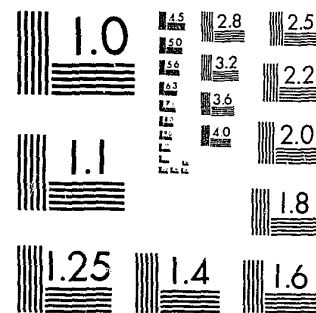


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U.S. Department of Justice

Guidelines for the Drug Enforcement Task Forces



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U.S. Department of Justice
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INTRODUCTION

These guidelines are intended to assist United States Attorneys, Special Agents-in-Charge and other local criminal investigation chiefs for Task Force agencies (hereinafter SACs), and other investigative and prosecutorial personnel in establishing and operating the Drug Enforcement Task Forces announced by President Ronald Reagan on October 14, 1982.

The standards and procedures are sufficiently broad and flexible to allow individual Task Forces to be tailored to meet the special needs of their areas. At the same time, however, they provide sufficient structure and uniformity to ensure that all the Task Forces serve the fundamental purposes of the Task Force program, and to enable the utilization of Task Force resources to be measured and assessed. These guidelines apply to anyone working on a Task Force case, regardless of whether he or she has been officially designated as a Task Force attorney or agent.

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ACQUISITIONS

GOALS, POLICIES AND STANDARDS
OF THE TASK FORCE PROGRAM

Goals and Objectives

The Drug Task Force program's overall goal is to identify, investigate, and prosecute members of high-level drug trafficking enterprises, and to destroy the operations of those organizations. The program is designed to achieve this goal by two means:

- Adding new federal resources for the investigation and prosecution of major drug trafficking organizations.
- Fostering improved interagency coordination and cooperation in the investigation and prosecution of major drug cases.

Achieving these two aims should result in more and better cases against high level drug traffickers, which, in turn, should have an appreciable impact on illegal drug trafficking.

Each Task Force will have its own organizational identity. It will have a separate central office and an administrative staff. There will be attorneys and agents officially designated as Task Force attorneys and Task Force agents.

Among the specific objectives of each Task Force will be:

1. To target, investigate, and prosecute individuals who organize, direct, finance, or are otherwise engaged in high-level illegal drug trafficking enterprises, including large scale money laundering organizations;
2. To promote a coordinated drug enforcement effort in each Task Force area, and to encourage maximum cooperation among all drug enforcement agencies;
3. To work fully and effectively with state and local drug enforcement agencies; and

4. To make full use of financial investigative techniques, including tax law enforcement and forfeiture actions, in order to identify and convict high level traffickers and to enable the government to seize assets and profits derived from high-level drug trafficking.

Meeting these objectives will result in the seizure of large quantities of illegal drugs and trafficker assets, and the disruption of large scale drug trafficking organizations.

General Policies

The following general policies will apply to all Task Forces:

- Task Force resources are resources to be added to current drug enforcement efforts. Therefore, existing drug enforcement resource commitments in effect at the initiation of the Task Force program must be maintained.
 - Each Task Force position that is filled by an agent or attorney who is assigned to drug cases at the time the Task Force assignment is made must be backfilled with an agent or attorney also assigned to drug cases, except that agents occupying positions funded for non-drug enforcement functions who are diverted to drug enforcement at the time of assignment to a Task Force position, may be backfilled by agents assigned to the function of the funded position.
 - There will be no reduction in the current efforts of the Organized Crime Strike Forces against drug trafficking by organized criminal groups.
- The Drug Task Forces will not operate as separate law enforcement agencies. Rather, they will coordinate the investigative and prosecutorial efforts of agents and attorneys handling Task Force drug cases while remaining under the command of their own offices.
- Each United States Attorney and SAC will consult with state and local drug law enforcement personnel through the district Law Enforcement Coordinating Committee and the District Coordination Group member from state and local law enforcement. They will work with state and local personnel as fully as possible on operational activities and intelligence sharing. This will result in the best overall drug enforcement effort in each district. Periodic reports will be required on the role of state and local law enforcement in the Task Force program.

- The core-city United States Attorney shall be accountable for the overall performance of the Task Force, in accordance with provisions of these guidelines.
- The Task Force monitoring system will follow the violators in a Task Force case through the entire criminal process, from investigation to release from prison.
- The initial allocation and subsequent permanent reallocations of Task Force positions among and within Task Forces will be made by the Attorney General, based upon recommendations from the Task Forces, each agency's headquarters, and the Working Group.
- The United States Attorneys will determine which Assistant United States Attorneys from their respective offices or newly-hired prosecutors for their districts will be designated as Task Force attorneys. Task Force attorneys shall be prosecutors who are experienced in handling complex federal drug, financial or related cases.
- The local SACs will determine which agents from their respective offices will be designated as Task Force agents. Task Force agents will be selected from agents who are experienced in investigating complex drug trafficking cases or cases of a similar nature, such as large money laundering operations or matters involving illegal activities of major ongoing criminal groups.
- Task Force attorneys and Task Force agents will remain under the line authority of their own United States Attorneys or SACs. However, they may work out of common space according to the needs of individual cases (see section on Housing of Task Force Personnel).

