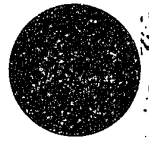


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AMERICA'S DRUG STRATEGY:

REJECTING RETREAT, MOVING FORWARD

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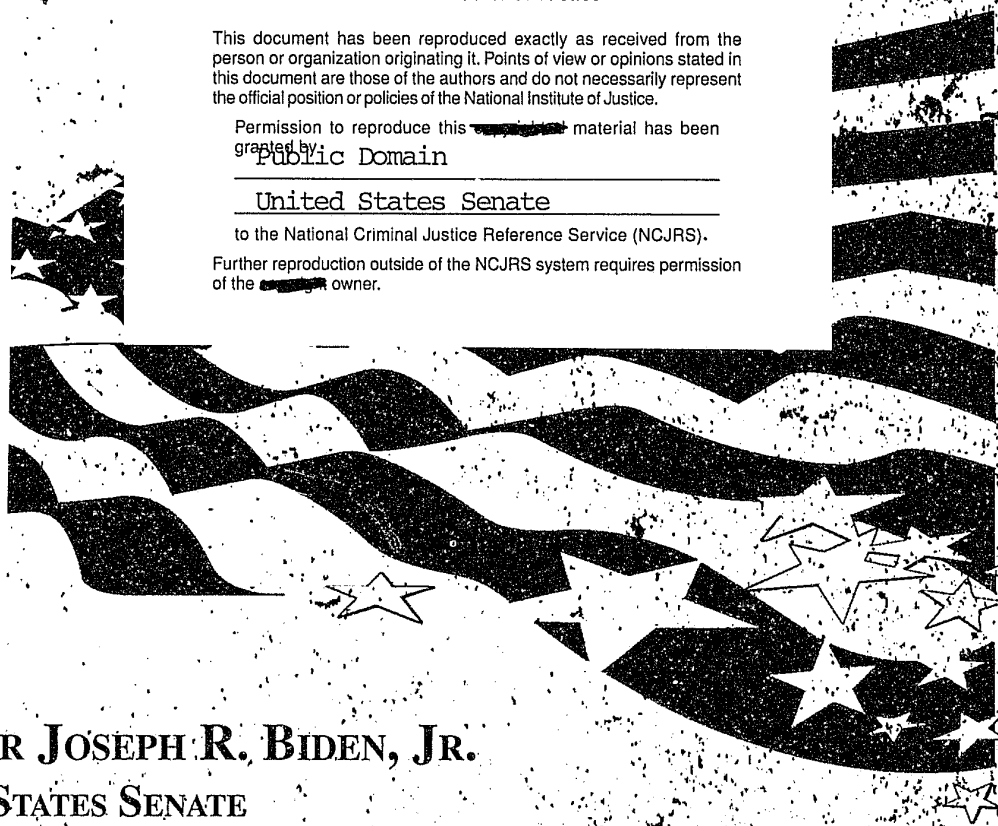
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SENATOR JOSEPH R. BIDEN, JR.
UNITED STATES SENATE

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**AMERICA'S DRUG STRATEGY:
REJECTING RETREAT AND MOVING FORWARD**

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TABLE OF CONTENTS

JUL 19 1995

ACQUISITIONS

OVERVIEW

Introduction by Senator Joseph R. Biden, Jr. i.

REJECTING RETREAT AND MOVING FORWARD

Chapter I Help for Police: Finally on the Way 1

Chapter II Cracking Down on Drug Crime: Certain Punishment,
Not a Revolving Door 29

Chapter III Ending the Cycle of Addiction and Crime:
Drug Treatment and Prevention. 59

Chapter IV Enhancing Coordination of the Nation's Drug Effort:
New Powers for the Federal Drug Director. 90

APPENDICES

Appendix A Anti-Drug Resources 97

Appendix B Acknowledgements 104

Appendix C Hearings 121

INTRODUCTION

Senator Joseph R. Biden, Jr.

Senate Judiciary Committee

Senate International Narcotics Control Caucus

Last year, the Congress took a major step forward in putting a smart, responsible drug strategy into action through the 1994 Violent Crime Control and Law Enforcement Act. Following passage, I was enthusiastic and I issued a report which outlined how the new law would serve as a significant new tool fight illegal drugs and related crime.

That report explained how the Crime Law built on a consensus reached over the last decade by so many of the nation's police, law enforcement leaders and drug policy experts about how best to attack the problem. The Crime Law did what the experts agreed we must -- more police involved in proven community policing strategies, more punishment for all levels of drug criminals from the non-violent abuser to the murderous drug-dealing thug, and more common-sense alternatives for the children most in danger of falling prey to the perverse allure of drugs.

By today, I had hoped to issue a report advocating our next move ahead -- a move to develop a similar consensus in the areas of drug treatment and drug abuse among our children that remain unaddressed. Our nation is already seeing the first signs of a trend that chills every parent -- a rise of drug abuse among children. This is the proper focus of our national drug and crime debate in the months ahead.

But, in the face of this too real threat to our children, the new Republican majority on Capitol Hill has preferred a politically-motivated attempt to undo major provisions of the Crime Law. This is not moving forward, it is taking a giant leap backward. It is retreat. The Republicans are seeking to repeal a community policing program that guarantees 100,000 more police officers on the streets of America performing proactive drug and crime-fighting; to repeal drug courts and prison drug treatment programs which will hold nearly 1,000,000 hard-core addicts accountable instead of letting them roam free on our streets abusing drugs and -- inevitably committing crime; and to repeal the drug and crime prevention programs which aim to attack the "future root" of the drug epidemic -- our children.

Of course, the 1994 Crime Law addresses a broad spectrum of crime and violence problems. But, as a key part of the legislation, I specifically sought to pursue each of the substantive goals identified by drug policy experts over many years of study -- goals I first called for in alternative drug strategies during the Bush Administration and that I have continued to seek through the Clinton Administration. Already being implemented, the Crime Law is turning many of the six steps I proposed in previous reports into reality:

- * Already, federal dollars are out to state and local law enforcement -- the front lines of the fight against drug trafficking and drug-related crime. As of today, the Justice Department has funded more than 14,000 state and local police officers that will soon be on our nation's streets, dispensing some \$1 billion directly to mayors, police chiefs and sheriffs. This program forms the core of an unprecedented federal commitment of \$10.8 billion to the front lines of to state and local law enforcement -- a commitment to put 100,000 more officers to fight the street-level drug trade through the proven tactics of community policing.

- * When I released my first drug strategy five years ago, I demanded that drug abusers be made to make a stark choice: enter drug treatment or go to jail. This year, the Crime Law finally makes that choice real. The Crime Law provides enough Drug Court funding to take the 600,000 drug-abusing offenders who today walk the streets on probation -- not drug-tested, not treated, and facing almost no chance of detection and punishment should they return to drugs and crime -- and put them into treatment, enforced by mandatory, random testing and certain sanctions for failure. In the next few months, \$29 million will be delivered to courts across the nation to implement this proven strategy.

- * Focusing on the 900,000 treatable hard-core addicts, who cannot get treatment and advocating immediate action to begin to cut this treatment

shortfall, beginning later this year, the Crime Law provides drug treatment for 350,000 drug-addicted prisoners.

- * Recognizing that too many American children are forced to live in drug "war zones" -- where a trip to the playground can end in a hail of drug-gang crossfire -- the Crime Law provides the common-sense alternative of "safe havens" for hundreds of thousands of children, in the form of afterschool programs and Boys & Girls Clubs, among others. The Crime Law offers nearly \$40 million to help local communities provide "safe havens" for thousands of children, this year.

- * Warning that we must reach every American child with drug education and prevention programs -- a conclusion now bolstered by the recent reports that high school students' drug use is on the increase after a decade of steady decline, the Crime Law takes steps to reach our children early, to turn their minds and their hearts against drugs, to teach them that drugs destroy lives and that they are responsible for doing something positive with their lives.

- * And, finally, restating my firm belief that a successful national drug strategy needed the leadership of a Drug Director with real authority -- who, as a full member of the President's cabinet, could wield the necessary budget and other authorities to spearhead this fight -- the Crime Law provides

increased authority for the Drug Director, so that he could effectively lead the multi-pronged effort we need.

These steps, I argued, were the linchpins of a successful war on drugs, one with a dual focus: first, to treat existing addicts and stop drug related crime; second to attack the "future root" of the drug epidemic -- our children, particularly those most at risk of turning to drugs and crime. The Crime Law reflects the lessons learned over more than five years of focused efforts to staunch an illegal drug trade that raged out of control, turning neighborhood after neighborhood, community after community into violent battle grounds and destroying more and more lives.

Putting the Crime Law to Work Against Drugs

The Crime Law recognizes how inextricably linked crime and drug problems are, and its passage marked the first step in implementing the drug strategy. To the credit of many, a consensus has been reached in the intervening years. So today, there is widespread agreement that there are many successful efforts state and local officials can - and do -- deploy against drugs. What's more, the key barrier to undertaking these efforts is now widely recognized as simply the resources necessary to do the job.

In the most fundamental sense, that is what the Crime Law does. It provides the dollars to do the job: more police to close down more drug dealers, more prisons to incapacitate today's violent thugs, more treatment to stop as many young offenders as possible from becoming tomorrow's violent criminals, and more prevention to keep

children out of the crime and drug stream before they enter its waters. The fact that the federal government has put its money behind state and local police, prison wardens, prosecutors, judges, treatment professionals, prevention providers, citizens, and all others on the front lines is both a practical accomplishment and a symbolic one. The new law represents the federal government's full support for the drug-fighting efforts of those who work daily to fight illegal drugs and related crime.

More Police

More police on our streets and in our neighborhoods means fewer drug dealers and fewer drug-driven crimes. The Crime Law provides \$8.8 billion to put 100,000 more police in our cities and communities over the next five years. Most notably, these new police will return to the proven method of the "cop on the beat." These officers will be out in the community -- not behind desks or in cruisers -- but out walking small "beats," where they will know the trouble-spots and the trouble-makers, and where they will have the chance to prevent crime before it happens.

Community policing has a proven track record in cutting drug-related crime. Chief Bob Smith recently testified about his department's work in Tampa, Florida, before the Judiciary Committee. Chief Smith committed his department to moving crack dealers off of street corners and forged an unprecedented alliance with citizens in the community to achieve it. Through a combination of standard "buy-bust" operations, new outreach to the community, and involvement of other city agencies and the local media,

the dealers had been driven off within a year and the streets in the targeted area returned to normal. That is effective police work.

Such street-level policing shuts off open-air drug markets and increases the "hassle" factor for drug dealers and addicts -- breaking the connection between the two, and increasing the prospect of apprehension when the deals are made. And as part of their mandate to weave themselves into the community fabric, these new police will also work cooperatively with community leaders, school officials and families to fashion preventative programs -- like police athletic clubs or mentoring programs -- which best reach out to help our children learn to resist the trap of addiction and the lure of the drug trade.

The bottom line -- community policing works. Major cities that have implemented community policing techniques have seen violent crime drop significantly. In New York City, Police Commissioner William Bratton offers the hard evidence: the city's aggressive community policing program, including large numbers of street drug arrests, contributed to almost amazing decreases in serious offenses last year. Murders dropped 19 percent. Robberies fell by 16 percent. Burglaries went down 11 percent. And auto thefts were reduced by 15 percent. These are phenomenal numbers. And they are the result, in large part, of putting more cops on the beat, controlling the streetcorners and restoring some sense of order.

In total, the Crime Law provides an unprecedented, \$10.8 billion, federal commitment to state and local law enforcement. It is worth noting just how far we have

come since the release of President Bush's and Drug Director William Bennett's first drug strategy in September, 1989 -- more than five years ago. Their first drug strategy sought a total of \$350 million in federal aid to state and local law enforcement, with states matching the federal assistance dollar for dollar. The first drug strategy I offered -- in January 1990 -- called for more than \$1 billion in aid to state and local law enforcement -- a controversial view at the time. This year, through the Crime Law and the drug strategy, nearly \$4 billion in federal aid will be sent to state and local drug and crime fighters.

More than simply sending federal dollars to state and local officials, the Crime Law insists on fiscal responsibility through shared responsibility. State and local officials must put up some of their own dollars to gain federal dollars. This is the best way to ensure that federal dollars are used only on programs that are important -- and useful -- enough for local communities to spend some of their own money. This also means that the Crime Law will leverage billions more in state and local crime-fighting investment. But, let us also recognize that every Crime Law funding program is voluntary -- no state, county, city or town, that does not want to participate is forced to do so.

Taking Aim at Drug Criminals

It does not matter whether drug addicts are victims or villains, or both. In confronting this problem, we need only look to our enlightened self-interest. The hardest core of addicts commit a breathtaking number of crimes: some 200 -- per addict -- every year.

As I have argued since the first strategy I offered, hard-core addicts are at the root of America's drug epidemic, for they abuse most of the drugs, commit much of the drug-related crime, and are responsible for the vast majority of the drug-fueled violence and human tragedy that has altered life in America so dramatically. We now have the tools necessary to do what those who know best want to do. The Crime Law provides a broad array of legal and practical reforms that will help bring significant numbers of hard-core drug addicts under control.

- * Enhanced penalties. The Crime Law toughens federal penalties against drug sales and trafficking, along with more than 70 other criminal offenses, including the provision of the death penalty for those who murder a law enforcement officer, are involved in large-scale drug trafficking or drive-by shootings. It also provides "Three Strikes and You're Out" -- mandating life imprisonment for criminals convicted of three violent felonies or serious drug offenses. The legislation enhances penalties for drug dealing in drug-free zones; triples the maximum penalty for using kids to sell drugs in drug-free zones; requires that sentences for providing or possessing drugs in prison be added to any other drug sentence imposed; and increases penalties for dealing drugs near public housing projects and other areas. It also protects jurors and witnesses in capital cases by permitting courts to withhold their names if their safety would be jeopardized by publicity.

* Prisons. The Crime Law provides funding for states to build at least 125,000 more prison cells, or potentially to make available as many as 200,000 more prison cells through the construction of boot camp prisons. These boot camp prisons are appropriate for many of the non-violent criminals who would otherwise be sitting in a more expensive, traditional prison cell. Building these boot camp prisons -- at a fraction of the cost of conventional prison space -- is the single most cost-effective way to increase the supply of secure prisons. We have too few secure spaces now to keep all the violent or "career" criminals -- annually, about 30,000 violent offenders serve no time behind bars because of space shortages. To maximize the number of offenders serving time, we must use a variety of prison settings -- as appropriate for each individual offender.

* Drug Courts. Drug Courts embody my challenge to drugs addicts, to "get into treatment or go to jail and get treatment there." Drug Courts put teeth behind this charge by mandating testing and treatment, strict supervision, job training, and -- for those who violate these conditions -- progressively stiffer jail sentences. With these courts, the 600,000 drug-addicted offenders currently on probation will continue to walk the streets with virtually no supervision, no threat of sanctions. In Miami, only 3 percent of Drug Court graduates were re-arrested within 18 months. The re-arrest rate for similar offenders who didn't go through the Drug Court program was 33 percent -- 10 times higher.

* Drug treatment in prisons. About 200,000 drug-addicted prisoners are released every year without being required to undergo treatment for their addiction. We speed the "revolving door" experienced by many criminals in our justice system as these untreated offenders too often return to drugs and predatory crime. Former Drug Director William Bennett prodded us long ago to expand treatment, noting that drug treatment cuts the chance of a return to crime by half. The Crime Law provides enough to put 350,000 addicted prisoners into treatment, to shut the revolving door.

* Assault weapons ban. The Crime Law cuts the availability of deadly military-style assault weapons -- weapons of war with no legitimate sporting purpose that have become the weapon of choice for many drug dealers and gang members. These weapons represent a grave threat to our police, who find themselves outgunned by those who don't hesitate to kill over drug territory or to avert arrest.

Helping Our Children

All of the efforts just described focus on those who have already become ensnared in the spiral of drugs and crime. These efforts may turn some of these offenders around, but their primary goal is to make our communities safe for law-abiding citizens. In the long run, of course, if we are to achieve lasting success in reducing illegal drugs and crime, we must not wait to intervene until someone has already started down road to addiction, to dealing, to crime, to violence. The Crime Law takes steps to reach our

children early, to turn their minds and their hearts against drugs, to teach them that alternatives exist and that they are responsible for doing something positive with their lives. The Law offers resources to states and localities to offer:

- * Drug abuse treatment and prevention programs;
- * Treatment and prevention of child abuse, so much of which is tied directly to the abuse of drugs;
- * "Safe haven" programs that provide academic and recreational programs to children after school, over the summer and during holidays -- keeping children away from the perverse allure of drugs;
- * Early intervention teams of police, social workers, educators and doctors intervening together in the young lives of juvenile victims and offenders;
- * Sports programs for children in high-crime areas, and sports mentoring programs where athletes serve as positive role models and counselors for children at risk for gang and drug activity; and
- * Gang alternatives that give children something positive to "belong to," such as Boys and Girls Clubs, scout troops and little leagues.

Drug abuse and crime can -- and must -- be prevented by supporting community-based education, treatment and prevention programs that reach at-risk children and young adults and steer them away from the criminal path. In keeping with an alarm I have sounded for years, the bill pays special attention to our nation's children. To have a lasting effect in our fight against crime and illegal drugs, we must commit substantial resources to our children -- who, tragically, are accounting for an ever increasing share of crime across the land.

These programs are not false promise. They are at work in thousands of communities across the country.

- * They are at work in public housing projects with Boys & Girls Clubs, which have 13 percent less juvenile crime and 22 percent less drug activity than projects without such clubs.
- * They are at work in Houston, where 90 percent of the kids served by a community schools program graduate, compared to the statewide graduation rate of just 67 percent.
- * They are at work in Birmingham, Alabama, where juvenile crime has dropped 30 percent in neighborhoods served by the police department's athletic league.

Preliminary evidence from the field is in -- thoughtful, creative prevention and education programs work. The Crime Law focuses on replicating tested programs in communities throughout the nation. The programs are numerous and varied by design. We have learned that there is no single cure to the risks of crime and violence, because there is no single cause. Preventing crime depends on many different and overlapping efforts working at the same time. The programs funded by the Crime Law are designed to allow each community to tailor its efforts to its needs, in the search for its own best answers.

Removing Deadly Weapons From Our Streets

Getting deadly weapons off our streets and out of the hands of drug criminals means fewer violent crimes. I was proud to work for passage of the Brady bill -- now law -- which, with its criminal history background check, will help keep guns out of the reach of drug addicts, drug felons and other violent convicts. I am also proud that the Congress passed a ban on the manufacture, sale, and possession of assault weapons and large capacity ammunition clips.

The easy availability of military-style assault weapons means that crime is increasingly -- and inescapably -- lethal. With these weapons of staggering ferocity in the hands of criminals, our police forces are routinely out-gunned, our citizens are randomly cut down, and our neighborhoods are too commonly turned into arenas of terror. The path to reason is clear: these deadly weapons with no legitimate sporting purpose must go.

But that is not all. The Crime Law includes measures to help take handguns out of the hands of our children, a ban on certain cop-killer bullets, and federal firearm licensing reform. It also prohibits family violence offenders from possessing a gun when they are subject to a restraining order.

Reauthorization of the Drug Director

The Crime Law provides increased authority for the Drug Director, so that he could effectively lead the multi-pronged effort we need. With additional budget and program authority provided by the new law, the Drug Director will finally have the ability to enforce the national drug strategy -- to ensure that the fight receives the needed resources, that those resources are used most effectively, and that every agency involved in the fight against illegal drugs is held accountable to the goals and focus of the national strategy.

