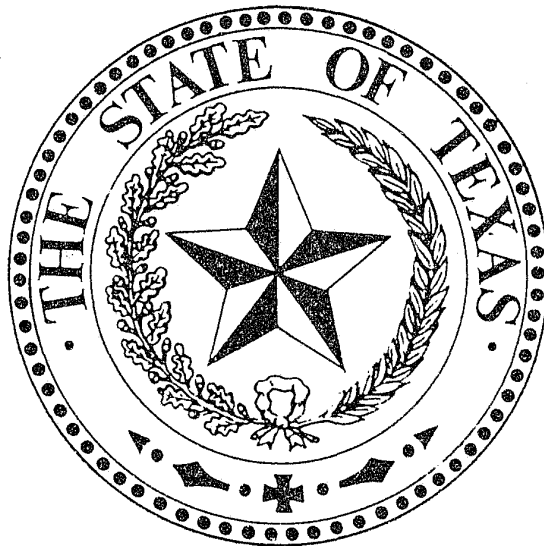


Issued January 1990

GOVERNOR'S TASK FORCE ON DRUG ABUSE

STATEWIDE STRATEGY
FOR DRUG & VIOLENT
CRIME CONTROL



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Bobby S. Weaver
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STATE OF TEXAS
OFFICE OF THE GOVERNOR
CRIMINAL JUSTICE DIVISION

GOVERNOR WILLIAM P. CLEMENTS, JR.

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Governor's Task Force on Drug Abuse
Drug Policy Subcommittee

1990 Statewide Strategy for Drug
and Violent Crime Control

William P. Clements, Jr., Governor

Rider Scott, Executive Director

Criminal Justice Division, Office of the Governor
P.O. Box 12428, Austin, Texas 78711

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Introduction to the Strategy

The pervasiveness of the drug problem plaguing this country is unprecedented. It has invaded our communities, our workplaces, our schools and our lives. Drugs, in all of their caustic forms, threaten the very quality of life that America has struggled to achieve. Nothing short of a national commitment can achieve a secure future for the young people of today.

In this dynamic context, the President of the United States has developed a bold new policy directive to combat the illegal drug problem in this country. The National Drug Control Strategy provides clear direction to the states and outlines the full participation of the federal government in the war on drugs. In spite of frustrating odds, President George Bush and his Drug Control Policy Director William Bennett are providing the resolute guidance needed to usher in a new era of coordinated and comprehensive federal, state, and local drug control efforts.

In its two years of existence, the Texas Narcotics Control Program has proven that pooling law enforcement resources through multi-agency, multi-jurisdictional task forces can make a forceful difference in the offensive against illicit drugs. The statewide program was established under the direction of Governor William P. Clements, Jr., with the federal funds made available by the Anti-Drug Abuse Act of 1986. Program management is provided by Rider Scott, Executive Director of the Criminal Justice Division of the Governor's Office. At the present time, 31 drug strike forces are active in 171 of the 254 counties in Texas where 14

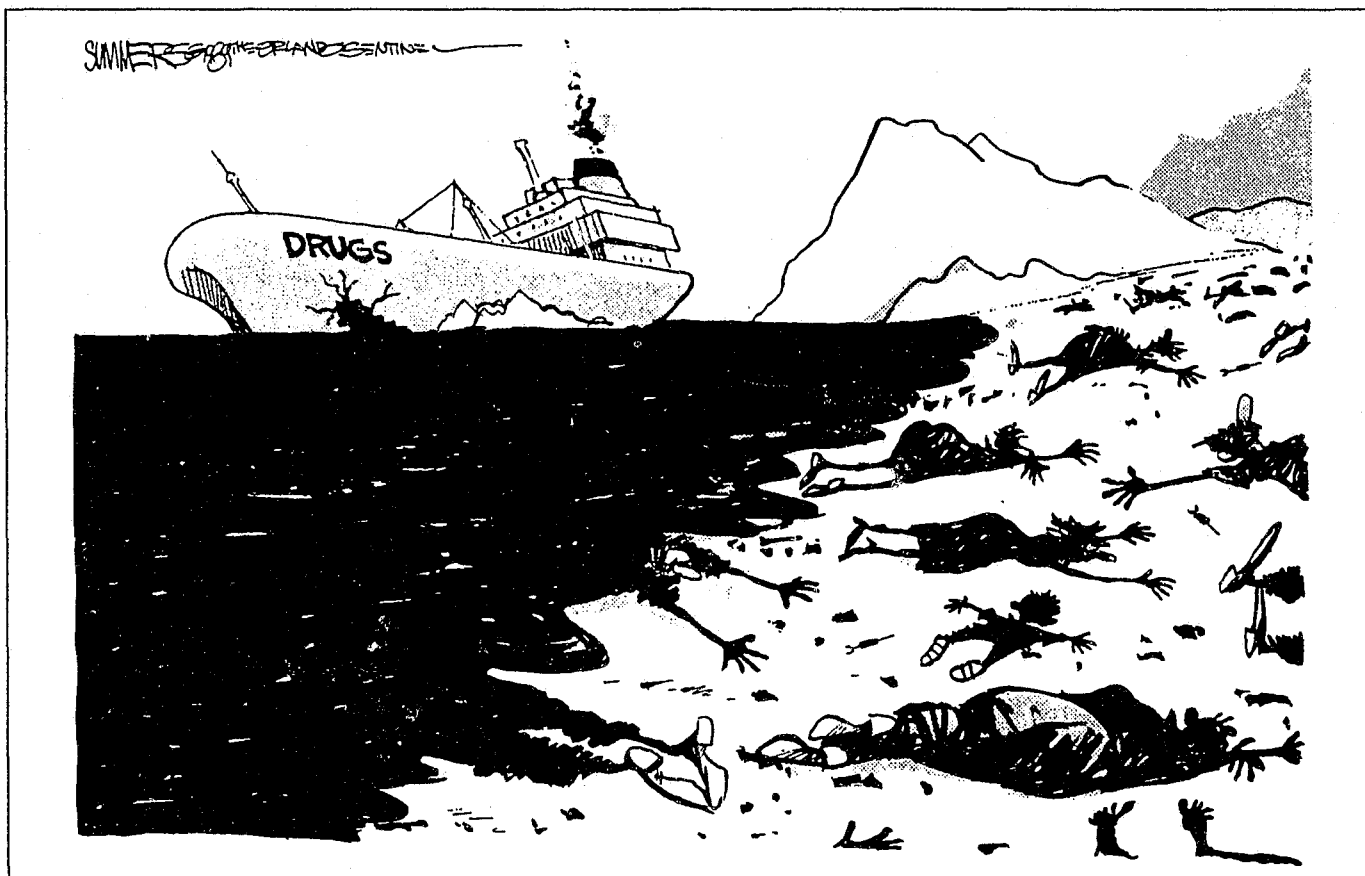
million of the state's citizens live. Rural areas that previously had no protection from illegal narcotics traffickers and manufacturers now have hope. The 188 enforcement officers, 19 prosecutors, and 57 support personnel funded through the program are focused on one thing — making drug dealers pay. Task force operations have already led to the arrest of 13,584 individuals and the seizure of \$714.7 million in illegal drugs and \$18.4 million in profits from the drug trade.

The Texas Narcotics Control Program has laid the groundwork necessary for further progress in the war on drugs. In 1990, there will be a significant increase in the level of federal funding for this successful cooperative drug-control effort. The development of the 1990 Statewide Strategy for Drug and Violent Crime Control for the allocation of this needed infusion of federal funds takes place with the utmost optimism that even greater inroads in the narcotics-trafficking problem in Texas can be made during the next funding cycle.

However, the picture of what already has been achieved is clouded by the immensity of the narcotics problem in this state. The success of federal anti-drug initiatives in the Caribbean basin has forced the drug cartels to diversify their shipment routes, and this has led to the increased use of Texas as a staging and transshipment area for cocaine, marijuana, and heroin. Domestic production of "speed" drugs continues unabated despite record seizures by law enforcement agencies, and the potential abuse of "ice" could equal the current crack cocaine epidemic. Never before has a comprehensive cooperative effort been more necessary to rout the enemy.

The pages that follow detail the scope of the drug problem in Texas and the current law enforcement initiatives under way to fight this

INTRODUCTION



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scourge. Governor Clements appointed a Drug Policy Subcommittee to thoroughly analyze the dynamics of the narcotics and violent crime problem in the state and recommend a law enforcement response that will result in the greatest impact. This subcommittee includes representatives from federal, state, and local law enforcement agencies; the U.S. and district attorneys' offices in Texas; the judiciary; and the state agency responsible for drug-treatment efforts. Planning for the development of the 1990 strategy began in early November with an advance notification to cities and law enforcement officials in anticipation of the President's signature on the appropriation acts, which occurred on November 21, 1989.

The Drug Policy Subcommittee held state-

wide public hearings in McAllen, Houston, Arlington, and El Paso on December 5, 6, 7, and 8 respectively to allow state and local law enforcement agencies, prosecutors, and other criminal justice and concerned professionals the opportunity to participate closely in the development of the strategy. Written testimony was also solicited, including the regional Reports on Narcotics Trafficking for the Attorney General prepared in August 1989 by the U.S. Attorney's Office in each of the four districts in Texas. Notification of the hearings was widely disseminated through publication in the *Texas Register*, a statewide press release, personal invitations to federal, state, and local law enforcement officials, governmental agency representatives, and service providers.

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Approximately 3,000 notices were mailed by the Criminal Justice Division to ensure full participation of public officials and private citizens in the development of the statewide strategy for Texas. Samples of these notifications and a complete matrix of the testimony presented to the subcommittee appear as appendices to this report.

This country must make every effort to prevent the schoolchildren of today from becoming the drug offenders of tomorrow. A strengthened criminal justice system can provide a powerful disincentive to engage in drug activity, by ensuring swift and sure punishment for violations of the drug laws. Law enforcement initiatives provide the immediate response to the problem by removing the open drug markets terrorizing neighborhoods, controlling the violent crime so closely associated with the drug trade, and thwarting the plans of the illegal drug merchants as often as possible. The combined efforts of supply- and demand-reduction programs are absolutely necessary to address both long-term and short-term goals in the war on drugs.

Federal law enforcement agencies have primary responsibility for control of international production, interstate transshipment activities, and protection of the U.S. border. However, state and local law enforcement agencies effect 90% of drug-offense arrests. It is imperative that there be a comprehensive plan for interagency coordination and the sharing of intelligence through all levels of drug law enforcement. This strategy provides a blueprint for action that recognizes the vital contribution to be made by all law enforcement agencies in the battle against the life-threatening onslaught of illegal drugs.

Membership of the Drug Policy Subcommittee of the Governor's Task Force on Drug Abuse

Chairman Colonel James P. Adams is the retired Director of the Texas Department of Public Safety, a position he held from January 1980 until May 1987. Colonel Adams began his distinguished career in public service as Assistant County Attorney of Limestone County, Texas, and was subsequently elected to the Texas House of Representatives. He resigned from that office in order to accept appointment as a Special Agent of the Federal Bureau of Investigation in July 1951, where he served over 27 years, attaining the position of Associate Director, the second-highest-ranking FBI official. In 1978 he was the recipient of the Attorney General's Award for Distinguished Service, and in 1979 he was awarded the National Intelligence Distinguished Service Medal by the Director of the Central Intelligence Agency.

The Honorable Arthur C. (Cappy) Eads is the elected District Attorney for the 27th Judicial District, Bell County, Texas, a position he has held since 1976. His career also includes service as an Assistant District Attorney and County Attorney for the 27th Judicial District. Mr. Eads's professional affiliations include Chairman of the Board of the National District Attorneys Association, an organization in which he has been active for many years. He has also served as President of the Texas District and County Attorneys Association, and as a presidential appointee to the President's Child Safety Partnership.

Jerry P. Cunningham is Chairman of the Board of the Texas Commission on Alcohol and Drug Abuse, the state agency responsible for drug treatment and rehabilitation in Texas. Mr. Cunningham was appointed as chairman of this governing board by Governor Clements in recognition of his service as Commissioner of the Texas Commission on Alcoholism from 1979 through 1985. He recently retired from his position as Director of Industry Affairs with Sedco Forex after more than 32 years of service.

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The Honorable Jorge Solis is the District Judge for the 350th Judicial District, representing Taylor County. He began his career in criminal prosecution as an Assistant District Attorney for Taylor County in 1976 and was elected Criminal District Attorney of that county in 1983, a position he resigned in 1988 to seek election to the bench. Judge Solis serves on the advisory board of Abilene Drug Treatment and Rehabilitation Center.

The Honorable Al Schorre is the District Attorney for the 142nd Judicial District, Midland County. He has served in this capacity since his election in 1985. His career as a prosecutor began in 1973 with service as First Assistant District Attorney for the 27th Judicial District of Texas and includes seven years of private practice with the law firm of Stubbeman, McRae, Sealy, Laughlin and Browder in Midland. He has also been Director of the Council Against Substance Abuse.

John M. Bott is Special Agent for the Drug Enforcement Administration, Houston Division, and serves as coordinator of one of the division's drug enforcement groups. Mr. Bott began his career in drug control as a Special Agent for the Bureau of Narcotics and Dangerous Drugs in Chicago, Illinois. He served as a Special Agent for the Drug Enforcement Administration in Chicago until he was selected as coordinator of the Organized Crime Drug Enforcement Task Force for the Houston DEA Division.

Chief Travis P. Johnson serves as chief of police for the Laredo Police Department, a position he has held since June 1989. Chief Johnson began his law enforcement career with the San Angelo Police Department, working in various departments, including the Detective Division, Juvenile Division, and Narcotics and TAC unit. He assumed operational control over the San Angelo Police Department in December 1979 upon his election as Chief of Police. Chief Johnson also serves on Governor Clements's Criminal Justice Task Force.

Jerry L. Padalino of the U.S. Customs Service was recently appointed Assistant Regional Commissioner for Enforcement for the Southwest Region. Headquartered in Houston, Mr. Padalino manages the Customs law enforcement program in the states of Texas, Arizona, New Mexico, and Oklahoma. Drug interdiction on the Southwest Border is the major emphasis of the enforcement program. Mr. Padalino began his government career as the first Customs Security Officer

in Arizona. He has served in various capacities for U.S. Customs, including Chief of Enforcement Programs in Washington, D.C., Special Assistant to the Comptroller, and Director of Human Resources. Mr. Padalino served in the Office of the Vice President in the National Narcotics Border Interdiction System prior to his appointment as the Senior Tactical Coordinator for Operation Alliance.

Sheriff Bobby S. Weaver has served as Sheriff of Gregg County, since 1980. He has an extensive career in law enforcement, including tenure with the Texas Department of Public Safety and the White Oak Police Department. He has been Director of the Sheriffs' Association of Texas and President of the East Texas Peace Officers' Association, and he is a recipient of the Distinguished Service Award from the Reserve Officers' Association of America.

Ronald F. Ederer is the United States Attorney for the Western District of Texas. His career includes a tour of duty with the Army as a Military Police Lieutenant and service as an attorney for United States District Judge Ernest Guinn. He worked as an Assistant United States Attorney for the Western District of Texas before being selected for the position of part-time Federal Magistrate. He was elected to serve as president of the Federal Bar Association in El Paso for the 1977-1978 term. From 1980 until November 6, 1989, when he was sworn in as United States Attorney, he was in private practice in El Paso.

Nature and Extent of the Problem

Overview

On September 29, 1989, 19.8 tons of Colombian cocaine that had been smuggled into the country at El Paso were seized in a San Fernando Valley building operating as "Adriana's Pottery Warehouse." This was the largest seizure in U.S. history.

On October 4, 1989 — just five days later — law enforcement officers discovered a house in Harlingen where every room was stacked to the ceiling with nine tons of cocaine. This was the second-largest seizure in U.S. history.

Both these cocaine shipments had entered the U.S. through the Texas-Mexico border. Texas has clearly become a preferred route for drug smugglers, as an unrelenting tide of illegal drugs flows over the Texas-Mexico border.

There is no question that Texas now rivals Florida as the nation's drug-smuggling capital. The question now is, why Texas?

Texas: A Smuggler's Haven

Hampered by stepped-up U.S. enforcement in south Florida and the Caribbean basin, Colombia's drug lords have made a conscious decision to diversify smuggling routes to increasingly emphasize the Texas-Mexico border. Texas routes offer traffickers advantages over South Florida routes. Drugs, in order to get through the Caribbean to Florida, must pass through vast open seas and risk encounters with U.S. Customs or Coast Guard authorities. The Texas route is mostly overland, with traffickers typically flying shipments to staging

"Recently in Los Angeles, agents seized 20 tons of warehoused cocaine. If all these kilos were stacked, one on top of the other, the pile would be a mile and a half high — half the height of Mount Whitney, the tallest mountain in the continental United States. It was estimated that this cocaine had a street value of \$6.7 billion. That exceeds the individual gross national products of well over 100 nations. And this was just one warehouse"

Secretary of State James Baker
Speech to the Forum Club
Houston

areas in Northern Mexico for ground transportation into the United States.

The national significance of the lower Rio Grande Valley of Texas in the drug wars is firmly established. For the past two years, the McAllen sector of the U.S. Border Patrol has ranked as the number-one smuggling point in the entire nation. The number of seizures and the value of drugs seized in fiscal year 1989 were nearly double the amounts recorded in fiscal year 1988.

The state is widely regarded as one of the top three major drug transshipment points in the nation. Operation Alliance officials say that 30% of all heroin, cocaine, and marijuana entering the United States does so via Texas smuggling routes. The vast and sparsely populated areas of Texas provide ideal conditions for the use of clandestine airstrips, and the hundreds of miles of open border marked by a river that can often be crossed on foot have offered easy access for those wishing to import either small or extremely large loads of drugs. Traffickers employ automatic weapons,

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sophisticated communications equipment, boats, and specially-equipped four-wheel-drive vehicles in their trade. The smugglers use every imaginable type of conveyance — in one instance model airplanes operated by remote control were used to fly two ounces of heroin at a time over the Rio Grande.

Texas has a vast state highway system and major interstate highway systems — IH 10 connecting Florida to California and IH 35 linking Laredo and Dallas to Minneapolis — that serve the transportation and transit needs of major narcotics-trafficking organizations. Law enforcement officials have focused on this avenue of trafficking, and many large seizures have resulted. During calendar year 1988, Texas state troopers engaged in their routine

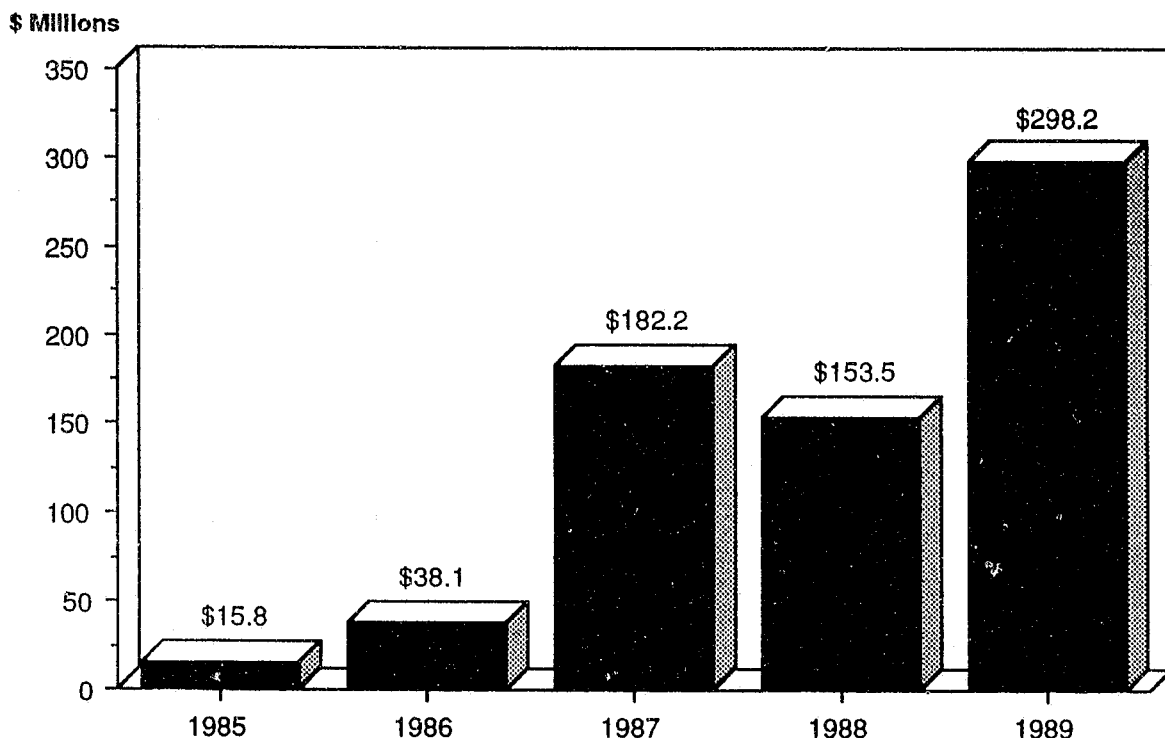
traffic duties seized 25,607 lbs. of marijuana, 1,259 lbs. of cocaine, and \$2.9 million in currency.

Factors in the Texas Drug Problem

Texas is an ideal center for illegal drug production, distribution, and importation, because of its geographic location and composition. Comprising vast land areas, major metropolitan population centers, 624 miles of coastline on the Gulf of Mexico, a sophisticated interstate highway system, extensive waterways with coastal and inland ports, three major international airports, and the 1,248-mile Texas-Mexico border, Texas offers varied opportunities for all levels of illegal drug trafficking.

Big Bend National Park, a virtual wilderness

Value of Drug Seizures for the McAllen Sector of the U.S. Border Patrol, Fiscal Years 1985-1989



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that occupies thousands of square miles in far West Texas on the Mexican border, is frequently used for the transshipment of drugs from Mexico. Often drugs are moved across the river on horseback, with armed guards standing watch on the Mexican side of the river. The large tourist population in the park serves as a cover for the illegal trafficking.

In addition to the wide-open areas along the border, the Texas Panhandle's remote, level farm roads have long been favorite clandestine landing sites for Mexican-based smuggling rings. Recent intelligence reports indicate increased air smuggling from northern Mexico to rangeland in this area.

Texas woodlands, national forests, and commercial timberlands cleared by cutting operations are primary areas of marijuana cultivation because of favorable climatic conditions and the remoteness of the areas. The vast rural areas of the state also provide the necessary seclusion for the clandestine manufacture of amphetamines and methamphetamines, known commonly as "speed." Illegal drug laboratories have been found in homes, warehouses, motor homes, apartments, and hotels, with most concentrated in Central, North, and East Texas. Task forces report, however, that in the past year drug laboratories have increasingly spread into West Texas, an area that had not previously experienced this problem to any great degree.

The smuggling, transshipment, and domestic production of illegal drugs translate directly into the human misery of drug addiction. The manifestations of drug abuse are plainly to be seen in Texas every day: an escalating violent crime rate, fatal accidents in factories, open street dealing in front of innocent citizens, child abuse and neglect, babies born addicted to drugs, and school dropouts.

"For eight or ten years, we have predicted that with the enhanced enforcement level in Florida this would happen. The recent seizures are living proof that the drug traffic has moved to Texas."

Commander Mike Scott
DPS Narcotics Service
Austin

Drug abuse has exploded into an epidemic that threatens the security of our homes, schools, and workplaces.

Despite the implementation of effective and cohesive efforts to combat the escalating threat of illegal drugs in Texas, drug trafficking continues to flourish. The extent of drug production, distribution, and importation has escalated as the Texas drug war acquires an increasingly international character. Texas is plagued by sophisticated drug networks, operating all aspects of the drug business: from growth to illegal transportation to actual sale.

The following analysis explores the four-fold character of the nature and extent of the drug problem in Texas: International smuggling, transshipment, domestic production, and end-user distribution.

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International Smuggling

A powdery substance other than sand began washing up on Texas beaches last summer. Securely wrapped bundles of cocaine were found on the shore between Galveston and Port Aransas. The cocaine was believed to be the cargo from a drug smuggler's ship that went down in Tropical Storm Allison.

Like the tides pushing the cocaine ashore, illegal-drug pushers have been flooding this state with illicit narcotics. Drugs are smuggled into Texas by land, sea, and air, by well-financed networks of career criminals. Consider the following examples:

- The McAllen Narcotics Trafficking Task Force, in conjunction with the Houston office of the Drug Enforcement Administration (DEA), seized 600 pounds of cocaine and 400 pounds of marijuana from a rental truck in December 1989. Markings on the cocaine packages indicated that the shipment had come directly from Colombia.
- Marine smuggling often involves ships that bring cargoes of marijuana or cocaine to locations outside the territorial waters of the United States and off-load portions of their unlawful contraband to shrimp boats for actual importation into the Texas coast region. DEA has placed a number of agents in under-cover roles on shrimp boats to actually off-load marijuana.
- The Del Rio Narcotics Trafficking Task Force recently responded to an alert from electronic sensors placed along the Rio Grande river. Tracking six sets of footprints to an abandoned barn, task force members seized 300 pounds of cocaine, valued at \$10,752,000.



A 3,940-lb. quantity of marijuana seized at the border on December 12, 1989, was contaminated with residue from the chemical waste tank in which it was encased. Smugglers often attempt to conceal contraband in metal containers.

- Thirty percent of the illegal drugs entering the United States come through four South Texas counties, according to Operation Alliance. The U.S. Border Patrol, McAllen Sector, seized more marijuana and cocaine during the past year than was seized in any other part of the United States. The sector covers 17,000 square miles of southern-most Texas, a band along the Rio Grande and the Gulf of Mexico.
- Laredo Fire Department rescue personnel were called to the U.S. Border Patrol office in November to assist in the opening of a propane tank containing 272 pounds of marijuana. The tank had been welded shut. The marijuana was detected by Kimbo, a drug-sniffing dog. This was a special case because, although drugs are often found in similar containers, they usually have an opening through which the drugs can be

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retrieved, so that the containers can be used repeatedly. The officers on the scene were concerned that the tank would explode.

- A cult-influenced ring, accused in the ritual-execution slayings of 15 people found last spring near Matamoros, Mexico, is believed to have smuggled up to one thousand tons of marijuana a week across the border near Brownsville. A Texas college student was among the victims.

- The El Paso West Texas Multi-County Task Force recently executed a search warrant at a brand-new house. The back yard was stacked with gas tanks and welding equipment, and records were found that indicated an organized smuggling operation for concealing drugs in the metal containers. A shipment of 300 pounds of cocaine and 100 pounds of marijuana was being readied when the house was seized.

- In addition to flying contraband directly into the state, some pilots use air-drop smuggling ventures. With the use of high-technology transponders and other homing devices, it is a simple navigational procedure for a pilot to drop his contraband from aloft, without landing, precisely at a predetermined location. This method allows the pilot to avoid making day or night landings on an unimproved or unknown strip, reduces the chances of detection and arrest, and expedites the delivery.

- The City of Laredo Narcotics Trafficking Task Force, in an under-cover operation in December, seized 30 ounces of black tar heroin, which is seldom found in quantities of more than one pound. The value of the drug seized was estimated to be \$1,680,000. One adult male was arrested.

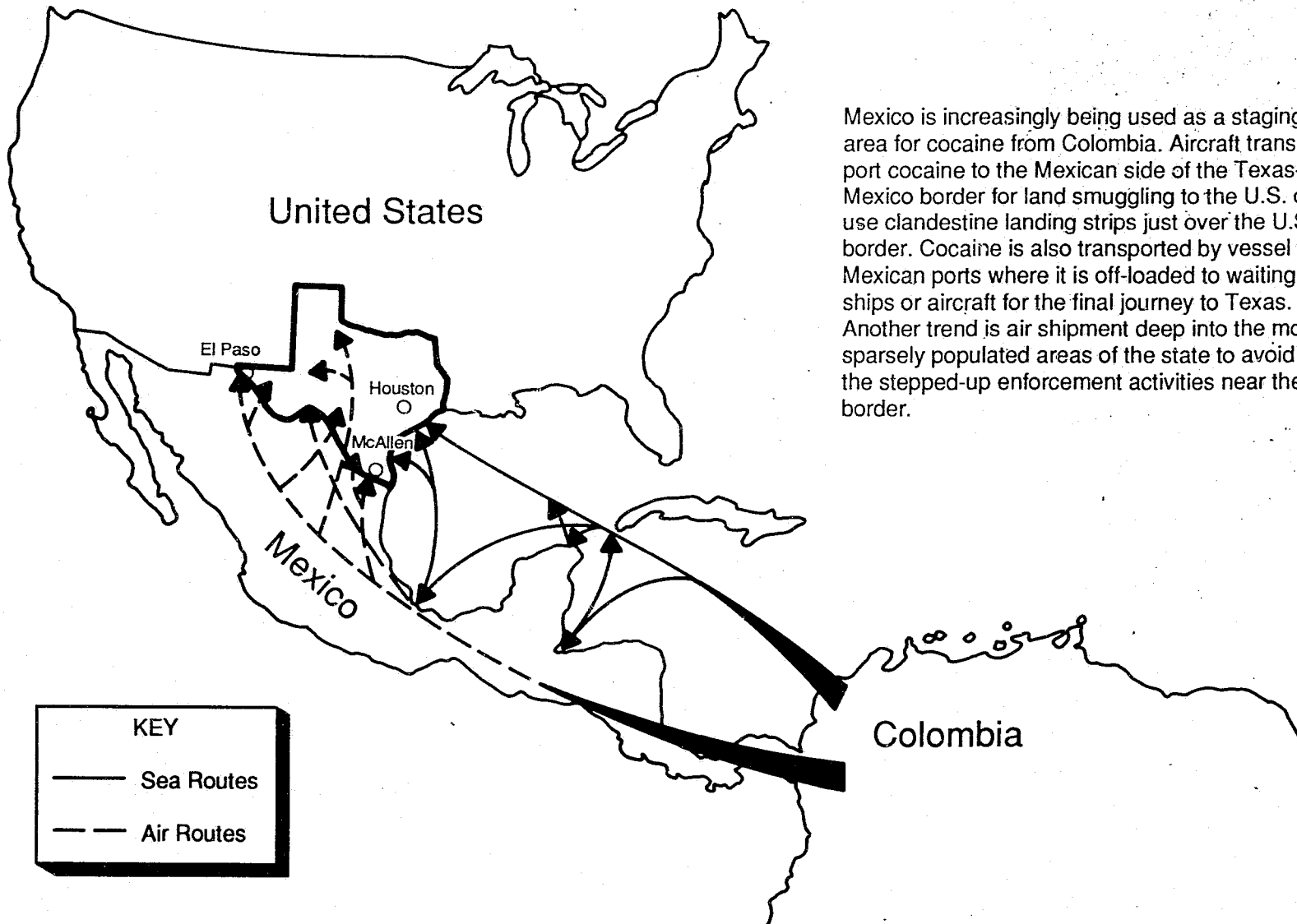
- Body shops are frequently used as fronts for narcotics-trafficking organizations. A cover as a legitimate business hides unlawful activities such as creating secret compartments in cars for the transportation of cash and narcotics, laundering the illegitimate proceeds of drug-running, and restructuring or dismantling stolen vehicles. Smuggling stolen vehicles into Mexico is a tremendous problem all along the border. If auto theft in Texas were a local business, it would rank 59th on the Fortune 500 list of the nation's top-grossing companies.

- Beautiful homes are springing up like mushrooms in poverty-stricken Starr County, an agricultural area where industry is scarce and unemployment runs 25%. In Brownsville, by federal measures one of the poorest cities in the country, officials recently seized \$1.2 million in drug-related cash. There were so many bills in the house that agents had to bring in money-counting machines to total it.

The Texas-Mexico Border

Although drug smuggling through Texas is complicated by several factors, it is the proximity of Texas to Mexico that is the key factor in the state's international smuggling problem. Total federal interdiction of drugs along the Texas border increased from 1,974 seizures, valued at \$364 million, in federal fiscal year 1988 to 3,548 seizures, valued at \$815 million, in 1989. That represents a 56% increase in just the last year. One-third of the total quantity of illicit drugs that enter the United States is either produced in or transshipped through Mexico, with a steady influx of Mexican-produced marijuana and heroin entering Texas through established smuggling routes.

International Cocaine Trafficking Routes to Texas



Mexico is increasingly being used as a staging area for cocaine from Colombia. Aircraft transport cocaine to the Mexican side of the Texas-Mexico border for land smuggling to the U.S. or use clandestine landing strips just over the U.S. border. Cocaine is also transported by vessel to Mexican ports where it is off-loaded to waiting ships or aircraft for the final journey to Texas. Another trend is air shipment deep into the more sparsely populated areas of the state to avoid the stepped-up enforcement activities near the border.

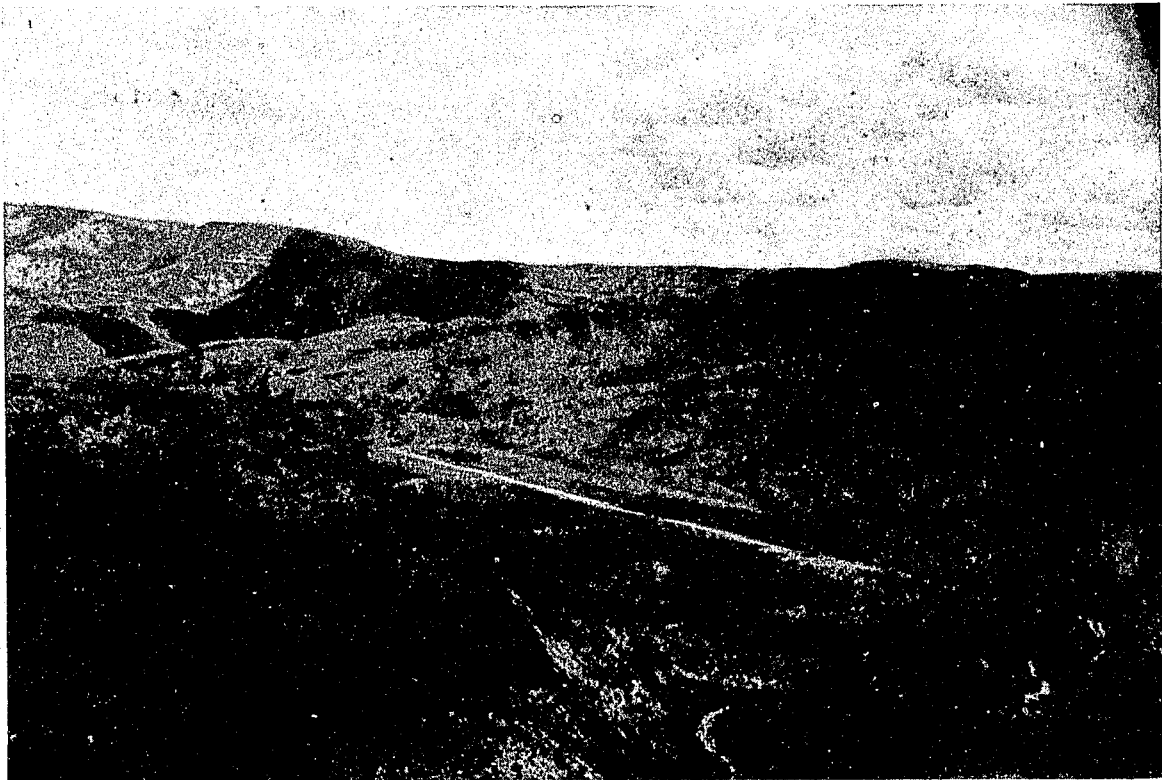
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The Texas-Mexico border has a long history of being an area frequented by smugglers. Professional trafficking in a variety of items, such as liquor, weapons, electronics, and autos, has been a big business along the border for most of this century. Controlled substances are but the most recent and most lucrative contraband. Cocaine, marijuana, and heroin are smuggled into Texas from Mexico by air, ground, maritime, or pedestrian traffic. Smugglers use innovative concealment techniques in vehicles of all types for border crossings. Often the illegal contraband is disguised in false compartments of vehicles or buried under shipments of fruit and vegetables and brought through the ports of entry.