- Personnel designated as full-time Task Force personnel may work only on cases that have been approved as Task Force cases, recognizing that extraordinary circumstances may require temporary diversion of these resources, and with the exceptions provided in the section on Task Force Size and Composition.
- Non-Task Force personnel may work on Task Force cases, at the discretion of the responsible United States Attorney or SAC. Each agency will be responsible for accounting for the time that is contributed to the Task Force program.
- Each core city will establish a separate Task Force office (see section on Housing of Task Force Personnel).
- Task Forces cases may be accepted by the United States Attorney in a district after reaching agreement with the district SACs, followed by concurrence from the core city Task Force Coordinator, after consultation with the Agency Task Force Coordinators.
- It is not necessary that every Task Force prosecution include specific drug charges, but every Task Force prosecution must be drug-related. That is, the specific charges may be tax, RICO, currency, or other non-drug violations, as long as the targets have been identified as major drug violators and otherwise meet the Task Force standards.
- In every case in which there is a plea agreement, a plea must be made to at least the most serious charge in the indictment unless the United States Attorney in whose district the case is pending personally approves a plea to a lesser charge.
- Each Task Force will compile and maintain a current list of targeted major drug violators.
- All press releases concerning Task Force cases should be cleared through the United States Attorney prosecuting the case, and should otherwise conform to the existing Attorney General's Guidelines.

Standards for Task Force Cases

In each district the Task Force investigators and prosecutors will be assigned significant investigations of major drug trafficking organizations that warrant the involvement of more than one investigative agency. Also assigned to the Task Forces, as resources allow, will be investigations of major drug trafficking organizations that demand significant attorney resources during the investigative stage. Examples of such cases would be matters involving electronic surveillance, extensive use of the grand jury, the presence of substantial property or cash that is likely to be subject to forfeiture, the likelihood of income tax violations, and the corruption of public officials.

Major drug trafficking organizations include any of the following types of groups, where a sizable number of individuals is involved in the trafficking or there are large actual or potential profits gained from the trafficking:

- Traditional organized crime figures, to the extent that such matters are not being worked already by Strike Force personnel, and, in any case, in coordination with the Strike Force office with responsibility for the district;
- Major outlaw motorcycle gangs (e.g., Hells Angels, Pagans, Outlaws or Bandidos);
- Other organized criminal groups (major street gangs, prison gangs, and similar groups);
- An organization that is importing and/or distributing large amounts of controlled substances, or is financing the foregoing; or
- Physicians or pharmacists illegally dispensing substantial quantities of prescription drugs.

The preceding are general standards for the types of cases that may be accepted as Task Force cases. Each core-city United States Attorney, in consultation with his or her Advisory Committee, may establish more specific criteria (such as minimum quantities of a given substance) to be applied within a Task Force area.

NATIONAL OVERSIGHT OF TASK FORCE PROGRAM

The Cabinet-level Committee on Organized Crime, which is chaired by the Attorney General, provides top-level review of the national policies, interagency coordination, and intergovernmental cooperative efforts of the Task Force program. It is responsible for handling exceptional, national-scale problems that have not been resolved at any other level.

The Working Group, which is chaired by the Associate Attorney General, is composed of ranking officials from Justice and Treasury agencies, including, but not limited to, the Task Force investigative agencies: the Federal Bureau of Investigation, the Drug Enforcement Administration, the United States Customs Service, the Internal Revenue Service, and the Bureau of Alcohol, Tobacco and Firearms. Its role is to articulate policy and to coordinate the development and maintenance of the Task Force program. The Working Group also is responsible for discussing non-legal disputes that cannot be resolved within or among Task Forces.

The Drug Task Force Program Administrator serves as Executive Director of the Working Group and, through the Task Force Administrative Unit, provides administrative support for the Working Group. In addition, the Administrator supervises the Task Force Administrative Unit and is responsible for promulgating and periodically reviewing guidelines for the structure and operation of the Task Forces, for establishing a national case reporting system, and for implementing procedures by which the Working Group will monitor and report on the performance of the Task Forces.

