally do. Amphetamine/methamphetamine are very frequently used by go-go dancers, topless, bottomless dancers to get out and dance on the floor for the 3, 4, or 5 hours that they are forced or have to dance.

Mr. ENGLISH. I know we have heard many times of the linkage between crime and drugs, not just from the standpoint of the sale, but the linkage to other crimes. I think that, generally speaking, Federal, State, and local law enforcement agree that around 50 percent of all crime is directly related to drugs.

I know District Attorney Bob Macy has testified before our subcommittee in the past that here in Oklahoma County, possibly as high as 70 percent of the violent crime is drug related. Would these drugs, methamphetamine, amphetamines and PCP, in particular, would they be drugs that would likely be linked to violent crime?

Mr. VINSIK. They would certainly lend themselves to a person committing a violent crime and not having any afterthought about doing it. Also, as mentioned earlier, due to the great problem of violence in a clandestine laboratory, these people now are well armed. When you go into a laboratory, we almost invariably find weapons that they will use. The last two shootings, serious shootings, that we had were on methamphetamine laboratories. One involved a New Jersey State trooper who was shot and killed while going into a methamphetamine lab, and another one in Denver where the officer was wounded. These were both with shotguns. It is becoming a very serious event to go into a lab. Besides all the other problems that are met, such as the possibility that the lab will blow up, the chemicals, the hazards, we now have this armed resistance. Yes; these people are prone to violence when they are abusing the drug. Although they may not be prone to violence without taking the drug, once they do take it, they feel this great surge of energy, strength and that they can do a lot of things they wouldn't normally do.

Mr. ENGLISH. Let's assume that somehow we were successful in eliminating those drugs that are produced in laboratories. Would

that, in your opinion, substantially reduce the amount of violent crime that we see in this country?

Mr. VINSIK. In my opinion, it would certainly reduce the amount of violent crime. The percentage or rate, I really don't have the facts to base a judgment. I know it would reduce violent crime. But to what extent, I am not sure.

Mr. ENGLISH. Do you think it would be substantial?

Mr. VINSIK. It would be substantial. With our methamphetamine traffic, we constantly run into motorcycle gangs, who we know are violent, we know commit a lot of violent-type crimes, and they go arm in arm. When you have various motorcycle gangs distribute the drugs that are manufactured by these chemists, it just adds to a lot of violence.

Mr. ENGLISH. The chemicals, themselves—how common is the distribution of these chemicals? For instance, here in Oklahoma, how many outlets would there be for sale of these chemicals to an individual who is interested in setting up one of these laboratories?

Mr. VINSIK. We did check on that, and at the current time, there are at least 56 chemical companies in Oklahoma that could have access and could sell these chemicals that are needed for a clandestine laboratory.

Mr. ENGLISH. How many of them would be located, say, here in Oklahoma County?

Mr. MALDONADO. Mr. Chairman, we would have approximately 33 in Oklahoma County and approximately 23 statewide, other than in the county.

Mr. ENGLISH. And I think it probably should be stressed at this point that it is not illegal to—you don't need a prescription of any type, a permit or anything else to either sell or buy these chemicals; is that correct?

Mr. VINSIK. That is correct, sir. And a vast amount of or most of the chemical companies are doing a perfectly legitimate job in selling chemicals legitimately to industry for a variety of needs. It is only a few who subvert the laws and sell chemicals to people they know are making drugs.

Mr. ENGLISH. What sort of companies would likely be purchasing these chemicals for legitimate use?

Mr. VINSIK. Well, each of the chemicals basically has its own use. Ergotamine tartrate, used to make LSD, had a legitimate use many years ago in the United States for migraine headaches so that the chemical actually was going to pharmacies. We now have new drugs that take care of the same thing, so in the United States we no longer use ergotamine, but many foreign countries do still use it in the medical profession. Most of the chemicals we get concerning LSD are coming from foreign countries, but we have talked to most of the foreign manufacturers, including various Eastern bloc countries, and are getting excellent cooperation in fighting that problem.

Other chemicals are used for manufacturing perfume. Piperidine is used in curing rubber. There are vast amounts of these chemicals used in legitimate industry.

Mr. ENGLISH. There have been some reports in the press with regard to an operation, I think, that was taking place perhaps as late as June down in Texas with a chemical company known as

Metroplex. Could you give us some background with regard to what that was about?

Mr. VINSIK. There was a company in Texas that was cooperating with the United States, as we hope most of the chemical companies will, and they were reporting to DEA and to State and local counterparts sales of chemicals. These chemicals were mainly going to people who were setting up clandestine laboratories.

Mr. ENGLISH. And how were they working with the DEA?

Mr. VINSIK. They were advising us if a sale was going to be made and who it was being made to and give us the opportunity to put surveillance on that person and to notify various police agencies if in fact it was going to go into their area.

Mr. ENGLISH. Were they advising you on each sale that they were making of various chemicals and drugs that would be necessary for the production of these drugs?

Mr. VINSIK. I can't be sure they were advising us each and every time, because this was not a DEA-run business. It was not a DEA operation. It was a citizen cooperating with the U.S. Government, and basically telling us what he wanted to. I assume if he didn't want to tell us something, he wouldn't tell us that, either.

Mr. ENGLISH. So it was not a situation where the DEA was running, in effect, a sting operation in which the DEA was actually—DEA personnel were actually selling drugs or, I shouldn't say drugs, chemicals to these various individuals and then tracking those individuals if they determined that they were being used for these purposes?

Mr. VINSIK. DEA was not selling the chemicals, but we certainly were tracking people who were purchasing chemicals from that store.

Mr. ENGLISH. So DEA was not involved in any way in the transaction? You were simply notified—as I understand what you are saying, then, you were notified whenever that company had an individual who they thought fit the profile you were looking for. DEA then would likely have someone there whenever that person actually made his purchase, and then you followed up on it from there; is that correct?

Mr. VINSIK. Yes, sir; that is my understanding. Yes.

Mr. ENGLISH. Were you able to follow up on all the leads that came out of this operation?

Mr. VINSIK. I would like, if I could, Mr. Jordan, to answer that since he is the SAC of Dallas. I know recently—they had a large indictment, arrested a lot of people, that was the result of that store.

Mr. JORDAN. Mr. Chairman, as far as the Metroplex operation, known as Operation Dry Gulch in Dallas, let me state for the record, I arrived in Dallas in January 1985. The operation was already ongoing, and let me stress here that it was a joint operation, with the department of public safety, drug enforcement administration, and other local and county agencies.

Now, as far as the results of the operation, we were able to identify about 200 individuals involved in the clandestine laboratory business. Unfortunately, the operation, to put it bluntly, got out of hand. We did not have the manpower to follow up on every lead supplied by the operators of the Metroplex, and in cooperation with

the department of public safety in Texas and other enforcement agencies, we decided to terminate it unless we could get more manpower.

As a result, several Federal indictments have been issued. We still have a second phase of Operation Dry Gulch in the prosecution phase, or the indictment phase of it. I think you can rest assured that we made every attempt to identify those individuals purchasing the chemicals by maintaining our operation for the duration of the store hours. And it was a successful operation. The best guesstimate I have right now is that 200 people would have been indicted, at either the State or Federal level.

Mr. ENGLISH. Let me expand a little bit now, get right down to it, Mr. Jordan, as to what the problem and situation is and give you an opportunity to respond to it directly. There have been at least insinuations in the press, in fact I think some people just flat stated it publicly, that we had a situation develop where the DEA was involved in the distribution of chemicals that would be used in these drugs. This distribution was taking place at roughly the same period of time in which we have seen this big increase in the number of arrests in this region; in other words, over the last 2 or 3 years. And that DEA, and I suppose, since other law enforcement officials and agencies were involved, other agencies as well, were a part of the distribution of these chemicals; that they were unable to keep track of them, and, therefore, part of the reason that we had this proliferation of drug laboratories in Oklahoma and Texas and perhaps even Arkansas was that in fact DEA was involved in spreading the chemicals.

Now, I think that you probably would like to have an opportunity to respond directly to that kind of insinuation. Second, could you tell me roughly what percentage of the cases, the potential cases, the leads that were developed out of this operation, that you were actually able to follow up on, or other law enforcement agencies were able to follow up on?

Mr. JORDAN. Mr. Chairman, like I said, we are still in phase 2, the indictment stage of this effort. Everybody has been photographed that has gone into the Metroplex, and again this information has been shared with the State and county authorities involved in the prosecution of laboratory operators.

Again, the insinuations or what has been reported in the press might have some truth from the point of view that some people may have thought that by coming to Metroplex they could shape their own business and become entrepreneurs overnight.

Now, the problem arises here that if they didn't go to Metroplex, Mr. Chairman, they would go to all the other chemical companies in the Southwest.

By having a Metroplex-type operation, we were able to identify the majority of them. At least 200 people as far as I am concerned since I arrived here in Dallas, who are involved in the manufacturing of methamphetamine, and amphetamine, and PCP, have been identified.

All I want to say for the record, Mr. Chairman, is that these individuals involved in this type of traffic, if they didn't go to Metroplex, they would have gone someplace else. It was a joint operation;

it started to get out of hand. That is when we made a decision to terminate it.

Mr. ENGLISH. But do you feel that there were individuals who got into the drug manufacturing business, setting up their laboratories because they could go to Metroplex and get these chemicals?

In other words, did that encourage the proliferation of laboratories in the Southwest? Did Metroplex play a role in the increase in number of laboratories?

Mr. VINSIK. Mr. Chairman, I think from recent results since that business has been closed down, we have still had an increase in the number of laboratories seized in Oklahoma, Texas and the recent results of labs seized this last week and the week before show that these people are still getting chemicals, laboratory production is still increasing and that the one store was not responsible for this increase.

I mean, it is there. There are 56 places in Oklahoma that can sell chemicals. There are thousands of places throughout the United States that can sell chemicals. No single store would be a deterrent or nondeterrent to the production of clandestine drugs.

Mr. ENGLISH. Are there leads that have been brought about as a result of Metroplex that you have not had the manpower to follow up on?

Mr. VINSIK. Every lead that comes out will eventually be followed up. There are some cases where a chemical delivery may take place and our surveillance would follow it to a warehouse where it would sit for 2 or 3 or 4 weeks or 2 or 3 or 4 months.

There is no law enforcement agency that has the manpower to sit on a shipment of chemicals for 5 months. A decision then has to be made whether to go in and seize the chemicals and possibly burn up an intelligence gathering, a program that you have ongoing, or do you want to take a chance and sporadically do surveillance on that location and hope that you catch the chemicals in their movement.

Mr. ENGLISH. So it is conceivable, then, that we simply didn't have the manpower to sit on those chemicals? You had to make the decision on whether you were going to burn, in effect, Metroplex as a source of information, or whether you simply had to let those chemicals go knowing full well that they may very well produce drugs that are going to end up on the street. Is that correct?

Mr. VINSIK. Yes, sir, basically, it is. Of course, we still continue trying to follow up, if we have the person identified, we try to track down where he has gone and we try to go through other companies trying to find him ordering more chemicals and try to obtain the location.

But, yes, in fact, it does happen sometimes where a person will buy chemicals and either because of the situation or we just plain lose him on surveillance, that they get away from us. If we were sitting on a place and something else came up, such as here in Oklahoma where 750 pounds of cocaine were seized, well, if we would have been sitting on a laboratory, those men would have come off that and gone over and worked on this 750 pounds of cocaine.

Mr. ENGLISH. But are we not looking at a little different situation with regard to the laboratories and the drugs that they produce as opposed to, say, cocaine or heroin?

Cocaine and heroin are brought into this country after the laboratory work is done elsewhere, done outside this country. Clandestine laboratories, if you will, are a choke point in which to deal with that particular problem. Am I correct in my view that laboratories put those drugs in a far different category as opposed to, say, cocaine or heroin that is brought into this country?

Mr. VINSIK. Yes, sir, it does in that way. If there is any drug that we can control and reduce and stop, it should be the drugs that are manufactured in clandestine laboratories in the United States. If we can't control these, then we are going to have a very difficult time controlling anything else. This is a U.S. manufactured product, sold to U.S. people, utilized by U.S. people, and really it is our drug problem. We should be able to control it.

Mr. ENGLISH. Well, an awful lot of people have the opinion that there is really not much we can do about the drug problem, that as long as you have a lot of folks out there who are willing to buy drugs and use drugs, that this is kind of like liquor was in the prohibition era. People are going to use it, they are going to get it. Some people say we are wasting a lot of money and a lot of effort going out here to try to deal with it, and the whole effort has been a failure.

Is that true? Take, for instance, the clandestine laboratory. Now, we are talking about—in effect, we are talking about drugs that are used really by about half of the hard drug population of this Nation. Do we—as far as those laboratories are concerned, is it possible to flat eliminate the drugs that are produced by these types of laboratories in this country?

Mr. VINSIK. I sincerely believe that with programs we have, and of course, with the additional manpower and money it takes to really do a program, that we should be able to and can control the manufacture of these drugs. Totally eliminate, maybe not. But certainly reduce to a great extent and——

Mr. ENGLISH. To what extent? Could we eliminate 90 percent with the manpower and the dedication?

Mr. VINSIK. With the manpower and dedication, I certainly believe that we could reduce it close to that figure, if not 90 percent or if not totally eliminate it.

We are talking about a drug that is produced here. If we had enough people working on it, enough well-trained, experienced, well-equipped people working on laboratories, we could really do a great job in the reduction of these drugs.

Mr. ENGLISH. Let us say that the President and the Congress got together, and we decided that we are really going for real on the war on drugs, not just kind of mess around with a half-hearted effort but a real serious, honest-to-goodness real-life war on drugs. I am talking about a World War II-type dedication to the war on drugs. Let us say that the President and the Congress got together and agreed that we were going to provide for 2,000 agents, DEA agents nationwide, and they were going to focus all their time and effort dealing with these types of laboratory drugs. Would that do the job? Could you then assure the American people that we would

be eliminating most if not all of these laboratory produced drugs in this country?

Mr. VINSIK. If we had that kind of manpower commitment and an additional commitment by State and local people, yes, I think we could assure the American public that we could knock out the clandestine manufacturing of dangerous drugs.

Mr. ENGLISH. And that would enable you then to use manpower that has been focusing at least part of their time on that to focus more of their attention strictly on cocaine and heroin?

Mr. VINSIK. Yes, sir, I have been fighting the war on drugs for 25 years. It has been a long, hard fight and I have seen a lot of drugs that we couldn't control. I recently became interested in dangerous drugs, and clandestine laboratories, and I sincerely believe that this is a drug problem we can control and we can do something about as a nation.

Mr. ENGLISH. Well, I am not going to put you on the spot by asking your point of view on this, but I will do a little editorializing and say that I, personally, have not yet seen this Nation, this Government dedicate itself to a complete all-out war on drugs, and I think that, quite frankly, that it is unfortunate that the American people have gotten the opinion that nothing can be done on drugs.

They have assumed that this kind of an effort has taken place, when I think that anyone who is familiar with this situation would not agree. As I said, I am not going to ask you to comment on that particular observation.

But I think that that is interesting. I think that it quite frankly ought to be heartening to an awful lot of our people that here we have something that is being used by, in fact, half the drug population of this Nation and if we are willing to really commit to have a real war on drugs, in fact, we could wipe out the drugs. That would be significant.

And goodness knows, we could make, I think, much greater progress then, turning our attention to cocaine and heroin. We could do a much better job.

So I think that—that people ought to take note of that, and I think they ought to be encouraged by it.

Mr. Kleczka.

Mr. KLECZKA. No comments.

Mr. ENGLISH. We may have some additional written questions for you for the record. Mr. Vinsik, I would say to you that we appreciate your testimony.

It is very enlightening and encouraging. It is not often in this war on drugs that we hear some encouraging testimony. I am going to make the President and Congress aware that if we were willing to make that commitment, we have this opportunity before us. But rhetoric is no longer good enough, it is going to take more than that.

Would you explain your display to us very briefly before you leave?

Mr. VINSIK. Mr. Maldonado, our RAC from Oklahoma, would like to since he was involved in the cases and knows more of their details.

Mr. ENGLISH. Yes, Mr. Maldonado.

Mr. VINSIK. I would like to add, Mr. Chairman, we have had such great cooperation with State people in the State of Oklahoma in working on labs, that is why there is this great hope that we can do something.

We are making great progress working together. The seizure of a laboratory requires a team effort, including a State agent, and someone from the fire department. I mean, everybody has to work together on these things to go in and tackle a laboratory. It makes us work closer because of the nature of the business, but by working closer, we have the intelligence from everybody, and I think it is going to help us an awful lot in combating this problem.

Mr. ENGLISH. Now, Mr. Maldonado, please correct me if I am in error, but it is my understanding—unlike other parts of the country where we may have a lot of heroin coming into the area and a lot of cocaine coming into the area—that here in Oklahoma that our primary problems are the laboratory-produced drugs. That is where our major concern has to be focused. Is that correct?

Mr. MALDONADO. Yes, Mr. Chairman. The manufacture is of main concern here. We all recognize that we do have that problem, although we are not exempt from having a lot of cocaine in the area, and of course, you are well aware of the marijuana problem. But, yes, you are right in your statement that laboratories are a great problem here as they are in the Southwest.

Mr. ENGLISH. Have we had a tendency to ignore this particular kind of a threat in favor of marijuana, cocaine, and heroin in your opinion?

Mr. MALDONADO. I don't believe that we have purposely ignored——

Mr. ENGLISH. I am not talking about the law enforcement, I am talking about as far as the public is concerned.

Mr. MALDONADO. I think the public is now becoming aware of the fact that we have had these problems. Now, law enforcement, because we are few in number, let's face it, Oklahoma is sparsely populated and the number of law enforcement officers in the State isn't that great.

Consequently, we do have—it takes time to identify these problems. But in answer to your question, I don't believe that we have ignored this. It is just that now we are becoming more aware of the extent of the problem. We are devoting more time to it because of this awareness, and the results are becoming apparent.

Here I have photographs representative of a PCP laboratory that was seized in 1982 at an 80-acre farm in Chandler, OK. The equipment in the lab, although not set up as sophisticatedly as that is over there, is basically the same equipment that you see over here. These photographs represent, you see the plastic buckets and various flasks, radio equipment, and the containers of the chemicals here in this photograph.

This is all set up in an outbuilding of the farm. Here we have similar chemicals. Here we have another building where part of the finished product was being stored. Here is the same photograph.

These 55-gallon drums, Mr. Chairman, are the containers for the ether and the piperidine that was being used in this laboratory. The agents, when they seized this laboratory, located approximate-

ly 40 pounds of finished product, PCP, in powder form, and part of it was still in the cooking process, and the final stages of its process.

The estimated value for the PCP seized was approximately three-quarters of a million dollars. Here we have smaller photographs of the process, No. 1 here, showing the chemicals and reagents needed for the synthesis of this.

Here we have the weight scales and the respirators. Here we have the magnesium tongs needed in the heat process. We have the solvents that were used for extracting the drugs. Here we have the filtering material that they used, the filtering elements that they needed, and a regular wood stove providing the heat for the laboratory. It is just a regular wood stove.

Here we have a sun lamp that was also used to provide the heat necessary. And in photograph No. 8 we have the finished product. We have several bags of white powder, which is the PCP, and here we have the part of the liquid that was found that was being processed.

Mr. Chairman, I believe that you made reference to the incineration of a laboratory last week in Vian, OK. Here I have photographs of that job. This is where the fire started, the initial explosion of the lab, which was created by the violator having wires, shown in this photograph, leading from the laboratory site, which is a metal building about 14 by 21 feet. These wires ran from the metal building into a mobile home that he lived in. The moment the officers approached the mobile home, he inserted the plug into the wall, the electrical outlet, which caused a current to melt probably a plastic bag that held or had rags in it that were saturated with ether. As soon as the plastic melted, we had a flash in the metal building causing the fire.

Here is one of the containers of ether. The agents and firemen were unable to get near the building because of the fumes being emitted by the chemicals that were burning. This is quite hazardous to the personnel, not only the agents but the firemen as well.

This will give you an example, Mr. Chairman, of the hazards that we must encounter when we go out to these laboratory sites, and who knows, in time—in time, in years to come, who knows what the effect may be on agents who were exposed to this, and/or other people who are exposed to the fumes created by these flammable liquids and/or the chemicals.

Mr. ENGLISH. And if I am correct, in this particular situation we are talking about a laboratory that was out in the country, but do we have these laboratories located in, say, Oklahoma City or any other town in Oklahoma?

Mr. MALDONADO. Yes, sir; we have had several other laboratories in the community. We had one a couple of weeks ago in the city of Edmond where the cooking process took place in an apartment complex and we have had others that way.

Mr. ENGLISH. But those fumes, then, would not be confined just to the laboratory, itself, and really would be circulating throughout the neighborhood, and may be having an impact on the neighbors, as well; is that correct?

Mr. MALDONADO. That is very correct, sir. They do have ventilation systems that they either have on a window or an outlet of

some type. They are vented, and, yes, the people nearby could be inhaling these fumes.

Mr. ENGLISH. And if they did inhale those fumes, is it conceivable that you may have neighbors who show signs of being under the influence of a particular drug because of those fumes?

Mr. MALDONADO. You could have that, yes.

Mr. ENGLISH. Do we have cases where that has happened?

Mr. MALDONADO. Not that I am aware of, sir.

Mr. ENGLISH. We can see with the explosion that took place, this then would be a threat not just to the occupants of a particular structure but could definitely be a threat to the entire neighborhood as far as safety is concerned?

Mr. MALDONADO. Yes, sir, this fire could have occurred in a congested area.

Mr. ENGLISH. Mr. Kleczka, do you have any questions?

Mr. KLECZKA. Yes.

What is the effect of the actual prosecution on the person arrested? Did he destroy the evidence? Is he scott free today or did he go through a lot of effort for nothing because we are still as a Government going to get him?

Mr. MALDONADO. No, sir, we have records of the purchases that he made; he was followed to the location by surveillance agents. Also there was enough residue that we were able to seize at the laboratory site to prove the manufacture. Consequently, in Federal court we will charge this individual with conspiracy to manufacture or a similar charge.

Mr. KLECZKA. So it is very possible that he went through all this effort to destroy not only the lab but everything in it for naught because he would still be convicted?

Mr. MALDONADO. A lot of these people, sir, because, if I am correct, these violators are familiar with friends of theirs being prosecuted only for the actual manufacturing process.

They are not familiar with the Federal law where we charge them with conspiracy to manufacture. I believe that in State court, the majority of the trials are on the actual manufacturing of a product.

Mr. KLECZKA. Thank you.

Mr. ENGLISH. With regard to the penalties, Mr. Vinsik, what is the penalty for a person who is caught manufacturing these drugs, the Federal penalty?

Mr. VINSIK. Normally these drugs, the first-time offense is 15 years; it goes up to 30 years for the second offense.

Mr. ENGLISH. Are those mandatory penalties?

Mr. VINSIK. No, sir.

Mr. ENGLISH. They are not?

Mr. VINSIK. That is the maximum penalty.

Mr. ENGLISH. Would DEA favor mandatory penalties?

Mr. VINSIK. If I could, for the record, read the 21 U.S.C. 841, provision:

> To manufacture, distribute or dispense or possess with intent to manufacture, distribute or dispense, Schedule I and II controlled substances, imprisonment up to 15 years and a fine not to exceed $25,000 or both. With one or more prior convictions in this chapter, imprisonment up to 30 years and fine not to exceed $50,000.

Methamphetamine, amphetamine, cocaine, methaqualone, LSD, PCP, and P2P all are Schedule II controlled substances.

Mr. ENGLISH. Would DEA favor a mandatory penalty?

Mr. VINSIK. I really couldn't answer that. I am not sure. I have gone through the times when we had minimum mandatory penalty in the 1960's, the problem has grown since we have had that, so I am not sure that it would make a great difference.

Mr. ENGLISH. Could you submit for us and for the record a position from the Drug Enforcement Administration and the Justice Department on that issue?

Mr. VINSIK. Yes, sir, we could.

[A letter to Chairman Glenn English from Administrator John C. Lawn, Drug Enforcement Administration, dated November 15, 1985, follows:]

U.S. Department of Justice

Drug Enforcement Administration

Washington, D.C. 20537

NOV 15 1985

Honorable Glenn English
Chairman, Subcommittee on Government
Information, Justice, and Agriculture
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

On September 24, 1985, Mr. Ray Vinsik testified before your Subcommittee in Oklahoma City on clandestine drug laboratories. At the conclusion of the hearing you requested DEA's views for the record on mandatory penalties for violations of the Controlled Substances Act with regard to the clandestine manufacture of dangerous drugs.

Federal penalties for trafficking of controlled substances were substantially increased by the Comprehensive Crime Control Act of 1984 (P.L. 98-473). They provide for twenty years imprisonment and a fine of $250,000 for large scale trafficking of narcotics, cocaine, LSD, and PCP. Both the term of imprisonment and the fine are doubled for a second conviction.

In our view, these penalties are adequate deterrents. In addition, we are concerned that mandatory sentencing provisions might actually impair the investigation of major drug rings. Such sentencing provisions eliminate incentives for minor participants in an operation to plead guilty and provide information against their superiors in the hope of receiving some leniency by the sentencing court.

Furthermore, Chapter II of the Comprehensive Crime Control Act establishes a determinate sentencing system based on guidelines which requires a court to consider, in determining a particular sentence, the nature and circumstances of the offense and the history and characteristics of the defendant. A Sentencing Commission is directed to create sentencing guidelines for use by judges in imposing sentences for each offense. The Act also authorizes an appeal of sentence if the judge departs from the guidelines. In our view, such a system is better designed to assure fairness and uniformity in sentencing than is a mandatory term of imprisonment.

Thank you for your interest in this matter. I look forward to our continued correspondence on issues of mutual interest.

Sincerely,

John C. Lawn

John C. Lawn
Administrator

Mr. ENGLISH. OK. Thank you very much. Any other questions? Thank you very much, Mr. Vinsik.

Mr. VINSIK. Thank you, sir.

Mr. ENGLISH. Our next witnesses come from the Oklahoma Bureau of Narcotics, agent Mike Lyman, who will be accompanied, I believe, by Fred Means.

It is suggested that we take all of our law enforcement representatives as a panel, so we also have from the Texas Department of Public Safety, Bill Pruitt, who is the assistant commander of the narcotics division, and from the Arkansas State Police, Sergeant Dale Best, who is the drug coordinator with the criminal investigative division. We want to welcome each of you gentlemen and we will scatter the microphones among you if we could.

Mike, we will let you lead off with your statement.

STATEMENT OF MIKE LYMAN, FIELD AGENT, OKLAHOMA STATE BUREAU OF NARCOTICS, ACCOMPANIED BY FRED MEANS, AGENT

Mr. LYMAN. Thank you, Mr. Chairman.

On behalf of the individuals here at the testimony table, I would like to thank you and the distinguished panel for recognizing this problem as a significant law enforcement and drug enforcement problem here in the State of Oklahoma.

Mr. ENGLISH. If any of you have written testimony that you would like to submit for the record and would care to summarize that testimony, feel free to do so. If you would like to give us your full and written testimony for the record or read your written testimony, feel free to do that as well, whatever makes you feel most at home.

Mr. LYMAN. Thank you, Mr. Chairman.

I would like to start out by saying first of all, sir, that with regard to your average person on the street, I think little is understood about the possibilities and capabilities and dangers of clandestine laboratories.

Of course it is well known in law enforcement communities the potential and the violence that can fester out of some of these organizations.

But it does not require an academically trained chemist to set up one of these things or to keep it in operation so it does produce a controlled dangerous-type substance. All it requires is a formula and an individual who does have some basic knowledge of chemicals and precursors, and a minimum investment as a rule of thumb of somewhere around a thousand dollars can get somebody underway in a clandestine laboratory setting.

Of course, these labs can range from very small scale-type laboratories to very large, sophisticated laboratories depending on the resources and expertise of the individuals involved.

As testimony has indicated earlier this morning, the State of Oklahoma is experiencing three primary problem areas in clandestine laboratories, amphetamine, methamphetamine, and PCP, and we are cognizant of some of the west coast problems with regard to some of these—I am sorry, not clandestine but designer drugs which are manufactured in a clandestine laboratory setting.

We have not, to my knowledge, seen any of this activity here in the State but we have been in contact with OSBI laboratory technicians and we are anticipating the arrival of this type of problem here in the State, probably in the not too distant future.

The individuals who are involved with this type of operation as a rule are individuals with known criminal histories, and a propensity for violence. We are not talking about school age people here or even adolescent age. We are talking about people with a mean age of about 38 years old as far as the individuals here in the State of Oklahoma.

So we have got an individual who has been around a while and for the most part knows exactly what they are doing and to take precautions to try to avoid detecton in the area of this type of activity.

The equipment, as Richard Dill has indicated, necessary to set up a laboratory can be very minimal. It doesn't have to be. I think there are three basic types of hardware that is required: a flask, a condenser, and a variable heat control. Those are the more difficult hardware items to acquire, and of course, any additional hardware or glassware can be obtained without too much problem.

The chemical components, once again, as testimony has indicated, is P2P, ether, phenylacetic acid, and some of these types of components. I don't know if it has been stressed here this morning, but P2P is a controlled dangerous substance in and of itself and on the State level it is classified as a schedule III conrolled dangerous substance.

Now, what these cookers, we will call them, are doing are acquiring the chemicals necessary to create first of all the precursor, so they are called. In other words, P2P. The P2P then is processed in a manner where it can make the finished product, the amphetamine, the methamphetamine. The precursor used in PCC—the primary precursor in PCP is PCC; get my information straight.

But it is once again a schedule III controlled dangerous substance and they are manufacturing this precursor in a laboratory setting such as this.

I have prepared a map of the State of Oklahoma for the benefit of the panel, and if I might be permitted to do so, I would like to put that up on display.

Mr. Chairman and panel, if you would notice the pins on the map here, these indicate areas where we have shut down clandestine laboratories since 1980. The red pins in particular are laboratories that have been shut down in 1985.

Mr. ENGLISH. Is one of those at Elk City? Or is that Clinton?

Mr. LYMAN. Yes, sir, there are two.

Mr. ENGLISH. Two in Elk City?

Mr. LYMAN. Yes, sir.

Mr. ENGLISH. Getting awful close to home.

Mr. LYMAN. Mr. Chairman, the significant thing, I think, about this map more than anything else is to point out that a lot of the rural areas are favorable apparently for the location of some of these laboratories.

And I think the reason being, of course, is because these individuals feel that they can avoid detection not only by the police but by other residents in the community by hiding these laboratories

away in a rural environment. It seems like a lot of the laboratory activity we have had has been in situations such as those.

Mr. ENGLISH. So those would be outside the community, they would not necessarily be in town here where you had the pin?

Mr. LYMAN. That is correct, sir, as a rule of thumb.

I might point out, though, that 2 months ago we did have three clandestine laboratories in the city of Durant.

These were right in a residential area, and as a matter of fact it was the residents in the town that noticed the odor, called it to the attention of the local police, we were summoned and a joint investigation was initiated. So there are exceptions, but as a rule of thumb I think you will find a growing pattern toward a rural-type setting for most of these clandestine laboratories. If I might return back to my seat?

Mr. ENGLISH. Surely.

Mr. LYMAN. OK. I am not trying to be redundant here, Mr. Chairman, but there are some inherent dangers as have been testified to, and I think stressing not only the fact that a lot of these individuals are considered dangerous that operate these laboratories.

We do have a problem with boobytraps. Other States have provided us teletypes and intelligence information regarding possibilities of boobytraps here in the State and many of which are situations that they have encountered in other States.

These are boobytraps that many times involve sticks of dynamite, rattlesnakes with the rattler cut off, and, you know, just about anything that can be imagined; many guerrilla-type warfare situations where there might be spikes in ditches that have been dug around the premises and so forth.

So law enforcement is trying to gear up and become cognizant of these problems, too, and then, of course, the inherent problem of the laboratory, itself, being very dangerous not only because of the fumes but because it can of course blow up if not taken down properly, which is why we have an OSBI chemist accompany us on all of our raids.

OK. I might point out that the financing of these operations many times, maybe most of the time, do appear to be local. It seems like in many situations a share of the finished product can go to the chemist and their assistants, and in some cases both the glassware and the chemicals are acquired by the cooker or the clandestine chemist.

We did have one investigation in 1984 that reflected an out of State chemist, he did obtain both the glassware and the chemicals, he packed them in large trunks and distributed these items to laboratory sites in Texas, Louisiana, and in Oklahoma.

His role in the situation was kind of that of a coordinator, and he also provided technical knowledge to the individuals in each respective lab site on how to start cooking this stuff and keep the operation going.

That is why we are fortunate here in Oklahoma to have a recent law enacted in 1984 by the Oklahoma State Legislature that provides for a rather significant prison term, I believe it is a minimum of 20 years and up to life imprisonment for the conviction of attempting to manufacture CDS or manufacture CDS, which are two

of the most common charges other than that of conspiracy, of course, and it does provide for up to $50,000 of fine, and we consider this a real significant tool in our efforts in fighting this problem.

Mr. ENGLISH. Thank you very much.

Mr. Pruitt.

STATEMENT OF WILLIAM M. PRUITT, ASSISTANT COMMANDER, TEXAS DEPARTMENT OF PUBLIC SAFETY NARCOTICS SERVICE

Mr. PRUITT. Congressman English and distinguished members of the subcommittee, my name is William M. Pruitt. I am assistant commander, Texas Department of Public Safety Narcotics Service in Austin, TX.

I am grateful to have the opportunity to appear before this committee and relate to you the magnitude of the problems that clandestine manufacture have brought about in Texas.

I have submitted for the record the statement, and in order to avoid redundancy, I will summarize the statement and let the statement stand as the record testimony.

Mr. ENGLISH. Without objection, your full and complete written testimony will be made a part of the record.

Mr. PRUITT. Thank you.

The statement presented attempted to cover from Texas' standpoint the scope of the problem, the potential dangers for the users, the dangers for law enforcement officers, the hazards and the violence involved in laboratory sites, the enforcement efforts made by the Texas Department of Public Safety, and the need for cooperation between Federal, State, and local law enforcement agencies.

We initially became aware of the clandestine manufacture problem in about 1978 when we joined a multiagency task force in the Houston area. The success of this operation brought to light the potential problems associated with drug production operation. We have the not-so-distinguished honor of being probably first in the Nation in seizure of clandestine laboratories, and this has occurred for the past 3 years.

With the statistics as they are in 1985, we would anticipate probably leading the Nation again in the seizure of clandestine manufacture. It is important probably that we share this with the State of Oklahoma as we probably are to Oklahoma as California is to us—what we see today, Oklahoma will see next year, so we do enjoy a good cooperative effort with them, and it is a pleasure to share this—share our information with you here.

In 1982, we seized 19 laboratories manufacturing illegal drugs in Texas, the Texas Department of Public Safety was involved in. In 1983 this increased to 31. In 1984 it increased 87 percent to 58 laboratories seized in the State of Texas by the Texas Department of Public Safety.

As of the 18th, we had seized 58 illegal laboratories in Texas. I made a call this morning before testimony and the number is 60 now, and I left yesterday.

The significance of these numbers and these seizures is important because these are only statistics that the department of public safety has participated in. In contacting the Drug Enforcement Administration in some areas and local agencies, we estimate that in

1974 probably about 84 laboratories were seized in Texas by us and other agencies, and we estimate that over 100 will be seized in 1985.

I do have attached to my statement actual locations and type of drugs in these seizures and also the values, also maps of the State of Texas which will outline for the committee the locations of these seizures to give an indication of the area involved.

As has been previously testified to, these operations may be—may range from very well organized, efficient operations producing maybe up to 25 pounds per week down to smaller operations which may produce only a small quantity, maybe an ounce a week. And as in any operation of this nature, the volume has a direct effect on the profit margin and as has been previously discussed with a minimum investment, large profit can be obtained.

Currently in Texas, amphetamine and methamphetamine is selling for about $125 per gram. At this rate, if it is sold by the gram, it is about $56,000 per pound. Our current wholesale price in Texas is from $15,000 to $20,000 per pound.

So even the people not producing but buying it at the wholesale level can enjoy a substantial profit in the manufacture, with probably a maximum of $2,000 to $5,000 investment, can increase his profit substantially.

There is nothing to indicate from our standpoint that the problem is diminishing or even leveling off at this point, and actually based on past statistics coupled with what we see as a growing demand, the problem will, is expected to grow in the next few years.

The danger of becoming psychologically addicted to the stimulants, amphetamine and methamphetamine, is only one of the hazards that the abusers face. They, what we are seeing is the user developing the acceleration of hyperactivity and loss of appetite and the constant use even taking the user to a point of delirium or psychosis, which makes him very, very dangerous.

As also has been pointed out, the unsanitariness of the process provides a tremendous hazard to the user and disease has been documented in the use, in the intravenous use of these drugs in several States.

The substantiation of the danger to the abuser is pointed out by the National Narcotics Intelligence Consumers Committee report of 1983 which showed a decrease in hospital-related instances related to methamphetamine but showed a 50-percent increase in methamphetamine deaths, and as has been pointed out, I believe, by the chairman, the results of another State have indicated that users of a certain contaminated batch of illegally produced drugs actually acquired Parkinson's disease.

The law enforcement officers face other dangers in the thing, many of which have been pointed out. We have experienced these specifically in Texas. We have had—several of our investigators have reported a variety of health-related problems which are directly attributed to the seizure of so many clandestine laboratories, respiratory problems primarily.

We don't know whether they will be long-lasting problems or not, but merely being around one of these labs for any period of

time at all would lend any person to realize the dangers of just associating with the labs.

The hazards and the violence at the sites has also been pointed out. We have in Texas specifically seen laboratories that have been wired with detonators, oil field perforators that have been wired with detonators, and most of the laboratory sites, as it has been pointed out, are prevalent with all sorts of weapons, including automatic weapons.

There also have been cases documented in other States where a front door was wired with 10,000 volts of electrical charge, which is plenty to kill any officer that may be in the neighborhood; also was strategically placed containers of potassium and hydrochloric acid so if the officer opened the door, the chemicals mixed caused cyanide gas, which is deadly.

These are areas that we have encountered and have documented in some other areas which pose a severe risk problem and a health hazard to the law enforcement agencies.

Much of our effort in the area along with the actual investigation and the seizure of the laboratories is in the area of training due to the nature of the danger involved.

We have extensively trained our own investigators and other local officers and in conjunction with the Drug Enforcement Administration have conducted actual laboratory training; also in the training in the area of conspiracy-type investigations.

We have specifically trained seven of our investigators as hazardous devices technicians to go to the locations and recognize, be able to recognize hazardous devices which have been placed at the laboratory sites, and we attempt in all possible cases to have the hazardous device technician enter the premises prior to the time that we execute an arrest on a lab.

Also, as has been pointed out by the State of Oklahoma, we do have a department of public safety chemist at all seizures of clandestine laboratories. And if that is not possible for some reason beyond our control, then we have specific guidelines of how to make the seizure, and our department restricts the presence of any of our personnel unless they have been properly trained in the seizures.

We have also been involved in special task forces with the Drug Enforcement Administration, local officers, and this has increased our intelligence sharing which is so important in the area of seizing clandestine manufacturers.

We have taken steps, and many times in cooperation with the Drug Enforcement Administration, to develop contacts within chemical supply houses and followed those leads from an intelligence gathering standpoint to the location of the laboratories.

We would stress from the State of Texas and from our experience standpoint, that the cooperation between State, local, and Federal agencies is mandatory in combating the problem of clandestine manufacturing of drugs. We have experienced in many, many cases the interstate transportation of chemicals, the interstate transportation of the entire laboratory, the interstate transportation of the finished product.

We enjoy a good working relationship among the States, and we enjoy a good relationship with DEA in the State of Texas in this

particular area and in others, but I must stress that it is very important that this cooperation exist because of the mobile nature of these laboratories, and it is one of our priorities, is cooperation with the Drug Enforcement Administration in not only investigative area but in the training area.

Thank you for the opportunity of appearing before the committee, Mr. Chairman, and I would be glad to respond to any questions that you or any other members might have.

[The prepared statement of Mr. Pruitt follows:]

STATEMENT

of

WILLIAM M. PRUITT

ASSISTANT COMMANDER

TEXAS DEPARTMENT OF PUBLIC SAFETY

NARCOTICS SERVICE

Congressman English and distinguished members of this Subcommittee, my name is William M. Pruitt. I am the Assistant Commander of the Texas Department of Public Safety, Narcotics Service. I am grateful to have the opportunity to appear before your subcommittee and relate to you the magnitude of the problems brought on by the clandestine manufacture of drugs in Texas.

In my statement today, I intend to cover several areas related to the illegal manufacture of drugs in Texas including:

1. The scope of the problem
2. The potential dangers to the users
3. The potential dangers to law enforcement officers
4. Hazards and violence at laboratory sites.
5. The enforcement efforts by the Texas Department of Public Safety
6. The need for cooperation between federal, state and local law enforcement agencies.

Representatives from the State of Texas and the Texas Department of Public Safety have appeared before various subcommittees in the past to discuss the overall drug problem in Texas. Testimony at those hearings revealed the variety of drug trafficking and drug abuse problems faced by the law enforcement community in Texas.

The State of Texas, because of its size and geographic location with respect to major drug source countries, continues to have a multi-facited drug trafficking problem.

Areas that have historically required specialized law enforcement attention in Texas include drug smuggling by aircraft and marine vessel, drug smuggling by vehicles, diversions of legitimate drugs into illegal channels and the trafficking of Mexican heroin. More recently, additional problems emerged in the area of illegal drug laboratories.

The Scope of the Problem

Law enforcement officials in Texas initially became aware of the domestic drug production problem in 1978 when a special task force was established in Houston to investigate incidences of illegal drug manufacturing. The success of this multi-agency task force effort brought to light the potential problems associated with these drug production operations.

Texas currently leads the nation in the number of clandestine drug laboratories seized by law enforcement officials. Our state has held 'this not so distinguished' honor for three (3) straight years, and it appears that laboratory seizures in 1985 will keep Texas a leader in this area.

In 1982, nineteen (19) laboratories manufacturing illegal drugs were seized by the Department of Public Safety in cooperation with other police agencies. In 1983, thirty-one (31) illegal laboratories were seized by our Department resulting in the seizure of over $17 million in illegal methamphetamine and amphetamine. In 1984, illegal laboratory seizures in Texas increased a startling 87% over 1983 when our Department seized fifty-eight (58) illegal laboratories.

As of 09-15-85, Department of Public Safety officers have already seized fifty-eight (58) illegal drug laboratories.

Over the past three years, Investigators from the Department of Public Safety have seized approximately $164 million dollars worth of drugs from illegal laboratories.

The significance of these seizure statistics is enhanced by the fact that they reflect only the seizures in which Department of Public Safety officers participated. Although an accurate count of laboratories seized in Texas by all law enforcement agencies is unavailable, it is estimated that approximately 84 laboratories were seized in 1984 statewide, and it is projected that a total of 100 laboratories will be seized in 1985.

Attachments included with my prepared statement reflect statistics and seizure locations of the illegal laboratories seized in Texas during 1983-1985.

A clandestine laboratory may range from a well organized efficient operation capable of producing from 5 - 25 pounds of controlled substances per week to a kitchen or bathroom laboratory in an apartment which produces one ounce per week.

As in any operation of this nature, the volume of controlled substance produced has a direct effect on the profit margin expected by the laboratory operator.

The average street price for methamphetamine and amphetamine in Texas is approximately $125.00 per gram. At this rate, a single pound of methamphetamine, if sold in one gram units, would generate over $56,000.00. The wholesale price for a pound of methamphetamine is approximately $15,000.00 to $20,000.00.

Potential Dangers to the Drug User

There is nothing to indicate that this problem is diminishing or even leveling off. Actually, based on past seizure statistics coupled with growing consumer demand, the problem with illegally produced drugs is expected to continue to grow at this alarming rate.

The danger of becoming psychologically addicted to stimulants such as methamphetamine or amphetamine is but one of the hazards faced by the drug abuser.

The consumption of stimulants may result in a temporary sense of exhilaration, hyperactivity and a loss of appetite. Stimulant use also induces irritability, anxiety and apprehension. The effects of stimulants are greatly intensified when administered by intravenous injection which is the method most often used by users of clandestinely manufactured drugs. Intravenous injection usually produces a sensation known as a "rush". This rush is usually followed by a feeling of depression known as "crashing". Since the depression can be easily countered by another injection of the stimulant, this abuse pattern becomes increasingly difficult to break. Heavy users may inject themselves every few hours, a process sometimes continued to the point of delirium or psychosis.

The user of illegally manufactured drugs is faced with many additional hazards. Clandestinely produced drugs are often the result of efforts of unqualified chemists who use unsanitary facilities for their drug production. With no quality controls whatsoever, their finished product can be contaminated with deadly chemicals. The drug user who acquires this drug for his use may be placing a potentially lethal substance into his body.

This may be substantiated by a National Narcotics Intelligence Consumers Committee report which states that in 1983, while methamphetamine related hospital emergencies decreased slightly, methamphetamine related deaths increased by 50 percent.

Results from tests in another state indicate that users of a certain contaminated batch of illegally produced drugs actually acquired Parkinson's disease.

Potential Danger to Law Enforcement Officers

There are other dangers involved in the illegal production of drugs and these dangers have caused great concern in the law enforcement community. The dangers I am speaking of are the health hazards law enforcement officers are exposed to when they seize and dismantle illegal drug laboratories.

Many of the chemicals required to produce methamphetamine or amphetamine are cancer causing agents while others can damage one's heart, lungs, liver and blood. Chemical fumes can also cause severe skin and eye irritation.

The human body actually stores many of these dangerous chemicals in the fatty cells of the body and the overall long term effect of exposure to the chemical fumes by law enforcement officers is frightening.

Several Investigators from the Department of Public Safety have reported a variety of health related problems which can be directly attributed to exposure to chemical fumes in illegal laboratories.

Hazards and Violence at Laboratory Sites

Additional hazards faced by both the unlawful drug producer and law enforcement authorities alike are those associated with the extreme volatile nature of the chemicals used in drug production.

Chemicals such as ether, which is extremely volatile, and acetic anhydride, which is highly flammable, render these laboratory sites as potential bombs. Many of these chemicals are essentially unstable and even an improper combination of two or more chemicals can produce poisonous fumes.

Another area causing great concern to law enforcement officers across the nation is the increased level of violence associated with illegal drug laboratories.

In a majority of laboratory investigations today, our Investigators are seizing a variety of weapons and explosives in addition to the illegal drugs. Explosives, as well as other anti-personnel devices, have been detected at laboratory sites installed in such a manner that, if detonated, could kill any officers in the vicinity as well as destroy the entire laboratory site.

In a recent investigation in Texas which resulted in the seizure of a laboratory, officers detected an explosive device which

contained twelve (12) oil field perforators completely wired with a detonator.

Two separate laboratory investigations in the state of Oregon revealed that at one site, the front door was wired with a 10,000 volt charge, far more than enough to kill a police officer raiding the laboratory site. The other site had one container of potassium and one of hydrochloric acid placed strategically near the front door. An unsuspecting officer opening the front door of this location would cause these containers to spill and the resulting chemical reaction would produce deadly cyanide gases.

These are only a few examples of the violent and hazardous situations faced by law enforcement officers encountering illegal drug laboratories. This trend toward violence and the prevalent use of explosives has many officers legitimately concerned.

Another problem area with respect to illegal drug laboratory investigation deals with the need of the investigating officer to retain certain quantities of the seized chemicals for court proceedings.

The transportation, storage and destruction of these chemicals come under the scrutiny and regulations of various federal and state agencies.

The Department of Public Safety has therefore found it necessary to construct special storage facilities throughout the state for the purpose of storing these hazardous chemicals. These buildings have been designed to allow for the forced venting of fumes and any potential explosive blasts through the roof.

The Enforcement Efforts by the Texas Department of Public Safety

The alarming increase in the number of illegal drug laboratories being cperated in Texas has caused our Department to provide police officers throughout the state with intensified training in laboratory investigation techniques and chemistry.

Additionally, the Department has seven (7) investigators who have received a tremendous amount of training in the recognition and proper handling of explosives. These investigators are qualified Hazardous Devices Technicians.

Investigators in various parts of our state have been assigned to special task forces targeting illegal laboratory operations. These task forces have proven to be particularly successful as they allow for the sharing of intelligence information among participating agencies and better better enable the investigators to identify major laboratory operators.

Another enforcement step taken by Department Investigators has been to develop contacts at various chemical supply companies throughout the state.

Information provided by these company employees has proven to be very beneficial in identifying suspects purchasing the chemicals used to manufacture illegal drugs.

The Texas Department of Public Safety works diligently throughout the year in an attempt to maintain appropriate legislative and regulatory controls over the sale and distribution of precursor chemicals as well as the illegal drugs themselves.

During each legislative session, our Department attempts to secure legislation that updates the Texas Controlled Substances Act in this regard.

At this point in time, the greatest majority of laboratories seized in Texas have been used to manufacture methamphetamine or amphetamine or the precursor chemicals.

However, forty percent of the laboratories seized in the State of California this year have been phencyclidine (PCP) producing labs.

During August of this year, our Department sent a Narcotics Training Officer to California to study the PCP manufacturing

operations in that state in anticipation that PCP manufacturing will inevitably reach our state in the near future.

The Need for Cooperation Between Federal, State and Local Law Enforcement Agencies

As in any field of criminal law enforcement, the need for cooperation between all law enforcement agencies is absolute. This has been accomplished in several areas of our State through the task force concept previously mentioned.

Because of the increased level of violence and the prevalent use of explosive devices at the laboratory sites, the timely exchange of intelligence information is crucial.

Our Department has shared with the Drug Enforcement Administration the responsibility to provide quality training to law enforcement officers across the state.

This concludes my prepared remarks concerning the problems associated with the illegal manufacture of drugs in Texas. I urge the members of this subcommittee to take a close and serious look at this situation and to support any legislation at the Federal level that will help law enforcement officers make this society a safe place in which to live.

Thank you for the opportunity to appear before you today, and in closing I will be happy to try and answer questions you may have.

CLANDESTINE LABORATORY SEIZURES IN TEXAS

01-01-83 through 12-31-83

	Date of Seizure	County	Type	Approximate Street Value in Dollars
1.	01-12-83	Parker	Meth	34,500
2.	01-14-83	Bastrop	Meth	67,900
3.	01-18-83	McLennan	Meth	6,000
4.	02-11-82	Milam	Phenyl	*NSV
5.	02-17-83	Hamilton	Meth	1,200
6.	04-11-83	Arkansas	Meth	1,342,000
7.	04-27-83	Comal	Meth	*NSV
8.	04-28-83	Tarrant	Amph	*NSV
9.	05-13-83	Arizona	Amph	45,000
10.	05-13-83	Tarrant	Amph	(Included in #9)
11.	05-13-83	Smith	Amph	(Included in #9)
12.	05-16-83	Galveston	Meth	3,000
13.	05-16-83	Parker	Amph	2,880,000
14.	05-26-83	Raines	Amph	120,800
15.	05-29-83	Lampasas	Meth	12,000
16.	07-09-83	Trinity	Meth	40,000
17.	08-07-83	Franklin	Amph	15,000
18.	08-13-83	Grayson	Meth	21,000
19.	08-25-83	San Saba	Meth	*NSV
20.	08-26-83	Walker	Meth	300,000
21.	09-13-83	Johnson	Amph	35,000
22.	10-02-83	Trinity	Meth	500,000
23.	10-07-83	Denton	Amph	250,000
24.	10-16-83	Harris	Meth	*NSV
25.	10-18-83	Wichita	Amph	11,030,000
26.	10-26-83	Collin	Amph	6,000
27.	11-09-83	Lampasas	Meth	2,800
28.	11-18-83	Tarrant	Amph	50,000
29.	12-07-83	Oklahoma	Meth	76,000
30.	12-09-83	Bastrop	Meth	130,000
31.	12-09-83	Tarrant	Amph	160,000
	TOTAL ESTIMATED VALUE OF DRUGS SEIZED			17,128,200

*No Street Value given on report

NOTE: Laboratories listed above include only those in which DPS Narcotics Investigators were involved.

CLANDESTINE LABORATORY SEIZURES IN TEXAS

01-01-84 through 12-31-84

	Date of Seizure	County	Type	Approximate Street Value in Dollars
1.	01-11-84	Wise	Amph	260,000
2.	01-16-84	Young	Methl	10,000
3.	01-19-84	Nueces	Meth	2,000
4.	01-19-84	Galveston	Meth	8,100
5.	01-30-84	Oklahoma	Amph	15,000
6.	02-03-84	Polk	Meth	7,000
7.	02-05-84	Brazos	Meth	224,000
8.	02-09-84	Jefferson	Pre/Glsw	*NSV
9.	02-14-84	Tarrant	Amph	16,000
10.	02-21-84	Denton	Amph	35,000
11.	02-23-84	Limestone	Meth	35,000
12.	02-24-84	Johnson	Meth	25,000
13.	02-25-84	McLennan	Amph/Meth	30,000
14.	02-25-84	Upshur	Meth	70,000
15.	03-06-84	Somvl/Tarr	Amph	45,000
16.	03-16-84	Tarrant	Meth	25,000
17.	03-16-84	Travis	Phenyl	*NSV
18.	03-16-84	Travis	Meth	1,500
19.	04-01-84	Callahan	Amph	400,000
20.	04-21-84	Denton	Pre/Glsw	*NSV
21.	04-25-84	Williamson	Meth	187,500
22.	05-01-84	Victoria	Meth	12,000
23.	05-13-84	Orange	Meth	8,400
24.	05-18-84	Travis	Meth/Exp/Pre	*NSV
25.	05-31-84	Llano	Meth	946
26.	06-10-84	Brazos	Meth	35,000
27.	06-12-84	Taylor	Meth	240,000
28.	06-16-84	Lampasas	Pre/Glsw	*NSV
29.	06-16-84	Dewitt	Meth	30,000
30.	06-27-84	Uvalde	Meth	50,000
31.	07-01-84	Montgomery	Meth	320,000
32.	07-22-84	Brown	Meth	1,000
33.	07-26-84	Polk	Meth	1,450,000
34.	08-15-84	Lampasas	Amph	280,000
35.	09-07-84	Hill	Meth/Pre/Glsw	375
36.	09-07-84	Parker	Amph	45,000
37.	09-07-83	Tarrant	Amph	1,362,000
38.	09-09-84	Bell	Meth/Pre/Glsw	110
39.	09-19-84	Hardin	Meth	6,969
40.	09-23-84	Hill	Amph	74,910
41.	09-26-84	Dallas	Amph	30,000
42.	10-19-84	Bastrop	Meth	15,400
43.	10-29-84	Johnson	Meth	22,000
44.	10-29-84	Parker	Amph	227,000

45.	11-02-84	Parker	Amph	1,053,500
46.	11-02-84	Tarrant	Pr/Gl	10,500
47.	11-13-84	Travis	Meth	9,240
48.	11-20-84	Tarrant	Amph	8,000
49.	11-28-84	Cooke	Amph	22,000
50.	12-06-84	Hays	Meth	173
51.	12-07-84	Comal	Meth	1,123,000
52.	12-12-84	Palo Pinto	Amph	21,600
53.	12-12-84	Galveston	Pr/Gl	40,000
54.	12-14-84	Bell	Pr/Gl	*NSV
55.	12-20-84	Stephens	Meth	60,000
56.	12-27-84	Brazoria	Meth	100,000
57.	12-27-84	Harris	Meth	750,000
58.	12-28-84	Fannin	Amph	138,500
	TOTAL ESTIMATED VALUE OF DRUGS SEIZED			9,078,724

*NSV Precursor chemical seizure only. No street value given.
Note: Laboratories listed above include only those in which D.P.S. Investigators were involved

CLANDESTINE LABORATORY SEIZURES IN TEXAS

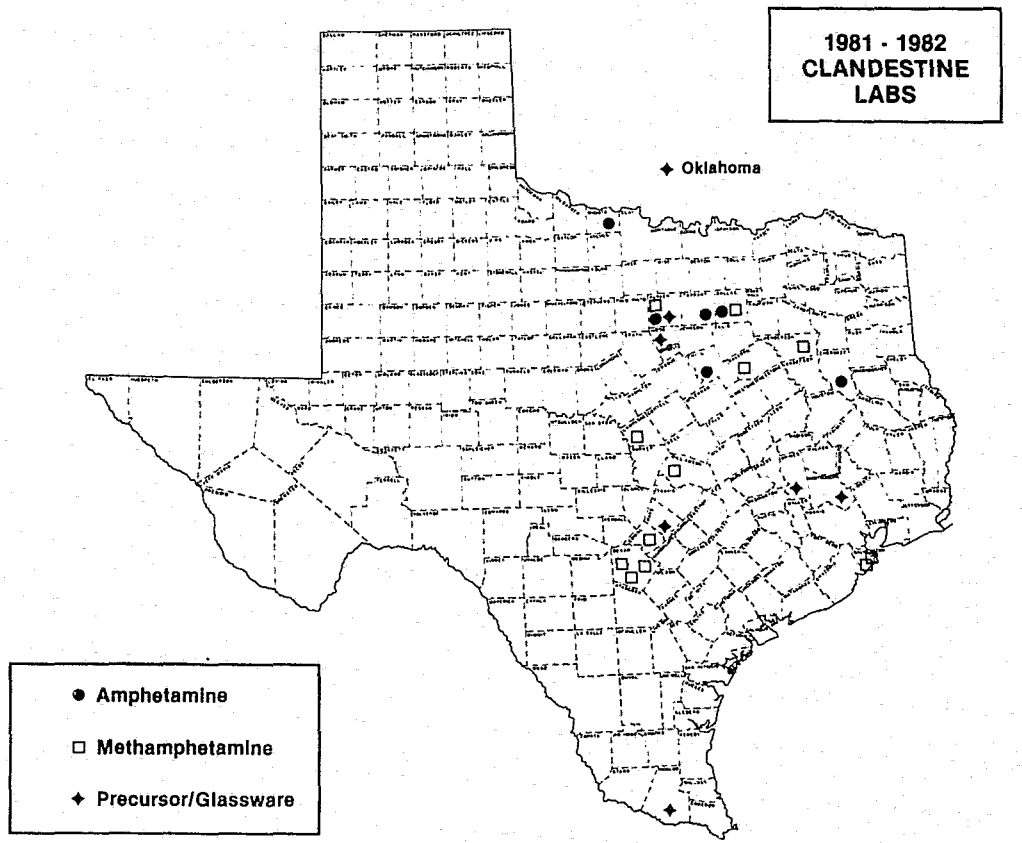
01-01-85 through 09-18-85

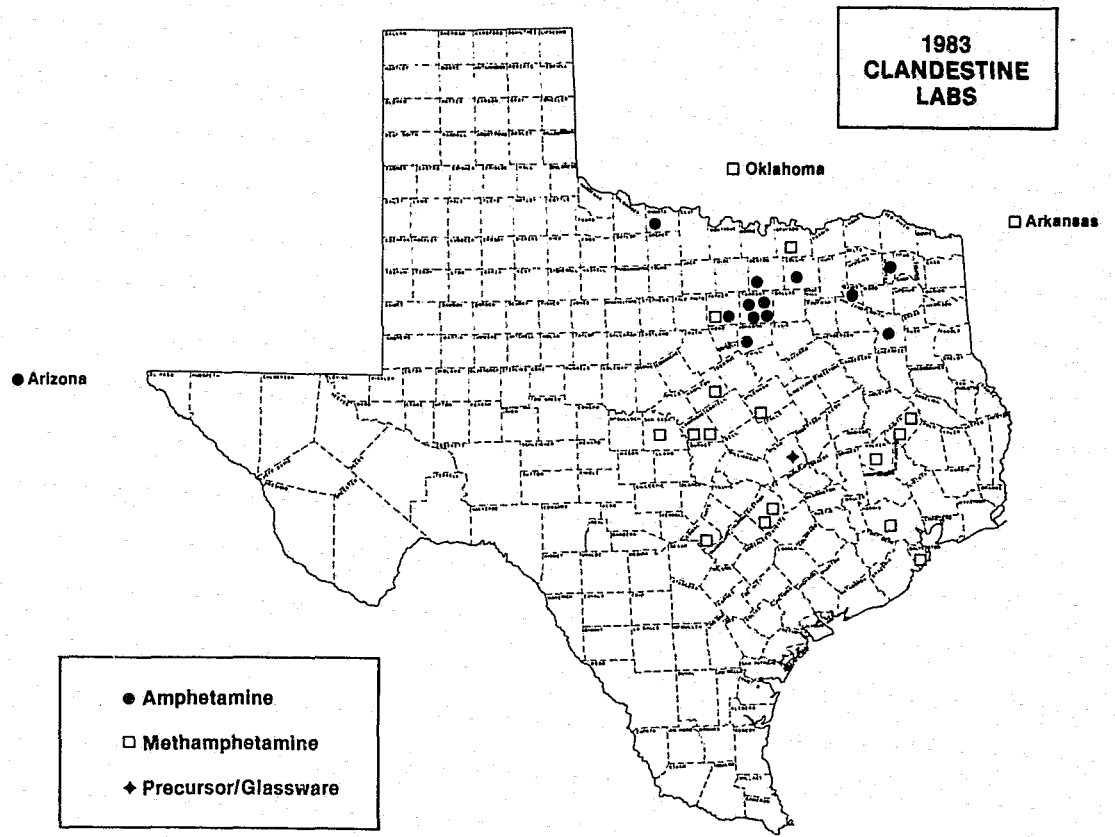
	Date of Seizure	County	Type	Approximate Street Value in Dollars
1.	01-07-85	Bexar	P2P(m)	200,000
2.	01-11-85	Johnson	Amph	149,820
3.	01-11-85	Guadalupe	M/P2P	313,600
4.	01-12-85	Galveston	Meth	400,000
5.	01-15-85	Tarrant	Amph	20,000
6.	01-15-85	Harris	Meth	128,750
7.	01-16-85	Brown	P2P/M	40,000
8.	01-17-85	Lampasas	P2P	5,000
9.	01-20-85	Denton	Meth	5,000
10.	01-21-85	Burnet	Hash	34,564
11.	01-23-85	Bexar	Meth	200,000
12.	02-02-85	Denton	P2P(A)	10,000
13.	02-15-85	Hood	Amph	327,690
14.	02-19-85	Kaufman	Amph	100
15.	02-15-85	Bosque	Amph	351,120
16.	02-26-85	Wise	A/P2P	25,000
17.	02-26-85	Hill	Amph Oil	887,040
18.	02-18-85	Tarrant	Meth/Meth Oil	61,500
19.	03-01-85	Cherokee	Meth	1,400,000
20.	03-02-85	Parker	Amph	650,000
21.	03-05-85	Matagorda	Meth	344,000
22.	03-08-85	Fischer	P2P(A)	40,000
23.	03-10-85	Taylor	Amph	800,000
24.	03-12-85	Harris	P2P(m)	50,000
25.	03-21-85	Johnson	Amph/Amph Oil	49,500
26.	03-22-85	Brown	Meth	*NSV
27.	03-24-85	Taylor	P2P(A)	240,000
28.	03-27-85	Bexar	Meth Oil	960,000
29.	03-29-85	Guadalupe	Meth	1,379,840
30.	03-30-85	Liberty	m/P2P	1,200
31.	04-03-85	Burleson	Meth	24,640
32.	04-19-85	Somerville	Meth/Amph	1,015,300
33.	04-21-85	Bell	Meth	99,880
34.	05-03-85	Tarrant	Meth	37,510
35.	05-24-85	State of Colo.	Meth Oil	121,927,680
36.	05-24-85	State of Colo.	Meth Oil Included in #35	
37.	06-03-85	Hill	Amph	9,240
38.	06-05-85	Van Zandt	Amph/Amph Oil	97,000
39,	06-11-85	Trinity	Meth/Meth Oil	252,875
40.	06-20-85	Henderson	Amph/P2P	24,640
41.	06-29-85	Freestone	P2P(A)	184,800
42.	07-04-85	State of Ark.	Meth	2,400,000
43.	07-11-85	Nacogdoches	Adliocybin	208,155
44,	07-12-85	Bell	M/P2P	32,320
45.	07-16-85	Bastrop	Meth/Meth Oil	785,400

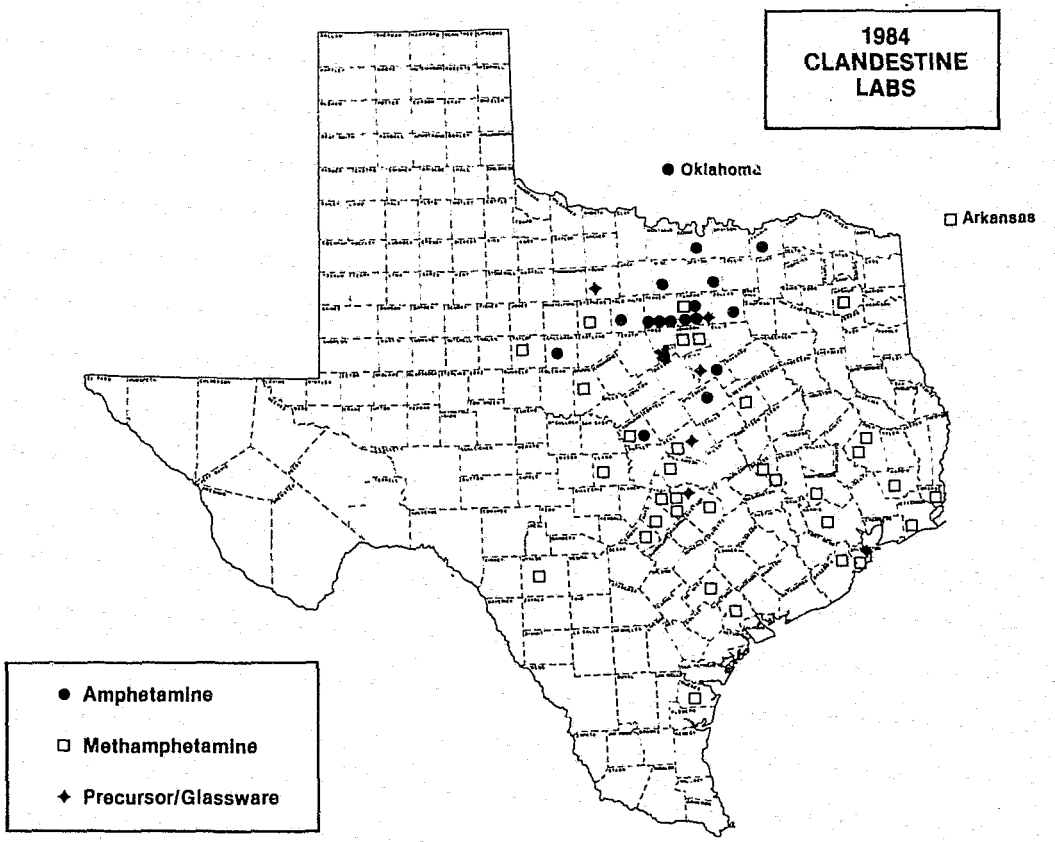
46.	07-26-85	Erath	P2P/Amph Oil	106,910
47.	08-12-85	Falls	Meth Oil/P2P	643,280
48.	08-22-85	Lubbock	Pre/Glass (M)	*NSV
49.	08-22-85	Taylor	Amph	*NSV
50.	08-26-85	Llano	Meth	199,760
51.	09-05-85	Harris	Meth	115,625
52.	09-09-85	Tom Green	Meth/Meth Oil	131,000
53.	09-13-85	Bell	Meth	100
54.	09-15-85	Hill	Meth Oil/P2P	425,760
55.	09-18-85	Travis	P2P/Meth	15,132
56.	09-18-85	Hill	P2P/Amph	291,000
57.	09-18-85	Hill	Amph Oil/P2P	15,000
58.	09-18-85	McLennan	Amph Oil/P2P	215,400

TOTAL ESTIMATED VALUE OF DRUGS SEIZED TO DATE: $138,332,131

*No Street Value given on report.


1981 - 1982
CLANDESTINE
LABS
Oklahoma
Amphetamine
Methamphetamine
Precursor/Glassware


1983
CLANDESTINE
LABS
Oklahoma
Arkansas
Arizona
Amphetamine
Methamphetamine
Precursor/Glassware


1984
CLANDESTINE
LABS
Oklahoma
Arkansas
Amphetamine
Methamphetamine
Precursor/Glassware

Mr. ENGLISH. Thank you very much, Mr. Pruitt.
Sergeant Best.

STATEMENT OF SGT. DALE BEST, DRUG COORDINATOR, CRIMINAL INVESTIGATIVE DIVISION, ARKANSAS STATE POLICE

Sergeant BEST. Mr. Chairman, and other members of the committee: My name is Dale Best and I am a sergeant with the Arkansas State Police assigned to the criminal investigative division.

My specific duties are as drug coordinator for D Company within the division, which encompasses 12 counties within the State of Arkansas. The company where I am assigned borders Arkansas and Oklahoma and also goes down and touches the end of Texas.

The lab problem in Arkansas dates back to 1981. Since 1981 there have been 40 labs seized within the State of Arkansas. Thirty-nine of the labs have been methamphetamine or amphetamine related, with one lab being PCP.

As recent as August 31, 1985, for the year 1985, there have been 13 seizures of methamphetamine or amphetamine laboratories in the State. In 1984, there were 14. In 1983, there were 7, and in 1982, there were 14. In 1983 there were seven, and in 1982 there were five, thus showing a marked increase in the seizures of the laboratories within the State of Arkansas.

I think that in Arkansas we are faced with a lack of training and expertise in the field of clandestine laboratory investigations and rely greatly on the assistance from the Drug Enforcement Administration, Little Rock office.