The geography and demographics of the Texas-Mexico border contribute to the difficulty

of interdicting drugs being smuggled into this country. There are 20 international ports of entry from Mexico into the United States on the 1,248-mile-long Texas-Mexico border, which handle an unfathomable volume of vehicular and pedestrian traffic daily. For example, 24,686,376 people entered the U.S. through the El Paso port of entry in 1988, an increase of almost seven million over 1987. Eagle Pass admitted 4,178,343 individuals in 1988, Del Rio 1,402,428, and the San Antonio International Airport 109,500. The mere volume of these entries makes thorough inspection and detection of narcotics an impossible task with today's limited resources.

Investigators often say that they intercept only about 10% of all the drugs coming into the country. The sheer volume makes catch-



This clandestine landing strip is just across the Texas border with Mexico. Hundreds of similar landing strips exist all along the border area in both Mexico and Texas.

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ing all the narcotics a hit-or-miss proposition. U.S. Customs officials report that an average of about 20,000 vehicles — a large percentage of them commercial trucks — enter the United States at El Paso's Bridge of the Americas every day, and that all of them cannot be checked. If a vehicle is stopped for more than 30 seconds, traffic immediately starts backing up for half a mile. The Bridge of the Americas is just one of four bridges in El Paso.

Next to impossible to account for are illegal crossings all along the open Texas-Mexico border. Much of the land border is extremely isolated. The only barrier a smuggler may encounter is a barbed-wire fence or a shallow river. Smugglers can usually enter without detection and proceed to a major highway within a few miles.

Because of the frequency of places where it is shallow and easily accessible, the river boundary of the Rio Grande does not present a significant physical obstacle to the smuggler. Many places along the river are suited for vehicular crossings, and pedestrian crossings can be made virtually anywhere along the river. It is not uncommon for smugglers simply to float drugs across the river on rafts.

At this time, the border lacks adequate radar coverage, allowing aircraft to enter many areas at certain altitudes without detection. However, an anti-drug-smuggling project designed to create a blanket of radar coverage along the entire U.S.-Mexico border is nearing completion, with three surveillance balloons scheduled to watch over South Texas. One of the balloons has been operational in the Marfa



The Mexican barn pictured above is directly across the river from Big Bend National Park and is probably used as a stash house for narcotics shipments.

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"We have a tremendous smuggling problem in the Laredo area. 7100 pounds of marijuana was confiscated just recently by the task force as it was being floated across the river on rafts within five miles north of Laredo. It's a matter of manpower and money to work 1200 miles of basically open border."

Chief Travis Johnson
Laredo Police Department

area since September. However, the Midland County Permian Basin Narcotics Control Program, which includes coverage of the border, has reported an increase of ground shipments as a result of the new aerostat radar balloon.

Many of the drug traffickers living along the Texas-Mexico border have familial or other ties with Mexico that provide them with ready access to narcotics producers and distributors within that country. A common characteristic of many Mexican drug-trafficking organizations is the presence of family members in all aspects of the organization's operation. This makes it especially difficult for law enforcement personnel to infiltrate a trafficking organization, because such organizations typically conduct their business only with family members.

The rich Hispanic cultural heritage of Texas is exploited by the Central and South American drug merchants. Our proximity to the Mexican border and the high percentage of Hispanics in the border area result in the ability of Mexican drug runners to move freely within this locale with diminished potential for detection caused by language or cultural differences. The high percentage of the population that is

Hispanic also makes the area attractive to South American drug traffickers, including Colombians and Cubans, who continue to move into Texas in response to the pressures of law enforcement efforts in Florida.

Colombian and Mexican organizations are transporting large quantities of marijuana and cocaine in long-range private aircraft from Central and South America into Mexico to clandestine airstrips on the northern Mexican border in the states of Durango, Tamaulipas, Jalisco, and Chihuahua, which are the primary staging areas for movement into Texas. The cocaine is usually broken into quantities of from 500 to more than 1000 pounds and transported across the Mexican border into the United States by a variety of means. Intelligence indicates that thousands of pounds of cocaine and even hundreds of thousands of pounds of marijuana are stockpiled in Mexico to be readied for movement.

Because of stepped-up enforcement efforts along the border, there are reports of an increase in direct air shipments to rural areas in north, west, and east Texas. This trend eliminates the chance of having a vehicle searched at a secondary border checkpoint. In July 1989, U.S. Customs agents seized more than 1,900 pounds of cocaine from a private aircraft flying the drug from Mexico to a remote drop site near Childress in the Texas Panhandle. The cocaine was in the form of uncut powder in shrink-wrapped, one-kilogram bricks bundled into plastic sacks. Customs agents began tracking the aircraft by radar as it took off from Tampico, Mexico, and the plane was intercepted as it moved across Texas.

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Drug Production in Mexico

Mexico is one of the world's leading producers of marijuana. It is estimated that about 40% of the quantity cannabis derivatives consumed in the United States is supplied by sources from Mexico, with virtually all of it being smuggled across our southern borders. Since the price of a kilo of marijuana is more than 100 times that of a kilo of corn, there are entire villages that live off drug production.

Marijuana cultivated in the Mexican states of Chihuahua, Sinaloa, Guerrero, and Durango is brought overland to staging areas on the Mexican side of the border prior to its being brought into the United States. Crossings are made at ports of entry or at any suitable point along the border. Transportation methods vary from butane tankers to campers, trucks, and automobiles. Private aircraft are also used to fly the marijuana past border checkpoints.

The size of marijuana shipments varies from multi-ton quantities to those of less than 100 pounds. Unlike heroin-trafficking organizations, marijuana growers and distributors sell their shipments to unrelated customers in Texas, who then transport the drug to various distribution centers. Currently, wholesale prices range from \$450 to \$600 per pound.

Mexican marijuana is expected to be increasingly available because of two factors. Until recently, production of marijuana in Mexico has been seasonal, with two harvests a year. A new trend is the southward movement of the cultivation of marijuana in Mexico, which will permit a year-round growing and cultivation cycle, inevitably increasing the amounts of marijuana available for distribution directly from Mexico through Texas to the rest of the U.S. Additionally, law enforcement officials expect Mexico's share of the United

States market to increase, as well as the total value of the marijuana it produces, because of aggressive cannabis-crop-reduction activities in other marijuana-producing countries.

Both Mexican brown and the crudely processed, inexpensive "black tar" heroin are produced in abundance in Mexico. Mexican heroin accounts for well over 70 percent of the heroin found in the southwestern United States. The Mexican states of Sinaloa, Chihuahua, and Durango are the primary growing areas for opium poppies. Because of improvements in the processing methods, the quality of Mexican brown and black tar heroin has continued to increase, ranging from 70 to 90% in purity. In the past year, prices have declined significantly, from \$6,000 to \$8,000 per ounce to the current average of \$5,000 per ounce, indicative of an increase in heroin availability. It is reported to be in abundant supply in Texas.

Heroin trafficking is controlled by Mexican family organizations throughout all stages of production, transportation, and distribution. Because of heroin's high price per volume, shipments usually average from several ounces to several pounds; a multi-pound seizure of heroin is considered to be quite sizable. Shipments are usually brought across the border by private aircraft, modified vehicles, or pedestrians crossing into the United States at ports of entry. Once in the U.S., the heroin is transported via vehicle or commercial carrier to recipient cities.

Mexico is a major transit country for cocaine and marijuana shipped from Colombia. Mexico has been described as a "trampoline" upon which cocaine cargos are bounced from Colombia into the U.S. This is confirmed by numerous recent seizures of large quantities of cocaine in Mexico that authorities believe was stored for transshipment into the U.S.

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Marijuana grown in Mexico is frequently brought over the Texas border in passenger vehicles. In the above seizure, both the packages concealed under the seats and the openly displayed gifts contained marijuana.

In December 1989, the biggest bust in the history of Mexico was made when nearly six tons of cocaine were discovered in the southern state of Oaxaca, Mexico. The suspects told agents that cocaine had been arriving in clandestine shipments since February 1989 and was being stored in the mountains until it could be transferred in small quantities overland. Mexican Attorney General Enrique Alvarez del Castillo confirmed that the cocaine was linked to Colombia's Medellin cartel and that the traffickers were trying to smuggle the drugs overland to the United States.

The significant amount of illegal drug traffic moving across the Texas-Mexico border is attributed principally to the use by organized Colombian drug cartels of historic Mexican smuggling routes. Intelligence sources indicate that Colombian cocaine cartels have entered a business merger with Mexican "godfathers" to cooperatively use the established heroin- and

marijuana-trafficking routes to move cocaine into the U.S. through Texas. Law enforcement officials warn that to date such business arrangements have been friendly and cooperative but that it should be recognized that the potential exists for the same type of violence to occur here that has rocked the nation of Colombia in recent months.

Recent intelligence reports that, in addition to transporting Colombian cocaine, Mexican trafficking organizations have established cocaine-conversion laboratories in northern Mexico where chemicals are fairly easy to procure. Cocaine base is converted directly to cocaine hydrochloride and flown by trusted pilots to secluded ranches in west and south Texas. At these ranches, the drugs are reloaded and transported to the groups' distributors in major cities such as San Antonio, Dallas, and Houston.

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The Colombian Connection

In September 1989, Colombian drug lords sent a chilling message to Colombia:

"We declare total and absolute war on the government, on the industrial and political oligarchy, the journalists who have attacked and insulted us...and everyone else who has persecuted us. We will not respect the families of those who have not respected our families and we will burn and destroy the industries, properties, and mansions of the oligarchies."

Since that time Colombia has been in the bloody grip of drug anarchy. Colombia has been victimized by drug terrorism since the 1980s, as evidenced by the over 200 judges gunned down by assassins, eleven members of the Supreme Court killed in a 1986 shoot-out, and top government officials murdered, including two successive justice ministers, an attorney general, the police chief of the nation's second-largest city, Medellin, and the editor of the newspaper *El Espectador* in the capital city of Bogota. Until 1989, Colombian drug lords had focused terrorism on government officials. Now the terror has truly escalated to what the drug lords' communique called "absolute and total war," not sparing citizens.

The August assassination of the leading presidential candidate, Luis Carlos Galan, prompted the Colombian government to launch an unrelenting offensive against the country's top cocaine traffickers. Hundreds of arrests and the destruction of millions in property, weapons, and drugs have resulted. Most important, nine leading figures in the drug trade were extradited to the United States during a temporary period when Colombia

was allowing extradition. A proposition to allow Colombians to decide whether additional drug criminals will be sent to trial in the United States has been placed on the ballot. Drug lords fear extradition to the U.S. more than anything else, because they cannot terrorize judges and juries in the U.S. as readily as they can those in Colombia. In fact, they have adopted the slogan "Better a Tomb in Colombia Than a Jail Cell in the U.S."

The cocaine cartels have responded with 265 random bombings, the killing of 187 citizens and officials, and the destruction of more than \$500 million in property. In November a bomb exploded on an Avianca jetliner en route from Bogota to Cali, killing 107 persons. An anonymous caller claimed that the plane had been destroyed because the passengers included five "snitches" who had defied the Colombian drug lords and aided the government.

Most recently, on December 6, 1989, a half-ton dynamite bomb stashed in a stolen truck outside the headquarters of the Department of Administrative Security (DAS), the Colombian federal investigative police, exploded, killing 52 persons and injuring a thousand. It gouged a 30-foot crater and damaged buildings 40 blocks away.

The Colombians, many linked directly to the Medellin cartel, now control much of the Mexican drug trade. According to Mexican Deputy Attorney General Javier Coello Trejo, Mexico has arrested at least 70 Colombians in the past 11 months, including two nephews of prominent members of the Medellin cartel. In December 1989, authorities in Mexico City arrested Jorge Humberto Chalarca, the personal representative in Mexico of Colombian mafioso Jose Gonzalo Rodriguez Gacha.

Events of the past year in Colombia have

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Small planes loaded down with Colombian cocaine take off from Mexico and "bounce" across the Texas-Mexico border in a smuggling strategy that authorities have dubbed the trampoline.

had a direct impact on Texas. Officials believe that the recent boom in smuggling along the Texas-Mexico border, as evidenced by record cocaine seizures, is being spurred by greater anti-drug pressure in Colombia. Reacting to the crackdown, the cartels immediately began moving bulk quantities of cocaine to the U.S., as their stash sites were in jeopardy and they felt that they had to expedite exportation before the movement of drugs was curtailed.

In the effort to move enormous quantities of cocaine out of the country quickly, Colombian cartels have been forced to change their traditional trafficking patterns. Evidence seized along with the 19.8 tons of Colombian cocaine in Los Angeles indicates that the pressure on that country has disrupted the cartels' operations, compelling them to opt for alternative means of distribution. Packages of cocaine found there were marked with brand names

linking the drug with both major Colombian cartels, from the cities of Medellin and Cali. The two groups are bitter enemies and have rarely cooperated with each other in the past.

Authorities say that Texas is home for thousands of members of the Colombian drug cartels—operatives who are key to cocaine-trafficking operations in the U.S. About 100 members of the Medellin cartel are believed to be living in Houston, while many operatives of the smaller Cali cartel reside in southeast Texas. The Medellin cartel's clout in Houston is equaled in the U.S. only in Miami, New York, and Los Angeles.

Proximity to the Mexican border, a large minority-group population, chemical production, and established smuggling routes used by Mexican traffickers make Texas a prime location for the Medellin and Cali cartels' expanding enterprises. An increase in the quantity of drugs available on Texas streets is not the only result of this: we are seeing ever-increasing violence in Texas cities as a result. In Houston, the cartels are suspected in at least 10 recent murders, including the July slaying of a 23-year-old man whose body was found in the trunk of a car. According to informants, he owed the Medellin cartel \$650,000.

Colombia is drained by an anti-drug campaign that has produced long line-ups of suspects and seized large amounts of cocaine but has apparently failed to make a significant dent in the drug trade. Cocaine production, which in September dropped to a quarter of its usual level of about 50 tons, is back up to 75%. In the U.S. we have seen no shortage of supply or price escalation, indicating that the recent crackdown has not yet affected the cocaine trade. Colombia's judicial system is overwhelmed — 80% of the country's prisoners are awaiting trials or verdicts. Medellin's

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Belvavist Prison, built for 1,200 inmates, now holds three times that number.

The anarchy and random, widespread violence against society in Colombia typify what can happen to any nation if drug lords are allowed to dominate. However, the lessons of Colombia have not been lost on world leaders. President Bush has responded with vigorous efforts to cut off the supply of cocaine from Colombia by providing \$65 million in emergency assistance to the Colombian government. Fear of Mexico's becoming another Colombia has given urgency to that government's response to drug trafficking and its vow that none of Mexico will fall to the control of drug lords.

Drug law enforcement officials are encouraged by the Mexican government's continuing drug crackdown. Since the election last year of President Carlos Salinas de Gortari, the government has worked to stop the cocaine traffic, as well as the production of heroin and marijuana in mountainous rural areas, through implementation of an aggressive national policy against the narcotics traffickers and corrupt officials.

Of great significance to U.S. drug law enforcement officers was the arrest in April of Miguel Angel Felix Gallardo, the reputed "godfather" of Mexican drug traffickers and one of the most important Mexican drug figures directly involved in the 1985 murder and torture of DEA agent Kiki Camarena. At his peak he may have moved more than four tons of cocaine per month in the U.S.

"Cameron County is the only county in Texas that both borders Mexico on the south side and the open Gulf to the east. This unique geographical location makes Cameron County the ideal location for narcotics traffickers to come through. We believe that, if this drug war is going to succeed, a choke hold of sorts must be established at places like Cameron County and El Paso."

Oscar Ponce
Assistant District Attorney
Cameron County

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Transshipment

The different types of illegal drugs move across the Rio Grande into Texas by methods varying in the manner of conveyance or in the amount conveyed, but every shipment has a common denominator: it is smuggled into Texas, dropped at an initial location, consolidated with additional shipments, and then once again transshipped, to a final destination. Texas has become a staging area for major shipments of cocaine and marijuana destined for other parts of the U.S.

Record seizures are just the latest sign that Texas is the primary route for drug smugglers funneling their contraband to illegal markets across the U.S. Just a few years ago, a

hundred pounds of marijuana or a few kilos of cocaine were considered major drug busts along the Texas-Mexico border. Now the loads are measured in tons, as the ever-increasing seizures continue to surpass old records. This trend began with steady increases in the early 1980s, when the crack-down in South Florida was initiated and international drug transportation shifted to the southwest.

This is best exemplified by the recent seizure of 19.8 tons of cocaine in Los Angeles that was warehoused in Ciudad Juarez and El Paso before its final journey to the west coast, a fact well established by federal law enforcement officials. The primary defendants arrested in this particular instance were from the Ciudad Juarez and El Paso area.



Texas's largest seizure of cocaine — 9 tons — occurred only 5 days after the record-breaking 20-ton seizure in California. Both shipments entered the U.S. via the Texas-Mexico border.

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The cocaine seized in Los Angeles had been shipped 3,500 miles from Colombia, along the route authorities have dubbed "the trampoline" because drug shipments are bounced off Mexico into Texas. It is believed that the cocaine was transported into Texas through northern Mexico, where planes from Colombia use clandestine airstrips scattered through the desert. The destination was a San Fernando Valley warehouse operating as "Adriana's Pottery Warehouse." Fronting as a pinata and pottery import company, the tenants paid their \$1,700 rent each month with \$20 bills.

Documents recovered at the site indicated that the warehouse had been a transshipment point for cocaine since 1987. About 30 tons had passed through the building each year for the past two years. Along with the cocaine, \$12.2 million in cash was recovered at the warehouse, and seven persons were arrested.

Records seized at the Los Angeles warehouse, including computerized and handwritten ledgers, inventory documents, and records tracking massive amounts of currency, indicated that the trafficking operation was linked to warehouses in El Paso and Ciudad Juarez, the Mexican city just across the border. There, the cocaine was apparently packed in 1,000-kilo batches in compartments 10 feet high and 15 feet long at the front of 60-foot tractor-trailer rigs, one of which was seized in the raid. A fleet of tractor-trailer rigs was the usual method of transportation for this huge-scale trafficking operation, shipping cocaine to Dallas, New Mexico, and Arizona, as well as into Southern California.

Federal agents have identified six El Paso warehouses that are believed to have been used as staging warehouses and three homes in Juarez, Mexico, just across the border, as

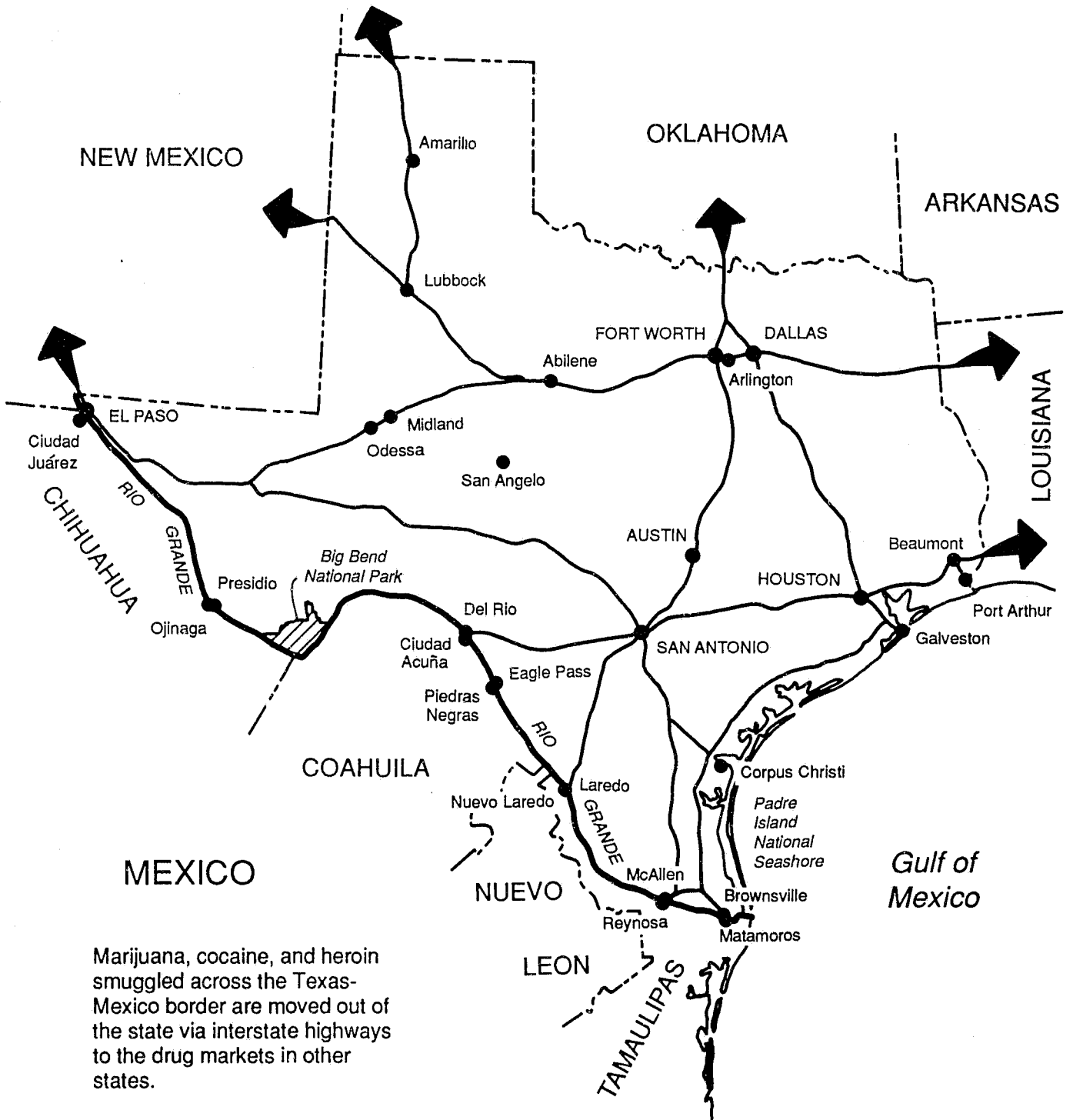
property of the traffickers. The Juarez-El Paso connection was confirmed while Mexican police were searching one of the residences in Juarez pursuant to the discovery in Los Angeles — one of the suspects in custody in Los Angeles called the house from jail and a police officer answered the phone. Officials estimated that the cocaine in the warehouse could have been converted into 90 million chunks of crack, with an ultimate street value of more than \$6 billion.

Intelligence sources believe that this single organization is responsible for smuggling approximately 250 tons of cocaine and approximately \$50 million in U.S. currency from the interior of Mexico into the continental U.S. during the past year. To date, the El Paso Resident DEA office has seized in excess of \$4.3 million in assets and U.S. currency in connection with this investigation.

The nation's second-largest cocaine bust followed five days after, again with drugs transhipped through Texas. On October 4, the Department of Public Safety Narcotics Service discovered nine tons of cocaine loaded in duffel bags stacked to the ceiling of a house in the Rio Grande Valley near Harlingen, five miles from the Mexican border. The powder was pure cocaine, with an estimated street value of \$1 billion. It represented the largest cocaine seizure in Texas history, and three times the amount seized by the Department of Public Safety in all of 1988.

This seizure highlights the importance that Colombians are giving to the Texas-Mexico border. DPS officials disclosed that, based on markings on the packages that indicated their destinations, 90 percent of the load was bound for markets outside Texas. The investigation is continuing into where the cocaine was to be shipped and the identity of the organization's middlemen. Investigators say that the nine

Major Ground Transshipment Routes Through Texas



Marijuana, cocaine, and heroin smuggled across the Texas-Mexico border are moved out of the state via interstate highways to the drug markets in other states.

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tons were brought across the Rio Grande over a period of time, in different amounts and methods, and it is believed that a part of the load came from the same suppliers in Colombia that shipped the cocaine seized in Los Angeles. Some of it probably was smuggled through international checkpoints at bridges over the river. And a quantity of it was carried by people who waded the river to avoid checkpoints, as officers found several duffel bags stuffed with as much as 100 pounds of the illicit drug, still moist from its river crossing.

Means of Transshipment

For transshipping large-scale quantities of illegal drugs into the state across the Texas-Mexico border, the primary method of conveyance is in commercial shipments coming through the ports of entry. The contraband is hidden in loads of legitimate merchandise and smuggled through one of the major ports on the border — El Paso, Eagle Pass, Laredo, Roma, Progreso, Hidalgo, or Brownsville. Entry in this manner can be quite a gamble for the trafficker in view of the fact that it is likely that the vehicle will be detained and searched if border agents do not approve its entry at first glance. However, with the tremendous volume of vehicles entering through the ports it is impossible to search all entrants. Therefore, the chances of bringing in the illegal goods undetected are in the trafficker's favor.

Use of commercial shipments of legitimate goods, such as produce, jeans, or cement, provides an additional advantage for the trafficker. Commercial shipments are difficult and time-consuming to sufficiently inspect, especially if the product is perishable. The surest way to detect hidden illegal goods in a commercial hauler is with canines, as they can easily detect even a well-camouflaged load.

Vehicles that successfully cross the border with their illegal product headed for a staging area, where the shipment is stored in a "stash house" until it is broken up for further distribution. Often this is done in the immediate area of the border, using a residence, as in the case of the nine-ton cocaine shipment discovered in Hidalgo. Warehouses, abandoned barns in remote rural areas, or personal storage warehouses are also widely used to stockpile drugs awaiting further transshipment.

The distribution of illegal drugs is facilitated in much the same manner as that in which import brokers handle legitimate imported goods. They are brought into the country in large multi-pound quantities, warehoused, and readied for sale. They may be wholesaled directly out of the warehouse site or transshipped for distribution in other states through an organized network.

Law enforcement officials acknowledge that a considerable quantity of the illegal drugs smuggled into Texas is destined for other parts of the country. Major cities in the state are commonly used as transshipment points for large loads of narcotics destined for California, Illinois, or other areas outside Texas.

Among merchants in the illegal drug trade, Texas is known as the place to procure drugs, because high-quality narcotics are abundantly available. They are also relatively cheap in the state compared with their price in other areas of the country — a pound of commercial-quality marijuana can be purchased on the border for as little as \$500 with the right connections. This can be parlayed into a considerable profit in markets where sales prices are higher.

Individuals from neighboring states and all areas of the country travel to Texas for this purpose, using the interstate highways for

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Concealing contraband as part of legitimate shipments is a very common method employed by smugglers. The 2,369 lbs. of marijuana shown here was probably bound for distribution in other states.

travel. This accounts for the large number of drugs that are seized each year from routine traffic stops that lead to the discovery of transshipments. Intelligence information revealed by such cases confirms that the majority of the transshipments were destined for states primarily located north and northeast of Texas.

Distribution of drugs, or the profits derived from their sale, from Texas to other areas of the country is also accomplished through use of commercial shipping companies without their knowledge. In essence, traffickers use legitimate shipping systems for the transportation of illegal goods. All available carriers are used to ship drugs: private postal companies, commercial freight companies such as United Parcel Service (UPS) or Federal Express, bus lines, and the U.S. Postal Service. Typically, an individual posts the package for shipment using a fictitious address or no delivery address, having made arrangements for its

pickup at the final destination. This is a widely used means of transporting small to medium-sized drug caches. The drugs often are successfully shipped without detection because canines are seldom used in this setting. However, if the drugs are discovered it is difficult to establish an affirmative link between the evidence and a suspect, reducing the likelihood of arrest. The only consequence would be loss of the load.

No discussion of the transshipment problem in Texas would be complete without mentioning the movement of drug-tainted cash in and out of the state. The profits of the drug trade are so enormous that often there is no opportunity to launder the cash before smuggling it out of the country. The Hidalgo County Sheriff's Office reports that the movement of cash back across the border is a problem almost as bad as the narcotics being smuggling in the other direction. Cash is stashed in everything from pillow cases to hidden compartments in passenger vehicles. Sometimes, law enforcement officers have a stroke of luck. A deputy in Orange County recently seized \$489,905 in drug-related cash as a result of a routine traffic stop.

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Domestic Production

The methamphetamine laboratory uncovered recently on a secluded ranch in Central Texas reflects the true extent of the production of illegal drugs in Texas: instead of glassware normally used by illicit stimulant manufacturers, the laboratory consisted of eleven forty-gallon water heaters used to cook methamphetamine by the pound. By using two of the heaters per "cook," it had the capacity to produce forty pounds of the illegal substance in a single batch. One batch would wholesale for approximately \$440,000. Actively operating for a six-year period, the organization included an additional laboratory and nineteen principals who enjoyed a ritzy lifestyle and extensive drug use. Evidence provided at trial confirmed that this was the largest methamphetamine manufacturer in the entire United States.

This particular case is indicative of the magnitude of the production of illegal drugs in Texas and the resourcefulness of these criminal elements. Most of the laboratories produce the illicit stimulants methamphetamine and amphetamine, known as "speed." However, phenyl acetone (P2P), a regulated precursor of methamphetamine, is also produced by drug manufacturers, who either use it for final production of methamphetamine or sell it to other illegal laboratories.

Although some regard narcotics as exclusively an urban phenomenon, it equally affects rural Texas. Illegal-drug production occurs primarily in rural areas and then the end product is distributed to the urban population centers of the state. Wherever urban officers arrest drug dealers for selling by the gram or ounce, there have been opportunities lost by officers operating in the rural areas to seize

"The tap to the flow of domestically produced illegal drugs is in rural Texas. Any effective attack must be aimed at the point of production, closing the faucet of supply to the urban areas, and prosecuting the manufacturers and distributors of those illegal drugs."

John D. Squier, Project Director
The Agriplex Roadrunners

illegal drugs by the gallon or pound at the point of manufacture or growth.

Clandestine Laboratories

Texas currently ranks second in the seizure of illegal drug labs, behind the state of California. In the period of January 1988 through December 1989, Texas Narcotics Control Program task forces investigated and seized 242 operational clandestine laboratories. In spite of stronger laws controlling chemicals used to produce methamphetamine, illegal laboratories are being seized at a pace almost equal to that of previous years. It is estimated that Texas produces approximately one-third of the nation's supply of the drug.

Law enforcement experts ominously predict that methamphetamine, and its newly-introduced derivative "ice," will replace crack cocaine as the national drug crisis for the 1990s. Nationwide figures are beginning to rapidly reflect this trend: the number of methamphetamine-related hospital incidents in 1988 increased 100% over 1985 totals, as reported to the Drug Abuse Warning Network (DAWN).

Methamphetamine's popularity is attributed to its relative low cost, ready availability, and

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longer-lasting effects. Known as "the poor man's cocaine," methamphetamine is cheaper than cocaine and produces an intense, euphoric high that lasts almost twice as long as that of cocaine.

Factors in the Domestic Drug Problem

Texas is an ideal location for clandestine laboratories, and staggering quantities of illicit stimulants are being manufactured here. The state's geography and demographics are such that vast rural areas are within relatively close driving distance to populous urban areas providing a ready market for the product. The extensive highway system and expanse of airports in Texas facilitate transportation of the drug.

Concentrated in the Central, North, and East regions of the state, clandestine laboratories have been discovered in homes, warehouses, motels, apartments, and abandoned barns, as well as on secluded ranches. Rural areas are the preferred locations for laboratories, although laboratory seizures do occur within city limits.

The abundance of vast, sparsely populated, and remote rural areas offers the illegal drug producer the secrecy and anonymity necessary for the undetected production of controlled substances. Laboratories operate around the clock and produce a potent, unmistakable stench, similar to that of rotten eggs, which permeates the property. It is most often the odor that prompts an anonymous report to police authorities. Operators make every effort to contain the smell by covering the windows with blankets sealed with tape.

The producers of illegal drugs have amply demonstrated that our rural counties are favored for their operations. Since 1984, 61% of the clandestine laboratories seized have been found in counties with populations of less than

100,000. One nine-county rural area, representing only 3% of all Texas counties, accounts for 16% (85) of the total operational illegal drug laboratories seized (446) in the period from 1984 to 1989.

There are tremendous profits to be gained from the manufacture and distribution of methamphetamine and amphetamine. Investigations have revealed that there appears to be a ready availability of experienced "cooks" to actually manufacture the drug or instruct others in these procedures. Current wholesale prices for amphetamine and methamphetamine range average \$11,000 per pound.

Contributing to this significant problem is the presence within the state of large chemical suppliers, which provide the chemicals, glassware, and apparatus necessary for the production of methamphetamine and its precursors without concern about the end-product of the chemicals. Although a 1987 law required chemical retailers to report to the Texas Department of Public Safety (DPS) the sale of designated chemicals identified as precursors of methamphetamine and amphetamine, illegal drug manufacturers learned how to circumvent the law. The law required that a person present valid identification to purchase "certain chemicals," those identified as precursors of illicit stimulants. Laboratory operators were able to circumvent this requirement by sending in a "runner" for the chemicals so that the clandestine laboratory operator's name would not be in the Texas Department of Public Safety files. It was common practice for a drug manufacturer to select someone off the street to pick up the chemicals in return for a token sum of money. Presentation of false identification was another tactic used by those who purchased chemicals for illicit purposes.

In February 1989, Texas passed a new law

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on precursor chemicals that significantly strengthened the 1987 law. Effective September 1, 1989, it requires an individual purchaser to apply to the Texas Department of Public Safety for a permit to purchase certain chemicals, with a 21-day waiting period before the purchase can take place. The waiting period is designed to allow DPS to investigate information on the application for authenticity. To date there has not been a single application for a permit and not one incidence reported of an individual's attempting to purchase precursor chemicals.