Administrative Structure: Washington

Task Force Administrative Unit. The Washington, D. C., administrative functions of the Task Forces will be handled by the Task Force Administrative Unit. Under the supervision of the Task Force Administrator, the Unit will include a staff attorney, an analyst, and a secretary. It also will have individuals designated as liaisons from all Task Force agencies and Departmental units with activities pertaining to Task Force cases. The unit will be attached to the Associate Attorney General's Office and administered through the Consolidated Administrative Office. It will have the following responsibilities:

1. Scheduling and staffing meetings of the Working Group;
2. Reviewing the legal and administrative services provided to the Task Forces by the Criminal Division, Executive Office for United States Attorneys, Justice Management Division, Tax Division, investigative agencies, etc.;
3. Receiving a weekly caseload report, by district and by Task Force, from the Executive Office for United States Attorneys;
4. Producing periodic informational memoranda to keep the Working Group and Task Force personnel apprised of events occurring throughout the program;
5. Producing semi-annual reports for the Attorney General and United States Attorneys, annual reports for the President and Congress, and other analyses as directed by the Working Group; and
6. Developing a system, in consultation with the Bureau of Justice Statistics, for tracking non-criminal and post-sentence processing of violators, using available data systems (such as that of the Bureau of Prisons).

The Task Force administrative functions will be conducted to the greatest extent possible through existing Departmental systems. This includes conducting data collection through the Docket and Reporting and PROMIS systems, conducting training through the Attorney General's Advocacy Institute and the Quantico and Glynco Training Centers, providing legal advice through the various sections of the Criminal Division and other equivalent units, etc.

To facilitate overall coordination of the program, all Task Force agencies will provide the Task Force Administrative Unit with a copy of all written communications between Washington and field offices concerning Task Force activities, except for communications concerning individual cases only or individual agents, attorneys, or support personnel.

Case Reporting and Tracking System

A committee has been formed to quickly assess and report on the information that should be collected on Task Force cases and how that information need can best be met. The information to be collected includes the data necessary for Task Force management by the United States Attorneys and the Working Group, and for overall evaluation of Task Force performance, which will be used in reports to the Attorney General, the President, the Congress, and the public.

The committee consists of the Assistant Attorneys General for the Criminal and Justice Management Divisions, a core-city United States Attorney, the Director of the Executive Office for United States Attorneys, the Task Force Administrator, and a representative of each of the Task Force investigative agencies.

Forfeitures

A subcommittee of the Forum for Cooperative Strategy has been considering how the Department of Justice can better meet its forfeiture responsibilities. The subcommittee is reviewing a survey of the forfeiture situation recently conducted by the Justice Management Division, the Criminal Division, and the Executive Office for United States Attorneys. Among the issues under consideration are organization and procedures for the maintenance and disposal of forfeited property, litigative support for criminal and civil forfeiture actions, forfeiture training, a review of forfeiture regulations and statutes, and coordination of forfeiture activities among Departmental units. It is expected that an options paper will be presented promptly to the Attorney General. Once policy decisions on forfeitures have been made for the Department as a whole, the Task Force Working Group will provide directions to the Task Forces.

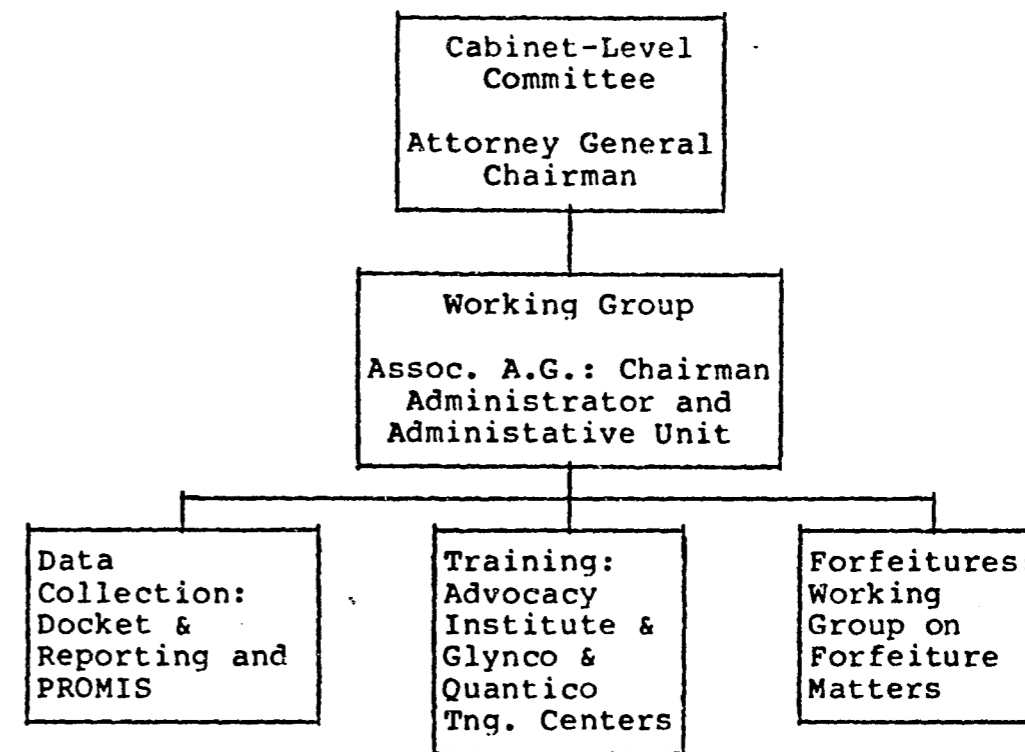
The members of the committee are from the Executive Office for United States Attorneys, the Criminal Division, the Civil Division, the Justice Management Division, the United States Marshal's Service, the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Immigration and Naturalization Service. In addition, other law enforcement units are being consulted as necessary.