The Little Rock office of the Drug Enforcement Administration is a four-man office, and they, like many other agencies of law enforcement, are understaffed and overworked.

In Arkansas, as of the first of the year, specifically February 20, 1985, the legislature has enacted new laws with more stringent penalties as would pertain to the manufacturing, possession, and distribution of powdered substance, specifically cocaine, methamphetamine, and amphetamine powders.

The weight which in the past would be—excuse me, let me just read to you the statute as it relates to the aggregate substances: Schedules I, II, and III controlled substances which include cocaine, methamphetamines, and amphetamines with an aggregate weight including the diluents is less than 28 grams, the individual is guilty of a felony and shall be imprisoned for not less than 5 years nor more than 20 years and shall be fined an amount not to exceed $15,000.

On the other hand, if the substance in schedule I, II, or III has an aggregate weight to include the diluents of 28 grams or more but less than 400 grams, the individual is guilty of a felony and shall be imprisoned for not less than 10 years nor more than 40 years or life, and shall be fined an amount not exceeding $50,000.

And the most stringent of the statute reads that schedules I, II, and III controlled substances with an aggregate weight to include the diluents of 400 grams or more is guilty of a felony and shall be imprisoned for not less than 15 years nor more than 40 years or life and shall be fined an amount not to exceed $100,000.

Those are the guidelines set forth by State law as it would pertain to the sentencing of individuals in the clandestine lab operations, and that was the purpose for the creation of this particular statute and the sentencings set forth.

You made a mention earlier concerning Metroplex in Dallas, TX. And I would like to say, I am not really in defense of Metroplex but for them, that in 1983 in Fort Smith, AR, we were contacted by the Drug Enforcement Administration and we were given information concerning an individual who had just left Metroplex and was en route to Fort Smith, AR, with a bobtail truck containing various chemicals and glassware, some of which could be utilized in the manufacturing of controlled substances, specifically methamphetamine and amphetamine.

A surveillance was subsequently established in Fort Smith, AR, and approximately 6 hours later the individual was stopped, detained, and questioned by members of the State police and Fort Smith Police Department.

This individual subsequently became a cooperating individual. The items on his truck, which were sold to him at Metroplex, were destined to two different groups of individuals involved in the manufacturing of methamphetamine and amphetamines in Fort Smith, AR.

One group we identified as members of the Bandido Motorcycle Club, and the second group were local individuals in the Fort Smith, AR, area looking to make money.

An investigation ensued, and controlled deliveries of the chemicals and/or glassware were made to both groups with the aid of the Drug Enforcement Administration. The first delivery occurred the day after the seizure from the informant, the surveillance concluded in Houston, TX, where members of the Bandido Motorcycle Club stored the chemicals inside of a ministorage facility.

Due to the lack of manpower and the ever increasing caseload on the agents, the investigation was terminated, and the chemicals were picked back up by members of the Drug Enforcement Administration in Houston.

We did or were able to indict at least five members of the Bandido Motorcycle Club who have since then appeared in Federal court in Fort Smith and been convicted on the charge of conspiracy to manufacture amphetamines or methamphetamine.

The second delivery occurred approximately 1 week after the initial seizure. The items were taken and stashed in the National Forest north of Ozark, AR. The items were subsequently seized by investigating officers and it was later determined that the individuals had detected the surveillance and disposed of the items in the woods.

We did manage to indict three persons involved in that case and they too were convicted in Federal court in Fort Smith.

As to Metroplex and the use of companies as such, I think that—it was my opinion and also the opinion of the department, that utilization of these companies should be recommended and advised as to the distribution of glassware and chemicals to potential suspects in that the individuals, if they don't buy it from us, they will buy it from someone else.

I have two forms I would like to present to you for the record, both of which relate to cash sales made by chemical companies, one in Oklahoma, and one in Omaha, NE. The Omaha, NE, sale is dated December 3, 1984, and shows the customer order number as verbal, a telephone call-in.

The items purchased were methylamine 40 percent in water, acetone, acetic anhydride, and phenylacetic acid. And it shows to have been paid in cash.

The second, a receiving ticket which is dated July 1985, for four barrels of 110 pounds of phenylacetic acid at a price of a little over $10,000, and it shows to have been paid in cash.

And it is my experience that the chemical supply companies have what they call a cash sale where individuals can walk in with cash, lay down the cash and tell them what they want and the people will sell it to them.

Now, as to whether or not there is any criminal intent behind each and every sale, I would not be able to answer that. I think that the chemical supply companies for the most part are honest, law-abiding citizens and they are trying to conduct a legal business.

But I think that someone should explore the possibility of controls being placed on the cash sales as to the possibility of identification of the individuals, showing some type of identification or where they show that they are affiliated with a company, have documentation or identification showing such.

Mr. ENGLISH. Without objection, those two documents will be made a part of the record.

[The documents follow:]

47-0564686

Midland Scientific, Inc.
1036 South 19th Street • Omaha, Nebraska 68108-3102
Phone (402) 346-8352

Please remit to: P.O. Box 7058 Omaha, Nebraska 68107

INVOICE NO. 44826

CUSTOMER ORDER NO. Verbal
TERMS—NET 30 DAYS, FOB Omaha, NE
CUSTOMER ACCOUNT NO. 99995
INVOICE DATE 12/3/84
SPECIAL INST. Truck C.O.D.

SOLD TO

Strickland Enterprises
c/o Republican City Service
Republican City, NE., 68971

SHIPPED TO

Qty. Ordered	B/O	Shipped	Code No.	DESCRIPTION
2 x 3 kg		2	1718 M	Methylamine (40% in water)
1 x 20 L		1	2448 M	Acetone AR
4 x 4 L		4	2420 M	Acetic Anhydride AR
18 x 500 g	12	6	BX0620-3	Phenylacetic Acid

Received in good order by:

Number of cases: 4

Tax Exempt ☒

Merchandise total
Sales Tax
Pre-Paid freight
Total

Filled by	Checked by	Shipped Via	FREIGHT Collect	FREIGHT Pre-Paid
		Canning 12/3/84	XXX	

Please pay last amount in this column
No statement will be issued

PACKING LIST

...EIVING TICKET

☐ CASH
☐ CHAR...

... COMPANY, INC.
... P.O. BOX 470010
... (918) 622-1212

DATE 7/7/85

INDUSTRIAL AND LABORATORY CHEMICALS

BILL TO: [illegible]
[illegible] 2
[illegible] OK 74536
552-351-052

SHIP TO: CASH

SPECIAL NOTE: G-5 C Glass

CUSTOMERS P.O. NO. 3625 W 61st.

CONTRACT NO. C/O Hurst OK.

ITEM NUMBER	QUANTITY ORDERED	QUANTITY SHIPPED	B.O.	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
	4	4		110# Phenyl Acetic Acid	2.54/lb	10,16[illegible]
				3.75% State TX		330.3[illegible]
						10,49[illegible]

PAID

ACCOUNTS ARE SUBJECT TO A LATE PAYMENT CHARGE OF 2% PER MONTH (ANNUAL PERCENTAGE RATE OF 24%) ON ALL AMOUNTS NOT PAID WITHIN 45 DAYS OF INVOICE DATE.

Sergeant BEST. I would like to also introduce for the record several photographs which pertain to clandestine lab operations in Sebastian County, AR, specifically around the Fort Smith, AR, area where I am assigned.

[The photographs are retained in subcommittee files.]

Sergeant BEST. The first set of photographs will pertain to a laboratory operation which was seized in August of last year, and the way that officers became aware of the laboratory site was due to a house fire within the house trailer on a property about 13 miles south of Fort Smith, AR.

Now, the house fire was not related to the laboratory operation but due to a faulty water heater. The operational lab was located in two separate storage buildings located directly across the driveway from the trailer, and the laboratory seized is said to be the largest operational laboratory ever seized in the State of Arkansas, which consisted of three flasks—triple neck flasks—that are 50,000 milliliters in size.

We also seized approximately 90 gallons of ethyl ether and approximately 40 gallons of P2P.

When officers arrived at the property, no one was around. A subsequent investigation led us to a second site approximately 10 miles east of the first mentioned laboratory site.

This location was a 5-acre parcel of land with a house trailer and a storage building, and it was somewhat unique: The entire—I believe it was 4½ acres—was enclosed with a 6-foot chain-link fence with three strands of barbed wire atop the chain-link fence. There were also guard dogs on the property.

Upon entering the property, we found various empty containers and several items of scientific glassware that were buried in the ground or in the process of being buried when officers arrived.

We also found a small quantity of substance, as it was, concealed in a garbage can outside the residence and under trash and garbage.

Pursuant to the investigation involving these two lab sites, we now have a total of five persons in custody, all of whom are charged on State violations in Fort Smith, AR, and one fugitive.

The investigation was worked in conjunction with the Drug Enforcement Administration's Little Rock, AR, and Sacramento office along with various police agencies in Texas and California.

I might also add that these individuals were also responsible for at least one laboratory near Houston, TX, and also for nine laboratories in the State of California.

The suspects, through the investigation, told us that they came to Arkansas considering it more of a safe house, a rural area and a place they could go and cook their dope.

All drugs were transported back to California for distribution, and the entire operation is said to be financed by a motorcycle club in California.

Mr. ENGLISH. Thank you very much, Sergeant Best.

Fred, have you got anything you would like to contribute to the testimony?

Mr. MEANS. I would simply like to underscore the fact, Mr. Chairman, that the Oklahoma Bureau of Narcotics enjoys a strong

relationship with the Texas DPS, that splendid department, and with Sergeant Best and the Arkansas State Police.

Our relationship with DEA is good and is improving. We are just very pleased that you have come here to Oklahoma City to inquire into this important and developing narcotic enforcement problem. I believe its implications are nationwide and warrant your attention.

Mr. ENGLISH. Thank you.

I would like to ask all of you some questions, and I would like each of you to respond in the order that you testified.

Fred, if you have anything you want to chime in on from the Oklahoma standpoint and add, please feel free to do so. But otherwise, Mike, why don't you go ahead and respond for Oklahoma.

DEA testified that they didn't think that in the last 2 or 3 years we had had a substantial increase in the number of laboratories here in the State of Oklahoma or particularly in this region.

Do you agree with that evaluation for your own State, Mike? Do you want to start off?

Mr. LYMAN. Well, Mr. Chairman, I think the statistics pretty much speak for themselves in that particular area.

I can't help but think—and I believe I can speak for the Bureau in this regard—that I think there is a significant increase in the seizures of laboratories, a very dramatic increase, really, in the last 2 years, more so than the previous 2 years.

The whys and the wherefores behind that are, of course, up for speculation. I think there is a growing degree of technology in the area of criminal clandestine laboratory activity and, of course, I think that we are, as law enforcement officers, gaining significant knowledge in the investigation of these laboratories.

But I can't help but think that there is a significant increase in the actual number of laboratories here in the State.

Mr. ENGLISH. You feel there is an increase in the number of laboratories? It is not just that we are cracking down harder, it is that there is a proliferation of labs?

Mr. LYMAN. Yes, sir, I do.

Mr. ENGLISH. OK. As far as Texas?

Mr. PRUITT. Yes, sir. I also believe that there is hardly any doubt that there are more clandestine laboratories than there were several years ago.

We in Texas have not increased in manpower that much in the last 4 years. We have been training our people specifically in the investigation of clandestine laboratories for 8 or 9 years now.

We are committing a higher percentage of manpower to clandestine laboratories now but not a proportionately high commitment of manpower.

We have accrued information for many years on the operators of clandestine laboratories in Texas, and though we do not know all of them or where they are, we are able to monitor their travels somewhat through intelligence information.

We have also in the last 4 years been able to utilize a wire intercept law which was passed in Texas, and it has given us additional insight into the clandestine manufacture of drugs. And without a doubt, I believe that from the State of Texas' standpoint, there has been an increase in the number.

I do concur that I believe we are increasing our ability to detect and to make the cases, but I could not say that there are no more labs because I honestly believe that there are a substantial number.

We have also forced in Texas the abuser of a stimulant drug to go to clandestine laboratories by the passage of a prescription law which has virtually shut off the diversion of the methamphetamine and amphetamine through the legitimate sources.

And it has enabled us to target those people directly, and it has been a tremendous tool for us as far as the diversion of legitimate drugs, thereby forcing them to try to get—the abuser to try to get the drug somewhere else other than through a legitimate channel.

Mr. ENGLISH. Thank you, Bill.

Dale, what do you think?

Sergeant BEST. Mr. Chairman, I go along with the statements of all the agencies represented, the Drug Enforcement Administration specifically, due to the lack of training and the expertise in the field.

Years ago, we seized one, we seized five, we seized seven. How many did we not seize? It is hard to estimate. But then, too, it is my personal opinion that the drug labs or the clandestine laboratories are on the upswing.

I think that you are going to see more and more clandestine laboratories so long as people can sell the equipment and buy the chemicals, they are going to be there.

Mr. ENGLISH. We have seen in this area a 220-percent increase in the number of arrests, which is a rather dramatic increase, over the last 3 years.

There has to be, then, I would assume, an increased market. If we have a larger number of laboratories that are producing these drugs—and I think, Dale, you pointed out that this large laboratory that you hit was producing for California—but I would assume that not all those drugs are going out of State. Some are staying.

Can you give us a feel of the various states of the laboratories, whether you think that most of the production is staying in the State or whether it is being produced and shipped out of State?

Mr. LYMAN. Mr. Chairman, our experience has been a lot of the finished product seems to be leaving the State of Oklahoma, whereby a lot of it remains.

This business is kind of a funny business in the regard that sometimes supply can dictate demand, and sometimes demand can dictate supply.

It is a very tenuous type of a predicament to find ourselves in, and it is certainly unpredictable, but in response to your question, the finished product very frequently leaves the State for Texas, New Mexico, places of this nature.

But on the other side of that coin, we do receive some products, too, from other States.

The same is true along these same lines with the acquisition of the chemical precursors that are required to make the drug.

In other words, an Oklahoma violator may not necessarily buy his chemicals here in the State. He may go to Arkansas or he may go to Texas to acquire these chemicals out of a sense of security for himself.

He may feel that he can go undetected a little bit easier by acquiring these in other places, and we have found that in our associations with other law enforcement agencies in other States, sometimes the converse is true.

Mr. ENGLISH. Bill, are most of the drugs in Texas consumed there, or are they shipped out?

Mr. PRUITT. I think we have the population and the area to take care of both of it. We do have a tremendous demand for the drug in Texas.

We have specifically documented the movement of drugs produced in Texas to Georgia, Tennessee, Arkansas, Oklahoma, New Mexico, Colorado, Arizona, and as was pointed out, we have developed investigations which our violators went to some of these other States, produced the drugs for shipment back into Texas with the demand being in Texas.

So, our size and the range of population areas that we have from the metropolitan Houston, Dallas-Fort Worth area, San Antonio area, to the very sparsely populated areas of west Texas make it conducive for both interstate and intrastate consumption of the product.

Mr. ENGLISH. Dale.

Sergeant BEST. Insofar as Arkansas would be concerned, I feel that a conservative estimate of 30 to 40 percent of the clandestine labs seized thus far in Arkansas have been operated by persons who are Arkansas residents.

I think that the substances purchased or manufactured by the local residents are staying within the State, although I think that 60 to 70 percent of the lab operators and these substances manufactured are persons from out of State, and specifically with the recent arrest of persons from Texas, Oklahoma, and California, and from statements received during those investigations in interviews with these people, that the substances were not for local distribution but for transportation to other locations for distribution.

Mr. ENGLISH. I want to ask you one final question. As I pointed out, there is, my understanding at least, the strong connection between some of these drugs and violent crime.

Do you agree with that assumption? Has that been what you have found in your individual States? And also could you give me some feel—and I realize this would be a guesstimate—but whether you feel that there would be a substantial reduction in violent crime in your State, some reduction, whatever your general thoughts are about it, if we were able to deal with this laboratory problem.

And third, do you agree with the assessment that we have just heard from DEA that if we, in fact, got serious about the war on drugs, if we really were going to take a wholehearted effort to deal with this problem, that we could possibly wipe out 90 percent of the drugs being produced by these laboratories in this country?

Mike, I realize those are lots of questions wrapped into one, but can you give us a feel as to what your thoughts are here in Oklahoma?

Mr. LYMAN. Yes, Mr. Chairman, first off I think it could go almost undisputed that these types of drugs do cause very likely a

propensity for violence in the individuals who we do investigate and we do run into.

We have documentation throughout our investigations that indicates that other crimes are being committed with regard to, in particular, assaults and armed robbery-type activities with perpetrators of many of these laboratories.

So, the answer would be an unqualified yes on that.

Now, with regard to the second prong of your question, if I can remember what it is——

Mr. ENGLISH. Well, basically, I was talking about DEA's statement: If we really got serious and put out a full court press, full-fledged effort on the Federal level in dealing with these types of problems, and given the fact that these laboratories are here in the United States as opposed to, say, most of the cocaine, and I guess nearly all of our heroin laboratories which are overseas, DEA felt we could address that problem, that we could, in fact, eliminate most of those drugs in this country by going after the laboratories. And they could effectively deal with that.

Do you share the same degree of optimism, that if the commitment and manpower and resources were made, that here in the State of Oklahoma we could wipe out most of the drug laboratories?

Mr. LYMAN. Well, Mr. Chairman, I wouldn't be so bold as to say we could wipe it out. I would never make that blanket of a statement.

But I think that we could make a very, very significant impact—not only in the amount of violent crime, but the availability of drugs such as PCP, amphetamine, and methamphetamine on the streets. I think it would have a very major and significant impact on the overall drug enforcement climate here in Oklahoma.

Mr. ENGLISH. Could we take out 90 percent of the labs here in Oklahoma with that kind of a full-fledged effort? We are talking about 40 new DEA agents here in the State.

Mr. LYMAN. I doubt that I could say 90 percent, and that is a very, very difficult——

Mr. ENGLISH. I am going to press you. What percent?

Mr. LYMAN. I would say probably 50 percent would be optimistic.

Mr. ENGLISH. Bill, what about Texas? Do you make that same correlation on violence?

Mr. PRUITT. Yes, sir; I don't think there is any doubt. I think there are really two violent crimes involved in this.

One is the violence that the actual laboratory perpetrates; that is what we described to you as they carry guns, they shoot at us.

The other violent crimes are disassociated with the lab, and are the abusers of the product. And we also have experienced not only violent crime, but property-type crimes, residential burglaries and forgeries, hot check writing and the like, which is a tremendous economic drain on society that has brought on by the abusers of the finished product.

I don't think there is any doubt that a reduction in the abuse, in the manufacture of primarily methamphetamine and amphetamine would reduce the overall crime in a given area if the constant pressure could be placed and a long-term reduction in the abuse incurred.

What percentage we can reduce that is very elusive, and naturally the harder you work the luckier you are going to get, and you are going to get more, more of them.

The criminal justice system in itself is a very temperamental thing, and no matter how many investigators that are placed in the investigation or how many people we arrest, if there are no prosecuting attorneys to prosecute them, if there are not enough judges to sentence them, and if, when they are sentenced, they are either removed from society for a period of time to cause a deterrent or they are punished to the standpoint that they will stop violating the law, and if we don't look back and try to start at the earliest possible age with prevention, if all of those don't work exactly right, then 10,000 more investigators will not reduce the problem 90 percent.

If all of those work perfectly together and the proper amount of manpower and the proper amount of money is expended, then a substantial reduction can be made in this particular crime, and in any other crime where that commitment is made.

Mr. ENGLISH. What we are talking about—as I understand it with regard to the DEA, their agents' time has to be broken up depending on other drugs. In other words, they have obviously got to spend some time concerned with cocaine, they have got to spend time with heroin, they have got to spend time with marijuana, and they have to deal with these drug laboratories.

With the drug laboratories, it would appear—and again correct me if I am wrong—that this is the one area in which we do have a choke point; namely, the laboratories, themselves.

The criminals have to go out there and manufacture this stuff. That is something that we don't have with cocaine and we don't have with regard to heroin, and even with marijuana, which is scattered all over the countryside so much that it is a little different type situation. They have to get those chemicals, they have to buy the chemicals, and they have to produce it at a certain spot.

This is unlike any other drug problem that we have, and I think the point that we were making with regard to DEA is: If we were able to focus in on these kinds of laboratories, if we were able to put together the resources to concentrate full time on the Federal effort, and whatever time the State and local government could provide in focusing on that, do we have an opportunity to really take hold of that choke point and shut this thing down as far as this country is concerned?

Mr. PRUITT. If that is complemented by a proportionate increase in the number of U.S. attorneys, in the number of Federal judges to handle the cases, to do something about us having to continually arrest the same people for committing the same crimes.

Mr. ENGLISH. In other words, mandatory sentences, is that what you are talking about?

Mr. PRUITT. I don't advocate mandatory sentences. I don't advocate them.

Punishment is out of my line of expertise. I do think that it should protect society, and it should punish. I think that we have fallen down in both areas, but that is a nonprofessional opinion in that area.

I do believe that that is important to whether I can do my job, but I cannot speak with sufficient expertise whether mandatory sentencing. I do think that the sentence should be a deterrent, and it should be a punishment in order for us to make any headway whatsoever.

We did a survey in 1979 with clandestine manufacturing operators. Sixty-eight percent of them had prior arrest records. Thirty-two percent did not. This tells me that we are having to arrest the same people over and over and over again.

Our intelligence information tells us that. So, I think that no matter what effort we place in law enforcement, if there are no courts to handle them, then we are going to be spinning our wheels.

We can right now prepare more cases than the courts can handle. Right now we can deliver more good prosecution cases to State court and Federal court, and I can only speak to State of Texas. I am not in any way inferring that the courts are clogged in Oklahoma, but we can prepare more prosecutable cases than can possibly be handled with the manpower we have got, and we need more manpower.

But if we have more manpower and we don't have any place to take the cases, then this system will stop.

Mr. ENGLISH. Dale.

Sergeant BEST. In regard to the violence, if you will note the one receipt from Omaha, NE, on the chemicals which were purchased there in 1984, that particular individual who purchased the chemical that was taken out of his wallet pursuant to his arrest on kidnaping and battery first degree charges in Fort Smith, AR, this last month.

In that particular incident, the people, a man and wife, were kidnaped from their home by this individual and another person, and they were taken to Fort Smith, AR, where they were repeatedly beaten.

The man suffered a broken neck. All this was due to a bad drug deal where they failed to make payments properly to the man.

And you know, I can sit here and quote to you case after case of violence, you know, drug-related deaths, homicides in Fort Smith, AR, within the last 90 days that have occurred.

One drug-related death, three guys walked into a house and tried to rob a guy for a pound of marijuana. And he pulls a gun, they pull theirs, and they have a shoot out.

The victim is dead and one suspect critically wounded, and two were unharmed. You know, the other people are in custody now. But the violence is there, not only in violent crimes.

But to reiterate what the department of public safety had to say about burglaries, in the last 60 days I have probably participated in a half a dozen search warrants, and in each search warrant I recovered stolen property out of residential burglaries where the people are taking property in on trade for drugs that they are distributing.

So, it is not only violent crimes, but crimes against persons are also involved with it.

As to the percentage of what we could do if we had the manpower, I would be afraid to put a percentage on it. You can see what

we have done with the people and the resources that we have available now, and if you double that or triple that, you can just estimate the same growth in the number of prosecutable cases or the seizures of clandestine labs.

Mr. ENGLISH. Thank you.

Congressman Kleczka.

Mr. KLECZKA. Thank you, Mr. Chairman.

What still surprises me is that Texas has the unsavory distinction of being No. 1 in this type of operation and having been so for the last 3 years. Bill, why Texas? Do you have a more readily available supply of chemicals, more motorcycle gangs? You surely don't have more people than California.

If the leaders were California and New York, I would understand it, because they have a historically strong drug abuse problem and a lot more bodies.

But why does the State of Texas have this problem? I think your statements have indicated that Texas' problems today are tomorrow's problems for Oklahoma, and next week we may be going up to the Midwest, to Wisconsin

Mr. PRUITT. How about "I don't know?"

Mr. KLECZKA. There has got to be a reason for it.

Mr. PRUITT. We have a very—as I pointed out—very large populated areas which will supply everything in abundance that is needed to do it, and we have got the rural areas to do it.

We have got the capability of producing it for Texas and producing it for the areas outside of Texas.

That is the only explanation I can give you. I—and this is a question, and I apologize for not having the answer. This is one we have wrestled with for many years, but I cannot tell you why they come to the Dallas-San Antonio-Houston triangle to set up operations.

We honestly provide enforcement pressure against them to the best of our capability, but they continue to, you know, they continue to produce there. I don't know.

Mr. KLECZKA. We have talked somewhat about the mandatory penalty aspect, and, Mike, you indicated that Oklahoma has a new law which seems rather stiff.

In fact, it is much more harsh than the Federal law. In my experience as a State legislator and now as a Member of Congress, I find that due to plea bargaining and other machinations of the court, in order for the law enforcement or the judicial officials to maintain their flexibility, they will often go along with a reduction in the charge so they can avoid the mandatory penalties.

Mike, what has been the experience with the Oklahoma law?

Mr. LYMAN. Well, sir, first of all it is a brandnew law. It has been around a very short period of time, and up until the enacting of this law, we elected for the most part to prosecute on a Federal basis.

I don't think there has been adequate time given this law really to let it establish any kind of a track record.

But, of course, we and the district attorneys are all cognizant of the teeth in this law, and as law enforcement officers we are interested in educating the public and getting the word out to the street that we have got this law in our hip pocket, and that we intend to use it.

Mr. KLECZKA. Do you as law officers engage in a campaign to inform the population as to what the health risks are?

You did indicate that for a time our hospital admissions were down, but the deaths from amphetamine or methamphetamine were running about 50 percent.

Is that being made known to the users of the drug in an effort to deter? Scare the hell out of them, that's what I am talking about.

Mr. LYMAN. Mr. Kleczka, if I might respond to that for the State of Oklahoma. The bureau of narcotics has a training and education division, which has a projected responsibility, and we do have sworn personnel assigned to each of those responsibilities.

We not only have a law enforcement education-type program, but we have a public sector education program.

We have individuals out on the street all the time giving public service talks to, like I said, not only law enforcement agencies, but any interested group in the private sector.

And we are doing our best to try to constantly update any information we have on the subject and pass the word along, because it is our hypothesis that the educational process is probably one of the most powerful tools we have in the fight against drugs, not just the punitive measures that a violator can experience, but the—the physiological and psychological problems that can result from illicit drug use.

Mr. KLECZKA. Mr. Pruitt.

Mr. PRUITT. Yes, sir; we have recognized the need for prevention and education for many, many years, and have, through the Texas War on Drugs Committee and other organized groups, attempted an overall education and prevention process within the State of Texas.

Again, the prevention area is something that is very hard to measure success when everything else is going up. We do strive for the one generation of drug-free kids which would stop the ball rolling.

Whether we are gong to reach that in the near future, we don't know, but this is a goal we have, and our department also dedicates manpower to this education process in Texas.

Mr. KLECZKA. Sergeant, do you want to comment?

Sergeant BEST. Yes, sir; in Arkansas we have the information and education office with the Arkansas State Police. They conduct training programs and also programs pertaining to drug abuse and awareness.

They also have crime prevention programs attached with this unit. We also work very closely with the counseling and guidance units around the State, also State agencies in the programming of drug abuse and awareness programs throughout the State with schools, PTA meetings, and city council meetings, so forth.

Mr. KLECZKA. One suggestion, Sergeant, that you brought forth was some type of legislation to disallow cash sales for chemicals.

It is a good point, one which hopefully the committee and the committee staff will look into, but maybe we could get a response from other members of the panel as to whether they think that might be an effective tool, at least for a tracking device, so that you know where, in fact, some of these chemicals or other devices are going.

Sergeant BEST. Excuse me, sir. I didn't mean to state disallow, I may have——

Mr. KLECZKA. OK.

Sergeant BEST [continuing]. But to regulate the cash sales to individuals.

Mr. KLECZKA. Fine. Something like we have for the banks, a secrecy act, covering cash deposits or transactions.

But, gentlemen, if you would.

Mr. LYMAN. Yes, sir; first of all, this is an area that probably warrants some study and some investigation on the part of law enforcement.

It would be sad to think that the legitimate businessman who has a legitimate need for some of these chemicals would in some way be penalized even inadvertently because of a problem that is really not his own.

On the other side——

Mr. KLECZKA. If that was in effect, he would be mandated to either provide some information on the name of the company or to pay for the sale of the items by a check?

Mr. LYMAN. Once again, it warrants study. That may be deemed as some kind of a hardship on a legitimate businessman.

But I think documentation of people who do acquire these chemicals should be a very serious consideration. I do know that a lot of these chemical companies, as testimony has shown here this morning, provide chemicals with little to no documentation depending on what the chemicals are.

I think showing—filling out, rather, a history sheet on somebody who purchases a chemical by cash or maybe filling out some kind of a sheet to document really anybody that picks up the chemical would not be a bad idea.

I do know that that is not done in many cases with regards to many companies. I would be inclined to endorse such a proposal, but I think once again that it would warrant a little bit of study.

Mr. KLECZKA. Bill.

Mr. PRUITT. I also think that the identification is more important than whether it is a cash or a credit or a check sale.

I believe the State of California has a State law mandatory mandating the identification and reporting on certain precursor chemicals, and it has povided them with an effective enforcement tool there.

I think that analysis of any law would indicate that it does affect many law-abiding citizens in order to reach maybe a lower percentage.

I do think, and I concur that some study should be done or some evaluation be made concerning the identification of persons who purchase the precursor-type chemicals, and an important aspect was pointed out earlier that once a drug—once a precursor is controlled, then the criminal element merely produces the precursor clandestinely, and so it would be very important to properly evaluate what chemicals would be monitored.

I find it less intrusive than other reporting procedures. We require CTR's on $10,000 transactions in banks. We require a form, an identification on every single, you know, firearm that is purchased, and I can assure you that a higher percentage of some of

these specific chemicals are being used to manufacture drugs than percentage of the guns being used in crime, and the time involved and the effect on legitimate business would, I think, be minimal.

Mr. KLECZKA. Thank you.

Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you very much, Mr. Kleczka.

I want to thank all you gentlemen for appearing before us. Your testimony has been very helpful to us.

To take a good hard look at Oklahoma County and what is taking place here, is the man who first brought to my attention the very close connection between the drug problem and violent crime particularly: Bob Macy, the district attorney.

Bob, we want to welcome you, and we appreciate your testifying before us today. Please introduce the gentleman who is accompanying you.

STATEMENT OF ROBERT MACY, DISTRICT ATTORNEY, OKLAHOMA COUNTY, OK, ACCOMPANIED BY RICHARD WINTORY, ASSISTANT DISTRICT ATTORNEY

Mr. MACY. Thank you, Mr. Chairman, counsel.

With me today I have Richard Wintory, who is one of my assistant district attorneys. Richard devotes full time to the prosecution of narcotics offenses along with two other lawyers.

Mr. ENGLISH. Welcome, Richard. Happy to have you.

Bob, I would like to tell you, as I told our other witnesses, if you have written testimony you would like to submit for the record, please feel free to do so; if not, whatever you feel most comfortable with.

Mr. MACY. Thank you, Mr. Congressman.

As I have told you several times before in other hearings, Mr. Congressman, it is really heartening for me to hear someone talk about mounting an all-out war on crime.

September this year marks the 28th year that I have been involved in trying to do something about crime, and we have heard all the talk.

And yet I sit here in Oklahoma and we look at what these drugs are doing to our young people, and I recognize that in my State we have seven DEA agents. We have about 45 bureau of narcotic agents in Oklahoma County. Oklahoma City probably dedicates five or six officers to doing something about narcotics.

You were mentioning an all-out offensive like World War II. There are more lives being destroyed every year by these drugs than were lost in World War II, and the only way we are ever going to do anything about it is to mount an all-out offensive.

I am not that optimistic, but it certainly feels good to have you in Congress pushing for that kind of offensive.

Mr. ENGLISH. Thank you.

Mr. MACY. For the last 2 years—when I became DA 5 years ago we never heard about methamphetamine labs or PCP labs, but in the last 2 years the lower income citizens of Oklahoma County, both black and white, have been inundated with two particularly dangerous drugs.

Our black community is justifiably outraged at how the drug PCP is devastating black youth, vegetating its users' minds while crippling their central nervous system.

Similarly, methamphetamine, which is sometimes called the poor man's cocaine, makes what we call speed in the 1970's look like No Doz.

In what can be considered only as a very frightening development, more methamphetamine users are beginning to inject the substance, and the result is what you have heard earlier. It makes them paranoid, totally immune to pain, totally beyond persuasion.

They become an extremely high risk for a law enforcement officer to try to arrest. The widespread availability of these drugs can be linked primarily again to the growing presence of clandestine labs.

Several factors account for the growing presence of labs in Oklahoma and elsewhere. First, other drug supplies are becoming more difficult to obtain, and a large part of that, I think, Mr. Congressman, is due to your efforts.

We have got increased cooperation between the military and other Government agencies responsible for protecting our borders. Importing cocaine and marijuana is now more difficult than ever. The cooperation between agencies is better than I have seen it in a long time.

On the domestic front, increased aerial searches have made large-scale production of marijuana, cultivation of marijuana more difficult.

Tom Heggy, while serving as head of the bureau of narcotics, engaged in large-scale operations to wipe out marijuana in our State, and I commend him for that.

However, just making the other drugs more difficult to obtain cannot account for the amount of PCP and methamphetamine on the streets of Oklahoma County.

There are two factors which, in my judgment, contribute to making the clandestine labs the growth industry of dangerous drugs.

First, the labs are extremely portable. You have seen one right here. You have seen pictures by DEA. Everything needed to manufacture over 5 pounds of methamphetamine were actually set up in a defendant's apartment in a case that we just tried.

They are talking about a $1,000 investment. For that $1,000 plus a couple of thousand dollars and in chemicals, they are able to manufacture up to 5 pounds of methamphetamine. The odors were vented down a kitchen drain with rags wrapped around it to keep from tipping off the neighbors.

Multiple pounds of methamphetamine can be cooked in a period of 1 day while odors only occasionally leave the apartment without arousing anyone's suspicion.

The second factor is the most obvious one, and that is money. Methamphetamine sells on the streets of Oklahoma City for approximately $100 a gram, while PCP sells for approximately $450 an ounce.

In the cases that I just mentioned, 5 pounds of methamphetamine equals 2,270 grams. This particular group had already established a distribution network. Assuming that they didn't cut the

drugs, as they often do, they were able to sell their finished products for approximately $227,000. That is about $224,000 profit for a couple of days' work. If the drugs have been cut as they usually are, the 5 pounds would have ended up being 10 or more pounds, and the profits would have increased accordingly.

It is this kind of activity, as Mike Lyman was telling you, that is luring the old time criminals away from other pursuits and into this particular type.

However, we are also seeing a different type of criminal involved in it, too. Persons involved in the illegal manufacture of this drug often induce family members and friends with what, you know, as the old song goes, "the lure of easy money."

Our office is currently prosecuting several conspiracy to manufacture cases which include these types of defendants.

Sometimes the family members help run errands in purchasing glassware and chemicals and other times were directly involved in the cooking process.

We are increasingly seeing individuals who do not use drugs. I think that is important to know. We are seeing people who are in it strictly for the money and are not users themselves.

One of our latest defendants was a Ph.D. candidate in organic chemistry at the University of Oklahoma. He decided to ruin his education talents for a quick buck, and as long as people like this believe that the money to be made outweighs the chance of being caught and imprisoned, we are not going to be able to stop these labs.

Again, this is a totally American product. Everything they need comes from right here. And the thing that really bothers me is that we have got people who are willing to go out and destroy the lives of other human beings in order to make a quick buck.

They don't see that, and maybe this is the educational process that your fellow Congressman was talking about that we need to engage in.

We get to see the end product. That is where the violent crime comes from. Three young men were executed in the robbery of a grocery store here recently, so one of them could pay off his drug bill, one of the defendants.

While our office is not currently prosecuting a large number of these cases, the ones we are handling have a significant impact.

As it was mentioned earlier, the penalty for conspiracy to manufacture and the actual manufacturing of the drugs carries a minimum of 20 years in the State penitentiary and a maximum of life.

More significantly, first time offenders are not eligible for either suspended or deferred sentences, which means that somebody who is just peripherally involved in this, the wife of the cook who only aided maybe by buying the glassware, if convicted, would at least be sentenced to 20 years in the penitentiary, even on a first offense.

And your fellow Congressman asked about plea bargaining. We don't plea bargain these types of cases in Oklahoma County. If we get overloaded, this is where my priority is going to be, and I will shift somebody from somewhere else to take care of it.

The second factor turns on the nature of the cases. They are, as a rule, complex cases involving surveillance of numerous subjects picking up glassware, setting up lab, bringing in supplies.

For trial, we must collect exhibits and expert testimony necessary to make the case comprehensible to the lay jury. And essentially this means that Richard and his fellow prosecutors have to put the jury through kind of a quick course in chemistry so that they can understand what the significance of a triple neck flask or an 8-hour cook really is.

Thus, the complexity and the severity of the punishment means that many of these cases are disposed of through jury trials rather than through pleas of guilty. Very few people will plead guilty looking at 20 years.

However, due to the relatively low number of cases in Oklahoma County, my staff has been able to effectively and vigorously prosecute them.

I have brought some statistics and things with me, Mr. Congressman. I will be happy to respond to any questions you might have with reference to what we are doing in Oklahoma County.

Mr. ENGLISH. Thank you very much, Bob.

I wanted to ask you, with regard to what you are observing in Oklahoma County, are we seeing an increased number of these laboratories that are being set up in Oklahoma County as it appears that we are in other parts?

Is that your opinion, or are we simply seeing more effective law enforcement, and we are simply finding we have got a 220-percent increase in this region of drug laboratories?

Mr. MACY. As far as methamphetamine labs, in both 1984 and 1985, we had approximately the same number of cases. We prosecuted 69 cases in 1984 and 68 in 1985 to date.

Now, that is just for two-thirds of a year in each case. However, these are of recent vintage.

Now, back before 1984, you didn't see near that number. I don't have the statistics on PCP labs, but Richard tells me, and we have the evidence to indicate, that the increase in PCP labs has been very dramatic.

At this time—in 1984 our office had filed 357 drug-trafficking cases, which would be distribution and possession with intent to distribute.

As of September 23 of this year, we filed 504, so in the first less than 9 months we filed 504 cases as compared to 357 for the entire year last year, which is a 41-percent increase, and again the PCP labs—well, PCP and methamphetamine account for a lot of this increase.

Mr. ENGLISH. What about on the streets? Are we seeing more demand for methamphetamine and amphetamines and PCP? Is there just a general increase for these types of drugs?

Mr. MACY. We have seen a dramatc increase, Mr. Congressman. The demand is out there. One reason the demand is not being supplied much better—Richard and I were discussing a case in which we wired a defendant, and one of the things he was talking about is that they were shipping a lot of their product out of the county because they didn't want to stir up any more heat than they are right here, but the demand is out there on the street.

And something else that relates to this, we are having a lot of killings, a lot of robberies, a lot of deals gone bad in which the people manufacturing these drugs and distributing these drugs are killing each other, which accounts for many of the homicides that happen in Oklahoma County.

Mr. ENGLISH. Almost all of the illegal drug manufacturing cases, whether made by either you or DEA, or I should say by either State or local agency or DEA, can be prosecuted either with Federal or State law.

Do you regularly coordinate prosecutions with the U.S. attorney here?

Mr. MACY. Yes, sir; we do. We work very closely with Bill Price. DEA, OBN, Customs, and my office, the Oklahoma City Police Department, all work very closely together.

Up until the new law, in all fairness, we let most of the cases go to Federal court because we couldn't get anything done in State court, and the bottom line is not who prosecutes them but whether we get them off the street or not.

Now that we have this new law, we are looking forward to prosecuting a lot more, and again the agencies are cooperating and are bringing the cases to us.

But I think we are kind of unique in Oklahoma in that I don't know if it is just because we are a bunch of old cowboys or what. We all get along together and we have probably as high a degree of cooperation between State and Federal agencies as you will find anywhere in the country.

Mr. ENGLISH. With the new law, would you prefer to take these cases to State court now as opposed to Federal?

Mr. MACY. Yes, sir; we would. We have three of these cases pending right now, and we will make the resources available to handle as many of them as we can.

My only concern in Oklahoma—Mr. Congressman, this is just a side line—is that distribution of narcotics in Oklahoma is a nonviolent offense, and with the present operation of the corrections system here, every time the prison population reaches a certain level the Governor invokes a cap law, and all the nonviolent offenders, including your drug distributors, get 2 months knocked off their sentences. They have invoked it five or six times in the last year.

So, although we are having our investigations, our law enforcement officers as limited as they are, are doing a good job, and we are prosecuting, and the juries are sentencing. We find that they don't spend near as much time inside the walls as they should.

Mr. ENGLISH. If there were any one thing that the Congress could do to assist in this effort overall, what would you request that we do? Any one step. Provide more agents? Make tougher laws? Build more prisons? What needs to be done, in your opinion?

Mr. MACY. Probably all of the above, Mr. Congressman. I think as much as anything, State officials, municipal officials, Federal officials have to recognize this problem for what it is, and quit brushing it aside, and recognize that we have a national disaster on our hands.

Then, we need, you mentioned 40 DEA agents. I will guarantee you we could use them. The municipalities are going to have to be

able, the Oklahoma City Police Department is going to have to be able to put a lot more officers out there.

It may take a few more prosecutors again, and we need some place to lock them up. That is probably my biggest frustration as a prosecutor, is the fact that I can't get rid of these criminals, and as the gentleman from Texas said, we keep prosecuting the same ones over and over.

I would like to see a State and Federal law that for drug trafficking carried the possibility of life without parole. I think that a person who can go out here and sell these drugs and destroy the lives of young people should be locked up forever.

And I would really welcome such a law on both the State and Federal level and assure this panel if such a law were passed that I would get some people convicted under it and get them those kinds of sentences, but I think it is going to take a lot of things.

It is going to take a national awareness, a concern for our young people, realizing that they are our greatest natural resource and our willingness to do something to stop these things that are destroying them. An awareness, a dedication of money, a dedication of personnel.

I think at that point, the people in Oklahoma—the jurors that I am seeing in these courtrooms are already aware and would be willing to put these people away.

Mr. ENGLISH. Is there any question in your mind that given that kind of full-fledged genuine war on drugs that, in fact, we could make a substantial decrease in the usage of drugs and decrease in the amount of violent crimes that has taken place in this country?

Mr. MACY. There is absolutely no question, Mr. Congressman. I have been at them, like I said, for 28 years, and the one thing that has kept us from ever being able to do anything, we have allowed the American people to develop a tolerance for crime.

You know, we have been led to believe that we have got to put up with it, and that is hogwash. We don't.

If we were to mount an all-out offensive as we are talking about, we could reduce crime in the United States by 50 percent. We could virtually wipe out these clandestine labs.

Mr. ENGLISH. Mr. Kleczka.

Mr. KLECZKA. Mr. Chairman, I have no questions except to observe, Mr. District Attorney, that since I have been in Oklahoma, you are the first person I have encountered who looks and dresses like an Oklahoman.

Thank you.

Mr. MACY. Thank you.

Mr. KLECZKA. I can now leave and go back to Wisconsin.

Thank you.

Mr. ENGLISH. I am not sure what that says about me.

Mr. MACY. I have been trying to get Mr. English or Congressman English to buy cowboy boots and string ties, but he——

Mr. KLECZKA. He looks normal.

Mr. ENGLISH. Well, thank you very much, Bob. That is some very fine testimony.

As I said earlier, I think that, without question, you were the first person who really drove the point home to me about the strong connection between violent crime and drugs within our soci-

ety, and if, in fact, we are going to see a substantial reduction in violent crime in this country or crime in general, the drug problem has to be addressed.

I would wholeheartedly agree with you that we have not yet seen a genuine war on drugs in this country, at least a war that would indicate that we intend to win it.

And I think that, without question, we are going to have to see that kind of commitment, if, in fact, there is going to be any kind of reduction in drug usage, and I would agree, a substantial reduction in violent crime.

But there are those of us in Congress, I think, who are dedicated to bringing that about and making it a reality, and I want to commend you for the strong fight that you are putting up here in Oklahoma County. Without question, I think that message that you got from some of the manufacturers—namely, that they want to ship it out of this county so it won't generate more heat—I think that probably you are a good part of the heat that they are talking about. So again I want to commend you, and we appreciate your testimony. Thank you very much, Bob.

Mr. MACY. Thank you, Mr. Congressman.

Mr. ENGLISH. Again, I want to thank all of our witnesses. We had some excellent testimony here today, and I think that we will have a better awareness around this country of exactly what the abuse of methamphetamines and amphetamines and PCP means.

We have an opportunity here if we focus our attention on this problem to bring about a substantial reduction in drug usage in this country. Roughly half the hard drugs consumed in this country are being, in effect, manufactured in these laboratories, and we have a genuine choke point. I think we need to focus on that choke point, and we are going to be encouraging that we take stronger action on the Federal level to bring about a better effort here on the State and local level, as well.

With that, we will recess subject to call of the Chair. Thank you.

[Whereupon, the subcommittee adjourned, to reconvene subject to the call of the Chair.]

THE CLANDESTINE MANUFACTURE OF ILLICIT DRUGS

THURSDAY, DECEMBER 5, 1985

HOUSE OF REPRESENTATIVES,
GOVERNMENT INFORMATION, JUSTICE,
AND AGRICULTURE SUBCOMMITTEE
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:25 a.m., in room 2203, Rayburn House Office Building, Hon. Glenn English (chairman of the subcommittee) presiding.

Present: Representatives Glenn English, Gerald D. Kleczka, Thomas N. Kindness, and Jim Lightfoot.

Also present: William G. Lawrence, counsel; Euphon L. Metzger, clerk; and John J. Parisi, minority professional staff, Committee on Government Operations.

Mr. ENGLISH. The hearing will come to order.

As this subcommittee's many hearings on drug trafficking have progressed over the past 3 years, we have become very much aware of the increasing problem of dangerous drugs which are manufactured in clandestine laboratories in the United States.

These drugs, which are widely abused, include amphetamines, methamphetamine, PCP, and more recently, cocaine. Our first hearing on this subject was held in Oklahoma City last September. At that time we were told by the DEA witness that more than half of the hard drug abusers in the United States use these clandestinely manufactured drugs.

Police officials who appeared before us in September described the extent to which abuse of these drugs leads to violent crime. The criminals who manufacture and distribute them are violent, and the people who take the drugs often exhibit violent behavior.

We also learned that these labs are dangerous places in terms of chemicals which are used in them. Highly explosive vapors from ether often fill the air, and explosive destruction of labs is not uncommon. We were told of cases in which criminals deliberately blew up their laboratories as police closed in, with resulting fires causing even more damage. Other chemicals used in the drug manufacturing process are toxic, and can cause health problems for police and for persons living in the area.

There was agreement at that hearing that the problem must be attacked at the laboratory level, that the labs were choke points at which law enforcement pressure would be most effective. There was also agreement that we could make a tremendous impact on

clandestine drug production if we were willing to commit the manpower to the task. We were told that if DEA added 2,000 agents and if State and local police agencies also beefed up their forces, we would be able to shut off almost all the sources of these drugs. Doing that, we were told, would have an immediate national impact on violent crime. And I, personally, am going to support those additional agents.

For law enforcement, the watchword in developing a program against the drugs must be flexibility. Changes occur from year to year and sometimes from month to month. The phenomenon of designer drugs, which are subtle variations of prohibited dangerous drugs, caught us without a statute in place to prohibit them. A new substance for free-basing cocaine, called "crack" or "rock", is apparently on the market now.

According to DEA, this new drug is highly refined street cocaine. It is processed to extreme purity in clandestine laboratories here in the United States. Users either sprinkle the crystals on marijuana and smoke it, or they heat it and inhale the vapors. Because of the purity of the drug, it delivers a tremendous rush; but also because of the purity it is extremely dangerous.

We will ask our witnesses today about this new method of drug abuse, and we may need to follow up with DEA or health professionals if the problem gets even more serious.

We will hear today from Chief Rolando Bolanos of the Florida Department of Law Enforcement [FDLE], who will talk about another development. Florida, which has such a reputation as a drug-smuggling center, now has a new problem on its hands. Not only does it serve as the gateway for almost all of the cocaine which arrives from South America; it now is a cocaine processing center as well. Criminals are now smuggling coca paste into Florida, where clandestine labs finish the process of refining it into cocaine. A few years ago this was unheard of, but recently the FDLE and other Florida agencies have raided dozens of cocaine laboratories.

Our first witness will be Cpl. Terry Katz from the Maryland State Police. The Middle-Atlantic States are unlucky enough to have substantial amounts of PCP manufacturing and abuse, in addition to the methamphetamine problems. Corporal Katz is with the special services division of the State police and is familiar with the PCP problem.

Mr. Kindness, do you have any comments?

Mr. KINDNESS. Thank you, Mr. Chairman.

The large increase in the number of dangerous drug laboratories which have been seized by our Nation's law enforcement personnel raises a question that is identical to the question asked about the recent large increase in the number of spies that have been caught, namely: Are there more of them, or are we catching more of them? Certainly the increase in seizures of dangerous drug labs is both a cause and a result of law enforcement authorities devoting more of their time to investigation of that illicit activity, it would appear.

I noted from the transcript of the first hearing that in the Dallas region, where the increase in seizures has been particularly noticeable, Drug Enforcement Administration agents spend almost three times the amount of time on dangerous drug investigations as compared to the average nationally. Other testimony received at that

hearing indicated that Federal, State, and local law enforcement agencies are obtaining specialized training in the seizure and proper disposal of these laboratories.

What appears to make the task particularly difficult for law enforcement personnel is the legitimate and inexpensive availability of the chemicals and the equipment utilized to produce these drugs. The volatility and the violence associated with these labs are clear. Illegitimate and inexpensive availability of the chemicals and equipment utilized certainly contributes to the prevalence of such labs.

From what I saw in the transcript of the first hearing, I think that the law enforcement agencies represented are to be congratulated for the ways in which they have quickly and, I believe, effectively responded to this form of criminal activity. I look forward to hearing from our witnesses this morning about their efforts.

In that connection, Mr. Chairman, I have to present my apologies for having to absent myself for a short while to cover two other bases. I will be back.

Before yielding back, I would say, as I have in previous hearings on drug law enforcement matters, that it is demand that drives this kind of activity and that the long-term solution, at least in very considerable part, if there ever will be a solution, is to persuade particularly our young people away from drug abuse. Witnesses at the first hearing pointed out that additional investigators alone cannot eliminate or even substantially reduce clandestine drug production. They are but one part of the total criminal justice system. As one of those witnesses put it, to be effective the whole criminal justice system has to work together and try to start at the earliest possible age with prevention.

Finally, Mr. Chairman, I would appreciate it if the record of these hearings could be left open. I believe it is necessary to pose some further questions to the DEA on this subject. I would appreciate the opportunity to make those questions and their responses a part of the record.

Mr. ENGLISH. Without objection, so ordered.

As I stated earlier, it may be necessary to have the DEA back, in light of this new drug that seems to be growing very quickly, as far as usage is concerned.

Mr. Lightfoot, do you have any comments that you would like to make?

Mr. LIGHTFOOT. Mr. Chairman, I do not have a prepared opening statement. I would like to make a couple of quick remarks, however, and associate myself with what both of you gentlemen have said.

I attended a meeting this morning wherein one of our colleagues from California made some comments about the drug situation there. His feeling is that, within the entertainment industry, we have what in his opinion were training films being made by some of the folks in Hollywood, without going into a lot of detail, basically glorifying the use of drugs, which impacts upon our young people. In his State in particular, people who are dealing in cocaine now feel that it's almost a legitimate business. They are buying homes in nice neighborhoods, and they are coming out in the open.

I think, if nothing else, it's a symptom of the disease that we are being afflicted with. Of course, enforcement is the area that we have to be very strong in.

Mr. Chairman, I appreciate your having these hearings along these lines. Hopefully, we can lend some help in that area.

Mr. ENGLISH. Thank you very much, Mr. Lightfoot.

Our first witness, as I said earlier, will be Cpl. Terry Katz, with the Special Services Division of Maryland State Police. Corporal Katz, if you will come forward please and identify the gentleman who is accompanying you.

STATEMENT OF CPL. TERRY KATZ, MARYLAND STATE POLICE, ACCOMPANIED BY DETECTIVE SERGEANT LARRY MEUSEL

Corporal KATZ. Thank you, Mr. Chairman.

To my right is Detective Sgt. Larry Meusel of the Maryland State Police, Northeast Barrack, which is in Cecil County at the northern part of Maryland. When we get into the section on methamphetamine labs, Sergeant Meusel will introduce some photos and other evidence from a recent lab investigation.

Mr. Chairman and members of the committee, I appreciate the opportunity to address you today on a topic that is one of vital concern to not only myself but members of my agency and other law enforcement agencies at the State, local, and Federal levels.

The two drugs which I have spent the majority of my time investigating in clandestine lab operations are phencyclidine and methamphetamine. Phencyclidine, commonly known as PCP, angel dust, lovely, or love boat, is a drug that is a hallucinogenic, which was originally used as an analgesic, or pain reliever, during surgery by Parke-Davis Labs. During testing on phencyclidine then marketed under the name of Sernyl, problem with PCP began to be detected in that approximately a third of the humans that were tested began to show side effects. These included becoming disoriented, delirious, euphoric, and others began to exhibit what was characterized as severely manic depressive behavior.

Because of these side effects, the drug company withdrew PCP from human use and began to utilize it as an animal analgesic called Sernylan. Veterinarians began to use the drug, but by the late 1960's the same side effects that affected humans made it an unpredictable analgesic in animals; and therefore it was taken off the market.

Unfortunately, the drug is very simple to manufacture as anyone with just a basic knowledge of chemistry can manufacture phencyclidine. In California during the late 1960's the drug began to be distributed clandestinely, and it was produced in clandestine labs. PCP began to be known as peace pills, peace, or hog. The drug's potency in powder form is unbelievable in terms of the side effects that it can cause a user to exhibit. Because of these severe side effects, which can include death, people in California began to shy away from utilizing PCP and they began to utilize other hallucinogenics such as LSD instead of PCP.

PCP at about the same timeframe became very popular on the east coast. Drug abusers determined that they could smoke marijuana that had been sprayed with PCP in liquid form and obtain a

markedly different "high" than that of just marijuana. Because the drug was ingested by smoking, it developed a popularity among drug abusers who were used to smoking marijuana. Consequently, it became more and more utilized. Oddly enough, PCP has now become popular again sprayed on marijuana and here in Washington the drug can be bought as lovely or love boat which is PCP-laced marijuana.

During the 1970's it became unpopular to spray PCP on marijuana because it was too expensive to produce. What occurred was—that PCP was sprayed on parsley flakes. This is approximately an ounce bag of parsley which if it was impregnated with liquid PCP, would be worth between $250 and $300. In the Baltimore-Washington area, PCP became a very popular drug in the 1970's and it continues to be a very popular drug in this area.

PCP has a popularity among both young white people, and among young black people who reside in and around Baltimore and Washington. While there are numerous theories for why PCP is so popular in the Baltimore-Washington area, the reason for the demand, which has grown and become a very stable and steady demand, is thought to be that PCP produces more highs for the abusers' dollar than does any other drug. Consequently, an ounce of liquid PCP like this one in this ounce bottle, commonly used for lemon or almond extract, would be worth $500 to $525 on the street here in Washington.

One ounce of liquid PCP could make 4 ounces of PCP on parsley flakes, thereby doubling the wholesaler's money, as all he has to do is mix it, with no clandestine lab activity involved. PCP has become more and more popular because of the high profit ratio. This is a 35-millimeter film canister or "tin" as it is called, would be worth about $50 on the street. One tin is enough to make approximately 10 to 20 cigarettes.

Phencyclidine can be manufactured in everything from a sophisticated laboratory with elaborate equipment to so-called bucket operations which utilize nothing more than rubber or plastic buckets as the place to produce the drug.

The chemicals which are needed to manufacture phencyclidine are called precursors. These are basically the raw materials that become part of the finished product. The other components which are necessary to manufacture the drug are reagents, which are substances which react chemically with one or more of the precursors but do not become part of the final product, and a solvent which reacts chemically with either a precursor or a reagent. Solvents do not become part of the finished product and are primarily used to dissolve the solid precursors or to dilute reaction mixtures. They are also used to separate or purify other chemicals which are used.

The crucial precursor in PCP is called piperidine. This is controlled under Federal regulations, as are other precursors, including phenylcyclohbxy and other phenyl compounds, including ethylphenylcyclo, which can be used to produce phencyclidine or to produce piperidine, the necessary precursor. Chemical companies are required to notify the Drug Enforcement Administration about orders for phencyclidine precursors. In practice, this notification depends on the company. Frequently an individual or group of indi-

viduals are successful in obtaining the precursors without the authorities being notified.

The other methods for obtaining precursors is to divert them from legitimate users. This can be done by setting up a phony corporation; or in other cases which I am familiar with, precursors for PCP have been stolen from government laboratories, legitimate chemical companies, film processing locations, and other locations wherein the product is used legitimately.

Piperidine, comes under the DEA Precursor Liaison Program which has been an effective investigative tool to combat clandestine labs. Through this program, the legitimate producers and distributors are required to report, voluntarily, abnormal or suspicious purchases to DEA. In order to avoid this reporting process, evidence now indicates that some PCP lab operators have begun to synthesize piperidine. There are three methods, the newest of which is one wherein a clandestine lab operator claimed in testimony to DEA that he could extract approximately 1 ounce of piperidine from 1 kilogram, or 2.2 pounds, of ordinary black pepper.

In addition, precursors are obtained by import, some of them from Canada, where they can be purchased at chemical supply houses without the DEA Precursor Liaison Program being advised. In a documented incident this year, members of the U.S. Customs Service arrested two Maryland individuals after they were taken to a secondary search coming back from Canada. During that search, bottles of piperidine were found along with other chemical reagents to include cyclahexanon, which is another precursor used in PCP manufacture.

In interviews with these individuals and others here in Maryland, it was determined that the PCP precursors being purchased in Canada were being brought back for use by members or associates of outlaw motorcycle gangs in manufacturing phencyclidine. During the recently concluded investigation into methamphetamine production by the Scarfo organized crime family in Philadelphia and by members of the Pagans motorcycle gang, it was determined that precursors for methamphetamine, namely phencyl-2-propanone, or P2P, were being smuggled into the United States from Germany and Mexico.

According to the DEA Quarterly, which was published in November 1985, there were approximately 31 PCP labs seized in 1984 and 39 PCP labs seized in 1983. The Washington division of DEA seized approximately seven labs, outranking all other offices of DEA last year. Interestingly, the largest PCP lab which was seized was in Brownsville, TX, in October 1984. In this lab, DEA estimated its potential was to produce 300 kilograms, or 660 pounds, of PCP.

As I mentioned earlier, it is relatively easy to manufacture PCP. But PCP when it is being manufactured, or cooked, has a very distinctive odor. It smells like a mixture of chlorine and ammonia. Depending on which solvents are used, it has a very strong smell of either ether or acetone. Because of this odor, lab operators in clandestine operations frequently use remote places to avoid detection. The use of highly flammable components such as ether or acetone has caused a number of explosions and fires at these lab sites.

An example of this type of lab occurred approximately 3 years ago in Cheverly, which is a Washington suburb located in Prince

George's County, MD. Members of the Pagans' motorcycle gang were producing phencyclidine in an apartment in Cheverly. Using ether as one of the solvents. In doing so, they triggered an explosion, killing both chemists and displacing 10 families from the apartment building that they were using as a manufacturing site.

Obviously, remote locations are not a requirement for producing PCP. In investigations conducted last year by the Maryland State Police, we seized a motor home in which the individual who was the lab operator produced PCP while the undercover narcotics officer drove the motor home. Needless to mention, we were concerned for his safety because of the highly flammable nature and health problems that are associated with being in a PCP lab. We were able to finally arrange a location where the individual would stop and in doing so we arrested him, the middle stage of manufacturing.

I know of other "cooks," or clandestine lab operations, which have occurred in vans while they were moving around the Washington Beltway or around other highways in Maryland, and while vehicles have been parked on public roads. PCP manufacturing operation have taken place in the woods, on the patios of apartment buildings, in a $600,000 home, and in shacks. The variety of locations is limited only by the human imagination.

An additional danger to law enforcement and firefighters from these clandestine PCP labs is that the intermediate stages frequently contain poisons including cyanide which if inhaled, can obviously be fatal. Certainly there is ever-present danger of fire and of lab operators who will boobytrap their lab to avoid theft by a rival manufacturer or to injure law enforcement personnel when a lab is raided.

A danger to those of us who have worked on lab operations is that we know very little of the long-term effects of the drug on police officers or firefighters who interrupt the lab while it's in operation and, in doing so, have to breathe the fumes which that lab operation produces. We know that PCP can make one physically and mentally temporarily ill if the fumes are inhaled in any way. The reason for long-term concern is that the fatty tissues of the body store PCP. Therefore, even after you have left the lab operation, one still has the danger of having some PCP being released into your body, even though hours or days have passed, since you were in the lab.

The cumulative effects of PCP, cause severe headaches, skin rashes, and in some cases very definite mood swings to investigators or firefighters who have been inside a lab.

An example of this was about 2½ years ago I was involved in an investigation of members of the Pagans motorcycle club. In the investigation, we used an informant who has now been relocated under the witness security program. The lab operation he was involved in produced PCC, the intermediate stage of PCP. That PCC went from Maryland, where it was produced in a residential area, to North Carolina by way of Virginia and then back to Virginia, where the investigative team was finally able to recover the substance.

During the investigation we seized a van which, I was asked to drive with the PCC back to the FBI office. I left all the windows of

the van open I had the air vents on full blast. The drive took about half an hour. When I got to the FBI office and parked the van, the evidence was removed and locked away. As I got out of the van, I noticed that I had a severe headache. It was so severe in fact that it felt like somebody had taken their thumbs and pressed them against the side of my eyes. In fact, I noticed and became quite alarmed that I could open my eyes wider but I couldn't close them. Now, I know what the physiological effects of PCP are, so I became very concerned about a reaction. It took about an hour for that involuntary muscle reaction to go away and I still had a severe headache that lasted for several hours.

On other occasions where undercover police officers or agents have been present when a lab is in operation, they have experienced severe headaches, nausea, and rashes. The fact that PCP is released over a period of time from the fatty tissue, can make a headache last for days.

The severe danger to persons who use phencyclidine as illegal drug abusers can be graphically demonstrated here in the District of Columbia. One danger, of course, in using PCP is that you are going to be arrested. In Washington, using their arrest statistics from 1982 to 1984, which are the last years for which they are available: in 1982 there were 310 arrests for PCP; in 1984 the number went to 1,945 arrests. The rate of hospital emergency admissions related to PCP, collected from the 14 area Washington hospitals by the National Institute on Drug Abuse, shows that in 1981 there were 179 admissions for PCP incidents. In 1982 the number rose to 292 admissions. The last full year for their figures which was available is 1983. In that year there were 535 people hospitalized, an almost threefold increase over a period of just 3 years.

Another area in which PCP has been a contributing factor is in emergency admissions to local psychiatric hospitals. In a test which was devised here in Washington by members of the St. Elizabeths Hospital clinical psychology training section, they were able to distinguish between schizophrenia and PCP-induced attacks. Based on this testing, it has been determined that one-third of all emergency patient admissions to St. Elizabeths had PCP in their system. Prior to this test, it was impossible to tell if a person was schizophrenic or on PCP, because the symptoms mimic each other so closely.

PCP can turn users into schizophrenics, manic depressives and other psychotic ailments. When they are under the influence of this drug, they are violent and in many cases become out of control. Attempting to subdue a person, when you're a law enforcement officer who has to arrest someone who is high on phencyclidine, is a real struggle. These people believe that they're fighting the devil, a tiger, or a gorilla. Therefore, these people don't feel pain because of the analgesic effects of PCP, and they have superhuman strength. So, now you're faced with subduing a person that, on one hand, has superhuman strength and then doesn't feel pain. Because of this PCP reaction there have been deaths and injuries to PCP users who have not been able to be restrained and to police officers called upon to restrain the people.

To give you an example which happened to a narcotic unit in Maryland, five physically fit police officers from this narcotics sec-

tion went out to arrest one person that was on PCP. The reason for the large number of people was that he was a known PCP abuser. The suspect weighed about 135 pounds and was approximately 5 feet 6 inches tall. It took all five members to get that one suspect handcuffed. But before he could be placed in custody, a lengthy struggle ensued in which, as they later reported, the officers thought they were going to lose. Imagine one man against five, and he almost wins; an amazing drug when one considers how violent and tragic it would have been had just one officer attempted the arrest, as he or she could have lost their life in the arrest attempt.

The loss of life occurs not only to PCP users, but it will happen to people that are around them. For example, in 1983 around Christmastime, in the Baltimore suburbs there was an individual who had been abusing PCP over a long period of time. He had an infant son. He believed that that infant was the devil, so he killed him and almost cut the infant's head off completely. The killer was found guilty during a jury trial and is now incarcerated in Maryland for first degree murder.

The defendant claimed at trial that he was literally out of his mind when the incident occurred. The court found though that PCP had a reputation for mind distortion, and to ignore conduct by a person voluntarily taking drugs would only subvert the entire judicial system.

I don't mean for these horror stories to shock the committee or sicken it, but I merely want to point out that this drug can turn normal people into psychotics or schizophrenics. The drug has another side effect. It tends to burn out or destroy brain cells. Individuals who are heavy PCP users are frequently what we would call "burned out," which means they are very difficult to talk to because they can't make synapses between parts of their conversation. Certainly, any future use for that individual as a productive member of society is almost gone.

Beginning in 1980, the Drug Enforcement Administration's Washington field office formed a PCP task force. This task force is currently made up of DEA agents and eight officers from local jurisdictions, including the Maryland State Police. In 1983, the task force arrested 110 people, most of whom were from northern Virginia, for manufacture or distribution of PCP. Of this number, 91 were either PCP manufacturers or distributors. In addition to the task force, there are a number of other investigations which have occurred. In the first 9 months of 1984 in Prince Georges County, which is the county right next to Washington in the Maryland suburbs, there were 277 PCP related arrests, two lab seizures in which the estimated amount of PCP seized was $658,000.

There has been a change in the way PCP is distributed in this mid-Atlantic region. Originally in many areas PCP lab operators were white males or white females who were associated with a series of outlaw motorcycle gangs. About 2 years ago a change in the distribution and manufacture pattern began to occur. As part of this change, black and Hispanic PCP traffickers now appear to dominate PCP distribution in the Baltimore-Washington area. They along with the white operators are now using lab sites outside of the State of Maryland.

Two examples of this movement away from Maryland law enforcement pressure are one where an individual named George Sine, who was convicted in February 1985 in the U.S. District Court of Baltimore, was involved in a lab operation, first in Anne Arundel County, MD, and then because of police pressure from the county police and other local law enforcement agencies, moved. Sine thought that his best production base would be in Florida, so he moved to Florida. Beginning in 1982 he began to distribute phencyclidine in liquid form and he had couriers or runners bring it up to Maryland. Prior to this, George Sine had been involved in obtaining PCP from other chemists. Because his organization grew at such an alarming rate, a task force under the Organized Crime Drug Task Force, or so-called Presidential Task Force, was formed. In 1984 Sine was arrested. And as I mentioned, he was convicted this February. Sine's organization had approximately 35 principal distributors. Now, at this level I am not talking about the people that sold it on the street. We are talking about 12 of these people who were what we would classify as multipound distributors, or major wholesalers. The others were general wholesalers. Sine had at least three lab operators. One of his partners, Joseph Cortina, stated in the Federal trial statement of facts that he personally delivered $750,000 to George Sine over the course of their relationship which spanned about 4 years. Sine had other partners and he had other individuals involved. This money is from just one of his partners.

Sine invested his money in such things as real estate, where he bought three houses in Florida and one in Maryland, a used-car lot in Maryland, three $10,000 savings certificates of deposit and he purchased seven motor vehicles. Sine had numerous bank accounts, a stockbroker's cash management account, and thousands of dollars of home improvements to his various houses, including a $22,000 inground swimming pool. George Sine is currently serving a 10-year term of incarceration as he was convicted of operating a continuing criminal enterprise. Because of this conviction, Sine is not eligible for parole.

Another organization which I brought some charts for——

Mr. ENGLISH. Mr. Katz, if we can get you to summarize, we have an awful lot of questions to ask you.

Corporal KATZ. All right. Let me go to the chart.

Mr. ENGLISH. Yes, go right ahead.

Corporal KATZ. This is the James Holcomb organization. Holcomb was a Maryland-based phencyclidine distributor. As you can see, there are approximately 35 individuals listed here. The color legend shows various drugs or drug precursors which are utilized by members for distribution.

The second chart which I think clarifies this more than just the name chart is this one. This chart shows the movement of precursors across the United States that James Holcomb and his organization were involved in. To summarize the way his organization worked, they diverted precursors from a legitimate source of piperidine. The chemicals were diverted from the Eastman Kodak Co., and then stolen by employees that worked there. The PCP precursor was then taken down here, labeled pipe for piperidine, to Washington and Maryland.

As you notice, the precursors began to be moved out to California, where it was manufactured into PCP. It was manufactured in two separate manufacturing operations in Los Angeles. Here, where it says 5 gallons PCP seized in Sierra Blanca, TX. As you notice here, 2 gallons of PCP were seized in Chicago, and 1 gallon was seized in Washington at Union Station. There was a movement of PMB—which is phenyl magnesium bromide—and piperidine, back and forth from Los Angeles into Washington area and the Maryland suburbs.