An amendment placing the same regulations on the sale of chemical glassware and laboratory apparatus was also added to the bill. Although other states have similar laws, Texas is the only state to regulate both the purchaser and the retailer. There is already evidence that the new regulations are having an effect. Intelligence indicates that this has significantly impeded laboratory operators, who must obtain chemicals and glassware from neighboring states to continue manufacturing. Many laboratory operators have delayed production because they cannot secure all of the neces-



This backwoods methamphetamine lab was set up in a trailer. Signs of drug manufacturing were everywhere: triple-neck beakers, heating mantles, chemical supplies, and the accompanying disarray of a speed cook.

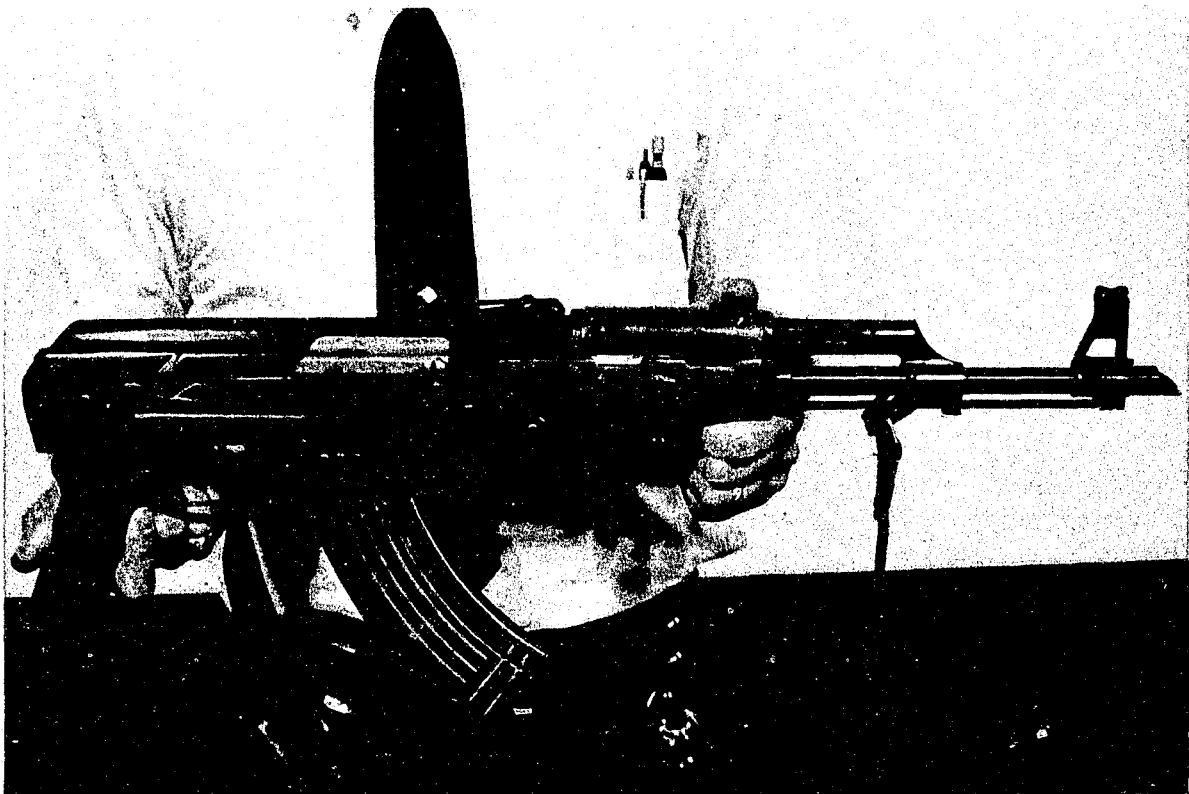
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sary chemicals or equipment. Numerous chemical retailers have reportedly closed as a result of this legislation.

Efforts to rid the state of illegal laboratories are also enhanced by the new federal law known as the Chemical Trafficking and Diversion Act, which has given authorities tools for going after chemical manufacturers or merchants who sell large quantities of chemicals for illegal purposes. It differs from the Texas state law in that it targets manufacturers and interstate retailers, while the state law is aimed at regulation of retailers. Under the four-month-old law, chemical companies are required to keep detailed sales records that are subject to Drug Enforcement Administration inspection. The chemical sellers also must verify that the substances are being sold for legitimate purposes.

Tools of a Speed Cook's Trade

When law enforcement officers raid a suspected speed-laboratory location, they never know exactly what lies behind the door. There will be signs of drug manufacturing everywhere: beakers, hot plates, and drums of chemicals stored throughout the house, as well as the drug in various phases of production in different rooms. Always there will be a wide array of weapons in quantity. Weapons favored by methamphetamine organizations are usually equal to or superior to those carried by even well-equipped drug agents. The weapons of choice are the of the assault type, such as the AK-47, AR-15, and Uzi. Inordinate quantities of ammunition are stockpiled also — it is not uncommon to find over a thousand rounds in their possession.



Speed manufacturers favor automatic weapons such as the AK-47 assault rifle pictured here.

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Laboratories are frequently booby-trapped, with armed men establishing a perimeter with automatic weapons. In East Texas, a task force discovered surveillance cameras and a unleashed panther roaming the property.

Illegal drug laboratories operate at various levels of sophistication, ranging from rudimentary "bathtub"-type operations to proficient, large-scale productions. Operations vary: from one- or two-man ventures producing one to three pounds of narcotics fronted to four to eight wholesalers for distribution, to sophisticated high-input - high-output clandestine laboratory organizations. A traveling methamphetamine laboratory was once discovered set up in a horse trailer.

Most methamphetamine laboratories are located in rundown houses or barns in rural areas, hidden from the public and neighbors' noses. In a recent joint operation of the West Central Texas Interlocal Crime Task Force and the Tarrant County Narcotics Intelligence and Coordination Unit, an elaborate, sophisticated amphetamine laboratory was discovered operating in Stephens County, an agricultural community with a population of 10,400. Located in the barn of a six-acre farm, the laboratory had been operating for five years, manufacturing an immense quantity of drugs for distribution in Tarrant County. At the time of the raid, officers discovered a huge supply of chemicals in 20-gallon and 50-gallon containers, along with various precursor chemicals, including 10 pounds of amphetamine oil and 43 pounds of P2P. The Department of Public Safety estimated the street value of the uncut amphetamine and chemicals at \$11 million.

How Drugs Are Distributed

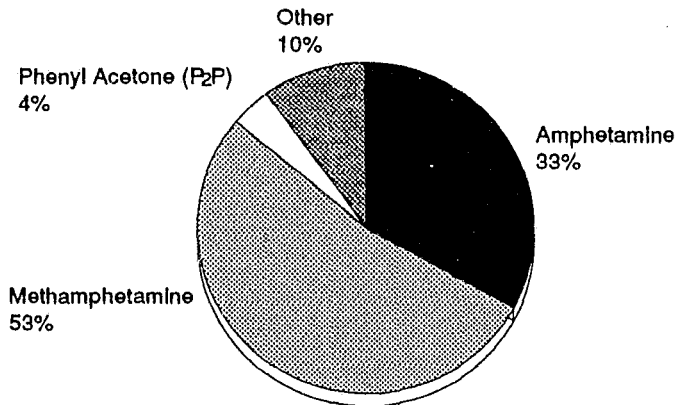
The structure of methamphetamine and amphetamine organizations in the Central Texas area has undergone an enormous change since 1980.

In the past, clandestine methamphetamine and amphetamine laboratories were associated with outlaw motorcycle gangs and unsophisticated distribution. Over the past several years, however, this trend has changed. The manufacturing and distribution of illicit stimulants have now become a business, with an increasing number of sophisticated organizations active in the drug's production. In some instances, a single group has been found to be responsible for all aspects of drug production, from manufacture to distribution. It is anticipated that this trend will continue.

Traffickers in illicit stimulants have become efficient in their production methods, also. Now they employ true chemistry apparatus, such as heating mantles, condensing tubes, and 22,000-milliliter triple-neck beakers, rather than makeshift equipment. Because of this increased expertise, methamphetamine now being produced approaches pharmaceutical quality. That level of quality produces instant higher profits.

This past year, a notable trend has been observed indicating that clandestine drug manufacturing is spreading into other areas of the state. Once primarily concentrated in East, Central, and North Texas, laboratories are now being seized in rural West Texas. This is attributed to increased enforcement efforts and sharing of intelligence among agencies, forcing methamphetamine producers to seek more remote locations for clandestine laboratories. Intelligence reports disclose an interstate

Type of Drug Laboratories Seized in Texas, 1985-1989



Source: Texas Department of Public Safety

connection in the manufacture and distribution of methamphetamine and amphetamine. Because of laws recently enacted in Texas to control the purchase of chemicals necessary for production of these drugs, stimulant traffickers are buying chemicals in neighboring states, relabeling them as pesticides, and transporting them into Texas for use. The finished product is often taken back to the source of the chemicals and bartered.

A prime example of this trend occurred in an October 1989 seizure of a sophisticated, high-output amphetamine laboratory by the Tarrant County Narcotics Intelligence and Coordination Unit on the border of West Virginia and Kentucky. Operating in a very remote mountainside home, each month the laboratory was producing amphetamine valued at approximately \$5 million. At the time of the bust, agents found 1,643 grams amphetamine and

3,353 ounces of P2P. The laboratory operators were traveling from West Virginia to the Tarrant County area once a month to distribute the drug. Financing for the chemicals purchased in West Virginia came from Tarrant County. Local authorities indicated that this was the largest seizure of a clandestine laboratory in West Virginia.

Dangers of Illegal Drug Laboratories

Illegal drug laboratories are the newest source of environmental pollution, posing acute health and safety threats, both to law enforcement officers and to the public. Potentially flammable and toxic chemicals such as phenylacetic acid, sodium acetate, acetic anhydride, ether, acetone, and sometimes benzene are used in illegal-drug manufacturing. Individually, the chemicals have legitimate uses and can be handled safely. The potential for an illegal drug cook's careless handling of them raises serious environmental and safety concerns.

Consider the potential for disaster when such chemicals are in the hands of amateur chemists, who are usually addicts, following underground recipes. During the raid of a drug laboratory northeast of Tyler by the Gregg County Narcotics Trafficking Task Force, agents discovered the effects of a mishap that had occurred the previous day. An explosion had occurred, spewing chemicals over a wide area, leaving residue throughout the house on furnishings, walls, and floors. The drug cook was found in a bedroom closet, with his eyes so badly burned by the chemical explosion that he could not open them. As is often common at the sites of clandestine laboratories, the laboratory operators had dug a slush pit outside for disposal of leftover chemicals and residue.

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These illicit laboratories, which manufacture a variety of controlled substances, pose a significant threat to the safety of law enforcement officers involved in investigating, searching, and seizing them. Some chemicals in these laboratories are so highly flammable that they can explode with slight contact or heat. Ether, a common solvent used to make methamphetamine, when detonated explodes with the force of dynamite.

In addition, medical complications may result from the methamphetamine maker's chemicals. Clandestine laboratories contain hazardous, toxic chemicals that are life-threatening upon exposure. Accidental or inadvertent exposure can result from inhalation of vapors, introduction of chemicals into the eyes, absorption of chemicals through the skin, burning of the skin by acids, and other forms of contact.

Under law, responsibility for cleaning up and disposing of hazardous wastes ultimately rests with the individual or organization that produced the waste or first caused the waste to become subject to regulation. Under U.S. Environmental Protection Agency (USEPA) regulations implementing the Resource Conservation and Recovery Act (RCRA), a generator of hazardous waste is "any person, by site, whose act or process produces hazardous waste...or whose act first causes a hazardous waste to become subject to regulation" (40 CFR 260.10).

In seizing a clandestine laboratory, the law enforcement agency will probably encounter materials that technically qualify as hazardous wastes and therefore are "subject to regulation." If those wastes exceed certain minimum quantities, the law enforcement agency becomes a hazardous-waste generator and is required to adhere to waste-disposal regulations promulgated under

RCRA and to regulations governing the transportation of hazardous materials promulgated by the U.S. Department of Transportation (DOT).

Because the law enforcement agency is legally liable for clean-up and disposal according to these regulations, the burden falls upon the law enforcement agency for the removal, transportation, and destruction of the chemicals. So, in addition to the health and safety hazards of seizing clandestine laboratories, police or other law enforcement agencies face the potential threat of civil liability for lack of training, improper handling and storage of chemical waste, and negligent decontamination of the laboratory sites.

The clean-up and disposal of hazardous waste at clandestine-laboratory sites create difficult problems, and a significant expense, for law enforcement agencies. Police agencies may contract with a licensed hazardous-waste-disposal company to remove chemicals, equipment, and glassware from the laboratory site. The hazardous substances are carefully packed and transported to storage or disposal facilities, while non-evidentiary hazardous substances are destroyed.

Cleaning a laboratory site costs an average of \$3,000 to \$5,000 per location. This includes only removal of the bulk hazardous wastes and some other minor clean-up. There is a likelihood that the property itself may still be contaminated after the initial efforts.

For the Texas Narcotics Control Program, the expense of removal and destruction of chemicals is quite onerous. Since the inception of the program in late 1987, 242 laboratories have been seized, resulting in a cost of \$1.2 million.

Illegal drug laboratories also severely threaten the environment with chemical con-

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"We are particularly concerned about the potential demand for ice, because the production of this drug requires only one additional step in the chemical process for producing methamphetamine. These new drugs pose our greatest threat."

Assistant Chief Dennis Storemski
Houston Police Department

tamination. There have been reports of drug cooks disposing of excess chemicals by pouring them into the sewer system or burying chemicals and used laboratory equipment. Such indiscriminate disposal of hazardous wastes presents broader public health threats, such as contamination of drinking-water supplies, soil, air, and buildings.

There are additional concerns about liability resulting from the seizure of contaminated assets in a clandestine drug laboratory. Liability may result from the sale of the property to an unsuspecting buyer if the hazardous materials were not removed by the clean-up. Conversely, can government agencies be held liable for failing to seize the property for the protection of public safety?

Ice — The Drug Crisis of the 1990s

Ice is not a new drug, but a more powerful form of a substance that has been popular in Texas for the past decade. It is a purer and more crystalline form of methamphetamine that was developed in Asia. Simply explained, ice is the recrystallization of the methamphetamine powder to "ice" or "glass" or "crystal" — all names used for the end product of this process. It is derived from the crystal form that the

drug takes in the manufacturing process.

Ice has been reported to be available in all areas of Texas, particularly areas where clandestine methamphetamine laboratories are concentrated. In early December, there were seizures of the drug in Arlington and a one-pound seizure in Houston. In areas where the drug has not been available, dealers indicate that it is available or will be very shortly. The word on the streets is "just give me a couple weeks to get some."

Law enforcement officials agree that there is significant potential for the escalation of ice into a major drug problem in Texas. Because of the proliferation of methamphetamine and amphetamine laboratories operating in the state and the ready market for the drug, Texas is uniquely vulnerable to a surge in ice production and use.

Texas will not have to wait until distribution of ice spreads to the mainland from Hawaii, because it can be produced in existing clandestine drug laboratories — it is only a matter of time before the formula is widely distributed among drug manufacturers. Use of ice is expected to escalate very quickly and become at least as widespread and destructive as the current crack crisis.

Instead of the traditional means of ingestion of methamphetamine — oral dosage, inhalation through the nose as powder, or intravenous injection as a liquid — the ice form of methamphetamine is smoked. A one-gram unit (about the size of a small grain of rice) is placed in a glass bowl with a stem and heated, and the vapors are inhaled. After initial smoking, the ice can be cooled by placing a wet rag over the bowl, recrystallizing the residue for future use. Burning and inhaling of the narcotic produce no smoke or odor, which makes it easier for undetected abuse.

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"Tomorrow's drug problem is the illegal clandestine drug labs producing amphetamines, methamphetamine, and the so-called new drug for the 1990s, ice. We need a comprehensive and a complete intelligence network system to be placed in effect in our state so that better communications and coordination by all law enforcement agencies can combat the problem of illegal clandestine labs."

Sergeant Mike Pruitt
Fort Worth Police Department

The high experienced from smoking ice is described as even more intense than that obtained by injection of methamphetamine. The onset of this high is extremely rapid, usually within 7 seconds, lasting from 2 to 14 hours, with some reports of highs lasting from 18 to 24 hours.

Ice is an extremely potent, highly addictive stimulant. The average purity of domestic methamphetamine is approximately 50%. Analysis of all seized exhibits of ice thus far has revealed that it is d-methamphetamine hydrochloride (HCL), with purity reaching as high as 90 to 100%. Such purity, coupled with the ingestive method used for ice, results in an extremely addictive drug. Ice is also very dangerous drug, because of its potency, which promotes aggressive behavior, hallucinations, and paranoia. Prolonged use can cause fatal lung and kidney disorders, as well as long-lasting psychological damage. Clinics have reported the existence of psychological dysfunctions in patients for periods of over one year after discontinuing the drug.

Domestic Production of Marijuana

Marijuana, which heads the list of the illegal drugs most frequently used in Texas, is widely cultivated in the state. Texas leads the nation in the number of cultivated cannabis plants seized, according to recent reports from the El Paso Intelligence Center (EPIC). Through the efforts of state, local, and federal law enforcement officers, 1,255,361 marijuana plants were eradicated during calendar year 1989.

Texas contains dense woodlands, which include almost 11 million acres of pine forests in East Texas. They extend through all or parts of 43 counties and include four national forests, covering over 700,000 acres. These woodlands are conducive to the domestic production of marijuana because of favorable climatic conditions, remote locations, and the cover that the forest itself offers.

Cannabis cultivators continue to grow in smaller plots of 40 to 100 plants spread over a larger surface area to avoid detection in aerial searches. With careful breeding of marijuana near a creek or other source of water, the plant can be produced in abundance in these areas. Law enforcement officers report the discovery of plants so big that they have to use chain saws or machetes to remove them. Texas also has vast commercial timberlands and national forests that allow the undetected production of marijuana. Intelligence reveals that there is a multitude of drug networks operating in these areas, illegally producing tens of thousands of marijuana plants per year in small plots.

Marijuana-trafficking operations benefit from the abundance of remote, wooded areas in Texas available for the production of their cash crop. In October 1989, the Agriplex Roadrunners Task Force, in conjunction with state and

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local officers, executed a search warrant on a rural residence in Leon County, in north central Texas. Officers discovered 3,841 growing marijuana plants and 2.32 pounds of seeds for future crops. The illegal drugs were valued at \$1.9 million.

All grades of marijuana are available, from domestic ditchweed (wild) to fine sensimilla — a seedless potent strain of cannabis with a high THC content. Texas home-grown, once disdained, today ranks as “the best in the world.” The potency of this domestically grown marijuana makes it competitive with fine-quality Mexican and South American plants.

Multi-hundred-pound quantities of both sensimilla and commercial-grade marijuana are available from well-entrenched organizations that use very sophisticated land smuggling methods. Two of the most commonly encountered methods of importation continue to be by aircraft and tanker truck, where the entire tank is filled with marijuana. Other trucks, from 18-wheelers to stake-beds, are commonly employed.

Texas has an ongoing aggressive eradication program to address the domestic production of marijuana. It is a cooperative venture of the Texas National Guard and the Texas Department of Public Safety. The Drug Enforcement Administration, with the participation of local law enforcement agencies, also conducts an ongoing eradication program

These eradication efforts have driven marijuana growers indoors, where growing necessitates large-scale and well-financed organizations. Sophisticated methods, producing superior-grade cannabis, are not uncommon. Marijuana producers set up their operations in greenhouses or in abandoned barns and houses, using artificial lighting. They use hydroponics, lights, terracing, and other tech-



This huge marijuana greenhouse was seized in Bastrop. Marijuana growers in Texas have perfected their craft, and multi-million-dollar operations are common.

nology to produce strains of marijuana up to 25 times as potent as that of a decade ago, growing five or six crops per year.

This is best illustrated by a recent marijuana greenhouse discovered outside the Central Texas city of Kerrville by the 216th Judicial District Narcotics Task Force. Law enforcement officials have indicated that it was one of the most technologically sophisticated indoor-cultivation operations ever exposed. Two hundred high-quality sensimilla plants were found being cultivated in a hermetically sealed barn, using artificial lights and carbon-dioxide-producing generators to maintain perfect climate control. This had been constructed to keep any light or odor from escaping and was operated by an individual who posed as a community businessman and enjoyed an affluent lifestyle.

End-User Distribution

Soaring murder rates. School dropouts. Child abuse and neglect. These are the casualty statistics of the drug war.

Drug addiction may be the ultimate human misery. It transcends race, economic status, and educational background to plague every corner of our state. Illegal drugs threaten the security of our homes, schools, and workplaces.

National studies report that 37% of the population is using illicit drugs and that the estimated number of steady cocaine users has almost doubled since 1982. Crimes by individuals under the influence or involved in the distribution of drugs have reached unprecedented levels. And the problem has worsened with the introduction of crack cocaine, shown to be a key factor in violent crime.

The economic costs of the drug problem are dramatic as well. Although no reliable figures are available for Texas, it is estimated that nationwide about \$140 billion was spent directly on the sale of illicit drugs in 1987. To this amount add the incalculable costs of drug treatment and drug-abuse prevention, related crime and violence, death, property destruction, drug enforcement, and lost productivity. Latest figures estimate the total cost of illegal drugs to be \$240 billion, almost twice our national budget deficit.

Drugs of Choice in Texas

There is no region of the state that does not report a significant illegal-drug problem or widespread availability of all types of drugs. The drugs of choice in Texas at this time are crack cocaine, cocaine powder, illicit stimulants, marijuana, heroin, and a notable amount of

hallucinogenic drugs. Abuse and diversion of prescription drugs for illicit use occur in the state also.

The prevalence of the abuse of certain drugs is evidenced by admissions for drug counseling, admissions to emergency treatment, deaths, arrests, and law enforcement intelligence data concerning demand for and supply of the substance:

✓ Cocaine

Current data indicate that cocaine continues to be the drug of choice in Texas. It is estimated that 3% of Texans aged 18 to 25 are current users, having used cocaine in the past 30 days.

In 1988 there were 135 Texas deaths in which cocaine was mentioned as a contributing cause of death in official death-certificate reports. This year marks the sixth straight year that cocaine deaths have increased in the state.

Cocaine has continued for the past two years to be the predominant illicit drug used by clients of treatment clinics funded by the Texas Commission on Alcohol and Drug Abuse (TCADA), accounting for 43% of non-alcohol admissions. Thirty-two percent of those admitted were intravenous drug users. An additional concern about cocaine use is the occasional intravenous administration of the drug. The usage appears to be declining, according to self-reported information from clients admitted for drug treatment. In 1989, an average of 27% of cocaine admissions were IV drug users, down by 10% from a year earlier.

✓ Crack

Crack emerged fully on the Texas drug scene only within the past two years and immediately escalated into the most serious,

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widespread drug problem in the state. It is heavily trafficked and abused in both rural and urban communities and is no longer confined to densely populated metropolitan areas.

The popularity of crack is attributed to several factors. It is relatively cheap and widely available — a small rock about the size of a pea can be purchased for an average of \$10. Since it is smoked, rather than injected, more first-time users are likely to experiment with this drug than with others. The primary reason that crack is so extensively used is its highly addictive nature. It produces a rapid, intense euphoria, unlike that of any other drug. Many new users quickly become dependent on the drug to the point of addiction.

The detrimental effects of crack on communities are evident in urban areas where open street dealing is commonplace. The proliferation of "crack houses," abandoned buildings used solely for sales of the illicit substance, has turned urban areas into eyesores that are a frequent reminder of drug problems and dangers. Neighborhoods where dealers and users populate the streets are unsafe. Citizens tire of not being able to send their children out to play for fear of cross-fire from drug thugs. In Harris County, children have been hit by gunfire when a drug deal has gone bad.

Although persons of all ages and gender use crack, it is youths who are particularly afflicted by this drug. Crack is cheap and readily accessible on the streets, and so it has become heavily abused by teens and children. Juveniles are also enticed by crack dealers into trafficking and actively making sales or deliveries of the drug.

A recently released Justice Department study of drug-abuse patterns in 14 U.S. cities, including Dallas, Houston, and San Antonio, highlights a dramatic increase in the number of

Price and Availability of Drugs in Texas

All types of drugs are available in Texas in gram, ounce, pound, or kilogram quantities. Prices are fairly consistent throughout the state, varying according to quantity purchased, purity of the drug, or source. Prices are significantly lower in the border area because of proximity to Mexico and the abundant supply. Drug prices are higher in the Panhandle and West Texas area, reflecting the cost and risks of smuggling deeper into the state.

Type of Drug	Statewide Average Street Price
Heroin	
<i>White</i>	\$4,000 - \$8,000 /oz \$150 /gm
<i>Brown</i>	\$3,000 - \$4,500 /oz \$100 - \$150 /gm
<i>Black Tar</i>	\$4,000 - \$5,000 /oz \$160 - \$200 /gm
Cocaine	
	\$17,000 - \$22,000 /kg \$900 - \$1,100 /oz \$100 /gm
Marijuana	
<i>Commercial Grade</i>	\$350 - \$600 /lb \$75 - \$100 /oz
<i>Sensimilla</i>	\$500 - \$900 /lb \$100 - \$150 /oz
Methamphetamine	
	\$11,000 /lb \$1,000 - \$1,200 /oz \$70 - \$100 /gm
Ecstasy	\$15 /du
LSD	\$4 - \$5 /du
Crack	\$10 - \$20 /rk (Sold in small or large rock; no consistent weight)

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inner-city women abusing drugs, particularly crack. Public health officials believe that this is the primary explanation for the growing number of drug-addicted babies and cases of sexually transmitted diseases reported in many urban areas.

Jamaican crime groups and other ethnic groups primarily control distribution of crack in Texas. Conventional methods of law enforcement are ineffective against the crack trade because of the ways in which it is sold. It is typically sold curbside or in heavily fortified crack houses, with the supply of the drug on hand limited so that it can be quickly disposed of in the event of a police raid. The use of rented or abandoned buildings prevents establishment of an affirmative link between the suspect and the property if no drugs are present when a search warrant is executed.

Two types of crack houses operate. Some are the "buy, get high and party" variety, where addicts gather to consume the drug. Others only allow the purchase to take place, often through an open window, and expect the customer to depart immediately. Street sales are conducted by "touters," circulating sellers who generally are also users. The crack trade also relies on runners, low-level retail dealers who may or may not also use the drug.

Combating crack cocaine is very manpower-intensive, requiring constant patrol and surveillance of trafficking areas. Law enforcement agencies seldom have the resources to handle the onslaught of crime that accompanies crack abuse. It has forced most police departments to limit their narcotics efforts to street-level enforcement in response to demands from citizens and city officials.



The use of Ecstasy is on the rise in Texas, particularly among college students.

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✓ Marijuana

Marijuana, both domestically grown and imported, is in abundant supply in Texas. It is easily obtained and sells for an average of \$600 per pound or less in border areas. Surveys conducted in 1988 indicate sharp reductions in usage levels since 1980, when a similar survey was conducted. Current usage by adults from 18 to 25 years of age dropped by 10% during that time period. It also appears that, while use of marijuana appears to be decreasing among adults, it may be rising among juveniles.

✓ Illicit Stimulants

The use of methamphetamine and amphetamine, known as "speed," is quite predominant in Texas, particularly in the northern half of the state. In many of the small-town population areas of east Texas and west Texas, "speed" has been the primary illicit drug for several years.

The popularity of stimulants is directly related to the abundance of clandestine methamphetamine laboratories in the state, which provide a steady supply of the drugs. As has been discussed previously, Texas ranks number two in the nation in the production of methamphetamine and amphetamine. Methamphetamine and amphetamine are notably cheaper than cocaine, but have similar affects.

"Speed" manufacturers and users are predominantly Anglos. According to statewide figures from drug-treatment centers, approximately 90% of amphetamine clients are white and 77% use needles.

The long-term use of methamphetamine and amphetamine results in drug-induced psychosis. Violence is symptomatic, accom-

panied by severe paranoia and unpredictable, irrational behavior. The majority of speed manufacturers are addicts, and a great deal of violence is associated with the "speed" trade. Dealers and users are always heavily armed, with a proclivity for automatic weapons. Law enforcement officers report never encountering an unarmed "speed" manufacturer or dealer.

✓ Hallucinogens

The use of hallucinogens in general is up in Texas, particularly among young adults. Law enforcement officials report a resurgence in use of LSD and MDMA (Ecstasy) in this age group. Hallucinogens are not widely manufactured in Texas. They are imported from other states, most notably California. LSD continues to be mentioned in hospital emergency-room episodes, with the quarterly average showing an increase.

✓ Heroin

Because of the proximity of Texas to Mexico, brown and black tar heroin produced there are readily available in Texas. Prices are relatively low, averaging \$25 for a "paper" — the one-dosage quantity in which it is sold on the streets. Asian white heroin is also available in the state, although it is less frequently encountered. Black tar is most popular with users, because of its wide availability and high purity levels.

Opiate deaths have increased from 1987, but other data suggest the possibility of a moderate decline in problems associated with the substance. The average heroin client admitted to treatment centers is 33 years old and has been using heroin for 13 years prior to entering treatment. A full 96% use needles.

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Effects of Drugs on Children

The effects of drugs on society are most pronounced in children, who are particularly vulnerable to the hazards of narcotics trafficking and abuse. Drugs pose a continuing active and severe threat to children's health, education, and well-being.

The tragedy of illegal drug abuse is revealed by statistics on family violence, which testify to the reality of child abuse and neglect resulting from adult drug use. In Texas 49,019 children — an average of 134 every day — were victims of abuse or neglect during the 1989 fiscal year. Seventy-four children died as a result of child abuse or neglect in the same 12-month period. What is most startling is that substance abuse was a factor in from 80 to 90% of reported abuse cases, with a higher percentage occurring in cases of sexual abuse.

Drug use is widely reported by students. In an 1988 survey, 4.2% of high school seniors reported being current users of cocaine (reported use within last 30 days), with the same frequency for use of hallucinogens. Current use of marijuana was reported by almost 14% of seniors. Of tenth, eleventh, and twelfth graders, 7% disclosed current use of stimulants.

Experts believe that this self-reported drug use by high-school students does not reflect the complete number of youths who are involved with illegal drugs. This is because the increasing numbers of school dropouts are not included in such studies. It is known that dropouts are twice as likely to be frequent drug users as their counterparts.

Drug abuse is likely to disrupt the entire school, as is shown by the rise of school violence. Education officials attribute the increasing violence to broken families and gang in-

volvement in drug sales. U.S. Department of Education surveys show that attacks, robberies, shakedowns, extortion, and other forms of intimidation occur so frequently that more than one in five secondary-school students reported avoidance of certain restrooms, and 800,000 students reported staying home from school one day per month out of fear.

Texas is no exception to this trend. Two examples of very serious incidents of school violence occurred here in the past year. In Fort Worth, a teacher was stabbed on the steps of her classroom as she prepared for the opening day of classes this fall. In Arlington, a suburb of Dallas, an assistant principal was shot in the back in a junior high school parking lot, by a 13-year-old student.

Texas schools are not required to report campus crime, so no statewide figures are available that tally the incidence of students expelled for weapons possession. In the Dallas school district, 135 arrests for weapons possession were recorded in the 1988-89 school year. Students who bring weapons to school are expelled for the remainder of the year.

Cocaine Babies

The most tragic manifestation of the drug-abuse problem is infants who suffer from the effects of maternal drug abuse. Each year, more than 300,000 infants are born with traces of illegal drugs in their systems.

A great number of women are regular users of cocaine in their childbearing years, with an estimated 10% of these using cocaine at least once during their pregnancies. Infants of these women are at risk of being "cocaine babies," born addicted to the drug and suffering withdrawal after birth.

Many of these babies will be spontaneously

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aborted, and many others will be born prematurely. They suffer increased risk of stillbirth, complications of prematurity or low birth weight, heart abnormalities, seizures, apnea (the sudden cessation of breathing), and the side effects of drug addiction that make the babies unable to tolerate being touched. Even if the babies get past all those risks, they may suffer lifelong developmental problems. At Parkland Memorial Hospital in Dallas, the impact of drug abuse can be seen in the neonatal intensive-care unit, where premature and critically ill underweight babies are cared for. During the past two years, the unit has been overflowing with extremely sick babies. Hospital officials believe that the increased numbers are a reflection of increased drug abuse.

Drugs in the Workplace

The business community has become increasingly aware of the effects of drug usage by the work force. Accidents, poor workmanship, and theft occur regularly. Thousands of hours are wasted in non-productivity. Health insurance premiums, workers' compensation, and unemployment costs are heavily affected by employee drug usage. It is estimated that the cost to Texas employers is \$3 billion per year in lost productivity, accidents, and medical expenses. Recently, 29% of the main age group in the work force reported using illicit drugs in the last year.

The relationship of drug use to the cost of doing business and the quality of finished products is not the only cause of concern to employers. The safety of workers and potential dangers to others, as well as employer liability, are another problem of drugs in the workplace. The effects of drug use in the transportation industry have been tragically

"In 1989 more than 40% of our homicides are related in some way to drugs. A sizable number of those homicides were the directly result of a drug transaction gone bad.

Assistant Chief Dennis Storemski
Houston Police Department

illustrated by drug-related accidents.

For Texas, the possible consequences of employee drug use within industries indigenous to the state are harrowing. A drug-related mishap in any of the state's numerous chemical refineries, oil fields, or high-technology manufacturing plants could result in a public catastrophe.

Drugs and Crime

The clear correlation between drug use and crime is undisputed. Recent incidents of crime and violence attributed to drug trafficking and use support this, as do studies about drug use in the offender population. The link between drugs and crime, about which law enforcement and criminal justice officials have theorized for many years, has now been validated by numerous statistical studies.

Violent crimes are directly attributable to drug trafficking and abuse. Texas statistics reflect that all major index crimes were up by 3.8% in the first half of 1989 compared with the same period last year, according to the Texas Department of Public Safety. During the same time period, arrests for controlled-substance offenses jumped 16.5%.

Throughout 1989, San Antonio murders increased at a near-record pace, with police

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1988 Crime and Murder Rates for the Largest Cities in Texas

A list of the nation's 34 largest cities by order of their overall rate of crime — murder, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson — reveals that 6 of the top 15 cities are in Texas.

1988 Crime Rates

Figure represents crimes per 1,000 population, followed by national ranking by rate.

Fort Worth	172.4	2
Dallas	168.8	3
San Antonio	125.8	7
Austin	109.4	12
Houston	104.1	13
El Paso	102.3	14

1988 Murder Rates

First figure is murders per 100,000 people, followed by number of murders and national ranking by rate.

Dallas	36.0	366	6
Houston	25.5	440	12
Fort Worth	22.4	97	14
San Antonio	15.3	143	21
Austin	9.2	43	32
El Paso	6.2	31	33

officials citing disputes over drug deals as a major factor. According to estimates by some investigators, one of every four San Antonio homicides is drug-related. During a three-day period in November 1989, San Antonio police investigated a total of six homicides, in which four had drug use as a factor.

Violence attributed to turf battles is believed to be a significant factor in homicide rates. In Dallas, where Cuban and Jamaican gangs have been warring for control of the drug trade, police believe that as many as one-third of that city's 336 murders in 1988 were narcotics- and gang-related.