President Clinton had previously taken key steps toward giving the Drug Director the authority I and others sought for him. The President made Director Brown a full member of the cabinet and then signed an Executive Order that granted Director Brown enhanced authorities, most importantly enhanced budget authority -- including the authority to recommend specific funding levels -- and the authority to recommend specific funding levels in July of each year, when agencies start formulating their budgets for the following year. At the cabinet table, Director Brown has fought for and won historic increases in funding for our fight against illegal drugs, including this year's request for an unprecedented \$14.6 billion.

Each of the crime-fighting measures I have just outlined can play a role in the twin demons of crime and illegal drugs. Its passage into law marks the first step in implementing the Administration's national drug strategy.

We must preserve the hard-fought achievements of the 1994 Crime Act. We must reject retreat and move forward.

The Key Challenges Ahead

There is no more important focus for the future than preventing our children from being swept into the drug-crime stream. We must also maintain the offensive on hard-core addicts, recognizing that if their ranks are not depleted, America's drug epidemic, with its attendant crime, will continue to spin out of control.

On both fronts, the Administration's strategy outlines the course we should take. It steps up the campaign against casual and teen use through a new National Drug Prevention System and a youth-oriented media campaign. And although the requested increase of \$180 million for drug treatment still falls far short of closing a one-million addict treatment shortfall, it is a commitment of money and of attention that must be made now.

It also bears pointing out that the blame for inadequate drug treatment should be aimed at many quarters. Last year, the Administration's proposed increase for treatment was the largest ever proposed -- \$355 million. But the request was rejected by the

Congress. Only \$57 million in new funds were appropriated. The new Congress must recognize the potential savings -- in lives and quality of life, as well as in dollars -- of a full investment in treatment. It must appropriate more than the Administration has sought.

The Administration's plan also recognizes that the most important battles against hard-core drug addiction will be fought at the local level -- and backs up its this view with a new commitment of federal resources to assist state and local officials. Through both the drug strategy and the Crime Law, the Administration promises to deliver aid to state and local drug and crime enforcement in an amount that is 10 times -- 1000% -- greater than that called for in the Bush Administration's first drug strategy.

The Administration's plan recognizes that international drug traffickers have easily evaded interdiction efforts that do not target drugs at their source. This is a view that previous editions of this report have championed. And it is a view that has stood-up to a real-world test -- as drug interdiction resources have fallen by \$800 million since peaking in 1991, with no effect on drug availability on American streets. In response to this practical experience, the Administration has wisely undertaken the course suggested previously in these pages -- cutting the interdiction budget through a "controlled shift" of resources from Caribbean transit zones to source country efforts in South America.

The plan also meets my challenge to move now to prevent the next epidemic of drug addiction and crime. The Administration commits itself to funding programs I have

advocated for years -- programs to address the "future root" of the drug problem. These include drug education for schoolchildren and efforts to reach and help kids at-risk both before and after they enter the juvenile justice system. The Administration plans to help launch a national media campaign to stiffen attitudes against the use of illegal drugs and to bring together the massive community-based prevention movement under one umbrella, to coordinate programs and spread the word about what works.

The problem of illegal drug abuse, just like the problem of crime with which it is intertwined, is susceptible to no easy or quick fixes. No one-year plan will solve this problem. But we have spent too much time talking, and too much time and effort on easy or ineffective efforts. Director Brown and this Administration are to be commended for their willingness to take on a hard problem directly at its heart -- the hard-core addict. This nation finally has an Administration drug strategy that is smart, measured, and comprehensive. I cannot permit it to be repealed.

The Administration's strategy provides an excellent start in two key areas that I look forward to exploring with all -- Republicans and Democrats -- in the months ahead.

Stepped Up Treatment and Medications Development

First, we must review our drug treatment and medication efforts. We must first close the "gaps" that will remain between what the Administration's drug strategy and the Crime Law provide with respect to treatment. The Administration has taken two substantial, yet insufficient steps in the right direction. The President's budget request

seeks a \$60 million increase in the substance abuse block grant administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). It also requests a total increase of \$180 million in drug treatment programs throughout the federal budget. But, the strategy acknowledges that only 1.4 million out of 2.4 million drug abusers, who could benefit from treatment, actually got treatment in 1994. This leaves a shortfall of 1 million addicts.

Even with the treatment proposed in the Crime Law, well over half a million addicts will remain without treatment. As we seek to close this gap further, we must find more cost-effective ways to treat hard core addiction. Consolidation of the substance abuse block grant, as proposed by the Administration, is a step in the right direction. The removal of set-aside provisions will permit states more flexibility to target high-priority populations. Still, we must explore the possibilities of using "market incentives" in the distribution of treatment dollars to ensure that funds go to the programs producing the best results. Managed care and central intake systems, apart or in combination with national health care reform, are promising strategies.

Another key element in the search for more effective methods of treating addiction is the search for treatment medications. I recognized the potential for so-called pharmacologies years ago, authoring a provision which led to the creation of a Medications Development Program within the National Institute of Drug Abuse. Scientists working under this program have made considerable strides in developing pharmacotherapies -- medicines that reduce the craving for drugs, block the behavioral

effects of drugs, and help fight hard-core addiction. Indeed, in 1993, the first new pharmacotherapy in more than a decade -- LAAM -- was approved by the Food and Drug Administration for the treatment of hard-core drug addiction. And, just three weeks ago, naltrexone, previously an anti-heroin medication, gained approval as a treatment for alcoholism.

In spite of this success, a continued shortage of funding threatens the potential of this program. I have long called for full funding of this program as well as other measures to increase the effectiveness of the effort, including:

- * offering inducements to private industry to encourage continued private development of medicines to treat addiction; and
- * permitting expedited FDA approval for the most promising of these medicines.

A new direction from which to attack the nemesis of drug abuse is promised by medicines which may actually treat drug addiction. But, real progress will be made only after we have set off in a major new direction that accelerates our research.

Implementing the Strategy: A Role for All of Us

Finally, I believe we must acknowledge that we cannot win the fight against drugs and crime unless we acknowledge that efforts not within the scope of governmental

powers must be harnessed. If the nation is to make lasting progress in our fight, we must recognize that full responsibility for ending the drug crisis does not lie with the government.

Even full funding of federally-sponsored programs will not bring final "victory" in the nation's "war on drugs". The success of any efforts to preventing our children from smoking their first marijuana cigarette or joining a gang depends as much on the responsibility of parents and communities as it does the effectiveness of even the most carefully designed government program.

Crime in the streets, guns in our schools, and crack-addicted babies belie the notion that drug use and its grisly effects are somebody else's problem. It is all of our problem. We can no longer afford to toss up our hands and wait for the government to come to our rescue. Government cannot and should not be expected to wage this battle alone. Each of us must take responsibility and each of us must contribute. Parents must send consistent messages to their children that drug experimentation is wrong and deadly. Parents must be involved in their children's lives enough to know their children's friends, where their children are, and what they are doing when they are out at night.

Churches and civic leaders must also join the fight by using their influence to organize residents and encourage activism. School officials must make sustained efforts at eliminating drugs and guns from the backpacks and lockers of our youth to make our

schools safe places to learn. Teachers serve as our best role models in getting across the anti-drug, anti-violence message every day.

And, finally, the media must become more responsible. They must refrain from glamorizing drugs, violence, and the "party-life." They must show our kids that there are other ways to have fun besides getting drunk and high, that it is not "cool" to use drugs or disrespect authority figures, and that there are other ways to solve problems besides reaching for a gun. Film producers, television news directors, writers and editors -- all must avoid the temptation to conclude that they have already "done" the drug message and join us in realizing that the fight must continue, that the message must be repeated time and time again, year after year.

In the end, all these things -- and much more -- must be done to stem the drug abuse and the violence it spawns. Drug abuse is a social problem, and like all the other difficult problems with which it is interwoven -- poverty, racism, homelessness -- it feeds dual temptations: on the one hand, we try to ignore it as long as it doesn't immediately affect us; on the other hand, we are so overwhelmed that we see it as inevitable and intractable.

* * * * *

In closing, I would like to thank the many people who contributed to this Report. It draws on the insights and perspectives of the nation's leading enforcement officials, educators, drug treatment professionals, academics, and drug policy experts.

I also want to thank my staff on the Senate Judiciary Committee and International Narcotics Control Caucus who have again performed outstanding work on this Report. I appreciate the efforts and talents of Chris Putala, Adam Gelb, Tracy Doherty, Brian McKeon, Claire DeMatteis, Mimi Murphy, Jenna Nober, and Cynthia Hogan.

Senator Joseph R. Biden, Jr.
February, 1995

CHAPTER I.

HELP FOR POLICE -- FINALLY ON THE WAY

The last edition of this report heralded passage of the Violent Crime Control and Law Enforcement Act of 1994 for turning Senator Biden's previous drug strategy from "prescription" into "action". Of central importance to achieving this goal was the Act's unprecedented \$28 billion federal commitment to state and local law enforcement.

This commitment by President Clinton, Senator Biden, and the Congress is not only unprecedented, it is long overdue. Officers have been overwhelmed by the rising tide of drug-related violence: in 1961, there was 1 police officer for every violent crime; today, there are nearly 5 violent crimes for every police officer.

Yet the promise of safer streets, held out by the President and by the Congress to the American people, has come under attack by the new Republican majority. Legislation has already been introduced by House and Senate Republicans which seeks to undo key strides made by the passage of last year's comprehensive crime control

legislation. Specifically, to derail the commitment to put 100,000 new police officers on the beat -- Republicans have obliterated the Crime Law's \$8.8 billion program of Community Policing.

Community policing represents the most promising law enforcement tactic in reducing the scourge of drugs. It emphasizes greater police presence on the streets of America, and officers work with -- rather than against -- the community to take the drug fight where it is most subject to control and where it exerts the most damage¹ -- to the front-lines.

As the next few pages of this report will detail, community policing requires much more than simply putting a police officer on foot-patrol. The Crime Law will put 100,000 more police officers performing proactive crime and drug control in neighborhoods where they have built trust and respect. These are promises that can not be found in the \$8.5 billion Republican, "law enforcement" block grant. Indeed, the block grant does not guarantee a single officer will be put on the street.

The Crime Law includes several other provisions that will deliver more troops to the front-lines of the fight against drugs. All told, it provides \$10.8 billion for state and local law enforcement -- aiding the police officers and prosecutors who work for states,

¹The analyses of Dr. Mark H. Moore and Dr. Mark A.R. Kleiman have developed and informed the debate about the role of street-level drug enforcement, and both deserve much of the credit for this central insight.

counties, cities and towns. The pages ahead outline many of the programs that make up this \$10.8 billion commitment and their key role in the effort to reverse the tide of drug-related crime and violence.

Community Policing -- Smart Federal Assistance to Fighting Drugs and Crime

The Crime Law's \$8.8 billion community policing grant program will hasten the adoption of police-community cooperation as the principal method of modern law enforcement. Community policing is tougher on crime because it is smarter.

In essence, the Crime Law codifies what police chiefs and policing experts have been saying for several years now -- that law enforcement and residents can reclaim their communities if they work together.

While crime has long been associated with the drug trade, the crack epidemic brought with it an unprecedented level of violence. Stopping the ever-burgeoning drug trade and spiralling violence became one of the nation's top priorities. Legislators passed strict drug policies to give law enforcement officers the tools to clean up the streets by locking up dealers.

Law enforcement did its part by sweeping neighborhoods, performing "buy-busts" and "jump outs", targeting open-air drug markets, and making more than 1 million arrests for drug law violations. Yet each time the police were successful in weeding out the dealers from one block, drug sales would blossom around the corner where hungry pushers were quick to satisfy the now unsatiated demand.

Local police officers were quick to recognize that they needed to do something to stop the seemingly endless supply of dealers and to prevent the fungible and ever adaptable drug trade from shifting neighborhoods as needed. They began focusing on community policing, an effort that offers significant promise in deterring drug-dealing, drug-buying and crime. The premise is simple -- a cop standing on the corner makes it less likely that a crime will be committed on that corner.

But community policing promises richer results than simply pulling police from behind desks and putting them out on the streets. It requires police to invest in the neighborhoods in which they work by getting to know the residents, working with those who provide other community services, attending community meetings, stopping by local hangouts, and learning about the trouble spots and the trouble makers. Neighbors come to know and trust the officers and are more willing to come forward as witnesses, provide crime-fighting tips, and join neighborhood watches.

Community policing techniques, such as blocking off streets and enforcing housing codes, dramatically disrupts open-air drug markets. In addition to making the neighborhood more livable, keeping police officers walking the beat on our streets reduces the ready availability of drugs to addicts. By doing so, it effectively raises the price of the drugs, since users must spend a longer amount of time searching for their next "score."

The successes of the departments that have turned to community policing speak volumes for the merits of the program. The following are some examples:

- * In New York City -- a place where crime seems insurmountable -- the police commissioner established an aggressive community policing program that contributed to almost amazing decreases in serious offenses last year.
 - ** Murders dropped 19 percent.
 - ** Robberies fell by 16 percent.
 - ** Burglaries went down 11 percent.
 - ** And auto thefts were reduced by 15 percent.

- * Community policing techniques were introduced in the New York City subway system four years ago and the results have been phenomenal: robberies have fallen by 52 percent.

- * In New Haven, Connecticut, Police Chief Nick Pastore's no-nonsense community policing effort lead to a 10 percent drop in serious crime in 1992.

- * In the Englewood section of Chicago, community policing was credited with a 6 percent decrease in violent crime last year.

Successes such as the ones described above, as well as the overwhelming demand for the \$150 million Police Hiring Supplemental program in 1993, (the U.S. Department of Justice was forced to turn away 9 out of 10 applicants) prompted Senator Biden to lead the fight for an additional \$9 billion for the community policing program as part of the Crime Law.

By the year 2000, the Crime Law will put 100,000 more police officers in community policing programs across the country -- representing an increase in the ranks of state and local law enforcement of nearly 20 percent.

Already, the U.S. Department of Justice has funded 9,500 police officers with \$680 million in aid to state and local law enforcement. In addition, applications for more than 4,000 more officers (with about \$450 million in federal funds) are pending -- applications that will be awarded in a few weeks. In short, 15,000 new local police officers will be funded and headed for the streets by the end of February.

But as important as the number of new police officers is, their role in the community is equally important. The crux of community policing is the forging of partnerships between the police and the citizens they are sworn to serve and protect. Police build trust with residents, trust that turns into information about crimes and drug dealers. The following are some examples of the creative and cooperative policing techniques that departments have implemented already:

- * In Tampa, Florida police committed themselves to moving crack dealers off street corners and forged an unique alliance with citizens in the community to achieve it. Through a combination of standard "buy-bust" operations, new outreach efforts with the community, and involvement of other city agencies and the local media, the dealers were driven off within a year and the streets in the targeted area free of drug dealers.

- * From Seattle, Washington to Savannah, Georgia, police officers are riding bicycles through neighborhoods, putting them in much closer contact with citizens than officers patrolling in squad cars.

- * In St. Paul, Minnesota and other cities police have convinced phone companies to take a technological step backwards, replacing push button

pay phones with rotary dials to prevent drug dealers from congregating and using them as personal offices.

- * In Tulsa, Oklahoma two-officer teams work drug-infested apartment complexes, serving as role models for children and developing informants for investigations.

- * In Boston, Massachusetts city police can demand that other city agencies respond promptly to crime-breeding situations, such as abandoned cars, burned-out streetlights or littered lots.

- * A community policing project in the Eastside neighborhood of Wilmington, Delaware, which combined foot patrols with community development efforts, suppressed drug activity there without displacing it to other parts of the city.

Community policing is both proactive and cooperative. Officers make their presence on the street well-known, especially by frequenting areas infamous for trouble, instead of performing random patrols. Officers work with the community, forming partnerships with residents such as establishing a network of neighborhood activists who can report drug-selling directly to beat officers by beeper or cellular telephone. Residents come to know and respect "their" officers, who are perceived as forces within

the community acting to protect their collective security; rather than "outsiders" enforcing their own will.

Establishing this kind of presence and cooperation requires much more than simply making a police officer walk a beat. That is why \$1.3 billion of the \$8.8 billion community policing grants in the Crime Law provides departments with the resources and opportunity to transform training, management, and operating procedures, as well as to help facilitate the departments' involvement in community outreach. Such programs include:

- ** Teaching officers mediation and conflict resolution skills to stop a dispute before it becomes deadly.
- ** Teaching citizens self-protection and opening the channels of communication among victims, witnesses, police and courts.
- ** Coordinating police efforts with community groups and with other federal programs working to stem violence.
- ** Encouraging officers to act as mentors and role models for at-risk kids through Police Athletic Leagues and Big Brother/Big Sister programs.
- ** Increasing the time that officers actually spend on the street by reducing time wasted sitting around courthouses waiting to testify.
- ** Developing advanced communications and other technologies that will help shift the focus of police work from reaction to prevention.

** Redeploying existing police officers who spend their days behind desks back to the streets.

As community policing becomes ingrained in the police forces of cities, towns and counties across the nation, there is good reason to believe that crime -- and the paralyzing fear of crime -- will begin to subside. As noted Criminologist James Q. Wilson stated, "The sheer number of police on the streets of a city probably only has a weak, if any, relationship with the crime rate; what the police do is more important than how many there are. . ." ² This message was forgotten by the Republicans who sponsored this year's crime bill.

While no one argues that state and local governments desperately need federal assistance to confront the blight of drugs and crime in our neighborhoods, the debate is over the form of this aid. This debate has been raging for more than 25 years, since the Congress first became aware of the allegations of lavish and wasteful spending for "Dick Tracy" type equipment under the Law Enforcement Assistance Administration (LEAA).

The Crime Law builds on the lessons learned by the LEAA, providing that 85% of the \$8.8 billion will be used to help leverage state and local funds to provide 100,000 new police officers on the streets of America to perform community policing -- a proven, effective crime and drug fighting tool.

² James Q. Wilson, "What To Do About Crime", Commentary, September, 1994, p. 30.

This year, however, the Republican-sponsored crime bill, known as the Violent Crime Control and Law Enforcement Improvement Act of 1995, would repeal the community policing provision and replace it with an \$8.5 billion law enforcement assistance block grant. Were this grant program a smart way to provide state and local governments with the flexibility to set their own crime policies, no one would argue. In reality, however, the Republican provision is full of politics but empty on policy.

It ignores the lessons of the LEAA -- providing \$8.5 billion in free federal dollars to fund a broad-based program with no specific goals, no accountability, and no matching requirement. Under their proposal, money may be spent frivolously for scattered priorities. It does not guarantee a single new police officer on any street in America, and it does not even guarantee that a single dollar will reach any police department.

Unlike the Republican bill, to ensure that the federal funds will translate directly into more police on the streets, the crime law targets funds directly to hiring police officers. And to make sure law enforcement efforts don't end when the federal dollars are spent, the Crime Law provides that state and local governments gradually increase their share as federal dollars decline.

In addition, the legislation holds the Attorney General directly accountable for the program's success or failure, providing the authority to revoke or suspend a policing grant if a department or state is not in compliance with the standards and conditions of

the program. This ability to cut off funds will help ensure that police departments adopt the concept of community policing and actually put more officers out on the street.

In contrast, while the Republican bill does provide the Attorney General with revocation authority, there is no matching requirement. It simply uses a formula to hand out federal funds to mayors and state officials -- no strings and no accountability. This may be politically wise, but foolish from a policy standpoint. State and local matching requirements are extremely important in ensuring fiscal responsibility and accountability. For, all we know that all public officials care much more about making sure that federal tax dollars are well used when they also have tax dollars on the line.

The Republican bill rests on the notion that state and local governments should be given flexibility to determine their own crime policies. But, the Crime Law already gives jurisdictions that flexibility. It permits departments to rehire officers who have been laid-off, ensuring that already-trained officers return to the streets as soon as possible. And it also allows grant recipients to decide for themselves how much they will contribute each year of the grants -- the only stipulations are that the federal share must decline each year and that the total funds applied to any one officer not exceed \$75,000.