Training

The Administrator of the Task Force program will work with Departmental units and Task Force investigative agencies to ensure that needed seminars, conferences, and other training is provided in the following areas:

1. Task Force orientation and administrative procedures for managers of Task Force offices;
2. In-service training for Task Force attorneys and agents in such areas as financial investigations, forfeiture actions, and specialized drug investigative techniques;
3. Specialized training for new attorneys in narcotics prosecutions, CCE and RICO statutes, forfeiture actions, financial investigations, and related areas; and
4. Pre- and in-service training for Task Force administrative staff.

Existing training programs conducted by the Attorney General's Advocacy Institute, the Federal Law Enforcement Training Center in Glynco, Georgia, the Federal Bureau of Investigation Academy at Quantico, and other appropriate training facilities will be utilized. Any additional, specialized Task Force training will be developed as necessary by the Advocacy Institute for attorney training and by existing investigative training facilities for agent training.



National Task Force Administration

Administrative Structure: Field

Core-city

Each Task Force will be coordinated by a core-city United States Attorney, who will be accountable to the Associate Attorney General on matters pertaining to the conduct of the Task Force.

His or her initial responsibilities will include:

1. Establishing a Task Force Advisory Committee composed of the core-city United States Attorney, as chairman; the other United States Attorneys in the area; the Assistant United States Attorney Task Force Coordinator; the Agency Task Force Coordinators; the Task Force agency SACs in the area; and the Strike Force Chiefs in the area; and
2. Establishing a Task Force Coordination Group composed of the Assistant United States Attorney Task Force Coordinator and the Agency Task Force Coordinators. The United States Marshals Service, the United States Coast Guard where present in the Task Force area, and other appropriate agencies shall have a liaison official with the Task Force Coordination Group.

The core-city United States Attorney will not have direct line authority over attorneys outside of his or her own district. They will be hired by and report to their respective United States Attorneys.

Investigative agency personnel will be hired by and report to their respective agencies. Core-city investigative agency heads will be responsible for the coordination of the investigative effort of their respective agency personnel in multi-district Task Force cases.

In consultation with the Advisory Committee, the core-city United States Attorney will have the following responsibilities:

1. Making temporary assignments of core-city Task Force attorneys to non-core city districts within the region;
2. Coordinating with the United States Attorneys involved in the temporary reassignment of non-core city Task Force attorneys to other districts;
3. Recommending to the Attorney General, through the Working Group, permanent reassignment of Task Force attorney positions from one district to another;
4. Developing guidance, consistent with these guidelines, for the selection of Task Force attorneys and Task Force agents to be followed by United States Attorneys and SACs in the Task Force area;
5. Compiling and maintaining a current list of the major drug violators and trafficking organizations to be targeted by the Task Force;
6. Developing plans and strategy for the aggressive investigation and prosecution of the targeted violators and organizations;
7. Reviewing all decisions by the Assistant United States Attorney Task Force Coordinator, following consultation with the Agency Task Force Coordinators, to turn down non-core city cases as Task Force cases;
8. Reviewing all Task Force cases on a periodic basis to ensure that proper standards are being maintained and that a high level of interagency coordination exists;
9. Discussing inter-Task Force disputes with other core-city United States Attorneys;
10. Developing any Task Force policies and standards more detailed than, but consistent with, those enunciated in these guidelines. The Working Group must be informed of all such policies;

11. Overseeing the administrative functions of the Assistant United States Attorney Task Force Coordinator, including ensuring compliance with all Task Force standards and case monitoring requirements, and ensuring that all Task Force resources are being devoted to Task Force cases; and
12. Establishing and maintaining cooperative working relations with state and local law enforcement agencies, working with the Law Enforcement Coordinating Committees, and otherwise ensuring that a high level of intergovernmental cooperation is maintained in drug enforcement.