Crimes such as robbery, burglary, theft, and motor vehicle theft are closely associated with drug abuse. Today's robber, burglar, or thief is typically motivated by dependence on drugs. In the city of Houston, which saw an increase in property crime in the first half of 1989, it is estimated that up to 80% of thefts are narcotics-related and that about half that number of auto thefts are drug-related.

In the Houston-area city of Baytown, there have been arrests of juveniles who committed burglaries repeatedly to procure drugs. They were taking televisions, microwave ovens, and guns to trade for crack. In one instance, a 12-year-old child burglarized the same home three times and swapped the property each time for crack.

A drug addict will barter anything he can for drugs, as is indicated by the following incidents that occurred in Texas this past year:

- The San Antonio Police Department disrupted an auto-theft ring that allegedly was trading stolen cars for cash and cocaine. Four arrests were made, including one Colombian and one Cuban.
- Gregg County authorities reported a drop of over 80% in the burglary rate following the arrests of members of a methamphetamine-manufacturing and -distribution organization. Sales of the drug were either for cash or for stolen property.

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- Food stamps are traded for illegal drugs so often that state officials estimate that about 1% of the \$1 billion in food stamps dispensed by Texas each year may end up in the drug-trafficking economy. In the Orange County area, a task force indicted 90 people for fraud as a result of the illegal use of food stamps. In drug raids, food stamps are usually found in the house — either the people selling narcotics are food-stamp recipients or the stamps are mixed in with their cash proceeds, indicating the trading of food stamps for drugs.

Drug Use in the Offender Population

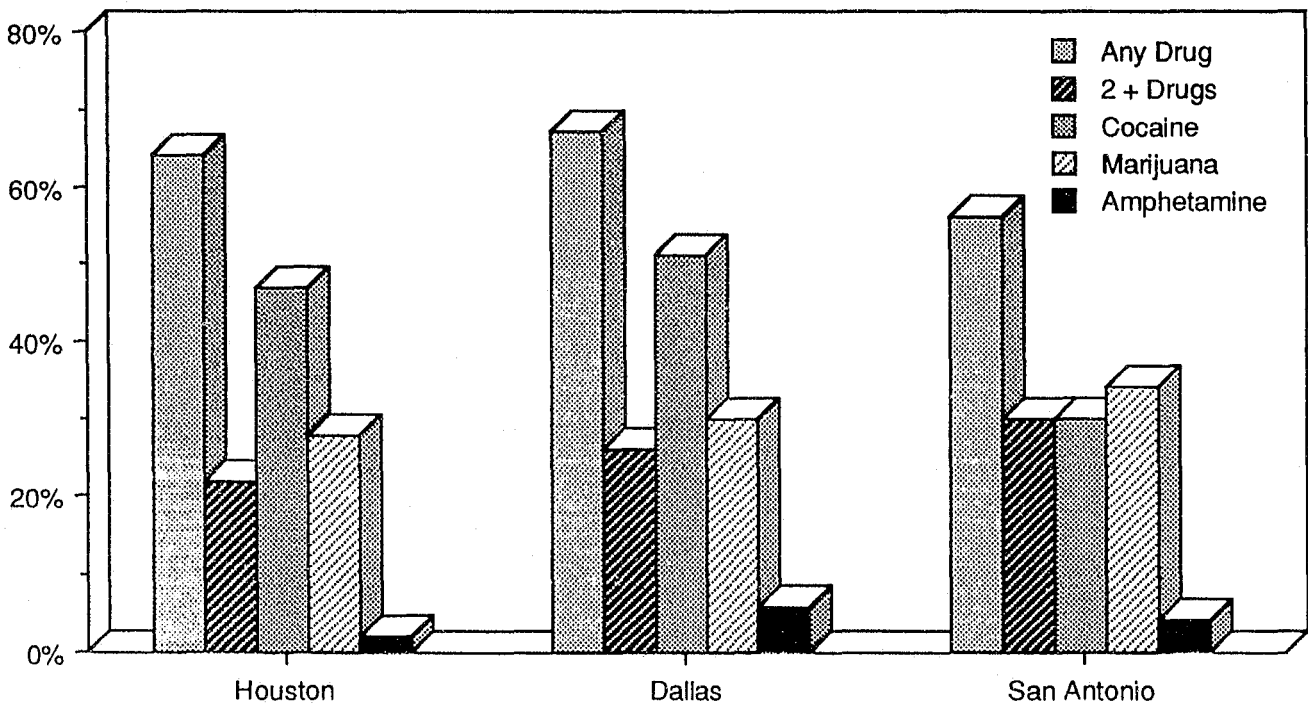
Drug use contributes significantly to the onset and continuance of all criminal behavior.

Facts supported by numerous studies conducted in Texas of drug use in the offender population show greater use of drugs among criminal offenders than in the general population.

The Drug Use Forecasting Program (DUF) is an ongoing study sponsored by the National Institute of Justice and conducted in 22 select cities throughout the nation. In Texas, the program is conducted in Dallas, Houston, and San Antonio. Results provided on a quarterly basis definitively illustrate the very direct relationship between the use of drugs and the incidence of crime.

DUF data are collected in central booking facilities by trained local staff members who obtain voluntary and anonymous urine

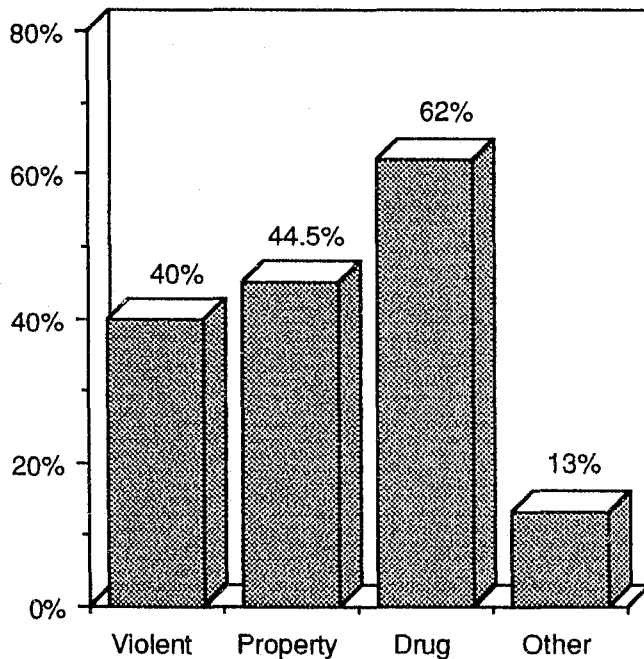
Percentage of Male Arrestees Testing Positive for Drugs Second Quarter 1989



Source: Drug Use Forecasting Project, National Institute of Justice

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Current Drug Use of Offenders Admitted to the Texas Prison System By Offense Type



Source: Texas Criminal Justice Policy Council, 1988 Sample of Prison Admissions

specimens and interviews from a new sample of arrestees. At each site, about 250 male arrestees and a smaller number of females are sampled. Response rates are consistently high, with over 90 percent agreeing to be interviewed.

More than 80 percent of the persons interviewed provide a urine specimen. The specimens are tested for the presence of 10 drugs: cocaine, opiates, marijuana, PCP, methadone, Valium, methaqualone, Darvon, barbiturates, and amphetamines. Positive results for amphetamines are confirmed by gas chromatography to eliminate possible false readings obtained because of ingestion of over-the-counter drugs.

Second-quarter reports for 1989 indicate that 64% of males and females arrested in Houston tested positive for any drug, 67% of males arrested in Dallas tested positive, and 56% of males and 49% of females arrested in San Antonio tested positive. The highest percentage of cocaine use was reported in males arrested in Houston, at 51%.

An alarming trend indicated by second quarter 1989 data from San Antonio is that use of opiates was more common in females than males. Only 14% of males tested positive for opiates, but 20% of women did. These data are mirrored nationwide. In every city studied, opiates were found in fewer than 20% of tested males.

In Dallas, 14% reported cocaine use, but 50 percent tested positive for the drug. Extreme under-reporting of cocaine use was the norm. In many cities the urine tests detected twice as many users of cocaine as did the self-reports. However, estimates of drug use from arrestee self-reports and the urine tests tend to agree most for marijuana and opiates. Researchers have yet to determine why arrestees appear more willing

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to admit to using marijuana or opiates.

About 87% of Texas prison inmates have used illegal drugs and almost half were still using them just prior to the arrest that put them behind bars, according to a recent inmate survey conducted by the Public Policy Resource Library at Texas A&M University.

A study released last year by the Criminal Justice Policy Council reports that the number of felony drug offenders admitted to prison increased by 177% during the four-year period from 1984 to 1988. Drug offenders are not only being admitted to prison in higher numbers; they also represent a higher proportion of all prison admissions. Drug offenders, who accounted for 10.6% of all admissions in 1984, now constitute 19% of all admissions.

This study also shows a higher percentage of drug offenders, compared with offenders in other offense categories, who admit to selling drugs and who perceive the need for drugs as a "cause" of their crime. From the sample of admissions, 40% of those incarcerated for violent crimes responded affirmatively when asked if the need for drugs was the cause of crime. 69.3% of those who were convicted of drug law violations reported that they had sold drugs at one time.

"Because of efforts in Houston, some of the Cubans, Colombians, and Mexicans from the city are feeling increased pressure there, and these groups have found Beaumont and Port Arthur, some 80 miles away, to be very fertile ground."

Investigator Robert Hobbs
Jefferson County District Attorney's Office

Illegal Financial Transactions

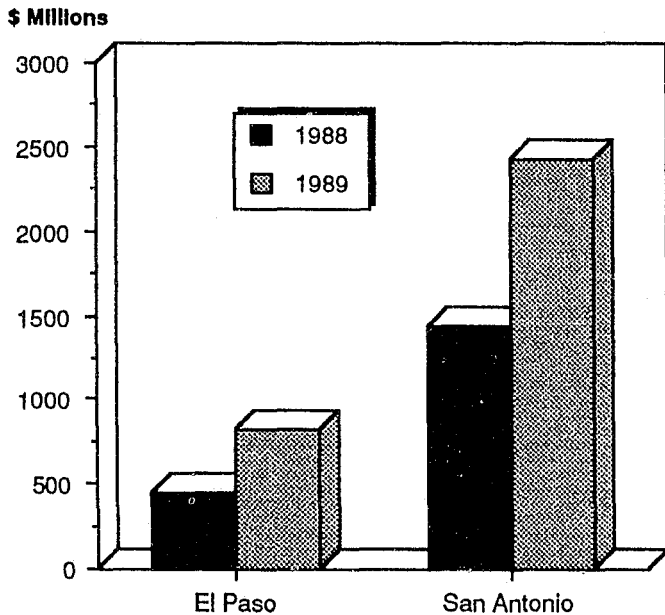
Profits generated by illegal drug trafficking are undoubtedly enormous, reaching unfathomable sums each year. Most of these profits are in cash, which, ironically, creates a substantial problem for the trafficker. It is so acute that narcotics traffickers are actually forced to exchange boxes of uncounted currency in shopping-center parking lots.

The financially successful trafficker, who amasses a fortune virtually overnight, tends to over-indulge in his lifestyle, acquiring expensive jewelry, fancy cars, and homes. By spending his drug profits on a lavish lifestyle, the trafficker often unintentionally exposes his illicit activities. By conducting cash transactions with law-abiding citizens such as car salesmen, gem dealers, or real estate brokers, he arouses suspicions about the source of his wealth. Buying a new Porsche with \$70,000 in \$100 bills pulled out of a shoebox is likely to arouse suspicion.

Such financial transactions also establish a paper trail of the trafficker's spending habits, creating the opportunity for law enforcement agencies to trace the identity of the trafficker. Spending habits can be reconstructed through

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Comparison of Cash Surplus Levels in San Antonio and El Paso for 1988 and 1989*



* Represents Jan. to Nov. of each year for accurate comparison. Dec. data were not available at time of publication.

Source: Federal Reserve Bank

going back along the trail of paper generated by the purchase of luxury items. Comparing a trafficker's pattern of expenditures over the years with his federal income-tax returns can lead to charges of tax fraud. Additionally, currency violations under Title 31 of the United States Code can result from dealing in large amounts of cash.

The more sophisticated traffickers have, of course, recognized that such financial activity increases the risk that their illegal trade will be discovered. To counter this, they often seek the assistance of money-management professionals in the financial community. Establishing shell corporations to provide the appearance that the traffickers are businessmen earning income from a legitimate source is common. Drug money is also funneled through established businesses by falsifying business records to conceal the true source and disposition of the funds.

Because drug trafficking generates such a phenomenal volume of currency, banks have become an essential ingredient of a successful money-laundering organization. Generally banks are involved without their knowledge, as in cases where traffickers structure cash deposits to circumvent reporting requirements.

These types of activities result in the presence of large amounts of surplus cash in Federal Reserve banks. Considered the most reliable indicator of illicit drug cash in any region, the Federal Reserve cash surplus is the difference between the cash recovered by the Federal Reserve from area banks and the cash distributed to those banks by the Federal Reserve. In Texas, the large amounts of surplus cash in Federal Reserves in the state suggest the wide use of area financial institutions in our district for laundering narcotics proceeds. In the past two years, the San

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Antonio Federal Reserve cash surplus has increased by 50%. Fifteen banks within 15 miles of the Texas-Mexico border had a cash surplus of \$1.4 billion.

According to a report by the Federal Reserve, for the first six months of 1989, Texas cities were in the top cities throughout the nation in Federal Reserve cash-surplus totals. The Miami Federal Reserve branch reported a cash surplus of \$2.8 billion, Los Angeles \$2.7 billion, Jacksonville \$1.5 billion, and San Antonio \$1.2 billion. Houston, El Paso, and New Orleans all experienced large increases of cash surpluses as well, from 56% to 219%. Federal Reserve officials believe that these surpluses are drug-related, especially since the increases coincide with record-breaking drug seizures in these cities.

The movement of illicit proceeds from the smuggling and distribution of narcotics is a major concern of law enforcement officials in Texas. Large amounts of currency are being transported across the Texas-Mexico border in violation of the law. In fact, the U.S. Customs Service seized \$13 million on the U.S.-Mexico border in 1988. It reports that Houston has become a major hub for the movement of currency from the United States to the Colombian cartels.

In cities along the Texas-Mexico border, there exists a unique business venture that is even more conducive to money-laundering operations. The "casas de cambio" or money exchanges are financial institutions that are subject to few governmental regulations. Of such institutions in the area, 90% are not incorporated. Hundreds of these operations sprang up with the devaluation of the peso in 1982, but today there is little need for them. However, Customs officials estimate that over a thousand of them flourish throughout the area,

"It seems that the drug dealer knows that we don't have the means to fight him. Because of this, he finds the small municipal city an easy place to do business. Crime in our small city is on the rise. About 90% of the crime problem we can tie to drug abuse."

Chief Mark Arensman
Mart Police Department

most within a few feet of the border. Intelligence sources indicate that some deal in millions of dollars each month and have the ability to launder as much as \$5 million a month. Proving that drugs and money are inextricably linked, "casas de cambio" show up as intermediaries in many investigations. There is an urgent need for these businesses to be brought under regulations governing financial institutions.

The Treasury Department has responded to violations of currency laws with the formation of a new multi-agency operation, the Financial Crimes Enforcement Network (FINCEN). It will integrate data from federal law enforcement regulatory agencies, state and local governments, cooperating foreign governments, and the private sector in an effort to provide information necessary to target money-laundering activities.

Analysis by Geographical Region

All types of drugs are widely available in any quantity at fairly consistent prices throughout Texas. However, Texas is such a large and diverse state that drug law enforcement problems vary from region to region. In fact, these six regional areas of the state almost could be considered to be six different states. The response drafted in the statewide strategy must take into account the notable trends in each region. Information was provided by Texas Narcotics Control Program task forces operating in each region.

The Plains

Composed of West Texas and the Panhandle areas of Texas, this region includes Amarillo, Lubbock, Midland, Abilene and San Angelo. Cocaine, crack, heroin, and marijuana are trafficked and abused. Street prices for drugs are higher than the state average. Ice is reportedly available, although there have been no seizures to date. A multitude of landing strips in agricultural and oil fields are used for air smuggling. Notable trends: increase in speed laboratories operating in region; area increasingly used for air transshipment.

The Metroplex

Area includes Dallas, Fort Worth, and the surrounding counties. Methamphetamine, amphetamine, and cocaine are the drugs of choice, with speed laboratories being the most severe enforcement problem. Crack is sold and abused heavily in the cities. A quantity seizure of ice was made in Arlington in December 1989. This

region has the lowest prices in the state for wholesale methamphetamine/amphetamine because it is close to the source. Notable trends: speed laboratories becoming more sophisticated in production methods; some laboratories moving into rural areas and out of state.

East Texas

The cities of Paris, Nacogdoches, Lufkin, Tyler, and Longview are in this heavily wooded area of the state. Geographic conditions in the area are conducive to domestic marijuana cultivation and methamphetamine/amphetamine laboratories. The most severe problems include crack traffic and abuse and speed laboratories. Crack is widespread even in rural areas. Notable trends: indoor cultivation of marijuana increasing; cocaine dealers infiltrating rural areas; reports of dealers with automatic weapons selling cocaine out of parked autos in remote, wooded areas.

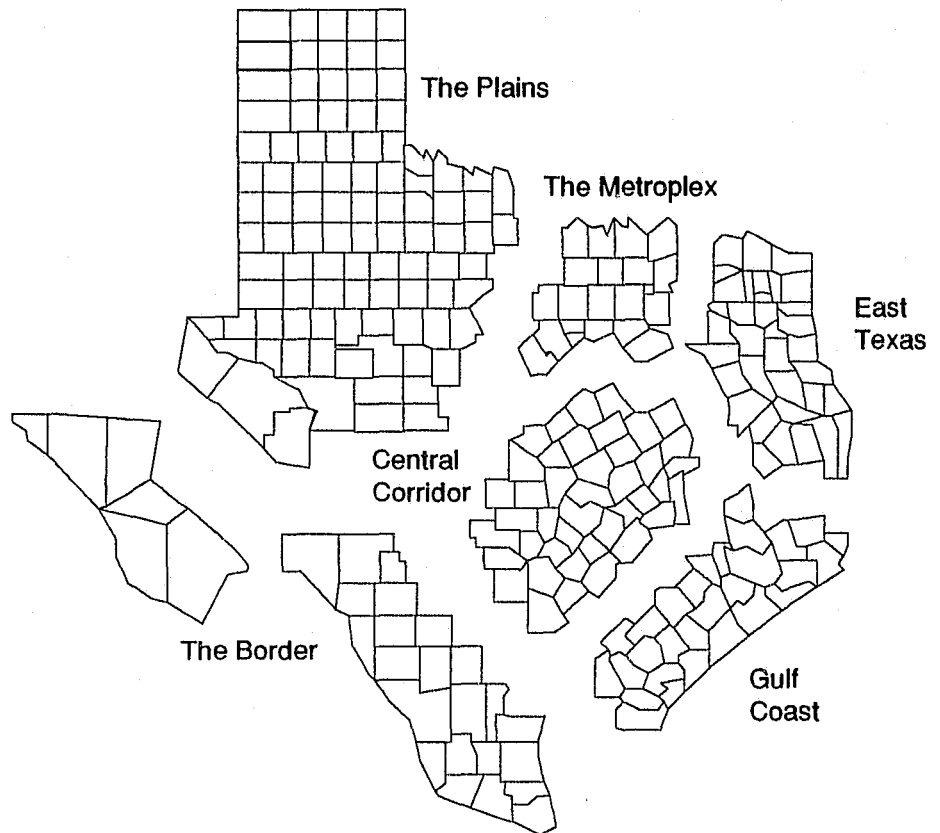
The Gulf Coast

Coastal area cities such as Houston, Galveston, Beaumont, and Corpus Christi are vulnerable to air, marine, and ground transshipment. The counties surrounding Houston are used as staging areas for drugs en route to the city. All drugs are trafficked and abused. Area reports severe problems with sales and abuse of cocaine powder and crack. Significant seizures of ice have been reported in Houston. Notable trends: Colombian cartel infiltration; shipments of cocaine that can be traced directly back to Colombia.

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The Central Corridor

This includes the large metropolitan areas of Austin and San Antonio, as well as the cities of Kerrville, Waco, Belton, Hillsboro, and Bryan. All types of drugs are plentiful — crack, cocaine powder, speed, and marijuana. The production of methamphetamine/amphetamine is the most severe enforcement problem. Crack traffic and abuse are widespread in Austin and San Antonio, with blatant public use of the drug reported. Notable trend: increased traffic of hallucinogens.



The Border

The border includes the cities of El Paso, Del Rio, Laredo, McAllen, Rio Grande City, Eagle Pass, and Brownsville. Cocaine, marijuana, and heroin are trafficked heavily in large quantities by local residents and international traffickers. This is the only area of the state where methamphetamine is not manufactured. Prices for cocaine, marijuana and heroin are significantly lower than the state average because of the proximity to Mexico and abundant supply. Drugs of choice are those available locally. Notable trends: a dramatic increase in the use of the region as a staging area for large cocaine shipments from Colombia; huge seizures of cocaine and marijuana in the border region not uncommon.

State Intelligence Regions Based on Texas Narcotics Control Program Task Force Coverage

Statewide Trends

- Increased use and trafficking of crack — dramatic rise in the past two years.
- Methamphetamine labs spreading into remote, rural areas, including West Texas.
- Use of LSD and Ecstasy increasing among young people; may replace cocaine as the drug of choice in this age group.
- Extensive use of the state for transshipment of cocaine, marijuana, and heroin.
- Ice reportedly becoming available in all regions.

Current Law Enforcement Resources Available

Compliance with the National Drug Control Strategy

The war on drugs requires a special emphasis in a state the size of Texas. Drug law enforcement has taken on a particular urgency because of the nature and extent of the state's drug problem and the increase in violent crime so closely associated with drug abuse. Available resources have been strained by the increase in the drug traffic in the state, and the combined efforts of state, local, and federal agencies in Texas are desperately needed to counter the unrelenting flood of drugs.

State leaders welcomed the new priority placed on the continuing drug war when President Bush announced the National Drug Control Strategy last September. The comprehensive nature of the National Drug Control Strategy was particularly appropriate in Texas because of the multi-faceted nature of the drug problem here. Texas will benefit from the increase in federal funds for state initiatives, the focusing of the nation's attention on the impact on drug use, and the emphasis on the importance of coordination of resources outlined in the national strategy.

Governor William P. Clements, Jr., said, "I appreciate the President's leadership in developing the National Drug Control Strategy. Our fragmented efforts must be coordinated into one comprehensive effort to remove the drug dealers from our streets and cities. Federal

commitment and resources are necessary to finish the job we have begun here in the State of Texas."

Significant steps already have been taken in Texas to further the battle against illicit narcotics in the spirit of the President's initiatives. The following narrative details the extent of compliance by Texas with the National Drug Strategy.

Drug Testing: Comprehensive drug-testing legislation for defendants and offenders was signed into law by the Governor in 1989. As a condition of release on personal bond, a defendant who has been shown to have a history of drug abuse is required to submit to drug testing and participate in a drug abuse or education program. If there is evidence that an offender has been involved with controlled substances, the court is required to mandate drug testing as a condition of probation and parole.

Street-Level Enforcement: The Texas Narcotics Control Program task forces all conduct street-level enforcement as an element of their operations. Innovative cooperative efforts such as "Operation Crackback," spearheaded by the U.S. Attorney's Office in the Western Division of Texas, are combining the efforts of state and federal prosecutors and federal, state, and local law enforcement agencies against the menace of crack dealing. In addition, a new task force in Harris County is specifically targeted at street-level enforcement and coordinates all street-level enforcement in the county by receiving, analyzing, and disseminating information in one central location.

User Accountability: The Texas Narcotics Control Program helps provide the re-

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sources necessary to prosecute both misdemeanor and felony violations of the state drug laws. Under Texas law, the possession of any measurable amount of controlled substance is an offense. Texas has also been a leader in demand-reduction programs that stress zero tolerance, such as Texans' War on Drugs, which was founded by Governor Clements ten years ago. The next regular session of the Legislature, in January 1991, will have the opportunity to review the President's recommendations for innovative user-accountability laws, such as penalties for drug offenders that include suspension of drivers' licenses, suspension of state benefits, and increased use of fines

and/or community service for misdemeanor violators. Texas law currently makes it a felony to offer to deliver those drugs that are not listed as controlled substances but that are classified as dangerous, and the next regular session of the Legislature affords lawmakers the opportunity to enhance that law by criminalizing offers, attempts, and solicitations to sell or buy controlled substances without actually consummating a sale as well.

Alternative-Sentencing Programs for Non-Violent Offenders: The 71st Legislature enacted the major reform of the Texas criminal justice system recommended by the Governor.

Texas Compliance with the National Drug Strategy

<u>Recommendation</u>	<u>In Place in Texas</u>	<u>Not In Place in Texas</u>
Drug Testing	Yes - Art. 4476-15, VTCS. & Art. 42.12, CCP,	
Street-Level Enforcement	Yes - See text description of programs	
User Accountability	Yes - Ch. 481, TCSA, Health and Safety Code	
Alternative Sentencing Programs	Yes - Art. 42, CCP, & Sec. 12.34 and 12.44, PC	
Correctional Facilities	Yes - 25,000 new beds coming on-line	
Marijuana Eradication	Yes - Conducted by task forces, DPS & Nat'l Guard	
Evaluation of the Strategy	Yes - Grant to Criminal Justice Policy Council	
Mandatory Minimum Sentences	Yes - Ch. 481, TCSA, Health and Safety Code	
Asset Forfeiture	Yes - Ch. 59, CCP	
Schoolyard Laws		Not at this time
Drug-Free Workplaces	Yes - See text description of programs	
Program Coordination	Yes - See text description of programs	

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The Texas Department of Corrections, the Board of Pardons and Paroles, and the Adult Probation Commission were consolidated into the Texas Department of Criminal Justice. The purpose of the community justice assistance division of the new department is to foster the development of alternative-sentencing programs for non-violent offenders at the local level.

Every applicable jurisdiction must submit a "local community justice plan" to the division that includes a statement of commitment to achieve a targeted level of alternative sanctions. Special emphasis is placed on the expansion of substance-abuse treatment facilities, electronic-monitoring programs, "boot camp" programs, halfway houses, and restitution centers. Regular drug testing and continuing education are required to be conditions for participation in the programs when warranted by the defendant's history. The Legislature appropriated \$50 million to fund the construction of these community correctional facilities. The new legislation also allows a court to punish a third-degree felony with confinement in these community corrections facilities.

In addition, there is a 200-bed "boot camp" program operated by the state prison system, which became operational in 1989. This promising new program was chosen to receive a \$250,000 grant from the U.S. Bureau of Justice Assistance as part of the evaluation of enhanced substance-abuse components in "boot camp" correctional programs.

Correctional Facilities: The expansion of the federal prison system now being sought has been equaled by the State of Texas. A historic program put forth by Governor Clements in 1987 will ultimately add over 25,000 beds to the state prison system. By March 1990, 13,000

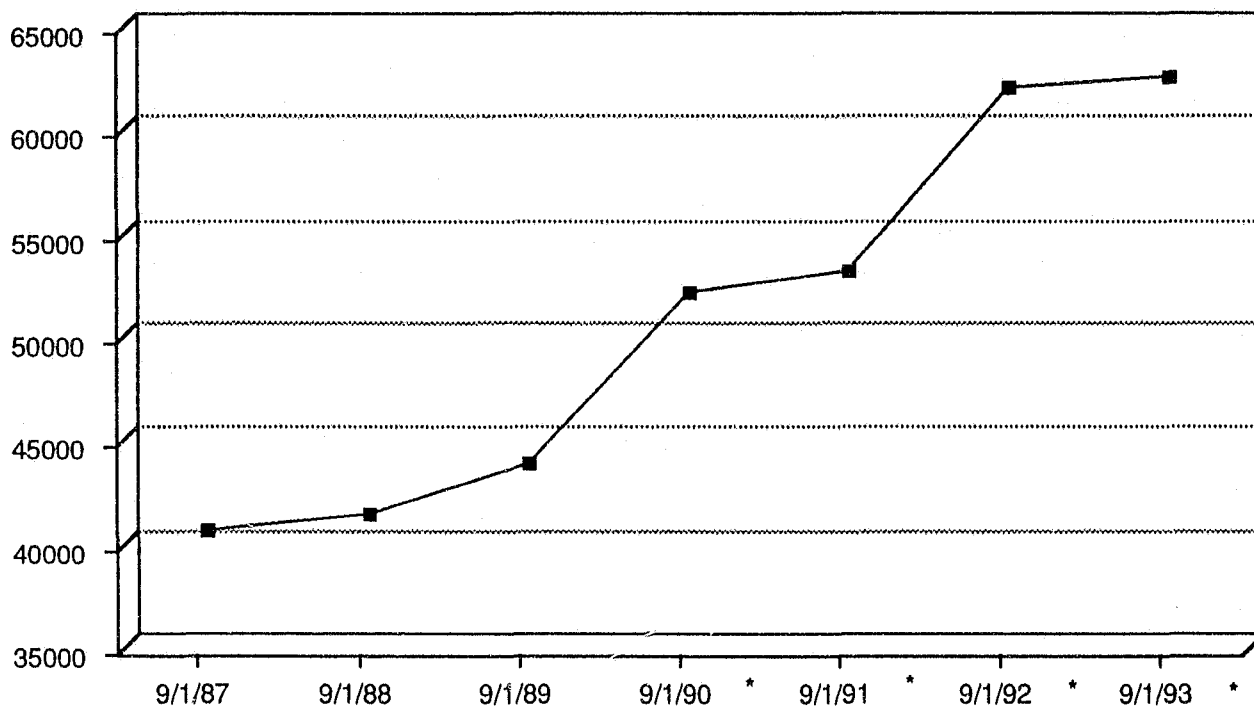
new beds will be occupied to ease overcrowding, and construction planning is under way for 12,000 additional beds that were authorized by the voters last November. The availability of additional bed space will help meet the National Drug Strategy's mandate for strong sanctions against aggravated drug offenders.

Marijuana Eradication: The primary area for the cultivation of marijuana in Texas is a 40-county area in the eastern part of the state. To combat the drug cultivators, a special state and federal interagency task force was formed in 1985 for eradication purposes. The Texas Narcotics Control Program task forces assist in the discovery and eradication of cultivated marijuana fields and greenhouses. In addition, "Operation Green Thunder" is an ongoing eleven-county eradication project involving the National Guard. Cooperative efforts of local, state, and federal agencies resulted in the eradication of 1,255,361 marijuana plants in 1989.

Evaluation of the Strategy: Since the first year of federal funding in 1987, the Texas Narcotics Control Program has included an evaluative component through a special grant to the Criminal Justice Policy Council. The Policy Council is the Statistical Analysis Center in Texas for the U.S. Bureau of Justice Statistics. The project to collect and analyze data on drug abuse conducted by the Policy Council includes an evaluation of the arrests and case dispositions that result from task force investigations. Texas also participates in the Criminal Justice Statistics Association project to evaluate the effectiveness of state programs established through the Congressional Anti-Drug Abuse Acts. Additionally, all grantees are required to submit quarterly

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Total and Projected New Beds in the Texas Prison System



**Projected, based on construction under way*

reports of production statistics, which are evaluated by the Texas Narcotics Control Program staff in the Criminal Justice Division of the Office of the Governor.

Mandatory Minimum Sentences for Serious Drug Crimes: The Texas Controlled Substances Act imposes significant minimum sentences for possession, possession with intent to deliver, manufacture, and delivery of drugs. It provides serious sentencing levels for commission of those offenses, for which, depending on the amount and type of illegal drug, an offender faces a minimum of 15 years' confinement, and a possibility of life in the penitentiary. In addition, those who commit these aggravated offenses face a fine of up to \$250,000. Those who prey on children and who

use juveniles to do their dirty work will pay the price in Texas when brought to justice. An offender who delivers any amount of a controlled substance or marijuana now faces a range of penalties of from five to 99 years or life imprisonment, and a new law enacted in the past legislative session forbids the granting of probation by a jury to a defendant in such a case. Drug dealers who use children to deliver drugs face the same penalties when they know that the child intends to deliver the illegal substance to a minor or a person enrolled in school.

Asset Forfeiture: Particularly noteworthy in Texas is the enhanced asset-forfeiture statute that the Governor worked to have passed last year. This legislation combines the best

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elements of the federal RICO Act with the state laws of Arizona and Florida. It greatly expands law enforcement's ability to seize property and money used in or received from drug transactions or other major felonies. This will greatly help to remove the obscene profit from drug trafficking. Law officers can now seize real estate used in drug operations, such as crack houses, as well as any tools or vehicles used in the commission of other major felonies. In Texas, forfeited assets are distributed to the agencies that participate in the arrest and prosecution of the offender.

Schoolyard Laws: Although legislation modeled after the federal schoolyard law was introduced during the last session of the Legislature, Texas did not enact this recommendation of the National Drug Strategy.

Drug-Free Workplaces: The State of Texas has a strict policy against drugs in the workplace, and all grantees applying for the federal anti-drug funds are required to adopt a similar policy. Extending the same principle to Texas schools, the Legislature granted immunity from civil liability to teachers and other school personnel who report the suspected drug activity of students to the proper authorities.

Program Coordination: There are three levels of program coordination in the state's drug-control programs: interagency coordination between federal, state, and local law enforcement agencies; coordination on the local level between jurisdictions, such as the sheriff's office in each county, the city police departments, and the county or district attorney's office; and the coordination of drug law enforcement programs with the federally funded efforts

in the areas of drug-abuse education, treatment, and prevention programs.

The Texas Narcotics Control Program task forces have achieved an unprecedented level of cooperation with federal and state agencies. The El Paso County West Texas Multi-County Task Force, for instance, has a high degree of effectiveness in cooperative drug investigations, and the task force regularly develops cases in conjunction with the U.S. Border Patrol and the Drug Enforcement Administration. The level of coordination with the state Department of Public Safety has reached the point where it is feasible to recommend that DPS Narcotics Service agents serve as commanders of selected new task forces.

Interagency coordination on the local level is a priority of the Texas Narcotics Control Program. Multi-agency, multi-jurisdictional task forces account for 31 of the 37 projects funded through the program, and a number of these task forces include vertical prosecution, with one or more prosecutors assigned to the operation to handle task force cases. The program's success in its two years of existence aptly demonstrates that the sharing of personnel and resources across jurisdictional lines makes a crucial difference in the war on drugs.

The Office of the Governor is the focal point for the coordination of statewide law enforcement, education, and treatment efforts. The Governor's staff reviews the grant applications from the Texas Education Agency and the Texas Commission on Alcohol and Drug Abuse, thus assuring coordination with the Texas Narcotics Control Program, which is administered by his office. The Legislature also mandates the coordination of state drug demand- and supply-reduction programs, and a legislative Alcohol and Substance Abuse Oversight Committee was established to ac-

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comply with this goal. However, coordination has become so effective on the interagency level that the Legislature no longer felt there was a need to monitor coordination efforts through an oversight committee, and the committee was officially disbanded in 1989.