It guarantees 100,000 officers performing community policing, codifying what police around the country believe to be the most effective and promising law enforcement reform in decades. The Republican bill, on the other hand, is big on

politics and short on policy. It does not guarantee a single officer on the streets of America. It does not guarantee even that a single dollar will reach state or local police departments. It does not target the dollars to the crime and drug fighting tactics with proven truth. And, it does far too little to ensure financial responsibility.

Byrne Grants -- Maintaining the Successes of Interagency Cooperation

The drug trade knows no boundaries. It involves a vast network of organizations that cross state and country borders, raising both federal and international concerns. And while the fight against drug dealers and traffickers must be waged at all levels, we must also provide due recognition that almost all -- about 96% -- of the drug and crime fighting is carried out at the state and local level.

Senator Biden has long advocated that state and local communities must set their own crime policies but that the federal government should contribute their fair share by offering flexible assistance and cooperation.

The Crime Law reflects Senator Biden's commitment. Indeed, \$27.5 billion of the total \$30.2 billion authorized by the law goes to state and local cops, corrections, courts and community groups -- by far the largest federal commitment to state and local crime and drug fighters ever. It also authorizes \$1 billion over 6 years for the Edward Byrne

Memorial State and Local Law Enforcement Assistance Programs; the highest allotment the program has ever received.

Byrne grants were established in 1986 to encourage intergovernmental cooperation through multijurisdictional drug task forces and flexible aid to state and local officers. The Crime Law adds further flexibility to this program, authorizing four new programs in addition to the 21 that currently exist:

- 1) programs that transfer to adult court cases of 16- and 17-year-olds charged with serious crimes, such as drive-by shootings;
- 2) DNA laboratory testing;
- 3) drunk driving prosecution programs; and
- 4) enforcement and prevention programs targeted at juvenile gangs.

Byrne grants have been one of the most successful and popular assistance programs administered by the federal government. The additional funds and added flexibility will ensure the program's continued achievement.

Rural Drug Enforcement -- Aid to America's Heartland

Rural areas often lose the struggle for much needed and scarce drug fighting resources to the more populated cities, which are believed to have the more vexing crime and drug problems. The flight of businesses and the middle class to the suburbs and countrysides is testament to this pervasive belief. But, the people who fled to provide a better and safer environment for their families have found that drugs and crime have infested every corner of the nation. The statistics are telling:

- * In 1993, violent crimes rose by 1.4 percent in America's rural counties, while decreasing 1 percent in the nation's largest cities.
- * Between 1992 and 1993, the number of serious assaults rose 5 times faster in rural counties than in big cities.
- * The number of rapes rose 1 percent in rural counties, while dropping 4 percent in urban America.
- * Drugs are an increasing menace in rural states: in 1993 the number of arrests for drug abuse violations in rural areas jumped by nearly 30 percent for offenders younger than 18.
- * New drugs -- such as the smokeable methamphetamine "ice" and a new inhalant "cat" -- have proven especially popular in rural areas.

Senator Biden has long recognized the need for a greater emphasis on targeting drug traffickers and violent criminals that are increasingly rural America. He thus included a section in the Crime Law authorizing \$240 million in federal assistance to stepping up rural law enforcement. The provision is quite similar to many of the measures which he -- along with Senators Baucus, Pryor, Harkin, Bumpers, Conrad, Daschle, Leahy, Heflin, and Bryan, among others -- proposed in "The Rural Crime and Drug Control Act of 1991."

Half of this aid will be divided equally among 19 rural states. The \$6.3 million per state is enough to deploy an additional 50 drug-fighting police in each state -- and this is above and beyond the grants for community policing also available to rural states. The remaining 50% of this aid is targeted to rural areas of the other 31 non-rural states.

The Crime Law also provides \$5 million to the Federal Law Enforcement Training Center in Glynco, Georgia, to develop a specialized course of instruction for rural law enforcement officers. This specialized training is essential to helping these officers confront the problems that uniquely effect rural regions, such as how to safely dismantle clandestine laboratories.

The rural provision in the Crime Law also encourages federal, state and local cooperation by authorizing the Attorney General to establish a Rural Crime and Drug

Enforcement Task Force in federal judicial districts that encompass significant rural lands. The task forces must include officials from state and local law enforcement agencies, the U.S. Attorney from the district, and agents from the FBI, DEA, INS, and the U.S. Marshals Service. Representatives from other federal law enforcement agencies, such as the Customs Service, the Park Police, the Forest Service, the Bureau of Alcohol, Tobacco and Firearms, and the Bureau of Land Management may also participate. Up to 100 federal agents may be cross-designated when necessary for investigations which is an important tool preventing turf battles and fostering cooperation.

This provision is yet another example of the flexible federal aid -- providing both manpower and funds -- to help state and local law enforcement win the battle against drugs.

Federal Assistance to State Court Systems -- Keeping the System Afloat

Cases involving drugs and crime have placed extraordinary burdens on the court system. State and local prosecutors, judges, public defenders, and probation officers today face an ever-increasing caseload. Punishment must be swift and certain to be an effective deterrent, and backlogged courts increase case delay, reducing the effectiveness of swiftly administered justice.

Senator Heflin recognized the strain that the addition of 100,000 new community police officers will place on those responsible for handling drug offenders and other criminal defendants after they are arrested and charged. Thus, the Crime Law authorizes \$150 million in federal assistance to state court systems to help them cope with the new load.

In addition to this assistance, the Crime Law creates a \$50 million "Community-Based Justice Grants for Prosecutors" program. This program, which would be eliminated by the Republican crime bill, aims to forge cooperation between prosecutors, school officials, police and social service providers to more effectively prosecute young, drug and violent crime offenders.

The juvenile justice system is overwhelmed with delinquents but starved for programs that hold these kids accountable, that provide them with meaningful punishment and services that can turn them around before it is too late.

These grants will equip prosecutors with the tools to provide swift and certain punishment for young offenders. It encourages prosecutors to work with neighboring agencies, such as school officials and probation officers -- people who can lend a hand in imposing increasingly serious and individualized sanctions. For example, if a juvenile is selling drugs instead of going to school, a prosecutor could require that as a condition of probation, juveniles must bring to the probation officer a weekly record of their school

attendance to be signed by the teachers. And juveniles, who have trouble controlling their anger, may be required to attend mandatory counseling, mediation and conflict resolution in addition to the punishment for their crime.

This program rests on the same premise as community policing. Prosecutors must become more in touch with the problems of the community, and they must be aware of neighboring agencies that can lend a hand.

Gun Control -- Stripping Drug Traffickers of their Prized Weapons

Last year marked a watershed year for gun and violence control which are aimed at stripping drug trafficking of their weapons. The Congress passed and President Clinton signed the Brady bill, the ban on assault weapons, federal firearm licensing reform, a ban on certain cop killer bullets, the Youth Handgun Safety Act, and legislation prohibiting family violence offenders from possessing a gun when under a restraining order.

Already, the gun lobby has set to work to repeal the assault weapons ban. We must be sure that the support for the above mentioned measures remains strong to ward off any attacks.

Brady Law

The Brady Law has paid dividends already by keeping guns out of the hands of hundreds of convicted criminals. In just the first 100 days after the law took effect February 28 of this year, a survey of law enforcement agencies found that 3,008 applications for guns had been denied, a rate of nearly 5 percent. In addition, 70 licensed firearms dealers reported to the federal Bureau of Alcohol, Tobacco and Firearms that they had denied 624 applications after checking the applicants' criminal histories.

Assault Weapons Ban

Readily available and cheap to boot, assault weapons have become the drug dealers' guns of choice, making the drug trade the most deadly profession and turning our streets into bloodbaths.

Police and emergency room medical professionals have all too often witnessed firsthand the devastation and destruction of these weapons, which have no legitimate sporting purposes. Time and again they have testified before the Judiciary Committee. The police describing how they have become out-gunned, and the medical professionals describing bodies so shot up that they are beyond repair.

For years, Senator Biden joined their efforts and tried to urge the Congress to support the American people -- and the nation's police officers -- by breaking the National Rifle Association's chokehold on sensible gun control legislation.

The assault weapon ban -- the product of tireless work by Senators Biden, Feinstein, DeConcini and Metzenbaum and Congressman Schumer in the House -- is tailored narrowly so it targets criminals, not lawful hobbyists, hunters or other sports persons. The measure:

- * prohibits the manufacture, transfer and possession of 19 specifically-named semiautomatic assault weapons;
- * bans the possession or transfer of large capacity ammunition feeding devices -- defined as more than more than 10 rounds;
- * grandfathers all firearms that are lawfully possessed before the date of its enactment;
- * doubles the penalty from 5 to 10 years for violations of firearms laws involving assault weapons;
- * specifically exempts more than 650 manual and semi-automatic guns, as well as antique weapons, and weapons operated by bolt pump or slide action.
- * instructs the Attorney General to conduct a study of the impact of the ban on violent and drug trafficking crime, and report the results within 30 months.

Youth Handgun Safety Act

Young and impressionable, juveniles are easy prey for drug recruiters, who lure them with promises of wealth and power and outfit them with guns. Professor Alfred Blumstein of Carnegie Mellon University, among others, have documented the horrifying escalation in juvenile violence, and the relationship of that violence to the recruitment of

juveniles into the illicit drug trade. Prof. Blumstein notes that since 1985 -- the outbreak of the crack cocaine epidemic --

- * the juvenile homicide rate has doubled, while the rate for adults over 24 has remained the same; and
- * the number of juvenile homicides with guns has doubled, while the number of non-gun killings stayed steady.

To address this tragedy, Senator Kohl sponsored a provision, which passed as part of the Crime Law, making it a federal crime to transfer or sell handguns to children younger than the age of 18. The provision also prohibits juveniles from possessing handguns, with certain limited exceptions. Punishment is set at up to 1 year in prison and up to 10 years for adults who give a handgun to juveniles to commit a crime of violence. It also requires that a juvenile's parent or legal guardian be present at all court proceedings related to the case.

It is vitally important to ensure the aggressive enforcement of this provision -- too often the target of a child attacker is another child.

Drug-Crime Penalties -- Increasing the Cost of Crime Without Further Federalization

The federalization of state crimes is both unwarranted and unwise. It is the state and local police who are the experts when it comes to busting street gangs, street thugs and street punks.

Limited federal jurisdiction makes sense both as a policy matter and as a practical matter. As a matter of policy, federal resources should be spent focusing on areas in which they have developed expertise -- combatting complex federal crimes, multistate drug trafficking organizations, and championing federal rights and liberties.

As a practical matter, the disparity in resources makes it clear why attempts to bring local drug- and street-crime into the federal system are doomed to failure:

- * There were 544,309 state and local police officers in 1992. The federal "police" (the FBI, DEA, U.S. Marshals, and the Border Patrol) number a total of 20,400 agents -- four percent the size of the state forces.
- * There are 9,602 state trial judges who can hear felony and serious misdemeanor cases. Federally, there are 629 district court judges -- only 7 percent of the comparable state criminal bench.

- * At the state and local levels, there are over 23,000 prosecutors trying criminal cases. There are about 3,000 federal prosecutors.
- * In 1992, there were 48,366 criminal filings in the U.S. District Court. That same year, there were over 4 million criminal filings in state courts of general jurisdiction -- felonies and serious misdemeanors -- 82 times as many as in federal court.
- * Indeed, between 1955 and 1991, a total of 1.3 million criminal cases were filed in the U.S. District Courts. So, in 36 years, there were one-third the number of cases filed in federal court as were filed in one year in state court.
- * Today, there are about 1.3 million inmates in state prisons or jails. The number in federal prisons is about 84,000 -- or only six percent as many.

The federal system simply cannot handle the thousands of cases that would arise from expanded jurisdiction. By necessity, then, backlog could delay trials and cause prosecutors to forgo proceedings altogether. Rather than deterring crime -- which comes from certain punishment -- expanded federal jurisdiction would simply raise false expectations. And when the expectations are not met, public confidence in the ability of justice to be served would be further eroded.

The resources of federal officers and judges are best devoted to investigating, prosecuting and trying big, multi-state gang activity and multi-state drug rings. And

Senator Biden has long been committed to ensuring that federal law enforcement officers have the laws they need to get and keep drug dealers and gangsters off our streets. The Crime Law reflects his commitment and increases penalties for many federal drug-related crimes. For instance, the legislation:

- * Directs the U.S. Sentencing Commission to enhance penalties for drug dealing in drug-free zones;
- * Triples the maximum penalty otherwise authorized for using kids to sell drugs in drug-free zones;
- * Directs the Sentencing Commission to enhance penalties for possession of drugs or smuggling of drugs into federal prisons;
- * Requires that sentences for providing or possessing drugs in prison be consecutive to any other drug sentence imposed;
- * Increases penalties for dealing drugs near public housing;
- * Enhances penalties for drug dealing near truck stops and rest areas;
- * Prohibits advertising for the purpose of seeking or offering drugs.
- * Protects jurors and witnesses in capital cases by permitting courts to withhold their names if their safety would be jeopardized by publicity.

The Crime Law provides an unprecedented infusion of resources to the courageous officers on the front line of the nation's battle against crime and drugs. That is the best way to combat crime in this country -- not by holding out promises to the American people that cannot be kept.

CHAPTER II.

CRACKING DOWN ON DRUG CRIME -- CERTAIN PUNISHMENT, NOT A REVOLVING DOOR

The nation's primary response to its current drug epidemic has been punishment. For the first time in history, America's state and federal prisons now hold more than 1 million convicted criminals. At least 40 percent of them are addicted to drugs. County jails hold another 450,000 offenders and pre-trial detainees, bringing to 1.5 million the total number of Americans behind bars -- tripling the number just 15 years ago.

Why hasn't this reduced drug-related crime? Why are drugs still taking such a massive toll on our quality of life? Should we be doing something else?

These questions are posed both by critics and supporters of the national drug strategy. But, analyses of the punishment component of the strategy from both extremes of the debate miss the mark. As Senator Biden asserted throughout the past years' debate on crime legislation, liberals' arguments that drug offenses are punished too

severely and conservatives' arguments that our criminal justice system is not punitive enough both come up short.

Instead of the polar extremes, the 1994 Crime Law ascribes to the view forwarded by Senator Biden. Discussed and documented in previous editions of this report, this view holds that "every hard-core addict must be faced with one of two stark choices, get into treatment or go to jail and get treatment there."³ In other words, the certainty of punishment is the most important aim of a criminal justice system's response to drug abuse. And, the "carrot" of drug treatment is not sufficient to change the behavior of most hard-core addicts without the "stick" of sure and immediate punishment hanging over their heads as well.

The Clinton Administration fought hard for a Crime Law that moves past the polarizing inaccuracies of the liberal and conservative views. And, to the Administration's great credit, the Crime Law largely lives up to the goals set by previous editions of this report.

Most importantly, the Crime Law provides \$1 billion for Drug Courts -- programs that will finally put some "teeth" back into the nation's overloaded probation system, making it a credible sanction rather than a virtually meaningless administrative status.

³This argument was first posited in January, 1990, in Senator Biden's first drug strategy.

In addition, the Law provides an unprecedented \$9.7 billion to states to help them cope with prison overcrowding, by building hard cells for the most dangerous offenders, and cost-effective alternatives such as boot camps for non-violent offenders.

Taken together, the Drug Courts and boot camps represent a giant leap toward the construction of an effective -- and cost-efficient -- corrections strategy, one that can mete out certain, swift punishment and maximize the protection of public safety.

This kind of strategy has been advocated by liberal criminologists for years; recently, it has won the support of conservative analysts, such as UCLA's James Q. Wilson⁴ and Princeton University's John J. DiIulio, as well.

"[P]rison pays for most state prisoners," DiIulio and Anne Morrison Piehl of Harvard write in the current edition of The Brookings Review. "But prison does not pay for all prisoners. It does not pay for all convicted felons. Most emphatically, it does not pay for all convicted drug felons. The public and its purse could benefit if 10-25 percent of prisoners were under some other form of correctional supervision or released from custody altogether."⁵

⁴See his article, "What to Do About Crime," Commentary, September 1994, p. 31.

⁵Anne Morrison Piehl and John J. DiIulio Jr., "Does Prison Pay? Revisited," The Brookings Review, Winter 1995, pp. 21-25.

In the past two weeks, Governor Pataki of New York has taken this kind of advice to heart. In a move to use New York's expensive prison space more effectively, he has proposed amending some of the 1970 drug laws of Governor Rockefeller's administration. Governor Pataki proposes, instead, to place less serious offenders in lower-cost alternatives, such as drug courts and house arrest enforced by electronic monitoring. His proposal appears to have the backing of the Senate Republican leader.

Unfortunately, the new Republican majority in Washington has yet to come to the same conclusion. Instead, they cling to tired and costly notions that "conventional" prison cells are the only punishments our criminal justice system requires. There can be no other reason that they targeted the boot camps -- and the Drug Court program -- for complete elimination.

The Drug Courts have come under attack as "social pork." But it is inexplicable and irrational to describe a program that cracks down on drug-addicted offenders who would otherwise walk the streets on essentially unsupervised probation with drug testing and the threat of certain punishment for misbehavior.

The Justice Department is releasing guidelines for the Drug Court program under the current Crime Law. Soon, the first installment of the program -- \$29 million -- will be distributed to interested communities across the country. It would be a great blow to the potential effectiveness of the criminal justice system if these funds are stricken.

Elimination of the boot camps from the prisons grants, as the Republicans have proposed, is hard enough to understand from the standpoint of fiscal restraint: boot camp beds are just as secure as prison beds, but they cost about one-fifth the price to build, and they are three times cheaper to operate. And with follow-up after the boot camp inmates are released, the programs have shown some success at reducing recidivism.

But the Republican prohibition on boot camps is even more difficult to comprehend from the perspective of political philosophy. The primary stated objective of the new Republican majority in Congress is to shift power from Washington to the states. Hundreds of federal programs are being lumped into giant block grants with no strings attached. State flexibility is the order of the day.

In the context of this devolution of power, how does it fit that the Republicans putting the states in lock-down when it comes to prisons? The Republican bills, both in the House and in the Senate, actually take the Crime Act currently in law and put further restrictions on how the states can spend their prisons grants.

Governor Engler of Michigan, Governor Thompson of Wisconsin, Governor Wilson of California, Governor Weld of Massachusetts, Governor Edgar of Illinois -- and several others, Democrats as well as Republicans -- all are operating boot camps. Under the Republican proposals, however, none of the federal money could be used to support

them, or to open others, or to take advantage of any other cheaper alternative to conventional prison cells.

Evidently, in the eyes of the Republicans in Washington, none of these governors can be trusted to spend their corrections money, in the most cost-effective way they feel they can best protect public safety.

Moreover, the House Republican measure conditions receipt of half of the prisons grants on a Truth-in-Sentencing standard so high that states would have to spend upwards of \$60 billion to qualify for it. The state would have to roughly double the amount of time that all of their violent offenders spend behind bars, from 42 percent to the 85 percent requirement. Unless states actually reduce sentences for violent offenders, this means for certain that fewer prison cells or boot camps will be built! The states imply will not be able to come up with the money.

Senator Biden has long supported the aim of Truth-in-Sentencing. The Crime Law contains a Truth-in-Sentencing program which, by limiting the 85 percent requirement to second-time offenders, would cost the states about \$20 billion over the next six years to comply with. Since this is a more affordable plan, more states will be able to qualify for the federal aid and more prison will be built. More violent offenders will be serving more time behind bars.