Approximately 17 gallons of PCP were seized or purchased from Holcomb during the course of the investigation. He was still able to supply his operation here in Washington and the District of Columbia surburbs without interruption. Holcomb has now been convicted and is awaiting sentencing in the U.S. District Court of Baltimore. He is to be sentenced December 17, 1985.

The other lab area which I would like to address is the clandestine production of methamphetamine. It is not difficult to make PCP. It is also not difficult to manufacture methamphetamine, but it requires a little more sophistication. P-2-P, which is phenyl-2-propanone, the principal precursor which is controlled, is used in manufacturing of methamphetamine. It has been smuggled into the United States from Canada, Germany, and Australia, as it is not controlled in these countries. It has also been, as I pointed out, illicitly diverted.

To my right is Detective Sergeant Meusel. He would like to present to the committee the photographs of the last drug lab, which is the most recent one which was seized in Maryland. It is a methamphetamine lab, which I am told is currently a grand jury investigation in Maryland, so we don't want to go into too many details about the operation, for that reason. Sergeant Meusel will display to you the outside of the lab and then the photographs of the inside showing the glassware.

Sergeant MEUSEL. The photos here are aerial photographs of the location. There were two farms involved in this operation. In the early part of October we had received an anonymous phone call that there was a methamphetamine lab in our area. Through our continued effort to talk to this person, we developed sufficient information to obtain a search and seizure for these two farms.

Mr. Chairman, here is one house, a second house here, and a barn with a trailer next to it. These are two farms that are divided about in here. As a result of the execution of the search warrants at the two farms, the barn and the trailer, we seized a methamphetamine lab, producing an estimated multimillion dollar amount of methamphetamine.

During our raid, we seized approximately four gallons of P-2-P and approximately $15,000 worth of glassware and chemicals that were used during the operation.

Corporal KATZ. Methamphetamine, as I pointed out earlier, has been produced by not only organized crime and motorcycle gangs but also by other nontraditional criminal elements such as the one which was originally brought to this successful conclusion in northern Maryland.

In terms of recommendations, one of the concerns which I have as an investigator as well as other people that are involved in in-

vestigation of outlaw clandestine laboratories is that these precursors and chemicals are a sizable health danger.

Mr. ENGLISH. I suppose we better recess for a few minutes. We have a vote over on the floor of the House. I am sorry about that. We will be back as quickly as we can.

[Recess taken.]

Mr. ENGLISH. Mr. Katz, we will let you continue. I am sorry about the delay. That happens to us around here.

Corporal KATZ. Thank you, Mr. Chairman.

The recommendations which I have for the most efficient utilization of police resources against laboratory operations are: One, the need for a training program not only for police but for firefighters, about the dangers that these labs present. This could be done through the normal channels of either fire or police training commissions that currently exist.

The second recommendation I would have is that protective clothing such as that currently utilized by the Environmental Protection Agency or other groups when confronting hazardous material spills be provided through some sort of lend lease agreement to police and fire agencies who know they are going into a lab operation.

An additional problem in that area, of course, is that the destruction of these chemicals, which are in many cases hazardous or toxic chemicals, presents a real problem. The cost of using a commercial hazardous waste firm to destroy these chemicals from a large-scale methamphetamine or PCP lab, can cost up to $10,000. A meth lab operation in Anne Arundel County, MD, costs about $10,000 to dispose of, which DEA was forced to pay for chemical disposal.

In lab investigations conducted through either the organized crime drug task force or a similar agency, lab operations have not been their highest priority. Other drugs are deemed, depending on the region, to be more of a problem than lab operations. If the priority could be upgraded in those task forces or in other organizations, we would then be in the most efficient posture to combat these labs. A problem, which these task forces have experienced, is when the U.S. Marshals Service has been asked to deputize local and State law enforcement officers. Apparently some problem have arisen with deputization of marshals, and the Marshals Service is now very reluctant to deputize because it means they [marshals] are taking responsibility for the individual. A streamlining of the procedure or the use of another procedure whereby local and State law enforcement officers can be deputized by a specific agency for a specific operation, would solve the problem and more task forces could be utilized.

My third recommendation would be to have the State Department, through treaties with the nations that I mentioned earlier, Germany, Canada, Australia, Mexico, and other nations, to have them regulate the precursors for PCP and methamphetamine in a precursor control program similar to the DEA program in the United States. This could be through their national police organizations or an organization they designate, which would allow U.S. Customs or another Federal agency the opportunity to identify those persons who are buying these precursors. This would then

allow a joint investigation of those smugglers of controlled precursors.

The final suggestion that I have to the committee is to have a lab operator face a minimum mandatory sentence like those currently being exacted for the use of a firearm in the commission of a felony or for operating a continuing criminal enterprise. This sentence would be exacted against lab operators, which would successfully remove the key figure from these, that is, the chemist. We believe that chemists in these operations are the highest recidivist criminals that there are. As soon as they get out of jail, all of them that I am aware of go right back into manufacturing the drug because of the money that can be derived from this illicit venture.

If there was a minimum, mandatory sentence without possibility of parole, this problem could be alleviated. Certainly it would then put in the mind of not only lab operators but in law enforcement in general that we are very serious about the problems that these labs cause.

Clandestine labs plague many areas of the United States, some of which are aware of them, some of which are not. If we ignore the problem for a long period of time, we have obvious public health and public safety problems. A national response to the problem of clandestine labs to stop their growth will also stop the seemingly endless demand for substances like PCP, methamphetamine or some of the analog drugs like ecstasy, which are now being produced.

It could be said that these clandestine lab operators are literally selling death on the installment plan to their consumers. It is time that we take every effort available to us in enforcement to put an end to a continuing national tragedy.

Mr. Chairman, that concludes my remarks.

[The prepared statement of Corporal Katz follows:]

STATEMENT

OF

TERRY KATZ

CORPORAL

MARYLAND STATE POLICE

. BEFORE THE

SUBCOMMITTEE ON INFORMATION,

JUSTICE AND AGRICULTURE

DECEMBER 5, 1985

My name is TERRY KATZ. I hold a Bachelor of Science Degree from Towson State University, Baltimore, Maryland. Since July 1970, I have been a member of the Maryland State Police, and from 1971 to the present my primary assignment has been that of an investigator specializing in non-traditional organized crime including the investigation of Clandestine Laboratories, which produce Phencyclidine and Methamphetamine. Since September of 1976, I have attended over thirty-five (35) seminars and conferences throughout the United States and Canada, some of which provided instruction on the investigation of Clandestine Drug Laboratories. I have been featured as a guest speaker at most of these seminars.

The two drugs, which have commanded the majority of these Clandestine Lab investigations are chemical compounds which can be produced in Clandestine Laboratories, (Phencyclidine and Methamphetamine). The first drug, Phencyclidine, (PCP), was first developed by researchers for the Parke-Davis Laboratories as an analgesic, (pain killer). At first, PCP was thought to be highly effective and it showed potential as a surgical drug as it did not render a person unconscious during an operation. The drug was tested and initially marketed under the name of Sernyl. However, following additional animal tests, and human tests, about a third of the humans became disoriented, delirious, or euphoric while others exhibited

severely manic depressive behavior as side effects of PCP. Based on these side effects, it was determined that the drug would be marketed strictly as an animal analgesic called Sernylan. Veterinarians utilized the drug but it again developed a bad reputation based on the unwanted side effects and during the late 1960's, the use of the drug as Sernylan was discontinued.

PCP is relatively simple to manufacture and beginning in the late 1960's, it has been manufactured in Clandestine Laboratories with various degrees of sophistication and purity. In California during the late 1960's, the drug was distributed in powder or tablet form and it was called Peace Pills or Hog. The drug had such severe side effects including death that people began to shy away from it and began to use other hallucinogenics such as LSD. PCP then became popular on the east coast when drug abusers determined that one could smoke marijuana that had been sprayed with PCP in liquid form and obtain a different "high", than from plain marijuana. Because the drug could be ingested by smoking, it began to develop popularity among drug abusers who were used to smoking marijuana.

In the Baltimore; Washington Metropolitan areas, PCP became a very popular drug beginning in the 1970's and it continues to be very popular in these Metropolitan areas today among young white people, many of whom are "blue collar" workers and among young black poeple who reside in and around the inner city areas of Baltimore and Washington. While there are numerous theories for why PCP is so popular in the Washington and Baltimore area, the reason for the demand, which has grown and become a large steady demand, is that it can be said that PCP produces more "highs" per dollar spent than any other drugs. Phencyclidine, can be manufactured in everything from a sophisticated Laboratory with glassware and elaborate equipment to the so called

bucket operations which utilize nothing more than rubber or plastic buckets, (as the place to produce the drug).

The chemicals which are needed to manufacture Phencyclidine are called precursors, which are basically the raw materials which become part of the finished product, (PCP). The other components which are necessary to manufacture the drug are reagents which react chemically with one or more of the precursors but do not become part of the finished product and a solvent, which reacts chemically with either a precursor or a reagent but solvents do not become part of the finished product. Solvents can be used to dissolve the solid precursors or reagents, to dilute reaciton mixtures, and to separate or purify the other chemicals which are used. The crucial precursor is a chemical called Piperidine, which is controlled under federal regulations as are other precursors such as Phenylcyclohbxy and various other Phenyl compounds including Ethylphenylcyclo which can be used to produce Phencyclidine or to produce Piperidine. Chemical companies are supposed to notify the Drug Enforcement Administration (DEA) about orders for Phencyclidine precursors. In practice, this notification depends on the company and frequently an individual or group of individuals can successfully obtain the precursors for PCP without the authorities being notified under the precursor Liaison Program.

The other methods for obtaining precursors is to divert them from legitimate users or to set up a phony corporation which can pass as a legitimate user. During investigations which I have conducted, or which have been conducted, I know of cases where precursors have been stolen from: government laboratories, legitimate chemical companies, film processing locations and other legitimate users.

The DEA Precursor Liaison Program, (the notification process previously mentioned) has been an effective investigative tool for identifying Clandestine Laboratories. Through this program, legitimate producers and distributors of chemicals used in the manufacture of controlled substances voluntarily report abnormal or suspicious purchases to DEA. In order to avoid this reporting process, evidence now indicates that some PCP laboratory operators have begun to synthisize Piperidine, using three distinct methods including one whereby Piperidine can be obtained from common household black pepper. A Clandestine Lab Operator claimed that he could extract one ounce of Piperidine from one kilogram (2.2 pounds) of black pepper.

An additional way in which precursors can be obtained is import them from Canada, by purchasing the chemicals from chemical supply houses located in areas including Niagara Falls; (just over the American border) as Piperidine and other precursors are not controlled there nor are purchasers reported to Canadian authorities. A documented incident this year, in which two Maryland individuals were arrested, after a border search by the U. S. Customs Service, developed information that they intended to bring back Phencyclidine precursors by smuggling them into the United States. During an investigation in 1981, conducted by numerous agencies in the Prince George's County, Maryland area, it was learned that an attempt had been made to bring back PCP precursors from Canada by members of an outlaw motorcycle gang. During the recently concluded investigation into Methamphetamine production by members of the Scarfo Organized Crime Family in Philadelphia and by members of the Pagans Motorcycle Club (PMC), it was determined by precurers for the durg, namely Phencyl-2-Propanone were being smuggled into the United State from Germany and Mexico.

According to the DEA Quarterly, volume 12, Number 1, (November, 1985) there were approximately thirty-one (31) PCP Laboratory seizures accomplished in 1984 and there were thirty-nine (39) seizures of Clandestine PCP Laboratories in 1983. In addition, two (2) PCP analog labs (producing precursors for the manufacture of PCP) were seized. The Washington D. C. Division of DEA seized seven (7) PCP Laboratories, outranking all other offices of DEA. The largest laboratory seizure of PCP was in Brownsville, Texas, in October, 1984, which DEA estimated had the potential to produce three hundred (300) kilograms (660 pounds) of PCP.

It is relatively easy to manufacture PCP as all one really needs is a basic knowledge of chemistry, and the skill to mix components at the proper intervals, PCP has a very distinctive odor when produced, (which smells like a mixture of chlorine and ammonia) and depending on which solvents are used, a strong smell of Ether or Acetone may also be present at a lab site. Because of this odor, remote locations are frequently utilized by PCP Clandestine Lab Operators to avoid detection. The use of highly flammable components, such as Ether or Acetone have caused a number of explosions and fires at lab sites.

The use of remote locations is not a requirement for a PCP lab and in investigations conducted by members of the Maryland State Police a seizure last year was accomplished of a Motor Home in which the individual left the Washington Metropolitan area and manufactured Phencyclidine while on the road; stopping only at the location at which he was arrested. The changing locations is frequently necessary to avoid detection and therefore, I know of "Cooks" (Clandestine Lab Operations) which have taken place in vans, while parked or moving on public roads, in the woods, on a patio of an apartment building, in $600,000.00 homes, in shacks, and a variety of locations limited only by

human imagination.

An additional danger to law enforcement and firefighters from these Clandestine PCP Laboratories is that the intermediate stages frequently contain poisons to include cyanide which if inhaled, can be fatal. The ever present danger of fire or of lab operators who will booby-trap the location to keep other competitors and/or the police from raiding a lab site is also a constant concern during these investigations.

A danger, which those of us who have worked lab operations also can report, is that we know very little of the long term effects on Police Officers or Firefighters who interrupt a lab operation or who breathe the fumes of a lab in operation. Since Phencyclidine we know can trigger physical attacks, which will turn a normal person temporaily ill, there is the danger of inhaleing the fumes in any way. The fatty tissues of the body store PCP and it is possible for a flashback psycotic episode to reoccurr even after the person has left the danger inside the lab. The cumulative effect of PCP can cause severe headaches or skin rashes after a prolonged or repeated exposure to Clandestine labs.

About two and a half years ago, I was active in an investigation with the FBI, DEA, and other law enforcement agencies into a PCP lab operated by members and associates of the PAGANS MOTORCYCLE CLUB, (PMC). During the course of the investigation in which the intermediate stage of PCP, PCC, was produced by a Clandestine Chemist (who was also cooperating with the authorities), we know that the intermediate stage, PCC, went from Maryland, where it was procuded, to Virginia, then to North Carolina and then back to Virginia where it was finally recovered by the investigative team.

On a personal note, I was asked to drive the van which was seized with the PCC from the location of the seizure back to the FBI office. I had all the windows of the van open and even though it was a rather cold evening, I had the fresh air vents on at full speed. The drive took approximately half an hour. When I arrived at the FBI office, I got out of the van and I noticed a severe headache around the sides of my head and behind my eyes. The headache began to intensify even though I was now away from the van and the evidence had been removed and secured. I then began to notice that my eyes wouldn't close. It was as if someone was holding their thumb against the side of my eyes so they wouldn't close, while I could open my eyes wider, I could not shut them. This condition lasted approximately one hour at which point the muscles behind my eyes began to relax and I could then regain the normal and full use of my eyes. On other occasions where undercover police officers or agents have been physically present when a lab operation is underway a severe headache, nausea, and other physiological disorders have occurred. The worrisome part is that we don't know what the long term effect of ingesting even the odor of PCP can be over a long period of time.

Another severe danger to persons that utilize PCP has been graphically demonstrated here in the District of Columbia, while as arrests for drug violations involving PCP rose from 310 arrests in the fiscal year of 1982 to 1945 arrests in the fiscal year 1984. The rate of Hospital emergency admissions relating to PCP collected from fourteen (14) area Washington Hospitals by the National Institute on Drug Abuse, shows that in 1981 there were 179 admissions for PCP incidents, in 1982 the figure rose to 292, the last year for complete figures is 1983 in which 535 persons were hospitalized for PCP related emergency room incidents. Another area in which PCP has been a contributing factor is in emergency admissions to local Psychiatric Hospitals. In a test devised during 1984 by a member of the St. Elizabeth's Hospital Clinical Psychology Training Seciton, they have been able to now distinguish between schizophrenia and PCP induced attacks. Based on this

testing, it has been determined that one third of all emergency patient admissions to St. Elizabeth's, the patient had PCP in their system.

PCP can trigger psychotic attacks that turn normal people temporaily insane. A person in this PCP state of manic depression or schizophrenia or other psychotic ailments, is usually violent and totally out of control Numerous instances have been recorded in Maryland and the Washington areas of injuries sustained when Police Officers have attempted to subdue persons on Phencyclidine. Some of these incidents have resulted in the death of or injuries to the PCP user since the delusions that these PCP users are suffering are so real, they could believe that they are fighting a tiger or the devil with almost super human strength. Cases that I know of personally including an arrest by members of one Narcotics Unit required five physically fit police officers of that unit to arrest one 5'6", 135 lbs. suspect, who was high on PCP. It took all five members to get the one individual handcuffed so that he could be placed into custody.

In 1983, around Christmas time, a tragic incident occurred in surburban Baltimore. A man high on PCP, which he had been using heavily, over a period of time, began to believe that his infant son was the devil and he stabbed the infant and eventually cut the infant's head almost completely off to kill the devil. The killer was found guilty during a jury trial and currently is incarcerated for first degree murder. The defendant claimed that he was literally out of his mind when the incident occurred in 1983, however, the court found that Phencyclidine has a reputation for mind distortion and that to ignore conduct by a person voluntarily taking drugs only subverts the entire judicial system.

These horror stories are not meant to shock or sicken the committee but merely to point out this drug can turn normal people into schizophrenics, and it will harm those users by destroying brain cells to a point that they are "burned

out". Individuals who used to have their full faculties and mental abilities are or can be reduced with heavy habitual PCP use to nothing more than babbling idiots who other persons in the drug subculture refer to as "burned out".

Beginning in the early 1980's, the Drug Enforcement Administration, Washington Field Office, formed a PCP Task Force. This Task Force is currently made up of Agents from DEA and eight (8) officers from other local police jurisdictions. This Task Force in 1983 arrested 110 people; most of whom were from Northern Vriginia for manufacture or distribution of PCP, of this number ninety-one (91) of those persons were either PCP manufacturers or distributors. In addition to the Task Force, during the first nine (9) months of 1984, in Prince George's County, Police there made 277 PCP related arrests and they seized two (2) laboratories along with an estimated $658,000.00 worth of PCP.

PCP was according to both the Drug Enforcement Administration, (DEA) and other law enforcement agencies controlled in many areas by white lab operators, many of whom were connected with Outlaw Motorcycle Gangs. A change in the distribution and manufacture pattern has become evident in the last two (2) years. This change contributed to a decline in lab seizures in the Baltimore/Washington area as black and hispanic traffickers now appear to dominate PCP distribution and they and white lab operators are using laboratory sites outside of the Baltimore/ Washington area to produce PCP.

Examples of this shift in lab site location are cases tried in the Baltimore Federal Court System, where PCP was produced in California and Florida and then smuggled into Maryland, Virginia and Washington, D. C. by train, plane, and automobile. These cases illustrate the changes in the distribution and manufacturing pattern of PCP in Maryland. The investigation of an individual drug lab is now far more difficult as lab operators have moved away from police enforcement and the

Washington area PCP Task Force to locations where they believe it is safer to manufacture.

In a case which concluded in February, 1985, a liquid PCP manufacturing and distribution network headed by a white male named George Sine began to distribute PCP in 1980 shortly after Sine was released from jail. At first (according to the statement of facts which George Sine eventually pled guilty to) Sine bought PCP which was already manufactured and he distributed it to members of his organization. Beginning in 1981, Sine began to operate a series of Clandestine PCP labs from which he then began to distribute liquid PCP to members of his organization. Following police pressure by the Anne Arundel County, Maryland, Police and other agencies directed against members of Sine's organization, he (Sine) moved to Florida. The organization then grew as more distribution outlets opened as these PCP distributors now had a source (in Sine) who could supply multi-pound dealers of PCP sprayed on parsley (flakes) without any difficulty.

Sine then began to have other persons manufacture PCP for his organization and it is conservatively estimated that Sine's organization had at least thirty-five (35) distributors including twelve (12) multi-pound distributors (wholesalers) and at least three (3) lab operators. George Sine according to one of his partners in the manufacturing operation (Joseph Cortina) believed that Sine had approximately $750,000.00 delivered to him by Cortina in the four year period of their relationship.

Sine invested his money from the PCP manufacturing operation in real estate, (three (3) houses), a used car lot, three (3) ten thousand dollar certificates of deposit, seven (7) motor vehicles, numerous bank accounts, a stock broker's cash management account, thousands of dollars worth of home improvements and an in-ground pool.

George F. Sine is currently serving a ten (10) year term of incarceration for his conviction for operating a Continuing Criminal Enterprise.

Another PCP organization operating in the same time frame (1982-1985) was headed by James Holcomb, a black male who resided in Hillcrest Heights, Prince George's County, Maryland. The Holcomb organization was a national PCP manufacturing and distribution conspiracy with co-cospirators in New York, California, Maryland and Washington D. C. The Holcomb organization utilized Piperidine stolen from a legitimate user (Eastman Kodak Company in Rochester, New York) to manufacture PCP in Maryland and in California. The Holcomb organization like the Sine organization had multiple manufacturers of PCP and a series of couriers transporting liquid PCP, PCC (the intermediate step product crystals in making PCP) and phenyl magnesium bromide (PMB) which is used to make PCC into PCP.

Holcomb was purchasing PCP in liquid form from the California manufacturing groups for 16,000 dollars per gallon and selling it for 32,000 a gallon. He sold PCP for about 40,000 dollars a gallon; when it was purchsed in quart form (at 10,000 dollars a quart). Holcomb's operation in the Washington Metropolitan area was so large that he had 15 gallons of PCP either seized by the police or purchased by undercover officers and yet he was still supplying his own distribution operation. Holcomb pled guilty to four (4) counts of distribution of PCP in the U. S. District Court for Maryland on November 14, 1985. He is to be sentenced on these federal narcotics laws violations on December 17, 1985. Holcomb faces a maximum penalty of eighty-five (85) years imprisonment and a $900,000.00 fine.

The Sine organization and the Holcomb organization were both cases conducted under the Organized Crime Drug Task Force which coordinated the efforts of federal agencies, states attorney's office, state and local law enforcement agencies.

The use of liquid PCP as opposed to the previous practice of producing PCP as a powder and then dissolving it in a solvent, has created an entirely different distribution pattern in the Baltimore/Washington area. PCP liquid is now openly sold in some areas of Washington and is available in one ounce quantities at approximately $500.00 to $525.00 an ounce. One liquid ounce is currently being used to manufacture approximately a quarter pound of PCP sprayed on parsley from each liquid ounce. These liquid PCP production operations are not Clandestine Laboratories and have a lower risk of detection or apprehension based on the problems associated with production of PCP. These distribution organizations are not large in scope but like any other non-traditional organized crime group have a organizational spread among smaller groups and individual distributors. Outlaw Motorcycle Gangs which had earlier dominated production and distribution in the Baltimore/Washington area now appear to be cooperating with black and white producers to acquire the liquid PCP and then distribute it to the Gang's own customers. This is a significant departure from prior Gang activities directed at production and it can in many ways be attributed to Law Enforcement pressure directed at these criminal Motorcycle Gangs.

Methamphetamine has also been produced in Clandestine Lab Operations in the Maryland area. Although the number of these labs, approximately three (3) includes a November, 1985, Maryland State Police investigation assisted by DEA in Northern Maryland in which two (2) houses and a house trailer were searched and twelve (12) people arrested for participation in a Methamphetamine Lab Operation. The controlled precursor in Methamphetamine is Phenylacetone, whose chemical name is Phencyl-2-Propanone, also known as P-2-P and Methylbenzylketone. In the recent Maryland State Police investigation approximately four (4) gallons of P-2-P were seized which would have produced a large number of pounds of Methamphetamine.

Methamphetamine production in Clandestine Labs requires more sophistication than the manufacture of PCP. However, it is not difficult to make and anyone with a minimal chemical background can produce Methamphetamine. P-2-P like Piperidine has been smuggled into the United States from places like Canada, Germany and Australia as it is not controlled in those countries. It is also illicitely manufactured and diverted from legitimate supply. Most of the Methamphetamine which comes into the state of Maryland is believed to be produced in the North of Maryland in states like Pennsylvania or Delaware; although as I noted earlier, there are some lab operations located in rural sites in the state of Maryland. Recent information from the Drug Enforcement Administration, (DEA) to various police agencies indicates that while some lab operations can use sophisticated glassware such as the one in Northern Maryland, Methamphetamine can be produced in any system that can be filtered and which can be combined with heat.

The chief danger associated with Methamphetamine is that it speeds up the body's metabolism to a point that the body literally feeds upon itself because of the high demands on organs like the heart, the lungs and even fat production within the body. The phrase which had been popular in a number of areas that "speed kills" is a reference to Methamphetamine's destructive ability on the human body as Methamphetamine is called speed on the street by drug users.

Methamphetamine and/or Phencyclidine intoxidation is believed to be an increasing cause of accidents on the highways in states which utilization of these drugs in occurring. While it is difficult to get accurrate statistics on intoxicated drivers who are using drugs rather than alhocol, it is believed that the approximate number of drugged drivers is increasing.

The danger in a Methamphetamine Lab from the precursors and chemicals

utilized in the production of the illicit drug is again sizeable to law enforcement and fire personnel who may confront the problem during either fires or lab raids.

While no one agency can successfully combat any large scale criminal problem, several areas could be strengthened in making enforcement directed against lab operations more efficient. The first recommendation is that a training program in lab detection and the safe handling of lab operations be immediately provided to all firefighters and police officers in the areas where these drugs are being produced. The forum for the fire presentations can be through the normal continuing education which both volunteer and paid firefighters in Maryland and surrounding states are required to have. In Maryland, the Maryland Police Training Commission mandates specific numbers of in-service training hours for police and special police officers. Training on lab operations could be provided through them by agencies skilled in lab operation investigations.

The second area which requires attention is that protective equipment such as that used by the Environmental Protective Agency or other groups when confronting hazardous materials spills be provided to firefighters and police for use in lab sites or at suspected lab sites. This equipment would include protective clothing and breathing filtration systems to prevent the inhalation of potentially fatal substances.

The third area which requires attention is to make lab investigations a priority in those areas in which Clandestine Labs are operating. This increased attention to labs could be directed through the Organized Crime Drug Task Forces which are currently operating around the United States. The Task Force approach would also allow local and state law enforcement agencies to coordinate their

efforts with the federal agencies to combat lab operations.

Involved in this PCP Task Force Operation would be the issue of deputization or the use of local and state law enforcement officers by deputizing them through the U. S. Marshal Service. There have been a series of problems connected with deputization in organized crime drug task force cases and in other cases so the need to streamline the procedure or change it so that maximum enforcement pressure can be directed against these ClandestineLab Operations. The purpose in using Deputy U. S. Marshals or some other designation for federal authority, is to allow these officers access to grand jury and title III, (Wiretap) information along with the resolving of civil liabilities problems connected with using law enforcement officials outside their respective jurisdictions. The Washington DEA PCP Task Force uses law enforcement officers who have been deputized as U. S. Marshalls.

A fourth suggestion to combat the importation of precursors from other countries is to request that a treaty with these actions specify that precursor purchase be reported to the respective national police agencies. Through these police agencies, U. S. Customs and other federal enforcemnt agencies could develop information on persons who are smuggling precursors into the United States.

The final suggestion is one which this committee and others in the Congress can directly address in that if there was a minimum mandatory sentence for drug manufacture of substances like PCP, Methamphetamine and the so called analog drugs (currently appearing in California that are like synthetic Heroin, synthetic Cocaine and other substances which are now being developed) the chemist, who is the backbone of this industry, would effectively be taken away from his ability to harm the public. A minimum mandatory sentence, without possibility of parole, such as that currently in use in Continuing Criminal Enterprise cases or for the

use of a firearm in commission of a felony would allow law enforcement to use a new weapon whereby the chemist is removed for a set period to time, thereby depriving these criminal organizations, large and small, of the vital component to the manufacture of these drugs. The other effect of this type of law would be to enforce in both the public's mind and in the mind of law enforcement that labs are a serious problem.

From a National perspective, the problem of Clandestine Lab Operations continues to plague many areas with the United States. It is a problem that we can not long ignore for as the demand for these drugs grows, so do the inherent public health and public safety problems. There must be a national response to the problem of Clandestine Labs in order to stop their growth and the seemingly endless demand for drugs like PCP and Methampehtamine that destroy the mind and injure those who ingest them. It can be said that Clandestine Laboratories producing PCP, Methamphetamine and the so called analog drugs are literally selling death on the installment plan to its consumers and it's time that we take every effort available to us in enforcement to put an end to this continuing national tragedy.

TLK/lc

Mr. ENGLISH. Thank you very much.

As I mentioned earlier, we have this new drug—at least it's new to me, maybe it's not that new to you—called crack, or rock, or whatever. Are you familiar with this drug?

Corporal KATZ. Only in its general properties, sir. We don't have crack, which is a very purified form of cocaine, in Maryland that we are aware of at the moment. I won't say that we don't have it, because I am sure that, if we don't have it now, we soon will.

Basically, what has occurred is that when one utilized cocaine as an abuser, you had to be able to take that drug and purify it to make it free-basable so it could be smoked. What is now occurring with crack is that the drug is already purified to its rock form, which is almost pure cocaine hydrochloride. It is then shaved off and smoked. Now that there is an easier way to acquire the drug, people are going to do so if they're into free-basing. Free-basers of cocaine are very violent individuals as they can be very addicted to that substance. It has been shown that cocaine is more addictive than heroin in recent lab studies. So, if you increase the availability of the highest purified form of cocaine, you are going to increase cocaine addiction and its incident problems.

Mr. ENGLISH. But it's my understanding, too, that one of the attractions is not only the purity but also from the standpoint of cost. It is very affordable as far as young people are concerned in particular, people that don't have a lot of money.

Corporal KATZ. It would make it more affordable than if they took regular cocaine of varying degrees of purity. But cocaine is still going to be an expensive drug, which is part of that problem. If you're going for a drug that is very expensive, you have to either earn the money legitimately or illegitimately, and frequently it's illegitimately. Thus, you have a corresponding increase in not only drug distribution but in violent crimes and other illegal ways to gain the money to buy the drug. If you're an addict on cocaine, you are going to do anything that you have to do to get that drug. When you are dealing with someone who is a drug personality, especially a cocaine drug personality, he is extremely dangerous.

Mr. ENGLISH. As I understand it, it takes such a small amount, very little of this purified cocaine, it would either be smoked or sniffed, and that's what would make it affordable—or at least in the beginning—to high school and college people, particularly high school kids.

Corporal KATZ. Right; you would be getting a lot more, as they say, "bang for your buck."

Mr. ENGLISH. Yes; so, it would take very little in the way of dollars to get a pretty good bang.

Corporal KATZ. Right, a very intense high.

Mr. ENGLISH. And then when that is considered, along with the rapid addiction level of this purified cocaine, then what could very well—what quite likely will happen throughout the country is that we are going to see a number of very young people that are going to suddenly be addicted to cocaine, and it will happen very rapidly. It is my understanding that usage over a 2-month period, and that's it; you're flat addicted as far as this stuff is concerned. Is that correct?

Corporal KATZ. I am not exactly sure of the time period because, as I say, it's a new drug to us in the State of Maryland. But from what we understand from incoming data and research, the addiction period is very rapid. Whereas people could use regular cocaine over a long period of time without becoming addicted, the regular use of free-basable cocaine could make one a cocaine addict. The increasing availability of free-basable cocaine where all one has to do is go out and buy it instead of having to buy it and purify it, would seem to increase addiction.

Mr. ENGLISH. Do you expect, given the knowledge that you have about rock or crack—I guess it is called different things in different parts of the country—do you expect that we will see a rapid increase in the usage of this drug? Is it likely that we are going to see this drug used by a group, namely the young people, that perhaps have not had that much usage as far as cocaine is concerned?

Corporal KATZ. It would seem, based on previous practices within the drug community that, if a drug is given the reputation of an intense high, that people then have to try it. And if the market is there, illegal producers will produce to meet that market, so as demand increases, supply increases. Unfortunately, since many of them seek that intense high, I would have to assume that many abusers are going to try it.

Mr. ENGLISH. That would be one thing as far as the drug community, it would be bad enough in that area. I guess the thing that concerns me a great deal is that in the communities where it is now being used, it is my understanding that because of the low cost, for the bang that it gives, that it is being tried by large numbers of middle-class youth simply for the thrill of it. And because of the very rapid addiction rate, that is a very explosive combination. You may have a large number of young people who may not be drug users in the sense that they have been addicted, or a crowd that experiments with all drugs. They could very well find themselves with a rapidly growing number, a rapidly growing group of users, a new group of users, a new addicted group that we haven't seen before, which would primarily be high school and college people.

Corporal KATZ. I don't know that they are such a new group. Obviously in order to experiment with the more purified forms of cocaine, abusers would have to be cocaine users to start with. I don't believe that we will see people start out on crack. I believe they will start out in the manner that cocaine is now utilized. Cocaine users seek the best thrill, so people who used to inject cocaine to get the purified form, may now be able to free-base coke, which people are rapidly beginning to do. They will also be able to acquire the free-basable cocaine and thereby risk creating a possible epidemic of addicts.

Mr. ENGLISH. But with this, as I understand it, you just take a tiny crystal, insert it into a regular cigarette, and smoking that, or with marijuana in particular, it is enough to give a pretty substantial kick.

Corporal KATZ. I am familiar with abusers using free-base cocaine which usually takes a very high heat source to remelt that crystal for cocaine. The smoke is then purified through a series of chambers and inhaled in this form. I am not familiar with abusers

utilizing crystallized cocaine in cigarette form from my experience in Maryland. Normally they use a glass pipe or ceramic pipe because there is a tremendous amount of heat that they have to use just to get the cocaine crystal to melt. But as I say, Mr. Chairman, it is a new area for us in Maryland. The information on crack is just now beginning to come in about the various uses and, in fact, about the demand for it, which principally seems to be centered up in New York.

Mr. ENGLISH. I was looking at a story that appeared on November 29 in the New York Times which did focus on the situation up in New York. They were making a point in this article that this seems to be the group that seems to be trying this out, particularly as far as young people are concerned, focused in the upper-middle-class families. For the most part, these were kids with no history of addiction or psychiatric illness in any way, the top half of their class, college-bound, young people who, at least as far as this article indicated, were addicted and completely dysfunctional by crack within a 2- to 3-month period. It just completely destroyed these young people. The exhilaration, it's a high that supposedly is unmatched as far as the euphoria is concerned.

[The November 29 article from New York Times is reprinted in the appendix.]

Corporal KATZ. Based on the fact that the middle class does seem to be utilizing cocaine in an ever-increasing rate, certainly young middle-class individuals are going to follow what their peers do. If your peers are involved in cocaine and they seek that ultimate rush, or high, and crack can produce it, then obviously they are going to go and try it regardless of the danger. Many times, adolescents think they know all the answers, and oftentimes find out too late that they didn't quite know all of them.

Mr. ENGLISH. Mr. Lightfoot.

Mr. LIGHTFOOT. Thank you, Mr. Chairman.

I thank both of you gentlemen for coming today. Corporal Katz, you were talking earlier about your experience of driving the van back, and so on, and also the use of maybe some type of protective clothing, disposal assistance, and so on.

Corporal KATZ. Yes, sir.

Mr. LIGHTFOOT. Have you contacted the Environmental Protection Agency or Maryland's environmental people in that respect? If so, do they have any resources they can help you with?

Corporal KATZ. No, the principal problem we have run into is that there is not now an avenue that we are aware of that is open to us. Now, if we classified a lab as a hazardous material spill, then there is a certain set procedure for response to a spill. My point and recommendation was this: In California, for example, their lab operations teams are issued proper protective equipment. DEA here in Maryland and in the surrounding States aren't issued that equipment, whereas I know that that equipment exists in these hazardous material operations that clean up spills. If the avenue is there, we would certainly pursue it with the EPA. But at the moment we don't know of a procedure or an avenue which exists. Agencies certainly are going to be reluctant in light of budgetary restraints, and other problems that each agency has, to just give equipment away. But if a system exists wherein in an emergency

we have a contact person that can mobilize either a team or the protective equipment, it would save these long-term health effects that we are uncertain about in lab operations.

Mr. LIGHTFOOT. Is there any kind of an ongoing educational program with your officers and with firefighters that may be involved in these things so they know what to look for or what to try to watch out for? It looks like there is a danger involved in this.

Corporal KATZ. That is correct. There is a danger. The problem in ongoing training is that lab classes are normally given on methamphetamine or PCP labs only to investigators on the methodology and the particular components of manufacture for these drugs.

What I am suggesting is a program of continuing education that all police officers are required to attend or firefighters are required to attend about the dangers of labs or what to look for in a lab, not only about how a lab operates. We would have an increase in arrests because people that are now just thought to have started a fire accidentally with acetone or ether would be found to be lab operators. Second, the danger that firefighters or police are exposed to would be lessened because they would know enough to move out of the lab and bring in a chemist and an experienced team.

Unfortunately there is no set program wherein experts from either DEA or other agencies are able to come in to instruct about lab dangers. Within the State police we have regular in-service training as do most agencies so a natural avenue of instruction exists. The particular components and the way the officer is likely to see the drug on the street could be presented but not the entire lab operation. Basically, it would take a series of audiovisual displays that could be prepared and then utilized in those various training settings. At the moment, those displays don't exist.

Mr. LIGHTFOOT. In the first hearing, people in Oklahoma City, we understand, had instances there where some of the chemical companies had cooperated with police to help identify people that were buying the precursor chemicals. Do you see anything similar to that in your State, or is that an area that could be explored and maybe we could get some help in that area to shut some of this off before it starts?

Corporal KATZ. The DEA precursor liaison program exists in Maryland. The chemical companies have been pretty good about notifying DEA. Unfortunately, in many cases where a lab operator will purchase those drugs in another area, you run into the problem of DEA, say, in New York being notified, whereas the individual has merely gone to New York, purchased the drug component precursors, and then brought them back. We found that notification works when we are made aware of it. It doesn't always happen because, again, this is a voluntary program concerned with an abnormal amount, an unusual amount or a suspicious amount of chemicals. If you have a new clerk, or a new person at that particular chemical supply house then, he's not going to know an unusual amount or an abnormal amount. Consequently, he is not going to know to notify DEA.

Mr. LIGHTFOOT. You mentioned earlier that, I think one of the gentlemen you had, this Holcomb on your chart, had purchased homes and cars and a number of items. Back in the mid-1950's, early sixties, the scourge of the drug dealer was the IRS. They

were the ones that seemed to be able to come in and do something because of not paying taxes on the money, and so on. I don't recall hearing of anyone being convicted of tax evasion lately. Yet, we have this large influx of drug dealers in the country at various levels. Is that a correct perception? If so, why has this broken down? I think we should use every possible tool we have to get to these people.

Corporal KATZ. In Maryland through the Organized Crime Drug Task Force, IRS is involved. In the example which I gave about George Sine, there were tax counts in the indictment. Sine, faced with a very lengthy indictment, agreed to plead guilty to the continuing criminal enterprise charge, which had a minimum mandatory 10-year sentence. If he had gone to trial, I am certain that the U.S. attorney's office would have convicted him on the tax counts.

In the *Holcomb* case, there are one or two additional defendants that have not yet been tried. I am not certain about the tax counts in those cases. IRS is a resource that we use whenever it is available. We have had good success with IRS, not only in drug cases but in other cases, and we have found, as you said that they are an awesome weapon. In the methamphetamine *Rico* case that just went to trial in Philadelphia, involving members of the Pagans, there were tax counts. In fact, IRS did jeopardy assessments where they came in and took all of the assets that individual had against the taxes that IRS believed to be owed based on numerous drug transactions.

In addition, the assets that the Government proved were illegal assets from drug sales have been seized and are now property of the Government. Tax cases are a weapon that we use whenever they become available. Normally, the only way one sees them used, is in a large conspiracy case because of the amount of time and the resources that can be marshaled against a larger organization.

Mr. LIGHTFOOT. As far as the sentences that are being handed out for those that you do get a conviction on for manufacturing or possession, attempt to sell, and so on, do you feel that they are as strict as they should be? Do they need to be tougher? Do the laws need to be tougher once you do get a conviction?

Corporal KATZ. Normally in the Maryland State court system as well as the federal system that I am familiar with, an individual who is convicted for the first time, for State charges, would be sentenced under the sentencing guidelines. If he hasn't been convicted of a serious crime before, the guidelines are going to determine that he has a lesser liability of a long period of incarceration. In the Federal courts the same basic procedure seems to operate.

The idea about a minimum mandatory sentence would remove that discretion. Since lab operators are the largest of the recidivist groups that I know of it seems that as soon as they get out of jail, it's almost instantaneous that they go back to manufacturing drugs.

The sentences that we have obtained against major lab operators have been severe sentences. Ten years, for example, without a period of parole in the *George Sine* case is a very severe penalty. In the methamphetamine cases and phencyclidine conspiracy in Philadelphia that we worked on along with a number of other agencies up there, gang members earned between 7 and 25 years of

incarceration. The courts have been concerned enough about the problem of lab and major conspiracy operations, at least in the cases that I am familiar with, to send these people away for a period of time.

Mr. LIGHTFOOT. You are dealing with, in my opinion, very dangerous people and working with dangerous chemicals. To get them to the courtroom in the process of gathering evidence and this type of thing, are you running into any hindrances there that are causing you problems? Or are you able to handle that in a fairly judicious manner?

Corporal KATZ. One of the principal problems we have faced in these lab cases is the issue of deputization, which I assume is one that can be addressed and straightened out. The problem it creates is this: If the operation occurs in Maryland and you have only Maryland State police officers involved, that's fine, because it's within their jurisdiction. If on the other hand, the criminals go into other States which in many parts of Maryland is just a ride across a bridge, then you have a severe problem. You have the civil liability problem if you finish the surveillance, because the criminal has gone into Virginia, for example, where you have no authority.

When gathering evidence against these lab operators and these major conspiracies, the danger is always there, because you have an individual who is utilizing one of these substances or when he is under the influence of that substance, you have a much higher degree of danger to not only yourself but to your informants. Death doesn't mean a great deal to people that are under the influence of drugs. Consequently, some witnesses are very reluctant to testify against a known lab operator for fear that others in that organization, or the lab operator himself if he gets out of jail, will come back and kill him.

These are problems inherent in any large conspiracy case. We have been able to use the witness security program and relocation through the FBI and other programs to address this problem.

Mr. LIGHTFOOT. Pardon me for being redundant, but in the example you gave with the chart where you showed everything moving basically from the east to the west coast, are you running into jurisdiction problems? Am I reading correctly what you said a minute ago when you stated, you know, if it goes across a State line?

Corporal KATZ. Right. In the *James Holcomb* case, members of the Howard County Police Department in Maryland and other police agencies were deputized. If they hadn't been deputized, the undercover agent would not have been able to go out to California to meet with what turned out to be the two main lab groups. In terms of jurisdictional problems, in Maryland we have a coordinated system in dealing not only with lab suspects but with others through the drug enforcement coordinating system [DECS], which is computerized. So, if we have a suspect, we enter him into this computer system. If the FBI, DEA, or the various counties around Baltimore have a suspect, they do the same thing, so we then know we are working on the same person.

On the other hand, if, say, that person was a suspect in Florida and we were working on him but did not know of his Florida connection, we wouldn't necessarily learn about it, unless we accessed

the El Paso Intelligence Center [EPIC], or one of the other multi-state jurisdictional resource centers.

That is a problem which depends on the investigator to enter the suspect in all these systems, so he will then know all the law enforcement agencies that are interested in this suspect. If he doesn't check, then he doesn't know that two agencies are working on a parallel case.

Mr. LIGHTFOOT. This information system, would it be an advantage to expand it then?

Corporal KATZ. We hope to expand DECS to the Washington suburbs as well so that, at least in the immediate metropolitan areas, we would have the ability to coordinate the major investigations that are being worked on by various agencies.

We do also enter suspects into the Mid-Atlantic/Great Lakes Organized Crime Law Enforcement Network [MAGLOCLEN], which is one of the eight regional coordinating intelligence councils. But, again, the fact that we have a policy of entering every one of our major suspects does not mean that every major suspect is entered by every agency. The expansion of that program would certainly be beneficial to all the agencies in that you wouldn't have parallel investigations which would also tend to eliminate competition between agencies.

Mr. LIGHTFOOT. There is also the potential there to inadvertently upset something that someone else has going.

Corporal KATZ. Exactly.

Mr. LIGHTFOOT. Thank you very much.

Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you very much.

Mr. Katz, we appreciate your testimony before us. We may have some written questions for you as well and would appreciate your responding to those.

Corporal KATZ. Certainly, sir.

Mr. ENGLISH. Thank you for your testimony.

Corporal KATZ. Thank you.

Mr. ENGLISH. Our next witness today will be Chief Rolando Bolanos, with the Florida Department of Law Enforcement, South Region Operations Bureau.

Would you identify the gentleman who is accompanying you please?

Mr. HEADLEY. Yes. Mr. Chairman, I am Special Agent Cliff Headley, the Florida Department of Law Enforcement.

Mr. ENGLISH. We want to welcome you both. I appreciate your coming.

Mr. BOLANOS. Thank you, sir.

Mr. ENGLISH. If you would like, we would be happy to have you summarize your testimony. Without objection, both your complete written testimony and that of Corporal Katz will be made a part of the record.

Mr. BOLANOS. Mr. Chairman, I would beg the committee's indulgence so that I may speak from my statement——

Mr. ENGLISH. Fine.

Mr. BOLANOS [continuing]. And ask that I may take as much time as is necessary because this is a critical issue to the State of Florida.

Mr. ENGLISH. Very good.

STATEMENT OF ROLANDO D. BOLANOS, CHIEF, SOUTH REGION OPERATIONS BUREAU, FLORIDA DEPARTMENT OF LAW ENFORCEMENT, ACCOMPANIED BY CLIFF HEADLEY, SPECIAL AGENT

Mr. BOLANOS. Thank you, sir.

Mr. Chairman, honorable Members of Congress, and members of the staff, and ladies and gentlemen of the media and public, my name is Rolando Bolanos. I am the chief of the South Region Operations Bureau of the Florida Department of Law Enforcement. On behalf of Commissioner Robert Dempsey and the members of the Florida Department of Law Enforcement, I thank you for providing me the opportunity to address you on a matter of mutual concern to the Government of the United States and the State of Florida.

From and since November 1982, we have experienced an alarming increase in the number of clandestine cocaine labs that are in operation in the southeastern counties of the State of Florida. It is not my intention to take this committee's time with statistical data, but it is my desire to provide you some background data which will acquaint you with the historical and chronological perspective of our problem. Some published reports which have been compiled by DEA, NNBIS, FDLE, the Metro-Dade County Organized Crime Bureau, and the Broward County Sheriff's Department Organized Crime Bureau have revealed that between the period of November 1982 and December 1985, a 700-percent increase in confirmed clandestine cocaine labs has been documented. In 1982–83, Dade and Broward Counties had a total of six incidents involving cocaine labs.

During the period of January 1984 through November 1985, the number of confirmed labs has increased to 44 and horizontally spread to include Dade, Broward, Palm Beach, and Collier Counties. As recently as yesterday afternoon, my intelligence indicates that it is going toward the center and northern part of the State of Florida.

Gentlemen, it would be appropriate at this time to discuss in some detail the basis for our problem. It appears that from a point of reference that we can trace the problem back to legislation passed by President Belisario Betancourt of Colombia which created a cause-effect relationship that partially displaced cocaine processing from Colombia to the State of Florida, or the south Florida area. Based on intelligence information provided by the DEA to the Colombia Government, which essentially underscored the vast availability and relative use of ether for the production of cocaine in their country, in January 1983, President Betancourt passed legislation which requires special permits to possess ether, acetone, and other chemicals which were considered essential precursors to produce cocaine. The result as we see it was that during the year of 1984 no permits were issued. The ether supply became disproportionate to the demand in Colombia. It has been reported that in 1984 the price of ether in Colombia increased more than fivefold since 1983. The price of ether has increased from $1,400 per 55-gallon drum to $7,400 per drum.

The combination of the oversupply of coca and the scarcity of ether in Colombia has resulted in a partial shift from Colombian-based operations to Florida-based clandestine cocaine lab operations. Intelligence assessments support the theory that these operations continue to be financed and managed by major cocaine processing organizations in South America. We should note, however, that we find no distinguishing characteristics in terms of the personalities or the people that are involved. While the majority of arrestees continue to be Colombian nationals, we do also have Cuban nationals and Americans that are involved in the manufacturing in clandestine cocaine laboratories.

This transition can be characterized as an economic phenomenon for violators with tremendous social implications to the State of Florida. Honorable Members of Congress, it is at this point that from this point forward we focus our attention and channel all our energy and resources not on the end product, which is cocaine, but on the collateral issue of the manufacturing of cocaine.

We beg you to seriously consider and take notice of what we are trying to emphasize. We by no means mean to be dramatic in our presentation, but we already understand the economic, social, and political context that we find in drug trafficking, as we would distinguish conventional drug trafficking from clandestine cocaine laboratories. But what we are dealing with today is a collateral issue of a magnitude which quite frankly can only be explained in relative terms analogous with terrorism, bombing, murder, and sabotage.

What I would like to do at this point in time is qualify that statement, because I think it requires qualification. We know from our experience in reading and living the history of terrorism abroad and at home that a terrorist has the capability, the opportunity, and the means to bomb our neighborhoods and sabotage our elementary schools. But we must be thankful because, unless my history serves me wrong, we have never had instances at home where we have had 44 cases of explosive devices placed in our communities and our elementary schools. And I am making and drawing an analogy between explosive devices and clandestine cocaine laboratories. I recall my previous testimony before this committee that we have had 44 clandestine labs that we have confirmed and dismantled in the State of Florida.

With that, I think that, furthermore, the terrorist, however distorted his orientation may be, has a purpose and a target and a motivation to appeal to the empathy of society by espousing his cause. Consequently, I don't think—and I pray that I am right—that we will not have terrorists placing explosive devices in our elementary schools in our residential neighborhoods. But we have had Colombians and Cubans and Americans that have placed what we consider to be explosive devices by virtue of the clandestine labs in our elementary schools. We have had laboratories placed within feet from our elementary schools and our residential neighborhoods.

The financiers and operators of the clandestine cocaine labs already have preyed on our residential neighborhoods and our elementary schools. Also, a distinguishing characteristic is that, whereas conventional drug trafficking can be characterized as

interactions between and among drug dealers and users, and generally speaking the population at large is not directly exposed or affected, the advent of clandestine labs and the placement of clandestine cocaine labs in our communities involves all our residents and constitutes a clear and present danger to the safety and lives of our citizens and the preservation of our property.

It is critical that we maintain a distinction between drug trafficking and clandestine cocaine laboratories. While one is an integral part of the other, what we want to focus here today on, gentlemen, is on the explosive, on the volatile nature and on the all-encompassing aspects of clandestine cocaine labs.

In the past we can say safely as Members of Congress and members of the legislature and as law enforcement officials that the problem is somewhat contained in the regard that it involves interaction between drug dealers and drug users and then Government through enforcement and legislation. But our citizens, our residents, and our children have generally not been involved if they are themselves not perpetrators in one form or the other. You can no longer say that. You can no longer take the posture that it's not going to affect the mass of our population. We have found and we have evidence that we are going to introduce to you here today that it is in our neighborhoods. It's next door to your house, my house, our family, and, perhaps even more significant or more dramatic, it's by our elementary schools.

The process undertaken in clandestine cocaine laboratories involves the chemical mixture of coca base, which is imported from source countries, and at this point it would be appropriate to comment that we have no intelligence nor any evidence that would support coca base originating from the United States or the State of Florida. Now, I would qualify that by stating that it is not a matter of fact, since I don't have facts on that; but all available intelligence would indicate that we still continue to have an importation problem from source countries.

With ether, the end result of the mixture of the ether, acetone, and the hydrochloric acid is the production of hydrochloric cocaine, which is commonly known as cocaine. Now, the most dangerous of the chemicals used in the processing of cocaine is the ether. It is my understanding that ether cannot be stored for long periods of time, since it forms other chemicals that are extremely shock sensitive and highly flammable. It is estimated that 1 gallon of ether is equivalent to 10 sticks of dynamite.

Cocaine lab seizures in 1984 and 1985 in the State of Florida, in the southeastern counties, have netted anywhere from 10 to 500 gallons of ether in a single catch. Experts in the field of chemistry estimate that 10 to 15 drums of ether is sufficient chemical explosive power to level two city blocks.

A container of ether that has been previously opened could have had highly explosive peroxide deposits formed around the top, and by simply removing the top could cause the ether peroxide to explode and ignite the ether fumes. This is something that the uninformed individual, be it a police officer, a relative, a visitor, could very simply do and very simply blow up the lab, because that's all it requires.

Furthermore, as in the case with ether and other chemicals, explosive properties are affected by moisture, pressure, thermal or mechanical shock, and are subject to undergoing chemical changes with rapid energy releases.

With that regard, Mr. Chairman and members of this committee, actually no human interaction is required to have the labs explode. Sparks can very quickly ignite volatile fumes. During the reporting period at least eight incidents involving fire, explosion or both have been investigated by police.

I would at this time beg your indulgence and ask you to view some of the photographs which depict the paraphernalia and precursors which are commonly found in clandestine cocaine labs as well as view some of the photos that we have that depict the aftermaths.

Mr. HEADLEY. Mr. Chairman, the first photograph demonstrates the amount of explosive force that one 5-gallon drum of ether can cause. This was one of the labs also contained therein.

Those are some pictures of the inside of one of the labs containing 5-gallon drums of ether. The other photograph is one of the paraphernalia which is a popcorn making machine that is used for drying and processing the coca base.

The other photo consists of some of the precursors, which is hydrochloric acid, ammonia, and other agents that are used to process into the final product, the cocaine.

That is another form of the drying implement that is used, which is a heater, a common heater used in a household that they use to dry the cocaine.

Additional photographs of the precursor that is used along with ammonia.

After it has been through all that, it is then strained into a plastic trash barrel either through bed sheets or that mechanism that they have, which consists of a fine-mesh screen.

Another view of the preparations in the inside of a cocaine lab. That other photo represents the starting of the ether, exploding or starting to burn.

That is the finished product which is laid out to dry. Now, this will depend on the sophistication of the laboratory, whether it's a small laboratory that they do not have the dryers, then they lay it out in the cans and it dries in the air, or it's heated, depending on the immediate need.

This is a cocaine lab. As you may see, it could be in a park, as I think Chief Bolanos mentioned. And the home here is also a cocaine lab right in a very wealthy neighborhood, or a farm.

This is an aerial view of that thing. This is the house here. This is where they process or store the chemicals.

This photograph here, as we continue, was the result of an explosion in a cocaine laboratory, which you will see in the other photograph, this one. Now, those are the results of the explosion that occurs in neighborhoods in Dade and Broward Counties as a result of having the explosive within residential neighborhoods.

This particular one, the individual barely got out of there before the garage door was opened, and the neighbors were shocked at the noise. They called the police.

That is the end result of that same house.

Mr. ENGLISH. Thank you.

Mr. BOLANOS. At this time, Mr. Chairman, if I may continue my presentation, I would like to provide you a perspective on some of the law enforcement complexities that we have in dealing with clandestine labs and provide you with some practical recommendations on how we feel the Government can collectively address the phenomenon through legislation and our resolve.

Speaking from a police official's point of view, the advent of the clandestine labs marked the departure from conventional drug enforcement and raised more questions and concerns than we were prepared to address. I believe that that continues to be the case today since 1982.

Characteristically, drug trafficking and drug enforcement have always involved an element of danger and violence. But notwithstanding the unfortunate circumstances where injury or death resulted to our officers, we have always managed to minimize the danger and contain the violence in conventional drug enforcement by virtue of well settled and successful law enforcement tactics and relying upon intelligence data concerning the organizations, violator dispositions, and potential for violence under previously experienced circumstances. Over the years, we have been guided by our statutes and case laws which provide us with a framework from which we can legally and safely undertake the challenge of drug enforcement.

Today however, we find ourselves in a posture in which we are virtually disarmed of tactics and enabling Federal or State statutes. Conventional drug enforcement raid planning is prefaced on the expeditious execution of entry, search and seizure to maximize officer safety and enhance confiscation of prosecutorial evidence. The practice has always been, get in quickly, safely, with an element of surprise, contain our suspects, seize evidence for prosecution.

More than adequate Federal and State statutes exist to provide us the necessary tools to combat conventional drug trafficking. But such is not the case with regard to clandestine cocaine labs. Raid planning when dealing with labs is prefaced from a perspective that a lab is considered a barricade and the violators are barricaded subjects. We are not about to enter labs under the same practices, circumstances that we did in the past.

The element of surprise is totally relinquished to the element of citizen and officer safety. Visible police perimeters and affected population evacuation is a prerequisite to engaging the target. The violators are approached by loud and clear announcement of police presence and are ordered to methodically exit the premise. Once detained, the systematic search and control of the premise commences. Physical inspection and collection of evidence does not commence until after a chemist has rendered the lab safe from hazards.

The implications herein are that losing the ability to quickly and safely surprise and detain the violators increases the likelihood of officer injury and decreases the likelihood of confiscating cocaine. A majority of the seizures that we make on lab raids have resulted in residue findings or minimum quantities of actual finished product cocaine findings, which places us in the predicament that we

have the circumstances in front of us but the dichotomy that we don't have the kinds of statutes, Federal or State enabling statutes that gives us the prosecution that we are going to be recommending to you here today.

A forewarned subject has more opportunity to react than one who is totally surprised and secured. Evidence can be destroyed, as has been the case on numerous lab raids, and the subject's actions may render the lab unsafe and in an explosive state.

My previous colleague that testified before this committee talked about sabotage, talked about boobytraps. We have found shotguns, which are basically for the same purpose, to preserve the lab, and is to create whatever havoc and destruction of law and order that they can during the process.

Establishment of the perimeter and evacuation of the affected area, while it is an absolute necessity in residential neighborhoods and congested areas, requires a tremendous amount of police personnel and creates panic and confusion among our citizens. Availability of a chemist is limited to major police departments and Federal and State agencies in metropolitan areas. I have already stated that we will not under any circumstances enter a lab without the presence of a chemist. But as we all know, most of law enforcement concentration is in metropolitan areas because under the traditional drug enforcement programs, that is where we need our resources.

What we have today is a displacement factor, or spreading factor, where we have labs in our immediate communities in our congested areas, and we have labs that are located maybe 50 or 60 miles away from the mainstream of law enforcement operations. So therefore, a chemist would require some traveling time of 2 or 3 hours to get to where a lab may be located. A police officer, responding with the adequate and expert resources, would require the same amount of time. This places our local law enforcement community, particularly in Florida, where we have more smaller law enforcement agencies, municipal and sheriffs, that do not have the adequate resources to contain, evacuate, or have the necessary expertise.

In addition to the fact that, as the problem spreads into our more suburban and rural neighborhoods and the resources are concentrated in our major metropolitan areas, therefore there is a time factor which works against us, we have additional law enforcement concerns which involve the untrained and uninformed police officers subject to the hazards contained in clandestine cocaine labs when responding to citizen complaints, eminating odors, domestic disturbances, or other drug-trafficking-related problems such as ripoffs involving shootings. Many of our officers who either are not trained or are uninformed of the presence of a lab, commonly or frequently report to what may appear to be on the surface as a domestic disturbance or what may appear to be a shooting, whether drug related or not. What they find is a situation where we have a clandestine lab, and now we have the problem of officer response. If he is untrained in the area of chemistry and the precursors, as a fireman would be or should be, then he is not going to know what is potentially volatile or what is not.

If he draws fire from the violators, then again we have not only officer safety and the safety of the individuals in the premises and around the premises in the vicinity, but we also have a liability issue, which is one which has not been fully addressed or understood by us as to what exactly is our liability. Even though we may not initiate fire, we may cause them to initiate fire. By fire, gentlemen, I am speaking of shooting at us.

If we can say anything positive about this problem, it is that the clandestine cocaine laboratories are a relatively new phenomenon in the State of Florida and throughout the United States. While we have been dealing with amphetamines and other forms of labs for a decade or so, the cocaine lab, I think you will find, is relatively new, particularly to us.

While we don't have all the answers and cannot fully understand the scope of our problem, there are certain recognizable advantages and opportunities that, if we act expeditiously, we can immediately contain and ultimately eradicate the problem. I believe that an understanding of our legislative and enforcement weaknesses provides the framework for strengthening our response.

Under existing law, prosecution of clandestine cocaine lab operations, in situations where there is not produced controlled substance on the scene, is forced to follow a weak conspiracy or attempt approach. Unless we actually find cocaine, we are not going to be able to prosecute the substantive offenses. What we have is a manufacturing element of the statutes, which are weak, which have not in the past addressed the essence of drug trafficking, as have our substantive offenses.

An argument that these existing laws relating to illegal manufacture of drugs could be employed has also failed or have not met the level of success in the courts that perhaps we could if we all understood the nature of the problem.

Some of the Federal and State legislative initiatives relative to the subject of controlled substance precursors that could be addressed via amendment or new legislation include the following:

In the context of the definitions used in drug control legislation, inclusion and/or expansion of the definitions of terms such as "precursor," "manufacturing," "paraphernalia," and "laboratory" to clearly encompass specified preparatory acts or precursor possessions as being within the ambit of those definitions would further enhance the ability to use existing laws which already utilize those terms in their proscriptive language.

Also, we feel that formulation of statutory language to make certain specific preparatory acts, precursor and paraphernalia possessions and associations of materials requisite and conducive to illegal manufacturing of controlled substances per se violations, prima facie evidence of other substantive drug crimes, rebuttable presumptions of other substantive drug crimes, or statutorily recognized evidence consistent with drug law violations, attempts, or conspiracies.

The development of new regulatory statutes—something very similar to what Colombia did in 1983, when they required special permits—to control certain carefully specified precursors, reagents, and solvents typically used in the illegal manufacture of controlled substance according to quantity consistent with illegal manufac-

ture. We are not trying, and we understand that there are legitimate uses of ether, however minimal they may be.

Mr. ENGLISH. Chief Bolanos, I think we had better go vote, and then we will come back and finish off the recommendations and ask you questions. I am sorry about the interruption.

Mr. BOLANOS. That is quite all right, sir; I understand.

[Recess taken.]

Mr. ENGLISH. Please continue. I am sorry about the delay.

Mr. BOLANOS. Mr. Chairman, I believe I left off in introducing some recommendations for legislation.

Mr. ENGLISH. Right.

Mr. BOLANOS. I believe I made a comment that, if we can introduce similar legislation as President Betancourt of Colombia did, requiring the development of new, regulatory statutes to control certain carefully specified precursors, reagents, and solvents typically used in the illegal manufacture of controlled substances according to quantity consistent with illegal manufacture, and according to health and safety hazards posed by association of the materials or according to fire zoning and business restrictions found to be appropriate.

I would like to comment, sir, that the Jackson Memorial Hospital in Miami, FL, which is one of the largest hospitals in the United States, reported using approximately 25 gallons of ether for legitimate purposes during last year. We understand also that there are other legitimate uses for pharmaceuticals as well as hospitals. But the relative quantities for legitimate use are vastly disproportionate to our findings of other quantities for illegitimate use. So, I can't find where regulation would impose an economic problem to the legitimate manufacturers and distributors.

Also, Mr. Chairman, enactment of legislation requiring strict licensing of and/or reporting on the part of all parties to transfers of certain carefully specified precursors, which is similar to the California legislation, and making violations of report provisions a criminal act.

Modification of or addition to the existing schedules of controlled substances to include a new exhaustive listing of those chemicals typically possessed in order to manufacture other controlled substances, thereby making possession of such substances per se illegal unless within excluded categories which would need to be provided for legitimate precursor use.

For law enforcement purposes, for tactical law enforcement purposes, the creation of a statutory mechanism and scheme whereby initial seizure of suspect precursors and paraphernalia, when associated in apparent preparation for manufacture, shall be lawful upon warrant, administrative warrant, or perhaps only on probable cause pending an emergency court hearing at which time the court shall rule based on guidelines whether the items constitute a class of materials which the scheme outlaws and rules that charges may be issued upon said court finding.

This is where we believe we have our serious problem right now. We have a Federal statute. We have a State statute that speaks to manufacturing. But notwithstanding those instances where we will actually find a finished product which constitutes violation of a substantive offense, what we have is a scenario that we would have

to prove under the manufacturing scheme. And that becomes very difficult for many reasons. In Florida, we have a discovery rule that it would be difficult for us to destroy the substances without the introduction of evidence.

We also have the problem that I don't think anyone would be prepared to bring in 55-gallon drums in a courtroom. So, what we would need is legislation that effectively says: If you've got all these components put together and if this is the scenario that you have, whether it be in the findings based on probable cause, or whether it be by some administrative scheme, that will in itself result in a court finding of evidence that constitutes a clandestine lab and in fact then have the same penalties imposed as we currently have for the substantive offenses.

We have plenty of statutes in our Federal and State laws. In Florida, if you are charged with possession of a kilo of cocaine, you're looking at a minimum, mandatory 3-year sentence and a financial fine. We have no such thing with respect to precursors.

Mr. Chairman, in the law enforcement community much work needs to be done in order to more effectively and efficiently combat the problems. I would beg your indulgence now, if I may, to report that I am pleased of the cooperation among the various Federal, State, county, and local law enforcement agencies. I would like to be able to recognize them if I may.

The Federal Drug Enforcement Administration has established and maintained a leading role in providing intelligence assessments, manpower, and technical assistance, and a series of training seminars which have provided the State and local law enforcement communities with an understanding of the problem and an enhanced capability to respond. They have been most responsive to us.

The Southeast National Narcotics Border Interdiction System has provided current and meaningful assessments of importation methodology, violator characteristics and intelligence assessments.

The Florida Department of Law Enforcement, through its intra- and inter-departmental intelligence system, has surveyed the local law enforcement agencies in the State and has collected, compiled, and disseminated comprehensive reports and training bulletins that provide an awareness and level of preparedness to address the problem. Recently, Commissioner Dempsey ordered us to institutionalize a training seminar and a local law enforcement assistance program which will cover the presently existing void in the suburban and rural counties.

What we mean by that, what we have found is that in Dade, Broward, and Palm Beach Counties there are sufficient resources by way of quantity and expertise to deal effectively with the problems as effectively as one can deal with this problem. But when we go into our rural areas, we find sheriff's departments that do not have the necessary manpower to be able to establish perimeter, to evacuate effectively, and to execute the necessary tactics to contain the situation. They also do not have the experts, the chemists. And, in fact, in some communities our information indicates that chemists are very reluctant to enter those premises. So, what happens is that the outlying communities, these rural law enforcement agencies have to necessarily rely upon the Drug Enforcement Adminis-

tration and the Florida Department of Law Enforcement, which are the only two agencies that have jurisdiction in this regard and the necessary resources in this regard. It takes anywhere from 2 to 3 hours for us to respond. If it is night, or late evening, or early in the morning, it may take even longer for us to respond.

The Metro-Dade County Organized Crime Bureau and Police Division have been responsible to the impending needs of State and local investigations requiring specialized tactical response, uniformed police presence, and the vast expertise and experience of organized crime bureau detectives.

One of the things that we recognized early on is that, when it comes to violators, we are still dealing with the same violators that we have conventionally and traditionally dealt with with respect to their propensity for violence.

To regress slightly and talk about some of the issues that we deal with in terms of drug enforcement in our communities in Florida, we deal with people who respond to police presence with machineguns and with all sorts of violence. We have no reason to believe that the situation is going to change with clandestine labs. What we have is every reason to believe that now the situation is that much more serious and grave to us. So, Metro-Dade Police Department, by policy, requires that all executions of clandestine cocaine labs be conducted through the use of the special response teams, which is a tactical oriented group. For this we are most grateful in that community.

Mr. Chairman, together we believe that the Federal, State, county, and local law enforcement communities in southeast Florida have managed to sustain the threats posed by the cocaine labs in a manner resulting in minimum disruption of the quality of life that our Floridians enjoy. But in conclusion we would like to stress that, as you can imagine, the potential for creating widespread fear and flight in our communities, coupled with the potential for mass destruction of life and property, categorizes the clandestine cocaine laboratories as terroristic in effect and by far one of the greatest law enforcement challenges in the 1980's.

At this time, Mr. Chairman, I would be prepared to answer your questions.

[The prepared statement of Mr. Bolanos follows:]

PREPARED STATEMENT BY ROLANDO D. BOLANOS, CHIEF, SOUTH REGION OPERATIONS BUREAU, FLORIDA DEPARTMENT OF LAW ENFORCEMENT, FOR THE HOUSE SUBCOMMITTEE ON GOVERNMENT INFORMATION, JUSTICE AND AGRICULTURE; DECEMBER 5, 1985.

MR. CHAIRMAN, HONORABLE MEMBERS OF THE GOVERNMENT INFORMATION, JUSTICE AND AGRICULTURE SUBCOMMITTEE AND LADIES AND GENTLEMEN OF THE MEDIA AND PUBLIC. MY NAME IS ROLANDO BOLANOS, I AM THE CHIEF IN THE SOUTH REGION OPERATIONS BUREAU FOR THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT. ON BEHALF OF COMMISSIONER ROBERT DEMPSEY AND THE MEMBERS OF THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT, I THANK YOU FOR PROVIDING ME THE HONOR AND OPPORTUNITY TO ADDRESS YOU ON A MATTER OF MUTUAL CONCERN TO THE GOVERNMENT OF THE UNITED STATES AND THE STATE OF FLORIDA.