In response to the National Drug Control Strategy, a briefing with the Texas Education Agency and the Texas Commission on Alcohol and Drug Abuse was held on October 5, 1989, to review a comprehensive plan to implement the new federal initiatives in Texas.

Coordination under the Congressional Anti-Drug Abuse Acts

For more information about specific anti-drug coordination efforts, please contact the following agencies:

State & Local Law Enforcement Act

Rider Scott, Executive Director
Texas Narcotics Control Program
Criminal Justice Division
Office of the Governor
Post Office Box 12428
Austin, Texas 78711

Staff contact: John Coffel or
Georgia Whitehead
512/463-1919

Drug-Free Schools & Communities Assistance Act (Education Funds)

Dr. William Kirby, Executive Director
Texas Education Agency
1701 North Congress Avenue
Austin, Texas 78701

Staff Contact: Nell Hoffman
512/463-9501

Drug-Free Schools & Communities Assistance Act (Community Prevention and High-Risk Youth Funds)

Bob Dickson, Executive Director
Texas Commission on Alcohol and
Drug Abuse
1705 Guadalupe
Austin, Texas 78701

Staff Contact: Jane Maxwell
512/463-5510

Alcohol and Drug Abuse Portion of Administration Block Grant

Bob Dickson, Executive Director
Texas Commission on Alcohol and
Drug Abuse
1805 Guadalupe
Austin, Texas 78701

Staff Contact: Jane Maxwell
512/463-5510

Law Enforcement Coordinating Committees

Beverly Cox
U.S. Attorney's Office
Western District of Texas
727 East Durango
San Antonio, Texas 78217
512/229-6539

Joan Jurjevich
U.S. Attorney's Office
Southern District of Texas
Post Office Box 61129
Houston, Texas 77208
713/229-2600

Barbara Nichols
U.S. Attorney's Office
Northern District of Texas
1100 Commerce, Room 16G28
Dallas, Texas 75242
214/767-0951

Luci Eaves
U.S. Attorney's Office
Eastern District of Texas
110 North College, Suite 600
Tyler, Texas 75702
214/597-8146

The Texas Narcotics Control Program

No other Texas law-enforcement program has had more far-reaching effects than the Texas Narcotics Control Program (TNCP). This cooperative multi-agency drug law enforcement initiative created in December 1987 by Governor Clements is designed to respond to both rural manufacturing and smuggling of drugs, as well as their urban sale and distribution.

It has had an immediate impact. Since its inception, over 13,584 individuals have been detected and arrested for drug-law violations. Illegal drugs worth over \$7 million in street value have been removed from Texas communities. Cash, vehicles, jewelry, and weapons valued in excess of \$18 million have been confiscated from drug offenders.

The backbone of the program is a statewide network of multi-agency task forces that fill the significant void between the efforts of state and local law enforcement agencies. Resources of equipment, personnel, and evidence-purchasing ability are combined to provide a truly comprehensive initiative.

Because of the complexity of Texas drug trafficking and the size and population distribution of the state, the multi-agency task-force approach is essential. Illegal drug smugglers are highly mobile and recognize no jurisdictional boundaries — law enforcement must not, either.

This multi-agency task-force concept has been a boon to rural law enforcement. Because of the state's economic slump, rural Texas counties have insufficient tax base to fund even mandated public safety services. A great number of Texas counties are protected solely

"I believe that our local task force has created a jelling of law enforcement in our area that is unprecedented. We have federal, state, and local law enforcement agencies and prosecution talking and working with each other on a daily basis. To date, the task force has received \$230,150 in funding, and we have seized in assets and narcotics \$5,562,704. That equates to a \$24 return for every \$1 invested in our local program."

Sheriff Dan Smith
Bell County

by local law enforcement agencies with severely limited personnel and equipment. Many rural areas within the state are unable to provide 24-hour protection, much less special drug-control units.

Effective drug law enforcement requires an immense amount of manpower-intensive investigative and surveillance effort, specialized equipment, and trained personnel. These are items that governments in less populous rural areas are hard pressed to deliver. Yet, rural counties throughout Texas serve as the front line in the war on drugs, as these areas are the source point for the quantities of drugs smuggled or domestically produced in the state.

The formula for distribution of funds to states established in the 1986 Anti-Drug Abuse Act allows funds to be provided on the basis of greatest need, not population or local expenditure data. The Texas Narcotics Control Program provides comprehensive drug law enforcement to 171 Texas counties, many of which had no dedicated narcotics effort before the program was developed. By pooling the

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resources of many counties into one comprehensive effort, rural regions of Texas receive the type of specialized narcotics enforcement so direly needed.

The flexibility of the program also addresses the problem of end-user distribution in metropolitan areas. In fiscal year 1989, cities with populations of more than 100,000 benefited from \$3.34 million in grant awards, or 49% of the total federal moneys.

This funding allows cities to develop programs to address their unique needs, such as the City of Houston's project to coordinate street-level narcotics enforcement activities in Harris County. Street sales of illegal drugs at the consumer level have been deterred as the result of activities of the newly formed Multi-Jurisdictional Narcotics Unit, composed of Houston Police Department and Harris County Sheriff's Department officers.

Not only have task forces proven to be the most efficient use of limited resources — they have also effected the type of interagency cooperation and intelligence sharing that is crucial for effective drug control. For example, the Tarrant County Narcotics Intelligence and Coordination Unit combines the efforts of thirty-seven local agencies with jurisdiction in that one county into a single initiative. The results have been unparalleled. In the two years of its operation, the unit has made 2,632 arrests and seized a total street value of \$49.9 million in illegal drugs. This could not have been accomplished if the agencies had been operating independently.

Intelligence sharing and cooperation on a statewide basis have been enhanced also. Because of relationships developed through the program, task forces from diverse areas of the state work together daily. Task forces often work jointly on one case or even exchange

agents for undercover investigations.

The Texas Narcotics Control Program has enjoyed wide support and generous sharing of personnel, equipment, and intelligence from state and federal agencies. In the majority of the task forces, agents or supervisory personnel are assigned from the Texas Department of Public Safety, the Drug Enforcement Administration, the U.S. Customs Service, the U.S. Border Patrol, or the Internal Revenue Service, enhancing the task force efforts and effecting the type of interagency cooperation envisioned by Congress upon passage of the Omnibus Anti-Drug legislation.

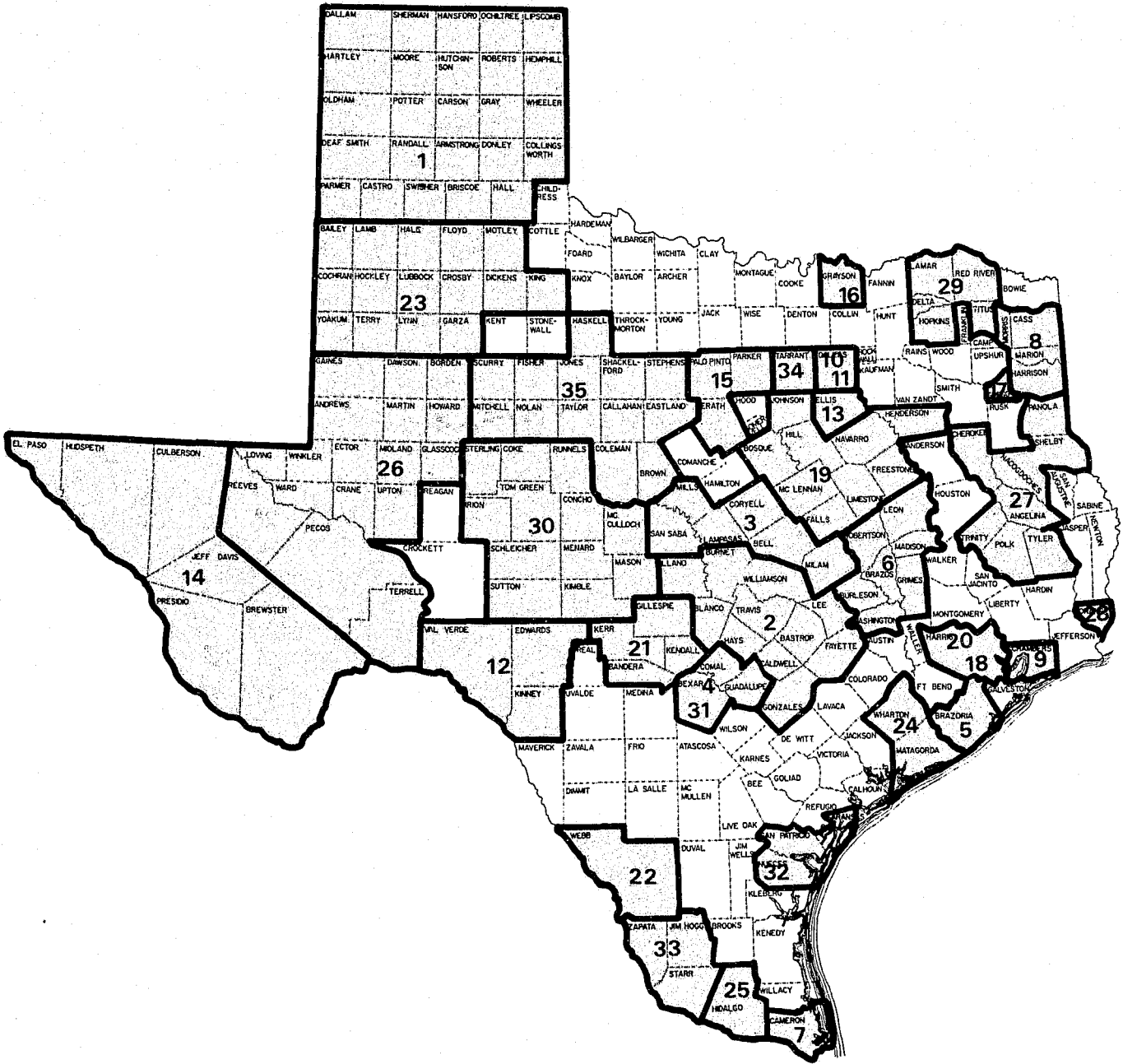
✓ Innovative Programs

In developing the statewide drug strategy, the entire criminal justice system was analyzed and evaluated. Current resources and gaps in services were identified. Paramount during this process was the potential impact of a fully-funded Texas Narcotics Control Program on the criminal justice system. It is axiomatic that, if arrest and apprehension are increased, significant impact on prosecution and adjudication and the penitentiary system will result. Recognizing this, the Texas Narcotics Control Program attempts to enhance other components of the system, particularly those identified as key pressure points.

✓ Enhanced Prosecution and Drug Impact Courts

Courts in Texas are severely overburdened by the number of drug cases clogging the dockets. Violent crimes are often given priority, with drug trials rescheduled because of court unavailability. In some larger cities it may take several years for defendants to go to trial.

This allows accused drug dealers to con-



1989 Texas Narcotics Control Projects Area of Impact

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1989 Texas Narcotics Control Program Projects

1. City of Amarillo: "Panhandle Regional Narcotics Trafficking Task Force"
2. City of Austin: "Regional Anti-Drug Abuse Task Force"
3. Bell County: "Central Texas Narcotics Control Task Force"
4. Bexar County: "Adjudication of Drug Offenders"
5. Brazoria County: "Special Investigative Unit"
6. Brazos County: "Narcotics Trafficking Task Force"
7. Cameron County: "Drug Enforcement Task Force"
8. Cass County: "Regional Interstate Narcotics Task Force"
9. Chambers County: "Narcotics Trafficking Task Force"
10. City of Dallas: "Love Field Drug Task Force and Targeted Traffickers"
11. Dallas County: "Adjudication of Drug Offenders and Asset Forfeitures"
12. City of Del Rio: "Narcotics Trafficking Task Force"
13. Ellis County: "Greater Ellis County Law Enforcement Task Force"
14. El Paso County: "West Texas Multi-County Task Force"
15. Erath County: "Cross Timbers Narcotics Task Force"
16. Grayson County: "Pretrial Drug Detection Program"
17. Gregg County: "Narcotics Trafficking Task Force"
18. Harris County: "Prosecution of Drug Offenders"
19. Hill County: "Agridplex Roadrunners"
20. City of Houston: "Multi-Jurisdictional Narcotics Unit"
21. City of Kerrville: "216th Judicial District Narcotics Task Force"
22. City of Laredo: "Narcotics Trafficking Task Force Program"
23. City of Lubbock: "South Plains Regional Narcotics Task Force"
24. Matagorda County: "Two County Narcotics Task Force"
25. City of McAllen: "Narcotics Trafficking Task Force"
26. Midland County: "Permian Basin Narcotics Control Program"
27. Nacogdoches County: "Deep East Texas Narcotics Trafficking Task Force"
28. City of Orange: "Special Drug Enforcement Unit"
29. City of Paris: "Regional Controlled Substance Apprehension Program"
30. City of San Angelo: "Rio Concho Multi-Agency Drug Enforcement Task Force"
31. City of San Antonio: "Multi-Agency Narcotics Trafficking Task Force"
32. San Patricio County: "Tri-County Narcotics Task Force"
33. Starr County: "Tri-County Drug Abuse Task Force"
34. Tarrant County: "Narcotics and Intelligence Coordination Unit"
35. Taylor County: "West Central Texas Interlocal Crime Task Force"
- * 36. Texas Department of Public Safety: "Expanded Crime Laboratory Services"
- * 37. Criminal Justice Policy Council: "Drug Abuse Data Collection and Analysis"

* Projects with statewide impact.

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"In 1987, there were 5,207 felony drug cases filed in Dallas County. That was twenty percent of all the felonies in Dallas County — felony drug cases. In 1988, the figure rose to 6,382 felony drug cases, and the percentage of drug cases rose to 25% of all filed felonies. In 1989 through October, that figure rose to 6,535 cases, more than the number in all of 1988."

Brock Stevenson
Assistant District Attorney
Dallas County

tinue uninterrupted narcotics sales on Texas streets while released on bond. It also gives defendants time and opportunity to make preparations to leave the country despite large bonds that have been deposited. In fact, in an 18-month period ending in October 1987, 20 drug defendants scheduled to be tried in Dallas County disappeared.

For these reasons, augmenting judicial capacity is an absolutely critical component of a successful drug-control strategy. It has been an important element of the Texas Narcotics Control Program since its inception.

With Texas Narcotics Control Program funding, the Bexar County District Attorney's Office operates a program designed to adjudicate the drug offender in as rapid a manner as possible. It includes a prosecution unit that uses the vertical prosecution method and a specialized drug court to bring suspected narcotics traffickers to trial in a short period of time. All felony delivery cases, all aggravated possession cases, and all possession cases in Penalty Group 1 and 2 of the Controlled Substance Act are concentrated in the drug court. In 1989,

drug cases processed by this program were disposed of within an average of 68 days from arrest to final disposition.

Fifteen TNCP projects include a prosecution component to expedite case disposition and ensure conviction of drug offenders. In Tarrant County, prosecutors assigned to the task force have successfully used a 32-year-old Texas law that allows a defendant, upon proper motion and proof, to be held without bail if he has served two or more prison terms or is under indictment in another case when arrested again. This effectively interrupts the drug trafficker's trade and prevents continuance of his criminal enterprise until the case is disposed. Prosecutors estimate that up to 40% of those arrested would qualify under the law.

Drug-law violators meet a quick fate because of various provisions of the law. It requires prosecutors to win a no-bail ruling from a judge within seven days of a suspect's arrest by showing that it is likely that the defendant committed the crime. Once a judge has ordered a defendant jailed without bail, the trial must begin within 60 days of the arrest. Use of this provision has allowed the task force to remove approximately two dozen of Tarrant County's major repeat offenders from the community.

In Harris County, the vertical prosecution method has been used successfully to move cases through the courts quickly. This special unit concentrates on the more serious drug cases, accepting only cases exceeding 400 grams of a controlled substance in Penalty Group 1, or 200 pounds or above of marijuana. Prosecutors are on call 24 hours a day and equipped with beepers to allow police ready access to prosecutorial advice throughout the course of an investigation.

One prosecutor handles each case from

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filing through disposition. The results of this method are impressive. In 1988, there were 113 drug-related adjudications done by task force prosecutors: 95 convictions with penitentiary time and only eight dismissals on evidentiary grounds. The average sentence length in these cases was 25 years.

The federal system in Texas is as overburdened as the state courts. Legislation has been introduced to alleviate what Senator Lloyd Bentsen called a "suffocating case load" in Texas federal courtrooms, resulting from the drug crackdown on the Gulf Coast. Federal judges in South Texas, the focal point for drug trafficking, handled nearly 25% of all criminal defendants sentenced nationwide during 1988. In the year ending June 30, 1989, 1,394 drug cases were pending in the courts of the Southern District of Texas — more than 2-1/2 times the number in the Southern District of Florida, which includes Miami.

The eleven judges in the Southern District of Texas, which consists of a 43-county area stretching from Houston south to Brownsville and west to Laredo, had an average of 69 felony drug cases each in 1989. This case load greatly exceeds that of their counterparts in other areas of the nation: judges in the Southern District of New York hear an average of 17 cases per year, while those in the Southern District of Florida handle 32 per year.

✓ Enhancement of State Crime Laboratories

The role of the crime laboratory, although a narrow one, is crucial to convicting drug offenders. Timely analysis and reporting of laboratory results are essential, since most jurisdictions require a chemist to identify the drug before seeking a grand jury indictment.

"Approximately 75% of the case load in our area is drug cases. The drug cases that we are presently receiving are more complex than the cases we were receiving four or five years ago. We have received two cases of ice that we have analyzed in the laboratory."

Manuel Valadez, Supervisor
DPS Laboratory Services
Garland

The Texas Department of Public Safety operates 12 crime laboratories, located throughout the state, which examine the majority of drug evidence seized by all law enforcement officers in the state. DPS estimates that approximately 75% of the laboratories' case load is drug samples submitted for analysis.

The number of drug samples submitted to the laboratories has increased steadily over the past ten years, at an average rate of 10% per year. In 1989, the laboratories received and examined evidence from 23,000 drug offenses. This compares with 10,400 in 1979 and with 20,800 in 1988. Also, new legislation went into effect in September 1989 regarding drug-reversal cases, which imposed further demands on crime-laboratory chemists.

Since 1987, the Texas Narcotics Control Program has provided support to the DPS crime laboratories to upgrade equipment and increase personnel, with the goal of allowing examination of more drug samples, reducing processing time, and enabling chemists to serve as expert witnesses at trial. Because the successful activities of the Texas Narcotics Control Program task forces create a greater workload for the laboratories, enhancement of crime

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The Texas Narcotics Control Program task forces have seized 1,088 weapons, many of them fully automatic like the ones pictured here. Notice the box for the Uzi submachine gun.

laboratories will be a key component of the 1990 strategy.

✓ Asset Forfeiture

Recognizing that asset forfeiture is an effective tool that can seriously hamper the operation of a drug dealer, the Governor's Office uses a special condition for projects funded by the Texas Narcotics Control Program. Cooperative agreements are negotiated with district attorneys in each task force's jurisdiction and provide that all proceeds from seized assets are to be returned to the seizing agency (task force) to be used to further the goals and objectives of the project. Thus, the forfeiture of assets derived from drug trafficking is used to offset the continuing cost of operations by use of this "generated program income."

By generating income from forfeitures, task force projects are able to supplement grant funds. Program guidelines allow use of this source of funds for unbudgeted expenses and matching funds with prior approval. In many instances, it has enabled a project to expand its activities or acquire additional needed equipment.

As of July 31, 1989, task forces reported a total of \$100,000 in cash on hand from forfeitures, even after using a percentage of generated program income to enhance their operations. During the coming year, it is anticipated that even greater sums will be derived from forfeitures as a result of the new asset-forfeiture legislation that went into effect in Texas on October 18, 1989.

Originally intended to allow the projects to become self-sufficient through accumulated

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program income, these moneys have been used to ensure continuation of the entire program. During fiscal year 1988, when federal funds for the Texas Narcotics Control Program were reduced by 77 %, these funds were used to extend the operating period of the projects until the next year's moneys were available. In most cases, this consumed the total generated program income account. This is particularly true of smaller, rural task forces, which typically do not accumulate significant amounts of cash because of the type of offenders they target — the same projects that will be unable to secure matching funds from local revenues in the future.

For this reason, implementation of the 50% cash-match provision of the Anti-Drug Abuse Act of 1988 threatens continuation of the Texas Narcotics Control Program. Although the legislative intent of the match requirement, which is to ensure local project commitment, may be sound, it is tacitly unfair. The State and Local Assistance Program has not received funding consistent with the levels authorized in enabling legislation, forcing existing projects to consume any cash reserves dedicated to future match or perish. This has severely damaged the integrity of the federal assistance program.

✓ Evaluation of the Texas Narcotics Control Program

Since its inception in 1987, the Texas Narcotics Control Program has included a comprehensive evaluation plan to assess the impact of projects developed to implement the statewide drug strategy. This includes the following provisions:

- *TNCP Narcotic Activity Reports:* Data needed for evaluation of apprehension task

"The basic concept of funding drug task forces has proven to be successful."

Commander Mike Scott
DPS Narcotics Service
Austin

force projects are provided by reports required of each subgrantee on a quarterly basis. These reports capture data on arrests, drug removals, and non-drug asset seizures and forfeitures. A section to detail the weapons confiscated is included in order to assess the types of weapons being used in drug activity

- *Quarterly Progress Reports:* Projects designed for prosecution, adjudication, and identification of drug offenders for treatment at the time of detention are required to report quarterly also. Specially designed forms developed by the program's staff collect production data and performance indicators.
- *Program Monitoring:* Texas Narcotics Control Program staff members conduct regular visits to program sites to review all subgrantee records. During such visits, record-keeping procedures and program operating methods are reviewed for compliance with grant guidelines. Special attention is given to confidential funds accounting. This is an excellent opportunity to detect and quickly resolve any problem areas in implementation of the project.
- *The Criminal Justice Policy Council,* the state's statistical data agency, has been conducting a data-collection project since December 1987. It follows cases initiated

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by Texas Narcotics Control Program task forces through arrest and disposition by compiling data submitted on a three-part paper form designed by the Policy Council. The information reported has been compiled into an offender-tracking data system. A sampling of the information acquired through this project shows:

- * 52.6% of those arrested for whom this data element was provided had at least one prior conviction
- * the average time from arrest to case filing was 12.8 days
- * prison sentences were ordered for 52.5% of those offenders sentenced
- * cocaine sales and possession together made up 43.0% of the total convictions

This project is unique within the state because it provides data that are not collected elsewhere. Also, it is the only offender-tracking data system of any type operating in the state. The project has greatly enhanced the continuing evaluation efforts of the Texas Narcotics Control Program, as it facilitates an in-depth assessment of each task force.

✓ Consortium for Drug Strategy Impact Assessment

Texas is one of fifteen states participating in this state-based effort to define, collect, and analyze information pertaining to state drug-control strategies funded under the Anti-Drug Abuse Act of 1986. The Consortium is a cooperative research effort of the participating states, the Drug Strategy Evaluation Advisory Committee, the Criminal Justice Statistics Association (CJSA), and the Bureau of Justice Assistance. This project is a policy-analysis

effort, generating data and findings that identify and evaluate the options for action facing decision makers in any policy arena.

✓ Internal Evaluation

In addition to these evaluation activities, the Texas Narcotics Control Program conducts an ongoing internal evaluation of existing projects. Based on an analysis of certain data, projects are ranked according to production and cost-efficiency. This ranking is used extensively during the grant review and award process. These evaluation methods provide a real assessment of the returns that the Texas Narcotics Control Program receives for the amount of federal and state dollars invested.

1989 Texas Narcotics Control Program Select Seizure Report

✓ **May 10, 1989: Austin Regional Anti-Drug Abuse Task Force**

Task force investigators working in an under-cover capacity culminated an investigation with the arrest of three males, who were charged with delivery of one kilo of cocaine and 104 pounds of marijuana. During the arrest process, a shootout occurred and one police officer was shot. Suspects were additionally charged with attempted capital murder of a police officer.

✓ **October 7, 1989: Cameron County Drug Enforcement Task Force**

Task force investigators conducting a surveillance at a known Rio Grande crossing into the U.S. were able to seize 2,628 pounds of marijuana, valued at \$1,051,200. Two suspects were arrested and indicted.

✓ **November 14, 1989: Dallas Love Field Airport Task Force**

Task force investigators targeted mid-level street dealers who were using motels for distribution locations. After surveillance operations, investigators were able to arrest 27 suspects on felony charges and seize a fully automatic assault rifle.

✓ **November 2, 1989: Del Rio Narcotics Trafficking Task Force**

Task force agents working in an under-cover capacity executed a search warrant at a local warehouse and seized 1,961 pounds of marijuana, valued at \$2,341,600. The marijuana was hidden in false walls of a refrigerated van.

✓ **April 27, 1989: Cross Timbers Narcotics Task Force**

A task force investigation led to the arrest of an individual known to be a member of a major methamphetamine-manufacturing organization. At the time of the execution of the search warrant, agents seized 72 pounds of P2P, valued at \$574,000.

✓ **August 10, 1989: South Plains Regional Narcotics Task Force**

The task force executed a search warrant at an area residence, resulting in the arrest of two Cuban nationals and the discovery of 867.4 grams of cocaine, 89.5 grams of crack, and 153 grams of marijuana sealed in wax and tape and buried in the back yard. Also seized were two pistols and two vehicles, one of which had a hidden compartment welded to its underside. At the time of entry, agents were confronted by a suspect armed with a pistol.

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✓ October 16, 1979: Deep East Texas Regional Narcotic Trafficking Task Force

As a result of an undercover operation in Polk and Trinity Counties, task force agents arrested 79 defendants and seized 4.97 ounces of cocaine (rock and powder), 42.6 grams of methadone, and a small amount of methamphetamine.

✓ May 24, 1989: City of Orange Special Law Enforcement Unit

Task force agents arrested 92 individuals for trading food stamps for cash, alcoholic beverages, automobiles, or illegal drugs. It was a joint investigation conducted with the U.S. Department of Agriculture, the Texas Department of Human Services, the Orange County Attorney's Office, and the U.S. Attorney for the Eastern District of Texas.

✓ October 7, 1989: Cameron County Drug Enforcement Task Force

Task force agents responded to an alert from an electronic sensor they had placed at a suspected crossing point on the Rio Grande, which led to the seizure of 2,628 pounds of marijuana and the arrest of two male suspects who were moving the contraband into Texas. The marijuana was valued at \$1,051,200.

✓ May 26, 1989: Laredo Narcotics Trafficking Task Force

Investigators working under cover purchased 355.6 pounds of cocaine, valued at \$14,337,792. Five suspects were arrested and indicted.

✓ November 8, 1989: Tarrant County Narcotics Intelligence Unit

Agents from this task force completed an investigation into the production and distribution of methamphetamine that took them to Huntington, West Virginia. There, they seized two operational clandestine laboratories that were manufacturing methamphetamine for distribution throughout the southwest. The seizure netted illicit drugs valued at \$2.16 million and shut down an elaborate distribution network.

✓ May 10, 1989: Tri-County Narcotics Task Force (San Patricio)

Task force agents received information about five Oregon residents suspected of purchasing marijuana to be transported out of state. A search warrant was executed on the suspect's vehicles while all suspects were meeting in a roadside park. The search resulted in the seizure of 110 pounds of marijuana concealed in the hull of a 17-foot boat and a stock trailer. Seized along with the boat and stock trailer were three vehicles, two motor homes, a travel trailer, and \$131,580 in silver ingots and U.S. currency. All five suspects were arrested and charged with aggravated possession of marijuana.

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✓ October 26, 1989: West Texas Multi-County Narcotics Task Force

Task force agents working on an under-cover operation at a truck stop were able to break up an operation that had existed for approximately ten years. The target group consisted of 25 people. At the conclusion of the investigation, 23 members of the group had been arrested, and 716 pounds of marijuana (valued at \$526,000) and \$500,000 in cash had been seized.

✓ December 8, 1989: Laredo Narcotics Trafficking Task Force

Investigators conducted an under-cover investigation that resulted in the seizure of 2-1/2 pounds of Mexican black tar heroin, valued at \$1,680,000. One adult male was arrested in this operation.

✓ May 19, 1989: Cross Timbers Narcotics Task Force

Task force agents working in an under-cover capacity were able to crack a \$5-million-a-year methamphetamine-manufacturing operation. Three suspects were arrested, and 6.7 pounds of methamphetamine, valued at \$302,305, was seized.

✓ October 8, 1989: Hill County Agriplex Roadrunners

Investigators from the task force completed an investigation that led them to a large marijuana-cultivation operation in rural Leon County. Agents were able to seize 3,841 growing marijuana plants, valued at \$1,921,660. Two adult males were arrested.

✓ July 21, 1989: Austin Area Anti-Drug Abuse Task Force

The task force culminated an investigation into the manufacture and distribution of MDMA (Ecstasy) pills in the Austin area. This action resulted in the seizure of 34,465 pills, valued at \$861,625, and the seizure of \$119,000 in cash, as well as a Mercedes and a Honda automobile and a truck. Five adult males were arrested and indicted.

✓ March 7, 1989: McAllen Drug Enforcement Task Force

Agents conducting a surveillance along the Rio Grande observed marijuana being smuggled into the U.S. Agents followed the shipment to a residence, where they seized a total of 5,330 pounds of marijuana, valued at \$2,132,000. Two suspects were arrested.

✓ October 24, 1989: Del Rio Narcotics Trafficking Task Force

The Del Rio Narcotics Trafficking Task Force responded to electronic sensors placed along the Rio Grande. Agents tracked six sets of footprints to an abandoned barn, where they seized 300 pounds of cocaine, valued at \$10,752,000. The investigation continues, and indictments are expected.

THE RESOURCES

✓ April 4, 1989: Tri-County Drug Abuse Task Force (Starr County)

Agents executed a search warrant at a residence in Starr County. There they seized 1,082 pounds of cocaine, 94 pounds of marijuana, and packaging equipment, with a total value of \$8.7 million. Three males were arrested and indicted.

✓ April 18, 1989: Central Texas Narcotics Control Task Force

Upon execution of a search warrant, agents discovered 435 marijuana plants growing in a large barn at a rural residence. A total of \$9,420 in cash was found in a hidden compartment of the house. Four persons were arrested, including a fugitive wanted for narcotics violations.

✓ December 4, 1989: Del Rio Narcotics Trafficking Task Force

Agents conducted an investigation that resulted in the seizure of 2,003.6 pounds of pure cocaine. The drugs were wrapped in 865 individual packets and hidden in a secret compartment of a van for transport. The value of the drugs is estimated at \$89,761,280. Two adult males were arrested and indicted.

✓ October 24, 1989: Laredo Narcotics Trafficking Task Force

Task force investigators were able to locate a stash of 7,135 pounds of marijuana hidden along the Rio Grande. The marijuana was valued at \$2,853,840. One suspect fled by diving into the river and swimming across to Mexico.

✓ November 7, 1989: Tri-County Drug Abuse Task Force (Starr County)

Investigators seized 1,751 pounds of marijuana, valued at \$1,400,800. It was stored in an old house located two miles from the Texas-Mexico border. One suspect was arrested.

✓ November 23, 1989: Del Rio Narcotics Trafficking Task Force

Task force agents working on an under-cover operation were able to seize 1,796 pounds of marijuana, valued at \$1,436,800. The vehicle was loaded and leaving the exit gate of a large ranch located on the Rio Grande at the time of the seizure. Three male suspects were arrested and indicted.

Texas Narcotics Control Program Analysis

The following statistical analysis of production statistics from the Texas Narcotics Control Program is broken down by the funding year for the grant projects. The calendar year equivalents are shown below:

1988 Texas Formula Grant Award (\$2.38 million)
Awarded to subgrantees on January 1, 1989; grants ended on August 31, 1989.

1987 Texas Formula Grant Award (\$10.5 million)
Awarded to subgrantees on December 1, 1987; projects began January 1, 1988; grants ended on December 31, 1988.

1989 Texas Formula Grant Award (\$6.78 million)
Awarded to subgrantees on September 1, 1989; grants to end on May 31, 1990.