The Crime Law also takes unprecedented steps toward a goal previous editions of Senator Biden's drug strategies have advocated -- treating drug addicts while they are behind bars, so they do not return to the streets certain to return to drugs and predatory crime. Are the results of drug treatment perfect, so that every treated addict never returns to drugs? Of course not. But, the hard evidence cited by treatment proponents and opponents alike is that drug treatment will cut the likelihood of a return to drugs and crime by half.

The low cost of drug treatment combined with its efficacy makes this too good a deal to pass up. Fortunately, the Crime Law did not pass it up: it invests nearly \$400 million in prison drug treatment, enough to treat 250,000 state and local inmates, and 100,000 more in federal prisons.

The new Republican crime proposals send mixed signals on prison drug treatment. The House Republicans apparently recognize the soundness of the approach and have left the Crime Law's prison treatment provisions intact. Yet the Senate Republican crime proposal cuts all of the funds for treating drug-addicted inmates in state prisons, while retaining the federal treatment initiative.

The remainder of this chapter discusses each of the Crime Law programs that will help close the "revolving door" that describes too much of our criminal justice system.

Drug Courts -- Tough Treatment for Addicted Offenders

As prisons and jails have expanded, the probation and parole populations have kept pace. More than 3.5 million offenders -- half of them drug addicts too -- are now under the supervision of correctional officers in the community.

According to a Justice Department analysis, some 135,000 drug-addicted thieves and other offenders are released on probation every year.⁶ At an average probation sentence of four years, this means that approximately 600,000 drug-addicted offenders are on our nation's streets each day. Other estimates place this total at 1.4 million drug-addicted offenders on probation.

We know who these people are. Judges and probation officers have their names. Many of these probationers are precisely the high-rate offenders who must be controlled if crime rates are to be brought down. It is the single most glaring shortfall of our corrections system.

Yet since the number of new probation officers has not kept pace with the growth in the probation population, probation caseloads now average 118 offenders. In some jurisdictions, caseloads can exceed 200! Obviously, with this many offenders under their

⁶"Felony Sentences in State Courts, 1992," Bureau of Justice Statistics, January 1995; and "Survey of State Prison Inmates, 1991," BJS, March 1993.

charge, officers are able to conduct minimal supervision -- perhaps 15 minutes per week -
- at best.

That means these probationers are not treated for their addiction. They are not tested for drug abuse. They do not have any reason to believe they will be punished for violating the conditions of their release. They are out on the streets, still addicted to drugs, probably still committing crimes -- under virtually no control, monitoring or treatment whatsoever -- even though we know, from none other than former national drug director William Bennett -- that drug treatment cuts crime in half.

The \$1 billion Drug Court program in the Crime Law will put 600,000 non-violent drug-addicted offenders under real supervision. Under the program, 600,000 offenders -- people who would otherwise have been sentenced to standard probation -- will actually be punished. Drug treatment will be provided, with abstinence confirmed by regular drug tests and backed-up by certain and swift jail time for abusing drugs or otherwise violating the terms and conditions of their probation.

The Drug Court program will end this leniency for at least those 600,000 offenders currently falling through the cracks. It will bring them under the close supervision of specially-designated judges and teams of prosecutors, probation officers, treatment providers and others.

And it will accomplish this reduction in crime and addiction at a fraction of the cost of sending these offenders to prison: The price of a year in the Drug Court program is typically \$2,000 or less; a year in jail or prison might cost \$20,000.

How the Drug Court Works

The key to the Drug Court programs funded by the Crime Law is the mixture of two equally important components:

- 1) Swift and certain sanctions for failure to comply with program requirements, including frequent, random drug testing, intensive surveillance in the community, and a comprehensive treatment regimen, such as mandatory attendance at special counseling sessions and self-help groups like Narcotics Anonymous and Alcoholics Anonymous; and
- 2) Comprehensive services, such as relapse prevention, health care, education, vocational training, family support and child care, job placement and housing services.

For many defendants, facing up to their addiction and meeting with all of the requirements of the Drug Court program is the hardest things they've ever had to do. And on top of that, many are required to perform community service, to pay back society for the harms they have caused, and to help cover the costs of their own supervision.

In stark contrast to traditional probation, where violations are rarely detected and even more rarely punished, the Drug Court responds to each and every slip with a sanction. The sanctions get increasingly harsh if violations persist -- perhaps two days in jail, then 10, then 30 -- until, if the participant seems unwilling to stay clean, he is "flunked" out and faces his full sentence in jail.

A Proven Record of Success

Since the establishment of the Miami Drug Court five years ago by Attorney General Reno (then Attorney General for Dade County, Florida), similar courts have been established in at least 36 cities across the nation. Five more Drug Courts are on the verge of opening and 11 more have begun planning.

A devoted group of judges, prosecutors, probation officers, treatment providers and others have formed a new organization, the National Association of Drug Court Professionals, to spread the message about how the courts operate.

The rapid growth of Drug Courts is a testament to their value in controlling addicted offenders and handling the clogged courtroom calendars. Some results:

- * In Miami, a study that followed Drug Court graduates for 18 months after discharge found that only 3 percent of its graduates had been re-arrested.

The re-arrest rate for similar offenders who didn't go through the program was 33 percent -- 10 times higher.

The study also found that those offenders who were re-arrested stayed free from arrest far longer than other offenders, suggesting that the program cut down on the offenders' crime rates. Those Drug Court participants who were arrested averaged 8 months between arrests; similar offenders not in the program were re-arrested after only 2 to 3 months. And the program got these results at a cost of \$700 per offender, while it cost \$17,000 to put an offender in the county jail.

* In Kings County, New York, the District Attorney's office diverts prison-bound felony drug defendants to a residential treatment program, and even helps them find jobs through a business advisory council. This program is run by a prosecutor, Charles Hynes, an aggressive prosecutor who realizes that certain offenders "would return to society in a better position to resist drugs and crime after treatment than if they had spent a comparable time in prison at twice the cost."

70 percent of the offenders in the DTAP, or Drug Treatment Alternative-to-Prison program, stay through the program; and almost every single offender who does not fully comply is tracked down by a special team of enforcement officers and brought back to court.

- * In Coos County, Oregon, the rate of positive drug tests dropped from more than 40 percent to less than 10 percent after the probation department subjected offenders to a tough program of drug treatment and testing.

- * In Michigan, some judges have instituted a drug testing program which imposes progressively harsher sanctions with each failure. Most offenders - - no matter how serious their addiction -- seem to learn quickly: of 200 offenders in the program, only 28 have failed.

- * An intensive supervision program with regular drug testing and effective sanctions run by the District of Columbia's Pretrial Service's found that offenders in the program were rearrested at a rate that is less than one-third the rate of the offenders in the regular supervision program.

This program places special emphasis on imposing swift sanctions.

Through an integrated computer system, a judge sitting on the bench can be alerted to the results of a drug test almost instantaneously, so the sanction may be applied as close to the violation as possible.

- * An Oakland, California Drug Court program with regular drug testing found that the re-arrest rate was reduced by 45% when the program went into effect. And because participants spent 35,000 fewer days in custody

than they otherwise would have, Alameda County generated more than \$2 million in two years by renting unused prison space to neighboring counties.

Drug Court programs are no day at the beach. When these offenders are put on standard probation, they are virtually unsupervised and they have almost no responsibilities. In the Drug Court, they are subjected to a strict regimen of detoxification and treatment programs, urine testing and close surveillance.

The comprehensive services, combined with the swift and certain sanctions, provide effective and cost-effective punishment for drug-addicted criminals where none existed before.

Drug Treatment in Prison -- Reducing Recidivism by Helping Addicts Kick the Habit

In keeping with Senator Biden's ultimatum to drug-addicted criminals -- "You must get into treatment, or go to jail and get treatment there" -- the Crime Law provides \$383 million for drug treatment in state and federal prisons for junkies who flunk out of the Drug Court and others whose compulsive substance abuse has landed them behind bars.

Evidence about the effectiveness -- and cost-effectiveness -- of prison-based treatment programs has been substantial for some time now.

- * The Stay 'N Out program in New York State has been evaluated on several occasions -- it was found to reduce recidivism rates by one-third and at a lower cost than straight prison time.⁷

The Wexler evaluation noted that the Stay 'N Out program consists of several critical features, notably segregation from the general prison population, although not total isolation, mandatory treatment as a condition of parole and aftercare treatment. These critical features of a successful program are also mandated by the treatment provisions in the Crime Law.

⁷Harry K. Wexler, Douglas S. Lipton and Bruce D. Johnson, "A Criminal Justice System Strategy for Treating Cocaine-Heroin Abusing Offenders in Custody," National Institute of Justice, March 1988.

* The Cornerstone Program in Oregon consists of a 10- to 12-month therapeutic community program for inmates in Oregon who are paroled directly from the program, and are provided with 6 months of aftercare and other services while they are on parole. Evaluations determined that 51 percent of the program graduates had no subsequent convictions after three years; whereas, only 11 percent of those who dropped out within 60 days had not been reconvicted.⁸

The Cornerstone Program also has a six-month after-care program, which was deemed essential to its success. When inmates are discharged from the prison gates with nothing but a bus ticket and a few dollars, too many simply return to their old stomping grounds, join their old friends and quickly forget everything they have learned in treatment.

In 1990, the year after the Cornerstone study, then-national drug director William Bennett issued a report touting the effectiveness of drug treatment in cutting crime. The report concluded that treatment cuts offenders' participation in criminal activity in half. "We get results," the report said. "[A]ddicts change their self-destructive pattern of behavior and stop or dramatically reduce drug use."⁹

But the Crime Law's passage comes after a wave of newer sophisticated studies that are particularly compelling:

⁸Gary Field, "The Effects of Intensive Treatment on Reducing the Criminal Recidivism of Addicted Offenders," Federal Probation, December 1989.

⁹"Understanding Drug Treatment," Office of National Drug Control Policy White Paper, June 1990.

* RAND, the respected research firm, concluded that treatment was seven times as cost effective than law enforcement in reducing the consumption of cocaine.¹⁰ Treatment was so cost-effective that even if addicts began using as soon as they left treatment, the reduction in use during treatment alone would still exceed the reduction that law enforcement could achieve for the same expenditure.

* The California Department of Alcohol and Drug Programs, in a study that used randomly selected samples of treatment clients and control groups, found that five different treatment methods, including the therapeutic community model used in prisons, average \$7 in savings for every dollar invested.

In 1992, the study found, the cost of treating approximately 150,000 individuals was \$200 million. The benefits received during treatment and in just the first year afterwards totaled approximately \$1.5 billion in savings. The largest savings came from reductions in crime.¹¹ Criminal activity declined by two-thirds, and, confirming many other studies, the greater the length of time spent in treatment, the greater the percentage reduction in criminal activity.

* In Texas, only 195 of 3,611 inmates (5 percent) released from a prison-based therapeutic community since March 1993, have been returned to jail for any

¹⁰ C. Peter Rydell and Susan S. Everingham, "Controlling Cocaine: Supply Versus Demand Programs", Rand Corporation, 1994.

¹¹ State of California, Department of Alcohol and Drug Problems, "Evaluating Recovery Services: The California Drug and Alcohol Treatment Assessment (CALDATA)", August, 1994.

reason, including technical violations of conditions of release. Another 390 offenders have dropped out of the after-care program, but even if all of these offenders returned to incarceration, the program's recidivism rate would be only 16 percent, easily three times better than the general prison population.

The results of the program, combined with other evidence of the effectiveness of prison treatment, convinced Texas officials to mount an aggressive treatment expansion program in the state's correctional system. By the end of fiscal year 1996, the state plans to have 14,000 beds dedicated to treating addicted offenders -- a tremendous commitment, but even that rapid growth will not meet the need.

* At the Donovan Correctional Facility in San Diego, 38 percent of those who complete the 12-month treatment program, which includes three months of aftercare under parole supervision and provides no sentence reductions for participation, are eventually returned to prison. This compares to a reincarceration rate of 60 percent for a group of similar offenders who did not go through the program.¹²

The Crime Law will help replicate successful models like these in prison and jail systems across the nation. It provides \$270 million in grants to treat up to 250,000

¹²Harry K. Wexler and Wendy F. Graham, "Prison-Based Therapeutic Community for Substance Abusers: Retention, Re-arrest and Reincarceration," presented to the American Psychological Association, August 1994.

offenders in state prisons, as well as within local correctional and detention facilities in which inmates are incarcerated long enough to permit sufficient treatment. Since after-care is such a critical component of lasting effects, preference in the grant process is given to programs with strong after-care provisions.

The legislation also authorizes \$113 million to treat offenders in the custody of the federal Bureau of Prisons, enough to treat about \$100,000 addicts. It also sets up a graduated schedule for the provision of drug treatment to federal inmates, mandating that 50 percent of eligible inmates receive treatment by the end of fiscal year 1995, 75 percent by the end of 1996, and that all qualifying inmates receive treatment by the end of fiscal year 1997.

Drug treatment in prisons is designed to break the link between addiction and crime. The best programs are designed to address social, behavioral, educational and vocational problems -- as well as addiction -- to ensure that the inmates are released back into society equipped to live a drug-free and crime-free life.

We cannot afford not to make the necessary commitment to this successful approach to reducing drug addiction and crime. We rarely have the opportunity to adopt a policy that we know has been successful and that we know is cost effective. Treatment in prisons is smart crime policy, smart budget policy and smart drug policy.

Boot Camps and Prisons -- Creating Cells for Violent Offenders

Over the past decade, state officials have been forced to let rapists and robbers out of prison early to make room for drug violators. The Crime Law spends \$9.7 billion on new prison cells for violent criminals, by requiring states to devote the increased space to the most dangerous repeat offenders, those who prey on and terrify our communities.

Although it is violent crime we fear most, Bureau of Justice Statistics surveys and reports demonstrate that our scarce prison space has been increasingly used to house drug offenders, rather than to incapacitate and punish violent offenders.

- * The proportion of violent offenders in state prisons dropped to 47 percent in 1991 from 55 percent in 1986, while the share of drug offenders grew to 21 percent from 9 percent over the same period.

- * State prisons now hold more drug offenders than murderers, kidnappers, rapists and other sex offenders -- combined. In 1979, before the tripling of the nation's prison population, our prison space was used much more wisely: there were roughly four murderers, kidnappers, rapists and other sex offenders for every drug violator behind bars.

- * In 1980, violent offenders accounted for 48 percent of new court commitments to state prisons. By 1992, that figure had dropped to 29 percent. During that same period, the proportion of drug offenders jumped from 7 percent to 31 percent, surpassing violent offenders.

- * Perhaps most startlingly, as the following chart illustrates, the chances of each person arrested for murder going to prison actually dropped during the 1980s, and the chances of imprisonment for arrested robbers steady virtually the same, while the likelihood of each person arrested for a drug violation being sent to prison quintupled.

PERCENT OF ARRESTEES SENTENCED TO PRISON

Year	Murder	Robbery	Assault	Drugs
1980	62%	25%	4.5%	2%
1992	52%	26%	5.8%	10%
Change	- 26%	+ 4%	+ 29%	+ 400%

- * This increase in the use of imprisonment for drug offenders has pushed them past those who have committed serious assaults. Drug violators are

now almost twice as likely to be sentenced to prison as perpetrators of aggravated assault.

Property offenders -- many drug addicts who steal to support their habits -- are being crowded out as well:

- * In 1979, they accounted for 33 percent of the state prison population. In 1991, burglars and thieves were only 25 percent of inmates.
- * In 1990, for the first time, the number of drug violators admitted to prison was greater than the number of property offenders, 103,800 compared to 102,400.
- * And one-third of the drug offenders sentenced to state prisons today were convicted of possession. These are addicts, not traffickers.

James Q. Wilson, in his widely cited article in Commentary magazine, recognizes that enhanced drug penalties cannot hope to reduce drug crime as effectively as stiffer sentences for violent offenders:

Unfortunately, these [crack cocaine] penalties do not have the same incapacitative effect as sentences for robbery. A robber taken off the street is not replaced by a

new robber who has suddenly found a market niche, but a drug dealer sent away is replaced by a new one because an opportunity has opened up.¹³

In order to ensure that the most expensive prison space is reserved for those who need and deserve it most, and those for whom it is most effective -- violent offenders -- the current Crime Law permits states to use as much of the \$9.7 billion in federal dollars as they wish to build secure prisons, boot camps or other facilities.

The prisons grants are divided into three programs:

1) Violent Offender Incarceration -- \$3.95 billion for prison-building grants to states, including the flexibility to build and operate military-style boot camp prisons, but with the legislated goal of ensuring that "prison cell space is available for the confinement of violent offenders"¹⁴;

2) "Truth in Sentencing" -- Another \$3.95 billion for an incentive program that is available to states that require all repeat violent offenders to serve 85 percent of their sentences; and,

¹³"What To Do About Crime," p. 31.

¹⁴Title II, Subtitle A, Section 20101 of the Violent Crime Control and Law Enforcement Act of 1994.

3) Alien Incarceration -- \$1.8 billion to compensate states for the expense of incarcerating criminals who are in the United States illegally.

Senator Biden has long advocated boot camps as a cost-effective, alternative to traditional prisons for young, non-violent and drug offenders. Since the first "shock incarceration" program was instituted in Georgia in 1983, at least 41 similar programs have been started in 26 states.

For many boot camp inmates, the program's grueling schedule of work, physical exercise, and remedial education -- combined with drug treatment -- is the first time in their lives that they learn responsibility, discipline and respect for the law. The camps both punish and give inmates a shot at rehabilitation. Those who fail to take the opportunity to turn themselves around are quickly returned to a regular prison.

In addition, the legislation mandates that boot camp programs do not allow inmates to quickly forget everything they have learned once they return to the community. After their 3- to 6-month term is over, they must receive aftercare services -- such as continued drug counseling or treatment, and educational and job training.

The boot camp program follows the same general strategy as the Drug Courts: to provide tough, cost-effective punishment for non-violent offenders while concentrating costly prisons on violent offenders.

Boot Camps are a Cost-Effective Alternative: A slot in a boot camp costs about one-third the price of a prison cell. A boot camp can be built for about 25 percent of the cost of a prison, and, on a per inmate basis, it can be run at about half the cost.

Moreover, because of the intensity of the boot camp program, it gets the same results as a conventional prison in one-half to one-third of the time. Recidivism rates for boot camp graduates are about the same as for those who spend a full year in prison.

Boot Camps Can Free Up Prison Space for Violent Offenders: According to the most recent Justice Department survey of state prisons, some 160,000 inmates have never committed a violent crime. They are non-violent offenders with either no prior records or minor ones. These are the offenders who would be moved into the less expensive boot camps, making more room in traditional prisons for drug-trafficking thugs and others who have committed crimes of violence.

By providing states with the means to switch non-violent offenders into boot camps, the Crime Law enables states to throw the book at violent criminals and keep them in prison for longer terms.

One of the keys to the Violent Offender Incarceration grants is flexibility in how the funds may be used. The \$4 billion authorization could be used solely to build and

operate state prisons for violent criminals. Prisons in several states have been built but remain empty due to lack of operating funds.

For illustrative purposes, we might posit that states would spend the entire \$4 billion in the program on boot camps. If this choice were made, it would fund the construction of 400,000 boot camp prison beds, or, alternatively, enough to operate some 200,000 boot camp beds each year for six years, the life of the grants. If -- as is not the case today -- all of these boot camp facilities could be used to house non-violent offenders and free space in conventional prisons for violent offenders, this might be the most cost-effective way of providing, in effect, new prison cells for violent criminals.

Flexibility also was built into the "Truth-in-Sentencing" program in the Crime Law, unlike the Republican plan. The Republican prison proposal would require all violent offenders to serve 85 percent of their sentences. Since violent offenders generally serve about 40 percent of their sentences today, this mandate would have cost the states more than \$60 billion over the next five years. It was simply too expensive. The result would have been almost no new prisons.