FROM AND SINCE NOVEMBER, 1982, WE HAVE EXPERIENCED AN ALARMING INCREASE IN THE NUMBER OF CLANDESTINE COCAINE LABS THAT ARE IN OPERATION IN THE SOUTHEASTERN COUNTIES OF THE STATE OF FLORIDA. WHILE IT IS NOT MY INTENTION TO TAKE UP THIS COMMITTEE'S TIME WITH STATISTICAL INFORMATION, IT IS MY DESIRE TO PROVIDE YOU SOME BACKGROUND DATA WHICH WILL ACQUAINT YOU WITH AN HISTORICAL AND CHRONOLOGICAL PERSPECTIVE OF THE PROBLEM. PUBLISHED REPORTS COMPILED BY THE FEDERAL DRUG ENFORCEMENT ADMINISTRATION (DEA), THE NATIONAL NARCOTICS BORDER INTERDICTION (NNBIS), THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT (FDLE), THE METRO-DADE COUNTY ORGANIZED CRIME BUREAU (OCB), AND THE BROWARD COUNTY SHERIFFS DEPARTMENT ORGANIZED CRIME BUREAU (BCOCB), REVEAL THAT BETWEEN THE PERIOD OF NOVEMBER, 1982 AND DECEMBER 1985, A SEVEN HUNDRED (700) PERCENT INCREASE IN CONFIRMED CLANDESTINE COCAINE LABORATORIES HAVE BEEN DOCUMENTED. IN 1982-83 DADE AND BROWARD COUNTIES HAD A TOTAL OF SIX (6) INCIDENTS INVOLVING CLANDESTINE COCAINE LABS.

DURING THE PERIOD OF JANUARY 1984 THROUGH NOVEMBER OF 1985, THE NUMBER OF CONFIRMED LABS HAS INCREASED TO FORTY-FOUR (44) AND HORIZONTALLY SPREAD TO INCLUDE DADE, BROWARD, PALM BEACH AND COLLIER COUNTIES.

IT WOULD BE APPROPRIATE AT THIS TIME TO DISCUSS IN SOME DETAIL THE BASIS FOR OUR PROBLEM. IT APPEARS THAT, FROM A POINT OF REFERENCE, IT CAN BE TRACED TO LEGISLATION PASSED BY PRESIDENT BELISARIO BETANCOURT IN COLOMBIA, SOUTH AMERICA, WHICH CREATED A CAUSE-EFFECT RELATIONSHIP THAT PARTIALLY DISPLACED COCAINE PROCESSING FROM COLOMBIA TO SOUTH FLORIDA. BASED ON INTELLIGENCE INFORMATION PROVIDED BY THE DRUG ENFORCEMENT ADMINISTRATION TO THE COLOMBIAN GOVERNMENT (WHICH ESSENTIALLY UNDERSCORED THE VAST AVAILABILITY AND RELATIVE USE OF ETHER FOR THE PRODUCTION OF COCAINE), IN JANUARY, 1983, PRESIDENT BETANCOURT PASSED LEGISLATION WHICH REQUIRED A SPECIAL PERMIT TO POSSESS ETHER, ACETONE AND OTHER CHEMICALS CONSIDERED ESSENTIAL TO PRODUCE COCAINE. THE RESULT WAS THAT DURING THE YEAR 1984, NO PERMITS WERE ISSUED AND THE SUPPLY BECAME DISPROPORTIONATE TO THE DEMAND. IT HAS BEEN REPORTED THAT IN 1984 THE PRICE OF ETHER IN COLOMBIA INCREASED MORE THAN FIVE-FOLD SINCE 1983. THE PRICE OF ETHER HAS INCREASED FROM $1,400 PER FIFTY-FIVE (55) GALLON DRUM TO $7,400. DOLLARS.

THE COMBINATION OF THE OVERSUPPLY OF COCA BASE AND THE SCARCITY OF ETHER HAS RESULTED IN A PARTIAL SHIFT FROM COLOMBIAN BASED OPERATION TO FLORIDA BASED CLANDESTINE COCAINE LABORATORIES. INTELLIGENCE ASSESSMENTS SUPPORT THE THEORY THAT THESE OPERATIONS CONTINUE TO BE FINANCED AND MANAGED BY MAJOR COCAINE PROCESSING ORGANIZATIONS IN SOUTH AMERICA. IT SHOULD BE NOTED, HOWEVER, THAT WHILE THE MAJORITY OF ARRESTEES ARE COLOMBIAN NATIONALS, SOME ARE CUBAN NATIONALS AND SOME ARE ANGLOS.

THIS TRANSITION CAN BE CHARACTERIZED AS AN ECONOMIC PHENOMENON FOR VIOLATORS WITH TREMENDOUS SOCIAL IMPLICATIONS TO THE STATE OF FLORIDA. HONORABLE MEMBERS OF CONGRESS, IT IS ESSENTIAL THAT FROM THIS POINT FORWARD, WE FOCUS OUR ATTENTION AND CHANNEL ALL OUR ENERGY AND RESOURCES NOT ON THE END PRODUCT WHICH IS COCAINE BUT ISSUES RELATED TO THE MANUFACTURING OF COCAINE. WE ALREADY UNDERSTAND THE ECONOMIC, SOCIAL AND POLITICAL CONTEXT OF DRUG TRAFFICKING. WHAT WE ARE DEALING WITH TODAY IS A COLLATERAL ISSUE OF A MAGNITUDE WHICH CAN ONLY BE EXPLAINED IN RELATIVE TERMS ANALOGOUS WITH TERRORISM, SABOTAGE, BOMBINGS, AND MASS MURDER. WE KNOW FROM OUR EXPERIENCE IN READING AND LIVING THE HISTORY OF TERRORISM ABROAD AND AT HOME, THAT A TERRORIST HAS THE CAPABILITY, OPPORTUNITY AND THE MEANS TO BOMB OUR NEIGHBORHOODS AND SABOTAGE OUR ELEMENTARY SCHOOLS, BUT WE MUST BE THANKFUL, BECAUSE UNLESS MY HISTORY SERVES ME WRONG, THE STATE OF FLORIDA HAS NEVER EXPERIENCED INSTANCES WHERE FORTY-FOUR (44) EXPLOSIVE DEVICES HAVE BEEN PLACED IN OUR RESIDENTIAL NEIGHBORHHODS AND ELEMENTARY SCHOOLS. FURTHERMORE, THE TERRORIST, HOWEVER DISTORTED HIS ORIENTATION MAY BE, HAS A PURPOSE AND A TARGET, AND A MOTIVATION TO APPEAL TO THE EMPATHY OF SOCIETY BY ESPOUSING HIS CAUSE, AND THEREFORE, I PRAY WOULD MAKE OUR NEIGHBORHOODS AND OUR SCHOOLS AN UNLIKELY TARGET.

THE FINANCIERS AND OPERATORS OF THE CLANDESTINE COCAINE LABS ALREADY HAVE PREYED UPON OUR RESIDENTIAL NEIGHBORHOODS AND OUR ELEMENTARY SCHOOLS. WHEREAS CONVENTIONAL DRUG TRAFFICKING CAN BE CHARACTERIZED AS INTERACTIONS BETWEEN AND AMONGST DRUG DEALERS AND USERS, GENERALLY SPEAKING THE POPULATION AT LARGE IS NOT DIRECTLY EXPOSED OR AFFECTED. THE PLACEMENT OF CLANDESTINE COCAINE LABS IN OUR COMMUNITIES CONSTITUTE A CLEAR AND PRESENT DANGER TO THE SAFETY AND LIVES OF OUR CITIZENS AND PRESERVATION OF OUR PROPERTIES. HONORABLE MEMBERS OF CONGRESS, I AM NOT DRAMATIZING, I AM EMPHASIZING.

THE PROCESS UNDERTAKEN IN CLANDESTINE COCAINE LABORATORIES INVOLVES THE CHEMICAL MIXTURE OF COCA BASE (WHICH IS IMPORTED FROM SOURCE COUNTRIES) WITH ETHER, ACETONE, AND HYDROCHLORIC ACID. AFTER A PROCESS OF FILTERING IMPURITIES AND CRYSTALIZING, THE END RESULT IS THE PRODUCTION OF HYDROCHLORIC COCAINE, COMMONLY REFERRED TO AS COCAINE.

THE MOST DANGEROUS OF THE CHEMICALS USED IN THE PROCESSING OF COCAINE IS ETHER. IT IS MY UNDERSTANDING THAT ETHER CANNOT BE STORED FOR LONG PERIODS OF TIME SINCE IT FORMS OTHER CHEMICALS THAT ARE EXTREMELY SHOCK SENSITIVE AND HIGHLY FLAMMABLE. IT IS ESTIMATED THAT ONE (1) GALLON OF ETHER IS EQUIVALENT TO TEN (10) STICKS OF DYNAMITE. COCAINE LAB SEIZURES IN 1984-1985 HAVE NETTED ANYWHERE FROM TEN (10) TO FIVE HUNDRED (500) GALLONS OF ETHER. EXPERTS IN THE FIELD OF CHEMISTRY ESTIMATE THAT TEN TO FIFTEEN DRUMS OF ETHER IS SUFFICIENT CHEMICAL EXPLOSIVE POWER TO LEVEL TWO CITY BLOCKS. A CONTAINER OF ETHER THAT HAS BEEN PREVIOUSLY OPENED COULD HAVE HIGHLY EXPLOSIVE PEROXIDE DEPOSITS FORMED AROUND THE TOP, AND BY SIMPLY REMOVING THE TOP COULD CAUSE THE ETHER PEROXIDE TO EXPLODE AND IGNITE THE ETHER FUMES. FURTHERMORE, AS IN THE CASE WITH ETHER AND OTHER CHEMICALS, EXPLOSIVE PROPERTIES ARE AFFECTED BY MOISTURE, PRESSURE, THERMAL OR MECHANICAL SHOCK AND ARE SUBJECT TO UNDERGOING CHEMICAL CHANGES WITH RAPID ENERGY RELEASE. SPARKS CAN VERY QUICKLY IGNITE VOLATILE FUMES. DURING THE REPORTING PERIOD AT LEAST EIGHT (8) INCIDENTS INVOLVING FIRE, EXPLOSION OR BOTH HAVE BEEN INVESTIGATED BY POLICE.

I WOULD AT THIS TIME BEG YOUR INDULGENCE AND ASK YOU TO VIEW SOME PHOTOGRAPHS WHICH DEPICT PARAPHERNALIA AND PRECURSORS COMMONLY FOUND IN CLANDESTINE COCAINE LABS AS WELL AS VIEW PHOTOGRAPHS OF THE AFTERMATH OF SOME LABS WHICH HAVE EXPLODED IN OUR COMMUNITIES.

AT THIS TIME I WOULD LIKE TO CONTINUE MY PRESENTATION BY PROVIDING YOU A PERSPECTIVE ON LAW ENFORCEMENT OPERATIONAL PROBLEMS IN DEALING WITH CLANDESTINE LABS AND OFFERING THIS SUBCOMMITTEE SOME PRACTICAL RECOMMENDATIONS ON HOW GOVERNMENT CAN COLLECTIVELY ADDRESS THIS PHENOMENON THROUGH LEGISLATION AND RESOLVE. SPEAKING FROM A POLICE OFFICIAL'S POINT OF VIEW, THE ADVENT OF THE CLANDESTINE COCAINE LABS MARKED THE DEPARTURE FROM CONVENTIONAL DRUG ENFORCEMENT AND RAISED MORE QUESTIONS AND CONCERNS THAN WE WERE PREPARED TO ADDRESS.

CHARACTERISTICALLY, DRUG TRAFFICKING AND DRUG ENFORCEMENT HAVE ALWAYS INVOLVED AN ELEMENT OF DANGER AND VIOLENCE. BUT NOT WITHSTANDING UNFORTUNATE CIRCUMSTANCES, WE HAVE ALWAYS MANAGED TO MINIMIZE THE DANGER AND CONTAIN THE VIOLENCE BY VIRTUE OF WELL SETTLED AND SUCCESSFUL LAW ENFORCEMENT TACTICS AND RELYING UPON INTELLIGENCE DATA CONCERNING ORGANIZATIONS, VIOLATOR DISPOSITION, AND POTENTIAL FOR VIOLENCE UNDER PREVIOUSLY EXPERIENCED CIRCUMSTANCES. OVER THE YEARS WE HAVE BEEN GUIDED BY OUR STATUTES AND CASE LAWS WHICH PROVIDE US WITH A FRAMEWORK FROM WHICH WE CAN LEGALLY AND SAFELY UNDERTAKE THE CHALLENGE OF DRUG ENFORCEMENT.

TODAY HOWEVER, WE FIND OURSELVES IN A POSTURE IN WHICH WE ARE VIRTUALLY DISARMED OF TACTICS AND ENABLING FEDERAL OR STATE STATUTES. CONVENTIONAL DRUG ENFORCEMENT RAID PLANNING IS PREFACED ON THE EXPEDITIOUS EXECUTION OF ENTRY, SEARCH AND SEIZURE TO MAXIMIZE OFFICER SAFETY AND ENHANCE CONFISCATION OF PROSECUTORIAL EVIDENCE.

MORE THAN ADEQUATE FEDERAL AND STATE STATUTES AND CURRENT CASE LAWS EXIST WHICH PROVIDE US THE NECESSARY TOOLS TO COMBAT CONVENTIONAL DRUG TRAFFICKING. SUCH IS NOT THE CASE WITH REGARD TO CLANDESTINE COCAINE LABORATORIES. RAID PLANNING IS PREFACED FROM A PERSPECTIVE THAT A LAB IS CONSIDERED A BARRICADE AND THE VIOLATORS ARE BARRICADED SUBJECTS. THE ELEMENT OF SURPRISE IS TOTALLY RELINQUISHED TO THE ELEMENT OF CITIZEN AND OFFICER SAFETY. VISIBLE POLICE PERIMETERS AND AFFECTED POPULATION EVACUATION IS A PREREQUISITE TO ENGAGING THE TARGET. THE VIOLATORS ARE APPROACHED BY LOUD AND CLEAR ANNOUNCEMENT OF POLICE PRESENCE AND ARE ORDERED TO METHODICALLY EXIT THE PREMISE. ONCE DETAINED THE SYSTEMATIC SEARCH AND CONTROL OF THE PREMISE COMMENCES. PHYSICAL INSPECTION AND COLLECTION OF EVIDENCE DOES NOT COMMENCE UNTIL AFTER A CHEMIST HAS RENDERED THE LAB SAFE FROM HAZARDS.

THE IMPLICATIONS HEREIN ARE THAT LOOSING THE ABILITY TO QUICKLY AND SAFELY SURPRISE AND DETAIN THE VIOLATORS, INCREASES THE LIKELIHOOD OF OFFICER INJURY AND DECREASES THE LIKELIHOOD OF CONFISCATING COCAINE. A FORWARNED SUBJECT HAS MORE OPPORTUNITY TO REACT THAN ONE WHO IS TOTALLY SURPRISED AND SECURED. EVIDENCE CAN BE DESTROYED, AS HAS BEEN THE CASE ON NUMEROUS LAB RAIDS, AND THE SUBJECTS'S ACTIONS MAY RENDER THE LAB UNSAFE AND IN AN EXPLOSIVE STATE.

ESTABLISHMENT OF THE PERIMETER AND EVACUATION OF THE EFFECTED AREA, WHILE IT IS AN ABSOLUTE NECESSITY IN RESIDENTIAL NEIGHBORHOODS AND CONGESTED AREAS, REQUIRES A TREMENDOUS AMOUNT OF POLICE PERSONNEL AND CREATES PANIC AND CONFUSION. AVAILABILITY OF A CHEMIST IS LIMITED TO MAJOR POLICE DEPARTMENTS AND FEDERAL AND STATE AGENCIES IN METROPOLITAN AREAS. WITH THE EXCEPTION OF A FEW METROPOLITAN AREAS, SHERIFF'S DEPARTMENTS AND MUNICIPAL POLICE DEPARTMENTS LACK THE NECESSARY

RESOURCES TO ADDRESS THE PRESENCE OF A CLANDESTINE COCAINE LAB IN THEIR COMMUNITIES. THE DRUG ENFORCEMENT ADMINISTRATION AND THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT ARE THE ONLY TWO LAW ENFORCEMENT AGENCIES WITH JURISDICTION AND NECESSARY RESOURCES TO RESPOND TO SUBURBIAN AND RURAL SHERIFF AND POLICE DEPARTMENT REQUESTS FOR ASSISTANCE. THIS RESPONSE IS HAMPERED BY THE FACT THE ADEQUATE AND EXPERT RESOURCES ARE GENERALLY LOCATED IN THE METROPOLITAN AREAS, RESULTING IN AN UNACCEPTABLE TIME DELAY BEFORE ASSISTANCE ARRIVES.

THE UNTRAINED AND UNINFORMED POLICE OFFICERS ARE SUBJECTED TO THE HAZARDS CONTAINED IN CLANDESTINE COCAINE LABS WHEN RESPONDING TO CITIZEN COMPLAINTS, EMINATING ODORS, DOMESTIC DISTURBANCES OR OTHER DRUG TRAFFICKING RELATED PROBLEMS SUCH AS RIP-OFFS INVOLVING SHOOTINGS. THE UNTRAINED OFFICER MAY RESPOND IN A MANNER WHICH SETS OFF AN EXPLOSION OR FIRE AND CAUSE BODILY HARM TO THE OFFICER AND/OR OTHERS.

IF WE CAN SAY ANYTHING POSITIVE ABOUT HIS PROBLEM, IT IS THAT CLANDESTINE COCAINE LABORATORIES ARE A RELATIVELY NEW PHENOMENON IN THE STATE OF FLORIDA AND THROUGHOUT THE UNITED STATES. WHILE WE DON'T HAVE ALL THE ANSWERS AND CANNOT FULLY UNDERSTAND THE SCOPE OF OUR PROBLEM, THERE ARE CETAIN RECOGNIZABLE ADVANTAGES AND OPPORTUNITIES THAT, IF WE ACT EXPEDITIOUSLY WE CAN IMMEDIATELY CONTAIN AND ULTIMATELY ERADICATE THE PROBLEM. AN UNDERSTANDING OF OUR LEGISLATIVE AND ENFORCEMENT WEAKNESSES PROVIDES THE FRAMEWORK FOR STRENGTHENING OUR RESPONSE.

UNDER EXISITING LAW, PROSECUTION OF CLANDESTINE COCAINE LAB OPERATIONS IN SITUATIONS WHERE THERE IS NOT PRODUCED CONTROLLED SUBSTANCE ON THE SCENE, IS FORCED TO FOLLOW A WEAK CONSPIRACY OR ATTEMPT APPROACH. ARGUMENT THAT EXISTING

LAW RELATING TO ILLEGAL MANUFACTURE OF DRUGS COULD BE EMPLOYED TO PROSECUTE LABS AT A PRE-PRODUCTION PHASE HAS NOT BEEN WIDELY SUCCESSFUL. AND WHEN PROSECUTED, THEY ARE GENERALLY TRIED AT A LOWER CLASSIFICATION THAN THE SUBSTANTIVE OFFENSE.

SOME FEDERAL AND STATE LEGISLATIVE INITIATIVES RELATIVE TO THE SUBJECT OF CONTROLLED SUBSTANCE PRECURSORS THAT COULD BE ADDRESSED VIA AMENDMENT OR NEW LEGISLATION INCLUDE THE FOLLOWING:

1) IN THE CONTEXT OF DEFINITIONS USED IN DRUG CONTROL LEGISLATION, INCLUSION AND/OR EXPANSION OF THE DEFINITIONS OF TERMS SUCH AS "PRECURSOR," "MANUFACTURING," "PARAPHERNALIA," AND "LABORATORY" TO CLEARLY ENCOMPASS SPECIFIED PREPARATORY ACTS OR PRECURSOR POSSESSIONS AS BEING WITHIN THE AMBIT OF THOSE DEFINITIONS WOULD FURTHER ENHANCE THE ABILITY TO USE EXISTING LAWS WHICH ALREADY UTILIZE THOSE TERMS IN THEIR PROSCRIPTIVE LANGUAGE.

2) FORMULATION OF STATUTORY LANGUAGE TO MAKE CERTAIN SPECIFIC PREPARATORY ACTS, PRECURSOR AND PARAPERNALIA POSSESSIONS AND ASSOCIATIONS OF MATERIALS REQUISITE AND CONDUCIVE TO ILLEGAL MANUFACTURING OF CONTROLLED SUBSTANCES PER SE VIOLATIONS, PRIMA FACIE EVIDENCE OF OTHER SUBSTANTIVE DRUG CRIMES, REBUTTABLE PRESUMPTIONS OF OTHER SUBSTANTIVE DRUG CRIMES, OR STATUTORILY RECOGNIZED EVIDENCE CONSISTENT WITH DRUG LAW VIOLATIONS, ATTEMPTS OR CONSPIRACIES.

3) DEVELOPMENT OF NEW REGULATORY STATUTES TO CONTROL CERTAIN CAREFULLY SPECIFIED PRECURSORS, REAGENTS AND SOLVENTS TYPICALLY USED IN THE ILLEGAL MANUFACTURE OF CONTROLLED SUBSTANCE ACCORDING TO QUANTITY CONSISTENT WITH ILLEGAL MANUFACTURE, ACCORDING TO HEALTH AND SAFETY HAZARDS POSED BY

ASSOCIATION OF THE MATERIALS OR ACCORDING TO FIRE ZONING AND BUSINESS RESTRICTIONS FOUND TO BE APPROPRIATE.

4) ENACTMENT OF LEGISLATION REQUIRING STRICT LICENSING OF AND/OR REPORTING ON THE PART OF ALL PARTIES TO TRANSFERS OF CERTAIN CAREFULLY SPECIFIED PRECURSORS (SIMILAR TO CALIFORNIA LEGISLATION) AND MAKING VIOLATIONS OF REPORT PROVISIONS A CRIMINAL ACT.

5) MODIFICATION OF OR ADDITION TO THE EXISTING SCHEDULES OF CONTROLLED SUBSTANCES TO INCLUDE A NEW EXHAUSTIVE LISTING OF THOSE CHEMICALS TYPICALLY POSSESSED IN ORDER TO MANUFACTURE OTHER CONTROLLED SUBSTANCES, THEREBY MAKING POSSESSION OF SUCH SUBSTANCES PER SE ILLEGAL UNLESS WITHIN EXCLUDED CATEGORIES WHICH WOULD NEED TO BE PROVIDED FOR LEGITIMATE PRECURSOR USE.

6) CREATION OF A STATUTORY MECHANISM AND SCHEME WHEREBY INITIAL SEIZURE OF SUSPECT PRECURSOR AND PARAPHERNALIA (BOTH BROADLY DEFINED), WHEN ASSOCIATED IN APPARENT PREPARATION FOR MANUFACTURE, SHALL BE LAWFUL UPON WARRANT, ADMINISTRATIVE WARRANT OR PERHAPS ONLY PROBABLE CAUSE PENDING AN EMERGENCY COURT HEARING AT WHICH TIME THE COURT SHALL RULE BASED ON GUIDELINES WHETHER THE ITEMS CONSTITUTE A CLASS OF MATERIALS WHICH THE SCHEME OUTLAWS AND RULES THAT CHARGES MAY BE ISSUED UPON SAID COURT FINDING.

IN THE LAW ENFORCEMENT COMMUNITY MUCH WORK NEEDS TO BE DONE IN ORDER TO MORE EFFECTIVELY AND EFFICIENTLY COMBAT THE PROBLEMS. I AM PLEASED TO REPORT OF COOPERATION AMONGST THE VARIOUS FEDERAL, STATE, COUNTY AND LOCAL LAW ENFORCEMENT AGENCIES. I BEG YOUR INDULGENCE FOR A FEW MORE MINUTES TO ALLOW ME TO RECOGNIZE THE EFFORTS OF THE VARIOUS AGENCIES.

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THE FEDRAL DRUG ENFORCEMENT ADMINISTRATION HAS ESTABLISHED AND MAINTAINED A LEADING ROLE IN PROVIDING INTELLIGENCE ASSESSMENTS, MANPOWER AND TECHNICAL ASSISTANCE, AND A SERIES OF TRAINING SEMINARS WHICH HAVE PROVIDED THE STATE AND LOCAL LAW ENFORCEMENT COMMUNITIES WITH AN UNDERSTANDING OF THE PROBLEM AND AN ENHANCED CAPABILITY TO RESPOND.

THE SOUTHEAST NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM HAS PROVIDED CURRENT AND MEANINGFUL ASSESSMENTS OF IMPORTATION METHODOLOGY, VIOLATOR CHARACTERISTICS AND INTELLIGENCE ASSESSMENTS.

THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT THROUGH ITS INTRA AND INTER DEPARTMENTAL INTELLIGENCE SYSTEM HAS SURVEYED THE LOCAL LAW ENFORCEMENT AGENCIES IN THE STATE AND HAS COLLECTED, COMPILE AND DISSEMINATED COMPREHENSIVE REPORTS AND TRAINING BULLETINS THAT PROVIDE AN AWARENESS AND LEVEL OF PREPAREDNESS TO ADDRESS THE PROBLEM. COMMISSIONER DEMPSEY HAS ORDERED THE INSTITUTIONALIZATION OF A TRAINING SEMINAR AND LOCAL ASSISTANCE PROGRAM WHICH WILL COVER THE PRESENTLY EXISTING VOID IN THE SUBURBAN AND RURAL COUNTIES.

THE METRO-DADE COUNTY ORGANIZED CRIME BUREAU AND POLICE DIVISION HAVE BEEN RESPONSIBLE TO THE IMPENDING NEEDS OF STATE AND LOCAL INVESTIGATIONS REQUIRING SPECIALIZED TACTICAL RESPONSE, UNIFORMED POLICE PRESENCE AND THE VAST EXPERTISE AND EXPERIENCE OF ORGANIZED CRIME BUREAU DETECTIVES.

TOGETHER, THE FEDERAL, STATE, COUNTY AND LOCAL LAW ENFORCEMENT COMMUNITIES IN SOUTHEAST FLORIDA HAVE MANAGED TO SUSTAIN THE THREATS POSED BY COCAINE LABS IN A MANNER RESULTING IN MINIMUM DISRUPTION OF THE QUALITY OF LIFE THAT FLORIDIANS ENJOY.

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IN CONCLUSION, AS YOU CAN IMAGINE, THE POTENTIAL FOR CREATING WIDESPREAD FEAR AND FLIGHT IN OUR COMMUNITIES, COUPLED WITH THE POTENTIAL FOR MASS DESTRUCTION OF LIFE AND PROPERTY, CATEGORIZES THE CLANDESTINE COCAINE LABORATORIES AS "TERRORISTIC" IN EFFECT AND BY FAR ONE OF THE GREATEST LAW ENFORCEMENT CHALLENGES IN THE 1980's.

H11/H14

Mr. ENGLISH. Thank you very much. I appreciate that.

Let me say that Commissioner Dempsey has been very cooperative with this committee. We have enjoyed working with him. Also, of course, Assistant Commissioner Jim Nursey testified before this subcommittee a couple of years ago. So, we are familiar with both of those gentlemen and hope you give them our best wishes.

What is the price of cocaine in south Florida today? Is that up or down from what it was a year ago?

Mr. BOLANOS. The price today is anywhere in the vicinity of $30,000, $32,000 to $37,000. Some 3 or 4 years ago the price of cocaine was in the vicinity of $60,000 to $72,000. And in the recent past the price dropped to about $22,000 to $24,000, per kilo I am speaking of.

What I can't do, Mr. Chairman, is give you a correlation in the increase or reduction of the price of cocaine and the existence of clandestine labs. I will note that relative to the conventional importation process, clandestine labs are not producing the quantity of cocaine that we still find being imported from the source country.

Mr. ENGLISH. Has the U.S. Customs Service been of assistance in providing information on smuggling groups which support the cocaine labs in Florida?

Mr. BOLANOS. Yes, sir, without question.

Mr. ENGLISH. Has DEA addressed the need for intelligence specifically with regard to coca smuggling?

Mr. BOLANOS. Yes, sir; the Drug Enforcement Administration has been most responsible to our problems. They very quickly established a series of training seminars which we think that by now they have covered the entire State. In addition to that, they have rendered their chemists available on a 24-hour basis to respond to any local law enforcement agency that finds a lab in their community.

In addition to that, they are providing us the additional manpower and expertise that their trained agents have by virtue of experiencing these issues over a number of years and continue to provide us intelligence assessments of the state of the problem.

Mr. ENGLISH. What kind of operational cooperation are you receiving from DEA, Customs, ATF, and NNBIS?

Mr. BOLANOS. With respect to clandestine labs?

Mr. ENGLISH. Yes.

Mr. BOLANOS. We are receiving total cooperation from them. They are cooperating with us to every extent that we are soliciting cooperation. Intelligence assessments are periodically passed out. Manpower is available to us. We in particular in FDLE have had occasion to go out with them on clandestine labs. They have provided us manpower, chemists, and all the necessary resources to effectively deal with the labs that we have come up on.

In Metro-Dade Police Department there is a letter of agreement, an understanding of agreement that they have with the Metro-Dade Police Department whereby they will do the exact same thing by way of providing resources to us, to them as they have to us. But in addition to that, the Metro-Dade Police Department gets to keep any assets that may be recovered from that.

So, I think, Mr. Chairman, in the instances of drug enforcement of clandestine cocaine laboratories FDLE has absolutely no complaints and in fact wants to recognize DEA for its leadership role and its efforts in combating this issue here.

Mr. ENGLISH. What are the sentences for manufacturing, possession with intent to sell, and trafficking in PCP and other dangerous drugs in Florida? Also, is there a preference to take the cases to Federal court as opposed to State court?

Mr. BOLANOS. One of the agreements, or one of the requirements that we have now in the State of Florida is that all cases must go before the Federal courts. That is because we do not have any substantial statutory power, substantial statutory means of enforcing the problem in the State courts. What the Federal Government is using is the manufacturing or attempt to manufacture element of their statute of controlled substance statute. That, it is my understanding, is a weaker statute in terms of sentencing and yet a more difficult statute in terms of prosecution than the actual possession of a substantive contraband.

Mr. ENGLISH. Chief Bolanos, I want to thank you very much for your testimony before our subcommittee. You have been very helpful to us.

Again, I want to apologize for the interruptions that we had.

Mr. BOLANOS. It has been my honor and pleasure, sir.

Mr. ENGLISH. Thank you.

With that, we will recess, subject to the call of the Chair.

[Whereupon, at 1 p.m., the subcommittee adjourned, to reconvene subject to the call of the Chair.]

APPENDIX

NEWS ARTICLES

A. "A New, Purified Form of Cocaine Causes Alarm as Abuse Increases," New York Times, November 29, 1985

A New, Purified Form of Cocaine Causes Alarm as Abuse Increases

By JANE GROSS

A new form of cocaine is for sale on the streets of New York, alarming law-enforcement officials and rehabilitation experts because of its tendency to accelerate abuse of the drug, particularly among adolescents.

The substance, known as crack, is already processed into the purified form that enables cocaine users to smoke, or free-base, the powerful stimulant of the central nervous system.

Previously, free-basers had to reduce cocaine powder themselves to its unadulterated form by combining it with baking soda or ether and evaporating the resulting paste over a flame.

Since crack appeared on the streets of the Bronx last year, spreading throughout the city and its suburbs, new cocaine users have graduated more quickly from inhaling to free-basing, the most addictive form of cocaine abuse.

In addition, dealers in crack have found a ready market in people reluctant to intensify their intake by intravenous injection of cocaine because of the fear of AIDS, or acquired immune deficiency syndrome, a fatal affliction that is spread by contaminated needles.

'Wave of the Future'

"Drug abusers are always looking for the ultimate high, asking each other, 'Did you try this, did you try that?'" said William Hopkins, a retired police officer who directs the street-research unit of the State Division of Substance Abuse Services.

"There's always something new developing, new substances, new ways of using substances. Some of things you hear of die down, but this, I have every reason to believe, is building. This is the wave of the future."

As the use of crack has increased, Federal drug officials have begun raiding "factories" where the cocaine powder is processed into pure beige crystals known as "rocks" and then packed into transparent vials resembling large vitamin capsules.

Meanwhile, narcotics officers of the New York City Police Department have shut down a few of the so-called crack houses, the rough equivalent of heroin-shooting galleries, where sales are made and users gather for smoking binges that can last for several days.

Two of the crack houses, also known as base houses, were raided recently in the Tremont section of the Bronx, according to Lieut. John Creegan, one of them in an apartment and the other in a rooming house.

"I talked to one of the women there," Lieutenant Creegan said, "and it was almost like her mind was burned out. She told me all she does is do crack all day."

Earlier this month, in what is believed to be one of the country's first raids of a crack factory, local agents of the Federal Drug Enforcement Administration arrested a cocaine dealer and then raided a Harlem apartment where he was reputedly producing 2.2 pounds of crack each day, for net daily profits of $500,000.

In the raid, according to a D.E.A. spokesman, Andrew Fenrich, the agents seized half a pound of cocaine powder, vials of crack, six weapons, four two-way radios, scales and processing equipment, bulletproof vests and business cards embossed with slogans like "Crack It Up" and "Buy One, Get One Free."

While law-enforcement officials are increasingly turning their attention to the manufacture and sale of crack, its abusers are showing up in local treatment centers, where cocaine-related admissions were rising dramatically even before the new form of the drug was available.

Experts estimate that there are at least five million regular cocaine users in the United States, with perhaps a million of them in the metropolitan region.

According to data collected through the national cocaine hot line, (800) COCAINE, 60 percent of the users snort the drug, with the remaining 40 percent evenly divided between free-basing and intravenous use. That pattern, however, seems to be changing.

Of the three methods of use, free-basing offers the most immediate high (within 10 seconds) and the shortest one. (approximately 5 minutes) and thus leads to the most frequent, debilitating and costly habit, experts say.

"Unlike normal cocaine, people who free-base can't stop," said Mr. Hopkins. "They free-base until all their money is used up. The way crack is spreading is almost verification of that. It pays as a distributor to free-base it, because it makes you sell your

brand quicker than somebody else."

"It's a new, improved product," said Dr. Arnold M. Washton, the director of addiction research and treatment at Regent Hospital on East 61st Street in Manhattan and Stony Lodge Hospital in Ossining, N.Y. "No mess, no bother, no delay — and addicts have never been any good at delayed gratification."

Buying crack is safer than making it and often cheaper. A kit of free-base equipment — beaker, bunsen burner and pipe — costs about $14 and the chemicals are volatile, sometimes causing explosions like the one that injured the comedian Richard Pryor in 1980.

The crack sold on the street in New York ranges in cost from $2 to $50 depending on the number of rocks in the vial and, paradoxically, is sometimes less expensive than the amount of powder, currently retailing at $75 to $100 a gram, necessary to produce the equivalent free-base.

Cracking Imaginary Whip

Experts assume that crack deals are also being made in the suburbs, although less conspicuously than in New York, where Mr. Hopkins's street researchers, all of them former addicts, destribe dealers standing on street corners cracking an imaginary whip to signal their wares. "In middle-class neighborhoods," Mr. Hopkins said, "it's handled differently — indoors."

Dr. Washton, who is also the research director for the cocaine hot line, predicts an "epidemic" of free-basing because of the availability of crack, and he is gathering demographic data on its use from a sample of recent callers. After examining information from the first 100 callers in his survey, Dr. Washton reported that 27 of them had used crack and found it easy to purchase, and that the crack users averaged 17 years of age.

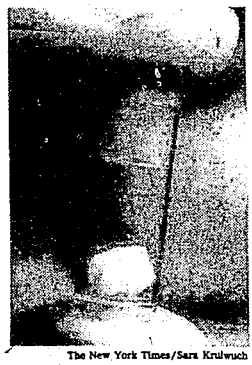
Dr. Washton first heard about crack early this year from two 17-year-old patients at Stony Lodge, the suburban psychiatric hospital. Both youths reported that they had snorted cocaine for a while, but did not become compulsive until they tried crack — doubling, tripling and quadrupling their use, missing school, stealing from their parents and lying to their friends.

A Vulnerable Population

"These were kids from upper-middle-class families in Scarsdale and Mamaroneck," Dr. Washton said, "kids with no history of addiction or psychiatric illness. They were in the top half of their class, college bound, and they were addicted almost instantaneously. They were rendered completely dysfunctional by crack in a two- or three-month period."

"The most vulnerable population is adolescents," agreed Kevin McEneaney, the director of clinical services at Phoenix House, an international network of rehabitative centers. "Kids will overconsume and burn themselves out, fizzle, very quickly."

Mr. McEneaney also said he was concerned by reports of sexual degradation from women using crack. Cocaine, particularly in its free-base form, is a euphoriant and its users often describe increased sexual appetite and an interest in previously untried sexual practices.



The New York Times/Sara Krulwich

A vial containing a "rock" of purified cocaine known as crack.

According to Mr McEneaney, patients have told him that crack houses are the scene of "uncontrollable, outrageous" sexual activity, with women frequently exchanging sex for drugs when they have run out of money.

"The behavioral stuff we're hearing about," Mr. McEneaney said, "drives home that what we're dealing with, and not in the physical sense, is the most powerful drug we've ever seen. These women wake up one day and they cannot believe the degrading and bizarre things they've been involved with."

Finally, Mr. McEneaney said, there is the risk of unpredictable medical complications. By stimulating the central nervous system — increasing heart and respiration rates and elevating blood pressure and body temperature — cocaine has been known to cause coronary arrest, strokes, convulsive seizures and other less serious disorders.

"No one knows what happens to people who blow themselves out for days," Mr. McEneaney said. "The toll to be paid in the future could be profound. It's impossible to think people can do the things we're talking about without sustaining physiological damage."

"Yes, it increases the danger of toxic and overdose reactions," Dr. Washton said. "But the biggest danger, because admittedly most people won't die, is the overwhelming compulsion to repeat the experience."

The medical experts and law-enforcement officials agree that crack should not be considered merely a slight variation of the cocaine that is snorted because free-basing is such a different experience, both qualitatively and quantitatively.

"The high these people describe is not even comparable," Dr. Washton said. "It is unmatched in its euphoria and exhilaration. Clinicians need to know about it. Parents need to know about it. Law-enforcement people in other parts of the country need to know about it. In no way should it be compared to snorting cocaine hydrochloride powder. It's almost like we're talking about a different drug here."

B. "PCP: CHEAP HIGH, HEAVY BURDEN," THE WASHINGTON POST, JANUARY 19, 1986

PCP: Cheap High, Heavy Burden

Increase in Drug Alarms Police, Health Officials

By Linda Wheeler and Margaret Engel
Washington Post Staff Writers

In suburban Maryland, a teen-ager runs over his dog and later shoots himself. In the District of Columbia, a 28-year-old railroad porter slashes his mother with a broken bottle and is shot and killed by police as he threatens to kill her. On Christmas Day 1983 in Randallstown, Md., a 14-month-old boy is decapitated by his father.

The connection between these and many other violent tragedies is PCP, a cheap, potent liquid that is the drug of choice among a growing number of Washington area teen-agers and young adults.

The drug ravages the brain cells of its users, causing unpredictable violent behavior, memory loss and uncontrollable reactions. Because it is absorbed and accumulated in the body's fat cells, psychotic flashbacks can occur months, even years later.

Despite widespread knowledge of its destructive properties, smoking PCP-laced cigarettes has become an accepted part of life among many poor teen-agers in Washington, which is second only to Los Angeles in the nation in its number of PCP abusers. Several of the young men involved in the gang murder of Catherine Fuller, a mother of six from their Northeast neighborhood, described their days as an endless round of looking for money to buy PCP.

It is a cheap high for the user, but an expensive burden for society.

"We're seeing a generation of chronically mentally ill people being developed where the mental illness is totally preventable," said Dr. Gladys Baxley, director of the D.C. Mental

See PCP, A14, Col. 1

PCP Users 'Embalming' Selves, Overwhelming Hospitals, Police

PCP, From A1

Health Services Administration, who said PCP users are "glutting" the city's emergency mental health system. "The kids are burning their brains out on a drug."

PCP is overwhelming the police, mental health system, schools and hospitals that are attempting to cope with it. For example:

- Approximately 34 percent of juveniles facing charges in D.C. Superior Court who agreed to testing since March 1984 have PCP in their systems, according to the Pretrial Services Agency. The figure jumps to 55 percent for those 18 to 21 years old.
- Drug arrests for PCP possession or sale in the District have increased ten-fold in the last four years. In 1981, police made 310 arrests involving the drug. Because of increased drug activity and police attention, by last year the number of arrests had soared to 3,030.
- More than one-third of those admitted to the emergency unit of St. Elizabeths, the public mental hospital in Southeast Washington, are experiencing violent psychosis because of PCP. Seventy-five percent of emergency cases handled by the city's Crisis Resolution Unit, which is set up to aid the mentally ill, involve PCP users.
- The need for special hospital care is so great that the city is negotiating a contract with D.C. General Hospital for a 20-bed unit solely for PCP abusers. The cost will be at least $3 million yearly.
- Hallucinations and lethargy experienced by at least a dozen children treated at Children's Hospital in the last two years have been traced to PCP toxins. Some of the victims are as young as 2 months. "Some are in comas, others are drooling, with slurred speech and passing out," said Joyce Thomas, director of the child protection unit. "PCP when smoked in the presence of young children can result in the loss of a life."

The hallucinogen is "epidemic in the Washington community and endemic in the young black community," said Conrad Hicks, a psychiatric social worker who directs the South Mental Health Center on the grounds of D.C. General Hospital. "It's the most dangerous drug I've witnessed."

Once a little-known drug, PCP has grown into a major local health problem because of its low cost and wide availability.

Thin tinfoil packets of PCP-laced marijuana or parsley sell for $10 on the street, a price that has remained constant over the years. The quantity is enough to roll three slender cigarettes.

"When [youths] smoke PCP, they have four hours of numbness, eight hours of mellow and three days of coming down," said Jimmy Hendricks, regional director of Second Genesis, a District drug treatment center. A psychiatric social worker added, "With your whole social situation of unemployment, this is a resource they're using to escape."

Theodore, a 24-year-old D.C. na-

PCP ADMISSIONS AT HOSPITAL EMERGENCY ROOMS

	D.C. area	U.S.
1982	317	4,988
1983	538	6,200
1984	1,210	6,242

SOURCES: Drug Warning Network; National Institute on Drug Abuse

PCP ARRESTS IN THE DISTRICT*

FY 1982	310
FY 1983	1,047
FY 1984	2,237
FY 1985	3,050

*Arrests for possession, sale or distribution of PCP
SOURCE: D.C. police

tive being treated for PCP abuse, said friends at Cardozo High School introduced him to the drug. "When you are on PCP, you have the right things to say, slick stuff . . . . I am an only child, and I had not done a lot of exciting things in my life. I was afraid of people, afraid of bullies. By using PCP, I got a macho image."

After five arrests for possession and selling PCP, another District native, Paul, 24, decided to take the judge's offer for treatment instead of jail. "I hung out with older people," Paul said. "I see them using PCP and I followed the crowd. I figured it might hurt them but it wouldn't hurt me."

Because the synthetic drug is an easy combination of six chemicals, clandestine laboratories producing it have sprouted throughout suburban Maryland and Virginia and the District.

"We estimate that 50 percent of the PCP trade is suburbanites," said Inspector Kris Coligan, director of the D.C. police Morals Division.

Warren Carmichael, spokesman for the Fairfax County police, said, "We are seeing an increase in PCP sales and use in the county." The 121 arrests in 1984 involving the drug was double that of the previous year.

Local arrests for PCP manufacture and sale have netted government chemists, lawyers, even police officers.

The labs they operate are unsophisticated operations in apartment kitchens or out of 55-gallon drums in rural back yards. Explosions, often killing or severely injuring lab operators, are another frequent byproduct of labs because of the chemicals' flammability.

Police take credit for closing many of the local labs, but they are frustrated by plentiful imports from California and Florida.

U.S. Park Police say the drug is "extensively available" in local parks, particularly at Hains Point and Franklin Park. High C. Irwin, commander of the Park Police's narcotics unit, said arrests have increased more than six-fold since 1980, with 424 arrests involving PCP in federal parks in Washington last year.

Prevention efforts are dwarfed by the plentiful supplies. "It's like water through a sieve," said Baxley. "It's like we're taking one step forward and 12 steps back."

PCP, unlike other drugs, is not seen in every city. Only Los Angeles, Washington, New York, Chicago, Baltimore and a few other inner cities on the coasts have high rates of PCP abuse, according to federal records of emergency room admissions. "Cocaine is everywhere, but there are pockets of PCP use," said Ann Blanken, an epidemiologist with the National Institute on Drug Abuse.

In Los Angeles, psychologists say a Hispanic macho attitude encourages young males there to flirt with a drug of such devastation. District experts say unemployed black youths are attracted to the drug because it is cheap.

It is a drug so dangerous that police agents wear rubber suits for fear of touching it. It is a drug so powerful that drug dogs that accidentally inhale too much of it have to be retired.

Perverse incidents also are typical in some outbursts by PCP users. "Hideous mutilations are not uncommon with PCP," said Dr. J. Theodore Brown, chief psychologist at D.C. General Hospital. "The youths who pushed a long cylindrical object into their victim; that is highly correlated with PCP," he said, referring to the Fuller murder.

Investigators have not determined possible motives behind the decapitation of a 5-year-old Adelphi boy this month. The boy's aunt said that the child's mother, who has been charged with murder in his slaying, smoked PCP, a charge also made by the woman's former boyfriend. The mother's court-ordered psychiatrist said it is too early to determine if drug abuse was a factor.

National Institutes of Health researcher Dr. Thomas O'Donohue said that one PCP-crazed woman in a Washington hospital tore the skin off her face with her fingernails because she believed that she was covered with insects. In another case, he said, a man in Los Angeles tore out his own eyeballs.

"We treat it like it is radioactive, but on the street they are smoking it," said Special Agent Robert J. O'Leary of the U.S. Drug Enforcement Administration's 10-year-old PCP Task Force, which covers the Washington region.

There has been no lack of attempts by local institutions to deal with PCP. Prevention programs, counseling, police crackdowns and special task forces abound.

Last year, District lawmakers tried stiffer penalties, tripling the jail term for those who make, distribute or use the drug to 15 years, and doubling the fine, to $100,000. The mayor established a blue ribbon task force on the subject.

In Maryland, the legislature acted in 1979, doubling the maximum prison term and fine for PCP sale or manufacture to 10 years and $20,000. In Virginia, possession carries a one-to-10-year sentence and a $1,000 fine. Those charged with intent to distribute or manufacture face a five-to-40-year sentence and a $25,000 fine.

Since 1983, when the D.C. Board of Education required teachers and administrators to learn how to identify drugs and abusers, 3,500 of the 5,000 affected employes have completed the 30-hour course. A special unit on PCP was added last year to the curriculum of all junior and senior high schools.

Lonnie Mitchell, director of the city's Alcohol and Drug Abuse Services Administration, said the program will be doubled this year. "There isn't any lessening in its [PCP] availability or its use," he said, noting that the city is paying private firms to open two 25-bed drug treatment centers for adolescents this spring.

Local police officers say they are stymied in their efforts to protect themselves and others from those deranged by PCP. Police officials outlawed the choke hold after a highly publicized incident in which Darryl Rhones, 24, a suspect in a shooting and later found to have used PCP, died after a choke hold was used during officers' attempts to subdue him.

"We asked the city government to give each officer a Taser [a stun gun] if we couldn't use a choke hold," said Gary Hankins, an official of the D.C. Fraternal Order of Police. "We didn't get a Taser issued, and we lost on the limitations. So now an officer has only his gun to use to protect himself . . . . It is only a matter of time until someone does shoot a PCP user who is violent. Then there will be a hue and cry because we shot him."

The dispute on how to subdue users led to a $400,000 jury decision against the city in December 1984. The widow of a PCP user who was shot and paralyzed by a police officer successfully sued the city for failing to properly instruct its officers on how to handle drug-crazed people.

The widespread use of the drug has forced most local police units to offer special training on dealing with PCP users.

The misery caused by this drug is demonstrated in hundreds of local tragedies, as the drug has become a kind of liquid insanity defense for unimaginable crimes.

The fatal scalding and stabbing of a 4-month-old infant, James Megenhardt Jr., in Glen Burnie, Md., in April 1984 was one such case. A neighbor, who said he was high on PCP and believed that the child was filled with demons, was sentenced to 30 years in prison for the killing.

"I think of PCP as the armpit of drugs," said Detective Ray Brett, a D.C. narcotics squad expert. "It is dirty, explosive, poisonous."

PCP devastates its users as well as its innocent victims. It can take up to two years for the body to be rid of the drug. Sometimes clear thinking and unimpeded speech never return.

After six months of withdrawal, Paul, now a resident at the Second Genesis drug treatment center, related, "My speech is a lot better now. When I came here it took a couple of minutes to get a word out."

The consequent mental debilitation is compounded by respiratory problems, because the harsh chemical components in PCP irritate lungs. Some dealers, lacking the drug, wet marijuana or dried parsley with other perilous substances that duplicate the chemical odor of PCP.

"They are being embalmed alive," Hendricks, of Second Genesis, said of PCP users. "They get it sprayed with roach spray and formaldehyde. [Sellers] will use anything to give it the chemical aroma and make it wet."

BY RICH LIPSKI—THE WASHINGTON POST

D.C. police say they look for these common items in a drug raid, which are often used by PCP dealers: small plastic bags, heat sealer for the bags, squares of tinfoil to wrap PCP-laced marijuana or parsley, small weight measure, paper for rolling cigarettes, plastic jars in which to store the drug.

Many drug experts are mystified why such a drug, whose effects are so devastating, remains so popular.

"There's been so much bad publicity, it's bizarre that anyone even uses it," said Blanken, of the National Institute on Drug Abuse. "In Haight-Ashbury in the '60s, people tried PCP and rejected it immediately. Everyone thought the drug had no future. And now, 20 years later, it's popular."

Special Agent O'Leary of the PCP Task Force said, "I don't understand why PCP hasn't got the bad rap it deserves."

Users are reluctant to give up the drug. "Our theory is that people are getting out of jail and going right back to it," said Sgt. Ronald Ricucci, commander of Montgomery County's narcotics unit.

"Only a small percentage is willing to seek treatment," said Hicks, of the District's mental health center. "Some of the victims of this drug were people that once had a future."

Lt. Irwin, of the Park Police, blames the families and friends of youths involved with PCP.

"We went to a house where there was a mother, daughter, son and niece," he said last week. "The son had been selling PCP, and everybody approves. We find whole communities banding together to protect the people who sell it . . . . They will deny it or say, 'Who cares?' "

Hendricks, the Second Genesis director, likens the drug to an unrestrained creature devouring the city's young. "There is a monster in the community," he said, "and it's become our kids."

PCP Made Originally as Anesthetic

PCP, or phencyclidine, is a synthetic drug created about 20 years ago as an anesthetic. After early patient trials, it was discontinued because it caused hallucinations.

It is most popularly smoked, but it is also inhaled, injected and eaten. It interrupts the functions of the neo-cortex, the section of the brain that controls the intellect and keeps primitive instincts in check.

Without these controls, a PCP user may have uncontrolled fury, paranoia, irrational behavior and exhibit superhuman strength. Many violent episodes result in self-inflicted injuries as pain receptors are blocked by the drug.

The drug, unlike heroin, cocaine or marijuana, is absorbed in fat tissues. The accumulation can produce later psychotic episodes.

PCP has fantasy names, like "loveboat" and "angel dust," and realistic ones, like "graveyard." It is also called "naked" because users often experience hot flashes and frequently disrobe outdoors, despite frigid temperatures.

On the streets of Washington, it also is known as "Hinckley" or "The Key to St. E's," named after President Reagan's assailant who is confined at St. Elizabeths Hospital, where most violent users are taken.

THE CLANDESTINE MANUFACTURE OF ILLICIT DRUGS

HEARINGS

BEFORE A

SUBCOMMITTEE OF THE

COMMITTEE ON

GOVERNMENT OPERATIONS

HOUSE OF REPRESENTATIVES

NINETY-NINTH CONGRESS

FIRST SESSION

SEPTEMBER 24, AND DECEMBER 5, 1985

for the use of the Committee on Government Operations

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[1] Resigned from committee October 10, 1985.
[2] Appointed to committee October 10, 1985.

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APPENDIX

THE CLANDESTINE MANUFACTURE OF ILLICIT DRUGS

TUESDAY, SEPTEMBER 24, 1985

HOUSE OF REPRESENTATIVES,
GOVERNMENT INFORMATION, JUSTICE,
AND AGRICULTURE SUBCOMMITTEE
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Oklahoma City, OK.

The subcommittee met, pursuant to notice, at 10 a.m., in the Federal Courthouse, Oklahoma City, OK, Hon. Glenn English (chairman of the subcommittee) presiding.

Present: Representatives Glenn English and Gerald D. Kleczka.

Also present: William G. Lawrence, counsel; Euphon L. Metzger, clerk; and John J. Parisi, minority professional staff, Committee on Government Operations.

OPENING STATEMENT OF CHAIRMAN ENGLISH

Mr. ENGLISH. The hearing will come to order.

As many of you know, this subcommittee has held 29 hearings on drug trafficking in the past 3 years. One thing that we have learned from those hearings is that the illegal drug situation can change rapidly from year to year and that our law enforcement agencies have to be ready to change to meet this new threat.

We have seen changes in the drug smuggling routes over south Florida, where law enforcement pressures have caused traffickers to divert much of their activity to other parts of the country. The seizure of 750 pounds of cocaine in Oklahoma City last week is evidence of this shift. Another example of the shift caused by law enforcement pressure was the recent dramatic increase in domestic marijuana growing, which has happened largely in response to the pressure which was put on South American smugglers by the Coast Guard. As seizures of smuggled marijuana rapidly increased, so did the production of domestic marijuana.

Relatively fast changes also occur when drug abuse preference patterns change, as well. This was the case with cocaine, which surged in abuse levels when it suddenly gained the reputation of being a high-class recreational drug. Drug supply quickly fills an increased demand.

And changes in the drug abuse patterns can also occur when technology of illegal drug manufacturing becomes more widespread. This is the problem that we are looking into this morning, as we examine the recent increase in clandestine drug laboratories.

These operations produce such illegal drugs as amphetamine, methamphetamine, PCP, and, most recently, cocaine. We have no foreign country to blame for these crimes, as we do with heroin or cocaine. The production and distribution of these clandestine drugs is an American crime problem, and it has increased at an incredible rate.

In Oklahoma, there were no clandestine labs seized in 1981. In 1982, the Bureau of Narcotics found only one. In 1983, eight labs were discovered. In 1984, this increased to 9, and so far this year they have already seized 13 such laboratories with additional investigations ongoing. Arkansas has reported a similar situation.

In Texas, the department of public safety reports seizures increasing from 6 labs in 1981 to 58 last year. They have already seized 52 labs this year, and will easily surpass last year's figures.

To call the criminals who operate most of these labs chemists is like calling Jack the Ripper a brain surgeon. While there are cases where qualified chemists were arrested for manufacturing illegal drugs, most of the lab operators are common criminals who are trying to follow a formula which they obtained from an underground source. And don't confuse most of the clandestine labs with sophisticated research facilities. They are usually primitive cooking operations, and the illegal drugs which they produce are frequently laced with lethal impurities like cyanide.

Some chemicals which are used in these labs, such as ether, are extremely volatile, and it is not uncommon for the labs to explode violently during the cooking process. The Daily Oklahoman reported last week that in Vian a suspect deliberately detonated his lab as the police closed in. Clearly, these criminal activities pose a great danger to the homes and people in the areas surrounding these labs, as well as a danger to the law enforcement officials who must raid them.

Our preliminary review of clandestine drug manufacturing shows that there may be differences in various regions of the country in the drugs that are produced and the distribution networks through which they flow. Our first witness is going to be the Director of the Drug Enforcement Administration's Dangerous Drug Section, and he will give us an idea of the national picture.

I might say before he testifies, though, Mr. Tom Heggy, who will be representing the Governor, is going to say a few words.

They will be followed by law enforcement officials from Texas, Arkansas, and Oklahoma. And we will also hear from the district attorney for Oklahoma County, Bob Macy, who will tell us his experience in prosecuting clandestine lab cases.

I also want to welcome to the State of Oklahoma, Congressman Gerald Kleczka, from Wisconsin. Congressman Kleczka, do you have some comments you would care to make?

Mr. KLECZKA. Yes, I do. Thank you, Mr. Chairman.

The committee is here today, my friends, in a continuing effort to win the war on drugs. However, we are now seeing an expanded battlefield due to the increase of illegal drug manufacturing laboratories.

Since I arrived in Congress some 15 months ago, I have had the pleasure of working closely with Congressman Glenn English on the critical problem of illegal drug use, which wreaks untold havoc

on millions of our fellow Americans. Through Congressman English's efforts on this issue not only in the State of Oklahoma but also nationwide, we have seen a real cooperative arrangement between drug officials and the Department of Defense, using the most modern radar and aircraft and naval vessels to curtail drug trafficking. Further, Congressman English has worked to ensure that drug agencies have the necessary resources to do an effective job.

Now, as I have said, the battlefield has expanded to clandestine laboratories as evidenced by the shocking increase in seizures by DEA and local drug officials. The purpose of this hearing is to point out the severity of this problem, not only to this committee but to the entire Congress and, most importantly, to the American people.

To the criminal element who manufacture illegal drugs, we say to you that you are not welcome here in Oklahoma or in my State of Wisconsin or in any of the other 48 States. To the drug abuser, we point out the primitive and unsanitary lab conditions utilized. The ensuing health risks, such as Parkinson's disease, are surely not worth the risk.

I look forward to hearing from today's panel of experts, so we can take this information back to Washington and continue the war on drugs on the new battlefield of clandestine labs.

Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you very much, Congressman Kleczka.

First of all, I would like to recognize Mr. Tom Heggy, who is special assistant to Gov. George Nigh, and he is also, of course, director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs. Tom, we want to welcome you and hear whatever words you might have for us this morning.

STATEMENT OF TOM HEGGY, SPECIAL ASSISTANT TO GOV. GEORGE P. NIGH, REPRESENTING THE OKLAHOMA STATE BUREAU OF NARCOTICS AND DANGEROUS DRUGS

Mr. HEGGY. Thank you very much.

On behalf of the Governor, I do want to welcome you here, and we appreciate you holding hearings in Oklahoma City.

We have a problem in this State. The problem as we see it is not only PCP but, rather, narcotics. I want to commend you also for the fact that in the past year we have been able to use the National Guard to some extent, used their helicopters and troops not only in the field to cut and burn marijuana in large areas but also for surveillance and overflights by Air National Guard helicopters.

The other factor we have is the problems of the amount of money involved in labs, and the other factor probably is that everybody is heavily armed. There is much at stake in PCP; when you talk about the overdoses, you talk about the suicides, you talk about the debilitation of the body, and you talk about the loss of man-hours because of the use of PCP when you talk to people from industry, and I am talking about major companies here in the city, and they talk about the attrition rate, and they talk about absenteeism because of the use of drugs. This is a factor I don't think that a government fully takes into consideration when we talk about the cost of drugs to the country.

The other thing we get into is the fact of the dangers to the agents, and I think a part of it is manning level. The narcotics agents of the Federal Government are sorely stretched across the State, they are minimal. The State agencies have to deal in numbers, but it would appear that with the advent of the PCP labs, we are seeing a major increase in those, and I would not doubt but what we will see 18 to 20 labs take off by the end of this year because of the financial remuneration to those who run them.

This morning I have with me Agent Lyman, he is a field agent with the bureau of narcotics, and his backup will be Agent Fred Means, one of the top agents, and these gentlemen have worked PCP labs for a number of years and have a wealth of experience, I am sure they will share with you some of their experiences on some of the problems in the State, and again I thank you for being here.

Mr. ENGLISH. Thank you very much, Tom. We appreciate your words, and they are helpful for us. It is always nice to see you.

We are going to take things a little bit out of order, I think. I notice that the Oklahoma State Bureau of Investigation has provided us with a drug laboratory. As I understand it, Drug Supervisor Richard Dill is here and will demonstrate that. It might be helpful to us as we begin, Mr. Dill, if you could come forward and tell us a little bit about the laboratory and give us a demonstration before we get into the actual discussion of many of these drugs. I want to welcome you here today.

STATEMENT OF RICHARD DILL, DRUG SUPERVISOR, OKLAHOMA STATE BUREAU OF INVESTIGATION

Mr. DILL. Thank you, Mr. English.

Mr. ENGLISH. Thank you.

Mr. DILL. What we have here is most of the reactions beginning in a vessel of this nature.

Mr. ENGLISH. Now, could I interrupt you just a minute? Are these from an actual working laboratory that you have confiscated?

Mr. DILL. Yes, sir; everything on this table was once taken from a laboratory. It may be parts of two or three different laboratories. It is fairly sophisticated equipment. I believe the approximate value on this table would be somewhere around $1,500 or $2,000 if they had to purchase the items.

Mr. ENGLISH. Could those items be purchased in any store?

Mr. DILL. There are quite a few chemical supply houses in the United States. Various competing companies sell equipment. They may not ask too many questions as to why equipment is being purchased.

Mr. ENGLISH. OK. Is this laboratory set up to produce any particular type of drug?

Mr. DILL. Yes, sir. Most of the equipment here is generally found in amphetamine or methamphetamine laboratories.

Mr. ENGLISH. If you would, proceed and demonstrate how it works.

Mr. DILL. The initial reaction takes place in a vessel, a large 2,000 mililiter, which is that size, or maybe a 12 liter flask of this nature. The item is heated by use of a varial which controls the

temperature and boils the fluids. This causes a fuming action. The fumes rise up in here, and this is a condenser where water, cold water, is flowed through the condenser, which cools the gas fumes and at that point they drop back into the condenser, back into the reaction vessel where the reaction takes place, usually about 15 hours of reflexing, or reacting the various chemicals, starting with the phenylacetic acid for methamphetamine or for the amphetamine.

After this reaction is completed, the substance is taken out, and what they are searching for is called phenyl-2-propanone, or phenylacetic acid, or phenyl acetone, I am sorry.

At that point, it is somehow extracted out of the reaction mixtures and placed in a chamber here. Then again it is cooked or reflexed, but instead of reflexing directly back down into the main substance, it is then purified by this apparatus and condensed and collected over here. The final product here would hopefully be the purified phenyl-2-propanone.

At that point, it is then taken from this vessel and placed back into another flask where the final process takes place in the manufacturing of methamphetamine or amphetamine.

So, various paraphernalia: This is a large Buchner funnel and a vacuum system. They have a vacuum motor of some nature to draw or dry the substance in their purification and getting the powder, into the final powder for distribution, and, of course, the scales for weighing.

Mr. ENGLISH. Mr. Dill, how long would it take to go through this process and actually produce the finished product, methamphetamine, say?

Mr. DILL. The phenyl-2-propanone, I believe, is usually about 15 to 20 hours of actual cooking. Then they would take maybe an hour or so, depending on how versed they are in the process, and clean up their product, placing it in here. Very little time is involved here in the actual distilling of phenyl-2-propanone; probably an hour again to distill off the final product—the precursor and at that point, they go into the final reaction. I believe methamphetamine takes a period of about 5 hours at that point.

Mr. ENGLISH. So we have a total of what?

Mr. DILL. So straight through, maybe a total of 24 to 30 hours, somewhere in that nature.

Mr. ENGLISH. And a lab of that size, how many pounds could they produce in a week, say?

Mr. DILL. Well, again, you can get larger and larger equipment, or maybe their initial starting point would be at this nature. If they started with 100 pounds of phenylacetic acid and they react all of that, then they are going to end up with approximately 50 pounds of the phenyl-2-propanone, and then when they make the final product, again it would be about 25 pounds of methamphetamine or amphetamine, is how I see it.

Mr. ENGLISH. And what would that be worth?

Mr. DILL. It is not 100 percent yield in these type processes. I don't know how long it would take them—again, depending on size of how much they are going to cook. You could probably cook maybe about 3 pounds, 3 to 4 pounds, starting here, of the phenyla-

cetic acid and end up with 1 pound or 1½ pounds of the finished product.

Mr. ENGLISH. And you said they would have about 25 pounds a week? Is that what you said?

Mr. DILL. Oh, they could probably do more than that if they wanted to work continuously and if they had enough people to take turns watching. You know, they are going to be able to sleep, make the P2P, you have got a 20-hour time here, so you are talking about 4 times 20 would be about—every 20 hours they could take 4 pounds or use about four pounds of phenylacetic acid.

Mr. ENGLISH. So, say, 28 pounds then, if you just went 4 pounds a day, say?

Mr. DILL. Yes.

Mr. ENGLISH. And that would be worth what? How much money would that be worth?

Mr. DILL. You would probably have to talk with the bureau of narcotics again on the actual value. I believe—it varies widely. I am not sure of the actual value at this time.

Mr. ENGLISH. My staff tells me it is worth about $1,500 per ounce or $25,000 a pound, so that would be well over $600,000?

Mr. DILL. The finished product, here again, would be cut and diluted with diluents, and so a pound of this may be cut quite a lot and may be 10 pounds on the street.

Mr. ENGLISH. So we are talking about well over a half million dollars, and probably well in the neighborhood of three-quarters of a million dollars?

Mr. DILL. Yes, sir.

Mr. ENGLISH. For 1 week's effort—excuse me, 1 day's effort.

Mr. DILL. If they proceeded in that manner; yes, sir.

Mr. ENGLISH. Thank you very much. We appreciate that, Mr. Dill. That is very helpful and very enlightening.

We will hear our next witness now from the Drug Enforcement Administration. We have Mr. Raymond Vinsik, who is the Director of the Dangerous Drug Investigations Section.

Mr. Vinsik, we will let you identify the gentleman who is accompanying you, although he is certainly known to this committee.

STATEMENT OF RAYMOND L. VINSIK, CHIEF, DANGEROUS DRUG INVESTIGATIONS SECTION, DRUG ENFORCEMENT ADMINISTRATION, ACCOMPANIED BY PHIL JORDAN, SPECIAL AGENT IN CHARGE, DALLAS DIVISIONAL OFFICE, AND FRANK MALDONADO, RESIDENT AGENT IN CHARGE, OKLAHOMA RESIDENT OFFICE

Mr. VINSIK. Thank you, Mr. Chairman.

I have on my left Phil Jordan, who is the special agent in charge for the Drug Enforcement Administration of the Dallas Divisional Office, and on my right I have Frank Maldonado, who is the resident agent in charge of the Oklahoma Resident Office.

Mr. ENGLISH. We want to welcome each of you gentlemen to the committee. We appreciate your coming along and look forward to your testimony.

Mr. Vinsik, we will let you proceed.

Mr. VINSIK. Chairman English, members of the subcommittee, I am pleased to be here today to represent the Drug Enforcement Administration as you explore the important matter of clandestine manufacture of dangerous drugs.

When we discuss drug trafficking, most people think in terms of heroin, cocaine, marijuana, and pills. They never think much beyond the last category in terms of production, distribution and the relative level of harm caused by pills.

Although the least amount of public attention is generally given to them, abuse of dangerous drugs is a very serious problem. Dangerous drugs are responsible for approximately 70 percent of emergency room episodes reported to the National Drug Abuse Warning Network [DAWN]. We estimate that approximately 20 percent of the dangerous drug mentions correspond to drugs produced clandestinely.

A clandestine laboratory is defined as any laboratory, whether it be sophisticated or makeshift, which clandestinely manufactures dangerous drugs. Clandestine laboratory chemists may be formally educated in chemistry or have no knowledge of chemistry. They may have obtained the necessary chemical formulas or have been schooled by a chemist. Law enforcement is mainly concerned with five laboratory types: Methamphetamine, amphetamine, PCP or phencyclidine, cocaine, and P2P.

There are many and serious dangers involved in the enforcement operations against laboratories. Primarily due to the caustic chemicals used, many labs are very flammable and explosive. Clandestine operators also boobytrap laboratories to injure raiding enforcement teams or to provide a screen or cover to escape arrest.

Agents who dismantle labs face a serious health problem caused by the inhalation of dangerous fumes emitted by chemicals used to produce these drugs.

The seizure of clandestine laboratories places a large financial burden on law enforcement agencies. Large amounts of hazardous chemicals must be destroyed according to the Environmental Protection Agency's standards. And this is extremely costly.

Generally, methamphetamine, amphetamine, and P2P are produced throughout the United States in clandestine labs. PCP is usually produced in areas near large cities where there is a demand for it, such as Washington, DC. Cocaine conversion laboratories have been mainly detected in the Florida area; however, this drug is used throughout the United States. The Texas-Oklahoma-Arkansas areas are mainly concerned with clandestine production of methamphetamine, amphetamine, and PCP.

Over the past 5 years, there has been an 85-percent increase in the number of clandestine laboratories seized in the United States: from 192 in fiscal year 1981 to 356 in fiscal year 1985. There has been a 220-percent increase in clandestine labs seized between 1981 and 1985 in Texas and Oklahoma.

The majority of clandestine laboratory seizures conducted during 1984 took place in the Southwest and Western United States. Six of DEA's 19 field divisions—San Francisco, Dallas, Houston, Seattle, Miami, and San Diego—accounted for more than 62 percent of the total 1984 laboratory seizures.

The eastern region—Boston, Newark, New York, Philadelphia, and Washington, DC—accounted for nearly 20 percent of the 1983 laboratory seizures. This share decreased to 9 percent in 1984.

To implement our enforcement program targeted against clandestine manufacturers of dangerous drugs, we have monitored the number and locations of laboratories seized. We have a chart hidden behind there which I would like to show you later. We analyze changing patterns in the DAWN mentions. In 1984 the Administrator of DEA issued a directive mandating that each DEA domestic division establish a clandestine laboratory investigating group and/or agent that would be responsible for investigating clandestine laboratories. Each division has designated a special agent, and he is responsible for establishing liaison with chemical companies and in general working on clandestine laboratories.