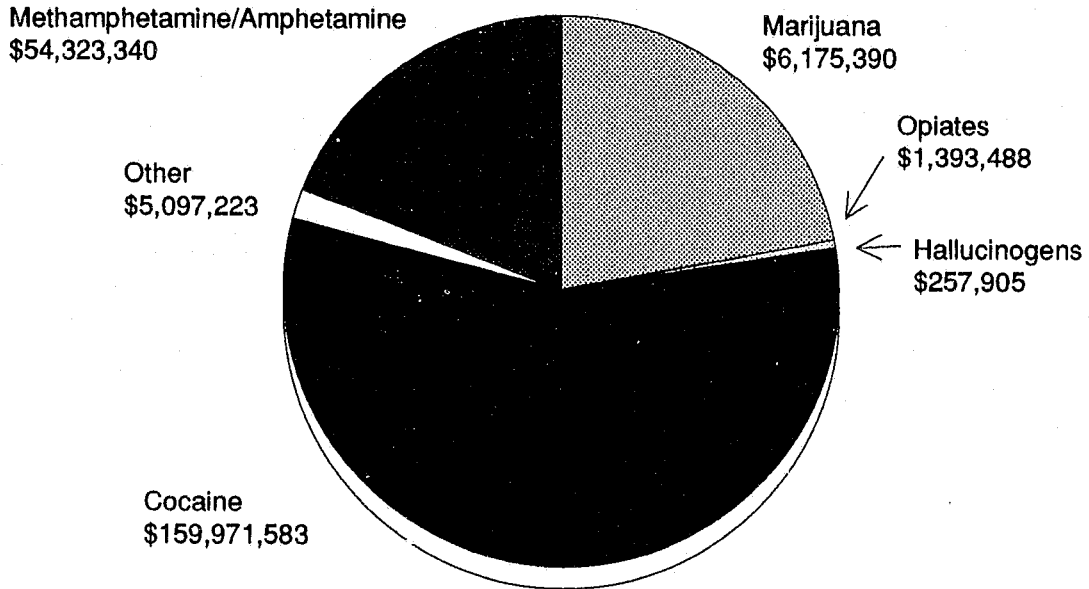
Total TNCP Production Statistics

January 1, 1988 to December 31, 1989

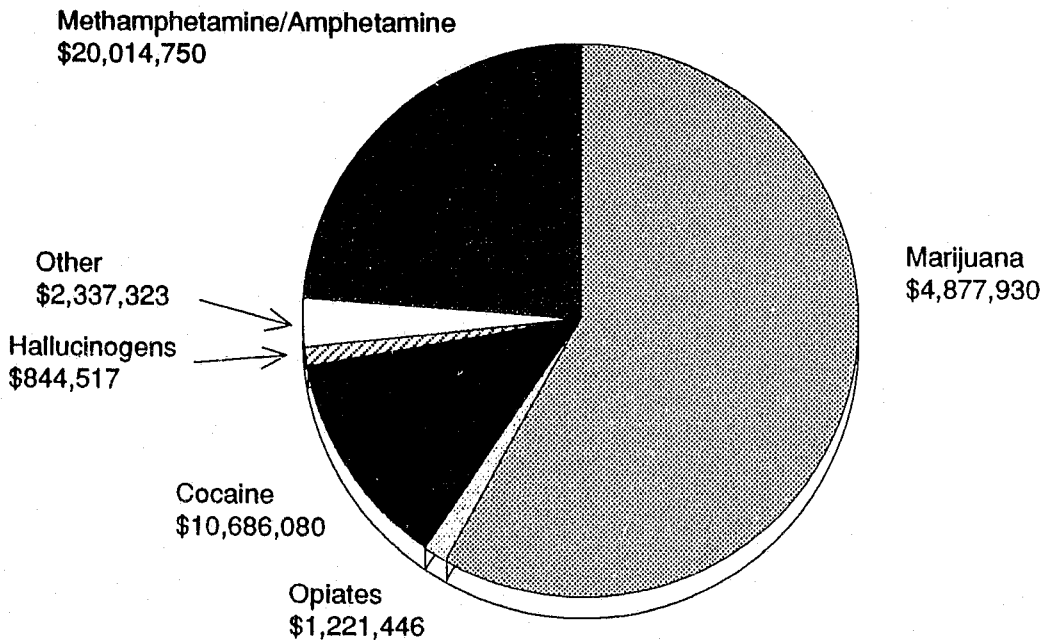
<p>Value of Drug Seizures \$714,729,417</p> <p>Arrests 13,584</p> <p>Value of Non-Drug Asset Seizures <i>(Vehicles, Weapons, Currency, etc.)</i> \$ 18,416,436</p> <p>Weapons Seized 1,088</p> <p>Clandestine Labs Seized 241</p>	<table border="0" style="width: 100%;"> <tbody> <tr> <td>Marijuana</td> <td style="text-align: right;">820,265 lbs.</td> </tr> <tr> <td>Cocaine Powder</td> <td style="text-align: right;">9,064 lbs.</td> </tr> <tr> <td>Heroin</td> <td style="text-align: right;">34.6 lbs.</td> </tr> <tr> <td>Crack Cocaine</td> <td style="text-align: right;">12.7 lbs.</td> </tr> <tr> <td>LSD</td> <td style="text-align: right;">9,892 doses</td> </tr> <tr> <td>Synthetic narcotics</td> <td style="text-align: right;">9,823 doses</td> </tr> <tr> <td>P₂P</td> <td style="text-align: right;">208 lbs. 20 gal.</td> </tr> <tr> <td>Amphetamines</td> <td style="text-align: right;">1,166 lbs. 727,064 doses 87 gal.</td> </tr> <tr> <td>Methamphetamines</td> <td style="text-align: right;">508 lbs. 76,491 doses</td> </tr> <tr> <td>Barbiturates</td> <td style="text-align: right;">3,670 doses</td> </tr> <tr> <td>Precursor chemicals</td> <td style="text-align: right;">7,225 lbs. 695 gal.</td> </tr> <tr> <td>Tranquilizers</td> <td style="text-align: right;">22,417 doses</td> </tr> </tbody> </table>	Marijuana	820,265 lbs.	Cocaine Powder	9,064 lbs.	Heroin	34.6 lbs.	Crack Cocaine	12.7 lbs.	LSD	9,892 doses	Synthetic narcotics	9,823 doses	P ₂ P	208 lbs. 20 gal.	Amphetamines	1,166 lbs. 727,064 doses 87 gal.	Methamphetamines	508 lbs. 76,491 doses	Barbiturates	3,670 doses	Precursor chemicals	7,225 lbs. 695 gal.	Tranquilizers	22,417 doses
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Funding Year 1987 TNCP Drug Seizure Analysis

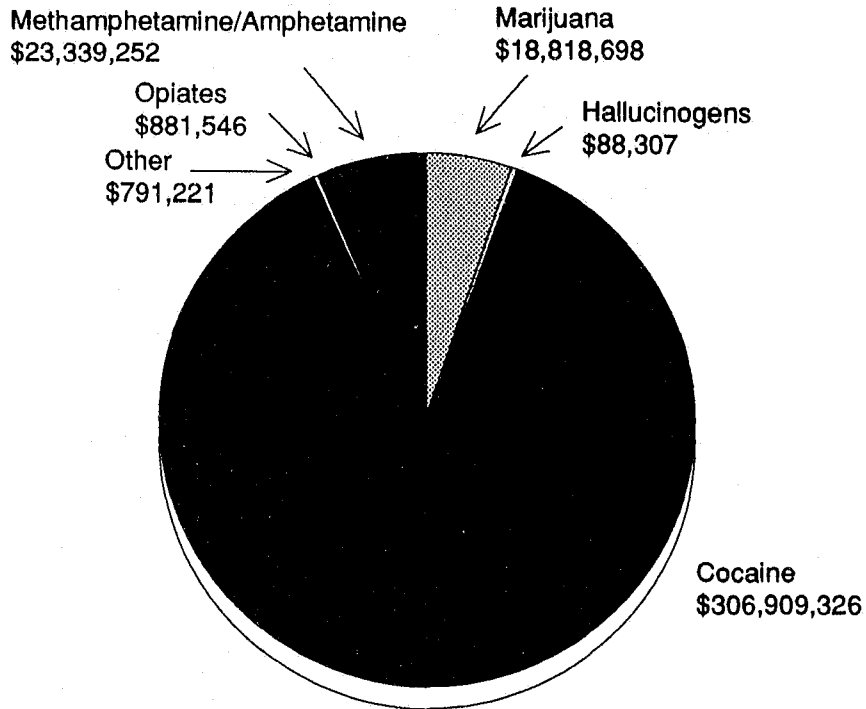


Funding Year 1988 TNCP Drug Seizure Analysis

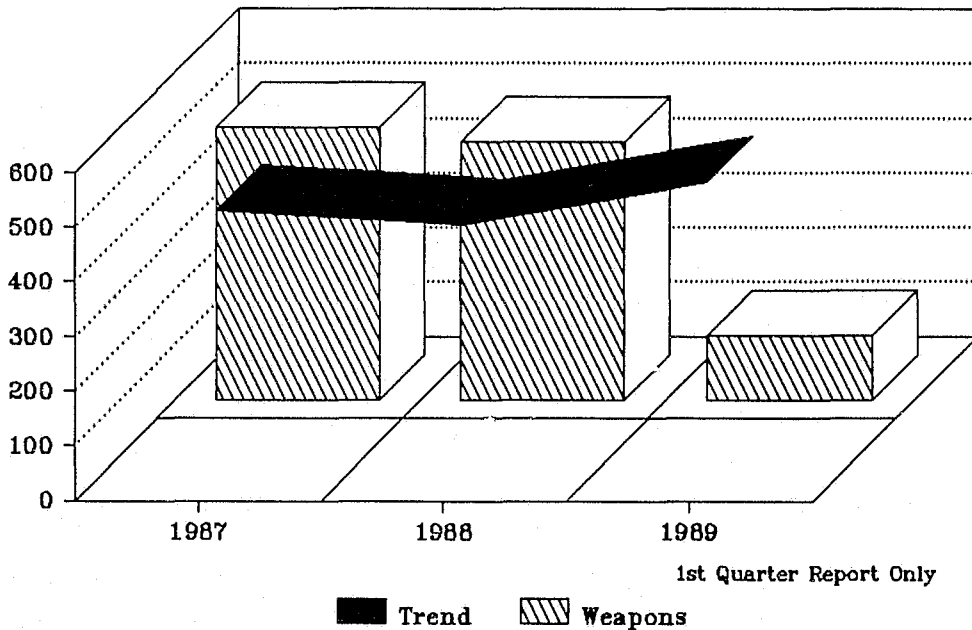


THE RESOURCES

Funding Year 1989 TNCP Drug Seizure Analysis (First quarter only)



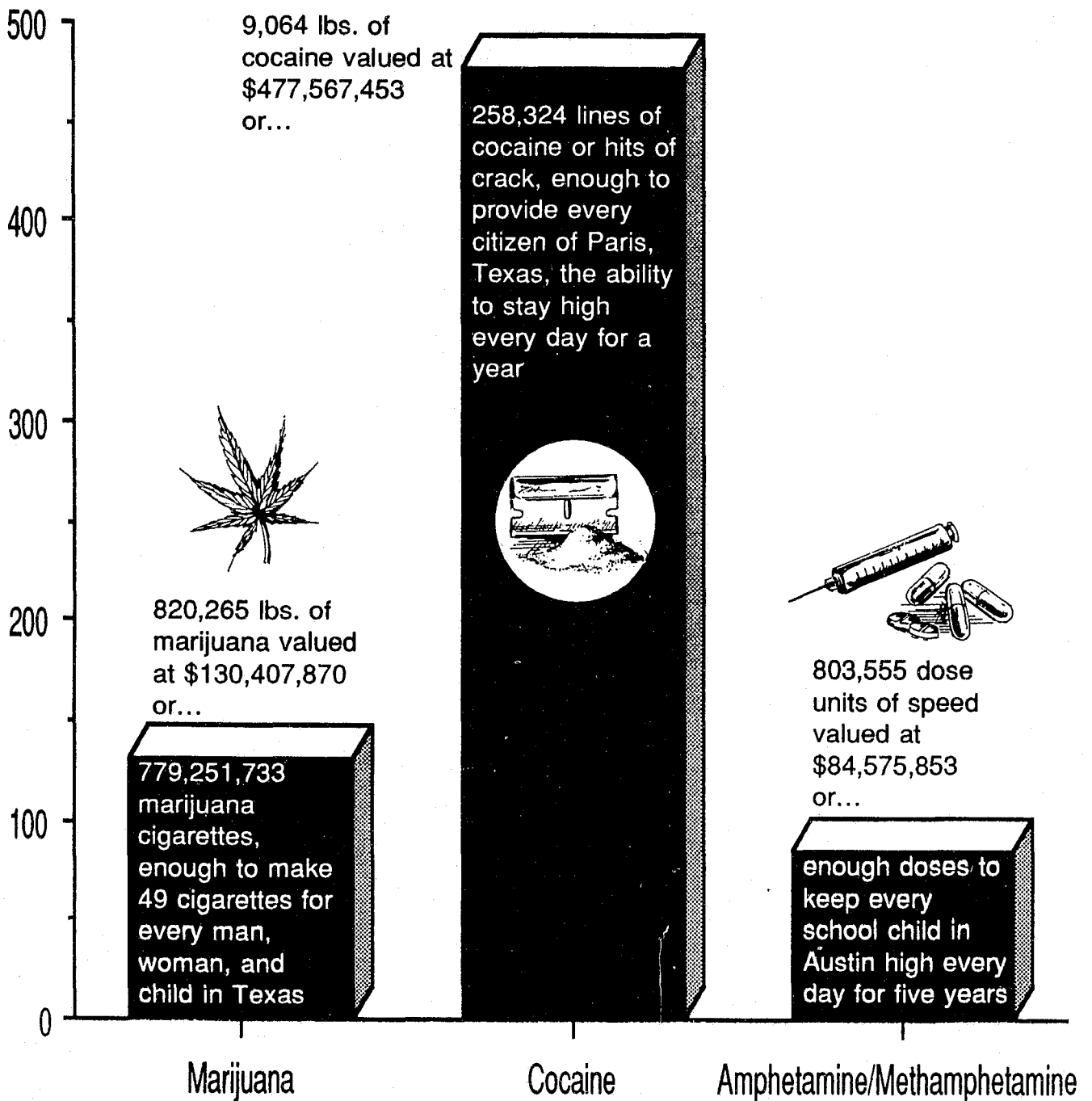
TNCP Weapons Seizure and Trend Analysis



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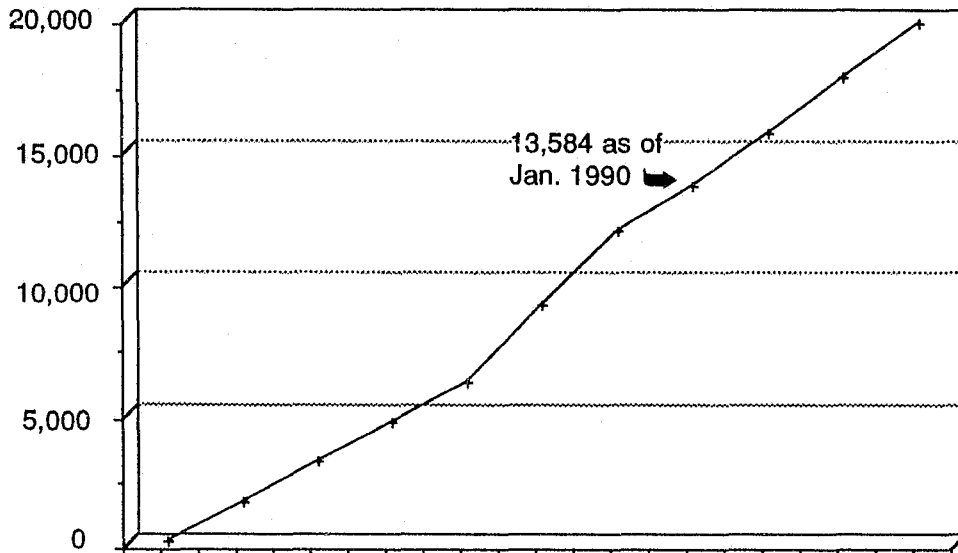
Total Value of Illegal Drugs Seized By the TNCP Task Forces

\$ Millions

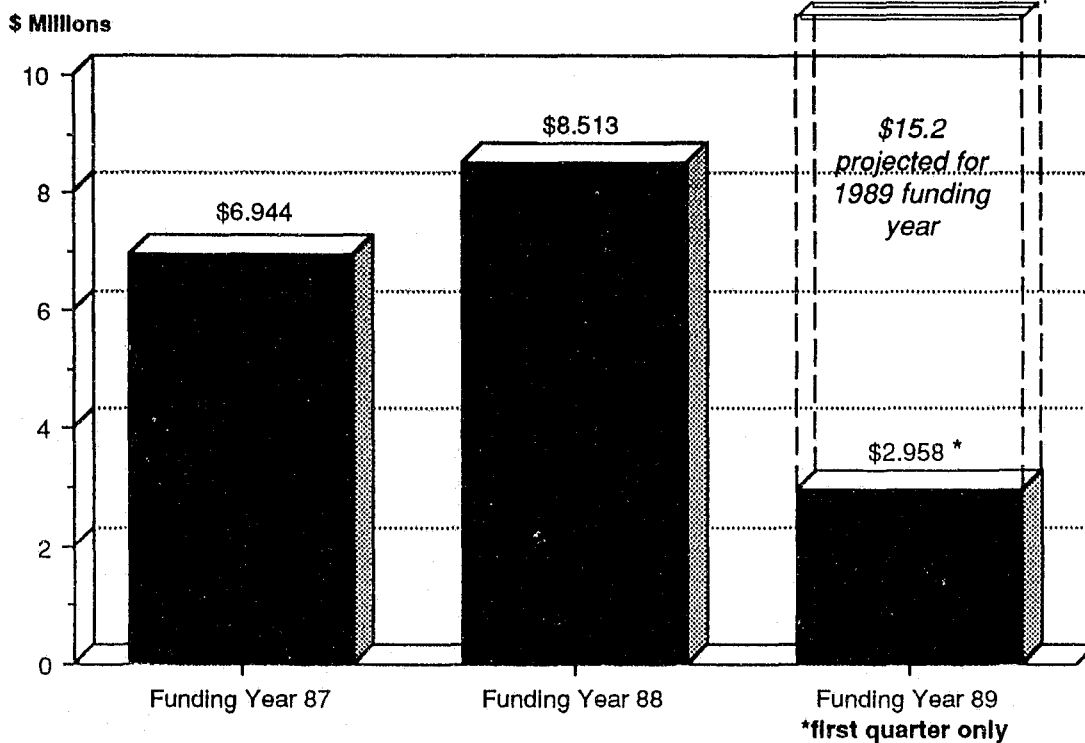


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TNCP Quarter-by-Quarter Cumulative Arrest Trend



TNCP Actual and Projected Asset Seizures by Funding Year



New Legislative Initiatives

The 71st Legislature, which met in regular session in 1989, provided many new tools that will help law enforcement agencies combat drugs on the streets of Texas cities. Governor Clements provided valuable leadership in the development of these new laws, which significantly strengthen the criminal justice system in Texas. Some of these initiatives were discussed briefly as part of the narrative on compliance with the National Drug Strategy. It should be noted that the strong federal recommendation for a mandatory drug-testing program as a condition of release from custody on bond or on probation or parole has already been enacted in Texas.

The enhanced asset-forfeiture law, which became effective on October 18, 1989, is probably the strongest weapon in the state's anti-drug arsenal. This new law marks a turning point in the war on drugs and crime in Texas. It greatly expands law enforcement agencies' ability to seek the forfeiture of property used in or derived from the commission of major felonies, such as drug dealing, murder, robbery, and burglary.

Real property used in drug operations, such as crack houses, acreage used to set up "speed" laboratories or grow marijuana, and private residences where drug deals take place, will now be subject to forfeiture. Under the previous statute, only property where the purchase money could be traced to drug profits could be seized and forfeited.

Seizures under the enhanced law are expected to eclipse what was achieved under a less powerful asset-forfeiture statute that was passed in 1981. The significant improvements in the state's asset-forfeiture powers provide

"If you're convicted of using or dealing drugs, you're going to be tested for drugs while you're on probation or parole. If you sell drugs to a minor, the judge and jury are forbidden to give you probation; you're going directly to jail — no probation.

And, if you use a car or a boat or any other property during your drug felony, you're going to lose that property under our new asset seizure law. We are determined to take the profit out of drug dealing, and we're going to do it with this new law. Our motto in Texas is no-nonsense tough: If you use or sell drugs, you will pay the highest price. The safety and well-being of our families is too important to be compromised by a drug peddler's dirty deeds."

Governor William P. Clements, Jr.

law enforcement agencies with the ability to remove the financial incentive for drug trafficking and other profit-driven crimes.

Also of major importance is the enhanced law on precursor chemicals enacted last year. In 1987, Texas instituted the requirement that chemical retailers report the sale of designated chemicals to the Texas Department of Public Safety. Despite the initial impact on the problem of illegal drug laboratories, laboratory suspects learned how to circumvent the law. In response, DPS prepared a new law on precursor chemicals that significantly strengthened the 1987 law, and the new provisions were enacted by the Legislature. The new law mandates the following:

- Chemical retailers must report the sale of designated chemicals 21 days before releas-

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ing the chemicals to the purchaser.

- Chemical retailers must perform an initial inventory of chemicals and maintain records of all incoming chemical shipments so DPS can audit the chemical retailer.

- Persons wanting to purchase designated chemicals must apply for a permit to purchase the chemicals. DPS may promulgate rules with regard to issuing or denying this permit.

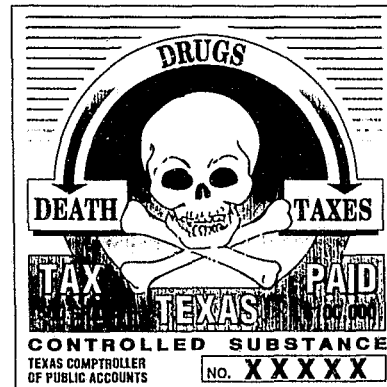
- The regulations on the sale of precursor chemicals also apply to the sale of chemical glassware and laboratory apparatus.

- Any person who receives precursor chemicals or glassware from a source outside the state must report the transaction to DPS.

Although other states have similar laws, Texas is the first state to place requirements on both the chemical retailer and the individual purchasing the chemicals. These tough new restrictions on the purchase of precursor chemicals and glassware are expected to slow the explosive growth of the clandestine-laboratory industry in Texas.

Last year Texas joined the 19 states that have enacted the "Al Capone" law to hit drug dealers where it hurts — in the pocketbook. Drug dealers to obtain tax permits and pay high taxes on their wares. Of course, no one is expected to apply for a permit to sell illegal narcotics, but since the law requires the payment of this tax, there is another good reason to prosecute drug traffickers: tax evasion.

Whenever prosecutors notify the Comptroller's office that drugs without the proper tax stamps have been confiscated, tax authorities can seize dealers' assets to collect the drug taxes owed to the State. In addition to having to pay the tax after they are caught, drug dealers who are convicted of tax evasion under the new law can be sent to prison for



from two to ten years and fined an amount equal to the drug tax.

Other important legislation that was part of the Governor's criminal justice package will also assist law enforcement officers in the fight against drugs and violent crime:

- Organized-crime statutes have been enhanced by lowering the number of conspirators required to establish an offense. This provides new tools to aid prosecution of drug kingpins and those who conspire to commit major fraud.

- In a major change, recordings of oral statements made by criminals to police officers have now been cleared for admission in a court of law.

- The penalty for aggravated assault on a peace officer was upgraded from a second-degree felony to a first-degree felony if the offender uses a deadly weapon.

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State and Local Enforcement Resources

Texas has approximately 41,000 commissioned peace officers employed in municipal, county, and state law enforcement agencies. On the local level, drug law enforcement is the responsibility of police departments in conjunction with their overall public safety duties within city limits. There are 868 police chiefs in Texas. Countywide jurisdiction for law enforcement is given to Texas sheriffs. There are 254 sheriffs in Texas, or one sheriff per county.

Numbers of personnel and degrees of specialization vary from county to county depending on the size and local revenues of each area. Larger jurisdictions operate specialized units dedicated to narcotics, repeat offenders, and the like. However, it is not uncommon in smaller, rural counties for the sheriff's department to be staffed by a just three — the sheriff, a deputy and a jailer.

Results of a survey conducted by the Criminal Justice Division staff during analysis of current anti-drug resources indicate that a very small percentage of specially trained, full-time dedicated officers are assigned narcotics responsibility. Of the seven cities with a population exceeding 250,000, commissioned police officers total 10,769, of which only 326, or 3%, are full-time narcotics officers.

✓ Organized Crime Control Units (OCCU)

At the present time, there are eight Organized Crime Control Units (OCCU) operating throughout Texas, funded by state and local moneys. Established to reduce the incidence of organized-crime offenses in their particular jurisdictions, these units focus on burglary, narcotics trafficking, gambling, and auto theft. The units rely on a multi-agency regional approach to develop strategic and tactical intelligence pertaining to organized criminal activity peculiar to each unit's region. Crime

Narcotics Officers in Texas Cities of 250,000 or More

<u>Police Department</u>	<u>Population</u>	<u>Total Comm'd Police Officers</u>	<u>Total Full-Time Narcotics Officers</u>
City of Austin	397,001	778	20
City of Corpus Christi	258,067	366	12
City of Dallas	974,239	2,429	82
City of El Paso	463,809	749	16
City of Fort Worth	414,562	976	49
City of Houston	1,705,677	3,953	118
City of San Antonio	842,799	1,518	29
Total		10,769	326

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networks that are too small in scope to merit the attention of federal agencies are investigated by the OCCU.

✓ State Narcotics Enforcement

The Texas Department of Public Safety Narcotics Service is charged with statewide enforcement of controlled-substance violations. The authorized strength of the Narcotics Service is 196 commissioned narcotics officers, 16 uniformed criminal law enforcement troopers, eight narcotics analysts, and 77 support personnel.

During calendar year 1989, Narcotics Service investigations resulted in 1,683 felony arrests. A significant amount of illegal drugs was removed from Texas streets, including 20,530 kilograms of marijuana, 351,285 ounces of cocaine, and 3,300 grams of heroin. A total of 72 clandestine drug laboratories were detected and removed. The Narcotics Service includes several specialized units:

- *Training Section* - responsible for the training of all DPS personnel in narcotics investigations. It provides regular, ongoing training activities for local agencies also.

- *Technical Unit* - conducts electronic surveillance of suspected drug traffickers. In 1989, this unit conducted 15 court-authorized wire intercepts, which so far have resulted in 12 arrests.

- *Triplicate Prescription Section* - provides an effective means of tracking prescriptions for Schedule II Controlled Substances. A three-part form, with one copy forwarded to DPS in Austin, helps prevent the diversion of drugs with legitimate use into the illegal market. In 1989, this section processed 574,960 prescription receipts.

- *Controlled Substances Registration Section* - responsible for registration of every person who lawfully manufactures, distributes, analyzes, or dispenses controlled substances in Texas.

- *Analyst Section* - provides professional assistance to all services of the Department of Public Safety, as well as to local and federal agencies. Members of this section identify suspects and analyze information.

- *Precursor Chemical Program* -, conducted by the Analyst Section to implement Texas legislation on precursor chemicals. This program maintains reports on all individuals who sell, transfer, or otherwise furnish any of the designated precursor chemicals that are used to illegally manufacture controlled substances. Unique to Texas, this program is recognized as a deterrent to operation of clandestine laboratories.

Federal Initiatives in Texas

In recognition of the extent of drug trafficking in Texas and the role that this plays in the nation's drug problem, the federal government has made a significant commitment of personnel and resources to the state. Federal agents work cooperatively with local and state officers in joint investigations and provide resources and expertise that may be lacking. All federal agencies that are charged with law enforcement responsibility are active in Texas, including:

- Drug Enforcement Administration (DEA)
- U.S. Customs Service
- U.S. Coast Guard
- Immigration and Naturalization Service (INS)

THE RESOURCES



The U.S. Border Patrol seizes all types of contraband smuggled into Texas, such as this cache of weapons that was seized at the Falfurrias checkpoint. Weapons smuggling is a major problem along the border.

- U.S. Border Patrol
- Federal Bureau of Investigation (FBI)
- Bureau of Alcohol, Tobacco and Firearms (ATF)
- Internal Revenue Service (IRS)
- U.S. Marshals Service

It is important to note that the Tyler Office of DEA has recently been upgraded from a post-of-duty to a resident office because of the volume of drug investigations conducted during the past year. This classification change will provide additional personnel and resources to the area.

Although the primary focus of some of the above agencies is not drug law enforcement, they often become involved in narcotics investigations with other agencies.

For example, the Bureau of Alcohol, Tobacco and Firearms (ATF) has become an active participant in the fight against narcotics and violent crime in Texas, as evidenced by the increased number of joint investigations being conducted. Through use of provisions in the Career Criminal Act of 1984 [18 USC 924(e)] and Use of a Firearm During a Federal Drug Crime or a Crime of Violence [18 USC 924(c)], enhanced sentencing of drug smugglers is effected. Both acts call for mandatory sentencing. These statutes are a valuable tool to prosecute career criminals.

✓ Drug Enforcement Administration/ State and Local Task Forces

Through formal agreements with DEA and participating state and local agencies, narcotics task forces operate in Lubbock, Tyler, Corpus Christi, San Antonio, McAllen, and at the Dallas/Fort Worth Airport.

✓ El Paso Intelligence Center (EPIC)

This federal air and marine interdiction and tactical intelligence effort, located in El Paso, provides for the sharing of intelligence among agencies throughout Texas. Focusing on air and marine smuggling, it provides analyses of smuggling methods, routes, and sources. EPIC responds to requests from field units on specific conveyances and persons suspected of transporting drugs.

✓ Operation Alliance

Initiated in August 1986 by then Vice President George Bush, this is a multi-agency

THE RESOURCES

coordinated effort to control the flow of drugs, weapons, and aliens across the U.S.-Mexico border in Texas, New Mexico, Arizona, and California. It is an alliance to share information and oversee intensified enforcement efforts along that border.

✓ **Organized Crime Drug Enforcement Task Force Program**

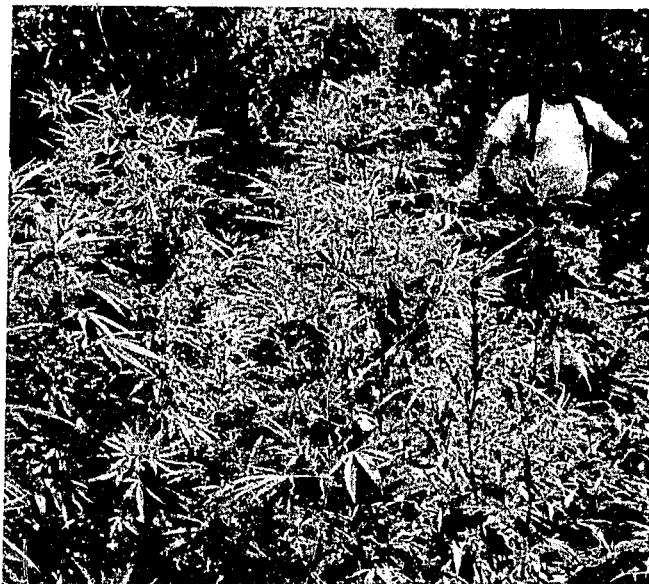
This network of regional task forces is designed to coordinate federal law enforcement efforts with state and local efforts to combat the national and international organizations that cultivate, process, and distribute illicit drugs. Administered out of the U.S. Attorney's Office, the program uses a consensus approach to investigation and prosecution that pools the strengths of participating agencies.

✓ **United States Attorneys**

The United States Attorneys and their assistants conduct prosecutions in federal court of drug trafficking and connected illegal activities, such as money-laundering cases. There are four U.S. Attorney Districts in Texas. Law Enforcement Coordinating Committees (LECC) have been established in all judicial districts to collectively assess the crime problems in each district and determine how best to use available resources to address those problems. Cross-designation of state and local prosecutors as federal prosecutors, allowing access to federal prosecution statutes and courts, is a now a frequent occurrence in cooperative investigations and prosecutions.

✓ **Texas National Guard**

Under the direction of Governor Clements, the Texas National Guard has become actively



Operation Green Thunder conducted by the Texas National Guard in conjunction with the Texas Department of Public Safety makes a significant contribution to the state marijuana eradication efforts.

involved in anti-drug support operations. Several missions have been conducted by the Guard, which is authorized to provide such support as ground surveillance, aerial reconnaissance and surveillance, cargo inspection and search at border entry points, and training programs for law enforcement personnel.

Operation Guardian involves 90 Army and Air Guardsmen working alongside U.S. Customs officers at the Port of Houston and four land ports of entry — Brownsville, El Paso, Hidalgo, and Laredo. Guardsmen search rail cars and tractor-trailers for illegal drugs stashed away in false compartments.

In a two-week period during August 1989, Guardsmen helped Customs search more than 5,000 tractor-trailers and more than 200 rail cars, resulting in seizure of approximately 8,000 pounds of marijuana. With continuing National Guard support, U.S. Customs hopes to triple its inspections of vehicles coming into Texas.

THE RESOURCES

Operation Green Thunder is a joint Texas National Guard and Texas Department of Public Safety marijuana-eradication effort. It was designed to identify illegal cultivation of domestic cannabis in Texas from aerial observation platforms provided by the Guard. Conducted in 59 select counties during the height of the marijuana-growing season of June through September 1989, it netted seizures of 3,113 cannabis plants, valued at \$1.5 million, in eleven different counties. Also discovered during the operation were one methamphetamine laboratory and one marijuana greenhouse operating in remote areas. Criminal charges were filed against seven individuals as a result. Texas continues to be the leading state in involvement of its National Guard personnel in drug-interdiction efforts. Recently, the Secretary of Defense approved the Guard's 1990 plan for drug law enforcement efforts, awarding \$10,936,000 for stepped-up efforts in the coming year.

✓ **Joint Task Force 6 (JTF-6)**

Based at El Paso's Fort Bliss, this task force staffed by all branches of the military has responsibility for 150 miles of inland territory along the Texas-Mexico border. Activated on January 2, 1990, it provides support for local, state, and federal law enforcement agency anti-drug efforts. Requests for JTF-6 assistance are routed through Operation Alliance.

✓ **Military Commitment**

Recognizing that drug trafficking's threat to national security, Congress expanded the military's anti-drug role in 1989 legislation, making the Pentagon the lead agency for detecting and monitoring aerial and maritime drug activities and creating a communications net-

work among drug-fighting agencies. Texas is pleased that military assistance will be dedicated to anti-drug efforts. Although there is a variety of support that can be provided by the military, an area where it could provide much-needed assistance is in the removal and destruction of hazardous chemicals from illegal drug laboratories. This particular function would greatly aid Texas, reducing the overall cost of drug law enforcement and assuring proper decontamination of laboratory sites.

✓ **Federal Asset Sharing**

Through the Justice Department's Asset Forfeiture Sharing Program, local and state law enforcement agencies in Texas reap the benefits of successful investigations. When assets are seized in connection with a drug-law violation, the proceeds are split among participating agencies pursuant to final forfeiture action. These funds are in turn used by Texas agencies to enhance existing resources. The following actual cash disbursements have been made to Texas agencies by the Justice Department, representing funds seized in drug investigations with all federal agencies:

- * FY 1986 = \$ 3,504,310
- * FY 1987 = \$ 2,674,123
- * FY 1988 = \$ 5,503,570
- * FY 1989 = \$ 8,839,619

Significant amounts of money have been infused into Texas as a result. In November 1989, U.S. Attorney General Dick Thornburgh returned nearly \$4.6 million in laundered money to the Houston Police Department. The money was seized in an investigation by Houston police and the Internal Revenue Service.

Statewide Strategy for Drug and Violent Crime Control

The ultimate goal of both supply-and demand-reduction efforts is the elimination of drug abuse and trafficking. Drug law enforcement addresses this goal by attacking the supply of drugs all along the distribution chain, from the field or laboratory to the end user. Development of an effective statewide strategy is vital to the ultimate goal of reducing both the supply of and the demand for drugs, as well as the incidence of drug-related violent crime. A clear statement of goals and objectives established to implement the strategy is therefore necessary.

A concise overview of the state's drug-abuse problem has been prepared from information obtained in public hearings, written testimony, the research of drug and crime studies, the collection and analysis of certain data, and information received from law enforcement, criminal justice, treatment, and education officials. This information has been incorporated into a comprehensive strategy for the coordination of efforts to control drugs and violent crime and the careful allocation of federal, state, and local resources.

"The big cities have a drug problem, but it is all coming through the border. We need to stop it here."

Julio F. Mercado, Group Supervisor
Drug Enforcement Administration
McAllen

1990 Strategy Elements

The Texas 1990 Statewide Strategy for Drug and Violent Crime Control prescribes the following goals, objectives, and plans for implementation:

To sharply reduce the supply of illegal drugs trafficked through our state.

- Enhance the apprehension of drug traffickers by continuing the successful multi-agency, multi-jurisdictional narcotics enforcement task forces established through the Texas Narcotics Control Program.
- Continue the proven approach of pooling personnel, equipment, and resources to effectively fight the proliferation of drugs, by creating additional multi-agency, multi-jurisdictional drug enforcement task forces where none currently exist.
- Increase the number of existing narcotics enforcement officers assigned to the task forces.
- Upgrade the equipment necessary for effective apprehension efforts.
- Augment undercover capability in areas of high-intensity drug smuggling.