The Assistant United States Attorney Task Force Coordinator

should be a senior Assistant United States Attorney selected by the core-city United States Attorney and approved by the Associate Attorney General, who will work full-time on the Task Force and report directly to the core-city United States Attorney. The Assistant United States Attorney Task Force Coordinator's responsibilities will include:

1. The establishment of the Task Force office; and
2. The administrative operations of the Task Force office.

The Task Force Coordination group will:

1. Evaluate the cases forwarded to the Task Force office by individual United States Attorneys for concurrence as Task Force cases. In addition, it will regularly review the use of all Task Force resources throughout the area to ensure that Task Force resources are being devoted to Task Force cases as required by these guidelines, and that all cases that should be Task Force cases are being presented for Task Force consideration. The Group also will resolve any problems of cooperation among personnel from different Task Force agencies, and will monitor changes in the pattern of drug trafficking in the area;

2. Meet on a regular basis with state and local law enforcement officials from all geographic areas covered by the Task Force. The Group will ensure that federal, state, and local law enforcement officials are sharing information and developing joint operational activities on Task Force matters to the fullest practical extent;
3. Designate agent and attorney specialists within the Task Force, including:
 - Forfeiture specialists, who will be one or more Task Force agents and/or attorneys that seek civil and criminal forfeiture opportunities, file complaints and follow through to collection, and provide advice and assistance on forfeiture matters to other Task Force agents and/or attorneys;
 - Financial Investigations specialists, who will be one or more Task Force agents and/or attorneys well-versed in financial investigative and prosecutive techniques;
 - Tax specialists, who will be one or more Task Force agents and/or attorneys that provide tax expertise and expedite the review process in tax cases; and
 - A Task Force attorney designated as a drug diversion specialist to oversee diversion cases.

Agency Task Force Coordinators

Each Task Force investigative agency will assign a supervisory level agent on a full-time basis to the core-city Task Force office to work with the Assistant United States Attorney Task Force Coordinator on the operation of the entire Task Force. The Agency Task Force Coordinator will confer with the Assistant United States Attorney Task Force Coordinator on the evaluation of all proposed Task Force cases; will regularly review the assignment of agents and other resources from his or her agency to Task Force cases in all districts within the Task Force; will work with the agency SACs in the Task Force districts to ensure the full and effective participation of the investigators from his or her agency in multi-agency cases; will monitor, with the other Agency Task Force Coordinators, the patterns of drug trafficking in the district; and will ensure that all necessary agency Task Force reports are prepared.

The Agency Task Force Coordinator also will be the agency's representative on the core-city District Drug Enforcement Coordination Group.

Individual Districts

Non-core City United States Attorneys

Once attorney and support allocations are made for a non-core city United States Attorney, he or she will: (1) select the Assistant United States Attorneys who will be Task Force attorneys, (2) designate a Lead Task Force Attorney, in consultation with the core-city United States Attorney, and (3) hire attorneys to back-fill for those selected as Task Force attorneys. In back-filling, it must be kept in mind that the Task Force resources are additional drug enforcement resources, and that the pre-Task Force levels of drug enforcement in the office must be maintained.

The Lead Task Force Attorney in each district will be the United States Attorney or a senior Task Force Assistant United States Attorney with the following responsibilities:

1. Present all cases from the district to the Task Force office for concurrence as Task Force cases. Having the Lead Task Force Attorney present all cases from the district to the Task Force office will ensure that all necessary information is gathered before a presentation is made, thereby reducing the need for multiple contacts. It also will provide each district with an individual well versed in the procedures and expectations of the core-city Task Force office;
2. Assign Assistant United States Attorneys to Task Force cases, consistent with section on Task Force Size and Composition, infra, and supervise their performance;
3. Maintain a record of the status of all Task Force cases in the district;

4. Ensure that all required opening, progress, and closing written case reports on Task Force cases in the district are prepared and submitted to the Task Force office and the Department, as required;
5. Serve on the District Drug Enforcement Coordination Group; and
6. Serve as liaison with the Task Force office on any problems that arise with the Task Force.

Investigative Agency SACs. The investigative agency SAC or senior supervisor for each district will be responsible for bringing potential Task Force cases to the attention of the District Drug Enforcement Coordination Group; for assigning agents to Task Force cases, consistent with the section on Task Force Size and Composition, infra; for supervising the performance of the agents on Task Force cases; and for serving on the District Drug Enforcement Coordination Group.