To trim that \$60 billion cost so states could afford to build more prison cells, the 85 percent requirement was changed to apply to second-time violent offenders. This will cost the states roughly \$20 billion over the next five years -- still costly, but a bit more reasonable.

Senator Biden has been one of the Senate's longest and most vocal supporters of the truth-in-sentencing ideal. He, along with Senator Kennedy, were among the principal authors of the Federal Sentencing Guidelines a decade ago, guidelines that abolished parole and provided for tough, determinate sentences for federal criminals. Under the Guidelines, time served by federal prisoners must add up to at least 85% of time sentenced.

Precisely because he supports the twin goals of truth in sentencing and expansion of the nation's prison capacity, Senator Biden believes we must have a workable plan. That is why the legislation contains a reverter clause - a kind of "insurance policy" that will shift unspent dollars from the "Truth-in-Sentencing" program to the Violent Offender Incarceration program if the states cannot meet the full 85% requirement.

The hope is that the states will spend \$20 billion in return for \$3.9 billion in federal help. But, if they do not, we must have a way to build prison cells.

The "insurance policy" will take 2 years to go into effect; 2 years to test if states will use the "truth-in-sentencing" grants. The next time the "insurance" will be available is 2 years after that, then at the end of the 5th and 6th years of the legislation.

More Drug Courts and boot camps will begin to fill in the vacuum that currently exists between probation and prison. On the one hand, there are at least 160,000 many

people in prison who could be more effectively, and more cost-effectively, punished and rehabilitated in boot camps.

On the other hand, there are some 600,000 offenders out on probation who need to be under much tighter control than they are now, with their probation officers' caseloads at 100, 150, even 200 or more.

The new Drug Courts and boot camps will mean that the drug-addicted offenders arrested by the 100,000 new community police officers will face certain punishment with sentences that fit their crimes and treat their addictions. These are tough programs that will ensure, for the first time, that low-level, non-violent drug offenders are truly held accountable. And in the process, they will ensure that there is sufficient space in prison for drug dealers and violent offenders.

Certain Punishment for Young Offenders -- Accountability in the Juvenile Justice System

Few problems with the nation's struggle against drugs and crime are as evident as the shortcomings of the juvenile justice system. Drug dealers know the juvenile laws and the juvenile system as well as anyone -- and they have taken advantage of it, recruiting ever younger and more vulnerable children into their operations because they know they will likely escape meaningful punishment if they are caught.

But despite the terrible increase in serious, drug-related crime among juveniles, the fact is that most juvenile delinquents are not committing murders and muggings. They are stealing, vandalizing, getting into the same kind of trouble kids got into before the advent of crack and the ready access to firearms.

Currently, the juvenile justice system has no capacity to deal with these delinquents -- the type of kids who are suspended from school or come into contact with the juvenile justice system for the first time. It suffers from one of the same faults as in the adult system: a judge has only one of two stark options -- prison, which is either too severe or too expensive; or probation, which is far too overloaded with cases to provide meaningful supervision and accountability for misbehavior. There is virtually nothing in between. nothing to provide for effective and cost-effective punishment or rehabilitation.

The \$150 million "Certainty of Punishment" program in the Crime Law takes aim at these young offenders -- trying to straighten out candy-aisle shoplifters before they become gun-toting carjackers. It funds a range of intermediate sanctions programs that bring hold juvenile offenders responsible for their actions. The alternative methods of punishment include:

- * weekend incarceration and community-based incarceration;
- * electronic monitoring;
- * community service programs with work placement services;

- * innovative programs aimed as substance abuse and gang-related offenses;
- * drug and alcohol treatment programs, with aftercare, vocational training, family counseling and other services.

Many of these programs have proven that intensive intervention early in the lives of young people headed from trouble can make a difference. A few examples:

- * The Southwest Key Day Treatment Program in Austin, Texas, provides round-the-clock tracking of kids who have had a brush with the law, and who are out on probation or parole. The program counsels the kids and their parents, and also requires the kids to attend daily work-related, social skills and recreation sessions.

The Texas Youth Commission reports that the kids who complete the program have a 65% lower re-arrest rate than kids released from institutions directly into standard parole services.

- * The Juvenile Diversion Program in Pueblo, Colorado, requires first-time, non-violent offenders to sign a behavioral contract and become involved with a non-profit agency; the youths are also tutored, counseled and required to pay restitution to their victims.

The program reports that 83% of its graduates are not re-arrested during the two years the program tracks them.

- * In Mercer, Pennsylvania, the Specialized Treatment Services program targets delinquents with mental health problems for intensive counseling and academic services.

The program reports that more than 80% of the kids who complete the program do not get into serious trouble during the five years that they are followed after release.

- * At Syracuse University, a 10-week curriculum that teaches anger control, moral reasoning and prosocial skills to juvenile offenders and their families had a recidivism rate of 15 percent, compared to 43 percent for similar offenders who didn't receive the training.

The availability of correctional options such as these will help guarantee that juvenile offenders both pay and learn from their mistakes.

The Republicans' proposed elimination of the \$150 million in the \$30.2 billion Crime Law for these programs virtually ensures that more candy-aisle shoplifters will grow up to be gun-toting carjackers.

CHAPTER III.

ENDING THE CYCLE OF ADDICTION AND CRIME -- DRUG TREATMENT AND PREVENTION

The Crime Law the Congress passed last August recognizes that while we need to put 100,000 more police officers on the streets and while we need to build 125,000 more prison cells for violent predators, we must prevent crime before it happens. We must not wait until after the shots are fired, until after our children become addicted to drugs, until after innocent Americans' lives are ruined, before we take action. We simply cannot keep expanding the sink without also trying to shut off the faucet.

Aside from the unimpeachable logic of the proposition, the need for a comprehensive, balanced crime control strategy is the conclusion of virtually every criminologist, every legal scholar, every sociologist, every psychologist, every medical authority.

Anyone who has studied this issue agrees that we will not break this cycle of violence and addiction unless we make a real investment in the lives of our children, unless we do something more to keep them from being swept away by the corruption and anarchy of the streets.

But the Crime Law takes a comprehensive approach to fighting crime not just because nearly all of the "experts" say so. It employs a balanced strategy because that's what virtually everyone in law enforcement wants.

Police officers, prosecutors, prison wardens, and probation officers alike have come to understand -- and to publicly state -- that they cannot do it alone:

** "Law enforcement is more than just arresting people and putting people in prison," said Bud Meeks, Executive Director of the National Sheriffs' Association. "It's also trying to keep people from going to prison."

** Bob Scully of the National Association of Police Organizations says: "If you don't have the prevention portion, you better go out and mortgage this country to build prisons..."

- ** The Fraternal Order of Police said the 1994 Crime Law "has a balance of enforcement, prosecution/courts, prisons, prevention, which will make a real difference in the incidence of crime over the next five years."

- ** The International Brotherhood of Police Officers says "The crime bill is an appropriate balance of police, punishment and prevention, a holistic approach critical to a long term cure."

- ** The National District Attorneys Association said, "While many may criticize specific components... We believe that the final effort provides a balance of programs that hold the potential for making a vast difference for our nation in reducing the crime rate."

- ** And, in the past few weeks, Senator Simon released a survey of prison wardens across the country. They said if they had an extra \$10 million to spend fighting crime, they would spend more than half -- 57 percent of it -- on prevention programs.

Yet, despite the virtually unanimous consensus that the nation should do everything it can to prevent crime, to prevent innocent people from being victimized, the Republican crime bills propose to eliminate all of the prevention programs from the Crime Law, except those contained within the Violence Against Women Act.

They propose that we should not even give the prevention programs a chance -- that it is better to wait until our children are recruited into gangs or hooked on drugs, and then try to repair shattered lives or vent our rage through ever harsher punishments.

The Crime Law offers opportunity for our children with \$4.4 billion for programs that offer alternatives to the temptations of the streets and the pull of corrupt peers. To address those who still do not resist -- those on the brink of a criminal career -- the legislation provides local jurisdictions with the flexibility to provide drug treatment. For although treatment within the criminal justice system is effective, the best approach is to prevent the downward spiral from addiction into crime in the first place.

Such programs have taken on added importance today, with indications from surveys of high school students and juvenile arrestees that the use of illicit drugs, particularly marijuana, is on the rise.

The remainder of this chapter details the numerous programs that the Crime Law will provide to stop crimes before they occur. Many programs simply provide "safe havens" that will -- if nothing else -- keep children out of the way of the crossfire and gunfights that have become commonplace on too many American streets and in too many American neighborhoods. Other programs try to reach those in danger of being lost forever -- with drug treatment that has proven effective at cutting drug abuse and drug-related violence.

Before undertaking this discussion, though, it must be pointed out that the Crime Law was never intended to provide -- nor could it -- the primary federal response to the shortfall in drug treatment or the nation's drug problem in general.

A comprehensive drug bill must tackle the complicated and expensive problem of providing drug treatment to all the estimated one million hard-core addicts who could be treated. Important gains against this drug treatment shortfall will be achieved by the Crime Law, and by the Administration's FY 1996 request for an additional \$180 million in drug treatment resources. But no one should be lulled into believing that either of these initiatives will accomplish all that is necessary on this score.

Nor should there be an expectation that even full funding of federally-sponsored programs will bring final "victory" in the nation's battle against drug abuse. The success of any efforts to preventing our children from smoking their first marijuana cigarette or joining a gang depends as much on the responsibility of parents and communities as it does the effectiveness of even the most carefully designed government program.

Substance Abuse Treatment -- Early Intervention in Budding Criminal Careers

As the previous chapter of this report detailed, the Crime Law aims to shut the revolving door by treating addicts within the criminal justice system; as these next few pages demonstrate, the legislation also aims to treat addicts before incarceration becomes necessary. Senator Biden has long considered that drug treatment should be the cornerstone of the effort to fight the harms of addiction.

The most obvious costs of drug abuse are well known -- crime-infested streets, broken car windows, crack babies, AIDS, and neglected or abused children. Yet, the hidden costs are just as damaging -- burdens on our social institutions, in particular our health care and social service agencies, cause higher health care costs, higher medical insurance, lost productivity, an unskilled, uneducated workforce, and higher taxes to support the operations of the criminal justice system.

Those who question whether we can afford to pay for drug treatment have missed the point -- the real question to ask is whether we can afford not to pay for drug treatment? For every dollar we spend treating hard-core addicts, we save \$7 dollars later -- in reduced crime and other high social costs of addiction.

The Crime Law contains several provisions aimed at closing the drug treatment gap:

- * Local Crime Prevention Block Grant -- \$377 million allotted directly to local governments, based on their jurisdiction's share of violent crime, for a variety of purposes including treatment and rehabilitation to prevent the use and sale of illegal drugs by juveniles.

- * Model Intensive Grants -- \$626 million to target crime-fighting aid to urban and rural areas that have been especially hard-hit by violence and drug trafficking. It brings together law enforcement officials with educators, community leaders and others to streamline their efforts to relieve the conditions that encourage crime and to provide meaningful and lasting alternatives to involvement in crime -- including the development of community-based substance abuse treatment facilities.

- * Ounce of Prevention Grants -- \$90 million for an interagency council including the Office of National Drug Control Policy, the Attorney General, the Secretary of Health and Human Services and other cabinet heads to provide grants to fund programs including substance abuse treatment and prevention.

- * The Local Partnership Act gets federal dollars quickly and directly to where they are needed most -- to local officials, and gives them the flexibility to use the money to address their most urgent and critical crime prevention problems -- such as a shortage of drug treatment. If the entire \$1.6 billion authorized under the

Local Partnership Act were used to fund drug treatment programs, at least 320,000 drug addicts could be treated. It is essential to meet this shortfall, for many of these addicts commit 20, 50, or even up to 200 crimes each year to support their habits.

For too long the focus of the drug debate has been on choosing between treatment and enforcement. It is a debate we can no longer afford. These programs, together with those under the Drug Courts and drug treatment in prisons provisions, are a significant step in the right direction -- cutting crime and saving tax dollars. However, far more must be done.

In its 1995 National Drug Control Strategy, the Administration has taken two substantial steps in the right direction.

First, the President's budget request seeks a \$60 million increase in the substance abuse block grant administered by the Substance Abuse and Mental Health Services Administration (SAMHSA), and a total increase of \$180 million in drug treatment programs throughout the federal budget. But the strategy acknowledges that only 1.4 million out of 2.4 million drug abusers who could benefit from treatment got treatment in 1994 -- a shortfall of 1 million addicts.

As this report points out above, the Crime Law -- through the drug court program and the military-style boot camp prison initiative -- provides a significant increase in drug treatment: enough to treat an additional 300,000 hard-core addicts. The \$60 million block grant increase would fund only an additional 13,000 slots, at most, still leaving a massive gap in treatment availability. Even if the entire \$180 million were used to treat hard-core addicts, a treatment gap of 650,000 would remain.

The Administration's reluctance to seek full funding is somewhat understandable. Its request for a \$355 million block grant increase last year for an initiative targeted at hard-core addicts was rejected by Congress last year. Only \$57 million was provided.

Despite the Administration's request, Senator Biden believes it is essential -- and incumbent on the new Republican Congress -- to fully fund drug treatment. In the past, this strategy has called for an appropriation of \$1.850 billion. Addicts trying to kick their habits must have help when they seek it. Few investments in crime control would have as dramatic an impact on the safety of our streets.

Second, these pages have called repeatedly for a focus on getting the most "bang" for these treatment "bucks." Effective management of the block grant program is particularly important in light of evidence that past increases in the size of the block grant have not resulted in any increase in the estimated number of addicts who receive treatment. No doubt some of this seemingly paradoxical situation is explained by an

increase in the length of time that hard-core addicts require in treatment, and by an increase in the quantity and quality of treatment services provided.

Nevertheless, better ways to deliver drug treatment services must be found. The Administration's 1995 drug control strategy proposes two approaches: a new "partnership" block grant that removes some of the set-aside provisions in current law, and a consolidation of SAMHSA's demonstration and training programs into a single program. These changes will bring much-needed flexibility to the states and efficiency in program coordination and evaluation.

Still, there is no way to determine whether the block grant funds are being distributed to programs that work -- to programs that are achieving success in getting addicts off of drugs. The block grant is due for reauthorization later this year. A major initiative should concentrate on the feasibility of basing block grant contracts on the performance of individual programs, perhaps through central intake systems, which are discussed in more detail below. This will not only bring taxpayers the greatest return on their dollars, it will enhance public and Congressional confidence in and support for drug treatment as a crime control strategy.

In addition, the "maintenance of effort" provision in the 1992 SAMHSA authorization must be reviewed and, if necessary, strengthened. An additional federal drug treatment dollar must mean an additional drug treatment dollar for America.

Incorporating Drug Treatment into a National Health Care System

This report cannot attempt to review all of the potential ramifications of covering drug treatment services in a national health plan. The issues of public policy and management are among the most complex imaginable.

It is possible, however, to briefly highlight, as these pages have done previously, the two key issues involved:

- * Can the taxpayer afford to fund drug treatment for all treatable hard-core addicts?
- * Can the drug treatment system efficiently and effectively treat all treatable hard-core addicts?

Can We Afford to Pay for Drug Treatment?

The short answer to this basic question is that we -- virtually every taxpayer -- are already paying for drug treatment in our health care system: about \$20 to \$30 billion every year. The national bill for drug treatment, however, is being paid by taxpayers in the form of medical treatments for drug addicts.

In other words, we are all paying -- through higher taxes, higher medical bills, and higher medical insurance bills -- for drug addicts to be treated for a whole host of illnesses and injuries:

- * For AIDS cases associated with intravenous (IV) drug abuse;
- * For drug overdoses that result in emergency room treatment and, often, longer hospital stays;
- * For gunshot injuries and other trauma cases associated with the drug trade;
- * For tuberculosis and hepatitis cases associated with drug abuse, among many others.

All told, the total health bill resulting directly from drug abuse is estimated at \$20 to \$30 billion per year.¹⁵

The Department of Health and Human Services estimates there are roughly three million treatable hard-core addicts. Although this figure seems astonishingly large, such an addiction is still relatively rare, afflicting about one of every 80 Americans. This fact serves to minimize the cost to all Americans of including drug treatment in a national

¹⁵This estimate, as well as many of the other figures and insights offered in this section, comes from the Substance Abuse Coverage and Health Care Reform Working Group convened by the Center on Addiction and Substance Abuse (CASA) and the Brown University Center for Alcohol and Addiction Studies.

health care system. Thus, the additional cost of covering treatment services has been estimated at about \$60 for every American.¹⁶

The cost of reaching all treatable hard-core addicts is also small relative to the total cost of our health care system -- representing 1%-2% of the total.

Can Treatment Be Effectively Expanded?

Unlike those who suffer from most diseases, hard-core drug addicts may not actually want to be treated. Moreover, treating hard-core addicts is almost sure to require many phases of treatment -- each appropriate to a different period of recovery. Thus, including drug treatment in the national health care plan will likely require the use of a system often referred to as a "central intake model." Such a system would evaluate (and re-evaluate) drug treatment clients to match addicts to the most appropriate treatment.

The other important use for a central intake system is to help build a market for quality drug treatment. In other words, the central intake system should evaluate drug treatment programs, as well as addicts in order -- to send more patients to programs with better success rates, and fewer to those with less impressive success rates. Of course,

¹⁶CASA working group.

such a system must exercise great caution to avoid "creaming" -- the artificial boosting of success rates by handling only those patients most likely to recover.

In performing this function of evaluating drug treatment programs, the central intake system offers the additional benefit of ensuring that only quality drug treatment programs stay in business, and that drug treatment programs are constrained from growing beyond the point where they can maintain quality.

This answers the fundamental concern about the ability of drug treatment to expand. The current system will expand as far as it can in the short term; and if there is still unmet demand, additional providers will be attracted to this drug treatment "market".

Given the magnitude of the social damage caused by substance abuse, and the proven cost-effectiveness of treatment as a crime reduction strategy, it is essential that health care reform include the cost of covering drug treatment.

Medications Development

Another key element in the search for more effective methods of treating addiction is the search for treatment medications.

As drug-related violence relentlessly rips apart our cities, and as needle-using junkies and their sex partners continue to die of AIDS, the prospect of a "magic bullet" -- a quick fix to the addict's craving for a quick fix, something that would neutralize addiction -- becomes increasingly tantalizing.

Twice in the past two years, there has been a glimmer of hope:

- * In July 1993, the FDA approved for market a new medicine to treat heroin addicts -- levo-alpha-acetylmethadol, or LAAM.

- * And just three weeks ago, it was announced that naltrexone, previously an anti-heroin medication, gained approval as a treatment for alcoholism. In clinical trials, only 23 percent of those who received naltrexone suffered a relapse, while the relapse rate among those who took a placebo was more than twice as high -- 54 percent.

Though neither of these substances are "magic bullets," they represent breakthroughs that demonstrate the promise of research into medicines that can block human craving for addictive substances, stymie their intoxicating effects, or encourage quitting by easing the pain of withdrawal. Preventing relapse, through a combination of medical therapy and traditional behavioral and psychological counseling, can dramatically improve the quality of life of addicts -- as well as their families and communities.

Senator Biden recognized the potential of so-called pharmacotherapies years ago, authoring a provision in 1990 that led in 1992 to the creation of a Medications Development Program within the National Institute on Drug Abuse. It was appropriated \$8 million.

Since then, clear progress has been made. But it is still inadequate, particularly with respect to cocaine addiction.

A study released last month by the Institute of Medicine -- a study commissioned by Congress -- identified three chief obstacles in the path of medications development. In addition to the extreme difficulty of the science, the Institute found that progress has been further slowed by inadequate funding, complex regulatory regimes, market disincentives and other obstacles.