THE STRATEGY

Immobilize illegal drug networks by targeting specific drug organizations for identification and investigation under the following categories:

- Colombian/South American cartels involved in marijuana and cocaine trafficking
- Mexican national groups involved in the production and distribution of marijuana and heroin and the transshipment of cocaine
- Traditional organized-crime groups involved in drug trafficking and drug-related organized crime
- Major regional drug groups involved in the production and distribution of illegal drugs through multi-agency investigations
- Outlaw motorcycle gangs involved in the production and distribution of methamphetamine and amphetamine and the commission of violent and property crime
- Border drug families controlling transportation of drugs across the Texas-Mexico border
- Ethnic drug gangs involved in large-scale, well-organized trafficking in cocaine, heroin, and marijuana and the sale of crack on city streets

Reduce the amount of methamphetamine and amphetamine available on the streets.

- Increase investigation and targeting of suspected clandestine laboratory sites
- Target suspected groups involved in manufacture and distribution
- Continue legislative initiatives that would further hinder the availability of necessary chemicals and hardware

Enhance investigations of drug-trafficking organizations by developing new intelligence sources.

- Increase intelligence sharing of necessary information among and between existing task forces
- Establish an easily available link to intelligence sharing with state and federal initiatives

Remove the financial incentive for drug trafficking through the use of asset seizure and forfeiture.

- Fund civil asset-forfeiture teams
- Create dedicated civil courts for asset forfeiture
- Support modification of Texas statutes
- Support federal asset-removal initiatives

Break the link between drugs and violent crime.

- Identify drug users in need of rehabilitation at the time of detention
- Make drug-abuse treatment services in community-based programs a priority
- Support drug-abuse treatment programs for incarcerated offenders
- Support offender drug-testing programs
- Support user-accountability efforts through legislative initiatives that would provide enhanced penalties

Conduct further evaluation of established drug-control efforts.

- Continue the data-collection project initiated to study TNCP arrests and dispositions
- Continue production of statistical analysis of TNCP projects

THE STRATEGY

Fight violent crime through strengthened legislative provisions.

- Increase the calendar time that drug and violent crime offenders must serve before becoming eligible for parole
- Enhance the penalty for drug-related murders
- Take steps to curb the proliferation of automatic weapons and assault rifles
- Remove state privileges for convicted drug offenders, such as driver's licenses

Expedite the prosecution and adjudication of drug offenders.

- Develop additional drug impact courts designed specifically to adjudicate drug offenses
- Use the vertical prosecution method
- Shorten the time between indictment and disposition
- Enhance the drug-analysis process by adding personnel and equipment to shorten turn-around time
- Enhance existing projects for this purpose in areas where such assistance could be used

Program Areas Authorized for 1990

Many of the goals were addressed during the two previous years of operation of the Texas Narcotics Control Program. The purpose of the Drug Control and System Improvement Program, as established by the Anti-Drug Abuse Act of 1988, is to assist states and local governments in carrying out programs that offer a high probability of improving the functioning of the criminal justice system, with emphasis on

violent crime and serious offenders.

Grants may provide personnel, equipment, training, technical assistance, and information systems for the more widespread apprehension, prosecution, adjudication, detention, and rehabilitation of persons who violate controlled-substance laws, as well as assistance to victims (other than by compensation), through 21 specific programs specified in the Act.

As identified by the Governor's Task Force on Drug Abuse, Drug Policy Subcommittee, the following legislatively authorized program areas are priorities for fiscal 1990:

1. Multi-jurisdictional task force programs that integrate federal, state, and local drug law enforcement agencies and prosecutors for the purpose of enhancing interagency coordination and intelligence and facilitating multi-jurisdictional investigations.

2. Innovative programs that demonstrate new and different approaches to drug offenses and other serious crimes.

3. Programs to improve drug-control technology, such as pretrial drug testing programs, programs that provide for the identification, assessment, referral to treatment, case management, and monitoring of drug-dependent offenders, and enhancement of state and local forensic laboratories.

4. Financial-investigation programs that target the identification of money-laundering operations and assets obtained through illegal drug trafficking, including the development of proposed model legislation, financial investigative training, and a financial-information-sharing system.

5. Drug-control evaluation programs that state and local units of government may use to evaluate programs and projects directed at state drug-control activities.

Recommendations to the U.S. Congress and the Office of National Drug Control Policy

Prior to the development of the 1990 Strategy, an in-depth assessment was made of the impact of the programs created under the Anti-Drug Abuse Act of 1988. The critical elements of each operation, including data on production, performance indicators, and problem areas, are consistent with all projects.

The continued success of state and local projects is contingent upon numerous recommendations that the Governor's Drug Policy Board respectfully makes.

The efforts by our Congressional representatives that have provided the available funding to state and local drug-enforcement initiatives and have focused the nation's attention on the drug problem are to be commended. The success of the National Drug Strategy depends greatly on the states' ability to perform. This performance is reliant on a working partnership with the federal government and an understanding for the need of consistency in project development. Listed below are serious concerns, with recommendations that it is felt would enhance this working partnership and increase the ability to accomplish the goals set forth by the National Drug Control Strategy.

✓ **Stability of Federal Funding Levels**

With the inception of the Anti-Drug Abuse Act of 1986 (P.L. 99-570), the State of Texas received \$10.5 million for drug law enforcement efforts. Thirty-nine new projects were created; of these, thirty-three were multi-agency, multi-jurisdictional projects that affected 173 coun-

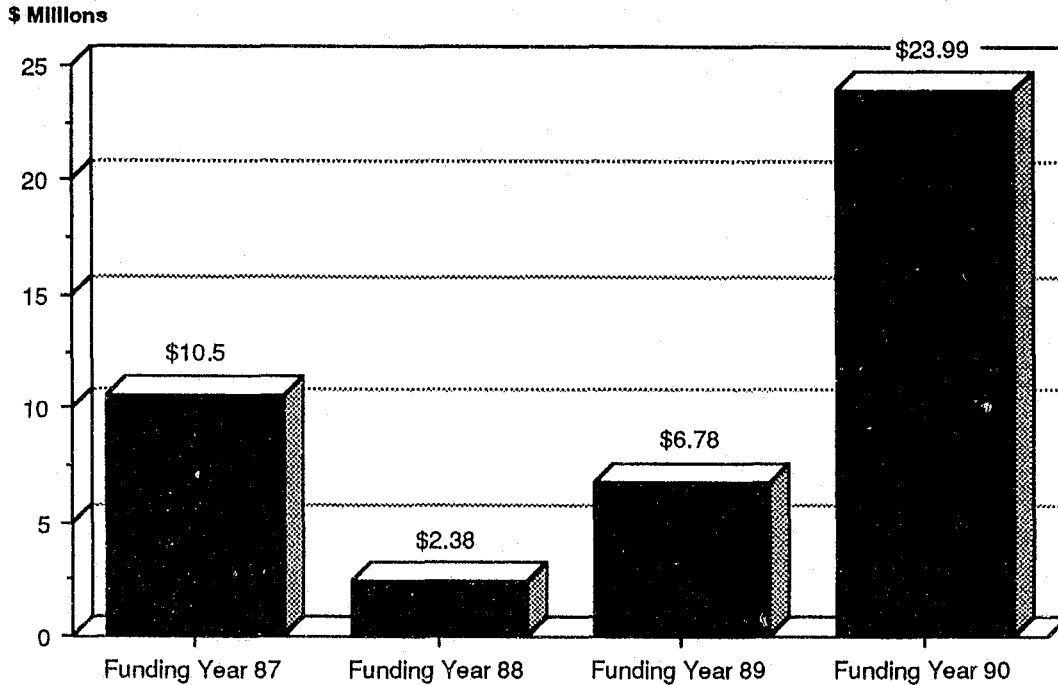
"My department, like so many others in this area, has fewer than 5 men to cover 900 square miles. We know that this manpower shortage contributes to the ease with which the narcotics traffickers exploit this area. We must have the task force operating at full strength with full funding or this area will become a mecca for drug traffickers."

Sheriff Paul Scarborough
Swisher County

ties in the State of Texas. New personnel, equipment, supplies, and confidential funds were provided to create these projects. In 1987, only \$2.38 million was awarded to Texas to continue these successful projects. This shortfall in funding imposed catastrophic consequences on these newly-formed projects. Through local initiatives and state assistance, we were able to keep the successful projects in operation. This reduced funding level allowed for no new projects or enhancement of existing ones. Numerous reductions in services resulted. In 1988, the State of Texas was awarded \$6.78 million to continue the projects that originally required \$10.5 million to establish. This reduced funding, again, created a situation where no new projects could be funded, and those existing projects that had proven successful were able only to maintain current status within a reduced nine-month funding period.

THE STRATEGY

Federal Funding Levels from the Anti-Drug Abuse Acts of 1986 and 1988



✓ Four-Year-Maximum Funding Requirement

The original Act provided that no project that had received four years of funding could receive additional funding. The legislative intent was that subgrant recipients, after four years, should develop the ability to be self-sufficient. This is a valid concept, based on ample and consistent funding during the four years. The funding levels have decreased to such an extent, however, that the existing projects have had to literally contribute all available resources to secure their existence. The opportunity to garner financial stability through asset forfeitures or other means has been adversely affected because of the need to reinvest all available funds into the project.

It is recommended that consideration be given to removing this 48-month cap on sub-

grantees until a consistent funding level for 48 months can be established.

✓ Funding-Match Requirements

Currently it is required that all subgrantees match any grant request with 25% new monies. In the State of Texas we have 254 counties, and 246 of these can be classified as rural. There are areas, particularly in the Rio Grande border region, where the per-capita income is less than \$8,000. If it were not for the decision by the Governor to supply this 25% cash match for the local units of government, many of these successful projects would never have been created. The tax base for these communities does not allow the required large amount of money as a cash match. Given a stable funding environment, these projects could achieve this required cash match through the asset-

THE STRATEGY

forfeiture effort but to date all of these funds have been used to make up the reduction in federal funding.

It is recommended that consideration be given to allowing new projects to be exempt from first-year cash-match requirements so that these much-needed drug enforcement services can be instituted and allow the project to meet future cash-match requirements through asset-forfeiture procedures.

Additionally, consideration should be given to allowing the subgrantees to meet this cash-match requirement through soft match capabilities. A lot of local resources are donated to these projects, and recognizing such donations as meeting cash-match requirements would allow the continuance of many projects and the creation of many more.

✓ Assistance with Removal and Disposal of Chemicals

Texas is currently considered the number two state in the nation in the domestic production of amphetamine and methamphetamine. Since the inception in 1987, projects operating from funding provided by the Anti-Drug Abuse Acts have seized and eliminated 241 operational clandestine methamphetamine and amphetamine laboratories. The average estimated cost for the removal and destruction of these seized chemicals pursuant to EPA guidelines is \$5,500.00 each. In the 26 months of operation of the TNCP, expenditures for this service have exceeded \$2.2 million. Given the normal yearly increase in the cost of services and the increase in enforcement production, it is reasonable to expect that this service is going to absorb an disproportionate amount of a subgrantee's award.

It is recommended that consideration be

given to the possibility of using available military resources for such removal and destruction of chemicals. Texas has many military installations with equipment and expertise to provide this assistance. Second, it is recommended that consideration be given to awarding a discretionary grant to states with this financial burden to provide a financial pool for these services. Either of these recommendations would greatly reduce the financial burden borne by the subgrantees, thus allowing them to devote their resources to enhanced drug law enforcement services to their communities.

✓ Provide Direct Access to Federal Intelligence Sources (EPIC)

The El Paso Intelligence Center (EPIC) is located in El Paso, Texas. Under current standard operating procedures, a local task force commander or agent cannot access EPIC. The agent must first get in touch with a DPS agent, if available, then make a request through him, pursuant to which the DPS agent makes the actual EPIC inquiry. The entire process could take from several hours to several days. This procedure is not an efficient one. Intelligence information is often needed immediately for a successful investigative result.

It is recommended that consideration be given to allowing, at the very least, the 31 multi-agency, multi-jurisdictional task force commanders to have immediate and direct access to EPIC services. This process would increase the investigative ability of all statewide task forces. This is a partnership between all forms of government, and it is felt this accessibility is vital to our overall success.

THE STRATEGY

✓ Designation as High-Intensity Drug-Trafficking Area

Texas shares 1,248 miles of international border with Mexico. The majority of these miles are located in rural, sparsely populated areas. It is an acknowledged fact that Colombian cartels are using the Mexico-Texas transshipment routes so extensively that only Florida is used more for entry into the United States. Mexico, the largest exporter of marijuana into the United States, uses the Texas border as its main transshipment route as evidenced by the large quantities of cocaine that have been seized in Texas this past year. Mexico rivals Florida as the second-largest cocaine transit route into the U.S. It is believed that just one organization was able to smuggle from 60 to 250 tons of cocaine through the El Paso port of entry alone.

In addition to actual smuggling, there is an alarming increase in the number of cocaine processing laboratories relocated in Mexico by the Colombian cartels.

Of the drugs being smuggled into the United States along the Texas-Mexico border, intelligence indicates that the majority is being warehoused in storage sites in Texas and repackaged for shipment to other points in the country. One needs only to refer to the shipment labels affixed to cocaine and marijuana seized in Texas to find addresses of New York, Chicago, Los Angeles and a host of cities in between. All federal agencies working drug interdiction efforts along the border confirm that drug smuggling along this corridor is escalating dramatically.

Section 1005 of the Anti-Drug Abuse Act of 1988 (P.L. 100-690) permits the designation of "any specified area of the United States as a high intensity trafficking area." As has been

well documented in this report, the Texas land border with Mexico has become a virtual pipeline of drug smuggling and distribution. Mobilization of state, local and federal law enforcement assets has been significant, but the vast expanses of distance — 1,248 miles — and uninhabited nature of the region overwhelms even these efforts.

The State of Texas meets the definitional requirements, but certainly the 15 counties comprising the land border with Mexico are a high intensity drug trafficking area. One of these 15 counties is three times the size of the state of Delaware and has a total population less than the daily work force of Disney World in Orlando, Florida. Federal designation is not only necessary but mandatory if the sizable gap in this country's defenses against foreign drugs is to be filled.

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Data Summary Forms

The data in the charts that follow are reported based on the manner in which it is collected in Texas. It is reported in the recommended format, using forms provided by the Bureau of Justice Assistance (BJA), where possible. Latest available data is reported.

As reflected in the tables, not all requested data is collected or reported in the state. In instances where requested data is not available for the state as a whole, we have provided data reported by Texas Narcotics Control Program task forces collected by the Criminal Justice Policy Council.

APPENDICES

Report Period CY 1989

ESTIMATE OF AVAILABILITY OF DRUGS IN THE STATE

Please estimate the amount of controlled substances which are produced in the state and/or transported into the state. Indicate the type of drugs, source of the drugs and any observed changes in availability. Estimates may be derived from a variety of sources, such as a survey of law enforcement, DEA estimates, household surveys, etc. Please indicate the sources of the information and the methods used to make the estimates.

Drugs used predominately during this reporting period are crack, cocaine, methamphetamine and amphetamine, marijuana, heroin and a notable amount of hallucinogens.

There is no region of the state that does not report a very significant illegal drug problem or widespread availability of all types of drugs. This is fully discussed in the End User Distribution and Regional Analysis section of this report.

Illegal drugs are smuggled into or produced in Texas as follows:

- * Cocaine - source country Colombia; enters Texas through Mexico
- * Marijuana - source countries Colombia and Mexico; enters Texas at border; also domestically in large quantities
- * Heroin - Mexico is source country for brown and black tar heroin; enters Texas at border; Asian white heroin is smuggled into Texas mostly by air
- * Amphetamine/Methamphetamine - produced in Texas with chemicals purchased in neighboring states
- * Hallucinogenes - LSD and Ecstasy widely available in Texas; source is believed to be out state, primarily California
- * Ice - reportedly available in most areas of state, with quantity seizures made recently in Houston and Arlington

Estimates were derived from the following sources:

- * TNCP Task Force Commanders
- * Texas Department of Public Safety, Narcotics Service
- * Drug Enforcement Administration (DEA)
- * U.S. Customs Service
- * U.S. Border Patrol
- * Federal Bureau of Investigation (FBI)
- * Bureau of Alcohol, Tobacco & Firearms (ATF)
- * Operation Alliance
- * El Paso Intelligence Center (EPIC)
- * United States Attorneys in Texas
- * Oral and written testimony received at public hearings
- * Texas Commission on Alcohol & Drug Abuse
- * Drug Use Forecasting (DUF)

APPENDICES

PATTERNS OF DRUG TRAFFICKING AND DRUG USE IN THE STATE

Please describe the role of organized crime, motorcycle gangs or other groups in the drug problem in the state. Please distinguish between traditional organized crime (Mafia, La Cosa Nostra, Mob) and non-traditional organized crime (racial or ethnic organized groups).

Organized drug distribution networks operating in Texas include:

- 1) Mexican Nationals and/or Mexican Americans organized as "border drug gangs"
- 2) Traditional organized crime groups
- 3) International groups - Pakistanis, Nigerians, Puerto Ricans, Panamanians, Haitians, and most notably, a significant number of Colombians, Jamaicans, and Cubans
- 4) Outlaw motorcycle gangs
- 5) "Prison gangs" - groups of ex-offenders from TDC organized as crime groups, such as the Mexican Mafia and the Texas Syndicate
- 6) Methamphetamine manufacturing and distribution organizations consisting primarily of Anglos

Please describe any changes in drug use over the past several years, including changes in the drug of preference, such as crack or designer drugs, or changes in age groups using specific drugs.

- Indicators, such as deaths, emergency room episodes, and treatment admissions, recording prevalence of cocaine use have risen sharply over the past five years. Most of the increases have been due to the widespread use of crack.
- Use of methamphetamine, amphetamine, and hallucinogens has increased in several areas of the state.
- Heroin use indicators have leveled off and/or declined over the past two years.
- Age groups of persons using specific drugs has not changed significantly.
- Anticipate significant trend of ice use to develop in near future.

Please describe patterns for drug use across the state (e.g., does the type and level of drug use vary in different parts of the state).

According to a recent survey, the areas with the highest rates of drug abuse (adjusting for population size) are the Houston area, the Dallas/Fort Worth area, the Central Texas area (including Austin, Waco, College Station) and the San Antonio area. Reports from community sources indicate that use of various substances are particularly prevalent in selected areas, such as stimulants in the Dallas/Fort Worth area and crack in the Houston area.

APPENDICES

DRUG-RELATED INCIDENTS

Please indicate the number of drug-related deaths, accidents and emergency room incidents. For emergency room incidents, please show the number of drug mentions within the chart and indicate the total number of episodes (drug-related visits to an emergency room) in the space provided below the chart. The drug mentions may exceed the number of episodes, as more than one drug may be mentioned.

INCIDENT	MAJOR DRUG INVOLVED							
	OPIATES	COCAINE	CANNABIS	DANGEROUS DRUGS			UNKNOWN/ OTHER	TOTAL
				HALLU- CINOGENS	STIMULANTS	DEPRES- SANTS		
Death								2839
Emergency Rm. Incident	259	1403	536	98	504	292	290	3382
Fatal Traffic Accident								48
Non-Fatal Traffic Accident								666
Total								6935
Total emergency room incidents represents DAWN figures from City of Dallas only Other figures are statewide, representing 100 percent of population								

DRUG-RELATED SCHOOL INCIDENTS

Please indicate the number of drug-related disciplinary actions reported by the schools.

ACTION FOR DRUG USE	TYPE OF DRUG							
	OPIATES	COCAINE	CANNABIS	DANGEROUS DRUGS			UNKNOWN/ OTHER	TOTAL
				HALLU- CINOGENS	STIMULANTS	DEPRES- SANTS		
Disciplinary								
Suspension								
Expulsion								
ACTION FOR SELLING DRUGS	THIS INFORMATION IS NOT COLLECTED IN TEXAS AT THIS TIME							
Disciplinary								
Suspension								

APPENDICES

STATE AND LOCAL DRUG ARRESTS

Calendar Year 1988

CLASSIFICATION OF OFFENSES	SEX	JUVENILES (16&UNDER)	ADULTS (17&OVER)
SALE/MANUFACTURING (1)			
Opium or Cocaine -----	M -----	32 -----	3,998
	F -----	6 -----	833
Marijuana -----	M -----	79 -----	2,104
	F -----	13 -----	347
Synthetic Narcotics -----	M -----	17 -----	1,062
	F -----	1 -----	322
Other(Dangerous Non-Narcotic) --	M -----	14 -----	453
	F -----	3 -----	111
SUBTOTAL (1) -----	M -----	(142) -----	(7,618)
	F -----	(23) -----	(1,613)
POSSESSION (2)			
Opium or Cocaine -----	M -----	294 -----	14,280
	F -----	60 -----	3,192
Marijuana -----	M -----	1,801 -----	22,493
	F -----	277 -----	3,024
Synthetic Narcotics -----	M -----	119 -----	3,848
	F -----	37 -----	1,250
Other(Dangerous Non-Narcotic) --	M -----	285 -----	2,293
	F -----	34 -----	767
SUBTOTAL (2) -----	M -----	(2,499) -----	(42,914)
	F -----	(408) -----	(8,233)
TOTAL (1)+(2) -----	M -----	2,641 -----	50,532
	F -----	431 -----	9,846
GRAND TOTAL -----		3,072 -----	60,378

Source: Texas Department of Public Safety
Uniform Crime Reporting (UCR)

APPENDICES

TEXAS DEPARTMENT OF PUBLIC SAFETY
NARCOTICS SERVICE DRUG SEIZURE STATISTICS

January Through December, 1989

DRUG SEIZED	QUANTITY SEIZED	ESTIMATED VALUE
Cannabis Plants Eradicated	1,255,361	\$ 474,959,550.00
Cannabis	20,530.06 kg	31,251,237.00
Cocaine	351,285.10 oz	1,024,531,306.00
Heroin	3,300.82 gms.	1,065,572.00
LSD	579.00 d.u.	2,470.00
Methamphetamine	849.63 oz	1,049,514.00
Meth Oil	11,134.65 oz	3,630,891.00
Amphetamine	173.65 oz	224,991.00
Amphetamine Oil	6,232.64 oz	1,996,500.00
Depressants	27,094.50 d.u.	134,828.00
THC/Hash	5,600.00 d.u.	600.00
Other	20,102.00 d.u.	101,005.00
Stimulants	37,798.00 d.u.	919,805.00
Other Narcotics	19,699.50 d.u.	45,207.00
Other Hallucinogens	14,716,121.50 d.u.	27,697.00
P ₂ P	8,463.70 oz	1,105,560.00
Other Precursor Chemicals		167,535.00
TOTAL ESTIMATED VALUE		\$1,541,214,268.00

FELONY ARRESTS 1683

APPENDICES

STATE AND LOCAL DRUG CONTROL UNITS

Please indicate the number of agencies in the state which have drug control units and the number of full-time equivalent employees (FTE) assigned to the unit.

TYPE OF AGENCY	NUMBER OF AGENCIES WITH DRUG UNITS	FTE ASSIGNED
State Law Enforcement Agency - DPS	1	196
Statewide Drug Enforcement Task Force TNCP	31	enforcement = 188 prosecutors = 19
Local Law Enforcement Agencies ^{Cities w/} 250,000+	7	326
Local Drug Enforcement Task Force OCCU	8	23
DEA/State & Local Task Forces	6	80
Local Prosecutors	6	10
Number of Agencies Reporting <u> All </u>	Percent of Population Served by Reporting Agencies <u> 100% </u>	

APPENDICES

NON-DRUG SEIZURES AND FORFEITURES

January through December 1988

<u>ITEM</u>	<u>SEIZURES</u>	<u>FORFEITURES</u>
Vehicles	354	47
Aircraft	5	1
Weapons	58	3
Real Property	\$2,135,210	0
Jewelry	\$67,934	0
Currency	\$6,709,389	\$744,329

Source: Texas Department of Public Safety, Narcotics Service

Department of Public Safety seizure figures may include cases worked with local and federal agencies.

APPENDICES

STATE AND LOCAL ARRESTS FOR VIOLENT CRIMES

Calendar Year 1988

CLASSIFICATION OF OFFENSES	SEX	JUVENILES (16&UNDER)	ADULTS (17&OVER)
Murder & Non-Negligent			
Manslaughter -----	M -----	120	1,359
-----	F -----	8	192
Manslaughter By Negligence ----	M -----	7	256
-----	F -----	1	27
Forcible Rape -----	M -----	169	1,950
-----	F -----	6	26
Robbery -----	M -----	848	5,885
-----	F -----	55	636
Aggravated Assault -----	M -----	1,363	13,376
-----	F -----	298	1,993
Burglary-Breaking & Entering --	M -----	9,091	23,065
-----	F -----	549	1,463
GRAND TOTALS -----		12,515	50,228

Source: Uniform Crime Reporting (UCR)
Texas Department of Public Safety

APPENDICES

Report Period CY 1989

STATE AND LOCAL DRUG DISPOSITIONS

Please indicate the results, by defendant, of cases reaching disposition during the report period. Because of the time lag between arrest and disposition, the arrests reported in the previous chart and the dispositions reported in this chart may refer to different cases.

DISPOSITION	MAJOR DRUG INVOLVED							
	OPIATES	COCAINE	CANNABIS	DANGEROUS DRUGS			UNKNOWN/ OTHER	TOTAL
				HALLU- CINOGENS	STIMULANTS	DEPRES- SANTS		
Convicted	7	359	161	3	121	1	74	726
Acquitted	-	5	2	-	1	-	-	8
Dismissed	1	30	14	-	26	2	6	79
Declined	-	13	17	-	2	-	2	34
Unknown		14	53	-	6	-	6	79
Total	8	421	247	3	156	3	88	926
Number of Agencies Reporting <u>31</u>				Percent of Population Served by Reporting Agencies <u>82%</u>				

STATE AND LOCAL DRUG CONVICTIONS

Please indicate the total number of drug-related convictions within the state during the report period.

OFFENSE	MAJOR DRUG INVOLVED							
	OPIATES	COCAINE	CANNABIS	DANGEROUS DRUGS			UNKNOWN/ OTHER	TOTAL
				HALLU- CINOGENS	STIMULANTS	DEPRES- SANTS		
Buying/Receiving								
Cultivation/ Manufacture			2		10			
Distribution/Sale	5	252	45	1	53	1		
Operating/ Promoting/ Assisting								
Possession/ Concealing	2	98	111	2	55			
Transportation/ Importation			1					
Using/Consuming								
Other		9	2		3		74	
Total	7	359	161	3	121	1	74	726
Number of Agencies Reporting <u>31</u>				Percent of Population Served by Reporting Agencies <u>82%</u>				

APPENDICES

DISTRICT COURT ACTIVITY

Statewide Summary of Reported Activity for Year Ending August 31, 1988

CRIMINAL DOCKET																		
	Cap- ital Murder	Murder Or Vol auuntr	Asslt Or Murder	Sex Adult	Sex Child	Sex Asslt Of	Sex Asslt Of	Robbery	Burg	Theft Theft	Auto Theft	Arson	Drug Sale Or Manuf	Drug Posse- sion	Felony D.W.I.	Other Felony	All Misoe- neors	TOTAL
CAUSES ON DOCKET:																		
Causes Pending 9-1-87	391	2091	5922	1315	3478	4205	15590	19730	4562	560	6924	12849	3638	17997	6887	106129		
Docket Adjustments	-7	-5	-23	-3	-23	15	70	-260	276	6	24	-19	-22	-33	-1014			
Causes Filed By Indictment	279	1391	6441	1219	4056	6134	21967	14469	5731	543	9188	18399	4641	18997	800	114255		
Causes Filed By Information	6	51	461	42	224	499	3892	1832	1081	61	594	2001	415	2080	3168	16407		
OTHERS REACHING DOCKET:																		
Motions To Revoke Filed	4	119	1436	223	557	1279	9318	4491	1970	175	2060	5216	1242	5532	453	34075		
Shock Probation From TDC		23	85	30	75	92	311	114	56	9	209	166	26	152	10	1358		
Transfer From Other Counties	17	5	17	1	8	3	6		2	1	2	5	1	19	8	95		
Other Causes Added	15	44	121	31	46	86	207	144	50	10	106	152	29	253	569	1863		
TOTAL CAUSES ON DOCKET	705	3719	14460	2858	8421	12313	51361	40520	13728	1365	19107	38769	9970	44997	10881	273174		
DISPOSITIONS:																		
Convictions:																		
Guilty Plea - No Jury	64	552	2937	573	1663	4285	16125	7788	4212	288	5372	10622	4048	10400	1502	70431		
Not Guilty Plea - No Jury		33	100	10	46	71	204	74	45	9	85	140	22	123	12	974		
Guilty Plea - Jury Verdict	15	29	44	17	37	66	97	34	16	1	63	65	8	66	1	559		
Not Guilty Plea - Jury Ver	55	295	227	93	201	316	409	120	62	11	252	251	32	276	18	2618		
Total Convictions	134	909	3308	693	1947	4738	16835	8016	4335	309	5772	11078	4110	10865	1533	74582		
Placed On Deferred Adjudication		67	872	109	551	535	3748	3029	926	85	1030	3736	20	3453	200	18361		
Acquittals:																		
Non-Jury Trials		11	38	8	28	36	87	65	40	4	42	93	8	74	1	535		
Jury Verdicts	5	38	67	24	81	38	59	33	20	3	27	37	6	72	7	517		
Directed Verdicts	1	2	5	1	8	4	13	8	5	3	5	8		15		78		
Total Acquittals	6	51	110	33	117	78	159	106	65	10	74	130	14	161	8	1130		
Dismissals:																		
Insufficient Evidence	8	52	233	65	154	166	563	568	181	31	195	778	54	608	164	3820		
Def Convict Other Cause	28	63	566	113	359	360	1615	839	385	38	498	824	173	1565	162	7608		
Speedy Trial Act Limits		7	7	6	10	7	25	24	10	1	12	7	6	40	5	167		
Cause Refiled	34	150	297	103	190	303	606	447	170	33	332	406	99	675	14	3859		
Defendant Unapprehended		2	45	3	14	18	59	327	36	7	35	49	9	180		784		
Def Granted Immunity			1	1	1	1	6	5	2	2		8		15		42		
Other Dismissals	24	95	1050	218	553	487	1614	1893	489	67	594	1448	226	2199	652	11604		
Total Dismissals	94	369	2199	509	1281	1357	4488	4103	1273	179	1666	3520	567	5282	997	27884		
Change Of Venue Transfers	12	7	10	1	8	4	8	8	2		5	5	1	28	8	107		
Transfers To County Court		1	33		4		37	82	6		11	21	22	211	896	1324		
Placed On Shock Probation	1	23	77	24	75	86	337	113	53	8	199	167	28	148	8	1349		
Motion To Revoke Granted	2	65	709	116	278	782	5259	2152	1254	99	1004	2613	672	2667	172	17844		
Motion To Revoke Denied		57	531	60	180	326	2671	1521	554	60	638	1424	383	1829	121	10355		
All Other Dispositions	6	26	187	24	49	69	506	235	84	21	144	250	87	417	333	2438		
TOTAL DISPOSITIONS	255	1575	8036	1569	4490	7977	34048	19365	8552	771	10543	22952	5904	25061	4276	155374		
CAUSES PENDING 8-31-88	450	2144	6424	1289	3931	4336	17313	21155	5176	594	8564	15817	4066	19936	6605	117800		
CAUSES - UNAPPREHENDED DEFENDANT																34270		
SENTENCING INFORMATION:																		
Death Sentences - Causes																	37	
Life Sentences - Causes		31	84	22	25	16	66	40	5	3	1	18	10	2	28	1	352	
Lesser Offense Convictions		20	131	708	88	183	779	1535	1119	445	49	526	603	189	1310	39	7724	
ADDITIONAL COURT ACTIVITY:																		
Jury Panels Examined																	4306	
Jury Sworn & Evid Presented																	4025	
Attorneys Appointed																	85329	
AGE OF CAUSES DISPOSED																		
	60 Days Or Less		60 Days To 90 Days			91 Days To 120 Days			Over 120 Days						TOTAL			
	60518		19960			14954			59942						155374			

APPENDICES

Report Period CY 1989

STATE AND LOCAL DRUG SENTENCES

Please indicate the type of sentence for those convicted of drug-related offenses during the report period. If the sentence includes a combination of sentencing alternatives, show the conviction as receiving the most serious sentence. Alternatives are listed in order of seriousness, with prison being the most serious.

ALTERNATIVE	MAJOR DRUG INVOLVED							
	OPIATES	COCAINE	CANNABIS	DANGEROUS DRUGS			UNKNOWN/ OTHER	TOTAL
				HALLU- CINOGENS	STIMULANTS	DEPRES- SANTS		
Prison	5	257	52	3	94	0	40	451
Local Jail	1	6	14	0	0	0	6	27
Jail and Probation								
Community Corrections								
Probation	3	94	63	0	30	0	19	209
Fine	0	3	34	0	0	0	6	43
Suspended Sentence								
Deferred Judgement								
Other			1					1
Total	9	360	164	3	124	0	71	731

SENTENCE LENGTH FOR DRUG-RELATED OFFENSES

Please indicate the average sentence length for offenders convicted of drug-related offenses who were sentenced to prison during the report period. Please show the average sentence length in months.

OFFENSE	MAJOR DRUG INVOLVED							
	OPIATES	COCAINE	CANNABIS	DANGEROUS DRUGS			UNKNOWN/ OTHER	TOTAL
				HALLU- CINOGENS	STIMULANTS	DEPRES- SANTS		
Buying/Receiving								
Cultivation/ Manufacture			36.00		228.00			
Distribution/Sale	200.04	175.08	119.04	120.00	154.20			
Operating/ Promoting/ Assisting								
Possession/ Concealing	60.00	166.56	114.00	120.00	169.92			
Transportation/ Importation			120.00					
Using/Consuming								
Other		114.72			56.04		178.04	
Total	144.00	171.00	114.96	120.00	163.56	-	178.04	162.72
Number of Agencies Reporting <u>31*</u>			Percent of Population Served by Reporting Agencies <u>82%</u>					

APPENDICES

STATE AND LOCAL DRUG ERADICATION

Please indicate the amount of marijuana eradicated within the state through state and local efforts. The size of the plot and the means of destruction determine the common method of reporting the amount of drugs eradicated. Please report the number of plants destroyed or the number of acres of marijuana destroyed. Both methods may be used for different plots.

TYPE OF MARIJUANA DESTROYED		AMOUNT OF MARIJUANA DESTROYED
Cultivated	All types	1,255,361
Wild (Ditchweed)		
Number of Agencies Reporting	All	Percent of Population Served by Reporting Agencies 100%

APPENDICES

Report Period CY 1989

STATE AND LOCAL TREATMENT RESOURCES

Please indicate the total drug treatment resources available within the state and resources available to drug offenders during the report period. Also indicate the number of clients served and the average waiting period for admission.