DEA expends approximately 13 percent of its agents' man-hours on dangerous drug cases, both the illicit diversion cases and the clandestine laboratory cases. In the Dallas division, the agents expend approximately 34 percent of their time investigating dangerous drug cases. Oklahoma City falls within the Dallas division.

In response to the clandestine laboratory problem, DEA initiated "Operation Origination" in 1984. This international effort seeks to limit production of chemicals used in the clandestine production of the four most highly abused dangerous drugs by eliciting the voluntary cooperation of manufacturers who produce these chemicals. This enforcement endeavor focuses on LSD, methaqualone, methamphetamine, and phencyclidine, and the four main precursor chemicals associated with them: ergotamine tartrate, antranillic acid, phenylacetic acid/P2P, and piperidine.

The focus of this approach is on prevention rather than apprehension. By limiting the availability of these chemicals the clandestine manufacture of dangerous drugs can be substantially reduced.

We have also initiated specialized training on clandestine laboratories for both DEA personnel and State and local enforcement officers. We are researching the types of equipment needed by a clandestine laboratory team to effectively dismantle laboratories and limit the danger to personnel involved.

There are currently two DEA-sponsored State and local task forces formed especially to investigate clandestine laboratories: One in Fort Worth, TX, and one in Washington, DC. There are a total of 32 other DEA-sponsored task forces throughout the United States which participate in all type of drug investigations.

In 1985, DEA has held 7 clandestine laboratory schools which trained 149 State and local officers in clandestine investigations.

Mr. Chairman, the clandestine manufacturing of dangerous drugs contributes to our Nation's overall drug problem. We recognize a need to control this domestic drug-produced phenomenon.

The DEA dangerous drug program has a proactive approach to prevent clandestine laboratories from obtaining the essential chemicals. I believe that in the long run these initiatives will take hold. In the interim, DEA, along with our State and local counterparts, continues to target those criminal organizations responsible for this facet of the drug problem.

We appreciate your interest in this matter, and I would be pleased to respond to any questions you may have.

Thank you.
[The prepared statement of Mr. Vinsik follows:]

STATEMENT

RAYMOND L. VINSIK

CHIEF, DANGEROUS DRUG INVESTIGATIONS SECTION

Chairman English, Members of the Subcommittee, I am pleased to be here today to represent the Drug Enforcement Administration as you explore the important matter of the clandestine manufacture of dangerous drugs. Before I discuss this matter in depth, I would like to provide the Subcommittee with some general background information and to place this aspect of the drug abuse and trafficking problem in the context of the overall drug trafficking situation.

Generally, when we discuss drug trafficking, most people think in terms of heroin, cocaine, marijuana and "pills", never thinking much beyond that last category in terms of production, distribution and the relative level of harm caused by "pills." Dangerous drugs, as DEA categorizes them, are either of licit origin, that is manufactured to meet our legitimate pharmaceutical needs, or they are manufactured illegally and clandestinely for the sole purpose of supplying drug abusers.

Although the least amount of public attention is generally given to them, abuse of dangerous drugs is a very serious problem. Dangerous drugs are responsible for approximately 70 percent of the emergency room episodes reported to the National Drug Abuse Warning Network (DAWN). It is important to emphasize that this system cannot distinguish between those drugs diverted from licit channels and those manufactured illegally. However, DEA estimates that approximately 20 percent of the dangerous drugs mentions correspond to drugs produced clandestinely.

For our purposes, dangerous drugs include stimulants, depressants, sometimes called sedative-hypnotics, and hallucinogens. Stimulants, also called "uppers," refer to several groups of drugs that tend to increase alertness and physical activity, and include amphetamines, dextroamphetamines and methamphetamines. There are some legitimate uses for these drugs including control of narcolepsy and short-term treatment of obesity. There can be severe short-term and long-term consequences attendant to abuse of these substances.

Sedative-hypnotics are drugs which depress or slow down the body's functions. At high doses or when they are abused, many of these drugs can cause serious injury and death. The barbiturates and methaqualone are in this category. The hallucinogens or psychodelics affect perceptions, sensations, thinking, self-awareness and emotions. The most common hallucinogens are PCP, LSD and mescaline.

Another form of dangerous drugs are the controlled substance analogs, commonly known as "designer drugs." However, because our methods and operations to control these analogs are, in many respects, unlike those used with respect to other dangerous drugs, I will not discuss this phenomenon today. On the other hand, we traditionally do not categorize cocaine as a dangerous

drug. But because the incidence of clandestine cocaine manufacturing is rising rapidly in the United States I will discuss this activity.

A clandestine laboratory is defined as any laboratory, whether it be sophisticated or makeshift, which clandestinely manufactures dangerous drugs. Clandestine laboratory chemists may be educated in chemistry or have no knowledge of chemistry, but have obtained the chemical formulas or have been schooled by a chemist. Law enforcement is mainly concerned with these five laboratory types: Methamphetamine, Amphetamine, PCP, Cocaine, and P2P which is a major precursor for methamphetamine/ amphetamine.

There are inherent dangers in the enforcement operations directed against all types of laboratories primarily because of the caustic chemicals used, many of which are very flammable and explosive. Furthermore, in recent years, clandestine laboratory operators have boobytrapped laboratories to injure raiding enforcement teams or provide a screen to cover their escape.

The seizure of clandestine laboratories places a large financial burden on the seizing law enforcement agency. Usually there are large amounts of hazardous chemicals which must be destroyed according to the Environmental Protection Agency's (EPA) standards -- and this is extremely costly.

Generally, clandestinely manufactured methamphetamine/amphetamine/P2P are produced throughout the United States; however, PCP is usually produced in the areas near large cities such as Washington, D.C., and consumed in these cities. Cocaine conversion laboratories have been mainly detected in the Florida areas; however, this drug is used throughout the United States. The Texas, Oklahoma and Arkansas areas are mainly concerned with the clandestine production of methamphetamine and amphetamine and some PCP.

For the past several years there has been an increase each year in the number of clandestine laboratories seized in the United States. Over the past five years there has been an 85 percent increase in the number of clandestine laboratory seizures in the United States, from 192 in FY 81 to 356 in FY 85. There has been a 220 percent increase in clandestine laboratories seized from FY 1981 to FY 1985 in Texas and Oklahoma.

Importantly, between 1983 and 1984 there has also been a significant increase in methamphetamine and cocaine DAWN mentions. There has also been an increase in San Francisco and Philadelphia in Methamphetamine and Washington, D.C., in PCP.

The majority of clandestine laboratory seizures conducted during fiscal and calendar years 1984 took place in the southwest and western United States. Six of the 19 DEA Field Divisions

(San Francisco, Dallas, Houston, Seattle, Miami and San Diego) accounted for more than 62 percent of the total DEA laboratory seizures for fiscal and calendar years 1984. A comparison of 1983 and 1984 data for those six field divisions shows that those divisions accounted for 51 percent of the FY 1983 laboratory seizures and 56 percent of CY 1983 laboratory seizures. All of these Field Divisions, with the exception of Miami, are located in the western and southwestern regions of the country.

The eastern region (Boston, Newark, New York, Philadelphia and Washington, D.C.), which accounted for nearly 20 percent of fiscal and calendar 1983 laboratory seizures, decreased its share substantially in fiscal and calendar 1984 with only 9 percent of the total seizures.

To implement our enforcement program targetted against clandestine manufacture of dangerous drugs, we monitor the number and location of laboratory seizures, and analyze changing patterns in the DAWN mentions. In 1984, in recognition of the increasing problem of illicit dangerous drug manufacture and abuse, the Administrator of DEA issued a directive mandating that each DEA domestic division establish a clandestine laboratory investigative enforcement group. Subsequently, each division has designated a special agent who is responsible for establishing liaison with the chemical supply companies in his division to monitor sales of precursor chemicals.

Nationally, DEA expends approximately 13 percent of its agent manhours on dangerous drugs cases, both the licit diversion cases and the clandestine laboratory investigations. In the Dallas Division, the agents expend 34 percent of their time investigating dangerous drug cases.

In response to the clandestine laboratory problem, DEA initiated "Operation Origination" in 1984. This international effort seeks to limit production of chemicals used in the clandestine production of the four most highly abused dangerous drugs by eliciting the voluntary cooperation of the manufacturers who produce those chemicals. This enforcement endeavor focuses on the following drugs/precursor chemicals:

Drug	Precursor
LSD	Ergotamine Tartrate
Methaqualone	Antranillic Acid
Methamphetamine	Phenlyacetic Acid/P2P
Phencyclidine	Piperidine

The focus of this approach is prevention rather than apprehension. By limiting the availability of these chemicals the clandestine manufacture of dangerous drugs can be substantially reduced.

The Dangerous Drugs Investigations Section of DEA has computerized the information in the Precursor Control Information System (PCIS) and the Controlled Substances Information System (CSIS). These computer systems enable ready access of this information to all DEA facilities.

We have also initiated specialized training on clandestine laboratories for both DEA personnel and State/Local Enforcement Officers. In conjunction with this training, we are researching the types of equipment needed by a clandestine laboratory team to effectively dismantle a clandestine laboratory and limit the danger to the involved personnel.

There are currently two DEA sponsored state and local task forces formed specifically to investigate clandestine laboratories, one in Ft. Worth, Texas, and one in Washington, D.C. There are a total of 32 other DEA sponsored task forces throughout the United States which participate in all drug investigations, including clandestine laboratories.

In fiscal year 1985, DEA has held seven (7) clandestine laboratory schools which trained 149 state and local officers in clandestine laboratory investigations.

Mr. Chairman, the clandestine manufacture of dangerous drugs contributes to our nation's overall drug problem. We recognize the need to control this domestic drug production phenomenon,

just as we seek to eliminate domestic cannabis cultivation and as we work with other drug source nations to eliminate drugs at the source.

The DEA dangerous drug program has a proactive approach to prevent clandestine laboratory operators from obtaining the essential chemicals. I believe that in the long run, these initiatives will take hold. In the interim, DEA, along with our state and local counterparts, continue to target those criminal organizations responsible for this facet of the drug problem.

We appreciate your interest in this matter and I would be pleased to respond to any questions you may have.

Mr. ENGLISH. Thank you very much, Mr. Vinsik.

To try to put this a little more in perspective, we now have some understanding of how a laboratory operates and how even a small lab such as this is capable of producing nearly three-quarters of a million dollars' worth of drugs a day.

What are we talking about in the way of demand out there? And with that, let's exclude marijuana and talk about the so-called hard drugs. As I understand it, we have somewhere in the neighborhood of 9 to 10 million users in this country of various kinds of hard drugs. Is that correct? That is an estimate, I should underscore.

Mr. VINSIK. Yes, sir, it is. Basically, our best estimates at this time are that we have approximately 1½ million hallucinogenic users which includes PCP because of the results the abuser gets. It wouldn't normally fit into that category but for statistics, we put it in there.

We have a little over—we have 2.9 million users of stimulants. We have approximately 4.2 million abusers of cocaine, and a one-half of a million abusers of heroin. The number of marijuana abusers is probably astronomical. And if we included the abusers of legitimately manufactured drugs, that would add another 15 million or so.

Mr. ENGLISH. OK. So basically we are talking about—of drugs that are actually produced in laboratories like we are seeing here of various kinds, you are talking about a little over 4 million people that would use those kinds of drugs; is that correct?

Mr. VINSIK. Basically, 4.4 million people are using drugs that are clandestinely manufactured.

Mr. ENGLISH. As opposed to 4.2 million on cocaine?

Mr. VINSIK. Yes, sir.

Mr. ENGLISH. So there are actually more users of drugs produced by these kinds of laboratories than there are users of cocaine, as far as our estimates are concerned?

Mr. VINSIK. That is true at this time. But, of course, the abuse of cocaine is rising at a very rapid pace where the abuse of clandestine manufactured drugs is rising at a much slower pace.

Mr. ENGLISH. OK. Do you still feel that cocaine usage is increasing at a rapid level, or is that beginning to level off?

Mr. VINSIK. Hopefully, it has peaked and is beginning to level off. I think that our efforts by DEA and State and local counterparts in enforcing the cocaine violations have started to slow down the escalation of cocaine.

Mr. ENGLISH. Do we have any evidence that it has?

Mr. VINSIK. Yes, sir, we do. The price of cocaine has gone up, and the DAWN mentions have basically stayed the same. DAWN mentions are those admissions to emergency hospitals that have contracted with the Government to report emergency room admissions for drug overdose, and then subsequently that information comes to DEA which gives us an idea of what drugs are being abused at certain timeframes.

Mr. ENGLISH. But I don't think the general public has heard as much about these kinds of drugs as they have, say, cocaine or heroin. There has been a good deal more attention focused on that, but the estimated usage of these drugs, then, almost surpasses cocaine and heroin combined. Is that correct?

Mr. VINSIK. Yes, sir. It is not the sexy-type drug that we have had with cocaine where all the nice people apparently were using it, and the TV and movie stars and atheletes. It is more a drug that basically is used by the youth of the Nation, middle-class people and blacks and Hispanics, especially the PCP.

Mr. ENGLISH. Would this drug or these drugs—I should say, methamphetamine and amphetamine in particular, I suppose, and to a much lesser extent, I would think PCP—be used primarily by young people?

Mr. VINSIK. By young people and in their early twenties.

Mr. ENGLISH. A lady was talking to me earlier today about children in high school. Would they be much more likely to be using one of these chemically produced drugs as opposed to cocaine?

Mr. VINSIK. Many times children in school are smoking marijuana that may be laced with PCP, and they don't really have any idea they were getting PCP. It sends them on these hallucinations but they go back and do it again. A lot of these type of drugs are taken by people without the knowledge of what they are really taking. They think they are taking something else. We still have the hard-core number of users of LSD.

Mr. ENGLISH. So if you were going to focus upon those drugs that were the greatest threat to the young people of this country, you would list these kinds of drugs ahead of cocaine; is that correct?

Mr. VINSIK. I, myself, would list them ahead of cocaine as far as the youth of the Nation. Use of cocaine still is an upper-class/middle-class drug of abuse and has not gotten down to people who can't afford it. These drugs are affordable, where cocaine is still expensive enough to keep it away from the youth.

Mr. ENGLISH. Mr. Kleczka.

Mr. KLECZKA. Mr. Vinsik, in your testimony you indicated that for this type of lab, the seizures have increased over 1 year's period by about 85 percent. However, in the eastern region they have decreased from about 20 percent of the total in 1983 to about 9 percent of the total in 1984. Are we seeing a shift to the southern regions for this type of an operation?

Mr. VINSIK. The answer is twofold: One, yes, we are seeing a shift to the southern regions, and also to California; and, two, because of the rapid increase of cocaine in the New York, Philadelphia, Boston area, there has been actually less work done on the clandestine laboratories not dealing with cocaine. So it is all this——

Mr. KLECZKA. So the laboratories might be on the increase out in the eastern region but not the seizures? Is that what you are saying?

Mr. VINSIK. The laboratories are probably staying the same or decreasing a very minimal amount, with some moving to the West, some moving to California. But there are still plenty of laboratories on the east coast, and because of the problems of heroin and cocaine, there has not been the enforcement activity needed to curtail clandestine laboratories.

Mr. KLECZKA. Given your expertise in this field, what changes would you suggest in either State, local, or Federal law to curtail this type of production? Would it be a stricter control on the chemical compounds used, or is there a way that we could make it illegal

for an individual to own some of the devices as you see on the table?

Mr. VINSIK. At the current time, we are looking into voluntary controls by various manufacturers, or producers of chemicals. We are asking them to cooperate with the Government and with State and local authorities. We also are looking at whether legislation prohibiting some of these chemicals would benefit us or would hinder us because of, one, the tremendous recordkeeping problems that we would have as an enforcement agency and also the companies would have; and, two, that every time we control a chemical, the violators find a way to go around it and make the precursor they need by using other chemicals that are noncontrolled. So we could get into a cycle of controlling everything and not really getting the end results that we wish.

Mr. KLECZKA. Would it be worth our while to look into restricting personal ownership of some of the equipment used or at that point would drug producers find some other type of vessel versus a chemical flask?

Mr. VINSIK. Again, most of the laboratory equipment we have is used legitimately by an awful lot of college chemistry students, by a lot of businesses that make various items. If these products were controlled, traffickers would just pay more money for them and buy them from somebody else. We would end up with people selling glassware making large profits instead of drug peddlers making large profits.

Mr. KLECZKA. Thank you very much.

Mr. ENGLISH. You were mentioning that in this area of the country, we have a 200-percent—220-percent increase in the number of laboratories that have been seized.

To what do you attribute this huge increase? Do we have that many new laboratories that are coming on line in Oklahoma, Texas, and Arkansas, or are we just seeing that law enforcement is being more vigorous in searching out these laboratories?

Mr. VINSIK. I, personally, believe that law enforcement is becoming much more vigorous in working on clandestine laboratories and has gained the expertise to work on clandestine laboratories; that is why we are seizing more. Texas, of course, has increased the number of labs seized each year, and I am sure that their total this year is not going to be as high as what they get next year. The same is true for California. The number keeps on going up. It is not because there are more and more and more labs, it is because we are doing a better job as law enforcement personnel in finding the labs.

Mr. ENGLISH. So you estimate there is not a dramatic increase in the number of laboratories; is that correct?

Mr. VINSIK. In my estimation, there is not a dramatic increase in the number of labs producing chemicals, but there is a dramatic increase in the number of labs that we are seizing.

Mr. ENGLISH. We were talking about the drugs that are produced in these laboratories. We are dealing with PCP, amphetamine, methamphetamine, and cocaine. Can you describe to us the effect that these various drugs have on an individual?

Mr. VINSIK. Well, PCP or phencyclidine is either taken in a liquid form, laced into cigarettes and smoked, or in a powdered

form, which is snorted similar to cocaine. It gives the user hallucinations, a great tolerance to pain, a great feeling of strength, and in actuality sometimes greatly increases the strength of the user. Often times it will take five or six police officers to arrest a person under the influence of PCP because of his tremendous strength. There are horror stories of people under the influence breaking apart handcuffs, or being shot four and five times with no effect on a person who keeps coming. It has a very serious effect on the user.

Methamphetamine and amphetamine have basically the same effect with different variances. Amphetamine, which is called speed, along with methamphetamine, makes a person feel exhilarated. They make him faster, they make him move, they make him last longer in a work atmosphere. They make the users do crazy things that they wouldn't normally do because they are stimulants.

And they are taken differently—amphetamine is taken orally; methamphetamine is normally taken through a needle, like heroin. Methamphetamine can be taken in other ways, but the normal use of it is intravenously. This creates a very quick surge of energy in the body, a very big rush to the person, a big high which makes it a desirable drug for the abuser. It also makes him do many things he wouldn't normally do. Amphetamine/methamphetamine are very frequently used by go-go dancers, topless, bottomless dancers to get out and dance on the floor for the 3, 4, or 5 hours that they are forced or have to dance.

Mr. ENGLISH. I know we have heard many times of the linkage between crime and drugs, not just from the standpoint of the sale, but the linkage to other crimes. I think that, generally speaking, Federal, State, and local law enforcement agree that around 50 percent of all crime is directly related to drugs.

I know District Attorney Bob Macy has testified before our subcommittee in the past that here in Oklahoma County, possibly as high as 70 percent of the violent crime is drug related. Would these drugs, methamphetamine, amphetamines and PCP, in particular, would they be drugs that would likely be linked to violent crime?

Mr. VINSIK. They would certainly lend themselves to a person committing a violent crime and not having any afterthought about doing it. Also, as mentioned earlier, due to the great problem of violence in a clandestine laboratory, these people now are well armed. When you go into a laboratory, we almost invariably find weapons that they will use. The last two shootings, serious shootings, that we had were on methamphetamine laboratories. One involved a New Jersey State trooper who was shot and killed while going into a methamphetamine lab, and another one in Denver where the officer was wounded. These were both with shotguns. It is becoming a very serious event to go into a lab. Besides all the other problems that are met, such as the possibility that the lab will blow up, the chemicals, the hazards, we now have this armed resistance. Yes; these people are prone to violence when they are abusing the drug. Although they may not be prone to violence without taking the drug, once they do take it, they feel this great surge of energy, strength and that they can do a lot of things they wouldn't normally do.

Mr. ENGLISH. Let's assume that somehow we were successful in eliminating those drugs that are produced in laboratories. Would

that, in your opinion, substantially reduce the amount of violent crime that we see in this country?

Mr. VINSIK. In my opinion, it would certainly reduce the amount of violent crime. The percentage or rate, I really don't have the facts to base a judgment. I know it would reduce violent crime. But to what extent, I am not sure.

Mr. ENGLISH. Do you think it would be substantial?

Mr. VINSIK. It would be substantial. With our methamphetamine traffic, we constantly run into motorcycle gangs, who we know are violent, we know commit a lot of violent-type crimes, and they go arm in arm. When you have various motorcycle gangs distribute the drugs that are manufactured by these chemists, it just adds to a lot of violence.

Mr. ENGLISH. The chemicals, themselves—how common is the distribution of these chemicals? For instance, here in Oklahoma, how many outlets would there be for sale of these chemicals to an individual who is interested in setting up one of these laboratories?

Mr. VINSIK. We did check on that, and at the current time, there are at least 56 chemical companies in Oklahoma that could have access and could sell these chemicals that are needed for a clandestine laboratory.

Mr. ENGLISH. How many of them would be located, say, here in Oklahoma County?

Mr. MALDONADO. Mr. Chairman, we would have approximately 33 in Oklahoma County and approximately 23 statewide, other than in the county.

Mr. ENGLISH. And I think it probably should be stressed at this point that it is not illegal to—you don't need a prescription of any type, a permit or anything else to either sell or buy these chemicals; is that correct?

Mr. VINSIK. That is correct, sir. And a vast amount of or most of the chemical companies are doing a perfectly legitimate job in selling chemicals legitimately to industry for a variety of needs. It is only a few who subvert the laws and sell chemicals to people they know are making drugs.

Mr. ENGLISH. What sort of companies would likely be purchasing these chemicals for legitimate use?

Mr. VINSIK. Well, each of the chemicals basically has its own use. Ergotamine tartrate, used to make LSD, had a legitimate use many years ago in the United States for migraine headaches so that the chemical actually was going to pharmacies. We now have new drugs that take care of the same thing, so in the United States we no longer use ergotamine, but many foreign countries do still use it in the medical profession. Most of the chemicals we get concerning LSD are coming from foreign countries, but we have talked to most of the foreign manufacturers, including various Eastern bloc countries, and are getting excellent cooperation in fighting that problem.

Other chemicals are used for manufacturing perfume. Piperidine is used in curing rubber. There are vast amounts of these chemicals used in legitimate industry.

Mr. ENGLISH. There have been some reports in the press with regard to an operation, I think, that was taking place perhaps as late as June down in Texas with a chemical company known as

Metroplex. Could you give us some background with regard to what that was about?

Mr. VINSIK. There was a company in Texas that was cooperating with the United States, as we hope most of the chemical companies will, and they were reporting to DEA and to State and local counterparts sales of chemicals. These chemicals were mainly going to people who were setting up clandestine laboratories.

Mr. ENGLISH. And how were they working with the DEA?

Mr. VINSIK. They were advising us if a sale was going to be made and who it was being made to and give us the opportunity to put surveillance on that person and to notify various police agencies if in fact it was going to go into their area.

Mr. ENGLISH. Were they advising you on each sale that they were making of various chemicals and drugs that would be necessary for the production of these drugs?

Mr. VINSIK. I can't be sure they were advising us each and every time, because this was not a DEA-run business. It was not a DEA operation. It was a citizen cooperating with the U.S. Government, and basically telling us what he wanted to. I assume if he didn't want to tell us something, he wouldn't tell us that, either.

Mr. ENGLISH. So it was not a situation where the DEA was running, in effect, a sting operation in which the DEA was actually—DEA personnel were actually selling drugs or, I shouldn't say drugs, chemicals to these various individuals and then tracking those individuals if they determined that they were being used for these purposes?

Mr. VINSIK. DEA was not selling the chemicals, but we certainly were tracking people who were purchasing chemicals from that store.

Mr. ENGLISH. So DEA was not involved in any way in the transaction? You were simply notified—as I understand what you are saying, then, you were notified whenever that company had an individual who they thought fit the profile you were looking for. DEA then would likely have someone there whenever that person actually made his purchase, and then you followed up on it from there; is that correct?

Mr. VINSIK. Yes, sir; that is my understanding. Yes.

Mr. ENGLISH. Were you able to follow up on all the leads that came out of this operation?

Mr. VINSIK. I would like, if I could, Mr. Jordan, to answer that since he is the SAC of Dallas. I know recently—they had a large indictment, arrested a lot of people, that was the result of that store.

Mr. JORDAN. Mr. Chairman, as far as the Metroplex operation, known as Operation Dry Gulch in Dallas, let me state for the record, I arrived in Dallas in January 1985. The operation was already ongoing, and let me stress here that it was a joint operation, with the department of public safety, drug enforcement administration, and other local and county agencies.

Now, as far as the results of the operation, we were able to identify about 200 individuals involved in the clandestine laboratory business. Unfortunately, the operation, to put it bluntly, got out of hand. We did not have the manpower to follow up on every lead supplied by the operators of the Metroplex, and in cooperation with

the department of public safety in Texas and other enforcement agencies, we decided to terminate it unless we could get more manpower.

As a result, several Federal indictments have been issued. We still have a second phase of Operation Dry Gulch in the prosecution phase, or the indictment phase of it. I think you can rest assured that we made every attempt to identify those individuals purchasing the chemicals by maintaining our operation for the duration of the store hours. And it was a successful operation. The best guesstimate I have right now is that 200 people would have been indicted, at either the State or Federal level.

Mr. ENGLISH. Let me expand a little bit now, get right down to it, Mr. Jordan, as to what the problem and situation is and give you an opportunity to respond to it directly. There have been at least insinuations in the press, in fact I think some people just flat stated it publicly, that we had a situation develop where the DEA was involved in the distribution of chemicals that would be used in these drugs. This distribution was taking place at roughly the same period of time in which we have seen this big increase in the number of arrests in this region; in other words, over the last 2 or 3 years. And that DEA, and I suppose, since other law enforcement officials and agencies were involved, other agencies as well, were a part of the distribution of these chemicals; that they were unable to keep track of them, and, therefore, part of the reason that we had this proliferation of drug laboratories in Oklahoma and Texas and perhaps even Arkansas was that in fact DEA was involved in spreading the chemicals.

Now, I think that you probably would like to have an opportunity to respond directly to that kind of insinuation. Second, could you tell me roughly what percentage of the cases, the potential cases, the leads that were developed out of this operation, that you were actually able to follow up on, or other law enforcement agencies were able to follow up on?

Mr. JORDAN. Mr. Chairman, like I said, we are still in phase 2, the indictment stage of this effort. Everybody has been photographed that has gone into the Metroplex, and again this information has been shared with the State and county authorities involved in the prosecution of laboratory operators.

Again, the insinuations or what has been reported in the press might have some truth from the point of view that some people may have thought that by coming to Metroplex they could shape their own business and become entrepreneurs overnight.

Now, the problem arises here that if they didn't go to Metroplex, Mr. Chairman, they would go to all the other chemical companies in the Southwest.

By having a Metroplex-type operation, we were able to identify the majority of them. At least 200 people as far as I am concerned since I arrived here in Dallas, who are involved in the manufacturing of methamphetamine, and amphetamine, and PCP, have been identified.

All I want to say for the record, Mr. Chairman, is that these individuals involved in this type of traffic, if they didn't go to Metroplex, they would have gone someplace else. It was a joint operation;

it started to get out of hand. That is when we made a decision to terminate it.

Mr. ENGLISH. But do you feel that there were individuals who got into the drug manufacturing business, setting up their laboratories because they could go to Metroplex and get these chemicals?

In other words, did that encourage the proliferation of laboratories in the Southwest? Did Metroplex play a role in the increase in number of laboratories?

Mr. VINSIK. Mr. Chairman, I think from recent results since that business has been closed down, we have still had an increase in the number of laboratories seized in Oklahoma, Texas and the recent results of labs seized this last week and the week before show that these people are still getting chemicals, laboratory production is still increasing and that the one store was not responsible for this increase.

I mean, it is there. There are 56 places in Oklahoma that can sell chemicals. There are thousands of places throughout the United States that can sell chemicals. No single store would be a deterrent or nondeterrent to the production of clandestine drugs.

Mr. ENGLISH. Are there leads that have been brought about as a result of Metroplex that you have not had the manpower to follow up on?

Mr. VINSIK. Every lead that comes out will eventually be followed up. There are some cases where a chemical delivery may take place and our surveillance would follow it to a warehouse where it would sit for 2 or 3 or 4 weeks or 2 or 3 or 4 months.

There is no law enforcement agency that has the manpower to sit on a shipment of chemicals for 5 months. A decision then has to be made whether to go in and seize the chemicals and possibly burn up an intelligence gathering, a program that you have ongoing, or do you want to take a chance and sporadically do surveillance on that location and hope that you catch the chemicals in their movement.

Mr. ENGLISH. So it is conceivable, then, that we simply didn't have the manpower to sit on those chemicals? You had to make the decision on whether you were going to burn, in effect, Metroplex as a source of information, or whether you simply had to let those chemicals go knowing full well that they may very well produce drugs that are going to end up on the street. Is that correct?

Mr. VINSIK. Yes, sir, basically, it is. Of course, we still continue trying to follow up, if we have the person identified, we try to track down where he has gone and we try to go through other companies trying to find him ordering more chemicals and try to obtain the location.

But, yes, in fact, it does happen sometimes where a person will buy chemicals and either because of the situation or we just plain lose him on surveillance, that they get away from us. If we were sitting on a place and something else came up, such as here in Oklahoma where 750 pounds of cocaine were seized, well, if we would have been sitting on a laboratory, those men would have come off that and gone over and worked on this 750 pounds of cocaine.

Mr. ENGLISH. But are we not looking at a little different situation with regard to the laboratories and the drugs that they produce as opposed to, say, cocaine or heroin?

Cocaine and heroin are brought into this country after the laboratory work is done elsewhere, done outside this country. Clandestine laboratories, if you will, are a choke point in which to deal with that particular problem. Am I correct in my view that laboratories put those drugs in a far different category as opposed to, say, cocaine or heroin that is brought into this country?

Mr. VINSIK. Yes, sir, it does in that way. If there is any drug that we can control and reduce and stop, it should be the drugs that are manufactured in clandestine laboratories in the United States. If we can't control these, then we are going to have a very difficult time controlling anything else. This is a U.S. manufactured product, sold to U.S. people, utilized by U.S. people, and really it is our drug problem. We should be able to control it.

Mr. ENGLISH. Well, an awful lot of people have the opinion that there is really not much we can do about the drug problem, that as long as you have a lot of folks out there who are willing to buy drugs and use drugs, that this is kind of like liquor was in the prohibition era. People are going to use it, they are going to get it. Some people say we are wasting a lot of money and a lot of effort going out here to try to deal with it, and the whole effort has been a failure.

Is that true? Take, for instance, the clandestine laboratory. Now, we are talking about—in effect, we are talking about drugs that are used really by about half of the hard drug population of this Nation. Do we—as far as those laboratories are concerned, is it possible to flat eliminate the drugs that are produced by these types of laboratories in this country?

Mr. VINSIK. I sincerely believe that with programs we have, and of course, with the additional manpower and money it takes to really do a program, that we should be able to and can control the manufacture of these drugs. Totally eliminate, maybe not. But certainly reduce to a great extent and——

Mr. ENGLISH. To what extent? Could we eliminate 90 percent with the manpower and the dedication?

Mr. VINSIK. With the manpower and dedication, I certainly believe that we could reduce it close to that figure, if not 90 percent or if not totally eliminate it.

We are talking about a drug that is produced here. If we had enough people working on it, enough well-trained, experienced, well-equipped people working on laboratories, we could really do a great job in the reduction of these drugs.

Mr. ENGLISH. Let us say that the President and the Congress got together, and we decided that we are really going for real on the war on drugs, not just kind of mess around with a half-hearted effort but a real serious, honest-to-goodness real-life war on drugs. I am talking about a World War II-type dedication to the war on drugs. Let us say that the President and the Congress got together and agreed that we were going to provide for 2,000 agents, DEA agents nationwide, and they were going to focus all their time and effort dealing with these types of laboratory drugs. Would that do the job? Could you then assure the American people that we would

be eliminating most if not all of these laboratory produced drugs in this country?

Mr. VINSIK. If we had that kind of manpower commitment and an additional commitment by State and local people, yes, I think we could assure the American public that we could knock out the clandestine manufacturing of dangerous drugs.

Mr. ENGLISH. And that would enable you then to use manpower that has been focusing at least part of their time on that to focus more of their attention strictly on cocaine and heroin?

Mr. VINSIK. Yes, sir, I have been fighting the war on drugs for 25 years. It has been a long, hard fight and I have seen a lot of drugs that we couldn't control. I recently became interested in dangerous drugs, and clandestine laboratories, and I sincerely believe that this is a drug problem we can control and we can do something about as a nation.

Mr. ENGLISH. Well, I am not going to put you on the spot by asking your point of view on this, but I will do a little editorializing and say that I, personally, have not yet seen this Nation, this Government dedicate itself to a complete all-out war on drugs, and I think that, quite frankly, that it is unfortunate that the American people have gotten the opinion that nothing can be done on drugs.

They have assumed that this kind of an effort has taken place, when I think that anyone who is familiar with this situation would not agree. As I said, I am not going to ask you to comment on that particular observation.

But I think that that is interesting. I think that it quite frankly ought to be heartening to an awful lot of our people that here we have something that is being used by, in fact, half the drug population of this Nation and if we are willing to really commit to have a real war on drugs, in fact, we could wipe out the drugs. That would be significant.

And goodness knows, we could make, I think, much greater progress then, turning our attention to cocaine and heroin. We could do a much better job.

So I think that—that people ought to take note of that, and I think they ought to be encouraged by it.

Mr. Kleczka.

Mr. KLECZKA. No comments.

Mr. ENGLISH. We may have some additional written questions for you for the record. Mr. Vinsik, I would say to you that we appreciate your testimony.

It is very enlightening and encouraging. It is not often in this war on drugs that we hear some encouraging testimony. I am going to make the President and Congress aware that if we were willing to make that commitment, we have this opportunity before us. But rhetoric is no longer good enough, it is going to take more than that.

Would you explain your display to us very briefly before you leave?

Mr. VINSIK. Mr. Maldonado, our RAC from Oklahoma, would like to since he was involved in the cases and knows more of their details.

Mr. ENGLISH. Yes, Mr. Maldonado.

Mr. VINSIK. I would like to add, Mr. Chairman, we have had such great cooperation with State people in the State of Oklahoma in working on labs, that is why there is this great hope that we can do something.

We are making great progress working together. The seizure of a laboratory requires a team effort, including a State agent, and someone from the fire department. I mean, everybody has to work together on these things to go in and tackle a laboratory. It makes us work closer because of the nature of the business, but by working closer, we have the intelligence from everybody, and I think it is going to help us an awful lot in combating this problem.

Mr. ENGLISH. Now, Mr. Maldonado, please correct me if I am in error, but it is my understanding—unlike other parts of the country where we may have a lot of heroin coming into the area and a lot of cocaine coming into the area—that here in Oklahoma that our primary problems are the laboratory-produced drugs. That is where our major concern has to be focused. Is that correct?

Mr. MALDONADO. Yes, Mr. Chairman. The manufacture is of main concern here. We all recognize that we do have that problem, although we are not exempt from having a lot of cocaine in the area, and of course, you are well aware of the marijuana problem. But, yes, you are right in your statement that laboratories are a great problem here as they are in the Southwest.

Mr. ENGLISH. Have we had a tendency to ignore this particular kind of a threat in favor of marijuana, cocaine, and heroin in your opinion?

Mr. MALDONADO. I don't believe that we have purposely ignored——

Mr. ENGLISH. I am not talking about the law enforcement, I am talking about as far as the public is concerned.

Mr. MALDONADO. I think the public is now becoming aware of the fact that we have had these problems. Now, law enforcement, because we are few in number, let's face it, Oklahoma is sparsely populated and the number of law enforcement officers in the State isn't that great.

Consequently, we do have—it takes time to identify these problems. But in answer to your question, I don't believe that we have ignored this. It is just that now we are becoming more aware of the extent of the problem. We are devoting more time to it because of this awareness, and the results are becoming apparent.

Here I have photographs representative of a PCP laboratory that was seized in 1982 at an 80-acre farm in Chandler, OK. The equipment in the lab, although not set up as sophisticatedly as that is over there, is basically the same equipment that you see over here. These photographs represent, you see the plastic buckets and various flasks, radio equipment, and the containers of the chemicals here in this photograph.

This is all set up in an outbuilding of the farm. Here we have similar chemicals. Here we have another building where part of the finished product was being stored. Here is the same photograph.

These 55-gallon drums, Mr. Chairman, are the containers for the ether and the piperidine that was being used in this laboratory. The agents, when they seized this laboratory, located approximate-

ly 40 pounds of finished product, PCP, in powder form, and part of it was still in the cooking process, and the final stages of its process.

The estimated value for the PCP seized was approximately three-quarters of a million dollars. Here we have smaller photographs of the process, No. 1 here, showing the chemicals and reagents needed for the synthesis of this.

Here we have the weight scales and the respirators. Here we have the magnesium tongs needed in the heat process. We have the solvents that were used for extracting the drugs. Here we have the filtering material that they used, the filtering elements that they needed, and a regular wood stove providing the heat for the laboratory. It is just a regular wood stove.

Here we have a sun lamp that was also used to provide the heat necessary. And in photograph No. 8 we have the finished product. We have several bags of white powder, which is the PCP, and here we have the part of the liquid that was found that was being processed.

Mr. Chairman, I believe that you made reference to the incineration of a laboratory last week in Vian, OK. Here I have photographs of that job. This is where the fire started, the initial explosion of the lab, which was created by the violator having wires, shown in this photograph, leading from the laboratory site, which is a metal building about 14 by 21 feet. These wires ran from the metal building into a mobile home that he lived in. The moment the officers approached the mobile home, he inserted the plug into the wall, the electrical outlet, which caused a current to melt probably a plastic bag that held or had rags in it that were saturated with ether. As soon as the plastic melted, we had a flash in the metal building causing the fire.

Here is one of the containers of ether. The agents and firemen were unable to get near the building because of the fumes being emitted by the chemicals that were burning. This is quite hazardous to the personnel, not only the agents but the firemen as well.

This will give you an example, Mr. Chairman, of the hazards that we must encounter when we go out to these laboratory sites, and who knows, in time—in time, in years to come, who knows what the effect may be on agents who were exposed to this, and/or other people who are exposed to the fumes created by these flammable liquids and/or the chemicals.

Mr. ENGLISH. And if I am correct, in this particular situation we are talking about a laboratory that was out in the country, but do we have these laboratories located in, say, Oklahoma City or any other town in Oklahoma?

Mr. MALDONADO. Yes, sir; we have had several other laboratories in the community. We had one a couple of weeks ago in the city of Edmond where the cooking process took place in an apartment complex and we have had others that way.

Mr. ENGLISH. But those fumes, then, would not be confined just to the laboratory, itself, and really would be circulating throughout the neighborhood, and may be having an impact on the neighbors, as well; is that correct?

Mr. MALDONADO. That is very correct, sir. They do have ventilation systems that they either have on a window or an outlet of

some type. They are vented, and, yes, the people nearby could be inhaling these fumes.

Mr. ENGLISH. And if they did inhale those fumes, is it conceivable that you may have neighbors who show signs of being under the influence of a particular drug because of those fumes?

Mr. MALDONADO. You could have that, yes.

Mr. ENGLISH. Do we have cases where that has happened?

Mr. MALDONADO. Not that I am aware of, sir.

Mr. ENGLISH. We can see with the explosion that took place, this then would be a threat not just to the occupants of a particular structure but could definitely be a threat to the entire neighborhood as far as safety is concerned?

Mr. MALDONADO. Yes, sir, this fire could have occurred in a congested area.

Mr. ENGLISH. Mr. Kleczka, do you have any questions?

Mr. KLECZKA. Yes.

What is the effect of the actual prosecution on the person arrested? Did he destroy the evidence? Is he scott free today or did he go through a lot of effort for nothing because we are still as a Government going to get him?

Mr. MALDONADO. No, sir, we have records of the purchases that he made; he was followed to the location by surveillance agents. Also there was enough residue that we were able to seize at the laboratory site to prove the manufacture. Consequently, in Federal court we will charge this individual with conspiracy to manufacture or a similar charge.

Mr. KLECZKA. So it is very possible that he went through all this effort to destroy not only the lab but everything in it for naught because he would still be convicted?

Mr. MALDONADO. A lot of these people, sir, because, if I am correct, these violators are familiar with friends of theirs being prosecuted only for the actual manufacturing process.

They are not familiar with the Federal law where we charge them with conspiracy to manufacture. I believe that in State court, the majority of the trials are on the actual manufacturing of a product.

Mr. KLECZKA. Thank you.

Mr. ENGLISH. With regard to the penalties, Mr. Vinsik, what is the penalty for a person who is caught manufacturing these drugs, the Federal penalty?

Mr. VINSIK. Normally these drugs, the first-time offense is 15 years; it goes up to 30 years for the second offense.

Mr. ENGLISH. Are those mandatory penalties?

Mr. VINSIK. No, sir.

Mr. ENGLISH. They are not?

Mr. VINSIK. That is the maximum penalty.

Mr. ENGLISH. Would DEA favor mandatory penalties?

Mr. VINSIK. If I could, for the record, read the 21 U.S.C. 841, provision:

To manufacture, distribute or dispense or possess with intent to manufacture, distribute or dispense, Schedule I and II controlled substances, imprisonment up to 15 years and a fine not to exceed $25,000 or both. With one or more prior convictions in this chapter, imprisonment up to 30 years and fine not to exceed $50,000.

Methamphetamine, amphetamine, cocaine, methaqualone, LSD, PCP, and P2P all are Schedule II controlled substances.

Mr. ENGLISH. Would DEA favor a mandatory penalty?

Mr. VINSIK. I really couldn't answer that. I am not sure. I have gone through the times when we had minimum mandatory penalty in the 1960's, the problem has grown since we have had that, so I am not sure that it would make a great difference.

Mr. ENGLISH. Could you submit for us and for the record a position from the Drug Enforcement Administration and the Justice Department on that issue?

Mr. VINSIK. Yes, sir, we could.

[A letter to Chairman Glenn English from Administrator John C. Lawn, Drug Enforcement Administration, dated November 15, 1985, follows:]

U.S. Department of Justice

Drug Enforcement Administration

Washington, D.C. 20537

NOV 15 1985

Honorable Glenn English
Chairman, Subcommittee on Government
Information, Justice, and Agriculture
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

On September 24, 1985, Mr. Ray Vinsik testified before your Subcommittee in Oklahoma City on clandestine drug laboratories. At the conclusion of the hearing you requested DEA's views for the record on mandatory penalties for violations of the Controlled Substances Act with regard to the clandestine manufacture of dangerous drugs.

Federal penalties for trafficking of controlled substances were substantially increased by the Comprehensive Crime Control Act of 1984 (P.L. 98-473). They provide for twenty years imprisonment and a fine of $250,000 for large scale trafficking of narcotics, cocaine, LSD, and PCP. Both the term of imprisonment and the fine are doubled for a second conviction.

In our view, these penalties are adequate deterrents. In addition, we are concerned that mandatory sentencing provisions might actually impair the investigation of major drug rings. Such sentencing provisions eliminate incentives for minor participants in an operation to plead guilty and provide information against their superiors in the hope of receiving some leniency by the sentencing court.

Furthermore, Chapter II of the Comprehensive Crime Control Act establishes a determinate sentencing system based on guidelines which requires a court to consider, in determining a particular sentence, the nature and circumstances of the offense and the history and characteristics of the defendant. A Sentencing Commission is directed to create sentencing guidelines for use by judges in imposing sentences for each offense. The Act also authorizes an appeal of sentence if the judge departs from the guidelines. In our view, such a system is better designed to assure fairness and uniformity in sentencing than is a mandatory term of imprisonment.

Thank you for your interest in this matter. I look forward to our continued correspondence on issues of mutual interest.

Sincerely,

John C. Lawn

John C. Lawn
Administrator

Mr. ENGLISH. OK. Thank you very much. Any other questions? Thank you very much, Mr. Vinsik.

Mr. VINSIK. Thank you, sir.

Mr. ENGLISH. Our next witnesses come from the Oklahoma Bureau of Narcotics, agent Mike Lyman, who will be accompanied, I believe, by Fred Means.

It is suggested that we take all of our law enforcement representatives as a panel, so we also have from the Texas Department of Public Safety, Bill Pruitt, who is the assistant commander of the narcotics division, and from the Arkansas State Police, Sergeant Dale Best, who is the drug coordinator with the criminal investigative division. We want to welcome each of you gentlemen and we will scatter the microphones among you if we could.

Mike, we will let you lead off with your statement.

STATEMENT OF MIKE LYMAN, FIELD AGENT, OKLAHOMA STATE BUREAU OF NARCOTICS, ACCOMPANIED BY FRED MEANS, AGENT

Mr. LYMAN. Thank you, Mr. Chairman.

On behalf of the individuals here at the testimony table, I would like to thank you and the distinguished panel for recognizing this problem as a significant law enforcement and drug enforcement problem here in the State of Oklahoma.

Mr. ENGLISH. If any of you have written testimony that you would like to submit for the record and would care to summarize that testimony, feel free to do so. If you would like to give us your full and written testimony for the record or read your written testimony, feel free to do that as well, whatever makes you feel most at home.

Mr. LYMAN. Thank you, Mr. Chairman.

I would like to start out by saying first of all, sir, that with regard to your average person on the street, I think little is understood about the possibilities and capabilities and dangers of clandestine laboratories.

Of course it is well known in law enforcement communities the potential and the violence that can fester out of some of these organizations.

But it does not require an academically trained chemist to set up one of these things or to keep it in operation so it does produce a controlled dangerous-type substance. All it requires is a formula and an individual who does have some basic knowledge of chemicals and precursors, and a minimum investment as a rule of thumb of somewhere around a thousand dollars can get somebody underway in a clandestine laboratory setting.

Of course, these labs can range from very small scale-type laboratories to very large, sophisticated laboratories depending on the resources and expertise of the individuals involved.

As testimony has indicated earlier this morning, the State of Oklahoma is experiencing three primary problem areas in clandestine laboratories, amphetamine, methamphetamine, and PCP, and we are cognizant of some of the west coast problems with regard to some of these—I am sorry, not clandestine but designer drugs which are manufactured in a clandestine laboratory setting.

We have not, to my knowledge, seen any of this activity here in the State but we have been in contact with OSBI laboratory technicians and we are anticipating the arrival of this type of problem here in the State, probably in the not too distant future.

The individuals who are involved with this type of operation as a rule are individuals with known criminal histories, and a propensity for violence. We are not talking about school age people here or even adolescent age. We are talking about people with a mean age of about 38 years old as far as the individuals here in the State of Oklahoma.

So we have got an individual who has been around a while and for the most part knows exactly what they are doing and to take precautions to try to avoid detecton in the area of this type of activity.

The equipment, as Richard Dill has indicated, necessary to set up a laboratory can be very minimal. It doesn't have to be. I think there are three basic types of hardware that is required: a flask, a condenser, and a variable heat control. Those are the more difficult hardware items to acquire, and of course, any additional hardware or glassware can be obtained without too much problem.

The chemical components, once again, as testimony has indicated, is P2P, ether, phenylacetic acid, and some of these types of components. I don't know if it has been stressed here this morning, but P2P is a controlled dangerous substance in and of itself and on the State level it is classified as a schedule III conrolled dangerous substance.

Now, what these cookers, we will call them, are doing are acquiring the chemicals necessary to create first of all the precursor, so they are called. In other words, P2P. The P2P then is processed in a manner where it can make the finished product, the amphetamine, the methamphetamine. The precursor used in PCC—the primary precursor in PCP is PCC; get my information straight.

But it is once again a schedule III controlled dangerous substance and they are manufacturing this precursor in a laboratory setting such as this.

I have prepared a map of the State of Oklahoma for the benefit of the panel, and if I might be permitted to do so, I would like to put that up on display.

Mr. Chairman and panel, if you would notice the pins on the map here, these indicate areas where we have shut down clandestine laboratories since 1980. The red pins in particular are laboratories that have been shut down in 1985.

Mr. ENGLISH. Is one of those at Elk City? Or is that Clinton?

Mr. LYMAN. Yes, sir, there are two.

Mr. ENGLISH. Two in Elk City?

Mr. LYMAN. Yes, sir.

Mr. ENGLISH. Getting awful close to home.

Mr. LYMAN. Mr. Chairman, the significant thing, I think, about this map more than anything else is to point out that a lot of the rural areas are favorable apparently for the location of some of these laboratories.

And I think the reason being, of course, is because these individuals feel that they can avoid detection not only by the police but by other residents in the community by hiding these laboratories

away in a rural environment. It seems like a lot of the laboratory activity we have had has been in situations such as those.

Mr. ENGLISH. So those would be outside the community, they would not necessarily be in town here where you had the pin?

Mr. LYMAN. That is correct, sir, as a rule of thumb.

I might point out, though, that 2 months ago we did have three clandestine laboratories in the city of Durant.

These were right in a residential area, and as a matter of fact it was the residents in the town that noticed the odor, called it to the attention of the local police, we were summoned and a joint investigation was initiated. So there are exceptions, but as a rule of thumb I think you will find a growing pattern toward a rural-type setting for most of these clandestine laboratories. If I might return back to my seat?

Mr. ENGLISH. Surely.

Mr. LYMAN. OK. I am not trying to be redundant here, Mr. Chairman, but there are some inherent dangers as have been testified to, and I think stressing not only the fact that a lot of these individuals are considered dangerous that operate these laboratories.

We do have a problem with boobytraps. Other States have provided us teletypes and intelligence information regarding possibilities of boobytraps here in the State and many of which are situations that they have encountered in other States.

These are boobytraps that many times involve sticks of dynamite, rattlesnakes with the rattler cut off, and, you know, just about anything that can be imagined; many guerrilla-type warfare situations where there might be spikes in ditches that have been dug around the premises and so forth.

So law enforcement is trying to gear up and become cognizant of these problems, too, and then, of course, the inherent problem of the laboratory, itself, being very dangerous not only because of the fumes but because it can of course blow up if not taken down properly, which is why we have an OSBI chemist accompany us on all of our raids.

OK. I might point out that the financing of these operations many times, maybe most of the time, do appear to be local. It seems like in many situations a share of the finished product can go to the chemist and their assistants, and in some cases both the glassware and the chemicals are acquired by the cooker or the clandestine chemist.

We did have one investigation in 1984 that reflected an out of State chemist, he did obtain both the glassware and the chemicals, he packed them in large trunks and distributed these items to laboratory sites in Texas, Louisiana, and in Oklahoma.

His role in the situation was kind of that of a coordinator, and he also provided technical knowledge to the individuals in each respective lab site on how to start cooking this stuff and keep the operation going.

That is why we are fortunate here in Oklahoma to have a recent law enacted in 1984 by the Oklahoma State Legislature that provides for a rather significant prison term, I believe it is a minimum of 20 years and up to life imprisonment for the conviction of attempting to manufacture CDS or manufacture CDS, which are two

of the most common charges other than that of conspiracy, of course, and it does provide for up to $50,000 of fine, and we consider this a real significant tool in our efforts in fighting this problem.

Mr. ENGLISH. Thank you very much.

Mr. Pruitt.

STATEMENT OF WILLIAM M. PRUITT, ASSISTANT COMMANDER, TEXAS DEPARTMENT OF PUBLIC SAFETY NARCOTICS SERVICE

Mr. PRUITT. Congressman English and distinguished members of the subcommittee, my name is William M. Pruitt. I am assistant commander, Texas Department of Public Safety Narcotics Service in Austin, TX.

I am grateful to have the opportunity to appear before this committee and relate to you the magnitude of the problems that clandestine manufacture have brought about in Texas.

I have submitted for the record the statement, and in order to avoid redundancy, I will summarize the statement and let the statement stand as the record testimony.

Mr. ENGLISH. Without objection, your full and complete written testimony will be made a part of the record.

Mr. PRUITT. Thank you.

The statement presented attempted to cover from Texas' standpoint the scope of the problem, the potential dangers for the users, the dangers for law enforcement officers, the hazards and the violence involved in laboratory sites, the enforcement efforts made by the Texas Department of Public Safety, and the need for cooperation between Federal, State, and local law enforcement agencies.

We initially became aware of the clandestine manufacture problem in about 1978 when we joined a multiagency task force in the Houston area. The success of this operation brought to light the potential problems associated with drug production operation. We have the not-so-distinguished honor of being probably first in the Nation in seizure of clandestine laboratories, and this has occurred for the past 3 years.

With the statistics as they are in 1985, we would anticipate probably leading the Nation again in the seizure of clandestine manufacture. It is important probably that we share this with the State of Oklahoma as we probably are to Oklahoma as California is to us—what we see today, Oklahoma will see next year, so we do enjoy a good cooperative effort with them, and it is a pleasure to share this—share our information with you here.

In 1982, we seized 19 laboratories manufacturing illegal drugs in Texas, the Texas Department of Public Safety was involved in. In 1983 this increased to 31. In 1984 it increased 87 percent to 58 laboratories seized in the State of Texas by the Texas Department of Public Safety.

As of the 18th, we had seized 58 illegal laboratories in Texas. I made a call this morning before testimony and the number is 60 now, and I left yesterday.

The significance of these numbers and these seizures is important because these are only statistics that the department of public safety has participated in. In contacting the Drug Enforcement Administration in some areas and local agencies, we estimate that in

1974 probably about 84 laboratories were seized in Texas by us and other agencies, and we estimate that over 100 will be seized in 1985.

I do have attached to my statement actual locations and type of drugs in these seizures and also the values, also maps of the State of Texas which will outline for the committee the locations of these seizures to give an indication of the area involved.

As has been previously testified to, these operations may be—may range from very well organized, efficient operations producing maybe up to 25 pounds per week down to smaller operations which may produce only a small quantity, maybe an ounce a week. And as in any operation of this nature, the volume has a direct effect on the profit margin and as has been previously discussed with a minimum investment, large profit can be obtained.

Currently in Texas, amphetamine and methamphetamine is selling for about $125 per gram. At this rate, if it is sold by the gram, it is about $56,000 per pound. Our current wholesale price in Texas is from $15,000 to $20,000 per pound.

So even the people not producing but buying it at the wholesale level can enjoy a substantial profit in the manufacture, with probably a maximum of $2,000 to $5,000 investment, can increase his profit substantially.

There is nothing to indicate from our standpoint that the problem is diminishing or even leveling off at this point, and actually based on past statistics coupled with what we see as a growing demand, the problem will, is expected to grow in the next few years.

The danger of becoming psychologically addicted to the stimulants, amphetamine and methamphetamine, is only one of the hazards that the abusers face. They, what we are seeing is the user developing the acceleration of hyperactivity and loss of appetite and the constant use even taking the user to a point of delirium or psychosis, which makes him very, very dangerous.

As also has been pointed out, the unsanitariness of the process provides a tremendous hazard to the user and disease has been documented in the use, in the intravenous use of these drugs in several States.

The substantiation of the danger to the abuser is pointed out by the National Narcotics Intelligence Consumers Committee report of 1983 which showed a decrease in hospital-related instances related to methamphetamine but showed a 50-percent increase in methamphetamine deaths, and as has been pointed out, I believe, by the chairman, the results of another State have indicated that users of a certain contaminated batch of illegally produced drugs actually acquired Parkinson's disease.

The law enforcement officers face other dangers in the thing, many of which have been pointed out. We have experienced these specifically in Texas. We have had—several of our investigators have reported a variety of health-related problems which are directly attributed to the seizure of so many clandestine laboratories, respiratory problems primarily.

We don't know whether they will be long-lasting problems or not, but merely being around one of these labs for any period of

time at all would lend any person to realize the dangers of just associating with the labs.

The hazards and the violence at the sites has also been pointed out. We have in Texas specifically seen laboratories that have been wired with detonators, oil field perforators that have been wired with detonators, and most of the laboratory sites, as it has been pointed out, are prevalent with all sorts of weapons, including automatic weapons.

There also have been cases documented in other States where a front door was wired with 10,000 volts of electrical charge, which is plenty to kill any officer that may be in the neighborhood; also was strategically placed containers of potassium and hydrochloric acid so if the officer opened the door, the chemicals mixed caused cyanide gas, which is deadly.

These are areas that we have encountered and have documented in some other areas which pose a severe risk problem and a health hazard to the law enforcement agencies.

Much of our effort in the area along with the actual investigation and the seizure of the laboratories is in the area of training due to the nature of the danger involved.

We have extensively trained our own investigators and other local officers and in conjunction with the Drug Enforcement Administration have conducted actual laboratory training; also in the training in the area of conspiracy-type investigations.

We have specifically trained seven of our investigators as hazardous devices technicians to go to the locations and recognize, be able to recognize hazardous devices which have been placed at the laboratory sites, and we attempt in all possible cases to have the hazardous device technician enter the premises prior to the time that we execute an arrest on a lab.

Also, as has been pointed out by the State of Oklahoma, we do have a department of public safety chemist at all seizures of clandestine laboratories. And if that is not possible for some reason beyond our control, then we have specific guidelines of how to make the seizure, and our department restricts the presence of any of our personnel unless they have been properly trained in the seizures.

We have also been involved in special task forces with the Drug Enforcement Administration, local officers, and this has increased our intelligence sharing which is so important in the area of seizing clandestine manufacturers.

We have taken steps, and many times in cooperation with the Drug Enforcement Administration, to develop contacts within chemical supply houses and followed those leads from an intelligence gathering standpoint to the location of the laboratories.

We would stress from the State of Texas and from our experience standpoint, that the cooperation between State, local, and Federal agencies is mandatory in combating the problem of clandestine manufacturing of drugs. We have experienced in many, many cases the interstate transportation of chemicals, the interstate transportation of the entire laboratory, the interstate transportation of the finished product.

We enjoy a good working relationship among the States, and we enjoy a good relationship with DEA in the State of Texas in this

particular area and in others, but I must stress that it is very important that this cooperation exist because of the mobile nature of these laboratories, and it is one of our priorities, is cooperation with the Drug Enforcement Administration in not only investigative area but in the training area.

Thank you for the opportunity of appearing before the committee, Mr. Chairman, and I would be glad to respond to any questions that you or any other members might have.

[The prepared statement of Mr. Pruitt follows:]

STATEMENT

of

WILLIAM M. PRUITT

ASSISTANT COMMANDER

TEXAS DEPARTMENT OF PUBLIC SAFETY

NARCOTICS SERVICE

Congressman English and distinguished members of this Subcommittee, my name is William M. Pruitt. I am the Assistant Commander of the Texas Department of Public Safety, Narcotics Service. I am grateful to have the opportunity to appear before your subcommittee and relate to you the magnitude of the problems brought on by the clandestine manufacture of drugs in Texas.

In my statement today, I intend to cover several areas related to the illegal manufacture of drugs in Texas including:

1. The scope of the problem
2. The potential dangers to the users
3. The potential dangers to law enforcement officers
4. Hazards and violence at laboratory sites.
5. The enforcement efforts by the Texas Department of Public Safety
6. The need for cooperation between federal, state and local law enforcement agencies.

Representatives from the State of Texas and the Texas Department of Public Safety have appeared before various subcommittees in the past to discuss the overall drug problem in Texas. Testimony at those hearings revealed the variety of drug trafficking and drug abuse problems faced by the law enforcement community in Texas.

The State of Texas, because of its size and geographic location with respect to major drug source countries, continues to have a multi-facited drug trafficking problem.

Areas that have historically required specialized law enforcement attention in Texas include drug smuggling by aircraft and marine vessel, drug smuggling by vehicles, diversions of legitimate drugs into illegal channels and the trafficking of Mexican heroin. More recently, additional problems emerged in the area of illegal drug laboratories.

The Scope of the Problem

Law enforcement officials in Texas initially became aware of the domestic drug production problem in 1978 when a special task force was established in Houston to investigate incidences of illegal drug manufacturing. The success of this multi-agency task force effort brought to light the potential problems associated with these drug production operations.

Texas currently leads the nation in the number of clandestine drug laboratories seized by law enforcement officials. Our state has held 'this not so distinguished' honor for three (3) straight years, and it appears that laboratory seizures in 1985 will keep Texas a leader in this area.

In 1982, nineteen (19) laboratories manufacturing illegal drugs were seized by the Department of Public Safety in cooperation with other police agencies. In 1983, thirty-one (31) illegal laboratories were seized by our Department resulting in the seizure of over $17 million in illegal methamphetamine and amphetamine. In 1984, illegal laboratory seizures in Texas increased a startling 87% over 1983 when our Department seized fifty-eight (58) illegal laboratories.

As of 09-15-85, Department of Public Safety officers have already seized fifty-eight (58) illegal drug laboratories.

Over the past three years, Investigators from the Department of Public Safety have seized approximately $164 million dollars worth of drugs from illegal laboratories.

The significance of these seizure statistics is enhanced by the fact that they reflect only the seizures in which Department of Public Safety officers participated. Although an accurate count of laboratories seized in Texas by all law enforcement agencies is unavailable, it is estimated that approximately 84 laboratories were seized in 1984 statewide, and it is projected that a total of 100 laboratories will be seized in 1985.

Attachments included with my prepared statement reflect statistics and seizure locations of the illegal laboratories seized in Texas during 1983-1985.

A clandestine laboratory may range from a well organized efficient operation capable of producing from 5 - 25 pounds of controlled substances per week to a kitchen or bathroom laboratory in an apartment which produces one ounce per week.

As in any operation of this nature, the volume of controlled substance produced has a direct effect on the profit margin expected by the laboratory operator.

The average street price for methamphetamine and amphetamine in Texas is approximately $125.00 per gram. At this rate, a single pound of methamphetamine, if sold in one gram units, would generate over $56,000.00. The wholesale price for a pound of methamphetamine is approximately $15,000.00 to $20,000.00.

Potential Dangers to the Drug User

There is nothing to indicate that this problem is diminishing or even leveling off. Actually, based on past seizure statistics coupled with growing consumer demand, the problem with illegally produced drugs is expected to continue to grow at this alarming rate.

The danger of becoming psychologically addicted to stimulants such as methamphetamine or amphetamine is but one of the hazards faced by the drug abuser.

The consumption of stimulants may result in a temporary sense of exhilaration, hyperactivity and a loss of appetite. Stimulant use also induces irritability, anxiety and apprehension. The effects of stimulants are greatly intensified when administered by intravenous injection which is the method most often used by users of clandestinely manufactured drugs. Intravenous injection usually produces a sensation known as a "rush". This rush is usually followed by a feeling of depression known as "crashing". Since the depression can be easily countered by another injection of the stimulant, this abuse pattern becomes increasingly difficult to break. Heavy users may inject themselves every few hours, a process sometimes continued to the point of delirium or psychosis.

The user of illegally manufactured drugs is faced with many additional hazards. Clandestinely produced drugs are often the result of efforts of unqualified chemists who use unsanitary facilities for their drug production. With no quality controls whatsoever, their finished product can be contaminated with deadly chemicals. The drug user who acquires this drug for his use may be placing a potentially lethal substance into his body.

This may be substantiated by a National Narcotics Intelligence Consumers Committee report which states that in 1983, while methamphetamine related hospital emergencies decreased slightly, methamphetamine related deaths increased by 50 percent.

Results from tests in another state indicate that users of a certain contaminated batch of illegally produced drugs actually acquired Parkinson's disease.

Potential Danger to Law Enforcement Officers

There are other dangers involved in the illegal production of drugs and these dangers have caused great concern in the law enforcement community. The dangers I am speaking of are the health hazards law enforcement officers are exposed to when they seize and dismantle illegal drug laboratories.

Many of the chemicals required to produce methamphetamine or amphetamine are cancer causing agents while others can damage one's heart, lungs, liver and blood. Chemical fumes can also cause severe skin and eye irritation.

The human body actually stores many of these dangerous chemicals in the fatty cells of the body and the overall long term effect of exposure to the chemical fumes by law enforcement officers is frightening.

Several Investigators from the Department of Public Safety have reported a variety of health related problems which can be directly attributed to exposure to chemical fumes in illegal laboratories.

Hazards and Violence at Laboratory Sites

Additional hazards faced by both the unlawful drug producer and law enforcement authorities alike are those associated with the extreme volatile nature of the chemicals used in drug production.

Chemicals such as ether, which is extremely volatile, and acetic anhydride, which is highly flammable, render these laboratory sites as potential bombs. Many of these chemicals are essentially unstable and even an improper combination of two or more chemicals can produce poisonous fumes.

Another area causing great concern to law enforcement officers across the nation is the increased level of violence associated with illegal drug laboratories.

In a majority of laboratory investigations today, our Investigators are seizing a variety of weapons and explosives in addition to the illegal drugs. Explosives, as well as other anti-personnel devices, have been detected at laboratory sites installed in such a manner that, if detonated, could kill any officers in the vicinity as well as destroy the entire laboratory site.

In a recent investigation in Texas which resulted in the seizure of a laboratory, officers detected an explosive device which

contained twelve (12) oil field perforators completely wired with a detonator.

Two separate laboratory investigations in the state of Oregon revealed that at one site, the front door was wired with a 10,000 volt charge, far more than enough to kill a police officer raiding the laboratory site. The other site had one container of potassium and one of hydrochloric acid placed strategically near the front door. An unsuspecting officer opening the front door of this location would cause these containers to spill and the resulting chemical reaction would produce deadly cyanide gases.

These are only a few examples of the violent and hazardous situations faced by law enforcement officers encountering illegal drug laboratories. This trend toward violence and the prevalent use of explosives has many officers legitimately concerned.

Another problem area with respect to illegal drug laboratory investigation deals with the need of the investigating officer to retain certain quantities of the seized chemicals for court proceedings.

The transportation, storage and destruction of these chemicals come under the scrutiny and regulations of various federal and state agencies.

The Department of Public Safety has therefore found it necessary to construct special storage facilities throughout the state for the purpose of storing these hazardous chemicals. These buildings have been designed to allow for the forced venting of fumes and any potential explosive blasts through the roof.

The Enforcement Efforts by the Texas Department of Public Safety

The alarming increase in the number of illegal drug laboratories being operated in Texas has caused our Department to provide police officers throughout the state with intensified training in laboratory investigation techniques and chemistry.

Additionally, the Department has seven (7) investigators who have received a tremendous amount of training in the recognition and proper handling of explosives. These investigators are qualified Hazardous Devices Technicians.

Investigators in various parts of our state have been assigned to special task forces targeting illegal laboratory operations. These task forces have proven to be particularly successful as they allow for the sharing of intelligence information among participating agencies and better better enable the investigators to identify major laboratory operators.

Another enforcement step taken by Department Investigators has been to develop contacts at various chemical supply companies throughout the state.

Information provided by these company employees has proven to be very beneficial in identifying suspects purchasing the chemicals used to manufacture illegal drugs.

The Texas Department of Public Safety works diligently throughout the year in an attempt to maintain appropriate legislative and regulatory controls over the sale and distribution of precursor chemicals as well as the illegal drugs themselves.

During each legislative session, our Department attempts to secure legislation that updates the Texas Controlled Substances Act in this regard.

At this point in time, the greatest majority of laboratories seized in Texas have been used to manufacture methamphetamine or amphetamine or the precursor chemicals.

However, forty percent of the laboratories seized in the State of California this year have been phencyclidine (PCP) producing labs.

During August of this year, our Department sent a Narcotics Training Officer to California to study the PCP manufacturing

operations in that state in anticipation that PCP manufacturing will inevitably reach our state in the near future.

The Need for Cooperation Between Federal, State and Local Law Enforcement Agencies

As in any field of criminal law enforcement, the need for cooperation between all law enforcement agencies is absolute. This has been accomplished in several areas of our State through the task force concept previously mentioned.

Because of the increased level of violence and the prevalent use of explosive devices at the laboratory sites, the timely exchange of intelligence information is crucial.

Our Department has shared with the Drug Enforcement Administration the responsibility to provide quality training to law enforcement officers across the state.

This concludes my prepared remarks concerning the problems associated with the illegal manufacture of drugs in Texas. I urge the members of this subcommittee to take a close and serious look at this situation and to support any legislation at the Federal level that will help law enforcement officers make this society a safe place in which to live.

Thank you for the opportunity to appear before you today, and in closing I will be happy to try and answer questions you may have.

CLANDESTINE LABORATORY SEIZURES IN TEXAS

01-01-83 through 12-31-83

	Date of Seizure	County	Type	Approximate Street Value in Dollars
1.	01-12-83	Parker	Meth	34,500
2.	01-14-83	Bastrop	Meth	67,900
3.	01-18-83	McLennan	Meth	6,000
4.	02-11-82	Milam	Phenyl	*NSV
5.	02-17-83	Hamilton	Meth	1,200
6.	04-11-83	Arkansas	Meth	1,342,000
7.	04-27-83	Comal	Meth	*NSV
8.	04-28-83	Tarrant	Amph	*NSV
9.	05-13-83	Arizona	Amph	45,000
10.	05-13-83	Tarrant	Amph	(Included in #9)
11.	05-13-83	Smith	Amph	(Included in #9)
12.	05-16-83	Galveston	Meth	3,000
13.	05-16-83	Parker	Amph	2,880,000
14.	05-26-83	Raines	Amph	120,800
15.	05-29-83	Lampasas	Meth	12,000
16.	07-09-83	Trinity	Meth	40,000
17.	08-07-83	Franklin	Amph	15,000
18.	08-13-83	Grayson	Meth	21,000
19.	08-25-83	San Saba	Meth	*NSV
20.	08-26-83	Walker	Meth	300,000
21.	09-13-83	Johnson	Amph	35,000
22.	10-02-83	Trinity	Meth	500,000
23.	10-07-83	Denton	Amph	250,000
24.	10-16-83	Harris	Meth	*NSV
25.	10-18-83	Wichita	Amph	11,030,000
26.	10-26-83	Collin	Amph	6,000
27.	11-09-83	Lampasas	Meth	2,800
28.	11-18-83	Tarrant	Amph	50,000
29.	12-07-83	Oklahoma	Meth	76,000
30.	12-09-83	Bastrop	Meth	130,000
31.	12-09-83	Tarrant	Amph	160,000
	TOTAL ESTIMATED VALUE OF DRUGS SEIZED			17,128,200

*No Street Value given on report

NOTE: Laboratories listed above include only those in which DPS Narcotics Investigators were involved.