Insufficient Funding: Although the budget of the Medications Development Program grew to \$40 million in FY 1994, the IoM committee concluded this was "far below what is needed for research and development."

The funding authorization for that year was \$95 million. It must be fully funded this year.

Regulatory Obstacles: The Food and Drug Administration has developed three processes for expedited approval of new drugs. Pharmacotherapies appear to qualify under each of the three fast-track mechanisms; the FDA should promptly make each of these fast-track mechanisms available for them.

The Institute study also concluded that the Drug Enforcement Administration (DEA) should amend its policies which delay the approval process and provide disincentives to potential industry interest. The DEA also requires cumbersome record-keeping and reporting by researchers working with controlled substances. Particularly since the amounts of drugs needed for research are so small -- therefore presenting a low risk of diversion onto the black market -- these regulations should be appropriately loosened.

Market Incentives: The relatively embryonic state of scientific knowledge about addiction, combined with the perception in the pharmaceutical industry of an uncertain and unseemly market for pharmacotherapies, combine to create a powerful disincentive for the private sector to explore anti-addiction medications.

This conclusion, offered by Senator Biden in his 1990 report, was confirmed by the Institute's study. Quite simply, if drug companies do not believe they will profit from pharmacotherapies, they will not develop them. And today, they do not believe they will profit.

The Orphan Drug Act, passed by Congress in 1983, provides an opportunity to stimulate private sector research for medicines that do not seem to promise sufficient profit. The Act gives pharmaceutical companies an inducement to develop medications for low-incidence conditions by granting them exclusive marketing rights. It applies only to conditions that affect less than 200,000 Americans, so it applies to pharmacotherapies only in a modest fashion.

Still, this is one promising model for encouraging private sector research and development of pharmacotherapies. The National Academy of Sciences has offered other potential ways to build the kind of market-based incentives necessary to attract private capital to this important research. In the months ahead, Senator Biden intends to work with several others, including Senators Hatch, Kennedy and Levin to develop such market-based incentives.

A new direction from which to attack the nemesis of drug abuse is promised by medicines which may actually treat drug addiction. Today, research and development into these medicines is proceeding with small, hesitant strides. Real progress toward a future when medicines will be able to block the effects of drugs, lessen the pain of withdrawal from drugs, or reduce the craving for drugs will be made only after we have set off in a major new direction that greatly accelerates our research.

This new direction can fulfill heretofore undreamed of advances. But, unless we do far more than we are doing today, these medicines will remain the fleeting dreams of far-thinking scientists. Numerous regulatory and bureaucratic roadblocks must be negotiated. Patent protections must be considered. And, the public must be made aware of the goals, promise, and reality of medicines which treat drug addiction.

With these actions, the nation will be able to take a whole new direction in the struggle against drugs. Without them, the nation will be forever plagued by a huge number of hard-core addicts -- beyond the hope of treatment; continuing to spread violence, crime and human tragedy.

Community-based Prevention -- Providing Education and Opportunity

Focusing on children represents the nation's best chance to control drugs and crime. Yet, some of our leaders continue to ignore this seemingly obvious proposition -- but not without tremendous cost.

The soaring rates of serious juvenile crime and drug involvement provide the most compelling evidence that we have wasted far too much precious time debating the merits of prevention. Had we focused our efforts on actually doing something, rather than continuing the age-old argument over whether a crime bill should contain get-tough

enforcement instead of soft-headed programs, perhaps we would not have to read about kids killing kids over crack-cocaine, over a jacket, or over a girlfriend, or for any reason or no reason at all.

Perhaps we would not have to post guards and metal detectors at our schoolyard doors. And perhaps kids would be planning what dress to wear to their proms instead of their funerals. Some say that these kids had a choice; they just chose to go the wrong way.

But the choices that exist for many of these children are constrained by factors beyond their control. For the children who are born drug addicted and are raised in crack houses by families who purchase drugs before shoes, and guns before groceries, the American Dream is something they only read about at school. These kids have been born into a world that appears to have been stacked against them, where opportunity seems well beyond their reach. Drug use becomes an escape and drug dealing provides a perverse "hope" of getting out.

The need for drug prevention programs is even more evident today, as drug use by our nation's children is on the rise for the second year in a row. According to the 1994 Monitoring the Future study, between 1993 and 1994:

- * Daily, 30-day, annual, and lifetime use of marijuana increased significantly for 8th, 10th and 12th grade students.

- * 30-day, annual, and lifetime use of powder cocaine increased significantly for 8th grade students.

- * Annual and lifetime use of powder cocaine increased significantly for 10th grade students.

- * Annual use of LSD increased significantly for 10th grade students.

This upswing in casual use among our youth, parallels the downturns in teens' attitudes toward drugs. Fewer high school students believe that drug use is harmful and fewer disapprove of drug use -- two discouraging trends that appeared as long ago as 1991:

- * Fewer 8th, 10th and 12th grade students believe there is a "great risk" in using marijuana or cocaine -- not just once or twice, but even "regularly."

- * Less 10th and 12th graders disapprove of students who use LSD once or twice.

* Less 8th and 10th grade students disapprove of students who use crack-cocaine or cocaine powder.

* And, less 8th, 10th and 12th graders disapprove of students who use marijuana.

Although perceived harmfulness and disapproval rates are still far better than they were 10 and 15 years ago, we still must convince our children that experimenting with drugs and alcohol is the first step down the dead end street of addiction. According to the Center on Addiction and Substance Abuse at Columbia University, 89% of those who tried cocaine, first used alcohol, tobacco, or marijuana; and that youth who used alcohol, tobacco, or marijuana were 266 times more likely to use cocaine than youth who never used such gateway drugs.

We must set up roadblocks to prevent youth from trying drugs in the first place, and we must extend a hand to the kids who are teetering over the edge by drug experimentation. Building a treatment safety-net will help us catch the ones we miss, but we must -- if we are ever to get a handle on the drug crisis -- step-up our drug education and prevention efforts to close the current gaps.

The Crime Law aims to reach out to these kids with the \$4.4 billion that it invests in community prevention. It aspires to provide mentors, support, and structure into a seemingly chaotic and uncaring world. We must first give meaningful opportunities to our children before we expect them to make the right choices. We must deter them from entering a life of drugs and crime but we must first provide them with something else to believe in, someone to turn to, and someplace safe to go.

But, the federal government cannot be successful in this endeavor without the help of the community. And motivating residents through incentives is one of the key aims of the Crime Law. For example, the "Community Schools" provision, encourages teachers, law enforcement, social workers, businesses, religious leaders, and civic organizations to band together and set up shop in easily accessible, pre-existing facilities in the heart of the neediest neighborhoods.

The goal of this program is to give kids a safe place to go after school, to offer them "carrots" such as sporting and recreational programs to maintain their interest, and provide them with homework help, workforce preparation, entrepreneurship, tutorial and mentoring programs, an initial physical examination, and provision of first aid and nutrition guidance.

Contrary to allegations, the \$567 million authorized for Community Schools is far from "pork", many such programs have been endorsed by a broad spectrum of political leaders, including Mayor Giuliani of New York and Mayor Riordan of Los Angeles. And these programs have already begun to make a difference:

- * The Rheedlen Centers in New York City are open from early morning until 11 or 12 at night, seven days a week. Youth leadership programs bring together drop-outs, honor students, reformed drug dealers and gang members for rap sessions and community service projects such as voter

registration drives and neighborhood beautification projects. It also provides a host of other activities including tutoring, sports, GED preparation, counseling, dance or aerobics.

- * In Texas, a program called Communities in Schools Houston has successfully kept 90% of the kids it serves in school at the end of the year. (State-wide, one-third of students entering high school fail to graduate). The key to its success: professionals go to the schools and provide one-on-one counseling, mentoring, tutoring, job training and crisis intervention.

The Crime Law also permits \$1.3 billion of the Community Policing funds to be used to encourage police to engage in proactive prevention by working with social workers, educators and doctors to provide mentoring, conflict resolution, victim services, and Police Athletic Leagues.

- * In Birmingham, Alabama, the police department runs a supervised sports program, Police Athletic Teams (PAT), in needy neighborhoods across the country. "PAT" offers more than softball, basketball, or baseball; the police have effectively used recreation as a crime prevention tool. Kids are required to study for at least one hour every night and maintain a "C" average in order to play on a team. Their efforts have paid off -- the

department reports that juvenile crime has dropped 30% in the disadvantaged neighborhoods served by the program.

- * The Delaware P.A.L. programs are recreation-oriented crime prevention that use sports to bond police officers with kids aged nine to 18. P.A.L. in Delaware places a special emphasis on education -- offering tutoring, leadership conferences, and classes in computer science, conflict resolution and health awareness. Through these programs and under the supervision and influence of law enforcement officials, the children are taught discipline, self-esteem, and how to be team players.

In keeping with the spirit of the Crime Law's law enforcement assistance, \$377 million in federal assistance is available in block grants to help local communities develop and implement the services most needed in their area. And while the provision gives localities flexibility, it suggests a list of possible uses. Localities may use the federal assistance to fund one or more of the following drug and crime-fighting programs, or others they deem appropriate and effective:

- * Boys & Girls Clubs in public housing projects. These clubs are more than sports and recreation. They have a proven drug and crime prevention record of success. A 1992 study showed that housing projects with Boys & Girls Clubs experienced:

13% fewer juvenile crimes; 22% less drug activity; and 25% less crack presence than projects without clubs;

- * Youth Employment and Skills -- to encourage private employers to hire at-risk teens and young adults, who must avoid crime and drug use and stay in school in order to remain in the program.

- * Midnight Basketball -- evening and night-time sports leagues to keep kids off the streets and out of trouble. Building values like teamwork, sportsmanship, and personal responsibility, they put youngsters who may have few positive influences in their lives in touch with coaches and parents who care. And the kids don't just shoot baskets; in order to play, they've got to attend job counseling or other educational programs as well.

- * Police Partnerships for Children -- to provide a protective, comforting net of law enforcement officers and family service workers around small children who have been traumatized by violence, on a 24-hour a day basis, so they are there when the children need them the most.

- * Safe Low-Income Housing -- to get police officers to live in the communities they serve, investing them in the livelihood of their neighborhoods and making their neighbors feel safe.

- * Anti-Crime Youth Councils -- to give kids a stake in their schools and communities by involving youth in the planning of responses to violence and in resolving disputes.

- * Hope in Youth -- to fund programs such as "ROAR," which targets children who are at risk for school failure which often leads to delinquency. ROAR uses pediatric visits to inspire an interest in reading.

- * Gang Prevention Services for Boys & Girls -- to provide educational, health, career and other services to at-risk youths who might otherwise elect lives of crime and drugs. This provision would fund programs such as "STARS" -- Success Through Academic and Recreational Support -- a program which the Fort Myers, Fla., police chief reports has led to a 27% reduction in juvenile arrests and a dramatic reduction in repeat-offender arrests.

There are hundreds more examples of prevention programs across the nation -- any of which could be replicated with Crime Law block grant funds. In addition, there is \$45 million for the Gang Resistance Education and Training Program, which seeks to keep kids out of gangs the way the D.A.R.E. program seeks to keep kids off of drugs. There is \$270 million for community development corporations to create jobs that provide opportunities for inner-city youths in the legitimate economy. And finally, the

"prevention" spending in the Crime Law includes \$1 million for a national commission to study the causes of violence and come up with even more effective solutions in the future.

To its credit, the Administration has supplemented these crime- and drug-fighting efforts with several other initiatives. For example, the National Drug Prevention System (NDPS) will encourage community-based prevention services, law enforcement, and private sector drug prevention groups to work hand-in-hand coordinating more comprehensive programs and sharing information. It also aims to support federal and state organizations in their efforts to develop and spread the word about national prevention policy matters and innovative prevention strategies.

Another prevention initiative launched by the Administration is the "Save Our Children -- Save Our Future Media Campaign". Under this program, the Office of National Drug Control Policy will work with the Media and Advertising Partnership for a Drug-Free America to send out media messages aimed at "deglamorizing" drug use. They will also work with Substance Abuse and Mental Health Services Administration (SAMHSA) within HHS to implement the Media Literacy Program, which will help youth better evaluate and criticize media messages. SAMHSA also will develop drug prevention programs for youths involved in the Jobs Opportunities and Basic Skills program.

Previous editions of this strategy have pointed to the key need to provide comprehensive drug education to every schoolchild in America. For the past three years, the funding commitment to this effort has been sufficient to provide comprehensive drug education to barely one-half of the nation's schoolchildren.

Last year, the Administration called for an increase of more than \$170 million for this program -- sufficient to provide comprehensive drug education to more than 7 million additional schoolchildren. This would have closed the "drug education gap" from about 50% to about 30% -- bringing to at least 7 in 10 schoolchildren the knowledge of the dangers of drugs and how to resist the lure.

That request, too, was not granted. The 50% gap remains. And the Administration's request this year is for only an \$18 million increase. Once again, this strategy proposes full funding -- an increase of \$500 million.

We must insure that efforts to eliminate the prevention programs in the Crime Law do not succeed. These efforts are spearheaded by the most bane of political gestures. Quite frankly, there is no truth to the allegations that any of the above mentioned programs are "pork". It is also quite clear, that once you get past all of the political posturing and gamesmanship, the \$4.4 billion for prevention in the 1994 Crime Law act is a sound and measured crime-fighting strategy. It doesn't waste taxpayers'

dollars. On the contrary, it will save taxpayers' lives. And unfortunately, for the millions of violence-weary Americans who are crying out for help, we still are locked in a battle in which Republicans have been more interested on fighting Democrats, than on fighting crime.

CHAPTER IV.

ENHANCING COORDINATION OF THE NATION'S DRUG EFFORT -- NEW POWERS FOR THE FEDERAL DRUG DIRECTOR

Inter-agency turf battles, duplicated computer systems and investigative efforts, drug traffickers avoiding arrest due to lack of coordination, one agency taking funds from another agency's account -- stories like those had become legendary as the nation stepped up its anti-drug campaign in the 1980s. The establishment of the Office of National Drug Control Policy (ONDCP) in 1988 was the culmination of a near-decade long effort by Senator Biden and Senator DeConcini, among others, to stop the bickering, end the disputes, and bring cohesion to the huge and far-flung federal government apparatus engaged in the common mission of battling drugs.

At the time, Senator Biden believed that the terrible scourge of drug abuse and drug-related violence would provide the impetus for a true, government-wide effort to combat the problem. It was not expected that the Drug Director's office would encounter stiff resistance in streamlining the bureaucracy and in devising, funding and implementing the goals of the National Drug Control Strategy.

But clearly that is what happened. As was demonstrated by numerous Judiciary Committee hearings, and by hearings in the House of Representatives by Congressman Conyers, and despite the labors of Drug Director Brown, our national drug control efforts were hamstrung because the Drug Director's office was never permitted to realize its intended authority. The office was severely weakened under the previous Administration, which turned it into a dumping ground for political appointees. The office's most important power -- the ability to shape public attitudes about drugs -- was squandered.

The Crime Law amendments to the National Narcotics Leadership Act finally put some real punch into the drug director's office. The changes, which build on Executive Order 12880 signed by President Clinton in November 1993, give the office the authority it needs to get the job done, to make the national drug director what he was originally intended to be: a true general in command of our war on drugs.

Before we outline the new powers Congress granted to ONDCP, however, it is important to review briefly the progress toward the goal of coordination that has been made over the past 18 months. First, President Clinton elevated the drug director's position to cabinet level -- a stature Senator Biden has long argued is well warranted by the extent of harm drugs cause our society, and necessary for the office to carry out its government-wide mission.

Second, in reponse to a recommendation made by Vice President Gore's National Performance Review, Attorney General Reno established an Office of Investigative Agency Priorities (OIAP) for federal law enforcement. Headed by FBI Director Louis Freeh, the officies ties together the Drug Enforcement Administration, the Immigration and Naturalization Service and the Justice Department's Criminal Division, among others. OIAP has already established a joint FBI-DEA drug intelligence database, resolved a dispute about authority to conduct overseas investigations, and identified cost-saving measures such as consolidating equipment purchases for different agencies into a single contract.

These are important advances -- exactly the type that Senator Biden had in mind when ONDCP was created. There is much more, however, to the coordination of national drug policy than boosting cooperation among federal law enforcement agencies. There must be coordination between federal, state and local law enforcement authorities as well. There must be coordination of demand-reduction programs too. And, most vitally, there must be integration of programs aimed at supply and demand -- without both, even the most courageous enforcement agents and the most committed social workers are likely to fail.

In its new National Drug Control Strategy, the Administration takes the lead in developing a plan to coordinate America's burgeoning crime- and drug-prevention movement. By supporting the creation of a National Drug Prevention System, ONDCP

will help bring together the leaders of the movement, to facilitate the sharing of information about what programs work best for which populations, and where there are gaps in our knowledge. As we saw in the previous chapter, communities all across the country are coming up with effective methods to keeping their children from the temptations of drugs and gangs. Efforts like NDPS will perform the crucial function of spreading the word.

The Drug Director's office still is struggling to gain the stature the original legislation foresaw. Together with some of its new initiatives, and the improvements in federal law enforcement cooperation, the Drug Director's new powers should enable him -- finally -- to reach it.

Up-front Budget Authority

Previously, the director could certify whether an agency's drug budget request was sufficient to implement the objectives of the drug strategy. But if the budget request was inadequate, he could not say what would be adequate, so no one knew how far short the budget was falling from what was really needed.

Now, the director is instructed to specify what budget levels are sufficient to fulfill strategy goals and orders him to certify each drug agency's request, in whole or in part.

The Act also directs him to recommend specific drug budgets for each agency by July 1 of each year, when federal agencies are starting to prepare their budgets, so they can plan in concert with the strategy.

With these changes, which essentially codify part of an executive order signed by the president late last year, the nation will finally get a real handle on what it's going to take to fight this war.

Implementing the National Strategy

The Director was not permitted to transfer small amounts of funds or personnel between federal drug-fighting agencies to fine tune programs and investigations, unless the agency approved.

The Crime Law provisions now allow the Director to temporarily reassign personnel between agencies, in addition to permitting him to shift up to 2 percent of an agency's drug dollars to another agency, subject to approval by the Appropriations Committees of both Houses of Congress.

The Director also is empowered to issue "Funds Control Notices" to drug control agencies, telling them how and when they can spend their drug budgets.

The new powers in the Crime Law will, for the first time, give the director real control over implementing the drug strategy, real authority to keep the agencies focused on the policies and objectives of the strategy each year. It will give him the flexibility he needs to respond quickly and decisively to new situations and priorities.

Outcome Measures

Perhaps more significantly than expanding the powers of the Drug Director's Office, the Crime Law requires that we begin to look at and evaluate the national drug control effort in a new light -- one focused on the consequences of drug abuse and drug trafficking.

In the past, success or failure was measured in terms of drug arrests, drug seizures, drug-related emergency room admissions and dirty drug tests among jail inmates. To be sure, these measures are critical to the nation's understanding of progress in the fight against illegal drugs.

But clearly other indicators must be used as well, measures that take account of the damage that drugs cause to society and the expenses they entail. That is why the Crime Law mandates a new set of data to be collected and monitored and to be brought into the national debate about the direction of the anti-drug effort. These measures include:

- * the extent of drug-related health care costs

- * the size of the black market drug economy
- * the extent of illicit drug use
- * the extent of drug-related crime
- * the availability of illegal drugs
- * the shortfall in meeting the demand for drug treatment.

This "harm-based" approach will give the nation a much more comprehensive yardstick by which to measure its progress. Moreover, it will encourage drug-fighting agencies to concentrate their efforts on program designed to reduce the human misery and the financial costs of drug abuse.