TOTAL DRUG TREATMENT PROGRAMS	BED SPACE/SLOTS AVAILABLE	CLIENTS SERVED	AVERAGE WAIT FOR ADMISSION
Self-help			
Inpatient/Hospital-based	177	1,455	Average Wait
Therapeutic Community			List
Residential	1,792	12,190	1988 = 935
Day Care			1989 = 1,159
Methadone	1,250	1,043	1990 = 1,355
Outpatient Drug-free	4,608	9,051	
Other		2,804	

ALL PROGRAMS MUST GIVE PRIORITY ADMISSION TO INDIVIDUALS IN THE CRIMINAL JUSTICE SYSTEM

DRUG TREATMENT PROGRAMS WITHIN CORRECTIONAL FACILITIES	CLIENTS SERVED IN ADULT FACILITIES	CLIENTS SERVED IN JUVENILE FACILITIES
Self-help	13,097	Estimate average of
Education	5,732	96-100 juveniles per
Special Programming (e.g., therapeutic communities, ethnic programs) <i>Please describe the types of programs on a separate page.</i>	Therapeutic= 1,301	year
Number of Agencies Reporting <u>2</u>	Percent of Population Served by Reporting Agencies <u>All</u>	

APPENDICES

STATE STRATEGY

Please state clearly the strategy which will be implemented to address the drug problem and violent crime in the state. The strategy should include broad statements, which provide direction and guidance to state and local agencies, on how the state will address the drug and violent crime problems. The statements should be followed by specific goals and objectives to be accomplished through the strategy implementation.

The Texas 1990 Strategy for Drug and Violent Crime Control prescribes the following goals:

- 1) To sharply reduce the supply of illegal drugs trafficked through Texas.
- 2) Immobilize illegal drug networks by targeting specific drug organizations for identification and investigation under certain specified categories.
- 3) Reduce the amount of methamphetamine and amphetamine available on the streets.
- 4) Enhance investigations of drug trafficking organizations by developing new intelligence sources.
- 5) Remove the financial incentive for drug trafficking through the use of asset seizure and forfeiture.
- 6) Break the link between drugs and violent crime.
- 7) Conduct further evaluation of established drug control efforts.
- 8) Fight violent crime through strengthened legislative provisions.
- 9) Expedite the prosecution and adjudication of drug offenders.

Please refer to strategy section of this document for implementation plans and full discussion.

APPENDICES

RECOMMENDATIONS FOR THE STATE AND LOCAL DRUG ENFORCEMENT COMPONENT OF THE NATIONAL DRUG CONTROL STRATEGY

Please outline recommendations on Federal level or multi-level (Federal, state and local) cooperative activities which should be implemented, enhanced or changed to assist the drug control efforts in your state. These recommendations will be provided to the Office of National Drug Control Policy for consideration in the development of the National Drug Control Strategy.

Please refer to strategy section of this document for recommendations of the Governor's Task Force on Drug Abuse, Drug Policy Subcommittee, regarding the following topics:

- 1) Stability of federal funding levels for State & Local Assistance Program
- 2) Removal of forty-eight month limitation on funding for projects mandated by the Anti-Drug Abuse Act
- 3) Revision of match requirements to allow new projects exemption from first year match requirements and allow in-kind contributions as match
- 4) Use of military resources to aid in removal and disposal of hazardous chemicals generated by illegal drug labs
- 5) Provide direct access to El Paso Intelligence Center (EPIC) sources for Texas Narcotics Control Program task force commanders
- 6) Designation of Texas as a High Intensity Drug Trafficking Area

APPENDICES

TRAINING AND TECHNICAL ASSISTANCE PRIORITIES

Please identify specific training and technical assistance to improve the functioning of the criminal justice system or to enhance the state's drug control efforts, which are not available within the state. Identify the type of training or technical assistance requested, the agency or agencies which would receive the assistance and problem to be addressed.

- 1) Sophisticated money laundering schemes, i.e., investigation procedures and established sufficient proof
- 2) Scientific improvements used in the illegal drug manufacturing process, such as use of red phosphorous in methamphetamine production and development of "ice"
- 3) Proper removal, transportation, and disposal of hazardous chemicals used in illegal drug manufacturing
- 4) Financial investigation associated with asset forfeiture efforts
- 5) Long term surveillance and investigative techniques

Recommended training and technical assistance as outlined above would benefit all drug enforcement personnel, including state, local, and multi-jurisdictional task forces.

RESEARCH PRIORITIES

Please identify issues or areas of dilemma impeding the state's drug control efforts or the functioning of the criminal justice system which require research, development of models or other guidance. Please describe each issue and the type of response which would be of assistance to the state.

- 1) Drug/violent crime link
- 2) Tangible cost to society of drug trafficking, drug use, and drug-related violent and property crime for the state; only national figures are available
- 3) Use of drug testing and monitoring as a deterrent to drug use
- 4) Drug abuse as an indicee of juvenile crime and sociopathic tendencies

APPENDICES

**TEXAS NARCOTICS CONTROL PROGRAM
NARCOTIC SEIZURE REPORT**

DATE OF REPORT: _____

GRANT NUMBER: _____

GRANTEE NAME: _____

QUARTER 1 2 3 4

PROJECT TITLE: _____

BEGINNING MONTH: _____

PREPARED BY: _____

ENDING MONTH: _____

REVIEWED BY: _____

PROJECT DIRECTOR'S SIGNATURE: _____

(16 oz = 1 lb) (28 grms = 1 oz) (Dose Unit = 1 Pill, Tablet or Capsule)

SOLID POUNDS	SOLID OUNCES	SOLID GRAMS	LIQUID OUNCES	DOSE UNITS	ITEMS	STREET VALUE
--------------	--------------	-------------	---------------	------------	-------	--------------

(Please do not write in shaded areas.)

A. Marijuana

1. Packaged
2. Plants

B. Marijuana Fields & Gardens

1. Gardens
2. Wild Fields
3. Cultivated Fields
4. Greenhouses

C. Hashish

1. Liquid, Oil
2. Solid

D. Opiates

1. Morphine
2. Heroin
3. Codeine
4. Gum Opium

E. Cocaine

1. Solid
2. Liquid
3. Crack

F. Hallucinogens

1. LSD
2. PCP
3. Mushrooms
4. Peyote
5. Designer Drugs

G. Clandestine Labs

- Type of Drug
Manufactured
By Each Lab

--	--	--	--	--	--	--

LAB 1 _____ LAB 4 _____
LAB 2 _____ LAB 5 _____
LAB 3 _____ LAB 6 _____

H. Precursor Chemicals Seized

--	--	--	--	--	--	--

I. Other Drugs

1. Barbiturates
2. Amphetamines
3. Methamphetamines
4. Tranquillizers
5. Synthetic Narcotics

TOTAL STREET VALUE \$ _____

TNCP FORM 1

APPENDICES

TEXAS NARCOTICS CONTROL PROGRAM

REPORT PERIOD _____

NON-DRUG SEIZURES AND FORFEITURES

GRANT NUMBER _____

	ASSET SEIZURES		ASSET FORFEITURES	
	number of seizures	dollar amount	number of forfeitures	dollar amount
Vehicles	_____	_____	_____	_____
Vessels	_____	_____	_____	_____
Aircraft	_____	_____	_____	_____
Currency	_____	_____	_____	_____
Other Financial Instruments	_____	_____	_____	_____
Real Property	_____	_____	_____	_____
Weapons (detail below)	_____	_____	_____	_____
TOTALS	_____	_____	_____	_____

Weapons Seized (type and quantity): _____

Comments: _____

TNCP FORM 2

APPENDICES

TEXAS NARCOTICS CONTROL PROGRAM

REPORT PERIOD _____

ARREST REPORT

GRANT NUMBER _____

	POSSESSION			MANUFACTURE			SALE			TOTAL
	M	F	J	M	F	J	M	F	J	
	AG	AG	AG	AG	AG	AG	AG	AG	AG	
MARIJUANA										
HASHISH										
MORPHINE										
HEROIN										
CODEINE										
GUM OPIUM										
COCAINE										
CRACK										
LSD										
PCP										
MUSHROOMS										
PEYOTE										
DESIGNER DRUGS										
BARBITURATES										
AMPHETAMINES										
METHAMPHETAMINES										
TRANQUILIZERS										
SYNTHETIC NARCOTICS										
CLANDESTINE LABS										
PRECURSOR CHEMICALS										
INHALANTS										
OTHER										
TOTALS:										

COMMENTS: _____

TNCP FORM 3

APPENDICES

Notification of the Development of the 1990 Strategy

The Governor's Office issued the following notification of development of the 1990 strategy, including information about the December 1989 public hearings:

- Personalized letters to TNCP grantees, OCCU commanders, state and federal drug law enforcement officials, and U.S. Attorneys
- Personalized letters to mayors of cities with 100,000 or more population notifying of public hearings and anticipated funding
- Personalized letters to mayors, chiefs of police, sheriffs, county attorneys, district attorneys, county judges, and district judges in location of public hearings
- "Notice of Public Hearing" mailed statewide to chiefs of police, sheriffs, county attorneys, district attorneys, county judges, LECC coordinators, state criminal justice agencies, councils of governments, and the media
- Notice of Open Meeting published in November 21, 1989 issue of the *Texas Register*

Samples of these notices follow.

APPENDICES

STATE OF TEXAS
OFFICE OF THE GOVERNOR
AUSTIN, TEXAS 78711

November 17, 1989

WILLIAM P. CLEMENTS, JR.
GOVERNOR

Personalized letter to TNCP grantees,
OCCU commanders, state and federal
drug law enforcement officials, and
U.S. Attorneys in Texas

Commander Mike Scott
Texas Department of Public Safety
Narcotics Service
Post Office Box 4087
Austin, Texas 78773

COPY

Dear Mike:

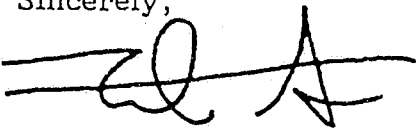
The Drug Policy Subcommittee of the Governor's Task Force on Drug Abuse has scheduled statewide public hearings throughout Texas in early December. I would like to personally extend an invitation for you or a representative of your agency to attend one of the hearings and present your recommendations.

Enclosed is the notice of the upcoming hearings that was mailed to various officials throughout the state. The purpose of these hearings is to receive testimony regarding the illegal narcotic and violent crime problem in Texas from federal, state, and local officials, with emphasis on those whose duty it is to enforce drug and criminal laws and direct the administration of justice.

Information received at the public hearings will be incorporated into the statewide strategy for 1990. This strategy is designed to serve as a comprehensive plan for coordination of drug and violent crime control efforts and targeting of federal, state, and local resources within the state. Upon completion, it will be submitted to the U.S. Department of Justice for review and approval. Priorities for the use of drug enforcement block grant funds available to Texas for fiscal year 1990, as authorized by the Anti-Drug Abuse Act of 1988, will be identified by the statewide strategy.

I sincerely hope that you will be able to participate in this process to develop an effective and proactive approach to Texas' illegal drug problem. Your contribution will be invaluable to the efforts of the Drug Policy Subcommittee.

Sincerely,



Rider Scott
General Counsel

RS/gw/b

enclosure

APPENDICES

STATE OF TEXAS
OFFICE OF THE GOVERNOR
AUSTIN, TEXAS 78711

November 20, 1989

WILLIAM P. CLEMENTS, JR.

GOVERNOR

Personalized letter to mayors of Texas cities with 100,000+ population notifying of public hearing and anticipated hearing

The Honorable Kathy Whitmire
Mayor, City of Houston
Post Office Box 1562
Houston, Texas 77251

COPY

Dear Mayor Whitmire:

At this time, Congress is finalizing consideration of the continuing budget resolution for H.R. 2991 and H.R. 3015 which includes the fiscal year 1990 appropriation for the State and Local Assistance portion of the Anti-Drug Abuse Act of 1988. Such appropriation will provide continuation funding for the Texas Narcotics Control Program.

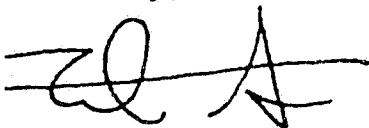
Although the final action of Congress is not yet concluded, we anticipate significantly increased appropriations under the auspices of the Act and, therefore, have initiated the application process for next year's funding. We are taking this opportunity to notify you now of this anticipated federal funding in order to expedite the notification process and disbursement of funds.

Again this year, the Drug Policy Subcommittee of the Governor's Task Force on Drug Abuse will develop a statewide strategy to serve as a comprehensive plan for coordination of drug and violent crime control within the state. Upon completion, it will be submitted to the U.S. Department of Justice for review and approval. Priorities for the use of drug enforcement block grant funds available to Texas will be identified by the statewide strategy.

The Drug Policy Subcommittee has scheduled statewide public hearings to solicit testimony regarding the illegal narcotic and violent crime problem in Texas from federal, state, and local officials. Enclosed is the notice that was mailed to various criminal justice officials throughout Texas.

We urge you to participate in this strategy development process. Your input would be of great assistance to our efforts to develop a proactive and effective response to Texas' escalating illegal drug problem.

Sincerely,



Rider Scott
General Counsel

RS/gw/b

enclosure

APPENDICES

STATE OF TEXAS
OFFICE OF THE GOVERNOR
AUSTIN, TEXAS 78711

WILLIAM P. CLEMENTS, JR.
GOVERNOR

November 21, 1989

COPY

The Honorable Roy English
Tarrant County Judge
Tarrant County Courthouse
100 East Weatherford Street
Fort Worth, Texas 76196

Personalized letter to officials in area of hearings - included mayors, police chiefs, sheriffs, county attorneys, district attorneys, county judges and district judges with criminal jurisdiction

Dear Judge English:

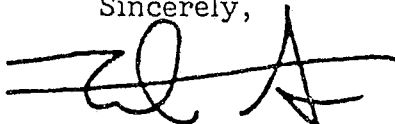
The Drug Policy Subcommittee of the Governor's Task Force on Drug Abuse has scheduled a public hearing in your area on December 7th at the Arlington Hilton Hotel. I would like to personally extend an invitation for you to attend the hearing and present your recommendations.

Enclosed is the notice of the upcoming hearings that was mailed to various officials throughout the state. The purpose of these hearings is to receive testimony regarding the illegal narcotic and violent crime problem in Texas from federal, state, and local officials, with emphasis on those whose duty it is to enforce drug and criminal laws and direct the administration of justice.

Information received at the public hearings will be incorporated into the statewide strategy for 1990. This strategy is designed to serve as a comprehensive plan for coordination of drug and violent crime control efforts and targeting of federal, state, and local resources within the state. Upon completion, it will be submitted to the U.S. Department of Justice for review and approval. Priorities for the use of drug enforcement block grant funds available to Texas for fiscal year 1990, as authorized by the Anti-Drug Abuse Act of 1988, will be identified by the statewide strategy.

I sincerely hope that you will be able to participate in this process to develop an effective and proactive approach to Texas' illegal drug problem. Your contribution will be invaluable to the efforts of the Drug Policy Subcommittee.

Sincerely,



Rider Scott
General Counsel

RS/gw/b

APPENDICES

STATE OF TEXAS
OFFICE OF THE GOVERNOR
AUSTIN, TEXAS 78711

WILLIAM P. CLEMENTS, JR.
GOVERNOR

November 15, 1989

NOTICE OF PUBLIC HEARING Governor's Task Force on Drug Abuse Drug Policy Subcommittee

The Anti-Drug Abuse Act of 1988 (P.L. 100-690) provides funding to state and local governments for narcotics control, and to improve the functioning of the criminal justice system, with emphasis on violent crime and serious offenders. For fiscal year 1990, Texas anticipates receiving a significant increase over the fiscal year 1989 funding level of \$6.7 million.

The legislation requires development of a statewide strategy to serve as a comprehensive blueprint for the coordination of drug and violent crime control efforts, and the targeting of federal, state, and local resources within the state. As a thorough analysis of the nature and extent of the problem will improve the state's ability to develop a response which results in the greatest impact, the Governor's Task Force on Drug Abuse, Drug Policy Subcommittee, will hold public hearings to solicit testimony regarding narcotic trafficking and control as follows:

McALLEN - TUESDAY, DECEMBER 5, 1989
Embassy Suites Hotel
1800 South Second Street
(512) 686-3000

HOUSTON - WEDNESDAY, DECEMBER 6, 1989
Doubletree Hotel
2001 Post Oak Boulevard
(713) 961-9300

ARLINGTON - THURSDAY, DECEMBER 7, 1989
Arlington Hilton Hotel
2401 East Lamar Boulevard
(817) 640-3322

EL PASO - FRIDAY, DECEMBER 8, 1989
Westin Paso Del Norte Hotel
101 South El Paso Street
(915) 534-3013

You may testify at any hearing — please select the most convenient location and plan to attend. Pre-registration prior to the hearing date is recommended but not required.

Registration will begin at 8:30 a.m., with testimony beginning at 9:00 a.m. Recess for lunch is scheduled for noon until 1:30 p.m. Adjournment is scheduled for 4:00 p.m.

We urge all interested parties, including drug law enforcement officers, state agency representatives, service providers, and citizens to present testimony to the committee regarding the drug problem in Texas and recommendations to combat drug trafficking. Recommendations received will be incorporated into the statewide drug strategy for 1990. See reverse for more specific information.

Additional notification of the public hearings will be by publication in the Texas Register and a statewide press release. Please notify any persons in your area who may be interested.

If you need additional information, contact John Coffel or Georgia Whitehead, Office of the Governor, Criminal Justice Division 512/463-1919.

APPENDICES

NOTICE OF PUBLIC HEARINGS

Published in the Texas Register, November 21, 1989

Office of the Governor, Criminal Justice Division

Tuesday, December 5, 1989, 8:30 a.m.
The Governor's Task Force on Drug Abuse, Drug Policy Subcommittee of the Office of the Governor, Criminal Justice Division will meet at the Embassy Suites Hotel, 1800 South Second Street, McAllen. According to the agenda, the task force will meet to solicit testimony from law enforcement officials and other interested persons regarding the illegal drug and violent crime problem in Texas for development of the statewide drug strategy.

Contact: Georgia Whitehead, 201 East 14th Street, Austin, Texas 78701, (512) 463-1919.

Filed: November 15, 1989, 9:50 a.m.

TRD-8910951

Wednesday, December 6, 1989, 8:30 a.m.
The Governor's Task Force on Drug Abuse, Drug Policy Subcommittee of the Office of the Governor, Criminal Justice Division will meet at the Doubletree Hotel, 2001 Post Oak Boulevard, Houston. According to the agenda, the task force will meet to solicit testimony from law enforcement officials and other interested persons regarding the illegal drug and violent crime problem in Texas for development of the statewide drug strategy.

Contact: Georgia Whitehead, 201 East 14th Street, Austin, Texas 78701, (512) 463-1919.

Filed: November 15, 1989, 9:50 a.m.

TRD-8910952

Thursday, December 7, 1989, 8:30 a.m.
The Governor's Task Force on Drug Abuse, Drug Policy Subcommittee of the Office of the Governor, Criminal Justice Division will meet at the Arlington Hilton Hotel, 2401 East Lamar Boulevard, Arlington. According to the agenda, the task force will meet to solicit testimony from law enforcement officials and other interested persons regarding the illegal drug and violent crime problem in Texas for development of

the statewide drug strategy.

Contact: Georgia Whitehead, 201 East 14th Street, Austin, Texas 78701, (512) 463-1919.

Filed: November 15, 1989, 9:52 a.m.

TRD-8910953

Friday, December 8, 1989, 8:30 a.m.
The Governor's Task Force on Drug Abuse, Drug Policy Subcommittee of the Office of the Governor, Criminal Justice Division will meet at the Westin Paso Del Norte Hotel, 101 South El Paso Street, El Paso. According to the agenda, the task force will meet to solicit testimony from law enforcement officials and other interested persons regarding the illegal drug and violent crime problem in Texas for development of the statewide drug strategy.

Contact: Georgia Whitehead, 201 East 14th Street, Austin, Texas 78701, (512) 463-1919.

Filed: November 15, 1989, 9:52 a.m.

TRD-8910954

APPENDICES

SUMMARY OF ORAL TESTIMONY PRESENTED TO GOVERNOR'S TASK FORCE ON DRUG ABUSE DECEMBER 1989

SPEAKER

RECOMMENDATION

McAllen, December 5, 1989

- | | |
|---|---|
| 1. Sheriff Adan Munoz
Kleburg County | 1. Increase enforcement in waterways
2. Increase personnel
3. Need task force in area
4. Increase equipment
5. Overtime funding |
| 2. Joe Marchan
DPS Crime Lab | 1. Legislature to increase chemist's salary
2. Need more personnel
3. Dedicate percentage of fine to lab fund |
| 3. Lt. Tony Pena, Jr.
Hidalgo County Sheriff's Dept. | 1. Support task force concept
2. Need more federal assistance |
| 4. Julio F. Mercado
DEA, McAllen District Office | 1. Prioritize funding to border areas
2. Law enforcement officers to educate youth
3. More prosecutors and judges
4. Support task force concept
5. More law enforcement personnel on border
6. Better communication system in valley |
| 5. Chief Alex Longoria
McAllen Police Department | 1. Support use of statewide strategy to distribute funds on basis of need, not population
2. Intelligence network
3. Support task force concept |
| 6. Chief Jose Flores
Hidalgo Police Department | 1. Increase law enforcement personnel and equipment
2. Support use of statewide drug strategy to distribute funds on basis of need, not population
3. Support task force concept
4. Cannot provide 25% match |

APPENDICES

SUMMARY OF ORAL TESTIMONY PRESENTED TO GOVERNOR'S TASK FORCE ON DRUG ABUSE DECEMBER 1989

SPEAKER

RECOMMENDATION

McAllen, December 5, 1989 (continued)

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| 7. | Chief Robert Riemenschneider
Donna Police Department | 1. | Population is erroneous criterion for
fund distribution |
| | | 2. | Lack of funds for 25% match |
| | | 3. | Increase law enforcement personnel |
| | | 4. | Support task force concept |
| 8. | Lou Villagomez
Corpus Christi Police Dept. | 1. | Funding for DARE |
| 9. | Chief Luis Contreras
Crystal City Police Dept. | 1. | Drug-related crime rose since task force
eliminated |
| | | 2. | No local funds for drug law enforcement |
| 10. | Juan D. Mejia
Hidalgo County Adult Probation | 1. | Increase probation personnel |

APPENDICES

SUMMARY OF ORAL TESTIMONY PRESENTED TO GOVERNOR'S TASK FORCE ON DRUG ABUSE DECEMBER 1989

SPEAKER	RECOMMENDATION
<u>Houston, December 6, 1989</u>	
1. Dennis Storemski Assistant Chief of Police Houston Police Department	1. Incorporate the needs of larger urban areas, such as Houston 2. Focus on street dealers and users as well as suppliers 3. Fund street level enforcement by urban police departments 4. Allow payment of overtime for non-grant employees 5. Establish special civil courts to process forfeitures 6. More prisons
2. Ted Wilson Assistant District Attorney Harris County	1. Need more attorneys assigned to task force 2. More grant funds assigned to vertical prosecution
3. Major Ed Macaluso Harris County Sheriff's Office	1. Continue multi-agency task force 2. More personnel 3. Include coverage of more rural areas in task force
4. Everette D. Alfred Criminal Justice Coordinator Deep East Texas Council of Governments	1. Increase funding for rural areas 2. More personnel
5. Robert Hobbs Senior Criminal Investigator Jefferson County District Attorney's Office	1. Need task force in his area 2. Needs assistance in street level enforcement in order to devote resources to major cases
6. Lieutenant James Singletary Beaumont Police Department	1. Need assistance in street level enforcement

APPENDICES

SUMMARY OF ORAL TESTIMONY PRESENTED TO GOVERNOR'S TASK FORCE ON DRUG ABUSE DECEMBER 1989

SPEAKER

RECOMMENDATION

Houston, December 6, 1989 (continued)

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|-----|--|--|
| 7. | Sheriff Huel Fontenot
Orange County | 1. Needs funding for drug traffic outside city limits
2. More funds for regional crime lab
3. More prison space |
| 8. | Robert Switzer
Assistant Special Agent in Charge
Houston District
Bureau of Alcohol, Tobacco,
and Firearms | 1. Target criminals vulnerable to prosecution under the federal career criminal statutes
2. Stress interagency cooperation |
| 9. | Captain George Sturgis
Harris County Sheriff's Office | 1. Target serial burglars and auto thieves because property crime is tied to narcotics
2. More prisons |
| 10. | Detective Lynn Arcenau
Orange Police Department | 1. Need more funding for regional crime lab
2. Support task force concept |
| 11. | Chief Travis Johnson
Laredo Police Department | 1. Expand border task force
2. Keep funding allocated by the state so that border areas can be covered
3. Address money, cars, and guns going back over the border |

APPENDICES

SUMMARY OF ORAL TESTIMONY PRESENTED TO GOVERNOR'S TASK FORCE ON DRUG ABUSE DECEMBER 1989

SPEAKER	RECOMMENDATION
<u>Arlington, Texas, December 7, 1989</u>	
1. Antonio Rodriguez, Chief Intelligence Division Dallas District Office Drug Enforcement Administration	1. Continue working to eradicate clandestine labs which are moving to more remote areas
2. Sheriff Dan Smith Bell County	1. Support task force strategy 2. More funding for existing task forces 3. Strategy for the clean-up and disposal of clandestine labs needed 4. Fund clandestine lab clean-up through a grant to DPS or the Dept. of Health
3. Commander Frank Cleveland West Central Texas Interlocal Crime Task Force	1. Statewide centralized intelligence unit 2. Need assistance in disposing of clandestine lab chemicals 3. Involve the Department of Defense in clandestine lab clean-up, if possible 4. Need DEA outpost in Abilene area
4. Lieutenant John Sparks Field Commander Rio Concho Multi-Agency Drug Enforcement Task Force San Angelo	1. Support multi-agency task force concept 2. Stolen property storefronts can be used to capture drug addicts 3. Need to work drug cases in rural areas 4. Need help with clandestine lab clean-up 5. Allow in-kind match
5. Chief Chuck Williams Marshall Police Department	1. Need more prisons 2. Need help in rural areas 3. Support task force strategy
6. Lieutenant Michael Amos Panhandle Regional Narcotics Trafficking Task Force	1. Support task force strategy 2. Recognize that rural areas can't always have big seizures but you never know when a small case is going to turn out to be a big one

APPENDICES

SUMMARY OF ORAL TESTIMONY PRESENTED TO GOVERNOR'S TASK FORCE ON DRUG ABUSE DECEMBER 1989

SPEAKER

RECOMMENDATION

Arlington, Texas, December 7, 1989 (continued)

- | | | |
|----|---|--|
| 7. | Brock Stevenson
Assistant District Attorney
Dallas County | 1. Need help with drug analysis
2. Need more courtrooms and visiting judges
3. Will need more personnel to handle forfeitures under the new law
4. Special civil courts for forfeitures
5. More prison space |
| 8. | Brent Carr
Assistant District Attorney
Tarrant County | 1. More prisons
2. More emphasis on education and diversion
3. Need specialized courts
4. More personnel
5. Discretionary funds need to be available on a contingency basis
6. Need to address multiple offense drug law violators through new laws |
| 9. | Sheriff John Gage
Ellis County | 1. Need help with disposal of lab equipment
2. Fine the operators of the labs as part of the sentence and use the money to clean up the lab
3. Mandatory prison sentences for lab operators
4. Fund a drug education officer for the task force
5. Goal of task force is to become self-sustaining through seizures
6. More prisons, or funds to pay for state prisoners in county jail
7. Need help for more rural counties |

APPENDICES

SUMMARY OF ORAL TESTIMONY PRESENTED TO GOVERNOR'S TASK FORCE ON DRUG ABUSE DECEMBER 1989

SPEAKER

RECOMMENDATION

Arlington, Texas, December 7, 1989 (continued)

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| 10. | John Squier
Agridex Roadrunners Task Force
Hill County | 1. More training, especially in taking down
down labs
2. Interstate coordination needed
3. Support task force
4. Increase rural interdiction projects and
encourage the growth of urban/rural
combined efforts
5. Create an intelligence network
6. Focus on domestic drug interdiction
7. Revise the state asset forfeiture law
to match the federal statute
8. Special judges for forfeiture cases
9. Place the legal and financial
responsibility for lab clean-up on the
offender |
| 11. | Sheriff Paul Boone
Cass County | 1. Support task force concept
2. Cannot provide 50% match locally
3. Rural areas require assistance |
| 12. | Connie Fenchell
Special Agent in Charge
U.S. Customs Service | 1. Cross-designation of task force
personnel as customs officers |
| 13. | Sergeant Mike Pruitt
Narcotics Intelligence Unit
Fort Worth Police Department | 1. Illegal labs will be tomorrow's drug
problem
2. Complete intelligence network system |
| 14. | Manuel Valadez
Supervisor
DPS Laboratory Services
Garland | 1. Need DNA technology
2. More personnel
3. More laboratory space
4. Replace and update lab equipment |
| 15. | Sharon Fernandez
Intervention Coordinator
Texoma Council on Alcohol and
Drug Abuse | 1. Drug education programs for the family
2. Rehabilitation programs for offenders can
help cut recidivism |

APPENDICES

SUMMARY OF ORAL TESTIMONY PRESENTED TO GOVERNOR'S TASK FORCE ON DRUG ABUSE DECEMBER 1989

SPEAKER

RECOMMENDATION

Arlington, Texas, December 7, 1989 (continued)

- | | | | |
|-----|---|----------|--|
| 16. | Dale Rogers
Texoma Council on Alcohol and
Drug Abuse | 1. | Rehabilitation of drug offenders can
can be successful |
| 17. | Commander Art Van Dorn
Tarrant County Narcotics and
Intelligence Coordination Unit | 1.
2. | Support task force concept
Urban task forces help rural areas on
major cases |
| 18. | Sammy Weaver
Regional Controlled Substance
Apprehension Task Force
City of Paris | 1. | Need assistance in rural areas |
| 19. | Russell Pressley
Dallas County Sheriff's Office | 1. | Need 100% funding for multi-county
task force to clean up labs |
| 20. | John Kiehl
Panhandle Regional Planning Comm. | 1.
2. | Support task force in rural areas
Don't dilute the strength of the task
forces |
| 21. | Chief David Kunkle
Arlington Police Department | 1.
2. | Support task force concept
Need access to the forfeiture money |

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SUMMARY OF ORAL TESTIMONY PRESENTED TO GOVERNOR'S TASK FORCE ON DRUG ABUSE DECEMBER 1989

SPEAKER

RECOMMENDATION

El Paso, December 8, 1989

- | | |
|--|---|
| 1. Chief Thomas Nichols
Lubbock Police Department | 1. Funding for expansion of current programs
2. Funding for support personnel
3. Equipment
4. Buy money
5. Funding for DARE program
6. User accountability
7. Employee assistance programs in workplace
8. Rural areas cannot provide matching funds |
| 2. Hank Webb
Assistant Director
West Texas Multi-County
Task Force, El Paso | 1. Rural areas cannot provide matching funds
2. Strongly support task force concept
3. Regional intelligence network |
| 3. Oscar Ponce
Cameron County DA's Office | 1. Attention to border areas
2. Encourage citizen participation through incentive programs (i.e., Crime Stoppers)
3. Increase law enforcement personnel
4. Additional prosecutors |
| 4. Tom Finley, Commander
Permian Basin Drug Task Force
Midland County | 1. Support task force concept
2. Increase law enforcement personnel to fully cover West Texas |
| 5. Manuel Duran
Citizen | 1. Education and prevention in schools
2. Provide mechanism for students to anonymously report student drug dealers
3. Citizen involvement
4. Target the drug user
5. More prisons |

APPENDICES

SUMMARY OF ORAL TESTIMONY PRESENTED TO GOVERNOR'S TASK FORCE ON DRUG ABUSE DECEMBER 1989

SPEAKER**RECOMMENDATION**

El Paso, December 8, 1989 (continued)

6. Phillip Jordan
Special Agent in Charge
DEA, Dallas Division

1. More law enforcement at border
2. Recognize role of Texas border in drug problem

APPENDICES

SUMMARY OF WRITTEN TESTIMONY PRESENTED TO GOVERNOR'S TASK FORCE ON DRUG ABUSE DECEMBER 1989

CONTRIBUTOR	RECOMMENDATION
1. Phillip J. Chojnacki Special Agent in Charge Houston District Bureau of Alcohol, Tobacco and Firearms	1. Target criminals vulnerable to prosecution under the federal career criminal statutes
2. Chris Cochran Executive Director El Paso County Alcohol and Drug Abuse Services	1. Increased funding for prevention and treatment 2. Provide treatment alternatives for drug abusers before they are locked into the criminal justice system
3. D. Pat Johnson Manager, Field Laboratories Texas Department of Safety	1. Additional personnel, equipment, and laboratory building space for crime labs 2. Establish DNA analysis technology
4. Chief Mark Arensman Mart Police Department	1. Need to provide aid to smaller law enforcement departments
5. Chief Thomas H. Vannoy Temple Police Department	1. Support multi-agency task force 2. Need more funds and personnel
6. Chief B. W. Canada Crockett Police Department	1. Need narcotics control in rural areas
7. Sheriff Paul Scarborough Swisher County	1. Must have task force operating at full strength with full funding
8. Commander Charles Christian Deep East Texas Regional Narcotic Trafficking Task Force	1. Allow donations of manpower, vehicles, and vehicle expenses to count toward match 2. Support task force concept

APPENDICES

SUMMARY OF WRITTEN TESTIMONY PRESENTED TO GOVERNOR'S TASK FORCE ON DRUG ABUSE DECEMBER 1989

CONTRIBUTOR	RECOMMENDATION
9. Sheriff Gary Painter Midland County	1. Drug abuse education beginning in kindergarten 2. Continuation of drug task forces 3. Money needs to be allocated to rural areas 4. Mandatory prison sentences with no parole for narcotics dealers 5. Local rehabilitation centers for parolees
10. Sheriff Bill Mullen Stonewall County	1. Fund radar units to identify traffic violators 2. Fund drug-sniffing dog for rural areas
11. Commander Michael Scott DPS Narcotics Service	1. Support task forces 2. Trained DPS personnel could supervise task forces where needed 3. Establish a statewide drug intelligence network 4. DPS could provide hazardous chemical disposal to task forces if the funds were provided 5. Additional funding for DPS laboratories

ACKNOWLEDGMENTS

Prepared under the direction of:

Rider Scott, Executive Director
Knox Fitzpatrick, Associate Director
Criminal Justice Division
John Coffel, Program Director
Texas Narcotics Control Program

Research and writing by:

Georgia Whitehead, Assistant Director
Texas Narcotics Control Program

Editing, design, and page layout by:

Joni Sager, Communication Coordinator
Criminal Justice Division

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Jane Kellogg, Criminal Justice Division

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