CLANDESTINE LABORATORY SEIZURES IN TEXAS

01-01-84 through 12-31-84

	Date of Seizure	County	Type	Approximate Street Value in Dollars
1.	01-11-84	Wise	Amph	260,000
2.	01-16-84	Young	Methl	10,000
3.	01-19-84	Nueces	Meth	2,000
4.	01-19-84	Galveston	Meth	8,100
5.	01-30-84	Oklahoma	Amph	15,000
6.	02-03-84	Polk	Meth	7,000
7.	02-05-84	Brazos	Meth	224,000
8.	02-09-84	Jefferson	Pre/Glsw	*NSV
9.	02-14-84	Tarrant	Amph	16,000
10.	02-21-84	Denton	Amph	35,000
11.	02-23-84	Limestone	Meth	35,000
12.	02-24-84	Johnson	Meth	25,000
13.	02-25-84	McLennan	Amph/Meth	30,000
14.	02-25-84	Upshur	Meth	70,000
15.	03-06-84	Somvl/Tarr	Amph	45,000
16.	03-16-84	Tarrant	Meth	25,000
17.	03-16-84	Travis	Phenyl	*NSV
18.	03-16-84	Travis	Meth	1,500
19.	04-01-84	Callahan	Amph	400,000
20.	04-21-84	Denton	Pre/Glsw	*NSV
21.	04-25-84	Williamson	Meth	187,500
22.	05-01-84	Victoria	Meth	12,000
23.	05-13-84	Orange	Meth	8,400
24.	05-18-84	Travis	Meth/Exp/Pre	*NSV
25.	05-31-84	Llano	Meth	946
26.	06-10-84	Brazos	Meth	35,000
27.	06-12-84	Taylor	Meth	240,000
28.	06-16-84	Lampasas	Pre/Glsw	*NSV
29.	06-16-84	Dewitt	Meth	30,000
30.	06-27-84	Uvalde	Meth	50,000
31.	07-01-84	Montgomery	Meth	320,000
32.	07-22-84	Brown	Meth	1,000
33.	07-26-84	Polk	Meth	1,450,000
34.	08-15-84	Lampasas	Amph	280,000
35.	09-07-84	Hill	Meth/Pre/Glsw	375
36.	09-07-84	Parker	Amph	45,000
37.	09-07-83	Tarrant	Amph	1,362,000
38.	09-09-84	Bell	Meth/Pre/Glsw	110
39.	09-19-84	Hardin	Meth	6,969
40.	09-23-84	Hill	Amph	74,910
41.	09-26-84	Dallas	Amph	30,000
42.	10-19-84	Bastrop	Meth	15,400
43.	10-29-84	Johnson	Meth	22,000
44.	10-29-84	Parker	Amph	227,000

45.	11-02-84	Parker	Amph	1,053,500
46.	11-02-84	Tarrant	Pr/Gl	10,500
47.	11-13-84	Travis	Meth	9,240
48.	11-20-84	Tarrant	Amph	8,000
49.	11-28-84	Cooke	Amph	22,000
50.	12-06-84	Hays	Meth	173
51.	12-07-84	Comal	Meth	1,123,000
52.	12-12-84	Palo Pinto	Amph	21,600
53.	12-12-84	Galveston	Pr/Gl	40,000
54.	12-14-84	Bell	Pr/Gl	*NSV
55.	12-20-84	Stephens	Meth	60,000
56.	12-27-84	Brazoria	Meth	100,000
57.	12-27-84	Harris	Meth	750,000
58.	12-28-84	Fannin	Amph	138,500
	TOTAL ESTIMATED VALUE OF DRUGS SEIZED			9,078,724

*NSV Precursor chemical seizure only. No street value given.
Note: Laboratories listed above include only those in which D.P.S. Investigators were involved

CLANDESTINE LABORATORY SEIZURES IN TEXAS

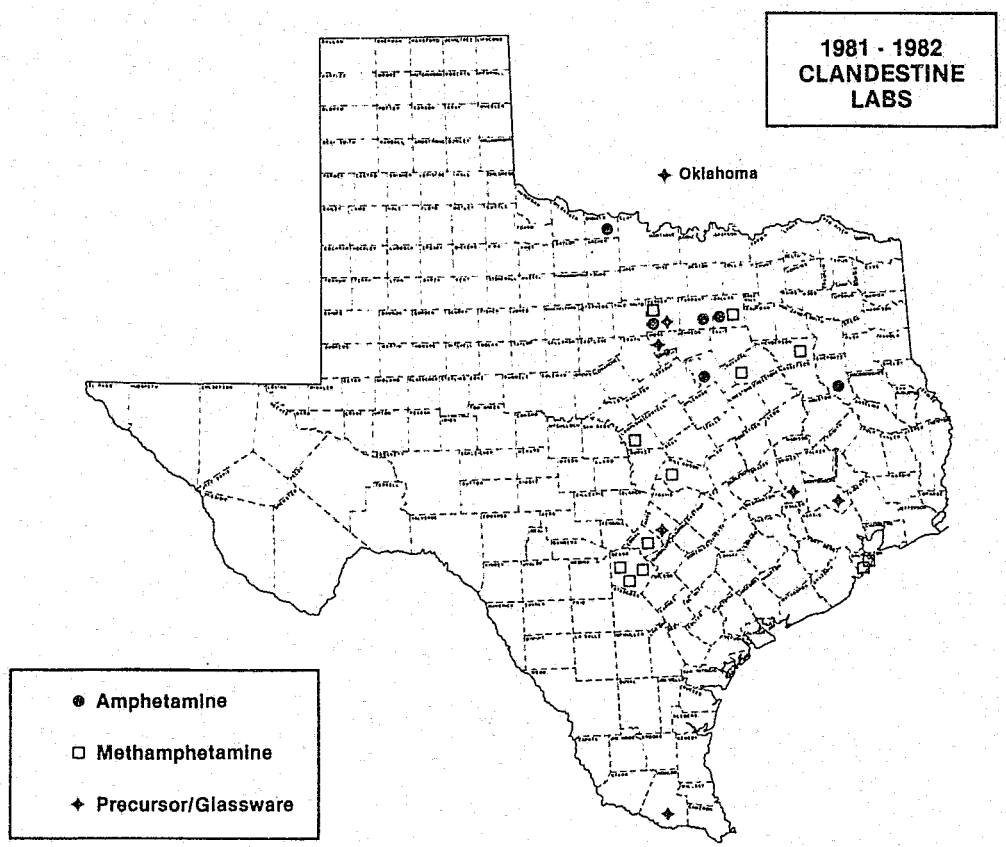
01-01-85 through 09-18-85

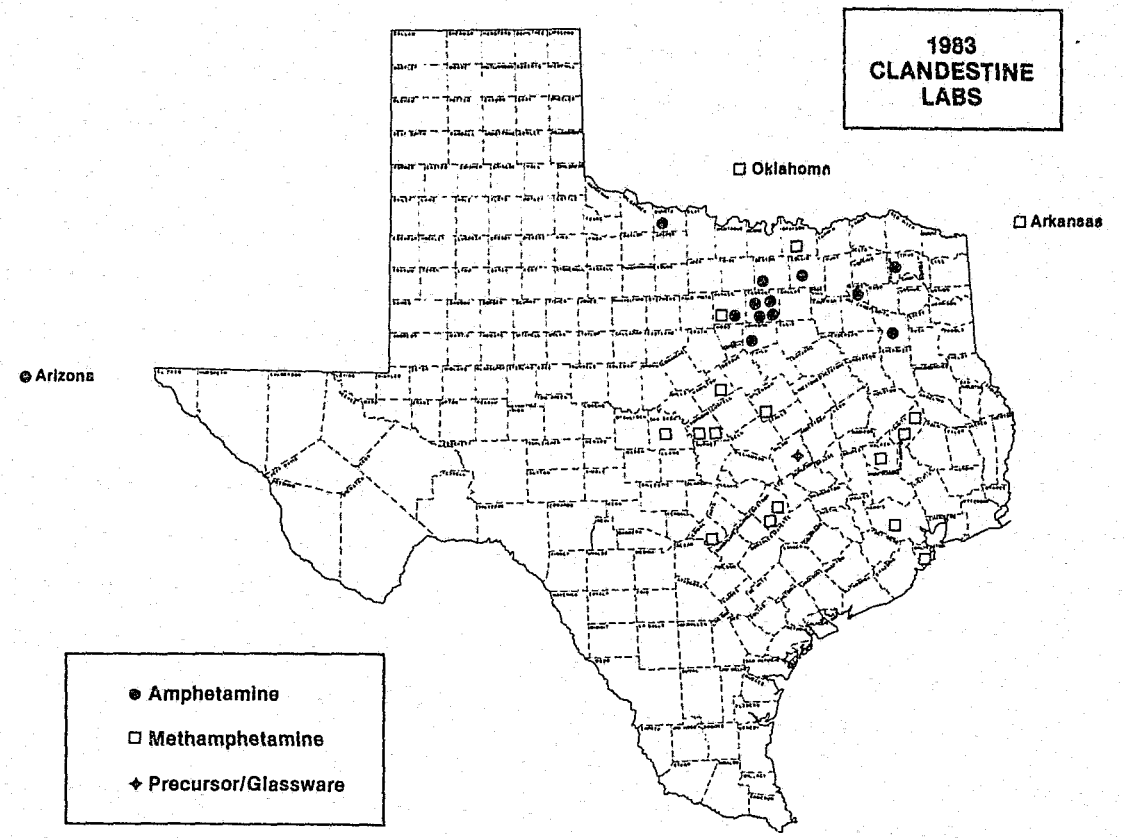
	Date of Seizure	County	Type	Approximate Street Value in Dollars
1.	01-07-85	Bexar	P2P(m)	200,000
2.	01-11-85	Johnson	Amph	149,820
3.	01-11-85	Guadalupe	M/P2P	313,600
4.	01-12-85	Galveston	Meth	400,000
5.	01-15-85	Tarrant	Amph	20,000
6.	01-15-85	Harris	Meth	128,750
7.	01-16-85	Brown	P2P/M	40,000
8.	01-17-85	Lampasas	P2P	5,000
9.	01-20-85	Denton	Meth	5,000
10.	01-21-85	Burnet	Hash	34,564
11.	01-23-85	Bexar	Meth	200,000
12.	02-02-85	Denton	P2P(A)	10,000
13.	02-15-85	Hood	Amph	327,690
14.	02-19-85	Kaufman	Amph	100
15.	02-15-85	Bosque	Amph	351,120
16.	02-26-85	Wise	A/P2P	25,000
17.	02-26-85	Hill	Amph Oil	887,040
18.	02-18-85	Tarrant	Meth/Meth Oil	61,500
19.	03-01-85	Cherokee	Meth	1,400,000
20.	03-02-85	Parker	Amph	650,000
21.	03-05-85	Matagorda	Meth	344,000
22.	03-08-85	Fischer	P2P(A)	40,000
23.	03-10-85	Taylor	Amph	800,000
24.	03-12-85	Harris	P2P(m)	50,000
25.	03-21-85	Johnson	Amph/Amph Oil	49,500
26.	03-22-85	Brown	Meth	*NSV
27.	03-24-85	Taylor	P2P(A)	240,000
28.	03-27-85	Bexar	Meth Oil	960,000
29.	03-29-85	Guadalupe	Meth	1,379,840
30.	03-30-85	Liberty	m/P2P	1,200
31.	04-03-85	Burleson	Meth	24,640
32.	04-19-85	Somerville	Meth/Amph	1,015,300
33.	04-21-85	Bell	Meth	99,880
34.	05-03-85	Tarrant	Meth	37,510
35.	05-24-85	State of Colo.	Meth Oil	121,927,680
36.	05-24-85	State of Colo.	Meth Oil	Included in #35
37.	06-03-85	Hill	Amph	9,240
38.	06-05-85	Van Zandt	Amph/Amph Oil	97,000
39,	06-11-85	Trinity	Meth/Meth Oil	252,875
40.	06-20-85	Henderson	Amph/P2P	24,640
41.	06-29-85	Freestone	P2P(A)	184,800
42.	07-04-85	State of Ark.	Meth	2,400,000
43.	07-11-85	Nacogdoches	Adliocybin	208,155
44,	07-12-85	Bell	M/P2P	32,320
45.	07-16-85	Bastrop	Meth/Meth Oil	785,400

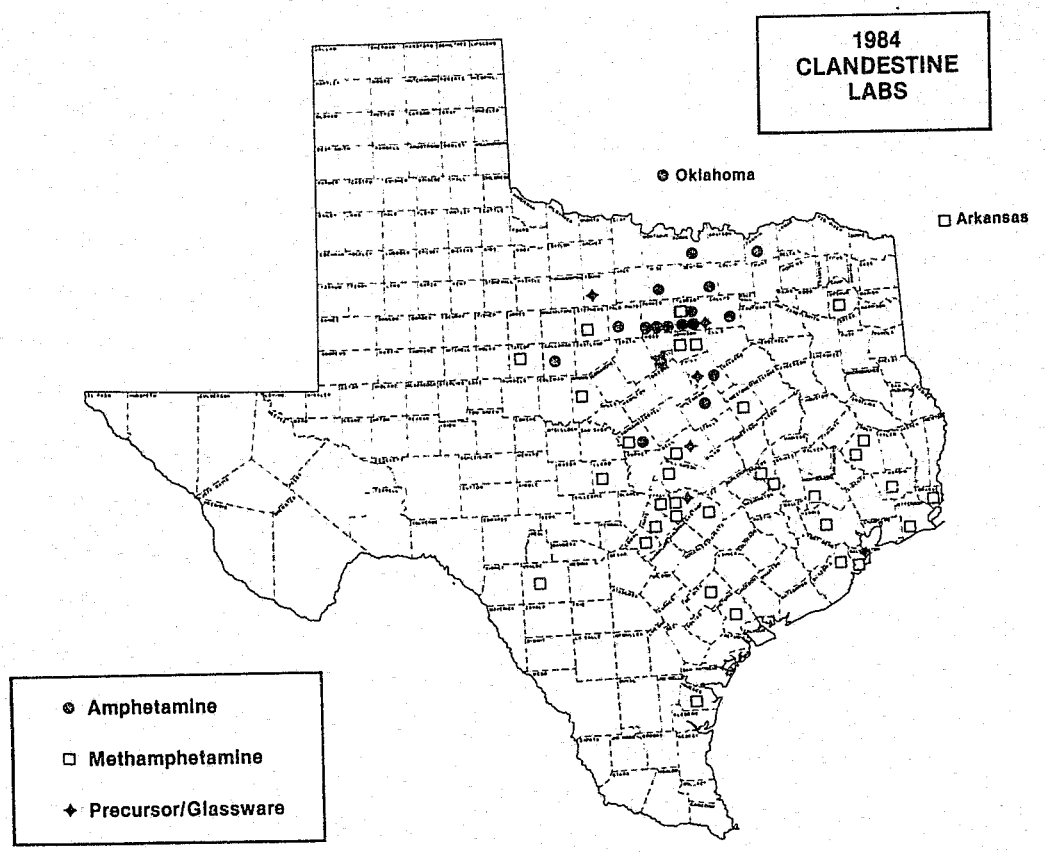
46.	07-26-85	Erath	P2P/Amph Oil	106,910
47.	08-12-85	Falls	Meth Oil/P2P	643,280
48.	08-22-85	Lubbock	Pre/Glass (M)	*NSV
49.	08-22-85	Taylor	Amph	*NSV
50.	08-26-85	Llano	Meth	199,760
51.	09-05-85	Harris	Meth	115,625
52.	09-09-85	Tom Green	Meth/Meth Oil	131,000
53.	09-13-85	Bell	Meth	100
54.	09-15-85	Hill	Meth Oil/P2P	425,760
55.	09-18-85	Travis	P2P/Meth	15,132
56.	09-18-85	Hill	P2P/Amph	291,000
57.	09-18-85	Hill	Amph Oil/P2P	15,000
58.	09-18-85	McLennan	Amph Oil/P2P	215,400

TOTAL ESTIMATED VALUE OF DRUGS SEIZED TO DATE: $138,332,131

*No Street Value given on report.


1981 - 1982
CLANDESTINE
LABS
Oklahoma
Amphetamine
Methamphetamine
Precursor/Glassware


1983
CLANDESTINE
LABS
Oklahoma
Arkansas
Arizona
Amphetamine
Methamphetamine
Precursor/Glassware


1984
CLANDESTINE
LABS
Oklahoma
Arkansas
Amphetamine
Methamphetamine
Precursor/Glassware

Mr. ENGLISH. Thank you very much, Mr. Pruitt.
Sergeant Best.

STATEMENT OF SGT. DALE BEST, DRUG COORDINATOR, CRIMINAL INVESTIGATIVE DIVISION, ARKANSAS STATE POLICE

Sergeant BEST. Mr. Chairman, and other members of the committee: My name is Dale Best and I am a sergeant with the Arkansas State Police assigned to the criminal investigative division.

My specific duties are as drug coordinator for D Company within the division, which encompasses 12 counties within the State of Arkansas. The company where I am assigned borders Arkansas and Oklahoma and also goes down and touches the end of Texas.

The lab problem in Arkansas dates back to 1981. Since 1981 there have been 40 labs seized within the State of Arkansas. Thirty-nine of the labs have been methamphetamine or amphetamine related, with one lab being PCP.

As recent as August 31, 1985, for the year 1985, there have been 13 seizures of methamphetamine or amphetamine laboratories in the State. In 1984, there were 14. In 1983, there were 7, and in 1982, there were 14. In 1983 there were seven, and in 1982 there were five, thus showing a marked increase in the seizures of the laboratories within the State of Arkansas.

I think that in Arkansas we are faced with a lack of training and expertise in the field of clandestine laboratory investigations and rely greatly on the assistance from the Drug Enforcement Administration, Little Rock office.

The Little Rock office of the Drug Enforcement Administration is a four-man office, and they, like many other agencies of law enforcement, are understaffed and overworked.

In Arkansas, as of the first of the year, specifically February 20, 1985, the legislature has enacted new laws with more stringent penalties as would pertain to the manufacturing, possession, and distribution of powdered substance, specifically cocaine, methamphetamine, and amphetamine powders.

The weight which in the past would be—excuse me, let me just read to you the statute as it relates to the aggregate substances: Schedules I, II, and III controlled substances which include cocaine, methamphetamines, and amphetamines with an aggregate weight including the diluents is less than 28 grams, the individual is guilty of a felony and shall be imprisoned for not less than 5 years nor more than 20 years and shall be fined an amount not to exceed $15,000.

On the other hand, if the substance in schedule I, II, or III has an aggregate weight to include the diluents of 28 grams or more but less than 400 grams, the individual is guilty of a felony and shall be imprisoned for not less than 10 years nor more than 40 years or life, and shall be fined an amount not exceeding $50,000.

And the most stringent of the statute reads that schedules I, II, and III controlled substances with an aggregate weight to include the diluents of 400 grams or more is guilty of a felony and shall be imprisoned for not less than 15 years nor more than 40 years or life and shall be fined an amount not to exceed $100,000.

Those are the guidelines set forth by State law as it would pertain to the sentencing of individuals in the clandestine lab operations, and that was the purpose for the creation of this particular statute and the sentencings set forth.

You made a mention earlier concerning Metroplex in Dallas, TX. And I would like to say, I am not really in defense of Metroplex but for them, that in 1983 in Fort Smith, AR, we were contacted by the Drug Enforcement Administration and we were given information concerning an individual who had just left Metroplex and was en route to Fort Smith, AR, with a bobtail truck containing various chemicals and glassware, some of which could be utilized in the manufacturing of controlled substances, specifically methamphetamine and amphetamine.

A surveillance was subsequently established in Fort Smith, AR, and approximately 6 hours later the individual was stopped, detained, and questioned by members of the State police and Fort Smith Police Department.

This individual subsequently became a cooperating individual. The items on his truck, which were sold to him at Metroplex, were destined to two different groups of individuals involved in the manufacturing of methamphetamine and amphetamines in Fort Smith, AR.

One group we identified as members of the Bandido Motorcycle Club, and the second group were local individuals in the Fort Smith, AR, area looking to make money.

An investigation ensued, and controlled deliveries of the chemicals and/or glassware were made to both groups with the aid of the Drug Enforcement Administration. The first delivery occurred the day after the seizure from the informant, the surveillance concluded in Houston, TX, where members of the Bandido Motorcycle Club stored the chemicals inside of a ministorage facility.

Due to the lack of manpower and the ever increasing caseload on the agents, the investigation was terminated, and the chemicals were picked back up by members of the Drug Enforcement Administration in Houston.

We did or were able to indict at least five members of the Bandido Motorcycle Club who have since then appeared in Federal court in Fort Smith and been convicted on the charge of conspiracy to manufacture amphetamines or methamphetamine.

The second delivery occurred approximately 1 week after the initial seizure. The items were taken and stashed in the National Forest north of Ozark, AR. The items were subsequently seized by investigating officers and it was later determined that the individuals had detected the surveillance and disposed of the items in the woods.

We did manage to indict three persons involved in that case and they too were convicted in Federal court in Fort Smith.

As to Metroplex and the use of companies as such, I think that—it was my opinion and also the opinion of the department, that utilization of these companies should be recommended and advised as to the distribution of glassware and chemicals to potential suspects in that the individuals, if they don't buy it from us, they will buy it from someone else.

I have two forms I would like to present to you for the record, both of which relate to cash sales made by chemical companies, one in Oklahoma, and one in Omaha, NE. The Omaha, NE, sale is dated December 3, 1984, and shows the customer order number as verbal, a telephone call-in.

The items purchased were methylamine 40 percent in water, acetone, acetic anhydride, and phenylacetic acid. And it shows to have been paid in cash.

The second, a receiving ticket which is dated July 1985, for four barrels of 110 pounds of phenylacetic acid at a price of a little over $10,000, and it shows to have been paid in cash.

And it is my experience that the chemical supply companies have what they call a cash sale where individuals can walk in with cash, lay down the cash and tell them what they want and the people will sell it to them.

Now, as to whether or not there is any criminal intent behind each and every sale, I would not be able to answer that. I think that the chemical supply companies for the most part are honest, law-abiding citizens and they are trying to conduct a legal business.

But I think that someone should explore the possibility of controls being placed on the cash sales as to the possibility of identification of the individuals, showing some type of identification or where they show that they are affiliated with a company, have documentation or identification showing such.

Mr. ENGLISH. Without objection, those two documents will be made a part of the record.

[The documents follow:]

47-0564686

Midland Scientific, Inc.

1036 South 19th Street • Omaha, Nebraska 68108-3102
Phone (402) 346-8352

Please remit to: P.O. Box 7058 Omaha, Nebraska 68107

INVOICE NO. 44826

CUSTOMER ORDER NO. Verbal
TERMS–NET 30 DAYS, FOB: Omaha, NE
CUSTOMER ACCOUNT NO. 09595
INVOICE DATE: 12/3/84
SPECIAL INST. Truck C.O.D.

SOLD TO

Strickland Enterprises
c/o Republican City Service
Republican City, NE., 68971

SHIPPED TO

Qty. Ordered	B/O	Shipped	Cat. No.	DESCRIPTION
2 x 3 kg		2	1718 M	Methylamine (40% in water)
1 x 20 L		1	2440 M	Acetone AR
4 x 4 L		4	2420 M	Acetic Anhydride AR
18 x 500 g	12	6	BX0620-3	Phenylacetic Acid

Received in good order by:

Number of cases: 4

Tax ☒ Exempt ☐

Filled by

Checked by

Shipped Via: Canning 12/3/84

FREIGHT: Collect XXX | Pre-Paid

Merchandise total
Sales Tax
Pre-Paid freight
Total

Please pay last amount in this column
No statement will be issued

PACKING LIST

...EIVING TICKET

☐ CASH
☐ CHAR...

...COMPANY, INC.
... P.O. BOX 470010
... 622-1212

DATE 7/7/85

INDUSTRIAL AND LABORATORY CHEMICALS

BILL TO: ...
... 2
... OK 74536
552-351-052

SHIP TO: Cash

SPECIAL NOTE: G-5 C Class

CUSTOMERS P.O. NO. 3175 ... 6151

CONTRACT NO. ... OK.

ITEM NUMBER	QUANTITY ORDERED	QUANTITY SHIPPED	B.O.	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
	4	4		110# Phenyl Acetic		
				Acid	2.54/...	10,1...
				3.75% State TX		330.3...
						10,49...

PAID

ACCOUNTS ARE SUBJECT TO A LATE PAYMENT CHARGE OF 2% PER MONTH (ANNUAL PERCENTAGE RATE OF 24%) ON ALL AMOUNTS NOT PAID WITHIN 45 DAYS OF INVOICE DATE.

Sergeant BEST. I would like to also introduce for the record several photographs which pertain to clandestine lab operations in Sebastian County, AR, specifically around the Fort Smith, AR, area where I am assigned.

[The photographs are retained in subcommittee files.]

Sergeant BEST. The first set of photographs will pertain to a laboratory operation which was seized in August of last year, and the way that officers became aware of the laboratory site was due to a house fire within the house trailer on a property about 13 miles south of Fort Smith, AR.

Now, the house fire was not related to the laboratory operation but due to a faulty water heater. The operational lab was located in two separate storage buildings located directly across the driveway from the trailer, and the laboratory seized is said to be the largest operational laboratory ever seized in the State of Arkansas, which consisted of three flasks—triple neck flasks—that are 50,000 milliliters in size.

We also seized approximately 90 gallons of ethyl ether and approximately 40 gallons of P2P.

When officers arrived at the property, no one was around. A subsequent investigation led us to a second site approximately 10 miles east of the first mentioned laboratory site.

This location was a 5-acre parcel of land with a house trailer and a storage building, and it was somewhat unique: The entire—I believe it was 4½ acres—was enclosed with a 6-foot chain-link fence with three strands of barbed wire atop the chain-link fence. There were also guard dogs on the property.

Upon entering the property, we found various empty containers and several items of scientific glassware that were buried in the ground or in the process of being buried when officers arrived.

We also found a small quantity of substance, as it was, concealed in a garbage can outside the residence and under trash and garbage.

Pursuant to the investigation involving these two lab sites, we now have a total of five persons in custody, all of whom are charged on State violations in Fort Smith, AR, and one fugitive.

The investigation was worked in conjunction with the Drug Enforcement Administration's Little Rock, AR, and Sacramento office along with various police agencies in Texas and California.

I might also add that these individuals were also responsible for at least one laboratory near Houston, TX, and also for nine laboratories in the State of California.

The suspects, through the investigation, told us that they came to Arkansas considering it more of a safe house, a rural area and a place they could go and cook their dope.

All drugs were transported back to California for distribution, and the entire operation is said to be financed by a motorcycle club in California.

Mr. ENGLISH. Thank you very much, Sergeant Best.

Fred, have you got anything you would like to contribute to the testimony?

Mr. MEANS. I would simply like to underscore the fact, Mr. Chairman, that the Oklahoma Bureau of Narcotics enjoys a strong

relationship with the Texas DPS, that splendid department, and with Sergeant Best and the Arkansas State Police.

Our relationship with DEA is good and is improving. We are just very pleased that you have come here to Oklahoma City to inquire into this important and developing narcotic enforcement problem. I believe its implications are nationwide and warrant your attention.

Mr. ENGLISH. Thank you.

I would like to ask all of you some questions, and I would like each of you to respond in the order that you testified.

Fred, if you have anything you want to chime in on from the Oklahoma standpoint and add, please feel free to do so. But otherwise, Mike, why don't you go ahead and respond for Oklahoma.

DEA testified that they didn't think that in the last 2 or 3 years we had had a substantial increase in the number of laboratories here in the State of Oklahoma or particularly in this region.

Do you agree with that evaluation for your own State, Mike? Do you want to start off?

Mr. LYMAN. Well, Mr. Chairman, I think the statistics pretty much speak for themselves in that particular area.

I can't help but think—and I believe I can speak for the Bureau in this regard—that I think there is a significant increase in the seizures of laboratories, a very dramatic increase, really, in the last 2 years, more so than the previous 2 years.

The whys and the wherefores behind that are, of course, up for speculation. I think there is a growing degree of technology in the area of criminal clandestine laboratory activity and, of course, I think that we are, as law enforcement officers, gaining significant knowledge in the investigation of these laboratories.

But I can't help but think that there is a significant increase in the actual number of laboratories here in the State.

Mr. ENGLISH. You feel there is an increase in the number of laboratories? It is not just that we are cracking down harder, it is that there is a proliferation of labs?

Mr. LYMAN. Yes, sir, I do.

Mr. ENGLISH. OK. As far as Texas?

Mr. PRUITT. Yes, sir. I also believe that there is hardly any doubt that there are more clandestine laboratories than there were several years ago.

We in Texas have not increased in manpower that much in the last 4 years. We have been training our people specifically in the investigation of clandestine laboratories for 8 or 9 years now.

We are committing a higher percentage of manpower to clandestine laboratories now but not a proportionately high commitment of manpower.

We have accrued information for many years on the operators of clandestine laboratories in Texas, and though we do not know all of them or where they are, we are able to monitor their travels somewhat through intelligence information.

We have also in the last 4 years been able to utilize a wire intercept law which was passed in Texas, and it has given us additional insight into the clandestine manufacture of drugs. And without a doubt, I believe that from the State of Texas' standpoint, there has been an increase in the number.

I do concur that I believe we are increasing our ability to detect and to make the cases, but I could not say that there are no more labs because I honestly believe that there are a substantial number.

We have also forced in Texas the abuser of a stimulant drug to go to clandestine laboratories by the passage of a prescription law which has virtually shut off the diversion of the methamphetamine and amphetamine through the legitimate sources.

And it has enabled us to target those people directly, and it has been a tremendous tool for us as far as the diversion of legitimate drugs, thereby forcing them to try to get—the abuser to try to get the drug somewhere else other than through a legitimate channel.

Mr. ENGLISH. Thank you, Bill.

Dale, what do you think?

Sergeant BEST. Mr. Chairman, I go along with the statements of all the agencies represented, the Drug Enforcement Administration specifically, due to the lack of training and the expertise in the field.

Years ago, we seized one, we seized five, we seized seven. How many did we not seize? It is hard to estimate. But then, too, it is my personal opinion that the drug labs or the clandestine laboratories are on the upswing.

I think that you are going to see more and more clandestine laboratories so long as people can sell the equipment and buy the chemicals, they are going to be there.

Mr. ENGLISH. We have seen in this area a 220-percent increase in the number of arrests, which is a rather dramatic increase, over the last 3 years.

There has to be, then, I would assume, an increased market. If we have a larger number of laboratories that are producing these drugs—and I think, Dale, you pointed out that this large laboratory that you hit was producing for California—but I would assume that not all those drugs are going out of State. Some are staying.

Can you give us a feel of the various states of the laboratories, whether you think that most of the production is staying in the State or whether it is being produced and shipped out of State?

Mr. LYMAN. Mr. Chairman, our experience has been a lot of the finished product seems to be leaving the State of Oklahoma, whereby a lot of it remains.

This business is kind of a funny business in the regard that sometimes supply can dictate demand, and sometimes demand can dictate supply.

It is a very tenuous type of a predicament to find ourselves in, and it is certainly unpredictable, but in response to your question, the finished product very frequently leaves the State for Texas, New Mexico, places of this nature.

But on the other side of that coin, we do receive some products, too, from other States.

The same is true along these same lines with the acquisition of the chemical precursors that are required to make the drug.

In other words, an Oklahoma violator may not necessarily buy his chemicals here in the State. He may go to Arkansas or he may go to Texas to acquire these chemicals out of a sense of security for himself.

He may feel that he can go undetected a little bit easier by acquiring these in other places, and we have found that in our associations with other law enforcement agencies in other States, sometimes the converse is true.

Mr. ENGLISH. Bill, are most of the drugs in Texas consumed there, or are they shipped out?

Mr. PRUITT. I think we have the population and the area to take care of both of it. We do have a tremendous demand for the drug in Texas.

We have specifically documented the movement of drugs produced in Texas to Georgia, Tennessee, Arkansas, Oklahoma, New Mexico, Colorado, Arizona, and as was pointed out, we have developed investigations which our violators went to some of these other States, produced the drugs for shipment back into Texas with the demand being in Texas.

So, our size and the range of population areas that we have from the metropolitan Houston, Dallas-Fort Worth area, San Antonio area, to the very sparsely populated areas of west Texas make it conducive for both interstate and intrastate consumption of the product.

Mr. ENGLISH. Dale.

Sergeant BEST. Insofar as Arkansas would be concerned, I feel that a conservative estimate of 30 to 40 percent of the clandestine labs seized thus far in Arkansas have been operated by persons who are Arkansas residents.

I think that the substances purchased or manufactured by the local residents are staying within the State, although I think that 60 to 70 percent of the lab operators and these substances manufactured are persons from out of State, and specifically with the recent arrest of persons from Texas, Oklahoma, and California, and from statements received during those investigations in interviews with these people, that the substances were not for local distribution but for transportation to other locations for distribution.

Mr. ENGLISH. I want to ask you one final question. As I pointed out, there is, my understanding at least, the strong connection between some of these drugs and violent crime.

Do you agree with that assumption? Has that been what you have found in your individual States? And also could you give me some feel—and I realize this would be a guesstimate—but whether you feel that there would be a substantial reduction in violent crime in your State, some reduction, whatever your general thoughts are about it, if we were able to deal with this laboratory problem.

And third, do you agree with the assessment that we have just heard from DEA that if we, in fact, got serious about the war on drugs, if we really were going to take a wholehearted effort to deal with this problem, that we could possibly wipe out 90 percent of the drugs being produced by these laboratories in this country?

Mike, I realize those are lots of questions wrapped into one, but can you give us a feel as to what your thoughts are here in Oklahoma?

Mr. LYMAN. Yes, Mr. Chairman, first off I think it could go almost undisputed that these types of drugs do cause very likely a

propensity for violence in the individuals who we do investigate and we do run into.

We have documentation throughout our investigations that indicates that other crimes are being committed with regard to, in particular, assaults and armed robbery-type activities with perpetrators of many of these laboratories.

So, the answer would be an unqualified yes on that.

Now, with regard to the second prong of your question, if I can remember what it is——

Mr. ENGLISH. Well, basically, I was talking about DEA's statement: If we really got serious and put out a full court press, full-fledged effort on the Federal level in dealing with these types of problems, and given the fact that these laboratories are here in the United States as opposed to, say, most of the cocaine, and I guess nearly all of our heroin laboratories which are overseas, DEA felt we could address that problem, that we could, in fact, eliminate most of those drugs in this country by going after the laboratories. And they could effectively deal with that.

Do you share the same degree of optimism, that if the commitment and manpower and resources were made, that here in the State of Oklahoma we could wipe out most of the drug laboratories?

Mr. LYMAN. Well, Mr. Chairman, I wouldn't be so bold as to say we could wipe it out. I would never make that blanket of a statement.

But I think that we could make a very, very significant impact—not only in the amount of violent crime, but the availability of drugs such as PCP, amphetamine, and methamphetamine on the streets. I think it would have a very major and significant impact on the overall drug enforcement climate here in Oklahoma.

Mr. ENGLISH. Could we take out 90 percent of the labs here in Oklahoma with that kind of a full-fledged effort? We are talking about 40 new DEA agents here in the State.

Mr. LYMAN. I doubt that I could say 90 percent, and that is a very, very difficult——

Mr. ENGLISH. I am going to press you. What percent?

Mr. LYMAN. I would say probably 50 percent would be optimistic.

Mr. ENGLISH. Bill, what about Texas? Do you make that same correlation on violence?

Mr. PRUITT. Yes, sir; I don't think there is any doubt. I think there are really two violent crimes involved in this.

One is the violence that the actual laboratory perpetrates; that is what we described to you as they carry guns, they shoot at us.

The other violent crimes are disassociated with the lab, and are the abusers of the product. And we also have experienced not only violent crime, but property-type crimes, residential burglaries and forgeries, hot check writing and the like, which is a tremendous economic drain on society that has brought on by the abusers of the finished product.

I don't think there is any doubt that a reduction in the abuse, in the manufacture of primarily methamphetamine and amphetamine would reduce the overall crime in a given area if the constant pressure could be placed and a long-term reduction in the abuse incurred.

What percentage we can reduce that is very elusive, and naturally the harder you work the luckier you are going to get, and you are going to get more, more of them.

The criminal justice system in itself is a very temperamental thing, and no matter how many investigators that are placed in the investigation or how many people we arrest, if there are no prosecuting attorneys to prosecute them, if there are not enough judges to sentence them, and if, when they are sentenced, they are either removed from society for a period of time to cause a deterrent or they are punished to the standpoint that they will stop violating the law, and if we don't look back and try to start at the earliest possible age with prevention, if all of those don't work exactly right, then 10,000 more investigators will not reduce the problem 90 percent.

If all of those work perfectly together and the proper amount of manpower and the proper amount of money is expended, then a substantial reduction can be made in this particular crime, and in any other crime where that commitment is made.

Mr. ENGLISH. What we are talking about—as I understand it with regard to the DEA, their agents' time has to be broken up depending on other drugs. In other words, they have obviously got to spend some time concerned with cocaine, they have got to spend time with heroin, they have got to spend time with marijuana, and they have to deal with these drug laboratories.

With the drug laboratories, it would appear—and again correct me if I am wrong—that this is the one area in which we do have a choke point; namely, the laboratories, themselves.

The criminals have to go out there and manufacture this stuff. That is something that we don't have with cocaine and we don't have with regard to heroin, and even with marijuana, which is scattered all over the countryside so much that it is a little different type situation. They have to get those chemicals, they have to buy the chemicals, and they have to produce it at a certain spot.

This is unlike any other drug problem that we have, and I think the point that we were making with regard to DEA is: If we were able to focus in on these kinds of laboratories, if we were able to put together the resources to concentrate full time on the Federal effort, and whatever time the State and local government could provide in focusing on that, do we have an opportunity to really take hold of that choke point and shut this thing down as far as this country is concerned?

Mr. PRUITT. If that is complemented by a proportionate increase in the number of U.S. attorneys, in the number of Federal judges to handle the cases, to do something about us having to continually arrest the same people for committing the same crimes.

Mr. ENGLISH. In other words, mandatory sentences, is that what you are talking about?

Mr. PRUITT. I don't advocate mandatory sentences. I don't advocate them.

Punishment is out of my line of expertise. I do think that it should protect society, and it should punish. I think that we have fallen down in both areas, but that is a nonprofessional opinion in that area.

I do believe that that is important to whether I can do my job, but I cannot speak with sufficient expertise whether mandatory sentencing. I do think that the sentence should be a deterrent, and it should be a punishment in order for us to make any headway whatsoever.

We did a survey in 1979 with clandestine manufacturing operators. Sixty-eight percent of them had prior arrest records. Thirty-two percent did not. This tells me that we are having to arrest the same people over and over and over again.

Our intelligence information tells us that. So, I think that no matter what effort we place in law enforcement, if there are no courts to handle them, then we are going to be spinning our wheels.

We can right now prepare more cases than the courts can handle. Right now we can deliver more good prosecution cases to State court and Federal court, and I can only speak to State of Texas. I am not in any way inferring that the courts are clogged in Oklahoma, but we can prepare more prosecutable cases than can possibly be handled with the manpower we have got, and we need more manpower.

But if we have more manpower and we don't have any place to take the cases, then this system will stop.

Mr. ENGLISH. Dale.

Sergeant BEST. In regard to the violence, if you will note the one receipt from Omaha, NE, on the chemicals which were purchased there in 1984, that particular individual who purchased the chemical that was taken out of his wallet pursuant to his arrest on kidnaping and battery first degree charges in Fort Smith, AR, this last month.

In that particular incident, the people, a man and wife, were kidnaped from their home by this individual and another person, and they were taken to Fort Smith, AR, where they were repeatedly beaten.

The man suffered a broken neck. All this was due to a bad drug deal where they failed to make payments properly to the man.

And you know, I can sit here and quote to you case after case of violence, you know, drug-related deaths, homicides in Fort Smith, AR, within the last 90 days that have occurred.

One drug-related death, three guys walked into a house and tried to rob a guy for a pound of marijuana. And he pulls a gun, they pull theirs, and they have a shoot out.

The victim is dead and one suspect critically wounded, and two were unharmed. You know, the other people are in custody now. But the violence is there, not only in violent crimes.

But to reiterate what the department of public safety had to say about burglaries, in the last 60 days I have probably participated in a half a dozen search warrants, and in each search warrant I recovered stolen property out of residential burglaries where the people are taking property in on trade for drugs that they are distributing.

So, it is not only violent crimes, but crimes against persons are also involved with it.

As to the percentage of what we could do if we had the manpower, I would be afraid to put a percentage on it. You can see what

we have done with the people and the resources that we have available now, and if you double that or triple that, you can just estimate the same growth in the number of prosecutable cases or the seizures of clandestine labs.

Mr. ENGLISH. Thank you.

Congressman Kleczka.

Mr. KLECZKA. Thank you, Mr. Chairman.

What still surprises me is that Texas has the unsavory distinction of being No. 1 in this type of operation and having been so for the last 3 years. Bill, why Texas? Do you have a more readily available supply of chemicals, more motorcycle gangs? You surely don't have more people than California.

If the leaders were California and New York, I would understand it, because they have a historically strong drug abuse problem and a lot more bodies.

But why does the State of Texas have this problem? I think your statements have indicated that Texas' problems today are tomorrow's problems for Oklahoma, and next week we may be going up to the Midwest, to Wisconsin

Mr. PRUITT. How about "I don't know?"

Mr. KLECZKA. There has got to be a reason for it.

Mr. PRUITT. We have a very—as I pointed out—very large populated areas which will supply everything in abundance that is needed to do it, and we have got the rural areas to do it.

We have got the capability of producing it for Texas and producing it for the areas outside of Texas.

That is the only explanation I can give you. I—and this is a question, and I apologize for not having the answer. This is one we have wrestled with for many years, but I cannot tell you why they come to the Dallas-San Antonio-Houston triangle to set up operations.

We honestly provide enforcement pressure against them to the best of our capability, but they continue to, you know, they continue to produce there. I don't know.

Mr. KLECZKA. We have talked somewhat about the mandatory penalty aspect, and, Mike, you indicated that Oklahoma has a new law which seems rather stiff.

In fact, it is much more harsh than the Federal law. In my experience as a State legislator and now as a Member of Congress, I find that due to plea bargaining and other machinations of the court, in order for the law enforcement or the judicial officials to maintain their flexibility, they will often go along with a reduction in the charge so they can avoid the mandatory penalties.

Mike, what has been the experience with the Oklahoma law?

Mr. LYMAN. Well, sir, first of all it is a brandnew law. It has been around a very short period of time, and up until the enacting of this law, we elected for the most part to prosecute on a Federal basis.

I don't think there has been adequate time given this law really to let it establish any kind of a track record.

But, of course, we and the district attorneys are all cognizant of the teeth in this law, and as law enforcement officers we are interested in educating the public and getting the word out to the street that we have got this law in our hip pocket, and that we intend to use it.

Mr. KLECZKA. Do you as law officers engage in a campaign to inform the population as to what the health risks are?

You did indicate that for a time our hospital admissions were down, but the deaths from amphetamine or methamphetamine were running about 50 percent.

Is that being made known to the users of the drug in an effort to deter? Scare the hell out of them, that's what I am talking about.

Mr. LYMAN. Mr. Kleczka, if I might respond to that for the State of Oklahoma. The bureau of narcotics has a training and education division, which has a projected responsibility, and we do have sworn personnel assigned to each of those responsibilities.

We not only have a law enforcement education-type program, but we have a public sector education program.

We have individuals out on the street all the time giving public service talks to, like I said, not only law enforcement agencies, but any interested group in the private sector.

And we are doing our best to try to constantly update any information we have on the subject and pass the word along, because it is our hypothesis that the educational process is probably one of the most powerful tools we have in the fight against drugs, not just the punitive measures that a violator can experience, but the—the physiological and psychological problems that can result from illicit drug use.

Mr. KLECZKA. Mr. Pruitt.

Mr. PRUITT. Yes, sir; we have recognized the need for prevention and education for many, many years, and have, through the Texas War on Drugs Committee and other organized groups, attempted an overall education and prevention process within the State of Texas.

Again, the prevention area is something that is very hard to measure success when everything else is going up. We do strive for the one generation of drug-free kids which would stop the ball rolling.

Whether we are gong to reach that in the near future, we don't know, but this is a goal we have, and our department also dedicates manpower to this education process in Texas.

Mr. KLECZKA. Sergeant, do you want to comment?

Sergeant BEST. Yes, sir; in Arkansas we have the information and education office with the Arkansas State Police. They conduct training programs and also programs pertaining to drug abuse and awareness.

They also have crime prevention programs attached with this unit. We also work very closely with the counseling and guidance units around the State, also State agencies in the programming of drug abuse and awareness programs throughout the State with schools, PTA meetings, and city council meetings, so forth.

Mr. KLECZKA. One suggestion, Sergeant, that you brought forth was some type of legislation to disallow cash sales for chemicals.

It is a good point, one which hopefully the committee and the committee staff will look into, but maybe we could get a response from other members of the panel as to whether they think that might be an effective tool, at least for a tracking device, so that you know where, in fact, some of these chemicals or other devices are going.

Sergeant BEST. Excuse me, sir. I didn't mean to state disallow, I may have——

Mr. KLECZKA. OK.

Sergeant BEST [continuing]. But to regulate the cash sales to individuals.

Mr. KLECZKA. Fine. Something like we have for the banks, a secrecy act, covering cash deposits or transactions.

But, gentlemen, if you would.

Mr. LYMAN. Yes, sir; first of all, this is an area that probably warrants some study and some investigation on the part of law enforcement.

It would be sad to think that the legitimate businessman who has a legitimate need for some of these chemicals would in some way be penalized even inadvertently because of a problem that is really not his own.

On the other side——

Mr. KLECZKA. If that was in effect, he would be mandated to either provide some information on the name of the company or to pay for the sale of the items by a check?

Mr. LYMAN. Once again, it warrants study. That may be deemed as some kind of a hardship on a legitimate businessman.

But I think documentation of people who do acquire these chemicals should be a very serious consideration. I do know that a lot of these chemical companies, as testimony has shown here this morning, provide chemicals with little to no documentation depending on what the chemicals are.

I think showing—filling out, rather, a history sheet on somebody who purchases a chemical by cash or maybe filling out some kind of a sheet to document really anybody that picks up the chemical would not be a bad idea.

I do know that that is not done in many cases with regards to many companies. I would be inclined to endorse such a proposal, but I think once again that it would warrant a little bit of study.

Mr. KLECZKA. Bill.

Mr. PRUITT. I also think that the identification is more important than whether it is a cash or a credit or a check sale.

I believe the State of California has a State law mandatory mandating the identification and reporting on certain precursor chemicals, and it has povided them with an effective enforcement tool there.

I think that analysis of any law would indicate that it does affect many law-abiding citizens in order to reach maybe a lower percentage.

I do think, and I concur that some study should be done or some evaluation be made concerning the identification of persons who purchase the precursor-type chemicals, and an important aspect was pointed out earlier that once a drug—once a precursor is controlled, then the criminal element merely produces the precursor clandestinely, and so it would be very important to properly evaluate what chemicals would be monitored.

I find it less intrusive than other reporting procedures. We require CTR's on $10,000 transactions in banks. We require a form, an identification on every single, you know, firearm that is purchased, and I can assure you that a higher percentage of some of

these specific chemicals are being used to manufacture drugs than percentage of the guns being used in crime, and the time involved and the effect on legitimate business would, I think, be minimal.

Mr. KLECZKA. Thank you.

Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you very much, Mr. Kleczka.

I want to thank all you gentlemen for appearing before us. Your testimony has been very helpful to us.

To take a good hard look at Oklahoma County and what is taking place here, is the man who first brought to my attention the very close connection between the drug problem and violent crime particularly: Bob Macy, the district attorney.

Bob, we want to welcome you, and we appreciate your testifying before us today. Please introduce the gentleman who is accompanying you.

STATEMENT OF ROBERT MACY, DISTRICT ATTORNEY, OKLAHOMA COUNTY, OK, ACCOMPANIED BY RICHARD WINTORY, ASSISTANT DISTRICT ATTORNEY

Mr. MACY. Thank you, Mr. Chairman, counsel.

With me today I have Richard Wintory, who is one of my assistant district attorneys. Richard devotes full time to the prosecution of narcotics offenses along with two other lawyers.

Mr. ENGLISH. Welcome, Richard. Happy to have you.

Bob, I would like to tell you, as I told our other witnesses, if you have written testimony you would like to submit for the record, please feel free to do so; if not, whatever you feel most comfortable with.

Mr. MACY. Thank you, Mr. Congressman.

As I have told you several times before in other hearings, Mr. Congressman, it is really heartening for me to hear someone talk about mounting an all-out war on crime.

September this year marks the 28th year that I have been involved in trying to do something about crime, and we have heard all the talk.

And yet I sit here in Oklahoma and we look at what these drugs are doing to our young people, and I recognize that in my State we have seven DEA agents. We have about 45 bureau of narcotic agents in Oklahoma County. Oklahoma City probably dedicates five or six officers to doing something about narcotics.

You were mentioning an all-out offensive like World War II. There are more lives being destroyed every year by these drugs than were lost in World War II, and the only way we are ever going to do anything about it is to mount an all-out offensive.

I am not that optimistic, but it certainly feels good to have you in Congress pushing for that kind of offensive.

Mr. ENGLISH. Thank you.

Mr. MACY. For the last 2 years—when I became DA 5 years ago we never heard about methamphetamine labs or PCP labs, but in the last 2 years the lower income citizens of Oklahoma County, both black and white, have been inundated with two particularly dangerous drugs.

Our black community is justifiably outraged at how the drug PCP is devastating black youth, vegetating its users' minds while crippling their central nervous system.

Similarly, methamphetamine, which is sometimes called the poor man's cocaine, makes what we call speed in the 1970's look like No Doz.

In what can be considered only as a very frightening development, more methamphetamine users are beginning to inject the substance, and the result is what you have heard earlier. It makes them paranoid, totally immune to pain, totally beyond persuasion.

They become an extremely high risk for a law enforcement officer to try to arrest. The widespread availability of these drugs can be linked primarily again to the growing presence of clandestine labs.

Several factors account for the growing presence of labs in Oklahoma and elsewhere. First, other drug supplies are becoming more difficult to obtain, and a large part of that, I think, Mr. Congressman, is due to your efforts.

We have got increased cooperation between the military and other Government agencies responsible for protecting our borders. Importing cocaine and marijuana is now more difficult than ever. The cooperation between agencies is better than I have seen it in a long time.

On the domestic front, increased aerial searches have made large-scale production of marijuana, cultivation of marijuana more difficult.

Tom Heggy, while serving as head of the bureau of narcotics, engaged in large-scale operations to wipe out marijuana in our State, and I commend him for that.

However, just making the other drugs more difficult to obtain cannot account for the amount of PCP and methamphetamine on the streets of Oklahoma County.

There are two factors which, in my judgment, contribute to making the clandestine labs the growth industry of dangerous drugs.

First, the labs are extremely portable. You have seen one right here. You have seen pictures by DEA. Everything needed to manufacture over 5 pounds of methamphetamine were actually set up in a defendant's apartment in a case that we just tried.

They are talking about a $1,000 investment. For that $1,000 plus a couple of thousand dollars and in chemicals, they are able to manufacture up to 5 pounds of methamphetamine. The odors were vented down a kitchen drain with rags wrapped around it to keep from tipping off the neighbors.

Multiple pounds of methamphetamine can be cooked in a period of 1 day while odors only occasionally leave the apartment without arousing anyone's suspicion.

The second factor is the most obvious one, and that is money. Methamphetamine sells on the streets of Oklahoma City for approximately $100 a gram, while PCP sells for approximately $450 an ounce.

In the cases that I just mentioned, 5 pounds of methamphetamine equals 2,270 grams. This particular group had already established a distribution network. Assuming that they didn't cut the

drugs, as they often do, they were able to sell their finished products for approximately $227,000. That is about $224,000 profit for a couple of days' work. If the drugs have been cut as they usually are, the 5 pounds would have ended up being 10 or more pounds, and the profits would have increased accordingly.

It is this kind of activity, as Mike Lyman was telling you, that is luring the old time criminals away from other pursuits and into this particular type.

However, we are also seeing a different type of criminal involved in it, too. Persons involved in the illegal manufacture of this drug often induce family members and friends with what, you know, as the old song goes, "the lure of easy money."

Our office is currently prosecuting several conspiracy to manufacture cases which include these types of defendants.

Sometimes the family members help run errands in purchasing glassware and chemicals and other times were directly involved in the cooking process.

We are increasingly seeing individuals who do not use drugs. I think that is important to know. We are seeing people who are in it strictly for the money and are not users themselves.

One of our latest defendants was a Ph.D. candidate in organic chemistry at the University of Oklahoma. He decided to ruin his education talents for a quick buck, and as long as people like this believe that the money to be made outweighs the chance of being caught and imprisoned, we are not going to be able to stop these labs.

Again, this is a totally American product. Everything they need comes from right here. And the thing that really bothers me is that we have got people who are willing to go out and destroy the lives of other human beings in order to make a quick buck.

They don't see that, and maybe this is the educational process that your fellow Congressman was talking about that we need to engage in.

We get to see the end product. That is where the violent crime comes from. Three young men were executed in the robbery of a grocery store here recently, so one of them could pay off his drug bill, one of the defendants.

While our office is not currently prosecuting a large number of these cases, the ones we are handling have a significant impact.

As it was mentioned earlier, the penalty for conspiracy to manufacture and the actual manufacturing of the drugs carries a minimum of 20 years in the State penitentiary and a maximum of life.

More significantly, first time offenders are not eligible for either suspended or deferred sentences, which means that somebody who is just peripherally involved in this, the wife of the cook who only aided maybe by buying the glassware, if convicted, would at least be sentenced to 20 years in the penitentiary, even on a first offense.

And your fellow Congressman asked about plea bargaining. We don't plea bargain these types of cases in Oklahoma County. If we get overloaded, this is where my priority is going to be, and I will shift somebody from somewhere else to take care of it.

The second factor turns on the nature of the cases. They are, as a rule, complex cases involving surveillance of numerous subjects picking up glassware, setting up lab, bringing in supplies.

For trial, we must collect exhibits and expert testimony necessary to make the case comprehensible to the lay jury. And essentially this means that Richard and his fellow prosecutors have to put the jury through kind of a quick course in chemistry so that they can understand what the significance of a triple neck flask or an 8-hour cook really is.

Thus, the complexity and the severity of the punishment means that many of these cases are disposed of through jury trials rather than through pleas of guilty. Very few people will plead guilty looking at 20 years.

However, due to the relatively low number of cases in Oklahoma County, my staff has been able to effectively and vigorously prosecute them.

I have brought some statistics and things with me, Mr. Congressman. I will be happy to respond to any questions you might have with reference to what we are doing in Oklahoma County.

Mr. ENGLISH. Thank you very much, Bob.

I wanted to ask you, with regard to what you are observing in Oklahoma County, are we seeing an increased number of these laboratories that are being set up in Oklahoma County as it appears that we are in other parts?

Is that your opinion, or are we simply seeing more effective law enforcement, and we are simply finding we have got a 220-percent increase in this region of drug laboratories?

Mr. MACY. As far as methamphetamine labs, in both 1984 and 1985, we had approximately the same number of cases. We prosecuted 69 cases in 1984 and 68 in 1985 to date.

Now, that is just for two-thirds of a year in each case. However, these are of recent vintage.

Now, back before 1984, you didn't see near that number. I don't have the statistics on PCP labs, but Richard tells me, and we have the evidence to indicate, that the increase in PCP labs has been very dramatic.

At this time—in 1984 our office had filed 357 drug-trafficking cases, which would be distribution and possession with intent to distribute.

As of September 23 of this year, we filed 504, so in the first less than 9 months we filed 504 cases as compared to 357 for the entire year last year, which is a 41-percent increase, and again the PCP labs—well, PCP and methamphetamine account for a lot of this increase.

Mr. ENGLISH. What about on the streets? Are we seeing more demand for methamphetamine and amphetamines and PCP? Is there just a general increase for these types of drugs?

Mr. MACY. We have seen a dramatc increase, Mr. Congressman. The demand is out there. One reason the demand is not being supplied much better—Richard and I were discussing a case in which we wired a defendant, and one of the things he was talking about is that they were shipping a lot of their product out of the county because they didn't want to stir up any more heat than they are right here, but the demand is out there on the street.

And something else that relates to this, we are having a lot of killings, a lot of robberies, a lot of deals gone bad in which the people manufacturing these drugs and distributing these drugs are killing each other, which accounts for many of the homicides that happen in Oklahoma County.

Mr. ENGLISH. Almost all of the illegal drug manufacturing cases, whether made by either you or DEA, or I should say by either State or local agency or DEA, can be prosecuted either with Federal or State law.

Do you regularly coordinate prosecutions with the U.S. attorney here?

Mr. MACY. Yes, sir; we do. We work very closely with Bill Price. DEA, OBN, Customs, and my office, the Oklahoma City Police Department, all work very closely together.

Up until the new law, in all fairness, we let most of the cases go to Federal court because we couldn't get anything done in State court, and the bottom line is not who prosecutes them but whether we get them off the street or not.

Now that we have this new law, we are looking forward to prosecuting a lot more, and again the agencies are cooperating and are bringing the cases to us.

But I think we are kind of unique in Oklahoma in that I don't know if it is just because we are a bunch of old cowboys or what. We all get along together and we have probably as high a degree of cooperation between State and Federal agencies as you will find anywhere in the country.

Mr. ENGLISH: With the new law, would you prefer to take these cases to State court now as opposed to Federal?

Mr. MACY. Yes, sir; we would. We have three of these cases pending right now, and we will make the resources available to handle as many of them as we can.

My only concern in Oklahoma—Mr. Congressman, this is just a side line—is that distribution of narcotics in Oklahoma is a nonviolent offense, and with the present operation of the corrections system here, every time the prison population reaches a certain level the Governor invokes a cap law, and all the nonviolent offenders, including your drug distributors, get 2 months knocked off their sentences. They have invoked it five or six times in the last year.

So, although we are having our investigations, our law enforcement officers as limited as they are, are doing a good job, and we are prosecuting, and the juries are sentencing. We find that they don't spend near as much time inside the walls as they should.

Mr. ENGLISH. If there were any one thing that the Congress could do to assist in this effort overall, what would you request that we do? Any one step. Provide more agents? Make tougher laws? Build more prisons? What needs to be done, in your opinion?

Mr. MACY. Probably all of the above, Mr. Congressman. I think as much as anything, State officials, municipal officials, Federal officials have to recognize this problem for what it is, and quit brushing it aside, and recognize that we have a national disaster on our hands.

Then, we need, you mentioned 40 DEA agents. I will guarantee you we could use them. The municipalities are going to have to be

able, the Oklahoma City Police Department is going to have to be able to put a lot more officers out there.

It may take a few more prosecutors again, and we need some place to lock them up. That is probably my biggest frustration as a prosecutor, is the fact that I can't get rid of these criminals, and as the gentleman from Texas said, we keep prosecuting the same ones over and over.

I would like to see a State and Federal law that for drug trafficking carried the possibility of life without parole. I think that a person who can go out here and sell these drugs and destroy the lives of young people should be locked up forever.

And I would really welcome such a law on both the State and Federal level and assure this panel if such a law were passed that I would get some people convicted under it and get them those kinds of sentences, but I think it is going to take a lot of things.

It is going to take a national awareness, a concern for our young people, realizing that they are our greatest natural resource and our willingness to do something to stop these things that are destroying them. An awareness, a dedication of money, a dedication of personnel.

I think at that point, the people in Oklahoma—the jurors that I am seeing in these courtrooms are already aware and would be willing to put these people away.

Mr. ENGLISH. Is there any question in your mind that given that kind of full-fledged genuine war on drugs that, in fact, we could make a substantial decrease in the usage of drugs and decrease in the amount of violent crimes that has taken place in this country?

Mr. MACY. There is absolutely no question, Mr. Congressman. I have been at them, like I said, for 28 years, and the one thing that has kept us from ever being able to do anything, we have allowed the American people to develop a tolerance for crime.

You know, we have been led to believe that we have got to put up with it, and that is hogwash. We don't.

If we were to mount an all-out offensive as we are talking about, we could reduce crime in the United States by 50 percent. We could virtually wipe out these clandestine labs.

Mr. ENGLISH. Mr. Kleczka.

Mr. KLECZKA. Mr. Chairman, I have no questions except to observe, Mr. District Attorney, that since I have been in Oklahoma, you are the first person I have encountered who looks and dresses like an Oklahoman.

Thank you.

Mr. MACY. Thank you.

Mr. KLECZKA. I can now leave and go back to Wisconsin.

Thank you.

Mr. ENGLISH. I am not sure what that says about me.

Mr. MACY. I have been trying to get Mr. English or Congressman English to buy cowboy boots and string ties, but he——

Mr. KLECZKA. He looks normal.

Mr. ENGLISH. Well, thank you very much, Bob. That is some very fine testimony.

As I said earlier, I think that, without question, you were the first person who really drove the point home to me about the strong connection between violent crime and drugs within our soci-

ety, and if, in fact, we are going to see a substantial reduction in violent crime in this country or crime in general, the drug problem has to be addressed.

I would wholeheartedly agree with you that we have not yet seen a genuine war on drugs in this country, at least a war that would indicate that we intend to win it.

And I think that, without question, we are going to have to see that kind of commitment, if, in fact, there is going to be any kind of reduction in drug usage, and I would agree, a substantial reduction in violent crime.

But there are those of us in Congress, I think, who are dedicated to bringing that about and making it a reality, and I want to commend you for the strong fight that you are putting up here in Oklahoma County. Without question, I think that message that you got from some of the manufacturers—namely, that they want to ship it out of this county so it won't generate more heat—I think that probably you are a good part of the heat that they are talking about. So again I want to commend you, and we appreciate your testimony. Thank you very much, Bob.

Mr. MACY. Thank you, Mr. Congressman.

Mr. ENGLISH. Again, I want to thank all of our witnesses. We had some excellent testimony here today, and I think that we will have a better awareness around this country of exactly what the abuse of methamphetamines and amphetamines and PCP means.

We have an opportunity here if we focus our attention on this problem to bring about a substantial reduction in drug usage in this country. Roughly half the hard drugs consumed in this country are being, in effect, manufactured in these laboratories, and we have a genuine choke point. I think we need to focus on that choke point, and we are going to be encouraging that we take stronger action on the Federal level to bring about a better effort here on the State and local level, as well.

With that, we will recess subject to call of the Chair. Thank you.

[Whereupon, the subcommittee adjourned, to reconvene subject to the call of the Chair.]

THE CLANDESTINE MANUFACTURE OF ILLICIT DRUGS

THURSDAY, DECEMBER 5, 1985

HOUSE OF REPRESENTATIVES,
GOVERNMENT INFORMATION, JUSTICE,
AND AGRICULTURE SUBCOMMITTEE
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:25 a.m., in room 2203, Rayburn House Office Building, Hon. Glenn English (chairman of the subcommittee) presiding.

Present: Representatives Glenn English, Gerald D. Kleczka, Thomas N. Kindness, and Jim Lightfoot.

Also present: William G. Lawrence, counsel; Euphon L. Metzger, clerk; and John J. Parisi, minority professional staff, Committee on Government Operations.

Mr. ENGLISH. The hearing will come to order.

As this subcommittee's many hearings on drug trafficking have progressed over the past 3 years, we have become very much aware of the increasing problem of dangerous drugs which are manufactured in clandestine laboratories in the United States.

These drugs, which are widely abused, include amphetamines, methamphetamine, PCP, and more recently, cocaine. Our first hearing on this subject was held in Oklahoma City last September. At that time we were told by the DEA witness that more than half of the hard drug abusers in the United States use these clandestinely manufactured drugs.

Police officials who appeared before us in September described the extent to which abuse of these drugs leads to violent crime. The criminals who manufacture and distribute them are violent, and the people who take the drugs often exhibit violent behavior.

We also learned that these labs are dangerous places in terms of chemicals which are used in them. Highly explosive vapors from ether often fill the air, and explosive destruction of labs is not uncommon. We were told of cases in which criminals deliberately blew up their laboratories as police closed in, with resulting fires causing even more damage. Other chemicals used in the drug manufacturing process are toxic, and can cause health problems for police and for persons living in the area.

There was agreement at that hearing that the problem must be attacked at the laboratory level, that the labs were choke points at which law enforcement pressure would be most effective. There was also agreement that we could make a tremendous impact on

clandestine drug production if we were willing to commit the manpower to the task. We were told that if DEA added 2,000 agents and if State and local police agencies also beefed up their forces, we would be able to shut off almost all the sources of these drugs. Doing that, we were told, would have an immediate national impact on violent crime. And I, personally, am going to support those additional agents.

For law enforcement, the watchword in developing a program against the drugs must be flexibility. Changes occur from year to year and sometimes from month to month. The phenomenon of designer drugs, which are subtle variations of prohibited dangerous drugs, caught us without a statute in place to prohibit them. A new substance for free-basing cocaine, called "crack" or "rock", is apparently on the market now.

According to DEA, this new drug is highly refined street cocaine. It is processed to extreme purity in clandestine laboratories here in the United States. Users either sprinkle the crystals on marijuana and smoke it, or they heat it and inhale the vapors. Because of the purity of the drug, it delivers a tremendous rush; but also because of the purity it is extremely dangerous.

We will ask our witnesses today about this new method of drug abuse, and we may need to follow up with DEA or health professionals if the problem gets even more serious.

We will hear today from Chief Rolando Bolanos of the Florida Department of Law Enforcement [FDLE], who will talk about another development. Florida, which has such a reputation as a drug-smuggling center, now has a new problem on its hands. Not only does it serve as the gateway for almost all of the cocaine which arrives from South America; it now is a cocaine processing center as well. Criminals are now smuggling coca paste into Florida, where clandestine labs finish the process of refining it into cocaine. A few years ago this was unheard of, but recently the FDLE and other Florida agencies have raided dozens of cocaine laboratories.

Our first witness will be Cpl. Terry Katz from the Maryland State Police. The Middle-Atlantic States are unlucky enough to have substantial amounts of PCP manufacturing and abuse, in addition to the methamphetamine problems. Corporal Katz is with the special services division of the State police and is familiar with the PCP problem.

Mr. Kindness, do you have any comments?

Mr. KINDNESS. Thank you, Mr. Chairman.

The large increase in the number of dangerous drug laboratories which have been seized by our Nation's law enforcement personnel raises a question that is identical to the question asked about the recent large increase in the number of spies that have been caught, namely: Are there more of them, or are we catching more of them? Certainly the increase in seizures of dangerous drug labs is both a cause and a result of law enforcement authorities devoting more of their time to investigation of that illicit activity, it would appear.

I noted from the transcript of the first hearing that in the Dallas region, where the increase in seizures has been particularly noticeable, Drug Enforcement Administration agents spend almost three times the amount of time on dangerous drug investigations as compared to the average nationally. Other testimony received at that

hearing indicated that Federal, State, and local law enforcement agencies are obtaining specialized training in the seizure and proper disposal of these laboratories.

What appears to make the task particularly difficult for law enforcement personnel is the legitimate and inexpensive availability of the chemicals and the equipment utilized to produce these drugs. The volatility and the violence associated with these labs are clear. Illegitimate and inexpensive availability of the chemicals and equipment utilized certainly contributes to the prevalence of such labs.

From what I saw in the transcript of the first hearing, I think that the law enforcement agencies represented are to be congratulated for the ways in which they have quickly and, I believe, effectively responded to this form of criminal activity. I look forward to hearing from our witnesses this morning about their efforts.

In that connection, Mr. Chairman, I have to present my apologies for having to absent myself for a short while to cover two other bases. I will be back.

Before yielding back, I would say, as I have in previous hearings on drug law enforcement matters, that it is demand that drives this kind of activity and that the long-term solution, at least in very considerable part, if there ever will be a solution, is to persuade particularly our young people away from drug abuse. Witnesses at the first hearing pointed out that additional investigators alone cannot eliminate or even substantially reduce clandestine drug production. They are but one part of the total criminal justice system. As one of those witnesses put it, to be effective the whole criminal justice system has to work together and try to start at the earliest possible age with prevention.

Finally, Mr. Chairman, I would appreciate it if the record of these hearings could be left open. I believe it is necessary to pose some further questions to the DEA on this subject. I would appreciate the opportunity to make those questions and their responses a part of the record.

Mr. ENGLISH. Without objection, so ordered.

As I stated earlier, it may be necessary to have the DEA back, in light of this new drug that seems to be growing very quickly, as far as usage is concerned.

Mr. Lightfoot, do you have any comments that you would like to make?