"Coordination" has been a linchpin of the comprehensive drug strategies offered by Senator Biden over the past four years. In an effort as complex and difficult as combating the scourge of drug abuse, involving some 50 federal departments and agencies, state and local officials and community organizations across the nation, strong leadership is essential. The tools this legislation provides to the Drug Director's office will ensure that it is able to fulfill that role.

APPENDIX A.

ANTI-DRUG RESOURCES

This report outlines a comprehensive strategy for using the criminal justice system as an effective weapon against drug-related violence and addiction. It is the product of 57 hearings convened by Senator Biden over the past six years -- informed by hundreds of hours of testimony from the people on the front lines of the drug battle -- police officers, drug abuse counselors, judges, probation and parole officers, federal agents --

from representatives from virtually every federal agency with drug control responsibilities, and from experts in each of the academic disciplines that must be brought to bare on the problem.

Throughout this process, Senator Biden has challenged the Bush and Clinton administrations to seize upon the policy lessons that our experience has produced. The Violent Crime Control and Law Enforcement Act passed by the Congress and signed by President Clinton on September 13, 1994, took the largest step in that direction since Senator Biden won the establishment of the Office of National Drug Control Policy in 1989.

The 1994 Crime Law, with its \$30.2 billion in spending on community policing, prisons and prevention programs, cannot fail to make our streets, schools and homes safer. And, unlike most other legislation, the Crime Law will deliver on this promise -- it is paid for, by the reduction in the federal workforce. The Clinton Administration had already eliminated 127,176 positions from the federal payroll by October 1994. By 1999, nearly 273,000 more positions will be cut, reducing the number of federal employees to its lowest level since John F. Kennedy was president.

By creating a Violent Crime Reduction Trust Fund into which all of the workforce savings go, the Crime Law trades these bureaucrats for police officers, prisons and

prevention -- making investments that will continue to pay dividends for our children and our neighborhoods far down the road.

Still, the Crime Law was not -- indeed, it could not have been -- the appropriate legislative vehicle for all of the measures the nation must take to fight and prevent the scourge of drugs. The Administration's drug strategy bridges most of that gap. New initiatives to coordinate and improve prevention programs and providers, and a new youth-oriented anti-drug media campaign, are particularly important.

Yet, as these strategies have argued in the past, it is vital to fully fund drug treatment and prevention. We can make no greater investment in the quality of life in our communities or in savings on future expenditures for the criminal justice and health care systems, than by preventing children from taking up drugs and by keeping users from falling into the death spiral of addiction and crime.

These strategies advocate increased funding for treatment and prevention not due to any arbitrary split between resources spent on reducing supply versus demand. Increased dollars are called for only where there is a clear need. It must also be pointed out that many key elements of an effective drug strategy -- the community policing program and the Drug Courts program, for instance -- have important and inextricable components of both enforcement and prevention.

It also bears noting that much of the Administration's drug budget is determined by allocating a specific share of programs as "drug-fighting." This, of course, can cause confusion. All community policing dollars could be counted as "drug control" funds since community policing primarily aims to shut down open-air drug markets and otherwise maintain order on the nation's streets. Since nearly all of the funds will go to police departments, it would be reasonable to count them all as "enforcement" spending, even though community policing is in essence a preventive or "pro-active" strategy and despite the fact that enforcement tends to suppress drug demand.

But let us be clear. How these programs are "scored" is a moot debate. What is crucial is that the programs work. And this report has pointed out that additional dollars cannot simply be thrown at the drug treatment system, or any other drug control program. Caution must be taken -- in the case of treatment, through managed care or central intake systems -- to steer federal funds into the most effective programs. The reauthorization of the Substance Abuse and Mental Health Services Administration, which administers the drug treatment block grant to the states, is due later this year. It provides an opportunity to achieve both objectives -- increased funding and increased effectiveness.

What follows, then, is an abbreviated picture of what a fully-funded federal attack on drugs should look like -- a picture that Senator Biden has drawn many times before.

As noted, the Administration deserves tremendous credit for pushing the strategy in this direction. The few remaining areas in which the President's strategy come up short are:

- * \$900 million for the Department of Health and Human Services to close the 1 million-addict shortfall in the availability of drug treatment;
- * \$60 million for the National Institute on Drug Abuse to accelerate research into anti-addiction medications;
- * \$500 million for the Department of Education to bring drug education to every school child in America.

These pages of previous editions of Senator Biden's drug strategies have offered similar funding targets. In fact, in the early years of these strategies, the funding increase was much greater, as Senator Biden called for significant increases in both aid to state and local drug enforcement and treatment efforts.

Then, as some are sure to today, many asked -- "Where will these additional dollars come from?" The Violent Crime Reduction Trust Fund, passed into law as part of the Crime Act last year, answered many of these questions. Indeed, opposition to the Trust Fund that was so loud last summer is no longer heard from any quarter. The Trust

Fund illustrates what is possible when the nation decides a goal -- fighting violent and drug-related crime -- is of paramount importance.

Now, we must decide -- as a nation -- what it will cost us to leave a drug treatment shortfall of hundreds of thousands of addicts, as against what it will cost us to close that gap. Leaving the gap can only continue the tremendous costs -- measured in crime, "crack" babies, neglected children among many others -- of drug addiction.

According to former drug director William Bennett, closing the gap will cut the chances that these addicts will return to crime, violence and drug abuse by about one-half. Surely, this outcome would be worth many times the roughly \$1 billion in federal dollars it will take to cut the treatment gap.

This is the more proper construction of the question too often posed as "Where will you get the dollars?" For, if the nation's leaders and its people decide that closing the treatment gap is a worthy investment, we will find the "wallet" to match the "will."

BUDGET SUMMARY: 1994 - 1996

(Dollar amounts in millions)

	Anti-Drug Budget 1994	Anti-Drug Budget 1995	Administration Request 1996	Proposed Biden Budget 1996
CRIMINAL JUSTICE SYSTEM	\$5,740	\$6,310	\$7,170	\$7,170 ¹
TREATMENT	2,400	2,650	2,830	3,550
EDUCATION & PREVENTION	1,600	1,850	1,970	2,460
INTERNATIONAL	330	310	400	400
INTERDICTION	1,310	1,290	1,280	1,280
RESEARCH & INTELLIGENCE	810	850	900	960
SUPPLY SIDE	\$7,760	\$8,330	\$9,240	\$9,240
	(64%)	(63%)	(64%)	(58%)
DEMAND SIDE	\$4,420	\$4,930	\$5,260	\$6,580
	(36%)	(37%)	(36%)	(42%)
TOTAL	\$12,180	\$13,260	\$14,500	\$15,820

¹ These calculations are based on the Office of National Drug Control Policy "scoring" of the "drug percentage" of the 1994 Crime Law programs. The scoring issue is addressed in detail in the budget appendix of this report.

APPENDIX B.

ACKNOWLEDGEMENTS

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Of course, the listing of these people that appears in this appendix in no way implies their endorsement of any of the ideas or recommendations made in this document. Indeed, many of those listed here are profoundly opposed to one or more of our proposals. But even where such differences exist, we appreciate the benefit of their input and views, which helped refine and shape ours.

We would also like to acknowledge the contributions of the Director, Deputies, Associate Director and the entire staff of the Office of National Drug Control Policy. All were generous with their time and expertise in consulting with Senator Biden, committee members, and staff.

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Kansas Department of Social and Rehabilitation
Services

C. ROLAND VAUGHN
Vice President
International Association of Chiefs of Police

MACK VINES
Chief of Police
Dallas, Texas

SHERIFF LYLE SWENSON
President
National Sheriff's Association

CATHY TAYLOR
Division of Substance Abuse
Rhode Island Department of Mental Health,
Retardation and Substance Abuse Services

DR. SAMUEL THIER
President
National Institute of Medicine

THE HON. STROM THURMOND (R-SC)
United States Senate

ANTHONY TRAVISONO
Executive Director
American Correctional Association

TOM TSO
Chief Justice
Navajo Nation

SUSAN TURNEY
Office of Substance Abuse Services
Michigan Department of Public Health

THE HON. FRED B. UGAST
Chief Judge
Superior Court
District of Columbia

PETER VAIRA
Attorney
Fox, Rothschild, O'Brien and Frankel

ROBERT E. VAN ETTEN
President
Federal Law Enforcement Officers Association

ROBERT VAUGHN
Student
University of Kansas

MR. JACK VINOKUR
Director of Instruction
Brandywine School District
Brandywine, Delaware

FRANCINE VINSON
U.S. Department of Education
Washington, D.C.

MARILYN WACHAL
Oregon Office of Alcohol and Drug Abuse
Programs

LAURIE WALLEY
Georgia Alcohol and Drug Services Section

ED WARD
Division of Addiction Services
Indiana Department of Mental Health

RON WEICH
Counsel
Sen. Edward M. Kennedy (D-MA)

CONSTANCE M. WEISNER, DR.P.H.
Senior Scientist
Alcohol Research Group, Medical Research
Institute
Adjunct Assistant Professor
School of Public Health
University of California at Berkeley

HERBERT WILLIAMS
President
Police Foundation

RON WILLIAMS
Director
Stay 'n Out Drug Treatment Program
New York

WILLIE L. WILLIAMS
Chief
Los Angeles Police Department

ERIC WISH
Center for Substance Abuse Research
University of Maryland
College Park, Maryland

DR. FRANK VOCCI
Chief
Developmental Therapeutic Branch
National Institute on Drug Abuse

ERIC WAGNER, PH.D.
Post Doctoral Research Fellow
Brown University

DIANA CHAPMAN WALSH, PH.D.
Professor and Chair
Department of Health and Social Behavior
Harvard University School of Public Health

ROSEMARY WARREN
Legislative Assistant
Sen. Jim Sasser (D-TN)

ELLEN WEBBER
Legal Action Center
Washington, D.C.

IRVIN WEINTRAUB, M.D.
Greenwood Drug Treatment Facility
Delaware

BONNIE WILFORD
Department of Substance Abuse
American Medical Association

LYDIA WILLIAMS
National Coalition for the Homeless
Washington, D.C.

SHIRLEY WILLIAMS
Oklahoma Homeless Programs Coordinator

DAVID WINFIELD
President
Winfield Foundation

KENNETH WOOLINGER
Alcohol and Drug Abuse Division
Hawaii Department of Health

SANDRA YANCEY
Project Manager
Washington, D.C. Health Clinic

JACK YELVERTON
Executive Director
National District Attorneys Association

DR. STANLEY YANCOVITZ
Beth Israel Medical Center

ED ZBOROWER
Arizona Department of Health Services

APPENDIX C.

HEARINGS REVIEWING NATIONAL DRUG CONTROL POLICY

MARCH 1 & 2, 1989 -- CONFIRMATION OF DR. WILLIAM J. BENNETT TO BE DIRECTOR OF THE OFFICE OF NATIONAL DRUG CONTROL POLICY

Bennett, William -- Nominee
Warger, Cynthia -- Association for Supervision and
Curriculum Development
De Lara, Jose Garcia, National President, League of United Latin American
Citizens

APRIL 3, 1989 -- STEROID ABUSE IN AMERICA

Ashford, Evelyn -- Olympic gold medalist
Baker, Dorothy -- Member of the Executive Board of the
U.S. Olympic Committee
Connoly, Pat -- Olympic athlete, Coach
Croce, Pat -- Athletic trainer
Davis, Otho -- Head trainer, Philadelphia Eagles
Katz, Dr. David -- Harvard Medical School
Langston, Dr. Edward -- American Medical Association
Quick, Mike -- All-pro receiver, Philadelphia Eagles
Williams, Diane -- Former U.S. national track champion
Yesalis, Dr. Charles -- Professor, Penn State University

APRIL 10, 1989 -- CRACK TRAFFICKING IN RURAL AMERICA

Batson, Margie -- Recovering drug abuser
Carpenter, William -- U.S. Attorney, District of Delaware
Chalfant, Richard L. -- Plant manager, General Foods Corp.
Collick, Stephani -- Senior, Cape Henlopen High School
Dennis, Sgt. Earl -- Maryland State Police
Dennis, Edward -- Assistant Attorney General, Department
of Justice
Dixon, Rev. Walter -- Seaford, Delaware
Harrison, Larry -- Vice-principal, Laurel High School
Hutchinson, Chief James C. -- Dover Police Department
Johnson, Elaine, Director, Office of Substance Abuse
Prevention
Kelly, Thomas -- Deputy Administrator, DEA
Leighty, Sgt. Harvey -- Delaware State Police
McGlumphy, William -- Assistant Principal, Seaford High
School
Oberly, Charles -- Attorney General of Delaware
Pugh, Capt. Chuck -- Seaford, Delaware Police Department
Rescigno, Robert -- Principal, Milford High School
Russell, Paul -- Tunabout Counseling center
Wood, Greg -- Teacher, Delmar High School

APRIL 19, 1989 (CAUCUS HEARING) -- U.S. INTERNATIONAL DRUG POLICY

Arpio, Joe -- Head of DEA's offices in Mexico and Turkey
in mid 1970's
Asencio, Diego c. -- Former Ambassador to Brazil
Bensinger, Peter -- Administrator of DEA, 1976-81
Boyatt, Thomas D. -- Ambassador to Colombia, 1980-83
Craig, Richard -- Professor, Kent State University
Dillon, Robert -- Ambassador to Lebanon, 1980-83
Jova, Joseph John -- Ambassador to Mexico, Honduras
Lee, Rennselaer -- Global advisory
Mullen, Frances "Bud" -- Administrator of DEA, 1981-85
Reuter, Peter -- Senior Economist, Rand Corp.

MAY 9, 1989 -- STEROIDS IN COLLEGE AND PROFESSIONAL FOOTBALL

Courson, Steve -- Former NFL player
Fralic, Bill -- All-pro guard, Atlanta Falcons
Moyer, Jay -- NFL executive vice-president
Noll, Chuck -- Head coach, Pittsburgh Steelers
Paterno, Joe -- Head coach, Penn State University

Purzycki, Joe -- Head coach, James Madison University
Raymond, Harold -- Head coach, University of Delaware
Rozelle, Pete -- NFL commissioner
Schembechler, Bo -- Head football coach and athletic
director of the University of Michigan
Schottenheimer, Marty -- Head coach, Kansas City Chiefs
Upshaw, Gene -- Exec. Director, NFL Players Assoc.

MAY 16, 1989 -- HEARING ON CHILD ABUSE

Schudson, Hon. Charles B. -- Wisconsin Circuit Court
Judge, Milwaukee, Wisconsin
Gooch, Denise -- Mothers Against Raping Children, Clifton, New Jersey
Toth, Patricia A. -- Director, National Center for
Prosecution of Child Abuse
Sugarman, Dr. Muriel -- Assistant in Psychiatry,
Massachusetts General Hospital, Boston, Massachusetts
Burnley, Jane -- Director, Office for Victims of Crime,
Office of Justice Programs, U.S. Department of
Justice
Stewart, Betty -- Associate Commissioner, Children's
Bureau, U.S. Department of Health and Human Services
Cramer, Robert E. -- District Attorney, Madison County,
Huntsville, Alabama
Dell'Olio, Joseph M. -- Executive Vice President, Child,
Inc., Wilmington, Delaware
McDonald Tom -- President, National Court Appointed
Special Advocate Association, Louisville, Kentucky
Crisp, Jayne -- Director, Victim Witness Assistance
Program, Thirteenth Judicial Circuit Solicitor's
Office, Greenville, South Carolina

JUNE 6, 1989 -- REGGIE WALTON NOMINATION

Walton, Reggie -- Nominee
Besteman, Karst -- Exec. Director, Alcohol and Drug
Problems Association of North America
Gruber, Charles -- Vice President, International
Association of Police Chiefs
Olson, Lois, National Association of State Alcohol and
Drug Abuse Directors
Slaby, Lynn -- President Elect., National Attorneys Assoc.
Stokes, Dewey -- President, Fraternal Order of Police

JUNE 19, 1989 --(CAUCUS HEARING) U.N. TREATY AGAINST DRUG TRAFFICKING

Bunting, Frank -- Lieutenant, NY City Police
Constantine, Thomas -- Superintendent, NY State Police
Mochler, Bill -- Assistant Special Agent NY division, DEA
Pickering, Thomas -- U.S. Ambassador to the U.N.
Stutman, Robert -- DEA, Special Agent in Charge, New York
Thornburgh, The Hon. Richard -- Attorney General, U.S.
Voelker, Anthony -- Chief, Bureau of Organized Crime Control, NY City Police

JULY 25, 1989 -- INCARCERATION AND ALTERNATIVE SANCTIONS FOR DRUG OFFENDERS

Castle, Michael -- Governor of Delaware
Buchanan, John -- Lieutenant, Phoenix Police Department
Coughlin, Thomas -- Commissioner, NY State Dept. of Corrections
Dolente, Addis -- Program Manager, Substance Abuse Unit, Florida
James, Alan -- Director, Career Development Fortune Society NYC, Ex-heroin and cocaine addict
Wald, Bruce -- Director of the Key Program at Gander Hill Prison, Wilmington, Delaware

AUGUST 17, 1989 -- INTERNATIONAL DRUG CONTROL

Bailey, Norman -- Former National Security Council Senior staff Member
Duncan, Stephen -- Asst. Secretary of Defense for Reserve Affairs and Coordinator of Drug Enforcement
Gray, Gen. Alfred Jr. -- Marine Corps Commandant
Gregorie, Richard -- Former Chief Asst. U.S. Attorney, Miami, Florida
Merkle, Robert -- Former U.S. Attorney
Mermelstein, Max -- Former Drug Trafficker

AUGUST 31, 1989 -- DRUGS IN THE 1990'S

Binney, David -- Chief, Drug Section, FBI
Dunbar, Bryon -- U.S. Attorney., Montana
Escalderon, Audrey -- Director, Crash Golden Hill House, San Diego, California

Faggett, Dr. Walter -- Director, Substance Abuse Services, D.C. General Hospital
Halikas, Dr. James -- Professor of Psychiatry, University of Minnesota
Hall, James -- Executive Director, Upfront Drug Info. Center, Miami, Florida
Hopkins, William -- Director of Street Research, NY State Division of Substance Abuse Services
Kaemingk, Dennis -- Captain of Detectives, Mitchell, SD
Kosten, Dr. Thomas -- Acting Director, Substance Abuse Treatment Unit, Yale University
Peck, Dr. Carl -- Director, Drug Evaluation & Research, FDA
Schuster, Dr. Charles -- Director, National Institute on Drug Abuse

SEPTEMBER 7, 1989 -- CONGRESSIONAL REVIEW OF NATIONAL DRUG CONTROL STRATEGY

Bennett, William -- Director, National Drug Control Policy

SEPTEMBER 8, 1989 -- ORGANIZED CRIME STRIKE FORCES

Bonner, Robert -- U.S. District Judge
Harmon, James -- Atty., Bower & Gardner
Helfrey, David -- Former Strike Force Chief, Kansas City
Heymann, Phillip -- Professor, Harvard Law School
Hogue, Eades -- Former Strike Force Chief, New Orleans
Methvin, Eugene -- Senior Editor, Reader's Digest, Member of Commission on Organized Crime
Morgenthau, Hon. Robert -- District Atty., NYC
Mullenberg, Kurt -- Former Chief, Organized Crime and Racketeering Section, DOJ
O'Sullivan, Jeremiah -- Former Exec. Director, Commission on Organized Crime
Roller, Douglas -- Former Strike Force Chief, Cleveland and Chicago
Skinner, Samuel -- Secretary of Transportation of the U.S.
Slaby, Lynn -- President, National District Attorney's Assc.
Thornburgh, Richard -- Atty. General of the United States
Vaira, Peter -- Former Strike Force Chief, Chicago and Philadelphia