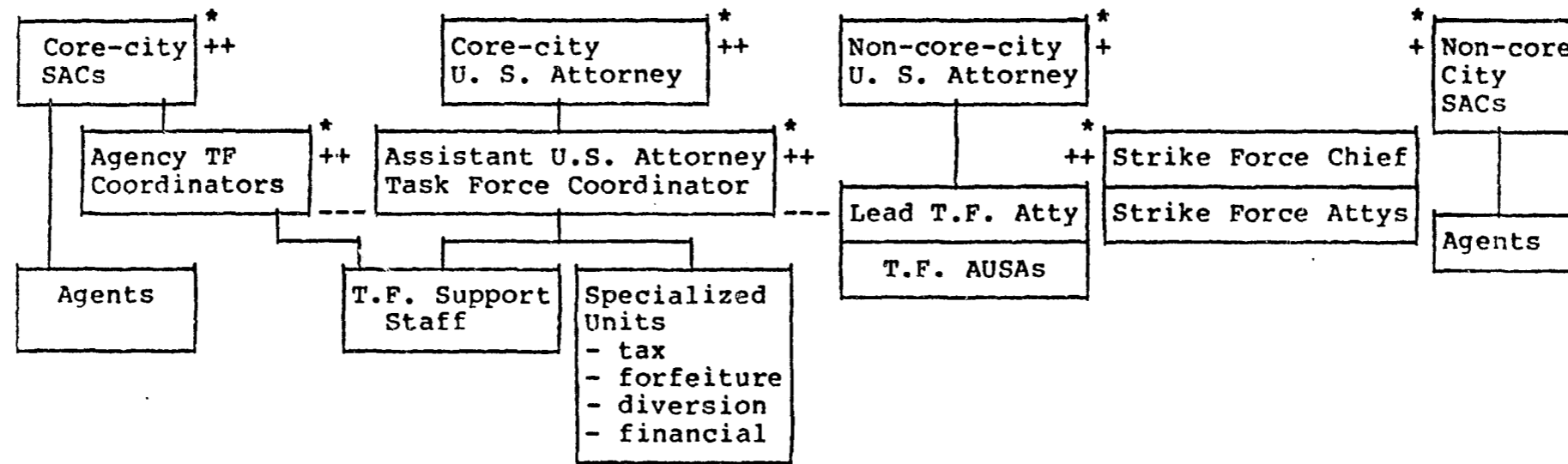
District Drug Enforcement Coordination Group

Each district, regardless of the level of Task Force resources allocated, will establish a District Drug Enforcement Coordination Group, consisting of the United States Attorney, the Lead Task Force Attorney, the Task Force investigative agency SACs or senior supervisors for the district, and at least one representative of state or local law enforcement. The United States Attorney will determine how the Coordination Group relates to the Law Enforcement Coordinating Committee. In districts with a Strike Force office, the Strike Force Chief or Lead Strike Force Attorney also will be a member of this group. The Coordination Group will have the following functions:

1. To review all cases prior to designation as Task Force cases;
2. To review the assignment of agencies, agents, and attorneys to Task Force cases;
3. To monitor the progress of Task Force cases, and to coordinate between Task Force cases and among Task Force and non-Task Force cases;
4. To coordinate relations among federal, state, and local law enforcement on Task Force cases, and to ensure that there is proper and effective information sharing and operational cooperation in drug enforcement in the district; and
5. To review intelligence information in order to monitor drug trafficking patterns and to identify major organized drug trafficking and other organized criminal enterprises in the district. Organizations and activities so identified will be assigned for investigation by either Task Force or non-Task Force resources, as appropriate. Major criminal enterprises that are

so identified, but for which investigative and/or prosecutorial resources are not available in the district should be brought to the attention of the Task Force office in the core-city.

The Coordination Group will meet regularly, and the United States Attorney will provide the necessary administrative support.



- * = Member of Advisory Committee
- + = Member of District Drug Enforcement Coordination Group
- ++ = Member of Core-city District Drug Enforcement Coordination Group

Task Force Administration

Size and Composition of Each Task Force

The initial allocation of Task Force attorneys, agents, and support personnel will be made by the Attorney General, following submission of recommendations from the Task Forces and the members of the Working Group. Task Force personnel will be allocated to work only on cases approved by the Associate Attorney General as Task Force cases. The allocation decision will be made based on current caseloads of United States Attorney and investigative agency offices, projected future needs, analyses of the nature and extent of illicit drug operations in the different areas, and other relevant data. The actual allocations may not represent equal distributions among the various Task Force regions. To the extent that the foregoing provisions effect non-Department of Justice agencies, the Attorney General will make allocations only after consultation with the Cabinet officer with responsibility for such agencies.