Mr. LIGHTFOOT. Mr. Chairman, I do not have a prepared opening statement. I would like to make a couple of quick remarks, however, and associate myself with what both of you gentlemen have said.

I attended a meeting this morning wherein one of our colleagues from California made some comments about the drug situation there. His feeling is that, within the entertainment industry, we have what in his opinion were training films being made by some of the folks in Hollywood, without going into a lot of detail, basically glorifying the use of drugs, which impacts upon our young people. In his State in particular, people who are dealing in cocaine now feel that it's almost a legitimate business. They are buying homes in nice neighborhoods, and they are coming out in the open.

I think, if nothing else, it's a symptom of the disease that we are being afflicted with. Of course, enforcement is the area that we have to be very strong in.

Mr. Chairman, I appreciate your having these hearings along these lines. Hopefully, we can lend some help in that area.

Mr. ENGLISH. Thank you very much, Mr. Lightfoot.

Our first witness, as I said earlier, will be Cpl. Terry Katz, with the Special Services Division of Maryland State Police. Corporal Katz, if you will come forward please and identify the gentleman who is accompanying you.

STATEMENT OF CPL. TERRY KATZ, MARYLAND STATE POLICE, ACCOMPANIED BY DETECTIVE SERGEANT LARRY MEUSEL

Corporal KATZ. Thank you, Mr. Chairman.

To my right is Detective Sgt. Larry Meusel of the Maryland State Police, Northeast Barrack, which is in Cecil County at the northern part of Maryland. When we get into the section on methamphetamine labs, Sergeant Meusel will introduce some photos and other evidence from a recent lab investigation.

Mr. Chairman and members of the committee, I appreciate the opportunity to address you today on a topic that is one of vital concern to not only myself but members of my agency and other law enforcement agencies at the State, local, and Federal levels.

The two drugs which I have spent the majority of my time investigating in clandestine lab operations are phencyclidine and methamphetamine. Phencyclidine, commonly known as PCP, angel dust, lovely, or love boat, is a drug that is a hallucinogenic, which was originally used as an analgesic, or pain reliever, during surgery by Parke-Davis Labs. During testing on phencyclidine then marketed under the name of Sernyl, problem with PCP began to be detected in that approximately a third of the humans that were tested began to show side effects. These included becoming disoriented, delirious, euphoric, and others began to exhibit what was characterized as severely manic depressive behavior.

Because of these side effects, the drug company withdrew PCP from human use and began to utilize it as an animal analgesic called Sernylan. Veterinarians began to use the drug, but by the late 1960's the same side effects that affected humans made it an unpredictable analgesic in animals; and therefore it was taken off the market.

Unfortunately, the drug is very simple to manufacture as anyone with just a basic knowledge of chemistry can manufacture phencyclidine. In California during the late 1960's the drug began to be distributed clandestinely, and it was produced in clandestine labs. PCP began to be known as peace pills, peace, or hog. The drug's potency in powder form is unbelievable in terms of the side effects that it can cause a user to exhibit. Because of these severe side effects, which can include death, people in California began to shy away from utilizing PCP and they began to utilize other hallucinogenics such as LSD instead of PCP.

PCP at about the same timeframe became very popular on the east coast. Drug abusers determined that they could smoke marijuana that had been sprayed with PCP in liquid form and obtain a

markedly different "high" than that of just marijuana. Because the drug was ingested by smoking, it developed a popularity among drug abusers who were used to smoking marijuana Consequently, it became more and more utilized. Oddly enough, PCP has now become popular again sprayed on marijuana and here in Washington the drug can be bought as lovely or love boat which is PCP-laced marijuana.

During the 1970's it became unpopular to spray PCP on marijuana because it was too expensive to produce. What occurred was—that PCP was sprayed on parsley flakes. This is approximately an ounce bag of parsley which if it was impregnated with liquid PCP, would be worth between $250 and $300. In the Baltimore-Washington area, PCP became a very popular drug in the 1970's and it continues to be a very popular drug in this area.

PCP has a popularity among both young white people, and among young black people who reside in and around Baltimore and Washington. While there are numerous theories for why PCP is so popular in the Baltimore-Washington area, the reason for the demand, which has grown and become a very stable and steady demand, is thought to be that PCP produces more highs for the abusers' dollar than does any other drug. Consequently, an ounce of liquid PCP like this one in this ounce bottle, commonly used for lemon or almond extract, would be worth $500 to $525 on the street here in Washington.

One ounce of liquid PCP could make 4 ounces of PCP on parsley flakes, thereby doubling the wholesaler's money, as all he has to do is mix it, with no clandestine lab activity involved. PCP has become more and more popular because of the high profit ratio. This is a 35-millimeter film canister or "tin" as it is called, would be worth about $50 on the street. One tin is enough to make approximately 10 to 20 cigarettes.

Phencyclidine can be manufactured in everything from a sophisticated laboratory with elaborate equipment to so-called bucket operations which utilize nothing more than rubber or plastic buckets as the place to produce the drug.

The chemicals which are needed to manufacture phencyclidine are called precursors. These are basically the raw materials that become part of the finished product. The other components which are necessary to manufacture the drug are reagents, which are substances which react chemically with one or more of the precursors but do not become part of the final product, and a solvent which reacts chemically with either a precursor or a reagent. Solvents do not become part of the finished product and are primarily used to dissolve the solid precursors or to dilute reaction mixtures. They are also used to separate or purify other chemicals which are used.

The crucial precursor in PCP is called piperidine. This is controlled under Federal regulations, as are other precursors, including phenylcyclohbxy and other phenyl compounds, including ethylphenylcyclo, which can be used to produce phencyclidine or to produce piperidine, the necessary precursor. Chemical companies are required to notify the Drug Enforcement Administration about orders for phencyclidine precursors. In practice, this notification depends on the company. Frequently an individual or group of indi-

viduals are successful in obtaining the precursors without the authorities being notified.

The other methods for obtaining precursors is to divert them from legitimate users. This can be done by setting up a phony corporation; or in other cases which I am familiar with, precursors for PCP have been stolen from government laboratories, legitimate chemical companies, film processing locations, and other locations wherein the product is used legitimately.

Piperidine, comes under the DEA Precursor Liaison Program which has been an effective investigative tool to combat clandestine labs. Through this program, the legitimate producers and distributors are required to report, voluntarily, abnormal or suspicious purchases to DEA. In order to avoid this reporting process, evidence now indicates that some PCP lab operators have begun to synthesize piperidine. There are three methods, the newest of which is one wherein a clandestine lab operator claimed in testimony to DEA that he could extract approximately 1 ounce of piperidine from 1 kilogram, or 2.2 pounds, of ordinary black pepper.

In addition, precursors are obtained by import, some of them from Canada, where they can be purchased at chemical supply houses without the DEA Precursor Liaison Program being advised. In a documented incident this year, members of the U.S. Customs Service arrested two Maryland individuals after they were taken to a secondary search coming back from Canada. During that search, bottles of piperidine were found along with other chemical reagents to include cyclahexanon, which is another precursor used in PCP manufacture.

In interviews with these individuals and others here in Maryland, it was determined that the PCP precursors being purchased in Canada were being brought back for use by members or associates of outlaw motorcycle gangs in manufacturing phencyclidine. During the recently concluded investigation into methamphetamine production by the Scarfo organized crime family in Philadelphia and by members of the Pagans motorcycle gang, it was determined that precursors for methamphetamine, namely phencyl-2-propanone, or P2P, were being smuggled into the United States from Germany and Mexico.

According to the DEA Quarterly, which was published in November 1985, there were approximately 31 PCP labs seized in 1984 and 39 PCP labs seized in 1983. The Washington division of DEA seized approximately seven labs, outranking all other offices of DEA last year. Interestingly, the largest PCP lab which was seized was in Brownsville, TX, in October 1984. In this lab, DEA estimated its potential was to produce 300 kilograms, or 660 pounds, of PCP.

As I mentioned earlier, it is relatively easy to manufacture PCP. But PCP when it is being manufactured, or cooked, has a very distinctive odor. It smells like a mixture of chlorine and ammonia. Depending on which solvents are used, it has a very strong smell of either ether or acetone. Because of this odor, lab operators in clandestine operations frequently use remote places to avoid detection. The use of highly flammable components such as ether or acetone has caused a number of explosions and fires at these lab sites.

An example of this type of lab occurred approximately 3 years ago in Cheverly, which is a Washington suburb located in Prince

George's County, MD. Members of the Pagans' motorcycle gang were producing phencyclidine in an apartment in Cheverly. Using ether as one of the solvents. In doing so, they triggered an explosion, killing both chemists and displacing 10 families from the apartment building that they were using as a manufacturing site.

Obviously, remote locations are not a requirement for producing PCP. In investigations conducted last year by the Maryland State Police, we seized a motor home in which the individual who was the lab operator produced PCP while the undercover narcotics officer drove the motor home. Needless to mention, we were concerned for his safety because of the highly flammable nature and health problems that are associated with being in a PCP lab. We were able to finally arrange a location where the individual would stop and in doing so we arrested him, the middle stage of manufacturing.

I know of other "cooks," or clandestine lab operations, which have occurred in vans while they were moving around the Washington Beltway or around other highways in Maryland, and while vehicles have been parked on public roads. PCP manufacturing operation have taken place in the woods, on the patios of apartment buildings, in a $600,000 home, and in shacks. The variety of locations is limited only by the human imagination.

An additional danger to law enforcement and firefighters from these clandestine PCP labs is that the intermediate stages frequently contain poisons including cyanide which if inhaled, can obviously be fatal. Certainly there is ever-present danger of fire and of lab operators who will boobytrap their lab to avoid theft by a rival manufacturer or to injure law enforcement personnel when a lab is raided.

A danger to those of us who have worked on lab operations is that we know very little of the long-term effects of the drug on police officers or firefighters who interrupt the lab while it's in operation and, in doing so, have to breathe the fumes which that lab operation produces. We know that PCP can make one physically and mentally temporarily ill if the fumes are inhaled in any way. The reason for long-term concern is that the fatty tissues of the body store PCP. Therefore, even after you have left the lab operation, one still has the danger of having some PCP being released into your body, even though hours or days have passed, since you were in the lab.

The cumulative effects of PCP, cause severe headaches, skin rashes, and in some cases very definite mood swings to investigators or firefighters who have been inside a lab.

An example of this was about 2½ years ago I was involved in an investigation of members of the Pagans motorcycle club. In the investigation, we used an informant who has now been relocated under the witness security program. The lab operation he was involved in produced PCC, the intermediate stage of PCP. That PCC went from Maryland, where it was produced in a residential area, to North Carolina by way of Virginia and then back to Virginia, where the investigative team was finally able to recover the substance.

During the investigation we seized a van which, I was asked to drive with the PCC back to the FBI office. I left all the windows of

the van open I had the air vents on full blast. The drive took about half an hour. When I got to the FBI office and parked the van, the evidence was removed and locked away. As I got out of the van, I noticed that I had a severe headache. It was so severe in fact that it felt like somebody had taken their thumbs and pressed them against the side of my eyes. In fact, I noticed and became quite alarmed that I could open my eyes wider but I couldn't close them. Now, I know what the physiological effects of PCP are, so I became very concerned about a reaction. It took about an hour for that involuntary muscle reaction to go away and I still had a severe headache that lasted for several hours.

On other occasions where undercover police officers or agents have been present when a lab is in operation, they have experienced severe headaches, nausea, and rashes. The fact that PCP is released over a period of time from the fatty tissue, can make a headache last for days.

The severe danger to persons who use phencyclidine as illegal drug abusers can be graphically demonstrated here in the District of Columbia. One danger, of course, in using PCP is that you are going to be arrested. In Washington, using their arrest statistics from 1982 to 1984, which are the last years for which they are available: in 1982 there were 310 arrests for PCP; in 1984 the number went to 1,945 arrests. The rate of hospital emergency admissions related to PCP, collected from the 14 area Washington hospitals by the National Institute on Drug Abuse, shows that in 1981 there were 179 admissions for PCP incidents. In 1982 the number rose to 292 admissions. The last full year for their figures which was available is 1983. In that year there were 535 people hospitalized, an almost threefold increase over a period of just 3 years.

Another area in which PCP has been a contributing factor is in emergency admissions to local psychiatric hospitals. In a test which was devised here in Washington by members of the St. Elizabeths Hospital clinical psychology training section, they were able to distinguish between schizophrenia and PCP-induced attacks. Based on this testing, it has been determined that one-third of all emergency patient admissions to St. Elizabeths had PCP in their system. Prior to this test, it was impossible to tell if a person was schizophrenic or on PCP, because the symptoms mimic each other so closely.

PCP can turn users into schizophrenics, manic depressives and other psychotic ailments. When they are under the influence of this drug, they are violent and in many cases become out of control. Attempting to subdue a person, when you're a law enforcement officer who has to arrest someone who is high on phencyclidine, is a real struggle. These people believe that they're fighting the devil, a tiger, or a gorilla. Therefore, these people don't feel pain because of the analgesic effects of PCP, and they have superhuman strength. So, now you're faced with subduing a person that, on one hand, has superhuman strength and then doesn't feel pain. Because of this PCP reaction there have been deaths and injuries to PCP users who have not been able to be restrained and to police officers called upon to restrain the people.

To give you an example which happened to a narcotic unit in Maryland, five physically fit police officers from this narcotics sec-

tion went out to arrest one person that was on PCP. The reason for the large number of people was that he was a known PCP abuser. The suspect weighed about 135 pounds and was approximately 5 feet 6 inches tall. It took all five members to get that one suspect handcuffed. But before he could be placed in custody, a lengthy struggle ensued in which, as they later reported, the officers thought they were going to lose. Imagine one man against five, and he almost wins; an amazing drug when one considers how violent and tragic it would have been had just one officer attempted the arrest, as he or she could have lost their life in the arrest attempt.

The loss of life occurs not only to PCP users, but it will happen to people that are around them. For example, in 1983 around Christmastime, in the Baltimore suburbs there was an individual who had been abusing PCP over a long period of time. He had an infant son. He believed that that infant was the devil, so he killed him and almost cut the infant's head off completely. The killer was found guilty during a jury trial and is now incarcerated in Maryland for first degree murder.

The defendant claimed at trial that he was literally out of his mind when the incident occurred. The court found though that PCP had a reputation for mind distortion, and to ignore conduct by a person voluntarily taking drugs would only subvert the entire judicial system.

I don't mean for these horror stories to shock the committee or sicken it, but I merely want to point out that this drug can turn normal people into psychotics or schizophrenics. The drug has another side effect. It tends to burn out or destroy brain cells. Individuals who are heavy PCP users are frequently what we would call "burned out," which means they are very difficult to talk to because they can't make synapses between parts of their conversation. Certainly, any future use for that individual as a productive member of society is almost gone.

Beginning in 1980, the Drug Enforcement Administration's Washington field office formed a PCP task force. This task force is currently made up of DEA agents and eight officers from local jurisdictions, including the Maryland State Police. In 1983, the task force arrested 110 people, most of whom were from northern Virginia, for manufacture or distribution of PCP. Of this number, 91 were either PCP manufacturers or distributors. In addition to the task force, there are a number of other investigations which have occurred. In the first 9 months of 1984 in Prince Georges County, which is the county right next to Washington in the Maryland suburbs, there were 277 PCP related arrests, two lab seizures in which the estimated amount of PCP seized was $658,000.

There has been a change in the way PCP is distributed in this mid-Atlantic region. Originally in many areas PCP lab operators were white males or white females who were associated with a series of outlaw motorcycle gangs. About 2 years ago a change in the distribution and manufacture pattern began to occur. As part of this change, black and Hispanic PCP traffickers now appear to dominate PCP distribution in the Baltimore-Washington area. They along with the white operators are now using lab sites outside of the State of Maryland.

Two examples of this movement away from Maryland law enforcement pressure are one where an individual named George Sine, who was convicted in February 1985 in the U.S. District Court of Baltimore, was involved in a lab operation, first in Anne Arundel County, MD, and then because of police pressure from the county police and other local law enforcement agencies, moved. Sine thought that his best production base would be in Florida, so he moved to Florida. Beginning in 1982 he began to distribute phencyclidine in liquid form and he had couriers or runners bring it up to Maryland. Prior to this, George Sine had been involved in obtaining PCP from other chemists. Because his organization grew at such an alarming rate, a task force under the Organized Crime Drug Task Force, or so-called Presidential Task Force, was formed. In 1984 Sine was arrested. And as I mentioned, he was convicted this February. Sine's organization had approximately 35 principal distributors. Now, at this level I am not talking about the people that sold it on the street. We are talking about 12 of these people who were what we would classify as multipound distributors, or major wholesalers. The others were general wholesalers. Sine had at least three lab operators. One of his partners, Joseph Cortina, stated in the Federal trial statement of facts that he personally delivered $750,000 to George Sine over the course of their relationship which spanned about 4 years. Sine had other partners and he had other individuals involved. This money is from just one of his partners.

Sine invested his money in such things as real estate, where he bought three houses in Florida and one in Maryland, a used-car lot in Maryland, three $10,000 savings certificates of deposit and he purchased seven motor vehicles. Sine had numerous bank accounts, a stockbroker's cash management account, and thousands of dollars of home improvements to his various houses, including a $22,000 inground swimming pool. George Sine is currently serving a 10-year term of incarceration as he was convicted of operating a continuing criminal enterprise. Because of this conviction, Sine is not eligible for parole.

Another organization which I brought some charts for——

Mr. ENGLISH. Mr. Katz, if we can get you to summarize, we have an awful lot of questions to ask you.

Corporal KATZ. All right. Let me go to the chart.

Mr. ENGLISH. Yes, go right ahead.

Corporal KATZ. This is the James Holcomb organization. Holcomb was a Maryland-based phencyclidine distributor. As you can see, there are approximately 35 individuals listed here. The color legend shows various drugs or drug precursors which are utilized by members for distribution.

The second chart which I think clarifies this more than just the name chart is this one. This chart shows the movement of precursors across the United States that James Holcomb and his organization were involved in. To summarize the way his organization worked, they diverted precursors from a legitimate source of piperidine. The chemicals were diverted from the Eastman Kodak Co., and then stolen by employees that worked there. The PCP precursor was then taken down here, labeled pipe for piperidine, to Washington and Maryland.

As you notice, the precursors began to be moved out to California, where it was manufactured into PCP. It was manufactured in two separate manufacturing operations in Los Angeles. Here, where it says 5 gallons PCP seized in Sierra Blanca, TX. As you notice here, 2 gallons of PCP were seized in Chicago, and 1 gallon was seized in Washington at Union Station. There was a movement of PMB—which is phenyl magnesium bromide—and piperidine, back and forth from Los Angeles into Washington area and the Maryland suburbs.

Approximately 17 gallons of PCP were seized or purchased from Holcomb during the course of the investigation. He was still able to supply his operation here in Washington and the District of Columbia surburbs without interruption. Holcomb has now been convicted and is awaiting sentencing in the U.S. District Court of Baltimore. He is to be sentenced December 17, 1985.

The other lab area which I would like to address is the clandestine production of methamphetamine. It is not difficult to make PCP. It is also not difficult to manufacture methamphetamine, but it requires a little more sophistication. P-2-P, which is phenyl-2-propanone, the principal precursor which is controlled, is used in manufacturing of methamphetamine. It has been smuggled into the United States from Canada, Germany, and Australia, as it is not controlled in these countries. It has also been, as I pointed out, illicitly diverted.

To my right is Detective Sergeant Meusel. He would like to present to the committee the photographs of the last drug lab, which is the most recent one which was seized in Maryland. It is a methamphetamine lab, which I am told is currently a grand jury investigation in Maryland, so we don't want to go into too many details about the operation, for that reason. Sergeant Meusel will display to you the outside of the lab and then the photographs of the inside showing the glassware.

Sergeant MEUSEL. The photos here are aerial photographs of the location. There were two farms involved in this operation. In the early part of October we had received an anonymous phone call that there was a methamphetamine lab in our area. Through our continued effort to talk to this person, we developed sufficient information to obtain a search and seizure for these two farms.

Mr. Chairman, here is one house, a second house here, and a barn with a trailer next to it. These are two farms that are divided about in here. As a result of the execution of the search warrants at the two farms, the barn and the trailer, we seized a methamphetamine lab, producing an estimated multimillion dollar amount of methamphetamine.

During our raid, we seized approximately four gallons of P-2-P and approximately $15,000 worth of glassware and chemicals that were used during the operation.

Corporal KATZ. Methamphetamine, as I pointed out earlier, has been produced by not only organized crime and motorcycle gangs but also by other nontraditional criminal elements such as the one which was originally brought to this successful conclusion in northern Maryland.

In terms of recommendations, one of the concerns which I have as an investigator as well as other people that are involved in in-

vestigation of outlaw clandestine laboratories is that these precursors and chemicals are a sizable health danger.

Mr. ENGLISH. I suppose we better recess for a few minutes. We have a vote over on the floor of the House. I am sorry about that. We will be back as quickly as we can.

[Recess taken.]

Mr. ENGLISH. Mr. Katz, we will let you continue. I am sorry about the delay. That happens to us around here.

Corporal KATZ. Thank you, Mr. Chairman.

The recommendations which I have for the most efficient utilization of police resources against laboratory operations are: One, the need for a training program not only for police but for firefighters, about the dangers that these labs present. This could be done through the normal channels of either fire or police training commissions that currently exist.

The second recommendation I would have is that protective clothing such as that currently utilized by the Environmental Protection Agency or other groups when confronting hazardous material spills be provided through some sort of lend lease agreement to police and fire agencies who know they are going into a lab operation.

An additional problem in that area, of course, is that the destruction of these chemicals, which are in many cases hazardous or toxic chemicals, presents a real problem. The cost of using a commercial hazardous waste firm to destroy these chemicals from a large-scale methamphetamine or PCP lab, can cost up to $10,000. A meth lab operation in Anne Arundel County, MD, costs about $10,000 to dispose of, which DEA was forced to pay for chemical disposal.

In lab investigations conducted through either the organized crime drug task force or a similar agency, lab operations have not been their highest priority. Other drugs are deemed, depending on the region, to be more of a problem than lab operations. If the priority could be upgraded in those task forces or in other organizations, we would then be in the most efficient posture to combat these labs. A problem, which these task forces have experienced, is when the U.S. Marshals Service has been asked to deputize local and State law enforcement officers. Apparently some problem have arisen with deputization of marshals, and the Marshals Service is now very reluctant to deputize because it means they [marshals] are taking responsibility for the individual. A streamlining of the procedure or the use of another procedure whereby local and State law enforcement officers can be deputized by a specific agency for a specific operation, would solve the problem and more task forces could be utilized.

My third recommendation would be to have the State Department, through treaties with the nations that I mentioned earlier, Germany, Canada, Australia, Mexico, and other nations, to have them regulate the precursors for PCP and methamphetamine in a precursor control program similar to the DEA program in the United States. This could be through their national police organizations or an organization they designate, which would allow U.S. Customs or another Federal agency the opportunity to identify those persons who are buying these precursors. This would then

allow a joint investigation of those smugglers of controlled precursors.

The final suggestion that I have to the committee is to have a lab operator face a minimum mandatory sentence like those currently being exacted for the use of a firearm in the commission of a felony or for operating a continuing criminal enterprise. This sentence would be exacted against lab operators, which would successfully remove the key figure from these, that is, the chemist. We believe that chemists in these operations are the highest recidivist criminals that there are. As soon as they get out of jail, all of them that I am aware of go right back into manufacturing the drug because of the money that can be derived from this illicit venture.

If there was a minimum, mandatory sentence without possibility of parole, this problem could be alleviated. Certainly it would then put in the mind of not only lab operators but in law enforcement in general that we are very serious about the problems that these labs cause.

Clandestine labs plague many areas of the United States, some of which are aware of them, some of which are not. If we ignore the problem for a long period of time, we have obvious public health and public safety problems. A national response to the problem of clandestine labs to stop their growth will also stop the seemingly endless demand for substances like PCP, methamphetamine or some of the analog drugs like ecstasy, which are now being produced.

It could be said that these clandestine lab operators are literally selling death on the installment plan to their consumers. It is time that we take every effort available to us in enforcement to put an end to a continuing national tragedy.

Mr. Chairman, that concludes my remarks.

[The prepared statement of Corporal Katz follows:]

STATEMENT

OF

TERRY KATZ

CORPORAL

MARYLAND STATE POLICE

. BEFORE THE

SUBCOMMITTEE ON INFORMATION,

JUSTICE AND AGRICULTURE

DECEMBER 5, 1985

My name is TERRY KATZ. I hold a Bachelor of Science Degree from Towson State University, Baltimore, Maryland. Since July 1970, I have been a member of the Maryland State Police, and from 1971 to the present my primary assignment has been that of an investigator specializing in non-traditional organized crime including the investigation of Clandestine Laboratories, which produce Phencyclidine and Methamphetamine. Since September of 1976, I have attended over thirty-five (35) seminars and conferences throughout the United States and Canada, some of which provided instruction on the investigation of Clandestine Drug Laboratories. I have been featured as a guest speaker at most of these seminars.

The two drugs, which have commanded the majority of these Clandestine Lab investigations are chemical compounds which can be produced in Clandestine Laboratories, (Phencyclidine and Methamphetamine). The first drug, Phencyclidine, (PCP), was first developed by researchers for the Parke-Davis Laboratories as an analgesic, (pain killer). At first, PCP was thought to be highly effective and it showed potential as a surgical drug as it did not render a person unconscious during an operation. The drug was tested and initially marketed under the name of Sernyl. However, following additional animal tests, and human tests, about a third of the humans became disoriented, delirious, or euphoric while others exhibited

severely manic depressive behavior as side effects of PCP. Based on these side effects, it was determined that the drug would be marketed strictly as an animal analgesic called Sernylan. Veterinarians utilized the drug but it again developed a bad reputation based on the unwanted side effects and during the late 1960's, the use of the drug as Sernylan was discontinued.

PCP is relatively simple to manufacture and beginning in the late 1960's, it has been manufactured in Clandestine Laboratories with various degrees of sophistication and purity. In California during the late 1960's, the drug was distributed in powder or tablet form and it was called Peace Pills or Hog. The drug had such severe side effects including death that people began to shy away from it and began to use other hallucinogenics such as LSD. PCP then became popular on the east coast when drug abusers determined that one could smoke marijuana that had been sprayed with PCP in liquid form and obtain a different "high", than from plain marijuana. Because the drug could be ingested by smoking, it began to develop popularity among drug abusers who were used to smoking marijuana.

In the Baltimore; Washington Metropolitan areas, PCP became a very popular drug beginning in the 1970's and it continues to be very popular in these Metropolitan areas today among young white people, many of whom are "blue collar" workers and among young black poeple who reside in and around the inner city areas of Baltimore and Washington. While there are numerous theories for why PCP is so popular in the Washington and Baltimore area, the reason for the demand, which has grown and become a large steady demand, is that it can be said that PCP produces more "highs" per dollar spent than any other drugs. Phencyclidine, can be manufactured in everything from a sophisticated Laboratory with glassware and elaborate equipment to the so called

bucket operations which utilize nothing more than rubber or plastic buckets, (as the place to produce the drug).

The chemicals which are needed to manufacture Phencyclidine are called precursors, which are basically the raw materials which become part of the finished product, (PCP). The other components which are necessary to manufacture the drug are reagents which react chemically with one or more of the precursors but do not become part of the finished product and a solvent, which reacts chemically with either a precursor or a reagent but solvents do not become part of the finished product. Solvents can be used to dissolve the solid precursors or reagents, to dilute reaciton mixtures, and to separate or purify the other chemicals which are used. The crucial precursor is a chemical called Piperidine, which is controlled under federal regulations as are other precursors such as Phenylcyclohbxy and various other Phenyl compounds including Ethylphenylcyclo which can be used to produce Phencyclidine or to produce Piperidine. Chemical companies are supposed to notify the Drug Enforcement Administration (DEA) about orders for Phencyclidine precursors. In practice, this notification depends on the company and frequently an individual or group of individuals can successfully obtain the precursors for PCP without the authorities being notified under the precursor Liaison Program.

The other methods for obtaining precursors is to divert them from legitimate users or to set up a phony corporation which can pass as a legitimate user. During investigations which I have conducted, or which have been conducted, I know of cases where precursors have been stolen from: government laboratories, legitimate chemical companies, film processing locations and other legitimate users.

The DEA Precursor Liaison Program, (the notification process previously mentioned) has been an effective investigative tool for identifying Clandestine Laboratories. Through this program, legitimate producers and distributors of chemicals used in the manufacture of controlled substances voluntarily report abnormal or suspicious purchases to DEA. In order to avoid this reporting process, evidence now indicates that some PCP laboratory operators have begun to synthisize Piperidine, using three distinct methods including one whereby Piperidine can be obtained from common household black pepper. A Clandestine Lab Operator claimed that he could extract one ounce of Piperidine from one kilogram (2.2 pounds) of black pepper.

An additional way in which precursors can be obtained is import them from Canada, by purchasing the chemicals from chemical supply houses located in areas including Niagara Falls; (just over the American border) as Piperidine and other precursors are not controlled there nor are purchasers reported to Canadian authorities. A documented incident this year, in which two Maryland individuals were arrested, after a border search by the U. S. Customs Service, developed information that they intended to bring back Phencyclidine precursors by smuggling them into the United States. During an investigation in 1981, conducted by numerous agencies in the Prince George's County, Maryland area, it was learned that an attempt had been made to bring back PCP precursors from Canada by members of an outlaw motorcycle gang. During the recently concluded investigation into Methamphetamine production by members of the Scarfo Organized Crime Family in Philadelphia and by members of the Pagans Motorcycle Club (PMC), it was determined by precurers for the durg, namely Phencyl-2-Propanone were being smuggled into the United State from Germany and Mexico.

According to the DEA Quarterly, volume 12, Number 1, (November, 1985) there were approximately thirty-one (31) PCP Laboratory seizures accomplished in 1984 and there were thirty-nine (39) seizures of Clandestine PCP Laboratories in 1983. In addition, two (2) PCP analog labs (producing precursors for the manufacture of PCP) were seized. The Washington D. C. Division of DEA seized seven (7) PCP Laboratories, outranking all other offices of DEA. The largest laboratory seizure of PCP was in Brownsville, Texas, in October, 1984, which DEA estimated had the potential to produce three hundred (300) kilograms (660 pounds) of PCP.

It is relatively easy to manufacture PCP as all one really needs is a basic knowledge of chemistry, and the skill to mix components at the proper intervals, PCP has a very distinctive odor when produced, (which smells like a mixture of chlorine and ammonia) and depending on which solvents are used, a strong smell of Ether or Acetone may also be present at a lab site. Because of this odor, remote locations are frequently utilized by PCP Clandestine Lab Operators to avoid detection. The use of highly flammable components, such as Ether or Acetone have caused a number of explosions and fires at lab sites.

The use of remote locations is not a requirement for a PCP lab and in investigations conducted by members of the Maryland State Police a seizure last year was accomplished of a Motor Home in which the individual left the Washington Metropolitan area and manufactured Phencyclidine while on the road; stopping only at the location at which he was arrested. The changing locations is frequently necessary to avoid detection and therefore, I know of "Cooks" (Clandestine Lab Operations) which have taken place in vans, while parked or moving on public roads, in the woods, on a patio of an apartment building, in $600,000.00 homes, in shacks, and a variety of locations limited only by

human imagination.

An additional danger to law enforcement and firefighters from these Clandestine PCP Laboratories is that the intermediate stages frequently contain poisons to include cyanide which if inhaled, can be fatal. The ever present danger of fire or of lab operators who will booby-trap the location to keep other competitors and/or the police from raiding a lab site is also a constant concern during these investigations.

A danger, which those of us who have worked lab operations also can report, is that we know very little of the long term effects on Police Officers or Firefighters who interrupt a lab operation or who breathe the fumes of a lab in operation. Since Phencyclidine we know can trigger physical attacks, which will turn a normal person temporaily ill, there is the danger of inhaleing the fumes in any way. The fatty tissues of the body store PCP and it is possible for a flashback psychotic episode to reoccurr even after the person has left the danger inside the lab. The cumulative effect of PCP can cause severe headaches or skin rashes after a prolonged or repeated exposure to Clandestine labs.

About two and a half years ago, I was active in an investigation with the FBI, DEA, and other law enforcement agencies into a PCP lab operated by members and associates of the PAGANS MOTORCYCLE CLUB, (PMC). During the course of the investigation in which the intermediate stage of PCP, PCC, was produced by a Clandestine Chemist (who was also cooperating with the authorities), we know that the intermediate stage, PCC, went from Maryland, where it was procuded, to Virginia, then to North Carolina and then back to Virginia where it was finally recovered by the investigative team.

On a personal note, I was asked to drive the van which was seized with the PCC from the location of the seizure back to the FBI office. I had all the windows of the van open and even though it was a rather cold evening, I had the fresh air vents on at full speed. The drive took approximately half an hour. When I arrived at the FBI office, I got out of the van and I noticed a severe headache around the sides of my head and behind my eyes. The headache began to intensify even though I was now away from the van and the evidence had been removed and secured. . then began to notice that my eyes wouldn't close. It was as if someone was holding their thumb against the side of my eyes so they wouldn't close, while I could open my eyes wider, I could not shut them. This condition lasted approximately one hour at which point the muscles behind my eyes began to relax and I could then regain the normal and full use of my eyes. On other occasions where undercover police officers or agents have been physically present when a lab operation is underway a severe headache, nausea, and other physiological disorders have occurred. The worrisome part is that we don't know what the long term effect of ingesting even the odor of PCP can be over a long period of time.

Another severe danger to persons that utilize PCP has been graphically demonstrated here in the District of Columbia, while as arrests for drug violations involving PCP rose from 310 arrests in the fiscal year of 1982 to 1945 arrests in the fiscal year 1984. The rate of Hospital emergency admissions relating to PCP collected from fourteen (14) area Washington Hospitals by the National Institute on Drug Abuse, shows that in 1981 there were 179 admissions for PCP incidents, in 1982 the figure rose to 292, the last year for complete figures is 1983 in which 535 persons were hospitalized for PCP related emergency room incidents. Another area in which PCP has been a contributing factor is in emergency admissions to local Psychiatric Hospitals. In a test devised during 1984 by a member of the St. Elizabeth's Hospital Clinical Psychology Training Seciton, they have been able to now distinguish between schizophrenia and PCP induced attacks. Based on this

testing, it has been determined that one third of all emergency patient admissions to St. Elizabeth's, the patient had PCP in their system.

PCP can trigger psychotic attacks that turn normal people temporaily insane. A person in this PCP state of manic depression or schizophrenia or other psychotic ailments, is usually violent and totally out of control Numerous instances have been recorded in Maryland and the Washington areas of injuries sustained when Police Officers have attempted to subdue persons on Phencyclidine. Some of these incidents have resulted in the death of or injuries to the PCP user since the delusions that these PCP users are suffering are so real, they could believe that they are fighting a tiger or the devil with almost super human strength. Cases that I know of personally including an arrest by members of one Narcotics Unit required five physically fit police officers of that unit to arrest one 5'6", 135 lbs. suspect, who was high on PCP. It took all five members to get the one individual handcuffed so that he could be placed into custody.

In 1983, around Christmas time, a tragic incident occurred in surburban Baltimore. A man high on PCP, which he had been using heavily, over a period of time, began to believe that his infant son was the devil and he stabbed the infant and eventually cut the infant's head almost completely off to kill the devil. The killer was found guilty during a jury trial and currently is incarcerated for first degree murder. The defendant claimed that he was literally out of his mind when the incident occurred in 1983, however, the court found that Phencyclidine has a reputation for mind distortion and that to ignore conduct by a person voluntarily taking drugs only subverts the entire judicial system.

These horror stories are not meant to shock or sicken the committee but merely to point out this drug can turn normal people into schizophrenics, and it will harm those users by destroying brain cells to a point that they are "burned

out". Individuals who used to have their full faculties and mental abilities are or can be reduced with heavy habitual PCP use to nothing more than babbling idiots who other persons in the drug subculture refer to as "burned out".

Beginning in the early 1980's, the Drug Enforcement Administration, Washington Field Office, formed a PCP Task Force. This Task Force is currently made up of Agents from DEA and eight (8) officers from other local police jurisdictions. This Task Force in 1983 arrested 110 people; most of whom were from Northern Vriginia for manufacture or distribution of PCP, of this number ninety-one (91) of those persons were either PCP manufacturers or distributors. In addition to the Task Force, during the first nine (9) months of 1984, in Prince George's County, Police there made 277 PCP related arrests and they seized two (2) laboratories along with an estimated $658,000.00 worth of PCP.

PCP was according to both the Drug Enforcement Administration, (DEA) and other law enforcement agencies controlled in many areas by white lab operators, many of whom were connected with Outlaw Motorcycle Gangs. A change in the distribution and manufacture pattern has become evident in the last two (2) years. This change contributed to a decline in lab seizures in the Baltimore/Washington area as black and hispanic traffickers now appear to dominate PCP distribution and they and white lab operators are using laboratory sites outside of the Baltimore/Washington area to produce PCP.

Examples of this shift in lab site location are cases tried in the Baltimore Federal Court System, where PCP was produced in California and Florida and then smuggled into Maryland, Virginia and Washington, D. C. by train, plane, and automobile. These cases illustrate the changes in the distribution and manufacturing pattern of PCP in Maryland. The investigation of an individual drug lab is now far more difficult as lab operators have moved away from police enforcement and the

Washington area PCP Task Force to locations where they believe it is safer to manufacture.

In a case which concluded in February, 1985, a liquid PCP manufacturing and distribution network headed by a white male named George Sine began to distribute PCP in 1980 shortly after Sine was released from jail. At first (according to the statement of facts which George Sine eventually pled guilty to) Sine bought PCP which was already manufactured and he distributed it to members of his organization. Beginning in 1981, Sine began to operate a series of Clandestine PCP labs from which he then began to distribute liquid PCP to members of his organization. Following police pressure by the Anne Arundel County, Maryland, Police and other agencies directed against members of Sine's organization, he (Sine) moved to Florida. The organization then grew as more distribution outlets opened as these PCP distributors now had a source (in Sine) who could supply multi-pound dealers of PCP sprayed on parsley (flakes) without any difficulty.

Sine then began to have other persons manufacture PCP for his organization and it is conservatively estimated that Sine's organization had at least thirty-five (35) distributors including twelve (12) multi-pound distributors (wholesalers) and at least three (3) lab operators. George Sine according to one of his partners in the manufacturing operation (Joseph Cortina) believed that Sine had approximately $750,000.00 delivered to him by Cortina in the four year period of their relationship.

Sine invested his money from the PCP manufacturing operation in real estate, (three (3) houses), a used car lot, three (3) ten thousand dollar certificates of deposit, seven (7) motor vehicles, numerous bank accounts, a stock broker's cash management account, thousands of dollars worth of home improvements and an in-ground pool.

George F. Sine is currently serving a ten (10) year term of incarceration for his conviction for operating a Continuing Criminal Enterprise.

Another PCP organization operating in the same time frame (1982-1985) was headed by James Holcomb, a black male who resided in Hillcrest Heights, Prince George's County, Maryland. The Holcomb organization was a national PCP manufacturing and distribution conspiracy with co-cospirators in New York, California, Maryland and Washington D. C. The Holcomb organization utilized Piperidine stolen from a legitimate user (Eastman Kodak Company in Rochester, New York) to manufacture PCP in Maryland and in California. The Holcomb organization like the Sine organization had multiple manufacturers of PCP and a series of couriers transporting liquid PCP, PCC (the intermediate step product crystals in making PCP) and phenyl magnesium bromide (PMB) which is used to make PCC into PCP.

Holcomb was purchasing PCP in liquid form from the California manufacturing groups for 16,000 dollars per gallon and selling it for 32,000 a gallon. He sold PCP for about 40,000 dollars a gallon; when it was purchsed in quart form (at 10,000 dollars a quart). Holcomb's operation in the Washington Metropolitan area was so large that he had 15 gallons of PCP either seized by the police or purchased by undercover officers and yet he was still supplying his own distribution operation. Holcomb pled guilty to four (4) counts of distribution of PCP in the U. S. District Court for Maryland on November 14, 1985. He is to be sentenced on these federal narcotics laws violations on December 17, 1985. Holcomb faces a maximum penalty of eighty-five (85) years imprisonment and a $900,000.00 fine.

The Sine organization and the Holcomb organization were both cases conducted under the Organized Crime Drug Task Force which coordinated the efforts of federal agencies, states attorney's office, state and local law enforcement agencies.

The use of liquid PCP as opposed to the previous practice of producing PCP as a powder and then dissolving it in a solvent, has created an entirely different distribution pattern in the Baltimore/Washington area. PCP liquid is now openly sold in some areas of Washington and is available in one ounce quantities at approximately $500.00 to $525.00 an ounce. One liquid ounce is currently being used to manufacture approximately a quarter pound of PCP sprayed on parsley from each liquid ounce. These liquid PCP production operations are not Clandestine Laboratories and have a lower risk of detection or apprehension based on the problems associated with production of PCP. These distribution organizations are not large in scope but like any other non-traditional organized crime group have a organizational spread among smaller groups and individual distributors. Outlaw Motorcycle Gangs which had earlier dominated production and distribution in the Baltimore/Washington area now appear to be cooperating with black and white producers to acquire the liquid PCP and then distribute it to the Gang's own customers. This is a significant departure from prior Gang activities directed at production and it can in many ways be attributed to Law Enforcement pressure directed at these criminal Motorcycle Gangs.

Methamphetamine has also been produced in Clandestine Lab Operations in the Maryland area. Although the number of these labs, approximately three (3) includes a November, 1985, Maryland State Police investigation assisted by DEA in Northern Maryland in which two (2) houses and a house trailer were searched and twelve (12) people arrested for participation in a Methamphetamine Lab Operation. The controlled precursor in Methamphetamine is Phenylacetone, whose chemical name is Phencyl-2-Propanone, also known as P-2-P and Methylbenzylketone. In the recent Maryland State Police investigation approximately four (4) gallons of P-2-P were seized which would have produced a large number of pounds of Methamphetamine.

Methamphetamine production in Clandestine Labs requires more sophistication than the manufacture of PCP. However, it is not difficult to make and anyone with a minimal chemical background can produce Methamphetamine. P-2-P like Piperidine has been smuggled into the United States from places like Canada, Germany and Australia as it is not controlled in those countries. It is also illicitely manufactured and diverted from legitimate supply. Most of the Methamphetamine which comes into the state of Maryland is believed to be produced in the North of Maryland in states like Pennsylvania or Delaware; although as I noted earlier, there are some lab operations located in rural sites in the state of Maryland. Recent information from the Drug Enforcement Administration, (DEA) to various police agencies indicates that while some lab operations can use sophisticated glassware such as the one in Northern Maryland, Methamphetamine can be produced in any system that can be filtered and which can be combined with heat.

The chief danger associated with Methamphetamine is that it speeds up the body's metabolism to a point that the body literally feeds upon itself because of the high demands on organs like the heart, the lungs and even fat production within the body. The phrase which had been popular in a number of areas that "speed kills" is a reference to Methamphetamine's destructive ability on the human body as Methamphetamine is called speed on the street by drug users.

Methamphetamine and/or Phencyclidine intoxidation is believed to be an increasing cause of accidents on the highways in states which utilization of these drugs in occurring. While it is difficult to get accurrate statistics on intoxicated drivers who are using drugs rather than alhocol, it is believed that the approximate number of drugged drivers is increasing.

The danger in a Methamphetamine Lab from the precursors and chemicals

utilized in the production of the illicit drug is again sizeable to law enforcement and fire personnel who may confront the problem during either fires or lab raids.

While no one agency can successfully combat any large scale criminal problem, several areas could be strengthened in making enforcement directed against lab operations more efficient. The first recommendation is that a training program in lab detection and the safe handling of lab operations be immediately provided to all firefighters and police officers in the areas where these drugs are being produced. The forum for the fire presentations can be through the normal continuing education which both volunteer and paid firefighters in Maryland and surrounding states are required to have. In Maryland, the Maryland Police Training Commission mandates specific numbers of in-service training hours for police and special police officers. Training on lab operations could be provided through them by agencies skilled in lab operation investigations.

The second area which requires attention is that protective equipment such as that used by the Environmental Protective Agency or other groups when confronting hazardous materials spills be provided to firefighters and police for use in lab sites or at suspected lab sites. This equipment would include protective clothing and breathing filtration systems to prevent the inhalation of potentially fatal substances.

The third area which requires attention is to make lab investigations a priority in those areas in which Clandestine Labs are operating. This increased attention to labs could be directed through the Organized Crime Drug Task Forces which are currently operating around the United States. The Task Force approach would also allow local and state law enforcement agencies to coordinate their

efforts with the federal agencies to combat lab operations.

Involved in this PCP Task Force Operation would be the issue of deputization or the use of local and state law enforcement officers by deputizing them through the U. S. Marshal Service. There have been a series of problems connected with deputization in organized crime drug task force cases and in other cases so the need to streamline the procedure or change it so that maximum enforcement pressure can be directed against these Clandestine Lab Operations. The purpose in using Deputy U. S. Marshals or some other designation for federal authority, is to allow these officers access to grand jury and title III, (Wiretap) information along with the resolving of civil liabilities problems connected with using law enforcement officials outside their respective jurisdictions. The Washington DEA PCP Task Force uses law enforcement officers who have been deputized as U. S. Marshalls.

A fourth suggestion to combat the importation of precursors from other countries is to request that a treaty with these actions specify that precursor purchase be reported to the respective national police agencies. Through these police agencies, U. S. Customs and other federal enforceemnt agencies could develop information on persons who are smuggling precursors into the United States.

The final suggestion is one which this committee and others in the Congress can directly address in that if there was a minimum mandatory sentence for drug manufacture of substances like PCP, Methamphetamine and the so called analog drugs (currently appearing in California that are like synthetic Heroin, synthetic Cocaine and other substances which are now being developed) the chemist, who is the backbone of this industry, would effectively be taken away from his ability to harm the public. A minimum mandatory sentence, without possibility of parole, such as that currently in use in Continuing Criminal Enterprise cases or for the

use of a firearm in commission of a felony would allow law enforcement to use a new weapon whereby the chemist is removed for a set period to time, thereby depriving these criminal organizations, large and small, of the vital component to the manufacture of these drugs. The other effect of this type of law would be to enforce in both the public's mind and in the mind of law enforcement that labs are a serious problem.

From a National perspective, the problem of Clandestine Lab Operations continues to plague many areas with the United States. It is a problem that we can not long ignore for as the demand for these drugs grows, so do the inherent public health and public safety problems. There must be a national response to the problem of Clandestine Labs in order to stop their growth and the seemingly endless demand for drugs like PCP and Methampehtamine that destroy the mind and injure those who ingest them. It can be said that Clandestine Laboratories producing PCP, Methamphetamine and the so called analog drugs are literally selling death on the installment plan to its consumers and it's time that we take every effort available to us in enforcement to put an end to this continuing national tragedy.

TLK/lc

Mr. ENGLISH. Thank you very much.

As I mentioned earlier, we have this new drug—at least it's new to me, maybe it's not that new to you—called crack, or rock, or whatever. Are you familiar with this drug?

Corporal KATZ. Only in its general properties, sir. We don't have crack, which is a very purified form of cocaine, in Maryland that we are aware of at the moment. I won't say that we don't have it, because I am sure that, if we don't have it now, we soon will.

Basically, what has occurred is that when one utilized cocaine as an abuser, you had to be able to take that drug and purify it to make it free-basable so it could be smoked. What is now occurring with crack is that the drug is already purified to its rock form, which is almost pure cocaine hydrochloride. It is then shaved off and smoked. Now that there is an easier way to acquire the drug, people are going to do so if they're into free-basing. Free-basers of cocaine are very violent individuals as they can be very addicted to that substance. It has been shown that cocaine is more addictive than heroin in recent lab studies. So, if you increase the availability of the highest purified form of cocaine, you are going to increase cocaine addiction and its incident problems.

Mr. ENGLISH. But it's my understanding, too, that one of the attractions is not only the purity but also from the standpoint of cost. It is very affordable as far as young people are concerned in particular, people that don't have a lot of money.

Corporal KATZ. It would make it more affordable than if they took regular cocaine of varying degrees of purity. But cocaine is still going to be an expensive drug, which is part of that problem. If you're going for a drug that is very expensive, you have to either earn the money legitimately or illegitimately, and frequently it's illegitimately. Thus, you have a corresponding increase in not only drug distribution but in violent crimes and other illegal ways to gain the money to buy the drug. If you're an addict on cocaine, you are going to do anything that you have to do to get that drug. When you are dealing with someone who is a drug personality, especially a cocaine drug personality, he is extremely dangerous.

Mr. ENGLISH. As I understand it, it takes such a small amount, very little of this purified cocaine, it would either be smoked or sniffed, and that's what would make it affordable—or at least in the beginning—to high school and college people, particularly high school kids.

Corporal KATZ. Right; you would be getting a lot more, as they say, "bang for your buck."

Mr. ENGLISH. Yes; so, it would take very little in the way of dollars to get a pretty good bang.

Corporal KATZ. Right, a very intense high.

Mr. ENGLISH. And then when that is considered, along with the rapid addiction level of this purified cocaine, then what could very well—what quite likely will happen throughout the country is that we are going to see a number of very young people that are going to suddenly be addicted to cocaine, and it will happen very rapidly. It is my understanding that usage over a 2-month period, and that's it; you're flat addicted as far as this stuff is concerned. Is that correct?

Corporal KATZ. I am not exactly sure of the time period because, as I say, it's a new drug to us in the State of Maryland. But from what we understand from incoming data and research, the addiction period is very rapid. Whereas people could use regular cocaine over a long period of time without becoming addicted, the regular use of free-basable cocaine could make one a cocaine addict. The increasing availability of free-basable cocaine where all one has to do is go out and buy it instead of having to buy it and purify it, would seem to increase addiction.

Mr. ENGLISH. Do you expect, given the knowledge that you have about rock or crack—I guess it is called different things in different parts of the country—do you expect that we will see a rapid increase in the usage of this drug? Is it likely that we are going to see this drug used by a group, namely the young people, that perhaps have not had that much usage as far as cocaine is concerned?

Corporal KATZ. It would seem, based on previous practices within the drug community that, if a drug is given the reputation of an intense high, that people then have to try it. And if the market is there, illegal producers will produce to meet that market, so as demand increases, supply increases. Unfortunately, since many of them seek that intense high, I would have to assume that many abusers are going to try it.

Mr. ENGLISH. That would be one thing as far as the drug community, it would be bad enough in that area. I guess the thing that concerns me a great deal is that in the communities where it is now being used, it is my understanding that because of the low cost, for the bang that it gives, that it is being tried by large numbers of middle-class youth simply for the thrill of it. And because of the very rapid addiction rate, that is a very explosive combination. You may have a large number of young people who may not be drug users in the sense that they have been addicted, or a crowd that experiments with all drugs. They could very well find themselves with a rapidly growing number, a rapidly growing group of users, a new group of users, a new addicted group that we haven't seen before, which would primarily be high school and college people.

Corporal KATZ. I don't know that they are such a new group. Obviously in order to experiment with the more purified forms of cocaine, abusers would have to be cocaine users to start with. I don't believe that we will see people start out on crack. I believe they will start out in the manner that cocaine is now utilized. Cocaine users seek the best thrill, so people who used to inject cocaine to get the purified form, may now be able to free-base coke, which people are rapidly beginning to do. They will also be able to acquire the free-basable cocaine and thereby risk creating a possible epidemic of addicts.

Mr. ENGLISH. But with this, as I understand it, you just take a tiny crystal, insert it into a regular cigarette, and smoking that, or with marijuana in particular, it is enough to give a pretty substantial kick.

Corporal KATZ. I am familiar with abusers using free-base cocaine which usually takes a very high heat source to remelt that crystal for cocaine. The smoke is then purified through a series of chambers and inhaled in this form. I am not familiar with abusers

utilizing crystallized cocaine in cigarette form from my experience in Maryland. Normally they use a glass pipe or ceramic pipe because there is a tremendous amount of heat that they have to use just to get the cocaine crystal to melt. But as I say, Mr. Chairman, it is a new area for us in Maryland. The information on crack is just now beginning to come in about the various uses and, in fact, about the demand for it, which principally seems to be centered up in New York.

Mr. ENGLISH. I was looking at a story that appeared on November 29 in the New York Times which did focus on the situation up in New York. They were making a point in this article that this seems to be the group that seems to be trying this out, particularly as far as young people are concerned, focused in the upper-middle-class families. For the most part, these were kids with no history of addiction or psychiatric illness in any way, the top half of their class, college-bound, young people who, at least as far as this article indicated, were addicted and completely dysfunctional by crack within a 2- to 3-month period. It just completely destroyed these young people. The exhilaration, it's a high that supposedly is unmatched as far as the euphoria is concerned.

[The November 29 article from New York Times is reprinted in the appendix.]

Corporal KATZ. Based on the fact that the middle class does seem to be utilizing cocaine in an ever-increasing rate, certainly young middle-class individuals are going to follow what their peers do. If your peers are involved in cocaine and they seek that ultimate rush, or high, and crack can produce it, then obviously they are going to go and try it regardless of the danger. Many times, adolescents think they know all the answers, and oftentimes find out too late that they didn't quite know all of them.

Mr. ENGLISH. Mr. Lightfoot.

Mr. LIGHTFOOT. Thank you, Mr. Chairman.

I thank both of you gentlemen for coming today. Corporal Katz, you were talking earlier about your experience of driving the van back, and so on, and also the use of maybe some type of protective clothing, disposal assistance, and so on.

Corporal KATZ. Yes, sir.

Mr. LIGHTFOOT. Have you contacted the Environmental Protection Agency or Maryland's environmental people in that respect? If so, do they have any resources they can help you with?

Corporal KATZ. No, the principal problem we have run into is that there is not now an avenue that we are aware of that is open to us. Now, if we classified a lab as a hazardous material spill, then there is a certain set procedure for response to a spill. My point and recommendation was this: In California, for example, their lab operations teams are issued proper protective equipment. DEA here in Maryland and in the surrounding States aren't issued that equipment, whereas I know that that equipment exists in these hazardous material operations that clean up spills. If the avenue is there, we would certainly pursue it with the EPA. But at the moment we don't know of a procedure or an avenue which exists. Agencies certainly are going to be reluctant in light of budgetary restraints, and other problems that each agency has, to just give equipment away. But if a system exists wherein in an emergency

we have a contact person that can mobilize either a team or the protective equipment, it would save these long-term health effects that we are uncertain about in lab operations.

Mr. LIGHTFOOT. Is there any kind of an ongoing educational program with your officers and with firefighters that may be involved in these things so they know what to look for or what to try to watch out for? It looks like there is a danger involved in this.

Corporal KATZ. That is correct. There is a danger. The problem in ongoing training is that lab classes are normally given on methamphetamine or PCP labs only to investigators on the methodology and the particular components of manufacture for these drugs.

What I am suggesting is a program of continuing education that all police officers are required to attend or firefighters are required to attend about the dangers of labs or what to look for in a lab, not only about how a lab operates. We would have an increase in arrests because people that are now just thought to have started a fire accidentally with acetone or ether would be found to be lab operators. Second, the danger that firefighters or police are exposed to would be lessened because they would know enough to move out of the lab and bring in a chemist and an experienced team.

Unfortunately there is no set program wherein experts from either DEA or other agencies are able to come in to instruct about lab dangers. Within the State police we have regular in-service training as do most agencies so a natural avenue of instruction exists. The particular components and the way the officer is likely to see the drug on the street could be presented but not the entire lab operation. Basically, it would take a series of audiovisual displays that could be prepared and then utilized in those various training settings. At the moment, those displays don't exist.

Mr. LIGHTFOOT. In the first hearing, people in Oklahoma City, we understand, had instances there where some of the chemical companies had cooperated with police to help identify people that were buying the precursor chemicals. Do you see anything similar to that in your State, or is that an area that could be explored and maybe we could get some help in that area to shut some of this off before it starts?

Corporal KATZ. The DEA precursor liaison program exists in Maryland. The chemical companies have been pretty good about notifying DEA. Unfortunately, in many cases where a lab operator will purchase those drugs in another area, you run into the problem of DEA, say, in New York being notified, whereas the individual has merely gone to New York, purchased the drug component precursors, and then brought them back. We found that notification works when we are made aware of it. It doesn't always happen because, again, this is a voluntary program concerned with an abnormal amount, an unusual amount or a suspicious amount of chemicals. If you have a new clerk, or a new person at that particular chemical supply house then, he's not going to know an unusual amount or an abnormal amount. Consequently, he is not going to know to notify DEA.

Mr. LIGHTFOOT. You mentioned earlier that, I think one of the gentlemen you had, this Holcomb on your chart, had purchased homes and cars and a number of items. Back in the mid-1950's, early sixties, the scourge of the drug dealer was the IRS. They

were the ones that seemed to be able to come in and do something because of not paying taxes on the money, and so on. I don't recall hearing of anyone being convicted of tax evasion lately. Yet, we have this large influx of drug dealers in the country at various levels. Is that a correct perception? If so, why has this broken down? I think we should use every possible tool we have to get to these people.

Corporal KATZ. In Maryland through the Organized Crime Drug Task Force, IRS is involved. In the example which I gave about George Sine, there were tax counts in the indictment. Sine, faced with a very lengthy indictment, agreed to plead guilty to the continuing criminal enterprise charge, which had a minimum mandatory 10-year sentence. If he had gone to trial, I am certain that the U.S. attorney's office would have convicted him on the tax counts.

In the *Holcomb* case, there are one or two additional defendants that have not yet been tried. I am not certain about the tax counts in those cases. IRS is a resource that we use whenever it is available. We have had good success with IRS, not only in drug cases but in other cases, and we have found, as you said that they are an awesome weapon. In the methamphetamine *Rico* case that just went to trial in Philadelphia, involving members of the Pagans, there were tax counts. In fact, IRS did jeopardy assessments where they came in and took all of the assets that individual had against the taxes that IRS believed to be owed based on numerous drug transactions.

In addition, the assets that the Government proved were illegal assets from drug sales have been seized and are now property of the Government. Tax cases are a weapon that we use whenever they become available. Normally, the only way one sees them used, is in a large conspiracy case because of the amount of time and the resources that can be marshaled against a larger organization.

Mr. LIGHTFOOT. As far as the sentences that are being handed out for those that you do get a conviction on for manufacturing or possession, attempt to sell, and so on, do you feel that they are as strict as they should be? Do they need to be tougher? Do the laws need to be tougher once you do get a conviction?

Corporal KATZ. Normally in the Maryland State court system as well as the federal system that I am familiar with, an individual who is convicted for the first time, for State charges, would be sentenced under the sentencing guidelines. If he hasn't been convicted of a serious crime before, the guidelines are going to determine that he has a lesser liability of a long period of incarceration. In the Federal courts the same basic procedure seems to operate.

The idea about a minimum mandatory sentence would remove that discretion. Since lab operators are the largest of the recidivist groups that I know of it seems that as soon as they get out of jail, it's almost instantaneous that they go back to manufacturing drugs.

The sentences that we have obtained against major lab operators have been severe sentences. Ten years, for example, without a period of parole in the *George Sine* case is a very severe penalty. In the methamphetamine cases and phencyclidine conspiracy in Philadelphia that we worked on along with a number of other agencies up there, gang members earned between 7 and 25 years of

incarceration. The courts have been concerned enough about the problem of lab and major conspiracy operations, at least in the cases that I am familiar with, to send these people away for a period of time.

Mr. LIGHTFOOT. You are dealing with, in my opinion, very dangerous people and working with dangerous chemicals. To get them to the courtroom in the process of gathering evidence and this type of thing, are you running into any hindrances there that are causing you problems? Or are you able to handle that in a fairly judicious manner?

Corporal KATZ. One of the principal problems we have faced in these lab cases is the issue of deputization, which I assume is one that can be addressed and straightened out. The problem it creates is this: If the operation occurs in Maryland and you have only Maryland State police officers involved, that's fine, because it's within their jurisdiction. If on the other hand, the criminals go into other States which in many parts of Maryland is just a ride across a bridge, then you have a severe problem. You have the civil liability problem if you finish the surveillance, because the criminal has gone into Virginia, for example, where you have no authority.

When gathering evidence against these lab operators and these major conspiracies, the danger is always there, because you have an individual who is utilizing one of these substances or when he is under the influence of that substance, you have a much higher degree of danger to not only yourself but to your informants. Death doesn't mean a great deal to people that are under the influence of drugs. Consequently, some witnesses are very reluctant to testify against a known lab operator for fear that others in that organization, or the lab operator himself if he gets out of jail, will come back and kill him.

These are problems inherent in any large conspiracy case. We have been able to use the witness security program and relocation through the FBI and other programs to address this problem.

Mr. LIGHTFOOT. Pardon me for being redundant, but in the example you gave with the chart where you showed everything moving basically from the east to the west coast, are you running into jurisdiction problems? Am I reading correctly what you said a minute ago when you stated, you know, if it goes across a State line?

Corporal KATZ. Right. In the *James Holcomb* case, members of the Howard County Police Department in Maryland and other police agencies were deputized. If they hadn't been deputized, the undercover agent would not have been able to go out to California to meet with what turned out to be the two main lab groups. In terms of jurisdictional problems, in Maryland we have a coordinated system in dealing not only with lab suspects but with others through the drug enforcement coordinating system [DECS], which is computerized. So, if we have a suspect, we enter him into this computer system. If the FBI, DEA, or the various counties around Baltimore have a suspect, they do the same thing, so we then know we are working on the same person.

On the other hand, if, say, that person was a suspect in Florida and we were working on him but did not know of his Florida connection, we wouldn't necessarily learn about it, unless we accessed

the El Paso Intelligence Center [EPIC], or one of the other multi-state jurisdictional resource centers.

That is a problem which depends on the investigator to enter the suspect in all these systems, so he will then know all the law enforcement agencies that are interested in this suspect. If he doesn't check, then he doesn't know that two agencies are working on a parallel case.

Mr. LIGHTFOOT. This information system, would it be an advantage to expand it then?

Corporal KATZ. We hope to expand DECS to the Washington suburbs as well so that, at least in the immediate metropolitan areas, we would have the ability to coordinate the major investigations that are being worked on by various agencies.

We do also enter suspects into the Mid-Atlantic/Great Lakes Organized Crime Law Enforcement Network [MAGLOCLEN], which is one of the eight regional coordinating intelligence councils. But, again, the fact that we have a policy of entering every one of our major suspects does not mean that every major suspect is entered by every agency. The expansion of that program would certainly be beneficial to all the agencies in that you wouldn't have parallel investigations which would also tend to eliminate competition between agencies.

Mr. LIGHTFOOT. There is also the potential there to inadvertently upset something that someone else has going.

Corporal KATZ. Exactly.

Mr. LIGHTFOOT. Thank you very much.

Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you very much.

Mr. Katz, we appreciate your testimony before us. We may have some written questions for you as well and would appreciate your responding to those.

Corporal KATZ. Certainly, sir.

Mr. ENGLISH. Thank you for your testimony.

Corporal KATZ. Thank you.

Mr. ENGLISH. Our next witness today will be Chief Rolando Bolanos, with the Florida Department of Law Enforcement, South Region Operations Bureau.

Would you identify the gentleman who is accompanying you please?

Mr. HEADLEY. Yes. Mr. Chairman, I am Special Agent Cliff Headley, the Florida Department of Law Enforcement.

Mr. ENGLISH. We want to welcome you both. I appreciate your coming.

Mr. BOLANOS. Thank you, sir.

Mr. ENGLISH. If you would like, we would be happy to have you summarize your testimony. Without objection, both your complete written testimony and that of Corporal Katz will be made a part of the record.

Mr. BOLANOS. Mr. Chairman, I would beg the committee's indulgence so that I may speak from my statement——

Mr. ENGLISH. Fine.

Mr. BOLANOS [continuing]. And ask that I may take as much time as is necessary because this is a critical issue to the State of Florida.

Mr. ENGLISH. Very good.

STATEMENT OF ROLANDO D. BOLANOS, CHIEF, SOUTH REGION OPERATIONS BUREAU, FLORIDA DEPARTMENT OF LAW ENFORCEMENT, ACCOMPANIED BY CLIFF HEADLEY, SPECIAL AGENT

Mr. BOLANOS. Thank you, sir.

Mr. Chairman, honorable Members of Congress, and members of the staff, and ladies and gentlemen of the media and public, my name is Rolando Bolanos. I am the chief of the South Region Operations Bureau of the Florida Department of Law Enforcement. On behalf of Commissioner Robert Dempsey and the members of the Florida Department of Law Enforcement, I thank you for providing me the opportunity to address you on a matter of mutual concern to the Government of the United States and the State of Florida.

From and since November 1982, we have experienced an alarming increase in the number of clandestine cocaine labs that are in operation in the southeastern counties of the State of Florida. It is not my intention to take this committee's time with statistical data, but it is my desire to provide you some background data which will acquaint you with the historical and chronological perspective of our problem. Some published reports which have been compiled by DEA, NNBIS, FDLE, the Metro-Dade County Organized Crime Bureau, and the Broward County Sheriff's Department Organized Crime Bureau have revealed that between the period of November 1982 and December 1985, a 700-percent increase in confirmed clandestine cocaine labs has been documented. In 1982-83, Dade and Broward Counties had a total of six incidents involving cocaine labs.

During the period of January 1984 through November 1985, the number of confirmed labs has increased to 44 and horizontally spread to include Dade, Broward, Palm Beach, and Collier Counties. As recently as yesterday afternoon, my intelligence indicates that it is going toward the center and northern part of the State of Florida.

Gentlemen, it would be appropriate at this time to discuss in some detail the basis for our problem. It appears that from a point of reference that we can trace the problem back to legislation passed by President Belisario Betancourt of Colombia which created a cause-effect relationship that partially displaced cocaine processing from Colombia to the State of Florida, or the south Florida area. Based on intelligence information provided by the DEA to the Colombia Government, which essentially underscored the vast availability and relative use of ether for the production of cocaine in their country, in January 1983, President Betancourt passed legislation which requires special permits to possess ether, acetone, and other chemicals which were considered essential precursors to produce cocaine. The result as we see it was that during the year of 1984 no permits were issued. The ether supply became disproportionate to the demand in Colombia. It has been reported that in 1984 the price of ether in Colombia increased more than fivefold since 1983. The price of ether has increased from $1,400 per 55-gallon drum to $7,400 per drum.

The combination of the oversupply of coca and the scarcity of ether in Colombia has resulted in a partial shift from Colombian-based operations to Florida-based clandestine cocaine lab operations. Intelligence assessments support the theory that these operations continue to be financed and managed by major cocaine processing organizations in South America. We should note, however, that we find no distinguishing characteristics in terms of the personalities or the people that are involved. While the majority of arrestees continue to be Colombian nationals, we do also have Cuban nationals and Americans that are involved in the manufacturing in clandestine cocaine laboratories.

This transition can be characterized as an economic phenomenon for violators with tremendous social implications to the State of Florida. Honorable Members of Congress, it is at this point that from this point forward we focus our attention and channel all our energy and resources not on the end product, which is cocaine, but on the collateral issue of the manufacturing of cocaine.

We beg you to seriously consider and take notice of what we are trying to emphasize. We by no means mean to be dramatic in our presentation, but we already understand the economic, social, and political context that we find in drug trafficking, as we would distinguish conventional drug trafficking from clandestine cocaine laboratories. But what we are dealing with today is a collateral issue of a magnitude which quite frankly can only be explained in relative terms analogous with terrorism, bombing, murder, and sabotage.

What I would like to do at this point in time is qualify that statement, because I think it requires qualification. We know from our experience in reading and living the history of terrorism abroad and at home that a terrorist has the capability, the opportunity, and the means to bomb our neighborhoods and sabotage our elementary schools. But we must be thankful because, unless my history serves me wrong, we have never had instances at home where we have had 44 cases of explosive devices placed in our communities and our elementary schools. And I am making and drawing an analogy between explosive devices and clandestine cocaine laboratories. I recall my previous testimony before this committee that we have had 44 clandestine labs that we have confirmed and dismantled in the State of Florida.

With that, I think that, furthermore, the terrorist, however distorted his orientation may be, has a purpose and a target and a motivation to appeal to the empathy of society by espousing his cause. Consequently, I don't think—and I pray that I am right—that we will not have terrorists placing explosive devices in our elementary schools in our residential neighborhoods. But we have had Colombians and Cubans and Americans that have placed what we consider to be explosive devices by virtue of the clandestine labs in our elementary schools. We have had laboratories placed within feet from our elementary schools and our residential neighborhoods.

The financiers and operators of the clandestine cocaine labs already have preyed on our residential neighborhoods and our elementary schools. Also, a distinguishing characteristic is that, whereas conventional drug trafficking can be characterized as

interactions between and among drug dealers and users, and generally speaking the population at large is not directly exposed or affected, the advent of clandestine labs and the placement of clandestine cocaine labs in our communities involves all our residents and constitutes a clear and present danger to the safety and lives of our citizens and the preservation of our property.

It is critical that we maintain a distinction between drug trafficking and clandestine cocaine laboratories. While one is an integral part of the other, what we want to focus here today on, gentlemen, is on the explosive, on the volatile nature and on the all-encompassing aspects of clandestine cocaine labs.

In the past we can say safely as Members of Congress and members of the legislature and as law enforcement officials that the problem is somewhat contained in the regard that it involves interaction between drug dealers and drug users and then Government through enforcement and legislation. But our citizens, our residents, and our children have generally not been involved if they are themselves not perpetrators in one form or the other. You can no longer say that. You can no longer take the posture that it's not going to affect the mass of our population. We have found and we have evidence that we are going to introduce to you here today that it is in our neighborhoods. It's next door to your house, my house, our family, and, perhaps even more significant or more dramatic, it's by our elementary schools.