**SEPTEMBER 11, 1989 -- WISCONSIN RESPONDS TO THE PRESIDENT'S
ANTI-DRUG POLICY (KOHL)**

Hylar, Queen -- President, People United Assc., Wisconsin
Fineberg, Francine -- Executive Director, Meta House for Women and
Children
Vann, Michael -- Clinical Director, two youth clinics,
Wisconsin
Hanaway, Don -- Attorney General, State of Wisconsin
McCann, Mike -- District Attorney, Milwaukee, Wisconsin
Small, Steve -- Professor, University of Wisconsin
Gardner, Judge Bill -- U.S. District Court, Milwaukee County
Peterkin, Robert -- Superintendent, Milwaukee Public Schools
Pnazek, Karl -- CEO, CAP services
De Lorm, Sarah -- Senior, Appleton West High School
Tyson, Dylan -- Student Body President, Appleton West H.School
Kramer, Staffert -- Freshman, University of Wisconsin
Williams, Vernell -- Student, Rufus King High School

SEPTEMBER 12, 1989 -- REVIEW NATL. DRUG CONTROL STRATEGY

Blue, Dan -- State Representative, NC
Gustafson, John -- President, National Assoc. of State
Alcohol and Drug Abuse Directors
Johnson, Sterling -- Special Narcotics Prosecutor
Meeks, Charles -- Exec. Director, National Sheriffs Assc.
Quinn, Thomas -- Exec. Director, Delaware Criminal Justice Council
Riley, Joseph -- Mayor of Charleston, SC
Ugast, Fred -- Chief Judge, Superior Court, D.C.
Travisano, Anthony -- Exec. Director, American
Correctional Association

SEPTEMBER 19, 1989 -- DEATH PENALTY

Anders, James -- Solicitor, Columbia, SC
Dennis, Edward -- Acting Deputy Atty. General
Gradess, Jonathan -- Exec. Director, NY State Defenders
Association
Hampton, Ronald -- Exec. Director, Natl. Black Police Ass.
Kliesmet, Robert, President, International Union of Police Assc.
McCann, Michael -- Dist. Atty., Milwaukee, WI
Radelet, Michael -- Prof. of Sociology
Summers, Wanda -- Pawley's Island, SC
Vaughn, C. Roland -- Vice President, International Assoc.
of Chiefs of Police

**SEPTEMBER 20, 1989 -- NOMINATION, STANLEY MORRIS TO BE DEPUTY
DIRECTOR, NATIONAL DRUG CONTROL POLICY**

Morris, Stanley -- Nominee

SEPTEMBER 27, 1989 -- FEDERAL DEATH PENALTY

Cassell, Paul -- Asst. U.S. Atty
Ellis, Jim -- Professor of Law, American University
Epps, Sterling -- President, Federal Law Enforcement
Officers Assc.
Fight, Edward Lone -- Chairman, Three Affiliated Tribes;
Fort Berthold Reservation
Indritz, Tova -- Federal Public Defender, District of New
Mexico
Kamenar, Paul -- Washington Legal Foundation
Kinnard, Steve -- Jones, Day, Reavis & Pogue
McKerrow, Nancy -- Asst. Public Defender
Mello, Michael -- Professor of Law
Roessel, Faith -- Staff Atty., Native American Rights Fund
Tso, Tom -- Chief Justice, Navajo Nation

OCTOBER 2, 1989 -- DEATH PENALTY

Baldus, David -- Professor of law
Chambers, Julius -- Director Counsel, NAACP Legal Defenses and Education
Fund
Dennis, Edward -- Acting Deputy Atty. General, United
States
Hill, William -- Deputy Atty. General, GA
Kamenar, Paul -- Exec. Director, Washington Legal
Foundation
Katz, Dr. Joseph -- Professor, Georgia State University
Lowrey, Dr. Joseph -- President, South Christian
Leadership Conference
Simmons, Althea -- Director, NAACP
Tabak, Ronald -- American Bar Association

OCTOBER 3, 1989 -- SUPPLY OF DRUGS

Allsbrook, Billy -- Past President, National Alliance of
State Drug Enforcement
Atwood, Donald -- Deputy Sec'y, Defense Department
Burgreen, Robert -- Police Chief, San Diego, California
Lawn, John -- Administrator, DEA
Sessions, William -- Director, FBI

OCTOBER 31, 1989 -- CREATIVE DRUG PREVENTION

Goldsmith, Herbert -- President, Members Only
Green, Darrell, Defensive back, Washington Redskins
List, Shelly -- Writer
Winfield, David -- Player, New York Yankees

**NOVEMBER 6, 1989 (JOINT CAUCUS/JUDICIARY) -- MULTI-NATIONAL STRIKE
FORCE**

Manley, Hon. Michael -- Prime Minister of Jamaica

**NOVEMBER 9, 1989 -- (JOINT LABOR/JUDICIARY) IMPACT OF DRUGS ON
CHILDREN AND FAMILIES**

Duran, Mike -- Specialized Gang, Supervision Unit, CA
Lewis, Johnnie -- Red Hook Apartments, South Brooklyn
Stewart, Dave -- MVP, 1989 World Series
Tuckson, Dr. Reed -- Commissioner of Public Health, D.C.
Vaughn, Robert -- Student, University of Kansas

DECEMBER 12, 1989 -- CHALLENGE OF DRUG ABUSE IN OUR CITIES

Dinkins, David -- Mayor-Elect, NYC
Berkley, Richard -- Mayor, Kansas City, Missouri and past
president of U.S. Conference of Mayors
Stutman, Robert -- Special agent in charge, DEA
Vines, Mack -- Chief of Police, Dallas, Texas
Stewart, Dave -- Pitcher, Oakland A's, MVP, 1989 World
Series

**JANUARY 18, 1989 (JOINT JUDICIARY/CAUCUS HEARING) -- DRUG POLICY
IN THE ANDEAN NATIONS**

Crespo-Velasco, His Excellency Jorge -- Ambassador,
Embassy of Bolivia
Mosquera-Chaux, His Excellency Victor -- Ambassador,
Embassy of Colombia
Atala-Nazal, His Excellency Cesar -- Ambassador, Embassy
of Peru

**FEBRUARY 2, 1990 -- CONGRESSIONAL REVIEW OF NATIONAL DRUG
CONTROL STRATEGY**

Bennett, William -- Director, Office of National Drug Control Policy

FEBRUARY 21, 1990 -- CRIMINAL JUSTICE SYSTEM REFORMS

Robertson, The Honorable James -- Justice, Mississippi Supreme Court
Chauvin, Stanley L. -- President, American Bar Association
Bright, Steve -- Director, Southern Prisoners Defense Committee
Martinez, the Hon. Bob -- Governor, State of Florida
Hill, William B. -- Deputy Attorney General, State of Georgia
Carnes, Ed -- Assistant Attorney General, State of Alabama

**MARCH 1, 1990 -- NOMINATION OF ROBERT SWEET TO HEAD THE OFFICE OF
JUVENILE JUSTICE AND DELINQUENCY PREVENTION**

Sweet, Robert

MARCH 20, 1990 -- HIGH-TECHNOLOGY WEAPONS IN THE WAR ON DRUGS

Bayse, Dr. William -- Assistant Director, Technical Services Division, Federal
Bureau of Investigation
Baker, William -- Asst. Director, Criminal Investigative Division, Federal
Bureau of Investigation
Mintz, Ray -- Director, Research and Engineering Division, U.S. Customs
Service
Immele, Dr. John E. -- Director, Conventional Defense
Technology, Los Alamos National Laboratory
Brandenstein, Dr. Al -- Special Assistant to the Director for Law Enforcement,
Defense Advanced Research Projects Agency

MARCH 27, 1990 -- JOINT CAUCUS/JUDICIARY HEARING ON RECENT DEVELOPMENTS IN THE ANDEAN NATIONS

Murphy, James M., Jr. -- Assistant U.S. Trade Representative for Latin America
Doria Medina, Samuel -- Economic Advisor to the President of Bolivia
Boecklin, George E. -- President, National Coffee Association of USA, Inc.

APRIL 3, 1990 -- OVERSIGHT OF DEPARTMENT OF JUSTICE AND DRUG CONTROL

Thornburgh, The Hon. Richard -- U.S. Attorney General

APRIL 19, 1990 -- CREATIVE DRUG PREVENTION PROGRAMS

Frank, Richard -- President, Walt Disney Studios
Agoglia, John -- Executive Vice-President of TV Business Affairs and Production for NBC
Disney, Roy -- Former Executive Producer of Disney Animated Special
Barun, Kenneth -- Vice President, Ronald McDonald Children's

MAY 8, 1990 -- OVERSIGHT OF DEPARTMENT OF JUSTICE AND DRUG ENFORCEMENT

Thornburgh, The Hon. Richard -- U.S. Attorney General

JULY 11, 1990 -- NOMINATION OF ROBERT C. BONNER TO BE ADMINISTRATOR OF DRUG ENFORCEMENT ADMINISTRATION

Bonner, Robert C. -- Nominee

JULY 17, 1990 -- NEW DRUG REPORTS: DO THEY POINT TO A VICTORY IN THE WAR ON DRUGS?

Caffrey, Ron -- Deputy Assistant Administrator for Operations, Drug Enforcement Administration
Musto, Dr. David -- Yale Medical School
Moore, Dr. Mark -- Harvard University

JULY 31, 1990 -- MURDER RATES: WHY THE RECENT RISE?

Williams, Willie L. -- Commissioner, Philadelphia Police Department
Cogan, Lawrence J. -- Chief Medical Examiner, Los Angeles County
Richardson, Dr. Lynn -- Associate Chief of Emergency Services, Harlem
Hospital
Fox, Dr. James -- Northeastern University

AUGUST 21, 1990 -- ASIAN GANGS, HEROIN, AND THE DRUG TRADE

Bryant, Robert -- Deputy Assistant, Federal Bureau of Investigation
Stern, James -- Supervisory Special Agent, Federal Bureau of
Investigation
Doyle, Jeff -- Senior Special Agent, Federal Bureau of Investigation

SEPTEMBER 6, 1990 -- ONE YEAR REVIEW OF NATIONAL DRUG CONTROL STRATEGY

Bennett, William -- Director, National Drug Control Policy

FEBRUARY 6, 1991 -- REVIEW OF NATIONAL DRUG CONTROL POLICY

Walters, John -- Acting Director, Office of National Drug Control Policy
Walton, Reggie -- Associate Director, Office of National Drug Control Policy
Morris, Stanley -- Deputy Director for Supply Reduction
Kleber, Herbert -- Deputy Director for Demand Reduction
Carnes, Bruce -- Director, Office of Planning, Budget, and Administration

FEBRUARY 26 & 27, 1991 -- CONFIRMATION OF ROBERT MARTINEZ TO BE DIRECTOR OF THE OFFICE OF NATIONAL DRUG CONTROL POLICY

Martinez, Robert -- Nominee
Graham, Robert -- Senator from Florida
Mack, Connie -- Senator from Florida
Coughlin, Lawrence -- Representative from Pennsylvania
Ashcroft, John -- Governor of Missouri
Foote II, Edward T. -- Chairman, Miami Coalition for a Drug
Free Community, Miami, Florida
Weber, Ellen -- Legislative Counsel, Legislative Action Center
Dow, John W. -- Chief Executive Officer, The Crossing Rehabilitation Centers,
Miami, Florida
Sonnnett, Neal R. -- Immediate Past President, National Association of Criminal
Defense Lawyers
Austin, James -- Executive Vice-President, National Council on Crime and

Delinquency

Shaw Jr., E. Clay, Representative from Florida
Butterworth, Robert A. -- Attorney General of Florida
Cahill, Donald L. -- Legislative Chairman, Fraternal Order of Police

April 11, 1991 -- DRUG PRODUCTION AND THE ENVIRONMENT

Cousteau, Jean-Michel -- Founding Director, The Cousteau Society
Thompson, Frank -- Special Agent, California Department of Justice
Pearce, Paul -- President, Clandestine Laboratory Investigators Association,
Camas, Washington
Brown, Robert -- Resident, Cherry Hill, New Jersey

April 18, 1991 -- CRIME & DRUG CONTROL -- THE ADMINISTRATION'S VIEW

Thornburgh, Richard L. -- United States Attorney General

April 23, 1991 -- VIOLENT CRIME CONTROL -- THE LOCAL PERSPECTIVE

Daley, Richard M. -- Mayor of Chicago, Illinois

Flynn, Raymond L. -- Mayor of Boston, Massachusetts and Vice President,
U.S. Conference of Mayors
Thorton, Paul -- Council Member, Vienna, West Virginia; and Chairman,
Small Cities Council, National League of Cities
Bishop, Steven C. -- Chief of Police, Kansas City, Missouri
Vaughn III, C. Roland -- Chief of Police, Conyers, Georgia, and First
Vice President, International Association of Chiefs of Police

**May 15, 1991 -- VIOLENT CRIME CONTROL LEGISLATION: THE LAW
ENFORCEMENT PERSPECTIVE**

Stokes, Dewey R. -- National President, Fraternal Order of Police,
Galloway, Ohio
Meeks, Charles -- Executive Director, National Sheriffs Association,
Alexandria, Virginia
David, Robert L., -- President, Delaware State Troopers Association,
Dover, Delaware
Preate Jr., Ernest D. -- Attorney General of Pennsylvania
Charron, Thomas J. -- President-Elect, National District Attorneys Association,
Alexandria, Virginia

May 16, 1991 -- COCAINE KINDERGARTNERS: PREPARING FOR THE FIRST WAVE

Howard, Judy -- Professor, University of California at Los Angeles
Davis, Evelyn -- Child Development Specialist and Clinical Professor of Pediatrics, Harlem Hospital Center, New York, New York
Powell, Diane -- Director, Project DAISY, Washington, D.C.

September 26, 1991 -- THE PRESIDENTS DRUG STRATEGY: TWO YEARS LATER -- IS IT WORKING

Martinez, Robert -- Director, Office of National Drug Control Policy

May 19, 1992 -- (JOINT JUDICIARY/CAUCUS HEARING) THE NEW HEROIN CORRIDOR: DRUG TRAFFICKING IN CHINA

Bonner, Robert C. -- Administrator, Drug Enforcement Agency
Levitsky, Melvin -- Secretary of State for International Narcotics Matters, Department of State

August 11, 1992 -- RE-AUTHORIZATION OF THE OFFICE OF JUSTICE PROGRAMS

Dillingham, Steven D. -- Acting Assistant Attorney General, Office of Justice Programs, Department of Justice
Mullaney, Lt. Timothy P. -- Fraternal Order of Police, Grand Lodge Legislative Committee, Dover, Delaware
Rosenblat, Dan -- Executive Director, International Association of Chiefs of Police, Arlington, Virginia
Meeks, Charles -- Executive Director, National Sheriffs' Association, Alexandria, Virginia
Blumstein, Dr. Alfred -- President, The American Society of Criminology, Carnegie Mellon University, Pittsburgh, Pennsylvania
Callaway, Robbie -- Assistant National Director, Boys & Girls Clubs of America, Rockville, Maryland

October 1, 1992 -- **CHILDREN & GUNS: WHY THE RECENT RISE?**

Chafee, Hon. John H. -- U.S. Senate (R-RI)
Byrne, Lt. Thomas G. -- Head of Chicago Police Department School Patrol
Unit, Chicago, Illinois
Stephens, Ronald -- Executive Director, National School Safety Center,
Westwood Village, California
Vinokur, Jack -- Director of Instruction, Brandywine School District,
Brandywine, Delaware

March 9 & 10, 1993 -- **NOMINATION OF JANET RENO TO BE ATTORNEY
GENERAL OF THE UNITED STATES**

Reno, Janet -- Nominee
Graham, Hon. Bob -- U.S. Senate (D-FL)
Mack, Hon. Connie -- U.S. Senate (R-FL)
Meek, Hon. Carrie -- U.S. House of Representatives (D-FL)

April 29, 1993 -- **HEARING ON AMERICA'S DRUG STRATEGY**

Kleber, Dr. Herbert D. -- Executive Vice-President, Center on Addiction and
Substance Abuse and Professor of Psychiatry, Columbia University
Kleiman, Dr. Mark -- Associate Professor of Public Policy, John F. Kennedy
School of Government, Harvard University
Reuter, Dr. Peter -- Co-Director of RAND's Drug Policy Research Center,
Santa Monica, California

May 25, 1993 -- **NOMINATION OF DR. LEE BROWN TO BE DIRECTOR OF THE
OFFICE OF NATIONAL DRUG CONTROL POLICY**

Brown, Dr. Lee Patrick -- Nominee
Krueger, Hon. Bob -- U.S. Senate (D-TX)
Moynihan, Hon. Daniel P. -- U.S. Senate (D-NY)
Brooks, Hon. Jack -- U.S. House of Representatives (D-TX)
Rangel, Hon. Charles B. -- U.S. House of Representatives (D-NY)

July 29, 1993 -- NOMINATION OF JUDGE LOUIS J. FREEH TO BE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION

Freeh, Judge Louis J. -- Nominee
Moynihan, Hon. Daniel P. -- U.S. Senate (D-NY)
D'Amato, Hon. Alfonse M. -- U.S. Senate (R-NY)
Nunn, Hon. Sam -- U.S. Senate (D-GA)
Bradley, Hon. Bill -- U.S. Senate (D-NJ)
Lautenberg, Hon. Frank R. -- U.S. Senate (D-NJ)

October 20, 1993 -- REVIEW OF INTERIM NATIONAL DRUG CONTROL STRATEGY -- "BREAKING THE CYCLE OF DRUG ABUSE"

Bennett, Dr. William -- Former Director, Office of National Drug Control Policy and Co-Director of "Empower America"
Brown, Dr. Lee Patrick -- Director, Office of National Drug Control Policy

February 10, 1994 -- REVIEW OF THE NATIONAL DRUG CONTROL STRATEGY

Brown, Dr. Lee Patrick -- Director, Office of National Drug Control Policy

March 2, 1994 -- NOMINATION OF THOMAS A. CONSTANTINE TO BE DIRECTOR OF THE DRUG ENFORCEMENT ADMINISTRATION

Constantine, Thomas A. -- Nominee
Moynihan, Hon. Daniel P. -- U.S. Senate (D-NY)
D'Amato, Hon. Alfonse M. -- U.S. Senate (R-NY)
McNulty, Hon. Michael R. -- U.S. House of Representatives (D-NY)
Quinn, Hon. Jack -- U.S. House of Representatives (R-NY)

April 19, 1994 -- MEDICINES FOR DRUG ABUSE -- REVIEWING THE STRATEGY

Earley, Dr. Laurence E. -- Senior Associate Dean, Francis C. Wood Professor of Medicine, University of Pennsylvania
Kleber, Dr. Herbert D. -- Executive Vice President, Medical Director, Center on Addiction and Substance Abuse, Professor of Psychiatry, Columbia University College of Physicians and Surgeons
O'Brien, Dr. Charles -- Chief of Psychiatry, Philadelphia Veterans Affairs Medical Center, Professor and Vice-Chair of Psychiatry, University of Pennsylvania School of Medicine
Crout, Dr. J. Richard -- Former Vice President, Medical and Scientific Affairs, Boehringer Mannheim Pharmaceuticals Corp., Institute of Medicine Scholar-in-Residence

October 5, 1994 -- **COMBATING DRUGS IN AMERICA -- PUTTING THE DRUG STRATEGY INTO ACTION**

Brown, Dr. Lee P. -- Director, Office of National Drug Control Policy,
Washington, D.C.

Smith, Robert L. -- Public Safety Administrator, Tampa, Florida.

Allen, Robert L. -- Community Activist, Tampa, Florida.

McCaskill, Claire C. -- Prosecuting Attorney, Jackson County, Missouri.

Ratelle, John -- Warden, Richard J. Donovan Prison, San Diego, California.

Walters, John -- Former Acting Director, Office of National Drug Control
Washington, D.C.