It should be noted that attorney and agent resources officially designated as Task Force resources ordinarily will be measured in full-time permanent positions, not in work years contributed by an agency to Task Force work. This is necessary in order to ensure accountability of Task Force resources and to facilitate the monitoring of Task Force performance. However, a small portion of positions allocated to an agency, not to exceed 25 percent, may be filled on the basis of man-years, rather than full-time assignments. This will allow, for example, the temporary utilization of non-Task Force prosecutors with special abilities or the local investigation of leads in places without Task Force investigators.

In back-filling both agent and attorney positions, the number of pre-Task Force funded man-years devoted to drug enforcement must be maintained. Thus, after the Task Force positions have been back-filled, the number of drug enforcement positions must equal at least the number of funded positions allocated to drug enforcement before the formulation of the Task Force, plus the number of Task Force positions allocated.

To ensure that the Attorney General and the Working Group are fully informed about each Task Force's needs, each core-city United States Attorney, in consultation with the Advisory Committee, will submit on an annual basis:

1. A narrative assessment of the overall drug problem in the Task Force area, with emphasis on the most prevalent illegal drugs and most significant drug organizations;
2. A list of the ten most significant drug violators convicted in the area over the past year, with brief explanations of the significance of each case;
3. A description of the current distribution of drug enforcement resources, by district; and
4. A projection of future drug enforcement resource needs, by district.

Any supplemental or differing views or comments by individual United States Attorneys or SACs will be included. These data, along with proposals from the investigative agencies' headquarters and other available information, will be considered by the Attorney General in deciding on resource allocations among and within the Task Forces and among the different agencies.

Reallocation of Resources

The allocation of attorney and agent resources among the Task Forces and districts will be reviewed annually by the Attorney General, considering recommendations of the Working Group. Data from the Task Force case monitoring system will provide significant information that will be used to establish the need to maintain or shift resources among and within Task Forces.

Housing of Task Force Personnel

Core-city Office. A separate Task Force office will be established in existing federal space in each core-city to provide adequate space for the following:

1. The Assistant United States Attorney Task Force Coordinator and Agency Task Force Coordinators. They will be assigned full-time to the Task Force office. They will be expected to devote their time to monitoring their agency's activities throughout the Task Force area; working with the other coordinators in Task Force case selection and coordination; and coordinating their agency's role in core-city district Task Force cases; and
2. The Task Force administrative support personnel assigned to the core-city. These individuals will work full-time out of the Task Force office.

Task Force Attorneys and Agents. Task Force agents and attorneys will be housed out of their own agencies. When working on a multi-agency case that the District Drug Enforcement Coordination Group determines can be investigated best by agents sharing space on a full-time or part-time basis, arrangements for designation of such space in existing agency offices or, if adequate space is not available, acquisition of secure space for this purpose will be made through the Group. When agents and/or attorneys work out of such common space, evidence will be maintained there, unless the nature of the evidence requires otherwise.

Relations With Organized Crime Strike Forces

In keeping with the policy of supplementing the current level of drug enforcement activity by each federal law enforcement component, as set forth in these guidelines, each organized crime Strike Force shall maintain, at a minimum, its current drug enforcement role, including its pre-task force level of manpower dedication (currently estimated at 15% of the Strike Forces' inventory nationwide). Each Strike Force will continue to dedicate its drug enforcement efforts to those same organized crime syndicates upon which it concentrated prior to the advent of the Task Force program.

The current practice in each district with respect to the referral of drug cases to the Strike Force by the United States Attorney or the investigative agency also shall continue. In order to ensure a coordinated attack on drug trafficking throughout the United States, the Strike Force chief shall, as soon as a Task Force becomes operational in his area, brief the Assistant United States Attorney Task Force Coordinator or Lead Task Force Attorney concerning all drug related matters in the Strike Force's active inventory. Thereafter, it shall be the continuing responsibility of the Strike Force chief to provide a copy of the case initiation

report on each new drug related Strike Force investigation to the Assistant United States Task Force Coordinator or Lead Task Force Attorney in the district. The Strike Force Chief or senior Strike Force Attorney in a field office also will be a member of the District Drug Enforcement Coordination Group for the district in which his office is located.

In the event that a United States Attorney determines that it is necessary for a Strike Force to increase the level of its resource commitment against drug trafficking within his district, the Task Force Advisory Committee shall follow its normal resource allocation procedures in deciding whether to provide Task Force attorney positions to the Strike Force on a permanent or temporary basis, so that the Strike Force can meet these added responsibilities without a diminution of its efforts against other organized crime activities.

In addition, the Strike Force offices will coordinate with the Task Forces on any Task Force investigations of traditional organized crime figures within the Strike Force's geographical area of responsibility.