The process undertaken in clandestine cocaine laboratories involves the chemical mixture of coca base, which is imported from source countries, and at this point it would be appropriate to comment that we have no intelligence nor any evidence that would support coca base originating from the United States or the State of Florida. Now, I would qualify that by stating that it is not a matter of fact, since I don't have facts on that; but all available intelligence would indicate that we still continue to have an importation problem from source countries.

With ether, the end result of the mixture of the ether, acetone, and the hydrochloric acid is the production of hydrochloric cocaine, which is commonly known as cocaine. Now, the most dangerous of the chemicals used in the processing of cocaine is the ether. It is my understanding that ether cannot be stored for long periods of time, since it forms other chemicals that are extremely shock sensitive and highly flammable. It is estimated that 1 gallon of ether is equivalent to 10 sticks of dynamite.

Cocaine lab seizures in 1984 and 1985 in the State of Florida, in the southeastern counties, have netted anywhere from 10 to 500 gallons of ether in a single catch. Experts in the field of chemistry estimate that 10 to 15 drums of ether is sufficient chemical explosive power to level two city blocks.

A container of ether that has been previously opened could have had highly explosive peroxide deposits formed around the top, and by simply removing the top could cause the ether peroxide to explode and ignite the ether fumes. This is something that the uninformed individual, be it a police officer, a relative, a visitor, could very simply do and very simply blow up the lab, because that's all it requires.

Furthermore, as in the case with ether and other chemicals, explosive properties are affected by moisture, pressure, thermal or mechanical shock, and are subject to undergoing chemical changes with rapid energy releases.

With that regard, Mr. Chairman and members of this committee, actually no human interaction is required to have the labs explode. Sparks can very quickly ignite volatile fumes. During the reporting period at least eight incidents involving fire, explosion or both have been investigated by police.

I would at this time beg your indulgence and ask you to view some of the photographs which depict the paraphernalia and precursors which are commonly found in clandestine cocaine labs as well as view some of the photos that we have that depict the aftermaths.

Mr. HEADLEY. Mr. Chairman, the first photograph demonstrates the amount of explosive force that one 5-gallon drum of ether can cause. This was one of the labs also contained therein.

Those are some pictures of the inside of one of the labs containing 5-gallon drums of ether. The other photograph is one of the paraphernalia which is a popcorn making machine that is used for drying and processing the coca base.

The other photo consists of some of the precursors, which is hydrochloric acid, ammonia, and other agents that are used to process into the final product, the cocaine.

That is another form of the drying implement that is used, which is a heater, a common heater used in a household that they use to dry the cocaine.

Additional photographs of the precursor that is used along with ammonia.

After it has been through all that, it is then strained into a plastic trash barrel either through bed sheets or that mechanism that they have, which consists of a fine-mesh screen.

Another view of the preparations in the inside of a cocaine lab. That other photo represents the starting of the ether, exploding or starting to burn.

That is the finished product which is laid out to dry. Now, this will depend on the sophistication of the laboratory, whether it's a small laboratory that they do not have the dryers, then they lay it out in the cans and it dries in the air, or it's heated, depending on the immediate need.

This is a cocaine lab. As you may see, it could be in a park, as I think Chief Bolanos mentioned. And the home here is also a cocaine lab right in a very wealthy neighborhood, or a farm.

This is an aerial view of that thing. This is the house here. This is where they process or store the chemicals.

This photograph here, as we continue, was the result of an explosion in a cocaine laboratory, which you will see in the other photograph, this one. Now, those are the results of the explosion that occurs in neighborhoods in Dade and Broward Counties as a result of having the explosive within residential neighborhoods.

This particular one, the individual barely got out of there before the garage door was opened, and the neighbors were shocked at the noise. They called the police.

That is the end result of that same house.

Mr. ENGLISH. Thank you.

Mr. BOLANOS. At this time, Mr. Chairman, if I may continue my presentation, I would like to provide you a perspective on some of the law enforcement complexities that we have in dealing with clandestine labs and provide you with some practical recommendations on how we feel the Government can collectively address the phenomenon through legislation and our resolve.

Speaking from a police official's point of view, the advent of the clandestine labs marked the departure from conventional drug enforcement and raised more questions and concerns than we were prepared to address. I believe that that continues to be the case today since 1982.

Characteristically, drug trafficking and drug enforcement have always involved an element of danger and violence. But notwithstanding the unfortunate circumstances where injury or death resulted to our officers, we have always managed to minimize the danger and contain the violence in conventional drug enforcement by virtue of well settled and successful law enforcement tactics and relying upon intelligence data concerning the organizations, violator dispositions, and potential for violence under previously experienced circumstances. Over the years, we have been guided by our statutes and case laws which provide us with a framework from which we can legally and safely undertake the challenge of drug enforcement.

Today however, we find ourselves in a posture in which we are virtually disarmed of tactics and enabling Federal or State statutes. Conventional drug enforcement raid planning is prefaced on the expeditious execution of entry, search and seizure to maximize officer safety and enhance confiscation of prosecutorial evidence. The practice has always been, get in quickly, safely, with an element of surprise, contain our suspects, seize evidence for prosecution.

More than adequate Federal and State statutes exist to provide us the necessary tools to combat conventional drug trafficking. But such is not the case with regard to clandestine cocaine labs. Raid planning when dealing with labs is prefaced from a perspective that a lab is considered a barricade and the violators are barricaded subjects. We are not about to enter labs under the same practices, circumstances that we did in the past.

The element of surprise is totally relinquished to the element of citizen and officer safety. Visible police perimeters and affected population evacuation is a prerequisite to engaging the target. The violators are approached by loud and clear announcement of police presence and are ordered to methodically exit the premise. Once detained, the systematic search and control of the premise commences. Physical inspection and collection of evidence does not commence until after a chemist has rendered the lab safe from hazards.

The implications herein are that losing the ability to quickly and safely surprise and detain the violators increases the likelihood of officer injury and decreases the likelihood of confiscating cocaine. A majority of the seizures that we make on lab raids have resulted in residue findings or minimum quantities of actual finished product cocaine findings, which places us in the predicament that we

have the circumstances in front of us but the dichotomy that we don't have the kinds of statutes, Federal or State enabling statutes that gives us the prosecution that we are going to be recommending to you here today.

A forewarned subject has more opportunity to react than one who is totally surprised and secured. Evidence can be destroyed, as has been the case on numerous lab raids, and the subject's actions may render the lab unsafe and in an explosive state.

My previous colleague that testified before this committee talked about sabotage, talked about boobytraps. We have found shotguns, which are basically for the same purpose, to preserve the lab, and is to create whatever havoc and destruction of law and order that they can during the process.

Establishment of the perimeter and evacuation of the affected area, while it is an absolute necessity in residential neighborhoods and congested areas, requires a tremendous amount of police personnel and creates panic and confusion among our citizens. Availability of a chemist is limited to major police departments and Federal and State agencies in metropolitan areas. I have already stated that we will not under any circumstances enter a lab without the presence of a chemist. But as we all know, most of law enforcement concentration is in metropolitan areas because under the traditional drug enforcement programs, that is where we need our resources.

What we have today is a displacement factor, or spreading factor, where we have labs in our immediate communities in our congested areas, and we have labs that are located maybe 50 or 60 miles away from the mainstream of law enforcement operations. So therefore, a chemist would require some traveling time of 2 or 3 hours to get to where a lab may be located. A police officer, responding with the adequate and expert resources, would require the same amount of time. This places our local law enforcement community, particularly in Florida, where we have more smaller law enforcement agencies, municipal and sheriffs, that do not have the adequate resources to contain, evacuate, or have the necessary expertise.

In addition to the fact that, as the problem spreads into our more suburban and rural neighborhoods and the resources are concentrated in our major metropolitan areas, therefore there is a time factor which works against us, we have additional law enforcement concerns which involve the untrained and uninformed police officers subject to the hazards contained in clandestine cocaine labs when responding to citizen complaints, eminating odors, domestic disturbances, or other drug-trafficking-related problems such as ripoffs involving shootings. Many of our officers who either are not trained or are uninformed of the presence of a lab, commonly or frequently report to what may appear to be on the surface as a domestic disturbance or what may appear to be a shooting, whether drug related or not. What they find is a situation where we have a clandestine lab, and now we have the problem of officer response. If he is untrained in the area of chemistry and the precursors, as a fireman would be or should be, then he is not going to know what is potentially volatile or what is not.

If he draws fire from the violators, then again we have not only officer safety and the safety of the individuals in the premises and around the premises in the vicinity, but we also have a liability issue, which is one which has not been fully addressed or understood by us as to what exactly is our liability. Even though we may not initiate fire, we may cause them to initiate fire. By fire, gentlemen, I am speaking of shooting at us.

If we can say anything positive about this problem, it is that the clandestine cocaine laboratories are a relatively new phenomenon in the State of Florida and throughout the United States. While we have been dealing with amphetamines and other forms of labs for a decade or so, the cocaine lab, I think you will find, is relatively new, particularly to us.

While we don't have all the answers and cannot fully understand the scope of our problem, there are certain recognizable advantages and opportunities that, if we act expeditiously, we can immediately contain and ultimately eradicate the problem. I believe that an understanding of our legislative and enforcement weaknesses provides the framework for strengthening our response.

Under existing law, prosecution of clandestine cocaine lab operations, in situations where there is not produced controlled substance on the scene, is forced to follow a weak conspiracy or attempt approach. Unless we actually find cocaine, we are not going to be able to prosecute the substantive offenses. What we have is a manufacturing element of the statutes, which are weak, which have not in the past addressed the essence of drug trafficking, as have our substantive offenses.

An argument that these existing laws relating to illegal manufacture of drugs could be employed has also failed or have not met the level of success in the courts that perhaps we could if we all understood the nature of the problem.

Some of the Federal and State legislative initiatives relative to the subject of controlled substance precursors that could be addressed via amendment or new legislation include the following:

In the context of the definitions used in drug control legislation, inclusion and/or expansion of the definitions of terms such as "precursor," "manufacturing," "paraphernalia," and "laboratory" to clearly encompass specified preparatory acts or precursor possessions as being within the ambit of those definitions would further enhance the ability to use existing laws which already utilize those terms in their proscriptive language.

Also, we feel that formulation of statutory language to make certain specific preparatory acts, precursor and paraphernalia possessions and associations of materials requisite and conducive to illegal manufacturing of controlled substances per se violations, prima facie evidence of other substantive drug crimes, rebuttable presumptions of other substantive drug crimes, or statutorily recognized evidence consistent with drug law violations, attempts, or conspiracies.

The development of new regulatory statutes—something very similar to what Colombia did in 1983, when they required special permits—to control certain carefully specified precursors, reagents, and solvents typically used in the illegal manufacture of controlled substance according to quantity consistent with illegal manufac-

ture. We are not trying, and we understand that there are legitimate uses of ether, however minimal they may be.

Mr. ENGLISH. Chief Bolanos, I think we had better go vote, and then we will come back and finish off the recommendations and ask you questions. I am sorry about the interruption.

Mr. BOLANOS. That is quite all right, sir; I understand.

[Recess taken.]

Mr. ENGLISH. Please continue. I am sorry about the delay.

Mr. BOLANOS. Mr. Chairman, I believe I left off in introducing some recommendations for legislation.

Mr. ENGLISH. Right.

Mr. BOLANOS. I believe I made a comment that, if we can introduce similar legislation as President Betancourt of Colombia did, requiring the development of new, regulatory statutes to control certain carefully specified precursors, reagents, and solvents typically used in the illegal manufacture of controlled substances according to quantity consistent with illegal manufacture, and according to health and safety hazards posed by association of the materials or according to fire zoning and business restrictions found to be appropriate.

I would like to comment, sir, that the Jackson Memorial Hospital in Miami, FL, which is one of the largest hospitals in the United States, reported using approximately 25 gallons of ether for legitimate purposes during last year. We understand also that there are other legitimate uses for pharmaceuticals as well as hospitals. But the relative quantities for legitimate use are vastly disproportionate to our findings of other quantities for illegitimate use. So, I can't find where regulation would impose an economic problem to the legitimate manufacturers and distributors.

Also, Mr. Chairman, enactment of legislation requiring strict licensing of and/or reporting on the part of all parties to transfers of certain carefully specified precursors, which is similar to the California legislation, and making violations of report provisions a criminal act.

Modification of or addition to the existing schedules of controlled substances to include a new exhaustive listing of those chemicals typically possessed in order to manufacture other controlled substances, thereby making possession of such substances per se illegal unless within excluded categories which would need to be provided for legitimate precursor use.

For law enforcement purposes, for tactical law enforcement purposes, the creation of a statutory mechanism and scheme whereby initial seizure of suspect precursors and paraphernalia, when associated in apparent preparation for manufacture, shall be lawful upon warrant, administrative warrant, or perhaps only on probable cause pending an emergency court hearing at which time the court shall rule based on guidelines whether the items constitute a class of materials which the scheme outlaws and rules that charges may be issued upon said court finding.

This is where we believe we have our serious problem right now. We have a Federal statute. We have a State statute that speaks to manufacturing. But notwithstanding those instances where we will actually find a finished product which constitutes violation of a substantive offense, what we have is a scenario that we would have

to prove under the manufacturing scheme. And that becomes very difficult for many reasons. In Florida, we have a discovery rule that it would be difficult for us to destroy the substances without the introduction of evidence.

We also have the problem that I don't think anyone would be prepared to bring in 55-gallon drums in a courtroom. So, what we would need is legislation that effectively says: If you've got all these components put together and if this is the scenario that you have, whether it be in the findings based on probable cause, or whether it be by some administrative scheme, that will in itself result in a court finding of evidence that constitutes a clandestine lab and in fact then have the same penalties imposed as we currently have for the substantive offenses.

We have plenty of statutes in our Federal and State laws. In Florida, if you are charged with possession of a kilo of cocaine, you're looking at a minimum, mandatory 3-year sentence and a financial fine. We have no such thing with respect to precursors.

Mr. Chairman, in the law enforcement community much work needs to be done in order to more effectively and efficiently combat the problems. I would beg your indulgence now, if I may, to report that I am pleased of the cooperation among the various Federal, State, county, and local law enforcement agencies. I would like to be able to recognize them if I may.

The Federal Drug Enforcement Administration has established and maintained a leading role in providing intelligence assessments, manpower, and technical assistance, and a series of training seminars which have provided the State and local law enforcement communities with an understanding of the problem and an enhanced capability to respond. They have been most responsive to us.

The Southeast National Narcotics Border Interdiction System has provided current and meaningful assessments of importation methodology, violator characteristics and intelligence assessments.

The Florida Department of Law Enforcement, through its intra- and inter-departmental intelligence system, has surveyed the local law enforcement agencies in the State and has collected, compiled, and disseminated comprehensive reports and training bulletins that provide an awareness and level of preparedness to address the problem. Recently, Commissioner Dempsey ordered us to institutionalize a training seminar and a local law enforcement assistance program which will cover the presently existing void in the suburban and rural counties.

What we mean by that, what we have found is that in Dade, Broward, and Palm Beach Counties there are sufficient resources by way of quantity and expertise to deal effectively with the problems as effectively as one can deal with this problem. But when we go into our rural areas, we find sheriff's departments that do not have the necessary manpower to be able to establish perimeter, to evacuate effectively, and to execute the necessary tactics to contain the situation. They also do not have the experts, the chemists. And, in fact, in some communities our information indicates that chemists are very reluctant to enter those premises. So, what happens is that the outlying communities, these rural law enforcement agencies have to necessarily rely upon the Drug Enforcement Adminis-

tration and the Florida Department of Law Enforcement, which are the only two agencies that have jurisdiction in this regard and the necessary resources in this regard. It takes anywhere from 2 to 3 hours for us to respond. If it is night, or late evening, or early in the morning, it may take even longer for us to respond.

The Metro-Dade County Organized Crime Bureau and Police Division have been responsible to the impending needs of State and local investigations requiring specialized tactical response, uniformed police presence, and the vast expertise and experience of organized crime bureau detectives.

One of the things that we recognized early on is that, when it comes to violators, we are still dealing with the same violators that we have conventionally and traditionally dealt with with respect to their propensity for violence.

To regress slightly and talk about some of the issues that we deal with in terms of drug enforcement in our communities in Florida, we deal with people who respond to police presence with machineguns and with all sorts of violence. We have no reason to believe that the situation is going to change with clandestine labs. What we have is every reason to believe that now the situation is that much more serious and grave to us. So, Metro-Dade Police Department, by policy, requires that all executions of clandestine cocaine labs be conducted through the use of the special response teams, which is a tactical oriented group. For this we are most grateful in that community.

Mr. Chairman, together we believe that the Federal, State, county, and local law enforcement communities in southeast Florida have managed to sustain the threats posed by the cocaine labs in a manner resulting in minimum disruption of the quality of life that our Floridians enjoy. But in conclusion we would like to stress that, as you can imagine, the potential for creating widespread fear and flight in our communities, coupled with the potential for mass destruction of life and property, categorizes the clandestine cocaine laboratories as terroristic in effect and by far one of the greatest law enforcement challenges in the 1980's.

At this time, Mr. Chairman, I would be prepared to answer your questions.

[The prepared statement of Mr. Bolanos follows:]

PREPARED STATEMENT BY ROLANDO D. BOLANOS, CHIEF, SOUTH REGION OPERATIONS BUREAU, FLORIDA DEPARTMENT OF LAW ENFORCEMENT, FOR THE HOUSE SUBCOMMITTEE ON GOVERNMENT INFORMATION, JUSTICE AND AGRICULTURE; DECEMBER 5, 1985.

MR. CHAIRMAN, HONORABLE MEMBERS OF THE GOVERNMENT INFORMATION, JUSTICE AND AGRICULTURE SUBCOMMITTEE AND LADIES AND GENTLEMEN OF THE MEDIA AND PUBLIC. MY NAME IS ROLANDO BOLANOS, I AM THE CHIEF IN THE SOUTH REGION OPERATIONS BUREAU FOR THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT. ON BEHALF OF COMMISSIONER ROBERT DEMPSEY AND THE MEMBERS OF THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT, I THANK YOU FOR PROVIDING ME THE HONOR AND OPPORTUNITY TO ADDRESS YOU ON A MATTER OF MUTUAL CONCERN TO THE GOVERNMENT OF THE UNITED STATES AND THE STATE OF FLORIDA.

FROM AND SINCE NOVEMBER, 1982, WE HAVE EXPERIENCED AN ALARMING INCREASE IN THE NUMBER OF CLANDESTINE COCAINE LABS THAT ARE IN OPERATION IN THE SOUTHEASTERN COUNTIES OF THE STATE OF FLORIDA. WHILE IT IS NOT MY INTENTION TO TAKE UP THIS COMMITTEE'S TIME WITH STATISTICAL INFORMATION, IT IS MY DESIRE TO PROVIDE YOU SOME BACKGROUND DATA WHICH WILL ACQUAINT YOU WITH AN HISTORICAL AND CHRONOLOGICAL PERSPECTIVE OF THE PROBLEM. PUBLISHED REPORTS COMPILED BY THE FEDERAL DRUG ENFORCEMENT ADMINISTRATION (DEA), THE NATIONAL NARCOTICS BORDER INTERDICTION (NNBIS), THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT (FDLE), THE METRO-DADE COUNTY ORGANIZED CRIME BUREAU (OCB), AND THE BROWARD COUNTY SHERIFFS DEPARTMENT ORGANIZED CRIME BUREAU (BCOCB), REVEAL THAT BETWEEN THE PERIOD OF NOVEMBER, 1982 AND DECEMBER 1985, A SEVEN HUNDRED (700) PERCENT INCREASE IN CONFIRMED CLANDESTINE COCAINE LABORATORIES HAVE BEEN DOCUMENTED. IN 1982-83 DADE AND BROWARD COUNTIES HAD A TOTAL OF SIX (6) INCIDENTS INVOLVING CLANDESTINE COCAINE LABS.

DURING THE PERIOD OF JANUARY 1984 THROUGH NOVEMBER OF 1985, THE NUMBER OF CONFIRMED LABS HAS INCREASED TO FORTY-FOUR (44) AND HORIZONTALLY SPREAD TO INCLUDE DADE, BROWARD, PALM BEACH AND COLLIER COUNTIES.

IT WOULD BE APPROPRIATE AT THIS TIME TO DISCUSS IN SOME DETAIL THE BASIS FOR OUR PROBLEM. IT APPEARS THAT, FROM A POINT OF REFERENCE, IT CAN BE TRACED TO LEGISLATION PASSED BY PRESIDENT BELISARIO BETANCOURT IN COLOMBIA, SOUTH AMERICA, WHICH CREATED A CAUSE-EFFECT RELATIONSHIP THAT PARTIALLY DISPLACED COCAINE PROCESSING FROM COLOMBIA TO SOUTH FLORIDA. BASED ON INTELLIGENCE INFORMATION PROVIDED BY THE DRUG ENFORCEMENT ADMINISTRATION TO THE COLOMBIAN GOVERNMENT (WHICH ESSENTIALLY UNDERSCORED THE VAST AVAILABILITY AND RELATIVE USE OF ETHER FOR THE PRODUCTION OF COCAINE), IN JANUARY, 1983, PRESIDENT BETANCOURT PASSED LEGISLATION WHICH REQUIRED A SPECIAL PERMIT TO POSSESS ETHER, ACETONE AND OTHER CHEMICALS CONSIDERED ESSENTIAL TO PRODUCE COCAINE. THE RESULT WAS THAT DURING THE YEAR 1984, NO PERMITS WERE ISSUED AND THE SUPPLY BECAME DISPROPORTIONATE TO THE DEMAND. IT HAS BEEN REPORTED THAT IN 1984 THE PRICE OF ETHER IN COLOMBIA INCREASED MORE THAN FIVE-FOLD SINCE 1983. THE PRICE OF ETHER HAS INCREASED FROM $1,400 PER FIFTY-FIVE (55) GALLON DRUM TO $7,400. DOLLARS.

THE COMBINATION OF THE OVERSUPPLY OF COCA BASE AND THE SCARCITY OF ETHER HAS RESULTED IN A PARTIAL SHIFT FROM COLOMBIAN BASED OPERATION TO FLORIDA BASED CLANDESTINE COCAINE LABORATORIES. INTELLIGENCE ASSESSMENTS SUPPORT THE THEORY THAT THESE OPERATIONS CONTINUE TO BE FINANCED AND MANAGED BY MAJOR COCAINE PROCESSING ORGANIZATIONS IN SOUTH AMERICA. IT SHOULD BE NOTED, HOWEVER, THAT WHILE THE MAJORITY OF ARRESTEES ARE COLOMBIAN NATIONALS, SOME ARE CUBAN NATIONALS AND SOME ARE ANGLOS.

THIS TRANSITION CAN BE CHARACTERIZED AS AN ECONOMIC PHENOMENON FOR VIOLATORS WITH TREMENDOUS SOCIAL IMPLICATIONS TO THE STATE OF FLORIDA. HONORABLE MEMBERS OF CONGRESS, IT IS ESSENTIAL THAT FROM THIS POINT FORWARD, WE FOCUS OUR ATTENTION AND CHANNEL ALL OUR ENERGY AND RESOURCES NOT ON THE END PRODUCT WHICH IS COCAINE BUT ISSUES RELATED TO THE MANUFACTURING OF COCAINE. WE ALREADY UNDERSTAND THE ECONOMIC, SOCIAL AND POLITICAL CONTEXT OF DRUG TRAFFICKING. WHAT WE ARE DEALING WITH TODAY IS A COLLATERAL ISSUE OF A MAGNITUDE WHICH CAN ONLY BE EXPLAINED IN RELATIVE TERMS ANALOGOUS WITH TERRORISM, SABOTAGE, BOMBINGS, AND MASS MURDER. WE KNOW FROM OUR EXPERIENCE IN READING AND LIVING THE HISTORY OF TERRORISM ABROAD AND AT HOME, THAT A TERRORIST HAS THE CAPABILITY, OPPORTUNITY AND THE MEANS TO BOMB OUR NEIGHBORHOODS AND SABOTAGE OUR ELEMENTARY SCHOOLS, BUT WE MUST BE THANKFUL, BECAUSE UNLESS MY HISTORY SERVES ME WRONG, THE STATE OF FLORIDA HAS NEVER EXPERIENCED INSTANCES WHERE FORTY-FOUR (44) EXPLOSIVE DEVICES HAVE BEEN PLACED IN OUR RESIDENTIAL NEIGHBORHHODS AND ELEMENTARY SCHOOLS. FURTHERMORE, THE TERRORIST, HOWEVER DISTORTED HIS ORIENTATION MAY BE, HAS A PURPOSE AND A TARGET, AND A MOTIVATION TO APPEAL TO THE EMPATHY OF SOCIETY BY ESPOUSING HIS CAUSE, AND THEREFORE, I PRAY WOULD MAKE OUR NEIGHBORHOODS AND OUR SCHOOLS AN UNLIKELY TARGET.

THE FINANCIERS AND OPERATORS OF THE CLANDESTINE COCAINE LABS ALREADY HAVE PREYED UPON OUR RESIDENTIAL NEIGHBORHOODS AND OUR ELEMENTARY SCHOOLS. WHEREAS CONVENTIONAL DRUG TRAFFICKING CAN BE CHARACTERIZED AS INTERACTIONS BETWEEN AND AMONGST DRUG DEALERS AND USERS, GENERALLY SPEAKING THE POPULATION AT LARGE IS NOT DIRECTLY EXPOSED OR AFFECTED. THE PLACEMENT OF CLANDESTINE COCAINE LABS IN OUR COMMUNITIES CONSTITUTE A CLEAR AND PRESENT DANGER TO THE SAFETY AND LIVES OF OUR CITIZENS AND PRESERVATION OF OUR PROPERTIES. HONORABLE MEMBERS OF CONGRESS, I AM NOT DRAMATIZING, I AM EMPHASIZING.

THE PROCESS UNDERTAKEN IN CLANDESTINE COCAINE LABORATORIES INVOLVES THE CHEMICAL MIXTURE OF COCA BASE (WHICH IS IMPORTED FROM SOURCE COUNTRIES) WITH ETHER, ACETONE, AND HYDROCHLORIC ACID. AFTER A PROCESS OF FILTERING IMPURITIES AND CRYSTALIZING, THE END RESULT IS THE PRODUCTION OF HYDROCHLORIC COCAINE, COMMONLY REFERRED TO AS COCAINE.

THE MOST DANGEROUS OF THE CHEMICALS USED IN THE PROCESSING OF COCAINE IS ETHER. IT IS MY UNDERSTANDING THAT ETHER CANNOT BE STORED FOR LONG PERIODS OF TIME SINCE IT FORMS OTHER CHEMICALS THAT ARE EXTREMELY SHOCK SENSITIVE AND HIGHLY FLAMMABLE. IT IS ESTIMATED THAT ONE (1) GALLON OF ETHER IS EQUIVALENT TO TEN (10) STICKS OF DYNAMITE. COCAINE LAB SEIZURES IN 1984-1985 HAVE NETTED ANYWHERE FROM TEN (10) TO FIVE HUNDRED (500) GALLONS OF ETHER. EXPERTS IN THE FIELD OF CHEMISTRY ESTIMATE THAT TEN TO FIFTEEN DRUMS OF ETHER IS SUFFICIENT CHEMICAL EXPLOSIVE POWER TO LEVEL TWO CITY BLOCKS. A CONTAINER OF ETHER THAT HAS BEEN PREVIOUSLY OPENED COULD HAVE HIGHLY EXPLOSIVE PEROXIDE DEPOSITS FORMED AROUND THE TOP, AND BY SIMPLY REMOVING THE TOP COULD CAUSE THE ETHER PEROXIDE TO EXPLODE AND IGNITE THE ETHER FUMES. FURTHERMORE, AS IN THE CASE WITH ETHER AND OTHER CHEMICALS, EXPLOSIVE PROPERTIES ARE AFFECTED BY MOISTURE, PRESSURE, THERMAL OR MECHANICAL SHOCK AND ARE SUBJECT TO UNDERGOING CHEMICAL CHANGES WITH RAPID ENERGY RELEASE. SPARKS CAN VERY QUICKLY IGNITE VOLATILE FUMES. DURING THE REPORTING PERIOD AT LEAST EIGHT (8) INCIDENTS INVOLVING FIRE, EXPLOSION OR BOTH HAVE BEEN INVESTIGATED BY POLICE.

I WOULD AT THIS TIME BEG YOUR INDULGENCE AND ASK YOU TO VIEW SOME PHOTOGRAPHS WHICH DEPICT PARAPHERNALIA AND PRECURSORS COMMONLY FOUND IN CLANDESTINE COCAINE LABS AS WELL AS VIEW PHOTOGRAPHS OF THE AFTERMATH OF SOME LABS WHICH HAVE EXPLODED IN OUR COMMUNITIES.

AT THIS TIME I WOULD LIKE TO CONTINUE MY PRESENTATION BY PROVIDING YOU A PERSPECTIVE ON LAW ENFORCEMENT OPERATIONAL PROBLEMS IN DEALING WITH CLANDESTINE LABS AND OFFERING THIS SUBCOMMITTEE SOME PRACTICAL RECOMMENDATIONS ON HOW GOVERNMENT CAN COLLECTIVELY ADDRESS THIS PHENOMENON THROUGH LEGISLATION AND RESOLVE. SPEAKING FROM A POLICE OFFICIAL'S POINT OF VIEW, THE ADVENT OF THE CLANDESTINE COCAINE LABS MARKED THE DEPARTURE FROM CONVENTIONAL DRUG ENFORCEMENT AND RAISED MORE QUESTIONS AND CONCERNS THAN WE WERE PREPARED TO ADDRESS.

CHARACTERISTICALLY, DRUG TRAFFICKING AND DRUG ENFORCEMENT HAVE ALWAYS INVOLVED AN ELEMENT OF DANGER AND VIOLENCE. BUT NOT WITHSTANDING UNFORTUNATE CIRCUMSTANCES, WE HAVE ALWAYS MANAGED TO MINIMIZE THE DANGER AND CONTAIN THE VIOLENCE BY VIRTUE OF WELL SETTLED AND SUCCESSFUL LAW ENFORCEMENT TACTICS AND RELYING UPON INTELLIGENCE DATA CONCERNING ORGANIZATIONS, VIOLATOR DISPOSITION, AND POTENTIAL FOR VIOLENCE UNDER PREVIOUSLY EXPERIENCED CIRCUMSTANCES. OVER THE YEARS WE HAVE BEEN GUIDED BY OUR STATUTES AND CASE LAWS WHICH PROVIDE US WITH A FRAMEWORK FROM WHICH WE CAN LEGALLY AND SAFELY UNDERTAKE THE CHALLENGE OF DRUG ENFORCEMENT.

TODAY HOWEVER, WE FIND OURSELVES IN A POSTURE IN WHICH WE ARE VIRTUALLY DISARMED OF TACTICS AND ENABLING FEDERAL OR STATE STATUTES. CONVENTIONAL DRUG ENFORCEMENT RAID PLANNING IS PREFACED ON THE EXPEDITIOUS EXECUTION OF ENTRY, SEARCH AND SEIZURE TO MAXIMIZE OFFICER SAFETY AND ENHANCE CONFISCATION OF PROSECUTORIAL EVIDENCE.

MORE THAN ADEQUATE FEDERAL AND STATE STATUTES AND CURRENT CASE LAWS EXIST WHICH PROVIDE US THE NECESSARY TOOLS TO COMBAT CONVENTIONAL DRUG TRAFFICKING. SUCH IS NOT THE CASE WITH REGARD TO CLANDESTINE COCAINE LABORATORIES. RAID PLANNING IS PREFACED FROM A PERSPECTIVE THAT A LAB IS CONSIDERED A BARRICADE AND THE VIOLATORS ARE BARRICADED SUBJECTS. THE ELEMENT OF SURPRISE IS TOTALLY RELINQUISHED TO THE ELEMENT OF CITIZEN AND OFFICER SAFETY. VISIBLE POLICE PERIMETERS AND AFFECTED POPULATION EVACUATION IS A PREREQUISITE TO ENGAGING THE TARGET. THE VIOLATORS ARE APPROACHED BY LOUD AND CLEAR ANNOUNCEMENT OF POLICE PRESENCE AND ARE ORDERED TO METHODICALLY EXIT THE PREMISE. ONCE DETAINED THE SYSTEMATIC SEARCH AND CONTROL OF THE PREMISE COMMENCES. PHYSICAL INSPECTION AND COLLECTION OF EVIDENCE DOES NOT COMMENCE UNTIL AFTER A CHEMIST HAS RENDERED THE LAB SAFE FROM HAZARDS.

THE IMPLICATIONS HEREIN ARE THAT LOOSING THE ABILITY TO QUICKLY AND SAFELY SURPRISE AND DETAIN THE VIOLATORS, INCREASES THE LIKELIHOOD OF OFFICER INJURY AND DECREASES THE LIKELIHOOD OF CONFISCATING COCAINE. A FORWARNED SUBJECT HAS MORE OPPORTUNITY TO REACT THAN ONE WHO IS TOTALLY SURPRISED AND SECURED. EVIDENCE CAN BE DESTROYED, AS HAS BEEN THE CASE ON NUMEROUS LAB RAIDS, AND THE SUBJECTS'S ACTIONS MAY RENDER THE LAB UNSAFE AND IN AN EXPLOSIVE STATE.

ESTABLISHMENT OF THE PERIMETER AND EVACUATION OF THE EFFECTED AREA, WHILE IT IS AN ABSOLUTE NECESSITY IN RESIDENTIAL NEIGHBORHOODS AND CONGESTED AREAS, REQUIRES A TREMENDOUS AMOUNT OF POLICE PERSONNEL AND CREATES PANIC AND CONFUSION. AVAILABILITY OF A CHEMIST IS LIMITED TO MAJOR POLICE DEPARTMENTS AND FEDERAL AND STATE AGENCIES IN METROPOLITAN AREAS. WITH THE EXCEPTION OF A FEW METROPOLITAN AREAS, SHERIFF'S DEPARTMENTS AND MUNICIPAL POLICE DEPARTMENTS LACK THE NECESSARY

RESOURCES TO ADDRESS THE PRESENCE OF A CLANDESTINE COCAINE LAB IN THEIR COMMUNITIES. THE DRUG ENFORCEMENT ADMINISTRATION AND THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT ARE THE ONLY TWO LAW ENFORCEMENT AGENCIES WITH JURISDICTION AND NECESSARY RESOURCES TO RESPOND TO SUBURBIAN AND RURAL SHERIFF AND POLICE DEPARTMENT REQUESTS FOR ASSISTANCE. THIS RESPONSE IS HAMPERED BY THE FACT THE ADEQUATE AND EXPERT RESOURCES ARE GENERALLY LOCATED IN THE METROPOLITAN AREAS, RESULTING IN AN UNACCEPTABLE TIME DELAY BEFORE ASSISTANCE ARRIVES.

THE UNTRAINED AND UNINFORMED POLICE OFFICERS ARE SUBJECTED TO THE HAZARDS CONTAINED IN CLANDESTINE COCAINE LABS WHEN RESPONDING TO CITIZEN COMPLAINTS, EMINATING ODORS, DOMESTIC DISTURBANCES OR OTHER DRUG TRAFFICKING RELATED PROBLEMS SUCH AS RIP-OFFS INVOLVING SHOOTINGS. THE UNTRAINED OFFICER MAY RESPOND IN A MANNER WHICH SETS OFF AN EXPLOSION OR FIRE AND CAUSE BODILY HARM TO THE OFFICER AND/OR OTHERS.

IF WE CAN SAY ANYTHING POSITIVE ABOUT HIS PROBLEM, IT IS THAT CLANDESTINE COCAINE LABORATORIES ARE A RELATIVELY NEW PHENOMENON IN THE STATE OF FLORIDA AND THROUGHOUT THE UNITED STATES. WHILE WE DON'T HAVE ALL THE ANSWERS AND CANNOT FULLY UNDERSTAND THE SCOPE OF OUR PROBLEM, THERE ARE CETAIN RECOGNIZABLE ADVANTAGES AND OPPORTUNITIES THAT, IF WE ACT EXPEDITIOUSLY WE CAN IMMEDIATELY CONTAIN AND ULTIMATELY ERADICATE THE PROBLEM. AN UNDERSTANDING OF OUR LEGISLATIVE AND ENFORCEMENT WEAKNESSES PROVIDES THE FRAMEWORK FOR STRENGTHENING OUR RESPONSE.

UNDER EXISITING LAW, PROSECUTION OF CLANDESTINE COCAINE LAB OPERATIONS IN SITUATIONS WHERE THERE IS NOT PRODUCED CONTROLLED SUBSTANCE ON THE SCENE, IS FORCED TO FOLLOW A WEAK CONSPIRACY OR ATTEMPT APPROACH. ARGUMENT THAT EXISTING

LAW RELATING TO ILLEGAL MANUFACTURE OF DRUGS COULD BE EMPLOYED TO PROSECUTE LABS AT A PRE-PRODUCTION PHASE HAS NOT BEEN WIDELY SUCCESSFUL. AND WHEN PROSECUTED, THEY ARE GENERALLY TRIED AT A LOWER CLASSIFICATION THAN THE SUBSTANTIVE OFFENSE.

SOME FEDERAL AND STATE LEGISLATIVE INITIATIVES RELATIVE TO THE SUBJECT OF CONTROLLED SUBSTANCE PRECURSORS THAT COULD BE ADDRESSED VIA AMENDMENT OR NEW LEGISLATION INCLUDE THE FOLLOWING:

1) IN THE CONTEXT OF DEFINITIONS USED IN DRUG CONTROL LEGISLATION, INCLUSION AND/OR EXPANSION OF THE DEFINITIONS OF TERMS SUCH AS "PRECURSOR," "MANUFACTURING," "PARAPHERNALIA," AND "LABORATORY" TO CLEARLY ENCOMPASS SPECIFIED PREPARATORY ACTS OR PRECURSOR POSSESSIONS AS BEING WITHIN THE AMBIT OF THOSE DEFINITIONS WOULD FURTHER ENHANCE THE ABILITY TO USE EXISTING LAWS WHICH ALREADY UTILIZE THOSE TERMS IN THEIR PROSCRIPTIVE LANGUAGE.

2) FORMULATION OF STATUTORY LANGUAGE TO MAKE CERTAIN SPECIFIC PREPARATORY ACTS, PRECURSOR AND PARAPERNALIA POSSESSIONS AND ASSOCIATIONS OF MATERIALS REQUISITE AND CONDUCIVE TO ILLEGAL MANUFACTURING OF CONTROLLED SUBSTANCES PER SE VIOLATIONS, PRIMA FACIE EVIDENCE OF OTHER SUBSTANTIVE DRUG CRIMES, REBUTTABLE PRESUMPTIONS OF OTHER SUBSTANTIVE DRUG CRIMES, OR STATUTORILY RECOGNIZED EVIDENCE CONSISTENT WITH DRUG LAW VIOLATIONS, ATTEMPTS OR CONSPIRACIES.

3) DEVELOPMENT OF NEW REGULATORY STATUTES TO CONTROL CERTAIN CAREFULLY SPECIFIED PRECURSORS, REAGENTS AND SOLVENTS TYPICALLY USED IN THE ILLEGAL MANUFACTURE OF CONTROLLED SUBSTANCE ACCORDING TO QUANTITY CONSISTENT WITH ILLEGAL MANUFACTURE, ACCORDING TO HEALTH AND SAFETY HAZARDS POSED BY

ASSOCIATION OF THE MATERIALS OR ACCORDING TO FIRE ZONING AND BUSINESS RESTRICTIONS FOUND TO BE APPROPRIATE.

4) ENACTMENT OF LEGISLATION REQUIRING STRICT LICENSING OF AND/OR REPORTING ON THE PART OF ALL PARTIES TO TRANSFERS OF CERTAIN CAREFULLY SPECIFIED PRECURSORS (SIMILAR TO CALIFORNIA LEGISLATION) AND MAKING VIOLATIONS OF REPORT PROVISIONS A CRIMINAL ACT.

5) MODIFICATION OF OR ADDITION TO THE EXISTING SCHEDULES OF CONTROLLED SUBSTANCES TO INCLUDE A NEW EXHAUSTIVE LISTING OF THOSE CHEMICALS TYPICALLY POSSESSED IN ORDER TO MANUFACTURE OTHER CONTROLLED SUBSTANCES, THEREBY MAKING POSSESSION OF SUCH SUBSTANCES PER SE ILLEGAL UNLESS WITHIN EXCLUDED CATEGORIES WHICH WOULD NEED TO BE PROVIDED FOR LEGITIMATE PRECURSOR USE.

6) CREATION OF A STATUTORY MECHANISM AND SCHEME WHEREBY INITIAL SEIZURE OF SUSPECT PRECURSOR AND PARAPHERNALIA (BOTH BROADLY DEFINED), WHEN ASSOCIATED IN APPARENT PREPARATION FOR MANUFACTURE, SHALL BE LAWFUL UPON WARRANT, ADMINISTRATIVE WARRANT OR PERHAPS ONLY PROBABLE CAUSE PENDING AN EMERGENCY COURT HEARING AT WHICH TIME THE COURT SHALL RULE BASED ON GUIDELINES WHETHER THE ITEMS CONSTITUTE A CLASS OF MATERIALS WHICH THE SCHEME OUTLAWS AND RULES THAT CHARGES MAY BE ISSUED UPON SAID COURT FINDING.

IN THE LAW ENFORCEMENT COMMUNITY MUCH WORK NEEDS TO BE DONE IN ORDER TO MORE EFFECTIVELY AND EFFICIENTLY COMBAT THE PROBLEMS. I AM PLEASED TO REPORT OF COOPERATION AMONGST THE VARIOUS FEDERAL, STATE, COUNTY AND LOCAL LAW ENFORCEMENT AGENCIES. I BEG YOUR INDULGENCE FOR A FEW MORE MINUTES TO ALLOW ME TO RECOGNIZE THE EFFORTS OF THE VARIOUS AGENCIES.

THE FEDRAL DRUG ENFORCEMENT ADMINISTRATION HAS ESTABLISHED AND MAINTAINED A LEADING ROLE IN PROVIDING INTELLIGENCE ASSESSMENTS, MANPOWER AND TECHNICAL ASSISTANCE, AND A SERIES OF TRAINING SEMINARS WHICH HAVE PROVIDED THE STATE AND LOCAL LAW ENFORCEMENT COMMUNITIES WITH AN UNDERSTANDING OF THE PROBLEM AND AN ENHANCED CAPABILITY TO RESPOND.

THE SOUTHEAST NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM HAS PROVIDED CURRENT AND MEANINGFUL ASSESSMENTS OF IMPORTATION METHODOLOGY, VIOLATOR CHARACTERISTICS AND INTELLIGENCE ASSESSMENTS.

THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT THROUGH ITS INTRA AND INTER DEPARTMENTAL INTELLIGENCE SYSTEM HAS SURVEYED THE LOCAL LAW ENFORCEMENT AGENCIES IN THE STATE AND HAS COLLECTED, COMPILE AND DISSEMINATED COMPREHENSIVE REPORTS AND TRAINING BULLETINS THAT PROVIDE AN AWARENESS AND LEVEL OF PREPAREDNESS TO ADDRESS THE PROBLEM. COMMISSIONER DEMPSEY HAS ORDERED THE INSTITUTIONALIZATION OF A TRAINING SEMINAR AND LOCAL ASSISTANCE PROGRAM WHICH WILL COVER THE PRESENTLY EXISTING VOID IN THE SUBURBAN AND RURAL COUNTIES.

THE METRO-DADE COUNTY ORGANIZED CRIME BUREAU AND POLICE DIVISION HAVE BEEN RESPONSIBLE TO THE IMPENDING NEEDS OF STATE AND LOCAL INVESTIGATIONS REQUIRING SPECIALIZED TACTICAL RESPONSE, UNIFORMED POLICE PRESENCE AND THE VAST EXPERTISE AND EXPERIENCE OF ORGANIZED CRIME BUREAU DETECTIVES.

TOGETHER, THE FEDERAL, STATE, COUNTY AND LOCAL LAW ENFORCEMENT COMMUNITIES IN SOUTHEAST FLORIDA HAVE MANAGED TO SUSTAIN THE THREATS POSED BY COCAINE LABS IN A MANNER RESULTING IN MINIMUM DISRUPTION OF THE QUALITY OF LIFE THAT FLORIDIANS ENJOY.

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IN CONCLUSION, AS YOU CAN IMAGINE, THE POTENTIAL FOR CREATING WIDESPREAD FEAR AND FLIGHT IN OUR COMMUNITIES, COUPLED WITH THE POTENTIAL FOR MASS DESTRUCTION OF LIFE AND PROPERTY, CATEGORIZES THE CLANDESTINE COCAINE LABORATORIES AS "TERRORISTIC" IN EFFECT AND BY FAR ONE OF THE GREATEST LAW ENFORCEMENT CHALLENGES IN THE 1980's.

H11/H14

Mr. ENGLISH. Thank you very much. I appreciate that.

Let me say that Commissioner Dempsey has been very cooperative with this committee. We have enjoyed working with him. Also, of course, Assistant Commissioner Jim Nursey testified before this subcommittee a couple of years ago. So, we are familiar with both of those gentlemen and hope you give them our best wishes.

What is the price of cocaine in south Florida today? Is that up or down from what it was a year ago?

Mr. BOLANOS. The price today is anywhere in the vicinity of $30,000, $32,000 to $37,000. Some 3 or 4 years ago the price of cocaine was in the vicinity of $60,000 to $72,000. And in the recent past the price dropped to about $22,000 to $24,000, per kilo I am speaking of.

What I can't do, Mr. Chairman, is give you a correlation in the increase or reduction of the price of cocaine and the existence of clandestine labs. I will note that relative to the conventional importation process, clandestine labs are not producing the quantity of cocaine that we still find being imported from the source country.

Mr. ENGLISH. Has the U.S. Customs Service been of assistance in providing information on smuggling groups which support the cocaine labs in Florida?

Mr. BOLANOS. Yes, sir, without question.

Mr. ENGLISH. Has DEA addressed the need for intelligence specifically with regard to coca smuggling?

Mr. BOLANOS. Yes, sir; the Drug Enforcement Administration has been most responsible to our problems. They very quickly established a series of training seminars which we think that by now they have covered the entire State. In addition to that, they have rendered their chemists available on a 24-hour basis to respond to any local law enforcement agency that finds a lab in their community.

In addition to that, they are providing us the additional manpower and expertise that their trained agents have by virtue of experiencing these issues over a number of years and continue to provide us intelligence assessments of the state of the problem.

Mr. ENGLISH. What kind of operational cooperation are you receiving from DEA, Customs, ATF, and NNBIS?

Mr. BOLANOS. With respect to clandestine labs?

Mr. ENGLISH. Yes.

Mr. BOLANOS. We are receiving total cooperation from them. They are cooperating with us to every extent that we are soliciting cooperation. Intelligence assessments are periodically passed out. Manpower is available to us. We in particular in FDLE have had occasion to go out with them on clandestine labs. They have provided us manpower, chemists, and all the necessary resources to effectively deal with the labs that we have come up on.

In Metro-Dade Police Department there is a letter of agreement, an understanding of agreement that they have with the Metro-Dade Police Department whereby they will do the exact same thing by way of providing resources to us, to them as they have to us. But in addition to that, the Metro-Dade Police Department gets to keep any assets that may be recovered from that.

So, I think, Mr. Chairman, in the instances of drug enforcement of clandestine cocaine laboratories FDLE has absolutely no complaints and in fact wants to recognize DEA for its leadership role and its efforts in combating this issue here.

Mr. ENGLISH. What are the sentences for manufacturing, possession with intent to sell, and trafficking in PCP and other dangerous drugs in Florida? Also, is there a preference to take the cases to Federal court as opposed to State court?

Mr. BOLANOS. One of the agreements, or one of the requirements that we have now in the State of Florida is that all cases must go before the Federal courts. That is because we do not have any substantial statutory power, substantial statutory means of enforcing the problem in the State courts. What the Federal Government is using is the manufacturing or attempt to manufacture element of their statute of controlled substance statute. That, it is my understanding, is a weaker statute in terms of sentencing and yet a more difficult statute in terms of prosecution than the actual possession of a substantive contraband.

Mr. ENGLISH. Chief Bolanos, I want to thank you very much for your testimony before our subcommittee. You have been very helpful to us.

Again, I want to apologize for the interruptions that we had.

Mr. BOLANOS. It has been my honor and pleasure, sir.

Mr. ENGLISH. Thank you.

With that, we will recess, subject to the call of the Chair.

[Whereupon, at 1 p.m., the subcommittee adjourned, to reconvene subject to the call of the Chair.]

APPENDIX

NEWS ARTICLES

A. "A New, Purified Form of Cocaine Causes Alarm as Abuse Increases," New York Times, November 29, 1985

A New, Purified Form of Cocaine Causes Alarm as Abuse Increases

By JANE GROSS

A new form of cocaine is for sale on the streets of New York, alarming law-enforcement officials and rehabilitation experts because of its tendency to accelerate abuse of the drug, particularly among adolescents.

The substance, known as crack, is already processed into the purified form that enables cocaine users to smoke, or free-base, the powerful stimulant of the central nervous system.

Previously, free-basers had to reduce cocaine powder themselves to its unadulterated form by combining it with baking soda or ether and evaporating the resulting paste over a flame.

Since crack appeared on the streets of the Bronx last year, spreading throughout the city and its suburbs, new cocaine users have graduated more quickly from inhaling to free-basing, the most addictive form of cocaine abuse.

In addition, dealers in crack have found a ready market in people reluctant to intensify their intake by intravenous injection of cocaine because of the fear of AIDS, or acquired immune deficiency syndrome, a fatal affliction that is spread by contaminated needles.

'Wave of the Future'

"Drug abusers are always looking for the ultimate high, asking each other, 'Did you try this, did you try that?'" said William Hopkins, a retired police officer who directs the street-research unit of the State Division of Substance Abuse Services.

"There's always something new developing, new substances, new ways of using substances. Some of things you hear of die down, but this, I have every reason to believe, is building. This is the wave of the future."

As the use of crack has increased, Federal drug officials have begun raiding "factories" where the cocaine powder is processed into pure beige crystals known as "rocks" and then packed into transparent vials resembling large vitamin capsules.

Meanwhile, narcotics officers of the New York City Police Department have shut down a few of the so-called crack houses, the rough equivalent of heroin-shooting galleries, where sales are made and users gather for smoking binges that can last for several days.

Two of the crack houses, also known as base houses, were raided recently in the Tremont section of the Bronx, according to Lieut. John Creegan, one of them in an apartment and the other in a rooming house.

"I talked to one of the women there," Lieutenant Creegan said, "and it was almost like her mind was burned out. She told me all she does is do crack all day."

Earlier this month, in what is believed to be one of the country's first raids of a crack factory, local agents of the Federal Drug Enforcement Administration arrested a cocaine dealer and then raided a Harlem apartment where he was reputedly producing 2.2 pounds of crack each day, for net daily profits of $500,000.

In the raid, according to a D.E.A. spokesman, Andrew Fenrich, the agents seized half a pound of cocaine powder, vials of crack, six weapons, four two-way radios, scales and processing equipment, bulletproof vests and business cards embossed with slogans like "Crack It Up" and "Buy One, Get One Free."

While law-enforcement officials are increasingly turning their attention to the manufacture and sale of crack, its abusers are showing up in local treatment centers, where cocaine-related admissions were rising dramatically even before the new form of the drug was available.

Experts estimate that there are at least five million regular cocaine users in the United States, with perhaps a million of them in the metropolitan region.

According to data collected through the national cocaine hot line, (800) COCAINE, 60 percent of the users snort the drug, with the remaining 40 percent evenly divided between free-basing and intravenous use. That pattern, however, seems to be changing.

Of the three methods of use, free-basing offers the most immediate high (within 10 seconds) and the shortest one (approximately 5 minutes) and thus leads to the most frequent, debilitating and costly habit, experts say.

"Unlike normal cocaine, people who free-base can't stop," said Mr. Hopkins. "They free-base until all their money is used up. The way crack is spreading is almost verification of that. It pays as a distributor to free-base it, because it makes you sell your

brand quicker than somebody else."

"It's a new, improved product," said Dr. Arnold M. Washton, the director of addiction research and treatment at Regent Hospital on East 61st Street in Manhattan and Stony Lodge Hospital in Ossining, N.Y. "No mess, no bother, no delay — and addicts have never been any good at delayed gratification."

Buying crack is safer than making it and often cheaper. A kit of free-base equipment — beaker, bunsen burner and pipe — costs about $14 and the chemicals are volatile, sometimes causing explosions like the one that injured the comedian Richard Pryor in 1980.

The crack sold on the street in New York ranges in cost from $2 to $50 depending on the number of rocks in the vial and, paradoxically, is sometimes less expensive than the amount of powder, currently retailing at $75 to $100 a gram, necessary to produce the equivalent free-base.

Cracking Imaginary Whip

Experts assume that crack deals are also being made in the suburbs, although less conspicuously than in New York, where Mr. Hopkins's street researchers, all of them former addicts, describe dealers standing on street corners cracking an imaginary whip to signal their wares. "In middle-class neighborhoods," Mr. Hopkins said, "it's handled differently — indoors."

Dr. Washton, who is also the research director for the cocaine hot line, predicts an "epidemic" of free-basing because of the availability of crack, and he is gathering demographic data on its use from a sample of recent callers. After examining information from the first 100 callers in his survey, Dr. Washton reported that 27 of them had used crack and found it easy to purchase, and that the crack users averaged 17 years of age.

Dr. Washton first heard about crack early this year from two 17-year-old patients at Stony Lodge, the suburban psychiatric hospital. Both youths reported that they had snorted cocaine for a while, but did not become compulsive until they tried crack — doubling, tripling and quadrupling their use, missing school, stealing from their parents and lying to their friends.

A Vulnerable Population

"These were kids from upper-middle-class families in Scarsdale and Mamaroneck," Dr. Washton said, "kids with no history of addiction or psychiatric illness. They were in the top half of their class, college bound, and they were addicted almost instantaneously. They were rendered completely dysfunctional by crack in a two- or three-month period."

"The most vulnerable population is adolescents," agreed Kevin McEneaney, the director of clinical services at Phoenix House, an international network of rehabitative centers. "Kids will overconsume and burn themselves out, fizzle, very quickly."

Mr. McEneaney also said he was concerned by reports of sexual degradation from women using crack. Cocaine, particularly in its free-base form, is a euphoriant and its users often describe increased sexual appetite and an interest in previously untried sexual practices.

The New York Times/Sara Krulwich

A vial containing a "rock" of purified cocaine known as crack.

According to Mr McEneaney, patients have told him that crack houses are the scene of "uncontrollable, outrageous" sexual activity, with women frequently exchanging sex for drugs when they have run out of money.

"The behavioral stuff we're hearing about," Mr. McEneaney said, "drives home that what we're dealing with, and not in the physical sense, is the most powerful drug we've ever seen. These women wake up one day and they cannot believe the degrading and bizarre things they've been involved with."

Finally, Mr. McEneaney said, there is the risk of unpredictable medical complications. By stimulating the central nervous system — increasing heart and respiration rates and elevating blood pressure and body temperature — cocaine has been known to cause coronary arrest, strokes, convulsive seizures and other less serious disorders.

"No one knows what happens to people who blow themselves out for days," Mr. McEneaney said. "The toll to be paid in the future could be profound. It's impossible to think people can do the things we're talking about without sustaining physiological damage."

"Yes, it increases the danger of toxic and overdose reactions," Dr. Washton said. "But the biggest danger, because admittedly most people won't die, is the overwhelming compulsion to repeat the experience."

The medical experts and law-enforcement officials agree that crack should not be considered merely a slight variation of the cocaine that is snorted because free-basing is such a different experience, both qualitatively and quantitatively.

"The high these people describe is not even comparable," Dr. Washton said. "It is unmatched in its euphoria and exhilaration. Clinicians need to know about it. Parents need to know about it. Law-enforcement people in other parts of the country need to know about it. In no way should it be compared to snorting cocaine hydrochloride powder. It's almost like we're talking about a different drug here."

B. "PCP: Cheap High, Heavy Burden," The Washington Post, January 19, 1986

PCP: Cheap High, Heavy Burden

Increase in Drug Alarms Police, Health Officials

By Linda Wheeler and Margaret Engel
Washington Post Staff Writers

In suburban Maryland, a teen-ager runs over his dog and later shoots himself. In the District of Columbia, a 28-year-old railroad porter slashes his mother with a broken bottle and is shot and killed by police as he threatens to kill her. On Christmas Day 1983 in Randallstown, Md., a 14-month-old boy is decapitated by his father.

The connection between these and many other violent tragedies is PCP, a cheap, potent liquid that is the drug of choice among a growing number of Washington area teen-agers and young adults.

The drug ravages the brain cells of its users, causing unpredictable violent behavior, memory loss and uncontrollable reactions. Because it is absorbed and accumulated in the body's fat cells, psychotic flashbacks can occur months, even years later.

Despite widespread knowledge of its destructive properties, smoking PCP-laced cigarettes has become an accepted part of life among many poor teen-agers in Washington, which is second only to Los Angeles in the nation in its number of PCP abusers. Several of the young men involved in the gang murder of Catherine Fuller, a mother of six from their Northeast neighborhood, described their days as an endless round of looking for money to buy PCP.

It is a cheap high for the user, but an expensive burden for society.

"We're seeing a generation of chronically mentally ill people being developed where the mental illness is totally preventable," said Dr. Gladys Baxley, director of the D.C. Mental

See PCP, A14, Col. 1

PCP Users 'Embalming' Selves, Overwhelming Hospitals, Police

PCP, From A1

Health Services Administration, who said PCP users are "glutting" the city's emergency mental health system. "The kids are burning their brains out on a drug."

PCP is overwhelming the police, mental health system, schools and hospitals that are attempting to cope with it. For example:

- Approximately 34 percent of juveniles facing charges in D.C. Superior Court who agreed to testing since March 1984 have PCP in their systems, according to the Pretrial Services Agency. The figure jumps to 55 percent for those 18 to 21 years old.
- Drug arrests for PCP possession or sale in the District have increased ten-fold in the last four years. In 1981, police made 310 arrests involving the drug. Because of increased drug activity and police attention, by last year the number of arrests had soared to 3,030.
- More than one-third of those admitted to the emergency unit of St. Elizabeths, the public mental hospital in Southeast Washington, are experiencing violent psychosis because of PCP. Seventy-five percent of emergency cases handled by the city's Crisis Resolution Unit, which is set up to aid the mentally ill, involve PCP users.
- The need for special hospital care is so great that the city is negotiating a contract with D.C. General Hospital for a 20-bed unit solely for PCP abusers. The cost will be at least $3 million yearly.
- Hallucinations and lethargy experienced by at least a dozen children treated at Children's Hospital in the, last two years have been traced to PCP toxins. Some of the victims are as young as 2 months. "Some are in comas, others are drooling, with slurred speech and passing out," said Joyce Thomas, director of the child protection unit. "PCP when smoked in the presence of young children can result in the loss of a life."

The hallucinogen is "epidemic in the Washington community and endemic in the young black community," said Conrad Hicks, a psychiatric social worker who directs the South Mental Health Center on the grounds of D.C. General Hospital. "It's the most dangerous drug I've witnessed."

Once a little-known drug, PCP has grown into a major local health problem because of its low cost and wide availability.

Thin tinfoil packets of PCP-laced marijuana or parsley sell for $10 on the street, a price that has remained constant over the years. The quantity is enough to roll three slender cigarettes.

"When [youths] smoke PCP, they have four hours of numbness, eight hours of mellow and three days of coming down," said Jimmy Hendricks, regional director of Second Genesis, a District drug treatment center. A psychiatric social worker added, "With your whole social situation of unemployment, this is a resource they're using to escape."

Theodore, a 24-year-old D.C. na-

PCP ADMISSIONS AT HOSPITAL EMERGENCY ROOMS

	D.C. area	U.S.
1982	317	4,988
1983	538	6,200
1984	1,210	6,242

SOURCES: Drug Warning Network; National Institute on Drug Abuse

PCP ARRESTS IN THE DISTRICT*

FY 1982	310
FY 1983	1,047
FY 1984	2,237
FY 1985	3,030

*Arrests for possession, sale or distribution of PCP
SOURCE: D.C. police

tive being treated for PCP abuse, said friends at Cardozo High School introduced him to the drug. "When you are on PCP, you have the right things to say, slick stuff . . . . I am an only child, and I had not done a lot of exciting things in my life. I was afraid of people, afraid of bullies. By using PCP, I got a macho image."

After five arrests for possession and selling PCP, another District native, Paul, 24, decided to take the judge's offer for treatment instead of jail. "I hung out with older people," Paul said. "I see them using PCP and I followed the crowd. I figured it might hurt them but it wouldn't hurt me."

Because the synthetic drug is an easy combination of six chemicals, clandestine laboratories producing it have sprouted throughout suburban Maryland and Virginia and the District.

"We estimate that 50 percent of the PCP trade is suburbanites," said Inspector Kris Coligan, director of the D.C. police Morals Division.

Warren Carmichael, spokesman for the Fairfax County police, said, "We are seeing an increase in PCP sales and use in the county." The 121 arrests in 1984 involving the drug was double that of the previous year.

Local arrests for PCP manufacture and sale have netted government chemists, lawyers, even police officers.

The labs they operate are unsophisticated operations in apartment kitchens or out of 55-gallon drums in rural back yards. Explosions, often killing or severely injuring lab operators, are another frequent byproduct of labs because of the chemicals' flammability.

Police take credit for closing many of the local labs, but they are frustrated by plentiful imports from California and Florida.

U.S. Park Police say the drug is "extensively available" in local parks, particularly at Hains Point and Franklin Park. High C. Irwin, commander of the Park Police's narcotics unit, said arrests have increased more than six-fold since 1980, with 424 arrests involving PCP in federal parks in Washington last year.

Prevention efforts are dwarfed by the plentiful supplies. "It's like water through a sieve," said Baxley. "It's like we're taking one step forward and 12 steps back."

PCP, unlike other drugs, is not seen in every city. Only Los Angeles, Washington, New York, Chicago, Baltimore and a few other inner cities on the coasts have high rates of PCP abuse, according to federal records of emergency room admissions. "Cocaine is everywhere, but there are pockets of PCP use," said Ann Blanken, an epidemiologist with the National Institute on Drug Abuse.

In Los Angeles, psychologists say a Hispanic macho attitude encourages young males there to flirt with a drug of such devastation. District experts say unemployed black youths are attracted to the drug because it is cheap.

It is a drug so dangerous that police agents wear rubber suits for fear of touching it. It is a drug so powerful that drug dogs that accidentally inhale too much of it have to be retired.

Perverse incidents also are typical in some outbursts by PCP users. "Hideous mutilations are not uncommon with PCP," said Dr. J. Theodore Brown, chief psychologist at D.C. General Hospital. "The youths who pushed a long cylindrical object into their victim; that is highly correlated with PCP," he said, referring to the Fuller murder.

Investigators have not determined possible motives behind the decapitation of a 5-year-old Adelphi boy this month. The boy's aunt said that the child's mother, who has been charged with murder in his slaying, smoked PCP, a charge also made by the woman's former boyfriend. The mother's court-ordered psychiatrist said it is too early to determine if drug abuse was a factor.

National Institutes of Health researcher Dr. Thomas O'Donohue said that one PCP-crazed woman in a Washington hospital tore the skin off her face with her fingernails because she believed that she was covered with insects. In another case, he said, a man in Los Angeles tore out his own eyeballs.

"We treat it like it is radioactive, but on the street they are smoking it," said Special Agent Robert J. O'Leary of the U.S. Drug Enforcement Administration's 10-year-old PCP Task Force, which covers the Washington region.

There has been no lack of attempts by local institutions to deal with PCP. Prevention programs, counseling, police crackdowns and special task forces abound.

Last year, District lawmakers tried stiffer penalties, tripling the jail term for those who make, distribute or use the drug to 15 years, and doubling the fine, to $100,000. The mayor established a blue ribbon task force on the subject.

In Maryland, the legislature acted in 1979, doubling the maximum prison term and fine for PCP sale or manufacture to 10 years and $20,000. In Virginia, possession carries a one-to-10-year sentence and a $1,000 fine. Those charged with intent to distribute or manufacture face a five-to-40-year sentence and a $25,000 fine.

Since 1983, when the D.C. Board of Education required teachers and administrators to learn how to identify drugs and abusers, 3,500 of the 5,000 affected employes have completed the 30-hour course. A special unit on PCP was added last year to the curriculum of all junior and senior high schools.

Lonnie Mitchell, director of the city's Alcohol and Drug Abuse Services Administration, said the program will be doubled this year. "There isn't any lessening in its [PCP] availability or its use," he said, noting that the city is paying private firms to open two 25-bed drug treatment centers for adolescents this spring.

Local police officers say they are stymied in their efforts to protect themselves and others from those deranged by PCP. Police officials outlawed the choke hold after a highly publicized incident in which Darryl Rhones, 24, a suspect in a shooting and later found to have used PCP, died after a choke hold was used during officers' attempts to subdue him.

"We asked the city government to give each officer a Taser [a stun gun] if we couldn't use a choke hold," said Gary Hankins, an official of the D.C. Fraternal Order of Police. "We didn't get a Taser issued, and we lost on the limitations. So now an officer has only his gun to use to protect himself .... It is only a matter of time until someone does shoot a PCP user who is violent. Then there will be a hue and cry because we shot him."

The dispute on how to subdue users led to a $400,000 jury decision against the city in December 1984. The widow of a PCP user who was shot and paralyzed by a police officer successfully sued the city for failing to properly instruct its officers on how to handle drug-crazed people.

The widespread use of the drug has forced most local police units to offer special training on dealing with PCP users.

The misery caused by this drug is demonstrated in hundreds of local tragedies, as the drug has become a kind of liquid insanity defense for unimaginable crimes.

The fatal scalding and stabbing of a 4-month-old infant, James Megenhardt Jr., in Glen Burnie, Md., in April 1984 was one such case. A neighbor, who said he was high on PCP and believed that the child was filled with demons, was sentenced to 30 years in prison for the killing.

"I think of PCP as the armpit of drugs," said Detective Ray Brett, a D.C. narcotics squad expert. "It is dirty, explosive, poisonous."

PCP devastates its users as well as its innocent victims. It can take up to two years for the body to be rid of the drug. Sometimes clear thinking and unimpeded speech never return.

After six months of withdrawal, Paul, now a resident at the Second Genesis drug treatment center, related, "My speech is a lot better now. When I came here it took a couple of minutes to get a word out."

The consequent mental debilitation is compounded by respiratory problems, because the harsh chemical components in PCP irritate lungs. Some dealers, lacking the drug, wet marijuana or dried parsley with other perilous substances that duplicate the chemical odor of PCP.

"They are being embalmed alive," Hendricks, of Second Genesis, said of PCP users. "They get it sprayed with roach spray and formaldehyde. [Sellers] will use anything to give it the chemical aroma and make it wet."

BY RICH LIPSKI—THE WASHINGTON POST

D.C. police say they look for these common items in a drug raid, which are often used by PCP dealers: small plastic bags, heat sealer for the bags, squares of tinfoil to wrap PCP-laced marijuana or parsley, small weight measure, paper for rolling cigarettes, plastic jars in which to store the drug.

Many drug experts are mystified why such a drug, whose effects are so devastating, remains so popular.

"There's been so much bad publicity, it's bizarre that anyone even uses it," said Blanken, of the National Institute on Drug Abuse. "In Haight-Ashbury in the '60s, people tried PCP and rejected it immediately. Everyone thought the drug had no future. And now, 20 years later, it's popular."

Special Agent O'Leary of the PCP Task Force said, "I don't understand why PCP hasn't got the bad rap it deserves."

Users are reluctant to give up the drug. "Our theory is that people are getting out of jail and going right back to it," said Sgt. Ronald Ricucci, commander of Montgomery County's narcotics unit.

"Only a small percentage is willing to seek treatment," said Hicks, of the District's mental health center. "Some of the victims of this drug were people that once had a future."

Lt. Irwin, of the Park Police, blames the families and friends of youths involved with PCP.

"We went to a house where there was a mother, daughter, son and niece," he said last week. "The son had been selling PCP, and everybody approves. We find whole communities banding together to protect the people who sell it .... They will deny it or say, 'Who cares?' "

Hendricks, the Second Genesis director, likens the drug to an unrestrained creature devouring the city's young. "There is a monster in the community," he said, "and it's become our kids."

PCP Made Originally as Anesthetic

PCP, or phencyclidine, is a synthetic drug created about 20 years ago as an anesthetic. After early patient trials, it was discontinued because it caused hallucinations.

It is most popularly smoked, but it is also inhaled, injected and eaten. It interrupts the functions of the neo-cortex, the section of the brain that controls the intellect and keeps primitive instincts in check.

Without these controls, a PCP user may have uncontrolled fury, paranoia, irrational behavior and exhibit superhuman strength. Many violent episodes result in self-inflicted injuries as pain receptors are blocked by the drug.

The drug, unlike heroin, cocaine or marijuana, is absorbed in fat tissues. The accumulation can produce later psychotic episodes.

PCP has fantasy names, like "loveboat" and "angel dust," and realistic ones, like "graveyard." It is also called "naked" because users often experience hot flashes and frequently disrobe outdoors, despite frigid temperatures.

On the streets of Washington, it also is known as "Hinckley" or "The Key to St. E's," named after President Reagan's assailant who is confined at St. Elizabeths Hospital, where most violent users are taken.