Relations With Existing Drug Prosecution Units

The use of Task Force resources will be coordinated with the use of non-Task Force drug enforcement resources through the District Drug Enforcement Coordination Group. In addition, each United States Attorney's office and investigative agency should establish internal procedure to coordinate intra-office drug enforcement activities. Since there will be substantial significant drug enforcement work being conducted apart from the Task Forces, it is important that Task Force and non-Task Force elements maintain a coordinated and harmonious relationship.

Task Force Procedures

Case Selection and Acceptance

Agency SACs in each district will present potential Task Force cases to the United States Attorney for the district as soon as it is apparent that a matter may be appropriate as a Task Force case. All such matters should be discussed at the time with the District Drug Enforcement Coordination Group. If the United States Attorney agrees with the proposed Task Force designation, the Lead Task Force Attorney will contact the core-city Assistant United States Attorney Task Force Coordinator for concurrence, after review by the Task Force Coordination Group. If the United States Attorney disagrees with the SAC, the SAC may bring the matter to the attention of the core-city Agency Task Force Coordinator for the SAC's agency, who should discuss the matter with the Task Force Coordination Group. If the matter is not resolved, the SAC may refer the matter to Washington for consideration by the Working Group. If an Assistant United States Attorney Task Force Coordinator, after consultation with the Agency Task Force Coordinators, declines to designate a proposed case as a Task Force case, the decision must be reviewed by the core-city United States Attorney. The review must include a discussion of the case with the non-core city United States Attorney involved.

If a United States Attorney becomes aware of a case that should have been considered for the Task Force, but was unilaterally retained by a single investigative agency, this should be

brought to the attention of the Task Force Advisory Committee for review and the development of any necessary policies and procedures to prevent recurrence. Because the focus of the Task Force program is on the investigation and prosecution of major drug trafficking enterprises, which ordinarily benefit from multi-agency investigations, it is important that potential Task Force cases be identified as early as possible, in order that the maximum advantage of a Task Force investigation can be obtained.

Upon concurrence by the Assistant United States Attorney Task Force Coordinator, after consultation with the Agency Task Force Coordinators, on the designation of a particular matter as a Task Force case, the following actions will be taken:

1. A determination will be made whether additional investigative agencies should work on the case. If so, the assignment of agents by the agencies will be made;
2. A determination on attorney assignment will be made by the United States Attorney; and
3. A determination will be made whether the investigation should be made jointly with state or local law enforcement personnel. If so, necessary arrangements for the joint investigation will be made.

Dispute Resolution

The thrust of the Task Force program is to encourage more cooperation at the field-office level by marshaling the efforts of agency personnel within local districts and making the core-city United States Attorney responsible for the coordination of the Task Force. The program is not designed to be administered centrally from Washington. Dispute resolution in all except a small number of cases, therefore, should be handled by managers in the field. In those few exceptional cases, appeals may be made through normal reporting channels to the Department in Washington.


To facilitate dispute resolution in the field, the Task Force Advisory Committee and District Drug Enforcement Coordination Group have been established. It should be possible to resolve in one of those two forums problems that arise among individual agents and attorneys. In addition, those groups can establish policies that clarify application of these guidelines at the district level, thereby preventing disputes before they begin.

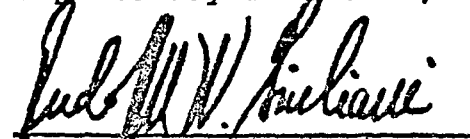
Reservation

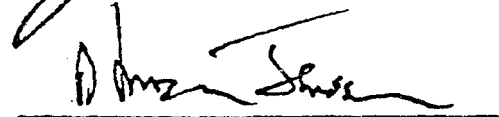
These Guidelines are set forth solely for the purpose of internal guidance for Task Force agencies and their personnel. They are not intended to, do not, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any party in any matter, civil or criminal, nor do they place any limitations on otherwise lawful investigative and litigative prerogatives of the Task Force agencies.

The Working Group recommends that the Attorney General adopt the foregoing Task Force Guidelines.

Respectfully submitted,


John A. Walker, Jr.


Rudolph W. Giuliani

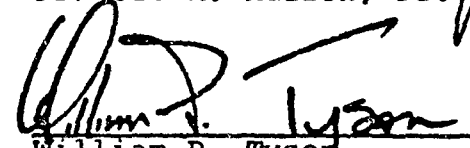

D. Lowell Jensen


William H. Webster


Kevin D. Rooney


Francis M. Mullen, Jr.

January 19, 1983
Date


William P. Tysor

I hereby order the adoption of these Guidelines for the Drug Enforcement Task Forces.

1/20/83
Date


William French Smith
Attorney General

END